



Council may take formal action on any item appearing on this Agenda. However, formal action WILL NOT be taken at this meeting on any item of business first identified during the course of the meeting as a change to the Agenda, other business, or Citizen, Councilmember and Staff Comments.

A G E N D A

**Delta City Council
Regular Meeting**

**January 19, 2016
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Planning Commission Appointment**
- F. Delta County Economic Development Funding Request**
- G. Equipment/Vehicle Purchases**
- H. Renewal of Lease with Ms. Hawkins and Myers for Use of City water on the Grand Mesa**
- I. Center for Mental Health Community Development Block Grant**
- J. Ordinance #1, 2016; First and Final Reading**
- K. Ordinance #2, 2016; First Reading
Liquor License Approvals**
- L. City Attorney Comments**
- M. City Manager Comments**
- N. Councilmember Comments**

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Mary Cooper, and Ray Penick along with City Manager Glen Black and City Attorney David McConahaughy. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Penick to approve the minutes of December 15, 2015 as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Public Hearing – Special Events Permit Application; Delta Elks Lodge No. 1235

The Clerk stated that the Delta Elks Lodge No. 1235 has submitted an application for a Special Events Liquor License Permit Application for February 13, 2016. All fees have been paid and the application has been submitted.

A motion was made by Councilmember Raley, seconded by Councilmember Penick to approve the Special Events Liquor License Permit for Delta Elks Lodge No. 1235 to sell malt, vinous and spirituous liquor on February 13, 2016. All voted yes. Motion passed.

2016 Designated Posting Place

A motion was made by Councilmember Penick, seconded by Councilmember Jurca to designate the South window of City Hall as the official posting place for 2016. All voted yes. Motion passed.

City Manager Contract Approval

City Attorney David McConaughy stated that he requested this contract be put on the agenda this evening for approval.

A motion was made by Councilmember Penick, seconded by Councilmember Raley to ratify the final employment contract with the new City Manager, David Torgler as presented. All voted yes. Motion passed.

Regular Meeting, Delta City Council, January 5, 2016 (cont.)

Discussion Regarding Administrative Approval of Liquor License Renewals, Transfer of Ownership and Special Events Permits

City Manager Glen Black stated that it was requested that staff bring this before Council for discussion.

City Clerk Jolene Nelson explained there has been discussion regarding liquor license renewals and allowing the City Clerk to administratively approve the renewal when no violations exist. Articles 46, 47 and 48 of Title 12 of the Colorado Revised Statutes, grant local licensing authorities the ability to approve liquor renewals and transfer of ownership without a hearing.

There also has been discussion regarding special event permits and allowing local approval only as well as allowing the City Clerk to approve the application administratively. Pursuant to Articles 46, 47 and 48 of Title 12 of the Colorado Revised Statutes grants local licensing authorities the option to assume exclusive local control over and responsibility for the issuance of special event permits within their respective jurisdictions.

Allowing for administrative approval will streamline and make more efficient the procedures by which the City reviews and approves applications for liquor license renewals and transfer of ownership as well as applications for special events permits. The savings for the applicant on special events permits will be \$25 per day on the requested permit. There is no cost savings for the applicant on renewals or transfer of ownership.

If Council should consider allowing administrative approval, the following are a few guidelines allowing administrative approval:

For liquor license renewals and transfer of ownership:

- Timely submission of a complete application and the payment of all fees by the applicant.
- Referral of the application by the City Clerk to the police department for review and comment.
- For license transfers, whether the applicant satisfies the eligibility criteria set forth in CRS 12-47-307.
- The Clerk shall not approve an application where the police department has submitted a timely written objection to the Clerk concerning such action.

For special event permits:

- Timely submission of a complete application and the payment of all fees by the applicant.
- Referral of the application by the City Clerk to the police department for review and comment.
- Timely and proper posting of a conspicuous public notice of the proposed license and protest procedures at the location sought to be licensed.
- Application and applicant satisfies the eligibility criteria set forth in CRS 12-48-102 and 12-48-103
- There does not exist facts or information on the application, or as provided in referral comments or a protest against the license filed by the affected persons, illustrating sound or good cause to deny the application.

Regular Meeting, Delta City Council, January 5, 2016 (cont.)

Discussion Regarding Administrative Approval of Liquor License Renewals, Transfer of Ownership and Special Events Permits (cont.)

- The Clerk shall not approve an application where the police department has submitted a timely written objection to the Clerk concerning such action.

In the event the City Clerk cannot or will not approve the transfer or renewal of a license, or the issuance of a special event permit, then the Clerk shall automatically bring the application before the City Council acting as the local liquor licensing authority at the next regularly scheduled City Council meeting.

City Attorney David McConaughy stated that another option would be to appoint a Liquor Board that would approve liquor applications.

There was consensus to have staff draft an ordinance for the next meeting allowing administrative approval.

Discussion Regarding Consent Agendas

Attorney McConaughy stated that on most consent agendas are liquor renewals, minutes and renewal of contracts.

Councilmember Penick stated that with the discussion previously, the meetings will not be long enough to justify a consent agenda. He suggested looking at consent agendas in the future when the meetings are longer.

City Attorney Comments

Attorney McConaughy commented on a bankruptcy notice he received regarding electrical utilities. He also stated that he will be presenting an update on the Stantec litigation at the first meeting in February during executive session.

City Manager Comments

Manager Black stated that the City has received notice of a potential lawsuit involving the Delta Police Department. He also stated that the Center for Mental Health is requesting that the City assist in a Colorado Development Block Grant through the Department of Local Affairs. He will bring more information to Council as it becomes available.

Councilmember Comments

Councilmember Cooper commented on the DMEA broadband announcement.

Mayor Sisson commented on the homeless shelter.

The meeting was adjourned at 7:20 p.m.

Jolene E. Nelson, City Clerk

Item D:

Citizen Comments



MEMO

To: City Council
From: Glen L. Black *GLB*
Date: January 19, 2016
Subject: Planning Commission Applications



Community Development

Recommendation: Council Appoint one of the applicants to the Planning Commission.

Background: Planning Commission has had a vacancy for a number of months. Staff has received two applications for the position. Council reviewed the applications in a work session prior to the regular meeting.

Cost: No cost to the City.

Alignment With Strategic Planning: The City Charter under Article IV.I.49 Planning Commission states: "There shall be a City Planning Commission consisting of seven members appointed by the Council who shall be qualified electors of the City".

Actions To Be Taken if Approved: Staff will notify the applicants of Council decision.

MEMO

To: City Council
From: Glen L. Black *GLB*
Date: January 19, 2016
Subject: DCED Donation Request



Community Development

Recommendation: Council consider DCED request for a sponsorship donation for the 2016 Western Slope Soil Health Conference.

Background: Delta County Economic Development (DCED) is again organizing the Soil Health Conference and is requesting a donation. Attached are a flyer and sponsorship information.

Cost: Should Council choose to make a donation, cost will be amount specified. Council has budgeted an additional \$25,000 this year for DCED projects or programs.

Alignment With Strategic Planning: The Comprehensive Plan discusses under Chapter 5 Economic Development, Policy and Action Items:

- f. Encourage new agri-business
- g. Encourage agri-tourism (tours of orchards, farms)

Actions To Be Taken if Approved: Staff will make donation as directed by Council.

MEMO

To: City Council
From: Rod Myers, Fleet/Facilities Manager
Date: 01/19/2016
Subject: Equipment / Vehicle purchases



Fleet / Facility Manager

Recommendation:

Staff is recommending approval from Council to purchase the equipment listed below.

