



CITY COUNCIL WORK SESSION AGENDA
Tuesday, September 7, 2021 10:00 AM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

Public participation for this meeting will be in person in the City Council Chambers and via Zoom at the following link: https://us02web.zoom.us/webinar/register/WN_uCjt-vIPSDiMY4nQh4tNdQ

1) YOUTH COUNCIL APPLICANT INTERVIEW

Staff: Youth Council Coordinators Mikayla Unruh and Kailey Rhoten

2) PLANNING COMMISSION ALTERNATE APPLICANT INTERVIEWS (20 minutes)

- Laura Baker 3-4 - **APPLICATION WITHDRAWN**
- Steven Ball 5-6
- Catherine Buckley Hoffman 7-8
- Tina McFarlin 9-11 - **INTERVIEWED DURING 9/7 REGULAR MEETING**

3) DISCUSSION ITEMS

- A) Montrose Community Foundation Update (15 minutes)
Executive Director Sara Plumhoff 12-19
- B) Gray and Black Market Marijuana Enforcement Grant Application (10 minutes)
Community Program Manager Kendall Cramer 20-21
- C) Townsend Avenue Utility Replacements Project Contract Award (10 Minutes)
City Engineer Scott Murphy 22-24
- D) Public Works Shop Design Contract Amendment for Phase II Environmental Survey (10 Minutes)
City Engineer Scott Murphy 25
- E) Intergovernmental Agreement for Liquor Licensing Services (10 minutes)
City Clerk Lisa DelPiccolo 26-30

4) GENERAL CITY COUNCIL DISCUSSION

5) STAFF COMMENTS



FUTURE TOPICS

- Planning Commission Alternate Appointment - September 21
- Youth City Council Appointments - September 21
- McCracken Addition Annexation Hearing - October 19

Zoom Meeting Details

https://us02web.zoom.us/webinar/register/WN_uCjt-vIPSDiMY4nQh4tNdQ

join by phone:

1 253 215 8782

1 346 248 7799

1 669 900 9128

1 301 715 8592

1 312 626 6799

1 646 558 8656

Webinar ID: 872 6099 5143

International numbers available: <https://us02web.zoom.us/j/87260995143>

7:00 AM - LD



Application for a Volunteer Board or Advisory Committee

Board you are interested in

Planning Commission

(Submit separate application for each board - Review attached information on board or committee)

Full Name

Laura Baker

Home Residence Address

214 S. 2nd St

Mailing Address (if different)

Same

Business Name and Address

n/a

Job Title

n/a

Telephone Numbers:

Home/Cell

949-304-8353

Work

←

E-Mail Address

LAEVB@hotmail.com

If the board applied for requires expertise, please tell us about your qualifications in that area (education, experience, etc.).

n/a

Why are you interested in serving on this board?

I am interested in serving on this board because I would like to help steer Montrose in a direction that is sustainable, just, hip, and desirable.

Will you have any conflicts with the services required of the board being applied for? Yes ☐ No ☒

If yes, please specify

What other volunteer boards have you served on?

Board	Dates	Position or Role
Patient & Family Advisory Committee	1/21 - current	advisor
Emerging Leaders Board	3/21 - current	co-founder
UVA Homelessness caucus	1/20 - current	member

What else can you tell us about yourself?

I am passionate and willing to befriend/work with anyone.

Include a letter of interest with this application addressed to the Montrose City Council, c/o City Clerk, P. O. Box 790, Montrose, CO 81402-0790. If you submit more than one application, please indicate which board you are most interested in.

Laura Baker
214 S. 2nd St.
Montrose, CO
81401

March 18, 2021

Montrose City Council
C/O City Clerk
P.O. Box 790
Montrose, CO
81402-0790

Dear Montrose City Council,

Just over one year ago, I moved to Montrose to volunteer as an AmeriCorps member. Before I found housing, I couch surfed with a Montrose local for ten days at their two-bedroom family home. This is a generosity that we cultivate in my family – a take care of your neighbor attitude. This sense of community is invaluable and increasingly rare in today's divided America. I would like to participate as part of the Planning Commission because I want to protect this unique asset that Montrose has maintained.

I come from a place with similar demographics as Montrose, and I have grown up knowing the value of diversity and inclusion: foodies flock to 'ethnic' locales, artists emerge from their enclaves, tourists come and businesses thrive. My AmeriCorps service afforded me a closeness to our town's Latino population and an understanding of their needs to survive. So much of the industry here is hospitality and agriculture driven, and the folk making minimum wage (or less) equally deserve to have their views heard and needs met as this town moves forward. I can offer multiple perspectives to the Planning Commission; while my expertise may be in the odyssey of young professionals, I feel confident advocating for the voices that are not often present at the table. As someone who spends much of their time volunteering in the non-profit and social impact space, while also cultivating relationships with entrepreneurs and change-makers, I believe that I can contribute valuable insight as we progress.

