

COUNCIL WORKSHOP/SPECIAL MEETING  
TUESDAY, JULY 23, 2019  
Dinner will be served at 5:15 p.m.

CALL TO ORDER

- A. 5:15 p.m., Dinner will be Served
- B. 5:30 p.m., Library Director Eric Ikenouye will speak on  
Upcoming Art Committee Items
- C. 5:35 p.m., Introduction of Allo Communications to City Council  
(General Services Rick Smith)
- D. 7:00 p.m., Cortez Retail Enhancement Association (CREA) proposal  
on Montezuma Park Band Shell  
(City Manager John Dougherty)
- E. 7:15 p.m., General Council Discussion
- F. For Your Information
  - 1. Letter to Honorable Diana DeGette regarding Colorado Wilderness  
Act of 2019
  - 2. Montezuma County Commissioner Minutes of July 2, 2019

ADJOURN



City of Cortez  
City Council  
Agenda Memorandum

*Item No:*

*Meeting Date: 7/23/19*

**TITLE: Band shell at Montezuma Park**

**SUBMITTING DEPARTMENT: City Manager**

**ATTACHMENTS: Attachments are included in the work session packet**

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**BACKGROUND:** Since approximately October 2018 CREA has been working on having a band shell constructed at Montezuma Park. Once construction is complete CREA was then transferring ownership to the City. After CREA had design work done and a construction company ready to schedule the job city staff informed CREA that they had to have a structural engineers stamp before permits could be issued. This newly disclosed requirement is beyond the approved budget for this project and CREA's Board is not willing to go any higher on their generous donation. Currently, CREA is proposing to donate \$35,000 toward the band shell and the City pick up the difference.

**DISCUSSION:** There is a stipulation in the letter from CREA's Executive Director that at the very least the construction has to be started on or before Sept. 1 or the check will be canceled. The Sept. 1 deadline to get the project bid and under construction is not feasible. I am currently negotiating with Mark on three alternatives including an extension of that deadline, if CREA is not flexible then I would recommend rejecting the offer.

**FISCAL IMPACTS (if necessary):** Proposed \$4,000. If Council is willing to do this I would propose that the money come from the Council's budget for grants, the money was not all spent this year.

**RECOMMENDATION (includes motion if necessary)**

**Staff recommendation is: Motion to approve \$4,000 to be combined with a \$35,000 donation from CREA to construct a permanent band shell in Montezuma Park.**

**Prepared By: Joan A. Dougherty**

  
City Manager

July 11, 2019

John Dougherty

Re: Montezuma Park Bandshell

John:

With September quickly approaching, we are looking at one year since we started the bandshell idea for Montezuma Park. I think you can appreciate our frustration in the slow pace of this project and it appears it will be impossible to get it erected by the last 3<sup>rd</sup> Thursday this summer.

And while we do not disagree with the concern of building this structure to proper safety standard's we are frustrated that we are just now getting information that the bandshell must be engineered plus we also have numerous other items that must be met (attached). It is fair to say that had we known of these requirements at an earlier date we could have budgeted accordingly or simply not started the project at all.

I am also confused why the city cannot engineer plans. It is my understanding the city built and designed the cement structure and attached shade structure at the golf course some years ago. In my mind this is much more elaborate and larger than our proposed park structure.

After meeting with a local contractor (Josh Martin-Martin Built Homes) and receiving a bid from him, the CREA board budgeted \$35,000 for this build. After discussions with an architectural firm we are looking at an additional (approximately) \$4000 to have plans engineered and add all other requirements. And while we certainly do appreciate the city's offer to pay one half of the \$4000 with non-profit funds (assuming council approval) we are going to stand firm on our budgeted amount of \$35,000.

As the city will assume ownership of the Montezuma bandshell and our organization is merely the funding arm, we have a signed check for \$35,000 ready to present to the city with our only stipulation being that the structure be completed (or construction started) by September 1<sup>st</sup>, 2019. If work has not commenced we will cancel the check.

Please note that we are not trying to "strong arm" the city into action but that we have reached a point where we believe the city needs to step in and finish what will become their property. Our goal is to continue to create events, spaces and structures that enhance our community both for the businesses and residents.

Please feel free to reach out to me if you have questions, thoughts, ideas.

