



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

March 17, 2015
7:00 p.m.

- A. Pledge of Allegiance
- B. Changes to the Agenda
- C. Minutes
- D. Citizen Comments
- E. Appointments to the Planning Commission
- F. Public Hearing: Sales & Use Tax License; Don Gilberto Mexican Restaurant
- G. Delta County Historical Society Civil War Commemoration Request to Waive Fees
- H. Tavern Liquor License Renewal; Hoolies Place
- I. Approval to submit DOLA Grant: Broadband
- J. Appointment of Interim City Manager
- K. Discussion Regarding the Process For Filling the City Manager Vacancy
- L. City Attorney Comments
- M. City Manager Comments
- N. Councilmember Comments
- O. Executive Session
For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b), 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) 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.
- P. Approval of Settlement Agreement with Hamon

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

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 and Acting City Manager Glen Black. 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 Jurca to approve the minutes of the February 17, 2015 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

Fran Goetz, 1053 Grand Avenue, commented on dogs running at large within the City of Delta.

Delta County Historical Society Civil War Commemoration Request

Keith Lucy, 717 Renee Street, with the Delta County Historical Society presented Council with information for the Civil War Commemoration being held on May 8, 9, and 10, 2015. He asked Council to consider submitting a sponsorship for the event.

Public Hearing: Special Events Permit Application; Delta Area Chamber of Commerce

The Mayor recessed the regular meeting and convened a public hearing.

The Clerk reported that the Delta Area Chamber of Commerce has submitted an application for Special Events Liquor Permits for their two events to be held at Bill Heddles Recreation Center. The first event is for their Annual Meeting and Awards Banquet being held on March 28, 2015. The application specifies that they plan to sell alcoholic beverages from 4:00 p.m. to 10:00 p.m. The second event is scheduled on April 17, 2015. The application specifies that they plan to sell alcoholic beverages from 4:00pm to 9:30pm. A sign was posted at the site as required by law and no comments have been received.

The Mayor closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the special event permit application for the Delta Area Chamber of Commerce for March 28, 2015 and April 17, 2015. All in favor, motion carried.

Regular Meeting, Delta City Council, March 3, 2015 (cont.)

Hotel/Restaurant Liquor License Renewal; Daveto's

The Clerk stated that Daveto's Italian Restaurant has submitted their annual hotel and restaurant liquor license application. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the hotel/restaurant liquor license renewal for Daveto's Italian Restaurant. All in favor, motion carried.

Vehicle Purchases

Utilities Director Steve Glammeyer stated this is the last round of purchases for this year. This purchase includes a new street sweeper, an animal control van, a patrol car, and a pro-gator. He stated the vehicles are listed with the amounts in the spreadsheet provided to Council.

Mayor Sisson questioned if the AWD vehicles are cheaper as they were a few years ago for the patrol car.

Fleet Manager Rod Myers stated that the AWD vehicles were cheaper a few years ago; however, they are not at this time.

Councilmember Cooper questioned how many hours the street sweeper is used a week.

Mr. Myers stated the sweeper is used approximately 16 hours a week.

There was discussion on the different types of street sweepers.

Councilmember Penick stated that all items are under budget and that he appreciates staff's work.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the purchase of the following vehicles/equipment:

- Ford Transit Connet from Hellman Motor Company for \$23,895,
- Ford Taurus/Interceptor from Hellman Motor Company for \$32,050
- Pelican street sweeper from Faris Machinery for \$196,960
- Pro-gator from Potesio Brothers for \$20,958.

All in favor, motion carried.

**Ordinance #2, 2015; Second and Final Reading
E-Cigarettes**

Ordinance #2, 2015

AN ORDINANCE OF THE DELTA CITY COUNCIL AMENDING
CHAPTER 8.36 TO RESTRICT THE USE OF ELECTRONIC
CIGARETTES AND OTHER SMOKING DEVICES

was read by the Clerk.

Regular Meeting, Delta City Council, March 3, 2015 (cont.)

