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**CORTEZ CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 9, 2023  
7:30 P.M.**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL, APPROVAL OF AGENDA.
2. CONSENT AGENDA

The listing under "Consent Agenda" is a group of items to be acted on with a single motion and vote. This agenda is designed to expedite the handling of limited routine matters by City Council. Either the public or a Councilmember may request that an item may be removed from the Consent Agenda at that time, prior to Council's vote. The Mayor will ask if a citizen or Councilmember wishes to have any specific item removed from the Consent Agenda for discussion.

- a. Approval of the Council Worksession and Agenda Minutes of April 25, 2023.
  - b. Approval of the Expenditure List for May 9, 2023
  - c. Approval of a renewal application for a Retail Marijuana Store License for Mountain Annies, LLC, located at 310 East Main Street, Cortez.
  - d. Approval of a Special Events Permit for Cortez Celtic Fair to host an event on Saturday, June 24, 2023, at Parque de Vida, located at 400 North Mildred Road, Cortez.
  - e. Approval of a Special Event Permit for Denkai Sanctuary/Rescue to host a fundraiser/pet adoption event on May 20, 2023, from 8:00am to 4:00pm, located in the street at South Elm Street from the alleyway to 1st Street, Cortez.
  - f. Approval of renewal Hotel and Restaurant Liquor License for Rosita Inc., DBA Tequila's, located at 1740 East Main Street, Cortez.
  - g. Approval of a renewal Fermented Malt Beverage and Wine Liquor License for Paragon Business Investments, LLC., DBA Gopher Food & Fuel, located at 2410 Fairway Drive, Cortez.
  - h. Approval of a renewal Arts Liquor License for Community Radio Project, Inc. DBA KSJD, located at 2-8 East Main Street, Cortez.
  - i. Approval of a renewal Hotel and Restaurant with one optional premise for Rudosky Golf, LLC, DBA Conquistador Golf Course, located at 2018 North Dolores Road, Cortez.
3. PUBLIC PARTICIPATION

**There is no limit to the number of speakers, although public comments will be held to an overall time limit of 30 minutes.**

**(Speakers have a time limit of three (3) minutes per person, may only speak once, and may not cede time to another commenter. Please reference rules below.)**

4. PRESENTATIONS

- a. Proclamation for National Hospital Week for May 7-13, 2023
- b. Proclamation for Historic Preservation Day on May 13, 2023

5. PUBLIC HEARINGS

- a. **New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC.**

New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC, located at 44 West Main Street, Cortez.

**Presenter:** Linda Smith, City Clerk

- b. **Ordinance 1318, Series 2023**

Historic Designation for the property at 20 - 30 W. Main St.

**Presenter:** Rachael Marchbanks

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. **Resolution No. 11, Series 2023**

Resolution No. 11, Series 2023, 2023 Housing Needs Assessment and establishing it as guidance for future housing needs in the City.

**Presenter:** Rachael Marchbanks

- b. **Ordinance No. 1319, Series 2023**

1511 E. Main St., Quick N Clean Car Wash

**Presenter:** Contract City Planner Nancy Dosdall

- c. **Ordinance No. 1320, Series 2023**

Ordinance No. 1320, Series 2023, an ordinance approving an amendment to Professional Services Contract for Municipal Judge Services.

**Presenter:** Patrick Coleman, City Attorney/Judge Beth Padilla

8. DRAFT RESOLUTION/ORDINANCES

9. CITY ATTORNEY'S REPORT

10. CITY MANAGER'S REPORT



11. CITY COUNCIL COMMITTEE REPORTS

- a. Mayor's Report on Workshop
- b. Other Board Reports

12. OTHER ITEMS OF BUSINESS

- a. Executive Session as needed.

13. PUBLIC PARTICIPATION

**There is no limit to the number of speakers and no overall time limit.**

**(Speakers have a time limit of three (3) minutes per person, may only speak once, and may not cede time to another commenter. Please reference rules below.)**

14. ADJOURNMENT

PURSUANT TO RESOLUTION 11, SERIES 2022, PUBLIC COMMENT:

--Individuals may comment regarding items on the Council agenda or any other topic they wish to address the City Council about, including items discussed in a previous Council Workshop. Those wishing to comment must register by completing an "Intent to Speak" card (located outside of the Council chambers). Completed cards will be collected at the start of the meeting and delivered to the Mayor, who will call each speaker to the podium at the appropriate time. Comments specific to agenda items scheduled for public hearings should be reserved and delivered during the public hearing session.

--Courtesy, civility, and respect for others is expected. All comments should be addressed directly to the Council. Commenters who are called upon by the Mayor to speak are the only persons allowed to speak during the allotted time. Comments, or other distractions from the audience intended for commenters or others are not permitted. The Mayor, as the chairperson for the meeting, retains the discretion to deviate from the formats described below.

--There are two general opportunities for citizens to address the Council:

For the first opportunity (which will occur toward the start of the meeting) there is no limit to the number of speakers, although public comments will be held to an overall time limit of 30 minutes so City business may proceed. Speakers have a time limit of 3 minutes per person, may only speak once, and may not cede time to other commenters.

For the second opportunity (which will occur toward the end of the meeting) there is no limit to the number of speakers, and no overall time limit. Speakers have a time limit of 3 minutes per person, may only speak once, and may not cede time to other commenters.

--Other Opportunities to Participate

Citizens may also participate via email if addressed to [councilcomments@cortezco.gov](mailto:councilcomments@cortezco.gov). Comments received by 3:00pm the day of a Council meeting will be delivered to Council the same day and entered into the meeting minutes. Citizens may also send letters to the Council by addressing them to "City Council" 123 Roger Smith Ave., Cortez, CO 81321. In-person deliveries are also accepted.

MOTION TO GO INTO EXECUTIVE SESSION:

--For a conference with the City attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b);

--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);

--To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a)

--For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific fire employees who have requested discussion of the matter in open session: any member of this body or any elected official: the appointment of any person to fill an office of this body or of an elected official: or personnel policies that do not require the discussion of matters personal to particular employees

--For discussion of a matter required to be kept confidential by the following federal or state law, or regulation: \_\_\_\_\_ under C.R.S. Section 24-6-402(4)(c)

--For discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402(4)(d)

--For consideration of documents protected by the mandatory nondisclosure provisions of the Open Records Act under C.R.S. Section 24-6-402(4)(g)

AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED:

(a brief description must be included following the statute citation regarding why the executive session is being held)



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 05/03/2023

**RE:** Approval of the Council Worksession and Agenda Minutes of April 25, 2023.

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### Attachments

Worksession Minutes  
Council Agenda Minutes

CITY COUNCIL  
REGULAR WORKSHOP  
TUESDAY APRIL 25, 2023  
5:30 p.m.

1. The Workshop was called to order at 5:35 p.m., at the City Council Chambers. Councilmembers present included, Mayor Rachel Medina, Robert Dobry, Matt Keefauver, David Rainey, Dennis Spruell and Lydia DeHaven. Mayor Pro-tem Arlina Yazzie was absent. Staff members present included, Assistant Chief of Police Andy Brock, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosdall, Community and Economic Development/Legal Assistant Lydia Regalado, IT Manager Shay Allred, Deputy City Clerk Donna Murphy, and City Attorney Patrick Coleman. There were three people present in the audience.

2. Community and Economic Development Director Marchbanks introduced Project Manager Jennifer Gardner with the firm of Logan Simpson. Ms. Gardner introduced Assistant Project Manager McKayla Dunfey and said that they are starting the public kick off of the project this week. They joined staff on a tour of the City which allowed them to see the different nuances of the town, the current development, potential future development, and future transportation connections. Community listening sessions are scheduled throughout the week of April 24<sup>th</sup> in-person and then virtually for the 2-3 weeks following. The proposed schedule was outlined, with completion and possible adoption in May-June 2024. A question and answer session followed with Council.

4. General Discussion: None

The regular workshop was adjourned at 6:26 p.m.

CITY COUNCIL  
REGULAR MEETING  
TUESDAY, APRIL 25, 2023

1. The meeting was called to order in the City Council Chambers at 7:30 p.m., with the Pledge of Allegiance. Roll Call was taken and the following Councilmembers were present: Mayor Rachel Medina, Lydia DeHaven, Robert Dobry, Matthew Keefauver, David Rainey, and Dennis Spruell. Mayor Pro-tem Arlina Yazzie was absent. Staff present included Assistant Chief of Police Andy Brock, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Director of Parks and Recreation Creighton Wright, Court Clerk/Administrator Carla Odell, Director of Public Works Brian Peckins, Human Resources Director Matt Cashner, Library Director Isabella Sharpensteen, Airport Manager Jeremy Patton, IT Manager Shay Allred, Community and Economic Development/Legal Assistant Lydia Regalado, Deputy City Clerk Donna Murphy, and City Attorney Patrick Coleman. There were four people present in the audience.

Councilmember Dobry moved that the agenda be approved. Councilmember DeHaven seconded the motion and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

2. The Consent Agenda items acted upon by Council were as follows:
  - a. Approval of the Council Worksession and Agenda Minutes of April 11, 2023.
  - b. Approval of the Expenditure List for April 25, 2023.
  - c. Approval of a Renewal application for a Retail Marijuana Store License for Durango Organics, LLP, DBA Durango Organics, located at 1013 East Main Street, Cortez.
  - d. Approval of a Change in Corporation Structure, Transfer of Ownership and Renewal Application for a Hotel and Restaurant Liquor License for Thai Cortez, LLC, DBA Thai Cortez, located at 1430 East Main Street, Suites 1-4, Cortez.
  - e. Approval of a Renewal Application for a Hotel and Restaurant Liquor License for Fiesta Mexican No.3 Inc, DBA Fiesta Mexicana Family Restaurant, located at 430 North Highway 145, Cortez.
  - f. Approval of a Renewal Application for a Fermented Malt Beverage-Off Premises Liquor License for Western Refining Retail, LLC, DBA Speedway #9492, located at 2320 East Main Street, Cortez.
  - g. Approval of a Renewal Application for a Fermented Malt Beverage-Off Premises Liquor License for Western Refining Retail, LLC, DBA Speedway #9496, located at 2021 East Main Street, Cortez.

h. Approval of Four Special Event Permits for Cortez Retail Enhancement Association to host “Third Thursday” events on June 15, July 20, August 17, and September 21, 2023, at Montezuma Park, located at the corner on Market Street and Montezuma Avenue, Cortez.

Councilmember Keefauver moved that the Consent Agenda be approved as presented. Councilmember Dobry seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

3. PUBLIC PARTICIPATION: None

4. PRESENTATIONS-

a. March 2023 Financials. Finance Director Koskie spoke about the March 2023 Financials highlighting that on March 2, 2023 the last of the water loans was paid to the Dolores Water Conservancy District in the amount of ~2.644 million dollars. The City has officially been awarded the Safe Streets to School grant from CDOT in the amount of \$750,000.00. The City looks forward to working with school officials and the community around Mesa Elementary School on this project. Grant Administrator Scott Baker has celebrated his one-year anniversary with the City and thus far has obtained approximately one million dollars in grant funding.

5. PUBLIC HEARINGS: None

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS

a. New Application for a Hotel and Restaurant Liquor License. Deputy City Clerk Murphy presented Council with an application for a New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar, to be located at 44 West Main Street. She stated that per statute Council is directed to determine the needs of the neighborhood, the desires of the residents of the neighborhood and verify that the applicant is of good character. Fingerprints for the applicants were sent to CBI and an individual history record have been completed. State regulations require that the local licensing authority schedule a public hearing not less than thirty days from the application date and to set the neighborhood boundaries. Public notice has been given by posting the premises and advertising in the Cortez Journal. Staff is requesting a public hearing date of Tuesday, May 9, 2023 and set the neighborhood boundaries as the Cortez City limits.

Councilmember DeHaven moved that Council set a Public Hearing date of Tuesday, May 9, 2023, for review of a New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC, DBA Agave Azul Taqueria and Bar, and that the neighborhood boundaries be set as the Cortez City limits. Councilmember Keefauver seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
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Yes                      Yes                      Yes                      Yes                      Yes                      Yes                      Absent

b. Letter of Support- Montezuma County TAP Grant. Councilmember Dobry recused himself from the discussion due to possible conflict of interest. Community and Economic Development Director Marchbanks stated that Montezuma County has requested a letter of support for the Federal Transportation Alternatives Program (TAP) Grant. This grant is slated to help cover design changes and inflationary budget increases for the Paths to Mesa Verde Trail, segments C & D, in anticipation of meeting the 2026 construction schedule.

Councilmember DeHaven moved that City Council authorize the Mayor to sign the letter of support for the Federal Transportation Alternatives Program (TAP) grant submitted by Montezuma County. Councilmember Rainey seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	*	Yes	Yes	Yes	Yes	Absent

\*Councilmember Dobry recused himself from the discussion due to possible conflict of interest.

c. Ordinance 1318, Series 2023. Community and Economic Development Director Rachael Marchbanks stated this is a first reading for a designation of a historic building at 20-30 West Main Street, formally the old J.C. Penney building. The Historic Preservation Board met on March 8, 2023 to consider the application and merits of the structure for designation as historic and to be included on the City Register of Historic Places. A brief history on the building was given.

Councilmember Keefauver moved that Council approve Ordinance No. 1318, Series 2023, on first reading, approving 20-30 West Main Street for Historic designation and to include this property on the City Register of Historic Sites, and set for second reading and public hearing on May 9, 2023. Councilmember Dobry seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

d. Bid Results- 2023 Concrete Cost-Share Project. Director of Public Works Peckins presented Council with the bid results for the 2023 Concrete Cost-Share Project. The City of Cortez provides an annual sidewalk cost-share program to help residents and business owners either install new sidewalk or replace deteriorated sidewalks on their property. The program encourages and promotes improvement of our public walkways by offering a 50% cost-share agreement with local residents and the City utilizes this project for maintenance on sidewalks, ADA accessible ramps, curbs, and gutters. This year's project includes removal and replacement of approximately 276 square yards of damaged concrete sidewalk, 422 linear feet of curb and gutter, 298 square yards of new concrete sidewalks, 15 ADA curb ramps, and miscellaneous other concrete work throughout the City. The Street Capital Fund has a total of \$250,000 budgeted for concrete, cost-share, and storm drain work this year. After reviewing the cost-share applications and Public Works' areas of repair/replacement, Staff compiled the bid documents and advertised the project on the City's website, BidNet, and in the Cortez Journal. The Invitation to Bid was downloaded by seven contacts, and five sets of plans were picked up from the Service Center. An informational pre-bid

meeting was held on March 24, 2023, with three potential bidders in attendance. The bid opening was held on April 13, 2023, with one bid received from Chavez Construction Corporation at \$153,785.00. This is approximately 23% lower than the engineer's estimate of \$201,781.00. There are twelve citizens and/or businesses participating in the cost-share project. Staff recommends that the 2023 Concrete Cost-Share Project be awarded to Chavez Construction Corporation at their bid price of \$153,785.00.

Councilmember Keefauver moved that Council award the bid for the 2023 Concrete Cost-Share Project to Chavez Construction Corporation at its bid price of \$153,785.00. Councilmember Dobry seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

e. Bid Results- 2023 Cedar Street Improvement Project. Director of Public Works Peckins stated that The City of Cortez and the Cortez Sanitation District will combine efforts this summer to replace water and sewer mains on Cedar Street, from 7th Street south to Apple Drive. The City and the Cortez Sanitation District contracted with SGM and utilized Public Works staff to develop plans and specifications for this project. The project was advertised on the City's website, BidNet, and in the Cortez Journal. The Invitation to Bid was downloaded by 24 contacts, and eight sets of plans were picked up from the Service Center. A mandatory pre-bid meeting was held on March 27, 2023, with seven potential bidders in attendance. The bid opening was held on April 13, 2023, with two bids received. The Sanitation District will be replacing approximately 1540 linear feet of 8-inch sewer main, four manholes and 37 house service connections. The City will be removing 1740 linear feet of 6-inch cast-iron water line and replacing it with 8-inch PVC water line, along with five service line connections, house services, and all fittings. Upon completion of this work, the City will be replacing 180 square yards of sidewalk, 115 square yards of curb ramps, and 640 linear feet of curb and gutter. The City will then excavate 7500 square yards of roadway, lay a base course fill, and put down new asphalt paving. The Street Capital Fund has \$1,175,000 budgeted, and the Water Capital Fund has \$754,000 budgeted for the Cedar Street Improvement Project. An Intergovernmental Agreement (IGA) has been authorized between the City and the Sanitation District with a cost-share allowance depending on the nature of the work. Staff recommends that the 2023 Cedar Street Improvement Project be awarded to Candelaria Construction, Inc., at its bid price of \$1,596,803.04. Council discussion included the IGA with the Sanitation District, homeowner communications, water line replacements, and fiber installation.

Councilmember Keefauver moved that Council award the bid for the 2023 Cedar Street Improvement Project to Candelaria Construction, Inc., at its bid price of \$1,596,803.04. Councilmember DeHaven seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

f. Resolution No. 10, Series 2023. City Attorney Coleman presented to Council Resolution No. 10, Series 2023, a resolution of the City of Cortez in opposition to Statewide land use and zoning preemption in Colorado Senate Bill 23-213. SB23-213 represents the most sweeping attempt in



recent Colorado history to remove local control and home rule authority from elected leaders, professional planning staff, and the people of Colorado. The bill dramatically expands State authority by imposing top-down zoning and land use standards on municipalities, and it puts those decisions into the hands of developer interests and unelected third parties. SB23-213 does not recognize that local governments are best suited to address the needs of their communities, and it flies in the face of local government efforts to solve the affordable housing crisis. Colorado Municipal League (CML) has opposed the legislation and is asking members to enact a resolution opposing the bill. Staff recommends that Council approve Resolution No. 10, Series 2023.

Councilmember Spruell moved that Council approve City of Cortez Resolution No. 10, Series 2023, a resolution of the City of Cortez in opposition to Statewide land use and zoning preemptions in Senate Bill 23-213. Councilmember Dobry seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	No	Yes	Absent

8. DRAFT RESOLUTION/ORDINANCES: None

9. CITY ATTORNEY'S REPORT: None

10. CITY MANAGER'S REPORT: None

11. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated that in the workshop representatives from the firm of Logan Simpson presented information on the Land Use Code update and Council gave feedback with a question and answer period. The representatives toured the City today and were able to see the different areas of Cortez including zoning, vacant lots and areas to address with housing. They are here for the week for listening sessions. She emphasized that the City wants to hear from residents, business owners, landowners, etc. to get their ideas and feedback on the re-write. Mayor Medina attended Career Day at the Middle School and spoke about local government and listened to student ideas. The youth emphasized there is not a lot of free activities to do in the City. The students gave a list of things that they would like to see around the area. City Council is having a retreat on Saturday, April 29<sup>th</sup> to meet with staff to revisit last year's priorities, new priorities, what the future looks like and where the City should be focusing money and projects.

b. Public Arts Committee. Councilmember Rainey spoke about the committee potentially getting 3 or 4 new members.

c. Library Board. Councilmember DeHaven attended the Library Board meeting where Library director Sharpensteen discussed the SWAT analysis. She attended the Montezuma County Homelessness Coalition meeting and they went over summer operations. She said the City has opened the public restrooms and the Library and Recreation cNter is staying open longer. The Bridge Emergency Shelter is running a pilot summer maintenance program to help assist people who are in between unhoused and being in housing. The Shelter has laundry and showers

available on Mondays from 11:00-3:00 pm. The Pinon Project is planning day trips for the unhoused population to get people outside and out of survival mode. They are using their lobby as a make-shift day center. They applied for a grant to fund a day center but have not heard back yet.

d. Parks, Recreation and Forestry Advisory Board. Councilmember Keefauver was unable to attend the meeting but gave an update from the meeting. The following items were discussed. a.) the elimination of the reservation system for the lap lanes at Recreation Center and b.) the formation of a subcommittee in lieu of a separate tree commission.

e. Historic Preservation Board: Councilmember Dobry reminded everyone that the 13<sup>th</sup> Annual Historical Preservation Day in Cortez will be May 13, 2023.

12. OTHER ITEMS OF BUSINESS: None

13. PUBLIC PARTICIPATION: None

14. ADJOURNMENT: Councilmember DeHaven moved that the regular meeting be adjourned at 8:28 p.m. Councilmember Spruell seconded the motion, and the vote was as follows:

DeHaven	Dobry	Keefauver	Medina	Rainey	Spruell	Yazzie
Yes	Yes	Yes	Yes	Yes	Yes	Absent

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Rachel B. Medina, Mayor

ATTEST:

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Donna Murphy, Deputy City Clerk



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Kelly Koskie**  
Director of Finance  
123 Roger Smith Ave  
Cortez, CO. 81321  
[kkoskie@cortezco.gov](mailto:kkoskie@cortezco.gov)

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** SARA COFFEY, PAYROLL/SALES TAX ADMINISTRATOR

**Date:** 05/03/2023

**RE:** Approval of the Expenditure List for May 9, 2023

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### Attachments

Expenditure List

## EXPENDITURE LIST FOR WEEK ENDING APRIL 28, 2023

Department	Vendor Name	Description	Amount
City council	ONCE UPON A SANDWICH	CITY COUNCIL DINNER	\$ 174.50
	RENEW INC	COMMUNITY SUPPORT GRANT	\$ 2,620.00
		Total	\$ 2,794.50
Human Resources	AMAZON CAPITAL SERVICES	Baleine 3pk Reuseable Bags - Island Breeze - Debbi	\$ 24.95
	AT&T MOBILITY	PHONES	\$ 54.99
		Total	\$ 79.94
Municipal Court	MARSHALL SUMRALL	LEGAL SERVICES - DENETDEAL	\$ 59.50
		Total	\$ 59.50
City Manager	AMAZON CAPITAL SERVICES	Victoner Toner 4-Pack 206X	\$ 269.79
		Total	\$ 269.79
Library	COLLINS FLAGS	Nylon US Flags, 3x5 - LB	\$ 34.50
	COLLINS FLAGS	Colorado State Flags, 3x5, LB	\$ 58.50
	INGRAM LIBRARY SERVICES	BOOKS	\$ 16.51
	INGRAM LIBRARY SERVICES	BOOKS	\$ 16.53
	INGRAM LIBRARY SERVICES	BOOKS	\$ 150.50
	INGRAM LIBRARY SERVICES	BOOKS	\$ 416.10
	OFFICE DEPOT	273646 OD Copy Paper, 20# 92 Bright - LB	\$ 387.72
		Total	\$ 1,080.36
Building Maint	AMAZON CAPITAL SERVICES	Red Kap Work Shirt - Khaki - XL - Walt	\$ 24.49
		Total	\$ 24.49
City Hall Operations	WAGNER ENTERPRISE, L.L.C.	JANITORIAL SERVICE - APR 2023	\$ 2,300.00
	COLLINS FLAGS	Nylon US Flags, 5x8 - CH	\$ 119.25
	OFFICE DEPOT	790649 Can liners, 24x33 8 mic, clear - CH	\$ 64.44
	WESTERN PAPER DISTRIBUTORS	BSL-71027 Multifold Towels - CH	\$ 64.89
	OFFICE DEPOT	273646 OD Copy Paper, 20# 92 Bright - CH	\$ 516.96
	ALPINE SECURITY & ELECTRONICS	Installation	\$ 210.00
	ALPINE SECURITY & ELECTRONICS	LE4010CFAT LTE Fire Alarm Communicator AT&T -	\$ 794.88
		Total	\$ 4,070.42
Welcome Center	STERICYCLE INC.	HAZARDOUS WASTE DISPOSAL	\$ 38.29
	IMAGENET CONSULTING LLC	EQUIPMENT RENTAL	\$ 64.69
		Total	\$ 102.98
Police Department	AT&T MOBILITY	PHONES	\$ 198.71
	SURVIVAL ARMOR INC.	Salem carrier	\$ 316.68
	STAPLES ADVANTAGE	Avery 74102 Sheet protectors, 100/box	\$ 50.04
	MATTHEW BENDER & COMPANY, INC	Marijuana laws and regs (5)	\$ 438.36
	WAGNER ENTERPRISE, L.L.C.	JANITORIAL SERVICE - APR 2023	\$ 1,499.58
	MANE SHIPPING LLC	SHIPPING	\$ 23.30

## EXPENDITURE LIST FOR WEEK ENDING APRIL 28, 2023

Department	Vendor Name	Description	Amount
	COLLINS FLAGS	Nylon US Flags, 3x5 - PD	\$ 34.50
	COLLINS FLAGS	Colorado State Flags, 3x5, PD	\$ 58.50
	WESTERN PAPER DISTRIBUTORS	BSL-71027 Multifold Towels - PD	\$ 86.52
	IMAGENET CONSULTING LLC	EQUIPMENT RENTAL	\$ 8.97
		Total	\$ 2,715.16
Animal Shelter	DOLORES ANIMAL HOSPITAL	CASTRATION	\$ 60.00
	DOLORES ANIMAL HOSPITAL	CASTRATION	\$ 60.00
	FOUR CORNERS M.A.S.H., LLC	CASTRATION	\$ 92.00
	FOUR CORNERS M.A.S.H., LLC	CASTRATIONS & SPAY	\$ 216.00
	ATMOS ENERGY	GAS SERVICE	\$ 299.44
		Total	\$ 727.44
Public Works	DOUGLAS ROTH	Blanket PO - GIS Consulting Services	\$ 1,950.00
	AT&T MOBILITY	PHONES	\$ 54.99
	AT&T MOBILITY	PHONES	\$ 228.18
	MOUNTAINLAND SUPPLY COMPANY	24 inch dia. 22.5 Degree deflection joint with coup	\$ 811.09
		Total	\$ 3,044.26
Outdoor Pool	ATMOS ENERGY	GAS SERVICE	\$ 29.81
	AMAZON CAPITAL SERVICES	SWIMSUITS	\$ 963.13
	RECREONICS, INC.	EPOXY COATING	\$ 1,366.55
	RECREONICS, INC.	DRAINS, COVERS & GASKETS	\$ 3,145.81
		Total	\$ 5,505.30
Golf Course Maint	AT&T MOBILITY	PHONES	\$ 53.22
	WESTERN PAPER DISTRIBUTORS	BSL-71027 Multifold Towels - GC	\$ 64.89
		Total	\$ 118.11
Parks	AT&T MOBILITY	PHONES	\$ 53.22
	CHOICE BUILDING SUPPLY	STRIPING PAINT, PAINTERS TAPE	\$ 30.97
	CHOICE BUILDING SUPPLY	SAFETY GLASSES, RESPIRATORY MASKS	\$ 169.94
	COLLINS FLAGS	Nylon Air Force Logo Flag, 3x5 - PKS	\$ 50.50
	COLLINS FLAGS	Nylon Army Black Flag, 3x5 - PKS	\$ 64.00
	COLLINS FLAGS	Colorado State Flags, 4x6, PKS	\$ 100.50
	COLLINS FLAGS	Nylon Navy, Marine, Coast Guard Flag, 3x5, 2 of ea	\$ 114.00
	COLLINS FLAGS	Nylon Arizona, Utah, New Mexico State Flags, 3x5,	\$ 117.00
	COLLINS FLAGS	Nylon POW/MIA Double Face Flags, 3x5 - PKS	\$ 143.00
	SLAVENS TRUE VALUE	KEYS	\$ 4.58
	SLAVENS TRUE VALUE	FASTENERS	\$ 6.32
	SLAVENS TRUE VALUE	MASON MIX	\$ 23.22
	SLAVENS TRUE VALUE	FLEX SEAL	\$ 31.77
	SLAVENS TRUE VALUE	FROG TAPE	\$ 38.97
	SLAVENS TRUE VALUE	MANURE FORK	\$ 43.67
	SLAVENS TRUE VALUE	ROPE	\$ 65.49

## EXPENDITURE LIST FOR WEEK ENDING APRIL 28, 2023

Department	Vendor Name	Description	Amount
	SLAVENS TRUE VALUE	FLEX SEAL	\$ 72.59
	SLAVENS TRUE VALUE	GOGGLES, RESPIRATORS	\$ 280.92
	SLAVENS TRUE VALUE	ATHLETIC FIELD MARKERS	\$ 702.98
	STOTZ EQUIPMENT	CHAIN LOOP	\$ 24.19
	ROCKY MOUNTAIN RECREATION	PLAYGROUND EQUIPMENT	\$ 512.96
		Total	\$ 2,650.79
Recreation	BRAND CENTRAL	SCREEN PRINT SHIRTS	\$ 340.50
		Total	\$ 340.50
Planning & Building	AT&T MOBILITY	PHONES	\$ 244.22
		Total	\$ 244.22
Shop	SAFETY-KLEEN CORPORATION	Solvent Service	\$ 286.44
	SAFETY-KLEEN CORPORATION	Service Call - Empty waste oil storage tank	\$ 932.83
	FOUR STATES TIRE CO.	245/55R18 Tires, Mount and Balance - Unit 481	\$ 812.00
	FOUR CORNERS WELDING & GAS SUP	Shurlite 3011X Single flints	\$ 2.72
	FOUR CORNERS WELDING & GAS SUP	SAI23050 Metal cut-off wheels 3x.035x3/8	\$ 236.00
	COLLINS FLAGS	Colorado State Flags, 3x5, SC	\$ 39.00
	COLLINS FLAGS	Nylon US Flags, 3x5 - SC	\$ 69.89
	WESTERN PAPER DISTRIBUTORS	BSL-71027 Multifold Towels - SC	\$ 43.26
	OFFICE DEPOT	273646 OD Copy Paper, 20# 92 Bright - SC	\$ 387.72
	XEROX CORPORATION	Blanket PO - C8045 AltaLink Color Copier s/n 8TB64	\$ 493.21
		Total	\$ 3,303.07
Technology	AVAYA INC	NEW REGISTRATION	\$ 38.50
	AT&T MOBILITY	PHONES	\$ 43.23
		Total	\$ 81.73
Airport	ATMOS ENERGY	GAS SERVICE	\$ 286.07
	ATMOS ENERGY	GAS SERVICE	\$ 595.01
	INTERMOUNTAIN FARMERS ASSOC.	WIRE, TIE DOWNS	\$ 51.48
	CHOICE BUILDING SUPPLY	INSECT KILLER, LETTER/NUMBER SET	\$ 31.97
	INTERMOUNTAIN FARMERS ASSOC.	TREATED WOOD	\$ 559.00
		Total	\$ 1,523.53
Rec Center	STERICYCLE INC.	HAZARDOUS WASTE DISPOSAL	\$ 397.44
	TOI SMITH	CPR/FIRST-AID TRAINING	\$ 390.00
	AMAZON CAPITAL SERVICES	Badge Holders	\$ 40.71
	WESTERN PAPER DISTRIBUTORS	CLEANING SUPPLIES	\$ 43.32
	WESTERN PAPER DISTRIBUTORS	CLEANING SUPPLIES	\$ 452.85
	WESTERN PAPER DISTRIBUTORS	CLEANING SUPPLIES	\$ 1,393.44
	SLAVENS TRUE VALUE	CONCRETE CRACK SEAL, HOSE MENDER	\$ 46.36
		Total	\$ 2,764.12

## EXPENDITURE LIST FOR WEEK ENDING APRIL 28, 2023

Department	Vendor Name	Description	Amount
Water	GREEN ANALYTICAL LABS, INC.	Blanket PO - Lab Testing Services	\$ 124.20
	GREEN ANALYTICAL LABS, INC.	Blanket PO - Lab Testing Services	\$ 520.20
	MONTEZUMA WATER COMPANY	WATER 57371	\$ 267.60
	BROWNS HILL ENGINEERING & CONT	Blanket PO - Technical Consulting/Service Work	\$ 511.85
	USA BLUEBOOK	40453 Electrode Cleaner	\$ 16.00
	USA BLUEBOOK	30467 Ph Storage Solution	\$ 53.95
	USA BLUEBOOK	13922 Food Grade Anti-Sieze	\$ 69.90
	USA BLUEBOOK	32121 Hach Sample Cell, 6/pkg	\$ 103.80
	USA BLUEBOOK	68672 Repair Kit, G-Series Pump	\$ 549.95
	AT&T MOBILITY	PHONES	\$ 106.13
	CORE AND MAIN	Reed Valve Operator Kit VOKU700 - 80017268503	\$ 2,660.00
	MOUNTAINLAND SUPPLY COMPANY	506 Series 6 Gate Valve #15 Hex nut 5/8-11"	\$ 151.20
	MOUNTAINLAND SUPPLY COMPANY	506 Series 6 Gate Valve #10 Throat flange gasket -	\$ 260.46
	MOUNTAINLAND SUPPLY COMPANY	506 Series 6 Gate Valve #61 Hex head screw 5/8-1	\$ 545.20
	SLAVENS TRUE VALUE	COATING	\$ 23.98
		Total	\$ 5,964.42
Refuse	INTERMOUNTAIN FARMERS ASSOC.	WORK CLOTHES	\$ (10.96)
	INTERMOUNTAIN FARMERS ASSOC.	WORK CLOTHES	\$ 310.96
		Total	\$ 300.00
Total			\$ 37,764.63

## EXPENDITURE LIST FOR WEEK ENDING MAY 5, 2023

Department	Vendor Name	Description	Amount
Municipal Court	PADILLA LAW P.C.	MUNICIPAL COURT PROFESSIONAL SERVICES	\$ 264.00
	PADILLA LAW P.C.	MUNICIPAL COURT JUDGE	\$ 1,549.58
	BUFFINGTON LAW, LLC	LEGAL SERVICES - ASSISTANT CITY ATTORNEY	\$ 1,644.80
		Total	\$ 3,458.38
Finance	GOVOS INC	ONLINE PAYMENT PROCESSING MAR 2023	\$ 591.97
	POSTAL PROS, INC.	INVOICES	\$ 498.61
		Total	\$ 1,090.58
City Clerk	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 47.25
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 84.00
		Total	\$ 131.25
Events	PIONEER PRINTING	POSTERS, SIGNS	\$ 157.42
		Total	\$ 157.42
Library	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 43.58
	CITY OF CORTEZ	FIBER	\$ 3,503.40
	CORTEZ SANITATION DISTRICT	SEWER	\$ 45.00
	CITY OF CORTEZ	REFUSE	\$ 135.60
	CITY OF CORTEZ	WATER	\$ 33.60
	MK SOLUTIONS INC	ANNUAL SOFTWARE SUBSCRIPTION	\$ 444.17
	NCSI	APPLICANT PROFILES	\$ 18.50
	INGRAM LIBRARY SERVICES	BOOKS	\$ 17.86
	INGRAM LIBRARY SERVICES	BOOKS	\$ 18.25
	INGRAM LIBRARY SERVICES	BOOKS	\$ 18.57
	INGRAM LIBRARY SERVICES	BOOKS	\$ 24.46
	INGRAM LIBRARY SERVICES	BOOKS	\$ 34.76
	INGRAM LIBRARY SERVICES	BOOKS	\$ 35.77
	INGRAM LIBRARY SERVICES	BOOKS	\$ 44.68
	INGRAM LIBRARY SERVICES	BOOKS	\$ 49.38
	BLACKSTONE PUBLISHING	AUDIO BOOKS	\$ 99.99
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 12.98
		Total	\$ 4,580.55
Building Maint	AMAZON CAPITAL SERVICES	Polished Stainless Steel Ladder Rack Ratchet Tie	\$ 517.50
		Total	\$ 517.50
City Hall Operations	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 101.61
	CITY OF CORTEZ	FIBER	\$ 599.64
	CORTEZ SANITATION DISTRICT	SEWER	\$ 45.00
	CITY OF CORTEZ	REFUSE	\$ 235.40
	CITY OF CORTEZ	WATER	\$ 77.10
	PARKER'S WORKPLACE SOLUTIONS	OFFICE SUPPLIES	\$ 40.70
	PARKER'S WORKPLACE SOLUTIONS	OFFICE SUPPLIES	\$ 217.75



## EXPENDITURE LIST FOR WEEK ENDING MAY 5, 2023

Department	Vendor Name	Description	Amount
		Total	\$ 1,317.20
Welcome Center	MESA VERDE COUNTRY V.I.B.	Contracted Services for CO Welcome Center for	\$ 2,501.00
	ORKIN LLC	PEST CONTROL SERVICES	\$ 123.99
	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 43.58
	CITY OF CORTEZ	FIBER	\$ 806.76
	CORTEZ SANITATION DISTRICT	SEWER	\$ 45.00
	CITY OF CORTEZ	REFUSE	\$ 94.80
	CITY OF CORTEZ	WATER	\$ 26.50
		Total	\$ 3,641.63
Police Department	AT&T MOBILITY	PHONES	\$ 131.79
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 10.92
	TRANSUNION RISK AND ALTERNATIVE	PERSON SEARCH	\$ 75.00
	MONTEZUMA COUNTY SHERIFF	MAR 2023 INMATE CHARGES	\$ 5,500.00
	THE FENCE WHISPERER	GATE INSTALL	\$ 3,860.00
	CITY OF CORTEZ	FIBER	\$ 1,136.52
	CORTEZ SANITATION DISTRICT	SEWER	\$ 57.00
	CITY OF CORTEZ	REFUSE	\$ 218.30
	CITY OF CORTEZ	WATER	\$ 51.35
	KONICA MINOLTA BUSINESS SOLUTIONS	EQUIPMENT RENTAL	\$ 190.94
	KONICA MINOLTA BUSINESS SOLUTIONS	EQUIPMENT RENTAL	\$ 356.72
		Total	\$ 11,588.54
Animal Shelter	DOLORES ANIMAL HOSPITAL	SPAY	\$ 84.00
	DOLORES ANIMAL HOSPITAL	SPAY	\$ 112.00
	FOUR CORNERS M.A.S.H., LLC	SPAY	\$ 60.00
	ORKIN LLC	PEST CONTROL SERVICES	\$ 110.99
	CITY OF CORTEZ	FIBER	\$ 650.20
	CORTEZ SANITATION DISTRICT	SEWER	\$ 93.00
	CITY OF CORTEZ	REFUSE	\$ 54.00
	CITY OF CORTEZ	WATER	\$ 72.65
	NCSI	APPLICANT PROFILES	\$ 37.00
		Total	\$ 1,273.84
Public Works	BRAND CENTRAL	Set-up Charges	\$ 30.00
	BRAND CENTRAL	Screen print Shirts - City Logo - National Public V	\$ 342.00
	NCSI	APPLICANT PROFILES	\$ 18.50
	EMPIRE ELECTRIC ASSOCIATION	ELECTRIC SERVICE	\$ 9,510.31
		Total	\$ 9,900.81
Parks & Recreation	NCSI	APPLICANT PROFILES	\$ 18.50
		Total	\$ 18.50
Outdoor Pool	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 49.23

## EXPENDITURE LIST FOR WEEK ENDING MAY 5, 2023

Department	Vendor Name	Description	Amount
	CITY OF CORTEZ	FIBER	\$ 323.80
	CORTEZ SANITATION DISTRICT	SEWER	\$ 45.00
	CITY OF CORTEZ	REFUSE	\$ 161.40
	CEM SALES AND SERVICE	CALCIUM HYPOCHLORITE BRIQUETTES	\$ 1,087.79
		Total	\$ 1,667.22
Golf Pro	CORTEZ SANITATION DISTRICT	SEWER	\$ 61.00
	CITY OF CORTEZ	REFUSE	\$ 235.40
	CITY OF CORTEZ	WATER	\$ 72.65
		Total	\$ 369.05
Golf Course Maint	NCSI	APPLICANT PROFILES	\$ 55.50
	CITY OF CORTEZ	FIBER	\$ 563.80
	CORTEZ SANITATION DISTRICT	SEWER	\$ 45.00
	CITY OF CORTEZ	REFUSE	\$ 235.40
	CITY OF CORTEZ	WATER	\$ 30.05
	TARGET SPECIALTY PRODUCTS	1506916 Turf Fuel Photo Fuel 2.5 gallon	\$ 140.00
	TARGET SPECIALTY PRODUCTS	1506915 Turf Fuel Quick Green 2.5 gallon	\$ 290.00
	TARGET SPECIALTY PRODUCTS	1506922 Turf Fuel Photo Fuel 2.5 gallon	\$ 768.00
	TARGET SPECIALTY PRODUCTS	1513458 Turf Fuel Infinite 2.5 gallon	\$ 2,140.00
	KW ENTERPRISES, LLC.	Double washed sand (15 tons per load) and deli	\$ 872.50
	KW ENTERPRISES, LLC.	Double washed sand (15 tons per load) and deli	\$ 872.50
		Total	\$ 6,012.75
Parks	NCSI	APPLICANT PROFILES	\$ 55.50
	LE PEW PORTA-JOHNS INC.	MONTHLY RENTALS	\$ 904.38
	CITY OF CORTEZ	FIBER	\$ 386.68
	CORTEZ SANITATION DISTRICT	SEWER	\$ 315.00
	CITY OF CORTEZ	REFUSE	\$ 1,339.35
	CITY OF CORTEZ	WATER	\$ 356.40
		Total	\$ 3,357.31
Planning & Building	PIONEER PRINTING	HOUSING NEEDS FLIERS	\$ 14.75
	NCSI	APPLICANT PROFILES	\$ 18.50
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 13.65
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 66.15
		Total	\$ 113.05
Shop	CONSERVANCY OIL COMPANY	Blanket PO - Lubrication Productst for Fleet	\$ 83.31
	FOUR STATES TIRE CO.	Blanket PO - Tire Repairs and Alignments	\$ 20.00
	FOUR STATES TIRE CO.	Blanket PO - Tire Repairs and Alignments	\$ 110.00
	FOUR STATES TIRE CO.	Blanket PO - Tire Repairs and Alignments	\$ 290.72
	FASTENAL COMPANY	Blanket PO - Fasteners and Shop Supplies	\$ 14.13
	FASTENAL COMPANY	Blanket PO - Fasteners and Shop Supplies	\$ 74.11
	THE PLUMBING STORE	BRASS COUPLING	\$ 2.84

## EXPENDITURE LIST FOR WEEK ENDING MAY 5, 2023

Department	Vendor Name	Description	Amount
	DIESEL TECHNOLOGY	Parts/Labor - EGR valve, Regen. - Unit 726	\$ 1,449.63
	O'REILLY AUTO PARTS	Blanket PO - Parts for Fleet Repairs and Supplies	\$ 212.06
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 2.27
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 4.50
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 12.68
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 16.39
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 28.12
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 54.58
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 56.11
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 86.12
	SUPERIOR AUTO	Blanket PO - Parts/Supplies for Fleet Maintenance	\$ 281.38
	WEBB CHEVROLET BUICK OF CORTEZ LLC	Parts/Labor - Program key fobs for Unit #407	\$ 275.60
	SENERGY PETROLEUM	86E10 Unleaded gas for Service Center	\$ 4,916.21
	SUPERIOR SERVICES, LLC	Blanket PO - Janitorial Services at Service Center	\$ 1,950.00
	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 94.34
	CITY OF CORTEZ	FIBER	\$ 256.00
	CORTEZ SANITATION DISTRICT	SEWER	\$ 106.00
	CITY OF CORTEZ	REFUSE	\$ 380.65
	CITY OF CORTEZ	WATER	\$ 283.57
	OFFICE DEPOT	810838 Letter Size File Folders, 1/3 cut, 100/box	\$ 30.04
	OFFICE DEPOT	810846 Legal Size File Folders, 1/3 cut, 100/box	\$ 61.00
	XEROX CORPORATION	Blanket PO - B7035 WorkCenter s/n 5DA859596	\$ 326.19
	PROFESSIONAL GARAGE DOOR	Materials/Labor - New wall station - Sweeper Shop	\$ 172.35
		Total	\$ 11,650.90
Technology	NETFORCE PC, INC.	Verkada 1-Year License	\$ 1,791.00
	NETFORCE PC, INC.	Verkada CM41 Indoor Mini-Dome Camera 128GB	\$ 3,594.00
	NETFORCE PC, INC.	Verkada CF81-E Outdoor Fisheye Camera 512GB	\$ 4,497.00
	AMAZON CAPITAL SERVICES	Medium 5/16 bubble wrap roll, 100 ft.	\$ 21.00
	AMAZON CAPITAL SERVICES	Tape Logic 12x12x4 cardboard boxes 25/pkg	\$ 76.36
	DELL MARKETING L.P.	Dell WD22TB4 Thunderbolt 4 Dock	\$ 219.77
	DELL MARKETING L.P.	Dell P2422H Monitor - Quote 3000148967712.2	\$ 391.66
	DELL MARKETING L.P.	Dell Latitude 5531 Laptop	\$ 1,345.07
	STAPLES ADVANTAGE	HP M283fdw Printer - Equipment List - Patrick	\$ 377.73
	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 524.40
		Total	\$ 12,837.99
Airport	CITY OF CORTEZ	REFUSE	\$ 45.05
	MONTEZUMA COUNTY WATER DIST.	WATER M064	\$ 50.00
	MONTEZUMA COUNTY WATER DIST.	WATER M068	\$ 54.10
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 174.80
		Total	\$ 323.95
Dispatch	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 106.26
		Total	\$ 106.26

## EXPENDITURE LIST FOR WEEK ENDING MAY 5, 2023

Department	Vendor Name	Description	Amount
Rec Center	NCSI	APPLICANT PROFILES	\$ 37.00
	FARMERS TELECOMMUNICATIONS INC.	PHONE	\$ 45.63
	CITY OF CORTEZ	FIBER	\$ 599.64
	CORTEZ SANITATION DISTRICT	SEWER	\$ 553.00
	ATMOS ENERGY	GAS SERVICE	\$ 1,320.72
	CITY OF CORTEZ	REFUSE	\$ 235.40
	CITY OF CORTEZ	WATER	\$ 269.86
	WESTERN PAPER DISTRIBUTORS	CLEANING SUPPLIES	\$ 87.85
		Total	\$ 3,149.10
Water	SPRONK WATER ENGINEERS	CORTEZ WATER MATTERS 2/27/23 - 4/2/23	\$ 1,350.00
	POSTAL PROS, INC.	Set Up Charge	\$ 35.00
	POSTAL PROS, INC.	Inserts - Cross Connection	\$ 565.00
	POSTAL PROS, INC.	POSTAGE	\$ 668.41
	CITY OF CORTEZ	FIBER	\$ 556.00
	CITY OF CORTEZ	REFUSE	\$ 54.00
	DONOVAN MULONEY	Reimbursement for work boots	\$ 204.70
	UTILITY NOTIFICATION CENTER	Blanket PO - Utility Notification Charges	\$ 144.48
	BACKFLOW SUPPLY	Test kit calibration - Golf Course/Parks	\$ 102.53
	CHOICE BUILDING SUPPLY	LADDER	\$ 299.99
	FERGUSON WATERWORKS #1116	Kennedy Hydrant K81-D 4'6 bury	\$ 195.30
	FERGUSON WATERWORKS #1116	Kennedy 6 MJ x MJ Gate Valve w/accessory pack	\$ 198.40
	FERGUSON WATERWORKS #1116	Kennedy 6 MJ x MJ Gate Valve w/accessory pack	\$ 3,982.28
	FERGUSON WATERWORKS #1116	Kennedy Hydrant K81-D 4'6 bury	\$ 12,944.86
	FERGUSON WATERWORKS #1116	Kennedy Hydrant K81-D 5ft bury, 3-nozzle, left o	\$ 16,795.65
	SGM INC.	Blanket PO - Water Distribution Improvements	\$ 2,056.25
	BALLANTINE COMMUNICATIONS	NEWSPAPER ADS/NOTICES	\$ 50.66
	APEX INSPECTION & CONSULTING LLC	Blanket PO - Tank 3 NACE Inspection/Consulting	\$ 4,040.00
	WBS COATINGS INC	Blanket PO - Rehabilitation of 2mg Drinking Wa	\$ 63,591.29
	BRAND CENTRAL	Water is Our Future" Tee Shirts	\$ 1,215.00
	SOUTHWEST PRINTING	Water is our Future" window clings	\$ 526.41
		Total	\$ 109,576.21
CCN Fund	UTILITY NOTIFICATION CENTER	Blanket PO - Utility Notification Charges	\$ 145.77
	CITY OF CORTEZ	FIBER	\$ 1,337.40
	MAMMOTH NETWORKS	Blanket PO - D1A, CRTZ2018-001R 2Gbps comm	\$ 1,695.00
	VISIONARY COMMUNICATIONS, INC.	Blanket PO - Tower rental, Business wireless int	\$ 1,949.60
		Total	\$ 5,127.77
Refuse	POSTAL PROS, INC.	POSTAGE	\$ 668.41
	NCSI	APPLICANT PROFILES	\$ 37.00
		Total	\$ 705.41
Total			\$ 192,673.17



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** LINDA SMITH, CITY CLERK

**Date:** April 26, 2023

**RE:** Approval of a renewal application for a Retail Marijuana Store License for Mountain Annies, LLC, located at 310 East Main Street, Cortez.

