



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
(Amended)

Delta City Council
Regular Meeting

November 15, 2011
7:00 p.m.

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Public Hearing: 2012 Budget (DeZeeuw)**
- F. Resolution #8, 2011; Setting the Mill Levy (DeZeeuw)**
- G. Resolution #9, 2011; Adopting the 2012 Budget (DeZeeuw)**
- H. Council Bill #6, 2011; First Reading (DeZeeuw)**
2012 Appropriations
- I. Council Bill #5, 2011; Second and Final Reading (Glammeyer)**
2012 Electric Rates
- J. Parade Permit; Delta Area Chamber of Commerce (Nelson)**
- K. Liquor License Renewals: (Nelson)**
Retail Liquor Store License; Grand Valley Liquors
Club Liquor License; BPOE Lodge No. 1235
Tavern Liquor License; Sports Center Lounge
- L. City Attorney Comments**
- M. City Manager Comments**
- N. Councilmember Comments**

EXECUTIVE SESSION

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for discussions regarding Confluence Drive and also for discussions regarding the water bill due by the Delta Center PUD property owners.

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, and Ed Sisson, along with City Manager Joe Kerby. Absent were Councilmember Guy Pfalzgraff and City Attorney Michael 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 Joe Kerby reported that an amended agenda was posted on Monday adding and the approval of a purchase contract with Hi Quality Packing, Inc. He also stated that he would recommend going into executive session before the items regarding Hi Quality Packing, Inc.

Council agreed to move the executive session before the items stated.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the minutes of October 18, 2011 as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Request from Lee Marts VFW Post 3571 for Sewer Tap at 1576 H25 Road

Manager Kerby invited Paul Carter to address Council regarding this request.

Paul Carter with Lee Marts VFW Post 3571 presented Council with a letter requesting a waiver of the fee for a sewer tap at 1576 H25 Road. He explained to Council what their plans are for the building and any new development they may have for that address.

Mayor Cooper question what time frame they are looking at.

Mr. Carter stated it is variable at this time.

Manager Kerby reported that the City has not chosen to waive fees in the past. When requests similar to this have been submitted in the past Council has taken monies out of their donation fund to keep the sewer fund financially solid. At this time staff would suggest that if Council wants to proceed with the request to consider using their donation fund.

Councilmember Sisson questioned how much a tap would cost.

Utilities Director Steve Glammeyer stated the fee is \$5450.00.

There was discussion regarding the amount in the Council's donation fund and what other funds may be available to help with the request.

Mayor Cooper suggested that Council table the item for now until the applicant can give a more precise time frame.

Councilmember Jurca stated that he feels Council should not open this door. Once we support this type of request for one individual there will be more requests in the future.

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to deny the request to waive the sewer tap for the Lee Marts VFW Post 3571. Voting aye: Councilmembers Jurca, Sisson and Cooper. Voting nay: Councilmember Raley. Motion carried.

Regular Meeting, Delta City Council, November 1, 2011 (Cont.)

CAWS Agreement

Chief Robert Thomas reported that in their packets is an animal shelter proposal that has been completed by the Delta County Citizens for Animal Welfare (CAWS) and the Delta Police Department. If the proposal is approved tonight, they will work with the City Attorney to develop a memorandum of understanding and lease agreement.

Chief Thomas presented a brief description regarding the reductions to the animal shelter budget. The Police Department has had to evaluate the day to day operations due to the reductions. As an alternative to continued reductions in hours of operation or eliminating staff, he submitted a request for qualifications (RFQ) to various Western Colorado animal organizations. Staff received two RFQs from two different organizations. After consulting with the City Manager and upon reviewing the qualifications from those organizations, staff decided to explore a collaborative partnership with CAWS. He introduced Joanne Kalenak and Allison Lepage who are with CAWS.

This contract will allow the City to resume business as a full time animal shelter with a part time animal control officer. If this proposal is approved the enforcement officer will resume investigating animal related crimes and impound the lost and/or abandoned animals within the City of Delta.