**Ordinance #2, 2015; Second and Final Reading
E-Cigarettes**

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Ordinance #2, 2015 on second and final reading. Roll call: Councilmembers Cooper, aye; Jurca, aye; Raley, aye; Penick, aye and Sisson, aye. Motion carried.

**Ordinance #3, 2015; Second and Final Reading
Juvenile Curfew**

Ordinance #3, 2015

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
REPEALING AND REPLACING SECTION 9.04.250 OF THE
DELTA MUNICIPAL CODE

was read by the Clerk.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Ordinance #3, 2015 on second and final reading. Roll call: Councilmembers Cooper, aye; Jurca, aye; Raley, aye; Penick, aye and Sisson, aye. Motion carried.

City Attorney Comments

There were none.

City Manager Comments

Acting City Manager Glen Black stated that staff has addressed Ms. Goetz' concern regarding dogs running at large.

Councilmember Comments

Councilmember Cooper commented on the recent Project 7 meeting and the CML Executive Board.

Councilmember Jurca invited everyone to the Delta High School Jazz Band Swing Dance event.

Councilmember Raley stated that he was not able to attend the last Region 10 meeting.

Mayor Sisson invited everyone to the Delta County Library's Cherokee Heritage event.

The meeting was adjourned at 7:21 p.m.

/s/ Jolene E. Nelson
Jolene E. Nelson, CMC, City Clerk

Item D:

Citizen Comments



MEMO

To: Mayor, City Council, City Manager
From: Glen L. Black *GLB*
Date: March 17, 2015
Subject: Planning Commission Appointments



Community Development

Recommendation: Staff would recommend City Council appoint Richard Simmons and Carl Jahn to serve on the City of Delta Planning Commission.

Background: Richard Simmons has served previously on the Planning Commission.

- Appointed : March 2009 & February 2012
- Terms: Three years, two terms maximum (*six consecutive years*)
- Term Ends March 2015

Carl Jahn has served previously on the Planning Commission.

- Appointed: May 2013
- Terms: Filled a partial first term of a commission that resigned
- Term Ends March 2015

There are currently three openings on the Planning Commission with two applicants. The openings were advertised in the Delta County Independent on February 11th and 18th. The openings were also advertised continuously on the City of Delta website from February 11th and will continue to run until the positions are filled. No other applications have been received.

Both Richard and Carl have served well on the Planning Commission. They worked hard on learning the code. They are very good at asking questions and understanding the issues. Staff appreciates their input and looks forward to working with them for another three years.

Alignment With Strategic Planning:

Charter Article IV Section I par 49 and 50

49. Planning Commission. There shall be a City Planning Commission consisting of seven members appointed by the Council who shall be qualified electors of the City. (Amended 4-2-96)

50. Terms. Members of the Planning Commission shall be appointed for staggered three-year terms with no Commissioner eligible to serve more than six consecutive years. Commissioners may be removed by Council for misconduct, malfeasance or excessive

absence from meetings. Any vacancies shall be filled by Council for the remaining term. The current terms of the Commissioners shall be restated by the Council April 1, 1996, to two three-year terms, two two-year terms, and three one-year terms, and they shall be eligible for one more consecutive three-year term thereafter, notwithstanding the six year limitation of this section. (Amended 4-2-96)

Thank you for your attention.

Cost: There is no cost to the City.

Actions To Be Taken if Approved: Appoint applicants.



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

Board, Commission or Committee Application

Please return to: City of Delta, 360 Main Street, Delta, Colorado 81416

Name Richard Simmons Date 2/5/15

Mailing Address 625 Bluff PL

Street Address 625 Bluff PL Phone Number 399-3365

City Delta State CO Zip Code 81416

Occupation Retired

How many years (months) have you lived in the: City of Delta 7 1/2?
Delta County 7 1/2?

Board or Commission Applying for:
Planning Commission
Delta Housing Authority _____
Other (please list) _____

How did you hear about this opening?
City Hall

Please comment on why you desire to be appointed?
FOR THE BIG MONEY AND FANTASTIC MEALS @ EVERY MEETING! ALSO THE USE OF A CITY CAR!