1. Refuse Truck
2. Portable message boards
3. Boom mounted flail mower
4. Tri-plex mowers

Background:

During the 2016 budget process, staff budgeted to replace several pieces of equipment that are scheduled for replacement and to add equipment to the Parks and Public Works departments. Budgeted for replacement were a refuse truck and two tri-plex mowers. Budgeted for addition were two portable message boards to the Public Works department and a boom mounted flail mower to the Parks department.

Staff solicited bids from local and regional companies and the results are compiled on the attached spreadsheet. Staff has also created a sheet explaining the areas that were out of specification which created an unqualified bid.

Cost:

\$245,000.00 was budgeted for the refuse truck. The low qualified bidder was Rush truck center (Peterbilt) low bid for the chassis at \$134,450.00 and Faris Machinery (DaDee) for the refuse body at \$109,992.00 for a total bid of \$244,764.74. The bid did allow for a trade in on the old truck for \$55,000.00. This brings the total cost of the new truck to \$189,442.00.

\$58,000.00 was budgeted for two tri-plex mowers at the Golf Course. Potesio Brothers (John Deere) was the only qualified bid for a total of \$50,917.84.

\$32,000.00 was budgeted for a portable message board. Safety & Construction (Wanco) was the only bid received out of three sent for a total of \$18,036.58. Since bid was much lower than budgeted it was decided to purchase two with savings in the fund. The Public Works Department has started to use message boards in multiple locations. Total for two sign boards is \$36,073.16.

\$32,000.00 was budgeted for a boom mounted flail mower. Western Implement (Tiger) was the only bid received out of three sent that provided a qualified bid for a total of \$15,620.00.

Cost recap	<u>Low Bid</u>	<u>Budget</u>
Refuse truck	\$ 189,442.00	\$245,000.00
Tri-plex mowers	\$ 50,917.84	\$58,000.00
Message Boards	\$ 36,073.16	\$32,000.00
Flail mower	\$ 15,620.00	\$32,000.00
Total	<u>\$ 292,375.74</u>	<u>\$367,000.00</u>

Alignment with Strategic Planning:

By replacing the fleet with newer models, it will lower maintenance/repair cost along with providing dependable equipments and vehicles for City staff to use.

Actions to be taken if approved :

Staff will circulate purchase orders to purchase one new refuse truck, two tri-plex mowers, one boom mounted flail mower and two portable message boards.

Tri-plex reel mower											
	LL Johnson	Toro	GR 3150	Yes		N/A	2	\$ 27,976.00	N/A	\$ 55,952.00	
	LL Johnson (Demos)	Toro	gr3150	Yes		N/A	2	\$ 26,875.00	N/A	\$ 53,750.00	
	C&M Golf & Grounds Equipment	Jacobsen	62706	no		N/A	2	\$ 28,889.00	N/A	\$ 57,778.00	
	C&M Golf & Grounds Equipment	Jacobsen	62306 Greens king	No		N/A	2	\$ 24,999.00	N/A	\$ 49,998.00	
	Potestio Brothers	John Deere	2500B	Yes		N/A	2	\$ 25,458.92	N/A	\$ 50,917.84	\$ 58,000.00

Non-qualified bid reasons:

Refuse Body

Elliot equipment (New Way)

Item # 8: The body specifications stated that the loading apparatus is able to lift a minimum of 1500 lbs. Elliot equipment (New Way) side loader maximum lift capacity was 1000 lbs.

Item # 17: The body specifications stated that a heavy duty removable positive one piece seal of vinyl tube gasket or equivalent to be installed the full length of the bottom and at least 14" up each side. Bolt on or bend over tab seal retainer in unacceptable. Elliot equipment (New Way) tailgate seal is a bolt on design.

Kois Brothers (Heil)

Item # 6: The body specifications stated the hopper cover was to be operated hydraulically or electrically with lift interlock and an indicator light in the cab or equivalent. Kois Brothers bid a manually operated hopper cover.

Boom mounted flail mower

The mower bid by US Tractor & Harvest did not meet the following specifications:

Item # 3	Horizontal reach 13 ft	12' -2"
Item # 5	Down Bank reach 8'-0"	7'-7"
Item # 7	Max cutting height 14'-0"	12'-9"
Item # 8	Head rotation 240 degrees	190 degrees
Item # 10	Hydraulic reservoir capacity 30 gallons	19.5 gallons

Triplex mowers

The following makes and models of mowers did not meet the following specifications:

Make	Model	Out of spec item	Manufacture bid spec
Jacobsen	Greens king IV plus 62306	# 8 engine must be liquid cooled # 12 Work Lights	Air-cooled, unclear whether lights were included in price.
Jacobsen	GP400 62706	# 8 engine must be liquid cooled, Engine hp must be 18-22 hp # 12 Work lights	Air-cooled, engine hp 17.7 hp, unclear whether lights were included in price.
Toro	GR3150 new & demo	# 8 engine must be liquid cooled	Air -cooled

MEMO

To: City Council
From: Steve Glammeyer, Utilities/Public Works Director
Date: January 19, 2016
Subject: Renewal of lease with Ms. Hawkins and Myers for use of City water on the Grand Mesa



Utilities/Public Works Department

Recommendation:

It is recommended that the Council approve the attached 2016 lease agreement with Ms. Hawkins and Myers for the use of City water on Grand Mesa.

Background:

The attached lease is for City owned water on Grand Mesa. We have historically had a lease agreement with Ms. Hawkins and Myers to use water under the City's decrees for the Maude S. Ditch and other City-owned flow decrees from the Doughspoon Creek for purposes of stock water. In 2012 we set the price of the water at \$800 and staff feels that price would be appropriate again this year. The current lease expired in December of 2015 and the lessees would like to continue this lease for 2016 under the same terms and conditions. Staff would recommend to Council that the City continue this agreement for 2016. A copy of this year's agreement is attached for your use.

Cost:

There is no cost to the City.

Alignment With Strategic Planning:

While we cannot find a clear statement covering City owned raw water and our strategic plan for it, we feel we should capture some revenue from the ownership of this resource and this lease allows us to do that.

Actions To Be Taken if Approved:

The City Manager and Ms. Hawkins and Myers will need to sign the agreement for it to be in effect.

WATER LEASE AGREEMENT

This lease is entered into between the City of Delta, Colorado (City), and Lydia Hawkins and Varra Sue Myers (Lessee) as follows:

1. The City hereby leases to Lessee water available under the City's decree for the Maud S. Ditch and other City-owned flow decrees from Doughspoon Creek (hereinafter "Water Right") for the calendar year 2016 for the amount of \$ 800.00 paid herewith to the City.
2. The City has previously installed a sufficient tap, with an appropriate valve, on the pipeline in the vicinity of its crossing of Doughspoon Creek, from which Lessee may draw water for the purpose of filling a single stock water tank. By granting this right, the City shall be under no obligation to maintain any flow of water in the pipeline, or to maintain the pipeline in existence, and Lessee may utilize such water only at such times as approved by the City when water is available and such use will not interfere with the City's use of the water.
3. Lessee shall use such water lawfully in accordance with the limitations and requirements of the decree and cooperate with the Division Engineer and Water Commissioner in the administration of the diversions.
4. The water shall be used in the vicinity of the Doughspoon Ranch.
5. The City reserves the right to divert the Maud S. and other leased decrees at their alternative points of diversion for use of the City through its pipeline or elsewhere when, in the opinion of the City, it becomes desirable to do so.
6. The City may sell reservoir water to Lessee or others at a market price to be quoted by the City at such time it may determine it has available surplus reservoir water not needed by the City for other uses in 2016.
7. Lessee agrees to hold harmless, defend and indemnify the City on any claim made or adjudged against the City or damages incurred arising out of Lessee's use of the water hereunder.