The future of our town is not difficult to see. We are nestled in the mountains, near to the desert and upscale ski resorts; we have just enough industry without being congested. Montrose is becoming, or will one day soon become, out of reach for even those who grew up here. Housing is immediately being snapped up by wealthy folk from out of state. There is no bidding process, just a quick sale from out-of-towners who have an inside agent scouting property. This is not just my opinion, this is the reality that many millennials feel anxious about. I'd like to believe that we are a community of caring for one another, and that creating opportunities for low to medium income folk is a tangible possibility, in addition to generating market-rate housing.

In one way or another, I have met most of you and I like you. I have voted for you, put your signs in my front yard, attended service meetings with you, and have kept up with your impact on Montrose. If given the opportunity to participate on the Planning Commission team, I commit to working with you to best serve this town, and using my networking skills to build citizen consensus for our initiatives.

Thank you for your time and consideration. I hope to expand upon my knowledge, skills and abilities at a future interview.

Sincerely,

Laura Baker

1:00 PM - 40



Application for a Volunteer Board or Advisory Committee

Board you are interested in Planning Commission (alternate)
 (Submit separate application for each board - Review attached information on board or committee)

Full Name Steven Ball

Home Residence Address 925 S. 1st St. Montrose CO 81401

Mailing Address (if different) _____

Business Name and Address Montrose Recreation Center

Job Title Climbing Wall staff

Telephone Numbers: Home/Cell 415-310-7096 Work N/A

E-Mail Address Steve.w.ball@gmail.com

If the board applied for requires expertise, please tell us about your qualifications in that area (education, experience, etc.).

B.S. Environmental Economics / B.A. Philosophy
M.S. Public Administration
10 years

Why are you interested in serving on this board?

Please see the attached letter.

Will you have any conflicts with the services required of the board being applied for? Yes ☐ No ☒
 If yes, please specify _____

What other volunteer boards have you served on?

Board	Dates	Position or Role
<u>Homeless Coordinating Board</u>	<u>2008-2010</u>	<u>agency rep.</u>
<u>Curriculum Committee</u>	<u>2014-2016</u>	<u>Student rep.</u>

What else can you tell us about yourself?

Please see the letter attached letter.

Include a letter of interest with this application addressed to the Montrose City Council, c/o City Clerk, P. O. Box 790, Montrose, CO 81402-0790. If you submit more than one application, please indicate which board you are most interested in.

Montrose City Council,

This letter is to express interest in the alternate Planning Commission vacancy. My combination of education in economics, career in social work, and experience living in cities of all sizes prepares me to help the planning commission of balance the economic and quality of life impacts of city planning decisions on the city of Montrose.

I chose to settle in Montrose four years ago for its combination of proximity to outdoor recreation—specifically climbing and hiking—small-city friendliness, and economic amenities. Since moving here I attended council and comprehensive plan meetings, and reviewed the minutes from work sessions. During this time I have seen the way in which Montrose balances distinct but overlapping interests of different segments of the community, and how decisions at the city level directly impact this balance. The planning commission is of particular interest to me as it is at the core of the balance between the economic requirements of growth and the balance between.

I have an unusual combination of skills to contribute to the Planning Commission. My background in social work equips me to see different perspectives of values and well-being, and how they fit together. Having an education in economics helps me think through specific economic implications on other members of the community when actions are completed by one entity within that community. My background in philosophy helps connect specific circumstances coming before the planning commission to the lives of Montrose residents and the community as a whole. I've used these skills to take part in policy and coordinating bodies in previous settings and hope to use them to help the city of Montrose that I have grown to love.

Thank for your time reviewing my application. I hope to see you for an interview to answer your questions about my fit on the Planning Commission.

Best,

A handwritten signature in dark ink, appearing to read 'Steve Ball', with a stylized, cursive script.

Steve Ball



Application for a Volunteer Board or Advisory Committee

Board you are interested in PLANNING Commission
(Submit separate application for each board – Review attached information on board or committee)

Full Name CATHERINE BUCKLEY HOFFMAN

Home Residence Address 454 COBBLE DRIVE, MONTROSE, CO 81403

Mailing Address (if different) SAME

Business Name and Address PROFESSIONAL CASE MANAGEMENT

Job Title NURSE

Telephone Numbers: Home/Cell 970-901-5657 Work _____

E-Mail Address MESSAGES4CATH@AOL.COM

If the board applied for requires expertise, please tell us about your qualifications in that area (education, experience, etc.).