Have you ever been on a Board or Commission before? (If yes please describe)
YES - Colo. State Lottery Board - Rangely Co P&Z - Alamosa Colo. ARBOR BOARD & RECREATION ADVISORY BOARD - Delta Colo. P&Z.

Please explain the purpose of the Board or Commission you are applying for as you understand it.
TO ACT AS A LIASION BETWEEN THE PUBLIC AND THE CITY COUNCIL ON MATTERS OF BUILDING / PLANNING AND ZONING WITHIN THE DELTA CITY LIMITS.

[Signature]
Signature of Applicant

In making appointments to the Planning Commission, the Delta City Council desires information from each applicant relative to the following topics. Please complete this information to the best of your ability.

How do you feel growth in the City of Delta should be handled?

IN A COORDINATED way using all ENTITIES from FIRE, building, police, schools etc to help DETERMINE the path the city wants to take. growth should be slow AND within the CORRECT PATTERN! growth NEEDS to be within strict guidelines that ARE ESTABLISHED AND PROVEN!

What are your feelings regarding land use controls?

MUST BE DONE ACCORDING TO STANDARDS ADOPTED by city COUNCIL AS PROVIDED by staff AND THE P&Z. MUST BE A COMBINED EFFORT OF ALL CONCERNED!

How do you feel about Planning?

ALL CITIES MUST HAVE A PLAN TO ENCOMPASS EVERYTHING including all INFRASTRUCTURE, housing, business, etc. Without this structure nothing would come together, resulting in ADDED CONFUSION, work AND problems at all levels.



Signature of Applicant



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Board, Commission or Committee Application

Please return to: City of Delta, 360 Main Street, Delta, Colorado 81416

Name Carl H. Jahn Date 1/19/15

Mailing Address _____

same

Street Address 817 1525 Rd. Phone Number 874-2879

City Delta State CO Zip Code 81416

Occupation Retired

How many years (months) have you lived in the: City of Delta 14 yrs. ?
Delta County _____ ?

Board or Commission Applying for:

- Planning Commission
- Delta Housing Authority _____
- Other (please list) _____

How did you hear about this opening?

From ~~Planning~~ Planning Office

Please comment on why you desire to be appointed?

I am interested in the growth and changes in the City of Delta.

Have you ever been on a Board or Commission before? (If yes please describe)

Planning Commissioner for eight years.

Please explain the purpose of the Board or Commission you are applying for as you understand it.

To recommend approval/disapproval to the City Council re projects that involve zoning, codes and other regulatory requirements.

Carl H. Jahn
Signature of Applicant

Page 2 for Planning Commission Applicants only:

In making appointments to the Planning Commission, the Delta City Council desires information from each applicant relative to the following topics. Please complete this information to the best of your ability.

How do you feel growth in the City of Delta should be handled?

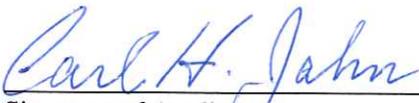
I feel that the present method of handling the growth in the City of Delta is very good. With the Comprehensive Plan as a guide, an active city manager and well staffed departments, Delta should continue to be a desirable place in which to live.

What are your feelings regarding land use controls?

I feel that the zoning regulations are well defined and that when needed, some variations within reasonable limits, are allowed.

How do you feel about Planning?

I feel that Planning is a MUST.



Signature of Applicant

CITY OF DELTA

NOTICE OF HEARING

In the matter of)
the revocation of) NOTICE OF HEARING
the Delta Municipal Sales and Use Tax License of)

Don Gilberto Mexican Restaurant
230 N Palmer Street Suite A
DELTA, COLORADO 81416

SALES & USE TAX LICENSE #4298

To: Janie Jaramillo,

You are hereby notified that a hearing will be held before the Delta City Council at 360 Main Street, Delta, Colorado on the 17th, day of March 2015 at 7:00 PM. The purpose of this hearing is to determine whether your license to engage in the business of selling at retail should be revoked. The hearing has been called, because there is probable cause to believe that you are in violation of provisions of the Delta Municipal Sales and Use Tax Ordinance as found in Chapter 3.04 of the Delta Municipal Code.