8. Nothing herein shall convey any title or consumptive use right in the Water Rights to Lessee, but merely leases the right to use water available under said decree in calendar year 2016.
9. Lessee shall not initiate or prosecute any water rights application for water from sources from which the City has water rights decrees without the City's written consent.
10. The City is exempt from taxes. In the event any ad valorem or other taxes may be assessed on account of this lease, Lessee shall pay such taxes.
11. The City does not represent or warrant the legal or physical availability or suitability of the Water Rights for the uses desired by Lessee. Lessee shall maintain records of its use of the Water Rights, copies of which shall be provided to the City upon request. The City expressly reserves the right to all historical use and credit associated with Lessee's use of the Water Rights, none of which may be claimed by Lessee. Lessee shall cooperate with City, State, and/or ditch company personnel and all applicable laws, rules and regulations in the administration and use of these Water Rights.
12. This lease is dated effective January 20, 2016 regardless of the date of execution.

CITY OF DELTA

LESSEE

By _____
City Manager

By _____
Lydia Hawkins

By _____
Varra Sue Myers

MEMO

To: City Council
From: Glen L. Black *GLB*
Date: January 19, 2016
Subject: Center for Mental Health Request



Community Development

Recommendation: Council review the request to be a pass through agent for the Center for Mental Health CDBG Grant and also consider donating the building permit fees.

Background: The Center for Mental Health has met with staff to discuss the possibility of the City being the pass through agent for a Community Development Block Grant Application they are working on. The City was the pass through agent on a prior grant in 2008, which renovated part of the building. The current application would allow renovation of the remainder of the building. They are also requesting Council consideration of donating the building permit and plan review fees of approximately \$5,000.

Cost: The City will incur staff time in managing and monitoring the Grant. There is potential that the grant amount would trigger an audit of the project in which the City would have actual auditor costs of approximately \$4,000. The current proposal appears to be below that threshold. Council would also need to approve a supplemental appropriation since this pass through was not budgeted.

Alignment With Strategic Planning: Not specifically addressed in strategic planning documents.

Actions To Be Taken if Approved: Staff will notify the Center for Mental Health and move forward with the Grant Application preparation for the Mayor to sign.



**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
 2016 APPLICATION**
For Public Facilities & Community Development Projects
 Applications Must Be Submitted Electronically - See last page for instructions

-You are Highly Encouraged to Work with your Regional Field Manager when Completing your Application-

A. GENERAL AND SUMMARY INFORMATION

1. Name/Title of Proposed Project:	Remodel Allowing For Expansion Of The Midwestern Colorado Mental Health Center Delta Outpatient Clinic
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2. Applicant: City of Delta

(In the case of a multi-jurisdictional application, name of the "lead" municipality, county, special district or other political subdivision).

In the case of a multi-jurisdictional application, provide the names of other directly participating political subdivisions:

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If applying on behalf of a district or non-profit agency, what is the name and address of the entity?

Midwestern Colorado Mental Health Center
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3. Chief Elected Official (In the case of a multi-jurisdictional application, chief elected official of the "lead" political subdivision):

Name:	<u>Ed Sisson</u>	Title:	<u>Mayor</u>
Mailing Address:	<u>360 Main Street</u>	Phone:	<u>(970) 874-7902</u>
City/Zip:	<u>Delta 81416</u>	Phone:	<u>(970) 874-7566</u>
E-Mail Address:	<u>jolene@cityofdelta.net</u>		

4. Designated Contact Person (will receive all mailings) for the Application:

Name:	<u>Janey Sorensen</u>	Title:	<u>Marketing Director/Grant Writer</u>
Mailing Address:	<u>PO Box 1208</u>	Phone:	<u>(970) 252-3225</u>
City/Zip:	<u>Montrose 81402</u>	Phone:	<u>(970) 252-3200</u>
E-Mail Address:	<u>jsorensen@centermh.org</u>		

5. Amount of CDBG Funds requested:

\$ 600,000

6. Project Information: Location: 107 West 11th Street, Delta, Colorado 81416

Site control status:
Who owns the property? <u>Midwestern Colorado Mental Health Center</u>
Is it leased? <u>No.</u>
Name of Lessee: <u>Not applicable</u>
Terms of Lease: <u>Not applicable</u>

Is the project a priority based on the health, safety or welfare of the community? Please explain.

Project priority is based on the health of the community. The City of Delta, on behalf of Midwestern Colorado Mental Health Center, doing business as the Center for Mental Health, is submitting this application to renovate an unused portion of an existing building currently owned by the Organization. Midwestern purchased the building in June of 2007 and has occupied approximately one-half of the building since that time. The occupied half of the building was renovated at the time of purchase. The unused portion of the building has been vacant since 2012 and the condition of that half of the building is very poor.

With the implementation of the Accountable Care Act (ACA), individuals in the region insured under Medicaid have increased 125 percent since 2012. With the numbers of newly insured through public insurance and the number of individuals suddenly without insurance through the idling of the two mines near Paonia, Colorado, the demand for behavioral health services in the Delta office has increased 37.39 percent in the last three years. This demand has exceeded the physical capacity of the present usable space. This project will provide increased therapy space, two group rooms, and increased space for peer services. The project will help satisfy current demands for behavioral healthcare for residents of the City of Delta and also those in Delta County and will ensure adequate space for the next five years at the present growth profile.

The project will also posture the site for a potential future location for integrating limited primary care services within the building by pre-wiring and pre-plumbing offices that can turn into exam rooms and providing for a reception and waiting area. The decision has not yet been made to include primary care within the behavioral health clinic, however we want to be prepared for this potential during the remodel when small measures will open future opportunities. If primary care is included in the Clinic at some point in time, the target population would be clients of Midwestern and would remain in the low to moderate income category. We feel this step is necessary because through a recent survey, we learned that more than half of our clients do not have a primary care provider and most have not seen a doctor in years and in some cases decades. This fact contributes to the statistics of early mortality for those with severe mental illnesses. Research and data has proven the life-span of individuals with mental illness to be 25 years less than the rest of the population. The shortened life-span is attributable to preventable diseases and illnesses. As stated previously, this decision is a future one. It would not alter the priority populations or the percentages of people served who are from low to moderate income categories as it would serve only clients of Midwestern.

Project Description (150 words or less):

The City of Delta, on behalf of Midwestern Colorado Mental Health Center, is submitting this application to complete a remodel of a previously vacant portion of an existing building owned by Midwestern Colorado Mental Health Center. One half of the building is currently being used by Midwestern for behavioral health services for low to moderate income individuals residing within Delta City and/or Delta County. One-half of the building is currently vacant and is un-usable in its current state. This project would include the remodel of that unused portion adding 6,176 square feet of usable space including therapy offices, group rooms, an expanded peer program, and pre-wiring and pre-plumbing for potential future integrated care.

7. Local priority if more than one application from the same local government: (1 of 2, 2 of 2, etc.)

1

8. Date of required local public hearing(s):

To be determined following notification of grant award.

B. FINANCIAL INFORMATION

1. Financial Information (Current Year):

In the column below labeled "Applicant" provide the financial information for all municipalities and counties directly participating in the application AND for any entity on whose behalf the application is being submitted (if applicable).

