



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**

**October 2, 2012
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Appointment to Planning Commission Board (Black)**
- F. Public Hearing: Special Events Permit Application; Altrusa (Nelson)**
- G. Final Settlement with SEMA (Hatheway)**
- H. Purchase of Wire Inventory ML&P (Glammeyer)**
- I. Bench and Bike Racks for CB's Tavern (Black)**
- J. City Attorney Comments**
- K. City Manager Comments**
- L. Councilmember Comments**

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Mary Cooper, and Ray Penick along with Interim City Manager Glen Black 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

There were none.

Minutes

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the minutes of the September 4, 2012 meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Street Closure Amendment; Delta Area Chamber of Commerce

The Clerk stated that the Delta Area Chamber of Commerce is requesting approval to change the date of their street closure permit from October 6th, 2012 to October 13th, 2012. They plan to hold the last First Saturday Market on that date due to the conflict with Apple Fest on October 6th, 2012.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to amend the permit to show October 13, 2012. All in favor, motion carried.

Street Closure Application; Delta Area Chamber of Commerce

The Clerk stated that the Delta Area Chamber of Commerce has submitted an application for the Parade of Lights. They plan to hold the event on December 7, 2012. The parade will run from 9th Street to 3rd Street.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the permit for the Parade of Lights to be held on December 7th, 2012. All in favor, motion carried.

Wetlands Mitigation Covenant Required for Truck Route

City Attorney Michael Schottelkotte stated that this is a mitigation plan for dealing with wetland area of the property that is being influenced by the truck route. The Declaration of Covenants is a permanent restriction upon use of the property in the future.

Regular Meeting, Delta City Council, September 18, 2012 (cont.)

Wetlands Mitigation Covenant Required for Truck Route (cont.)

Public Works Director Jim Hatheway reported that staff is requesting approval for the City Manager to execute a deed restriction. The Army Corps of Engineering is requiring that any mitigation areas constructed have a deed restriction. Staff is proposing to construct a wetlands mitigation area in Confluence Park on the west side of the Uncompaghre River. The City purchased that area as part of the park project. It is a total of 4 to 4 ½ acres. Council can decide whether to restrict the entire 14-acre area or just restrict the 4 to 4 ½ acres.

There was discussion regarding the location of the proposed wetland area and to only restrict 4 to 4 ½ acres.

Mr. Hatheway stated that staff will build a legal description and include it with the documentation that Mr. Schottelkotte has already prepared. That will then be executed and recorded to get the permit from the Army Corps of Engineers.

Mr. Schottelkotte also stated that the United States Attorney will also need to review the document.

There was discussion regarding one of the requirements of marking the property.

Mr. Schottelkotte stated that they could take it out on the initial presentation and see what comes back.

There was a consensus to take out the requirement of marking the property "Protected Natural Area".

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the Declaration of Covenants with the changes as noted and to allow the City Manager to sign said document when it is finalized. All in favor, motion carried.

City Attorney Comments

City Attorney Michael Schottelkotte reported on the progress with the corridor condemnations.

City Manager Comments

City Manager Glen Black stated that the golf course sign is installed. Dennis Phillips reported that he had an individual who saw the sign and decided to play the course.

Mr. Black also reminded Council that there will not be a work session on October 2nd.

Councilmember Comments

Councilmember Cooper commented on the CML District 10 meeting she attended as well as the DCED meeting.

Councilmember Penick reported on the Municipal Quarterly meeting. He stated that All Points Transit is in need of board members.

MEMO

Community Development

www.cityofdelta.net



360 Main St. • Delta, Colorado 81416
Phone (970) 874-7903 • Fax (970) 874-6931

Date: October 2, 2012
To: Mayor, City Council and City Manager
From: Glen L. Black, Director of Community Development *GLB*
Re: Appointment of Planning Commission member Gerald Roberts

RECOMMENDATION

City Council consider the appointment of Gerald Roberts to the Planning Commission.

