



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**

**September 20, 2016
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Community Development Block Grant; Midwestern Colorado Mental Health Center**
 - a. Memorandum of Understanding**
 - b. Citizen Participation Plan**
 - c. Residential Antidisplacement and Relocation Assistance Plan**
 - d. Applicant Statement of Assurances and Certificates**
- F. Resolution #7, 2016; Excessive Force Policy**
- G. Resolution #8, 2016; Vision Statement**
- H. Approval to Adopt the Strategic Plan**
- I. Ordinance #8, 2016; First Reading**
Amending 17.04.240 of the Delta Municipal Code Establishing Utility Locations
- J. City Attorney Comments**
- K. City Manager Comments**
- L. Councilmember Comments**

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

Mayor Pro Tem Ron Austin called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Christopher Ryan and Gerald Roberts, along with City Manager David Torgler and City Attorney David McConaughy. 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 Roberts and seconded by Councilmember Raley to approve the minutes of the August 16, 2016 regular meeting, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Appointment of Substitute Municipal Judge

The Clerk explained that pursuant to CRS 13-10-105 the municipal governing body may appoint substitute judges as circumstances may require. From time to time circumstances may arise that both Judge John F. Baier and Substitute Judge Brad Kolman would have a possible conflict with a case at which time another judge would need to be called. Currently there is one such case where both Judge Baier and Judge Kolman have a conflict.

Judge Baier was contacted earlier this year by W. Bruce Joss stating he would welcome the opportunity to serve as a substitute judge in Delta Municipal Court. Mr. Joss' resume is attached to this memo outlining his experience.

It was moved by Councilmember Raley and seconded by Councilmember Ryan to appoint W. Bruce Joss as a substitute municipal Judge for Delta Municipal Court with his term to be run with Judge John F. Baier. All in favor, motion carried.

City Attorney Comments

City Attorney David McConaughy stated that the legislature has amended the election statutes for write in candidates and the City will need to amend the municipal code to reflect the changes.

City Manager Comments

There were none.

Regular Meeting, Delta City Council, September 6, 2016 (cont.)

Councilmember Comments

Councilmember Ryan commented on the tablets Council has received. He invited everyone to the Patriot's Day tree planting on September 12, 2016 at 9:00am at the Vision Charter Academy on Pioneer Road.

Executive Session

It was moved by Councilmember Roberts and seconded by Councilmember Raley to convene an Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions (potential settlement of Stantec litigation) under CRS Section 24-6-402(4)(b). All in favor, motion carried.

At 7:07 p.m., Mayor Pro Tem Austin recessed the Regular Meeting and convened the Executive Session.

At 7:16 p.m., the Mayor Pro Tem Austin reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Bill Raley, Christopher Ryan and Gerald Roberts as well as City Manager David Torgler, City Attorney David McConaughy and Community Development Director Glen Black, Utilities Director Steve Glammeyer and City Clerk Jolene Nelson. For the record, the Mayor Pro Tem asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

Approval of Stantec Settlement Agreement

It was moved by Councilmember Ryan and seconded by Councilmember Raley to enter into a settlement agreement and mutual release with Stantec. All in favor, motion carried

Executive Session

It was moved by Councilmember Roberts and seconded by Councilmember Raley to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). All in favor, motion carried.

At 7:17 p.m., Mayor Pro Tem Austin recessed the Regular Meeting and convened the Executive Session.

At 7:50 p.m., the Mayor Pro Tem Austin reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Bill Raley, Christopher Ryan and Gerald Roberts as well as City Manager David Torgler, City Attorney David McConaughy and Utilities Director Steve Glammeyer, Electric Superintendent Adam Suppes and City Clerk Jolene Nelson. For the record, the Mayor Pro Tem asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion

Regular Meeting, Delta City Council, September 6, 2016 (cont.)

Executive Session. cont.

to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The Clerk stated that the Mayor is out of town and requested who could sign the settlement agreement.

Attorney McConaughy stated that the Council can make a motion authorizing the City Manager to sign the settlement agreement.

It was moved by Councilmember Roberts and seconded Raley to authorize the City Manager to sign the Settlement Agreement and Mutual Release. All in favor, motion carried.

The meeting was immediately adjourned.

Jolene E. Nelson, CMC, City Clerk

Item D:

Citizen Comments



MEMO

To: Mayor and City Council
From: Jolene E. Nelson, CMC, City Clerk
Date: September 20, 2016
Subject: Community Development Block Grant;
Midwestern Colorado Mental Health Center



Office of the City Clerk

Recommendation:

Staff recommends authorizing the Mayor to sign required documents for the pass through grant with the Department of Local Affairs.

Background:

Midwestern Colorado Mental Health Center contacted the city to be a pass through agency for a Department of Local Affairs Community Development Block Grant which Council approved back in January of this year. The Center is moving forward and the required documents to be approved now need to be brought forward. All the attached documents are required to be in compliance with the grant:

- a. Memorandum of Understanding
- b. Citizen Participation Plan
- c. Residential Placement and Relocation Assistance Plan
- d. Applicant Statement of Assurances and Certificates
- e. Excessive Force Policy

Actions To Be Taken if Approved:

Should Council approve authorizing the Mayor to sign the documents, the Clerk will forward them to Midwestern Colorado Mental Health Center.

MEMORANDUM OF UNDERSTANDING

The City of Delta

AND

Midwestern Colorado Mental Health Center

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2016, by and between: THE CITY OF DELTA, Colorado, a home rule municipal corporation, 360 Main Street, Delta, Colorado 81416 (hereinafter referred to as the "City"), and MIDWESTERN COLORADO MENTAL HEALTH CENTER, a Colorado non-profit corporation, 107 W. 11th Street (hereinafter referred to as the "Center") (the foregoing entities may sometimes be referred to herein collectively as the "Parties," or generically and individually as a "Party");

WHEREAS, the Center desires to remodel its facilities located at 107 W. 11th Street in Delta (the "Project") within the corporate limits of the City; and

WHEREAS, the Center owns the real property located at 107 W. 11th Street in Delta, Colorado upon which the Project is to occur, and the Center is an eligible sub-recipient of Community Development Block Grant ("CDBG"); and

WHEREAS, in conjunction with the Project, the City has previously submitted a grant application and agreed to act as a sponsor of a Community Development Block Grant ("CDBG") in the amount of \$600,000 (the "Grant") from the Department of Local Affairs, an agency of the State of Colorado, ("DOLA"); and

WHEREAS, it is both necessary and desirable for the City to enter into this Agreement with the Center for purposes of setting forth the relative responsibilities of the Parties with respect to the planning, development, and construction of the Project, and the expenditure of Grant funds in conjunction therewith; and

WHEREAS, it is the mutual desire of the parties to set forth their understanding and agreement, in writing, with respect to said obligations:

NOW, THEREFORE, in consideration of the mutual covenants, conditions and obligations herein set forth, the parties agree:

1. In consideration of City's willingness to act as the sponsor of the CDBG Grant and to enable Grant funding of the Project, the Center agrees as follows:
 - (a) The Center agrees that it shall manage, develop and carry out construction of the project in conformity with all applicable building, zoning and development regulations. The Project will be owned by the Center.
 - (b) The Center agrees to maintain and keep the property in a good and orderly condition and utilize it as a mental health and substance use disorder treatment center within the Delta, Colorado community.
 - (c) The Center shall provide to the City copies of all correspondence received from or sent to DOLA related to the utilization or expenditure of Grant funds as referenced in this contract, within the Grant application, or within any agreements with DOLA.
 - (d) The Center shall promptly comply with all financial management regulations, policies, guidelines and requirements as set forth in the most current edition of the Community Development Block Grant Housing Guidebook.
 - (e) The Center, in connection with this Project, agrees that it will carry out and comply with all of the rules, regulations and standards set forth in the DOLA

MEMORANDUM OF UNDERSTANDING

"Guidebook for Public Facilities and Construction Projects" with respect to environmental protection, civil rights, property acquisition, relocation, labor and construction and project close-out:

- (f) The Center agrees that it will carry out all of the work elements in a satisfactory and proper manner, assure that the Grant funds are expended solely for Project activities and in the amounts budgeted under the Project responsibilities required by and set forth within the City's contract with DOLA (Project No. CDBG #16-527) as amended. The contents of these documents, attached hereto as Exhibit "A", are specifically incorporated by reference herein.
 - (g) The Center shall be responsible for the same audit requirements as the City, as specified in the City's contract with DOLA. The Center shall provide the City with a copy of the annual audit report as required under the Single Audit Act of 1984, as amended in 1996. The City is required to have a Single Audit annually; which requirement must also be met by the Center.
2. The Center agrees to prepare all quarterly financial and performance reports, as required under the CDBG Guidelines and shall provide copies of such reports to the City in a timely manner.
 3. The Center shall prepare all requests for payment, which requests shall then be forwarded to the City along with supporting documentation (invoices, check copies, purchase orders, etc.) to substantiate the request for a draw down of funds. After review, the City shall forward the request to DOLA for payment. Upon receipt of payment, City shall forward the funds to the Center. The City shall require documentation evidencing that such funds were appropriately expended on the Project, and copies of checks and payment of bills by the Center shall be provided to the City for its permanent records. If the City receives an advance of CDBG funds from the State, the Center shall be required to submit copies of invoices, check copies, purchase orders or similar evidence of indebtedness to substantiate any draw down of CDBG funds from the City.
 4. Prior to any request for reimbursement for authorized activities to be funded under the Community Development Block Grant, the Center shall have in place all financing for the Project inclusive of construction financing, permanent financing, and any bridge loans, as required.
 5. The Center shall provide certification to the City and to DOLA that the selection of contractors and purchase of materials to accomplish the project shall follow and be in accordance with the appropriate procurement standards to the Community Block Grant Guidebook.
 6. _____'s request for final payment shall be submitted in accordance with the provisions set forth in Paragraph 5 of the contract between the City and DOLA, dated _____, pertaining to Project No. 16-527.
 7. The Center agrees to comply with all other terms, conditions and obligations pertaining to the ownership, development, construction and management of the Project as required under any contractual documents executed by the City with DOLA or the State of Colorado. In the event there is any liability accruing from inappropriate expenditure of Grant funds by the Center, other than as a result of the negligence of the City, the Center agrees to be responsible therefore.
 8. In order to protect the interests of the State of Colorado and the interests of the City, as grant recipient, the Center agrees that as a condition of receipt of the funds, a lien on the

MEMORANDUM OF UNDERSTANDING

- property to be acquired shall be created and placed of record, pursuant to which the State of Colorado shall have a right of reimbursement of grant funds in the event the use of the property as a mental health and substance use disorder treatment center is discontinued on or before five (5) years from the date grant funds are disbursed.
9. It is the intent of this Agreement to assure that all contractual obligations concerning the ownership, development, construction, and management of the Project shall be accomplished by the Center, and that the role of the City in conjunction with said Project, other than planning and development approval, shall be limited to making application for the Community Development Block Grant funds and acting as a conduit for the authorized expenditure of such funds in accordance with the contractual documents.
 10. Time is of the essence with respect to the covenants, conditions and obligations contained herein, as well as those set forth in the existing contracts pertaining to Project No.16-527 involving DOLA and the State of Colorado.
 11. The terms of this Agreement shall be binding upon the representative parties, their successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

By: _____
(Name and Title)

Attest: _____

CITIZEN PARTICIPATION PLAN

for the Community Development Block Grant (CDBG) Program

Pursuant to Section 104(a)(3) of the Housing and Community Development Act of 1974, as amended, this Citizen Participation Plan is hereby adopted to ensure that the citizens of City of Delta, particularly persons of low and moderate income residing in slum and blight areas and in areas in which CDBG funds are proposed to be used, are provided the opportunity and encouraged to participate in the planning and implementation of CDBG-funded activities.

PUBLIC HEARING

Public hearings will be the primary means of obtaining citizen views and responding to proposals and questions related to community development and housing needs, proposed CDBG activities and past CDBG performance.

Prior to submitting a CDBG application to the State, the City of Delta will conduct at least one public hearing to identify community development and housing needs, including the needs of low and moderate income persons, as well as other needs in the community that might be addressed through the CDBG program, and to review proposed CDBG activities and the past performance of the City of Delta in carrying out its CDBG responsibilities. In the event CDBG funds are granted by the State, the City of Delta will conduct at least one additional public hearing to allow citizens to review and comment on its performance in carrying out its CDBG program.

A formal public notice will be published in a newspaper of general circulation in the area at least five (5) days prior to such public hearings. A public notice will also be posted in the Delta City Hall and in other places frequented by the public, especially low and moderate income persons and persons benefiting from or affected by proposed CDBG activities. As circumstances warrant and as the City of Delta determines necessary or appropriate, participation may additionally be specifically solicited from persons of low and moderate income, those benefiting from or affected by CDBG activities and/or representatives of such persons. Hearings will be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for the handicapped. In the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, arrangements will be made to have an interpreter present.

PUBLIC INFORMATION AND RECORDS

Information and records regarding the proposed and past use of CDBG funds will be available at Midwestern Colorado Mental Health Center's Administration Building located at 2130 E. Main Street, Montrose, CO 81402 during regular office hours. The public will be so informed by public notice. Special communication aids can be made available to persons upon request.