IN ADDITION TO NURSING EXPERIENCE, I HAVE EXPERIENCE WORKING FOR AND WITH MUNICIPALITIES. I WORKED FOR THE Town of Mountain Village AS HR DIRECTOR AND AM FAMILIAR WITH THE RELATIONSHIPS BETWEEN PLANNING AND CITY COUNCILS

Why are you interested in serving on this board?
I HAVE A PASSION FOR THE DEVELOPMENT OF MONTROSE, WITHIN THE GUIDELINES OF THE MASTER PLAN, PRESERVING THE RURAL NATURE OF OUR COMMUNITY FOR GENERATIONS TO COME

Will you have any conflicts with the services required of the board being applied for? Yes ☐ No ☒

If yes, please specify _____

What other volunteer boards have you served on?

Board	Dates	Position or Role
SHAPETREE SHELTER	1994-1997?	BOARD MEMBER - HOMELESS SHELTER
LIBRARY BOARD	2004-2007	NORWOOD, CO TLAS WORKS, NV
COBBLE CREEK ANGLA TREE	2018 - PRESENT	CHAIR

What else can you tell us about yourself?

MY HUSBAND AND I RESIDED IN NORWOOD FROM 1999-2018 AND HAVE RESIDED IN MONTROSE SINCE APRIL 2018. WE LOVE THE MONTROSE COMMUNITY AND WISH TO SUPPORT OUR OPTIMUM DEVELOPMENT

Include a letter of interest with this application addressed to the Montrose City Council, c/o City Clerk, P. O. Box 790, Montrose, CO 81402-0790. If you submit more than one application, please indicate which board you are most interested in.



CATHERINE HOFFMAN

454 Cobble Dr.
Montrose, CO 81403

PHONE:
(970) 901-5657

EMAIL:
Messages4cath@aol.com

City of Montrose, CO
City Council
433 S First Street
Montrose, CO 81402

To Whom It May Concern:

Please accept this letter of intent for the open alternate position on the Montrose Planning Commission. As a 3 year Montrose resident and 22 year southwestern Colorado resident, I have a passion for supporting our community in any way possible. I am especially happy with Montrose and the City's focus on maintaining the rural character and small town feel of our beautiful community.

I have a Human Resources and Nursing career background. Though I have not previously served on other Planning Commissions, I have had 3 years' experience working for the municipality of the Town of Mountain Village as their Human Resources Director. Attending a good many planning and council meetings during this time and witnessing the master plan development process, I becoming acquainted with the synergistic relationship between planning commission, town council and developers, working together toward Master Plan implementation.

I am currently employed by Professional Case Management as a rural home healthcare nurse. I have served on previous volunteer boards. I served for 3 years as a board member for The Shade Tree Shelter for homeless women and children in Las Vegas, NV. While residing in Norwood, CO, I served over 2 years on the Norwood Public Library board. I currently chair the Cobble Creek Angel Tree Committee, working closely with the Montrose Community Foundation, providing Christmas for the underserved children in our community.

My husband and I sincerely love living in Montrose and intend to spend our retirement here. I would truly enjoy serving our community on the planning commission and appreciate your consideration of my application.

Thank you for all that you do to further the interests of this community and its citizens. I look forward to hearing from you regarding this Planning Commission alternate seat.

Best Regards,
[Your Name]



Application for a Volunteer Board or Advisory Committee

Board you are interested in _____
(Submit separate application for each board – Review attached information on board or committee)

Full Name _____

Home Residence Address _____

Mailing Address (if different) _____

Business Name and Address _____

Job Title _____

Telephone Numbers: Home/Cell _____ Work _____

E-Mail Address _____

If the board applied for requires expertise, please tell us about your qualifications in that area (education, experience, etc.) .

Why are you interested in serving on this board?

Will you have any conflicts with the services required of the board being applied for? Yes ☐ No ☐

If yes, please specify _____

What other volunteer boards have you served on?

Board	Dates	Position or Role

What else can you tell us about yourself?

Include a letter of interest with this application addressed to the Montrose City Council, c/o City Clerk, P. O. Box 790, Montrose, CO 81402-0790. If you submit more than one application, please indicate which board you are most interested in.

Montrose City Council
c/o City Clerk
P.O. Box 790
Montrose, CO 81402-0790

August 13, 2021

Letter of Intent

To Whom it May Concern:

I would like to introduce myself. My name is Tina McFarlin, and I am originally from Montrose. I was born and raised on Dave Wood Road, and attended the following schools, Oak Grove Elementary, Centennial Jr. High School and Montrose High where I graduated in 1985. I left Montrose shortly after graduation to further my education.

I moved to Salt Lake City for a year where I attended Travel Agency School and became a travel agent. I moved to the Front Range – Greeley, Colorado to help take care of my grandfather and work as a travel agent. I continued to further my education by attending Aims Community College where I graduated with honors in Criminal Law and received my Associates Degree in 1992. In 1994 I graduated from Colorado State University (CSU) with my Bachelor's degree in Social Work, and a minor in Criminal Law. I moved to Denver in 1995 and began working for the State as a Social Worker for the Elderly. I continued with my education and graduated from the University of Denver (DU) in 2000 with my Master's degree in Social Work.

