

CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 28, 2020

1. The meeting was called to order at 7:30 p.m., by virtual contact through ZOOM, and was opened with the Pledge of Allegiance. Councilmembers present were Mayor Mike Lavey, Mayor Pro-tem Rachel Medina, Sue Betts, Amy Huckins, Orly Lucero, David Rainey, and Arlina Yazzie. Staff members present were Police Chief Vernon Knuckles, Patrol Lieutenant Andy Brock, Director of General Services Rick Smith, City Planner Tracie Hughes, Associate Planner Neva Connolly, Director of Public Works Phil Johnson, Director of Parks and Recreation Dean Palmquist, IT Support Technician Bill Kuhn, City Clerk Linda Smith, City Manager John Dougherty, and City Attorney Mike Green. There were 16 people signed up as participants.
2. The Consent Agenda items acted upon by Council were as follows:
  - a. Approval of the Worksession and Regular Meeting Minutes of July 14, 2020.
  - b. Approval of the payment of the Expenditure Vouchers of July 28, 2020.
  - c. Approval of a renewal Hotel and Restaurant Liquor License and Outdoor Dining License Agreement for Blondies Trophy room LLC, DBA Blondies Trophy Room, located at 45 East Main Street, Cortez.
  - d. Approval of a renewal Arts Liquor License and Change in Corporation for Community Radio Project Inc., KSJD, located at 2-8 East Main Street, Cortez.
  - e. Approval of a renewal Fermented Malt Beverage Liquor License for Stokley Corporation, DBA Handy Mart South, located at 806 ½ South Broadway, Cortez.
  - f. Approval a renewal Medical Marijuana Center/On Site Optional Premises Cultivation License for Durango Organics, LLP, DBA DO Cortez, located at 1104 East Main Street, Cortez.
  - g. Approval of a renewal Fermented Malt Beverage Liquor License and Change in Corporation for Good 2 Go Stores LLC, DBA Good 2 Go, located at 302 West Main Street, Cortez.
  - h. Approval of a renewal Fermented Malt Beverage Liquor License and Change in Corporation for Good 2 Go Stores LLC, DBA Good 2 Go, located at 717 South Broadway, Cortez.
  - i. Approval of a renewal Retail Marijuana Store License for Green Kiwi 4, LLC DBA LivWell, located at 1819 East Main Street, Cortez.
  - j. Approval of a renewal Retail Marijuana Store/Retail Marijuana Cultivation Facility License for THA Corporation, DBA The Herbal Alternative, located at 1531 Lebanon Road, Cortez.
  - k. Approval of a renewal Medical Marijuana Center/On Site Optional Premises Cultivation License

for THA Corporation, DBA The Herbal Alternative, located at 1531 Lebanon Road, Cortez.

1. Approval of the Findings per Section 15-414 Issuance or Denial of Approval, Cortez Retail Marijuana Code, Cortez City Code, Application of NuVue Pharma LLC for Retail Marijuana Sales License Approval.

In answer to a question from City Manager Dougherty, City Attorney Green stated that the Findings for the Issuance of the NuVue Pharma LLC were being approved as Council had motioned at the July 14, 2020 meeting. Councilmember Lucero moved that the Consent Agenda be approved as presented. Councilmember Betts seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

### 3. PRESENTATIONS

a. Proclamations for Parks and Recreation Month and Professionals Day. Director of Parks and Recreation Palmquist stated that since 1985 the National Parks and Recreation Association has recognized July as Parks and Recreation Month. Mayor Lavey read the two proclamations for the record. Council commented that the recognition is well deserved for all the Parks and Recreation staff's hard work.

Councilmember Betts moved that July 2020 be declared as Parks and Recreation Month and July 28, 2020 as Parks and Recreation Professionals Day. Councilmember Huckins seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

### 4. CITIZEN PARTICIPATION

a. Bridge Emergency Shelter. Ole Bye, 226 North Elm Street, asked that the Bridge Shelter be opened year-round. He asked about the contribution that the City makes to the Bridge Shelter and spoke about the importance of helping people in the community and having the shelter open year-round. Discussion was held on if there is enough staff to keep the shelter open year-round and where the funding would come from for the additional six months. It was also suggested that a place is needed for families which the Bridge Shelter does not provide and that stakeholders would need to be brought together to see if funding could be found.