TECHNICAL ASSISTANCE

The City of Delta will provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing CDBG proposals. The level and type of assistance appropriate will be determined by the City of Delta based on its ability to provide or arrange for such assistance, the cost of providing such assistance and other relevant factors.

WRITTEN COMMENTS AND RESPONSES

The City of Delta will respond to written complaints and grievances in writing in a timely manner. When practicable, such written responses shall be made within fifteen (15) working days.

Signature of Chief Elected Official

Date

NOTE 1: EACH MUNICIPALITY AND COUNTY DIRECTLY PARTICIPATING IN A MULTI-JURISDICTIONAL APPLICATION IS REQUIRED TO HAVE A CITIZEN PARTICIPATION (CP) PLAN.

NOTE 2: CITIZEN ADVISORY COMMITTEES ARE NOT REQUIRED. IF ONE IS PROPOSED, HOWEVER, ITS ROLE AND COMPOSITION SHOULD BE INCLUDED IN THIS CP PLAN.

**RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE
PLAN
for the Community Development Block Grant (CDBG) Program**

The City of Delta will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Delta will make public and submit to the State the following information in writing:

1. Description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and,
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The City of Delta will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City of Delta will take the steps indicated below to minimize the displacement of persons from their homes.*

* **The following are examples of steps to minimize displacement. The first two are required. The others are optional. Only check those which are appropriate for the project and local circumstances. Add other steps as necessary or appropriate.**

- X Consider all practical alternatives to any proposed project that may result in residential displacement. Alternatives to be considered include other sites for the proposed facilities/project. Also to be considered are the costs and benefits, both financial and nonfinancial, of each alternative.

- Provide counseling and referral services to assist displacees find alternative housing in the community.
- Work with area landlords and real estate brokers to locate vacancies for households facing displacement.
- Stage rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, working with empty buildings or groups of empty units first so they can be rehabilitated first and tenants moved in before rehab on occupied units or buildings is begun.
- Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent their placing undue financial burden on long-established owners or on tenants of multi-family buildings.
- Develop displacement watch systems in cooperation with neighborhood organizations to continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

Signature of Chief Elected Official

Date

NOTE: EACH MUNICIPALITY AND COUNTY DIRECTLY PARTICIPATING IN A MULTI-JURISDICTIONAL APPLICATION IS REQUIRED TO HAVE A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN.

Community Development Block Grant Program

APPLICANT STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies that:

(a) It possesses:

(1) Legal authority to apply for the grant and to execute the proposed project, and its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer and/or other designated official representatives to act in connection with the application and to provide such additional information as may be required; and

(2) Has developed its application, including its projected use of funds, so as to give maximum feasible priority to activities that will benefit low and moderate income persons or aid in the prevention or elimination of slums or blight. (The requirement for this certification will not preclude the State from approving an application where the applicant certifies and the State determines, that all or part of the proposed project activities are designed to meet other community development needs that have arisen during the preceding twelve-month period and have particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.) Furthermore:

(A) With respect to activities it claims benefit low and moderate income persons, it has determined and documented that not less than fifty-one percent (51%) of the beneficiaries of the activity are low and moderate income persons; and

(B) With respect to activities it claims aid in the elimination of slums or blight, it has determined and documented:

(i) For activities to address slums or blight on an area basis:

(I) The area meets a definition of a slum, blighted, deteriorated or deteriorating area under State or local law;

(II) Throughout the area, at least twenty-five percent (25%) of the buildings are in a state of deterioration or two or more types of public improvements are in a state of deterioration;

(III) Documentation is being maintained on the boundaries of the area and the condition which qualified the area at the time of its designation; and

(IV) The assisted activity addresses one or more of the conditions which contributed to the deterioration of the area.

(V) Rehabilitation will only be undertaken on residential structures which are not occupied by low and moderate income persons if such structures are substandard under local definition, and provided that all deficiencies making such structure substandard must be corrected before less critical work on the structure may be undertaken;

(ii) For activities to address slum or blight on a spot basis, the activities must be designed to eliminate specific conditions of blight or physical decay and must be limited to acquisition, clearance, relocation, historic preservation and rehabilitation of buildings, but only to the extent necessary to eliminate specific conditions detrimental to public health and safety.

(b) It is following a detailed citizen participation plan which:

(1) Provides for and encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which Community Development Block Grant (CDBG) funds are proposed to be used;

(2) Provides citizens with reasonable and timely access to local meetings, information, and records relating to its proposed and actual use of CDBG funds;

(3) Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the applicant;

(4) Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

(5) Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and

(6) Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

(c) It has provided for and encouraged citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used, by:

(1) Furnishing citizens information concerning the amount of funds available for proposed community development and housing activities and the range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income and its plans for minimizing displacement of persons as a result of activities assisted with CDBG funds and to assist persons actually displaced as a result of such activities;

(2) Publishing a proposed project plan/application in such a manner to afford citizens an opportunity to examine its content and to submit comments on the proposed project plan/application and on the community development performance of the jurisdiction(s);

(3) Holding one or more public hearings, as indicated below, to obtain citizen views and to respond to proposals and questions related to community development and housing needs, proposed activities and past CDBG performance. All hearings were held no sooner than five days after notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped and for the needs of non-English speaking residents where a significant number of such residents could have been reasonably expected to participate.

<u>Applicant/Participant*</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
<u>City of Delta/Center for Mental Health</u>	<u>03.01.2016</u>	<u>7:00 pm</u>	<u>City Council Chambers, 360 Main St Delta, CO</u>

* In the case of a "multi-jurisdictional" application, each participating municipality and county must hold at least one public hearing.

- (4) As applicable, providing citizens with reasonable and timely access to local meetings, information and records regarding its proposed and past use of CDBG funds;
- (5) In preparing its project plan/application, considering any such comments and views and, if deemed appropriate, modifying the proposed project plan/application;
- (6) Making the final project plan/application available to the public;
- (7) Identifying its community development and housing needs, including the needs of low and moderate income persons, and the activities to be undertaken to meet such needs.

