



CITY COUNCIL WORK SESSION
Monday, March 14, 2022 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_IFGN5oc4STaLA823YhSXeQ
Telephone participation is available at 1-669-900-9128 or 1-253-215-8782, Webinar ID 821 0474 2120

The meeting can be viewed via livestream at <https://www.cityofmontrose.org/759/Live-Meetings-Viewer>.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please email planningmail@ci.montrose.co.us at least three days before the meeting.

1) DISCUSSION ITEMS

- A) Municipal Court Annual Report (15 minutes)
Staff: Municipal Court Judge Charles Greenacre 3-8
- B) Golf Course Driving Range Netting Contract Award Recommendation (10 minutes)
Staff: Public Works Manager Jim Scheid 9-10
- C) Crack Seal Material Purchase and Sole Source Recommendation (10 minutes)
Staff: Public Works Manager Jim Scheid 11-13
- D) Parks Mowing Contract Award Recommendation (10 minutes)
Staff: Public Works Manager Jim Scheid 14

2) GENERAL CITY COUNCIL DISCUSSION

3) STAFF COMMENTS



FUTURE TOPICS

- GVTPR, SMART, and All Points Transit presentation - April 4
- Liquor license transfer application for Jimmers - April 4
- Oaths of Office for newly elected City Councilors - April 19
- Selection of Mayor and Mayor Pro Tem - April 19

CITY OF MONTROSE MUNICIPAL COURT 2021 REPORT



Municipal Court Judge
Court Administrator
Deputy Court Clerk

Charles Greenacre
Karina Lanuza
Dona Hawken

**MONTROSE MUNICIPAL COURT
ANNUAL REPORT
2021**

SCOPE OF REPORT

This report addresses the operation of the Montrose Municipal Court for the 2021 calendar year.

MISSION STATEMENT

The mission of the City of Montrose Municipal Court is to provide for the administration of justice that is prompt, fair, equal, and professional for all users of the Court.

INTRODUCTION AND OVERVIEW

The Montrose Municipal Court was established by Article VII, Section 1 of the Charter with original jurisdiction of all cases arising under the Charter, ordinances of the City of Montrose, Colorado, and as may be conferred by law. The City Council appoints the Municipal Court Judge. The Municipal Court Judge provides for the authority and responsibility of the Municipal Court, including the annual budget, court personnel, and regulations.

The Court is staffed by a Court Administrator and a Deputy Court Clerk. Karina Lanuza is the Court Administrator, and Dona Hawken is the Deputy Court Clerk. The Court Administrator manages, directs, and supervises the daily operations of the court, including financial management, case management, collection of fines, fees, costs and restitution, and useful public service. The Deputy Court Clerk assists the Court Administrator with the foregoing responsibilities as well as providing direct customer service to the public.

The Municipal Court processes ordinance and Model Traffic Code violations filed by the City Attorney, Montrose Police Department, Code Enforcement Officers, and Animal Control Officers. Those who receive a summons and complaint with a penalty assessment fine may resolve their case by making a credit card payment on CitePayUSA or signing a waiver and guilty plea and paying a fine at the Court offices without the requirement of appearing in Court. This process greatly reduces Court dockets and increases efficiency. In addition to avoiding a court appearance, those receiving a penalty assessment citation in traffic cases will receive reduced points by paying promptly. All others must appear in Court for advisement and arraignment on Thursday beginning at 8:30 a.m. in the City Council Chambers as the courtroom. The Court will then take pleas, impose sentences,

and set cases for further proceedings. Court hearings, bench trials, jury trials, probation revocations, reviews, and other proceedings are also scheduled as needed.

2021 REVIEW

The 2021 calendar year brought significant changes for the Montrose Municipal Court. After 19 years of service, the Honorable Richard J. Brown retired. The City Council appointed Charles R. Greenacre Municipal Court Judge in his place.

On October 4, 2021, Emily Boyko resigned from her position as Court Clerk. She was followed by Jodi Stewart, who resigned as Deputy Court Clerk on October 25, 2021. Each had provided approximately six years of service to the Montrose Municipal Court.

Karina Lanuza was appointed to the new position of Court Administrator on November 1, 2021. She was joined by Dona Hawken on November 29, 2021, upon her appointment as Deputy Court Clerk. Both are continuing to provide excellent customer service according to the standards established by the Montrose Municipal Court and the City of Montrose.