### 5. PUBLIC HEARINGS

a. QUASI-JUDICIAL ITEM – Resolution No. 9, Series 2020. Mayor Lavey noted that the item is a Quasi-Judicial item and he read the information regarding the Quasi-Judicial process. Associate Planner Connolly stated that Resolution No. 9, Series 2020, approves the site development plan to establish equipment storage in the building located at 459 West North Street. She stated that the building was originally installed in 2013, unfinished, with no utilities, paving, or parking. She

stated that when the building was constructed it was noted that the building would require a site plan review; however, the building has remained unfinished. She stated that Michael Rogers would like to use the building to store electric motors that would be sold online or via telephone transactions. She noted there would be no employees on site until equipment is delivered or loaded for delivery. She stated that the applicant estimates there will be four or five deliveries per month. She reviewed the landscaping and parking requirements and noted that the applicant has requested a special exception to the parking requirement from the required 19 paved parking spaces to 2 paved spaces and 2 graveled spaces which was granted by the Planning and Zoning Commission at their July 7, 2020, meeting. She stated that there were no issues received from affected agencies and utility providers and the Parks and Recreation has approved the landscaping plan with one suggestion for one of the trees. In answer to question from Councilmember Yazzie, Associate Planner Connolly explained the concern from Planning and Zoning Commissioner Stephen Candelaria regarding the condition for completion of the landscaping (financial surety) and she noted that the wording has been changed to reflect his concern. It was noted that there is not a concern regarding fire safety for the building at this time as the building will be inspected prior to the Certificate of Occupancy being issued. Discussion was held on the use of the building as proposed by the applicant and it was noted the property is located in the Commercial Highway Zoning District and if the use changes, additional parking could be required.

Mayor Lavey opened the public hearing. Brian Kimmel, representing the applicant Michael Rogers, stated that the applicant has made his representation of what he will use the building for and noted that Mr. Rogers does not repair motors but buys and sells motors that are received on pallets. He stated that if there is a problem with the traffic being more than is represented, the City could contact Mr. Rogers about any issues they may have. No one else spoke and the hearing was closed.

Councilmember Huckins moved that Council approve Resolution No. 9, Series 2020, with four conditions, approving the site development plan to establish equipment storage in the building located at 459 West North Street, as submitted by Brian Kimmel and Ryan Griglak, authorized representatives for property owner Michael Rogers. Councilmember Yazzie seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. QUASI-JUDICIAL ITEM – Resolution No. 10, Series 2020. Councilmember Lucero recused himself from the discussion and vote due to a possible conflict-of-interest. Associate Planner Connolly stated that Resolution No. 10, Series 2020, approves the site development plan to establish multi-family residential housing at 121 West 1<sup>st</sup> Street. She stated that Dean Brookie, representative for the property owner Schoolhouse Properties, LLC, has applied to the City to construct 12 units in the historic Calkins building, with 2,500 square feet of office space for the Montezuma County Housing Authority, and 30 units in two new buildings to be located east of the Calkins building. She stated that the site plan is for the property located on the Calkins North Tract and is being submitted concurrently with the vacation plat of the site. She stated that Council approved the Conditional Use Permit on May 28, 2019, for the development. She stated the northern tract will consist of 3.71 acres and the southern tract consists of 1.92 acres. The southern

tract will remain undeveloped for the near future. Associate Planner Connolly stated that the construction of the new units will be complimentary to the historic Calkins Building. She noted that the Calkins structure was built in 1909 and added on to in 1924 and 1935. She stated that the Calkins structure and the two proposed apartment buildings meets current standards for setbacks. She stated that the proposed two apartment buildings will be constructed with 15-units each, for a total of 30 one and two bedroom apartments. She reviewed the landscaping and parking requirements and noted that the landscaping totals 42.4% which exceeds the minimum requirement and the parking will meet the requirements as well with 92 parking spaces provided. She reviewed the Comprehensive Plan goals and objectives that will be met through the construction of the project. In answer to a question from Councilmember Yazzie, Associate Planner Connolly stated that there is a plan to complete 2<sup>nd</sup> Street through the property.