BACKGROUND

The Chairman of the Planning Commission, Pat Dearmin, submitted his letter of resignation to the Planning Commission on September 10, 2012 and the Planning Commission accepted the resignation. Mr. Dearmin's term expires April 2014. The opening was advertised in the Delta County Independent on September 19 and 26 and on the City's website. The deadline for applications was on September 28, 2012. The City received one application.

STAFF REVIEW AND DISCUSSION

The staff recommends that the City Council appoint Gerald Roberts to fill the remainder of Pat Dearmin's term on the City of Delta Planning Commission, which will be until April 2014.

Mr. Roberts has previously served on both the Planning Commission and City Council.

ACTION TO BE TAKEN IF APPROVED

I move that City Council appoint Gerald Roberts to fill the remainder of Pat Dearmin's term on the City of Delta's Planning Commission. (disapproval would be indicated by a nay vote)

Thank you for your attention.



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: September 26, 2012
Subject: Altrusa International, Inc. of Delta CO Foundation Special Events Permit Application

Recommendation

Staff recommends approving the application for a Special Events Liquor Permit for Altrusa International, Inc. of Delta, CO Foundation for their fund raiser scheduled at Bill Heddles Recreation Center on November 16 and 17, 2012.

Background

Altrusa has submitted an application for a Special Events Liquor Permit for their fund raiser to be held at the recreation center on Friday and Saturday, November 16 and 17. The application specifies that they plan to sell alcoholic beverages from 4:00 p.m. to 10:00 p.m. on Friday, and from 9:00 a.m. to 5:00 p.m. on Saturday.

The application is complete and the fees - \$35 to the City, and \$25 to the State for each day – have been paid.

A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law. As of the writing of this memo, no comments – either for or against the approval of the application - have been received by the City Clerk.

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 Altrusa's application for a special events liquor permit for November 16 and 17, 2012.

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

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

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

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"/> FERMENATED 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 ALTRUSA INTL. OF DELTA CO Foundation	State Sales Tax Number (Required) 27-64924
---	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) P.O. Box 54 DELTA CO 81416

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) 530 Gunnison River Dr DELTA CO 81416

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Vicki Ripp		DELTA 3440 Old Wagon Rd. CO 81416	970-874-5129

5. EVENT MANAGER Barbara Bulhard	HOME ADDRESS (Street, City, State, ZIP) 247 Dodge St Delta CO 970-2346431
--	---

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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
11-16-2012		4 P.	10 P.	11-17-2012		9:00A	5:00p.m.				

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 	TITLE PRESIDENT	DATE 9/11/12
--	---------------------------	------------------------

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.

