



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

Council may take formal action on any item appearing on this Agenda. However, formal action WILL NOT be taken at this meeting on any item of business first identified during the course of the meeting as a change to the Agenda, other business, or Citizen, Councilmember and Staff Comments.

## A G E N D A

Delta City Council  
Regular Meeting

June 20, 2011  
7:00 p.m.

**PLEASE NOTE CHANGE IN MEETING DAY FROM TUESDAY  
TO MONDAY FOR THIS MEETING ONLY**

- A. Pledge of Allegiance
- B. Changes to the Agenda
- C. Minutes
- D. Citizen Comments
- E. Planning Commission Appointment (Black)
- F. Street Closure Permit Application: Delta Area Chamber of Commerce
- G. Public Hearing: Knights of Columbus Special Event Permit Applications (Williams)
- H. Council Bill #2, 2011; Second Reading  
Purchased Power Agreement
- I. City Attorney Comments
- J. City Manager Comments
- K. Councilmember Comments

## EXECUTIVE SESSION

To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a), or more specifically, to discuss the purchase of right-of-way for the truck bypass (Confluence Drive) project and for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Guy Pfalzgraff, and Ed Sisson, along with City Manager Joe Kerby and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

City Manager Kerby stated that Agenda Item G, a public hearing for the Knights of Columbus special events permit applications, has been withdrawn.

**Minutes**

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the minutes of May 17, 2011 as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

Linda Sanchez, representing the Delta Area Chamber of Commerce, explained that Deltarado Days is being brought into the City's main corridor this year in an effort to involve the merchants more in the celebration. One of the downtown venues was to be the Wells Fargo Bank parking lot at 501 Main Street. The parking lot was to be the site of the Friday and Saturday night street dances, the stage, the Key Club barbeque, and other activities.

Ms. Sanchez went on to explain that at a meeting on Friday, June 3, a decision was made to request closure of West 5<sup>th</sup> Street between Main and Palmer. The street would be used as the venue for those activities in lieu of the bank parking lot. Ms. Sanchez stated that since the request was not submitted in time to be placed on the Agenda for tonight's meeting, she wanted to give Council a "heads up" on the request.

The City Manager stated that he will be meeting with Police Chief Robert Thomas and Public Works Director Jim Hatheway to identify any problems which might be associated with closing the street. The street closure permit application will be placed on the Agenda for the June 20<sup>th</sup> Council Meeting.

**Public Hearing: Delta County Memorial Hospital Foundation Special Event Permit Application**

Mayor Cooper recessed the Regular Meeting and opened a public hearing on the Delta County Memorial Hospital Foundation's application for a special event liquor permit.

The Clerk reported that the Foundation has applied for a special events permit for a fund raising event at the Garden Center at 1970 South Main Street. The applicants plan to sell liquor from 10:00 am until 9:00 pm on August 20, 2011. The state and local fees have been paid, and a sign notifying the public of this hearing was posted at the site as required by law. No comments either for or against the approval of the application were received.

The Mayor asked for public comment. When there was none, she closed the public hearing and reconvened the Regular Meeting.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to approve the Delta County Memorial Hospital Foundation's application for a special events liquor permit for August 20, 2011. All in favor, motion carried.

**Public Hearing: Hospice & Palliative Care of Western Colorado Special Event Permit Application**

Mayor Cooper recessed the Regular Meeting and opened a public hearing on Hospice & Palliative Care's application for a special event liquor permit.

The Clerk reported that Hospice has applied for a special events permit for a fund raising event at Heddles Recreation Center on September 10, 2011. The applicants plan to sell liquor from

## **Regular Meeting, Delta City Council, June 7, 2011 (Cont.)**

### **Public Hearing: Hospice Special Event Permit Application (Cont.)**

4:00 pm until midnight that evening. The state and local fees have been paid, and a sign notifying the public of this hearing was posted at the site as required by law. No comments either for or against the approval of the application were received.

The Mayor asked for public comment. When there was none, she closed the public hearing and reconvened the Regular Meeting.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve Hospice & Palliative Care's application for a special events liquor permit for September 10, 2011. All in favor, motion carried.

### **Beer & Wine License Renewal Application: House of Chin**

The Clerk reported that House of Chin has submitted a renewal application for their Beer & Wine License. The application is complete and the State and local fees have been paid. The Police Department reported no liquor violations during the past twelve months and recommended approval of the renewal application.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to approve the Beer & Wine License renewal application for House of Chin. All in favor, motion carried.