(d) In the event it is awarded CDBG funds by the State it will:

- (1) Follow a residential anti-displacement and relocation assistance plan which shall:
 - (A) In the event of such displacement, provide that:

- (i) Governmental agencies or private developers shall provide within the same community comparable replacement dwellings for the same number of occupants as could have been housed in the occupied and vacant occupiable low and moderate income dwelling units demolished or converted to use other than for housing for low and moderate income persons, and provide that such replacement housing may include existing housing assisted with project based assistance provided under Section 8 of the United States Housing Act of 1937;
 - (ii) Such comparable replacement dwellings shall be designed to remain affordable to persons of low and moderate income for 10 years from the time of initial occupancy;
 - (iii) Relocation benefits shall be provided for all low or moderate income persons who occupied housing demolished or converted to a use other than for low or moderate income housing, including reimbursement for actual and reasonable moving expenses, security deposits, credit checks, and other moving-related expenses, including any interim living costs; and, in the case of displaced persons of low and moderate income, provide either:
 - (I) compensation sufficient to ensure that, for a 5-year period, the displaced families shall not bear, after relocation, a ratio of shelter costs to income that exceeds 30 percent; or,
 - (II) if elected by a family, a lump-sum payment equal to the capitalized value of the benefits available under sub clause (I) to permit the household to secure participation in a housing cooperative or mutual housing association.
 - (iv) Persons displaced shall be relocated into comparable replacement housing that is:
 - (I) decent, safe, and sanitary;
 - (II) adequate in size to accommodate the occupants;
 - (III) functionally equivalent; and,
 - (IV) in an area not subject to unreasonably adverse environmental conditions;
- (B) persons displaced shall have the right to elect, as an alternative to the benefits under this subsection to receive benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so; and,

- (C) where a claim for assistance under subparagraph (A)(iv) is denied by grantee, the claimant may appeal to the State, and that the decision of the State shall be final unless a court determines the decision was arbitrary and capricious.
 - (2) Comply with the provisions of the above paragraph (1) except that paragraphs (A)(i) and (A)(ii) shall not apply in any case in which the Secretary of the U.S. Department of Housing and Urban Development finds, on the basis of objective data, that there is available in the area an adequate supply of habitable affordable housing for low and moderate income persons. A determination under this paragraph is final and not reviewable.
 - (3) Provide citizens with reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of CDBG funds from one eligible activity to another by following the same procedures required in paragraph (c) for the preparation and submission of the final project plan/application.
- (e) It will:
- (1) Minimize displacement of persons as a result of activities assisted with CDBG funds and provide for reasonable benefits to any person involuntarily and permanently displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property;
 - (2) Affirmatively further fair housing in addition to conducting and administering its project in conformity with Public Law 88-352 and Public Law 90-284 as certified in paragraph (h) hereinafter;
 - (3) Not attempt to recover any capital costs of public improvements assisted in whole or part with CDBG funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - (A) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than the CDBG program, or
 - (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income who are not persons of low income, it certifies that it lacks sufficient CDBG funds to comply with the requirements of subparagraph (A);
- (f) Its chief executive officer or other officer of the applicant approved by the State:
- (1) Consents to assume the status of responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified in 24 CFR Part 58, which further the purposes of NEPA, insofar as the provisions of such Federal law apply to the Colorado Community Development Block Grant (CDBG) Program;

- (2) Is authorized and consents on behalf of the applicant and himself/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official.
- (g) It will comply with the financial management regulations, policies, guidelines and requirements set forth in the CDBG Public Facilities and/or Housing Guidebook.
- (h) It will comply with:
 - (1) **Section 110 of the Housing and Community Development Act of 1974**, as amended, and any State regulations regarding the administration and enforcement of labor standards;
 - (2) **Davis-Bacon Fair Labor Standards Act (40 USC 276a - 276a-5)** requiring that, on all prime contracts which exceed \$2,000 for federally-assisted construction, alteration or rehabilitation, laborers and mechanics employed by contractors or subcontractors shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor. (This requirement applies to the rehabilitation of residential property only if such property is designed for use of eight or more families.)
 - (3) **Contract Work Hours and Safety Standards Act of 1962 (40 USC 327 et seq.)** requiring that mechanics and laborers employed on federally-assisted contracts which exceed \$2,000 be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty in a work week.
 - (4) **Copeland "Anti-Kickback" Act of 1934 (40 USC 276 (c))** prohibiting and prescribing penalties for "kickbacks" of wages in federally- financed or assisted construction activities.
- (i) It will comply with:
 - (1) **Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 USC 2000 (d))** prohibiting discrimination on the basis of race, color, religion or religious affiliation, or national origin in any program or activity receiving federal financial assistance.
 - (2) **The Fair Housing Act (42 USC 3601-20)**, as amended, prohibiting housing discrimination on the basis of race, color, religion, sex, national origin, handicap, and familial status.
 - (3) **Section 109 of the Housing and Community Development Act of 1974 (42 USC 5309)**, as amended, providing that no person shall be excluded from participation (including employment), denied program benefits or subjected to discrimination on the basis of race, color, national origin or sex under any program or activity funded in whole or in part under Title I (Community Development) of the Housing and Community Development Act.

- (4) **Executive Order 11063 (1962)**, as amended by Executive Order 12259, requiring equal opportunity in housing by prohibiting discrimination on the basis of race, color, religion, sex or national origin in the sale or rental of housing built with federal assistance.
 - (5) **Executive Order 11246 (1965)**, as amended by Executive Orders 11375, prohibiting discrimination on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally-assisted contracts in excess of \$2,000.
 - (6) **Section 3 of the Housing and Community Development Act of 1968 (12 USC 1701 (u))**, as amended, providing that, to the greatest extent feasible, opportunities for training and employment that arise through HUD-financed projects, will be given to lower-income persons in the unit of the project area, and that contracts be awarded to businesses located in the project area or to businesses owned, in substantial part, by residents of the project area.
 - (7) **Section 504 of the Rehabilitation Act of 1973 (29 USC 793)**, as amended, providing that no otherwise qualified individual shall, solely by reason of a handicap, be excluded from participation (including employment), denied program benefits or subjected to discrimination under any program or activity receiving federal funds. Effective communication with persons of all types of disabilities must be ensured.
 - (8) **Age Discrimination Act of 1975, (42 USC 6101)**, as amended, providing that no person shall be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funds.
- (j) It will comply with:
- (1) **Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 USC 5301)**, known as the "**Barney Frank Amendment**," and the **HUD implementing regulations at 29 CFR Part 570**, requiring that local grantees follow a residential antidisplacement and relocation assistance plan which provides for the replacement of all low/moderate-income dwelling units that are demolished or converted to another use as a direct result of the use of CDBG funds, and which provides for relocation assistance for all low/moderate-income households so displaced.
 - (2) **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended -- Title III, Real Property Acquisition (Pub. L. 91-646 and HUD implementing regulations at 49 CFR Part 24)**, providing for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or Federally- assisted programs and establishing uniform and equitable land acquisition policies for federal assisted programs. Requirements include bona fide land appraisals as a basis for land acquisition, specific procedures for selecting contract appraisers and contract negotiations, furnishing to owners of property to be acquired a written summary statement of the acquisition price offer based on the fair market price, and specified procedures connected with condemnation.
 - (3) **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended -- Title II, Uniform Relocation Assistance (Pub.**

L. 91-646 and HUD implementing regulations at 49 CFR Part 24), providing for fair and equitable treatment of all persons displaced as a result of any federal or federally-assisted program. Relocation payments and assistance, last-resort housing replacement by displacing agency, and grievance procedures are covered under the Act. Payments and assistance will be made pursuant to state or local law, or the grant recipient must adopt a written policy available to the public describing the relocation payments and assistance that will be provided. Moving expenses and up to \$22,500 or more for each qualified homeowner or up to \$5,250 or more for each tenant are potential costs.