In addition to maintaining the day-to-day operations of the Municipal Court, the Court achieved the following in 2021:

- After a one-year hiatus due to COVID, Teen Court was reestablished for the 2021-2022 school year. Dan Hotsenpiller accepted the position as Teen Court Coordinator and has been working with the government classes at Montrose High School to coordinate Teen Court sessions. With the experience from this year, we should be able to improve Teen Court for the 2022-2023 school year.
- In conjunction with the City Attorney's office, the Montrose County Sheriff, and the City of Montrose IT department, the Court has established a procedure for conducting video court sessions with inmates of the Montrose County Jail who also have Municipal Court charges. This procedure has allowed us to promptly resolve cases and reduce the cost, inconvenience, and risk of transporting inmates from the Montrose County Jail.
- In 2021 the Colorado Legislature passed House Bill 21-1314. That legislation repealed provisions allowing the Colorado Department of Revenue to take action against a person's driving privilege for failure to pay a traffic fine or if that person had an outstanding traffic warrant. To be reinstated, the person was required to resolve all outstanding traffic matters. In addition, the Court is no longer authorized to charge a \$30 fee, \$15 of which is paid to the Department of Revenue and \$15 of which is retained by the city of Montrose.

- In 2021, the Court referred \$146,167.83 of unpaid fines, fees and costs to Bushwood Capital Group for collection. Bushwood Capital Group remitted \$18,069.83 net of collection fees to the Court. In 2020 the Court referred \$30,702.47 to Bushwood Capital Group, and they remitted \$2,540.48 to the Court.

2022 GOALS

The Court hopes to achieve the following goals for 2022:

- Continue training office staff including taking advantage of training programs offered by the Colorado Municipal Judges Association and Colorado Association for Municipal Court Administration.
- Review all Court forms, office procedures, and administrative orders to ensure compliance with statutes, rules of procedure, and ordinances and maximum accuracy and efficiency.
- Establish a comprehensive operations manual.
- Explore ways of using the FullCourt Enterprise system more efficiently and adding a module that will allow for digitally storing documents.
- Revise the schedule of court fees and costs.
- Refer all cases with an OJW fee to Bushwood Capital Group for collection.

2021 New Case Filings

Adult Case Filings

Traffic	570
General Municipal Code	440
Alcohol – Over 18 & Under 21	11
Cannabis – Over 18 & Under 21	9
Animal Control	122
Parking	47
Sales Tax	1
Building Code	0
Fire Code	0
Sub Total	1,200

Juvenile Case Filings

Traffic	54
General Municipal Code	20
Alcohol	12
Cannabis	21
Smoking/ Cannabis Paraphernalia	37
Animal Control	0
Sub Total	144

Jail/Detention Days Served for Municipal Defendants

All Surround Area(s) Serving Agencies (Adult)

Type	The year 2021	The year 2020
Warrantless Arrest	0	2
Bench Warrant	101	136
Arrest Warrant	2	4
Total Days for Year	103	142

Grand Mesa Youth Services

Type	The year 2021	The year 2020
Sentenced	0	0
Total Days for Year	0	0

Useful Public Service

	2021	2020
Total # Enrolled	138	164
Total # Completed	82	116

Deferred Judgment

# Defendant's	2021	2020	2019
Juvenile Traffic	5	3	15
Code	18	2	5
Adult Traffic	14	31	72
Teen Court	1	4	10
Total	38	40	102

Municipal Court Comparisons Year-End

<u>Filings</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
Juvenile Animal Control Citations	0	0	1
Juvenile Municipal Code Citations	91	88	136
Juvenile Traffic Code Citations	47	34	53
Animal Control Citations	141	64	115
Municipal Code Citations	472	312	410
Traffic Code Citations	559	516	688
Parking Summons	No Longer Using	No Longer Using	No Longer Using
Building Code Summons	0	0	0
Sales Tax Code Summons	1	0	0
Fire Code Summons	0	0	0
Parking Violations	47	39	147
Total Citations Filed	1358	1053	1550
<u>Court Collections</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
Animal Control	\$ 4,883.80	\$ 4,503.28	\$ 8,788.91
Traffic	\$73,151.50	\$ 64,512.50	\$ 80,377.50
Municipal Code	\$20,397.59	\$ 26,579.33	\$ 34,874.41
Parking Summons	-	-	No Longer Using
Parking Violations	\$ 950.00	\$ 1,205.00	\$ 2,610.00
Bond Forfeitures	\$ 100.00	\$ 500.00	-
Bench Warrant Fee	\$ 665.00	\$ 890.41	\$ 900.00
Deferred Administration Fee	\$ 2,485.00	\$ 4,435.00	\$ 11,320.00
Court Cost	\$ 2,863.42	\$ 2,651.58	\$ 3,139.01
Victim's Assistance	\$ 2,649.99	\$ 2,640.00	\$ 3,093.05
Extension Fee	\$ 80.00	\$ 60.00	\$ 100.00
Show Cause Fee	\$ 40.00	\$ 0.00	\$ 0.00
Appeal Fee	\$ 4.50	\$ 0.00	\$ 1.50
NRVC Fee	\$ 200.00	\$ 100.00	\$ 200.00
City of Montrose OJW fee	\$ 990.00	\$ 960.00	\$ 1,020.00
State of Colorado OJW fee	\$ 900.00	\$ 930.00	\$ 900.00
Useful Public Service	\$ 12,138.00	\$ 14,512.11	\$ 17,145.81
Police Driver Education	\$ 100.00	\$ 960.00	\$ 3,705.00
Security Fund	\$ 1,430.04	\$ 1,315.00	\$ 1,570.00
TOTAL COURT COLLECTIONS	\$ 135,853.07	\$ 126,754.21	\$ 169,745.19
Total Court Expenditures	\$ 259,469.29	\$ 236,985.42	\$ 220,259.67