Mayor Lavey opened the public hearing. Terri Wheeler, Executive Director for the Montezuma Housing Authority, stated that they are excited to move forward with the project and hope to break ground in the fourth quarter of 2020. Councilmembers Yazzie and Huckins commented that it is a great project to have in Cortez. Jordan Romeo asked about the rent for the apartments and Ms. Wheeler stated that the apartments are affordable units and rent (from \$425 to \$750) is based upon the income and family composition. In answer to a question from Councilmember Yazzie, Ms. Wheeler spoke about the common areas that will be available including a multi-purpose court, community/weight room, youth center, tot lot, and garden area. Ms. Wheeler stated that everything that can be saved in the Calkins building will be kept in the renovation including the staircases. Ms. Wheeler stated that the Housing Authority will be housed in the Calkins Building and the plan is to be completed by January 2022. She stated that the southern portion of the property cannot be developed until five years after the completion of this project. No one else spoke and Mayor Lavey closed the public hearing.

Councilmember Rainey moved that Council approve Resolution No. 10, Series 2020, with five conditions, approving the site development plan to establish multi-family residential housing at 121 West 1<sup>st</sup> Street, as submitted by authorized representative Dean Brookie for applicant and property owner, Schoolhouse Properties, LLC. Councilmember Betts seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	*	Yes	Yes	Yes

\*Councilmember Lucero recused himself from the discussion and vote due to possible conflict-of-interest.

6. UNFINISHED BUSINESS

a. Resolution No. 6, Series 2020. Director of Public Works Johnson stated that Resolution No. 6, Series 2020, was tabled at the July 14, 2020, Council meeting due to the Intergovernmental Agreement not being received by the Colorado Department of Transportation (CDOT). He stated that the City of Cortez and CDOT will be combining their efforts in 2020 to install a traffic signal at the intersection of US Highway 160 and Hawkins Street. He stated that CDOT drew up plans and specifications and put the project out for bid fully intending to fund the project at \$1.95M; however,

the lowest bidder came in at \$2.402M leaving a \$450K shortfall. He stated that CDOT requested that the City provide \$225K in funding as a partnering agency to keep the important project moving forward. He stated that the \$225K will come out of the Street Improvement Fund which was originally budgeted for this year’s chip-seal project that is being postponed until next year. Discussion was held on the timeline for the completion of the project and Director of Public Works Johnson stated he could receive the information from CDOT and forward to Council. It was noted that the chip-seal project could not be completed this year due to staffing and the construction period and it was felt the intersection improvement was more important Mr. Bye asked about the background of the project and Director of Public Works Johnson stated that the match was agreed to during discussions with Council at several previous worksessions and is important to complete as the intersection is considered a dangerous intersection and has been in discussion for over five years.

Councilmember Betts moved that Council approve Resolution No. 6, Series 2020, and authorize Mayor Lavey to sign the Intergovernmental Agreement with the Colorado Department of Transportation to fund \$225K towards the traffic signal installation at the intersection of US Highway 160 and Hawkins Street. Councilmember Yazzie seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. Settlement Offer from CNA Surety. City Manager Dougherty stated that a settlement offer from CNA Surety for the embezzlement by the former finance director has been offered to the City in the amount of \$63,642. It was noted that discussion was held with CIRSA on covering the money that was paid to the finance director for working on the audit after she had retired (\$10,000); however, staff has not heard back from CIRSA regarding the request. He stated that if Council accepts the amount from CNA Surety, the process would most likely be completed. It was noted that the insurance company paid for the investigation/forensic auditors. City Attorney Green stated that it would be hard to prove that the additional money paid following the finance director’s retirement for working on the audits should be covered under insurance coverage. Council discussed the possibility of receiving addition restitution or accepting the offer from CNA Surety.

Councilmember Huckins moved that Council accept the offer from CNA Surety in the amount of \$63,642 and authorize the Mayor to sign the settlement agreement. Councilmember Betts seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	No	Yes	Yes	Yes

7. NEW BUSINESS

a. Out-of-City Water Tap and Pre-Annexation Agreement. Director of Public Works Johnson stated that the City has received an application from Charlie Sirman and Deborah Nickel for an out-of-City water tap to be installed on their property located at 11751 Highway 145. He noted that

there is a one-bedroom house on the property along with a single-wide trailer, which have both been used as residences and have been sharing a single water tap. He stated that the City allows property owners located outside the City limits to purchase a City water tap when they are near an existing City main waterline. He stated that the County had recently forwarded a copy of the subdivision application for this property since it is located within the 3-mile Urban Influence Area. He stated that the County had received a letter from Montezuma Water Company stating that they do not currently provide water for this area and it was noted that a 3/4" City water tap serviced this property. He noted that since there are two residences on the property, an additional water tap is required. In answer to a question from Mayor Pro-tem Medina, Director of Public Works Johnson spoke about the process of installing the water tap.