Complete items "a through h" for ALL project types:

	Applicant	Entity	Entity
a. Assessed Valuation (AV) Year: 201__			
b. Mill Levy			
c. Sales Tax (Rate/Estimated Annual Revenue)	% / \$	% / \$	% / \$
d. Total Multi-year Debt Obligations (all funds*)			
e. Total Applicant Budget Expenditures (Sum of General Fund and all Special Funds)			
f. General Fund Balance as of January 1 of this current calendar year.			

g. General Fund Balance (Unrestricted) as of January 1 of this current calendar year.			
h. Total Lease-Purchase and Certificates of Participation obligations*			

2. Water/Sewer Projects Only complete items "i through k":			
i. Tap Fee			
j. Average Monthly User Charge (Divide sum of annual (commercial and residential) revenues by 12 and then divide by the number of total taps served.) NOTE: Commercial and Residential Combined			
k. Number of total Taps Served by Applicant			

PROJECT BUDGET. List expenditures and sources of revenue for the project. The totals on each side of the ledger must equal.

Expenditures		Sources of Revenue		Funding Committed
List Budget Line Items including project contingency (Examples: architect, engineering, construction, equipment items, etc.)		List the sources of matching funds and indicate either cash or documentable in-kind contribution		Yes/No
Line Item Expenditures	Line Item Costs	Cash	In-Kind	
Remodel existing building	\$625,922	\$ 600,000		No
Asbestos remediation	95,000	171,327		Yes
Furniture and fixtures	70,000	75,000		No
Building permits and fees	7,500			
Architectural fees (not included in budget, fees have been paid by Midwestern)	60,000		60,000	Yes
Administration fees (not in budget)	50,000		50,000	Yes
Low Voltage, data, cabling (not in budget)	15,247		15,247	Yes
Computers, software, server, and printers (not in budget)	21,300		21,300	Yes
Project Contingency (CDBG funds cannot be used for contingency) (.06%)	47,905			
TOTAL	\$846,327	\$846,327	\$146,547	

D. PROJECT ELIGIBILITY – NATIONAL OBJECTIVES & BENEFIT TO LOW/MODERATE INCOME PERSONS

1. Complete the following table:

Project Activity (Construction, Acquisition, Studies, etc.)	National Objectives Choose One for Each Activity (see definitions below)			Persons That Activity Will Serve Directly		
	L/M Income Benefit	Slum/ Blight	Urgent Need	Total Number of Persons	Number of Low -to-Mod Income Persons	Percent Low/Mod Income Persons
	X			1405	1153	82

Low/Moderate Income Benefit - Applicant must be able to demonstrate that at least 51 percent of the beneficiaries will be low to moderate income (51% of household in the project area must have income at or below 80 % of the Median Family Income). Must use American Community Survey (ACS) data (<http://1.usa.gov/1O5TbY3> works best in Chrome and Firefox, not Internet Explorer); Target Area Income Survey or Limited Clientele as documentation of this National Objective.

Slum/Blight – Applicant must be able to demonstrate the activity aids in the prevention or elimination of slum or blighted area. A professional Slum/Blight study must be conducted and a defined area must be officially identified as a Slum/blight area by the local government body. If a proposed project activity is being undertaken to address the "prevention or elimination of slums or blight," the area in which the activity occurs must be designated as slum or blighted. Please contact the CDBG program manager with any questions.

Urgent Need – An activity identified as meeting community development needs having a particular urgency. If a proposed project activity is being undertaken to address an "urgent need", the applicant must attach a certification stating that the proposed activity is designed to meet other community development needs that have arisen during the preceding 12-month period and have a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and that other financial resources are not available to meet such needs.

2. Describe how the estimates of low and moderate-income persons were arrived at? If using census data, include information relating to census tract and block group if not area wide. **Attach supporting documentation. If you are considering conducting an income survey, please contact Barbara Musick at (303) 866-3120 for information on the HUD-required methodology.**

Although census data accessed through the Department of Local Affairs, State Demography Office for 2013 shows 15.5% of people living at or below the federal poverty level in Delta County and the median household income at \$42,078, ranking 44th among Colorado counties, the City of Delta and the entire 9648 Census Tract shows 53% falling into the low to moderate income range. Services at Midwestern target the low income and indigent. Through policy and practice, Midwestern has created a framework for providing services to the underserved and low income populations. Policy language defining priority populations is attached to this application.

At the Delta clinic, which is the subject of this application, Midwestern served 1405 unduplicated clients during the last fiscal year. Of those, 1153 were low to moderate income or 82 percent. Supporting documentation, including the data file and a synopsis of the numbers outlining low to moderate income, are included with this application.

Of the total unduplicated clients served in the Delta Clinic, 53 percent live within the City of Delta. The remaining 47 percent come from within Delta County.

Midwestern Colorado Mental Health Center contracts with Healthcare Policy and Finance (Medicaid), the State of Colorado Division of Mental Health, and Departments of Social Services to provide mental health services to people

who qualify under their guidelines. Language from the contracts with these agencies is attached to this application and further defined below. These contracts provide for care exclusively to individuals on Medicaid and the indigent.

Midwestern Colorado Mental Health Center keeps payer source information on all clients through their electronic health record. For the indigent and self-pay, income information is collected and verified to establish a fee on a sliding-fee-scale. Some of Midwestern's clients are served through a contract agreement with local Health and Human Services agencies, probation, school districts, and other human service agencies. Those served through these contracts typically meet the federal poverty guidelines. These patients are also tracked through Midwestern's electronic health record along with their payer source and incomes.

There is an exception to the above statement when people from all economic classes receive care at Midwestern:

1. Midwestern offers 24-hour no-cost crisis care to anyone needing such care. Nearly 50 percent of those in crisis are not current clients of Midwestern. To responsibly and fully serve those in crisis, we provide inpatient care when appropriate, mental health services, including psychiatric services, and wrap-around care to individuals in crisis regardless of their income.

3. If the proposed project requires users to complete an application or there is a selection process (e.g., day care center, human services, etc.), describe what procedures will be used to ensure that: a) low to moderate benefit to individuals is achieved b) beneficiaries will be selected through an open and equitable process and, c) greatest needs are addressed.

Midwestern Colorado Mental Health Center's Delta Clinic does not have an application or selection process to obtain services. At the Delta office, everyone is welcome. However, low to moderate benefit to individuals is achieved and protected through the mission and policies of Midwestern and the contracts in place to serve the low income populations. It is Midwestern's policy to target services to the Medicaid population, the indigent, and the uninsured. These policies exist to protect those who have the least resources to pay for their care. Midwestern offers same day and walk in appointments to help reduce barriers to care. Midwestern also provides transportation for clients who have no way to get to their appointments. Through policy, we have time limits around wait times for appointments and crisis response times.

E. OTHER PROJECT INFORMATION

1. Why is the project needed? What are the specific goals of the project?

Midwestern Colorado Mental Health Center is a nonprofit community mental health center serving the counties of Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel. Midwestern targets its services to the indigent, the uninsured, and those on Medicaid. By doing so, 82 percent of those served in the Delta Clinic meet the threshold of low to moderate income according to income guidelines offered by the Department of Local Affairs.

The Affordable Care Act and Medicaid expansion in Colorado has increased the number of people seeking behavioral healthcare in this region. The Delta Clinic has experienced a 37.39 percent increase in patient population over three years and the growth continues. According to the Colorado Department of Health Care Policy and Financing, there are 9029 individuals in Delta County who qualify through Medicaid and could be treated with the contract that Midwestern has with this agency. Client and staffing needs have outgrown the existing usable space in the building. To continue to serve those who need behavioral healthcare, the Delta Clinic will need more usable space.

Specific goals of the project include, providing enough usable space in the current building to meet the existing space requirements for clinical and peer services, and to meet the five-year expected growth in patient population.

The peer program is made up of trained individuals who have severe mental illnesses and are currently living in recovery. These individuals go through an extensive training and become employees of Midwestern. They offer services from the lived experience perspective and with a deep understanding of what an individual might be going through as they, too, search for their own recovery. We expect the peer program to grow continually over the next few years to help those with serious and persistent mental illness live a more fulfilling life through programs and services that trained peers can deliver. We see this program expanding into the substance use disorder services and jail-based services in the near

future.