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### Attachments

Mountain Annie's LLC Letter

April 26, 2023

MEMO TO: Honorable Mayor and City Council

FROM: Linda Smith, City Clerk

SUBJECT: RENEWAL APPLICATION ON A RETAIL MARIJUANA STORE  
LICENSE FOR MOUNTAIN ANNIES, LLC, LOCATED AT 310 EAST  
MAIN STREET, CORTEZ

#### BACKGROUND

The renewal Retail Marijuana Store License referred to above was filed in the City Clerk's office on March 28, 2023. The application appears to be complete and all fees were paid.

#### ISSUES

The fire inspection report shows there were no violations to the Fire Code.

The sales tax account is current.

The police report shows they are in compliance with the Marijuana Licensing Code.

#### RECOMMENDATION

Staff recommends approval of the renewal Retail Marijuana Store License for Mountain Annie's LLC, located at 310 East Main Street, Cortez.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 04/25/2023

**RE:** Approval of a Special Events Permit for Cortez Celtic Fair to host an event on Saturday, June 24, 2023, at Parque de Vida, located at 400 North Mildred Road, Cortez.

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### Attachments

SEP- Celtic Fair



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

4/25/2023

MEMO TO: Honorable Mayor and City Council  
FROM: Donna Murphy, Deputy City Clerk  
SUBJECT: APPLICATION FOR A SPECIAL EVENT PERMIT FOR THE CELTIC FAIR

#### BACKGROUND

The application referred to above was filed with the City Clerk's office on April 3, 2023. The application appears to be complete, the fees have been paid, and the public notice sign has been posted on the premises. The Special Event Permit would allow The Cortez Celtic Fair to host an event on Saturday, June 24, 2023, at Parque de Vida, located at 400 N. Mildred Road., Cortez.

#### ISSUES

Non-profit organizations are allowed fifteen Special Event Permits per year. This application is the first event for 2023.

#### RECOMMENDATION

Staff recommends approval of a Special Event Permit to Cortez Celtic Fair to host an event on Saturday, June 24, 2023 from 7:00 a.m. until 7:00 p.m. at Parque de Vida, located at 400 N. Mildred Road, Cortez.





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 05/03/2023

**RE:** Approval of a Special Event Permit for Denkai Sanctuary/Rescue to host a fundraiser/pet adoption event on May 20, 2023, from 8:00am to 4:00pm, located in the street at South Elm Street from the alleyway to 1st Street, Cortez.

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### Attachments

SEP- Denkai



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

5/3/2023

MEMO TO: Honorable Mayor and City Council

FROM: Donna Murphy, Deputy City Clerk

SUBJECT: APPLICATION FOR A SPECIAL EVENT PERMIT FOR DENKAI ANIMAL  
SANTUARY/RESCUE

#### BACKGROUND

The application referred to above was filed with the City Clerk's office on April 10, 2023. The application appears to be complete, the fees have been paid, and the public notice sign has been posted on the premises. The Special Event Permit would allow Denkai Animal Sanctuary/Rescue to host a fundraiser/pet adoption event on Saturday, May 20, 2023, located in the street at South Elm Street from the alleyway to 1st Street, Cortez..

#### ISSUES

Non-profit organizations are allowed fifteen Special Event Permits per year. This application is the first event for 2023.

#### RECOMMENDATION

Staff recommends approval of a Special Event Permit to Denkai Animal Sanctuary/Rescue to host a fundraiser/pet adoption event on Saturday, May 20, 2023, located in the street at South Elm Street from the alleyway to 1st Street, Cortez.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 04/25/2023

**RE:** Approval of renewal Hotel and Restaurant Liquor License for Rosita Inc., DBA Tequila's, located at 1740 East Main Street, Cortez.

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### Attachments

Renewal- Tequilas



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

4/25/2023

MEMO TO: Honorable Mayor and City Council

FROM: Donna Murphy, Deputy City Clerk

SUBJECT: RENEWAL APPLICATION ON A HOTEL AND RESTAURANT LIQUOR  
LICENSE FROM ROSITA INC., DBA TEQUILA'S, 1740 EAST MAIN STREET,  
CORTEZ.

#### BACKGROUND

The renewal application referred to above was filed in the City Clerk's office on February 21, 2023. The application appears to be complete and all fees were paid.

#### ISSUES

The fire inspection report shows no violation to the Fire Code.

The police report shows no liquor violations were found over the past twelve months.

The sales tax account is current.

#### RECOMMENDATION

Staff recommends approval of the renewal Hotel and Restaurant Liquor License for Tequila's., located at 1740 East Main Street, Cortez.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 04/25/2023

**RE:** Approval of a renewal Fermented Malt Beverage and Wine Liquor License for Paragon Business Investments, LLC., DBA Gopher Food & Fuel, located at 2410 Fairway Drive, Cortez.

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### Attachments

Renewal- Gopher Food & Fuel



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

4/25/2023

MEMO TO: Honorable Mayor and City Council

FROM: Donna Murphy, Deputy City Clerk

SUBJECT: RENEWAL APPLICATION ON A FERMENTED MALT BEVERAGE AND WINE  
LICENSE FROM PARAGON BUSINESS INVESTMENTS, LLC, DBA GOPHER  
FOOD & FUEL, LOCATED AT 2410 FAIRWAY DRIVE, CORTEZ

#### BACKGROUND

The renewal application referred to above was filed in the City Clerk's office on April 14, 2023. The application appears to be complete and all fees were paid.

#### ISSUES

The fire inspection report shows no violation to the Fire Code.

The police report shows no liquor violations were found over the past twelve months.

The sales tax account is current.

#### RECOMMENDATION

Staff recommends approval of a Fermented Malt Beverage Liquor License for Paragon Business Investments, LLC, DBA Gopher Food & Fuel, Located at 2410 Fairway Drive, Cortez



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 04/25/2023

**RE:** Approval of a renewal Arts Liquor License for Community Radio Project, Inc. DBA KSJD, located at 2-8 East Main Street, Cortez.

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### Attachments

Renewal- KSJD



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

4/25/2023

MEMO TO: Honorable Mayor and City Council

FROM: Donna Murphy, Deputy City Clerk

SUBJECT: RENEWAL APPLICATION FOR AN ARTS LIQUOR LICENSE FOR THE  
COMMUNITY RADIO PROJECT, INC., DBA KSJD, LOCATED AT 2-8 EAST MAIN  
STREET, CORTEZ

#### BACKGROUND

The liquor license renewal application referred to above was filed in the City Clerk's office on April 25, 2023. The application appears to be complete and all fees were paid.

#### ISSUES

The police report shows there have been no liquor code violations found over the past twelve months.

The fire inspection report shows no violations to the Fire Code.

The sales tax account is current.

#### RECOMMENDATION

Staff recommends approval of the renewal Arts Liquor License for the Community Radio Project, Inc., DBA KSJD, located at 2-8 East Main Street, Cortez.





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 05/02/2023

**RE:** Approval of a renewal Hotel and Restaurant with one optional premise for Rudosky Golf, LLC, DBA Conquistador Golf Course, located at 2018 North Dolores Road, Cortez.

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### Attachments

Renewal- Conquistador GC



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

5/2/2023

MEMO TO: Honorable Mayor and City Council

FROM: Donna Murphy, Deputy City Clerk

SUBJECT: RENEWAL APPLICATION FOR A HOTEL AND RESTAURANT LIQUOR LICENSE WITH ONE OPTIONAL PREMISE FOR RUDOSKY GOLF LLC, DBA CONQUISTADOR GOLF COURSE, LOCATED AT 2018 NORTH DOLORES ROAD, CORTEZ.

#### BACKGROUND

The renewal application referred to above was filed in the City Clerk's office on May 2, 2023. The application appears to be complete and all fees were paid.

#### ISSUES

The fire inspection report shows no violation to the Fire Code.

The police report shows no liquor violations were found over the past twelve months.

The sales tax account is current.

#### RECOMMENDATION

Staff recommends approval of a Hotel and Restaurant Liquor License with one optional premise, for Rudosky Golf LLC, DBA Conquistador Golf Course, located at 2018 North Dolores Road, Cortez.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Drew Sanders**  
City Manager  
123 E Roger Smith Ave,  
Cortez, CO. 81321  
[dsanders@cortezco.gov](mailto:dsanders@cortezco.gov)

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** DREW SANDERS, CITY MANAGER

**Date:** May 2, 2023

**RE:** Proclamation for National Hospital Week for May 7-13, 2023

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### Attachments

Hospital Proclamation

**PROCLAMATION**

**NATIONAL HOSPITAL WEEK  
May 7-13, 2023**

WHEREAS, National Hospital Week is May 7-13, 2023 and will follow the theme 'We Are Healthcare'; and,

WHEREAS, individuals all across the country will be celebrating this time honored event; and,

WHEREAS, the Cortez City Council and City Staff hold our local healthcare workers in the highest regard; and,

WHEREAS, the hard-working people that compose our Health System deserve universal recognition and appreciation for keeping our community healthy.

NOW, THEREFORE BE IT RESOLVED, I, Rachel B. Medina, Mayor of Cortez, Colorado do hereby proclaim May 7-13, 2023 to be Hospital Week in Cortez, Colorado with the official theme:

**'We Are Health Care'**

And, urge residents to express their appreciation for the people, facilities, and technologies that make trustworthy, reliable health care possible in our community.

Witness my hand the 9<sup>th</sup> day of May, 2023.



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Rachel B. Medina, Mayor



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith

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### Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** LINDA SMITH, CITY CLERK

**Date:** April 26, 2023

**RE:** Proclamation for Historic Preservation Day on May 13, 2023

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### Attachments

Historic Preservation Day Proclamation



**PROCLAMATION  
for  
HISTORIC PRESERVATION DAY**

**WHEREAS:** May is National Historic Preservation Month; and

**WHEREAS:** Walking tours of Cortez Historic Buildings will be given during the day on Saturday, May 13, featuring the former J C Penney's, Woolworth's and Montgomery Ward buildings,

**WHEREAS:** these events are sponsored by the Cortez Historic Preservation Board, the Cortez Cultural Center, the Montezuma County Historical Society, and the Cortez Retail Enhancement Association,

**WHEREAS:** the City of Cortez recognizes the importance of keeping the history of Cortez and the surrounding area alive through education and cultural opportunities.

**THEREFORE,** I, Rachel Medina, Mayor of the City of Cortez, proclaim May 13, 2023,  
as

**HISTORIC PRESERVATION DAY**

And do hereby urge the residents of this community to recognize and support the opportunities to learn more about the history of our community through various events held that day.

Witness my hand this 9th day of May, 2023.



\_\_\_\_\_  
Rachel B. Medina, Mayor



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Linda Smith**  
City Clerk  
123 Roger Smith Avenue  
Cortez, CO. 81321  
lsmith@cortezco.gov

## Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** DONNA MURPHY, DEPUTY CITY CLERK

**Date:** 05/03/2023

**RE:** New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC.

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### DISCUSSION

In considering an application for a new liquor license, Council is directed by State Statutes to determine the needs of the neighborhood, the desires of the residents of the neighborhood, and to verify that the applicant is of good character. Fingerprints for Juan J. Jimenez de la Cruz and Vidal Gutierrez- Cueras were sent to CBI and individual history records have been completed.

Chief of Police Vern Knuckles will be present at the meeting to give the report from the Police Department. A copy has been attached for your review. A sign was posted on the premises and a public hearing notice was published according to regulations. Copies of the petitions circulated by the Police Department have also been included in the packet.

### BACKGROUND

The application referred to above was filed in the office of the City Clerk on April 3, 2023. The application appears to be complete. Agave Azul Taqueria and Bar LLC, owners Juan J. Jimenez de la Cruz and Vidal Gutierrez-Cueras, is located at 44 West Main Street, Cortez.

### RECOMMENDATION

Staff recommends that after considering the reasonable requirements of the neighborhood, the desires of the adult inhabitants, the necessity of any restrictions on the license, the good character of the applicants, and compliance with all the provisions of Colorado Revised Statutes 44-3-301, that Council approve a new Retail Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC, located at 44 West Main Street, Cortez.

### MOTION

If agreed upon by the City Council, a possible motion would be:

I move that after considering the reasonable requirements of the neighborhood, the desires of the adult inhabitants, the necessity of any restrictions on the license, the good character of the applicants, and compliance with all the provisions of Colorado Revised Statutes § 44-3-301, that Council approve a new Retail Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC, located at 44 West Main Street, Cortez.

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### Attachments

Application  
Applicant Petitions  
Police Report and Petitions  
Public Notice

1



## Application Documents Checklist and Worksheet

**Instructions:** This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information**

### Items submitted, please check all appropriate boxes completed or documents submitted

#### I. Applicant Information

- ☒ A. Applicant/Licensee Identified
- ☐ B. State sales tax license number listed or applied for at time of application
- ☐ C. License type or other transaction identified
- ☐ D. Return originals to local authority (additional items may be required by the local licensing authority)
- ☐ E. All sections of the application need to be completed
- ☐ F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application

#### II. Diagram of the premises

- ☒ A. No larger than 8 1/2" X 11"
- ☒ B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.)
- ☒ C. Separate diagram for each floor (if multiple levels)
- ☒ D. Kitchen - identified if Hotel and Restaurant
- ☒ E. Bold/Outlined Licensed Premises

#### III. Proof of property possession (One Year Needed)

- ☐ A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk
- ☒ B. Lease in the name of the applicant (or) (matching question #2)
- ☐ C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant
- ☐ D. Other agreement if not deed or lease. (matching question #2)

#### IV. Background Information (DR 8404-I) and financial documents

- ☐ A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members)
- ☐ B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved state vendor. **Do not complete fingerprint cards prior to submitting your application.**  
The Vendors are as follows:  
**IdentoGO** – <https://uenroll.identogo.com/>  
Phone: 844-539-5539 (toll-free)  
**IdentoGO FAQs:** <https://www.colorado.gov/pacific/cbi/identification-faqs>  
**Colorado Fingerprinting** – <http://www.coloradofingerprinting.com>  
Appointment Scheduling Website: <http://www.coloradofingerprinting.com/cabs/>  
Phone: 720-292-2722 Toll Free: 833-224-2227
- ☐ C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license
- ☐ D. List of all notes and loans (Copies to also be attached)

#### V. Sole proprietor/husband and wife partnership (if applicable)

- ☐ A. Form DR 4679
- ☐ B. Copy of State issued Driver's License or Colorado Identification Card for each applicant

#### VI. Corporate applicant information (if applicable)

- ☐ A. Certificate of Incorporation
- ☐ B. Certificate of Good Standing
- ☐ C. Certificate of Authorization if foreign corporation (out of state applicants only)

#### VII. Partnership applicant information (if applicable)

- ☐ A. Partnership Agreement (general or limited).
- ☐ B. Certificate of Good Standing

#### VIII. Limited Liability Company applicant information (if applicable)

- ☐ A. Copy of articles of organization
- ☒ B. Certificate of Good Standing
- ☐ C. Copy of Operating Agreement (if applicable)
- ☐ D. Certificate of Authority if foreign LLC (out of state applicants only)

#### IX. Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application

- ☐ A. \$75.00 fee
- ☐ B. Individual History Record (DR 8404-I)
- ☐ C. If owner is managing, no fee required

Name <b>Agave Azul Taguena &amp; Bar</b>	Type of License <b>Hotel + Restaurant</b>	Account Number
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7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years? Yes ☐ No ☒

8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):

a. Been denied an alcohol beverage license? ☐ ☒

b. Had an alcohol beverage license suspended or revoked? ☐ ☒

c. Had interest in another entity that had an alcohol beverage license suspended or revoked? ☐ ☒

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. ☐ ☒

10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? ☐ ☒

or  
Waiver by local ordinance? ☐ ☐  
Other: \_\_\_\_\_

11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. ☐ ☒

12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. ☐ ☒

13 a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? ☐ ☐

13 b. Are you a Colorado resident? ☒ ☐

14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. ☒ ☐ **Montezuma Mexican Restaurant Dolores, CO**

15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement? ☐ ☒ ☐

☐ Ownership ☒ Lease ☐ Other (Explain in Detail) \_\_\_\_\_

a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:

Landlord <b>Cortez Partners, LLC 246 East Main St. Montezuma, CO 81401</b>	Tenant <b>Agave Azul Taguena &amp; Bar</b>	Expires <b>5/2025</b>
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b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16. ☐ ☒

c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:  
Has a local ordinance or resolution authorizing optional premises been adopted? ☐ ☒

Number of additional Optional Premise areas requested. (See license fee chart)

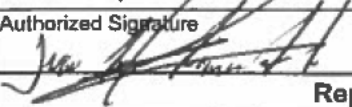
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

19. Liquor Licensed Drugstore (LLDS) applicants, answer the following:

a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? ☐ ☐

If "yes" a copy of license must be attached.

Name <b>Agave Azul Taqueria &amp; Bar</b>		Type of License <b>Hotel &amp; Restaurant</b>		Account Number	
20. Club Liquor License applicants answer the following: <b>Attach a copy of applicable documentation</b>					
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
c. How long has the club been incorporated?					
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:					
a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)				Yes <input type="checkbox"/>	No <input type="checkbox"/>
22. Campus Liquor Complex applicants answer the following:					
a. Is the applicant an institution of higher education?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.				Yes <input type="checkbox"/>	No <input type="checkbox"/>
23. For all on-premises applicants.					
a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprint submitted to approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.					
b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.					
Last Name of Manager <b>Jimenez De la Cruz</b>			First Name of Manager <b>Juan Jose</b>		
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
				<b>Montezuma Mexican Restaurant</b>	
25. Related Facility - Campus Liquor Complex applicants answer the following:					
a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.				Yes <input type="checkbox"/>	No <input type="checkbox"/>
b. Designated Manager for Related Facility- Campus Liquor Complex					
Last Name of Manager			First Name of Manager		
26. Tax Information.					
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.					
Name <b>Juan J. Jimenez de la Cruz</b>	Home Address, City & State [REDACTED]	DOB [REDACTED]	Position <b>owner</b>	%Owned <b>50</b>	
Name <b>Vidal Gutierrez-Cueras</b>	Home Address, City & State [REDACTED]	DOB [REDACTED]	Position <b>owner</b>	%Owned <b>50</b>	
Name	Home Address, City & State	DOB	Position	%Owned	
Name	Home Address, City & State	DOB	Position	%Owned	
Name	Home Address, City & State	DOB	Position	%Owned	
<p>** If applicant is owned 100% by a parent company, please list the designated principal officer on above.</p> <p>** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)</p> <p>** If total ownership percentage disclosed here does not total 100%, applicant must check this box:</p> <p><input type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.</p>					

Name <b>Agave Azul Tequila &amp; Bar</b>		Type of License <b>Hotel + Restaurant</b>		Account Number	
<b>Oath Of Applicant</b>					
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.					
Authorized Signature 		Printed Name and Title <b>Juan Jose Jimenez de la Cruz</b>		Date <b>3-15-23</b>	
<b>Report and Approval of Local Licensing Authority (City/County)</b>					
Date application filed with local authority <b>4/3/2023</b>		Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application) <b>5/9/2023</b>			
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:					
<input checked="" type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants					
That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license					
(Check One)					
<input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority					
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000?				Yes	No
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000?				<input type="checkbox"/>	<input type="checkbox"/>
<b>NOTE:</b> The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.					
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?				<input type="checkbox"/>	<input type="checkbox"/>
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.					
Local Licensing Authority for			Telephone Number		<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title		Date	
Signature	Print	Title		Date	

WARNING: It is against the law for anyone to sign any petition with any name other than his or her own or to knowingly sign his or her name more than once for the same issue.

PETITION IN FAVOR OF  
granting a  
NEW  
HOTEL AND RESTAURANT LIQUOR LICENSE

TO Aqave Azul Taqueria & Bar LLC

ADDRESS 44 West Main Street, Cortez, Colorado

NEIGHBORHOOD SET BY COUNCIL CITY LIMITS, CITY OF CORTEZ

PUBLIC HEARING ON THIS APPLICATION WILL BE HELD ON Tuesday, May 9, 2023

AT 7:30 P. M. IN CITY COUNCIL CHAMBERS, 123 ROGER SMITH AVE., CORTEZ, COLORADO.

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE SIGNING THIS PETITION.

1. You must be at least 21 years old.
2. You must be a resident of the neighborhood, or an owner or manager of a business within the neighborhood.

READ CAREFULLY:

I, the undersigned, declare, under penalty of perjury, that I am at least 21 years of age; that I am a resident of the neighborhood, or an owner or manager of a business in the neighborhood, as set by Council; and that I am in favor of granting a change in location for a Hotel and Restaurant Liquor License to the above named applicant at the address stated.

PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. MacLaine Stryker	<i>MacLaine Stryker</i>	840 Brookside
2. Tara Payne	<i>Tara Payne</i>	17 W. Chestnut
3. Brian Rose (Agent)	<i>Brian Rose</i>	20 W Main St, Cortez
4. Kami Phillips	<i>Kami Phillips</i>	918 Brookside
5. Pennie Sanford	<i>Pennie Sanford</i>	100 West Main ST
6. Alejandro Martinez	<i>Alejandro Martinez</i>	405 West 7th Street
7. Viola Fati	<i>Viola Fati</i>	1005 S. Chestnut St.
8. Patty Page	<i>Patty Page</i>	1320 Cottonwood
9. Dawn Bernabe	<i>Dawn Bernabe</i>	735 Wedgewood
10. Jawni Glenn	<i>Jawni Glenn</i>	11996 Rd 24.4
11. Bradley Oehl	<i>Bradley Oehl</i>	11932 Rd 24.3
12. Scott Miller	<i>Scott Miller</i>	1610 E. Maple
13. Hope Pell	<i>Hope Pell</i>	13095 Rd G. S
14. Shannon Shaw	<i>Shannon Shaw</i>	145 S. Madison St.
15. Wesley Fleming	<i>Wesley Fleming</i>	145 S. Madison St.

OATH OF CIRCULATOR

I, Vidal Gutierrez declare under penalty of perjury that I was the circulator of the foregoing petition; that I am at least 21 years of age; that I reside at 12599 Rd 25 Cortez CO 81321 and that I witnessed each signature written above.

Vidal Gutierrez  
SIGNATURE

04/30/23  
DATE

NOTE: All petitions must be represented at the public hearing by the circulator of the petition.

WARNING: It is against the law for anyone to sign any petition with any name other than his or her own or to knowingly sign his or her name more than once for the same issue.

PETITION IN FAVOR OF  
granting a

NEW

HOTEL AND RESTAURANT LIQUOR LICENSE

TO Agave Azul Taqueria & Bar LLC

ADDRESS 44 West Main Street, Cortez, Colorado

NEIGHBORHOOD SET BY COUNCIL CITY LIMITS, CITY OF CORTEZ

PUBLIC HEARING ON THIS APPLICATION WILL BE HELD ON Tuesday, May 9, 2023

AT 7:30 P. M. IN CITY COUNCIL CHAMBERS, 123 ROGER SMITH AVE., CORTEZ, COLORADO.

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE SIGNING THIS PETITION.

1. You must be at least 21 years old.
2. You must be a resident of the neighborhood, or an owner or manager of a business within the neighborhood.

READ CAREFULLY:

I, the undersigned, declare, under penalty of perjury, that I am at least 21 years of age; that I am a resident of the neighborhood, or an owner or manager of a business in the neighborhood, as set by Council; and that I am in favor of granting a change in location for a Hotel and Restaurant Liquor License to the above named applicant at the address stated.

PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. <u>REBECCA TURNER</u>	<u>[Signature]</u>	<u>413 Kansas St Cortez, CO.</u>
2. <u>Jamie Jones</u>	<u>[Signature]</u>	<u>31 West Main, Cortez Co.</u>
3. <u>Alexis Cornett</u>	<u>[Signature]</u>	<u>17 West Main Cortez Co.</u>
4. <u>Catherine Pranskatis</u>	<u>[Signature]</u>	<u>15 West Main Cortez</u>
5. <u>Richard HUFF</u>	<u>[Signature]</u>	<u>77 W. Main Ste B Cortez</u>
6. <u>Kacie White</u>	<u>[Signature]</u>	<u>100 W Main Cortez, CO</u>
7. <u>Cecilia Schuenemeyer</u>	<u>[Signature]</u>	<u>751 Aspen Dr.</u>
8. <u>Pern BACHMANN</u>	<u>[Signature]</u>	<u>909 CHERRY ST</u>
9. <u>Crisopher Brock</u>	<u>[Signature]</u>	<u>303 North Beech St.</u>
10. <u>Bill Freeman</u>	<u>[Signature]</u>	<u>130 W. Main</u>
11. <u>Jodi Jahrling</u>	<u>[Signature]</u>	<u>334 S Market St, Cortez</u>
12. <u>Scott J. Farris</u>	<u>[Signature]</u>	<u>48 W. Main St, Cortez</u>
13. <u>Austin Hancock</u>	<u>[Signature]</u>	<u>28 W. Main St - Cortez</u>
14. <u>Joe Gault</u>	<u>[Signature]</u>	<u>400 E. Ardenway Cortez</u>
15. <u>Katrina Weiss</u>	<u>[Signature]</u>	<u>617 Gerald's Way Cortez</u>

OATH OF CIRCULATOR

I, Maria Medina declare under penalty of perjury that I was the circulator of the foregoing petition; that I am at least 21 years of age; that I reside at 1010 Alameda Way, Durango, CO 81323; and that I witnessed each signature written above.

SIGNATURE

DATE

4/4/23

NOTE: All petitions must be represented at the public hearing by the circulator of the petition.



CITY OF CORTEZ  
608 N. PARK STREET  
CORTEZ, CO 81321

POLICE DEPARTMENT

April 10, 2023

TO: Cortez City Council

SUBJECT: Report concerning an investigation for a Hotel & Restaurant Liquor License to be granted to Agave Azul Taqueria & Bar LLC. The address is 44 West Main Street, Cortez, Colorado 81321.

I, Vernon Knuckles, has been duly appointed and directed by the Cortez City Council, Montezuma County and the State of Colorado, to investigate the above applicant and to state the official position of the Cortez Police Department, do report the following:

1. Contacted the City of Cortez Planning and Zoning Office and spoke to Rachael Marchbanks. Rachael indicated that the zoning regulations do allow a Hotel & Restaurant Liquor License as a permitted use, according to the Schedule of Land Use Code (Sec. 3.05) (a).
2. Public Notice was given by the posting of a proper sign on April 4, 2023 on the property described in the application. A photo of the Public Notice is attached to this report. Required notices will be published in the Journal on April 26, 2023.
3. There is a business that has the same type of liquor license in the immediate area.
4. A poll of the surrounding neighborhoods and business within the neighborhood was taken to obtain an opinion on granting this liquor license as applied for by the applicant. All persons contacted were advised of the time and place of the public hearing and were asked, "Do you have an opinion on this liquor license being granted?"

The following are the results of the poll:

- A. 47 in favor of
- B. 2 against

5. The location complies with Colorado Liquor Code Rules and Regulations. The location does not create any known public safety issues or endanger public health.
6. A copy of the report was delivered to the applicant on April 11, 2023.

Vernon Knuckles  
Chief of Police  
Cortez Police Department

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ADDRESS 44 West Main Street, Cortez, Colorado

NEIGHBORHOOD SET BY COUNCIL CITY LIMITS, CITY OF CORTEZ

PUBLIC HEARING ON THIS APPLICATION WILL BE HELD ON Tuesday, May 9, 2023




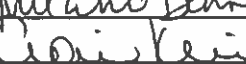
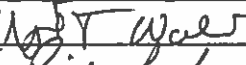

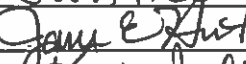



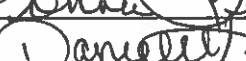

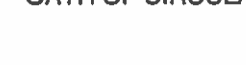


AT 7:30 P. M. IN CITY COUNCIL CHAMBERS, 123 ROGER SMITH AVE., CORTEZ, COLORADO.

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I, the undersigned, declare, under penalty of perjury, that I am at least 21 years of age; that I am a resident of the neighborhood, or an owner or manager of a business in the neighborhood, as set by Council; and that I am in favor of granting a change in location for a Hotel and Restaurant Liquor License to the above named applicant at the address stated.

PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. Tom Tracey		130 W MAIN
2. Christopher Brock		303 North Beech
3. Pennie Sanford		100 W. Main St
4. Melanie Dennison		1 W. Main St.
5. April Kline		220 Montezuma
6. Abbye Wallis		24 S. Washington
7. Rick Becker		22 S. Washington
8. JIM Rodd		210 E. 1st Street
9. JANE Horton		317 E MAIN ST B
10. Lisa Walker		317 E Main St B
11. Bonny White		317 E Main St, A
12. Nancy Hoffheim		444 E Main
13. Julie Gonzales		444 E. Main
14. Donna Doster		112 W. Montezuma
15. Danielle Kero		103 N HARRISON ST

OATH OF CIRCULATOR



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**PETITION IN FAVOR OF**  
granting a  
**NEW**  
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TO Agave Azul Taqueria & Bar LLC

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PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. <i>Karla Robson</i>	<i>[Signature]</i>	837 W. Main Cortez, CO 81321
2. <i>Doug KINNEY</i>	<i>[Signature]</i>	209 W MAIN CORTEZ 81321
3. <i>Christina</i>	<i>[Signature]</i>	25 S. Elm St Cortez
4. <i>Christina</i>	<i>[Signature]</i>	27 S Elm #3 Cortez
5. <i>Rebekah Tryon</i>	<i>[Signature]</i>	321 W 1st Street, Cortez
6. <i>ED GILBERT</i>	<i>[Signature]</i>	108 S. CHESTNUT 81321
7. <i>Nicole OTTIS</i>	<i>[Signature]</i>	112 S MARKET 81321
8. <i>Christina Padilla</i>	<i>[Signature]</i>	1919 Rolling Rd. Cortez, CO 81321
9. <i>Jeff Yarbrough</i>	<i>[Signature]</i>	110 E. Main St Cortez CO
10. <i>Larry YARBROUGH</i>	<i>[Signature]</i>	110 E Main Cortez, CO
11. <i>Rebecca Kang</i>	<i>[Signature]</i>	30 E Main Cortez
12. <i>Susan Smith</i>	<i>[Signature]</i>	E147 Washington Cr.
13. <i>Kathleen Herrmann</i>	<i>[Signature]</i>	1014 E Second Cortez 81321
14. <i>Caitlin Willbaur</i>	<i>[Signature]</i>	22 E. Main Cortez
15. <i>Austin Herrick</i>	<i>[Signature]</i>	28 W. Main St Cortez

OATH OF CIRCULATOR

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PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. Taylor Marzell	T. Marzell	18 E 13th St.
2. Valerie Rindin	Valerie Rindin	508 S. POH ST
3. Lori Johnson	Lori Johnson	806 Edith St
4. Rebecca Gardner	Rebecca Gardner	607 Alameda Dr
5. Clarissa Osborn	Clarissa Osborn	1902 Center St
6. JEREMY GARDNER	Jeremy Gardner	607 ALAMEDA DR
7. MIKE GREEN	Mike Green	114 N LINCOLN CORTEZ
8. Shawn Krawnicka	Shawn Krawnicka	119 S. Madison St.
9. Johnny Mosher	Johnny Mosher	38 N. Linden St.
10. TERRI SAM	Terri Sam	629 E 3rd St.
11. Michael MORTON	Michael Morton	701 Wedgewood ST
12. Michael Morston Jr.	Michael Morston Jr.	1713 Aldridge ST
13. Miranda Armour	Miranda Armour	1709 Aldridge Rd
14. KADAN SHARP	Kadan Sharp	1417 <del>CLAYTON</del> NAVATO
15. Brady Veach	Brady Veach	222 Edith St.

OATH OF CIRCULATOR

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~~AMONGST~~

~~granting a~~

~~NEW~~

~~HOTEL AND RESTAURANT LIQUOR LICENSE~~

TO Agave Azul Taqueria & Bar LLC.

ADDRESS 44 W. Main Street, Cortez, Colorado

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READ CAREFULLY:

I, the undersigned, declare, under penalty of perjury, that I am at least 21 years of age; that I am a resident of the neighborhood, or an owner or manager of a business in the neighborhood, as set by Council; and that I am against granting a change in location for a Hotel and Restaurant Liquor License to the above named applicant at the address stated.

PRINTED NAME	SIGNATURE	STREET ADDRESS ONLY
1. KINSKY WELLS		23 S BEECH ST <sup>Cortez</sup> <sub>CO 81301</sub>
2. CLIFF BRYAN		129 S Linden <sup>Cortez</sup> <sub>CO 81301</sub>
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

OATH OF CIRCULATOR

# NOTICE

PURSUANT TO THE LIQUOR LAWS  
OF COLORADO

Agave Azul Taqueria & Bar LLC  
44 West Main Street  
Cortez, Co. 81321

HAS REQUESTED THE LICENSING  
OFFICIALS OF the City of Cortez  
TO issue NEW Hotel + Restaurant Liquor License  
LICENSE AT: 44 West Main St.  
Cortez, CO 81321

**HEARING ON APPLICATION TO BE HELD AT:**  
Cortez City Hall, Cortez Council Chambers  
123 Roger Smith Ave, Cortez, CO 81321

**TIME AND DATE:** 7:30pm, Tuesday, May 9, 2023

**DATE OF APPLICATION:** 4/3/2023, 2023

**BY ORDER OF:** Cortez City Council

**OFFICERS:** Tuan T. Timenez, de la Cruz,

## PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that a public hearing will be held for the consideration of a New Hotel and Restaurant Liquor License for Agave Azul Taqueria and Bar LLC., DBA Agave Azul Taqueria and Bar, located at 44 West Main Street, Cortez, Colorado.

The public hearing will be held at 7:30 p.m., on Tuesday, May 9, 2023, in City Council Chambers at the Cortez City Municipal Building, 123 Roger Smith Avenue, Cortez, Colorado.

Further information concerning this matter may be obtained by contacting the City Clerk at the address above or calling 564-4008.

Please publish in the newspaper on Wednesday, April 26, 2023.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Rachael Marchbanks**  
Community/Economic Development Director  
123 Roger Smith Ave  
Cortez, CO. 81321  
rmarchbanks@cortezco.gov

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## Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** Cheryl Lindquist, Permit Technician/Deputy City Clerk

**Date:** 5/03/2023

**RE:** Ordinance 1318, Series 2023

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### DISCUSSION

The Historic Preservation Board met on March 8, 2023, to consider the application and merits of the structure and unanimously recommended that the structure be designated as historic and included on the City Register of Historic Places. Meeting minutes are attached.

### BACKGROUND

The owners of 20-30 West Main Street have applied to the Historic Preservation Board to have the property listed on the City Register of Historic Places.

### FISCAL IMPACT

None

### RECOMMENDATION

Staff recommends that Council approve on second reading Ordinance No. 1318, Series 2023, approving 20-30 West Main Street for Historic Designation and to include this property in the City Register of Historic Sites.

### MOTION

If agreed upon by the City Council, a possible motion would be:

I move to approve on second and final reading Ordinance No. 1318, Series 2023, approving 20--30 West Main Street for Historic Designation and to include this property on the City Register of Historic Sites.

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## Attachments

Ordinance No. 1318, Series 2023  
Application  
Minutes  
Pictures  
Picture 1  
Picture 2  
Picture 3  
Picture 4

**CITY OF CORTEZ**  
**ORDINANCE NO. 1318, SERIES 2023**

AN ORDINANCE APPROVING 20-30 WEST MAIN STREET FOR HISTORIC  
DESIGNATION, AND TO INCLUDE THIS PROPERTY IN THE CITY REGISTER OF  
HISTORIC SITES

WHEREAS, on March 12, 1996, the City Council (the “Council”) of the City of Cortez, Colorado (the “City”), adopted Ordinance No. 814, Series 1996, implementing the *City of Cortez Land Use Code*, for the purpose of regulating land use, subdivision and development in the City of Cortez in accordance with the *Cortez Comprehensive Plan*; and

WHEREAS, Ordinance No. 830, Series 1997, established the City of Cortez Historic Preservation Board to enhance our community's local resources and to promote the public interest in historic preservation through the protection and preservation of the City's architectural, historic, and cultural heritage, as embodied in designated historic structures, sites, and districts, by appropriate regulations and incentives; the establishment of a City Register listing designated structures, sites, and districts; and to provide educational opportunities to increase public appreciation of Cortez's unique heritage; and

WHEREAS, the Cortez City Council finds and declares as a matter of public policy that the protection, preservation, and enhancement of the City’s cultural, historical, archaeological, and architectural heritage is in the public interest, as established through the adoption of Ordinance No. 830, Series 1997; and

WHEREAS, Ordinance No. 1140, Series 2010, updated the regulations pertaining to historic preservation within the City of Cortez for compliance with the standards of the State Historic Preservation Office; and

WHEREAS, in 2010, the City of Cortez applied for, and was awarded, designation as a Certified Local Government (hereinafter “CLG”) from History Colorado and the National Park Service; and

WHEREAS, the City of Cortez has been awarded nine CLG grants from History Colorado to conduct site surveys of structures located within the “Original Townsite of Cortez” and the “F.R. Coffins Addition;” and

WHEREAS, the property at 20-30 West Main Street was surveyed and found eligible for inclusion within the City of Cortez Register of Historic Structures, Sites, and Districts, and the property owner has applied for historic designation, and has properly requested that the City of Cortez designate the structure on said property to the City Register of Historic Structures, Sites, and Districts; and

WHEREAS, the Historic Preservation Board has reviewed Section 6.19 of the Land Use Code and has recommended these properties for historic designation; and

CITY OF CORTEZ  
ORDINANCE NO. 1318, SERIES 2023  
HISTORIC DESIGNATION OF 20-28 WEST MAIN STREET

WHEREAS, the properties recommended for historic designation are 20-30 West Main Street, more particularly described as:

Lot 5-8, Block 29  
of the Cortez Original Townsite  
County of Montezuma  
State of Colorado

WHEREAS, due notice was given that Council would meet to hear and consider the merits for designation of said structures at a public hearing held on April 25, 2023, and Council reviewed the qualifications of said structure at said meeting and found that the structure is historically important and satisfies the criteria for historic designation as set forth in Land Use Code Section 6.19; and

WHEREAS, the Owner agrees to consult with the Cortez Historic Preservation Board before making any alterations or modifications to the structure that could affect the character of the historic resources relative to the criteria by which it was designated, understanding that any alterations or modifications could negate such designation.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL AS FOLLOWS:

THAT the structure existing on the property located at 20-30 West Main Street, Cortez, Colorado, shall be designated to the City Register of Historic Structures, Sites, and Districts as an individual structure having a special historical and architectural value.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after second reading and final passage.

FIRST READING. This ordinance shall be considered first reading on the 25<sup>th</sup> day of April, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez,



CITY OF CORTEZ  
ORDINANCE NO. 1318, SERIES 2023  
HISTORIC DESIGNATION OF 20-28 WEST MAIN STREET

Colorado, at which time this ordinance shall be read and the public hearing for the second or final reading of this ordinance shall be set.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 9<sup>th</sup> day of May, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

MOVED AND APPROVED ON FIRST READING THIS 25<sup>TH</sup> DAY OF APRIL, 2023.

\_\_\_\_\_  
Rachel B. Medina, Mayor

ATTEST:

\_\_\_\_\_  
Donna Murphy, Deputy City Clerk

MOVED, SECONDED, AND ADOPTED ON FINAL READING THIS 9<sup>TH</sup> DAY OF MAY, 2023.

\_\_\_\_\_  
Rachel B. Medina, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Smith, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Patrick Coleman, City Attorney



**City of Cortez**  
**Planning and Building**  
123 Roger Smith Ave.  
Cortez, CO 81321

PLEASE NOTE: Before submitting this application, contact City of Cortez Historic Preservation Board (CCHPB) about the status of your property's historical survey. If the property has previously been surveyed, CCHPB will provide you with a copy of your historical site form and evaluation to be attached to this application prior to submittal. Contact CCHPB at City Hall, the Planning and Building Department. (970) 565-3402.

## HISTORIC PROPERTY NOMINATION FORM AND CONSENT FORM

Address or Location of Property: 20 - 30 WEST MAIN ST, Cortez, CO 81321

Historic Name of Property (if applicable): Old JC Penneys Building

Date of Application: 27 MAY 2022

Owner(s) of Property Site/Object: CORTEZ PARTNERS LLC

NOTE: The owner(s) of the nominated properties must consent to nominate the property per City of Cortez Land Use Code Section 6.19(d)(4). If there are multiple owners, list the principal owner first for contact purposes. List all owners of interests in the property and use the exact names(s) as it appears on the Title Certificate that is recorded in Montezuma County.

Owner Mailing Address: 201 EAST MAIN Street City: Cortez State: CO Zip: 81321

Phone: 434-981-9446 Email: CMTomsjr@gmail.com

Applicant's Representative Phone: - SAME - Email: - SAME -

Structure(s) on Property being nominated: Commercial Building

NOTE: List all that are applicable: i.e., house, barn, garage, commercial building, church. Exclude structures not part of the nominated structure but are now located on the property (site).

### DESCRIPTION OF PROPERTY (SITE)

1. Legal: Lot 5-8 Block 29 Subdivision \_\_\_\_\_  
(If applicable, attach a separate sheet with a metes and bounds description)

### USE OF PROPERTY

Historic: J. C. Penneys Retail Store

Current: Cortez Area Chamber of Commerce offices and meeting rooms

Year of Construction: 1953

Year(s) of Any Exterior Remodeling (if known): \_\_\_\_\_

**PLEASE ATTACH THE FOLLOWING:** (Please type name of property on each sheet. You may use one sheet for all items, or several sheets.)

- \_\_\_\_\_ A copy of document(s) proving ownership of the property and state the legal description of location and boundaries.
- \_\_\_\_\_ A statement describing the history of the structure (i.e. year built, and any renovations over time, etc.).
- \_\_\_\_\_ Attach a description and photo of the current appearance of the property and boundaries of the historic structure.
- \_\_\_\_\_ Attach a description and photo (if available) of the original appearance of the property and boundaries of the historic structure or site.
- \_\_\_\_\_ A description of the characteristics of the structure which justify its designation and a description of the particular features that should be preserved.
- \_\_\_\_\_ A description of the structure's historical significance in regards to the criteria listed below (architectural, cultural, geographic/environmental, prehistoric or historic structures or sites).
- \_\_\_\_\_ Three letters of support or copy of a letter demonstrating eligibility as the result of a Certified Local Government Inventory.
- \_\_\_\_\_ Copies of the State Site Forms (Please be aware that you will be required to obtain a Site Number from the History Colorado State Historic Preservation Office in Denver).

**AUTHORIZING SIGNATURES:**

I/We hereby certify that the information on this application and attachments is correct and that the property affected by this application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property. An authorization letter from the property owner has been attached in the event that the owner's signature has not been provided below.

I/We agree that, before making any alterations to the exterior of a structure, resource, or property designated in the Cortez Register of Historic Sites, Structures and Districts, the applicant proposing the alterations shall submit plans describing the modifications to the Cortez Historic Preservation Board for review and recommendation, as set out in Sec. 8.02.04 of the City Land Use Code, Historic Preservation Board.

I/We also agree to comply with all Cortez ordinances, codes, rules and regulations including but not limited to 6.19 (9.04.06) Cortez Land Use Code regarding application for, designation as, alteration of, and all other review processes now in effect or as may be amended or created from time to time.

**Property Owner(s)**

Print or Type: C.M. TOMS JR. Signature: [Signature] 8 MAR 2023

Print or Type: \_\_\_\_\_ Signature: \_\_\_\_\_

*Michael  
Signed*

**Applicant(s) or Authorized Agent**

Print or Type: \_\_\_\_\_ Signature: \_\_\_\_\_

Print or Type: \_\_\_\_\_ Signature: \_\_\_\_\_

E-mail digital PDF (or postal mail/deliver in person) completed form with signature and attachments.

City of Cortez Planning & Building  
Attn: City Planner  
123 Roger Smith Ave  
Cortez, CO 81321



## **CITY OF CORTEZ HISTORIC PROPERTY NOMINATION FORM Addendum**

To assist you in completing the application for a historic property, please be aware of the criteria as noted in the City of Cortez Land Use Code. Per Section 6.19 (9.04.06 G) of the Land Use Code, to be considered for historic designation. Structures must be at least fifty (50) years old and meet one (1) or more of the following criteria for architectural, cultural, geographic/environmental, or prehistoric and historic archaeological structures or sites. These criteria help to evaluate the SIGNIFICANCE of the property, structure, or site.

### **G. Designation Criteria**

1. Age. Structures must be at least fifty (50) years old and meet one (1) or more of the criteria listed below. A structure may be exempted from the age standard if the Historic Preservation Board and Cortez City Council find it to be exceptionally important in other designation criteria.
2. Architectural.
  - a. Is a significant historic remodel;
  - b. Exhibits a pattern or grouping of elements representing at least one of these criteria;
  - c. Represents a built environment of a group of people in an era of history;
  - d. Represents an innovation in construction, materials, or design;
  - e. Demonstrates superior craftsmanship or high artistic value;
  - f. Is an example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally or locally; or
  - g. Exemplifies specific elements of an architectural style or period.
3. Cultural
  - a. Is a location where a historic event occurred that had an effect on local or regional history or the general development of society or cultural values.
  - b. Exemplifies cultural, political, economic, or ethnic heritage in the development of the City or region; or
  - c. Is associated with a notable person or the work of a notable person or cultural group of people.
4. Geographic or Environmental
  - a. Enhances the sense of identity of the City;
  - b. Is an established and familiar natural setting or visual feature of the City; or
  - c. Is geographically or regionally significant.
5. Prehistoric and Historic Archaeological Structures or Sites;
  - a. Prehistoric and historic archaeological structures or sites that have a potential to make an important contribution to the area's history or prehistory;
  - b. Is associated with an important event in the area's development;
  - c. Is associated with a notable person(s) or the work of a notable person(s), or
  - d. Has distinctive characteristics of a type, period, or manner of construction.

Please be aware of the criteria as noted in the City of Cortez Land Use Code. Per Section 6.19 (9.04.06 H) of the Land Use Code, to be considered for historic designation. Each property, structure or site shall be evaluated based on physical integrity using the following criteria (a property need not meet all the following criteria). These criteria help to evaluate the INTEGRITY of the property, structure, or site:

## **H. General Criteria for Structures and Sites**

1. Shows character, interest, or value as part of the development, heritage, or cultural characteristics of the community, region, state, or nation;
2. Retains original design features, materials, and/or character;
3. Is in the original location or same historic context if it has been moved; or
4. Has been accurately reconstructed, restored, or preserved.