(k) It will comply with:

- (1) **National Environmental Policy Act of 1969 (42 USC 4321 et seq.)**, as amended, and the implementing regulations of HUD (24 CFR Part 58) and of the Council on Environmental Quality (40 CFR Parts 1500 - 1508) providing for establishment of national policy, goals, and procedures for protecting, restoring and enhancing environmental quality.
- (2) **National Historic Preservation Act of 1966 (16 USC 470 et seq.)**, as amended, requiring consideration of the effect of a project on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register of Historic Places.
- (3) **Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 et seq.)** requiring that federally-funded projects contribute to the preservation and enhancement of sites, structures and objects of historical, architectural or archaeological significance.
- (4) **The Archaeological and Historical Data Preservation Act of 1974, amending the Reservoir Salvage Act of 1960 (16 USC 469 et seq.)**, providing for the preservation of historic and archaeological data that would be lost due to federally-funded development and construction activities.
- (5) **Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951 et seq.)** prohibits undertaking certain activities in flood plains unless it has been determined that there is no practical alternative, in which case notice of the action must be provided and the action must be designed or modified to minimize potential damage.
- (6) **Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961 et seq.)** requiring review of all actions proposed to be located in or appreciably affecting a wetland. Undertaking or assisting new construction located in wetlands must be avoided unless it is determined that there is no practical alternative to such construction and that the proposed action includes all practical measures to minimize potential damage.
- (7) **Safe Drinking Water Act of 1974 (42 USC 201, 300 f et seq., 7401 et seq.)**, as amended, prohibiting the commitment of federal financial assistance for any project which the Environmental Protection Agency determines may

contaminate an aquifer which is the sole or principal drinking water source for an area.

- (8) **The Endangered Species Act of 1973 (16 USC 1531 et seq.)**, as amended, requiring that actions authorized, funded, or carried out by the federal government do not jeopardize the continued existence of endangered and threatened species or result in the destruction or modification of the habitat of such species which is determined by the Department of the Interior, after consultation with the State, to be critical.
 - (9) **The Wild and Scenic Rivers Act of 1968 (16 USC 1271 et seq.)**, as amended, prohibiting federal assistance in the construction of any water resources project that would have a direct and adverse affect on any river included in or designated for study or inclusion in the National Wild and Scenic Rivers System.
 - (10) **The Clean Air Act of 1970 (42 USC 1857 et seq.)**, as amended, requiring that federal assistance will not be given and that license or permit will not be issued to any activity not conforming to the State implementation plan for national primary and secondary ambient air quality standards.
 - (11) **HUD Environmental Criteria and Standards (24 CFR Part 51)** providing national standards for noise abatement and control, acceptable separation distances from explosive or fire prone substances, and suitable land uses for airport runway clear zones.
- (l) It will:
- (1) Comply with **The Lead-Based Paint Poisoning Prevention Act -- Title IV (42 USC 4831)** prohibiting the use of lead-based paint in residential structures constructed or rehabilitated with federal assistance, and requiring notification to purchasers and tenants of such housing of the hazards of lead-based paint and of the symptoms and treatment of lead-based paint poisoning.
 - (2) Comply with the **Armstrong/Walker "Excessive Force" Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990**, which requires that a recipient of HUD funds must certify that they have adopted or will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within their jurisdiction against individuals engaged in nonviolent civil rights demonstrations; or fails to adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.
 - (3) Comply with the **"Government-wide Restriction on Lobbying, (P.L. 101-121)**, which prohibits spending CDBG funds to influence or attempt to influence federal officials; which requires the filing of a disclosure form when non-CDBG funds are used for such purposes; which requires certification of compliance by the state; and which requires the state to include the certification language in grant awards it makes to units of general local government at all tiers and that all subrecipients shall certify accordingly as imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the

RESOLUTION #7, 2016

**A RESOLUTION OF THE CITY OF DELTA, COLORADO
PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST
INDIVIDUALS IN NON-VIOLENT CIVIL RIGHTS
DEMONSTRATIONS**

WHEREAS, City of Delta, Colorado, has made application for Community Development Block Grant (CDBG) Funds from the State of Colorado; and

WHEREAS, in accordance with Section 519 of Public Law 101-144 (the HUD Appropriations Act) certain statements of assurances and certifications are required;

WHEREAS, The Armstrong/Walker “Excessive Force” Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990 requires that a recipient of HUD funds adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within their jurisdiction against individuals engaged in nonviolent civil rights demonstrations; and

WHEREAS, The Armstrong/Walker “Excessive Force” Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990 requires that a recipient of HUD funds adopt and enforce a policy enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstration within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Delta City Council that pursuant to the City of Delta being granted CDBG funds by the State; the Delta City Council, by administrative act, does hereby adopt a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstration within its jurisdiction.

Read and adopted this 20th day of September, 2016 by the Delta City Council

Mayor

ATTEST:

City Clerk



September 16, 2016

TO: Mayor and City Councilmembers

FROM: David Torgler, City Manager

RE: Workshop discussion of updated Vision Statement and Strategic Plan document and consideration to adopt Resolution #8 Amending and Approving the City of Delta's Vision Statement

Recommendation:

Staff is recommending that the City Council consider adoption of an updated Vision Statement and acceptance of the Strategic Plan document, the Strategic Map and the Action Plan Details.

Background:

At an August 10 – 11, 2016 Strategic Planning retreat the City Council met with senior staff, local residents and business owners in a facilitated environment to review the City's vision and determine a strategic plan to move the City towards that vision during the next three years. During that meeting the participants recommended updating the City's Vision Statement, and that the City Council consider adopting a Strategic Plan to achieve specific goals during the next three years to follow-up their vision with actions.

Facilitator Sheryl Trent did prepare documents detailing the results of that meeting, including the updated Vision Statement and action plan. Ms. Trent reviewed draft documents with meeting participants and incorporated their feedback into updated final documents that are presented for adoption. The three final documents are:

- 1) The Strategic Plan document - this is the 10+- page document that will function as the City's Strategic Plan.
- 2) The Strategic Map – this is the one page document to hang on the wall, post on the website, and otherwise use as a PR tool
- 3) The Action Plan Details.

Sheryl Trent will be present at the October 4th workshop and City Council meeting to present the documents and address any questions that the City Council may have.

Cost:

The cost to implement the Strategic Plan will be dependent on each of the component parts and will be presented to the City Council in the future for funding consideration and project approval.