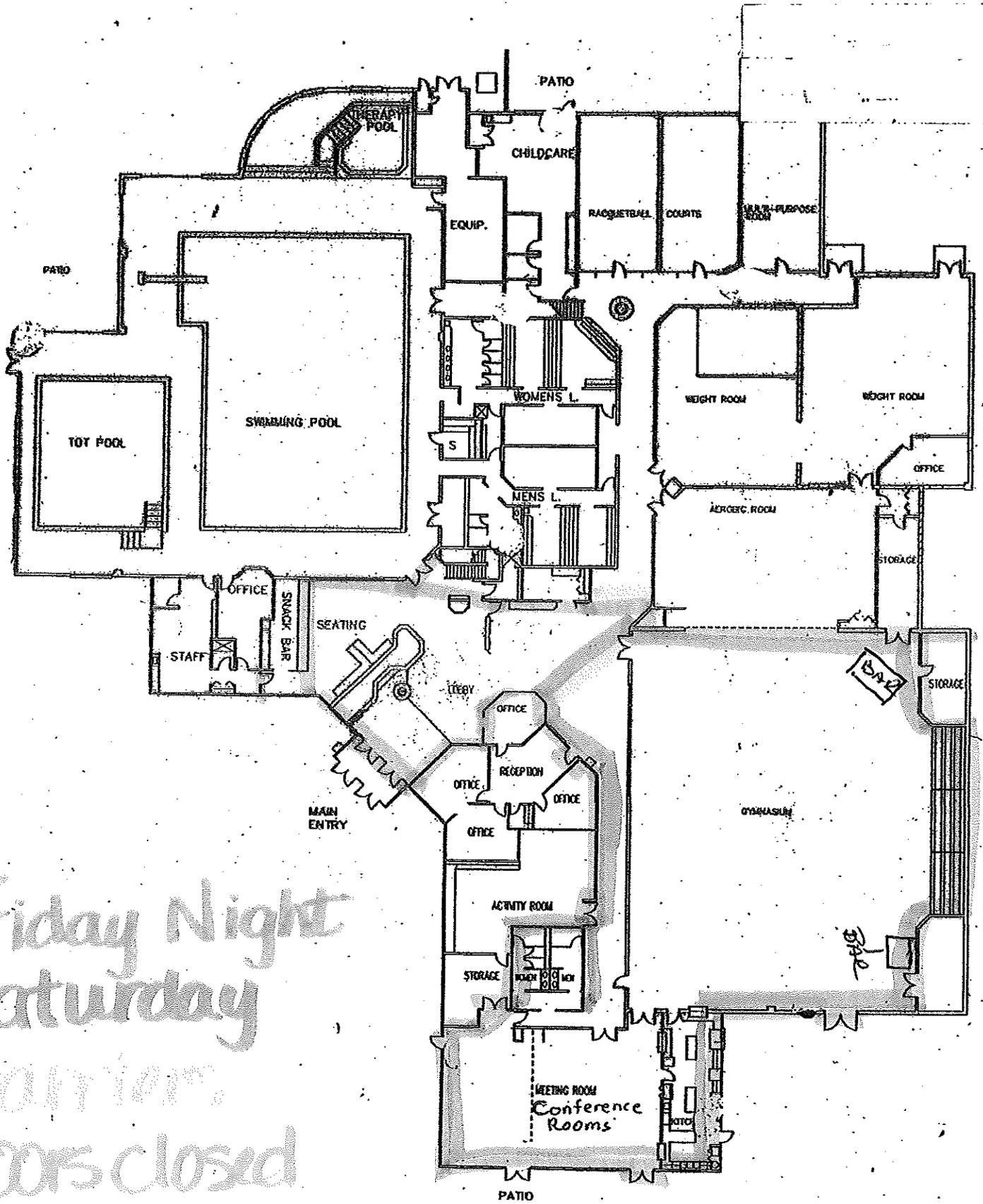
LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
--	--	---------------------------------------

SIGNATURE	TITLE	DATE
-----------	-------	------

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

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

BILL HEDDLES RECREATION CENTER
DELTA COLORADO



Friday Night
Saturday
Barriers
Doors closed

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

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

ALTRUSA INTERNATIONAL, INC. OF DELTA COLORADO FOUNDATION

is a **Nonprofit Corporation** formed or registered on 03/21/2003 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20031090226.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 09/10/2012 that have been posted, and by documents delivered to this office electronically through 09/12/2012 @ 09:01:48.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 09/12/2012 @ 09:01:48 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8337621.



Handwritten signature of Scott Gessler in cursive script.

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."

Bill Heddles Recreation Center RENTAL AGREEMENT



I, John Doe, of the County of Alameda, State of California, do hereby agree to rent the Bill Heddles Recreation Center for the purpose of holding a party on the 15th day of October, 1985, from 8:00 a.m. to 10:00 p.m. at a rental fee of \$100.00 per hour, plus tax and insurance.

The rental fee shall be paid in full on the day of the rental. The rental fee shall include the use of the Bill Heddles Recreation Center and the Bill Heddles Recreation Center shall be responsible for the maintenance and repair of the Bill Heddles Recreation Center.

The rental fee shall be paid to the Bill Heddles Recreation Center at the following address: Bill Heddles Recreation Center, 1234 Main Street, San Francisco, CA 94101.

DATE OF RENTAL TIME OF USE

DATE OF RENTAL	TIME OF USE
<u>10/15/85</u>	<u>8:00 - 10:00</u>

FEES INCLUDED AS FEE FOR EACH

FEES INCLUDED AS FEE FOR EACH
<u>Bill Heddles Recreation Center</u>

TERMS AND CONDITIONS: Bill Heddles Recreation Center shall be responsible for the maintenance and repair of the Bill Heddles Recreation Center.