Councilmember Lucero moved that Council approve an out-of-City water tap and Pre-Annexation Agreement at 11751 Highway 145, Cortez, as requested by Charlie Sirman and Deborah Nickel, with the stipulation that the applicants install an approved backflow prevention device. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

b. QUASI-JUDICIAL – Resolution No. 7, Series 2020. Associate Planner Connolly stated that Resolution No. 7, Series 2020, authorizes the Minor Subdivision of Lot 3 of the J.A. Barrett Subdivision. She stated that the owner has proposed to divide Lot 3, a 14,857 square foot lot, into two lots, 3A (7,000 square feet) and 3B (7,857 square feet). She stated that currently Lot 3A has an existing house located on the property and Lot 3B has two sheds on the property which will need to be removed prior to recording the subdivision plat. She stated that the property is zoned single family residential (R-1) and there is no proposal to create new roads or utilities. She stated that Lot 3B is bisected by a 20-foot utility easement and several service lines, but leaves a portion of the lot able to meet minimum standards for R-1 residential development. She reviewed the requirements from Land Use Code Section 6.11(a), to allow Council to approve the minor subdivision. She reviewed the utility supplies and affected special districts comments and noted that Empire Electric requested a 10-foot easement to be placed on an existing underground service line running along the northern portion of the proposed lots and a shed would need to be removed that sits on top of the underground electric. She stated that the applicant has agreed to move the Atmos Gas service line. It was noted that trash pickup can be completed in the front of the two lots. Discussion was held on the minimum wall length that would be required per the Land Use Code for the home.

Ed Rice stated that the one of the sheds is on Lot 3A and the shed on Lot 3B will be removed. He stated that the new home on Lot 3B would be a three bedroom home that would fit in the area. In answer to a question from Councilmember Huckins, Mr. Rice stated that he has not spoke to the neighbors about the proposed home and commented that the property is wasted ground and would be a good location for a home.

Councilmember Yazzie moved that Council approve Resolution No. 7, Series 2020, with four conditions, approving the Minor Subdivision of Lot 3 of the J.A. Barret Subdivision, as submitted by Edward Rice, authorized representative for owner the Edward Rice LLC, and authorize the Mayor to sign the plat. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

c. QUASI-JUDICIAL – Ordinance No. 1275, Series 2020. Mayor Pro-tem Medina recused herself due to a possible conflict-of-interest. City Planner Hughes stated that Ordinance No. 1275, Series 2020, approves the vacation of the Coronado Avenue Right-of-Way located between Tract B, Block C, Block 7 of the Hiltzville Addition and to the west of Lots 13-16, Block 3 of the Smith Addition, an area consisting of 40.12 x 80 feet. She stated that the original applicants for the vacation request were Doug and Leah Roth and they have joined with the property owners to the south (Angela, Daniel, and Careen Porter) to vacate the Coronado right-of-way and transfer ownership to the adjoining property owners. She noted that the Coronado right-of-way was platted on the Hiltzville plat; however, when the Smith Addition Plat was recorded, Coronado was not extended to Ash Street. She stated that lots were created where the right-of-way would have extended. She stated in order for Coronado Avenue to be completed to Ash, these lots would need to be acquired by the City. She noted that the Coronado right-of-way has not been used for a public purpose for quite some time as is evidenced by the location of a pool on the Roth property that was constructed in the 1950’s. City Attorney Green stated that State Statute specifically authorizes vacation of ‘any roadway’ or ‘part thereof’ however the Cortez Land Use Code is silent about vacation of portions of a right-of-way. He stated that it makes sense to vacate the entire Coronado Avenue right-of-way and give the portion of right-of-way to the two property owners. He stated that the ordinance is being presented on first reading and would be set for public hearing on August 11, 2020.