## **I. Revocation of Designation**

If a building or special feature on a designated site has changed or been altered in such a way as to negate the features necessary to retain designation, the owner may apply to the Board for revocation of the designation, or the Board shall recommend revocation of the designation to the City Council in the absence of the owner's application in the same procedural manner in which the structure, or site was originally designated.

Date _____	Initials _____
<input type="checkbox"/> Determined Eligible- NR	
<input type="checkbox"/> Determined Not Eligible- NR	
<input type="checkbox"/> Determined Eligible- SR	
<input type="checkbox"/> Determined Not Eligible- SR	
<input type="checkbox"/> Need Data	
<input type="checkbox"/> Contributes to eligibleNR District	
<input type="checkbox"/> Noncontributing to eligible NR District	

## COLORADO CULTURAL RESOURCE SURVEY

# Architectural Inventory Form

## I. IDENTIFICATION

1. Resource number: 5MT12698
2. Temporary resource number: T- 16
3. County: Montezuma
4. City: Cortez
5. Historic building name: JC Penneys Building
6. Current building name: ~~No name~~ Cortez Area Chamber of Commerce - Downtown Business Center
7. Building address: ~~20-28~~ 201 West Main Street, Cortez, Colorado 81321
8. Owner name and address:  
~~Montezuma Partners LLC and~~ Cortez Partners LLC  
~~214 Washington Street~~ 201 EAST MAIN STREET  
Cortez, Colorado 81321

## II. GEOGRAPHIC INFORMATION

9. P.M. NM Township 36N Range 16W  
SW ¼ of SW ¼ of SE ¼ of NW ¼ of section 26
10. UTM reference  
 Zone 1 2; 7 1 3 9 0 2 mE 4 1 3 6 1 0 7 mN
11. USGS quad name: Cortez, Co.  
 Year: 1965 Map scale: 7.5' X 15' Attach photocopy of appropriate map section.
12. Lot(s): 5-8 Block: 29  
 Addition: Cortez Year of Addition: 1886
13. Boundary Description and Justification:  
 The boundary matches the parcel lines as they were when the building was constructed in 1953.

### III. Architectural Description

14. Building plan (footprint, shape): Rectangle
15. Dimensions in feet: Length 135 x Width 100
16. Number of stories: 2
17. Primary external wall material(s): Brick, stone
18. Roof configuration: ~~Flat~~ Domed
19. Primary external roof material: ~~Asphalt~~ Rubber Membrane

Temporary Resource Number: T-16

20. Special features: Chimney ?

21. General architectural description: This is an update to a site form that was completed in 1995. This is a two-story concrete block commercial building with a <sup>domed</sup> flat roof. While it appears to be a two-story building from the front, only the <sup>north</sup> eastern half of the building is two-story, as can be seen on the rear of the building. The front faces south on to Main Street. Most of the front wall is clad in brick. Metal flashing is at the top of the wall. A purplish stone (possibly granite; the previous site form described it as marble) is located below the windows on the first floor. The front has <sup>two</sup> three recessed entries located between large display windows with metal sashes. Each entry has <sup>glass and</sup> glazed metal double doors with transoms and side-lites, and large display windows on the walls extending from the entry toward the street. ~~The eastern two entries each open into a small lobby with a second, interior, entrance with a second set of metal double doors, transoms and side-lites. The eastern-most entry is flanked on either side by large display areas of equal size, but~~ The east side has two large windows, while the west side of the entry has four windows. The middle entry has two large display windows, and the western entry has two large display windows on one side and a narrower window on the other. A metal sign on the wall says "This building erected by Anna and T. Gai 1953". A flat metal canopy extends <sup>east to west</sup> across the ~~western~~ <sup>southern</sup> 50 feet of frontage. A projecting sign extends from the brick wall above the western most entry. A shed roof metal awning with a central gable extends across the <sup>southern</sup> eastern frontage. On the second floor there is a ribbon of three divided-lite windows with brick sills. The windows appear to be recent vinyl sash replacements within the original openings. A projecting sign extends from the second story <sup>AWNING</sup> windows. ~~Most of the east and west walls are not visible. The rear, or north side, has two windows with poured concrete sills on each floor of the two-story part of the building. The windows are covered with metal bars, making it difficult to determine what the sash material is. A wall-mounted sign is also on the two-story portion of the rear wall. The one-story portion of the rear wall has a small metal sash window and two metal doors.~~

22. Architectural style/building type: International (per previous survey form)

23. Landscaping or special setting features: None

24. Associated buildings, features, or objects: None

## IV. ARCHITECTURAL HISTORY

25. Date of Construction: Estimate: \_\_\_\_\_ Actual: 1953

Source of information: Plaque on the building, Montezuma County Assessor and Tax Records;

Downtown Cortez Walking Tour (no date, no author), Old site form prepared in 1995 by Nancy Lyons on file at History Colorado

26. Architect: unknown

Source of information: NA



Temporary Resource Number: T-16

27. Builder/Contractor: unknown

Source of information: NA

28. Original owner: Anna and T. Gai

Source of information: Plaque on the building, Montezuma County Assessor and Tax Records;

Downtown Cortez Walking Tour (no date, no author), Old site form prepared in 1995 by Nancy Lyons on file at History Colorado.

29. Construction history (include description and dates of major additions, alterations, or demolitions): The building appears mostly unchanged. The second floor windows have been replaced since the site was recorded in 1995 and the east half of the flat roofed canopy that ran the length of the storefront was ~~removed~~ <sup>restored</sup> some time after ~~1995~~. 2012.

30. Original location X Moved      Date of move(s):**V. HISTORICAL ASSOCIATIONS**

31. Original use(s): Department Store

32. Intermediate use(s): ~~NA~~ Office supply Store, Ball Room Dance Facility33. Current use(s): ~~Commerce~~ Chamber of Commerce offices and meeting rooms.

34. Site type(s): Retail/office

35. Historical background: Local developers, Anna and T. Gai built this building in 1953 to house the J.C. Penneys store. Penneys had been in Cortez at another location at 21 East Main Street, a few blocks away, since 1927. It operated at this location until it ceased operations in Cortez the mid-1980s. Kokopelli's Bicycle and Board Shop moved into the west end in about 1995, and Office Outpost purchased and moved into the east end in 1996. Both businesses had vacated the building by the time the ~~Montezuma Partners LLC~~ <sup>Cortez</sup> purchased the west 25 feet from the Gais in 2008. The Cortez Partners LLC purchased the east 75 feet from Office Outpost in 2012.

36. Sources of information: County Assessors Data, City Directories from 1921 -1963, Downtown Cortez Walking Tour (no author, no date), Old site form completed by Nancy Lyons in 1995 and on file at History Colorado.

**VI. SIGNIFICANCE**37. Local landmark designation: Yes      No X Date of designation:     

Designating authority: NA

38. Applicable National Register Criteria:

X A. Associated with events that have made a significant contribution to the broad pattern of our history;

     B. Associated with the lives of persons significant in our past;

Temporary Resource Number: T-16

☒ C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

☐ D. Has yielded, or may be likely to yield, information important in history or prehistory.

☐ Qualifies under Criteria Considerations A through G (see Manual)

☐ Does not meet any of the above National Register criteria

39. Area(s) of significance: Commerce, Architecture

40. Period of significance: 1953-1965 for A and 1953 for C

41. Level of significance: National ☐ State ☐ Local ☒

42. Statement of significance: The property could be considered for significance under Criterion A in the area of

Commerce for its association with the commercial development of Cortez after WWII. In addition to a surge in population from soldiers returning home, Cortez experienced an economic boom after World War II, mostly because of the development of energy resources and the improvement of highways in the area. The building is located on Main Street, which was platted in 1886 and subsequently developed as the primary commercial corridor in the town, and the building was constructed specifically to house a new J.C. Penney's store. The period of significance extends from the time when the building was constructed, and ends fifty years ago in accordance with National Register guidelines. This building was not the first location for J.C. Penney's, and its association with Penney's during the period of significance (12 years) is considerably shorter than the original Penney's location in Cortez (26 years); so the property's significance under Criterion A might be more of a general association with retail operations. The property could also be considered for significance under Criterion C in the area of Architecture as a representation of the International Style. The building's long, low form, incorporating a flat canopy and large, angled display windows framed with thin aluminum supports are typical of the style. The period of significance for architecture would be the construction date of the building.

43. Assessment of historic physical integrity related to significance: Most of the original character-defining architectural features remain. The second floor windows have been replaced within the original openings and 1/2 of the flat canopy that once extended across the front has been replaced with a sloped metal awning. The building is no longer a single department store. It has been subdivided into <sup>two</sup> ~~three~~ separate businesses. Because of these changes, the building's historic integrity is slightly diminished in terms of materials, workmanship, feeling and design. The building retains historic integrity in terms of setting, location and association because it is in its original location, and the commercial setting and association with commerce remains. The unprecedented rate of growth and wealth during this time period in Cortez has left a large legacy of buildings illustrating both commercial development in the twenty years after WWII and design characteristics common to popular Modernist Movement styles of

Temporary Resource Number: T-16

the times. Within the context of Cortez, this is not an outstanding example of either commercial development or architecture.

**VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT**

44. National Register eligibility field assessment:

Eligible ☐ Not Eligible ☒ Need Data ☐

45. Is there National Register district potential? Yes ☐ No ☒

Discuss: It does not appear that there is adequate continuity of historic, unaltered resources (i.e. resources that

retain sufficient integrity) within this area to clearly convey Cortez's main commercial corridor (Main Street) as it appeared more than 50 years ago.

If there is National Register district potential, is this building: Contributing ☐ Noncontributing ☐

46. If the building is in existing National Register district, is it: Contributing ☐ Noncontributing ☐

**VIII. RECORDING INFORMATION**

47. Photograph numbers: 2966, 3416, 3374, 3375

Negatives filed at: Cortez Historic Preservation Commission, City of Cortez

48. Report title: Cortez Main Street North Side Historic Properties Survey -Phase IV

49. Date(s): October 25, 2015

50. Recorder(s): Jill Seyfarth

51. Organization: Cultural Resource Planning

52. Address: PO Box 295, Durango, Co 81302

53. Phone number(s): 970-779-1411

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.

Colorado Historical Society - Office of Archaeology & Historic Preservation  
1300 Broadway, Denver, CO 80203 (303) 866-3395



Historic Preservation Board Meeting Minutes  
Wednesday, March 8, 2023  
5:00 PM, Mesa Verde Room, Cortez City Hall

**In attendance:** Linda Towle, Holly Tatnall, Mitchell Toms, Rachael Weaver, Becky Levy, Darrin Uptain, Racheal Marchbanks, Rob Dobry

Meeting called to order 5:02 PM

**Introduction of those Present:** Jesse Uptain

**Public Input and Comments:** None

**Approval of Minutes:** Toms moved to approve the February 1 minutes with minor changes that Towle will make; Tatnall seconded.

**New Business:**

- a. CLG review with Lindsey Flewelling will be taking place in Cortez June 7, 2023.
- b. There will be a CLG webinar on Tax Credits for historic preservation work on Wednesday, March 29. Towle will send out more information.
- c. Russell, Toms and Towle are up for renewal. They need to submit letters of interest to City Council and complete several forms for Cortez City Human Resources.
- d. Towle requested approval for a letter of support for the Cortez Cultural Center's Laura Musser grant. Toms moved for approval; Uptain seconded.

**Old Business:**

- a. City Web meeting notification is work in progress. They are still working on getting meeting notifications posted.
- b. Towle reported on NPAC webinar, *Design Review with Limited Resources: Working without Professional Preservation Staff*. Most valuable takeaway is that title companies should know when a property is listed on an historic preservation register. This means that property listing should appear in the closing packet. Marchbanks suggested Linking GIS map to City website for public viewing.
- c. Colorado SHF Survey Planning grant 2021. Project # 2021-SP\_001 progress. Scott Baker submitted report both electronically and by paper to SHF for completion.
- d. 2022 CLG Grant Update - Wahlers submitted a draft of the final report for review.
- e. 2023 CLG Grant application was not awarded. Need to work on underrepresented communities.
- f. 13th Annual Preservation Day will be May 13, 2023. Will center on auto tourism in 1950's and 1960's. Vista Grande Seniors will be available at three locations in the morning to share experiences. Uptain will work with car club members to make sure that vehicles from that time period will be available. Car owners will be available in the afternoon to visit with participants. No formal tours. Location sites need to be confirmed. Possibilities are Montezuma Heritage

- Museum, Kokopelli's, the Farm or the Chamber, and Cortez Cultural Center. Info for poster will go to printer for proof before the next meeting.
- g. The application for JC Penney's building to be on the City Register is going to the city attorney for review. Toms, the owner, signed paperwork. Tatnall moved to recommend application; Levy seconded.
  - h. The city is interviewing for a position that will include administrative support for the board. Hope to have someone on board by April.
  - i. Rachael Marchbanks applied to be AOR for COMPASS and was approved. This provides access for board members to use the History CO database. Towle has been approved as an individual user.

**Other Business:** None

**Update from Board Representatives:**

- a. City Council - approved on second reading to negotiate contract for land use code.
- b. Board of Realtors - Weaver forwarded the interactive link for properties to board members for property information.
- c. Cortez Cultural Center - grants in the works, planning for upcoming events.
- d. Chamber of Commerce - nothing new.
- e. Planning and Building - reviewing signage and impacts.
- f. Montezuma Heritage Museum has appointed an interim director, Jeff Brown, while Ann Brown is recovering.

Adjourned at 6:03 PM.



Sent from my iPhone



## Office Outpost (J.C. Penney Building) circa 1953

*The* building was built by the Anna and T. Gai family in 1953 and housed the local J.C. Penney's store from 1953 until the late 1980's.

The building is representative of the 1950's chain store prototype using modern extruded aluminum storefront construction with full display glass and broad Mainstreet frontage. The closure of the Penney's retail store reflects a major shift in downtown retailing in rural communities. The big box style retailers are typically locating outside of downtown areas near the fringe or edge of communities. The building was purchased by the Curtis and Stockdale families in 1996 and the Office Outpost store was relocated to this location that year.



This two-story concrete block structure is clad with pinkish brick on the upper story and purplish marble on the street level.



## Old JC Penny Bldg

Fri 4/14/2023 3:05 PM



Sent from my iPhone







Dance  
with us  
today!  
6:30pm  
7:30pm  
7:30pm  
Dance  
with any  
partner



30  
W. MAIN

UPCOMING  
CONCERT

03  
MAIN ST









20

VISITOR  
REGION 9  
Economic Development District of SW Colorado

SBDC  
SOUTHERN BRANCH  
20 W MAIN ST, CORTEZ, CO 81301

LOR FOUNDATION  
WE WORK WITH PEOPLE IN RURAL PLACES TO IMPROVE QUALITY OF LIFE

Burns Accounting Inc.  
Bookkeeping, Payroll, and Sales Tax  
QuickBooks Training

CORTEZ AREA  
CHAMBER  
BUSINESS RESOURCE CENTER  
20 W MAIN ST

CORTEZ AREA  
CHAMBER  
BUSINESS RESOURCE CENTER  
20 W MAIN ST  
OPEN

NOTICE  
PURSUANT TO THE LIQUOR LAWS  
OF COLORADO  
Held for Hearings at Montezuma County  
P.O. Box 1241  
Cortez, CO 81301  
HAS REQUESTED THE LICENSING  
OFFICIALS OF the City of Cortez  
TO issue a Special Event Permit on April 21, 2023  
LICENSE AT: Cortez Chamber of Commerce  
20 West Main St, Cortez, CO 81301  
HEARING ON APPLICATION TO BE HELD AT:  
Cortez City Hall, City Council Chambers  
123 So. 1st St., Cortez, CO 81301  
TIME AND DATE: 7:00pm, Monday, March 26, 2023  
DATE OF APPLICATION: March 21, 2023  
BY ORDER OF: Cortez City Council  
OFFICERS: Heidi Mitchell





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Rachael Marchbanks**  
Community/Economic Development Director  
123 Roger Smith Ave  
Cortez, CO. 81321  
rmarchbanks@cortezco.gov

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## Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** RACHAEL MARCHBANKS, DIRECTOR OF COMMUNITY/ECONOMIC DEVELOPMENT

**Date:** 5/03/2023

**RE:** Resolution No. 11, Series 2023

---

### DISCUSSION

Jobs and population have been increasing more quickly than the housing supply in Cortez. With a limited inventory of homes for sale and vacancy under 2% for rental housing, competition is driving up housing prices. These rising prices result in less affordable housing to the local workforce. See attached Staff Report for more.

### BACKGROUND

The City of Cortez commissioned a Housing Needs Assessment to understand current housing conditions and provide data to inform solutions to the housing challenges that are faced by our community. This Assessment takes a comprehensive look at current housing conditions and the factors shaping the housing market. In addition, it provides a forecast of housing needs for the next 5 years, and recommendations for the next steps.

### FISCAL IMPACT

None for acceptance of the assessment.

### RECOMMENDATION

Staff recommends that Council accept the 2023 Housing Needs Assessment and establish it as guidance for future housing needs in the City.

### MOTION

If agreed upon by the City Council, a possible motion would be:

I move that Council approve Resolution No. 11, Series 2023, a resolution accepting the 2023 Housing Needs Assessment and establishing it as guidance for future housing needs in the City.

---

## Attachments

Staff Report  
Resolution No. 11, Series 2023  
Housing Needs Assessment 2023



City of Cortez  
123 Roger Smith Ave.  
Cortez, Co. 81321

**Rachael Marchbanks**  
Community and Economic  
Development Director  
123 Roger Smith Ave.  
Cortez, CO 81321  
rmarchbanks@cortezco.gov

## Memorandum

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**To:** CORTEZ CITY COUNCIL

**From:** RACHAEL MARCHBANKS, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**Date:** May 9<sup>th</sup>, 2023

**RE:** RESOLUTION NO. 11, SERIES 2023, Housing Needs Assessment Acceptance

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### BACKGROUND

The City of Cortez commissioned a Housing Needs Assessment to understand current housing conditions and provide data to inform solutions to the housing challenges that people in our community are facing. This Assessment takes a comprehensive look at current housing conditions and the factors shaping the housing market. In addition, it provides a forecast of housing needs for the next 5 years, and recommendations for the next steps.

### DISCUSSION

Jobs and population have been increasing more quickly than the housing supply in Cortez. With a limited inventory of homes for sale and vacancy under 2% for rental housing, competition is driving up housing prices. These rising prices result in less affordable housing to the local workforce. As home prices and rents appreciate beyond what local wage earners can afford, new and existing homes are being sold to higher-income households both within and from outside the area.

As local workers have fewer opportunities to purchase, the competition for rental units also increases. And rising rents are putting additional pressures on households whose incomes have not kept pace with the escalation of housing costs. Rising rents and few housing choices leave households signing leases for amounts above what they can afford. This creates “rent burden” as households are forced to pay a greater percentage of their total income on housing, leaving less for other necessities. Another negative outcome of these price escalations is increasing employers' difficulty recruiting and retaining workers.

Local employers face challenges recruiting and retaining employees because there are few unemployed people in Montezuma County looking for work. Employers seeking to recruit employees from outside Montezuma County compete with employers across the state in a competitive labor market.

The local housing market is making recruitment even more challenging. The very low rental vacancy rate (about 1.4%), few homes for sale (2 months of inventory), and rising home prices mean that few homes are available to new employees. Many of those available are too costly given local wages, exacerbating employers' ability to find and keep employees.

Without housing options that are affordable to workers, whether for sale or rent, employers will continue to struggle, and this impacts the local economy. For this reason, increasing the supply and diversity of housing in Cortez is an important component of economic development in the City.

The Housing Needs Assessment is a thorough examination of these issues and provides detailed recommendations to address the housing shortages and gaps identified in this report. Strategies include:

#### Continue to Improve Land Use Regulations and Incentives

Update land use codes and the City's Comprehensive Plan to support community housing goals and residential development. Many recommendations are included in this report, and the City is on the right track with commissioning a code update scheduled to begin in the Summer of 2023. Key recommendations include making processes shorter and more predictable for developers and increasing the types of housing allowed in all districts, including duplexes, townhouses, and multi-family.

#### Increase the Supply of Housing

More housing is needed across the entire continuum from very affordable rentals to step-up homeownership. A diverse array of tools and strategies will be required to increase production and overcome the gap between what most local households can afford and the current construction cost.

#### Invest in Partnerships

Strong community partners, and talented developers are already working on housing in Cortez. Support them, and increase their capacity to do more of this vital work going forward. In addition, garnering greater community understanding and support of housing and collaborating with employers is recommended.

#### Provide Land

There are two proposed strategies related to land. (1) Use land owned by local government or large employers to help catalyze new housing. (2) Invest in completing the infrastructure improvements so that stalled-out subdivisions can be completed.

#### Preserve and Re-Use Existing Assets

Mobile homes are a major source of housing that is within reach of local households. Ensure that mobile homes remain viable and that parks receive the investments they need in infrastructure and upkeep. Seek opportunities to repurpose existing buildings and underutilized land for housing.

#### Attract New Funding to the Area

Housing solutions are resource intensive. Cortez should dedicate local funds to catalyze some of the lower-cost recommendations in this report while aggressively pursuing new funding sources from state, federal, and philanthropic sources.

### **FISCAL IMPACT**

None for acceptance of the assessment.

## **RECOMMENDATION**

Staff recommends that Council accept the 2023 Housing Needs Assessment and establish it as guidance for future housing needs in the City.

## **MOTION**

If agreed upon by the City Council, a possible motion would be:  
I move that Council approve Resolution No. 11, Series 2023, a resolution accepting the 2023 Housing Needs Assessment and establishing it as guidance for future housing needs in the City.



**CITY OF CORTEZ  
RESOLUTION NO. 11, SERIES 2023**

**A RESOLUTION ACCEPTING THE 2023 HOUSING NEEDS ASSESSMENT FOR THE  
CITY OF CORTEZ**

**WHEREAS**, the City of Cortez, Colorado (the “City”) has the authority to plan for and regulate the use of land pursuant to the Local Government Land Use Control Enabling Act, C.R.S. § 29-20-101, et. seq., and provide for the health, safety and welfare of the public pursuant to its general police powers set forth in C.R.S. § 31-15-401; and

**WHEREAS**, the City, in 2022 and 2023, commissioned a Housing Needs Assessment (the “Assessment”) to understand current housing conditions and provide data to inform solutions to the housing challenges that people in the community are facing; and

**WHEREAS**, the City contracted with Williford, LLC, (the “Consultants”) to conduct the Assessment, provide a comprehensive look at current housing conditions and the factors shaping the housing market, and provide a forecast of housing needs for the next 5 years; and

**WHEREAS**, the Consultants reviewed available data and conducted numerous interviews with local citizens and employers; and

**WHEREAS**, the Consultants completed the Assessment, a copy of which is attached hereto and incorporated herein; and

**WHEREAS**, the City Staff recommends that it is in the best interests of the City to memorialize its support of the Assessment in order to allow the City to move forward with future recommended zoning and related code adoptions, policies and affordable housing strategies.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORTEZ, COLORADO THAT:**

The 2023 Housing Needs Assessment is hereby accepted by the City Council and established as guidance for future housing needs.

MOVED, SECONDED, AND ADOPTED THIS 9th DAY OF MAY, 2023.

CITY OF CORTEZ CITY COUNCIL

\_\_\_\_\_  
By: Rachel B. Medina, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Smith, City Clerk

The background image is a composite of two photographs. The left side shows a park area with a flagpole flying the American and Colorado state flags, a bench, and a playground in the background under a sunset sky. The right side shows the entrance to the Cortez Recreation Center, a brick building with a green roof and a circular window, with the address 425 visible above the doors.

# City of Cortez HOUSING NEEDS ASSESSMENT

May 2023

Prepared by:

**WILLIFORD, LLC** **URBANrural**  
land use & affordable housing —continuum—

 **triple point**  
strategic consulting  
PROVIDING OPTIMAL SOLUTIONS

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# EXECUTIVE SUMMARY

## INTRODUCTION

The City of Cortez commissioned a Housing Needs Assessment to understand current housing conditions and provide data to inform solutions to the housing challenges that people in the community are facing. This Assessment takes a comprehensive look at current housing conditions and the factors shaping the housing market. In addition, it provides a forecast of housing needs for the next 5 years, and recommendations for the next steps.

## HOUSING TRENDS AND CHALLENGES

### Rising Prices and Limited Inventory

Jobs and population have been increasing more quickly than the housing supply in Cortez. With a limited inventory of homes for sale and vacancy under 2% for rental housing, competition is driving up housing prices. These rising prices result in less affordable housing to the local workforce. As home prices and rents appreciate beyond what local wage earners can afford, new and existing homes are being sold to higher-income households both within and from outside the area.

As local workers have fewer opportunities to purchase, the competition for rental units also increases. And rising rents are putting additional pressures on households whose incomes have not kept pace with the escalation of housing costs. Rising rents and few housing choices leave households signing leases for amounts above what they can afford. This creates “rent burden” as households are forced to pay a greater percentage of their total income on housing, leaving less for other necessities. Another negative outcome of these price escalations is increasing employers' difficulty recruiting and retaining workers.

### Local Employer Recruitment and Retention is a Challenge

Local employers face challenges recruiting and retaining employees because there are few unemployed people in Montezuma County looking for work. Employers seeking to recruit employees from outside Montezuma County compete with employers across the state in a competitive labor market.

The local housing market is making recruitment even more challenging. The very low rental vacancy rate (about 1.4%), few homes for sale (2 months of inventory), and rising home prices mean that few homes are available to new employees. Many of those available are too costly given local wages, exacerbating employers' ability to find and keep employees.

Without housing options that are affordable to workers, whether for sale or rent, employers will continue to struggle, and this impacts the local economy. For this reason, increasing the supply and diversity of housing in Cortez is an important component of economic development in the City.

## SUMMARY OF RECOMMENDATIONS

The final chapter of this report provides more detailed recommendations on the next steps. To address the housing shortages and gaps identified in this report, we recommend the following:

### **Continue to Improve Land Use Regulations and Incentives**

Update land use codes and the City's Comprehensive Plan to support community housing goals and residential development. Many recommendations are included in this report, and the City is on the right track with commissioning a code update scheduled to begin in the Summer of 2023. Key recommendations include making processes shorter and more predictable for developers and increasing the types of housing allowed in all districts, including duplexes, townhouses, and multi-family.

### **Increase the Supply of Housing**

More housing is needed across the entire continuum from very affordable rentals to step-up homeownership. A diverse array of tools and strategies will be required to increase production and overcome the gap between what most local households can afford and the current construction cost.

### **Invest in Partnerships**

Strong community partners, and talented developers are already working on housing in Cortez. Support them, and increase their capacity to do more of this vital work going forward. In addition, garnering greater community understanding and support of housing and collaborating with employers is recommended.

### **Provide Land**

There are two proposed strategies related to land. (1) Use land owned by local government or large employers to help catalyze new housing. (2) Invest in completing the infrastructure improvements so that stalled-out subdivisions can be completed.

### **Preserve and Re-Use Existing Assets**

Mobile homes are a major source of housing that is within reach of local households. Ensure that mobile homes remain viable and that parks receive the investments they need in infrastructure and upkeep. Seek opportunities to repurpose existing buildings and underutilized land for housing.

### **Attract New Funding to the Area**

Housing solutions are resource intensive. Cortez should dedicate local funds to catalyze some of the lower-cost recommendations in this report while aggressively pursuing new funding sources from state, federal, and philanthropic sources.





# CHAPTER 1



# CHAPTER 1: DEMOGRAPHICS

This chapter focuses on demographic changes and trends over the last decade plus. It includes information about the local population and households, such as household sizes and types, housing occupancy and homeownership rate, and household incomes.

## POPULATION AND HOUSEHOLDS

Demographic trends are a foundational component of understanding local housing demand.

### Why is this important?

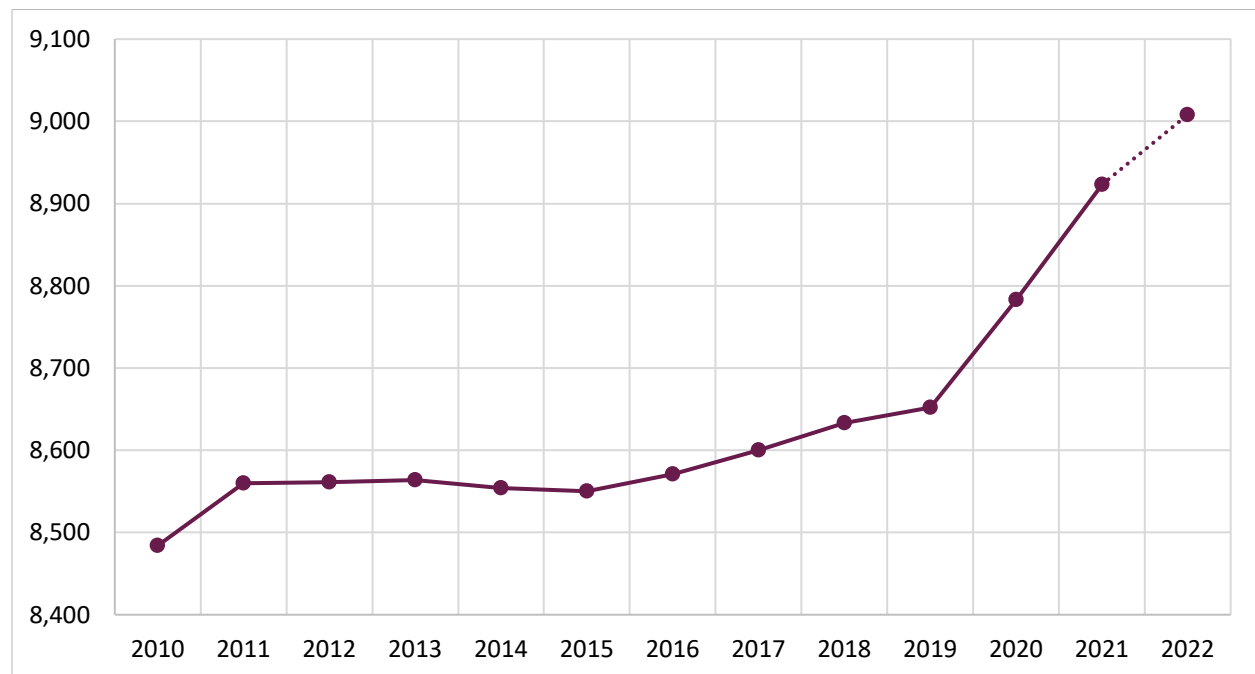
As the population grows, so does the need and demand for housing.

### Population

There are about 9,000 people who call Cortez home, representing about a third of all residents in Montezuma County. The City's population increased slowly from 2010 through 2019 and then spiked dramatically.

- From 2010 to 2019, the City's population increased by only about 170 people or a meager 0.2% per year. For comparison, Colorado grew 1.4% per year over this period or about seven times faster.
- Cortez added 131 additional residents in 2020 and 140 more in 2021.
- Final 2022 data is not yet available, but it appears that the population continued to increase faster than before the pandemic, although the growth rate slowed from that in 2020 and 2021.

### City of Cortez Population, 2010-2022

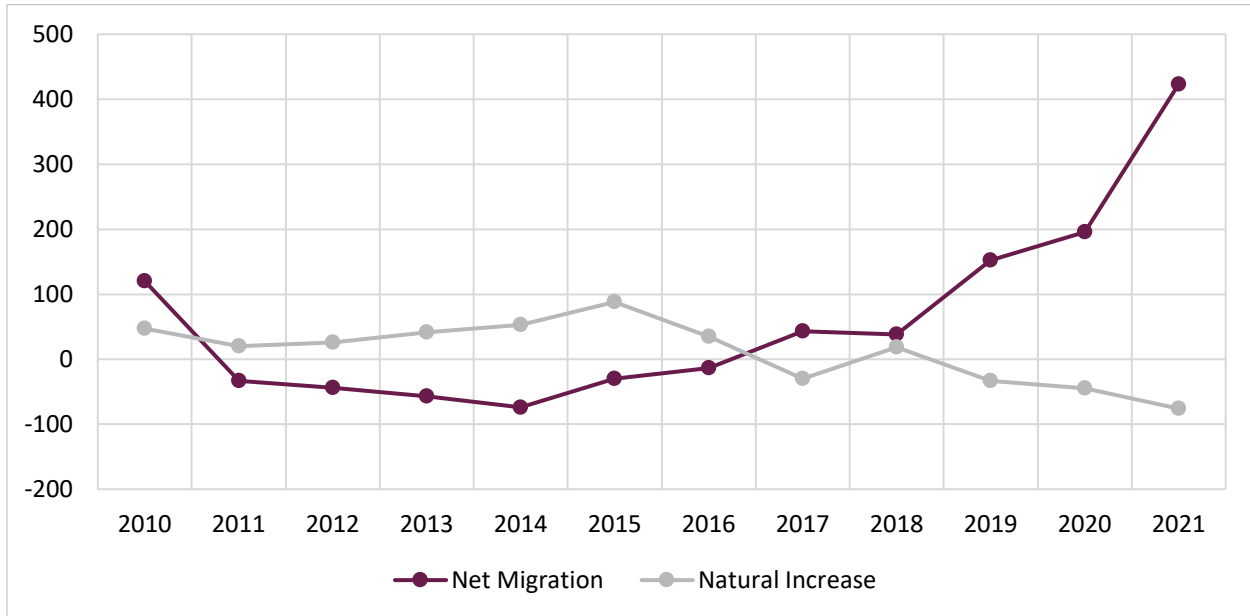


SOURCE: COLORADO DEMOGRAPHY OFFICE

The increase in population is primarily due to positive net migration (more people moving in than leaving) rather than natural growth (births exceeding deaths).

- Many people moved to Cortez during the pandemic from out of state, but people from the Cortez area were also able to capitalize on low interest rates in 2020 and 2021 and purchased a home in the City.
- Net migration has driven an increasing population (and housing demand) in Montezuma County since 2017, but there was a notable increase in 2020 and 2021.

#### Montezuma County Population Components of Change, 2000-2021



SOURCE: COLORADO DEMOGRAPHY OFFICE

### Age

The distribution of Cortez residents by age has changed little since 2010.

- About a quarter of residents are under 18, and one in five is 65 or older.
- The share of residents ages 25 to 54, often referred to as the prime age workforce, is about 35%, essentially unchanged since 2010.

The median age in Cortez is 38, similar to Colorado (37) and much lower than Montezuma County (45).

#### Age Distribution, 2021

	Montezuma County	Cortez
Under 18	22%	24%
18 to 24	7%	8%
25 to 34	11%	13%
35 to 44	11%	11%
45 to 54	12%	11%
55 to 64	15%	13%
65+	23%	20%
Total	100%	100%

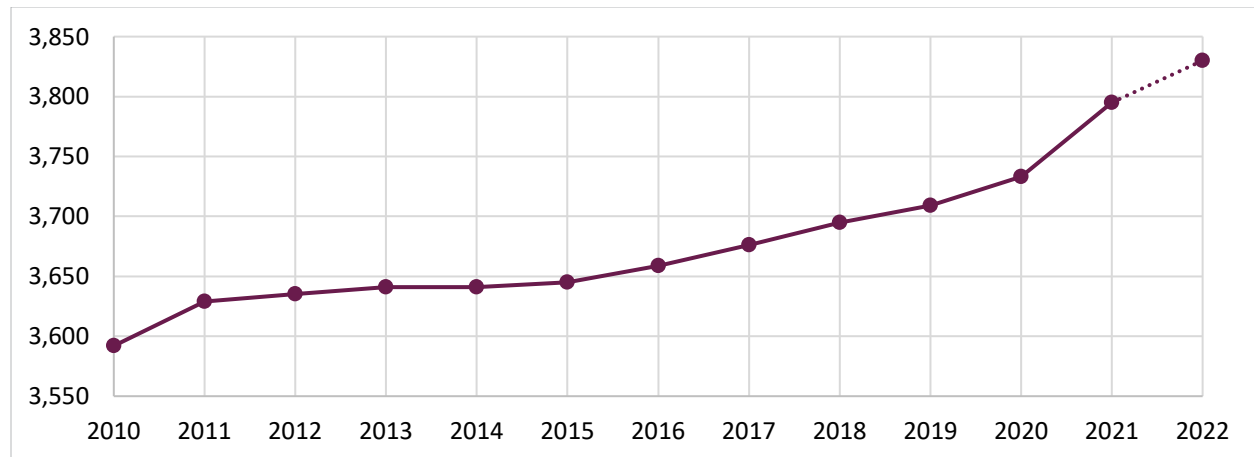
May not sum to 100% due to rounding.

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## Households

There are about 3,830 households in Cortez. From 2010 to 2019, the number of households increased by 117. Then in 2020 and 2021, the City added 86 households or about 70% of the growth from most of the previous decade.

### City of Cortez Total Households, 2010-2022



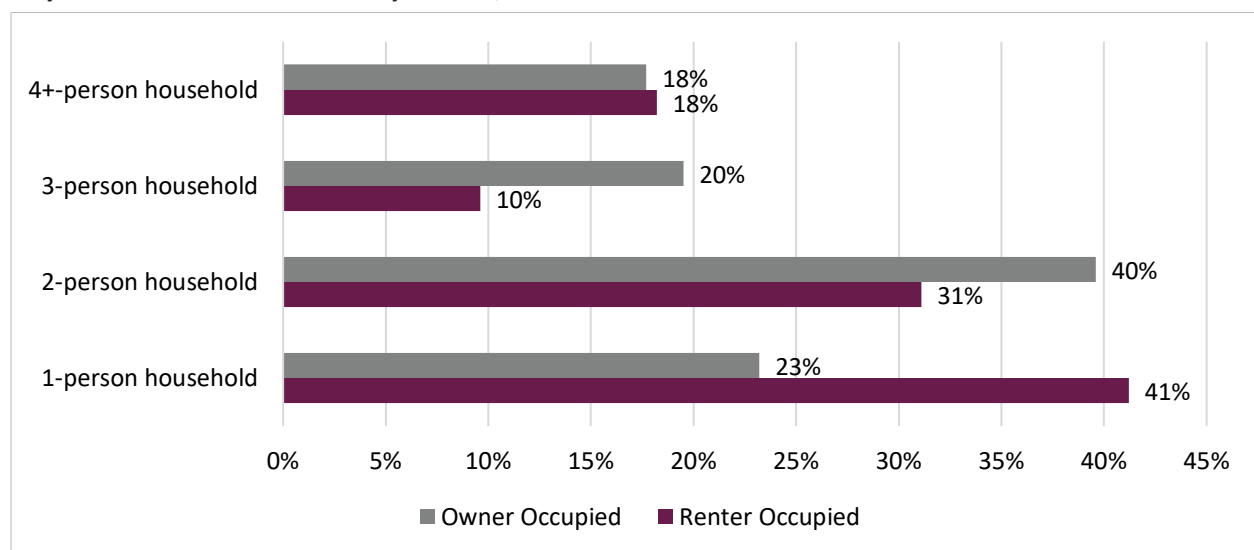
SOURCE: COLORADO DEMOGRAPHY OFFICE

## Household Size

The average size of households in Cortez was 2.4 people, similar to 2010 when it was 2.3. The distribution of households by size is also nearly identical to that in 2010, with 66% of all households comprised of just one or two people. The average household size does differ among owners and renters. The average owner household is comprised of about 2.6 people and 2.2 for renters.

- 41% of renters are just one person living alone.
- 40% of owners are comprised of two people.

### City of Cortez Household Size by Tenure, 2021



May not sum to 100% due to rounding.

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## Household Type

The composition of households has not changed much since 2010. The only notable change is a decline in the share of couples without children and an increase in the share of couples with children. In addition, about 14% of people living alone are age 65 or older.

### City of Cortez Household Types

	2010	2021
Live alone	32%	30%
Couple, with child(ren)	16%	20%
Couple, no child(ren)	26%	22%
Male/Female Householder with child(ren), no spouse present	12%	12%
Other family households, no kids	8%	9%
Other non-family households (e.g., roommates)	6%	8%

May not sum to 100% due to rounding.

SOURCE: U.S. CENSUS BUREAU, 2010 AND 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## Household Income

Determining whether housing is affordable is a straightforward math problem. The standard definition used by federal and state agencies and used throughout this assessment is that housing is affordable if a household's monthly housing costs (rent or mortgage plus utilities) are no more than 30% of gross household income (before taxes). This is also the definition in the Cortez Comprehensive Plan update from 2008.

### Why is this important?

An understanding of how much local households earn through wages or other income sources is important to determining the availability and need for housing at various price points.

A few data sources are typically used to document the income of households, namely Area Median Income (AMI) figures prepared by the U.S. Department of Housing and Urban Development (HUD) and household income from the U.S. Census Bureau.

Because federal and state housing funding is linked to the use of Area Median Income (AMI) figures prepared by HUD and used by Colorado's DOH and CHFA, these are the focus here. For reference, more details about AMI and U.S. Census income data are in Appendix A and B.

## Housing Cost Burden

A relatively high share of Cortez households is cost-burdened; which means their housing costs exceed what they can afford (30% of their gross income). This is an important indicator of housing affordability and highlights the fact that many local households do not have enough income left after paying for housing to afford other life necessities, including food, clothing, transportation, and health care. Employer interviews echo the challenges many families face, as one person observed, "People are having to adjust budgets to afford housing. They cannot move away because everywhere else is even more expensive."

### Cost Burdened Households by Tenure, 2021

	Montezuma County	Cortez
Own	16%	19%
Rent	50%	38%

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

Cost-burdened households, especially those who are extremely cost burdened (pay more than 50% of their income toward housing payments), are at increased risk of being evicted and even becoming homeless. A recent report for Colorado’s Southwest region indicated that the Housing Authority of Montezuma County adds 45 people to its waitlist each month on average, and about half are homeless.

### Self Sufficiency Standard

The Self-Sufficiency Standard is a measure that describes how much income families of various sizes and compositions need to make ends meet without public or private assistance in each county in Colorado. It is a measure of income adequacy that is based on the costs of basic needs for working families: housing, childcare, food, health care, transportation, and miscellaneous items, as well as the cost of taxes and the impact of tax credits.

Montezuma County’s median household income is less than the amount required for an average household to be self-sufficient. Thus, more than half of the households in Montezuma County do not have enough income to afford all of life’s necessities and are forced to choose between difficult trade-offs.

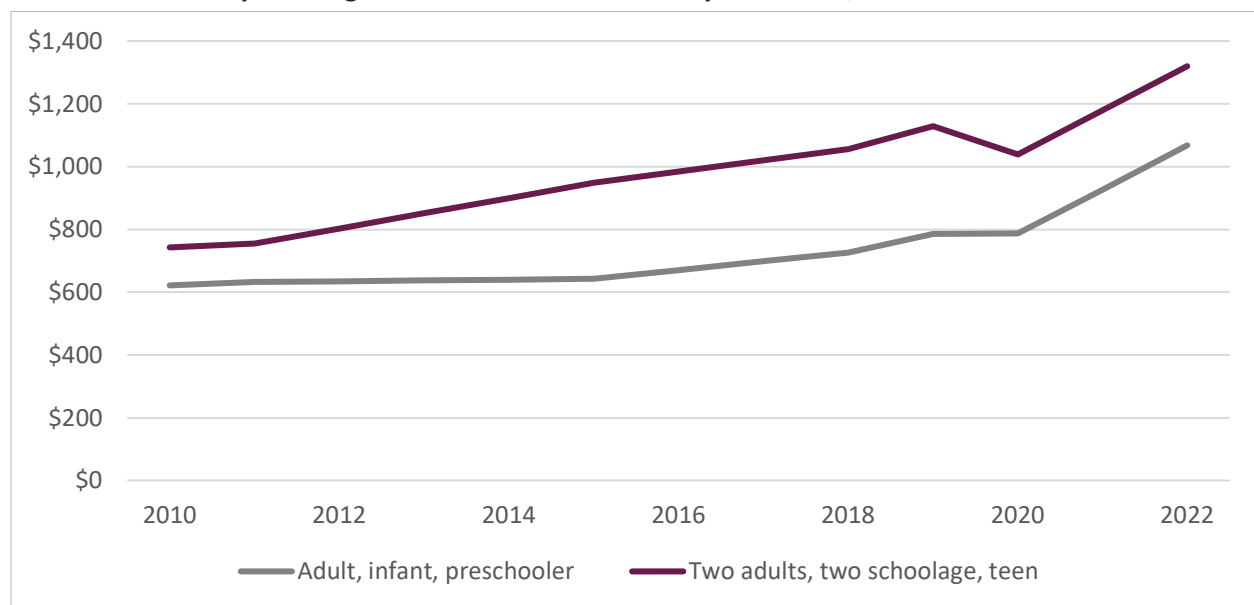
### Household Income vs. Self-Sufficiency Standard, 2022

Montezuma County	
Median Household Income	\$58,335
Self-Sufficiency Standard	\$66,738

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, CENTER FOR WOMEN’S WELFARE, UNIVERSITY OF WASHINGTON

The housing cost component of the Self-Sufficiency Standard provides a measurement of how the cost of housing for Montezuma County families has risen over the past two decades. From 2001 to 2011, the annual average cost increase was 1.5%. From 2011 to 2020, the annual average cost increase was 3.5%, and from 2020 to 2022, housing costs increased by 15.7% per year.

### Montezuma County Housing Cost Trends for Select Family Structures, 2010 to 2022



SOURCE: CENTER FOR WOMEN’S WELFARE, UNIVERSITY OF WASHINGTON



# CHAPTER 2

## CHAPTER 2: EMPLOYMENT

This chapter provides an overview of the jobs, wages, and commuting patterns for the City of Cortez and the surrounding region.

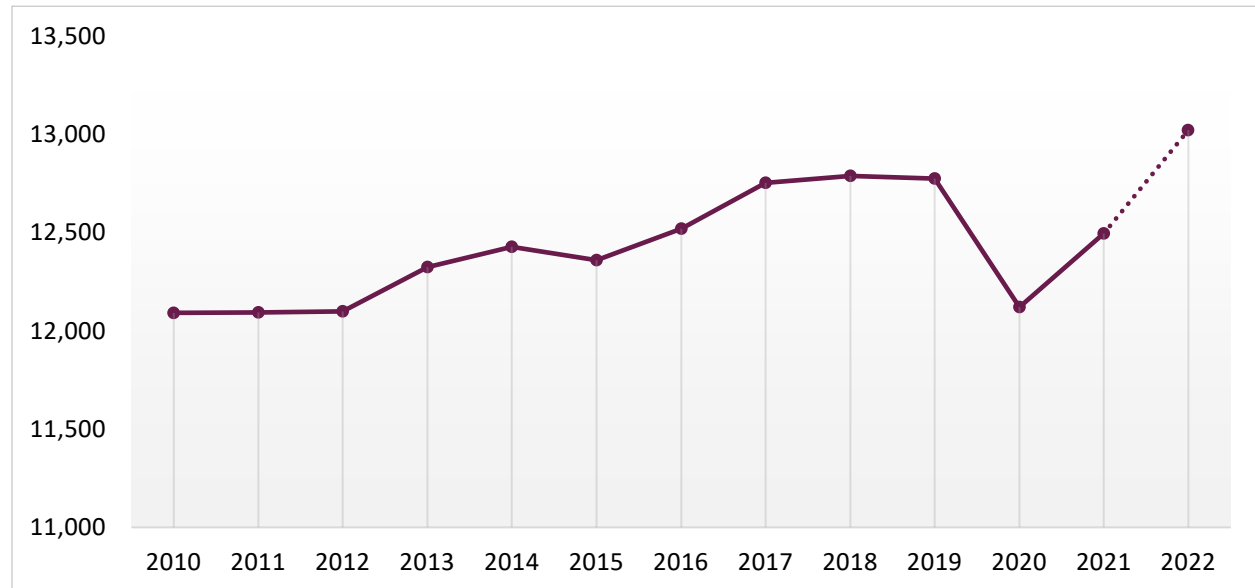
### NUMBER OF JOBS

There are just over 13,000 total jobs in Montezuma County with about 60% of these in Cortez. Jobs in the county grew by about 0.78% per year from 2012 to 2019. Jobs were lost quickly and dramatically in 2020 because of the pandemic. However, over half of those lost returned in 2021, and the remainder are estimated to have returned in 2022.