Specifically, there is probable cause that:

You have been delinquent in filing returns or paying the sales tax, penalty and interest due, in accordance with the Delta Municipal Sales and Use Tax Ordinance for the period(s) of September 2014 through December 2014.

You may appear at the hearing to show cause why your license should not be suspended or revoked. You may be represented by counsel at the hearing. You may testify on your own behalf or present other witnesses, and shall have the right to cross-examine any adverse witnesses. Subpoenas will be issued if requested.

Issued this 26th, day of February 2015 in the City of Delta, Colorado.

CITY OF DELTA, COLORADO



Tod DeZeeuw, Finance Director

The undersigned states that a copy of the within NOTICE OF HEARING was served upon

Sue Helen Uribe by handing him and/or her a copy or leaving a copy

hereof with SUE HELEN Uribe on 2-26-15

at 1105 AM

Chief Robert Thomas

Serving Officer



*Any special request
For Ex. with power or special
needs to area must
be approved with
Tony Bohling 874-4973*

**PARKS AND RECREATION DEPARTMENT
PARKS USE REQUEST PERMIT**

Rev 12/13

GENERAL INFORMATION

Today's Date 2-18-15 cell: _____
Name of person responsible Keith Lucy Phone none: 874-2685
Organization Civil War Encampment Non Profit # _____
Mailing Address 717 Renae St Delta CO 81416

FACILITY

Park or Area Commons Area to Arbor Activity planned _____ Are you using outside entertainment? _____

Activity Planned _____
Number of visitors + participants

Yes _____ No _____ If so what are you using? _____
Thurs, Fri, Sat Sun

Date(s) of Use May 7, 8, 9, 10 Hours: from _____ to _____
Times needed

Email: _____

CONDITIONS FOR USE

1. Permit allows applicant use of a specified area in a specified park. It does not allow for exclusive use of the park or exemption from any applicable City Ordinances or Park Regulations. A Parks Regulation Pamphlet is included.
2. Sales of **food, beverage, and merchandise** are not allowed without prior approval of the City.
3. Park is open from dawn to dusk.
4. There shall be **NO blocking** of streets or roadways, **NO changes** to the structures, **NO building** of stages or shelters, without the written approval of the Parks and Recreation Department.
5. Anything placed into the ground, i.e. stakes, signs, etc. requires prior approval from Parks staff.

I, the undersigned, accept responsibility for the above conditions and agree to make restitution for any damage to the Park or City property. For the applicant, I hereby exempt and release and hold harmless the City of Delta, its officers, employees, agents and servants from any and all loss, liability, claims, demands, actions, or causes of action whatsoever arising out of any loss, damage or injury that may occur as a result of the referenced facility use/activities/requested herein.

Signature of person responsible _____ Date _____

ALCOHOL AT CITY FACILITIES

A permit **MUST** be issued by the City of Delta Police Department for Beer and Wines to be consumed on designated City property. If alcoholic beverages are to be distributed or sold, applicable State and Local Licenses **MUST** be obtained and **APPROVAL FROM THE CITY** is required to obtain such permits. Permits are not available for distilled Liquor. Exact Location of use: _____

FEES

Various Parks or Sections of Parks have a fee attached for exclusive use by private parties. The fee allows the group to establish a specific area for their event, i.e.; weddings, reunions, concerts, and personal instruction. The fees for the park facilities listed below are \$30 per half day and \$50 per day

Riley Pavilion/Cleland Park**

POS .619 - 50⁰⁰ x 4 Day = 200⁰⁰ (Rental)

Pow Wow Arbor**

\$5 per day POS .620 - _____ (Elec) *???*

Amphitheater**

Lions Club Pavilion** *Common area*

POS .621 - 50⁰⁰ (Deposit) *50⁰⁰*

Mt View Pavilion **

Island and Gazebo **

250⁰⁰ (Total)

Park Shelters (any Individual/ small ones) \$10 per day

Confluence Park

any other areas needed - please let us know

Make Check to
City of Delta

Island -

North Common Stage -

East Grassed Area -

Instructional Pond -

Beach - West -

Any special licenses must go thru City of Delta w/ John Nelson

Tamarac Park - No Charge, reserve by permit only.