With the increased demand for services, it is imperative that we take advantage of existing resources in an efficient and responsible fashion by renovating the unused space so that it can be a resource to help meet the demand for care.

We have also found primary care to be lacking in the majority of the lives that we serve. To include the option for primary care services to be integrated into the Clinic as part of the renovation project while it can be done affordably, is also important. The spaces we are creating will be used for providing behavioral healthcare with an option to include primary care at some point in the future without a further remodel.

2. How were cost estimates determined? Have preliminary architectural/engineering studies been completed? What additional design work must still be completed? **Please complete the "Physical Improvements Cost Estimate Worksheet" on page 10.**

Cost estimates were arrived at using Davis Bacon wages provided by the Department of Local Affairs and written costs estimates from a preliminary architectural/engineering study verified by local contractors experienced and familiar with commercial construction and the distinct needs of a medical facility.

3. All construction labor estimates should incorporate Davis-Bacon wages. Are Davis-Bacon wage rates included in your cost estimates? If not, please explain.

Yes.

4. Why do you believe the project can be completed within your proposed budget?

Through past experience with the architect and a local commercial contractor that has provided the physical improvements costs estimates, we believe that our remodel numbers are good. Midwestern is in the middle of another remodel project with similar requirements and the estimates for the project, derived in the same fashion, have proven to be close but slightly generous. The low bid for that project was below the estimated cost for the project by less than five percent. In addition to the provided estimate for this project, we have added a contingency of .06 percent.

5. All project budgets should include a contingency line-item. What is the amount (percentage wise) of your contingency and how did you arrive at that amount? (e.g. industry standard, add-alternates etc.)

.06 percent – industry standard.

6. Describe any in-kind contributions by type and value in support of this project.

In-kind contributions include architectural fees of \$60,000 and are an in-kind from Midwestern Colorado Mental Health Center and have been paid. These costs have not been figured into the budget.

Administrative costs estimated at \$50,000 will be an in-kind from Midwestern throughout the project. These costs are not figured in the budget.

In-kind contributions also include low voltage, data, and electrical signage costs of \$15,247, which will be completed by the IT Department at Midwestern along with \$21,300 for new computers, software, and servers. These dollars totaling \$36,547 are also not included in the budget and are an in-kind from Midwestern.

a. Was the cash value of the in-kind contributions calculated into the Project Budget?

Yes

X

No

7. Why can't the project be funded locally? What is the consequence if the project receives no funding?

The City of Delta and Delta County are experiencing difficult financial times with the idling of two of the mines in the Northfork area outside of Paonia. For every miner who lost work, it is estimated that as many as seven other jobs throughout the County were affected and dependent on each mining job. The City of Delta and Delta County are experiencing a significant decrease in sales tax. Delta county is experiencing a declining population. This financial stress is one of the reasons that the need for behavioral healthcare is significant.

Midwestern is bringing \$146,547 in cash to the construction and \$60,000 for architectural and design fees, which have

been paid, along with an estimated \$50,000 for administrative fees. Midwestern is also bringing the cost of cabling and low voltage needs and the cost of additional computers, software, and servers totaling \$35,547 to the project with a total in-kind of \$171,327. The total of \$317,874 is nearly 38 percent of the project. Midwestern is writing grants to Caring for Colorado for \$75,000 and exploring opportunities with El Pomar as an additional funder. City of Delta and fees.

a. What other funding alternatives have been explored?

As this building is currently owned by Midwestern Colorado Mental Health Center and with one-half of the building vacant, we believe that renovating the empty space into pleasing and useful square footage is the least cost and most conscientious alternative to the demand for space. Midwestern will submit a grant application for \$75,000 to Caring for Colorado. It is the policy of Caring for Colorado not to be the first funder to the project, so that application will be submitted once the Community Development Block Grant is funded. Midwestern is also scheduling a meeting with the Regional Director for El Pomar to seek permission to write a grant to them for \$75,000. This amount is not included in the budget for this project as that permission has not yet been granted.

b. Did the applicant jurisdiction take the full property tax revenue increase in the current budget year?	N/A	Yes		No
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8. Describe local commitment to the project, including local fees or regulations, local taxing efforts to address continuing development and maintenance needs, and local citizen support.

The City of Delta, the applicant, is knowledgeable of the project and the project details. They City is supportive of the goals that the project will accomplish. Mental illness and substance use disorders are illnesses that affect a large portion of the population. It is proven that one in five will experience a mental illness or substance use disorder in any given year. Individuals with a mental illness struggle with their lives and have difficulty working and contributing to their families and to their communities. Mental illness impacts the judicial system, law enforcement, hospitals, social services, schools, individuals, and families. People with a serious mental illness die 25 years younger than the rest of the population. Adequate mental healthcare is absolutely necessary for a healthy community.

The City of Delta is _____ Will they waive any fees??????

The City of Delta is in full support of this application.

9. If the project is funded, will there be on-going operational costs for the project?

If the project is funded, we expect a decrease in utility costs over time as the project includes measures to improve efficiency including LED lighting, a new and efficient HVAC system, and new insulation. We believe these steps will help to decrease energy costs. Costs for maintaining the exterior of the building will not change because, as the owner, Midwestern has always maintained the exterior and the roof of the building.

a. How will these costs be handled?

As stated previously, we believe that there will be a net improvement in operational and maintenance costs. Maintenance costs are built into the annual budget of the organization.

10. Readiness to Go

a. Assuming this project is funded and a contract with DOLA is executed, how soon will the project **begin**?

Select One: (X) Within 3 months, () 3-6 months, () 6-9 months or () 9-12 months.

b. What is the time frame for completion?

Select One () Within 3 months, () 3-6 months, (X) 6-9 months, () 9-12 months or () >12 months.

11. If the proposed project is a day care, senior center or similar development project which requires operating revenues, **attach a detailed budget showing operating revenues and expenses.**

This project is a behavioral health facility. It does require operating revenues. A detailed budget showing revenues and expenses for the past fiscal year is attached.

12. Is this project included in any capital improvements, service, facility, or other plan, and identified as a community need?

This project has been identified as a community need by Midwestern because the demand for services has reached the capacity of the current facility and staff. Client numbers continue to grow.

City of Delta???

a. Does the applicant/sub applicant have a capital improvements program?

Midwestern Colorado Mental Health Center has a capital improvements program of which this project is a part. The capital improvement program, including this project, has been voted on and approved by the Board of Directors for Midwestern, with the decision part of the permanent record for the Organization. Two buildings were identified by the Board as critical for needing space – the Montrose Clinic building and the Delta Clinic building. The Montrose building is being remodeled and expanded at the present time with this project to follow.

13. Will land, an easement and/or a structure(s) be acquired/donated for this project? If yes, Uniform Relocation Act (URA) regulations apply, please notify your regional field manager. No.

a.	If the project involves the acquisition of a structure, what is its age and address?
b.	Has the Fair Market Value of the property been established? (If yes, describe how it was established.)
c.	Has the seller/owner been notified of the Fair Market Value?
d.	If negotiations fail, do you intend to acquire by the use of eminent domain?