CANCELLATION: Bill Heddles Recreation Center shall be responsible for the cancellation of the rental.

LIABILITY: Bill Heddles Recreation Center shall be responsible for the liability of the rental.

FORCE MAJEURE: Bill Heddles Recreation Center shall be responsible for the force majeure of the rental.

ASSIGNMENT: Bill Heddles Recreation Center shall be responsible for the assignment of the rental.

ENTIRE AGREEMENT: Bill Heddles Recreation Center shall be responsible for the entire agreement of the rental.

WITNESSES: Bill Heddles Recreation Center shall be responsible for the witnesses of the rental.

SIGNATURE: Bill Heddles Recreation Center shall be responsible for the signature of the rental.

DATE: Bill Heddles Recreation Center shall be responsible for the date of the rental.

PLACE: Bill Heddles Recreation Center shall be responsible for the place of the rental.

RENTAL FEE: Bill Heddles Recreation Center shall be responsible for the rental fee of the rental.

TERMS: Bill Heddles Recreation Center shall be responsible for the terms of the rental.

CONDITIONS: Bill Heddles Recreation Center shall be responsible for the conditions of the rental.

FORCE MAJEURE: Bill Heddles Recreation Center shall be responsible for the force majeure of the rental.

ASSIGNMENT: Bill Heddles Recreation Center shall be responsible for the assignment of the rental.

ENTIRE AGREEMENT: Bill Heddles Recreation Center shall be responsible for the entire agreement of the rental.

WITNESSES: Bill Heddles Recreation Center shall be responsible for the witnesses of the rental.

SIGNATURE: Bill Heddles Recreation Center shall be responsible for the signature of the rental.

DATE: Bill Heddles Recreation Center shall be responsible for the date of the rental.

PLACE: Bill Heddles Recreation Center shall be responsible for the place of the rental.

*Please give copy
to [unclear] of your
Bill Heddles Recreation Center
for Special Event.*

ITEM CHARGES		AMOUNT
Rental Fee		
Setup Fee		
Equipment/Supplies		
Catering Fee		
Staff Overhead		
	TAX CHARGES	15.00
	DAMAGE DEPOSIT	11.50
	TOTAL PAID	
	BALANCE PAID	
	CASH	

All charges & deposits MUST BE PAID at least 10 days prior to scheduled event! Failure to do so will result in cancellation of reservation!

Bill Holder Reservation Center • 1000 University Blvd • Dallas, Texas 75201 • 214-343-1234

Name: William Winters
 Address: 1000 University Blvd

APPROVED BY: [Signature]
 Date: 7/1/12

Bill Holder Reservation Center • 1000 University Blvd • Dallas, Texas 75201 • 214-343-1234

8:30-10:00
 Sign Only

35hr + 3 1/2 hr

12.50

Center for
**BODY
 HEALTH
 LIFE!**

There is a charge of \$100 for the use of the room. This charge will be refunded if the room is not used. If the room is used, the charge will be \$100. The charge is non-refundable. The charge is for the use of the room only. It does not include the cost of the food and beverages. The charge is for the use of the room only. It does not include the cost of the food and beverages. The charge is for the use of the room only. It does not include the cost of the food and beverages.

Prisoner

100

100

100

50

30

100

100

100

100

100

100

100

100

100

100

100



MEMO

To: *Mayor and Council*

From: *Jim Hatheway, Public Works Director*

Date: *2 October 2012*

Subject: *Settlement with SEMA*

RECOMMENDATION

The Public Works Department is recommending that City Council approve the settlement agreement reached with SEMA.

BACKGROUND

Staff has completed negotiations with SEMA reaching a mutual settlement to reimburse SEMA for time expended during the value engineering process.

COST

The settlement amount of \$50,000 will be paid from 80-19-36100.

ACTIONS TO BE TAKEN IF APPROVED

Staff requests that City Council approve the settlement.