Mr. Thomas presented an overview of the animal control budget over the last two years. With the partnership with CAWS the cost would be \$47,264. He believes this to be a win/win situation with CAWS.

Joanne Kalenak with CAWS stated that it has been great working with the Police Department over the last several months. CAWS feels they can be of a great service to the City of Delta.

Ms. Kalenak presented an overview of CAWS' operation and how their operation has been a success. What they are lacking is a facility to administer their foster and adoption program. She suggested working together to allow animal services to the citizens' as well as provide a facility to administer the foster and adoption programs. She reported that several other communities are also exploring these types of partnerships.

CAWS and the City will work in close partnership from day one. They will conduct a formal evaluation of shelter operations after six months and make any changes if necessary. She explained how shelter operations will be handled. She stated that animal control will have 24/7 access to the shelter.

Allison Lepage also with CAWS provided the financial overview of the proposal. She reported that CAWS will be assuming \$39,650 in expenses representing the majority of the annual costs of operation of the shelter. The City of Delta will be providing the use of the facility, including utilities and any needed repairs as well as to pay CAWS approximately \$7000 in fees associated with the care and feeding for any animals that are impounded or quarantined by animal control. Animal control, in keeping with agriculture requirements, has a five day impound requirement. If the animal is claimed within those five days there will be no cost to the City. The fees will then be collected by the animal owner. The fines that are collected for any animal control violations issued by the City will still be collected by the City. She explained the process if the animal were not claimed by the owner.

Ms. Lepage also presented estimates of unclaimed animals between 2008 and 2010.

Grants and donations comprise of most of the budget for CAWS. Currently there are two grants that have been submitted.

Councilmember Raley questioned if this proposal is currently in the draft budget.

Manager Kerby stated that the budget is based on the approval of this proposal.

Councilmember Jurca questioned how their volunteer program works.

Ms. Kalenak reported that they have a very successful volunteer program. There are other organizations that have been approached to also help with the program.

Councilmember Jurca also questioned what experience they have in running an animal shelter.

Regular Meeting, Delta City Council, November 1, 2011 (Cont.)

CAWS Agreement (cont.)

Ms. Kalenak stated that they currently have no experience running a shelter. They have asked to shadow the current individuals who are running the shelter for a period of three months to gain that knowledge needed to run the shelter.

Manager Kerby also stated that there will be a part time employee currently working for the City that will be retained by CAWS.

Councilmember Jurca questioned the donation trends.

Ms. Lepage explained that they have a strong donation base. She also explained the grants that they plan to obtain. They have been contacted by two different foundations that are interesting in following this partnership to possibly provide funding collaborations.

It was moved by Councilmember Raley and seconded by Councilmember Sisson to enter into an agreement with CAWS to manage the animal shelter as presented. All in favor, motion carried.

Manager Kerby stated that staff will be working with the City Attorney to develop a formal contract that will then be brought back to Council for their approval.

Dr. Gretta Carmichael, 443 Dodge Street, presented concerns regarding the statement of the no-kill shelter. She questioned how they will handle the animals once the shelter is full.

Chief Thomas stated that the program will be evaluated to see what is working and what needs to be addressed. There are going to be some challenges. Staff will work with all individuals to get the program running.

Fran Goetz, 1053 Grand Avenue, also commented on the animals that are currently not being picked up. She believes the shelter will be full within two weeks.

Chief Thomas explained that they have been picking some animals up. He explained that process in which they are using currently to impound animals.

There was discussion regarding the current operations of the animal control and animal shelter.

Quarterly Financially Report

Finance Director Tod DeZeeuw presented the quarterly financial report ending September 30, 2011.

Storm Water Utility Contract

Public Works Director Jim Hatheway explained the process of storm water utility and the different phases that will need to be taken to complete the project. He also explained that the City is being proactive with storm water. He believes that the MS4 requirements from the State and Federal level will be coming to the City in the future. He explained those requirements.