Kindest regards,



Mark Drudge

Executive Director, Cortez Retail Enhancement Association

Date: Mon, Jul 1, 2019 at 3:25 PM  
Subject: Band Shell Generic Construction Info  
To: Karen Sheek <[ksheek@cityofcortez.com](mailto:ksheek@cityofcortez.com)>, City. Manager <[jdougherty@cityofcortez.com](mailto:jdougherty@cityofcortez.com)>

Karen, John:

As discussed, below are items to consider when the proposed band shell is built. Because the base design will have large structural impact loads, at a minimum, the following should be observed:

**Plans and spec's:** The plans prepared by Moffett Design are more conceptual and are not sufficient for construction. The plans should be forwarded to a structural engineer for determining the load capacities for each structural element based on design criteria of wind speeds of 115 mph 15-second gust winds, 30 pound ground snow load non-reducible, and a 32" frost depth, adjusting size/number of structural elements as needed. The final structural plans should specify size of columns, beams, girders, column imbedment depth, etc. and be of sufficient detail to state how to connect each piece of the structure together (bolts, connector plates, other). The structural engineer should also specify wood species, decay resistant wood, etc.

**Electrical:** The plans should specify electrical needs designed for outdoor use. Since the city will take over the structure, all electrical installations should be for heavy duty, vandalism resistant use. This would include all above ground conduit and raceways being Rigid Metal Conduit (RMC). RMC is not only extremely durable, but it is also of structural quality when installed properly. This means that once the RMC is installed, overhead electrical work can also be used to hang temporary lighting and sound equipment from overhead. The installation spec's for the RMC should also be a part of the engineer's plans so that connection of the RMC can be made based on a maximum weight load bearing capacity for each run of RMC.

**Electrical service:** A point of electrical service should be shown on the plans-- This is two-fold, first, the design must determine if the point of service is adequate for the need or if it must be upgraded, and two, the design will have to take into account for voltage drop if the run is very long.

**Lighting--** any lighting should be spec'd out as vandal resistant. There are many vendors that can provide guidance on this type of lighting.

**Electrical receptacles:** The number and mounting location for all receptacles should be designed for the need. Suggest consulting with end users to determine what is needed.

**Electrical disconnect switch:** Plans should include a heavy duty lockable disconnect switch at the band shell to prevent unauthorized use.

**Site plan:** There should be a site plan that shows approximate location of the band shell in relation to lot lines, other structures, utility easements, ROW's, and to point of electrical service.

**New vs. existing service point:** If a new service meter is required, an address will need to be issued. Which department will be responsible for paying the monthly service charge should be pre-determined.

**Electrical permits:** We will require a final inspection from the state electrical inspector before giving final approval for use.