SUGGESTED MOTION

I move the City pay \$50,000 to SEMA to fully compensate SEMA for time and materials expended during their involvement with the Confluence Drive value engineering process. (Opposition to the motion would be indicated by a 'no' vote)



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

MEMO

To: Mayor and Council
From: Steve Glammeyer, Utilities Director
Date: September 27, 2012
Subject: Purchase of Wire Inventory ML&P

Recommendation

It is recommended that the Council approve the purchase of wire into inventory for various projects in ML&P.

Background

Staff budgeted for wire to be purchased into inventory for continued extension into territory currently served by DMEA and also to relocate facilities needed to be moved for the Confluence Drive project. Bids were received from the 3 suppliers that could provide the quantity of wire we needed and those bids are attached for your review. The low bidder was IRBY for a total cost of \$68,240.00. This wire will be purchased out of the inventory account and then charged out to the various projects next year. Staff has budgeted for the projects next year however, we are getting your approval tonight as some of the wire has a 14 week lead time.

Cost

Total cost is \$68,240.00.

Action to be Taken if Approved

Staff will circulate the purchase order for signature and order the wire.

Suggested Motion

I move the Council authorize staff to purchase wire into inventory from IRBY for a total cost of \$68,240.00.



STUART C IRBY BR573 DENVER
 4720 LIMA STREET
 DENVER CO 80239-2614
 303-576-0656 Fax 303-576-0729

Quotation

QUOTE DATE	ORDER NUMBER
09/24/12	S007039468
REMIT TO: STUART C. IRBY CO. POST OFFICE BOX 843959 DALLAS TX 75284	PAGE NO. 1

SOLD TO:
 CITY OF DELTA
 ATTN ACCTS PAYABLE
 PO BOX 19
 DELTA, CO 81416-0019

SHIP TO:
 CITY OF DELTA
 1133 MAIN ST.
 DELTA, CO 81416-1823
 970-874-7566

ORDERED BY: ADAM SUPPES

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	JOB/RELEASE NUMBER	OUTSIDE SALESPERSON		
104178	BID		Shonna M Banke		
INSIDE SALESPERSON	REQD DATE	FRGHT ALLWD	SHIP VIA		
Trisha M Mak	09/24/12	Yes	OT OUR TRUCK		
ORDER QTY	SHIP QTY	LINE	DESCRIPTION	Net	Ext Amt
15000EA		1	COND 4/0 15KV 133% EPR AL COND .220" EPR INSULATION GENERAL CABLE STOCK AT FACTORY WOODEN REELS	3102.000M	46530.00
10000EA		2	COND 2 15KV 133% AL URD 220 MIL **14 WEEKS** Pricing Subject to Metal Escalation/De-Escalation AL: 1.0748 per # - NW US CU: 3.78 per # - AMM-COMEX	2171.000M	21710.00

* This is a quotation *

Prices firm for acceptance within 30 days with the exception of commodity prices which are subject to change daily. Quotation is void if changed. Complete quote must be used unless authorized in writing.

For Terms and Conditions, Please See our website.

Subtotal	68240.00
S&H CHGS	0.00
Sales Tax	0.00
TOTAL	68240.00

** Reprint ** Reprint ** Reprint **



WESCO
DISTRIBUTION®

11333 E. 55th Ave.
Unit A
Denver CO 80239

Quotation

UNLESS THERE ARE DIFFERENT OR ADDITIONAL TERMS AND CONDITIONS CONTAINED IN A MASTER AGREEMENT THAT MODIFY WESCO'S STANDARD TERMS, BUYER AGREES THAT THIS QUOTE AND ANY RESULTING PURCHASE ORDER WILL BE GOVERNED BY WESCO'S TERMS AND CONDITIONS DATED 011107 AVAILABLE AT [HTTP://WWW.WESCO.COM/TERMS AND CONDITIONS OF SALE.PDF](http://www.wesco.com/terms_and_conditions_of_sale.pdf), WHICH TERMS ARE INCORPORATED HEREIN BY REFERENCE AND MADE PART HEREOF. PLEASE CONTACT THE SELLER IDENTIFIED ON THIS QUOTE IF YOU REQUIRE A PRINTED COPY.