The estimated revenue for storm water will be \$250,000 to \$450,000 annually. Mr. Hatheway reported that within phase two development of the program there will be an establishment of a technical advisory committee which will be primarily be comprised of several different staff members from various departments. The committee will be expanded to individuals that have an interest in storm water. He continued to explain the process in which the storm water utility will be established.

Phase three will be working with the finance department to develop a billing system. During this process there will be public hearings to educate the community.

Mr. Hatheway presented various examples of rate structures for storm water the same size of Delta.

The design of the capital improvements has already begun. The first project that has been designated to begin with is the downtown drainage improvements. Staff is currently looking for monies to begin this project to include a CDBG grant that will be submitted this year. There are several areas in the City that do not have infrastructure and they will be looking at those.

Regular Meeting, Delta City Council, November 1, 2011 (Cont.)

Storm Water Utility Contract (cont.)

Mr. Hatheway explained the concern of lack on infrastructure in the various area of the City. The business plan will include the engineering, personnel cost, mapping, photography and the maintenance process.

The current maintenance activities that are in place are streets, replacements of curbs and gutters. Staff is regularly dealing with culverts for drainage.

The partnerships with irrigation companies and other water companies will be expanded.

Mr. Hatheway explained some concerns that he has in the future as it applies to drainage that will be tied to the truck route.

The estimate that URS has provided is \$51,000 for phase two and \$65,000 for phase three. There may be some savings if the processes are run parallel to each other.

The next steps will be to develop a funding source. Mr. Hatheway would recommend Council approving this contract with URS not to exceed \$116,000 to begin starting phase two and three. Staff will begin to solicit public participation for the storm water advisory committee midyear 2012 and also implement the utility fee.

There was discussion regarding the intent regarding where the storm water utility will be addressed. Mr. Hatheway stated it will be for the entire City limits.

Manager Kerby stated that while staff is looking for additional funding through the CDBG grant process one of the evaluation criteria that they will look at is what is the City doing to improve the storm water system and if the City is going to impose a fee to help increase the revenues to provide for infrastructure and maintenance.

Mr. Hatheway reported that the biggest challenge is that storm water was not a consideration when a lot of the infrastructure was developed. So trying to find a way to handle the storm water and finding a place to take it is going to be a challenge.

Manager Kerby asked Mr. Hatheway how ERC has become involved.

Mr. Hatheway explained that ERC is a subcontractor with URS and provided a brief history of their company.

Manager Kerby questioned the company as to their rates.

Angie Fowler reported that engineering firms typically increase rates on an annual basis. However, they respect the challenging budget concerns. They will be willing to work with the City to determine how to share the work to come in lower than projected with the rate.

Manager Kerby questioned if they would be willing to negotiate.

Ms. Fowler stated that the fee stated would be not to exceed the stated amount. They will work with City staff to see where they can provide the work so that the fee may come in lower.

Councilmember Jurca questioned how many years into the future will there be a complete storm water system.

Mr. Hatheway stated that it will take many years. He explained the different areas that will be looked at and how large the scope of the project is. He reported that on the 2nd Street project will be from Columbia Street to Main Street and the cost is estimated at \$500,000.

It was moved by Councilmember Raley and seconded by Councilmember Sisson to approve the storm water utility contract with URS for phases two and three not to exceed \$116,000 with City Attorney approval and authorize the City Manager to sign said contract. All in favor, motion carried.

Regular Meeting, Delta City Council, November 1, 2011 (Cont.)

Council Bill #5, 2011; First Reading
2012 Electric Rates

Council Bill #5, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING SECTION 13.04.120 OF THE DELTA MUNICIPAL
CODE TO ESTABLISH NEW ELECTRIC RATES

was read by the Clerk.