In 2002 I began volunteering for the 9 Health Fair as a Social Worker performing mental health screenings. In 2005 I published a book and began my journey as an international speaker. I obtained my Certification as a Nutritionist and saw a need to bring nutrition into the 9 Health Fair. I created programs for the local school districts and assisted in the education at DU as the Alumni Council President for over 6 years. I became involved in the Littleton Lions Club as well as participated in my local Chamber of Commerce's, to include (The Denver Metro Chamber, Jefferson County Chamber of Commerce and Englewood Chamber of Commerce). In 2005 I was nominated Women of the Year serving Jefferson County. Also, in 2005 I was nominated as Mrs. Littleton, representing the Mrs. Colorado.

Since this time, I have changed careers and in 2014 I became a Community Association Manager, managing homeowners' associations ranging from High Rise Buildings in the Denver Metro area, to include Condominiums, townhomes along with Single Family Homes. This has provided me the opportunity to work with developers, contractors, and a variety of other vendors. In the 36 years of living on the Front Range I have seen a significant change in the development and infrastructure of Denver, Parker, Castle Rock and another Cities.

Since I am back living in Montrose permanently, I feel I would be a wonderful asset to the Planning Commission with not only me expertise as a Community Association Manger but my expertise in Social Work as well. I am not intimidated to speak in public and enjoy it.

Thank you for taking the time to review my application for the position on the Board for the Planning Commission.

I look forward to hearing from you.

Sincerely,

Tina McFarlin, CMCA
2121 Market Street
Montrose, CO 81401
Phone: 303-495-4514
Email: tina.mcfarlin@icloud.com



MONTROSE
COMMUNITY
FOUNDATION

mcf

Community Enhancement Grants

PRESENTATION TO MONTROSE CITY COUNCIL
SARA PLUMHOFF
SEPTEMBER 2021

City of Montrose & MCF Partnership



Formal partnership began in 2013



2021 – City of Montrose donated \$30,000 to MCF for the purpose of awarding grants to our community – Thank you!



Last year \$70,000 was awarded to 23 outstanding organizations during Impact Grant Cycle



Last fiscal year, 2020-2021, MCF granted \$800K+ to local and regional organizations – including City Community Enhancement dollars, MCF grant cycle, scholarships and grants through donor funds.

A Total of \$190,000 Administered for City.

City Grants 2020-2021

Grant Amount	Organization	Purpose
\$5,000	Montrose Medical Mission	Assists with medical bills for qualifying applicants
\$2,000	Step Up To Life transition program	Program and technical support for developmentally disabled young adults
\$5,000	Dolphin House	Provide integrated services for victims of child abuse
\$2,500	Maslow Academy of Applied Learning	Continue to serve low-income families with childcare
		Continued on next slide.....

Grant Amount	Organization	Purpose
\$3,000	Habitat for Humanity of the San Juans	Temporary ramp program, plus install permanent ramps for handicap clients
\$2,500	Girls on the Run	Scholarships and for spring programming for 2021.
\$1,500	Magic Circle Players	Provide live stream and safe in-person theater with Covid restrictions
\$5,000	Haven House	Technology upgrade and staffing for remote learning program for children
\$3,500	Valley Food Partnership	Services to Low Income Families in Farmacy RX Program + SNAP-ED with Cooking Matters

GIVING

MCF BUSINESS GIVING PROGRAM

The MCF Business Giving Program is a tiered giving program for businesses that pledge to give to The Foundation for three years. The generosity of these businesses help MCF achieve our mission.

WE WOULD LIKE TO THANK OUR BUSINESS PARTNERS:



Brent Martin PC



MCF can be a valuable philanthropic partner to businesses by administering business Donor Advised Funds (DAFs) which help businesses and their employees actively participate in charitable

giving. If you would like to learn more about the Business Giving Program or how a Donor Advised Fund might help your business, please contact the MCF office at 970.249.3900.

These businesses receive benefits like:

- Maximum tax deduction for donation
- Logo with link on montrosecf.com
- Promotions in annual report and MCF printed materials
- Tickets to MCF events their first year and more

THANK YOU

FOR MORE THAN 10 YEARS TIMBERLINE BANK HAS SUPPORTED THE MCF BY PROVIDING VALUABLE OFFICE AND CONFERENCE ROOM SPACE.

The MCF Board of Directors and Staff thank Timberline for their unwavering support of, and belief in, our organization. Thank you - Scott, Randy, Kevin, Tessa, Shelly,

Lindy, Lynne, Robyn, Ashley and Ana - you have always been "essential" to us, but your kindness and reliability during the pandemic has been remarkable.