To: ~~OFF~~ OF DELTA
~~193~~ MAIN STR
XXX
XXX
DELTA CO 81416
XXX

Date: 09/14/12

Branch: 7886

Project Number: ADAM

Project Name

Quoted To:

Date of Your 09/14/12
Inquiry:

When ordering please refer
to Quotation Number: 052499

Item	Quantity	Catalog Number and Description	Unit Price	U/M	Total Price	Rate of Cash Discount	Shipping Time (Weeks)
1	15000	GEN-CAB***4/0 AWG (19W) CPR FILLED AL .0220" EPR, 133% INSUL. LEVEL, 105C 11X14 AWG CU CN WIRES 0.050" LLDPE JACKET, 3-RES 15KV RATED, EMPWR FILL, STRANDFILL AEIC CS8-07, ICEA S-94-649 2500' REELS +10%-10%	3.150	E	47250.00	0.00	
2	10000	OMNI***#2 AL .220 MILL FULL PRYSMIAN PART# Q8M030A SEE ATTACHED SPEC 2500FT NR'S 8 WK DELIVERY CU BASE: \$3.656/LB	2.470	E	24700.00	0.00	

F.O.B. Point of Shipment. The prices stated in this offer shall, unless renewed, automatically expire fifteen days (15) from the date of this offer.

Per:



WESCO
DISTRIBUTION®

11333 E. 55th Ave.
Unit A
Denver CO 80239

Quotation

UNLESS THERE ARE DIFFERENT OR ADDITIONAL TERMS AND CONDITIONS CONTAINED IN A MASTER AGREEMENT THAT MODIFY WESCO'S STANDARD TERMS, BUYER AGREES THAT THIS QUOTE AND ANY RESULTING PURCHASE ORDER WILL BE GOVERNED BY WESCO'S TERMS AND CONDITIONS DATED 011107 AVAILABLE AT [HTTP://WWW.WESCO.COM/TERMS_AND_CONDITIONS_OF_SALE.PDF](http://www.wesco.com/terms_and_conditions_of_sale.pdf), WHICH TERMS ARE INCORPORATED HEREIN BY REFERENCE AND MADE PART HEREOF. PLEASE CONTACT THE SELLER IDENTIFIED ON THIS QUOTE IF YOU REQUIRE A PRINTED COPY.

To: CITY OF DELTA
XXX
1733 MAIN STR
XXX
DELTA CO 81416
XXX
XXX

Date: 09/14/12
Branch: 7886
Project Number: ADAM
Project Name
Quoted To:
Date of Your Inquiry: 09/14/12
When ordering please refer to Quotation Number: 052499

Item	Quantity	Catalog Number and Description	Unit Price	U/M	Total Price	Rate of Cash Discount	Shipping Time (Weeks)
		AL BASE: \$0.98874/LB SUBJECT TO METAL ADJUSTMENT THANKS HELEN					
TOTAL:						71950.000	

F.O.B. Point of Shipment. The prices stated in this offer shall, unless renewed, automatically expire fifteen days (15) from the date of this offer.

Per:



Mail

COMPOSE

Adam Suppes

Sep 11

Vinnie, Could you send me a quote on some 15KV CABLE 6 Reals - aprox. 2500 fe...

4 older messages

Inbox (11)

Starred

Important

Sent Mail

Drafts (1)

Follow up

Gen Set

Vinnie

Sep 12

Good morning Adam,

Stock is in Texas
No charge for the cuts
Freight Prepaid and allowed

15000' AL 4/0 15kv 220mil EPR TCN- \$3740/mft
6x2500

21600' AL #2 15kv 220mil EPR FCN- \$2710/mft
3x7200 or 9x2400'

Total \$83,200

Any questions or feedback let me know. This would be a nice order to write.

Search people...

- Glen Black
- Rod Myers
- Andy Mitchell
- David Pendell
- Jim Hatheway
- Tony Bohling
- Dan Reardon
- Drema Scanlon
- Frank Sargent
- Rolph Shearer

Vinnie

Sep 18 (9 days ago)

Good morning Adam,

Just wanted to follow up with you on this. This is a lot of material and would really like to write this order with you, so if you get any feedback on numbers let me know. I still have the stock on both items and am able to do the lengths that you are needing.