Utilities Director Steve Glammeyer explained the Council Bill before Council is to set forth new electric rates that were presented at a work session last month. These numbers were used to generate revenue for the 2012 budget. Staff recommends approval of this tonight so that staff can establish the budget appropriately.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to adopt Council Bill #5, 2011 on first reading. Roll call vote: Councilmembers Jurca, aye; Sisson, aye; Raley, aye and Cooper aye. Motion carried.

Ordinance #3, 2011; Second and Final Reading
Vacation of 6th and 7th Streets

Ordinance #3, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
VACATING SEGMENTS OF SIXTH AND SEVENTH STREETS,
AND ALSO CONNECTING ALLEYWAYS, ALL OF WHICH
TRAVEL AREAS LIE BETWEEN THE WEST LINE OF SILVER
STREET AND THE EAST LINE OF THE UNION PACIFIC
RAILROAD RIGHT OF WAY IN THE CITY LIMITS

was introduced as Council Bill #3, 2011 and read by the Clerk.

Director Hatheway reported that this is per contractual agreement for the purchase of Producer's Coop.

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to adopt Council Bill #3, 2011 on second and final reading. Roll call vote: Councilmembers Jurca, aye; Sisson, aye; Raley, aye and Cooper aye. Motion carried. Council Bill #3, 2011 was adopted on second and final reading as Ordinance #3, 2011.

Ordinance #4, 2011; Second and Final Reading
New Zoning Ordinances

Ordinance #4, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
DELETING AND AMENDING VARIOUS PROVISIONS OF
TITLES 17 AND 8 OF THE DELTA MUNICIPAL CODE IN
ORDER TO ELIMINATE THE B-4, I-1 AND 1-2 ZONING
DISTRICTS AND RE-CLASSIFY THE AFFECTED AREAS
WITHIN NEW OR OTHER EXISTING ZONING DISTRICTS

was introduced as Council Bill #4, 2011 and read by the Clerk.

Community Development Director Glen Black reported that he has not received any additional comments and has nothing new to report.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to adopt Council Bill #4, 2011 on second and final reading. Roll call vote: Councilmembers Jurca, aye; Sisson, aye; Raley, aye and Cooper aye. Motion carried. Council Bill #4, 2011 was adopted on second and final reading as Ordinance #4, 2011.

Regular Meeting, Delta City Council, November 1, 2011 (Cont.)

Hotel and Restaurant Liquor License Renewal; Fiesta Vallarta Delta

The Clerk explained that Fiesta Vallarta Delta has submitted their Hotel/Restaurant Liquor License Renewal. The application is complete and all fees have been paid. The Delta Police Department has recommended renewal.

It was moved by Councilmember Raley and seconded by Councilmember Sisson to approve the Hotel/Restaurant Liquor License Renewal for Fiesta Vallarta Delta. All in favor, motion carried.

Proclamation; Buddy Poppies

The Mayor read the proclamation.

City Attorney Comments

There were none.

City Manager Comments

Manager Kerby presented the following updates:

- The Delta Police Department will be attending a shoot/don't shoot training.
- KUBC radio program will be talking about various projects within the City.
- Devil's Thumb Golf Club will be hosting a PGA member seminar.
- The recycling task force will be meeting on November 7th at 4:00pm at the Middle School Library.
- The County Commissioners will be discussing a curb side recycling program.
- The recreation center pool pack project is moving forward with November 15th being the due date for bids to be submitted.
- Fall cleanup will be completed by the end of the week.
- Utility bill format change will be completed by the end of the first quarter of next year.
- Abraham House, the homeless shelter here in Delta, opens tonight.
- The Hartland Dam project.
- The migrant housing personnel are looking for a temporary office. The City may provide them use of the extra office at City Hall.
- He will be attending a class in Denver the end of next week for the certified manger's program.
- There will be changes to Centennial Park.

Councilmember Comments

Councilmember Sisson complimented Parks Director Paul Suppes on the new dog park.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for instructing negotiators on aspects of Confluence Drive project issues. All in favor, motion carried.