#### Why is this important?

Jobs and housing are inter-connected. The economic success and mix of jobs in a region informs the amount, type and price point of housing needed to sustain the economy. Likewise, a sufficiently diverse housing supply is needed to attract and keep quality employees that are invested in the community.

#### Total Jobs, Montezuma County



SOURCE: COLORADO DEMOGRAPHY OFFICE

### JOB TRENDS AND PROJECTIONS

The Colorado Demography Office currently projects an annual average job growth rate of 0.88% from 2022 to 2028 in Montezuma County. This report uses a slightly lower projected rate of 0.78%, given that rapid interest rate increases are occurring coupled with concerns about a potential recession. Using the slightly lower rate would result in 13,640 jobs in 2028, or 620 more than the 2022 estimate.

#### Job Estimates and Projections, 2012 to 2028

	2012	2019	2022 (est.)	2028 (projected)	Annual Growth Rate	
					2012-2019	Projected 2022-2028
Montezuma County	12,098	12,772	13,020	13,640	0.78%	0.78%

SOURCE: COLORADO DEMOGRAPHY OFFICE, CONSULTANT TEAM



## TYPES OF JOBS AND WAGES

Employment in Cortez, like the county, is highly concentrated in just a few sectors. Within the City, 70% of jobs are in five sectors, led by retail trade and health care. These are not typically high-wage sectors.

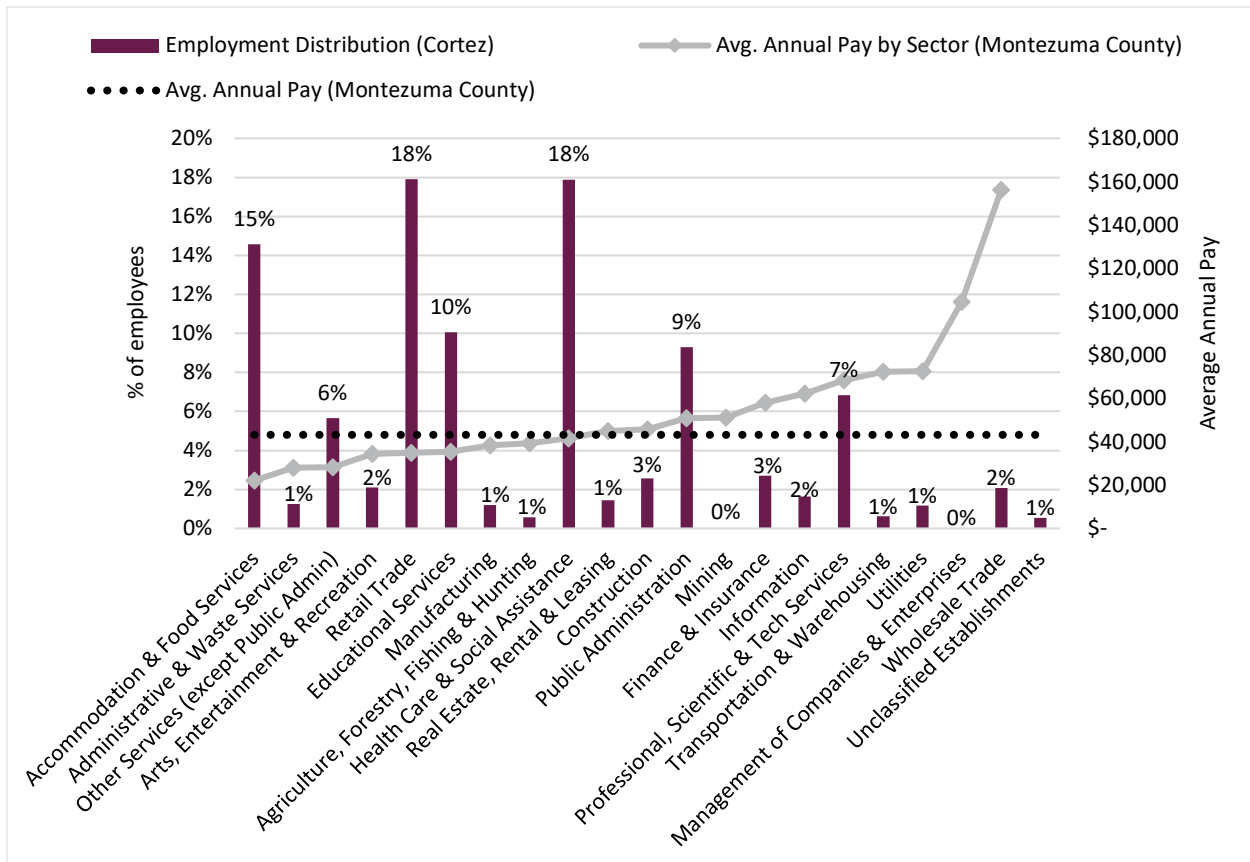
### Cortez Employment Distribution

	Employment	Average Annual Pay per Employee
Retail Trade	18%	\$34,892
Health Care & Social Assistance	18%	\$41,444
Accommodation & Food Services	15%	\$22,100
Educational Services	10%	\$35,412
Public Administration	9%	\$51,012

SOURCE: BLS, ESRI

As seen in the following figure, most of the large employment sectors pay less than the average annual pay in Montezuma County (\$43,180). Sectors that pay higher than the average wage have relatively few workers. Workers in the economy's lower-paid sectors tend to rent and are more likely to struggle to afford their housing payments and other life necessities, especially as rental rates have spiked in the past few years (see Chapter 4 - Rental Market section for details).

### Employment (2022) and Annual Pay (2021) by Industry Sector



May not sum to 100% due to rounding.

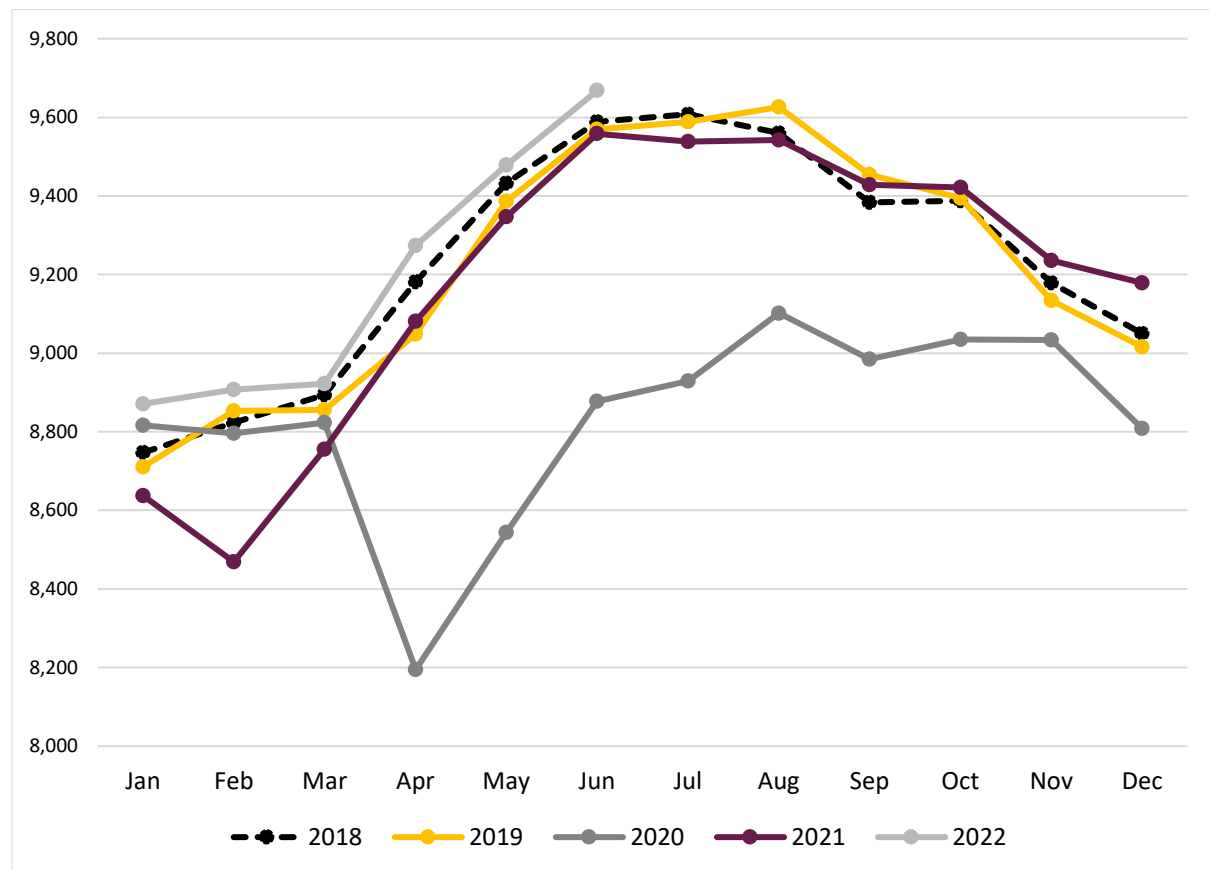
SOURCE: BLS QCEW, ESRI



## SEASONALITY OF JOBS

There is a pronounced seasonal trend in the number of jobs in Montezuma County. The number of jobs is lowest in January just after the holidays and then peaks in mid-summer at the height of the tourist season. The number of jobs in late 2021 exceeded pre-pandemic levels, a trend that appears to have continued in 2022 based on preliminary data published by the Bureau of Labor Statistics. This is important because about a third of employment in Cortez is in retail trade and accommodation and food services, two sectors of the economy that generally have low wages and seasonal swings. Workers in these sectors tend to rent.

**Montezuma County Jobs by Month, 2018-2022**



2022 figures published by BLS are preliminary and subject to change.

SOURCE: BLS QCEW

## UNFILLED JOBS

Local employers in Cortez and other parts of Montezuma County are increasingly hampered by an inability to fill jobs. The consultant team interviewed employers who represent about 20% of jobs in the county. These employers indicated that about 7.5% of their jobs are unfilled. This rate is similar to Colorado's 2022 average monthly total nonfarm job openings rate (seasonally adjusted) of 7.2<sup>1</sup>.

<sup>1</sup> U.S. Bureau of Labor Statistics data accessed April 26, 2023.

## LABOR FORCE AND UNEMPLOYMENT

The labor force comprises people aged 16+ and either employed or unemployed but looking for work. The labor force in Montezuma County was lower in 2022 than it was in 2012 and 2002. The number of unemployed workers in 2022 was the lowest since at least 1990, and the unemployment rate was the second lowest.

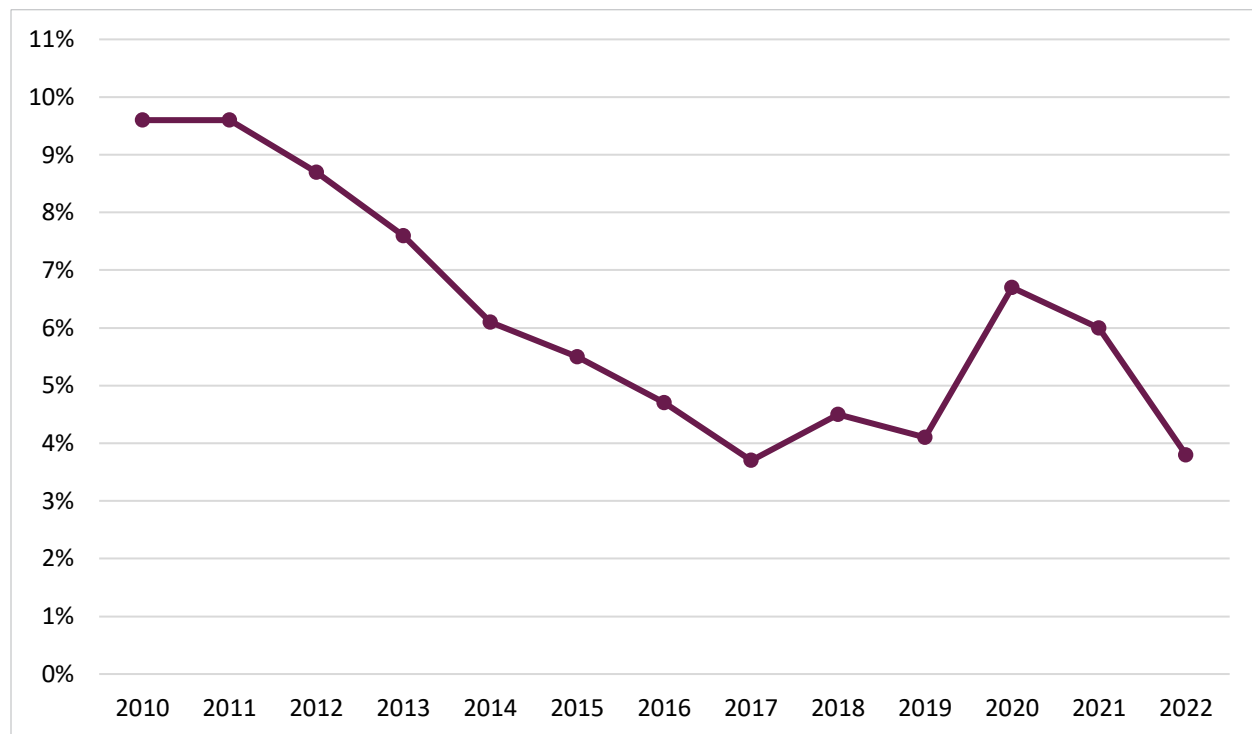
### Montezuma County Labor Force and Unemployment, 2002 to 2022

	2002	2012	2022
Labor Force	12,465	12,881	12,340
Employed	11,772	11,766	11,876
Unemployed	693	1,115	464
Unemployment Rate	5.6%	8.7%	3.8%

SOURCE: COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT, LMI GATEWAY, LAUS

This is important because it means that almost all people in the labor force already have a job, leaving very little available labor to fill open positions in the county. To fill positions, employers must rely heavily on recruiting workers from outside the county.

### Montezuma County Unemployment Rate, 2010-2022



SOURCE: COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT, LMI GATEWAY, LAUS

Without housing options that are affordable to workers, whether for sale or rent, employers will continue to struggle, and this impacts the local economy. For this reason, housing is an essential component of economic development in Cortez.

## JOBS PER EMPLOYEE AND EMPLOYEES PER HOUSEHOLD

The number of jobs per employee and the number of employees per employed households are used to translate job growth into the number of housing units workers need to fill new jobs.

Although some employees have more than one job, the number of jobs per employee is quite low at just over one (1.06).

### Average Jobs per Resident Employee, 2022 est.

Montezuma County	
Jobs held by residents	12,325
Resident workers with more than one job	724
Employed residents	11,601
Jobs per employee	1.06

SOURCE: COLORADO DEMOGRAPHY OFFICE

On average, Cortez and the county are very similar, with about 1.5 employees per household with a worker. It's important to note that there are households in Cortez without a worker. This is primarily because of retirees (one in five residents is of retirement age (65+)), but also because some people with disabilities (one in five residents has a disability) may not be able to work. In addition, working age people may elect not to work for various reasons. The average of 1.5 employees per household indicates many households have more than one employee. For example, a couple with two kids where both parents work would be two employees per household.

### Employees per Household with a Worker, 2021

	Montezuma County	City of Cortez
Employed Population Age 16 and Over	10,953	3,550
Households with a worker	7,232	2,443
Employees per household with a worker	1.51	1.45

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## COMMUTING

There are a lot of people who commute to and from work in Cortez. However, only about 37% of those employed in Cortez also live in the City, which is slightly higher than in 2010 (35%). The remaining 63% live outside the City and commute into Cortez (in-commuters) for work.

### Employment Inflow/Outflow, 2019

	Percent
Employed in Cortez	100%
Employed in Cortez, live outside City	63%
Employed and live in Cortez	37%

SOURCE: U.S. CENSUS BUREAU LEHD

Because Cortez is the area's employment and economic hub with an estimated 60% of all jobs in the county, building a higher share of the county's housing in the City going forward would provide workers with more opportunities to live closer to work and regional services and reduce their daily commute.

Commuting is part of a household's expenses, so reducing this cash outlay provides more money for other life necessities. Using the Internal Revenue Service 2023 standard mileage rate, the cost of commuting to nearby communities ranges from about \$315 to \$470 per month.

#### Cost of Commuting to and from Cortez, Colorado

Community	Miles	IRS Cost/Mile	Daily cost of commute (one way)	Cost of commute (per month) [1]
Towaoc	15	\$0.655	\$9.83	\$393
Dolores	12	\$0.655	\$7.86	\$314
Mancos	18	\$0.655	\$11.79	\$472

[1] Assumes 20 commuting days per month.

SOURCE: IRS 2023 STANDARD MILEAGE REIMBURSEMENT RATE; GOOGLE MAPS, CONSULTANT TEAM



# CHAPTER 3

## CHAPTER 3: HOUSING INVENTORY

This chapter examines the supply of housing in Cortez including number of housing units, tenure, type of homes, age of housing, housing created or operated with state and federal resources, and current and proposed residential development.

### HOUSING UNITS

There are about 4,060 housing units in Cortez. This accounts for all home types, including single-family homes, apartments, condominiums, and mobile/manufactured homes.

#### Why is this important?

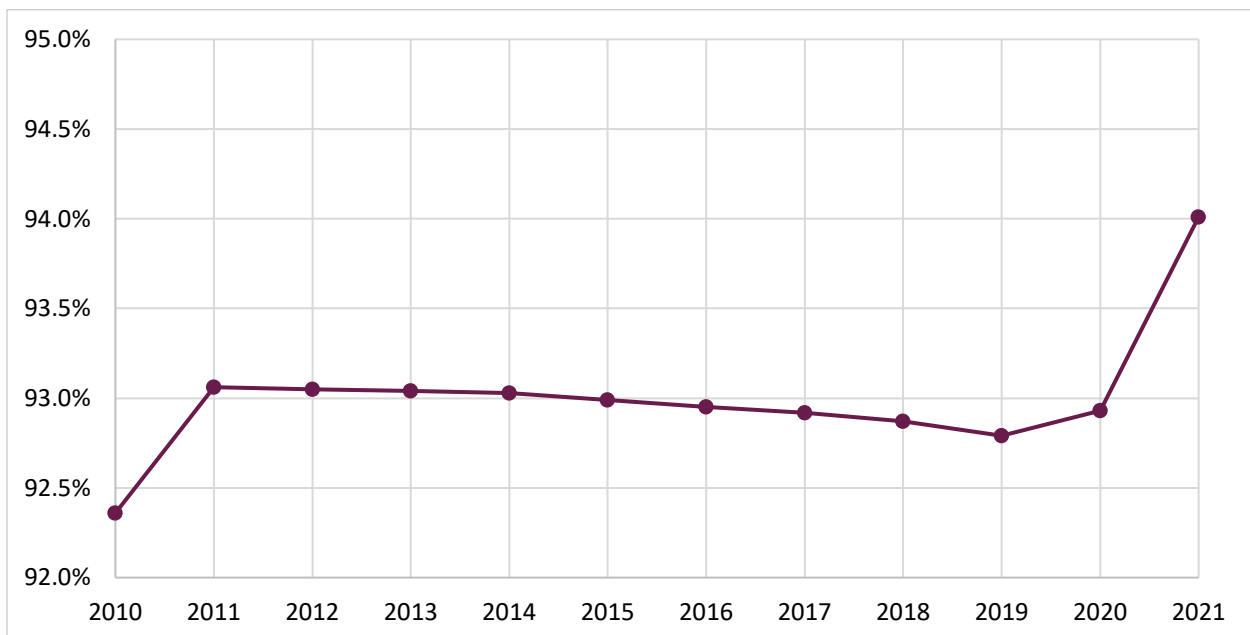
The characteristics of the City's housing stock provides an understanding of the variety and quality of current housing and the rate of development. The information assists in identifying imbalances in the market and informs the size, type, and tenure of housing that is needed.

### Housing Occupancy

The vast majority of homes in Cortez are occupied. The percentage of homes that are occupied was steady from 2011 to 2020 at about 93%. However, that rate climbed to 94% in 2021 as the number of new households in the City increased faster than the supply of new housing.

This occupancy rate is high and indicative of a tight housing market. This means that only 6% of homes are classified as unoccupied or vacant, which includes those for sale or rent, those sold or rented but not yet occupied, vacation homes and short-term rentals, as well as homes not occupied year round for other reasons. This trend means households wanting to move to Cortez have very few choices and that an increase in housing supply is needed.

**City of Cortez Housing Occupancy Rate, 2010-2021**

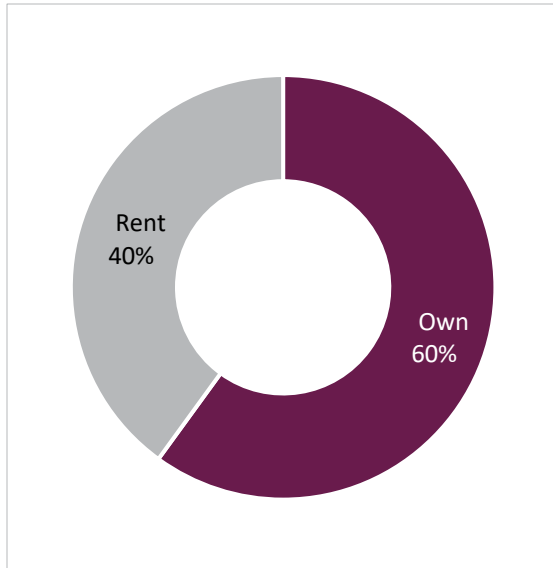


SOURCE: COLORADO DEMOGRAPHY OFFICE

### Housing Tenure (Own vs. Rent)

About 60% of households in Cortez own their home, and 40% rent. The homeownership rate in Cortez and the county has changed little since 2010, but it is lower in Cortez than in the county at large, where the homeownership rate is 72%.

#### City of Cortez Tenure, 2021

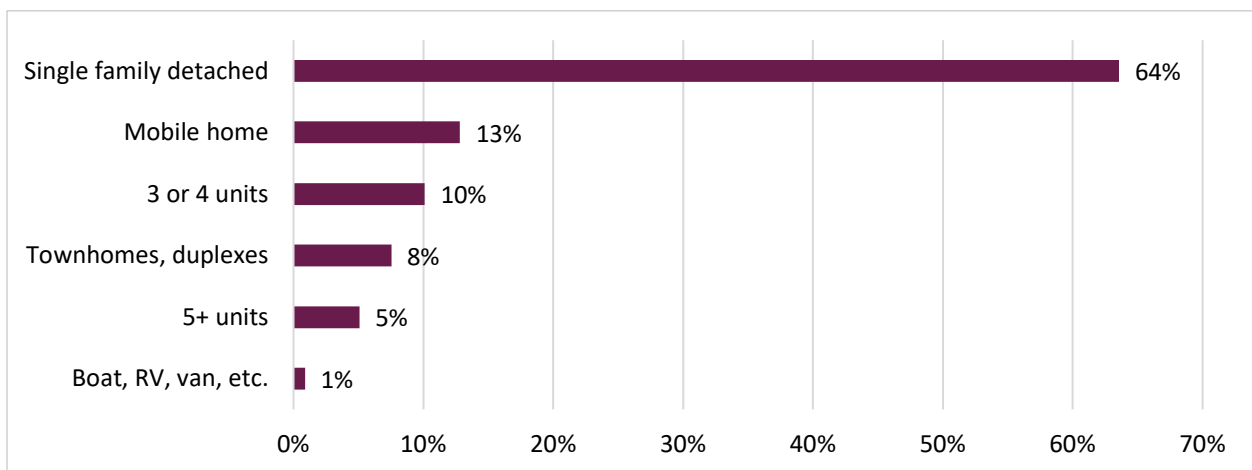


SOURCE: U.S. CENSUS BUREAU, 2010 AND 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

### TYPES OF HOUSING

The housing stock in Cortez is mostly comprised of single-family homes. Over three fourths (77%) of homes in Cortez are either single-family or mobile/manufactured homes. The other 23% are attached homes with two or more units.

#### City of Cortez Housing Unit Distribution by Building Type, 2021



May not sum to 100% due to rounding.

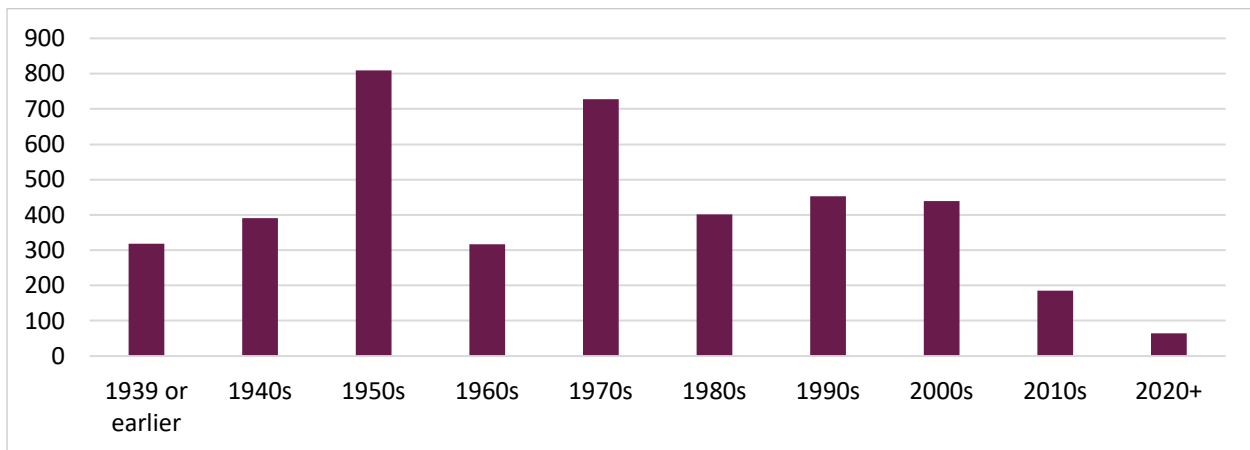
SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## AGE OF HOUSING

The housing stock in Cortez is aging and very little has been built since 2010 compared to prior decades.

- 45% of homes are at least 50 years old.
- About 73 homes were built per year in the 1970's. In the following three decades (1980s, 1990s, and 2000s), about 40 to 45 homes were built per year.
- Only 19 homes were built per year on average from 2010-2019, which aligns with the City's residential permit data. An average of 22 homes were permitted per year from 2018-2022.

**City of Cortez Total Housing Units by Year Built**

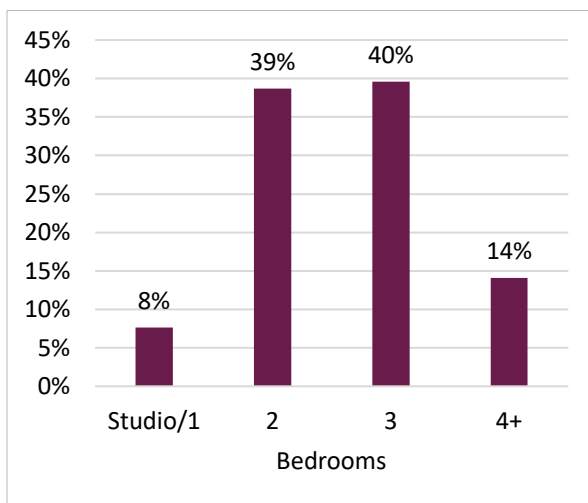


SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

## Number of Bedrooms vs. Household Size

The housing stock is not well aligned with the size of households in the community. For example, less than 10% of homes have one bedroom or fewer, yet 30% of Cortez residents are people living alone. Increasing the supply of studio and 1-bedroom homes would allow seniors to downsize and offer smaller and often less expensive housing choices for individuals and couples.

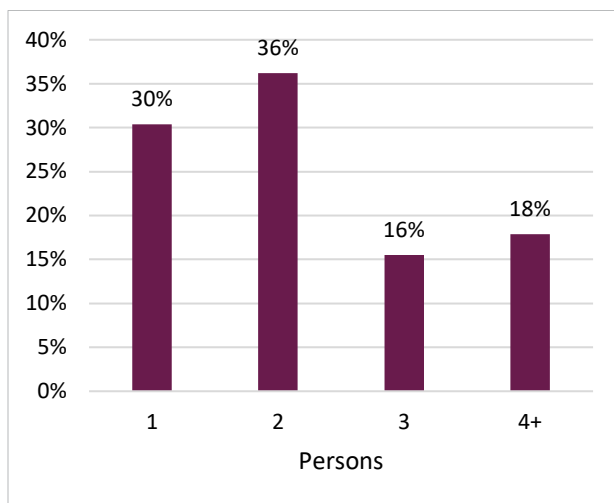
**City of Cortez Home Size Distribution, 2021**



May not sum to 100% due to rounding.

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

**City of Cortez Household Size Distribution, 2021**







# CHAPTER 4

## CHAPTER 4: HOUSING MARKET CONDITIONS

This chapter looks at the for-sale, rental, and subsidized housing markets separately. In addition, it includes information on prices, availability, and trends over time.

### Why is this important?

Housing market conditions provide insights into what the housing market is providing, how much is available, and at which price points. The information helps to understand the housing types and price points missing from the housing market.

### FOR SALE MARKET

The information below documents home sales in the City of Cortez municipal limits.

#### Number of Sales Per Year

In the 5-year period from 2018 to 2022, there were an average of 173 home sales in Cortez per year. The number of sales in 2021 was the highest of the 5-year period.

#### City of Cortez Home Sales per Year, 2018-2022

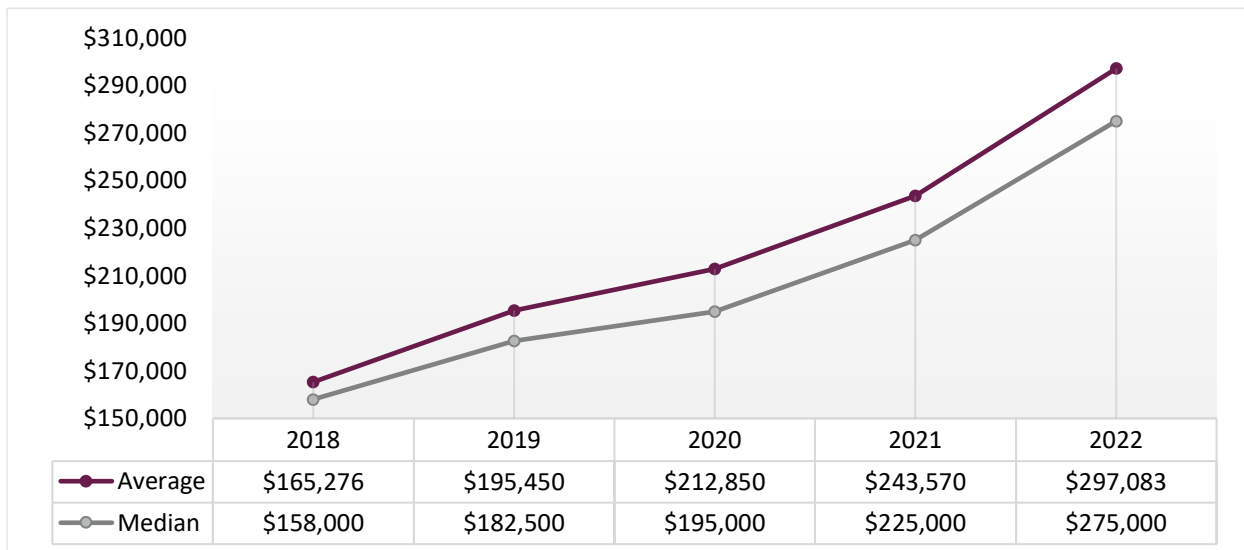
Year	Sales
2018	173
2019	145
2020	169
2021	202
2022	174

SOURCE: CREN MLS, CONSULTANT TEAM

#### Price Trend (2018-2022)

Home prices have increased sharply, with an overall average of homes selling for about \$130,000 more now than in 2018. From 2018 to 2022, the average annual sale price increased by about 16% per year. The 2022 average sale price was just under \$300,000.

#### City of Cortez Home Sale Prices, 2018-2022



SOURCE: CREN MLS, CONSULTANT TEAM

On a per-bed basis, the average annual increase since 2018 was highest for 2-bedroom units (17.2% per year).

#### City of Cortez Average Sale Price by Number of Bedrooms, 2018-2022

Bedrooms	2018	2019	2020	2021	2022	Average Annual % Change 2018-2022
1	\$85,500	\$94,800	\$189,000	\$119,900	\$152,500	15.6%
2	\$110,681	\$152,359	\$150,614	\$172,004	\$208,995	17.2%
3	\$175,802	\$206,538	\$226,325	\$256,616	\$306,640	14.9%
4	\$199,372	\$215,444	\$264,000	\$300,183	\$371,844	16.9%

SOURCE: CREN MLS, CONSULTANT TEAM

The average price of homes increased significantly from 2018 for all home types. However, average annual manufactured/mobile home prices rose faster than all other home types (19.4% per year), followed by condos/townhomes (16.2% per year).

#### City of Cortez Average Sale Price by Home Type, 2018-2022

	Single Family [1]	Condo/ Townhouse	Manufactured /Mobile
2018	\$176,531	\$139,767	\$99,567
2019	\$204,433	\$132,933	\$110,286
2020	\$220,066	\$198,938	\$145,036
2021	\$253,702	\$198,071	\$126,234
2022	\$304,156	\$255,000	\$194,711
Annual average % change, 2018-2022	14.6%	16.2%	18.3%

[1] Includes stick built and modular homes.

SOURCE: CREN MLS, CONSULTANT TEAM

### Price Per Square Foot

The sale price per square foot increased from \$113 in 2018 to just under \$200 per square foot in 2022, or about 15% per year on average.

#### City of Cortez Average Sale Price per Square Foot, 2018-2022

Year	All Sales, Excluding Manufactured/Mobile	Manufactured/Mobile
2018	\$118	\$77
2019	\$134	\$83
2020	\$150	\$100
2021	\$174	\$90
2022	\$199	\$149
Avg. # of Sales Per Year	160	13

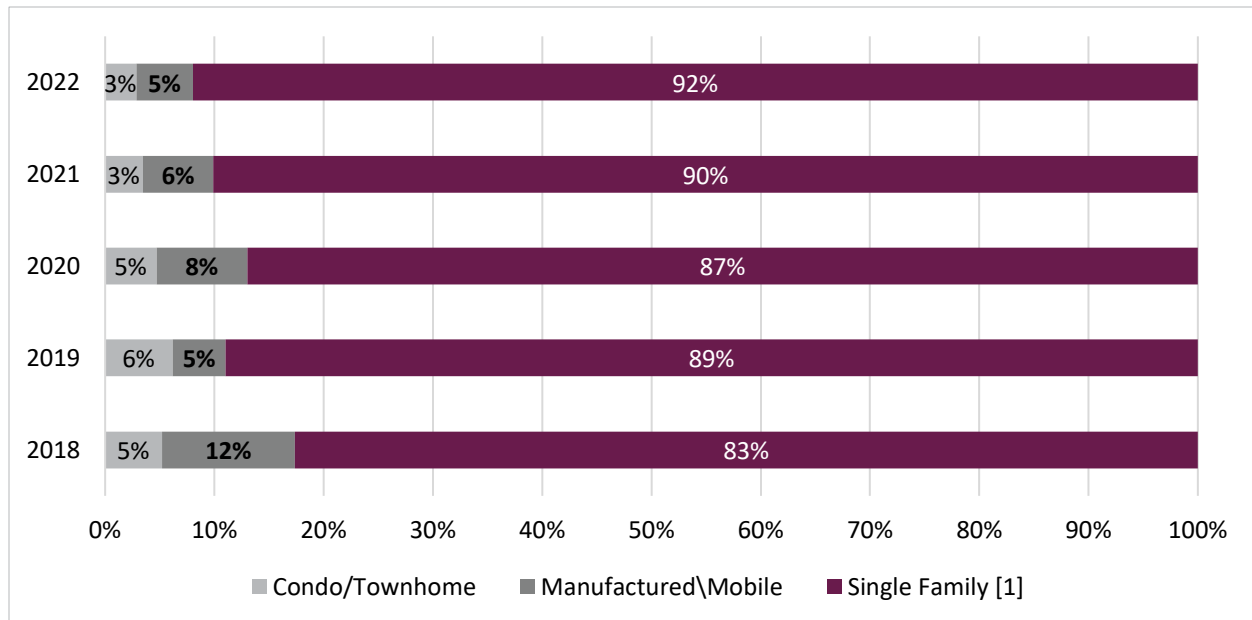
SOURCE: CREN MLS, CONSULTANT TEAM

As prices have risen over the past 5 years, the percentage of the asking price received at sale has remained steady at about 97%.

## Type and Size of Homes

The vast majority of homes sold since 2018 are single-family homes (88%). The share of single-family home sales in 2018 was 83% and 92% in 2022, a 9% increase. In contrast, the annual share of mobile/manufactured homes sold in 2018 (12%) was 7% higher than in 2022 (5%).

### City of Cortez Home Sales by Type, 2018-2022



[1] Includes stick built and modular homes.

May not sum to 100% due to rounding.

SOURCE: CREN MLS, CONSULTANT TEAM

### City of Cortez Average Size of Homes Sold by Number of Bedrooms, 2018-2022

Bedrooms	Average Square Feet
1	685
2	1,056
3	1,524
4	2,080

SOURCE: CREN MLS, CONSULTANT TEAM

## For Sale Listings – January 2023

There were 29 homes listed for sale in late January 2023. Relative to the average monthly sales in 2022 (14.5), this represents 2 months of inventory. The months of inventory of listed homes affordable to the local workforce in January 2023 was even lower, with only four homes listed at prices that a two-person household could afford earning about \$66,000 per year (100% AMI). A general industry standard is that when the number of homes for sale is

### City of Cortez Listings and Price by Bedrooms, January 2023

Bedrooms	# of listings	Average List Price
1	2	\$310,000
2	11	\$295,545
3	9	\$360,322
4	5	\$412,160
5	2	\$474,950
<b>All Listings [1]</b>	<b>29</b>	<b>\$349,124</b>

[1] As of January 25, 2023.

SOURCE: CREN MLS, CONSULTANT TEAM

below a 6-month supply, it is a seller's market. More homes are needed to create a more balanced market.

### Housing Affordability and Buyer Preferences

The dramatic increases in home prices since 2019 coupled higher mortgage interest rates over the past year plus has notably decreased housing affordability in Cortez. There were only five active listings under \$245,000 in January 2023. Stakeholder interviews reveal that people are looking for homes from the high \$100k's to the low \$200k's, which aligns with local wage earners' buying power. A household would need an income of about \$73,600 per year to afford a \$245,000 home. This observation assumes the household would have a 5% down payment and access a 30-year loan at 6.5% interest. It also assumes that 20% of the housing payment would cover taxes, HOA dues, private mortgage insurance (PMI), and property insurance. Homes in this price range are extremely scarce and many need repairs or updates that create additional financial strain.

The table below shows the maximum affordable price for a 2-person household at different income levels. It also shows the distribution of owner households by income and the share of listings corresponding to the maximum affordable price a 2-person household can afford. Current home listings are out of reach for most homeowners and renters earning 100% AMI or less. This represents 56% of homeowner households.

#### Homeowner Affordability: Owner Household Income Compared to Homes for Sale

AMI	Household Income (2-person household)	Maximum Affordable Price (2-person household)	Owner Household Income Distribution	January 25, 2023 Listings (% of listings)	(# of listings)
<30%	\$0-\$19,740	\$65,700	10%	0%	0
30.1-50%	\$19,741-\$32,900	\$109,600	9%	0%	0
50.1-80%	\$32,901-\$52,640	\$175,300	23%	7%	2
80.1-100%	\$52,641-\$65,800	\$219,200	13%	7%	2
100.1-120%	\$65,801-\$78,960	\$263,000	12%	34%	10
120.1-140%	\$78,961-\$92,120	\$306,800	9%	7%	2
140.1-200%	\$92,121-\$131,600	\$438,300	12%	21%	6
>200%	> \$131,600	>\$438,300	11%	24%	7
<b>Total</b>	---	---	<b>2,295</b>	<b>100%</b>	<b>29</b>

[1] Max purchase price assumes a 30-year mortgage at 6.5% with 5% down and 20% of the payment covering taxes, HOA, PMI, and insurance.

The comparison of listing prices relative to the purchasing power of a 2-person household using CHFA 2022 Income Limits is provided for illustrative purposes – see Appendix B for detailed income limits.

May not sum to 100% due to rounding.

SOURCES: CHFA 2022 INCOME LIMITS, RIBBON DEMOGRAPHICS, LLC, CREN MLS, CONSULTANT TEAM

Gaps in the market are highlighted in gray in the table above, which indicates that the share of owner households exceeds the share of current listings. The 100.1-120% AMI band is highlighted in a darker shade because although it does not technically show a gap in the market, interviewees indicated that although there are 10 homes listed in this price range, they may need additional repairs or upgrades, expenses not fully accounted for in the asking price. If a new homeowner buys a home in this price

range and then spends additional tens of thousands of dollars to make it safe and livable, the homeowner actually spends a lot more than the listing price suggests.

In sum, housing is needed at prices affordable to all households across the income spectrum.

## RENTAL MARKET

In the Cortez market, 40% of households rent. The rental market serves diverse housing needs, from young adults starting their careers to doctors not wanting to buy until their medical school loan balances are reduced. Seasonal workers and lower-wage service workers typically rent housing. Older workers moving to the Cortez area for employment often prefer to rent housing before committing to staying there longer. Rental housing is also important for Cortez residents who do not have the financial resources or current desire to own their own housing.

In the wake of the pandemic, Cortez rental rates skyrocketed. Two-bedroom units were renting in the range of \$800 per month prior to the pandemic and are now commonly listed around \$1,200 per month a 50% increase. This dramatic increase puts a significant strain on household budgets where wages have not increased nearly as quickly, and reduces people's ability to move to the housing they need as their circumstances change. Availability of rentals is another considerable concern. Very few rentals are available.

Employers are responding to the high rents and low availability with new approaches such as dedicating hotel rooms to employee housing. Although such a decision addresses the workforce shortage in the short run, longer term reduced revenue may preclude profitable operations. Some hotels are hiring remote night managers, which requires the lobby to be locked at night, a reduction in service.

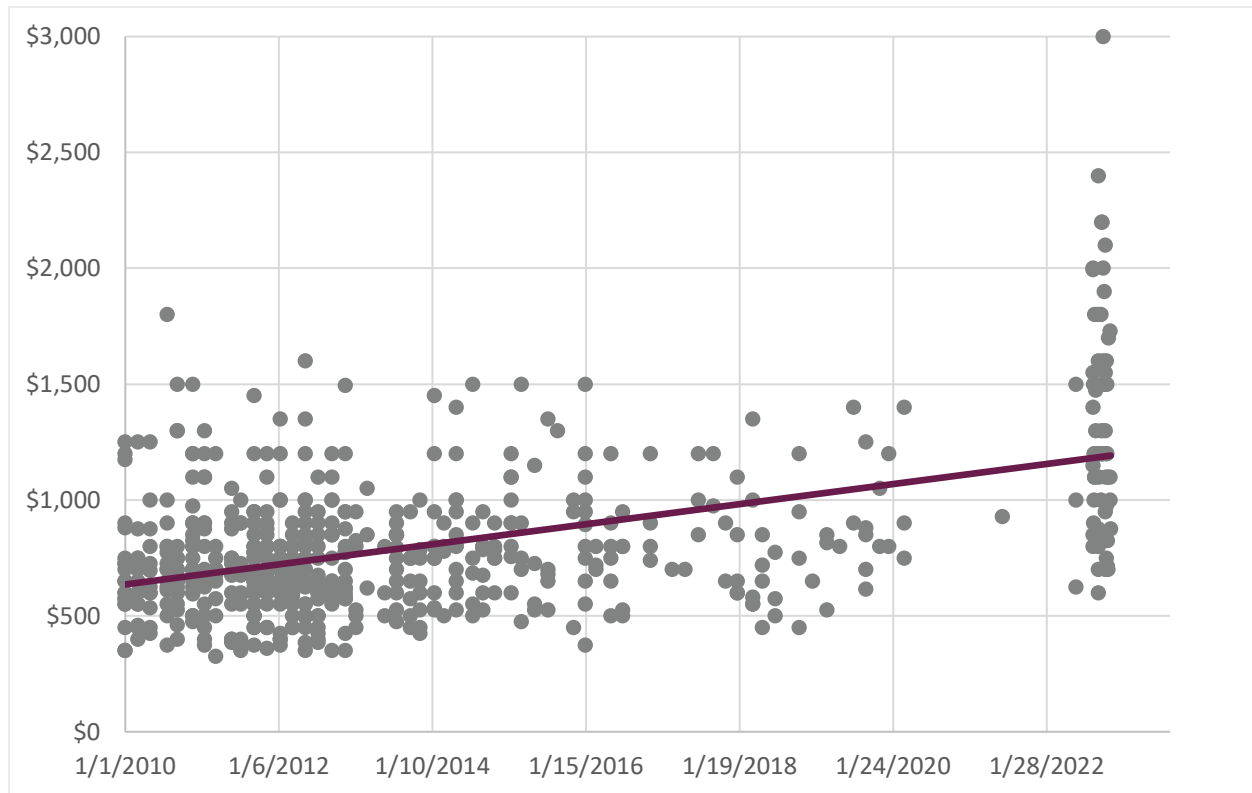
Property managers interviewed have appreciated higher rental rates. Increased revenues are necessary for covering increased operating costs which have risen along with rents. In addition, some property owners are taking advantage of higher revenues to invest in property maintenance and upgrades.

### Rental Rate Historic Trends

Classified ads and other "for rent" listings show how Cortez's rental market has evolved. Data from The Journal, a local newspaper, classifieds was obtained through early 2020, and more recent data was gathered from The Journal and various online sources.

The prices and dates of 713 unique listings in the figure on the next page shows the amount of variability in prices. This variability is important to keep in mind when considering average rents. Prices vary with unit size, location, quality, and other factors. The chart also portrays a reduction in availability from 2010 through early 2020 and increased prices.



**Cortez Rental Listing Prices by Date, 2010 to 2022**

From 2020, archival copies of The Journal are no longer available.

SOURCE: THE JOURNAL, CRAIGSLIST, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

Average prices for all unit sizes have risen at an annual average growth rate of about 5% from 2010 through 2022.