14. The following questions are being asked to help us determine if there will be any displacement of persons, businesses, farms or non-profits as a result of this project. Displacement can be either temporary or permanent. Please answer the questions to the best of your ability. If you have any questions, please contact your Regional Field Manager for assistance

a.	Does the property in question currently have any persons or businesses leasing or occupying it in any way, either month to month or more permanently? If yes, answer the following:		Yes	X	No
b.	Is it occupied by a business, non-profit, family or individual?				
c.	How long has it been occupied?				
d.	Is the resident or business aware that you are considering acquiring and/or rehabbing the structure that they are occupying?				
e.	Will they be asked to move out either temporarily or permanently as a result of the rehabilitation? (Note: temporary relocations that exceed 12 months are considered permanent moves under URA).				
f.	Describe any steps you have taken to minimize displacement of this individual or business?				
g.	What assistance or benefits are you planning on providing to the people that have been displaced?				

ENVIRONMENTAL REVIEW

In accordance with 24 CFR Part 58.22 (see below), all federally funded projects must accomplish an environmental review prior to beginning any work on a project. These HUD regulations are in place for two purposes:

1. To ensure federal funds are used to place people of low and moderate income in environmentally safe conditions; and
2. To ensure federal funds are NOT used to negatively impact environmental conditions that exist near a project site.

Read through this section thoroughly and direct any questions to the appropriate contact person listed at the bottom of the following page. In addition, the "Environmental Review Worksheet" on the following page **must be completed and included with the final application**.

24 CFR Part 58.22 Limitations on activities pending clearance.

(a) Neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in Sec. 58.1 (b) on an activity or project until HUD or the state has approved the recipient's RROF and the related certification from the responsible entity. In addition, until the RROF and the related certification have been approved, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in Sec. 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.

(b) N/A for DOLA projects

(c) If a recipient is considering an application from a prospective sub-recipient or beneficiary and is aware that the prospective sub-recipient or beneficiary is about to take an action within the jurisdiction of the recipient that is prohibited by paragraph (a) of this section, then the recipient will take appropriate action to ensure that the objectives and procedures of NEPA are achieved.

(d) An option agreement on a proposed site or property is allowable prior to the completion of the environmental review if the option agreement is subject to a determination by the recipient on the desirability of the property for the project as a result of the completion of the environmental review in accordance with this part and the cost of the option is a nominal portion of the purchase price. There is no constraint on the purchase of an option by third parties that have not been selected for HUD funding, have no responsibility for the environmental review and have no say in the approval or disapproval of the project.

(e) Self-Help Homeownership Opportunity Program (SHOP). In accordance with section 11(d) (2) (A) of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note), an organization, consortium, or affiliate receiving assistance under the SHOP program may advance non-grant funds to acquire land prior to completion of an environmental review and approval of a Request for Release of Funds (RROF) and certification, notwithstanding paragraph (a) of this section. Any advances to acquire land prior to approval of the RROF and certification are made at the risk of the organization, consortium, or affiliate and reimbursement for such advances may depend on the result of the environmental review. This authorization is limited to the SHOP program only and all other forms of HUD assistance are subject to the limitations in paragraph (a) of this section.

(f) Relocation. Funds may be committed for relocation assistance before the approval of the RROF and related certification for the project provided that the relocation assistance is required by 24 CFR part 42.

Environmental Review Worksheet

**Check ALL of the activities listed below that will be included as part of the project,
REGARDLESS OF THE FUNDING SOURCE:**

EXEMPT Exhibit IV-A (identified in the award letter)	<input checked="" type="checkbox"/> Information and financial services <input checked="" type="checkbox"/> Administrative and management activities <input checked="" type="checkbox"/> Environmental and other studies, resource identification, and the development of plans and strategies <input checked="" type="checkbox"/> Most engineering and design costs associated with eligible projects <input checked="" type="checkbox"/> Inspections and testing of properties for hazards or defects <input checked="" type="checkbox"/> Project planning <input checked="" type="checkbox"/> Purchase of insurance <input type="checkbox"/> Purchase of tools <input type="checkbox"/> Technical assistance and training <input type="checkbox"/> Interim assistance to arrest the effects of an imminent threat or physical deterioration in which the assistance does not alter environmental conditions. <input checked="" type="checkbox"/> Public services that will not have a physical impact or result in any physical changes (e.g., employment, child care, health, education, counseling, welfare) <input type="checkbox"/> Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration <i>(Must also complete the Regulatory Checklist at the end of Exhibit IV-A)</i>
CENST Exhibit IV-B	<input checked="" type="checkbox"/> Operating costs (e.g., maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment, other incidental costs) <input type="checkbox"/> Relocation costs
CEST Exhibit IV-C	<input checked="" type="checkbox"/> Acquisition, repair, improvement, reconstruction, or rehabilitation when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent <input checked="" type="checkbox"/> Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons <input type="checkbox"/> Acquisition (including leasing) or disposition of, or equity loans on, an existing structure <input type="checkbox"/> Acquisition (including leasing) of vacant land provided the structure or land acquired, financed, or disposed of will be retained for the same use
EA Exhibit IV-D	<input type="checkbox"/> Acquisition, repair, improvement, reconstruction, or rehabilitation when the facilities and improvements are in place, but will change in size or capacity of more than 20 percent <input type="checkbox"/> Acquisition, repair, improvement, reconstruction, or rehabilitation when the facilities and improvements are in place, but will involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another <input type="checkbox"/> Demolition <input type="checkbox"/> New construction

This checklist must be included with the CDBG application.

Please direct questions to the appropriate contact person below:	
DOLA/DLG GRANTEES	OEDIT GRANTEES
Tamra Norton, Environmental Compliance Officer Department of Local Affairs 1313 Sherman Street, Room 521, Denver, CO 80203 303-866-6398 tamra.norton@state.co.us	Bob Todd, CDBG Manager Business Programs Office of Economic Development & International Trade 1625 Broadway 2700, Denver, CO 80202 303-892-3840 robert.todd@state.co.us

DOLA USE ONLY:

Required level of environmental review: Exempt CENST CEST EA
 Reviewed by: _____
 Date of Review: _____

To the best of my knowledge and belief, statements and data in this application, including the attached tables and other documentation, are true and correct and the submission of same has been duly authorized by the governing body of the applicant/lead jurisdiction and other participating jurisdictions, if any.

Signature, Chief Elected Official	Signature, Chief Elected Official*	Signature, Chief Elected Official*
Name (typed or printed)	Name (typed or printed)	Name (typed or printed)
Title	Title	Title
Date	Date	Date

* Additional signatures are required only in the case of "multi-jurisdictional" applications. If this is a multi-jurisdictional application, the Chief Elected Official of each municipality and county participating in the application must sign.