PARTNERS FOR GOOD

THANK YOU CITY OF MONTROSE

Since 2013, the City of Montrose has partnered with MCF by giving the Foundation Community Enhancement dollars to administer. This past year \$30,000 were granted through the MCF during the Impact Grant Cycle to local nonprofits. Recipients included:

Region 10 Agency on Aging, All Points Transit, HopeWest, Montrose Medical Mission, Montrose Area Bicycle Alliance and more! To date, the MCF has granted \$160,000 for the City of Montrose for community enhancement. Thank You!



CITY ENHANCEMENT FUNDS HELP HIGH SCHOOL STUDENTS PAY FOR TEXT BOOKS FOR CONCURRENT CLASSES AT CMU.

MCF Impact Grants 2021-2022

- Conversation as Part of Application Process
- Continue to Seek Diversity for Applications
 - Assess accessibility
 - Represent populations
- City Representative on Grants Review Committee
- MCF Contracted Position

2021-2022 Grant Application
Deadline: December 1, 2021

Community Impact Fund Campaign

- ▶ Promote MCF granting process and expertise
- ▶ Video project with grantees
- ▶ Awareness to our grant cycle and City partnership
- ▶ Increase amount unrestricted funds we have
- ▶ Increase ability to react to opportunities
- ▶ Be more innovative and flexible with funding
- ▶ Help donors fund “where needed the most”

Thank You for Your
Partnership!



RESOLUTION 2021-17

A RESOLUTION AUTHORIZING FILING OF THE COLORADO DEPARTMENT OF LOCAL AFFAIRS GRANT APPLICATION FOR THE GRAY & BLACK MARKET MARIJUANA ENFORCEMENT GRANT PROGRAM.

WHEREAS, the City of Montrose Police Department seeks to investigate and prosecute criminal activity associated with unlicensed marijuana cultivation or distribution operations within the City of Montrose.

WHEREAS, Colorado Revised Statutes (C.R.S.) 24-32-119 created the Gray and Black Market Enforcement Program within the Department of Local Affairs - Division of Local Government.

WHEREAS, the grant program provides financial assistance for investigations and/ or prosecution expenses of unlicensed marijuana cultivation or distribution operations including, but not limited to personnel/overtime, contractual services, equipment and supplies, travel, pre-trial incarceration expenses, medical expenses related to injury or exposure during a marijuana investigation, and purchase of information (informants) or evidence (contraband).

WHEREAS, Colorado municipalities must opt-in to the grant program to receive financial assistance.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE THAT:

- Section 1: The City Council of the City of Montrose authorizes the filing of the grant application with the Colorado Department of Local Affairs.
- Section 2: The City Council agrees to spend funds on statutory priorities, cooperate with district attorneys to cover prosecution expenses as defined in statute, and report annually on how funds were spent.
- Section 3: The City Council acknowledges potential TABOR implications.
- Section 4: If the grant is awarded, the City Council hereby authorizes the City Manager to execute the grant contract with the Department of Local Affairs and city staff to act on behalf of the grant agreement.
- Section 5: This resolution to be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of September, 2021, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

BY: _____
Douglas Glaspell, Mayor

ATTEST

Lisa DelPiccolo, City Clerk

CONTRACT AWARD CONSIDERATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: August 30, 2021
RE: Townsend Utility Replacements Construction Contract Award
CC: William Bell, Ann Morgenthaler, Shani Wittenberg

Action

Consider the award of a construction contract to Mountain Valley Contracting in the amount of \$1,345,278.88 for completion of the Townsend Avenue Utility Replacements Project.

Background

The City of Montrose Utility Department owns and operates several miles of sanitary sewer and water utilities within the Townsend Avenue (US550) right of way. Select reaches of the water utility within Townsend Avenue are over 50 years old, have reached the end of their useful life, and are in need of replacement. Furthermore, many of the sanitary sewer manholes lids within Townsend Avenue have also reached the end of their useful life or have sunken excessively below the adjacent pavement. In response to these issues, the City is looking to replace select reaches of waterline and rebuild the tops of all sanitary sewer manholes on Townsend Avenue within the project extents shown on Figure 1. This work is being performed prior to and in anticipation of a 2.5-inch mill and overlay project that we understand will be performed by the Colorado Department of Transportation (CDOT) starting around April of 2022.

Project Bidding and Associated Expenditures

Construction of the project was put out for bid on August 6th and bids were publically received on August 26, 2021 from five contractors as summarized in Table 1 below. Bid totals presented include a 10 percent contingency.

TABLE 1		
Summary of Bid Results		
Contractor	Location	Bid Total
Mountain Valley Contracting	Grand Junction, CO	\$1,345,278.88
K&D Construction	Grand Junction, CO	\$1,450,703.27
United Companies	Montrose, CO	\$1,648,560.10
Rundle Construction	Hotchkiss, CO	\$1,650,350.85
Williams Construction	Norwood, CO	\$1,895,766.04

The City has recent positive experience working with the low bidder, Mountain Valley Contracting, on numerous capital projects and considers them qualified to perform the work. As a result, it is recommended that the construction contract be awarded to Mountain Valley Contracting. It should be noted that the City's local preference policy would not change the outcome of bidding in this case.