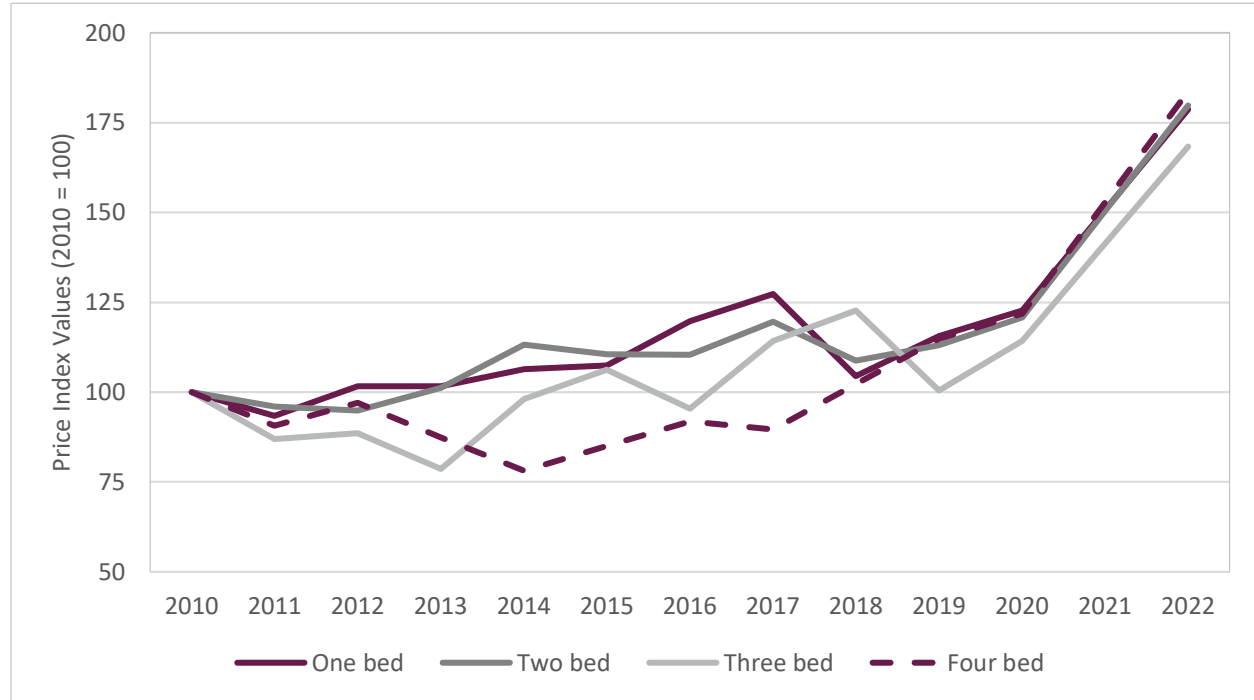
**Cortez Average Rental Listing Price per Year by Unit Size, 2010 to 2022**

Year	Studio/1 bed	2 bed	3 bed	4+ bed
2010	\$530	\$683	\$992	\$1,088
2011	\$495	\$656	\$863	\$986
2012	\$539	\$648	\$879	\$1,055
2013	\$539	\$691	\$780	\$950
2014	\$564	\$773	\$973	\$850
2015	\$569	\$755	\$1,054	\$925
2016	\$635	\$754	\$946	\$1,000
2017	\$675	\$817	\$1,133	\$975
2018	\$554	\$743	\$1,217	\$1,113
2019	\$613	\$772	\$996	\$1,250
2020	\$650	\$825	\$1,133	\$1,326
2021	\$799	\$1,027	\$1,402	\$1,662
2022	\$971	\$1,249	\$1,679	\$1,998

SOURCE: THE JOURNAL, CRAIGSLIST, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

The figure below shows the change in average rental listing prices from 2010 to 2022 relative to the prices in 2010. Prices in 2022 are about 75% higher than they were in 2010 with most of the increase in prices occurring since 2018.

**Cortez Average Rental Listing Price Indices by Unit Size, 2010 to 2022**



SOURCE: THE JOURNAL, CRAIGSLIST, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

### Current Rental Rates

This section covers market-rate rental housing. Subsidized rental properties are addressed in the next section. The tables below capture all readily available rental listings for a 3-month period from September through November 2022. Availability is very low, especially for studio and 1-bedroom units. On a monthly basis, there were only 21 listings, and only 5 of those would have been smaller units. Larger units are scarce too, with only one per month listed. Less than 10% of units are mobile homes, and the balance is about evenly split between single-family homes and apartments.

**Number of Market Rate Listings by Type and Size, September – November 2022**

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom	Total
Apartment	3	10	12	2	0	27
Single family	1	1	12	13	3	30
Mobile home	0	0	2	3	0	5
Total	4	11	26	18	3	62

SOURCE: CRAIGSLIST, THE JOURNAL, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

Prices have reached new highs, with the average price of a 1-bedroom unit surpassing \$1,000 per month and 4+ bedroom homes almost reaching \$2,000 per month. For the listings that specify utilities, just over half include a partial cost of utilities, while about a quarter do not include utilities, and another quarter do include utilities.



**Asking Rent by Type and Size, September – November 2022**

	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom	All Unit Sizes
Apartment	\$817	\$1,022	\$1,069	\$1,350	-	\$1,044
Single family	\$700	\$1,200	\$1,462	\$1,818	\$1,988	\$1,636
Mobile home	-	-	\$1,050	\$1,300	-	\$1,200
Weighted average	\$788	\$1,038	\$1,249	\$1,680	\$1,988	\$1,167

SOURCE: CRAIGSLIST, THE JOURNAL, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

**Vacancy**

Rental listings were monitored in the fall of 2022, indicated that the rental market is very tight and has insufficient supply. The rental vacancy rate was only 1.4%. By all standards, this is very low and certainly much lower than the 5%-7% range, which is considered a “healthy” rental market vacancy rate. Stakeholder interviews confirmed that rental units are not readily available, regardless of price.

**Cortez Rental Units by Occupancy, 2022**

Number of Units and Vacancy	
Renter-occupied units	1,535
Average monthly vacancy (Sept – Nov 2022)	21
Total rental units	1,556
Vacancy rate	1.4%

SOURCE: CRAIGSLIST, THE JOURNAL, APARTMENTS.COM, XTROV, REALTOR.COM, FACEBOOK, CONSULTANT TEAM

A dearth of available rental inventory was expressed in almost every employer interview. This shortage is apparent in the data. The rental market is especially tight for renters who only need or can only afford a studio or 1-bedroom unit. Over the 3-month period from September to November, only 15 such units were listed. For renters looking in October, there were no studios listed and only five 1-bedroom listings.

When rental vacancy rates are this low, the market is near capacity and cannot readily absorb new residents or employees moving to Cortez. This results in numerous issues, including the following.

- Rents increase at rates much faster than incomes
- Renters have difficulty moving from one unit to another as their circumstances change
- New employees struggle to find housing when hired, impacting businesses and the economy
- Renters displaced due to owners selling rentals, condemnation, or other reasons have few or no options
- Landlords have little incentive to make repairs and capital investments

**Renter Affordability**

During the period rental listings were monitored, no rental units were affordable to the 26% of households that earn less than 30% AMI. For the 20% of households earning between 30% and 50% AMI, 11% of the available listings were affordable (7 listings). Lower income households are therefore being forced to take on rents above their means to avoid becoming homeless. This mismatch between what people can afford and rental rates creates other negative outcomes such as overcrowding, living in undesirable or unsafe situations, and being forced to move frequently.

The percentage of listings from 50% to 140% AMI is higher than the share of renter households, indicating that market pricing generally meets renters' needs at these income levels. The problem is that there are so few rentals available regardless of price that more rental units are needed at all prices—especially below 50% AMI.

#### Renter Affordability: Renter Household Income Compared to Homes for Rent

AMI	Household Income (2-person household)	Max Affordable Rent (2-person household)	Renter Household Income Distribution	Rental Listings [1] (% of listings) (# of listings)	
<30%	\$0-\$19,740	< \$494	26%	0%	0
30.1-50%	\$19,741-\$32,900	\$823	20%	11%	7
50.1-80%	\$32,901-\$52,640	\$1,316	23%	47%	29
80.1-100%	\$52,641-\$65,800	\$1,645	9%	19%	12
100.1-120%	\$65,801-\$78,960	\$1,974	5%	10%	6
120.1-140%	\$78,961-\$92,120	\$2,303	3%	10%	6
140.1-200%	\$92,121-\$131,600	\$3,290	8%	3%	2
>200%	> \$131,600	> \$3,290	7%	0%	0
<b>Total</b>	---	---	<b>1,535</b>	<b>100%</b>	<b>62</b>

[1] Rental listings based on a search from September to November 2022.

The comparison of listing prices relative to the purchasing power of a 2-person household using CHFA 2022 Income Limits is provided for illustrative purposes - see Appendix B for detailed income limits.

May not sum to 100% due to rounding.

SOURCES: CHFA 2022 INCOME LIMITS, RIBBON DEMOGRAPHICS, LLC, CONSULTANT TEAM

#### Renter Needs and Preferences

There is a high demand for seasonal housing as the tourism industry and land management agencies increase staff in the summer months. One large employer explained that 10 of 40 summer jobs went unfilled last summer due to insufficient housing.

Entry-level rental housing is also needed. One person interviewed described an effort to encourage young adults who grew up in Cortez to return to the community after leaving for college. Unfortunately, the effort did not succeed. The Chamber interviewed 10 individuals, and only one returned, and the lack of affordable housing deterred the remaining nine. Indeed, most employers cited a need for more housing in all types, shapes, and sizes.

Several larger employers mentioned that the lack of mid-and upper-level rentals with higher quality finishes and greater amenities presents a challenge for attracting professionals to the area. These new recruits often want to become familiar with the area before committing to purchasing a home. This phenomenon is reflected in the data, with 15% of renter households earning more than 140 percent of AMI, yet only two units were listed (3% of listings) in this price range.

For listings that specified a lease term, almost two-thirds offer a 1-year lease, which does provide tenants with a degree of stability. However, the rental market is even further constrained for pet owners. About 60% of listings do not allow pets, making finding a place to live if you have a pet difficult. This is especially problematic given the very low number of units available.

Property managers observe quality and maintenance standards are driven by the owner's willingness to invest. Higher rental revenues provide an opportunity and, to a certain extent, an incentive to invest. However, higher operating costs consume some of the revenue gains. Furthermore, extremely low vacancy creates a disincentive to make improvements, as renters cannot move, and even poor-quality vacant units will have multiple applicants.

## MOBILE HOME PARKS

Mobile home parks comprise a large part of the housing landscape in Cortez and the surrounding area. There are 23 registered mobile home parks within Montezuma County, eleven of which are in Cortez. Most of these parks are concentrated on the south side of the city. Though they range in condition, many of the homes are well-maintained. These units must be preserved and reinvested in because they are naturally occurring affordable housing.

### Registered Mobile Home Parks in Cortez, 2023

Name	Address	City	County	Registration Number
641 S Broadway	641 S Broadway	Cortez	Montezuma	MHP-000636
Colorado Mobile Estates	1410 N Mildred	Cortez	Montezuma	MHP-000507
Cortez Mobile Estates	621 N Elm St	Cortez	Montezuma	MHP-000506
Glade Park	2500 S Broadway	Cortez	Montezuma	MHP-001000
Happy Valley Trailer Park	203 E 7th St	Cortez	Montezuma	MHP-000370
Longs Trailer Park	1016 E Main Street	Cortez	Montezuma	MHP-000998
Mountain View Mobile Home Park	815 S Chestnut Street	Cortez	Montezuma	MHP-000999
Neighbors of 7th Street	600 S Washington St	Cortez	Montezuma	MHP-000498
Oak Meadows MHP	405 W 7th St	Cortez	Montezuma	MHP-000044
Orchard Trailer Court	910 S Memorial Drive	Cortez	Montezuma	MHP-000921
Sikis Village Mobile Home Park	321 S Broadway	Cortez	Montezuma	MHP-000781

SOURCE: COLORADO DIVISION OF HOUSING MOBILE HOME PARK REGISTRY

## INCOME-RESTRICTED AND SUBSIDIZED HOUSING

### For Rent

Cortez currently has 328 subsidized rental units and 59 units in the pipeline. Most existing below-market rental stock is subsidized by Low Income Housing Tax Credits (LIHTC), awarded through HUD, and managed by the Housing Authority of Montezuma County (HAMC). A majority of the county's subsidized housing is located in Cortez. HAMC reports a waitlist of 300 people, taking 1.5-2 years for a household to be placed in subsidized housing and 2-3 years to receive housing choice vouchers. This reveals a high demand for below-market housing. The Bridge, a non-profit and seasonal shelter, provides 12 transitional apartments.

**Income Restricted and Subsidized Rental Inventory – Cortez**

Name	Address	Type of Subsidy	Who Is Housed	Units	Built
Mesa Park Apartments	880 S Chestnut St.	USDA/9% LIHTC	Families	20	1996
Cortez Park	23 W Seventh St.	USDA/9% LIHTC	Seniors	23	1994
Cortez Apartments	620 E Empire St.	USDA	Families	43	1983
Sleeping Ute Apartments	516 S Madison St.	Section 8/ 9% LIHTC	Families	60	1980
Calkins Commons	121 E First St.	9% LIHTC	Families	42	2022
Prairie Mesa	650 E 2 <sup>ND</sup> St.	9% LIHTC	Families	30	2001
Valley Sun Village	700-B E 2 <sup>nd</sup> St.	Section 8/ 9% LIHTC	Seniors	50	1982
Brubaker Place	2001 E Empire St.	9% LIHTC	Families	48	2011
The Bridge	24 N Chestnut St.	Non-Profit	Homeless Transitional	12	2019
<b>Total # of Units</b>				<b>328</b>	

SOURCE: NATIONAL HOUSING PRESERVATION DATABASE, CONSULTANT TEAM

**The Bridge**

The Bridge's transitional apartments are meant to house formerly homeless adults to help them transition to long-term housing. Residents pay 30% of their income towards rent. These 12 apartment units are located on the second floor of the shelter and can accommodate up to 25 people. Most residents stay for one lease cycle of 6-months. However, some individuals stay for longer (up to 2 years).

This transitional housing has successfully provided residents with a stable foundation to build upon. According to stakeholder interviews, many residents have greatly improved their lives during and after living at The Bridge by finding better jobs, saving money, going to college, and eventually moving to a desired location.

Despite its success, the demand for these units exceeds the supply. Currently, there are two people on the waitlist. As rents are increasing in the broader market, successfully transitioning from this temporary housing will likely become more difficult without an increased supply of subsidized units.

**Housing Authority of Montezuma County**

The Housing Authority of Montezuma County (HAMC) administers three rental assistance programs: The Public Housing Program, Housing Choice Voucher (Section 8) Program, and Low Income Housing Tax Credit rentals.

- HUD funds the Housing Choice Voucher Program and Public Housing Programs, and participants pay 30% of their income on rent. HAMC administers 262 housing choice vouchers across the County.
- CHFA awards the Tax Credit for construction and renovation of rentals for households below 60% AMI. These homes and apartments have below-market rents, and tenants are eligible based on income limits updated annually by CHFA.
- HAMC manages a total of 273 below-market rental units in Cortez.

HAMC's most recent project was Calkin's Commons, a school building conversion project. This project provided 42 new 1- and 2-bedroom units, which were 100% occupied within 60 days of opening in July of 2022. Such a rapid lease up is indicative of very high demand.

### **Pipeline of Subsidized Units**

The Piñon Project Family Resource Center (Piñon Project) is a non-profit organization offering comprehensive services for children and families, focusing on reducing generational poverty. They offer many programs including early childhood programs, positive youth development, rental assistance, and a re-entry program. Many community leaders throughout Cortez and the County praise the Piñon Project for providing essential services to the region's most vulnerable residents.

The Piñon Project is developing 59 new subsidized rental units in two separate developments for those making 30% AMI or less.

- 42 units (1, 2, and 3-bedroom units) of supportive housing for very low-income residents. Supportive housing typically serves individuals and households who have experienced homelessness and may need significant support services to be successful in their housing.
- 17-units (all studios) reserved for low-income residents who are chronically homeless or have previous involvement with criminal justice. These units are planned to be completed in 2024 and will predominantly serve households below 30% AMI. Construction of these units is supported by Work and Gain Education & Employment Skills (WAGEES), which provides successful community-based programming, facilitating reentry for people under the Colorado Department of Corrections supervision.

### **For Sale**

#### **Habitat for Humanity**

There are ten below-market homeownership units in the county. These are managed by Habitat for Humanity of Montezuma County. They require homeowners to be within the 30-80% AMI range, have a stable income, and acceptable credit history. The organization has expressed interest in expanding homeownership opportunities through a starter-home program, similar to that developed by Northern Arizona's Habitat, that could yield multiple homes per year if the funding and land was made available.

The program would consist of 600 square foot units intended to house a household for 3-10 years. The program relies on a public-private partnership where the City owns the land and Habitat owns the home. Each household pays an affordable monthly payment that goes back to them when they sell the house, thus enabling the residents to buy a home on the market after accruing substantial savings.

Additionally, Habitat for Humanity has recently been successful in finding funding for a home repair program. They have two homes currently being renovated for health and safety improvements, and will continue to seek eligible homeowners for up to \$18,000/home of assistance. Habitat is also seeking to extend this program through additional grant requests and philanthropic efforts.

#### **HomesFund**

The Housing Authority of Montezuma County runs a homeownership program by collaborating with HomesFund in Durango, which offers homeownership classes and mortgage assistance. HomesFund has been very successful, helping over 1,300 families purchase homes and providing down payment

assistance to 350 families over the last 11 years. Specific to Cortez, about 100 households are assisted annually. For 2023, there are four homeownership classes scheduled, with 25 participants per class.

**Housing Resources of Western Colorado**

Housing Resources of Western Colorado is based in Grand Junction, and provides weatherization and home repairs for low and very low- income owners and renters in several counties including Montezuma. This resource is particularly important in the area due to the age of homes and the relatively large inventory of mobile and manufactured housing. Increasing these services to could help more households remain safe and comfortably housed and reduce the cost burden created by high utility bills. Another improvement would be creating additional eligibility for situations where the tenant is income qualified but the landlord is not.





# CHAPTER 5

## CHAPTER 5: CURRENT AND PROJECTED HOUSING NEEDS

This chapter estimates the number of new housing units needed in Cortez through 2028. It builds upon, summarizes, or references the analysis in previous report chapters.

Needs are projected through 2028 and quantified in two categories.

**Catch-Up Needs** – the number of housing units currently needed to house workers filling open jobs.

**Keep-Up Needs** – the number of units needed to keep up with future demand for housing based on projected job growth and jobs that will be vacated by retiring employees. Housing shortages worsen when local job growth and the need for more workers exceed the available housing inventory.

The current and projected number of housing units needed through 2028 is shown in two columns in the following tables – Where live and Where work.

- **Where live:** this column represents the number of housing units needed in Cortez if current commuting and development patterns remain as they are today. About 35% of households in Montezuma County live in Cortez.
- **Where work:** this column represents the number of housing units needed in Cortez if homes are built where jobs are located. An estimated 60% of Montezuma County jobs are in Cortez.

### CATCH-UP NEEDS (CURRENT CONDITIONS)

#### Unfilled Jobs

Between 75 and 175 new housing units are needed in Cortez to help fill unfilled jobs. Based on interviews with major employers in the county, all but one interviewee has jobs that are not filled. Interviewees indicated that about 7.5% of their jobs are unfilled. The rate used in the table below is a more conservative estimate of 6.5% unfilled jobs.

#### Housing Units Needed in Cortez to Help Fill Jobs

	Where live	Where work
QCEW Jobs (Montezuma County, 2022 H1) [1]	9,187	9,187
Unfilled Jobs (6.5%)	597	597
Jobs per employee	1.06	1.06
Employees filling jobs	563	563
Employees per households with a worker	1.45	1.45
New households with a worker, Montezuma County	389	389
<b>New housing units needed in Cortez</b>	<b>136</b>	<b>233</b>
	(35% of county)	(60% of county)
Pending Development Adjustment	(59)	(59)
<b>Total Catch Up (rounded to nearest 5)</b>	<b>75</b>	<b>175</b>

[1] Preliminary data published by BLS, subject to change.

SOURCE: BLS QCEW & JOLTS, U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES & LEHD, COLORADO DEMOGRAPHY OFFICE, CITY OF CORTEZ, CONSULTANT TEAM



### Pending Development Adjustments

Two projects in the planning pipeline will meet some of the current catch-up need, so they are subtracted from the units needed in the table on the previous page to arrive at the estimated number of housing units needed to catch up and help fill those jobs currently unfilled. These are the 42 apartments sponsored by Piñon Project and 17 units supported by WAGEE.

## KEEP-UP (FUTURE NEEDS)

### Job Growth

An additional 140 to 240 housing units are needed to keep up with estimated job growth over the next 5 years.

The Colorado Demography Office projects that there will be about 700 additional jobs in the county by 2028, an average increase of about 0.88% per year. A slightly more conservative 620 new jobs is used (growth rate of 0.78% per year) to estimate the number of homes needed to house the workforce filling these jobs. This approach was informed by the job growth rate from 2012 to 2019.

#### Housing Needed in Cortez by the Workforce Filling New Jobs, 2023-2028

	Where live	Where work
New Jobs (Montezuma County, through 2028)	620	620
Jobs per employee	1.06	1.06
Employees filling jobs	585	585
Employees per households with a worker	1.45	1.45
New households with a worker, Montezuma County	403	403
<b>New housing units needed in Cortez</b>	<b>140</b>	<b>240</b>
	<i>(35% of county)</i>	<i>(60% of county)</i>

SOURCE: COLORADO DEMOGRAPHY OFFICE, U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES & LEHD, CONSULTANT TEAM

### Retiring Employees

As current employees retire over the next 5 years, employers will need to fill these jobs in addition to filling the new jobs created. An estimated 70 to 120 new homes are needed to house workers filling jobs vacated by retirees.

These projections anticipate that most retiring employees will remain in their homes. Cortez is an attractive place to retire, with a temperate climate, health care and other senior services, and recreational opportunities in and near the city. Furthermore, many housing markets are more expensive, which may preclude some who want to move from doing so. The assumption used here is that only 25% of soon-to-be retiree homes will be sold to local workers who can afford them. The other 75% of soon-to-be retirees will continue living in their homes or will sell to second homeowners or remote workers.

**Estimated Housing Needed to Fill Jobs Vacated by Retirees, 2023-2028**

	Where live	Where work
% of current employees to retire by 2028	3%	3%
# to retire	391	391
Employees per household with a worker	1.45	1.45
New households with a worker, Montezuma County	269	269
<b>New housing units needed in Cortez</b>	<b>70</b>	<b>120</b>
<i>(assumes 25% of retirees' homes are sold to local workers at affordable prices, rounded to the nearest 5)</i>	<i>(35% of county)</i>	<i>(35% of county)</i>

SOURCE: COLORADO DEMOGRAPHY OFFICE, U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES & LEHD, CONSULTANT TEAM

**SUMMARY OF HOUSING NEEDS**

Overall, 285 to 535 additional housing units are needed to help fill unfilled jobs (catch up) and keep up with new jobs and retirements. This is a large range, reflecting the dynamic that many people who live outside of the city are employed in Cortez.

About 57 to 107 additional housing units are needed every year from now through 2028. The average number of residential permits issued per year from

2018 to 2022 was 22, which means the rate of housing production would need to increase by 2.5 times if homes are built in the locations people currently live. To build housing in the City according to its share of jobs (60%), the production rate would need to increase by more than 4.5 times to meet the total projected housing need. It's important to note that many communities set a goal that is somewhere between the current production rate and the full need, considering local building capacity, available land and funding, and other community priorities.

**Cortez Housing Needs, 2023-2028**

	Where live	Where work
Catch-Up	136	233
Pending development adjustment	(59)	(59)
<b>Total Catch-up Housing Units</b>	<b>75</b>	<b>175</b>
New jobs (0.78% avg. growth/year)	140	240
Retiring employees (3% of jobs)	70	120
<b>Total Keep-up Housing Units</b>	<b>210</b>	<b>360</b>
<b>Catch-up and Keep-up through 2028</b>	<b>285</b>	<b>535</b>

SOURCE: CONSULTANT TEAM

**HOUSING NEED BY TENURE**

Assuming the current share of owners and renters remains unchanged, 115 to 215 additional rental units are needed over the next 5 years, and about 170-320 for-sale units. However, rental housing is urgently needed to address unfilled jobs and may be more financially feasible in the current

**Housing Units Needed in Cortez by Tenure through 2028**

	Where live	Where work
Total Need (catch-up and keep-up)	285	535
Own (60%)	171	321
Rent (40%)	114	214

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, CONSULTANT TEAM

economic environment. Developers and local policy makers may decide to address the housing need with more investment in rental housing compared to historic development patterns in Cortez.

## HOUSING NEEDED BY INCOME LEVEL

New housing should generally be built in amounts proportionate to household income distributions, and therefore the number of units needed is distributed by the share of households by income below. The number of units needed and corresponding AMI band is included below to assist public, private, and non-profits applying for federal and state funds tied to specific AMI thresholds (see Appendix B for household income by household size by percentage AMI). In addition, it is important to note that many banks and private equity investors also look at household income data and demographics when understanding the local market.

Additional AMI and household income information is available in Appendix A and B.

The figures below assume that 60% of units needed are for sale and 40% are for rent. They also assume the current distribution of household incomes remains steady through 2028. Based on the construction cost (see Cost of Construction section in upcoming Chapter 6), many units will need to be priced below market rates. This will require local policies, subsidies, and creative partnerships to produce.

Rows highlighted in gray below denote units that the market is unlikely to build, although some projects may be profitable above 100%. Please use the AMI tables in Appendix B to cross reference household and households size to the AMI recommendations.

**For Sale Units Needed through 2028 by AMI**

	Where live	Where work
<30%	17	31
30.1-50%	16	30
50.1-80%	40	75
80.1-100%	23	43
100.1-120%	20	38
120.1-140%	16	30
140.1-200%	21	40
>200%	18	34
<b>Total</b>	<b>171</b>	<b>321</b>

SOURCE: RIBBON DEMOGRAPHICS, LLC, CONSULTANT TEAM

**Rental Units Needed through 2028 by AMI**

	Where live	Where work
<30%	30	56
30.1-50%	23	43
50.1-80%	26	49
80.1-100%	10	18
100.1-120%	5	10
120.1-140%	4	7
140.1-200%	9	17
>200%	7	14
<b>Total</b>	<b>114</b>	<b>214</b>

SOURCE: RIBBON DEMOGRAPHICS, LLC, CONSULTANT TEAM



# CHAPTER 6

## CHAPTER 6: HOUSING CHALLENGES

### LIMITED SUPPLY

Production of new housing has fallen well behind demand over the past two decades. The number of unfilled jobs, projected job growth, and retirements indicate that Cortez needs about 57 to 107 new homes per year.

Over the past 5 years, about 22 homes were permitted each year.

**Number of Housing Units Permitted, 2018-2022**

Year	Single Family	Manufactured Home	Townhomes	Total Permits, All Housing Types
2018	14	7	0	21
2019	16	4	0	20
2020	15	12	4	31
2021	14	2	0	16
2022	11	10	3	24
<b>Total</b>	<b>70</b>	<b>35</b>	<b>7</b>	<b>112</b>

SOURCE: CITY OF CORTÉZ

Therefore, the production rate would need to increase by approximately 35 to 85 units per year over recent production to meet the identified need. However, rarely do community leaders make a policy decision to try to address the full need. Instead, most communities set goals to increase production at a level that feels realistic based on local land use, available resources, and the ability to bring private sector partners to the table with partnerships and incentives that will be effective for addressing the most pressing community housing priorities.

### COST OF CONSTRUCTION

Construction cost escalation has been present in the Colorado market for nearly two decades but was particularly pronounced between 2020 and 2022. Developers and contractors working in the Cortez area report that some construction costs have stabilized, with some materials and labor costs returning to pre-pandemic levels, while other items remain high. Developers and contractors are reporting \$150-\$200 for vertical construction costs, down from a high of \$210-\$250 in the past 2 years. These local experts also report that skilled labor continues to be a challenge. Many skilled craftsmen have reached retirement age, and there is competition for these limited resources across the region.

**Estimated Cost to Build a 1,200 square foot home**

	Cost Per Square Foot	Cost Per Home (1,200 square feet)	Notes
Land Acquisition	\$41	\$49,000	Average lot cost in 2022
Soft Costs	\$22	\$26,500	10% of hard costs
Hard Costs	\$180	\$216,000	Subject expert interview
Financing Costs	\$9	\$10,800	5% of hard costs
Sales Costs	\$15	\$18,150	6% total cost; broker fees
Developer Contingency	\$27	\$32,050	10% of total costs = profit
<b>Total Cost to Build</b>	<b>\$294</b>	<b>\$352,500</b>	

SOURCE: DEVELOPER CONTRACTOR INTERVIEWS, MLS, CONSULTANT TEAM

Many variables can make development more and less risky and expensive. Location, amenity level, site preparation, and fluctuations in labor, materials, and interest rates all significantly impact the assumptions presented on the previous page. This analysis uses the best available information, based on interviews with local builders and developers and the consultant team's observations about building costs in nearby communities and recent projects. The above assumptions are for a high quality, but not luxury home intended for a first-time homebuyer working in the community. The gap between the building cost and what many local households can afford is significant.

## GAP BETWEEN CONSTRUCTION COST AND PURCHASING POWER

Current market conditions mean that most new construction is out of reach for locally employed workers, creating a significant “missing middle” of well-paid households who desire homeownership, but can’t make the finances work. The table below is based on the assumption that households will put 30% of their gross income toward a housing payment, and that they will be able to access a loan with a 5% down payment and an interest rate of 6.5% for a 30-year term. A household would need an annual income of \$102,000 or more to purchase a home that would be profitable for a developer to build in current market conditions (about \$352,500, per the above example). This scenario translates to about 154% of the Area Median Income.

### Breakeven Price Point and Gap Between Construction Costs and Household Buying Power

	Household Income (2-people)	Affordable Purchase Price	Gap between Cost to Build and Sales Price
<b>Break Even Price</b>	<b>\$102,000</b>	<b>\$352,500</b>	<b>\$0</b>
50.1 - 80% AMI	\$55,920	\$186,300	\$(166,200)
80.1 - 100% AMI	\$69,900	\$232,800	\$(119,700)
100.1 - 120% AMI	\$83,880	\$279,400	\$(73,100)
120.1 - 140% AMI	\$97,860	\$325,900	\$(26,600)
140.1 - 200% AMI	\$139,800	\$465,600	\$113,100

SOURCE: COST TO BUILD CHART, CHFA, CONSULTANT TEAM

Many communities in Colorado have used local contributions of land, infrastructure, and fee waivers to catalyze housing development for the local workforce. However, in today’s development environment, land and fee waivers may not be enough to close the gap and make development for the local workforce economically feasible. Significant additional funding support is typically needed to serve all but the highest-income residents.





# CHAPTER 7

## CHAPTER 7: LAND USE REGULATIONS SCAN

### REGULATORY POLICIES / LAND USE AND ZONING

Local land use policies set the stage for what housing can be built within the community. A scan of regulatory documents and interviews with code users were conducted to ascertain how the land use and regulatory environment may be creating barriers to housing production. The following actions are recommended to better facilitate the residential development needed in Cortez.

#### Update the City's Comprehensive Plan

A community's Comprehensive Plan is used to direct growth and development, among many other topic areas. Typically, a plan includes a map of desired future land uses for the entire City as well as future growth areas outside but adjacent to the municipal boundary. The City should consider updating its 2008 Comprehensive Plan to refine the goals and policies to match today's desires and include a future land use map. Based on the data in this report, the updated Comprehensive Plan should identify housing as a top community priority and provide guidance on the types and amounts of housing desired. This plan can then be used to support Land Use Code changes, zoning map changes, and the creation of other policies.

To help with housing affordability, the plan could include policies addressing increasing density near and surrounding downtown and infilling vacant properties within current City limits with a diversity of housing types to respond to pressing market needs. It could also address coordinating annexation with the County and establishing thresholds and expectations for community benefits that new annexations would provide. These types of policies would help with affordability in that development closer to downtown helps reduce transportation costs since jobs and services like grocery stores are typically more centrally located. In addition, centralized development helps reduce City expenses on infrastructure maintenance and service provision.

#### Add Flexibility and Clarity to the Land Use Code

The City has recently adopted a few critical amendments to the Land Use Code that help incentivize housing affordability, like allowing accessory dwelling units in more districts and adding a density bonus allowance for affordable and workforce housing. The City has done a good job with these amendments, and there may be opportunities to refine and enhance them in supporting housing.

In addition, the City is just beginning to update the full Land Use Code. Our scan indicates some key themes about needed changes. These include allowing more housing types in more districts, increasing permitted densities, streamlining processes, and adding more predictability for developers and builders. The following recommended changes should be considered during the Land Use Code Update, those in **bold text** are of high priority. Note that reviewing the following table will be most productive with a copy of the Land Use Code on hand.



## Land Use Code Recommended Edits

Code Section	Recommended Edit(s)	Explanation
Chapter 2 - Rules of Construction, Definitions, and Interpretations		
2.02 Definitions		
Affordable housing & workforce housing (Ord 1311)	Refine	Refine the definition to ensure it can apply everywhere the City uses it, not just the Land Use Code. Note that “Affordable Housing” is also defined in the City’s Comprehensive Plan. The 2nd sentence is a regulation and should be moved into 3.09, 3.10, and 3.14.
Dwelling, Accessory dwelling unit	Update	Consider editing to something like “A dwelling unit clearly incidental and subordinate to a primary dwelling unit including provisions for living, sleeping, eating, cooking and sanitation.” The current definition contains regulations that appear to have been changed by Ord 1303.
<b>Dwelling, Multi-family dwelling</b>	<b>Edit</b>	<b>This definition includes “3 or more residential dwelling units” while the use table has separate rows for “Dwelling, 3, 4, 5 or 6 family” and “Dwelling, multi-family 7 or more”. Consider defining these separately, or preferably, add more specific definitions for more housing types like triplex, fourplex, townhouses, etc.</b>
Dwelling, factory built	Add definition for factory-built dwelling	It appears that the only non-site built housing allowed is HUD-certified units defined as “Manufactured home dwelling” and Park trailers. Consider defining factory-built housing to allow for dwelling units built in a factory, and certified by the State. Factory-built housing should be allowed anywhere residential uses are allowed.
Manufactured home park	Increase to 3 or more units	Consider updating this definition to include 3 or more units rather than 2. With increased flexibility for ADUs, the current definition could potentially categorize a house with an ADU as a manufactured home park.
Single-family equivalent	Delete if term is not used	It is not clear that this term is used anywhere in the code. Consider removing it.
Usable floor area	Combine or remove	It appears that this term only applies to parking and group home regulations. It is quite technical and could easily be replaced by “floor area,” which is already defined and much more straightforward.

Code Section	Recommended Edit(s)	Explanation
Chapter 3 - Zoning District Regulations		
<b>3.05(a) Use Regulations</b>	<b>Allow additional residential uses in all or most districts</b>	<p>Single-family homes are widely permitted across most districts, but more affordable housing types, like duplexes and multi-family, are not. Defining and then allowing more diverse housing types by-right in more zone districts is a key recommendation for enabling increased housing supply.</p> <p>Consider allowing additional residential uses in almost all districts. For example, modify the single-family district to allow for duplexes and triplexes on smaller lots and modify the multi-family district to allow for 7+ units by-right on smaller lots. In established neighborhoods, infill development will happen slowly and begin to integrate more affordable housing types throughout the City.</p> <p>If allowing for more uses in existing districts is not desirable, consider creating a new zoning district that allows for much higher densities. The City could legislatively rezone properties or allow for rezoning applications on a case-by-case basis.</p>
3.05(b) Special Use Conditions		
2. Single-family and two-family dwellings	a - remove 24' min. wall dimension of principal structures b.2 - allow additional exterior materials b.3 - revise or remove roof pitch requirement	<p>These regulations can add cost to a project. Consider revising these regulations to make building more flexible and cost-effective. Keep those that are key to maintaining the desired community character.</p>
<b>3. Manufactured Home Park</b>	<b>Add flexibility</b>	<p>Consider increasing the allowed density from 10 units per acre to about 12 to 17. Reduce the 20' min. separation between buildings since setbacks for most other zones result in only 14' building separation. Consider if the park dedication requirement is necessary. Adding flexibility may make these regulations more aligned with existing manufactured home parks. This will better protect the units and parks from being lost due to regulations regarding nonconformities.</p>

Code Section	Recommended Edit(s)	Explanation
22. Accessory Dwelling Units	<p>e (Ord 1303) - “gross sq. ft. of living area” is not a defined term, consider using a different term</p> <p>f - Clarify if ADUs “may” be used for long-term rentals or “shall” be</p> <p>j - remove or edit the regulation on adverse impacts on traffic flow or parking</p>	<p>The LUC already defines “floor area” and “usable floor area.” Consider using one of those terms rather than introducing a new term. The more straightforward the term, the easier it is to understand and implement.</p> <p>If ADUs are not to be rented under 30 days, then “may” needs to be changed to “shall.”</p> <p>Consider removing item j or revising it to be less subjective.</p>
3.06 Area Regulations (also within 3.07-3.15)		
Min. lot area/unit	Reduce in some districts	<b>Consider reducing in many districts for many uses. The minimum lot areas are quite large. Reducing these minimums can have significant impact on the cost of housing by being able to build more units on less land.</b>
Setbacks	Reduce in some districts	Setbacks for residential uses are almost the same in all districts: 20’ front, 7’ side, and 7’ rear. Reduce in at least some districts. Consider that less than 10’ of building separation triggers additional requirements in the building code.
Max. lot coverage	Remove	<b>Establishing a maximum lot coverage is not needed as setbacks, parking, and other regulations help limit lot coverage.</b>
Min. floor areas	Remove	While these minimums are not restrictively too large, they are not necessary. Let the building code regulate this. Smaller is generally more affordable. Let builders determine what the market needs.
Min. lot width	Reduce in some districts	Consider reducing in many districts for many uses. These minimums, generally about 50’ to 60’, are quite large, and by reducing them, more units could be built on less land, or more creative layouts could be utilized.
3.16 PUD	Remove or reduce land area requirements	PUDs are intended to allow flexibility, and should not be restricted to only projects with specific land area. Reduce or remove the land areas required to do a PUD. Also consider asking for some amount of affordable/workforce housing units in exchange for something the developer wants, like increased density. Note that this is not recommending broad inclusionary zoning, but rather as PUDs are negotiated.

Code Section	Recommended Edit(s)	Explanation
Chapter 4 - Subdivision Standards		
4.03 Streets and Alleys	Reduce street design standards	Revisit street widths to determine if they can be reduced. Less land used for streets can mean more land available for housing while also reducing up front and long-term maintenance responsibilities.
4.05(c) Dedication requirements and (f) Cash in Lieu of Dedication	Revisit the required 5% public land dedication or fee-in-lieu	This can add to the cost to develop while also adding long-term maintenance costs for the City. Consider revisiting this requirement or providing an exception for affordable and workforce housing.
Chapter 5 - Site Development Standards		
5.02(d) Off-Street Parking and Loading Requirements	Reduce minimum parking for multi-family and in CBD	Parking adds significant cost to development. Consider reducing multi-family parking minimums to 1 or 1.5 spaces per dwelling unit. Consider allowing all permitted uses in the CBD to not provide parking, not just those 10,000 sq. ft. or less. Consider also allowing for shared parking agreements with neighboring uses to utilize land more efficiently.
Chapter 6 - Administration and Procedures		
6.14 Site plans	<b>Allow administrative reviews of all site plans</b>	<b>The currently required public review of site plans adds significant time to the process. Administrative review is adequate with clear regulations. Only require review by the Commission if requesting an exception to the rules or perhaps for very complicated/large projects.</b>
6.17(d) (7) Administrative Adjustments	Add an alternate criteria for approval: Granting the adjustment supports the expansion of affordable and/or workforce housing as defined by the Land Use Code.	This could allow an administrative adjustment for affordable/workforce housing projects without having to meet all other criteria.
6.18(b) Special Exceptions	Add an alternate criteria for approval: Granting the exception supports the expansion of affordable and/or workforce housing as defined by the Land Use Code.	This could allow the Commission to reduce off-street parking for affordable/workforce housing projects without meeting all other criteria.

Code Section	Recommended Edit(s)	Explanation
Proposed Additions		
Short Term Rentals	Establish short-term rental regulations	While short-term rentals do not appear to be a major issue at this time, consider adding some basic regulations to get in front of it becoming an issue. These regulations can then be edited based on whatever issues come up in the future. Consider a cap on the total number allowed or restrict them to certain districts and/or dwelling types.

SOURCE: CONSULTANT TEAM

- Review the code in detail during the upcoming full land use code update for consistency and clarity. This will not only help staff with implementation but also help interested builders and developers, which all contribute to a streamlined process. For example:
  - » Information should be conveyed in just one way to avoid confusion and inconsistency:
    - Ord 1311 removed minimum lot area requirement in the NB district, but it remains in the table. Remove from the table or add back to 3.14(f).
    - Multi-family is defined as 3+ units, but the use table separates multi-family into more categories. Further, the area regulations table doesn't include standards for all categories in the use table.
    - Parking regulations use different categories than the use regulations. Using the same categories for both can help avoid confusion.
  - » Remove specific submittal requirements, like number of paper copies, and simply state that applications are to be submitted in a format as required by the City staff. Then the number of copies, file formats, etc. become an administrative item that can be updated as staff desires and technology changes.
  - » The City seems to do a great job where things are allowed by-right. Processes go slowly, and risk for builders/developers is introduced when a public process is required. Thoroughly review all processes. Carefully consider what must go through a public process and what can be handled administratively. With the right regulations in place, public processes should be limited to things like more complicated variances, large projects, and subdivisions and annexation. Specifically expediting processes for affordable and workforce housing is a powerful statement about the City's commitment to those priorities, and gives developers confidence that their investment is more secure.

### Coordinate Land Use with Montezuma County

- Work with Montezuma County to develop an Intergovernmental Agreement (IGA) that addresses land use. The Department of Local Affairs (DOLA) Community Development Office has some good examples. This IGA should address:
  - » Annexation – when it is required and how it is processed. For example, some communities require annexation if certain densities are planned. This is an opportunity to define certain

community benefits, such as affordable and workforce housing, that are desired with annexed lands.

- » Referral Review of Applications – what applications trigger review by the other entity, which could be all applications within a certain area or certain types within a certain area. There is no need for the City to review all County applications.
  - » Regulations – what regulations apply when. For example, consider if the City’s building codes should apply to commercial properties within certain areas of the County. Or maybe the City’s Design Standards for infrastructure should be met in certain areas near City limits. This ensures that future annexations do not create additional non-conformities.
- Review Chapter 6 of the Land Use Code to determine what regulations should be moved to an IGA, like processes and criteria that apply to both the City and the County.

### Address Arrested Development

Numerous subdivisions in Cortez were final platted, where individual saleable lots were created, without complete infrastructure, like roads and utilities. Without complete infrastructure, they cannot be built upon. Currently, there are about 335 unbuildable lots in the City of Cortez. A quick summary of those subdivisions is offered below.

#### Unfinished Subdivisions

Subdivision	Location	Owner	Zone	Status of Vacant Phases
Brandon’s Gate	Along Gateway Dr and Chessie Way	TSB Holdings, LTD	PUD	Townhouse sites: water, sewer, electric mains installed, road built. Single-family sites: Needs all infrastructure
San Juan Park	Between N Edith St and Cochita Dr, north of Acoma St	Terrell Collins Construction	R1	Needs all infrastructure
Southern Bluffs	Bluff Blvd., south of 7th St	Multiple	MH	Needs all infrastructure
South Pointe PUD	South of Jarrett Ave, just east of S Cedar St	MTK, LLC	R1	Needs all infrastructure
Southwest Subdivision	North of E Montezuma Ave, west of N Sligo St	Housing Authority of Montezuma County	R2	Needs all infrastructure
Verde Vu	Southwest of Verde Vu Dr and S Cedar St intersection	Clifford or Rita Wallace	R1	Water and electric installed, needs roads and sewer

SOURCE: CONSULTANT TEAM

The City no longer allows subdivisions to be final platted without infrastructure secured through an agreement with financial security. The City may want to consider requiring a certain amount of the critical infrastructure to be completed before final plat. The City will have much more leverage to get

infrastructure completed by requiring it before final plat rather than having to enforce a development agreement and financial security after a final plat is recorded.

Interviewees indicated that it is just too expensive and risky to finish the infrastructure in these subdivisions at this time. As such, it likely requires some action by the City along with strong partnerships, to get these 300+ lots to be buildable and contribute to the housing inventory. The City could start by contacting the current owners (where there is one owner of all unfinished lots) to determine their interest in completing the subdivision and their perceived barriers. Based on that information, the City could consider the following ideas:

- The City could establish a process in which these final platted subdivisions could more easily be replatted or vacated rather than going through the full subdivision process. This could allow those subdivisions that no longer make sense in today's market to be reconfigured to meet today's needs or to allow someone else to start over.
- For those subdivisions owned by one entity, the City could work with the current owner to develop a cost-sharing agreement to finish the infrastructure. This agreement could require a certain percentage of affordable/workforce deed-restricted units or lots in return for funding part of the infrastructure. If a particular approach works well, it could be a template for others. It would be best to start with the subdivisions where the City may already have a partnership formed, like the Southwest Subdivision that the Housing Authority of Montezuma County owns. Then move to the smaller lot/higher density subdivisions that may result in more affordable housing.
- The City could work with partners, like the Housing Authority, Habitat or Region 9, to market these properties and find a developer to buy and finish the incomplete development. If financial assistance is needed to make the project work feasible, the City or other public partners could remain to help obtain grants and other funding. In return, a certain number of units/lots would need to be deed restricted.
- The City could consider stepping in to finish the needed infrastructure for those subdivisions owned by multiple entities. Cost-sharing agreements with current owners would need to be put in place, and the City could explore purchasing lots or extending payback agreements or liens on any lots where the owners were unable or unwilling to participate. Early steps would include assessing the condition of what has been built, reviewing the previous plans and determining if changes are needed, creating an engineer's estimate of costs, performing financial modeling for costs to City and lot owners, and engaging with lot owners throughout the process to understand their preferences, needs, and financial capacity. There is some potential that the cost of the infrastructure may exceed the value of the lot, or make developing housing on the lots financially unfeasible. In this case, the City may need to explore grants or forgivable loans. Funding from DOLA, USDA, and others could be explored.

### **Additional Recommendations**

- After the Land Use Code update, consider updating the City's Construction Design Standards and Specifications to ensure they align with the revised regulations. Consider allowing flexibility that could reduce infrastructure cost in residential developments while still meeting community needs and desires. For example, sidewalks on just one side of certain residential streets could be required.

- Prioritize codification of code updates related to affordable housing. Someone looking to develop in the City may not take the time to check the list of ordinances for amendments to the Land Use Code, and the City has recently made some really important amendments that could convince someone to develop affordable/workforce housing in Cortez.
- Add flexibility for fees due to the City:
  - » Tap fees are collected by the City before a Certificate of Occupancy (CO) is issued, rather than at the time the building permit is issued. The City could consider allowing the same for use tax and permit fees for all projects or just for affordable/workforce housing projects as defined by the code.
  - » Consider creating an incentive policy to refund all or a portion of use tax and/or permit fees for affordable/workforce housing projects that meet specified criteria.
- Consider regular training for the Planning and Zoning Commission. Staff could add a short training session to the end of regular meetings or plan special training sessions from time to time. A few topics that may be helpful to address based on our research include:
  - » Hearing decisions – what are the decision options per the Land Use Code and what justifies the Commission making that decision. For example, continuing a hearing should only occur when the Commission does not have enough information to justify approval or denial. Continuations can add a lot of time to a project schedule, thus increasing the project cost.
  - » Referral applications from the County – what regulations apply and what feedback is helpful. If the City moves forward with creating an IGA with the County, this may be better to do once processes and regulations are refined.