### **Natural Green Solutions Request**

City Attorney Schottelkotte explained that if Ordinance #1, 2011 is upheld at the July 12, 2011 election, the practical effect would be to make the Natural Green Solutions medical marijuana dispensary an illegal operation. The City Attorney went on to explain that he had received a letter from the attorney representing Natural Green Solutions requesting City Council to consider giving the dispensary until September 30 to close their operation, should the voters sustain the ordinance banning such dispensaries within the City of Delta.

After briefly discussing the matter with Natural Green Solutions owner John Thomas agreed to allow the dispensary to remain in business until September 1, 2011, if Ordinance #1, 2011 is approved by the voters at the July 12<sup>th</sup> election.

### **Off Leash Dog Park**

Parks Director Paul Suppes briefly reviewed the proposal for an off-leash dog park which he had presented to Council at a work session earlier in the evening. He explained that the Parks Department proposes to build a fenced area at Confluence Park where dog owners could legally allow their pets to run free. He has been working with a community group which has offered to donate materials and labor, and to be involved in developing rules and activities for such a facility.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to proceed with building an off-leash dog park in Confluence Park. All in favor, motion carried.

### **Council Bill #2, 2011; First Reading; Purchased Power Contract**

Utilities Director Steve Glammeyer presented Council Bill #2, 2011, which would authorize the City to enter into a long-term purchased power agreement with Municipal Energy Agency of Nebraska (MEAN). Mr. Glammeyer explained that Council had directed staff to solicit bids for this service, and that two bids were received – one from MEAN and one from Tri-State Generation and Transmission. The bids were reviewed at a Council work session on May 17, and staff was directed to bring back an ordinance authorizing execution of a long-term contract with MEAN.

#### Council Bill #2, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO AUTHORIZING AND DIRECTING PARTICIPATION BY THE CITY IN AN ELECTRICAL RESOURCES POOLING AGREEMENT WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; CHANGING THE CITY'S PAST STATUS IN THE POOLING AGREEMENT TO A BULK POWER PARTICIPANT; AUTHORIZING AND DIRECTING EXECUTION BY THE CITY OF THE TOTAL POWER

**Regular Meeting, Delta City Council, June 7, 2011 (Cont.)**

**Council Bill #2, 2011 (Cont.)**

REQUIREMENTS POWER PURCHASE AGREEMENT THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; ACKNOWLEDGING AND PROVIDING FOR LIMITATIONS ON USE OF THE ELECTRICITY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT

was read by the Clerk.

It was moved by Councilmember Sisson and seconded by Councilmember Jurca to adopt Council Bill #2, 2011 on first reading. Roll call vote: Councilmembers Pfalzgraff, aye; Sisson, aye; Raley, aye; Jurca, aye; and Cooper, aye. Motion carried.

**Truck Route Construction Contract**

Public Works Director Jim Hatheway reported that three bids for construction of the Confluence Drive Project were accepted on March 17, 2011. The engineer's estimate for the four-lane project was \$22,003,109.70. The bids received were as follows:

SEMA Construction	\$19,861,017.80
Kraemer Construction	\$21,595,903.71
Lawrence Construction	\$23,088,380.24

The Public Works Department recommends awarding the contract to SEMA Construction, the lowest qualified bidder. Mr. Hatheway explained that SEMA worked on the Riverside Parkway Project in Grand Junction and is very interested in working with the City of Delta on the Confluence Drive Project.

The Public Works Director went on to explain that the construction contract with SEMA will allow the Design Team and SEMA to work on the value engineering portion of the project. Construction funds will not be obligated until the Notice to Proceed is issued to SEMA. The Notice to Proceed will not be issued until the majority of the right-of-way acquisition issues have been resolved, including the railroad property exchange. The contract allows SEMA to bill the City for costs incurred during the value engineering process. Should right-of-way acquisition not be completed prior to February 1, 2012, the contract could be terminated and the City would not be obligated for more than the costs incurred to that point through the value engineering process.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to award the construction contract for the Confluence Drive Project to SEMA Construction. The Mayor requested a roll call vote: Councilmembers Pfalzgraff, aye; Sisson, aye; Raley, aye; Jurca, aye; and Cooper, aye. Motion carried.