Need Proof of Insurance for large event.

* **\$50 Deposit May be Required for Large Group/Community Functions

Softball Fields - Contact Sports Department for reservations.

** If electricity is required there is an additional \$5.00 non-refundable deposit. */per day*

Security @ Officer Over-time _____

Other Special Needs _____

Fee paid, Date _____ for location _____ amount _____ initial _____

Signatures

Parks and Recreation Dept _____ Date _____

Comments _____

*** Permit requests and funds are taken Monday- Friday Business Hours – at least 48 Hours in advance. Checks accepted only when payment is made at least two weeks in advance of your requested park reservation date. Otherwise, payment must be with MasterCard/Visa or cash.

MEMO

To: Mayor and City Council
From: Jolene E. Nelson, City Clerk
Date: March 17, 2015
Subject: Tavern Liquor License Renewal; Hoolie's Place



Office of the City Clerk

Recommendation:

Staff recommends approval of the Tavern License Renewal for Rebecca Angel, LLC dba Hoolie's Place located at 220 Main Street. The Police Department's report and recommendation is attached.

Background:

The current liquor license expires April 6, 2015.

Cost:

There is no cost to the City. The applicant has paid the \$500 renewal fee to the State and the City renewal fee of \$150, the City's \$500 liquor occupation tax will be collected at the time the license is issued.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 "the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code."

Actions To Be Taken if Approved:

The Mayor and Clerk will sign the applications, and the Clerk will mail them to the State, who will review them and issue the permits.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

HOOLES PLACE
 220 MAIN STREET
 DELTA CO 81416-1836

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

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 may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name REBECCA ANGEL LLC		DBA HOOLES PLACE		
Liquor License # 42565280000	License Type Tavern (city)	Sales Tax License # 42565280000	Expiration Date 4/6/2015	Due Date 2/20/2015
Street Address 220 MAIN STREET DELTA CO 81416-1836				Phone Number (970) 874 7060
Mailing Address 220 MAIN STREET DELTA CO 81416-1836				
Operating Manager <i>Rebecca Angel</i>	Home Address <i>10318 3300 Rd Hookeles Co 81419</i>	Phone Number <i>872-3975</i>		

- Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease _____
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

AFFIRMATION & CONSENT

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.

Type or Print Name of Applicant/Authorized Agent of Business <i>Rebecca Angel</i>	Title <i>Owner</i>
Signature <i>Rebecca Angel</i>	Date <i>2-27-15</i>

REPORT & 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



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

LIQUOR LICENSE RENEWAL RECOMMENDATION

To: City Council

Re: Application of Rebecca Angel LLC
DBA: Hoolies Place

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

MEMO

To: City Council
From: Justin Clifton, City Manager
Date: March 17, 2015
Subject: Broadband



Office of the City Manager

Staff is seeking approval to be part of a regional broadband grant with DOLA. Partners in Montrose and Delta County (perhaps others) would like to submit the grant by the April 1, 2015 deadline to take advantage of a \$20M set aside for broadband projects. Attached is a summary of the project and request. I will have a map we can review at the meeting and be prepared to answer questions as best I can.

Although the cost is greater than any previous allocation in the budget, I believe some of the costs may be inflated based on the consultant using a standard formula for build-out without consideration that the City owns poles and is capable of hanging line. Council could allocate funding over the next two fiscal years and use some of the Tri-state buy back funding in ML&P. This might mean refraining from or delaying one of the anticipated acquisitions from DMEA.

Delta/ Montrose Counties Broadband Development Opportunity

History: Region 10 and many of its local government members created a broadband action plan with the help of NEO Fiber, a third party telecom consultant. The plan was funded by DOLA with cash match provided by Region 10 members.

Status: The plan is complete. Preliminary design to extend middle-mile fiber with all associated costs have been established. Next critical steps include memorializing a conceptually approved agreement with DMEA for the use of its existing fiber infrastructure and the grant funding to undertake construction of new fiber build out.