Have a Great Day!!!

Regards,

MEMO



Community Development

www.cityofdelta.net

360 Main St. • Delta, Colorado 81416
Phone (970) 874-7903 • Fax (970) 874-6931

Date: October 2, 2012
To: Mayor, City Council and City Manager
From: Glen L. Black, Director of Community Development
Re: Bench and Bike Rack for CB's Tavern

Handwritten signature in blue ink, appearing to be 'GLB'.

RECOMMENDATION

Staff recommends careful consideration of all applicable local regulations regarding the placement of a bench and bike rack on public property.

BACKGROUND

CB's Tavern is requesting permission to place a bench and bike rack in the front of CB's Tavern at 334 Main Street.

STAFF REVIEW AND DISCUSSION

Chapter 12 of the Delta Municipal Code provides for an issuance of a permit for the use of public property for private purposes. The pertinent sections are listed below.

12.10.10 Use of public property for private purposes. It shall be unlawful for any person to use public property or rights of way including, but not limited to, that portion of any street right of way outside of the roadway, for private purposes, **except as permitted by ordinance, franchise, public right, lease, Council permit, or otherwise in accordance with law.** (Ord. 3, §6(part), 1987)

12.10.030 Permits.

A. The City Council may grant a special permit for the temporary use or occupation of a street, alley or other public property for civic events, parades, special sales or other events of a public or quasi-public nature. Any such permit may be revoked by the Council at any time.

B. 1. If the limitations of Subsection 12.10.020(A) above are met, along with other applicable requirements of City ordinances or regulations, parties in lawful possession of property in the B-1 Central Business District may utilize a portion of the abutting City sidewalk located on Main Street right-of-way for display of merchandise for sale.

2. Any person utilizing the sidewalk for these purposes shall maintain the sidewalk and premises in good and safe condition and shall **preserve a minimum of nine** feet of sidewalk adjacent to the curb to be clear of merchandise and obstructions.

3. The City Council may revoke or suspend the rights granted herein as it deems appropriate in its sole discretion. No vested right to the use of City sidewalk shall be obtained.

4. There is hereby created a "right of action" against the owners of property abutting City sidewalks which have businesses thereon which make any utilization of the sidewalk pursuant to this Section, on account of their failure to remove snow, ice, debris or obstructions from abutting sidewalks, to maintain abutting sidewalks in a safe condition, or to correct any dangerous condition of such abutting sidewalks. The owners of the abutting property shall be civilly liable for the violation of any provisions of this Section by anyone injured as a result thereby and shall be civilly liable to hold harmless, defend and indemnify the City, its officers and employees on account of any claim made or adjudged against the City, its officers or employees on account of their failure to comply with the provisions of this Section. (Ord. 3, §6(part), 1987; Ord. 15, §1, 1998)

Staff has a concern that the proposed bench will be used for a smoking area, below is the pertinent Delta Municipal Code section regarding smoking in public places:

8.36.020(6) "Entryway" means the outside of the front or main doorway leading into a building or facility that is not exempted under Section 8.36.040. "Entryway" also includes the area of public or private property within a specified radius outside of the doorway. The specified radius shall be fifteen feet.

8.36.030 General Smoking Restrictions.

A. Except as provided in Section 8.36.040, and in order to reduce the levels of exposure to environmental tobacco smoke, smoking shall not be permitted and no person shall smoke in any indoor area, including, but not limited to:

- (l) Food service establishments;
- (m) Bars;

ACTION TO BE TAKEN IF APPROVED

Have the applicant complete a Private Use of Public Property form and authorize City staff to issue the revocable permit. City Council may specify conditions of the permit and the permit may be revoked or suspended at anytime.

SUGGESTED MOTION

I would move that the City Council approve a Private Use of Public Property request for CB's Tavern to place a bench and bike rack on the sidewalk at 334 Main Street. (Disapproval would be indicated by a "nay" vote)

Thank you for your attention.