At 8:21 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 8:55 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 Ed Sisson, Bill Raley, and Robert Jurca; along with City Manager Joe Kerby, Public Works Director Jim Hatheway and Brad Rodenberg. 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, November 1, 2011 (Cont.)

Resolution #7, 2011; Acquire Real Property from Hi-Quality Packing, Inc.

Resolution #7, 2011

A RESOLUTION OF THE CITY OF DELTA AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY FROM HI-QUALITY PAKCING, INC. FOR THE CITY'S CONFLUENCE DRIVE PROJECT

was read by the Clerk.

It was moved by Councilmember Raley and seconded by Councilmember Sisson to deny approval of Resolution #7, 2011. Roll call vote: Councilmembers Jurca, aye; Sisson, aye; Raley, aye; and Cooper aye. Motion carried.

Purchase Contract with Hi-Quality Packing, Inc.

Director Hatheway reported that this is a contract that has been negotiated with Hi-Quality Packing, Inc. to purchase a small piece of land on the easterly boundary of the their property. The purchase price of this property is \$135,000 and also some property trades and concessions that the City has made in the contract. Staff recommends approval of the contract subject to City Attorney review.

It was moved by Councilmember Sisson and seconded by Councilmember Jurca to approve the contract to purchase property from Hi-Quality Packing, Inc. with the City Attorney approval of the contract. All in favor, motion carried.

The meeting was adjourned at 8:57 p.m.

Jolene E. Nelson, City Clerk

Resolution #8, 2011

A RESOLUTION LEVYING GENERAL
PROPERTY TAXES FOR THE YEAR OF 2011
TO HELP DEFRAY THE COSTS OF
GOVERNMENT OF THE CITY OF DELTA,
COLORADO, FOR THE 2012 BUDGET YEAR

WHEREAS, the City Council of the City of Delta, Colorado, has determined that the amount of money necessary to balance the 2011 budget for general operating expenses is \$0.00; and

WHEREAS, the 2011 valuation of assessment for the City of Delta, Colorado, as certified by the County Assessor, is \$78,011,667.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the City of Delta during the 2012 budget year, there is hereby levied a tax of 0 mills upon each dollar of the total valuation for assessment of all taxable property within the City for the year 2011.

Section 2. That the City Manager is hereby authorized and directed to immediately certify to the County Commissioners of Delta County, Colorado, the mill levies for the City of Delta as hereinabove determined and set.

Adopted this _____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

Resolution #9, 2011

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF DELTA, COLORADO, FOR THE CALENDAR YEAR BEGINNING THE FIRST DAY OF JANUARY, 2012, AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER, 2012

WHEREAS, the City Manager of the City of Delta, pursuant to Section 58 of the City Charter, has prepared and submitted to the City Council of the City of Delta a proposed budget for consideration by the City Council; and

WHEREAS, upon due and proper notice, published in accordance with the requirements of the Charter, the proposed budget has been open to public inspection at the Municipal Building and a public hearing was held November 15, 2011, giving interested taxpayers the opportunity to file or register any objections to the proposed budget; and

WHEREAS, the proposed budget is ready to be acted upon by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Colorado, that the budget as submitted by the City Manager be, and the same hereby is, approved and adopted as the budget for the City of Delta for the year 2012.

Dated this ____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

Council Bill #6, 2011

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW FOR THE CITY OF DELTA, COLORADO, FOR THE 2012 BUDGET YEAR

WHEREAS, the City Council has adopted the annual budget on November 15, 2011; and

WHEREAS, the City Council has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, so as not to impair the operations of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, as follows:

General Fund	\$ 5,044,293
Conservation Trust Fund	121,100
Recreation Center Fund	2,735,980
City-Wide Capital Improvements Fund	3,326,348
Municipal Light and Power Fund	8,173,554
Sewer Fund	2,332,603
Water Fund	1,991,753
Refuse Fund	599,772
Unemployment Tax Fund	30,000
Internal Service Fund	1,330,193
Employees' Dental Insurance Fund	54,000
Golf Course Fund	878,491
Capital Project Fund	20,416,885
Debt Service Fund	1,779,104
Perpetual Care Fund	1,000