No additional outside costs are expected for engineering or survey support since this project was designed in-house by the engineering department.

Project Schedule and Traffic Control

The utility replacement project is scheduled to begin in November 2021 and extend into April 2022 after which CDOT's overlay project will be starting up. Motorists can anticipate single lane closures and lane shifts on Townsend Avenue during the City's utility project. When work is taking place in front of City side streets, it is expected that these side streets will be temporarily closed and traffic detoured around the work area. Access to residences and businesses will be maintained at all times throughout the project.

Contract Administration and Project Financials

Contract administration, project management, and inspection will be performed by the City of Montrose engineering department.

The City budgeted \$1M in 2021 for the first year of this multi-year project (fall 2021 to spring 2022). Now that the project has been bid and the contractor's schedule/split between budget years is known, it is anticipated that approximately 10% of this amount will be expended in 2021. The balance of the project will be budgeted in 2022 and will be funded through the water and sewer capital enterprise funds.

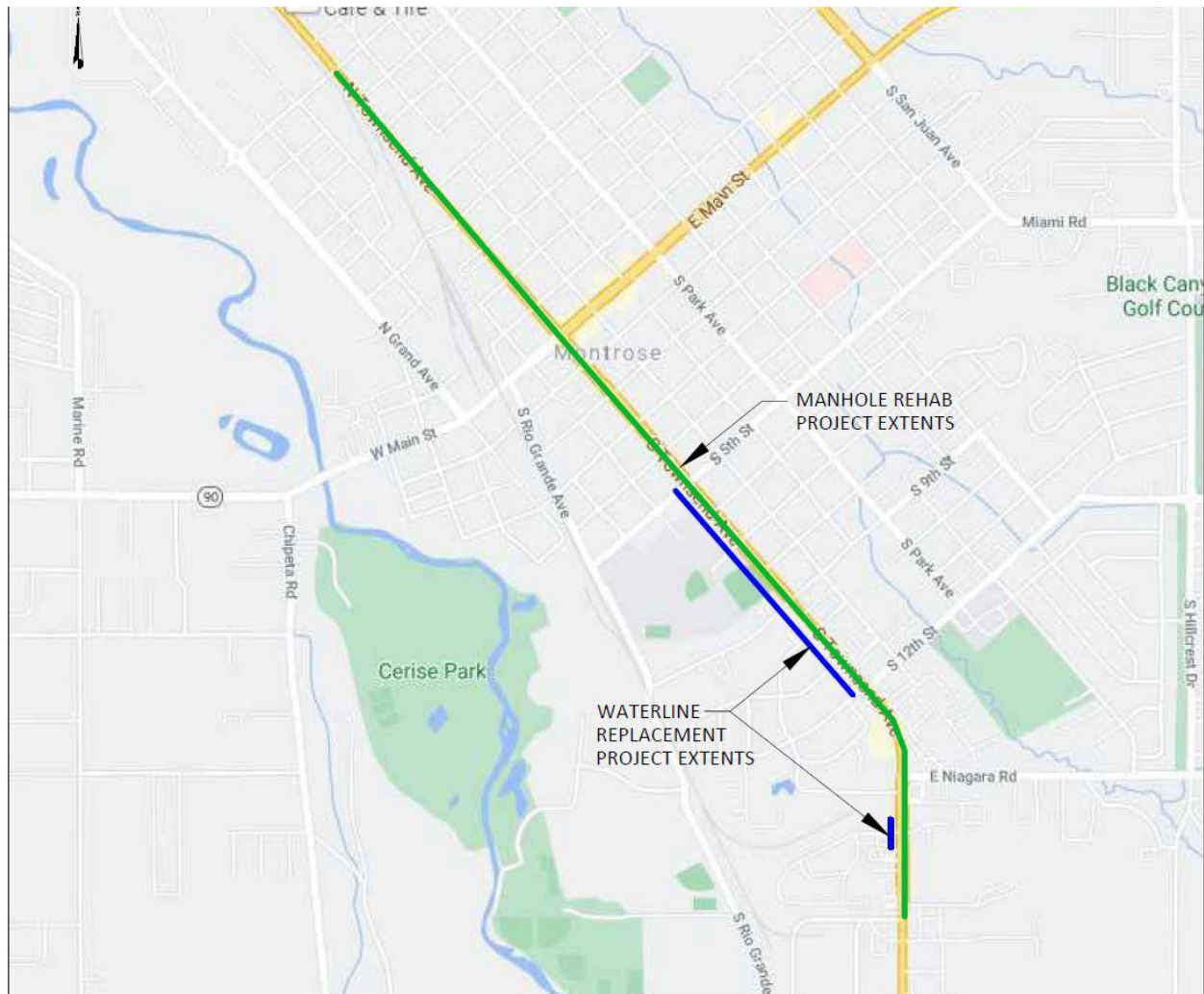


Figure 1: Project Extents

CONTRACT AMENDMENT CONSIDERATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: August 30, 2021
RE: Public Works Facility Design Contract Amendment No 1
CC: William Bell, Ann Morgenthaler, Shani Wittenberg