**City Attorney Comments**

City Attorney Schottelkotte commented on the construction contract just approved. He explained that the clause in the contract which allows termination of the contract in the event the acquisition of the necessary right-of-way is not completed provides a "safety valve" for the City.

**City Manager Comments**

The City Manager reported on the following:

- Mail ballot will be mailed June 20 for the July 12<sup>th</sup> election concerning the medical marijuana dispensaries. Votes will be counted on July 12, so all ballots must be returned to the County Clerk's office by 7:00 p.m. that day.
- The next Golf Course Advisory meeting is June 15 at 6:00 p.m. A Volunteer Work Day will be held at the golf course on June 18 beginning at 5:30 p.m.
- "Delta County Kids Count" – a public forum concerning what the County and municipalities are doing to provide services for victims of child sexual assault, abuse and neglect will be held June 8 at 7:00 p.m. at the Delta United Methodist Church. The Delta PD is one of the sponsors of this event.
- Seven police officer candidates will be interviewed on June 8.
- A request for qualifications from parties interested in assuming operation of the City animal shelter is out. Responses are due by June 20.
- City staff is monitoring the river closely. Available information indicates that the water should peak on Wednesday morning, June 8.

## **Regular Meeting, Delta City Council, June 7, 2011 (Cont.)**

### **City Manager Comments (Cont.)**

- A work session will be scheduled to discuss the possible need for electric rate increases due to the signing of the new MEAN contract.
- The Utilities Department is in the process of putting out a request for proposals for the digester.
- The next Downtown Assessment meeting is scheduled for June 30 at 5:30 at the recreation center.
- Outdoor Heritage Days will be held at the recreation Center on June 11 from 9:00 a.m. to 3:00 p.m.
- The next regular Council meeting has been rescheduled to Monday, June 20, due to the annual CML conference, which begins on Tuesday, June 21. There will be a work session scheduled prior to the meeting. Manager Kerby and Community Development Director Glen Black, along with Mayor Cooper and Councilmembers Pfalzgraff and Sisson, will be attending the conference.
- Mr. Kerby mentioned a list of names of potential members of the Citizen Task Force.
- The loader which was purchased to replace the one destroyed by fire has arrived.
- Staff is moving forward with the due diligence on the open space acquisition recently approved by Council. Closing on the property should take place August 7<sup>th</sup> or 8<sup>th</sup>.
- Manager Kerby reported that he will be a member of the Board of Directors of the Colorado Canyons Association. He will need to attend a monthly meeting lasting about an hour and a half.

The City Manager asked if Council is interested in soliciting names from the public for the Citizen Task Force. He explained that only two of the names on the list had contacted him to volunteer to serve. The rest were suggested by Council, staff and others.

Council agreed to advertise for two weeks and then review the list of suggested and volunteer names.

### **Councilmember Comments**

Councilmember Pfalzgraff and Sisson commended staff and everyone else who worked on the two historic contracts – the MEAN purchased power contract and the Confluence Drive construction contract.

Mayor Cooper reported on Project 7's retirement party for Dick Margetts.

### **Executive Session**

It was moved by Councilmember Sisson and seconded by Councilmember Pfalzgraff to convene an Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a), or more specifically, to discuss the purchase of right-of-way for the truck bypass (Confluence Drive) project and for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 7:45 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 9:50 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Guy Pfalzgraff, Ed Sisson, Bill Raley, and Robert Jurca; City Manager Joe Kerby; City Attorney Mike Schottelkotte; Human Resources Director Jeri Karsten for the personnel matter; and Public Works Director Jim Hatheway, Brad Rodenberg and Rob Pratt for the right-of-way acquisition discussion.

For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

**Regular Meeting, Delta City Council, June 7, 2011 (Cont.)**

**Executive Session (Cont.)**

The meeting was immediately adjourned.

---

Mary Lynn Williams, Acting City Clerk

# Memo

Paul Suppes  
Parks Director  
874-7973

To: Mary Lynn Williams  
From: Paul Suppes  
Date: May 20, 2011  
Subject: Delta-ra-do Events for the City of Delta.