# CHAPTER 8

## CHAPTER 8: RECOMMENDATIONS AND NEXT STEPS

As City leaders, local builders, non-profits, funders, and other local stakeholders transition from assessing current housing conditions and needs to taking action, the following should be considered:

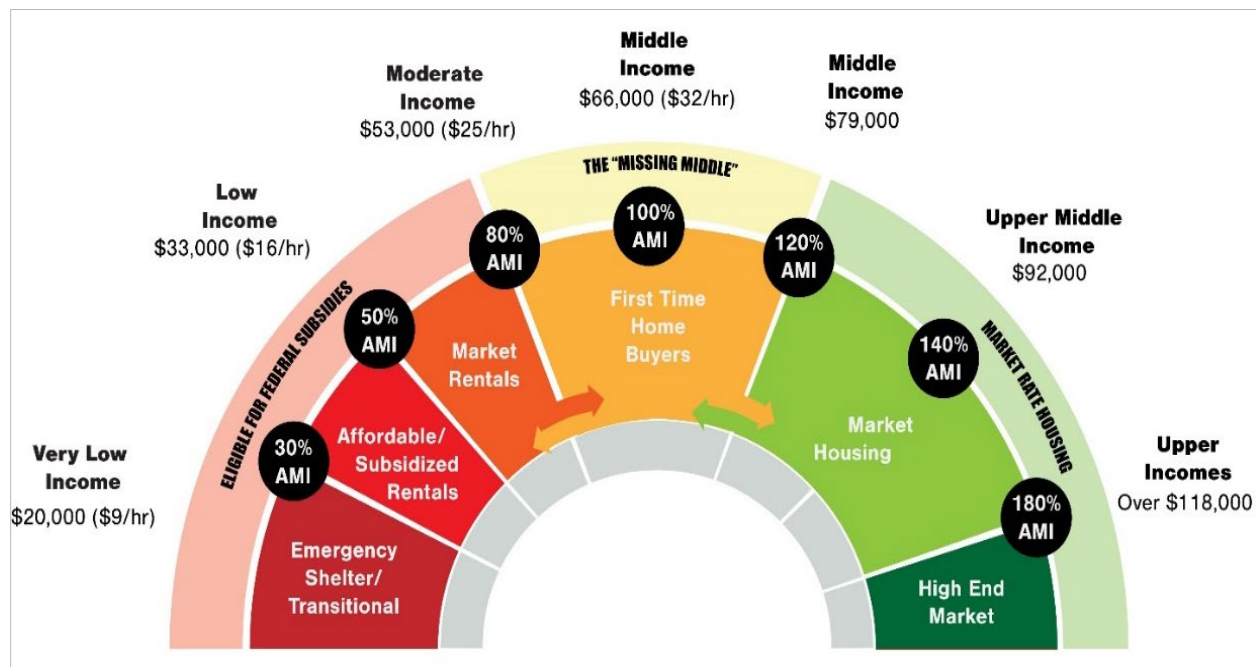
### COMPLETE UPDATES TO THE COMP PLAN AND LAND USE CODE

The City of Cortez has taken a few key steps toward improving the land use code in recent years, and a full land use code revision is planned to start in 2023. Based on a review of the current code, there remains room for reducing barriers and creating incentives for affordable and workforce housing. Functional and effective land use codes set the stage for increasing housing supply and diversity and creating more housing choices for local households. Cortez should proceed with a full code audit and update (anticipated summer 2023), incorporating the recommendations in the “Chapter 7: Land Use Regulations Scan” of this assessment, a Comprehensive Plan Update, and develop an Intergovernmental Agreement with Montezuma County regarding the three-mile area and what development applications are referred to Cortez for review.

### INCREASE THE SUPPLY OF HOUSING ACROSS A FULL SPECTRUM OF PRICE POINTS

Over the past two decades, housing production has not kept pace with population and economic growth. As a result, more housing is needed across the full spectrum, from supportive housing for people who have experienced homelessness, new rentals, and missing middle/first-time homebuyer opportunities to step-up housing and luxury rentals for new professionals filling jobs in the area.

#### Cortez Housing Bridge



Income examples are for 2-person household; incomes have been rounded

Source: CHFA Income Limits 2022, Consultant Team

### Increase Production, Especially Rentals

More housing is needed, both for sale and for rent. Unfortunately, the rate of housing production has not kept pace with jobs and population growth. The need for rental housing is most acute, but many stakeholders also spoke about the need for first-time homebuyer opportunities. As interest rates rise and construction costs remain high, meeting the needs of first-time homebuyers will take substantial effort and in many cases, some sort of subsidy.

### Increase Diversity of Housing Types

This recommendation includes variations in housing size (more small units) and different housing types (more attached housing for sale, accessory dwelling units, and medium-density housing for rent). As housing development opportunities become available, it's important to complement the existing inventory rather than just build more of the same. The current housing stock is dominated by single-family homes and homes with more bedrooms than the average local household needs. Encourage more small homes and apartment units, and housing that suits people across different life phases, from a single person moving to the community for a new job, to seniors looking to downsize and then remain in that smaller home through old age.

### Mind the Gap

Much of the needed housing documented in this assessment is for households that cannot afford housing at the current construction cost. This “gap” between what it costs to build and what local households can afford is particularly pronounced in Cortez and is part of why the market has not been able to address the full housing need in recent years.

Recommendations for below-market housing include:

- **More below-market rentals.** This is made evident by the Housing Authority's 300-person waitlist and interviews with organizational leaders. Tools like Low Income Housing Tax Credits can be very effective for creating new housing supply to address this need. Recruiting and retaining additional Housing Choice Vouchers to the community can help to bridge the gap between what renters can afford and the cost to construct new rental housing.
- **More entry-level ownership housing.** Pursuing Habitat's starter-home program would expand homeownership opportunities to many Cortez residents without the savings and credit needed for traditional mortgages. This allows low-income households to build wealth and move up the income ladder. The program could bring residents out of subsidized rentals, opening units for other households who need them.
- **More service coordination.** It is imperative that all local service organizations partner together in order to provide coordinated, comprehensive housing and services to meet local needs. This is especially important given the significant indigenous population in Cortez and across the region, which interviewees indicate comprise about 60-70% of their clientele. The Piñon Project is already partnering with the local Tribes. Ongoing coordination among the area's housing and service providers and partnering together to understand and address the unique needs of Cortez's most vulnerable residents is recommended.
- **More supportive services.** Stakeholders working with homeless or unstably housed clients noted the prevalence of behavioral health challenges and an inability to pass background checks to be able to qualify for housing. Additional supportive housing units are needed for those with



medical needs that are too high for shelters but do not fit into the nursing home structure. Representatives from the Bridge and Piñon Project agree that addiction counseling, mental health services, and in-patient resources are crucial for residents' housing stability.

- **Include people who have historically been excluded.** Community leaders should promote diversity and inclusion in all neighborhoods to reverse historic racial and economic disparities. Ensure that underrepresented groups have a seat at the table in designing processes and policies and that these processes and policies support equitable access to new housing opportunities.

## INVEST IN PARTNERSHIPS

Housing is a complex issue requiring many diverse skills and perspectives to effectively address local needs. A partnership approach with people needing housing, general community members, neighbors, funders, builders, employers, government, and non-profit partners is recommended.

### Build Community Buy-in

Many stakeholders agree that housing is a significant challenge in Cortez. Business owners, healthcare providers, and educators all spoke at length about the housing market impacting their ability to operate efficiently, their inability to hire and retain employees, and the stresses housing costs put on clients and neighbors. But the severity of these housing challenges is somewhat new to Cortez, and not all community members interviewed consider housing to be a top priority. Building awareness and understanding across the community will be necessary for the success of housing solutions, from land use to specific project proposals. As leaders seek to move forward with housing solutions, engaging people from diverse backgrounds, including youth, renters, indigenous people, and people who have experienced housing instability, is recommended.

### Increase Public Private Partnerships

Public/private partnerships are likely needed to overcome the high cost of construction compared to the rental and sale prices needed for most households within the community.

- **Partner with and invest in organizations that are already doing housing work.** This includes public, private, and non-profit housing experts already working in the community. Seek opportunities to help them grow their funding and staff capacity. This includes Habitat, Housing Authority of Montezuma County, local developers, and non-profits like the Bridge and Piñon Project. Housing Authority of Montezuma County can also bring resources such as property tax exemption, sales and use tax exemption, and property management and compliance experience to help make new development or adaptive reuse more feasible.
- **Build collaborations with employers.** During this research, employers were one of the most vocal groups regarding the need for more housing. Employers can help with many housing solutions, from bringing land, funding, and real estate expertise, to advocacy, master leasing, and ongoing property management. Employers are often in need of housing to attract and retain employees, but may not want to become landlords. Having a local property manager (or housing authority or non-profit) manage employee housing units can help address this concern.
- **Attract new talent to the community as well.** The magnitude of the housing shortage is such that outside resources would also be beneficial to help address it, particularly with regard to

building additional multi-family housing.

- **Support the non-profits and community institutions that provide a safety net**, poverty reduction, and assist people in moving towards self-sufficiency. Services like affordable quality childcare and food security support help families address the high costs of living and retain enough income to make their housing payments. The costs of homelessness and housing insecurity are huge at both the individual and community level, and these services can help to prevent homelessness and housing insecurity.

## UNLOCK LAND RESOURCES

There are two primary strategies within this topic.

### Local Land Inventory, Due Diligence, and RFP

Use local government or institutionally owned land, such as the City of Cortez, School District, Hospital, etc., to catalyze housing development. Create an inventory of government and institutionally owned land that is vacant or underutilized. Prioritize this inventory using criteria such as location, zoning, proximity to infrastructure, services and jobs. Proceed with dedicating the two to three most promising sites for creating new housing opportunities.

It is often helpful to do a community engagement process to understand stakeholders' and neighbors' concerns and desires and to set some guiding principles for a given site before selecting a development partner. Basic technical due diligence around surveying, zoning, environmental conditions, and what types and amounts of housing the site can yield are also helpful. After conducting this initial community engagement and due diligence, the City or other local institutional landowners can use a Request for Proposals or Request for Qualifications to select a development partner.

### Address Arrested Development

With over 300 platted but unbuildable lots, investing in orphaned subdivisions to unlock their development potential could significantly impact Cortez. We recommend reviewing and assessing the strategies proposed in "Chapter 7: Land Use Regulations Scan" and identifying an approach that would be the most advantageous for Cortez, and where and when to begin.

The land alone may not be sufficient to catalyze housing. Bringing additional public resources such as infrastructure extensions, in-kind labor, fee reductions/waivers, bond cap, certificates of participation, or general fund allocations.

## PRESERVE AND REUSE EXISTING ASSETS

In addition to creating new supply, preserving existing inventory and reusing underutilized assets will help to ensure people continue to be able to afford their housing and support a more functional housing market in Cortez.

### Mobile Homes and Manufactured Housing

Ensure preservation and reinvestment in mobile homes and manufactured housing. These product types comprise a sizeable portion of the Cortez housing inventory, often providing an affordable, unsubsidized housing option. As these housing assets age, they can be challenging to repair and replace. New

modular and manufactured housing factories are making a resurgence in Colorado and may offer promising options for both new and replacement housing in Cortez.

### **Adaptive Reuse**

Throughout our stakeholder interviews, many opportunities for adaptive reuse were introduced, including the existing school building that could be converted to apartments and a motel that could be used for employee housing. As construction costs rise, adaptive reuse is increasingly cost-effective. This recommendation is also linked to the zoning code updates, to ensure there is sufficient flexibility to include multi-family housing as a use by-right in more zone districts.

### **Weatherization and Rehabilitation**

Weatherization and home improvements of the type offered by Housing Resources of Western Colorado (and formerly Habitat for Humanity) can help residents live more affordably, safely and comfortably in their homes, and can help extend the useful life of the building. Given the age of the housing inventory and the high percentage of mobile homes, these services are particularly important in Cortez.

## **INCREASE FUNDING**

Funding is an underlying prerequisite to many of the recommendations in this report. Having local funding set aside for housing is important to advance the proposed strategies and enable to act quickly when new opportunities arise. Outside funding is also essential to address the bigger gaps that can't be underwritten with local funds.

### **Create a Local Housing Fund**

The City of Cortez can offset high development costs and influence what gets built in the City by leveraging a local fund that can absorb some of the cost increases and signal to the State and other funders that there is political will for affordable and workforce housing development. Some communities establish a dedicated local funding source for housing through inclusionary zoning, mitigation fees, or asking the voters for a dedicated tax. Other communities have seeded a local housing investment fund through American Rescue Plan Act (ARPA) dollars, the sale of assets, Congressionally Directed Spending, unrestricted reserve balances, or general fund allocations, which could be a good fit for Cortez.

### **Attract Funds from Outside the Community**

Housing funds are in high demand across the state, and accessing these resources is competitive. But Cortez has a considerable need and is already demonstrating a commitment to housing solutions through code updates and incentives. Aggressively pursuing sources like the Low Income Housing Tax Credit (which can support between 30-80% of the upfront costs to build rental housing for people under 80% AMI) and state resources like Transformational Housing, Proposition 123, and Colorado Division of Housing funds can help support the below market strategies recommended in this report. We also recommend pursuing DOLA funds for infrastructure and philanthropic funds to support the nexus between health, housing, childcare, and other basic life necessities.





# APPENDICES

## APPENDIX A – FAMILY INCOME VS. HOUSEHOLD INCOME

The body of this report relies on the 2022 Colorado income limits, which are based on the Department of Housing and Urban Development (HUD) FY2022 Multifamily Tax Subsidy Program income limits. The federal HUD income limits are prepared annually and are the result of numerous data sources, tests, and adjustments. Details of the methodology are publicly available on HUD’s website ([www.hud.gov](http://www.hud.gov)) and briefly summarized below, relying heavily on language from HUD documentation, as applicable to Montezuma County, Colorado, for FY2022.

- 1) HUD begins with historical American Community Survey (ACS) data (in this case 2015-2019 ACS) and uses the change in consumer price index (CPI) to adjust the historical ACS data to arrive at the FY2022 estimate of median family income (\$64,300).
- 2) In Montezuma County, 50% of the Colorado non-metro median family income (\$41,250) is greater than half of the median family income in #1 above ( $\$64,300/2 = \$32,150$ ), and therefore the higher amount is used and rounded down to \$41,100 per required tests.
- 3) This figure (very low income, or 50% AMI for a family of 4 = \$41,100) is then adjusted for each family size from one to eight. Family sizes smaller than four are reduced by 10% per person, and those greater than four are increased by 8% per person.
- 4) The very low income, or 50% AMI figures, are then increased or decreased to match the AMI percentages. For example, the 100% AMI income threshold by family size is twice that of 50%.

### Family Income

HUD income figures are predicated on the incomes of family households. Because family households tend to earn more than non-family households (people living alone and households comprised of unrelated roommates), the income dollar amounts for each AMI level are higher than if it accounted for all households in Montezuma County. This is true regardless of the Colorado non-metro median family income adjustment.

With this in mind, the household income and family income statistics reported by the U.S. Census Bureau’s American Community Survey (ACS) are included below for reference.

#### Why is this important?

Federal and state housing funding is linked to the use of Area Median Income (AMI) figures. Because the AMI amounts are artificially increased, more households in Cortez would qualify for housing developed with income restrictions tied to AMI than if data from other sources like the U.S. Census Bureau were used.

### Household Income

The median income of all households in Cortez (not just family households) is about \$52,000 per year. This means half of the households have an annual income lower than this, and half have a higher income.

There is also a very large difference between households who own and those who rent. Renter households in Cortez have incomes about 34% lower than owner households. Renters across the county have incomes that are half that of owners, which is similar to Colorado (53%).

#### Household Income, 2021

	Colorado	Montezuma County	Cortez
Average income	\$107,446	\$70,721	\$61,888
Median income	\$80,184	\$58,335	\$51,924
<i>Median owner household income</i>	\$99,715	\$67,999	\$60,409
<i>Median renter household income</i>	\$53,087	\$34,239	\$39,589

SOURCE: U.S. CENSUS BUREAU, 2017-2021 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES

According to the 2017-2021 American Community Survey, the median family income accounting for all household sizes in Cortez was \$63,115, and the median non-family household income for all household sizes was \$30,722. Note that the 2017-2021 ACS median family income of \$63,115 is very similar to the \$64,300 FY2022 estimate of median family income published by HUD.



## APPENDIX B – AREA MEDIAN INCOME

The Area Median Income (AMI) is included throughout this report because it is a metric used by affordable housing funders. AMI is published annually by HUD for each county and varies by household size.

### Montezuma County 2022 Income Limits

AMI	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
140%	\$80,640	\$92,120	\$103,600	\$115,080	\$124,320	\$133,560	\$142,800	\$152,040
120%	69,120	78,960	88,800	98,640	106,560	114,480	122,400	130,320
100%	57,600	65,800	74,000	82,200	88,800	95,400	102,000	108,600
80%	46,080	52,640	59,200	65,760	71,040	76,320	81,600	86,880
70%	40,320	46,060	51,800	57,540	62,160	66,780	71,400	76,020
60%	34,560	39,480	44,400	49,320	53,280	57,240	61,200	65,160
55%	31,680	36,190	40,700	45,210	48,840	52,470	56,100	59,730
50%	28,800	32,900	37,000	41,100	44,400	47,700	51,000	54,300
45%	25,920	29,610	33,300	36,990	39,960	42,930	45,900	48,870
40%	23,040	26,320	29,600	32,880	35,520	38,160	40,800	43,440
30%	17,280	19,740	22,200	24,660	26,640	28,620	30,600	32,580

SOURCE: CHFA 2022 INCOME LIMITS, CONSULTANT TEAM

### Households by AMI

The income distribution of the City of Cortez households by AMI is shown on the next page. It is the result of comparing the income limit figures above relative to what households in Montezuma County make. Because AMI represents the median family income of an area, it does not incorporate incomes from non-family single and roommate households that represent 38% of households in Cortez. Therefore, household incomes in Cortez are generally lower than the family income limits above (see detailed explanation in Appendix A), and as a result, the share of households with incomes less than 100% AMI is more than 50% of households.

#### Why is this important?

This is important because federal and state resources for homebuyers and housing development subsidies use AMI to determine whether families are eligible.

A large percentage of households in Cortez are in the lower tiers of the income scale. This aligns with other indicators of income disparity in the City, such as the share of households in poverty or using other public assistance programs.

- More than one in ten Cortez residents (16%) live in poverty, which is about four percentage points higher than that of Montezuma County (12%). In the City, 12% of children under 18 live in poverty.
- About 18% of households in Cortez receive food assistance through Food Stamps/SNAP benefits.

The income disparity by tenure is highlighted in the figure below, which includes the income range of a 2-person household for reference. Over two-thirds (69%) of renter households and 42% of owner households have incomes of 80% AMI and under.

**City of Cortez Household Income Distribution by Tenure and AMI, 2022**

AMI	Household Income Range (2-person household)	Renter Households	Owner Households	Total Households
< 30%	\$0 to \$19,740	26%	10%	16%
30.1-50%	\$19,741 to \$32,900	20%	9%	13%
50.1-80%	\$32,901 to \$52,640	23%	23%	23%
80.1-100%	\$52,641 to \$65,800	9%	13%	11%
100.1-120%	\$65,801 to \$78,960	5%	12%	9%
120.1-140%	\$78,961 to \$92,120	3%	9%	7%
140.1-200%	\$92,121 to \$131,600	8%	12%	11%
>200%	> \$131,600	7%	11%	9%
<b>Total (2022 est.)</b>		<b>1,535</b>	<b>2,295</b>	<b>3,830</b>

May not sum to 100% due to rounding.

SOURCE: CHFA INCOME LIMITS 2022 (MONTEZUMA COUNTY), RIBBON DEMOGRAPHICS, LLC, CONSULTANT TEAM

## APPENDIX C – STUDY METHODOLOGY, DATA SOURCES, DEFINITIONS, AND ACKNOWLEDGEMENTS

### PRIMARY RESEARCH

Primary research was conducted to gather information in addition to that available from public sources and included the following.

#### Employer Interviews

Information was gathered from many of the area’s large employers via interviews. Sixteen employers were interviewed, representing a seasonal range of about 2,675 to 2,780 jobs, or just over 20% of all jobs in Montezuma County. Interviewees provided important information about ways the current housing market is impacting their operations and future growth and retirement projections. The consultant team used the projections in conjunction with secondary data and team experience working in other Colorado communities to determine the estimated percentage of unfilled jobs and the projected rate of retirements between now and 2028.

Employers interviewed indicated that about 7.5% of their jobs are unfilled. This rate is similar to Colorado’s 2022 average monthly total nonfarm job openings rate (seasonally adjusted) of 7.2 (U.S. Bureau of Labor Statistics JOLTS accessed April 26, 2023). It is also similar to the unfilled jobs rate the consultant team has identified in peer Colorado communities. The consultant team used a more conservative 6.5% unfilled jobs rate to estimate the catch-up need in this assessment, primarily to account for concerns of a potential recession.

Employers interviewed estimated that just over 3% of their current employees will retire by 2028. A 3% rate was used to determine the keep-up housing need. This retirement rate is much lower than in other Colorado communities in which the consultant team has recently worked, which has generally ranged from 5% to 9%.

#### Other Interviews

Interviews were conducted with more than 20 other public, private, and non-profit entities to supplement data needs and gather local perspectives and observations about housing issues and impacts. Interviewees included builders/developers, property managers, a Realtor, numerous below market housing experts, and service providers.

#### Secondary Data

A variety of sources of published information were referenced or used in the preparation of this report, including but not limited to:

- U.S. Census 2010, 2020 DEC Redistricting Data (PL 94-171) (limited, complete 2020 Census data was not available for this assessment.).
- American Community Survey data (ACS) to understand general trends since the 2010 Census.
- State Demography Office, Colorado Department of Local Affairs.



- Employment information from the Quarterly Census of Employment and Wages (QCEW) accessed via the Bureau of Labor Statistics and the Colorado Department of Labor and Employment, Labor Market Information Gateway.
- 2022 Area Median Income from the Colorado Housing Finance Authority (CHFA).
- MLS data provided by CREN.
- Residential permit data from the Cortez Community and Development Department.
- Registered Mobile Home Parks from Colorado Department of Local Affairs.
- National Housing Preservation Database
- Prior assessments and reports:
  - Housing Needs Assessment, Montezuma County, Colorado (June 2010, Final Report)
  - Regional Housing Needs Assessment & Strategy, Housing Solutions for the Southwest, Southwest Colorado Council of Governments (August 2021)
- Self-Sufficiency Standard at the Center for Women’s Welfare, University of Washington.
- Stephen H. Hart Research Center at History Colorado for historical rental listings from The Journal.

## Definitions/Terminology

Affordable Housing	As used in this report, housing is affordable if the monthly payment (rent or mortgage, plus utilities) is equal to or less than 30% of gross household income (before taxes). Note: The City of Cortez also currently uses it to mean housing that is affordable to a household with an income that is eighty (80) percent or lower than the area median income of households of that size.
Area Median Income (AMI)	A term that generally refers to the median incomes published annually for counties by the US Department of Housing and Urban Development (HUD). In Colorado, these figures are published annually by the Colorado Housing Finance Authority (CHFA). They are used to set income and rent limits for affordable housing programs statutorily linked to HUD income limits (e.g., low-income housing tax credit rentals).
American Community Survey (ACS)	The ACS is part of the Decennial Census Program of the U.S. Census. The survey was fully implemented in 2005, replacing the decennial census long form. Because it is based on a sample of responses, its use in smaller areas (under 65,000 persons) is best suited for monitoring general changes over time rather than for precise estimates due to margins of error.
Average household size	This refers to the number of persons living in a housing unit and includes all adults and children.
Catch-up Needs	The number of housing units needed to catch up to meet the current shortfall in housing available for residents.
CHFA	Colorado Housing and Finance Authority – administers LIHTC and provides mortgage funding

Cost Burdened	When housing costs exceed 30% of a household's gross (pretax) income. Housing costs include rent or mortgage and may or may not include utilities, homeowner association fees, transportation, or other necessary costs depending upon its application.
COVID-19 / COVID	Coronavirus disease 2019, causing global pandemic starting March 2020 and extensive local public health precautions.
Deed Restricted/Restriction	A deed is a legal document that defines who owns a particular property. Deed restrictions are stipulations written into a property's deed or recorded as a restrictive covenant. Such restrictions can be varied. Throughout this report, use of the terms deed-restricted housing or a deed restriction(s) is generally in reference to written rules that limit the amount a property can be sold or rented for, or that restricts who it can be rented or sold to based on household income or the location of the tenant/future owner's employment, etc.
DOH	The Division of Housing is within the Colorado Department of Local Affairs. It partners with local communities to create housing opportunities for Coloradans who face the greatest challenges to accessing affordable, safe, and secure homes. DOH supports projects ranging from homelessness prevention to homeownership.
Employee (or workforce) Housing	Housing intended for and affordable to employees and households earning local wages.
ESRI	Environmental Systems Research Institute – supplier of geographic information system software, web GIS and geodatabase management applications.
HOA	Home Owners Association, typically part of condominium developments.
HUD	Housing and Urban Development; federal agency providing funding and regulations for low-income housing.
Keep-up Needs	Keep-up refers to the number of housing units needed to keep up with job growth and retiring employees to ensure housing is available for employees filling new or vacated jobs through 2028.
LAUS	Local area unemployment statistics
LEHD	Longitudinal Employer-Household Dynamics
LIHTC	Low Income Housing Tax Credit – a federal program to stimulate capital investment in affordable rental housing, administered in Colorado by the Colorado Housing and Finance Authority.
MLS	Multiple Listing Service used for the purchase and sale of residential real estate
Occupied housing unit	As defined by the U.S. Census Bureau, an occupied housing unit refers to a housing unit that is occupied by persons who consider Montezuma County or Cortez as their usual place of residence or that have no usual place of residence elsewhere (US Census definition). Occupied units are also referred to as resident/local households in this report.

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Workforce (or Employee) Housing	<p>Housing intended for and affordable to employees and households earning local wages.</p> <p><u>Note:</u> the City of Cortez also currently uses it to mean housing affordable to households with income between eighty (80) and one hundred and forty (140) percent of the area median income for households of that size.</p>
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## Acknowledgements

We would like to thank everyone who gave their time, assistance, knowledge, and expertise to this process. Information in this report relied on participation from many individuals and organizations through interviews, data sharing, and focus groups, outreach, etc. We are grateful for the time given by everyone we reached out to. In particular, we would like to thank the members of the housing committee who were instrumental in this entire process.

### Housing Committee

- Cheryl Lindquist, Deputy Clerk/Permit Tech, City of Cortez
- Drew Sanders, City Manager, City of Cortez
- Don Haley, Planning and Zoning Director, Montezuma County
- Heidi Mitchell, Executive Director, Habitat for Humanity of Montezuma County
- Jason Witt, Realtor/Owner, The Witt Group and Chair-Elect, Colorado Association of Realtors
- Jeanine Gentry, CEO, Southwest Health System
- Jessica Thurman, Community and Economic Development Coordinator, Montezuma County
- Kellie Willis, Executive Director, The Piñon Project Family Resource Center
- Nancy Dosdall, Contract Planner, City of Cortez
- Rachael Marchbanks, Community and Economic Development Director, City of Cortez
- Scott Baker, Grants Administrator, City of Cortez
- Sean Canada, Building Inspector/Fire Inspector, City of Cortez
- Shak Powers, Project Manager, Region 9 Economic Development District of Southwest Colorado
- Stephen Candelaria, Vice President of Operations/Co-Owner, Candelaria Construction
- Terri Wheeler, Executive Director, Housing Authority of Montezuma County
- Tom Burris, Superintendent, Montezuma Cortez School District RE-1

We appreciate the opportunity to work with such dedicated City and County staff, local employers and organizations, as well as residents who are dedicated to obtaining a better understanding of the housing challenges and needs of the City of Cortez and willing to tackle the topic head on for the benefit of its residents.





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Rachael Marchbanks**  
Community/Economic Development Director  
123 Roger Smith Ave  
Cortez, CO. 81321  
rmarchbanks@cortezco.gov

---

## Memorandum

**To:** CORTEZ CITY COUNCIL

**From:** Cheryl Lindquist, Permit Technician/Deputy City Clerk

**Date:** 5/03/2023

**RE:** Ordinance No. 1319, Series 2023

---

### DISCUSSION

See attached staff report for a full discussion.

### BACKGROUND

First reading on an application for vacation of the 16' Alley located in Block 2 of the Veach Subdivision and consolidation of all existing lots into one 2.185-acre parcel on property located at 1511 E. Main St., zoned Commercial Highway.

### FISCAL IMPACT

Fiscal impact has not been analyzed.

### RECOMMENDATION

Staff recommends that Council approve on first reading Ordinance No. 1319, Series 2023, approving an application for vacation of the 16' Alley located in Block 2 of the Veach Subdivision and consolidation of all existing lots into one 2.185-acre parcel on property located at 1511 E. Main St., zoned Commercial Highway, and set for second reading and a public hearing on May 23, 2023.

### MOTION

If agreed upon by the City Council, a possible motion would be:

I move to approve on first reading Ordinance No. 1319, Series 2023, approving an application for vacation of the 16' Alley located in Block 2 of the Veach Subdivision and consolidation of all existing lots into one 2.185-acre parcel on property located at 1511 E. Main St., zoned Commercial Highway, and set the Ordinance for second reading and public hearing on May 23, 2023.

---

## Attachments

Staff Report  
Ordinance No. 1319, Series 2023  
Resolution No. 6, Series 2023  
Backup Documentation



*City of Cortez  
Community & Economic  
Development Dept.  
123 Roger Smith Avenue  
Cortez, CO 81321*

Meeting Date: May 9, 2023

Project No. PL23-2

## **MEMO**

**TO:** Cortez City Council

**FROM:** Nancy Dosdall, Contract City Planner

**SUBJECT:** Public Hearing on an Application for vacation of the 16' Alley located in Block 2 of the Veach Subdivision and consolidation of all existing lots into one 2.185-acre parcel on property located at 1511 E. Main St., zoned Commercial Highway.

**APPLICANT:** Michael Scarbrough, Quick N Clean CO-03 LLC

**OWNER:** Quick N Clean CO-03, LLC

**ATTACHMENTS:** P&Z Resolution No. 6, Series 2023

Site Plan

Plat

Application

## **BACKGROUND**

Quick N Clean CO-03, LLC, (the "Applicant") is proposing to vacate an existing, undeveloped alley located in Block 2 of the Veach Subdivision and then combine the 28 existing lots into one parcel for development. If approved, the new lot will total 2.185 acres. The property is located 1511 E. Main, Cortez, Colorado (the "Property"). The Property is currently vacant. The Property is zoned commercial highway (C).

The Property is bounded on the west by commercially zoned land that includes Papa Murphy's, on the east and south by vacant parcels, and on the north by East Main St and Safeway. All neighboring properties are zoned commercial highway (C).



## CRITERIA FOR REVIEW

The following criteria shall be used in the evaluation of all applications for the vacation of rights-of-way or easements:

1. Must not conflict with adopted policies or plans.
2. Shall not create a landlocked parcel of land.
3. Shall not restrict the access of any parcel so that access is unreasonable or economically prohibitive.
4. Shall not result in adverse impacts on the health, safety, and/or general welfare of the general community, and reduce the quality of public facilities or services provided to any parcel of land, i.e., fire/police protection, accesses, and/or utility services.

## ISSUES/DISCUSSION

As seen in the above photo, the alley has never been constructed and it appears that a portion of the alley may have been vacated when the Walgreens building was constructed. The Walgreens building would prevent the alley from accessing Sligo Street to the east and other construction appears to partially block construction of the alley to the west. The unconstructed alley does not appear necessary to provide access to any other parcels of land, and vacating it will not otherwise result in any adverse impacts. It does not appear in any adopted City plans.

While having secondary access to properties is good transportation planning, there is also unconstructed right of way to the south of the Property that could serve as an extension of 1<sup>st</sup> St and provide access as required for future development.

**AGENCY REVIEW (Note – two rounds of comments were collected after a revised submittal and most agencies combined their comments on the site plan and alley vacation plat)**

## GIS Coordinator (Doug Roth)

No issues with the configuration of this site plan or procedurally vacating the 16' Alley ROW in order to rededicate the same area as a non-exclusive utility easement.



**Cortez City Engineer (Kevin Kissler)**

There is a sewer line that also runs on the south side of their property within their property boundaries, I'd like to see their site plan include at least a 10' utility easement on the south side of the lot as well as their proposed 40' easement on the west side of the lot. Also, I would like to see their grease trap configuration included in the plans so we can pass that along to the sanitation district for their review. They need to specify the sidewalk width as 5' and being composed of 4500 psi concrete

**Cortez Sanitation District (Jim Webb)**

After a careful review of the final plat I have noted they have identified all of the Sanitation District's Collection system assets and We have no issues with the proposed plat.

**Colorado Department of Transportation (Randee Reider)****Cortez General Services (Rick Smith)****Atmos Energy (Gary Arnett)**

Thank you for the clarification.

The existing width is good but if we ever needed to repair or replace that line it would be nice to have some additional room to the N. of the existing easement +5'. The fiber optic line appears to be close.

**ALTERNATIVES**

1. The Council can approve the right of way vacation on property located at 1511 E. Main, in the C zone, as submitted by Quick N Clean CO-03 LLC;
2. The Council can deny the application for the right of way vacation and state its reasons;
3. The Council can ask for more information and table the application or continue the application to a date certain; or
4. The Council can approve the right of way vacation, and state any conditions it feels would be necessary to ensure compliance with the Land Use Code.

**RECOMMENDATION – PLANNING & ZONING COMMISSION**

At their meeting of May 2, 2023, the Cortez Planning & Zoning Commission unanimously voted to recommend approval of the Alley right of way vacation and plat amendment with the following conditions:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
3. The proposed 16' utility easement shall a total 19' in width.

If the Council so chooses to follow the recommendation of Staff and the Planning & Zoning Commission, a member can make the following motion: **I move to approve on first reading Ordinance No. 1319, Series 2023, approving the Alley right of way vacation on property located at 1511 E. Main, in the Commercial Highway (C) zone, as submitted by Quick N Clean CO-003, LLC and set for second reading and a public hearing on May 23, 2023.**

**CITY OF CORTEZ**  
**ORDINANCE NO. 1319, SERIES 2023**

AN ORDINANCE APPROVING OF A RIGHT OF WAY VACATION PLAT FOR  
VACATION OF THE 16 FOOT WIDE ALLEY LOCATED ON BLOCK 2 OF THE VEACH  
SUBDIVISION, A PORTION OF THE SW ¼ OF SECTION 25, T36N, R16W, NMPM  
LOCATED IN THE COMMERCIAL HIGHWAY (C) ZONING DISTRICT

WHEREAS, the owner/applicant Quick N Clean CO-03 (the “Owner/applicant”) has applied for review of a ROW vacation plat to vacate the 16’ alley located in Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M Colorado (the “Property”); and more particularly described as:

Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M  
Colorado

WHEREAS, the Owner/applicant has applied to the City for review of a vacation plat on the Property; and

WHEREAS, the Owner/applicant presented a plat and other submittal items for review by the City Planning and Zoning Commission at a regular meeting held on May 2, 2023; and

WHEREAS, Land Use Code Section 6.25, Vacation of rights-of-way and easements, indicates that the owner or developer of a property may request a vacation pursuant to all code requirements; and

WHEREAS, the Planning and Zoning Commission reviewed the right-of-way vacation plat for the Property and is recommended approval of the plat, as evidenced by the adoption of P&Z Resolution No. 6, Series 2023; and

WHEREAS, based on the evidence and testimony presented at its May 2, 2023 meeting, the Planning and Zoning Commission recommends certain conditions of approval for the requested right of way vacation; and

WHEREAS, it appears that all requirements of Chapters 4.00 and 6.00 of the City’s Land Use Code for subdivision of this site have been or can be met.

NOW, THERFORE, THE CORTEZ CITY COUNCIL DOES HEREBY DECLARE:

THAT, the plat and full application for the Property are hereby approved, subject to the following conditions to ensure compliance with the standards in the Land Use Code for a preliminary plat:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
3. The proposed 16' utility easement shall be increased to the north to total 19' in width

AND THAT, the Owner/applicant shall coordinate with City staff to ensure that these conditions are fully met.

**PUBLIC HEARING.** This ordinance shall be considered for second and final reading on the May 23, 2023, at the hour of 7:30 p.m., in City Council Chambers in City Hall, 123 Roger Smith Avenue, Cortez, Colorado, at which time and place all persons interested may appear and be heard concerning the same.

MOVED AND APPROVED ON FIRST READING THIS MAY 9, 2023

\_\_\_\_\_  
Rachel B. Medina, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Smith, City Clerk

MOVED, SECONDED, AND ADOPTED ON FINAL READING THIS 23rd DAY OF MAY, 2023

\_\_\_\_\_  
Rachel B. Medina, Mayor

ATTEST:

\_\_\_\_\_  
Linda L. Smith, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Patrick Coleman, City Attorney



**CITY OF CORTEZ**

**PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 6, SERIES 2023**

**A Resolution Recommending Approval of a Right of Way Vacation Plat for Vacation of the  
16 foot wide alley located on Block 2 of the Veach Subdivision, a portion of the SW ¼ of  
Section 25, T36N R16W, NMPM  
Located in the Commercial Highway (C) Zoning District**

WHEREAS, the owner/applicant Quick N Clean CO-03 (the “Owner/applicant”) has applied for review of a ROW vacation plat to vacate the 16’ alley located in Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M Colorado (the “Property”); and

WHEREAS, the Owner/applicant has applied to the City for review of a vacation plat on the Property; and

WHEREAS, the Owner/applicant presented a plat and other submittal items for review by the City Planning and Zoning Commission at a regular meeting held on May 2, 2023; and

WHEREAS, Land Use Code Section 6.25, Vacation of rights-of-way and easements, indicates that the owner or developer of a property may request a vacation pursuant to all code requirements; and

WHEREAS, the Planning and Zoning Commission reviewed the right-of-way vacation plat for the Property and is recommending approval of the plat, as evidenced by the adoption of P&Z Resolution No. 6, Series 2023; and

WHEREAS, based on the evidence and testimony presented at its May 2, 2023 meeting, the Planning and Zoning Commission recommends certain conditions of approval for the requested right of way vacation; and

WHEREAS, it appears that all requirements of Chapters 4.00 and 6.00 of the City’s Land Use Code for subdivision of this site have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ PLANNING AND ZONING COMMISSION:

THAT, P&Z Resolution No. 6, Series 2023, establishes the recommended conditions of approval for the plat and the right of way vacation; and

THAT, the plat and full application for the Property are hereby recommended to Council for approval, subject to the following conditions to ensure compliance with the standards in the Land Use Code for a preliminary plat:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
3. The proposed 16' utility easement shall be increased to total 19' in width

AND THAT, the Owner/applicant shall coordinate with City staff to ensure that these conditions are fully met.

MOVED, SECONDED, AND ADOPTED THIS 2nd DAY OF MAY, 2023

CITY OF CORTEZ  
PLANNING AND ZONING COMMISSION

  
Robert Rime, Chairman

ATTEST:

  
Cheryl Lindquist, Deputy City Clerk

## APPENDIX D - CITY OF CORTEZ APPLICATION FOR ZONING ACTION

This application is for:	
<input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Right-of-Way or Easement Vacation <input checked="" type="checkbox"/> Replat or Plat Amendment <input type="checkbox"/> Condominium Subdivision/Conversion	<input type="checkbox"/> Special Exception <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Variance <input type="checkbox"/> Minor Subdivision

### 1. APPLICANT SHALL COMPLETE:

Quick N Clean CO-03, LLC	7291 E. Adobe Drive Suite 115 Scottsdale, AZ 85255	(480) 444-8060
Property Owner	Mailing Address	Phone/Fax

Richard Karle		
Contact Person	Mailing Address	Phone/Fax

1511 East Main Street Cortez, CO 81321
Subject Property Street Address

Legal Description; or <u>Survey</u>
Attached


Vacant land
Existing Use(s)

Express car wash	+/-5,380 SF	
Proposed Use(s)	Square Footage	Lot Coverage (%)

+/-91,191 SF		45
Lot Size	Proposed Building Height	Off-Street Parking Spaces

10'	0'	7'
Proposed Setbacks: Front	Side	Rear

Public Works Department Approval	Sanitation District Approval
----------------------------------	------------------------------

OATH OF APPLICANT	
<i>I hereby certify, subject to penalty of perjury, that the above is true and accurate to the best of my knowledge and that I understand all provisions of City and State codes applicable to the proposed development, any and all conditions placed upon the proposed development by the City Council and all information requested by this document. I also understand that if I violate any applicable provisions of City and/or State codes, I may be required to remedy such violation(s) through appropriate legal process imposed by the City, including moving or removing structures and ceasing of construction and/or uses</i>	
 Signature of Applicant	03-21-23 Date

### 2. APPLICANT SHALL ATTACH 2 COPIES OF A COMPLETE SITE AND ACCESS PLAN OR PLAT SHOWING THE BUILDING OR STRUCTURE IN SUFFICIENT DETAIL TO





# City of Cortez

Date Received 11/1/22

## APPLICATION FOR SITE PLAN REVIEW

---

Michael Scarbrough	602-684-5210
Name of Applicant	Phone Number

---

11811 North Tatum Boulevard Suite 1051 Phoenix, AZ
Applicant's Address

---

Quick N Clean CO-03, LLC	480-444-8060
Name of Property Owner if different from above	Phone Number
7291 E Adobe Drive, Suite 115, Scottsdale, Az 85255	

---

Property Owner's Address
1511 E. Main Street Cortez, CO 81321
Address of development <i>(include copy of deed or title insurance policy showing legal description and ownership)</i>

---

Class of Work:	Zoning District :
<input checked="" type="checkbox"/> New	<input type="checkbox"/> NB – Neighborhood Business
<input type="checkbox"/> Addition	<input checked="" type="checkbox"/> C – Commercial Highway
<input type="checkbox"/> Demolish	<input type="checkbox"/> CBD – Central Business District
<input type="checkbox"/> Move	<input type="checkbox"/> I - Industrial

**WHEN RECORDED RETURN TO:**

Quick N Clean CO-03, LLC,  
a Colorado limited liability company  
7291 East Adobe Drive,  
Suite 115  
Scottsdale, Arizona 85255

**SPECIAL WARRANTY DEED**

For valuable consideration, the receipt and sufficiency of which are acknowledged, Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust ("**Grantor**"), conveys to Quick N Clean CO-03, LLC, a Colorado limited liability company ("**Grantee**"), the following real property situated in Mesa County, Colorado, together with all appurtenant interests, benefits, rights, and privileges (collectively, the "**Property**");

SEE **Exhibit "A"** ATTACHED HERETO  
AND BY THIS REFERENCE MADE A PART HEREOF

This conveyance is made by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all applicable easements, conditions, restrictions, covenants, minerals or royalty interests, mineral reservations, surface waivers, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record, to the extent, but only to the extent, they are validly existing and affect the Property as of the date hereof.

To have and hold the Property, together with all rights and appurtenances thereto and in anyway belonging thereto, unto the Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend the Property unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under the Grantor, but not otherwise.

DATED as of July 5, 2022.

**"GRANTOR"**

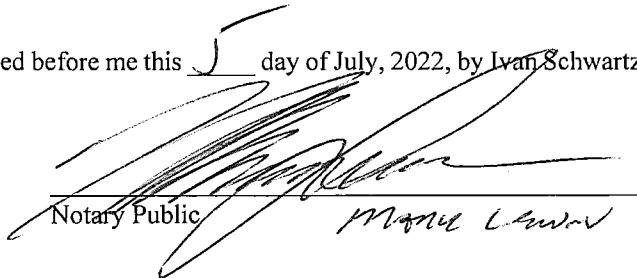
The Gilbert B. Schwartz Trust

By: 

Ivan Schwartz,  
Trustee

STATE OF FL )  
 ) ss.  
COUNTY OF BREVARD )

The foregoing instrument was acknowledged before me this 5 day of July, 2022, by Ivan Schwartz,  
Trustee of the Gilbert B. Schwartz Trust.

  
\_\_\_\_\_  
Notary Public *Mark Lewin*

My Commission expires:

12-16-25



MARK LEWIN  
Commission # HH 200816  
Expires December 16, 2025



**EXHIBIT "A"**  
**TO**  
**SPECIAL WARRANTY DEED**

[Legal Description]

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in Book 8 at Page 6, excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

**TD-1000**  
**Confidential Document**

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments for all property. **This document is not recorded, is kept confidential, and is not available for public inspection.**

**This declaration must be completed and signed by either the grantor (seller) or grantee (buyer).**

Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

1. Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.  
1511 East Main Street, Cortez, CO 81321

2. Type of property purchased: ☐ Single Family Residential ☐ Townhome ☐ Condominium ☐ Multi-Unit Residential  
☐ Commercial ☐ Industrial ☐ Agricultural ☐ Mixed Use ☒ Vacant Land ☐ Other: \_\_\_\_\_

3. 07/06/2022 09/17/2021  
Date of closing: mm/dd/yyyy Date of contract: mm/dd/yyyy

4. \$450,000.00 \$  
Total Sale Price: include all real and personal property Contracted price (if different from final sale price)

5. List any personal property included in the transaction that materially impacts the total sale price. Personal property may include, but is not limited to: machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).

<u>Description</u>	<u>Approximate Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
Personal Property Total: \$ _____	

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property? ☒ No ☐ Yes  
If Yes, approximate value of the goods or services as of the date of closing: \$ \_\_\_\_\_  
If Yes, does this transaction involve a trade under IRS Code Section 1031? ☐ No ☐ Yes
7. Was 100% interest in the real property purchased? ☐ No ☒ Yes  
Mark "No" if only a partial interest is being purchased. If No, interest purchased \_\_\_\_\_ %
8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction. ☒ No ☐ Yes

9. Please mark type of sale: ☐ Builder (new construction) ☒ Public (MLS or Broker Representation)  
☐ Private (For Sale By Owner) ☐ Other (describe) \_\_\_\_\_

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.

☐ New ☐ Excellent ☒ Good ☐ Average ☐ Fair ☐ Poor ☐ Salvage

11. Type of financing: (mark all that apply)

☒ None (all cash or cash equivalent)

☐ New/Mortgage Lender (government-backed or conventional bank loan)

☐ New/Private Third Party (nonconventional lender, e.g. relative, friend, or acquaintance)

☐ Seller (buyer obtained a mortgage directly from the seller)

☐ Assumed (buyer assumed an existing mortgage)

☐ Combination or Other: Please explain: \_\_\_\_\_

12. Total amount financed: \$ \_\_\_\_\_

13. Terms:

☐ Variable; Starting interest rate: \_\_\_\_\_ % ☐ Fixed; Interest rate: \_\_\_\_\_

Length of time: \_\_\_\_\_ years

Balloon payment? ☐ No ☐ Yes If yes, amount \$ \_\_\_\_\_ Due Date: \_\_\_\_\_

14. Mark any that apply: ☐ Seller assisted down payments ☐ Seller concessions ☐ Special terms or financing

If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction? ☒ No ☐ Yes

**For properties OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16-18, if applicable.

16. Did the purchase price include a franchise or license fee? ☒ No ☐ Yes

If yes, franchise or license fee value \$ \_\_\_\_\_

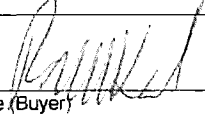
17. Did the purchase price involve an installment land contract? ☒ No ☐ Yes

If yes, date of contract: \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing? ☐ No ☒ Yes

Please include any additional information concerning the transaction and price paid that you feel is important:

\_\_\_\_\_

x 

Signature of Grantee (Buyer)

7-5-2022

Date: mm/dd/yyyy

Quick N Clean CO-03, LLC

Richard Karle, Manager

Printed name of Grantee

Signed in counterpart

Signature of Grantor (Seller)

Date: mm/dd/yyyy

Ivan Schwartz

Printed name of Grantor



9. Please mark type of sale: ☐ Builder (new construction) ☒ Public (MLS or Broker Representation)  
☐ Private (For Sale By Owner) ☐ Other (describe) \_\_\_\_\_

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.