Action

Consider an amendment to the Public Works Facility Design Contract with Chamberlin Architects to add scope of work for a Phase II environmental site assessment at a cost of \$48,500.

Background

Montrose City Council awarded a design contract to Chamberlin Architects on June 15, 2021 to perform environmental assessments, space needs evaluations, and prepare a conceptual plan for the eventual replacement of the public works shop facility located at 1221 6450 Road. This initial contract included a formal EPA Phase I Environmental Site Assessment (ESA) which was completed in August.

The completed Phase I ESA looked at historic property uses both within and adjacent to the site to determine if these uses would warrant further environmental investigation. Given the site's history as a vehicle maintenance facility with underground storage tanks and given the historic presence of an asphalt batch plant, a Phase II ESA was warranted at the site.

The Phase II ESA will dive deeper into environmental characterization of the site. This includes the collection and lab analyses of surface and subsurface soil samples, site groundwater, and radiation detection to look for the presence of uranium mill tailings which were known to be used as fill material throughout the western slope. Results of this assessment would be used to develop remediation plans (if necessary) and/or weigh in to how the site plan may be sequenced and laid out.

The scope of work and plan for the Phase II ESA was dependent on the results of the recently-completed Phase I ESA. With the Phase I ESA now complete, this second phase of environmental work was scoped out at a cost of \$48,500 on a time-and-materials, not-to-exceed basis based on negotiations with Chamberlin Architect's environmental subcontractor, Grande River Environmental (Grand Junction, CO).

Contract Administration and Project Financials

Contract administration and general project management will continue to be performed by the City of Montrose engineering, utilities, and public works departments. Like the original contract, this amendment would continue to be funded out of reserves (2021) and budgeted funds (2022) from the recent sale of the City's Banner Road property.



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: August 31, 2021
TO: City Council
FROM: Lisa DelPiccolo, City Clerk
RE: Intergovernmental Agreement for Liquor Licensing Services

The City was recently approached by Montrose County and asked if the City Clerk's Office would be willing to process applications for liquor licenses, renewals, and permits in unincorporated Montrose County.

The Board of County Commissioners will remain as the liquor licensing authority for these licenses and permits. Under the terms of the agreement, the City will retain the application fees. The City Clerk oversee application processes, forward information to applicable County staff members for review, and present the applications to the BOCC.

The IGA was approved by the BOCC on August 18.



**INTERGOVERNMENTAL AGREEMENT
MONTROSE COUNTY and CITY OF
MONTROSE
Liquor Licensing Shared Services**

THIS INTERGOVERNMENTAL AGREEMENT (“IGA”) is dated this _____ day of _____, 2021, by and between the County of Montrose, Colorado by and through its Board of County Commissioners (“County”), a political subdivision of the state of Colorado organized and established pursuant to Colorado law, C.R.S. 30-5-147, and the City of Montrose, a municipal home-rule corporation organized under the laws of the state of Colorado (“City”), the above-named entities may sometimes be collectively referred to herein as the “Parties” and individually as a “Party.”

WHEREAS, Colorado law, C.R.S. 29-1-203 authorizes local governments to cooperate and contract with one another to provide any function, service or facility; and

WHEREAS, the County desires to obtain the services of the City for the purpose of processing liquor license applications in the unincorporated areas of the County; and

WHEREAS, the City has in its employ personnel and systems qualified to process liquor license applications; and

WHEREAS, the Parties shall implement shared services as specified in this Agreement whereby City agencies shall support the County in exchange for retention of liquor licensing and application fees; and

NOW THEREFORE, in consideration of mutual covenants and promises hereinafter set forth, the Parties hereto agree as follows:

ARTICLE I: SPECIFIC TERMS.

1. The City shall provide liquor license processing services to the County upon receipt of an application. The City Clerk shall provide the following services:

- a) accept and review applications and supporting documentation for liquor licenses and permits
- b) work with applicants on application processes, including petitions for new license applications
- c) ensure that premises are posted and legal notices are published in accordance with state statute
- d) prepare summaries of petitions submitted for new license applications
- e) prepare a findings document for new license applications
- f) inspect the premises as required for new license applications
- g) prepare the official file for review by applicable county staff members
- h) maintain the official files according to the state records retention schedule
- i) submit applications to the state for approval and issue state and local licenses with the local license in a format approved by the BOCC.