---

Mary Lynn the Knights of Columbus have requested a Beer Garden at the Arena for Delta-ra-do days July 15<sup>th</sup>. I have given them permission to use the arena area for this event to go along with the Bull ride scheduled for that night. We have always assisted in making this a community event and if they complete all of their required paper work it should be no problem. They have run the Beer Garden at Cleland for several years with no incidents. I do believe they will continue to do so again.

Paul Suppes  
Parks Director  
City of Delta

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO  
CERTIFICATE OF REGISTRATION

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**KNIGHTS OF COLUMBUS GRAND MESA COUNCIL 02731**

is a **Charitable Organization** registered to solicit contributions in Colorado as required by the Colorado Charitable Solicitation Act, Title 6, Article 16, C.R.S.

This organization has been assigned a registration number of 20083005393.

The status of its registration is **GOOD**, and this status has been in effect since 10/13/2010.

The organization's registration is or was due to be renewed by 11/15/2011.

Registrations in good or delinquent status remain valid until the registration becomes suspended or revoked. An organization whose registration has been suspended is prohibited by law from soliciting contributions, providing consulting services in connection with a solicitation campaign, or conducting a solicitation campaign in Colorado.

This certificate reflects facts established or disclosed by documents delivered to this office electronically through 05/09/2011.

**IN TESTIMONY WHEREOF** I have hereunto set my hand and affixed the Great Seal of Colorado, at the City of Denver on 05-09-2011 20:05:30



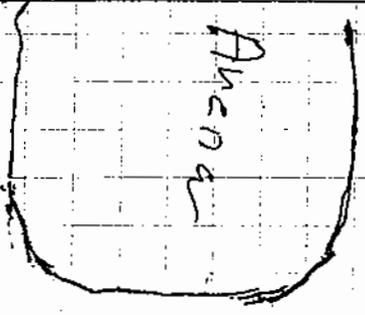
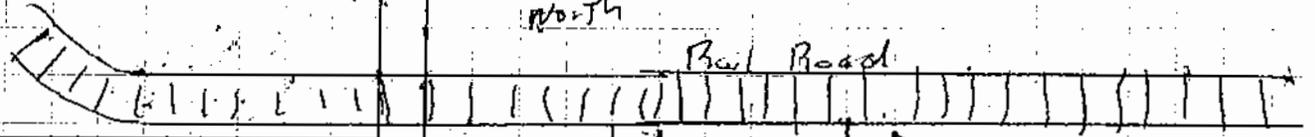
A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

*Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective.*

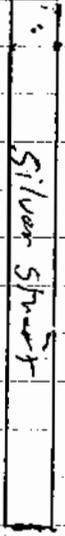
North

Rail Road



Amenca

Horse Country

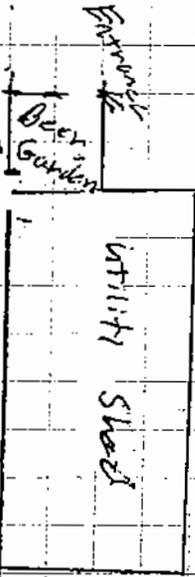


Silver Street

Horse Street

Keller's Street

FISH  
POSSIBLY  
QUART  
SHED



Utility Shed

Entrance

Beer Garden

48' x 48'

High chain link  
enclosure

3rd Street

### City of Delta Parade and Street Closure Permit

Date of Application: 6-6-11

*(Handwritten initials)*

PLEASE PRINT OR TYPE

**Event Information:**

Date of Event: July 15 + 16, 2011

Location(s) of Event: E. 5<sup>th</sup> from Main to Palmer

Name and Description of Event: Deltarado Days

**Applicant:**

Contact Person: Linda Sanchez

Name of Represented Entity: Delta Area Chamber of Commerce

Mailing Address: 301 Main St, Delta CO 81416

E-Mail Address: director@deltaColorado.org

Phone Number: (Day) 970-874-8616 Evening 970-640-2715

**Special Equipment Needs:**

The following items have been received by the City of Delta:

Application Fee of \$ 25<sup>00</sup>

Deposit of \$ 500<sup>00</sup> to be refunded if street closure area and adjoining property is clean and litter free.

Proof of Special Event Insurance satisfactory to the City of Delta.

Any authorized City of Delta representative may terminate the event at any time for any good cause and applicant must then immediately vacate. No refund will be given in such event.

Linda Sanchez 6-6-11  
Signature of Applicant or Representative Date

City Representative Title Date

*City of Delta Special Permit continued*

Any authorized City of Delta representative may terminate the event at any time for any good cause and applicant must then immediately vacate. No refund will be given in such event.