Delta CMH Remodel

Division	Scope	No. of Units	Unit Price	Total Cost	Notes
1	General Conditions	1	\$ 69,568.00	\$ 69,568.00	Project Management, Superintendent, Temp protection, dumpsters
2	Demolition	1	\$ 35,412.00	\$ 35,412.00	demolition of old walls, doors, carpet, concrete, etc.
2	Earthwork			\$ -	
2	Asbestos Mitigation	6200 sft	\$ 15.30	\$ 95,000.00	Remove Asbestos
2	Site Utilities			\$ -	
2	Roads and Walks			\$ -	
2	Site Improvements			\$ -	
2	Landscape & Irrigation			\$ -	
3	Concrete Foundation	112 yards	\$ 64.29	\$ 7,200.00	Poor back Concrete after demo for sewer lines
4	Masonry			\$ -	
5	Metals			\$ -	
6	Rough Carpentry	3952 sq ft	\$ 6.13	\$ 24,200.00	Framing of new walls
6	Finish Carpentry	6200 sqft	\$ 1.55	\$ 9,576.00	Trim and finish work
6	Cabinets	1	\$ 19,524.00	\$ 19,524.00	New Cabinets -reception, kitchen, offices as specified
7	Caulking and Sealants			\$ -	
7	Insulation	4256 sqft	\$ 2.17	\$ 9,200.00	Sound Damping in Walls (new construction walls)
7	Roofing	5 Areas	\$ 900.00	\$ 4,500.00	Repair and fix roofing from new roof units and penetration
7	Sheet Metal			\$ -	
8	Doors and ADA Access	35	\$ 1,579.00	\$ 55,268.00	New Hollow Metal frames, solid core doors, ADA auto openers as needed
8	Windows			\$ -	
8	Glass	26lf	\$ 146.16	\$ 3,800.00	Pattern Glass to match phase 1, Partition glass in reception area
9	Drywall	7036 sqft	\$ 1.79	\$ 12,594.00	
9	Tile Work	5500 sqft	\$ 10.00	\$ 55,000.00	New tile flooring per specs to match Phase 1
9	Acoustical	6200 sqft	\$ 2.10	\$ 13,020.00	New acoustical Ceiling tiles and grid system
9	Wood Flooring			\$ -	
9	Resilient Flooring	3176 lf	\$ 2.37	\$ 7,500.00	Floor preparation, new rubber cove base
9	Paint & Decoration	31,542sqft	\$ 0.84	\$ 26,495.00	Prep and paint
10	Bath Accessories and Signage	2 ADA Bathrooms	\$ 3,500.00	\$ 3,500.00	Bath accessories and ADA bars
11	Special Equipment			\$ -	
11	Appliances	4	\$ 2,200.00	\$ 2,200.00	New appliances as needed for kitchen areas
12	Blinds, Shades & Artwork			\$ -	window coverings
12	Carpets	700 sqft	\$ 11,275.00	\$ 11,275.00	Carpet tiles in new office area
13	Special Construction			\$ -	
14	Elevators			\$ -	
15	Plumbing and Hot water		\$ 21,298.00	\$ 21,298.00	New Hot water heater and plumbing as needed
15	Heat and Ventilation		\$ 112,329.00	\$ 112,329.00	New HVAC Roof units, piping and controls
15	Fire Suppression			\$ -	
16	Electrical, Fire Alarm, Security		\$ 74,963.00	\$ 74,963.00	Electrical, MED Grade MC Cable as specified new fire control panel, card reader access controls
16	Low Voltage, Data, Electrical signage		\$ 15,247.00	\$ 15,247.00	all new low voltage and data in each office
16	Computer, software, Server		\$ 21,300.00	\$ 21,300.00	New computer, software, server, printers
15	Furniture		\$ 70,000.00	\$ 70,000.00	New furniture
	Building Permits and fees		\$ 7,500.00	\$ 7,500.00	Building permits and fees, printers
	Contractor fees and overhead		\$ 47,500.00	\$ 47,500.00	Contractor fees and overhead
	New Construction Cost			\$ 834,969.00	

EXAMPLE COST ESTIMATE WORKSHEET

	Description	No. of Units or Size	Unit Price	Total Cost
PHASE 1	Gravity Sewer Collection System Installed			
	1. 8" Sanitary Sewer Main	10,000 lf	\$9.50	\$95,500
	2. 4' Manholes	35	1,300	45,500
	3. Remove & Replace Asphalt	350 sq. yds.	15.00	2,150
			Construction Subtotal	143,150
	Engineering Design			15,000
	Engineering/Admin. Services			10,000
			Non Construction Subtotal	25,000
			PHASE 1 SUBTOTAL	168,150
PHASE 2	Downtown Street Improvements			
	1. Street Furniture	16	250 ea.	4,400
	2. Trash Receptacles	16	150 ea.	2,400
	3. Flower/Shrub Planters	12	200 ea.	2,400
	4. Sidewalk Replacement & Repair (1,760 linear feet)	108 Cu/yds	60 Cu yd	6,480
	5. Replacement Street Lighting	12	700 ea.	8,400
			Construction Subtotal	24,080
	6. Architectural /Engineering Design			2,000
	7. Administrative Services			In-kind
			Non Construction Subtotal	2,000
			PHASE 2 SUBTOTAL	26,080
			PROJECT TOTAL	\$194,230

TECHNICAL ASSISTANCE

Applicants for CDBG Department of Local Affairs (DOLA) public facilities and community development projects are encouraged to work with DOLA staff in the preparation of their applications. These are some of the staff that may be able to assist, listed by primary area of expertise.

GENERAL PROGRAM INFORMATION

Rachel Harlow-Schalk, DOLA, Manager, Financial Assistance Services (303) 864-7724
Jodi Adkins, CDBG Program Manager (303) 864-7745

DOLA PUBLIC FACILITIES/COMMUNITY DEVELOPMENT FIELD STAFF

Central – Clay Brown – Golden (303) 273-1787
Southeastern – Lee Merkel - Pueblo (719) 544-6577
North Central - Don Sandoval - Loveland (970) 679-4501
Northwestern – Elyse Ackerman - Grand Junction (970)-248-7333
Southwestern - Ken Charles - Durango (970) 247-7311
Northeast – Greg Etl – Sterling (970) 521-2414
Northern Mountains – Greg Winkler - Frisco (970) 668-6160
South Central – Christy Culp - Alamosa, (719) 589-2251

CENSUS DATA ON LOW/MODERATE INCOME PERSONS IN MUNICIPALITIES AND COUNTIES

Barbara Musick, DOLA, (303) 864-7753

CENSUS DATA ON LOW/MODERATE INCOME PERSONS IN CENSUS TRACTS, ENUMERATION DISTRICTS, BLOCK GROUPS, SPECIAL POPULATION GROUPS & OTHER DEMOGRAPHIC INFORMATION

Barbara Musick, DOLA, (303) 864-7753
Local/Regional Data Center affiliates (List available on request from Barbara Musick)

INCOME SURVEYS TO DETERMINE LOW/MODERATE INCOME PERSONS

Barbara Musick, DOLA, (303) 864-7753

FLOODPLAIN AND FLOOD/DRAINAGE CONTROL (TECHNICAL/ENGINEERING REVIEWS)

Kevin Houck, Colorado Water Conservation Board, Denver (303) 866-3441 x3219

HISTORIC/CULTURAL RESOURCES

Dan Corson, State Historic Preservation Office, Denver (303) 866-3392

ENVIRONMENTAL REVIEWS

Tamra Norton, DOLA, Environmental Compliance Officer, Denver (303) 864-7734

LABOR STANDARDS (INCLUDING DAVIS-BACON)

Jodi Adkins, CDBG Program Manager, Denver (303) 864-7745

CIVIL RIGHTS & RELOCATION AND REAL PROPERTY ACQUISITION

Jodi Adkins, CDBG Program Manager, Denver (303) 864-7745

APPLICATION SUBMISSION INSTRUCTIONS

APPLICATIONS DUE, THURSDAY, FEBRUARY 4, 2016

Application and attachments must be submitted electronically in
WORD .DOC (Preferred) or .PDF Format (Unsecured) to:

jodi.adkins@state.co.us . Please cc your **DOLA Regional Manager** as well.

In email subject line include: Name of Local Government and 2016 CDBG Public Facilities

NOTE: Please do not submit a scanned application (scanned attachments ok).

If you are unable to submit electronically please contact your [DOLA regional manager](#)

MEMO

To: Mayor and City Council
From: Jolene Nelson, City Clerk
Date: January 19, 2016
Subject: Ordinance #1, 2016; First and Final Reading
Election Code



Office of the City Clerk

Recommendation:

Staff recommends Council consider Ordinance #1, 2016 amending the Delta Municipal Code Chapter 2.68.