Working with DMEA: Region 10 and DCED have led the way working to secure a cooperative agreement with DMEA for use of its fiber network connecting substations. There have been many ideas floated on how to make a cooperative arrangement work. Recently, the DMEA Board voted to work with stakeholders in Delta and Montrose counties based on a flat rate contribution to DMEA to help offset costs for perfecting easements and in exchange for a long term lease of its fiber assets. This arrangement reduces the build out of new fiber (and thus the cost of the project) by two thirds.

Applying for funding: With the arrangement to provide financial assistance to DMEA for easement perfection and building fiber from DMEA substations to anchor institutions in each community will require substantial funding. This proposal contemplates submitting a grant to DOLA for 75% of the required funding. DOLA recently set aside \$20M for exactly these kinds of projects. Submitting a grant early (ideally April 1, 2015) will give us a competitive advantage. This proposal contemplates using the value of DMEA infrastructure, the unique energy impacts in Delta County and a grant submitted by regional entities to gain a competitive edge and justify the 25% cash match request. DOLA has encouraged communities to dedicate 50% funding. If the request for 75% funding was denied or reduced the communities may have to increase financial participation, find other grant sources or reduce the scope of the project.

Cost: Cost breakdowns are provided on the back side of this proposal. The City is responsible for coming up with close to \$380K in cash match funding. However, I estimate that this cost is very high. The consultant used a generalized assumed line mile cost for all build-outs, which doesn't account for the City owning poles or being able to hang fiber using internal resources. Other stakeholders (hospitals, school districts, library districts etc.) can be asked to participate and the project (and funding) can be spread out over 2 or 3 fiscal years.

Next Steps: It appears as though the City and County of Montrose and Delta County are on board with submitting the grant. With approval from the Council the grant could be submitted with support of over 80% of the proposed financial contributors. This would allow additional time to secure other grant partners, other grant sources or to refine the cost estimates etc.

Montrose County	Montrose County	Montrose	Naturita	Nucla	Olathe	Paradox	Total
Grand Junction to Montrose County Line	1,296,559	-	-	-	-	-	1,296,559
DMEA, Easement Perfection	139,784	-	-	-	-	-	139,784
IRU, Tri-State, County Line to Sunshine Substation	61,080	-	-	-	-	-	61,080
New Build Routes	-	-	-	-	49,027	-	49,027
Regens/POP Facilities (split equally)	467,500	-	-	-	-	-	467,500
New Facilities	25,950	-	-	-	-	-	25,950
Community Anchor Institution Builds	-	989,248	60,276	47,508	90,468	8,064	1,195,564
Community Anchor Institution Equipment	-	181,500	33,000	49,500	66,000	-	330,000
Total	1,990,873	1,170,748	93,276	97,008	205,495	8,064	3,565,464
25% Match	497,718	292,687	23,319	24,252	51,374	2,016	891,366

Delta County	Delta County	Cedaredge	Crawford	Delta	Hotchkiss	Paonia	Total
Grand Junction to Montrose County Line	576,753	-	-	-	-	-	576,753
DMEA, Easement Perfection	201,248	-	-	-	-	-	201,248
New Build Routes	-	126,120	68,370	596,276	54,090	-	844,856
Regens/POP Facilities (split equally)	467,500	-	-	-	-	-	467,500
New Facilities	188,800	-	-	-	-	-	188,800
Community Anchor Institution Builds	-	146,112	54,600	786,156	182,748	168,096	1,337,712
Community Anchor Institution Equipment	-	66,000	33,000	148,500	49,500	55,000	352,000
Total	1,434,301	338,232	155,970	1,530,932	286,338	223,096	3,968,869
25% Match	358,575	84,558	38,993	382,733	71,585	55,774	992,217