**R.O.W. Closure Regulations:**

- No R.O.W. closure may occur in conjunction with any Special Events Liquor License, unless permission is granted by the City Council.
- No R.O.W. may be closed more than ten hours.
- Application must be submitted at least 30 days in advance of event.
- Event must conclude by 11:00 p.m.
- R.O.W. and adjoining walkway, etc. must be cleaned after event by applicant.

Date of R.O.W. Closure: 7-15 + 7-16  
 Start Time of Closure: 7-15 2:00 pm Ending Time of Closure: 7-17 AM

Describe R.O.W. area to be closed:  
E 5<sup>th</sup> Street from Main to Palmer

**Barricades, cones and signs needed:**

Barricades: ✓ Signs: ✓ Cones: ✓  
 Time and Date for Delivery: 7-15 2:00 pm  
 Time and Date for Pickup: 7-17 AM

**Parade Regulations:**

- Application must be submitted at least 60 days in advance of event.
- Each parade must organize and stage on 9<sup>th</sup> Street from Grand Avenue to Main Street with additional staging area on Main Street from 9<sup>th</sup> Street to 11<sup>th</sup> Street on the East side. The parade must then travel North on Main Street to 4<sup>th</sup> Street, turning off of Main Street, East onto 4<sup>th</sup> Street.
- Throwing candy and other items from moving vehicles is prohibited.

I understand that the City of Delta has no liability and provides no insurance for the protection of the applicant or event spectators. The applicant agrees to save and hold harmless the City and its employees from any and all claims and demands arising out of the use of the permitted areas and will defend any cause of action brought to enforce any such claims or demands against the City and/or its Employees.

*Shaf Saury* 6-11-11  
 Signature of Applicant or Representative Date

\*\*\*\*\*

The foregoing application for a special permit is hereby granted, subject to all terms, conditions and regulations previously stated and subject to all other applicable City Code regulations.

\_\_\_\_\_  
 Mayor of the City of Delta Date



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Lynn Williams, Acting City Clerk  
Date: June 15, 2011  
Subject: Knights of Columbus Grand Mesa Council #2731 Special Events Permit Applications

---

### **Recommendation**

Staff sees no problem in approving these applications for Special Events Liquor Permits for the Knights of Columbus for their events scheduled for July 15<sup>th</sup> and 16<sup>th</sup>, 2011, assuming Council approves the street closure permit application for the Delta Area Chamber of Commerce.

### **Background**

Knights of Columbus have submitted applications for two Special Events Liquor Permits for fund raising events at Deltarado Days on July 15<sup>th</sup> and 16<sup>th</sup>, 2011. The first application specifies that they plan to sell malt, vinous and spirituous liquor from 6:00 pm to 10:00 pm on July 16<sup>th</sup> at the Horse Country Arena at 201 Kellogg St. The second application is for July 15<sup>th</sup> from 5:00 pm to midnight and July 16<sup>th</sup> from 11:00 am to midnight on West 5<sup>th</sup> Street between Main and Palmer. The applications are complete and the fees, \$35.00 to the City and \$25.00 to the State per day, have been paid. Signs notifying the public of this hearing have been posted at the sites for at least ten days as required by law. As of the writing of this memo, one comment had been received opposing the granting of the permit for the event on 5<sup>th</sup> Street from a citizen who lives on West 6<sup>th</sup> Street. The comment was received via my voice mail from a woman who identified herself as Mrs. Campbell.

### **Cost**

There is no cost to the City.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

### **Suggested Motion**

I move to approve the Knight of Columbus Grand Mesa Council #2731 applications for special events liquor permits for July 15 and 16, 2011.