Background:

As Council may recall, the legislature has amended the mail ballot election code. There are conflicting statutes regarding write-in candidates and the deadline to cancel a municipal election. If the City of Delta only has one candidate for each seat that is available and there is no other matter being brought to the voters the City has the ability to cancel the election. CRS 310-10-507 states that “in any ordinance adopted by the governing body of the municipality requiring an affidavit of intent for write-in candidates the governing body may also provide that, if the only matter before the voters is the election of persons to office and if, at the close of business on the nineteenth day before the election, there are not more candidate than offices to be filled at such election, including candidates filing affidavits on intent, the clerk, if instructed by resolution of the governing body either before or after such date, shall cancel the election and by resolution declare the candidates elected. If so provided by Ordinance”

Staff is presenting this ordinance as an emergency should the City be in able to cancel the upcoming election.

Cost:

There is no cost to the City to amend the code. The cost savings of cancelling an election would be approximately \$8,000 to \$10,000.

Actions To Be Taken if Approved:

The Mayor will sign the ordinance and the clerk will publish in accordance with law.

CITY OF DELTA, COLORADO
ORDINANCE NO. 1, 2016

AN ORDINANCE OF THE DELTA CITY COUNCIL AMENDING CHAPTER
2.68 OF THE DELTA MUNICIPAL CODE CONCERNING ELECTIONS.

WHEREAS, the Delta City Charter provides for the elections in the City to be governed by applicable Colorado statutes except as otherwise provided by the Charter or ordinance; and

WHEREAS, Chapter 2.68 of the Delta Municipal Code addresses elections, and

WHEREAS, the Colorado State Legislature has recently amended Colorado statutes regarding elections to cancel an election should there only be one candidate for each seat that is available; and

WHEREAS, the City Council finds and determines that it is in the best interests of the citizens of Delta, and would be consistent with the Charter, to add section to Chapter 2.68 addressing write-in candidate affidavits and potential cancellation of elections to save funds where there are not more candidates than offices to be filled.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the City Council.
2. Amendment to Chapter 2.68. Chapter 2.68 of the Delta Municipal Code is hereby amended by adding Section 2.68.060 and to read as follows:

2.68.060 Write-in Candidate Affidavits

No write-in vote for any office shall be counted unless an affidavit of intent to be a write-in candidate has been filed with the clerk by the person wishing to be a write-in candidate not later than sixty-four days before the day of the election. The affidavit of intent must indicate the office to which the affiant desire election and that the affiant is qualified to assume the office if elected.

2.68.070 Cancellation of Election

If the only matter before the voters is the election of persons to office and if, at the close of business on the nineteenth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Clerk, if instructed by resolution of the City Council either before or after such date, shall cancel the election and by resolution declare the candidates elected. Upon such declaration the candidates shall be deemed elected and shall take office at the next regular meeting following the date upon which the election would have occurred and as provided by the City Charter. Notice of cancellation shall be published if possible and shall be posted at each polling place and in not less than one other public place.

3. The City Council finds that this ordinance is necessary to the immediate preservation of the public peace, health and safety, and that a special emergency exists because of possible undue and unnecessary expenses resulting from holding an election where there is only one candidate for each vacant seat available and due to the necessity to have this ordinance become effective before the expiration of deadlines relating to the 2016 regular election of the City. Therefore, this ordinance shall be effective immediately upon passage

INTRODUCED on January 19, 2016, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first and final reading and ordered published within 10 days as required by the Charter.

CITY OF DELTA, COLORADO

By: _____
Edward C. Sisson, Mayor

ATTEST:

Jolene E. Nelson, CMC, City Clerk

Ordinance #2, 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO AMENDING THE CITY'S LIQUOR LICENSING REGULATIONS SO AS TO ALLOW THE CITY CLERK TO ISSUE LICENSE RENEWALS AND TRANSFERS, SPECIAL EVENT PERMITS, AND TEMPORARY PERMITS

WHEREAS, the City Council desires to streamline and make more efficient the procedures by which the City and approves applications for the transfer and/or renewal of liquor license; and

WHEREAS, the City Council also desire to streamline and make more efficient the procedures by which the City reviews and approves applications for special event permits and temporary permits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO as follows:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the City Council.

2. Amendment to Chapter 5,10 "Alcoholic Beverage" Chapter 5.10 of the Delta Municipal Code is hereby amended by adding Section 5.10.070 and to read as follows:

5.10.070 Delegation of authority to City Clerk to issue licenses.

The City Clerk is vested with authority to review and approve applications for liquor license renewals and transfers, special event permits and temporary permits pursuant to the following criteria:

A. Renewals and Transfers:

- a. The timely submission of a complete application and the payment of all fees by the applicant.
- b. The referral of the application by the City Clerk to the police department and other appropriate city departments for review and comment.
- c. For license transfers, whether the applicant satisfies the eligibility criteria set forth in CRS 12-47-307 and complies with CRS 12-47-303.
- d. Whether there exist facts or information on the application, or as provided in referral comments, illustrating reasonable grounds or good cause to deny the application.

B. Special Event Permits

- a. Pursuant to CRS 12-48-107(5)(a) the City Council of the City of Delta, acting as the local licensing authority, hereby elects to exercise exclusive local control over the issuance of liquor license special event permits for events with the City. The preceding recitals are adopted as specific findings of the determination of the Council

- b. The timely submission of a complete application and the payment of all fees by the applicant.
- c. The referral of the applications by the City Clerk to the police department and other appropriate city departments for review and comment.
- d. The timely and property posting of a conspicuous public notice of the proposed licensed and protest procedures at the location sought to be licensed.
- e. Whether the application and applicant satisfy the eligibility set forth in CRS 12-48-102 and 12-48-103.
- f. Whether there exists facts or information on the application, or as provided in referral comments or a protest against the license filed by affected person, illustrating grounds or good cause to deny the application.

C. Temporary Permits

- a. The timely submission of a complete application and the payment of all fees by the applicant.
- b. The timely filing of an application for the transfer of the liquor license corresponding to the application for a temporary permit.
- c. Whether the premises subject to the proposed temporary permit is currently subject to a valid liquor license.

D. In the event the City Clerk cannot or will not approve a transfer or renewal of a license, or issuance of a special event permit or temporary permit, then the Clerk shall automatically and promptly schedule for consideration before the City Council acting as the local liquor licensing authority. Additionally, any license or permit applicant dissatisfied with a decision of the City Clerk under this section may appear same to the City Council by filing a written protest with the City Clerk no less than ten days after the date of the decision appealed from. The City Clerk shall promptly set the appeal for hearing for the City Council in accordance with the procedures required by this code and Colorado Revised Statutes.

E. The city Clerk shall not approve an application for renewal or transfer of a license, nor issue a special event permit, where the police department has timely submitted a written objection to the Clerk concerning such action. Whenever such an objection is received, the Clerk shall set the application for hearing before the City Council in accordance with the procedures set forth in subsection D above.

F. The City Clerk, for good cause, may waive the forty-five day time requirement for filing a license renewal application.

3. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

4. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated pursuant to the City's home rule authority and under the general police power of the City of Delta and that it is promulgated for the protection of health, safety, and

welfare of the citizens of the City of Delta. The City Council further determines that this Ordinance bears a rational relationship to the legislation proposed herein.

5. Effective Date. This Ordinance shall become effective thirty (30) days after final publication as provided in City Charter and C.R.S. section 31-16-105.

ADOPTED on first reading and ordered published this ____ day of _____, 2016.

Mayor

ATTEST:

City Clerk

ADOPTED on second and final reading and ordered published this _____ day of _____, 2016.

Mayor

ATTEST:

City Clerk

Items: L, M and N

Attorney Comments



City Manager Comments



Councilmember Comments