Alignment with Strategic Planning:

This is an update to the City's Vision Statement and Strategic Plan.

Actions to be Taken if Approved:

Upon approval of Resolution #8, 2016 by the City Council, and approval of a Motion adopting the Strategic Plan, documents will be updated as necessary to reflect these changes and updates.

Resolution #8, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA,
COLORADO, AMENDING AND APPROVING THE CITY OF DELTA VISION
STATEMENT

WHEREAS, during the August 2016 strategic planning retreat the City Council, Executive Staff and invited citizens recognized that the City of Delta's vision statement needed to be updated and revised to reflect their collective vision for the City of Delta; and

WHEREAS, the City Council desires a comprehensive vision statement that portrays current and future directions for the City of Delta; and

WHEREAS, the City Council, Executive Staff and invited citizens crafted the vision statement in an effort to outline the mission and future vision for the City of Delta.

THEREFORE, BE IT RESOLVED that the City Council of the City of Delta, Colorado hereby adopts the following updated vision statement:

Destination Delta: An All-America City in the heart of western Colorado with community spirit and abundant natural resources that fosters responsible economic growth and prosperity to create an attractive and vibrant rural community for residents, business owners and visitors of all ages.

ADOPTED this 20th day of September, 2016, by the Delta City Council.

Mayor

ATTEST:

City Clerk



Strategic Plan 2016 - 2018

Letter from the City Manager

It is my pleasure to present the 2016 - 2018 City of Delta Strategic Plan. This plan reflects the input of engaged citizens, community and business partners, Mayor and Council Members, and City staff. The effort represents the first economic development strategic plan in our City's history.

The City of Delta began the strategic planning process in the spring of 2016. The City's mission, vision, and priorities provide the foundation for the plan's two key outcome areas: the Hotel and Conference Center and the River Activation Project. We developed the strategic objectives in each area through extensive analysis of citizen needs and desires, local and national trends, and information provided by experts within the City organization.

The Strategic Plan is a tool that clearly articulates City priorities to the Delta community and will direct the development of the 2017-2018 City of Delta Budget. I want to convey my appreciation to the citizens who provided their time and input to the process, the Mayor and Council for their leadership, and City staff for their hard work and commitment to Delta.

Sincerely,

David Torgler
City Manager



INTRODUCTION TO DELTA

The City of Delta is a full service municipal organization operating under a home rule, Council-Manager form of government. The **City of Delta** is the county seat and the most populous municipality of Delta County, Colorado with a population of approximately 9,000. The United States Forest Service headquarters of the Grand Mesa, Gunnison, and Uncompahgre National Forests are located in Delta. Delta was built as a trading post for the Ute people and early settlers. Fort Uncompahgre was built in 1828.

The town was named because of its location on the delta where the Uncompahgre River flows into the Gunnison River. The town was incorporated in 1882.

Montrose Regional Airport, located 21 miles (34 km) south of Delta, is the closest airport served by scheduled airlines.

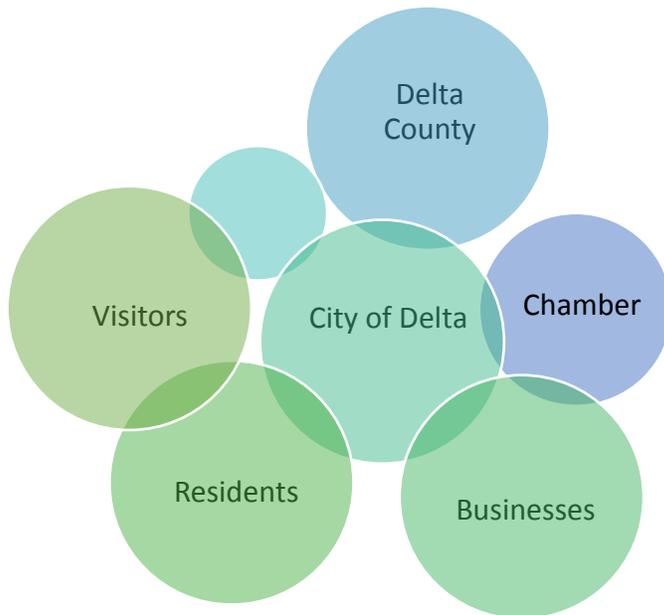
Major highways

-  U.S. Highway 50 runs east-west, crossing 12 states and linking Sacramento, California, with Ocean City, Maryland. In Colorado, it passes through Delta as Main Street and connects the city to Montrose, Grand Junction and Pueblo.
-  State Highway 65 is a 61-mile (98 km) stretch that runs north from State Highway 92 east of Delta, over the Grand Mesa, to Interstate 70 near Palisade.
-  State Highway 92 begins in Delta, at the intersection of Main Street and First Street.

The City provides a full range of services including:

Administration
Animal Control
Community Development
Golf
Parks
Police
Public Works
Recreation
Utilities





PROCESS FOR CREATING THE STRATEGIC PLAN

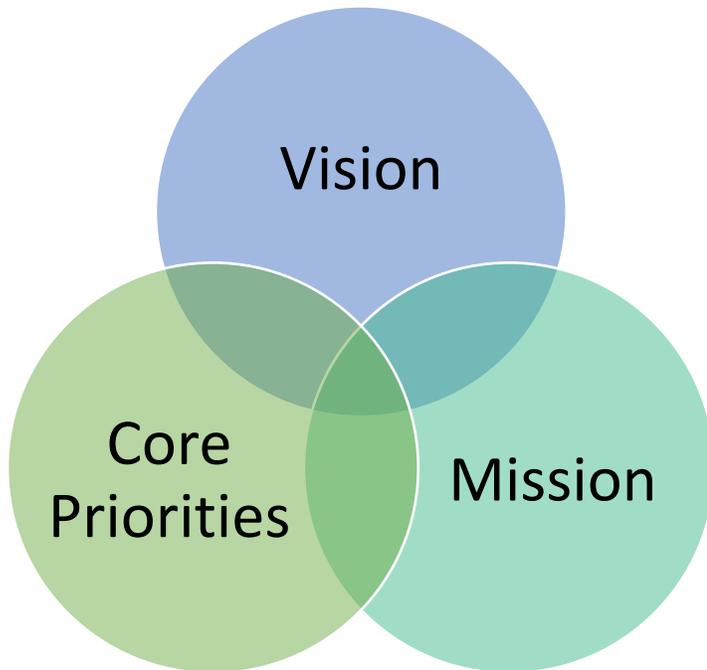
The Strategic Plan process used by the City of Delta included several steps. To begin, there was the REDI grant that allowed Delta County, with the City of Delta, to study economic development in the area. A copy of that information can be found [here](#) on the website. Better Cities, the consultant for the economic development study, concluded that there were two main areas for the City of Delta to focus: a Hotel and Convention Center and a River Restoration Project. By moving forward with these two projects, the City of Delta would be able to capture one key component that is currently missing: tourism and the influx of spending that goes with it. At the present time, Highway 50 conducts significant out of town and out of area traffic right through Delta, and those visitors have no reason to stop and spend money. While the downtown area of Delta is very well designed and has stores and places for people to stop and purchase items, there are no brand name hotels in town, and no major recreational attractions to offer visitors a chance to stay and visit the area for several days.