# APPLICATION FOR A SPECIAL EVENTS PERMIT

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- ✓ CHECK ONE:
- |   |   |
|---|---|
| <input type="checkbox"/> SOCIAL               | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER OF A NATIONAL ORGANIZATION OR SOCIETY |
| <input checked="" type="checkbox"/> FRATERNAL | <input type="checkbox"/> RELIGIOUS INSTITUTION  |
| <input type="checkbox"/> PATRIOTIC            | <input type="checkbox"/> PHILANTHROPIC INSTITUTION  |
| <input type="checkbox"/> POLITICAL            | <input type="checkbox"/> POLITICAL CANDIDATE  |
| <input type="checkbox"/> ATHLETIC             | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES                                      |

DO NOT WRITE IN THIS SPACE

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
2110 <input checked="" type="checkbox"/>	MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
2170 <input type="checkbox"/>	FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE  
*Knights of Columbus Grand Mesa Council 2731*

State Sales Tax Number (Required)  
*29-78875-0000*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE  
 (include street, city/town and ZIP)  
*P.O. Box 461  
 Delta, Co 81416*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT  
 (include street, city/town and ZIP)  
*West 5th Street  
 Between main st & palmer st  
 Delta, Co. 81416*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
------	---------------	---	--------------

4. PRES/SECY OF ORG. or POLITICAL CANDIDATE  
*Juan Pablo Gallegos*

*1580 E. 5th Street  
 Delta, Co 81416*

*314-3602*

5. EVENT MANAGER  
*Don Kreider*

*1140 Crawford Ave Delta Co 81416*

*40-0881*

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?  
 NO  YES HOW MANY DAYS?

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?  
 NO  YES TO WHOM?

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT.

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
<i>July 15th, 2011</i>	<i>5:00 P.m.</i>	<i>12:00 P.m.</i>	<i>July 16th, 2011</i>	<i>11:00 P.m.</i>	<i>12:00 P.m.</i>						

**OATH OF APPLICANT**  
 I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE *[Signature]* TITLE *Event Manager*

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.  
**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)  CITY  COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK

SIGNATURE TITLE DATE

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL

760 (999)

# APPLICATION FOR A SPECIAL EVENTS PERMIT

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- ✓ CHECK ONE:  SOCIAL  CHARTERED BRANCH, LODGE OR CHAPTER OF A NATIONAL ORGANIZATION OR SOCIETY
- FRATERNAL  RELIGIOUS INSTITUTION
- PATRIOTIC  PHILANTHROPIC INSTITUTION
- POLITICAL  POLITICAL CANDIDATE
- ATHLETIC  MUNICIPALITY OWNING ARTS FACILITIES

DO NOT WRITE IN THIS SPACE

- LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
- 2110  MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
- 2170  FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE

*Knight of Columbus Grand Mesa Council 2721*

State Sales Tax Number (Required)

*27-78875-0000*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)

*P.O. Box 461  
 Delta, CO 81416*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)

*261 Kellogg St.  
 Delta, CO 81416*

NAME

DATE OF BIRTH

HOME ADDRESS (Street, City, State, ZIP)

PHONE NUMBER

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE

*Susan Patis Gallegos*

*1580 E. 5th Street  
 Delta, CO 81416*

*314-3602*

5. EVENT MANAGER

*Fred Gallegos*

*1080 Crawford Ave  
 Delta, CO 81416*

*314-4911*

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?

NO  YES HOW MANY DAYS? \_\_\_\_\_

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?

NO  YES TO WHOM? \_\_\_\_\_

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date
Hours From	Hours From	Hours From	Hours From
<i>July 16th, 2011</i>			
From <i>6:00 p.m.</i>	From	From	From
To <i>10:00 p.m.</i>	To	To	To

## OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE

*Fred Gallegos*

TITLE

*Event Manager*

*5-741*

## REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

- CITY  
 COUNTY

TELEPHONE NUMBER OF CITY/COUNTY CLERK

SIGNATURE

TITLE

DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

## LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL

-760 (999)

North

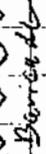
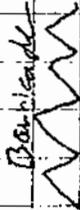
4th Street

5th Street

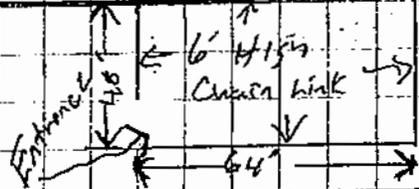
6th Street

Palmer Street

Main Street



Bandstand



Sun Room  
1300m

Wells Fargo Bank

Wells Fargo  
Parking lot

South

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO  
CERTIFICATE OF REGISTRATION

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**KNIGHTS OF COLUMBUS GRAND MESA COUNCIL 02731**

is a **Charitable Organization** registered to solicit contributions in Colorado as required by the Colorado Charitable Solicitation Act, Title 6, Article 16, C.R.S.