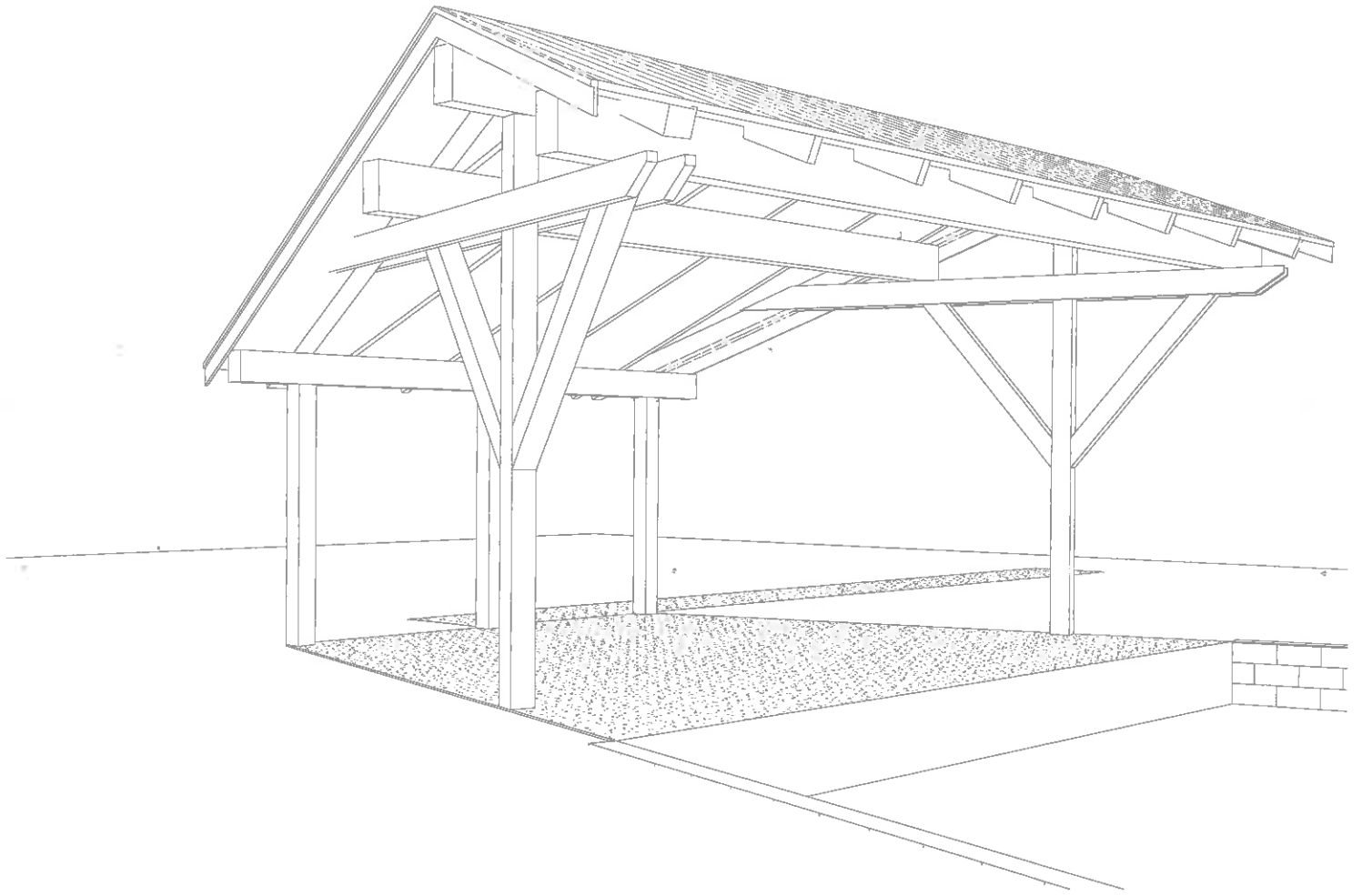
I have attached a list of local design pro's -- Cap Allen and Stoner Engineering have both provided structural engineering services for the city in the past....MB&E has provided electrical engineering service for us.

Keep in mind that the city is required by state law to keep permanent records of construction documents of all city owned structures. The above information will be of great value to those who come after us many years down the road.

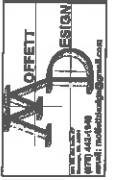
Hope this helps--- let me know if you have questions or need further input.

Thanks,  
Sam

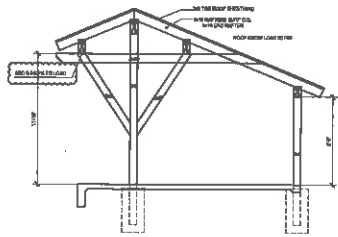
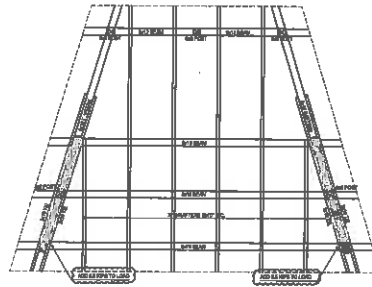
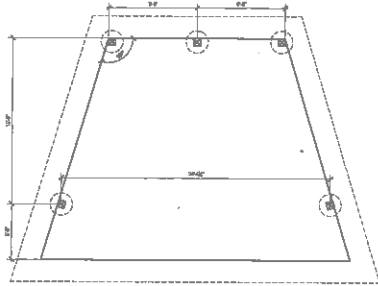
Jerril G. (Sam) Proffer  
Director of Planning & Building  
City of Cortez  
Cortez, CO 81321  
970-564-4058







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# Band Stage

NO.	REVISION	DATE

PROJECT NO.	1200
DATE: 07/12/11	
SCALE: 1/2" = 1'-0"	
CHECKED BY:	AD

REVISED:

# 4

PRINT DATE: AUGUST 10, 2011



City of Cortez  
City Council  
Workshop Memorandum

*Item No: Work Session*

*Meeting Date: 7/23/19*

**TITLE: Cortez Public Art Funding Four Corners Community Band**

**SUBMITTING DEPARTMENT: Eric Ikenouye, Library Director**

**ATTACHMENTS: Four Corners Community Band Proposal**

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**BACKGROUND**

At the Committee meeting in June meeting, Patricia Lacey, a member of the Four Corners Community Band, made an oral request for funding for the Band. Ms. Lacey was requesting funding for future performances and instrument purchase and repair. The Committee recommended she provide us with a written request to present at the July meeting. Ms. Lacey prepared the attached proposal, and the committee discussed and decided to approve the request of \$1,000. The Committee recommended that the Band also use 1/3 of the funds for marketing and promotion of the Band and their performances. Ms. Lacey agreed that it would be a good use of funds as well.

It should be noted that current Art Committee member Mark Allen is also the director of the Community Band. The conflict of interest was recorded in June, and Mr. Allen (excused absence) was not in attendance for the July discussion and decision.

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**DISCUSSION**

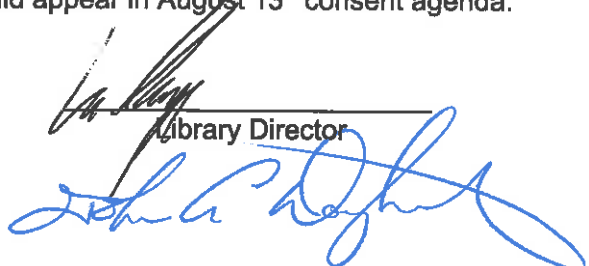
The Committee wanted to inform you of their approval of the funding to avoid any appearance of being in contraposition to the Council. In the past, the Community Band has requested funding from the Council during the Community Grants period. In 2018, they received \$500 funding from Council. However, the Council did not fund them in 2019.

No funds have been distributed to the band as the Committee wanted to share with Council the request and their decision first.

**NEXT STEPS**

Ultimately, it is up to Council to deem the allocation and amount of the funding to the Community Band. If funding is approved, the item would appear in August 13<sup>th</sup> consent agenda.

Prepared By:

  
\_\_\_\_\_  
Library Director



To the Cortez Public Arts Advisory Committee  
City Hall  
Cortez, Colorado

July 10, 2019

#### Four Corners Community Band Proposal

The Four Corners Community Band is requesting funding from the Cortez Public Arts Advisory Committee for the performances at the Cortez Summer Concerts in the Park. This would be in the tradition of the previous Cortez Summer Concerts where musicians were paid for their performance. In previous years the Pinyon Arts and Humanities Alliance secured grant funding to sponsor the Summer Concert Series and provide payment for musicians. In Rico and Mancos the band has received generous donations in appreciation of the performances.

We are excited about performing in Cortez and hope this can be a regular event. We were so pleased with our audience of 60 people at the recent Sunday June 30 concert. And we are looking forward to another Concert in the Park on Sunday August 18, 2019 at 2 PM.

We are requesting a budget item of \$500 for each concert in the park. Our funds will be used for music (including children-pleasing tunes) and for instrument purchase and repair.

The Four Corners Community Band has members aged 15 to 80. There are about 30 active members. Each year we present concerts to Vista Mesa Assisted Living, Vista Grande Long Term Care and Rehabilitation, and Mancos Valley Inn. We have played in Rico for the Fourth of July Parade and a concert for many years. We have played in Newcomb and Shiprock, New Mexico. We have played for Mancos Days and Escalante Days.

We thank the Committee for their support of the arts including the support of music and our local musicians. We hope that this request will also help to support other musicians at Cortez Concerts in the Park.

Sincerely,

Patricia Lacey, Secretary, Four Corners Community Band  
[prflacey49@gmail.com](mailto:prflacey49@gmail.com)



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 12, 2019

The Honorable Diana DeGette  
U.S. House of Representatives  
2111 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congresswoman DeGette,

I, Karen Sheek, Mayor of the City of Cortez, am writing on behalf of the City Council to express our resounding support for the Colorado Wilderness Act of 2019 (H.R. 2546). Thank you for introducing this important legislation protecting public lands that are a critical part of our livelihoods, our health, our identity and our heritage here in Colorado.