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

Council Bill # 5, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING SECTION 13.04.120 OF THE DELTA
MUNICIPAL CODE TO ESTABLISH NEW ELECTRIC RATES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLO-
RADO, as follows:

Section 1. Section 13.04.120 of the Delta Municipal Code is
amended to read as follows:

13.04.120 Monthly electric rates.

A. Monthly charges for residential customers (including
single family homes, parsonages, duplexes, apartments,
condominiums, apartment houses, rooming houses, mobile homes, and
other multiple unit dwelling facilities providing permanent
residences) shall be charged on the basis of the following rates
for each meter serving the customer.

Monthly Base Rate
\$14.00

Energy Charge
\$.0895/KWH

B. Security lights and yard lights shall be charged at the
rate of \$10.00 per light per month. Street lighting, electricity
for traffic lights, and other electricity used by the City shall
be charged at the rate of \$.0835/KWH. KWH for nonmetered street
lights shall be determined as follows:

100 Watt High Pressures Sodium Light - 40 KWH per month.
250 Watt High Pressures Sodium Light - 115 KWH per month.
400 Watt High Pressures Sodium Light - 192 KWH per month.

C. All other customers, other than those provided for in
Subsections A and B above, shall be charged for electric service
at the following monthly rates:

1. Customers with less than 50 KVA of installed
transformer capacity:

Monthly Base Rate
Single phase - \$23.50
Three phase - \$41.00

Energy Charge
\$.0893/KWH
\$.0893/KWH

2. Customers with 50 KVA or more of installed
transformer capacity shall pay a \$130.00 monthly base charge, a
demand charge, and an energy charge. The demand charge shall be
equal to \$10.61 x the customer's monthly demand. The customer's

energy charge shall be \$.0575/KWH. Provided, however, those customers whose meter is on the line side of the transformer shall receive a 2% discount on the energy charge.

3. Wholesale customers shall be charged at the rate of \$.0835/KWH.

Section 2. The newly established rates provided for herein shall be effective with respect to all bills mailed following January 1, 2012.

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



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

MEMO

To: City Council, City Manager
From: Jolene E. Nelson, City Clerk
Date: November 10, 2011
Subject: Retail Liquor Store License Renewal for Grand Valley Liquors

Recommendation

Staff recommends approval of a retail liquor store license renewal for Grand Valley Liquors located at 750 Main Street. The Police Department's report and recommendation is attached.

Background

The current liquor license expires December 5, 2011.

Cost

There is no cost to the City to renew this license. The applicant has paid the \$227.50 renewal fee to the State and the City renewal fee of \$97.50 as well as the City's \$300 liquor occupation tax for a retail liquor store license.

Action to be Taken if Approved

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

Suggested Motion

I move to approve the retail liquor store license renewal for Grand Valley Liquors.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



GRAND VALLEY CONVEN STORE LLC
 GRAND VALLEY LIQUORS
 766 MAIN ST
 DELTA CO 81416-1828

License Number 40-92672-0000	License Type 1940
Liability Information 18 011 445120 B 120606	
Business Location 750 MAIN ST DELTA CO	
Current License Expires DEC 05, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

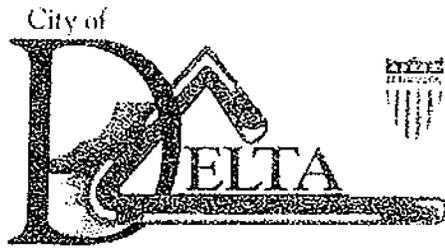
OATH OF APPLICANT		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.		
Authorized Signature <i>Lini Apari</i>	Date 11.02.2011	Business Phone 970.874.0858
Title <i>Owner</i>	Sales Tax Number 40.92672-0000	
REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.		
Local Licensing Authority for		Date
Signature	Title	Attest
DO NOT DETACH	DO NOT DETACH	DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Business Name GRAND VALLEY LIQUORS	LICENSE NUMBER (Use for all reference) 40-92672-0000		PERIOD 12-12
TYPE OF LICENSE ISSUED RETAIL LIQUOR STORE LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1940-750(999) \$ 50.00	CITY 85% OAP 2180-100(999) \$ 127.50