Councilmember Yazzie moved that Council approve on first reading Ordinance No. 1275, Series 2020, approving the vacation of the Coronado Avenue Right-of-Way located between Tract B, Block C, Block 7 of the Hiltzville Addition and to the west of Lots 13-16, Block 3 of the Smith Addition, an area consisting of 40.12 x 80 feet, and set for public hearing on August 11, 2020. Councilmember Lucero seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	*	Yes	Yes

\*Mayor Pro-tem Medina recused herself due to a possible conflict-of-interest.

d. QUASI-JUDICIAL – Ordinance No. 1274, Series 2020. Councilmember Lucero recused himself due to a possible conflict-of-interest. Associate Planner Connolly stated that Ordinance No. 1274, Series 2020, approves the vacation of an alley in Block 47 and a portion of Block 50 between Lots 13 and 19, the Second Street Right-of-Way from the eastern edge of the alley in Blocks 46 and 51 to the western edge of Ash Street; and the lots and blocks of Lots 1 through 12, Block 46; Lots 1 through 24, Block 47; Lots 1-6, Block 50; Lots 13-18, Block 50; and Lots 1-6, Block 51, of the Town of Cortez and Chamberlin’s Addition Plat. She stated that the application is part of the process for completing the Calkin’s Building development. She noted that the Calkins School sits on the alley that is proposed to be vacated and the applicant is proposing to reduce the dedicated right-of-way for 2<sup>nd</sup> Street from 80 feet to 60 feet. She stated that the Public Works Department has reviewed this proposal and does not have issue with reducing the right-of-way of 2<sup>nd</sup> Street or vacating the alley. She noted that a warehouse currently extends into the 2<sup>nd</sup> Street right-of-way and the applicant is working to remove a portion of the building to meet setback requirements. She

reviewed the comments received from the utility suppliers and affected special districts and it was noted that the utility easements will not be vacated. City Attorney Green stated that the entire street of 2<sup>nd</sup> Street will be vacated and rededicated at 60 feet and asked that Council approve the ordinance on first reading and set for public hearing on August 11, 2020. Mayor Pro-tem Medina asked that the City Land Use Code be fixed to match the State’s regulation on the vacation of streets/alleys. She noted that in the future a dead-end alley will need to be dealt with near 3<sup>rd</sup> Street which is south of the Calkins property in Block 50.

Mayor Pro-tem Medina moved that Council approve on first reading Ordinance No. 1274, Series 2020, approving the vacation of an alley in Block 47 and a portion of Block 50 between Lots 13 and 19, the Second Street Right-of-Way from the eastern edge of the alley in Blocks 46 and 51 to the western edge of Ash Street; and the lots and blocks of Lots 1 through 12, Block 46; Lots 1 through 24, Block 47; Lots 1-6, Block 50; Lots 13-18, Block 50; and Lots 1-6, Block 51, of the Town of Cortez and Chamberlin’s Addition Plat, and set for public hearing on August 11, 2020. Councilmember Huckins seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	*	Yes	Yes	Yes

\*Councilmember Lucero recused himself due to a possible conflict-of-interest.

e. Renewal Tavern Liquor License for Angels End Zone. City Clerk Smith stated that Angels End Zone has submitted their renewal liquor license and part of the renewal process is that the entity is current on their sales tax. She commented that Angels End Zone continues to work on their outstanding sales tax balance and staff recommends that their license be renewed. City Manager Dougherty commented that Finance Director Ben Burkett stated that the owner of Angels End Zone has been very good at making her payments and he has no objections to the license being renewed. In answer to a question from Mayor Pro-tem Medina, City Clerk Smith stated that Angels End Zone is serving food and is able to be open for their patrons during this stage of the pandemic.

Councilmember Rainey moved that Council approve a renewal Tavern Liquor License for A&S LLC, DBA Angels End Zone, located at 309 North Broadway, Cortez. Councilmember Yazzie seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

f. City of Cortez Hydroelectric Power Purchase Agreement with Empire Electric Association Inc. Councilmember Lucero asked if he should recuse himself since he works at Empire Electric and City Attorney Green stated that he did not feel Councilmember Lucero would need to do that. Director of Public Works Johnson stated that the City owns and operates a 240 kW micro-hydroelectric power generation unit at the City’s water treatment plant (27999 CR N) which was constructed in 2009 and came on line in 2010. He stated that the power produced at this location has been purchased by Empire Electric Association Inc., since that time. He stated that the first 10-year contract will expire in August 2020 and a new contract is needed to continue to sell the power generated at this facility. He stated that the falling rates for renewable energy production have



arrived and the rate structure shown in this contract will no longer support the debt service, nor the operation and maintenance of our micro-hydro plant. However, the only option is to sell the power to Empire Electric. He stated that the rate change will effectively cut the City’s revenue stream by 50% and will cost the City of Cortez approximately \$300,000 over the 10-year term of this contract. Council held discussion on the amount of production that is sold to Empire Electric and the rate of return that is received on the investment. Director of Public Works Johnson stated that staff continues to work on how to proceed with the hydro plant.