We agree that these areas deserve to be officially designated as Wilderness -- the strongest level of land protection in the country. The need for this protection has only grown as more people have moved or travel to Colorado to enjoy its natural splendor. We appreciate that you have met with countless stakeholder groups and know that these meetings have been integral to refining the Colorado Wilderness Act of 2019. We believe that the current proposal balances the interest of stakeholders while providing protections for these pristine places for future generations.

The City of Cortez applauds your leadership on this critical bill and, and we stand ready to partner with you and other stakeholders to see the Colorado Wilderness Act of 2019 become law.

Sincerely,

Karen W. Sheek  
Mayor

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 2, 2019**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 2, 2019 at the courthouse in Cortez, Colorado, there were present:

Keenan Ertel, Chairman  
Larry Don Suckla, Vice Chairman  
Jim Candelaria, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, ERTEL** opened the meeting of July 2, 2019 with the Pledge of Allegiance.

**MINUTES:** Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 25, 2019 as presented. Motion was seconded by Commissioner Suckla and carried.

**PUBLIC COMMENT:** No comments were made.

**DISCUSSION:** Local School Superintendents, **Laurie Haukeness** from the **Cortez School District RE-1**, **Liz Richards** from the **Dolores School District RE-4A** and **Brian Hanson** from the **Mancos School District RE-6** met with the Commissioners to discuss the 2018 / 2019 **Secure Rural Schools** distribution. Topics of the discussion included; how the funds are spent by the school districts, individual district needs, the distribution amount, the minimum distribution requirements, current Resource Officers within the School Districts and the development of a 3-5 year plan for future distributions. The Superintendents will return in August 2019, with recommendations for the Board of County Commissioners review. (See attached)

**ROAD DEPARTMENT: Road Superintendent, Rob Englehart** presented the road and bridge schedule for the dates of June 26, 2018 through July 12, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; completion of the Road P gravel project, the chip seal projects, mile marker posts for the Dolores Norwood Road, the crusher schedule, the truck schedule, the truck dispatcher, an invite to join a San Juan County road project demonstration, the **Stripes A Lot** project, an open range issue on Road S, road traffic counts, Landfill load counts and the 7<sup>th</sup> Street expansion project. Superintendent Englehart presented for approval, the final quantities, that included a 16.5% overage and Change Order #1 in the amount of \$137,723.00, for the contracted paving projects with **Elam Construction**. Commissioner Suckla moved that Montezuma County approve the overlay and supply project over run of \$137,723.00 for the Montezuma County Road Department. Second by Commissioner Candelaria and carried. Superintendent Englehart presented additional proposed 2019 overlay projects for review. Projects included; Road G, from Road 25 to the Landfill, Road 26 from Road L through Road P and the Kinder Morgan Truck Route. Commissioner Suckla moved to approve the \$1.4 million to proceed with the pavement of roads for the taxpayers benefit. Second by Commissioner Ertel and with 2 votes in favor from Commissioner Suckla and Ertel and one vote against from Commissioner Candelaria the motion passed. Administrator Powers discussed that with the recent absorption of the Fleet Department within the Road Department and on the advice of the **County Auditor, Chris Majors**, for the bookkeeping aspects, a Road Department / Fleet sub-account is required to be opened. Commissioner Candelaria moved to open a new account designated as #0025200 to function underneath the Road Department for the Fleet. Second by Commissioner Suckla and carried. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Larry Copeland** gave his monthly report which included the year to date numbers for income of \$36,544.99 and attendance at 37,860. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Raceway advertisement board, electrical and plumbing issues at the Raceway, the Card Lock system, security cameras, estimates for repairs on the dump truck, the electronic signs and proposed charging stations placed at the Fairgrounds. Manager Copeland presented the only quote received from **Cortez Electric** for the Indoor LED lighting project. Commissioner Candelaria moved to incorporate the LED lighting into the kitchen, meeting rooms and upstairs, remodel project. Second by Commissioner Suckla and carried. (See attached)