- j) notify the state of special events permits issued
- k) notify licensees of impending renewals
- l) present applications for licenses, renewals, and permits to the BOCC, and attend BOCC meetings if requested.
- m) notify the BOCC and applicable County staff members of any compliance violations

ARTICLE II: TERM. The services to be performed pursuant to this Agreement shall begin on the execution date of this Agreement, and be pursued with due diligence for a period of one (1) year from the date of this Agreement, or until otherwise terminated as set forth herein.

ARTICLE III: PAYMENT. The County shall allow the City to retain the liquor licensing and application fees for processing each application.

ARTICLE IV: COMMUNICATIONS. The Parties shall designate authorized representatives and all communications related to the performance of duties defined in this Agreement shall be conducted solely between the representatives so designated.

ARTICLE V: ASSIGNMENTS.

- a) No Assignments. Neither Party may assign any of its rights, duties or obligations arising under this Agreement without the prior written consent of the other Party.
- b) Ramifications of Purported Assignment. Any purported assignment of the rights, duties or obligations of either Party without the express written consent of the other Party shall be void.

ARTICLE VI: CHOICE OF LAW. The laws of the State of Colorado (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its interpretation, construction, performance and enforcement.

ARTICLE VII: INDEMNIFICATION (COUNTY TO CITY). The County, to extent allowed under Colorado Constitution Article X, Section 20, and any other law, shall indemnify and defend the City at all times as of the Effective Date of this Agreement against:

- a) any liability, loss, damages (including punitive damages), claim, settlement payment, cost and expense, interest, award, judgment, diminution in value, fine, fee, and penalty or other charge, other than any Litigation Expenses (as defined in subsection (b)), arising out of or relating to the activities of the County set forth herein; and
- b) any court filing fee, court cost, arbitration fee or cost, witness fee, and each other fee and cost of investigating and defending or asserting any claim for indemnification under this Agreement, including, without limitation, in each case, attorneys' fees, other professionals' fees, and disbursements (collectively, "Litigation Expenses").

ARTICLE VIII: INDEMNIFICATION (CITY TO COUNTY). The City, to the extent allowed under Colorado Constitution Article X, Section 20, and any other law, shall indemnify and defend the County at all times as of the Effective Date of this Agreement against:

a) any liability, loss, damages (including punitive damages), claim, settlement payment, cost and expense, interest, award, judgment, diminution in value, fine, fee, and penalty or other charge, other than any Litigation Expenses (as defined in subsection (b)), arising out of or relating to the activities of the City set forth herein; and

b) any court filing fee, court cost, arbitration fee or cost, witness fee, and each other fee and cost of investigating and defending or asserting any claim for indemnification under this Agreement, including, without limitation, in each case, attorneys' fees, other professionals' fees, and disbursements (collectively, "Litigation Expenses").

ARTICLE IX: NOTICES.

a) Requirement of a Writing. Permitted Methods of Delivery. Each Party giving or making any notice, request, demand or other communication (each, a "Notice") pursuant to this Agreement shall give the Notice in writing and use one of the following methods of delivery, each of which for purposes of this Agreement is a writing: personal delivery, Registered or Certified Mail (in each case, return receipt requested and postage prepaid), nationally recognized overnight courier, (with all fees prepaid), facsimile or e-mail.

b) Addressees and Addresses. Any Party giving a Notice shall address the Notice to the appropriate person at the receiving Party.

County Manager
317 S. 2nd Street
Montrose, CO 81401

City Clerk
433 S. 1st Street
Montrose, CO 81401

c) Effectiveness of a Notice. Except as provided elsewhere in this Agreement, a Notice is effective only if the Party giving the Notice has complied with subsections a) and b) and if the Addressee has received the Notice.

ARTICLE X: AMENDMENTS. The Parties may amend this Agreement only by a written agreement of the Parties that identifies itself as an amendment to this Agreement.

ARTICLE XI: SEVERABILITY. If any provision of this Agreement is held invalid, illegal or unenforceable, the Parties shall negotiate in good faith to modify this Agreement to fulfill as closely as possible the original intents and purposes of this Agreement.

ARTICLE XII: TERMINATION. Either Party may terminate this Agreement with advance written notice to the other Party delivered no later than 90 days prior to the termination date.

THIS INTERGOVERNMENTAL AGREEMENT is hereby executed by the Parties hereto on the date(s) set forth below, and shall be effective as set forth in Paragraph "1" herein.

APPROVED this _____ day of _____, 2021.

CITY OF MONTROSE

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

BOARD OF COUNTY COMMISSIONERS
Montrose County, Colorado

ATTEST:

Sue Hansen, Chair

Eloise Lentz, Clerk to the Board