In order to spend some time thinking critically about those two economic development opportunities, the City of Delta spent two days in a retreat setting. The team involved the Council, City Staff, members of the public and business communities, and economic development partners such as the Chamber. A 5 step process was used to create specific Action Steps that would need to happen for the projects to be successful and supported.

Strategic Planning Process

	<p>Perspective and Trends</p> <p>We cover the history and background of economic development, including Mission, Vision, and Values. An in-depth discussion about turning point and agreement on definitions lays the foundation for forward momentum and success.</p>
	<p>Brainstorming and Focus</p> <p>The 4 Critical Questions and 3 Vision Questions cover “Where are we now?” and “Where are we going?” so that the stakeholders can create a Long List of Opportunities and Challenges.</p>
	<p>GPS (Goals, Projects and Strategies)</p> <p>This is the heart of the Plan. From the Long List we establish Core Priorities and our future direction. Goals: (The <u>Why</u>), Projects: (The <u>What</u>) and Strategies: (The How). SWOT and SMART are both applied during this step.</p>
	<p>Measurable Actions</p> <p>No amount of planning is valuable without actions. We recommend 90 Day Actions that are led by goals, guided by strategy, and that accomplish projects. Focus and Accountability are driven by a Leader and Team for the action, a Completion Date, and a Measurement/Evaluation.</p>
	<p>Celebrate, Evaluate and Report</p> <p>Finally, Celebrate Success! This step encourages a thoughtful and thorough review of the Action Plan every 90 days. The group reviews Lessons Learned, identifies Trends or New Issues, determines Next Steps, and Reports Out on accomplishments.</p>

Vision, Mission & Values



Vision Destination

Delta: An All-America City in the heart of western Colorado with community spirit and abundant natural resources that fosters responsible economic growth and prosperity to create an attractive and vibrant rural community for residents, business owners and visitors of all ages.

Mission Preserve and enhance our community through collaborative efforts providing services that improve quality of life.

Core Priorities

Core Priority: Maintain Financial Stability 

 **Core Priority:** Marketing

Core Priority: Destination Delta 

Core Priority: Business and Builder Friendly 

 **Core Priority:** Delta Pride

Core Priority: Young People and Jobs 

 **Core Priority:** Keep and Improve the Quality of Life



More details on the Core Priorities can be found in the notes from the Strategic Plan retreat.

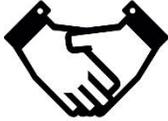
At the conclusion of a very informative, well debated two days of discussion, the team created some key points that would have to be addressed in order to move forward with the projects. In summary, those key points included:

- 1) Proof of long term financial sustainability and return on investment for the City
- 2) Ability to maintain current operations and maintenance needs of the City
- 3) Prioritization in the coming budget cycles to ensure funding of the wide range of City services and operations. The golf course was a specific discussion and the City Council committed to ongoing funding for the golf course subject to the annual budget review and approval process
- 4) There **MUST** be community support for the project, perhaps formalized through a ballot measure.

- 5) Regular and ongoing communication (with the Council, staff and residents) is required for success.
- 6) A private partner, as well as other funding mechanisms and sources, are critical to the project moving forward.
- 7) The projects must both fulfill the long term Vision of the City of Delta.

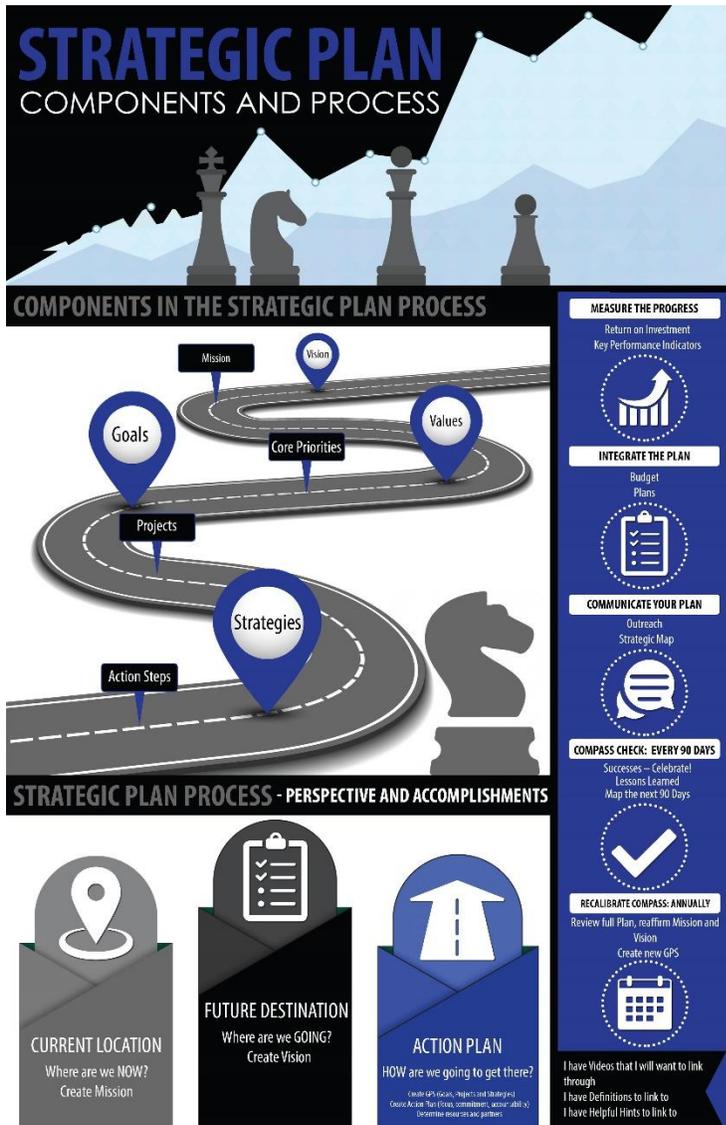


City of Delta Strategic Plan Implementation Chart

Vision and Mission	Core Priorities	Economic Development Area	Action Step
<p>Vision: Destination Delta: An All-America City in the heart of western Colorado with community spirit and abundant natural resources that fosters responsible economic growth and prosperity to create an attractive and vibrant rural community for residents, business owners and visitors of all ages.</p> <p>Mission: Preserve and enhance our community through collaborative efforts providing services that improve quality of life.</p>	<p>Financial Stability </p> <p>Marketing </p> <p>Destination Delta </p> <p>Business and Builder Friendly </p> <p>Delta Pride! </p> <p>Young People and Jobs </p> <p>Keep and Improve the Quality of Life</p>	<p>Hotel and Conference Center</p>	Secure Funding
			Ballot Issues
			Work with partners
			Legal Support
			Communication
			Capital Projects
		<p>River Activation</p>	Communication Plan
			Budget Prioritization
			Phasing of Capital Improvements



Action Step Details



A key part of the Strategic Plan is the implementation. The Action Steps create focus through specific details, commitment from the leaders and team assigned to complete the step, and accountability through dates and measurable outcomes. Each Action Step completes a critical piece of the process, and not only ties directly back to each Core Priority, but also realizes the Mission and Vision of the City of Delta.