CONTRACT AWARD RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Manager
DATE: March 14, 2022
RE: Golf Course Driving Range Netting
CC: William Bell, Ann Morgenthaler, Shani Wittenberg, Tom Young

Action

Consider the authorization of a total of \$87,890.00 for the installation of a new Driving Range Net at the Black Canyon Golf Course. This would include a contract with West Coast Netting in the amount of \$79,900.00.

Background

The City has included in the 2022 budget the addition of netting on the West side of the driving range at the Black Canyon Golf Course. Currently the driving range has netting on the East and South sides. Adding netting to the West side will make the course outside of the driving range safer for other golfers. Image below for clarification of location.

The netting on the West side would match the existing netting in size and style but the posts used would be a wooden post rather than the steel posts that are utilized in the existing netting. Wood posts were selected at this time due to pricing and availability.

The City issued and Invitation for Bid in February of 2022 and received 3 proposals, as shown below.

 Golf Course Driving Range Netting Bid Tabulation Bid Number: 22-004 Opening: March 2, 2022 2:00 PM		
Bidder Name or Company	Location	Bid Price
West Coast Netting (Steel Post Alt)	Kingman, AZ	\$ 115,600.00
West Coast Netting (Wood Posts)	Kingman, AZ	\$ 79,900.00
Unlimited Sports Solutions (Steel Post Alt Only)	Waverly, NE	\$ 110,010.00
Frasier Construction (Steel Post Alt Only)	Montrose, CO	\$ 94,367.00

The only complete proposal received was from West Coast Netting. The Invitation for Bid and Bid Form was structured in a way that the bid price was for wood posts and steel posts were to be priced as an alternate to help the City verify that wood posts were the correct material to select. The lowest cost option as expected is for the wood posts as proposed by West Coast Netting. West Coast Netting has worked with the City of Montrose in the past and installed the driving range netting that is currently in place in 2017. Staff is recommending award to West Coast Netting.

Contract Award Recommendation
22-004 Golf Course Driving Range Netting
March 14, 2022

Financial Details

This project was budgeted in the 2022 budget in the Black Canyon Golf Course (580-7800-962-000) in the amount of \$95,000.00. The contract with West Coast Netting of \$79,900.00 plus a 10% contingency brings the total authorized to \$87,890.00 which is \$7,110 under budget.



PURCHASE RECOMMENDATION

TO: Honorable Mayor, and Montrose City Council
Cc: William Bell City Manager, Shani Wittenberg Finance Director
FROM: Jim Scheid Public Works Manager
DATE: March 14, 2022
Subject: Crack Seal Material Purchase and Sole Source Recommendation



Action

Consider approval of a purchase for crack seal material from Dissco (Denver Industrial) in the amount of \$55,561.00 to be used by the City's Streets crew.

Background

The City of Montrose Streets Division is preparing for the upcoming crack seal project that will be self-performed. This includes 35.8 lane miles of streets to be crack sealed in 2022 which correlates to our Crack Seal 8 Year Plan (attached for reference). The material used is formulated for our area in terms of the temperature range that it will likely be exposed to. The City has utilized Low Tack Type 1 from Dissco for the last several years with good experience. For compatibility with existing equipment we are requesting the authorization of a Sole Source waiver for the purchase of this material. The pricing provided (\$0.588/#) is comparable to that of other crack seal material and to what has been purchased in years past by the City.

Net Financial Impact

In the 2022 Budget there is \$60,000.00 set aside for crack seal out of the total of \$182,000.00 in GL 100.5115.223.000 (Asphalt). If this purchase of \$55,561.00 is authorized then there will be \$126,439.00 remaining in the Asphalt GL that is available for the remaining asphalt work to be done in 2022.