☐ New ☐ Excellent ☒ Good ☐ Average ☐ Fair ☐ Poor ☐ Salvage

11. Type of financing: (mark all that apply)

- ☐ None (all cash or cash equivalent)  
☐ New/Mortgage Lender (government-backed or conventional bank loan)  
☐ New/Private Third Party (nonconventional lender, e.g. relative, friend, or acquaintance)  
☐ Seller (buyer obtained a mortgage directly from the seller)  
☐ Assumed (buyer assumed an existing mortgage)  
☐ Combination or Other: Please explain: \_\_\_\_\_

12. Total amount financed: \$ \_\_\_\_\_

13. Terms:

☐ Variable; Starting interest rate: \_\_\_\_\_ % ☐ Fixed; Interest rate: \_\_\_\_\_

Length of time: \_\_\_\_\_ years

Balloon payment? ☐ No ☐ Yes If yes, amount \$ \_\_\_\_\_ Due Date: \_\_\_\_\_

14. Mark any that apply: ☐ Seller assisted down payments ☐ Seller concessions ☐ Special terms or financing

If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction? ☒ No ☐ Yes

**For properties OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16-18, if applicable.

16. Did the purchase price include a franchise or license fee? ☒ No ☐ Yes

If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract? ☒ No ☐ Yes

If yes, date of contract: \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing? ☐ No ☒ Yes

Please include any additional information concerning the transaction and price paid that you feel is important:

\_\_\_\_\_  
\_\_\_\_\_

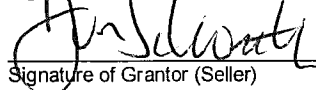
Signed in counterpart

Richard Karle

Signature of Grantee (Buyer)

Date: mm/dd/yyyy

Printed name of Grantee



7/5/22

Ivan Schwartz

Signature of Grantor (Seller)

Date: mm/dd/yyyy

Printed name of Grantor

07/07/2022 10:47:20 AM

Buyer Mailing Address: Future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

7291 East Adobe Drive, Ste 115	Scottsdale	Arizona	85255
Address (mailing)	City	State	Zip Code
(480)444-8060	richard@upperimage.net		
Daytime Phone	Email Address		

Contact information is kept confidential, for County Assessor and Treasurer use only, to contact buyer with questions regarding this form, property valuation, or property tax information.



## **Region 5 Levels of Traffic Assessments**

Section 2.3(5) of The State Highway Access Code (SHAC) specifies the thresholds and general requirements of a traffic impact study (TIS). A TIS is required when the proposed land use will generate a Design Hour Volume (DHV) of 100 vehicles or more, or when considered necessary or desirable by CDOT. However, the SHAC provides little detail about traffic assessment requirements for projects generating less than 100 vehicles per hour. This document describes the three levels of traffic assessments required for access permitting in CDOT Region 5. The permit applicant should contact CDOT R5 access permitting (970-385-3626) to determine the appropriate level of traffic evaluation and the specific requirements for each individual application.

### **Level One – Trip Generation Assessment**

The purpose of a Level One Assessment is to document the project trip generation and to confirm that auxiliary turn lanes are not required at the proposed access point.

A Level One Assessment is required for all projects that generate less than ten trips in the peak hour. A single-family home usually generates one trip in the peak hour so a project with nine or fewer homes would fit in this category. It is unlikely that any commercial or industrial development would fit in this category.

The Level One Assessment shall include the following:

- Description of project size and location
- Trip Generation Calculations per the Institute of Transportation Engineers Trip Generation document (latest version)
- A Professional Engineers seal on the calculation is preferred, but not required.

### **Level Two Auxiliary Turn Lane Assessment**

The purpose of a Level Two Assessment is to document the project trip generation and to determine auxiliary turn lane requirements at the proposed access points. The results of this assessment may reveal that no turn lanes are needed. The assessment may also reveal that a Traffic Impact Study is necessary (see Level Three), as determined by CDOT. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the assessment.

A Level Two Assessment shall be required for all projects that generate between 10 and 99 trips in the peak hour. It shall include the following:

- Description of project size and location, include site & location maps
- Trip Generation Calculations per the ITE Trip Generation document (latest version)
- Diagram or table showing existing driveways and side roads within 1000 feet from the access
- A detailed statement of directional distribution assumptions for project traffic, include all correspondence; phone, emails etc., with local authorities concerning directional distribution.
- A detailed statement of the 20-year background traffic growth calculation (source of existing data, growth rate, factors, etc)
- Diagram or table showing am & pm peak-hour traffic volumes for:





Short Term Traffic – existing, site generated, & total

Long Term Traffic (20 Year) – background, site generated, & total

- Recommendations for auxiliary turn lanes per the SHAC
- Entering site distance at proposed access, include relative photos
- A Professional Engineer's seal and signature is required

### **Level Three Traffic Impact Study**

The purpose of a TIS is to understand the full traffic impact of the proposed development, and to identify traffic mitigation measures. A TIS is required when the proposed land use will generate a DHV of 100 vehicles or more, or when considered necessary or desirable by CDOT. Section 2.3(5) of the SHAC specifies the thresholds and general requirements of a TIS. A Professional Engineers seal is required. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the study.

GENERAL NOTES:

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY RUBINO SURVEYING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, RIGHT OF WAY OR TITLE OF RECORD. RUBINO SURVEYING RELIED UPON FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 5941-F-CO-CP-CR, EFFECTIVE SEPTEMBER 21, 2021. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
3. THE BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 25 ASSUMED TO BEAR N89°29'08"E BETWEEN MONUMENTS FOUND AND DESCRIBED HEREON.
4. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT.
5. PER FEMA'S FLOOD INSURANCE RATE MAP 08083C0802C DATED SEPTEMBER 26, 2008, A PORTION OF THE EASTERLY SIDE OF THE SUBJECT PROPERTY IS LOCATED IN A FLOOD HAZARD AREA - ZONE AE WITH FLOOD ELEVATIONS ESTABLISHED. THE REMAINDER OF THE SUBJECT PROPERTY IS IN ZONE X (UNSHADED).
6. NGS BENCHMARK DESIGNATION 0 397 / PID HM0425 A STAINLESS STEEL ROD IN A LOGO BOX ON THE NORTH SIDE OF MAIN STREET 141 FEET EAST OF MILDRED ROAD, 2 FEET OF THE EAST EDGE OF THE CONCRETE PAD FOR A BELL. NAVD88 ELEVATION 6179.68.

AMENDED PLAT OF BLOCK 2, VEACH SUBDIVISION  
A PORTION OF THE SW 1/4 OF SECTION 25, TOWNSHIP 36 NORTH,  
RANGE 16 WEST OF THE N.M. P.M. COUNTY OF  
MONTEZUMA, STATE OF COLORADO

SHEET 1 OF 2

LEGEND  
(A) FND PIN/CAP PLS 19812  
(B) FND PIN/CAP PLS 15812  
(C) FND NO 4 REBAR  
(D) SET PIN/CAP PLS 14142

PLAT NOTES:

1. ALL INTERNAL LOT LINES OF LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 2, VEACH SUBDIVISION ARE HEREBY VACATED BY THIS PLAT.
2. THE 16' PUBLIC ALLEY IN BLOCK 2, VEACH SUBDIVISION HAS BEEN VACATED BY ORDINANCE NO. \_\_\_\_\_

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT QUICK N CLEAN CO-03, LLC, BEING THE OWNER OF A PORTION OF PROPERTY IN THE CITY OF CORTEZ, MONTEZUMA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 2, VEACH SUBDIVISION, THE PLAT OF WHICH IS RECORDED IN BOOK 8 AT PAGE 6,

EXCEPTING THAT PORTION OF SAID BLOCK 2 TO THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO DESCRIBED IN BOOK 576 AT PAGE 471, COUNTY OF MONTEZUMA, STATE OF COLORADO.

CONTAINING 95,191 SQ. FT./2.185 ACRES MORE OR LESS. SUBJECT TO ALL EASEMENTS OF RECORD, PRESCRIPTIVE OR DEDICATED HEREIN.

HAVE BY THESE PRESENTS LAID OUT, RE-SUBDIVIDED AND PLATTED THE SAME INTO A LOT AND BLOCK AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF AMENDED PLAT OF BLOCK 2, VEACH SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC UTILITIES THOSE PORTIONS LABELED AS DRAINAGE OR UTILITY EASEMENTS ON THIS PLAT, FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, TELEPHONE LINES, WATER LINES, SEWER LINES, GAS LINES, COMMUNICATION CABLES, AND DRAINAGE STRUCTURES AND OTHER UTILITIES AS MAY BE NECESSARY. ALSO, A PERPETUAL EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES IS RESERVED AND DEDICATED TO THE PUBLIC UTILITIES OVER AND THROUGH THE PRIVATE ROADS AND STREETS WITHIN THIS SUBDIVISION, AND ACCORDING TO THE EASEMENTS AS SHOWN ON THIS PLAT; THE RIGHT OF INGRESS AND EGRESS FOR THE MAINTENANCE, OPERATION, REPAIR, AND REPLACEMENT OF SUCH UTILITIES, INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. LANDOWNER SHALL MAINTAIN EASEMENT AREA CLEAR OF BUILDINGS AND STRUCTURES. SAID EASEMENTS AND RIGHTS SHALL BE UTILIZED IN A REASONABLE AND PRUDENT MANNER.

IN WITNESS WHEREOF:

THE AFOREMENTIONED QUICK N CLEAN CO-03, LLC, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_ NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.

THE ABOVE AND AFOREMENTIONED WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ AS \_\_\_\_\_ OF QUICK N CLEAN CO-03, LLC.

MY COMMISSION EXPIRES \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL \_\_\_\_\_ NOTARY PUBLIC

CITY COUNCIL ACCEPTANCE STATEMENT:

THIS PLAT AND THE STATEMENT HEREON ARE ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORTEZ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

MATOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_

EASEMENTS ACCEPTED AND APPROVED BY:

CITY OF CORTEZ, PUBLIC WORKS \_\_\_\_\_ BY: \_\_\_\_\_

CENTURY LINK COMMISSION \_\_\_\_\_ BY: \_\_\_\_\_

EMPIRE ELECTIC ASSOCIATION, INC. \_\_\_\_\_ BY: \_\_\_\_\_

CLERK AND RECORDER:

STATE OF COLORADO )  
COUNTY OF MONTEZUMA ) SS.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_ OF THE RECORDS OF MONTEZUMA COUNTY

MONTEZUMA COUNTY CLERK AND RECORDER \_\_\_\_\_

prepared by:  
RUBINO SURVEYING  
3312 AIRPORT ROAD  
BOULDER, COLORADO 80301  
(303) 464-9515

---

**Project Narrative**  
Quick N Clean  
1511 Main Street  
Cortez, CO

**Summary**

This project involves the development of an express car wash with associated vacuum and pay station canopies located at 1511 Main Street Cortez, CO. The property is currently zoned C.



**Description of Property – Current Conditions**

The property is currently vacant with an internal access drive on the eastern edge of the site with an access driveway onto Main Street.



## **Proposed Improvements**

Quick N Clean Car Wash (QNC) proposes to develop the existing, vacant parcel, into an express car wash with associated vacuums and pay station canopies. The tunnel will be fully enclosed with roll up doors being installed on both ends of the tunnel.

In addition, vacuum canopies, security lighting, and landscaping will be installed to City standards. A well-defined entrance to the tunnel will included 3 ATM style payment stations that will help direct customers to the beginning of the tunnel. Once the customer exits the tunnel, they will have the opportunity to vacuum their vehicle or leave the site. The proposed QNC will operate from 7 am –7p.m seven days a week.

## **Relationship to Surrounding Properties**

The property to the East and South is currently vacant. The property to west is an existing four tenant strip mall. The property to the North is a State Farm Insurance business as well as Safeway.

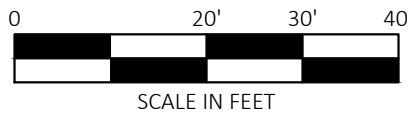
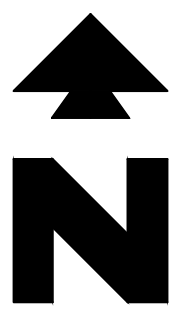
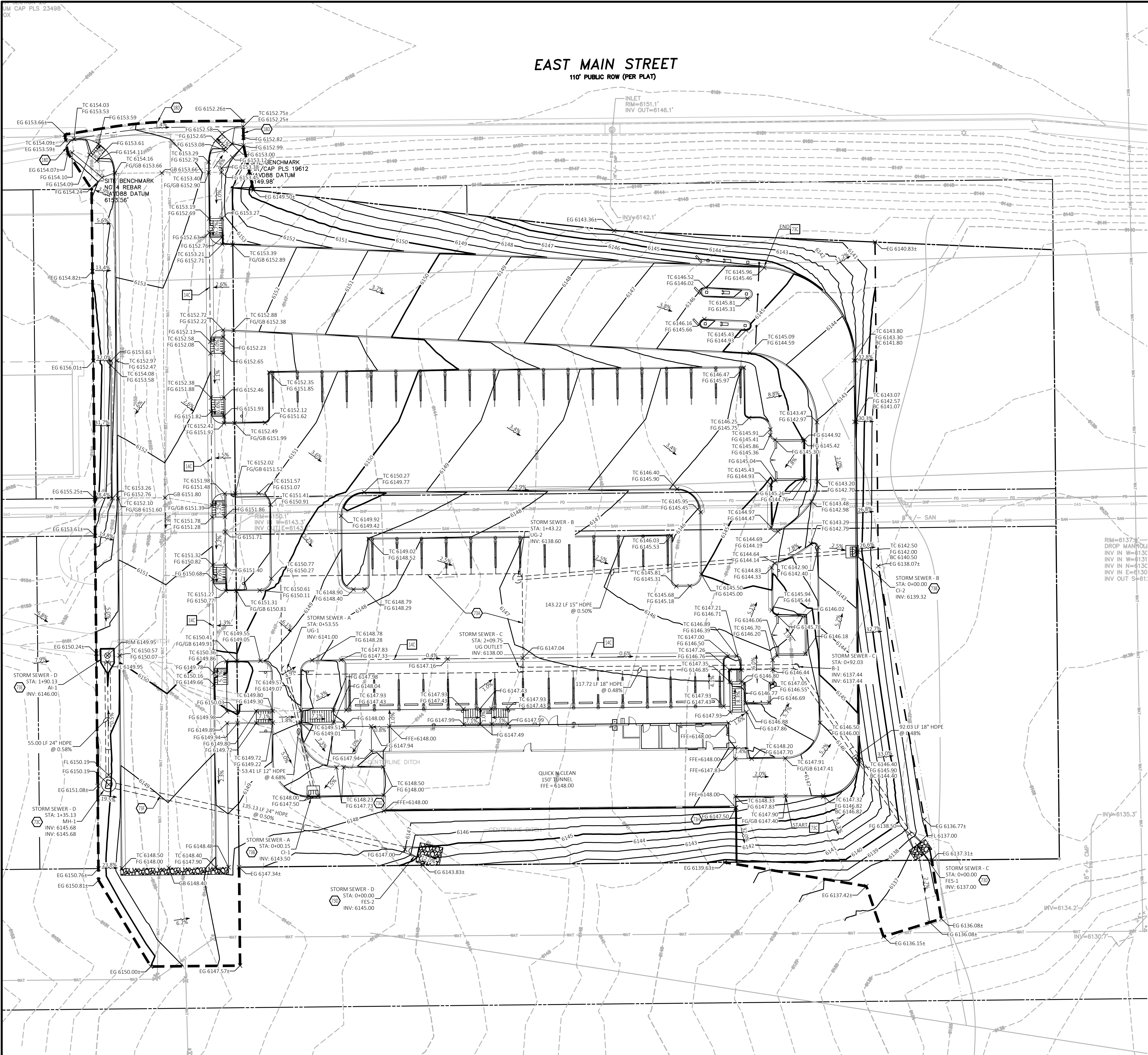


## **Property Contacts**

Richard Karle 480-444-8060 [Richard@upperimage.net](mailto:Richard@upperimage.net) 7291 East Adobe Drive Suite 115 Scottsdale, AZ 85255

Michael Scarbrough 602-684-5210 [Mike@3K1.us](mailto:Mike@3K1.us) 11811 North Tatum Boulevard Suite 1051 Phoenix, AZ 85028





Know what's below.  
Call before you dig.

#### EXISTING LEGEND

#### LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MANHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- GAS - UNDERGROUND GAS LINES
- SAN - UNDERGROUND SANITARY SEWER LINES
- STW - UNDERGROUND STORM SEWER LINES
- FO - UNDERGROUND FIBER OPTIC LINE
- WAT - UNDERGROUND WATER LINES
- (A) FND PIN/CAP PLS 19612
- (B) FND PIN/CAP PLS ILLEGIBLE
- (C) FND NO 4 REBAR
- (D) SET PIN/CAP PLS 14142

- ZONE AE LIMITS BY ELEVATIONS
- ZONE AE LIMITS BY SCALING GRAPHIC

#### PROPOSED LEGEND

- XXX PROPERTY LINE/RIGHT OF WAY LINE
- CONTOUR ELEVATIONS
- GRADE BREAK
- FLOWLINE
- STORM DRAIN
- LIMITS OF OFF-SITE GRADING
- LIMITS OF ON-SITE GRADING
- XX.XX SPOT ELEVATIONS:  
BC = BOTTOM OF CURB  
EG = EXISTING GRADE  
FG = FINISHED GRADE  
FL = FLOW LINE  
GB = GRADE BREAK  
TC = TOP OF CURB

#### GENERAL GRADING NOTES

- PRIOR TO INSTALLATION OF STORM OR SANITARY SEWER, THE CONTRACTOR SHALL EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND THE ENGINEER OF ANY CONFLICTS PRIOR TO CONSTRUCTION. THE ENGINEER WILL BE HELD HARMLESS IN THE EVENT THE ENGINEER IS NOT NOTIFIED OF DESIGN CONFLICTS.
- CONTRACTOR HAS THE OPTION TO BID THE FOLLOWING MATERIAL FOR THE STORM SEWER SYSTEM EXCEPT WHERE OTHERWISE NOTED: RCP, OR HDPE AS INDICATED ON THIS PLAN WHERE THE WORD PIPE IS USED. ALL PIPES SHALL HAVE A MAXIMUM ROUGHNESS COEFFICIENT ("N") OF 0.013 AND SHALL MEET OR EXCEED THE PIPE MANUFACTURERS REQUIREMENTS FOR MINIMUM AND MAXIMUM COVER. CONTRACTOR SHALL REFER TO THE PROJECT CONTRACT REQUIREMENTS FOR STORM SEWER SYSTEMS FOR ACCEPTABLE TYPE AND MATERIAL.
- ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND 4" OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS (SEE LANDSCAPE PLAN FOR SEED MIX AND PROPER APPLICATION RATE). ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS OF THE LOCAL AUTHORITIES:
  - ALL STORM DRAIN PIPE BEDDING SHALL BE INSTALLED PER DETAIL 28A (REF. C9.1 - DETAIL SHEET).
  - ALL STORM DRAIN PIPES ARE MEASURED FROM CENTER OF STRUCTURES AND ENDS OF FLARED END SECTIONS.

#### GRADING NOTES

- 18D MATCH EXISTING PAVEMENT ELEVATIONS
- 73A UNDERGROUND DETENTION SYSTEM: ADS SC-310 STORMTECH SYSTEM WITH MIN. INSTALLED VOLUME OF 5000 CF
- 73B 4" COMBINATION INLET
- 73C 4" STORM MANHOLE
- 73D FLARED END SECTION WITH RIP RAP
- 73E AREA INLET
- 73F CONTRACTOR TO VERIFY CROSSING BETWEEN STORM AND WATER MAIN
- 73G 3' CURB CUT FOR LANDSCAPE DRAINAGE RELIEF
- 73H 6" SLAB REVEAL

#### GRADING DETAILS (REF. DETAIL SHEETS)

- 14C CONCRETE SWALE IN PAVED AREA (REF. SHEET C9 - DETAIL SHEET)
- 73C REINFORCED REVERSED CURB (REF. SHEET C9.1 - DETAIL SHEET)

#### FLOOD ZONE INFORMATION

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08083C0802C, DATED 09/26/2008, THIS PROPERTY IS IN FLOOD ZONE AE. THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE BASE FLOOD ELEVATION IS THE WATER-SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD.

#### Cut/Fill Summary

Name	Cut	Fill	Station	Volume	Remarks
123123	1.123	1.123	10000.00	1.123	1.123
TOTAL	1.123	1.123	10000.00	1.123	1.123

#### SITE BENCHMARK

PIN/CAP PLS 19612  
NAVD83 DATUM  
6306.92



CEI ENGINEERING ASSOCIATES, INC.  
710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
FAX: (559) 447-3129



CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8100



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

#### REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/13/2023
REVISION	REV-2

#### GRADING PLAN

SHEET TITLE  
SHEET NUMBER

C5

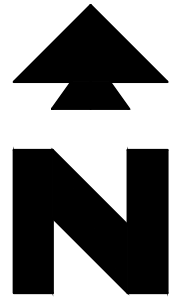


EAST MAIN STREET  
110' PUBLIC ROW (PER PLAT)

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.

SITE BENCHMARK

PIN/CAP PLS 19612  
NAVD88 DATUM  
6149.98'



Know what's below.  
Call before you dig.

EXISTING LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MAHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- UNDERGROUND GAS LINES
- UNDERGROUND SANITARY SEWER LINES
- UNDERGROUND STORM SEWER LINES
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND WATER LINES
- FND PIN/CAP PLS 19612
- FND NO 4 REBAR
- FND PIN/CAP PLS 14142

- ZONE AE LIMITS BY ELEVATIONS
- ZONE AE LIMITS BY SCALING GRAPHIC

PROPOSED LEGEND

- PROPERTY LINE/RIGHT OF WAY LINE
- STORM DRAIN
- GAS SERVICE
- UGE
- UGT
- X"SS
- X"W

GENERAL UTILITY NOTES

- ALL WATER LINES 2" AND SMALLER SHALL BE TYPE K-COPPER, ALL WATER LINES 4" AND LARGER SHALL BE PVC, AWWA C900 (DR14, RATED AT 200 PSI) OR APPROVE EQUAL. ALL WATER LINES SHALL HAVE 4'-0" MIN. COVER.
- ALL SANITARY SEWER LINES 6" AND SMALLER SHALL BE PVC (SDR35) WITH 12" MIN. COVER.
- CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
- ALL ELECTRIC, TELEPHONE AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
- CONSTRUCTION SHALL NOT START ON ANY PUBLIC UTILITY SYSTEM UNTIL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE ENGINEER FROM THE APPROPRIATE GOVERNING AUTHORITY AND CONTRACTOR HAS BEEN NOTIFIED BY THE ENGINEER.
- PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM CEI ENGINEERING AND THE OWNER/DEVELOPER OF ANY CONFLICT OR REQUIRED DEVIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION. CEI ENGINEERING AND ITS CLIENTS SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN SPECIFICATIONS: ALL WATER LINE FITTINGS SHALL BE INSTALLED WITH THROUST BLOCKING PER DETAIL 31C. ALL WATER LINE PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42A. ALL SANITARY SEWER PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42B.

UTILITY NOTES

- POINT OF CONNECTION - WATER SERVICE (PER LOCAL CODES).
- METERED DOMESTIC WATER SERVICE ENTRY (PER ARCH. PLANS, SEE SIZE THIS SHEET).
- POINT OF CONNECTION - SANITARY SEWER SERVICE (PER LOCAL CODES).
- BUILDING SANITARY SEWER SERVICE CLEAN-OUT.
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- POINT OF CONNECTION FOR ELECTRICAL SERVICE (CONTRACTOR TO COORDINATE WITH ELECTRIC PROVIDER)
- PROPOSED ELECTRIC TRANSFORMER.
- PROPOSED POINT OF CONNECTION FOR GAS SERVICE (CONTRACTOR TO COORDINATE WITH GAS PROVIDER)
- PROPOSED GAS METER.
- MAINTAIN MIN. 18" VERTICAL SEPARATION
- LOCATION FOR THIS UTILITY AS SHOWN IS FOR DRAWING PURPOSES ONLY. CONTRACTOR SHALL VERIFY THE EXACT LOCATION IN FIELD PRIOR TO THE CONSTRUCTION OF THE PROPOSED UTILITY LINE TO BE CONNECTED. CONTRACTOR SHALL NOTIFY CEI ENGINEERING ASSOCIATES, INC. IF THE DESIGN AS SHOWN IS NOT ACHIEVABLE.
- SAND OIL SEPARATOR (REF. PLUMBING PLANS)
- REF. PLUMBING PLANS FOR CONTINUATION
- SAMPLE PORT (REF. ARCH. PLANS)
- RECLAIMED SYSTEM (REF. PLUMBING PLANS)
- UNDERGROUND ELECTRICAL SERVICE ENTRY (PER ARCH. PLANS) (REF. ELECTRICAL SCHEMATIC PLANS FOR ELECTRIC SERVICE CONSTRUCTION INFORMATION.)
- UNDERGROUND TELEPHONE SERVICE ENTRY (PER ARCH. PLANS) (REF. TELEPHONE SCHEMATIC PLANS FOR TELEPHONE SERVICE CONSTRUCTION INFORMATION.)
- POINT OF CONNECTION TO BE VERIFIED BETWEEN CIVIL AND ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION OF SANITARY SEWER SYSTEM.
- UNDERGROUND GAS SERVICE ENTRY (PER ARCH. PLANS) (REF. SCHEMATIC PLANS FOR GAS SERVICE CONSTRUCTION INFORMATION.)
- CITY OF CORTEZ APPROVED BACKFLOW PREVENTER

UTILITY DETAILS (REF. DETAIL SHEETS)

- SANITARY SEWER CLEAN-OUT (REF. SHEET C9.1, CONSTRUCTION DETAILS).
- WATER METER AND PIT PER MONTEZUMA WATER COMPANY DETAIL (REF. SHEET C9.3, CONSTRUCTION DETAILS)



CEI ENGINEERING ASSOCIATES, INC.

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FRESNO, CA 93711  
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PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/25/2023
REVISION	REV-2

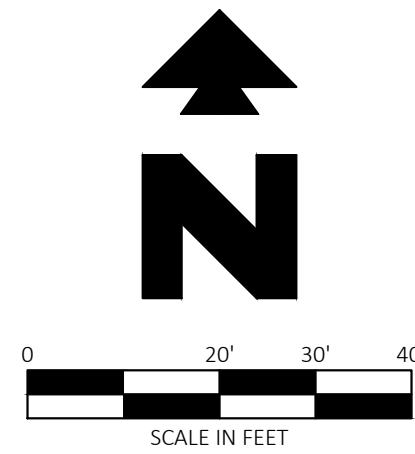
UTILITY PLAN

SHEET TITLE  
SHEET NUMBER

C8



EAST MAIN STREET  
110' PUBLIC ROW (PER PLAT)



Know what's below.  
Call before you dig.

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF  
RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS AND  
PRECISE BUILDING DIMENSIONS.

PROJECT INFORMATION	
PROJECT NAME:	QUICK N CLEAN
PROJECT ADDRESS:	1511 EAST MAIN STREET, CORTEZ, COLORADO
PROJECT DESCRIPTION:	DEVELOPMENT OF A FREE-STANDING EXPRESS CAR WASH BUILDING WITH ASSOCIATED VACUUM AND PAY STATION CANOPIES.
SITE INFORMATION	
EXISTING PROPERTY	2.19± AC. / 95,191± S.F.
PROPOSED R/W DEDICATION	N/A
PROPOSED PROPERTY	2.19± AC. / 95,191± S.F.
BUILDING AREA	5,380± S.F.
LANDSCAPE AREA (ONSITE)	0.94± AC. / 40,992± S.F.
SITE LANDSCAPE RATIO	43.06% (10% REQUIRED)
ZONING INFORMATION	
JURISDICTION:	CITY OF CORTEZ, COLORADO
EXISTING ZONING:	C- COMMERCIAL HIGHWAY DISTRICT
PROPOSED ZONING:	C- COMMERCIAL HIGHWAY DISTRICT
MAX. BUILDING HEIGHT ALLOWED:	50'-0"
PROPOSED BUILDING HEIGHT:	28'-9"
SETBACKS:	BUILDING: FRONT YARD: 10 FT SIDE YARD: 0 FT REAR YARD: 7 FT LANDSCAPE: FRONT YARD: 0 FT SIDE YARD: 0 FT REAR YARD: 0 FT
PARKING REQUIREMENTS	
PARKING REQUIRED:	CAR WASH: 1 SPACE PER 300 SQ. FT.
PARKING PROVIDED:	STANDARD: 43 ACCESSIBLE: 2 TOTAL PARKING: 45
BICYCLE PARKING REQUIRED:	TBD
BICYCLE PARKING PROVIDED:	TBD

EXISTING LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MANHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- GAS - UNDERGROUND GAS LINES
- SAN - UNDERGROUND SANITARY SEWER LINES
- STM - UNDERGROUND STORM SEWER LINES
- FO - UNDERGROUND FIBER OPTIC LINE
- WAT - UNDERGROUND WATER LINES
- (A) FND PIN/CAP PLS 19612
- (B) FND PIN/CAP PLS ILLEGIBLE
- (C) FND NO 4 REBAR
- (D) SET PIN/CAP PLS 14142

- ZONE AE LIMITS BY ELEVATIONS
- ZONE AE LIMITS BY SCALING GRAPHIC

AE CROSS SECTIONS SCALED FROM FIRMETTE OVERLAY

PROPOSED LEGEND

- PROPERTY LINE/RIGHT OF WAY LINE
- CONCRETE CURB AND GUTTER, SEE DETAIL 01A/01B (REF. SHEET C9 - DETAIL SHEET).
- BUILDING CONTROL POINT
- PROPOSED PARKING SPACES
- PEDESTRIAN PATH OF TRAVEL

GENERAL SITE NOTES

- ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL CURB RETURN RADII SHALL BE 2' OR 10', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
- ALL PARKING LOT SIGN BASE SUPPORTS SHALL BE INSTALLED PER DETAIL 12F (REF. SHEET C9 - DETAIL SHEET).

SITE DETAILS

- 02A PRECAST CONCRETE WHEEL STOP (REF. SHEET C9 - DETAIL SHEET).
- 03M WHEELCHAIR RAMP IN SIDEWALK (REF. SHEET C9 - DETAIL SHEET).
- 10A TRAFFIC FLOW ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10B STOP BAR (REF. SHEET C9 - DETAIL SHEET).
- 10C FIRE LANE MARKING (REF. SHEET C9 - DETAIL SHEET).
- 10F ENTER PAVEMENT MARKING WITH ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10G EXIT PAVEMENT MARKING WITH ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10I CROSSWALK MARKING (REF. SHEET C9 - DETAIL SHEET).
- 11A DO NOT ENTER SIGN (REF. SHEET C9 - DETAIL SHEET).
- 11N PEDESTRIAN CROSSING SIGN (REF. SHEET C9 - DETAIL SHEET).
- 12G STOP SIGN (REF. SHEET C9 - DETAIL SHEET).

SITE NOTES

- 01A SEEDED GREEN AREA.
- 02B TRANSFORMER PAD (PER ELEC. CO. AND/OR ARCH. PLANS).
- 02E TRASH DUMPSTER ENCLOSURE (PER ARCH. PLANS).
- 12B 4 INCH TRAFFIC YELLOW ALIGNMENT STRIPES (TYP.).
- 70A "VACUTECH" VACUUM ENCLOSURE, REF. ARCHITECTURAL PLANS VACUUM CANOPY BY OTHERS AND SHOWN ON THIS PLAN FOR REFERENCE. REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70B "VACUTECH" VACUUM, REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70C PAY STATION (REF ARCH. PLANS.)
- 70D ACCESSIBLE PARKING STALL, ISA SYMBOL AND SIGNAGE (PER ARCH. PLANS)
- 70E TWO (2) FOOT DETECTABLE WARNING
- 70F "VACUTECH" SHADE CLOTH CANOPY, REF. ARCHITECTURAL PLANS VACUUM CANOPY BY OTHERS AND SHOWN ON THIS PLAN FOR REFERENCE. REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70G ROLL BACK CURB SEGMENT TO RETAIN VEHICULAR ACCESS FOR ALLEY (PER CITY OF CORTEZ STANDARDS)

SITE BENCHMARK

PIN/CAP PLS 19612  
NAVD88 DATUM  
6149.98'



CEI ENGINEERING ASSOCIATES, INC.  
710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
FAX: (559) 447-3129



CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/24/2023
REVISION	REV-2

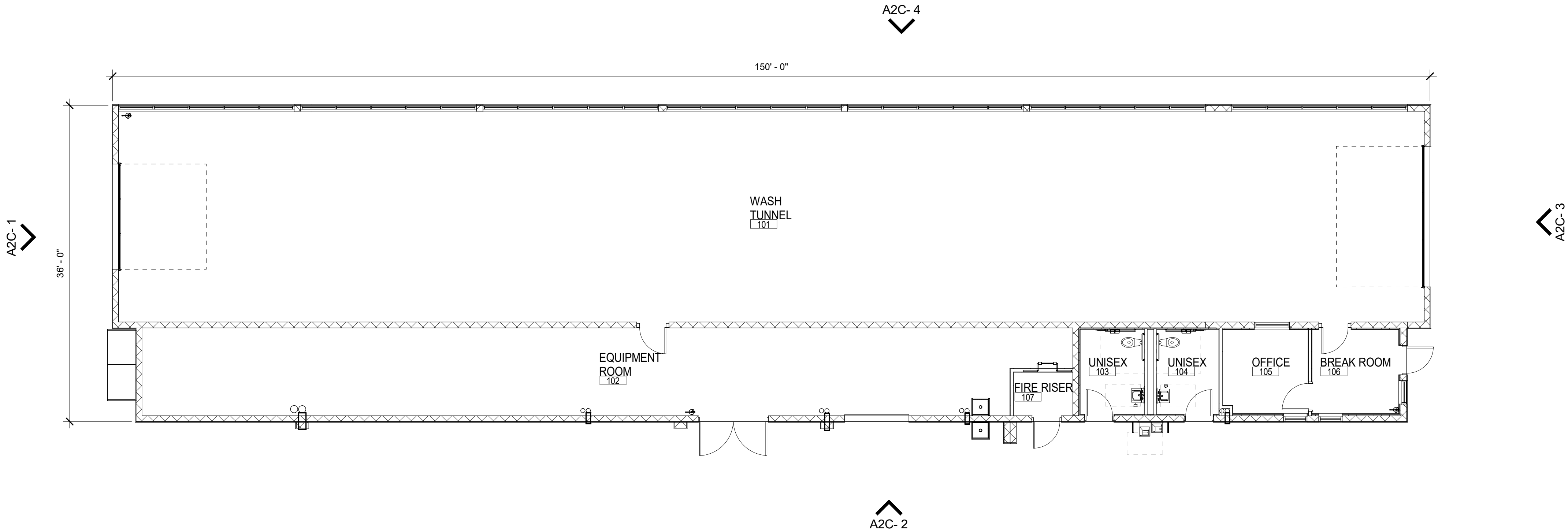
SITE PLAN

SHEET TITLE  
SHEET NUMBER

C3



1 FLOOR PLAN  
1/8" = 1'-0"



QUICK N CLEAN CAR WASH

1511 EAST MAIN STREET

CORTEZ, CO 81321



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DENVER, CO 80222

(303) 962-9764

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SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 04-29-2022
DRAWN WRS	CHECKED MES

REVISED

SHEET TITLE

FLOOR PLAN

SHEET

A1C

ORIGINAL SHEET SIZE  
24" x 36"

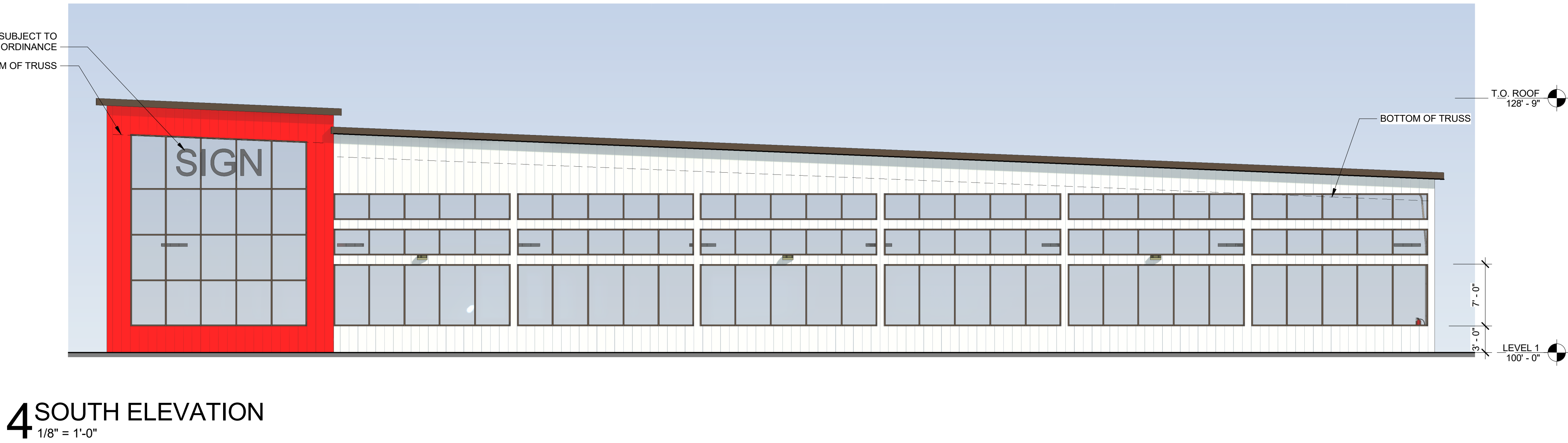
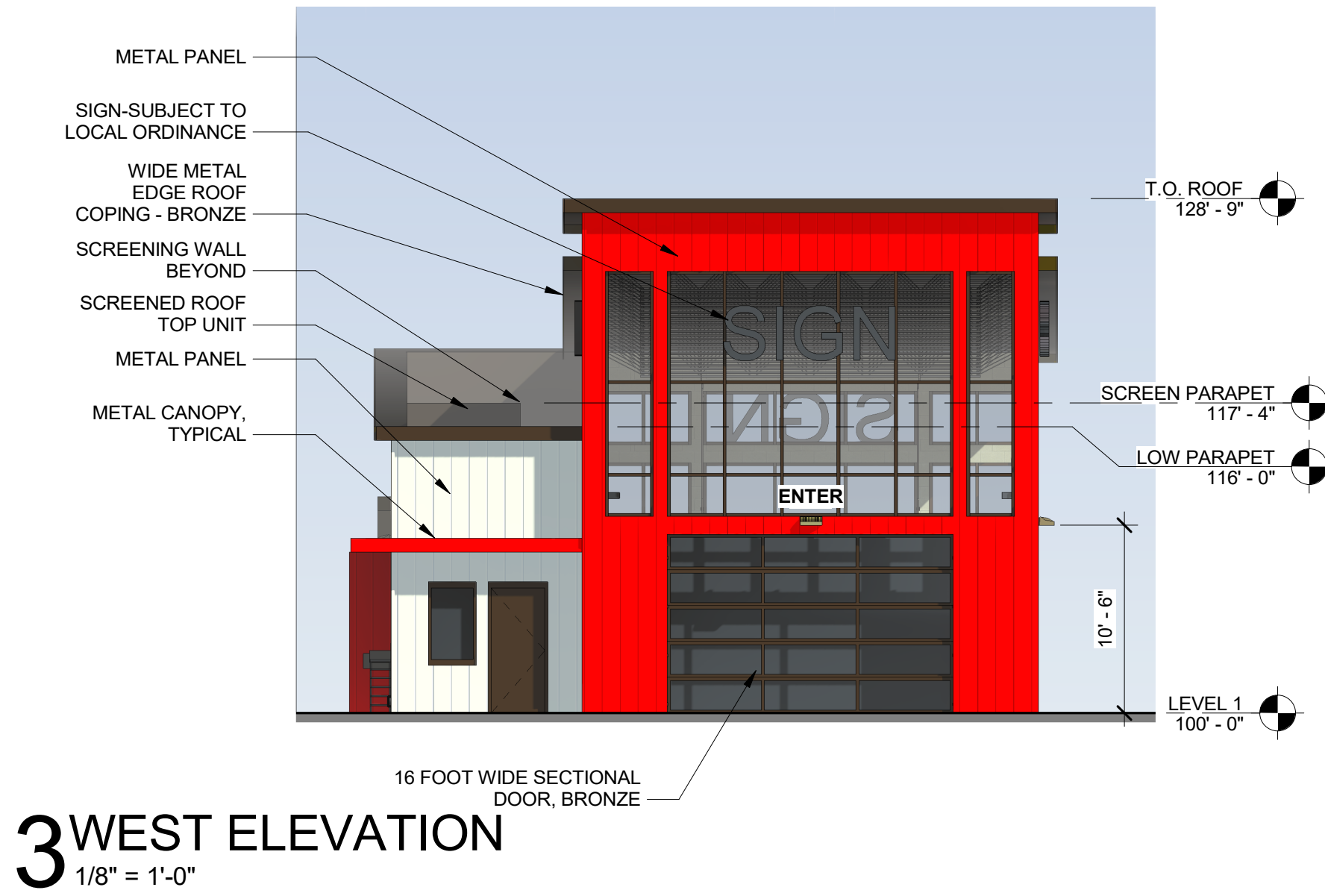
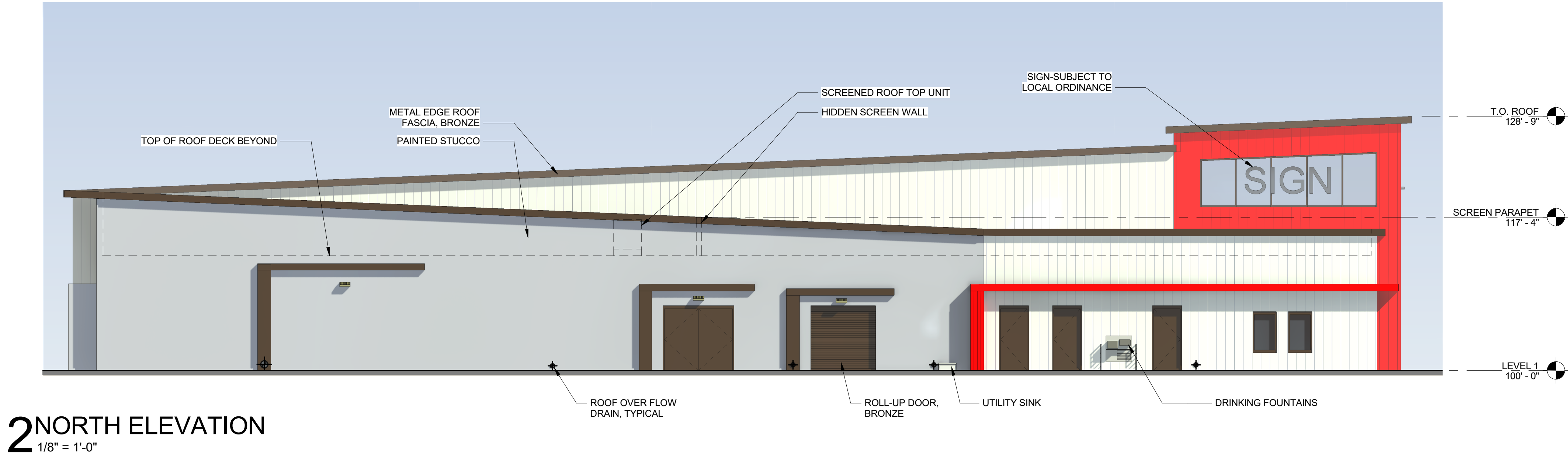
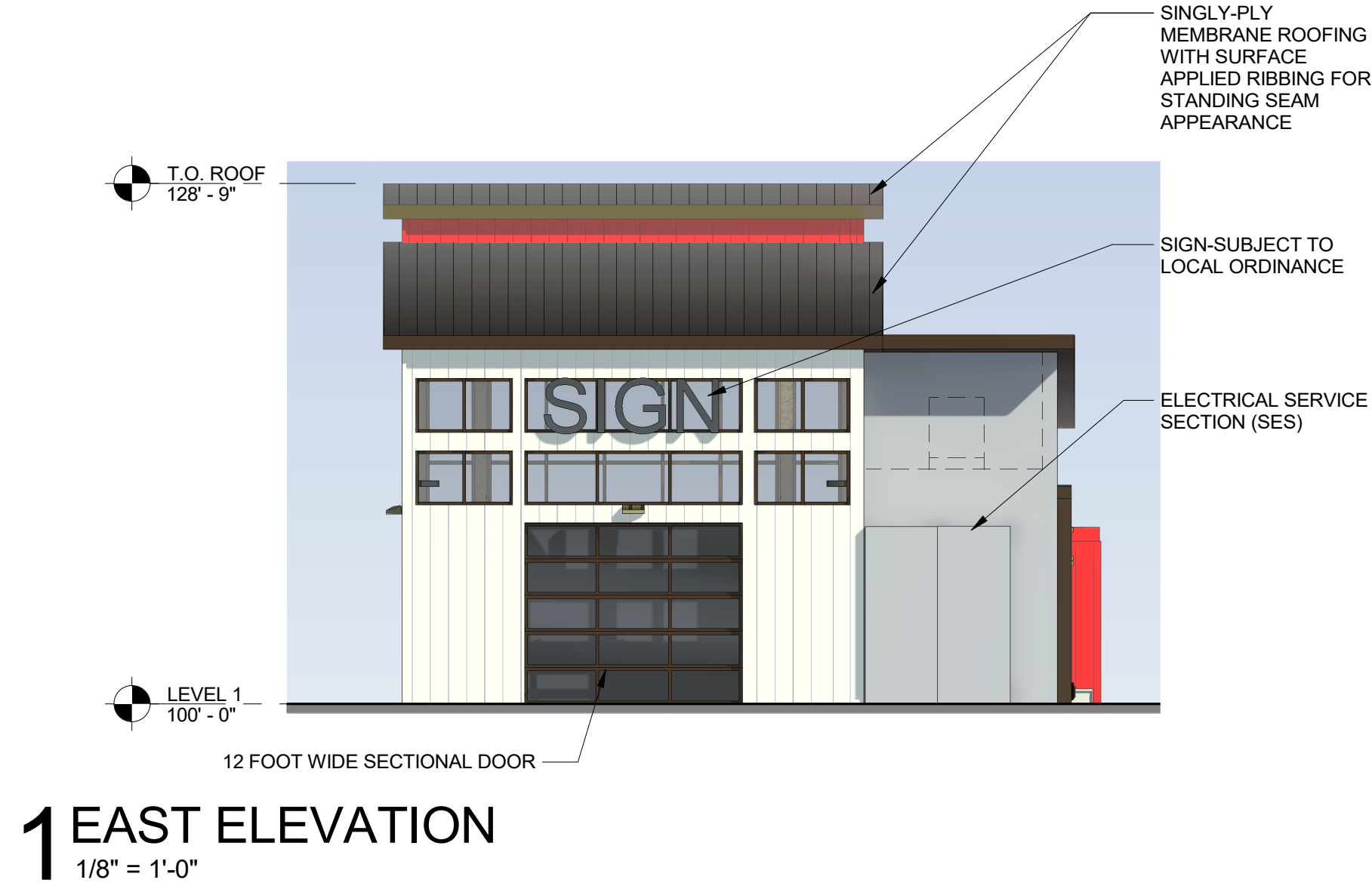
JESSE GOLDMAN, ARCHITECT

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MATERIALS AND FINISHES

	STUCCO FIELD COLOR	BENJAMIN MOORE - SMOKE EMBERS 1466
	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE

PRELIMINARY  
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SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 04-29-2022
DRAWN RJ	CHECKED MES