Hotel and Conference Center Project

Core Priority	Action Step	Details	Who?	By When?
	Secure funding	Work with public and private funding partners	David and team	Ongoing
	Discussion of ballot issue regarding funding	See below	Mayor and City Council	Ballot of April, 2018
	Work with DCED and Better City	Refining the #'s, property owner discussions, presenting to Council and community	Glen	Ongoing
	Work with attorney to get TIF agreements signed	Review URA law, give update at reality check meetings	David	February, 2017
	Communication work session	Tuesday work session	David	Mid-September, 2016
	4 month reality check meeting	2 hours, an update, to build enthusiasm	David and team	November, 2016
	6 month reality check meeting	2 – 4 hours	David and team	February, 2017
	Trail piece under the bridge	Have applied for grant, will hear more in September, possible	Wilma	Construction in 2018



		award in November, could hire a contractor in June, may be constructed in 2018		
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River Activation Project

Core Priority	Action Step	Details	Who?	By When?
	Communication Plan		David and Wilma	November, 2016
	Prioritization in the budget	In 2017 cycle, see details below	David, Team and Council	Ongoing, must happen for 2017, so starts NOW
	Phasing of the River Restoration Project (working with the Parks Master Plan)	Must decide about the river projects and budget	Wilma	September, 2017 Parks Master Plan completed in late 2018
	Set expectations of timing and cost for the public	Make them clear	Wilma and team	Ongoing
	Ballot Question Discussion	Combined with Hotel Action Plan	Mayor and City Council	April, 2018
	4 month update	Combined with Hotel	David and team	



		Action Plan		
	6 month update	Combined with Hotel Action Plan	David and Team	

City of Delta Strategic Map

Preserve and enhance our community through collaborative efforts providing services that improve quality of life.

Mission Statement

Vision Statement

Destination Delta: An All-America City in the heart of western Colorado with community spirit and abundant natural resources that fosters responsible economic growth and prosperity to create an attractive and vibrant rural community for residents, business owners and visitors of all ages.



Priority: Maintain Financial Stability

Core Priority: Market



Core Priority: Destination Delta

Core Priority: Business and Builder Frier



Core Priority: Delta Pride

Core Priority: Keep and Improve the Quality of Life



MEMO

To: City Council
From: Glen L. Black *GLB*
Date: September 20, 2016
Subject: Code Revisions on Utility Locations



Community Development

Recommendation: Council would amend the Code to incorporate the recommended changes

Background: The City working with Region 10 and Delta County, is currently in process of construction of a middle mile fiber network. Staff is recommending that we add some additional code language to cover how Internet Service Providers (ISP's) will be able to utilize City infrastructure and public right of ways to continue services to their end users.

Cost: Staff time and publication costs.

Alignment With Strategic Planning: Economic Development is discussed in Chapter 5 of the Comprehensive Plan. Affordable High-speed Broadband has been identified as one of key tools needed by businesses for expansion and relocation to Delta.

Actions To Be Taken if Approved: Staff will prepare second reading and publication notice.

Ordinance #8, 2016

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING SECTION 17.04.240 OF THE DELTA
MUNICIPAL CODE

WHEREAS, the Delta City Council encourages the installation and use of broadband infrastructure to benefit the technological needs of citizens and businesses in Delta; and

WHEREAS, the City Council desires to update the Delta Municipal Code to address broadband and other new technology with respect to utility regulations.

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

Section 1. The foregoing recitals are incorporated herein as findings of the City Council.

Section 2. Section 17.04.240 of the Delta Municipal Code ("Supplemental Regulations") is hereby amended as follows:

Subsection E ("Telecommunication antenna and tower regulations") is recodified as Subsection G but otherwise remains unchanged.

Subsection F ("Adult care facilities") is recodified as Subsection H but otherwise remains unchanged.

The following provisions are adopted as new Subsections E and F:

E. Utilities, and Broadband Infrastructure Owners or Service Providers

1. All public utilities, utilities and broadband infrastructure owners or service providers, unless otherwise governed by, and provided for in a franchise agreement, shall comply with the following regulations and requirements:

a. Permits are required for any work on public property and must be obtained prior to installation or construction of any facilities.

b. If the proposed facilities are intended to be aboveground, the applicant must comply with and obtain a pole attachment agreement prior to installation or construction, unless otherwise permitted pursuant to

subsection F of this Section 17.04.240. The facilities applicant must utilize any existing City owned poles, as allowed by the pole attachment agreement, and will not be allowed to install any new poles to avoid the use of City owned poles. In the event that the City is unable to make use of an existing owned utility pole, the applicant will be required to underground the proposed facilities. If the proposed facilities cannot, by the nature of their intended use, be located underground, an applicant may seek approval for a new pole pursuant to subsection F below.

c. Any installation and construction of facilities of public utilities, utilities and broadband infrastructure owners or service providers must also comply with the applicable provisions of Chapters 13, 15 and 16 of this Municipal Code.

F. New Poles and Similar Structures within Rights-of-Way

1. A new freestanding pole or similar structure may be permitted within a public Right-of-Way, subject to the applicable provisions of Section 17.04.240, and subject to the following criteria:

a. The applicant demonstrates that it is not technically feasible or otherwise permitted to located the facilities on a City owned pole.

b. The pole or similar structure is not more than ten feet higher (as measured from the ground to the top of the pole) than any existing utility or traffic signal within 400 feet of the pole or structure.

c. Any such pole shall in no case be higher than 35 feet.

d. Any such pole shall be separated from any other pole, accessory equipment or similar structure in the Right-of-Way by a distance of at least 400 feet.

e. Collocations are strongly encouraged and the number of poles within the Right-of-Way should be limited as much as possible.

f. Equipment enclosures shall be located underground or otherwise out of view as much as possible.

Section 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.

Section 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 the 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 hereof

Section 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: J, K & L

Attorney Comments



City Manager Comments



Councilmember Comments