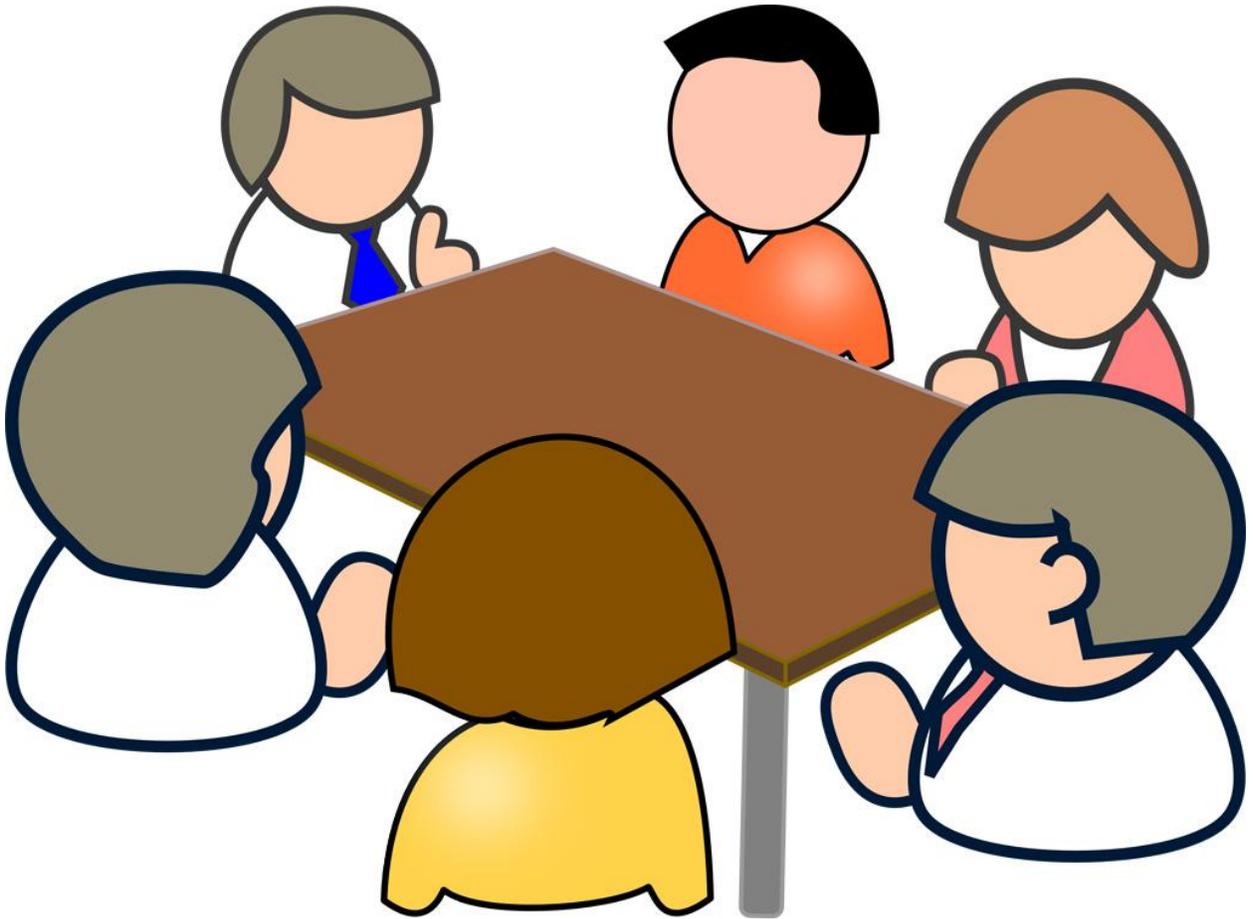
Item J:

Appointment of Interim City Manager



Item K:

Discussion Regarding Process for Filling the City Manager Vacancy



Items: O U V

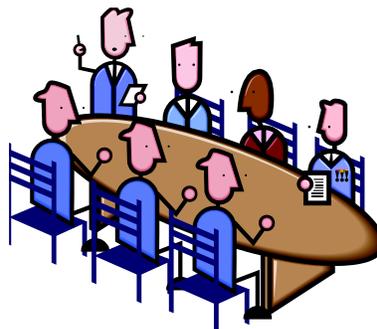
Attorney Comments



City Manager Comments



Councilmember Comments



Item O:

Executive Session:

For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b), 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) 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.

Item P:

Approval of Settlement Agreement with Hamon