Councilmember Betts moved that the Mayor be authorized to sign the Power Purchase Agreement and Distributed Energy Resource Interconnection Agreement with Empire Electric Association Inc. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

g. Extend City Manager Maximum Vacation Accrual. City Manager Dougherty stated that he receives his vacation in one lump sum in July each year and he will be maxed out over the allowed 240 hours. He stated that he has not been able to take his vacation that was planned in the spring and would ask that Council allow him to carry over 35.15 hours until the end of 2020. He stated that he has plans to take off a few times this fall and will use the hours before the end of the year. It was noted that a lot has been going on over the past few months and Council thanked City Manager Dougherty for staying on the front line during the pandemic crisis.

Councilmember Huckins moved that the City Manager be allowed to carry over 35.15 hours exceeding the maximum vacation hours allowed through the end of the current fiscal year, at which time any hours over 240 will be lost. Councilmember Yazzie seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	No	Yes	Yes	Yes

h. New Hotel and Restaurant Liquor License for Margaritas. City Attorney Green stated that Margaritas Inc., DBA Margaritas, located at 550 South Broadway, has applied for a Hotel and Restaurant Liquor License. He asked that Council set a public hearing and the neighborhood boundaries for the new license.

Councilmember Yazzie moved that Council set a public hearing date for August 11, 2020, for review of a new Hotel and Restaurant liquor License for Margaritas Inc., DBA Margaritas, to be located a 550 South Broadway, and the neighborhood boundaries set as the City limits. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Yes

i. 2020 CARES Act Proposed City Expenditures. Director of General Services Smith stated that the City has received \$735,000 from the Federal Cares Act (CARES). He stated that the funding

was allocated to the City from an IGA with Montezuma County and the funds are designated to be spent on COVID related products and services. He stated that staff worked together to identify the needs of the City and he reviewed the various items (playground disinfecting services, consumables, public Wi-Fi, counter barriers, IT infrastructure improvements) that are being requested. He noted that an addition was made to the memo that was originally sent with the agenda packet to allow for the disinfecting of the bathroom at Veteran’s Park located on Park Street. He stated that the total amount for the items is \$564,802.39 leaving an amount of \$170,197.61 from the CARES funding. Director of Public Works Johnson explained how the funding would be used to improve the IT Department hardware and software equipment to allow for the demands on the City’s system. Discussion was held on the items being recommended for purchase and City Attorney Green stated that all the items are necessary because of the COVID issue. City Manager Dougherty stated it will be Council’s decision on how to spend the remaining money and City Attorney Green stated that it is the City’s responsibility to be sure the money is spent on COVID related items. It was suggested that Region 9 may be used to distribute funds for the businesses in the community should Council decide to give money for that use. City Manager Dougherty suggested that Council should decide by November how to spend the remaining money as money not spent by the end of December is to be returned.

Councilmember Yazzie that Council approve the purchase of the requested items and services from the Federal CARES Act funding. Councilmember Rainey seconded the motion, and the vote was as follows:

Betts	Huckins	Lavey	Lucero	Medina	Rainey	Yazzie
Yes	Yes	Yes	No	Yes	Yes	Yes

8. DRAFT RESOLUTION/ORDINANCES – None.

9. OTHER ITEMS OF BUSINESS – None.

10. ADDITIONAL CITIZEN PARTICIPATION – None.

11. CITY ATTORNEY’S REPORT – None.

12. CITY MANAGER’S REPORT – None.

13. CITY COUNCIL COMMITTEE REPORTS

a. Mayor’s Report on Workshop. Mayor Lavey stated that Sam Light from CIRSA presented information to Council about the coverage which the City has with CIRSA and recommendations for Council to follow as they serve the community.

b. Parks, Recreation, and Forestry Advisory Board. Councilmember Yazzie stated that a ceremony will be held in the fall for the dedication of Veterans Park and stakeholders will be meeting on the future of the outdoor pool.

c. Golf Advisory Board. Councilmember Yazzie stated that participation at the golf course is up

from the previous year. She noted that not very many tournaments have been able to be held this summer.

d. Homeless Concerns. Mayor Pro-tem Medina asked that Council have a future discussion on how to deal the homeless problem and it was suggested that all the stakeholders that may be interested in the subject should be included in the discussion.

The regular meeting was adjourned at 9:10 p.m.

ATTEST:

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Michael J. Lavey, Mayor

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Linda L. Smith, City Clerk