This organization has been assigned a registration number of 20083005393.

The status of its registration is **GOOD**, and this status has been in effect since 10/13/2010.

The organization's registration is or was due to be renewed by 11/15/2011.

Registrations in good or delinquent status remain valid until the registration becomes suspended or revoked. An organization whose registration has been suspended is prohibited by law from soliciting contributions, providing consulting services in connection with a solicitation campaign, or conducting a solicitation campaign in Colorado.

This certificate reflects facts established or disclosed by documents delivered to this office electronically through 05/09/2011.

**IN TESTIMONY WHEREOF** I have hereunto set my hand and affixed the Great Seal of Colorado, at the City of Denver on 05-09-2011 20:05:30



A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

COUNCIL BILL # 2, 2011

ORDINANCE NO. \_\_\_\_\_, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO AUTHORIZING AND DIRECTING PARTICIPATION BY THE CITY IN AN ELECTRICAL RESOURCES POOLING AGREEMENT WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; CHANGING THE CITY'S PAST STATUS IN THE POOLING AGREEMENT TO A BULK POWER PARTICIPANT; AUTHORIZING AND DIRECTING EXECUTION BY THE CITY OF THE TOTAL POWER REQUIREMENTS POWER PURCHASE AGREEMENT THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; ACKNOWLEDGING AND PROVIDING FOR LIMITATIONS ON USE OF THE ELECTRICITY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO, AS FOLLOWS:

Section 1. The City Council hereby finds and declares it to be in the public interest of the customers of the City's electric utility service to authorize the City, acting on behalf of its Municipal Light and Power Enterprise, to change its participant status in the Electrical Resources Pooling Agreement with the Municipal Energy Agency of Nebraska ("MEAN") from a Service Power Participant to a Bulk Power Participant and, for that purpose, to execute Service Schedule M (Total Power Requirements Power Purchase Agreement) as an effective amendment to the Electrical Resources Pooling Agreement with MEAN that the City executed pursuant to its Ordinance #2, 2002.

Section 2. It is hereby ordered and directed that the City of Delta, Colorado, for and on behalf of its Municipal Light and Power Enterprise ("the Enterprise"), and acting through its Mayor and City Clerk, change its participation status in the Electrical Resources Pooling Agreement to a Bulk Power Participant, and execute said Service Schedule M, a copy of which is attached hereto and incorporated by reference as a part hereof.

Section 3. The City of Delta, Colorado, on behalf of the Enterprise, does hereby adopt and approve each of the objectives, terms and conditions set forth in said Electrical Resources Pooling Agreement and Service Schedule M (hereinafter collectively referred to as "the Agreement").

Section 4. This Ordinance shall take full force and effect upon its complete passage and publication as provided by law.

Section 5. The Enterprise qualifies and has all the legal authority to act and operate in all

respects as an "enterprise" under Colorado law, as provided under Colorado Constitution Article X, Section 20. The City, for and on behalf of the Enterprise, hereby represents and warrants that, when executed by the Mayor and City Clerk, the Agreement with MEAN authorized hereby will comply with, or will otherwise not be subject to, Article X, Section 20 (commonly known as the Taxpayers' Bill of Rights or "TABOR"). All financial obligations undertaken or assumed by the City and/or its said Enterprise in connection with the Agreement are valid and enforceable in accord with the terms of said Agreement.

Section 6. The City acknowledges that certain of the generating facilities used by MEAN to provide electricity to the City have been financed with tax-exempt bonds and the use of the electric output of such generating facilities is restricted by federal tax regulations. In order to permit MEAN to comply with such federal tax regulations, the City agrees to use all of the electricity delivered to it by MEAN solely to serve customers in its long-term service area pursuant to generally applicable and uniformly applied rates and charges. "Long-term service area" means any area that the City has provided electric service to for at least ten years. Any other use, resale or re-marketing of the electricity delivered by MEAN to the City must be approved in writing by MEAN.

Section 7. The City Council finds that this ordinance is vitally necessary for the preservation of the public peace, health and safety, and that a special emergency exists justifying execution of the subject long-term Agreement because an existing contract for provision of electrical power for the City's Municipal Light and Power system is about to expire and no short-term electric power supply contracts are presently believed to be available on reasonably affordable terms within the known service market.

ADOPTED on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

ADOPTED on second and final reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk