



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, April 19, 2022 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

Public participation for this meeting will be in person in the City Council Chambers, and 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.

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- 1) City Council meeting called to order by Mayor Doug Glaspell
 - 2) The Pledge of Allegiance
 - 3) Roll call by the City Clerk
 - 4) Changes to the agenda including additions and deletions
 - 5) Earth Week Proclamation **5**
 - 6) Arbor Day Proclamation **6**
 - 7) Parkinson's Awareness Month Proclamation **7**
 - 8) **CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS**

The “Call for Public Comment” agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.

Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate. Personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial or gender-oriented slurs are prohibited, as is any “disorderly conduct” which violates state or local law and shall not be permitted.

**Please note that the times listed are estimates only. Actual times may vary depending upon discussion and public comment received.*



9) UNFINISHED BUSINESS TO BE CONSIDERED BY THE CURRENT CITY COUNCIL
(5 minutes)

Approval of Minutes: City Council consideration of the minutes of the April 4, 2022 regular City Council meeting; *Staff: City Clerk Lisa DelPiccolo* **8-13**

Action: Consider making a motion to approve the minutes of the April 4, 2022 regular City Council meeting as presented.

10) ACKNOWLEDGEMENT OF OUTGOING CITY COUNCILOR

Mayor Doug Glaspell will recognize Councilor Anthony Russo for his contributions to the City of Montrose.

11) SWEARING IN OF NEWLY ELECTED OFFICIALS

City Clerk Lisa DelPiccolo will administer an Oath of Office to newly elected City Councilors Doug Glaspell, District I, Ed Ulibarri, District II, J. David Reed, District III, and Barbara Bynum, At-Large

12) SELECTION OF MAYOR AND MAYOR PRO TEM

City Council will select a Mayor and Mayor Pro Tem for the 2022-2023 term.

Action: Mayor Doug Glaspell will preside over the selection of Mayor and Mayor Pro Tem.

13) PRESENTATION TO MAYOR

The newly appointed mayor will recognize Mayor Doug Glaspell for his contributions as Mayor of the City of Montrose from 2021-2022.

14) BRIEF RECESS (5 minutes)

This time will be used for photo opportunities as City staff members make the necessary updates to the seating arrangement and electronic voting system in the City Council Chambers.

15) REVISED RESOLUTION 2022-07 (10 minutes)

City Council consideration of Revised Resolution 2022-07, a Resolution authorizing the purchase of real property located at 400 East Main Street and 424 South Second Street in the City of Montrose Colorado. *Staff: Deputy City Manager Ann Morgenthaler* **14-16**

Action: Accept public comment. Consider making a motion to adopt Revised Resolution 2022-07 as presented.

16) ORDINANCE 2587 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2587 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of Tract 4 of the Rosemont Subdivision (Parcel #376727102008) from "MHR" Manufactured Housing Residential District to "B-2A" Regional Commercial District. *Staff: Planner I William Reis 17-27*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2587 on second reading as presented.

17) 6700 DEJULIO ADDITION ANNEXATION AND DEVELOPMENT AGREEMENT (20 minutes)

City Council consideration of the 6700 DeJulio Annexation and Development Agreement to include purchase of rights of way and easements required for completion of 6700 Road between Sunnyside and Miami Roads at a cost of \$291,300.00. *Staff: City Engineer Scott Murphy 28-47*

Action: Accept public comment. Consider making a motion to approve the 6700 DeJulio Annexation and Development Agreement as presented. This shall include the purchase of rights of way and easements required for completion of 6700 Road between Sunnyside and Miami Roads at a cost of \$291,300.00.

18) MOVING MONTROSE FORWARD 2022 SURFACE TREATMENT CONTRACT (15 minutes)

City Council consideration of a construction contract award to A-1 Chipseal in the amount of \$1,428,079.40 for completion of the Moving Montrose Forward 2022 Surface Treatment Project. *Staff: City Engineer Scott Murphy 48-51*

Action: Accept public comment. Consider making a motion to award a construction contract to A-1 Chipseal in the amount of \$1,428,079.40 for completion of the Moving Montrose Forward 2022 Surface Treatment Project as presented.

19) WASTEWATER TREATMENT PLANT MOTOR CONTROL CENTER REPLACEMENT (10 minutes) **MOVED TO AFTER ITEM 20**

City Council consideration of contracts with Browns Hill Engineering & Controls and Sturgeon Electric totaling **\$688,150.00** for replacement of the Motor Control Center at the Wastewater Treatment Plant. *Staff: Utilities Manager David Bries 52-53*

Action: Accept public comment. Consider making a motion to approve contracts with Browns Hill Engineering & Controls and Sturgeon Electric totaling **\$688,150.00** for replacement of the Motor Control Center at the Wastewater Treatment Plant as presented.



20) VEHICLE DISPOSAL RECOMMENDATION (10 minutes)

City Council consideration of the disposal of four police cars to the Western Colorado Law Enforcement Academy. *Staff: Public Works Manager Jim Scheid and Academy Director/Professional Standards Sergeant Courtney Jones* **54**

Action: Accept public comment. Consider making a motion to approve the disposal of four police cars to the Western Colorado Law Enforcement Academy as presented.

21) STAFF REPORTS

A) Sales, Use, and Excise Tax Report (5 minutes)
Staff: Finance Director Shani Wittenberg **55-60**

22) YOUTH CITY COUNCIL COMMENTS

23) CITY COUNCIL COMMENTS

24) MOTION TO ADJOURN



PROCLAMATION

Montrose Earth Week 2022

- WHEREAS,** the global community faces challenges such as environmental degradation, climate change, food and water shortages, and health issues; and
- WHEREAS,** all people, regardless of race, gender, income, background, or geography, have a moral right to a healthy, sustainable environment; and
- WHEREAS,** it is understood that citizens of the global community must take action for positive environmental change to combat such global challenges; and
- WHEREAS,** a sustainable environment can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns; and
- WHEREAS,** the sense of environmental responsibility reached through environmental knowledge acts as a catalyst for environmental action; and
- WHEREAS,** it is necessary to preserve and protect natural resources, wildlife, and recreation both on the Western Slope and throughout the world; and
- WHEREAS,** the improvement and protection of our environment will sustain our future generations.

NOW, THEREFORE, we, the City Council and Youth City Council of the City of Montrose, Colorado, do hereby proclaim the week of April 21, 2022 – April 29, 2022 as

EARTH WEEK

in the City of Montrose, and we urge all citizens to support efforts to uplift environmental initiatives in our City and encourage others to undertake similar actions.

IN WITNESS WHEREOF, we have hereunto set our hands and caused to be affixed the official Seal of the City of Montrose, this 19th day of April, 2022.

Douglas Glaspell, Mayor

Gunnison Clamp, Youth Council Mayor



PROCLAMATION

Arbor Day - April 29, 2022

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify the community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, we, the City Council of the City of Montrose, Colorado, do hereby proclaim Friday, April 29, 2022 as

ARBOR DAY

in the City of Montrose, and urge all citizens to support efforts to protect our trees and woodlands and to support our City's urban forestry program. Further, we urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Montrose, this 19th day of April, 2022.

Douglas Glaspell, Mayor



PROCLAMATION

Parkinson's Awareness Month

April 2022

WHEREAS, Parkinson's disease affects one million people in the United States, is the second most common neurodegenerative disease, is believed to be caused by a combination of genetic and environmental factors, and is a leading cause of death according to the U.S. Centers for Disease Control and Prevention; and

WHEREAS, it is estimated that Parkinson's costs the United States \$58 billion every year, of which the federal government shoulders \$29 billion, leaving American families to cover the remaining \$29 billion every year; and

WHEREAS, it is estimated that, by the year 2037, the number of people with Parkinson's in the U.S. will nearly double, and the disease will cost America at least \$79 billion every year; and

WHEREAS, the symptoms of Parkinson's disease can include dementia and cognitive impairment, tremors, slowness of movement, "freezing" in place, inability to walk and maintain balance, speech difficulties, depression, losing the ability to swallow, and a variety of other symptoms; and

WHEREAS, forced, intense exercise, like the non-contact boxing-based fitness curriculum has been medically proven to slow the progression and improve symptoms of Parkinson's; and

WHEREAS, there are tens of millions of family caregivers, friends, and loved ones whose lives are greatly affected by Parkinson's disease; and

WHEREAS, more research and increased education and community support services are needed to find better treatments and a cure as well as maintain dignity for those living with the disease today.

NOW, THEREFORE, we, the City Council of the City of Montrose, Colorado, do hereby proclaim April 2022 as Parkinson's Awareness Month in the City of Montrose.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Montrose, this 19th day of April, 2022.

Douglas Glaspell, Mayor
City of Montrose

A regular meeting of the Montrose City Council was held on Monday, April 4, 2022 at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Gunnison Clamp, Ann Morgenthaler, Greg Story, Lisa DelPiccolo, Shani Wittenberg, Matt Smith, Jim Scheid, Chris Dowsey, William Reis, Kendall Cramer, Matt Magliaro, Ross Valdez, David Bries

GUESTS: Christopher Picon

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Youth City Council Representative Gunnison Clamp.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

City Council considered the minutes of the March 14, 2022 and March 23, 2022 special City Council meetings and the March 15, 2022 regular City Council meeting.

A motion was made by Barbara Bynum, seconded by J. David Reed, to approve the minutes of the March 14, 2022 and March 23, 2022 special City Council meetings and the March 15, 2022 regular City Council meeting as presented. All voted yes. Motion passed.

HOTEL AND RESTAURANT LIQUOR LICENSE TRANSFER

City Council considered the transfer of a Hotel and Restaurant liquor license at 1413 E. Main Street from Jimmers LLC, doing business as Jimmers, to Black Canyon Werks, LLC, doing business as Jimmers, for consumption on the licensed premises.

Assistant City Attorney Chris Dowsey reported that the application is for the transfer of an existing liquor license to the new owners of Jimmers. Mr. Dowsey stated that the fees have been paid and staff review found no issues that would prevent the transfer of the license.

Applicant Christopher (CJ) Picon stated that he and his father are the new owners of Jimmers and they intend to operate as a family-style restaurant. Mr. Picon said that the majority of their revenues are from the sale from food, and they serve lunch and dinner six days per week.

Mr. Picon reviewed his experience in the restaurant business and said he is aware of laws related to serving minors and overserving intoxicated patrons. Mr. Picon stated that he and several staff members completed the most recent alcohol server training, and the remaining staff members will attend the next class.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to to approve the transfer of a Hotel and Restaurant liquor license at 1413 E. Main Street from Jimmers LLC, doing business as Jimmers, to Black Canyon Werks, LLC, doing business as Jimmers, for consumption on the licensed premises. All voted yes. Motion passed.

RESOLUTION 2022-07

City Council considered Resolution 2022-07, a Resolution authorizing the purchase of real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado.

Deputy City Manager Ann Morgenthaler reported that Resolution 2022-07 addresses the purchase of two properties and authorizes the City Manager to sign closing documents for the \$1.5 million purchase price. Ms. Morgenthaler said that following the purchase, City administrative offices will move to the Main Street location which allows easy public access and provides a vibrant use of an unused Main Street building. Ms. Morgenthaler said that the facade of the Main Street building will be upgraded to fit the character of the downtown area.

Ms. Morgenthaler said that the parking lot acquisition will increase parking options for CMU, the new Police Department building, and the downtown area. The current City Hall will be assessed for renovations and possible future uses after staff relocation. Public Works Manager Jim Scheid estimated the cost of renovations to the existing City Hall to be between \$2 million and \$8 million.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Anthony Russo, to adopt Resolution 2022-07 as presented. All voted yes. Motion passed.

RESOLUTION 2022-08

City Council considered Resolution 2022-08, a Resolution authorizing the filing of the FY23 Congressionally Directed Spending Request Form.

Community Program Manager Kendall Cramer reported that this item was presented at the work session earlier in the day and reviewed an opportunity to apply for funding for shovel-ready

projects. Mr. Cramer stated that application is for \$2,090,970.00, with \$460,000.00 for extension of the Riverfront trail and \$1.63 million for river restoration projects. No grant match is required, and the application deadline is April 8.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by J. David Reed, to adopt Resolution 2022-08 as presented. All voted yes. Motion passed.

ORDINANCE 2586 - SECOND READING

City Council considered Ordinance 2586 on second reading, an Ordinance of the City of Montrose, Colorado, amending Ordinance 2567 which appropriated funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 1, 2022. A hearing was held.

Finance Director Shani Wittenberg reported that Ordinance 2586 is a housekeeping measure for the 2022 budget to move \$3.1 million from Internal Service Funds into the Health & Dental Management Fund. Ms. Wittenberg stated that adoption of the ordinance does not change the budget amount.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Anthony Russo, to adopt Ordinance 2586 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2587 - FIRST READING

City Council considered Ordinance 2587 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of Tract 4 of the Rosemont Subdivision (Parcel #376727102008) from "MHR" Manufactured Housing Residential District to "B-2A" Regional Commercial District. A hearing was held.

Planner I William Reis reviewed the location of the 1.85 acres adjacent to the existing Cedar Creek RV Park. Mr. Reis stated that the intent of the request is to expand the RV park which is allowed as a conditional use in the B-2A zone. Mr. Reis reviewed the zoning of the surrounding area, rezone criteria, and B-2A zoning designation.

Mr. Reis recommended approval stating that the request meets rezone criteria, meets the intent of the B2-A zoning designation, is in compliance with Comprehensive Plan, and is compatible with existing uses in surrounding area. The Planning Commission recommended approval of the request on March 9.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to pass Ordinance 2587 on first reading as presented. All voted yes. Motion passed.

NEW CITY HALL NETWORK INFRASTRUCTURE PURCHASE

City Council considered the purchase of 4 Cisco 9300 48 port PoE switches and licensing from Flair DataSystems Inc. for the total purchase price of \$51,676.60.

Information Systems Director Greg Story reported that this purchase is for network equipment for the Wells Fargo building that will become City Hall. Mr. Story recommended approval and explained time constraints associated with acquiring the items. The undesignated General Fund balance will be used to fund the purchase of the four switches.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the purchase of 4 Cisco 9300 48 port PoE switches and licensing from Flair DataSystems, Inc. for the total purchase price of \$51,676.60 as presented. All voted yes. Motion passed.

GOLF COURSE DRIVING RANGE NETTING CONTRACT AWARD

City Council considered the authorization of \$87,890.00 for the installation of a new driving range net at Black Canyon Golf Course including a contract with West Coast Netting in the amount of \$79,900.00.

Public Works Manager Jim Scheid reported that the contract amount includes a 10 percent contingency and the project is included in 2022 budget. Mr. Scheid said that netting has been replaced on two sides of the driving range. This project completes the netting on the third side of the driving range and enhances safety.

Mr. Scheid reviewed the bid process and recommended approval of the contract with West Coast Netting, which submitted the low bid and completed the other portions of the project. Mr. Scheid said the project is included in the 2022 budget and the project cost is approximately \$7,000 under budget.

Public Comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to authorize \$87,890.00 for the installation of a new driving range net at Black Canyon including a contract with West Coast Netting in the amount of \$79,900.00 as presented. All voted yes. Motion passed.

CRACK SEAL MATERIAL PURCHASE AND SOLE SOURCE RECOMMENDATION

City Council considered the purchase of crack seal material from Dissco (Denver Industrial) in the amount of \$55,561.00 and a sole source waiver.

Public Works Manager Jim Scheid reported that this purchase is for material that City crews will apply to streets this year. Mr. Scheid recommended approval of the sole source waiver that will allow crews to work with the same material that was used in previous years and works well with the equipment. Mr. Scheid stated that the pricing is comparable to other materials and amounts paid in previous years.

Public Comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the purchase of crack seal material from Dissco in the amount of \$55,561.00 and a sole source waiver as presented. All voted yes. Motion passed.

PARKS MOWING CONTRACT AWARD

City Council considered the award of a parks mowing contract to Green & Bearit LLC for the total contract amount of \$126,400.00.

Public Works Manager Jim Scheid reported that Green & Bearit has contracted with the City for the past several years for mowing and turf care at 12 City parks. Mr. Scheid reviewed the bid process and stated that Green & Bearit submitted the only bid this year with a slight increase in cost that was anticipated.

Public Comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to award a parks mowing contract to Green & Bearit LLC for the total contract amount of \$126,400.00 as presented. All voted yes. Motion passed.

STAFF REPORTS

2022 Municipal Election Update: City Clerk Lisa DelPiccolo reported that Election Day is April 5, and unofficial election results will be posted on the City website and on social media as soon as they become available. Ms. DelPiccolo encouraged citizens to deposit voted ballots in one of the three official ballot drop boxes by 7 p.m. on Election Day.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Gunnison Clamp reported that bins have been placed at City Hall, the Community Recreation Center, Celebration Church and Montrose High School for CASA Clothing Drive. Mr. Clamp asked community members to donate clothes for children and young adults. Mr. Clamp said that the Youth City Council will also conduct a river clean up and a street clean up part of Earth Week.

CITY COUNCIL COMMENTS

No City Council comments were provided.

MOTION TO ADJOURN

At 6:42 p.m., a motion was made by Barbara Bynum to adjourn the meeting with no further action taken.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Office of the City Manager

MEMO

TO: City Council
FROM: Office of the City Manager
DATE: April 19, 2022
RE: Revised Resolution 2022-07 Authorizing the Purchase of Real Property Located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado
EXHIBIT: Revised Resolution 2022-07 (Redline Version & Clean Version)

City Council authorized the City Manager to execute documents related to the purchase of real property located at 400 East Main Street (the former Wells Fargo Bank building) and 424 South Second Street (currently a parking lot) at the last City Council meeting on April 4, 2022.

Resolution 2022-07 included a closing date of April 8, 2022. Due to unforeseen circumstances, Wells Fargo was unable to close on April 8 as expected. The closing date, as outlined in the agreement of sale, is contingent on the inspection period as well as the lease of space for the Wells Fargo ATM. Resolution 2022-07 has been revised to exclude an explicit closing date to provide the necessary flexibility required by the agreement.

RESOLUTION 2022-07

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 400 EAST MAIN STREET AND 424 SOUTH SECOND STREET IN THE CITY OF MONTROSE COLORADO

WHEREAS, the City of Montrose, Colorado is a home-rule municipality established under the laws of the State of Colorado; and

WHEREAS, pursuant to Article 1, Section 4 of the Charter of the City of Montrose, the City has the authority to purchase real property; and

WHEREAS, pursuant to Article 5, Section 3 of the Charter of the City of Montrose, the City Manager is responsible for the purchase and sale of all City property; and

WHEREAS, Wells Fargo CPG, desires to sell their real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado for the amount of \$1,500,000.00; and

WHEREAS, the City of Montrose, after finishing all due diligence, finds it advantageous for the City to purchase the real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado from Wells Fargo CPG; and

WHEREAS, the value of the real property 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado in the possession of the City of Montrose is immeasurable as it will continue with the goal of the City for the beautification of Main Street and other public purposes.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Montrose, Colorado, hereby approves the transaction between the City of Montrose and Wells Fargo CPG for the real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado.

BE IT FURTHER RESOLVED, the City Council authorizes the City Manager, as purchasing agent, to execute the requisite closing documents ~~and set a closing date of April 8.~~ The City Council hereby authorizes the expenditure of \$1,500,000.00 plus any additional closing costs as necessary.

ADOPTED this 4th day of April, 2022, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

REVISED RESOLUTION 2022-07

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 400 EAST MAIN STREET AND 424 SOUTH SECOND STREET IN THE CITY OF MONTROSE COLORADO

WHEREAS, the City of Montrose, Colorado is a home-rule municipality established under the laws of the State of Colorado; and

WHEREAS, pursuant to Article 1, Section 4 of the Charter of the City of Montrose, the City has the authority to purchase real property; and

WHEREAS, pursuant to Article 5, Section 3 of the Charter of the City of Montrose, the City Manager is responsible for the purchase and sale of all City property; and

WHEREAS, Wells Fargo CPG, desires to sell their real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado for the amount of \$1,500,000.00; and

WHEREAS, the City of Montrose, after finishing all due diligence, finds it advantageous for the City to purchase the real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado from Wells Fargo CPG; and

WHEREAS, the value of the real property 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado in the possession of the City of Montrose is immeasurable as it will continue with the goal of the City for the beautification of Main Street and other public purposes.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Montrose, Colorado, hereby approves the transaction between the City of Montrose and Wells Fargo CPG for the real property located at 400 East Main Street and 424 South Second Street in the City of Montrose, Colorado.

BE IT FURTHER RESOLVED, the City Council authorizes the City Manager, as purchasing agent, to execute the requisite closing documents. The City Council hereby authorizes the expenditure of \$1,500,000.00 plus any additional closing costs as necessary.

ADOPTED this 4th day of April, 2022, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner I
DATE: April 19, 2022
RE: Rezone of Tract 4 of Rosemont Subdivision
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Photos of Project Area
- Exhibit C: Zoning Code Excerpt

Public notice requirements have been fulfilled in accordance with Section 4-4-31(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 100 feet, and an ad appeared in the Montrose Daily Press.

City Council Consideration:

City Council is considering the approval of the rezone of Tract 4 of the Rosemont Subdivision. City Council will consider all of the information in this memo in making a decision.

Application Background:

The proposal is to rezone Tract 4 of the Rosemont Subdivision from “MHR” Manufactured Housing Residential District to “B-2A” Regional Commercial District for the expansion and associated conditional use permit of the Cedar Creek RV Park. The property consists of approximately 1.85 acres.

Applicant: Montrose Outdoors, LLC

Proposed Zoning: “B-2A” Regional Commercial District



Staff Analysis:

1. Municipal Code, Section, 4-4-29(A), Rezoning.
“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - a) The amendment is not adverse to the public health, safety and welfare; and
 - b) The amendment is in substantial conformity with the master plan or,
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”
2. City Council should consider the merits of the proposed rezone only and make an approval based on whether it should be rezoned to “B-2A” Regional Commercial District. The current zoning is “MHR” Manufactured Housing Residential District.
 - Zoning Regulations. The "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise. (Section 4-4-13.1)
 - Exhibit C includes an excerpt from the Municipal Code showing uses by right in the "B-2A" Regional Commercial District.
3. This property is adjacent to properties that are zoned “B-2A” Regional Commercial District, “B-2” Highway Commercial District, and “R-1” Very Low Density District.
4. General Conformance with the Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map (Chapter 5) designates this area as Residential Mixed Density Medium. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
 - Staff finds that the proposed zoning is in general conformance with the Comprehensive Plan.
5. The “B-2A” zoning does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements, zoning in the surrounding area, and the Comprehensive Plan.

Staff Recommendation:

Staff finds that the rezone criteria has been met; it is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "B-2A" Regional Commercial District.

Planning Commission Recommendation:

The Planning Commission recommended approval of the rezone of Tract 4 of the Rosemont Subdivision to “B-2A” Regional Commercial District at the March 9, 2022 meeting. The vote was unanimous. City Council approved the rezone on first reading on April 4, 2022



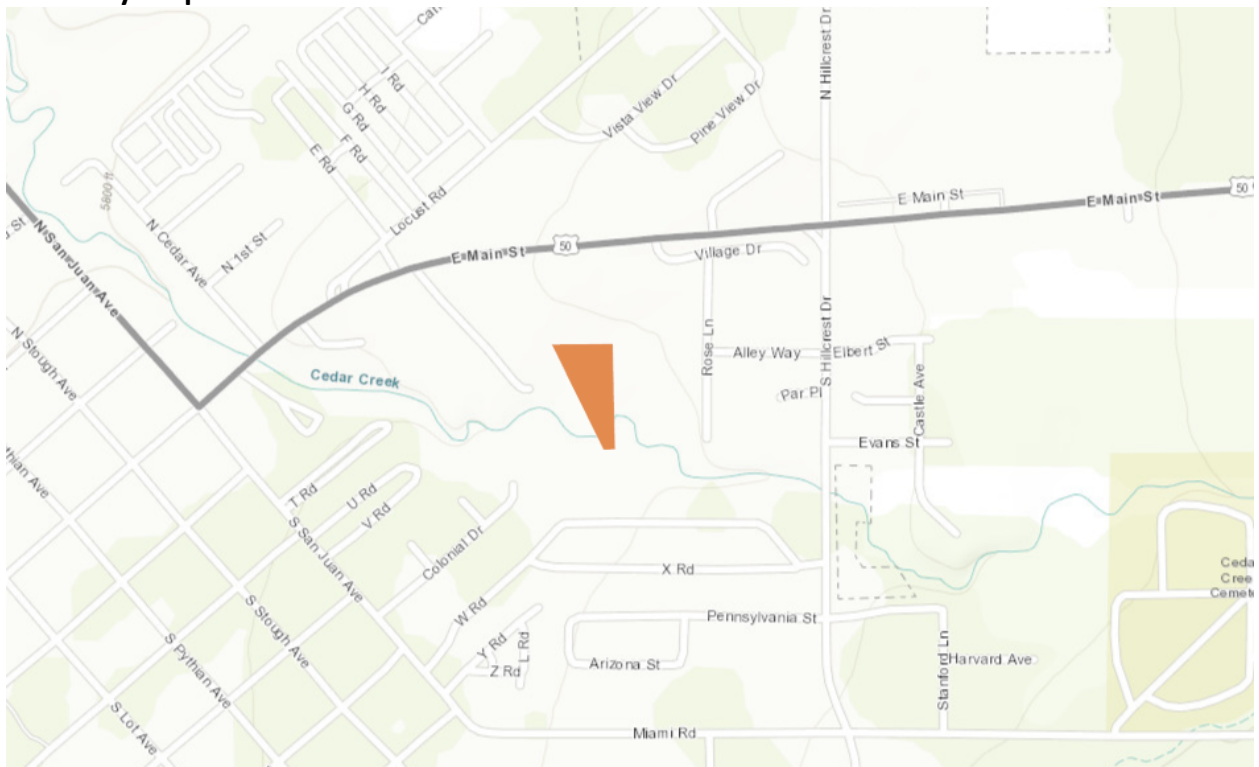
City Council Options:

1. Accept the Planning Commission recommendation and approve the rezone.
2. Deny the request for a rezone and schedule a de novo hearing. The hearing date should be established in consultation with the City Attorney.

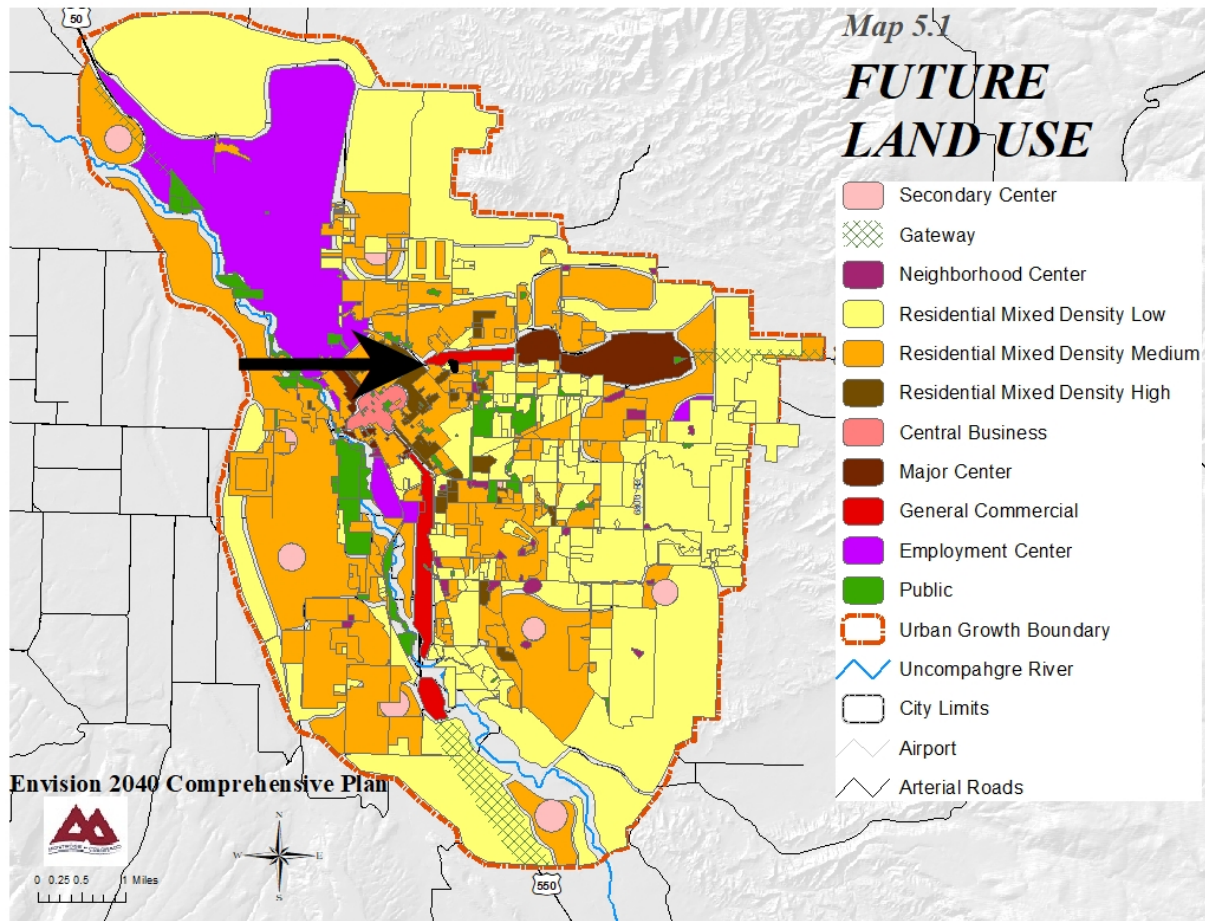


EXHIBIT A: Maps

Vicinity Map



Comprehensive Plan Future Land Use Map



GROWTH AREAS*

MAP 5.2

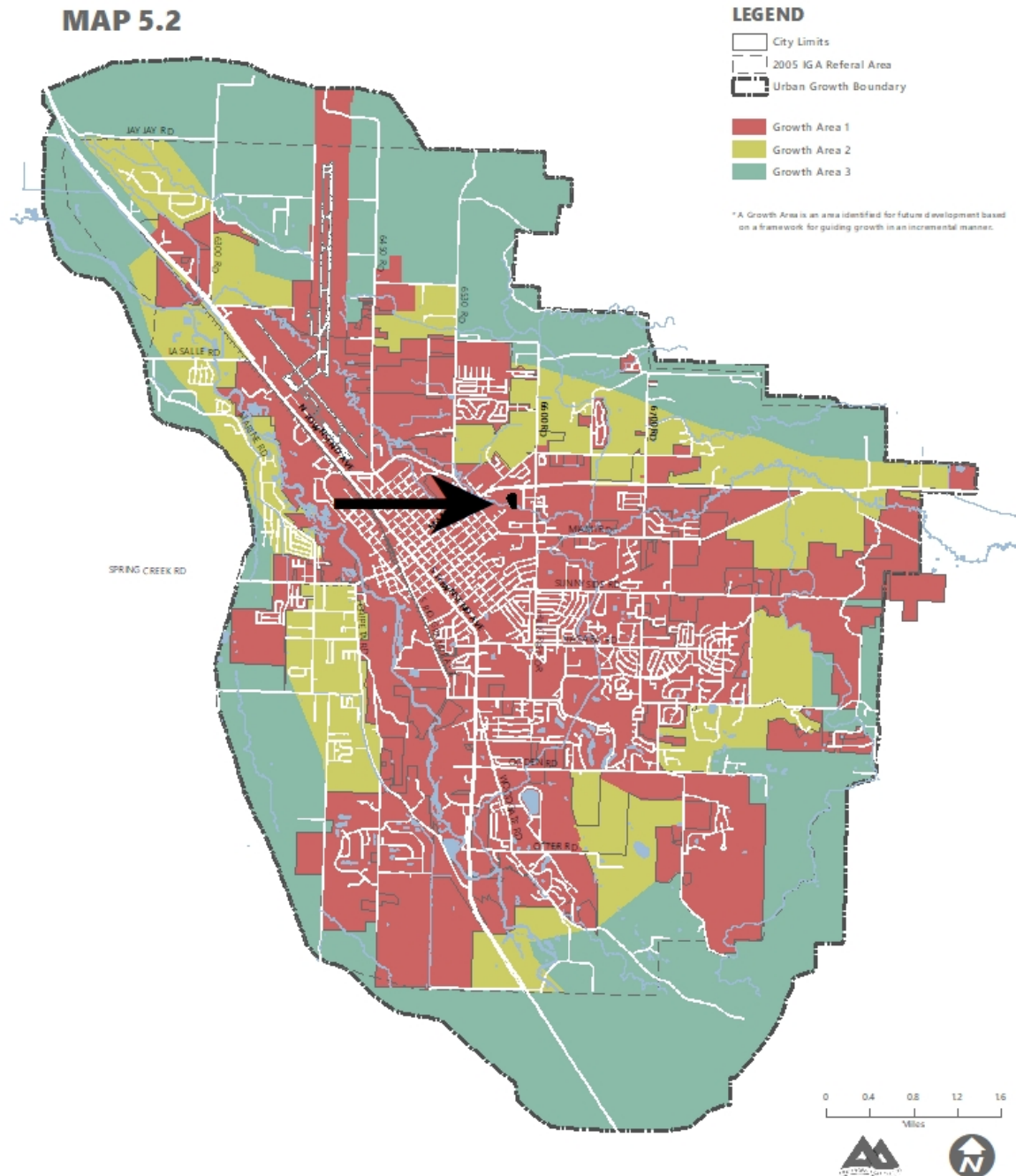


EXHIBIT B: Photos of Project Area



EXHIBIT C: Sec. 4-4-13.1

Sec. 4-4-13.1. "B-2A" Regional Commercial District.

- (A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.
- (B) *Uses by Right.*
- (1) Uses listed as uses by right in the "B-2" and "B-1" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Veterinary clinics or hospitals for large animals.
 - (8) Automobile body shops.
 - (9) Automotive repair and service establishments.
 - (10) Parking facilities.
 - (11) Renewable energy facilities.
 - (12) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
 - (2) Warehouses and storage facilities.
 - (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
 - (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in the District.* The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:
- (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.
 - (2) Above ground storage facilities for hazardous fuel.
 - (3) Construction and contractor's equipment storage facilities.
 - (4) Animal boarding facilities.
- (E) *Performance Standards.*
- (1) Manufacturing and storage associated with manufacturing shall be indoors.



- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-13.1, 5-7-2019; Ord. No. 2561 , 10-19-2021)



ORDINANCE NO. 2587

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF TRACT 4 OF ROSEMONT SUBDIVISION FROM "MHR", MANUFACTURED HOUSING RESIDENTIAL DISTRICT TO "B-2A" REGIONAL COMMERCIAL DISTRICT

WHEREAS, Richard Rogers moved, and Karen Vacca seconded, to recommend the City Council approval of the rezone for Tract 4 of Rosemont Subdivision, City of Montrose; and

WHEREAS, the motion carried unanimously and Planning Commission has recommended the zoning changes provided herein; and

WHEREAS, the City Council has determined that such zoning will be consistent with the public health, safety and welfare, the City's Master Plan and changed conditions in the area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

SECTION 1:

The Official Zoning Map is amended to designate Tract 4 of Rosemont Subdivision, more particularly described as:

A part of the NE1/4 NE1/4 of Section 27, Township 49 North, Range 9 West, New Mexico Principal, described as follows: Beginning at a point on the southerly right of way line of U.S. Highway 50, which point is the northeast corner of tract conveyed to Baldrige by deed recorded in Book 442 at Page 413, Montrose County Records, and from which point the northeast corner of said Section 27 bears North 56°54' East, 687.2 feet; thence southerly along the easterly lines of said Baldrige tract, and of a tract conveyed to Gale by deed recorded in Book 549 at Page 331, Montrose County Records, and of a tract conveyed to Loma Linda Industries, Inc., by deed recorded in Book 569 at Page 986, Montrose County Records, a distance of 427.83 feet to a point on the centerline of a 10 foot easement occupied by Rocky Mountain Gas Company, which point is the southeast corner of Loma Linda tract; thence North 89°05' West, along said centerline of said easement and the southerly line of said Loma Linda tract, a distance of 419.83 feet to THE TRUE POINT OF BEGINNING; thence North 89°05' West along the southerly line of a tract conveyed to Trumbo as described in Book 556 at Page 344, Montrose County Records, 301.12 feet; thence South 26°35' East along the easterly line of a tract conveyed to Okey by deed recorded in Book 165 at Page 17, Montrose County Records, 556.00 feet to the most easterly corner of said Okey tract and a point on the south line of said NE1/4 NE1/4; thence North 89°30' East along said south line of said NE1/4 NE1/4, 52.27 feet; thence North, 491.95 feet, more or less, to the true point of beginning, and also as described by Boundary Agreement Plat recorded August 23, 1989 in Book 12 at Page 859,

County of Montrose, State of Colorado

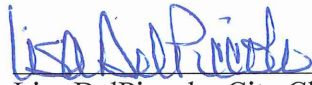
also known by street and number as: 110 and 116 Rose Lane, Montrose, Colorado
81401

as a "B-2A", Regional Commercial District, according to the Official Zoning Map.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Monday, the 4th day of April, 2022, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of April, 2022.

ATTEST:


Lisa DelPiccolo, City Clerk




Douglas Glaspell, Mayor

INTRODUCED, READ and ADOPTED on second reading this 19th day of April, 2022.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: March 29, 2022
RE: 6700 DeJulio Addition Annexation and Development Agreement

Action

Consider approval of the 6700 DeJulio Annexation and Development Agreement to include purchase of rights of way and easements required for completion of 6700 Road between Sunnyside and Miami Roads at a cost of \$291,300.00.

Background

The City of Montrose comprehensive plan calls for the eventual completion of 6700 Road as a minor arterial where currently missing between Sunnyside and Miami Roads (see Figure 1). This project has remained a high-priority capital project due to continued traffic growth in the area; however, the City does not own all of the rights of way necessary to complete this missing link. A privately-owned 9.35 acre parcel ("Missing Link Parcel") and single family residence are currently present along the proposed 6700 Road alignment as shown in Figures 2 and 3. As shown in Figure 2, this parcel is currently situated within Montrose County.

Rights of way and easements for roadways are typically dedicated to the City of Montrose concurrent with annexation and/or development of the land. However, in instances where the private landowner does not wish to develop their land or does not wish to develop in time to meet the needs of a road project (e.g., the road project is needed within the next five years but the affected landowner doesn't intend to develop within that timeframe), the City must typically purchase the necessary rights of way and easements to complete the road project.

For the Missing Link Parcel, the landowners did not have any intention of subdividing the land; however, they had expressed interest in constructing a large single family residence on the parcel similar to what was performed on a similarly-sized parcel immediately to the east. If this residence were to be constructed within the Missing Link Parcel, it would have made a future extension of 6700 Road through much more costly and impactful to that residence. This possibility prompted renewed discussions with the landowners to purchase the necessary right of way and easements for the extension of 6700 Road. Through these discussions, City staff have reached agreement for the purchase of these rights of way as detailed in the following section.

Annexation and Development Agreement

Given the long, slender nature of the Missing Link Parcel, the extension of 6700 Road through its middle would leave two remnant parcels each side of the roadway as shown in Figure 4. Not knowing if the landowners desired to further develop these remnant parcels, the City initially offered to purchase either the entire Missing Link Parcel or to only purchase the necessary rights of way and easements through the middle. The landowners elected for the City to only purchase the 6700 rights of way and easements, leaving these remnant parcels in their ownership for future development.

In consultation with the City's on-call land-use attorney, it was recommended that the right of way purchase be incorporated into a single annexation and development agreement. This document is intended to outline responsibilities of each party to facilitate the right of way dedication and to also help the landowners further develop their adjacent property.

The proposed annexation and development agreement for the Missing Link Parcel is included as an attachment to this memo. The agreement includes, but is not limited to, the following main elements/commitments by the City:

1. Preparation of required application materials and application for annexation of the Missing Link Parcel (incl. an initial zoning recommendation of R-1A, *Large Estate District*).
2. Granting of the following variations and exceptions to the Land Use Code:
 - Minimum lot depth of 90 feet (vs. 125 feet typical of the R-1A zoning district)
 - Minimum front setback of 20 feet (vs. 25 feet typical of the R-1A zoning district).
 - One shared driveway access to 6700 Road per two parcels with a turnaround to avoid backing onto the roadway.

It should be noted that these variations look to facilitate compatible development of the remnant parcels and accommodate their unique geometry. Given the low housing density present on each side of the Missing Link Parcel, it was felt the most compatible use would be additional low density (0.5 acre minimum) lots; however, achieving this low density through the R-1A zoning district required some variations to the dimensional standards. This configuration also has the added benefit of limiting the number of direct access points onto the minor arterial roadway.

3. Purchase of the 6700 Extension rights of way and easements at a cost of 291,300.00. This value was based on appraisals of the property and includes the existing single family residence on the property. The dedication would be performed through the creation of an "Official Act of the City" plat similar to recent dedications on other City roadway projects. It should be noted that the residence is required to be vacant before closing on the land.
4. Design of the 6700 Road extension project in 2022. This design project was included in the approved 2022 capital budget.
5. Recommend construction of the 6700 Road extension in the 2023 budget. This project is expected to cost approximately \$3.5M to complete (2022 dollars). The proposed road template would be the same as the recently-completed South Hillcrest Extension and would include the extension of water and sewer mainlines within the roadway.
6. Prepare a preliminary plat for the landowners to develop approximately 12 half-acre lots on the remnant parcels each side of 6700 Road. The owners would remain responsible for installation of remaining infrastructure (power, comm, and natural gas) as well as final platting of these lots if they choose to move forward with development.

Following favorable outcomes of the public annexation, zoning, and road dedication plat hearings and actions, the City would schedule a closing date with the landowners to purchase the right of way and record all related documents. Should these processes not be approved as intended, both parties reserve the right to renegotiate the terms of the annexation and development agreement.

Project Financials

As a general practice, the City does not include anticipated land purchases in the adopted budget as these purchases are subject to negotiation. In line with this practice, this anticipated land purchase was not included in the 2022 budget and may require inclusion in an end-of-year supplemental budget appropriation. The City has sufficient reserves to cover this expenditure.

TRANSPORTATION

Proposed Roadway Network and Classification

MAP 6.1

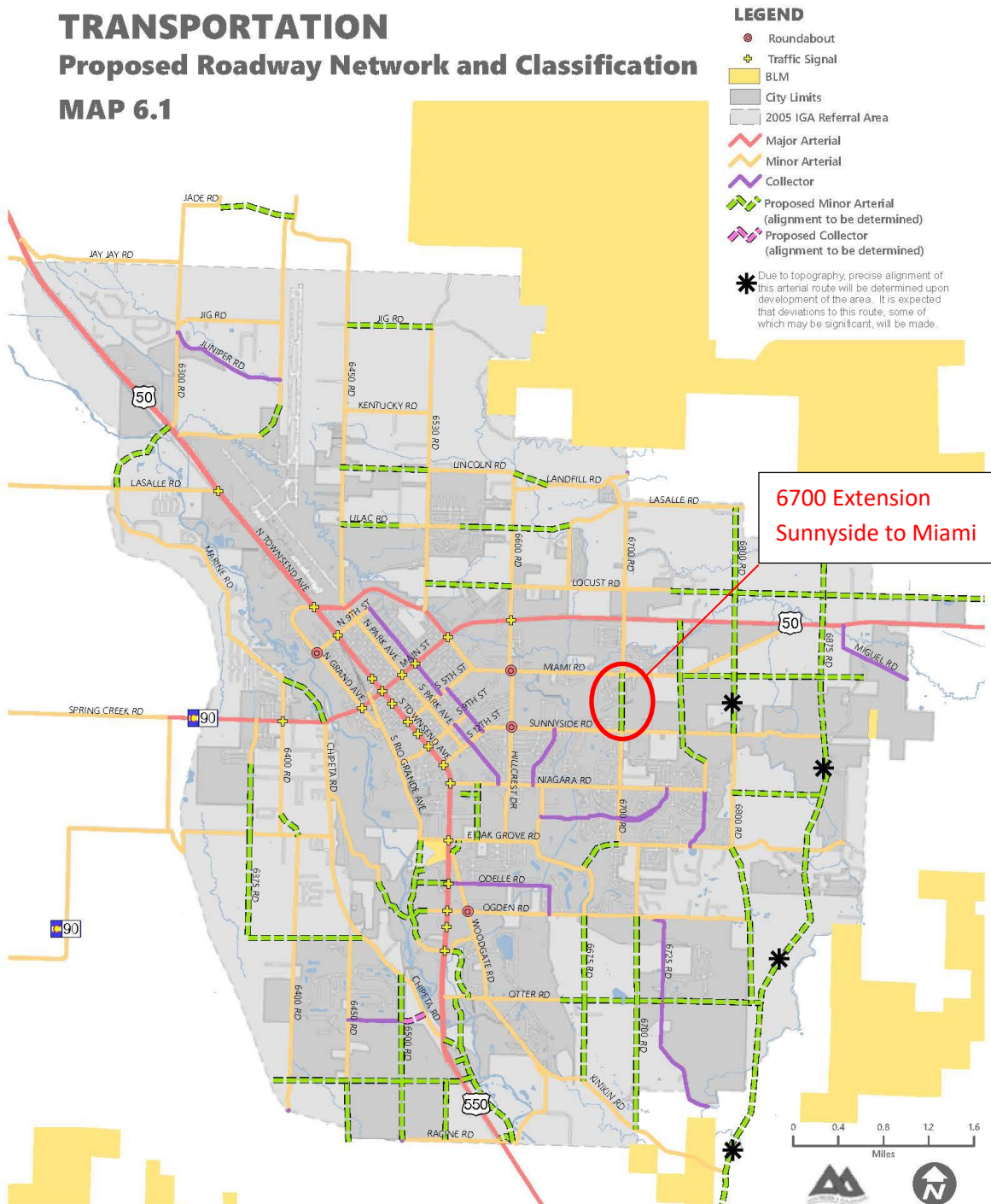


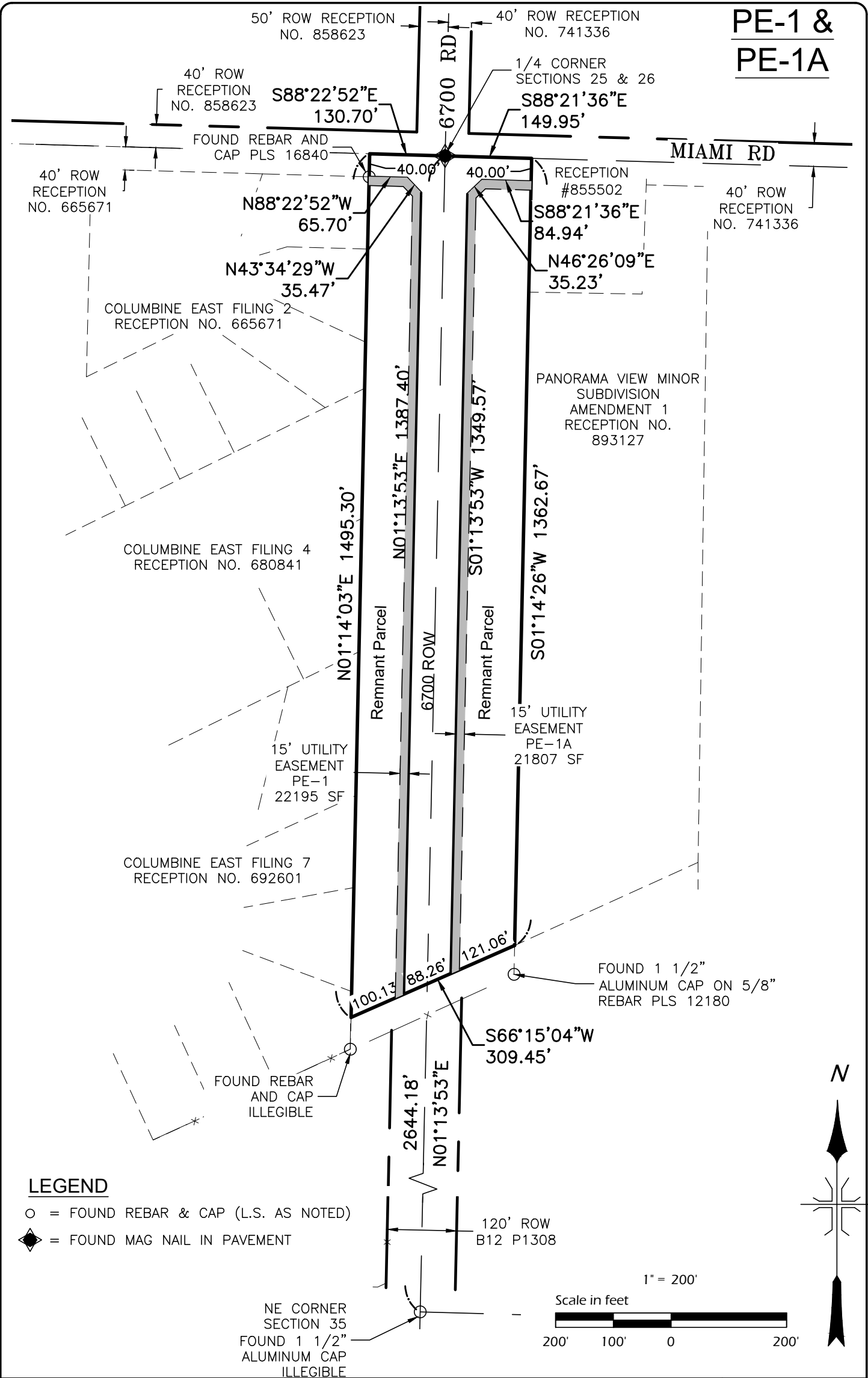
Figure 1 – Comprehensive Plan Road Network Excerpt



Figure 2 – Missing Link Parcel and Nearby City Limits/Zoning



Figure 3 – View of Missing Link Parcel Looking South from Intersection of 6700 and Miami



PE-1 &
PE-1A

LEGEND

- = FOUND REBAR & CAP (L.S. AS NOTED)
- ◆ = FOUND MAG NAIL IN PAVEMENT

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2281 (970) 249-2342 FAX www.del-mont.com service@del-mont.com	
DRAFTED BY: DCC	SCALE: AS NOTED
CHECKED BY: FAB	FILE NAME: 21084-6700-ROAD-ROW

6700 ROAD RIGHT OF WAY ACQUISITION FIGURE 4 - PROPOSED RIGHT OF WAY AND EASEMENTS
--

D.M. JOB NO.: 21084
DATE ISSUED: 06-08-2021
SHEET: 1 of 1

**ANNEXATION AND DEVELOPMENT AGREEMENT
6700 DEJULIO ADDITION**

This Annexation and Development Agreement (the “**Agreement**”) is entered into and effective as of the ____ day of _____, 2022 (the “**Effective Date**”) by and between the City of Montrose, Colorado (the “**City**”), and Ben and Paul DeJulio (the “**Developer**”) (each individually referenced herein as a “**Party**” and collectively as the “**Parties**”).

RECITALS

WHEREAS, the Developer is the joint owners of the real property located in Montrose County, Colorado and described in **Exhibit A** (the “**Property**” or the “**6700 DeJulio Addition**”). Parcels described in **Exhibit A** are approximately 9.35 total acres, are currently within unincorporated Montrose County, and are planned to be annexed into the City as the “**6700 DeJulio Addition;**” and

WHEREAS, the Developer is requesting that the City annex and zone the 6700 DeJulio Addition to allow for the coordinated development of the Property to the benefit of both Parties; and

WHEREAS, the City of Montrose comprehensive plan calls for the eventual extension of 6700 Road (the “**6700 Road Extension**”) as a minor arterial roadway between Sunnyside and Miami Roads, passing through the 6700 DeJulio Addition. Within the 6700 DeJulio Addition, the 6700 Road Extension would generally occupy the rights of way and easements shown in **Exhibit B**; and

WHEREAS, continued regional traffic growth has made construction of the 6700 Road Extension a high-priority capital project for the City of Montrose. To that end, City Staff are currently planning to construct the 6700 Road Extension in 2023 subject to City Council budget appropriation. Construction of the roadway shall include water, sewer, and drainage infrastructure as well as curb, gutter, sidewalks, and paving; and

WHEREAS, with the 6700 Road Extension passing through the 6700 DeJulio Addition, two “**Remnant Parcels**” approximately 90 to 110 feet deep will be created on either side of the 6700 Road Extension within the 6700 DeJulio Addition, all as shown in **Exhibit B**.

NOW, THEREFORE, in consideration of the foregoing Recitals and the mutual covenants, conditions, and agreements of the Parties contained herein, the receipt and sufficiency of which are hereby acknowledged and accepted, the Parties hereby agree as follows:

AGREEMENT

- 1. CONSENT TO ANNEXATION.** The Developer hereby consents to the annexation of the 6700 DeJulio Addition subject to the terms of the Petition for Annexation and this Agreement. In the event the City enters into this Agreement prior to approval by the City Council of the annexation and zoning ordinances, the Parties agree that this Agreement shall not be binding upon the Parties unless and until the City Council approves said ordinances and the Official Act of the City Plat as described herein.

2. **ZONING.** The City agrees to consider zoning the 6700 DeJulio Addition to be within the R-1A Zoning District. This initial zoning shall be considered by the City Planning Commission, and subsequently by the City Council for approval by ordinance immediately after, and at the same public hearing, as its consideration of an ordinance annexing the Property.
3. **6700 ROAD EXTENSION DEDICATION.** The Developer agrees to dedicate right of way and utility easements to the City of Montrose as shown in **Exhibit B** for construction of the 6700 Road Extension. The manner of dedication shall be by express conveyance on the Official Act of the City Plat, as described in Section 4. Such property shall be solely titled in the Developer, vacant and free of any encumbrances, occupants or rental leases at the time of dedication. In exchange for this dedication, the City agrees to pay the Developer \$291,300.00 based on land appraisals and as outlined in **Exhibit C**.
4. **ANNEXATION, ZONING, PLATTING AND DEDICATION PROCESS.** City and Developer agree that the process for annexation, zoning, initial platting, and dedication will include the following key events and tasks in the general order presented:
 - a. Consideration and execution of this Agreement by Developer.
 - b. Consideration and execution of this Agreement by City Council.
 - c. City deposits purchase funds for 6700 Road Extension rights of way and easements into an escrow account with a mutually-agreed-upon title company pursuant to **Exhibit C**.
 - d. Submittal of annexation petition prepared by the City and executed by the Developer.
 - e. Submittal of zoning application prepared by the City and executed by the Developer. It is understood that Developer intends to request R-1A zoning (Large Estate District) for the 6700 DeJulio Addition.
 - f. Preparation of an Official Act of the City Plat by the City to serve as the means of dedication for the 6700 Road Extension rights of way and easements and to legally describe the two remaining remnant parcels each side of the 6700 Road Extension right of way.
 - g. Combined hearing on annexation and zoning set by City Council resolution.
 - h. Consideration of zoning application by City Planning Commission.
 - i. Combined hearing on annexation and zoning applications and consideration of the Official Act of the City right of way dedication plat by City Council.
 - j. Upon conclusion of the combined hearing, action by the City Council on the annexation ordinance, zoning ordinance, and Official Act of the City Plat as outlined in Section 5 of this Agreement.
5. **EFFECTIVENESS OF ACTIONS; RECORDING**
 - a. In the event the annexation and zoning ordinances and the Official Act of the City Plat are approved following the combined hearing, as soon thereafter as a mutually-agreed time can be set, the Parties shall hold a closing event with the title company, as described at subsection 5.b. In the event any one of the three (3) foregoing approvals are not granted, the Developer reserves the right to withdraw the annexation petition and zoning application, this Agreement shall be null, void and of no effect and both Parties shall be relieved from all obligations hereunder. Thereafter the Parties may choose to renegotiate the terms of their agreement, or not, in their sole and individual discretion. It is the express intent of the Parties that all of the foregoing actions must be approved by the

Parties, and that the failure to approve any one of the same shall render the approval of all of the remaining actions void.

- b. At the closing event with the title company, the following actions shall be taken in order: (i) execution by the City officials of the annexation and zoning ordinances and the Official Act of the City Plat, (ii) execution of the Official Act of the City Plat by the Developer; (iii) release of the purchase funds from escrow to the Developer, and (iv) any other necessary instruments executed by the Parties as required by the title company. Following the closing, the title company shall be instructed to record documents with the Montrose County Clerk and Recorder in the following order: (i) annexation ordinance and map pursuant to CRS 31-12-113; (ii) zoning ordinance; and (iii) Official Act of the City Plat.

6. INFRASTRUCTURE COMMITMENTS. Following recording of the documents as described in Section 5 of this Agreement, City shall perform detailed civil design and construction of the 6700 Road Extension to include water, sewer, and drainage infrastructure as well as curb, gutter, sidewalks, paving, and culvert or casing crossings as necessary to accommodate conveyance of irrigation water across the roadway to serve the remnant parcels. Curb and gutter installation shall include curb cuts at the anticipated driveway locations for future residential lots adjacent to 6700 Road within the 6700 DeJulio Addition. Project design is scheduled to be completed in 2022 and costs for design have been included in the City's 2022 capital budget. City staff shall recommend construction of the 6700 Road Extension in the City's 2023 capital budget. Final adoption of all budget items is subject to City Council approval. As part of the 6700 Road Extension construction, City shall install water and sewer mains which shall run the length of the 6700 Road Extension and include up to twelve (12) water and twelve (12) sewer service stubs to likely future lots within the Remnant Parcels.

7. FUTURE DEVELOPMENT; VESTED RIGHTS. The following considerations apply to any future development within the 6700 DeJulio Addition:

- a. With the exception of the following variations or exceptions and/or otherwise expressly approved by the City, all development shall be performed in accordance with applicable City standards and specifications, subdivision regulations, and any other applicable local, state, or federal regulations in place at the time of development. The following variations and exceptions to the Land Use Code are agreed upon:
 - i. A minimum lot depth of no less than 90 feet shall be allowed for lots within the 6700 DeJulio Addition due to physical space constraints. This minimum lot depth allowance shall be vested pursuant to Colorado Revised Statutes Title 24-68-103(1) in perpetuity as of the Effective Date of this Agreement and a note to the same effect shall be included on the Official Act of the City plat; and
 - ii. A minimum front setback of no less than 20 feet shall be allowed for lots within the 6700 DeJulio Addition. This minimum setback allowance shall be vested pursuant to Colorado Revised Statutes Title 24-68-103(1) in perpetuity as of the Effective Date of this Agreement and a note to the same effect shall be included on the Official Act of the City plat; and
 - iii. Any development of the Remnant Parcels shall only be allowed one driveway access to 6700 Road per each two platted lots. Driveways shall be configured with a turnaround area as to avoid the need for vehicles to back onto the 6700 Road Extension; and

- iv. Open space dedications shall not be required.
 - v. The Parties agree that the variations and exceptions to the Land Use Code described only in this Subsection 7.a constitute a development agreement for vested rights pursuant to CRS 24-68-104(2), and the City shall publish the required notice of the same pursuant to CRS 24-68-103(1)(c).
- b. Within one year of the recording of the Official Act of the City Plat, upon request by and consent of the Developer, City shall, at its cost, prepare for submission by the Developer, a subdivision sketch plan, infrastructure plans, and preliminary subdivision plat to subdivide the Remnant Parcels into six (6) approximately half (½)-acre lots located on each side of the 6700 Road Extension (for a total of 12 lots). Subdivision documents and infrastructure plans shall be prepared in cooperation with and subject to approval by the Developer prior to submission. The City shall waive the application and review fees for the sketch plan and preliminary plat. Infrastructure plans shall include power, communications, and natural gas (if desired). Water and sewer infrastructure plans will be included in the City's design of the 6700 Road Extension and, as a result, will not need to be included in the subdivision infrastructure plans. The location of private irrigation easements, if required, will be determined in coordination with the developer and included in platting documents at their direction. City Staff do not have the authority to approve subdivision plats of this anticipated scope; these applications will be reviewed by the City Planning Commission and City Council through public processes.
- c. If Developer choses to move forward with the development of Remnant Parcels into residential lots, Developer will be required to construct and/or install all remaining utilities required by the preliminary plat approval including but not limited to power/communication utilities and, if desired, natural gas, and then submit a final subdivision plat application to the City for consideration by City Council once remaining utility construction is complete.
- d. All building permits issued within the 6700 DeJulio Addition shall be subject to applicable taxes and fees in place at the time of building permit issuance. This includes, but is not limited to, applicable sales and use taxes, utility connection fees, parks-in-lieu fees, City Operations and Police Service (COPS) fees, and school-land dedication fees.

8. GENERAL TERMS AND CONDITIONS

- a. **Counterparts; Electronic Execution.** This Agreement may be executed in two or more counterparts, all of which shall constitute a single instrument, and by one or more of the Parties by facsimile or e-mail transmitted signature and both Parties agree that the delivery of an executed counterpart hereby by facsimile or e-mail will have the same force and effect as the delivery of an original executed counterpart hereof.
- b. **No Waiver of Governmental Immunity.** Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the City, its officials, employees, contractors, or agents, or any other person acting on behalf of the City and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.
- c. **Signature Authority; Successors and Assigns.** Signators for each Party hereby confirm he or she is an authorized agent of the respective Party and has the full power and authority to execute and deliver this Agreement as a binding document of the Party. The promises made

in this Agreement by the Developer shall be deemed to have been made by any corporation or other business affiliated with Developer that acquires ownership or possession of all or any portion of the 6700 DeJulio Addition. This Agreement shall be binding upon the successors and assigns of the Parties.

- d. **Remedies.** The Parties waive entitlement to claim or receive any form of monetary damages, including but not limited to remedial, compensatory, punitive, liquidated or economic, including lost profits. The sole remedy available to the Parties shall be specific performance of this Agreement.
- e. **Effective Date.** This Agreement shall become effective on the date that it is executed and delivered and has been approved by the City Council. If the City Council considers but does not adopt an ordinance annexing the 6700 DeJulio Addition, this Agreement shall become null and void and of no force or effect whatsoever. If the City does not annex the 6700 DeJulio Addition, no party will be liable to any other for any costs that the other party has incurred in the negotiation of this Agreement or in any other matter related to the potential annexation.
- f. **Notices.** Whenever notice is required or permitted hereunder from one party to the other, the same shall be in writing and shall be given effect by hand delivery, or shall be effective three (3) days after being mailed by certified mail, return receipt requested, to the party for whom it is intended. Notices to any of the Parties shall be addressed as follows:

City of Montrose
Attn: City Manager
433 South First Street
Montrose, CO 81401

Developer
Paul and Ben DeJulio
305 Sortais Road
Durango, CO 81301

- g. **Waiver.** No waiver by the City or Developer of any term or condition of this Agreement shall be deemed to be construed as a waiver of any other term or condition, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach of the same provision of this Agreement.
- h. **Applicable Law/Severability.** This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado. Jurisdiction and venue for any dispute concerning this Agreement shall be proper and exclusive in the district court for Montrose County, Colorado. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this Agreement or any application thereof to a particular situation shall be held invalid by a court of competent jurisdiction, such provision or application thereof shall be ineffective only to the extent of such invalidity without invalidating the remainder of such provision or any other provision of this Agreement.
- i. **No Waiver of Legislative Authority.** Nothing contained in this Agreement shall constitute or be interpreted as a repeal of the City's Charter, Code or ordinances or as a waiver of abnegation of the City's legislative, governmental, or police powers to promote and protect the health, safety, or general welfare of the municipality or its inhabitants; nor shall this Agreement prohibit the enactment by the City of any fee permitted under the law.
- j. **Term of Agreement.** This Agreement shall be perpetual in duration unless the City Council fails to adopt an ordinance annexing the Property on or before September 1, 2022 in which case the Agreement shall terminate on that date unless agreed upon to extend in writing by both Parties.

k. Annexation or Zoning Challenged by Referendum or Judicially. If the ordinance(s) annexing and/or zoning of the 6700 DeJulio Addition or any portion thereof be challenged by citizen initiative, referendum, or otherwise, all provisions of this Agreement, together with the duties and obligations of each party, shall be suspended pending the outcome of the referendum election or court proceeding. Should any such challenge result in the repeal (by the Council or at election) or invalidity of the annexation or zoning ordinance(s) upon entry of a final order of court which is unappealable or which the parties have elected not to appeal, then, similarly, the annexation of the Property shall be null, void and of no effect, and the annexation ordinance and map shall not be filed with the Montrose County Clerk & Recorder pursuant to C.R.S. § 31-12-113(2). If the referendum challenge fails, the Developer and the City shall continue to be bound by all the terms and provision of this Agreement. In the event the annexation of the 6700 DeJulio Addition or any portion thereof is voided by final action of any court (such action not being associated with a referendum of initiative action), the City and the Developer shall cooperate to cure the legal defect which resulted in disconnection of the Property, and upon such cure this Agreement shall be deemed to be an agreement to annex the 6700 DeJulio addition to the City pursuant to C.R.S. 31-12-121, as amended. The Developer shall reapply for annexation when the 6700 DeJulio Addition becomes eligible for annexation as determined and requested by the City.

IN WITNESS WHEREOF, the Parties have executed and delivered this Agreement as of the Effective Date.

CITY OF MONTROSE, COLORADO

By: _____
_____, Mayor

DEVELOPER

By: Paul DeJulio
Paul DeJulio

By: Ben DeJulio
Ben DeJulio

[illegible]

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by _____, Mayor of the City of Montrose, Colorado.

Witness my hand and official seal.
My commission expires: _____.

(Seal)

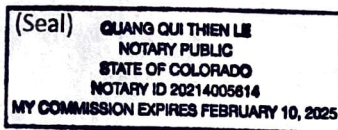
Notary

Annexation and Development Agreement
6700 DeJulio Addition
Page 7

State of Colorado)
) ss.
County of Jefferson)

The foregoing instrument was acknowledged before me this 29th day of March, 2022, by Paul DeJulio.

Witness my hand and official seal.
My commission expires: 02/10/2025.



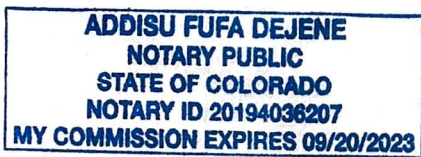
Quang Qui Thien Le
Notary

State of Colorado)
) ss.
County of Denver)

The foregoing instrument was acknowledged before me this 29th day of March, 2022, by Ben DeJulio.

Witness my hand and official seal.
My commission expires: 09/20/2023.

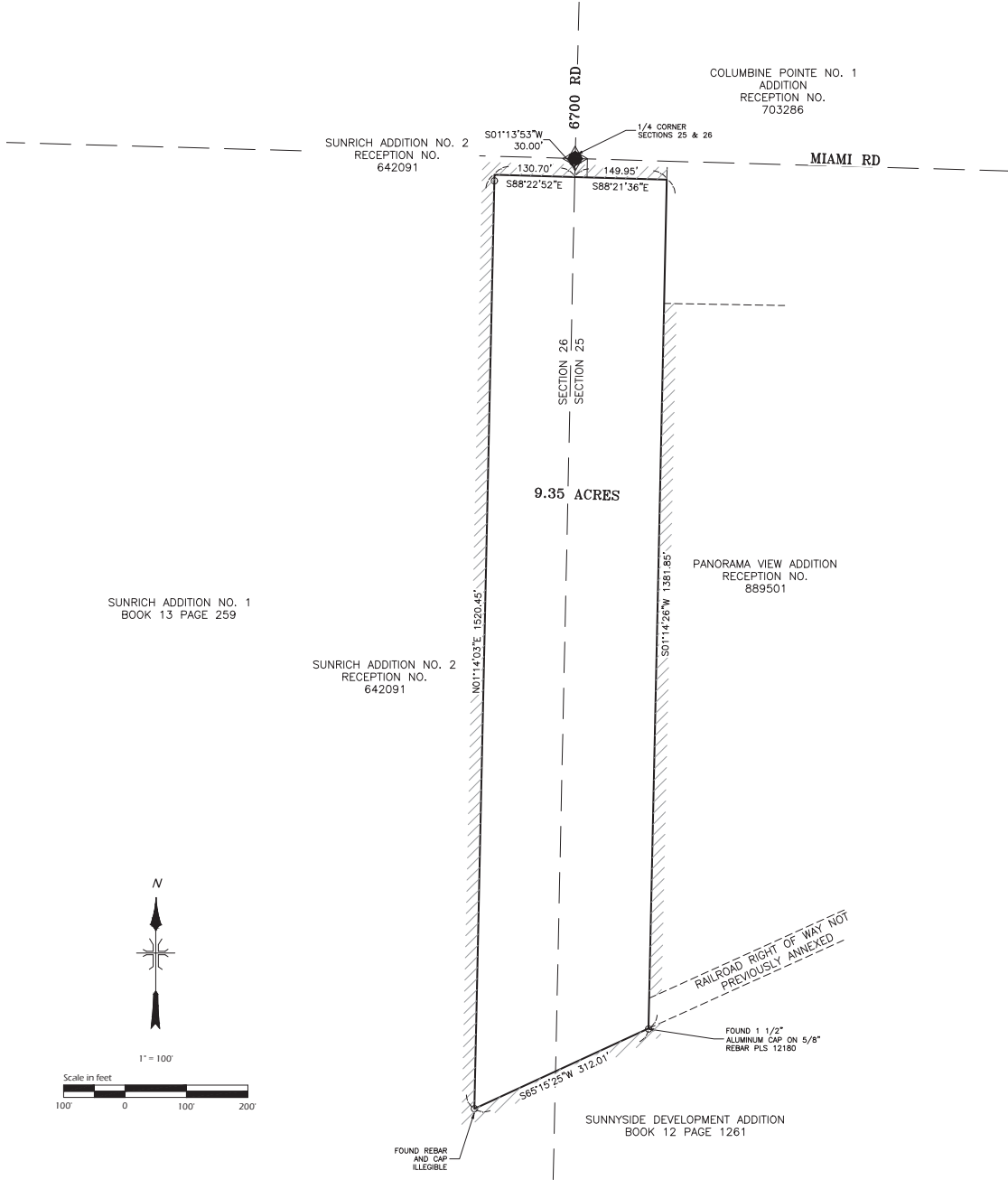
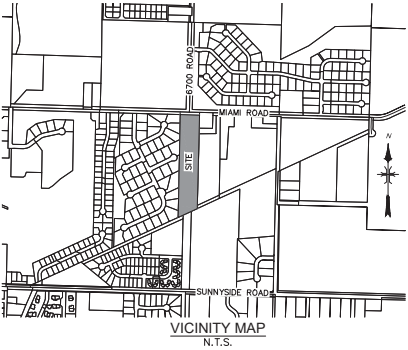
(Seal)



Addisu Dejene
Notary

6700 DEJULIO ADDITION

SITUATED IN SECTIONS 25 & 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



LEGEND

////// CITY LIMITS

———— PROPERTY BOUNDARY / LIMITS OF ANNEXATION

CITY LIMITS

TOTAL PERIMETER = 3494.96'

PERIMETER CONTIGUOUS TO CITY LIMITS = 3244.23'

NOTE:

THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS A COMPILATION OF EXISTING RECORDS FOR THE PURPOSE OF ANNEXATION.

PROPERTY DESCRIPTION

A parcel of land situated in Sections 25 & 26, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado, being better described as beginning at a point S01°13'53\"/>

SURVEYOR'S CERTIFICATE

I, Frederick A. Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify 6700 DEJULIO ADDITION Annexation Map was prepared under my direct supervision.

PRELIMINARY

Frederick A. Ballard, P.L.S.
Registration No. 37690

MAYOR'S CERTIFICATE

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado has by its Ordinance No. _____ adopted on the _____ day of _____, 20____, annexed the property hereon to the City of Montrose.

Mayor

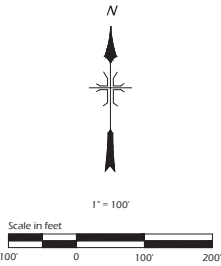
Attest: _____
City Clerk

CLERK AND RECORDER'S CERTIFICATE

This map was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____ on the _____ day of _____, 20____ under Reception No. _____.

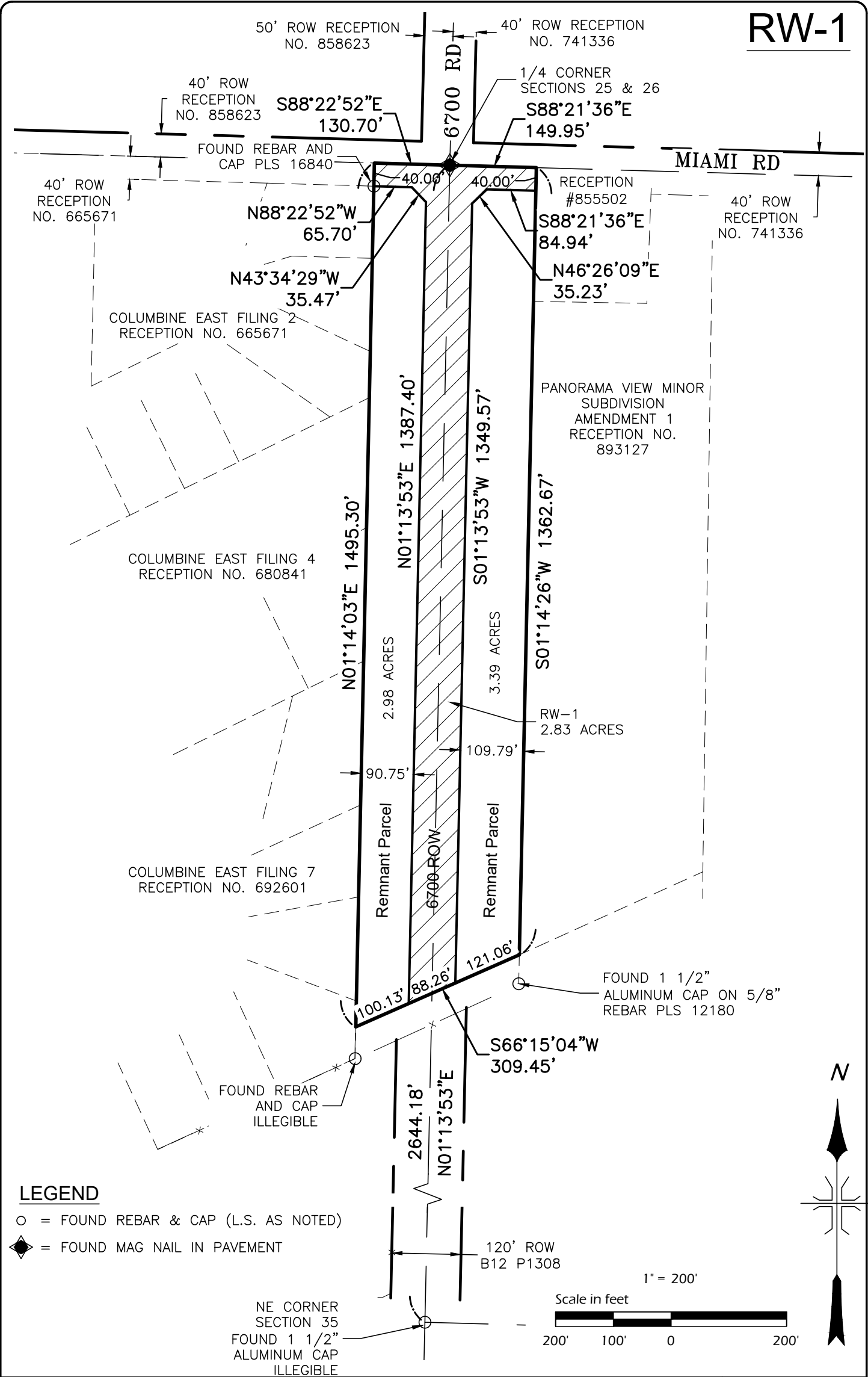
Clerk and Recorder
Montrose County, Colorado

Deputy



NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

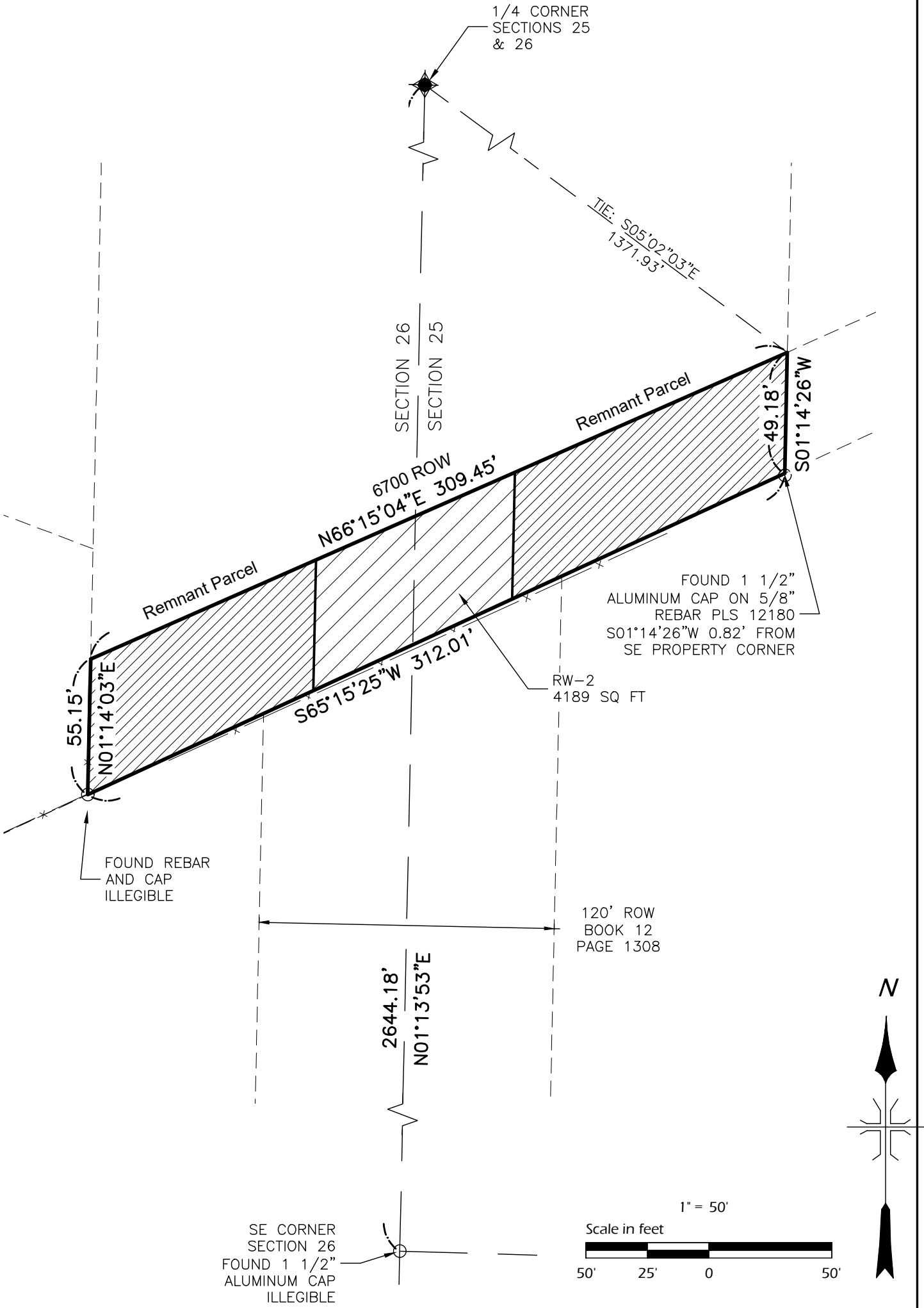
FIELD BOOK:		DRAWN BY: DCC	DATE: 2022-02-14
SHEET: 1 of 1		FILE: 21084V ANNEX	JOB NO.: 21084
TITLE: 6700 DEJULIO ADDITION		CLIENT: CITY OF MONTROSE	ADDRESS & PHONE:
TYPE: ADDITION			



DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2281 (970) 249-2342 FAX www.del-mont.com service@del-mont.com		6700 ROAD RIGHT OF WAY ACQUISITION CITY OF MONTROSE		D.M. JOB NO.: 21084
DRAFTED BY: DCC	SCALE: AS NOTED			DATE ISSUED: 06-08-2021
CHECKED BY: FAB	FILE NAME: 21084-6700-ROAD-ROW			SHEET: 1 of 1

LEGEND

- = FOUND REBAR & CAP (L.S. AS NOTED)
- ◆ = FOUND MAG NAIL IN PAVEMENT



DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. Montrose, CO 81401 (877) 348-2281 (877) 348-2342 FAX
www.del-mont.com service@del-mont.com

DRAFTED BY:	SCALE:
DCC	AS NOTED
CHECKED BY:	FILE NAME:
FAB	21084-6700-ROAD-ROW-RROAD

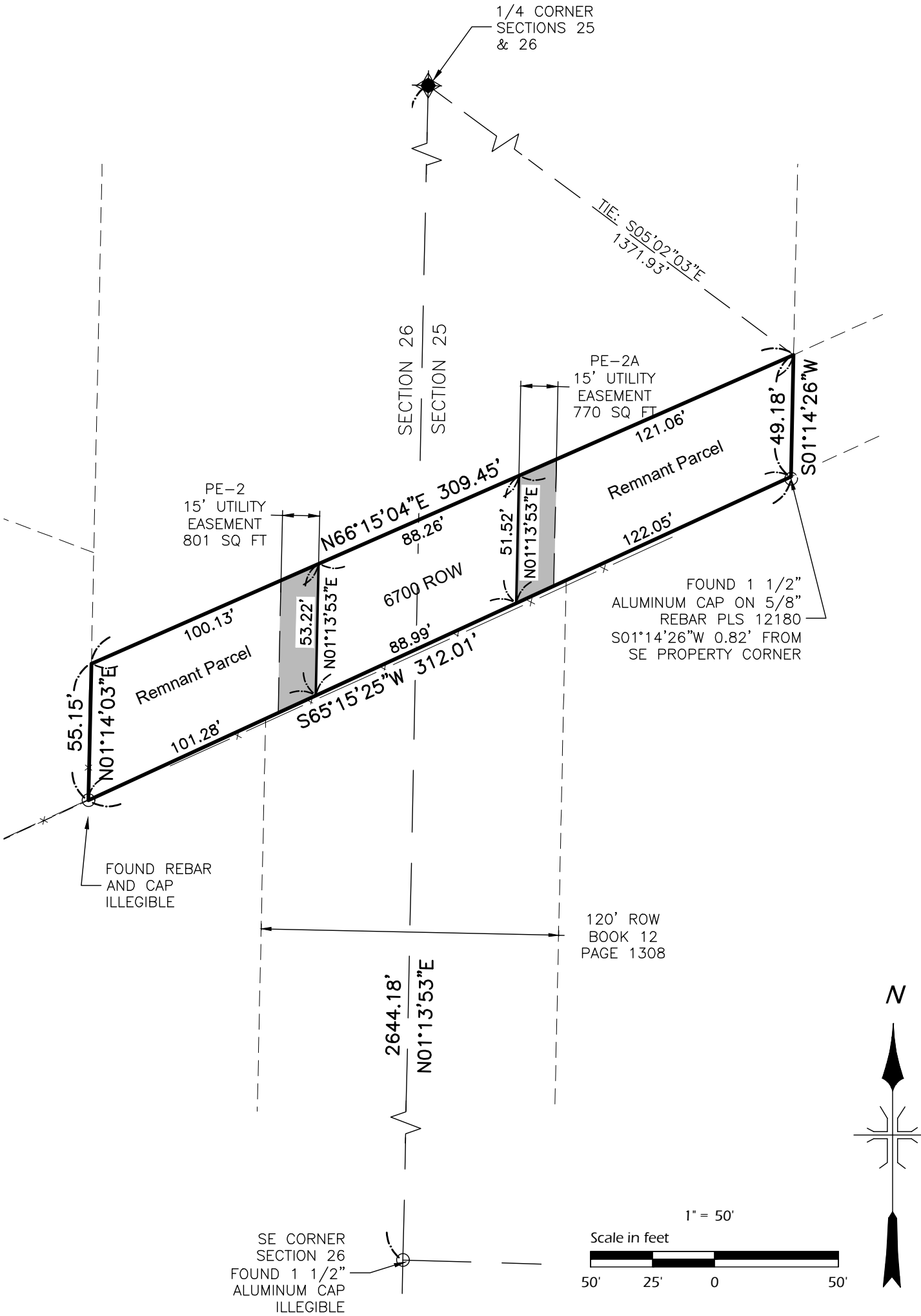
6700 ROAD
RIGHT OF WAY ACQUISITION
CITY OF MONTROSE

D.M. JOB NO.:	21084
DATE ISSUED:	02-14-2022
SHEET:	1 of 1

PE-2 &
PE-2A

LEGEND

- = FOUND REBAR & CAP (L.S. AS NOTED)
- ◆ = FOUND MAG NAIL IN PAVEMENT



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www.del-mont.com service@del-mont.com

DRAFTED BY:	SCALE:
DCC	AS NOTED
CHECKED BY:	FILE NAME:
FAB	21084-6700-ROAD-ROW-RROAD

6700 ROAD
RIGHT OF WAY ACQUISITION
CITY OF MONTROSE

D.M. JOB NO.:	21084
DATE ISSUED:	02-14-2022
SHEET:	1 of 1

EXHIBIT C

SUMMARY STATEMENT OF COMPENSATION AND RELATED CONDITIONS

Project: 6700 Road Extension
Location: 67008 Miami Road
Parcel APN: 3767-253-00-008 and
Vacated Denver and Rio-Grande Railroad Right of Way
Parcels: RW-1, RW-2, PE-1, PE-1A, PE-2, PE-2A
Grantor: Paul DeJulio and Ben DeJulio
Grantee: City of Montrose, a Colorado Home Rule Municipality

This statement is intended to furnish a written summary of compensation and related conditions for the dedication of rights of way and easements to the City of Montrose, Colorado (the “Grantee”) for the 6700 Road Extension Project (the “Project”). The City shall compensate for the granting of two parcels and four permanent easements to construct and maintain a roadway and associated public improvements summarized as follows. Compensation is based on an appraisal performed by Roberts Appraisals of the property and dated August 4, 2021, adjusted for the addition of RW-2, PE2, PE2A. The compensation listed below is full consideration for the land, easements, improvements, and damages of any kind.

Fee Simple (Parcel RW-1):

2.83 acres x \$25,000/acre = \$70,750.00

Fee Simple (Parcel RW-2):

0.096 acres x \$25,000/acre = \$ 2,404.00

Permanent Easement (Parcel PE-1):

0.51 acres x \$25,000/acre x 20% = \$ 2,550.00

Permanent Easement (Parcel PE-1A):

0.50 acres x \$25,000/acre x 20% = \$ 2,500.00

Permanent Easement (Parcel PE-2):

0.018 acres x \$25,000/acre x 20% = \$ 92.00

Permanent Easement (Parcel PE-2A):

0.0177 acres x \$25,000/acre x 20% = \$ 89.00

Improvements:

Site improvements \$212,904.00

TOTAL OFFER OF JUST COMPENSATION: (rounded) \$291,300.00

Related Conditions:

1. Grantor will, at the closing, pay all taxes (including prorated taxes for the current year) and special assessments for the current year.
2. Grantor shall be responsible for securing releases from all liens, judgments and encumbrances to deliver clear, unencumbered title to Grantee for property being purchased. Any encumbrance required to be paid by Grantor shall be paid at or before closing from the proceeds of the transaction hereby contemplated or from any other source.
3. An Official Act of the City Plat shall be prepared by the City for City Council consideration to serve as the instrument for dedication of the rights of way and easements.
4. Grantee will make payment after receiving acceptable conveyance instruments from the Grantor.

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: March 26, 2022
RE: Moving Montrose Forward 2022 Surface Treatment (Slurry and Cape Seal) Contract Award
CC: William Bell, Shani Wittenberg

Action

Consider the award of a construction contract to A-1 Chipseal in the amount of \$1,428,079.40 for completion of the Moving Montrose Forward 2022 Surface Treatment Project.

Background

Starting in 2018, the City of Montrose developed the *Moving Montrose Forward* (MoveMo) initiative which placed a renewed focus on street maintenance, reducing traffic congestion, and improving pedestrian and vehicular mobility throughout the community. As part of this effort, each year the City hires contractors to perform some of the larger-scale and specialized street maintenance construction. This contracted street maintenance work is in addition to typical routine maintenance activities performed by the City's streets department.

The City's street maintenance and capital plan is available on the City's MoveMo webpage and at <https://tinyurl.com/COMStreetPlan>. The street maintenance plan identifies funding needs to sustainably maintain an acceptable pavement condition throughout the City and how available funds should be allocated between the various types of maintenance activities (e.g., surface treatments, mill and overlays, rebuild of failed roadways, etc). Allocation of these funds is geared towards the creation of a comprehensive street-maintenance program focused on striking a balance between maintenance of the better-condition roadways (keeping the "good roads good" and at a lower cost) and eventually restoring those which have experienced failure and are more costly to repair. It should be noted that asset management software and modeling are used to help prioritize appropriate maintenance treatments for the City's roadways and best utilize limited resources.

The City budgeted a record \$3.3M for this year's MoveMo contracted street maintenance efforts. Approximately 50% of this street maintenance work is focused on surface treatments consisting of slurry and cape seals. Slurry seals are a combination of a fine aggregate and an asphaltic binder which work to smooth out surface irregularities and to protect the roadway from water intrusion and UV degradation. Slurry seals are used in lieu of chip seals within residential neighborhoods given the public's general dislike of chip seals and a chip seal's lower effectiveness in areas without high traffic volumes to press in the chips. Cape seals are used on higher volume roadways or those with heavier degradation and include a chip seal first followed by a slurry seal several weeks later.

Areas to receive surface treatments are shown in the attached figure. Also shown on this figure are remaining street maintenance activities planned for this year (street rebuilds and overlays). This work is currently under design and will be awarded under a separate contract to come before council in approximately one month.

Additional detail on the City's street maintenance program can be found in the street capital and maintenance plan noted above as well as on the Street Maintenance tab of the Moving Montrose Forward webpage at www.MoveMo.co

Project Bidding

Surface treatment project plans were prepared in-house by the City's engineering department and were put out to bid on March 8, 2022. Bids were publically received through video conference on March 24, 2022 and are summarized in Table 1 below. It should be noted that these bid totals include a 10% contingency.

TABLE 1		
Summary of Bid Results – Surface Treatments		
Contractor	Location	Bid Total
A-1 Chipseal Co.	Denver, CO	\$1,428,079.40
Intermountain Slurry Seal	Salt Lake City, UT	\$1,741,278.00

The City has recent positive experience working with A-1 Chipseal on the 2021 surface treatment contract. The City's local preference policy would not change the outcome of bidding in this case.

Project Schedule and Traffic Control

Work under this contract is scheduled to begin in June and will be completed by the end of September. Although the project does contain some isolated patching, the majority of the work will be slurry and cape seals. Work on major roadways or those with a single point of access (Shanes Way, 6375 Road, Colorado Ave, South 12th, and Sunnyside) will utilize flaggers in order to maintain at least one lane of access during work operations and avoid the need to close the roadway. Slurry seal work within the Cerise Park parking lot will be coordinated around major events and be performed half at a time in order to avoid closure of the park. All remaining areas (residential subdivisions) will require full closure of each roadway while the material is being applied and for approximately 6 hours after application while the material cures. Residents along roadways will be notified at least 48 hours ahead of time with door hangers and no parking signage before work on their roadway begins. Typically residents are able to plan their trips or park on nearby streets if needing to leave during the slurry seal process. Street work will be staggered as to allow for parking on nearby streets during this application process. Access for emergency services will be available at all times during the project.

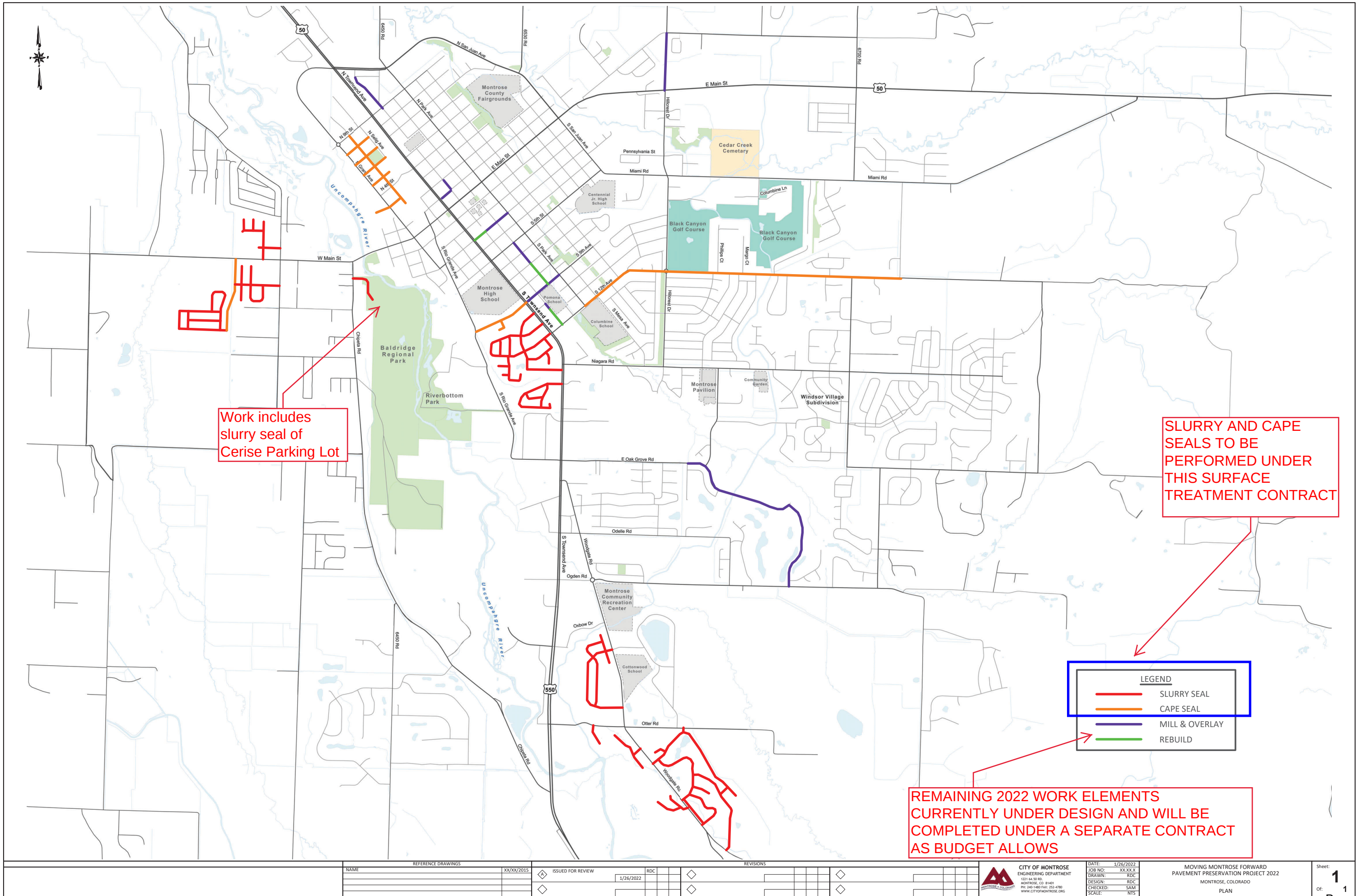
Contract Administration and Project Financials

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

The total budget for contracted street maintenance in 2022 is \$3.3M. It should be noted that this is in addition to street maintenance budgets for in-house work being performed by public work's crews. This surface treatment contract will be funded from this \$3.3M with the balance of this budget going towards the upcoming street overlay and rebuild contract.

Contract Award Consideration
MoveMo 2022 Surface Treatment
March 26, 2022

The contract documents were written to give the option for one year extensions for up to three years. If utilizing this option in future contracts (2023+), the consideration would still come before City Council for approval given the dollar amounts of potential contracts.





Discussion of WWTP MCC

Replacement

Date: April 5, 2022

To: Honorable Mayor and Members of the City Council

From: David Bries, Utilities Manager

CC: William Bell, City Manager
Ann Morgenthauer, Assistant City Manager
Shani Wittenberg, Finance Director

Date: March 14, 2022

Subject: Discussion of procurement process for the Wastewater Treatment Plant Motor Control Center replacement

Recommendation

Discussion of the planned Motor Control Center (MCC) replacement at the City of Montrose Wastewater Treatment Plant (WWTP).

Background

The current MCC at the wastewater treatment plant dates back to the original treatment plant construction in the mid 1980's and has reached the end of its reliable life expectancy. In 2021, the City of Montrose contracted with BrownsHill Engineering & Controls (BHEC) to design and develop a replacement plan for the WWTP MCC and \$380,000 was included in the 2022 Budget for the replacement. Upon the completion of the design, staff met with BHEC to discuss the process of replacing this critical piece of equipment with minimal impact on the treatment plant operation. Replacement of the equipment component will need to be very methodical with a significant amount of qualified staff during certain times to minimize the time that certain plant components are out of service to prevent violating our wastewater treatment plant effluent limits.

BHEC believes that Sturgeon Electric is the only contractor on the western slope that has the staffing level and the experience in this type of work without an increased risk of issues that could cause issues affecting the WWTP discharge. BHEC has successfully worked with Sturgeon Electric on similar type projects. Sturgeon Electric has proposed a cost of \$329,027.00 for the labor, equipment and common materials to perform the MCC replacement.

BHEC has obtained bids from the material suppliers for the major electrical components that make up the MCC and proposed to procure these materials for \$312,370.00. Due to the current supply chain issues, electrical components now have a 50 week lead time meaning that some of the materials needed would not arrive until 2023. Staff recommends that the notice to proceed would not be issued until all materials have been delivered to prevent operational issues at the WWTP.

Due to the complicated and detailed nature of this project, BHEC has proposed to oversee the construction of the MCC replacement for a not to exceed cost of \$35,200.00.

The total cost for all three of these contracts is \$676,597.00.

Net Financial Result of Contract

\$380,000 is included in the 2022 Wastewater Treatment Plant Budget for replacement of the MCC although it appears that these costs will likely not be incurred in 2022, but will carry over into 2023. The current pricing provided by BHEC is locked in until May 1st, and is likely to increase after that date.

VEHICLE DISPOSAL RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Manager
DATE: **April 4, 2022**
RE: 2022 Vehicle Disposal List Part II
CC: William Bell, Ann Morgenthaler, Shani Wittenberg, Shane Brandt

Action

Consider approving the disposal of 4 police cars to the Western Colorado Law Enforcement Academy (WCLEA).

Background

The vehicles listed below are scheduled for replacement in 2022. Their replacements have been budgeted for from the Fleet Fund. These vehicles were not on the 2022 Disposal List that was approved in January of 2022 because these vehicles were to be held for an additional one year to be used for Police Academy Driver's Training. For these vehicles to be best utilized by the Police Academy the four cars would be added to Western Colorado Community College (WCCC) and Colorado Mesa University's (CMU) existing fleet. With Council's approval, these vehicles would be donated to WCCC/CMU. This will give WCLEA and the WCCC academy in Grand Junction access to 10 patrol vehicles for training.

Vehicles for disposal
325-2014 Ford Explorer Police Interceptor (Police Patrol)
326-2014 Ford Explorer Police Interceptor (Police Patrol)
327-2014 Ford Explorer Police Interceptor (Police Patrol)
328-2014 Ford Explorer Police Interceptor (Police Patrol)

All items are disposed of in accordance with Section 1-16-5 of the Municipal Code.

CITY OF MONTROSE

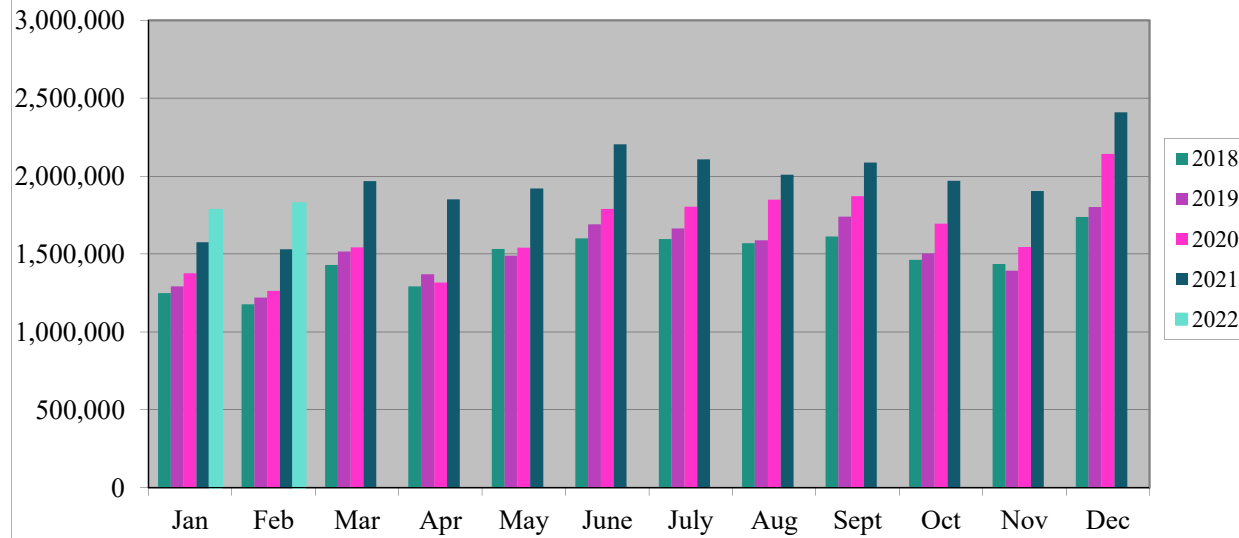
MONTHLY SALES, USE & EXCISE TAX REPORT

Date: April 11, 2022

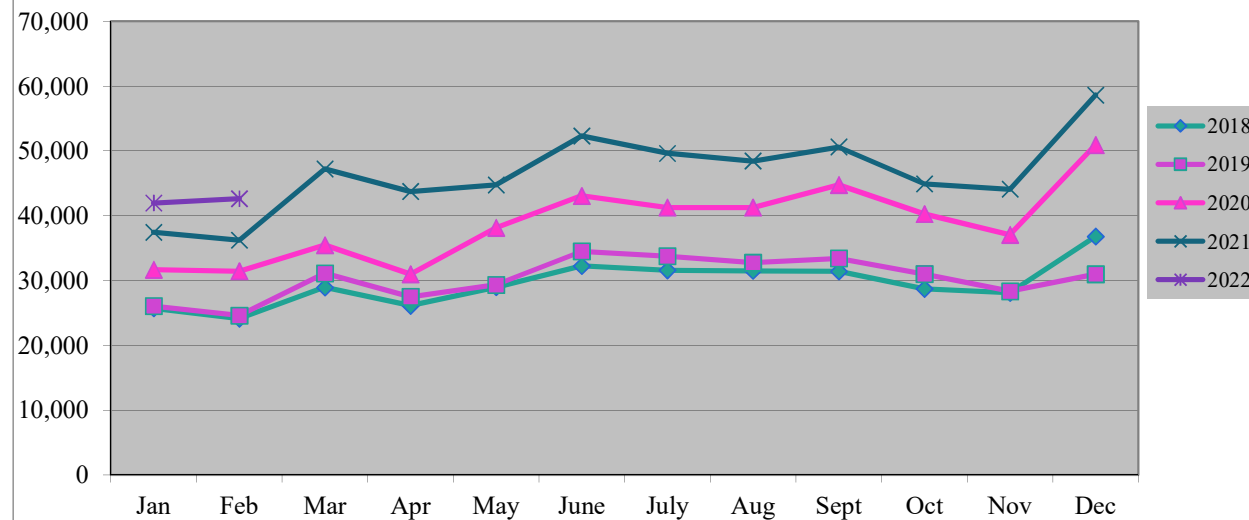
	Retail Sales Tax 3.0%			Construction Use Tax 3.0%			Use & Auto Tax 3.0%			Total Collected Sales and Use Tax			Sales and Use Budget	
	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Budget</i> <i>2022</i>	<i>Budget</i> <i>Variance</i> <i>2022</i>
Month														
Jan	1,574,777	1,411,880	11.5%	105,404	56,829	85.5%	103,384	106,625	-3.0%	1,783,565	1,575,334	13.2%	1,373,456	29.9%
Feb	1,610,049	1,356,512	18.7%	86,060	62,892	36.8%	131,237	111,783	17.4%	1,827,346	1,531,187	19.3%	1,312,954	39.2%
Mar														
Apr														
May														
June														
July														
Aug														
Sept														
Oct														
Nov														
Dec														
YTD Total	3,184,826	2,768,392	15.0%	191,464	119,721	59.9%	234,621	218,408	7.4%	3,610,911	3,106,521	16.2%	2,686,410	34.4%

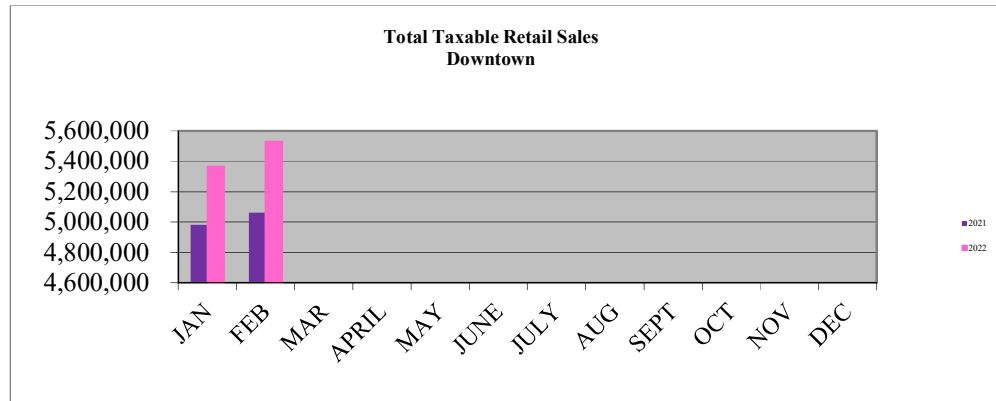
	PSST Retail Sales Tax 0.58%			PSST Construction Use Tax 0.58%			PSST Use & Auto Tax 0.58%			Total Collected PSST Sales and Use Tax			PSST Budget		Montrose Recreation District 0.3%		
	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>	<i>Budget</i> <i>2022</i>	<i>Budget</i> <i>Variance</i> <i>2022</i>	<i>Current</i> <i>Year</i> <i>2022</i>	<i>Prior</i> <i>Year</i> <i>2021</i>	<i>% of</i> <i>Increase/</i> <i>Decrease</i>
Month																	
Jan	306,061	273,697	11.8%	20,501	11,422	79.5%	19,988	20,614	-3.0%	346,550	305,733	13.4%	265,395	30.6%	179,323	158,429	13.2%
Feb	311,225	263,661	18.0%	19,789	12,159	62.7%	25,373	21,611	17.4%	356,387	297,431	19.8%	258,006	38.1%	184,349	153,850	19.8%
Mar																	
Apr																	
May																	
June																	
July																	
Aug																	
Sept																	
Oct																	
Nov																	
Dec*																	
YTD Total	617,286	537,358	14.9%	40,290	23,581	70.9%	45,360	42,226	7.4%	702,936	603,164	16.5%	523,401	34.3%	363,672	312,279	16.5%

TOTAL CITY SALES & USE TAX

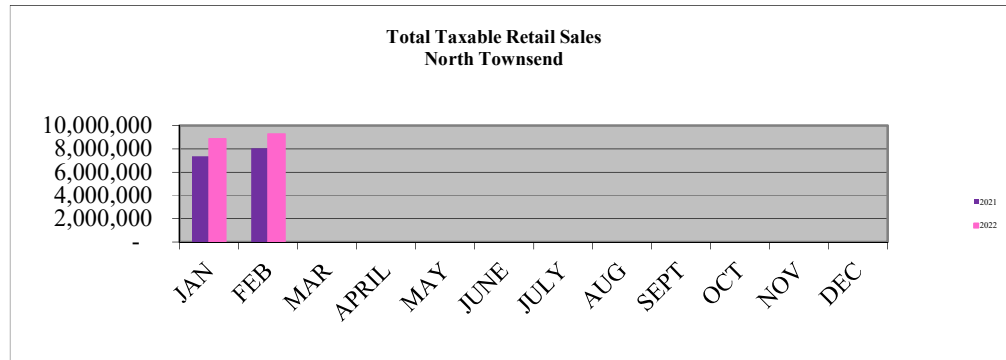


Retail Enhancement Program

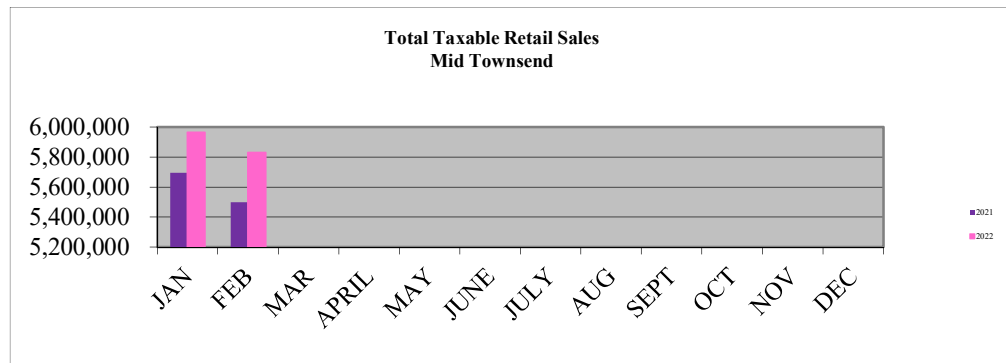




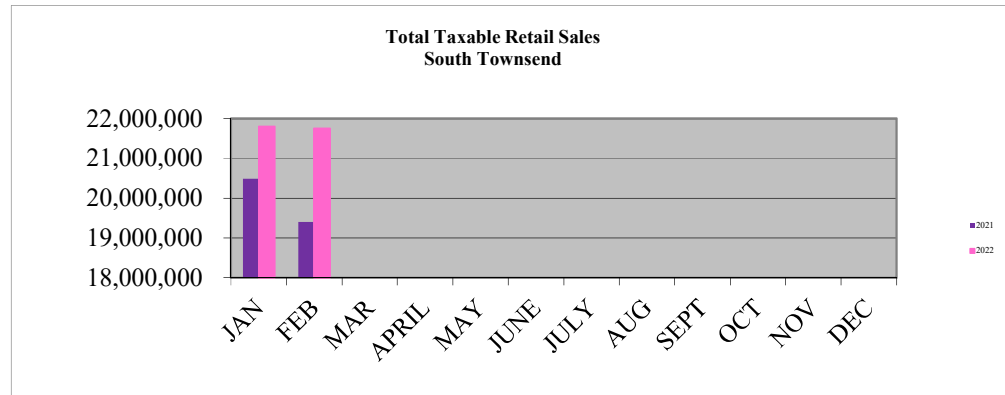
AREA 1: DOWNTOWN BOUNDARY



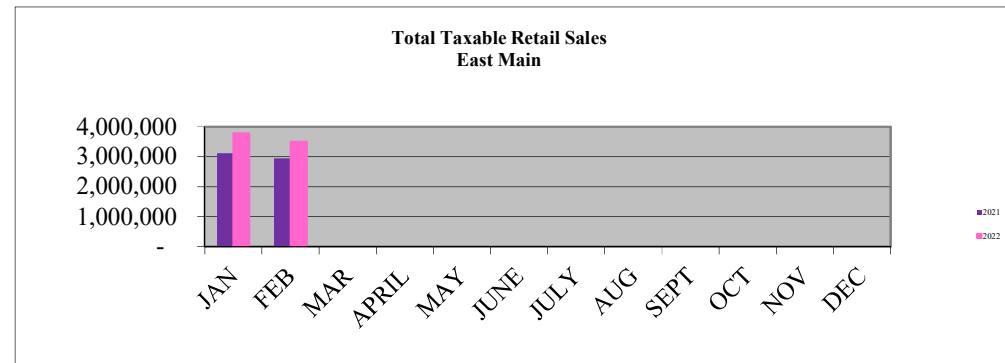
AREA 2: *NORTH CITY LIMIT TO NORTH 2ND STREET



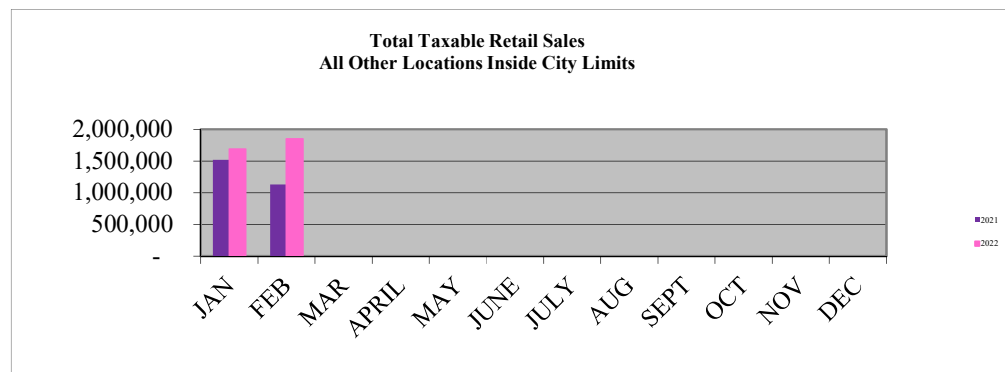
AREA 3: MID TOWNSEND SOUTH 2ND STREET TO E OAK GROVE RD



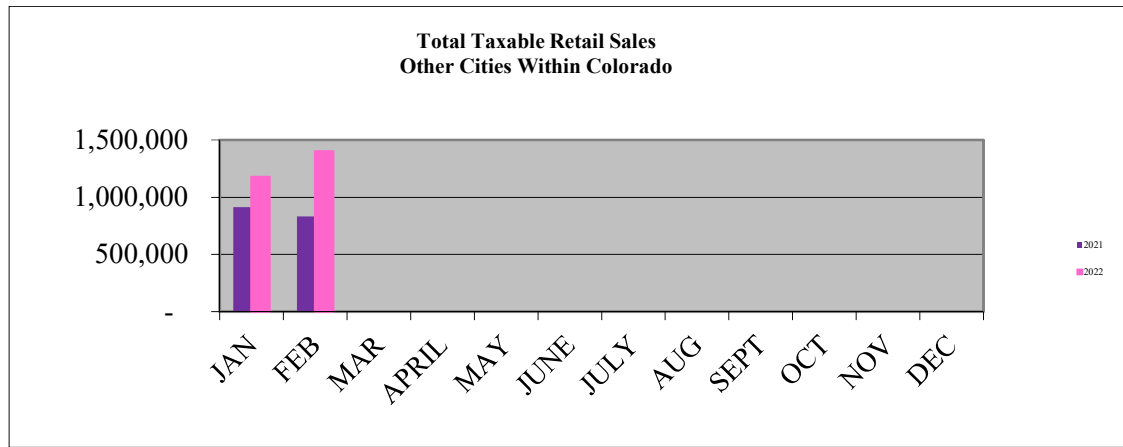
AREA 4: SOUTH TOWNSEND E OAK GROVE RD TO SOUTH CITY LIMIT



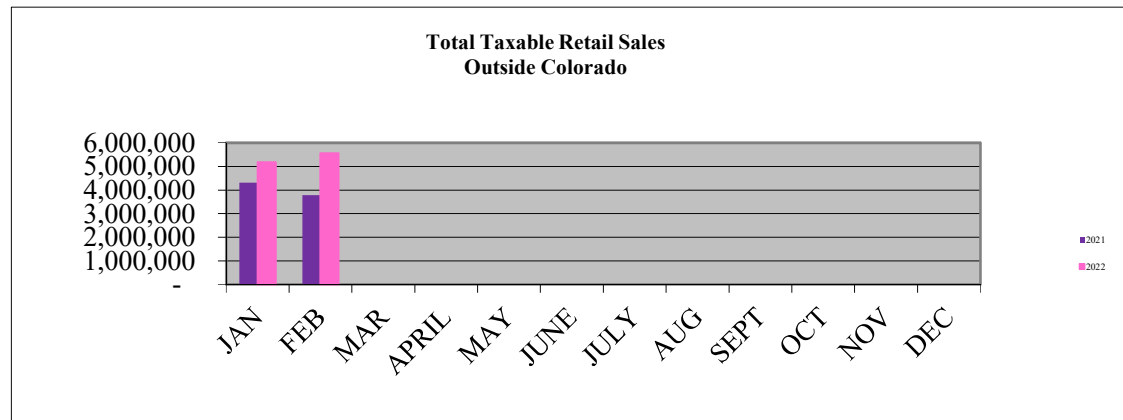
AREA 5: EAST MAIN SAN JUAN AVENUE TO EAST CITY LIMIT



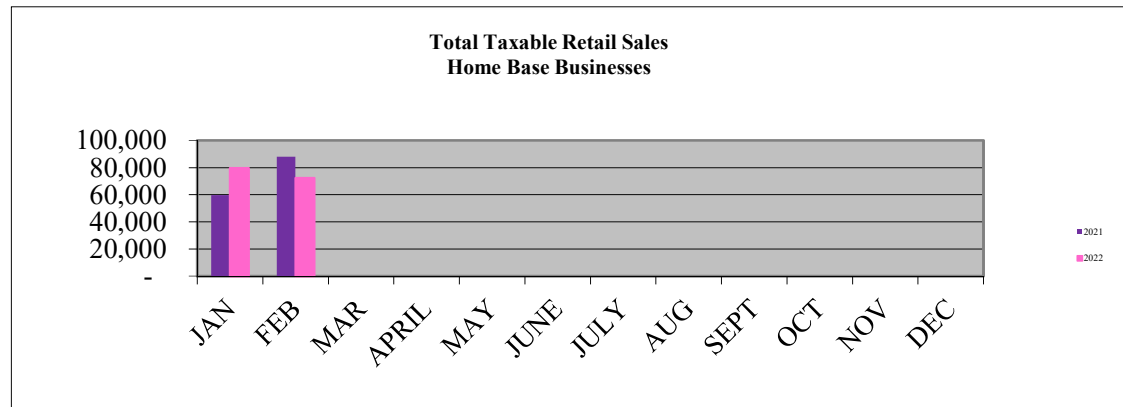
AREA 6: ALL OTHER LOCATIONS INSIDE CITY LIMITS OF MONTROSE



AREA 7: OTHER CITIES WITHIN COLORADO



AREA 8: OUTSIDE COLORADO



AREA 9: HOME BASE BUSINESSES