SUB-TOTAL \$ 227.50
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ _____
TOTAL AMOUNT DUE \$ _____



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

LIQUOR LICENSE RENEWAL RECOMMENDATION

To: City Council

Re: Application of Grand Valley Convenience Store LLC
DBA: Grand Valley Liquors

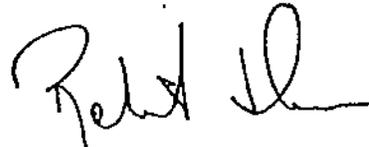
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.



Robert Thomas, Chief of Police



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

MEMO

To: City Council, City Manager
From: Jolene Nelson, City Clerk
Date: November 10, 2011
Subject: Club Liquor License Renewal for BPOE Lodge No. 1235 (Elks)

Recommendation

Staff recommends approval of the club liquor license renewal for the Elks Lodge located at 563 Main Street. The Police Department's report and recommendation is attached.

Background

The current club liquor license expires December 30, 2011. The Elks hold the only club liquor license in Delta.

Cost

There is no cost to the City to renew this license. The applicant has paid the \$308.75 renewal fee to the State, and the City renewal fee of \$116.25 as well as the City's \$200 Liquor Occupation Tax.

Action to be Taken if Approved

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

Suggested Motion

I move to approve the club liquor license renewal for BPOE Lodge No. 1235.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



BPOE LODGE NO 1235
 563 MAIN ST
 DELTA CO 81416-1817

License Number 04-01745-0001	License Type 1990
Liability Information 18 011 813410 A 123189	
Business Location 563 MAIN ST DELTA CO	
Current License Expires DEC 30, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application. If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

OATH OF APPLICANT		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.		
Authorized Signature <i>Dennis J. Shewers</i>	Date 10-18-11	Business Phone 970-874-3629
Title <i>Manager</i>	Sales Tax Number 04-01745-0001	
REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.		
Local Licensing Authority for	Date	
Signature	Title	Attest

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

Business Name BPOE LODGE NO 1235	LICENSE NUMBER (Use for all reference) 04-01745-0001		PERIOD 12-12
TYPE OF LICENSE ISSUED CLUB LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1990-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 233.75

SUB-TOTAL \$ 308.75
 ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ _____
 TOTAL AMOUNT DUE \$ _____

DR 8401 (0797)

COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
1881 PIERCE
LAKEWOOD, CO 80261
(303) 205-2300

ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

This page must be completed and attached to your signed renewal application form.
Failure to include this page with the application may result in your license not being renewed.