CITY OF MONTROSE

SOLE SOURCE WAIVER REQUEST

REQUESTING DEPARTMENT: Public Works - Streets DATE: 03.14.22

REQUESTED BY: Jackie Bubenik - Public Works Asst. Manager BID NO. _____

VENDOR NAME: Dissco COST: \$55,561.00

JUSTIFICATION

(INITIAL ALL ENTRIES THAT APPLY TO REQUEST)

PRODUCT OR SERVICE DESCRIPTION: Crack Seal Material

1. Vendor is the original equipment manufacturer and there are no regional distributors.
2. X The product, equipment or service requested is clearly superior functionally to all other similar products, equipment or service from another manufacturer or vendor.
3. The over-riding consideration for purchase is compatibility or conformity with City-owned equipment in which non-conformance would require the expenditure of additional funds.
4. No other equipment is available that shall meet the specialized needs of the department or perform the intended function.
5. Detailed justification is available which establishes beyond doubt that the vendor is the only source available to provide the item or service required.
6. Detailed justification is available which proves it is economically advantageous to use the product, equipment or service.

I recommend that competitive procurement procedures be waived and the product or service described herein be purchased as a sole source.

DEPARTMENT HEAD AUTHORIZATION: [Signature] PW Manager 3/7/22

Authorized Signature Title Date

FINAL AUTHORIZATION: City Council Approval Required (\$50,000 +)	YES	NO	
City Manager Approval Required (up to \$50,000)	YES	NO	

MANAGER/COUNCIL AUTHORIZATION: _____

Authorized Signature Title Date

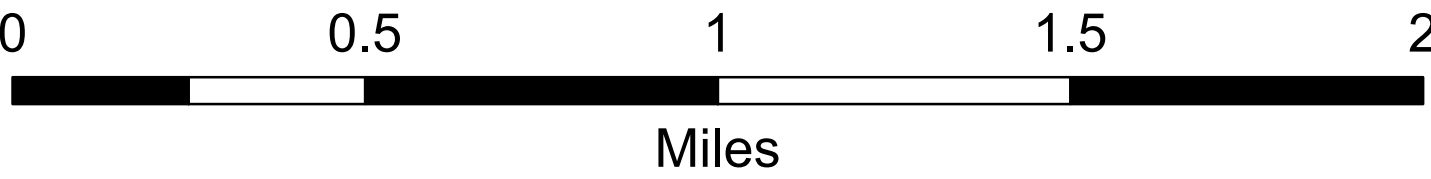
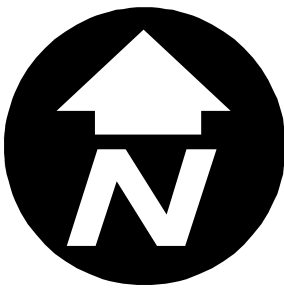
Attach detailed justification documentation

Crack Seal 8 Year Plan

Overview

Legend

- Year A 2020 (41.4 Lane Miles)
- Year B 2021 (38.1 Lane Miles)
- Year C 2022 (35.8 Lane Miles)
- Year D 2023 (36.1 Lane Miles)
- Year E 2024 (33.7 Lane Miles)
- Year F 2025 (40.4 Lane Miles)
- Year G 2026 (31.3 Lane Miles)
- Year H 2027 (36.4 Lane Miles)



CONTRACT AWARD RECOMMENDATION

TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Manager
DATE: **March 14th, 2022**
RE: Parks Mowing Contract Award Recommendation
CC: William Bell, Shani Wittenberg, Jackie Bubenik



Recommendation

Consider the award of a Parks Mowing Contract to Green and Bear It LLC. of Montrose, CO. in the amount of \$126,400.00

Background

Over the past several years the City of Montrose Parks division has relied upon Green and Bear It LLC. to assist with turf care operations in City parks. We are asking that this continues in 2022 with contracted maintenance for twelve (12) City parks and Fox Meadows HOA. These include Riverbottom, 9-12, Rotary, Archmont, American, Altrusa, Rainbow Meadows, Homestead, Colorado West, McInnis, Sunshine Peaks, and Fox Park.

Services requested include weekly mowing, trimming, edging of walks and curbs, clean-up of trash and debris as needed, and final clean-up of all sidewalks, roadways, picnic areas and walkways within these parks. Irrigation checks will also occur during every other weekly mowing. The City reached out to several contractors in the area to invite them to bid on this project.

The City received a single bid from Green and Bear It as described below.

Green and Bear It LLC.- Montrose, CO
\$4,509.00 Per Mowing Cycle

The City's has contracted with Green and Bear It over the last several years to perform park mowing and irrigation checks. The cost provided is comparable to previous years.

The City has had very positive experience working with Green and Bear It in the past and have a high confidence level in their ability to perform and keep their high level of service.

Financial Impact

The contract that is being recommended for award with Green and Bear It LLC. is billed out as work is performed based on the rates provided in the bid sheet (\$4,509 per mowing cycle). The not to exceed amount is \$126,400 and will be paid from GL 100.5150.353.000