**SENIOR NUTRITION: Jonathon G. Parker Jennifer Morris** gave the quarterly update on the Senior Nutrition. Topics discussed included the 2019-2020 Area Agency on Aging (AAA) grant applications, upgrades to the center, staff trainings, and the kitchen remodel project. (See attached)

#### **PLANNING:**

**Planning Director, Don Haley and Planning Assistant, S. Jane Duncan** presented for signatures of an After-The-Fact Exemption submitted by **Lorna Gail LaDage** on property located at 13260 Road 18, Cortez, CO, consisting of 25 acres, more or less, located on the south of Road P, west of Road 18, situated in S. 3 T.36N., R.17W., N.M.P.M.

**Planning Director, Don Haley and Planning Assistant, S. Jane Duncan** presented for signatures of a High Impact Permit and Special Use Permit submitted by **Horizon Tower, Agent: Shelly Neace from Pramira**, for the purpose of developing a new wireless telecommunication facility and 100 foot monopole tower, on property located at 6991 Road 24.3, Cortez, CO, consisting of 4.42 acres, more or less, located south of Road G, west of Road 24.3, situated in S.10, T.35N, R.16W, N.M.P.M.

**Planning Director, Don Haley and Planning Assistant, S. Jane Duncan** presented for signatures of an Exemption submitted by **Stephanie Seiler and Kathryn Koval-Carey & Leshar Carey** on properties located at 24362 Road 37 and 24208 Road 37, Dolores, CO located on the east side of Road 37, east of Hwy 145, situated in S.11 T.38N., R.14W., N.M.P.M.

**COUNTY ATTORNEY REPORT: Attorney John Baxter** reported on a proposed Resolution and a conversation held with the Colorado Department of Corrections regarding an increase to the jail rates within Montezuma County. Also discussed were the "Fence Out" findings for the open range conditions on Road S.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, no report given.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed the Fairboard Financials, a petty cash account and a proposed credit card. Administrator Powers reported that he had set up a scheduled visit from **Mountain State Imaging** to discuss a scope of work for the digitization project.

**COUNTY COMMISSIONER REPORT:**

**Commissioner Ertel** discussed the Dolores Town Hall meeting.

**Commissioner Suckla** discussed the Town Hall Board meeting and the relocation of a business from Dolores to Cortez.

**Commissioner Candelaria** discussed the applications for the electrical charging stations and the solar discussion with Empire Electric.

**PUBLIC COMMENT:** No comments were made.

Chairman Ertel announced the adjournment of the meeting for the LUNCH break.

Chairman Ertel announced the meeting would reconvene

**49 SQUARE VENTURES:** (Continued from May 14, 2019) **Planning Director, Don Haley**, from **49 Squares Ventures, Owners Matt Bradshaw and Matt Fuller**, from the (CDPHE) **Colorado Department of Public Health and Environment, Ed Smith, Randy Perila** and from the **Attorney General Office, David Banas** had a conference call with the Board of County Commissioners. The CDPHE made a request that the County revoke the Certificate of Designation (CD), from 49 Squares Ventures for compliance violations. The Certificate of Designation was signed by the Montezuma County Board of County Commissioners on May 19, 2014. Topics of the discussion included; the Financial Assurance Plan, ground water

monitoring, facility closure requirements, development of a fire management plan, closure and post closure finances, a letter of intent to purchase product, chain of custody logs, laboratory samples, the 2019 ground water monitoring, material managements, future inspections done by County Administrator Powers, materials sold, and future facility compliance. Commissioner Candelaria moved that with the condition upon reading the "letter of intent" email sent to Administrator Powers, that they stay in compliance with the water reports and that the reports are accepted by Bob Peterson, to grant 49 Square Ventures a 12 month extension to get it under control and to move forward. Second by Commissioner Suckla and carried. The Board of County Commissioner will coordinate a 6 month review with 49 Square Ventures and the CDPHE.

**CORRESPONDENCE:** The following correspondence was read and noted: An invitation from **High Desert Conservation District** to attend the "What's New with Colorado Ag Policy" event.

**MOTION TO ADJOURN:** was made by Commissioner Suckla seconded by Commissioner Candelaria and carried.

**MEETING ADJOURNED: 1:35 p.m.**

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Clerk July 2, 2019

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Chairman