Trade Name of Establishment BPOE Lodge No. 1235			State License Number 04-01745-0001			
1. Operating Manager Dennis J Shreeves		Home Address 6726 1900 Rd Delta CO 81416				
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: _____ If rented, expiration date of lease: _____						Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
7. Sole owners or husband-wife partnerships answer this question. Since the date of filing of the last annual license application: Has ownership changed in whole or in part, from a sole owner to any other person, partnership, corporation, or limited liability company other than the licensee listed on your state liquor license? If yes, this license must be transferred to the new owner and may not be renewed. Contact your Local Authority immediately.						Yes <input type="checkbox"/> No <input type="checkbox"/>
8. Partnership applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any general partners added to, or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately. (b) Are there, or have there been any limited partners with a 10% or more interest, added or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately.						Yes <input type="checkbox"/> No <input type="checkbox"/>
9. Corporate applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any officers or directors added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any stockholders with 10% or more of the issued stock, added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual corporate report with the Colorado Secretary of State: <u>10-20-11</u>						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
10. Limited Liability Company applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any managing members added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any members with 10% or more membership interest, added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual LLCO report with the Colorado Secretary of State: _____						Yes <input type="checkbox"/> No <input type="checkbox"/>
11. Bed and Breakfast applicants must answer this question and certify compliance with 12-47-118.5 C.R.S., to the state licensing authority by initialing the following listed questions: _____ That it has no more than 20 sleeping rooms, and _____ That it provides at least 1 meal per day at no charge other than for overnight lodging, and _____ That it does not sell alcoholic beverages by the drink or in sealed containers, and _____ That it shall not serve alcoholic beverages for more than 4 hours in any one day, as follows:						
MONDAY HOURS	TUESDAY HOURS	WEDNESDAY HOURS	THURSDAY HOURS	FRIDAY HOURS	SATURDAY HOURS	SUNDAY HOURS
From: <u>12 p.m.</u> To: <u>10 p.m.</u>	From: <u>12 p.m.</u> To: <u>10 p.m.</u>	From: <u>12 p.m.</u> To: <u>10 p.m.</u>	From: <u>12 p.m.</u> To: <u>10 p.m.</u>	From: <u>12 p.m.</u> To: <u>10 p.m.</u>	From: <u>11 a.m.</u> To: <u>10 p.m.</u>	From: <u>11 a.m.</u> To: <u>10 p.m.</u>



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

LIQUOR LICENSE RENEWAL RECOMMENDATION

To: City Council

Re: Application of BPOE Lodge No 1235
DBA: _____

The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.

Robert Thomas, Chief of Police



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

MEMO

To: City Council, City Manager
From: Jolene E. Nelson, City Clerk
Date: November 10, 2011
Subject: Tavern Liquor License Renewal for Sewells, LLC dba Sports Center Lounge

Recommendation

Staff recommends approval of the Tavern License Renewal for Sewells, LLC dba Sports Center Lounge located at 1410 Valley View Drive #190. The Police Department's report and recommendation is attached.

Background

The current liquor license expires January 3, 2012.

Cost

There is no cost to the City to renew this license. The applicant has paid the \$500 renewal fee to the State, and the City renewal fee of \$150 as well as the City's \$500 liquor occupation tax for a tavern liquor license.

Action to be Taken if Approved

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

Suggested Motion

I move to approve the tavern liquor license renewal for Sewells, LLC dba Sports Center Lounge.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

SEWELLS LLC
 SPORTS CENTER LOUNGE
 1410 VALLEY VIEW DR #190
 DELTA CO 81416-3130

License Number 15-63562-0000	License Type 2010
Liability Information 18 011 722410 B 010408	
Business Location 1410 VALLEY VIEW DR DELTA CO	
Current License Expires JAN 03, 2012	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.



OATH OF APPLICANT		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.		
Authorized Signature <i>Bernadette Sewell</i>	Date 10-26-11	Business Phone 874-3130
Title Owner	Sales Tax Number 15-63562-0000 3739	
REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.		
Local Licensing Authority for		Date
Signature	Title	Attest

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

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Business Name SPORTS CENTER LOUNGE	LICENSE NUMBER (Use for all reference) 15-63562-0000		PERIOD 01-13
TYPE OF LICENSE ISSUED TAVERN LIQUOR LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 2010-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 425.00

SUB-TOTAL \$ 500.00

ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ _____

TOTAL AMOUNT DUE \$ _____



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LIQUOR LICENSE RENEWAL RECOMMENDATION

To: City Council

Re: Application of Sewells, LLC
DBA: Sports Center Lounge

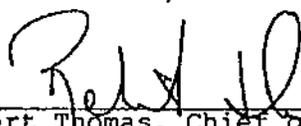
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.



Robert Thomas, Chief of Police