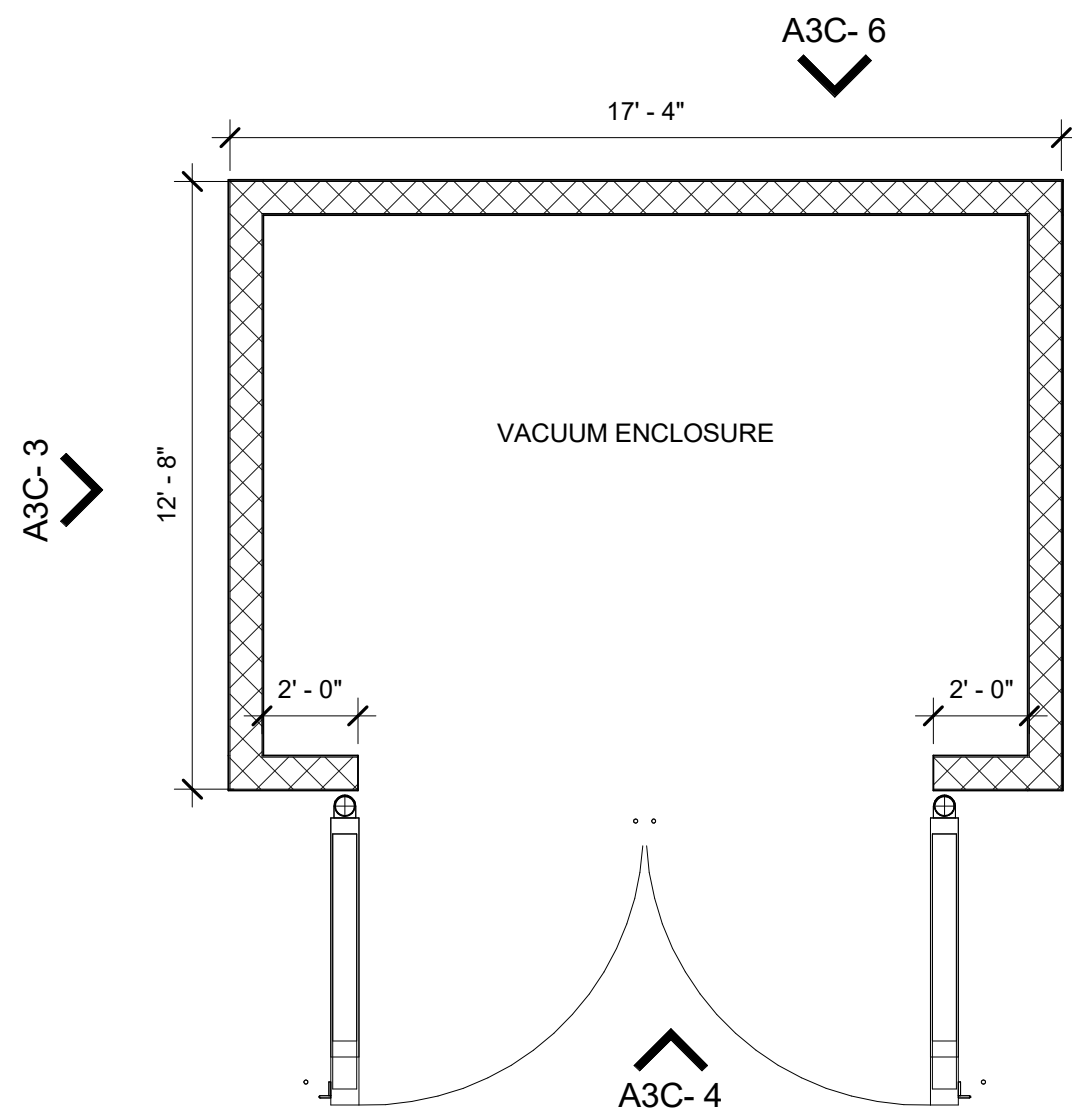
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SHEET TITLE  
BUILDING  
ELEVATIONS

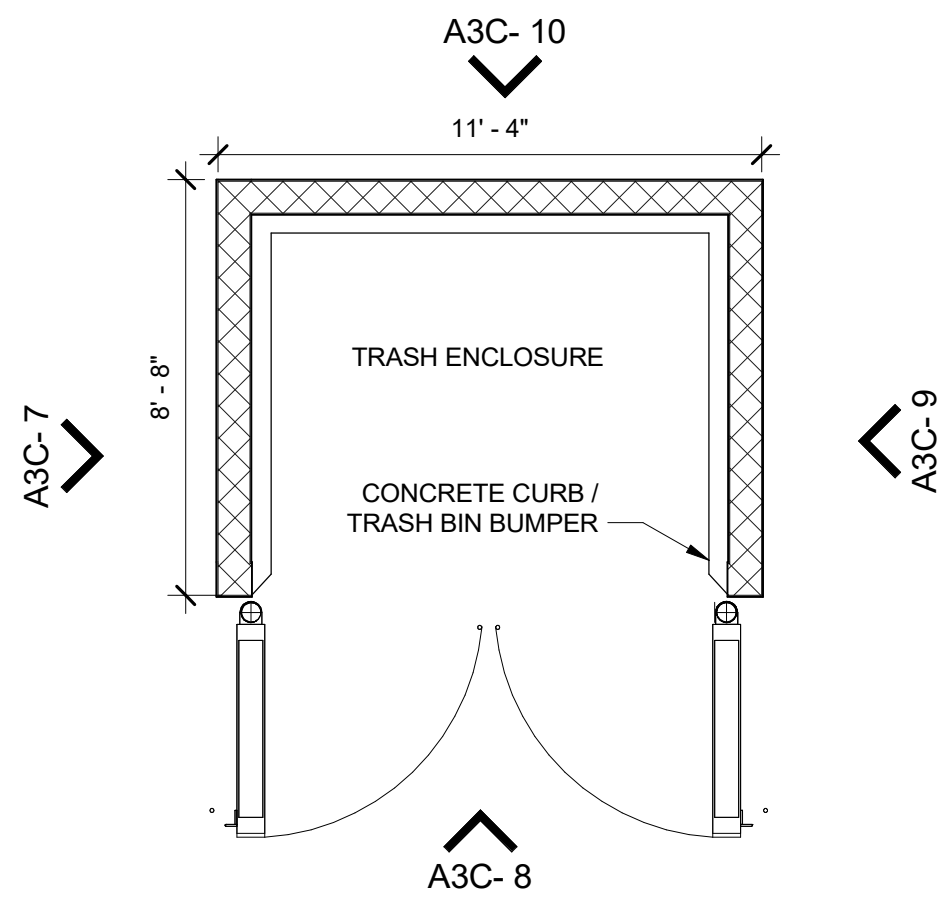
SHEET

A2C  
ORIGINAL SHEET SIZE  
24" x 36"





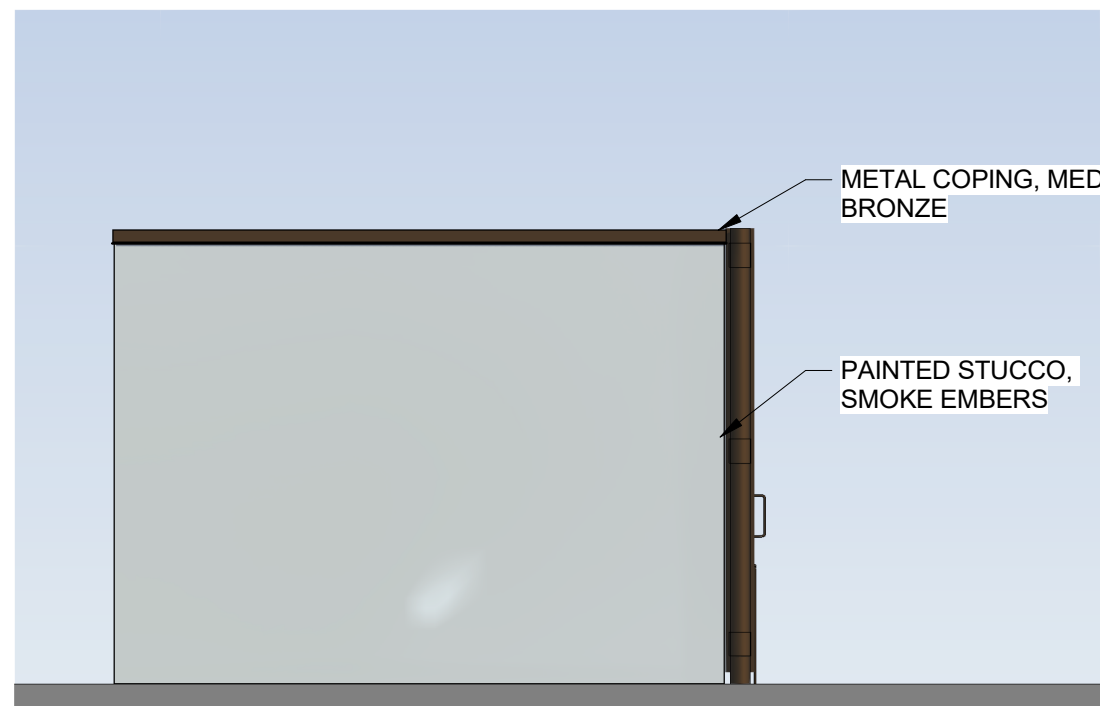
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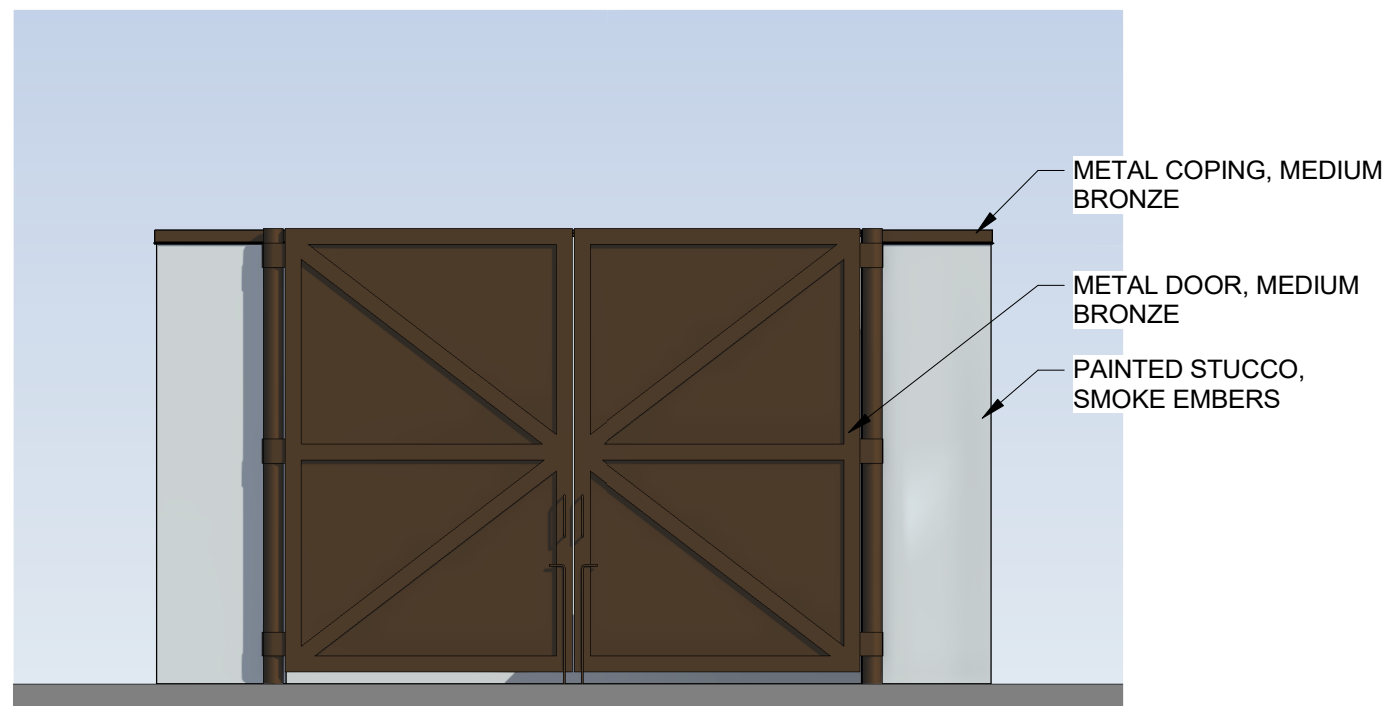
2 TRASH ENCLOSURE PLAN  
1/4" = 1'-0"

MATERIALS AND FINISHES

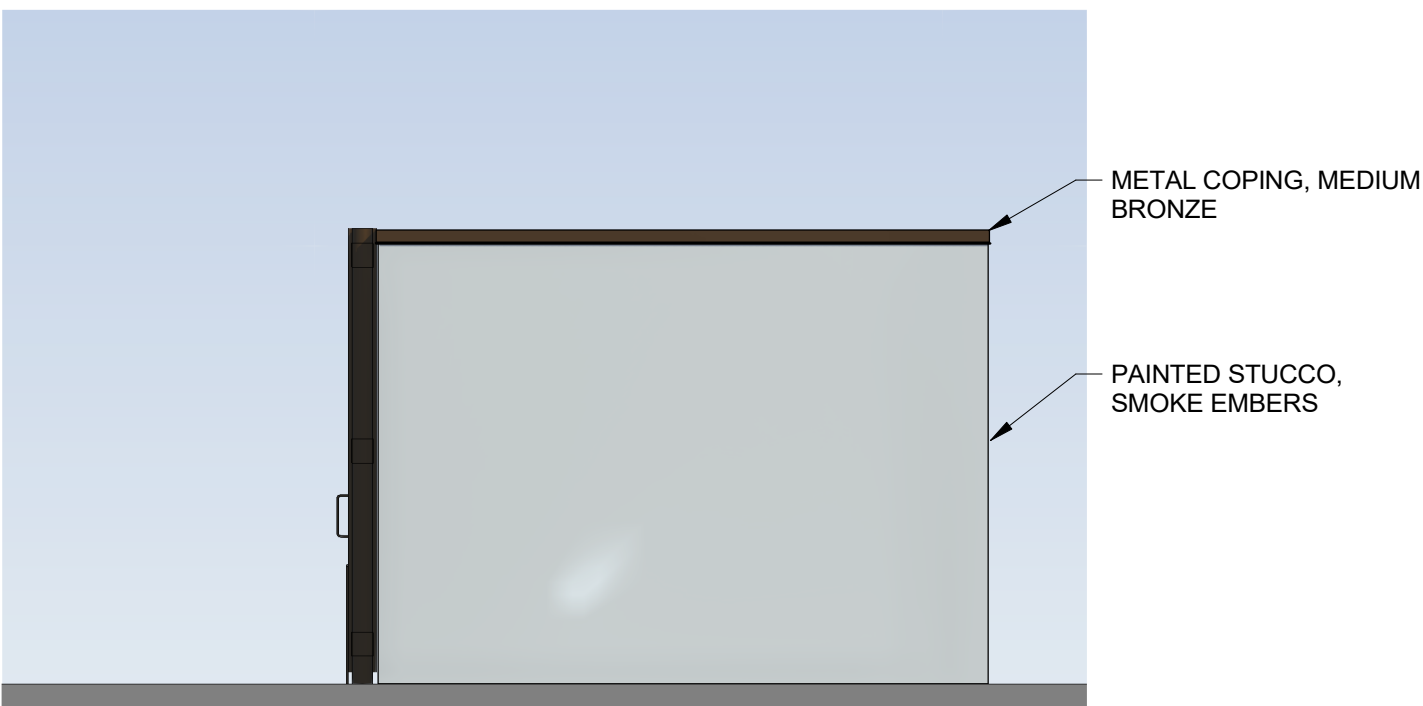
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	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE



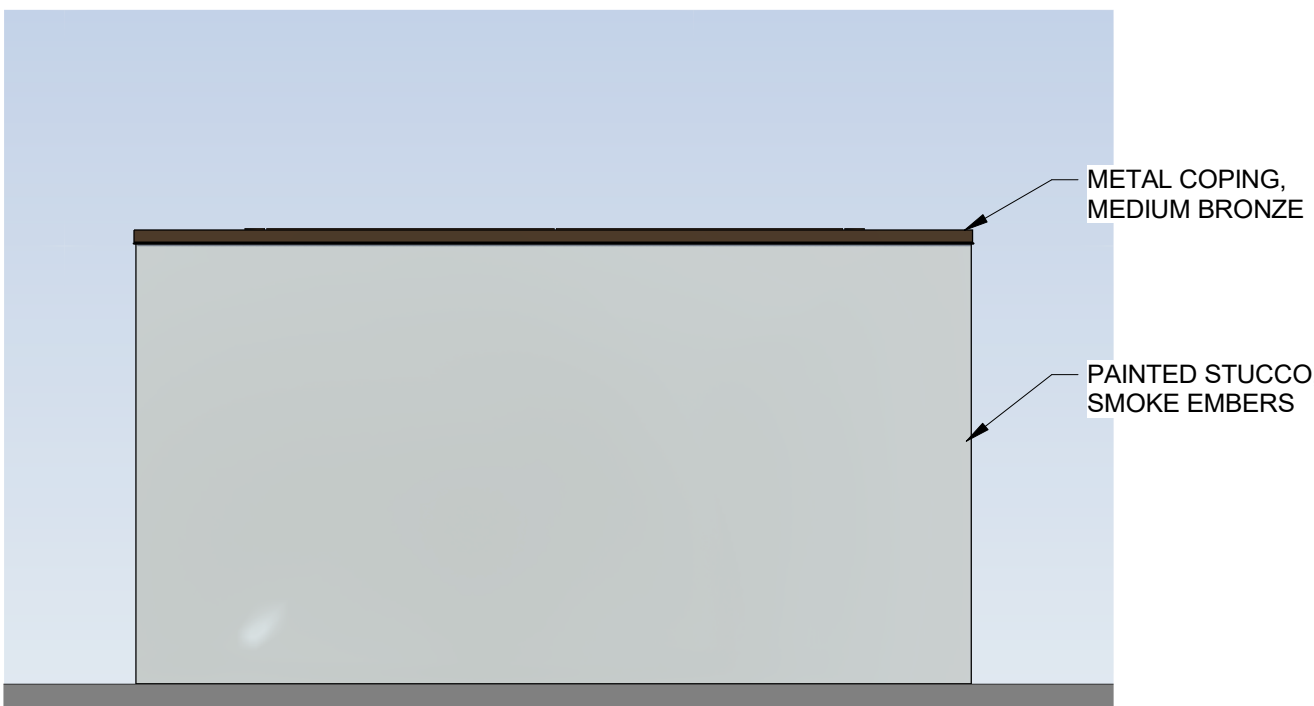
3 VACUUM ENCLOSURE LEFT ELEVATION  
1/4" = 1'-0"



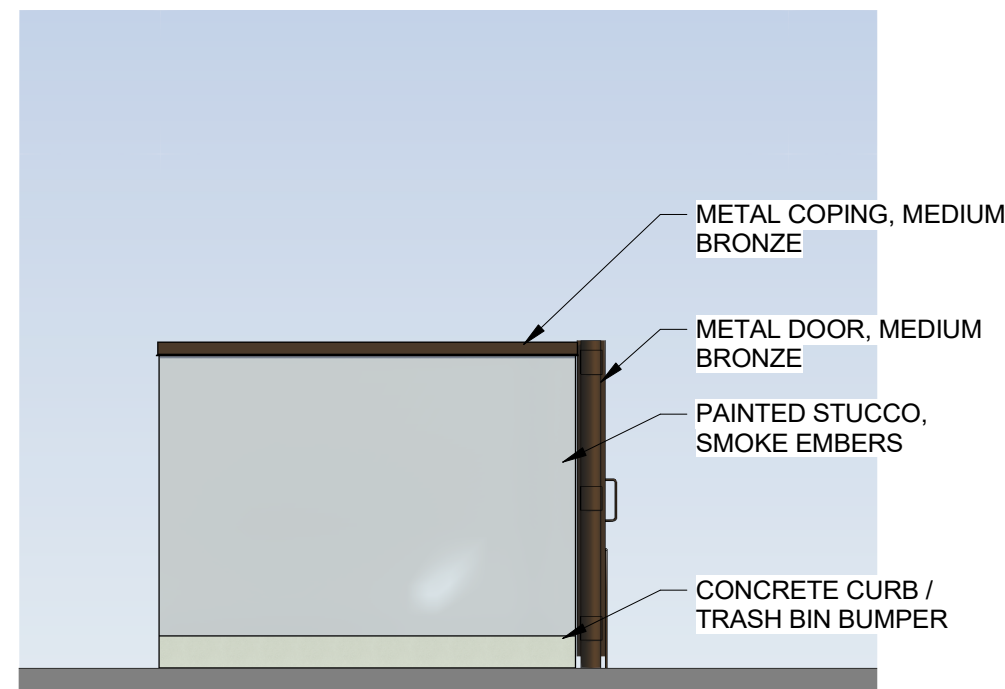
4 VACUUM ENCLOSURE FRONT ELEVATION  
1/4" = 1'-0"



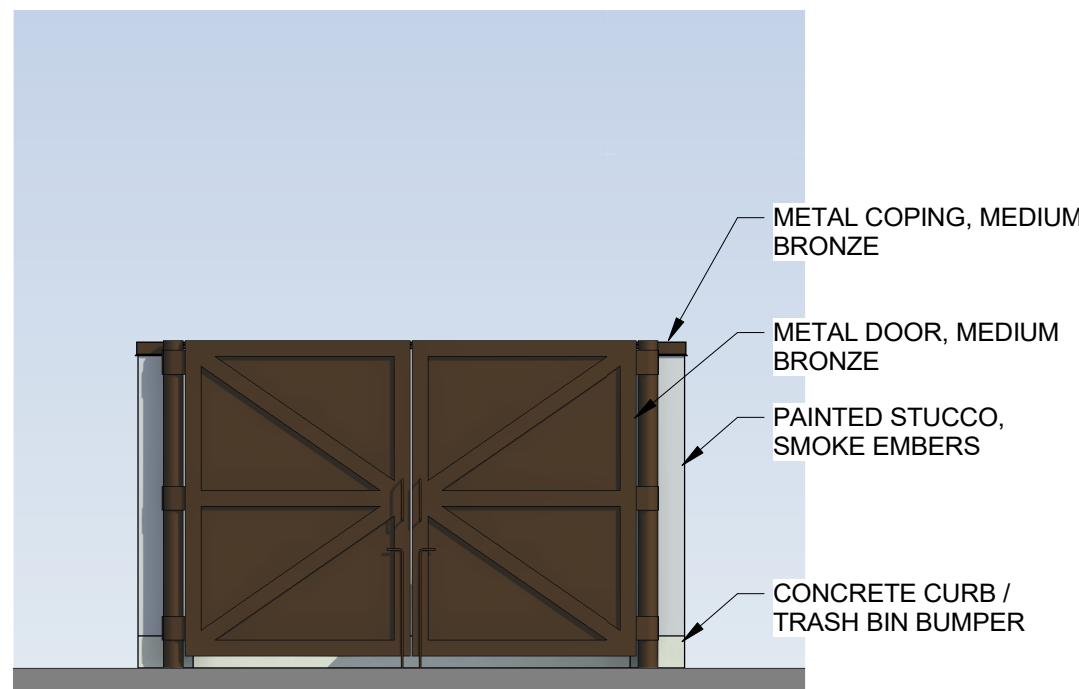
5 VACUUM ENCLOSURE RIGHT ELEVATION  
1/4" = 1'-0"



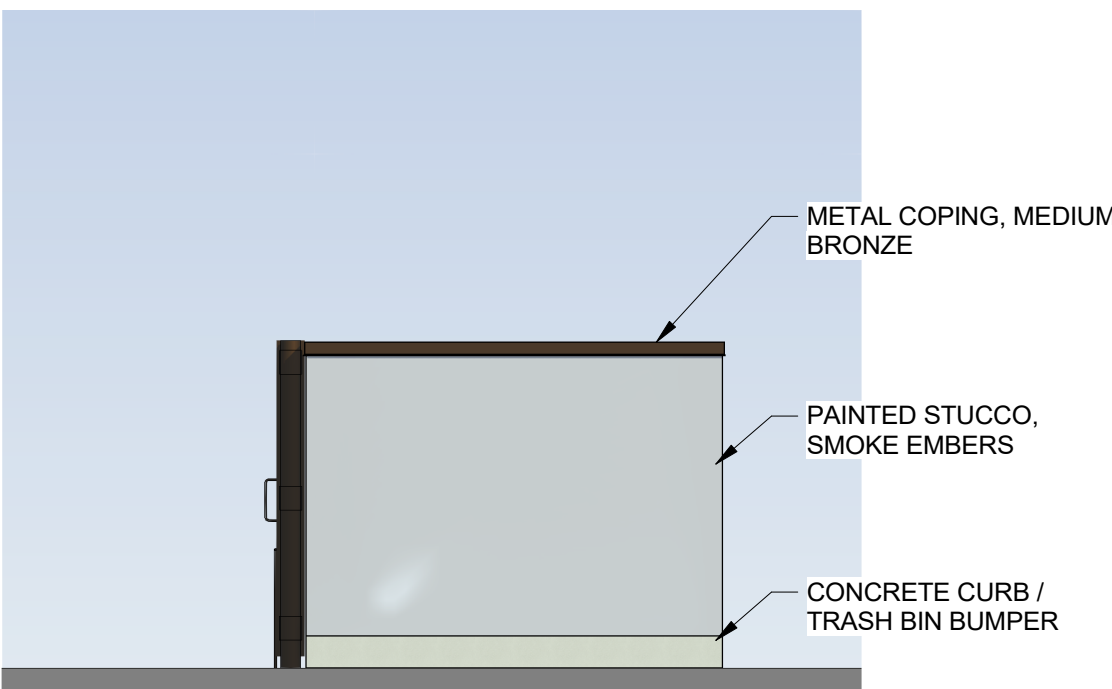
6 VACUUM ENCLOSURE REAR ELEVATION  
1/4" = 1'-0"



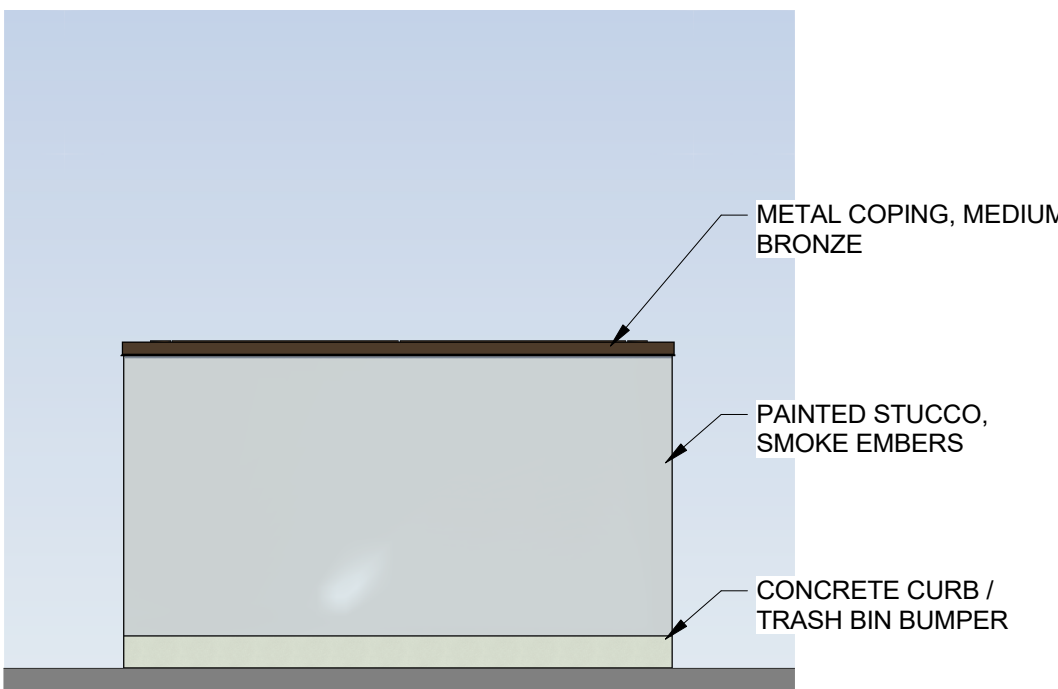
7 TRASH LEFT ELEVATION  
1/4" = 1'-0"



8 TRASH FRONT ELEVATION  
1/4" = 1'-0"



9 TRASH RIGHT ELEVATION  
1/4" = 1'-0"



10 TRASH REAR ELEVATION  
1/4" = 1'-0"

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SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 04-29-2022
DRAWN RJ	CHECKED Checker

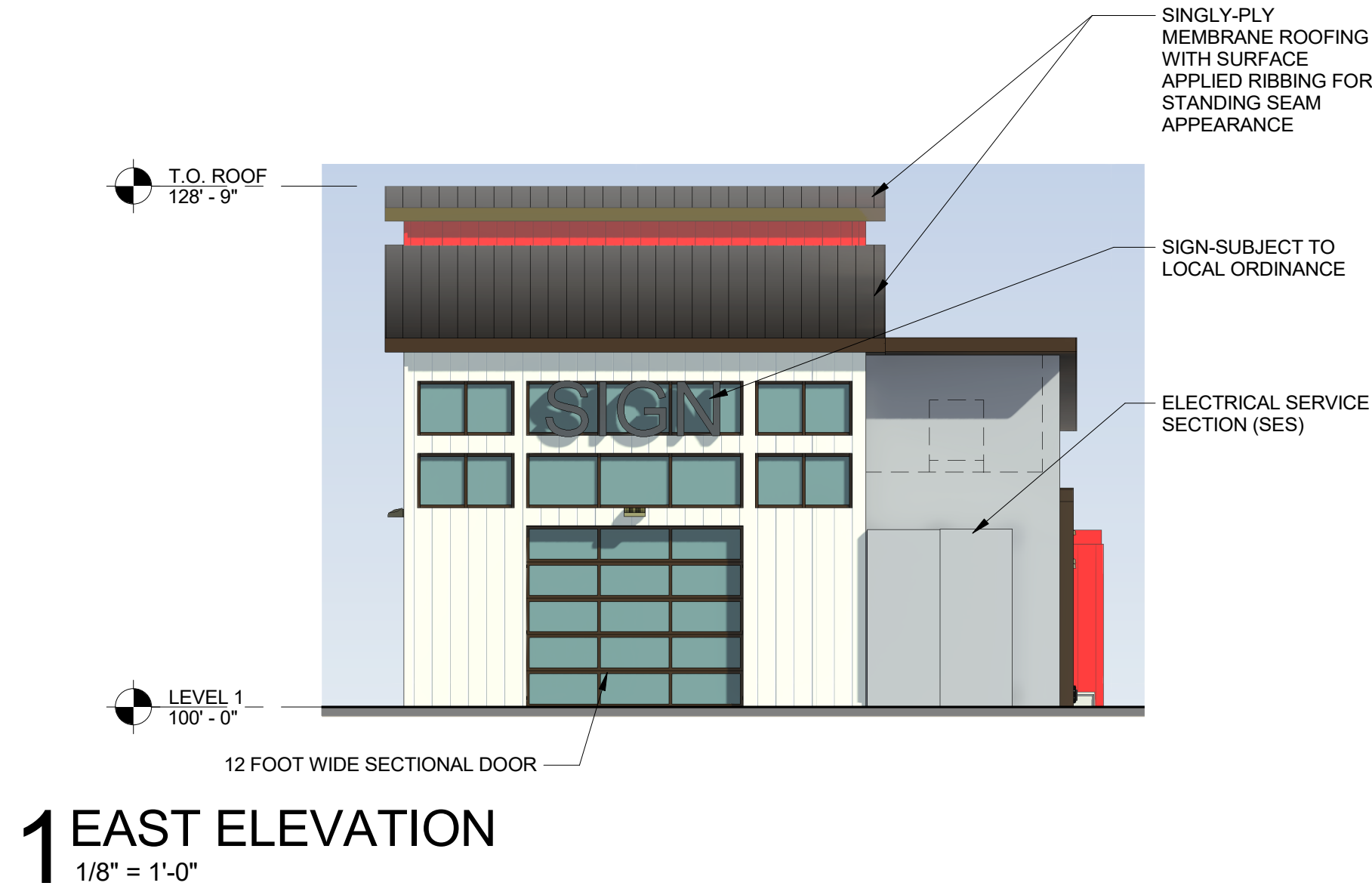
REVISED

SHEET TITLE

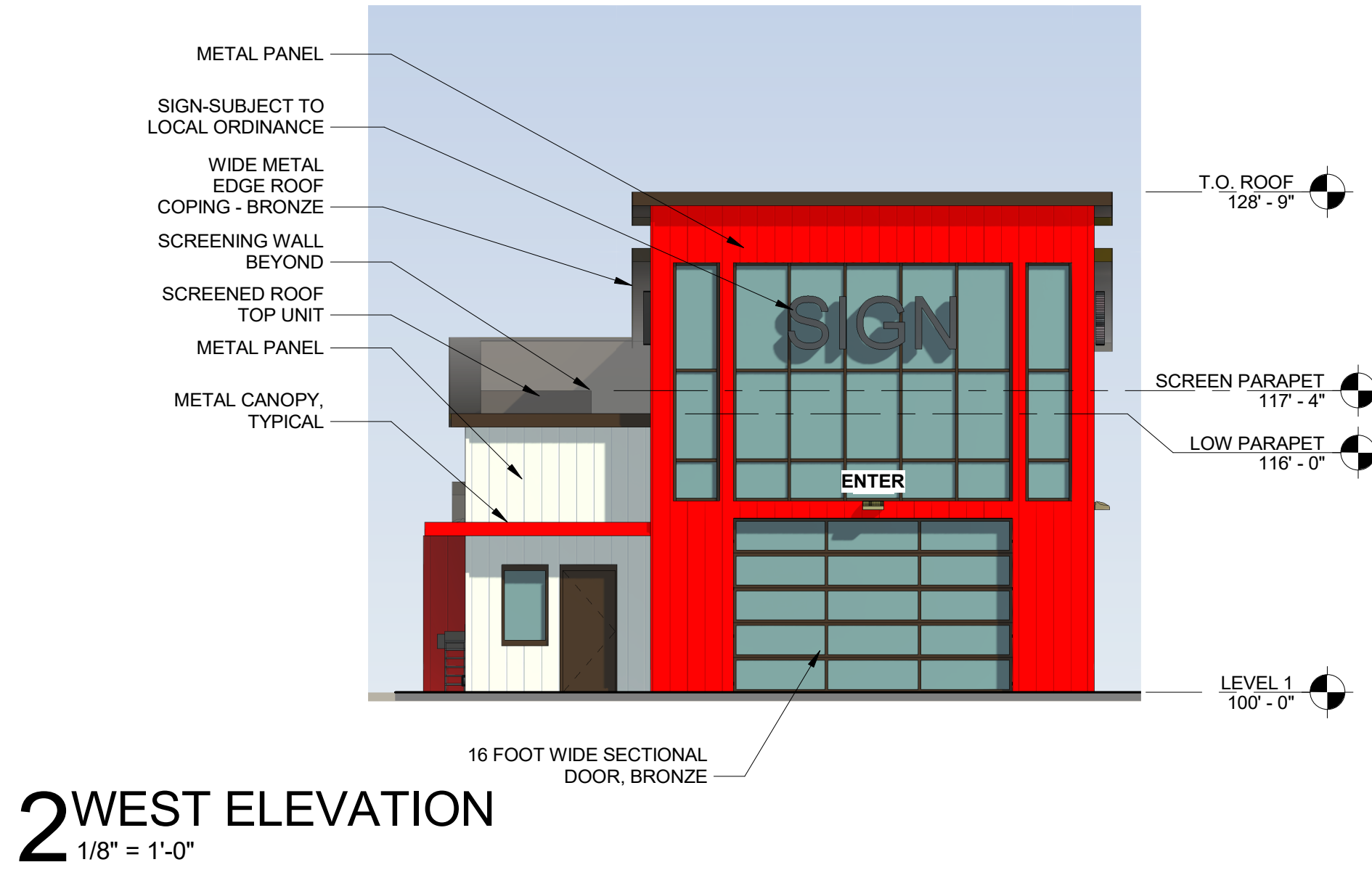
ENCLOSURES

SHEET

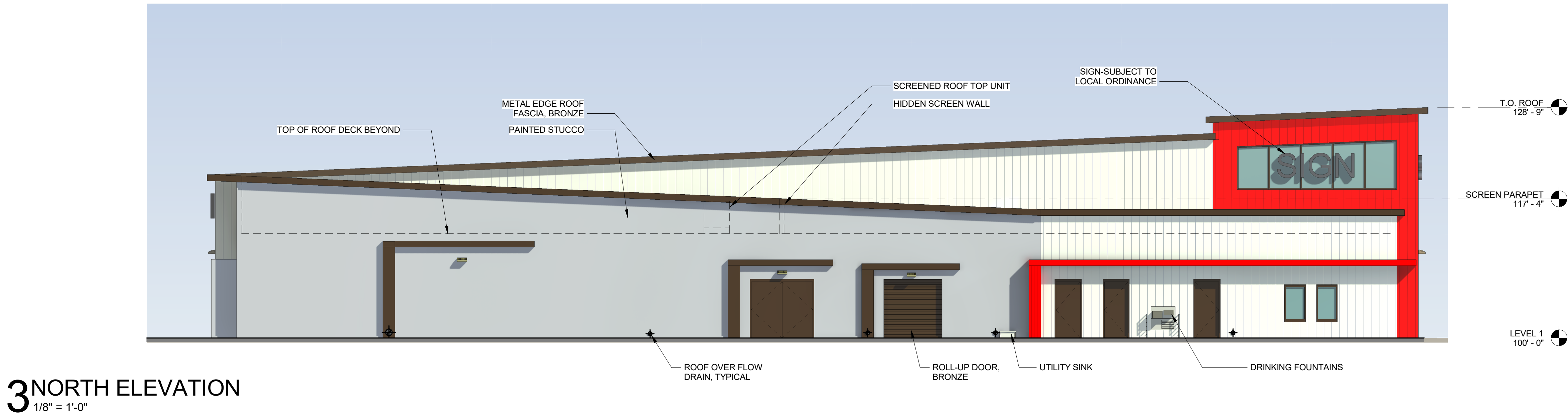
A3C  
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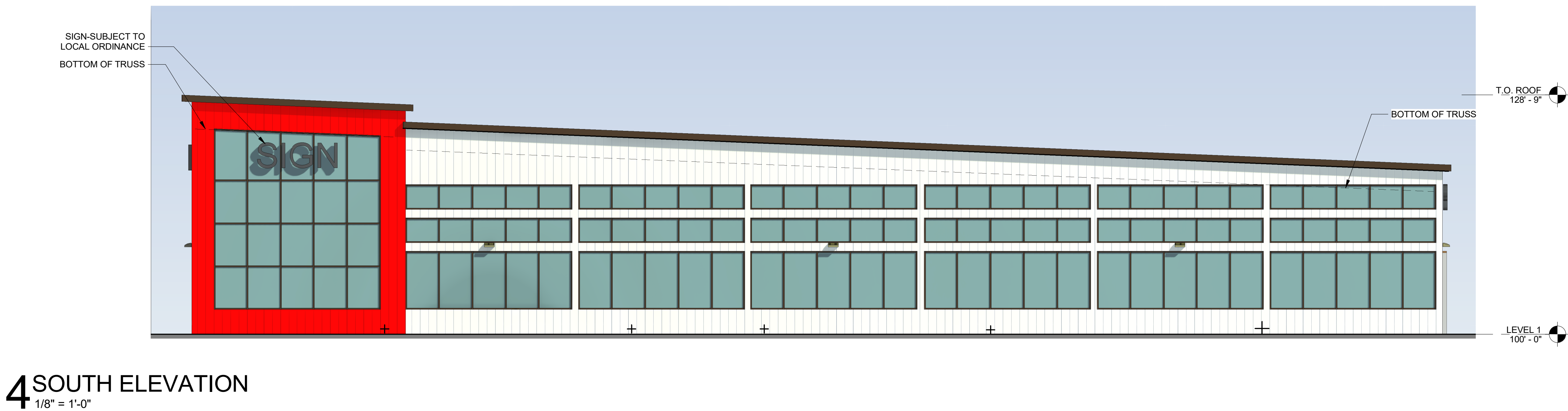
1 EAST ELEVATION  
1/8" = 1'-0"



2 WEST ELEVATION  
1/8" = 1'-0"



3 NORTH ELEVATION  
1/8" = 1'-0"



4 SOUTH ELEVATION  
1/8" = 1'-0"

## MATERIALS AND FINISHES

	STUCCO FIELD COLOR	BENJAMIN MOORE - SMOKE EMBERS 1466
	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE

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## SCHEMATIC DESIGN

PROJECT 22075.000	DATE 11-02-2022
DRAWN PP	CHECKED WS

REVISED

SHEET TITLE

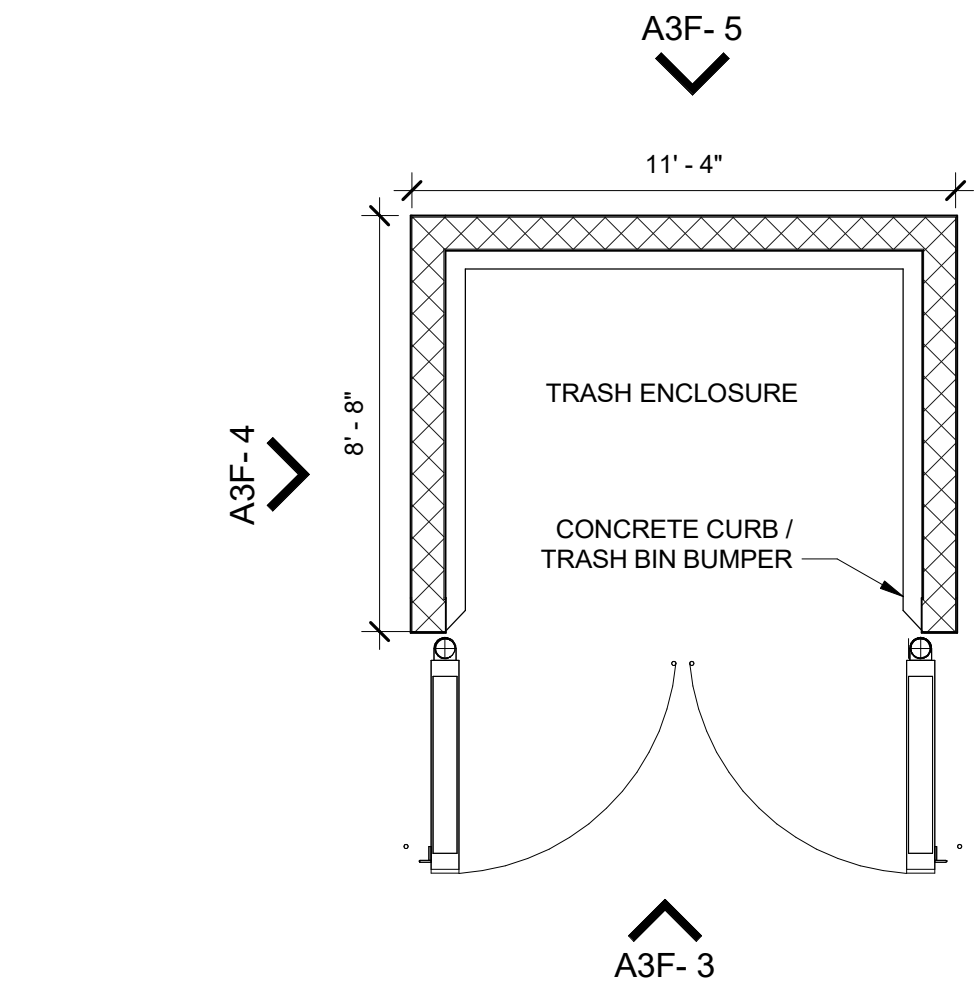
BUILDING  
ELEVATIONS

SHEET

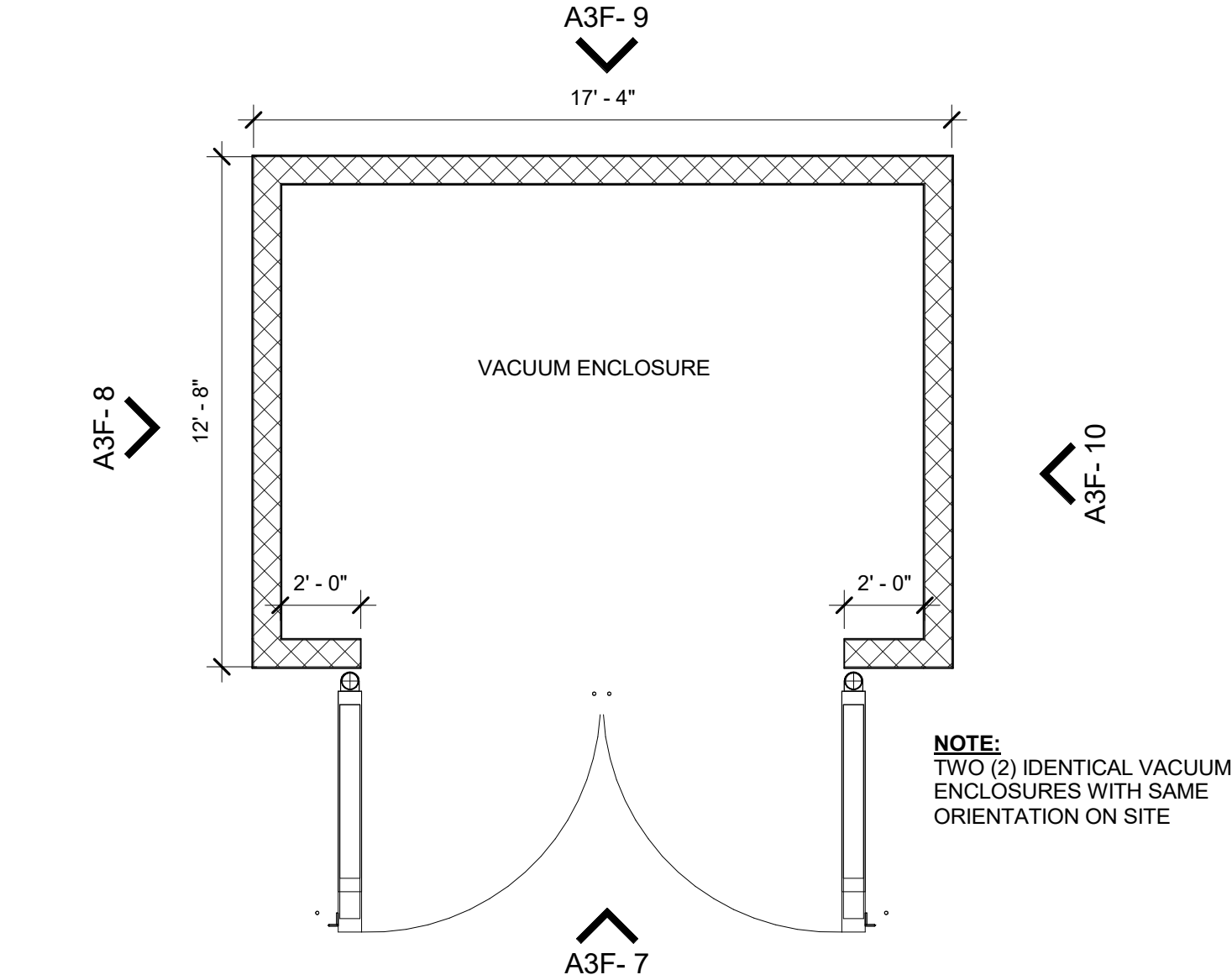
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ORIGINAL SHEET SIZE  
24" x 36"





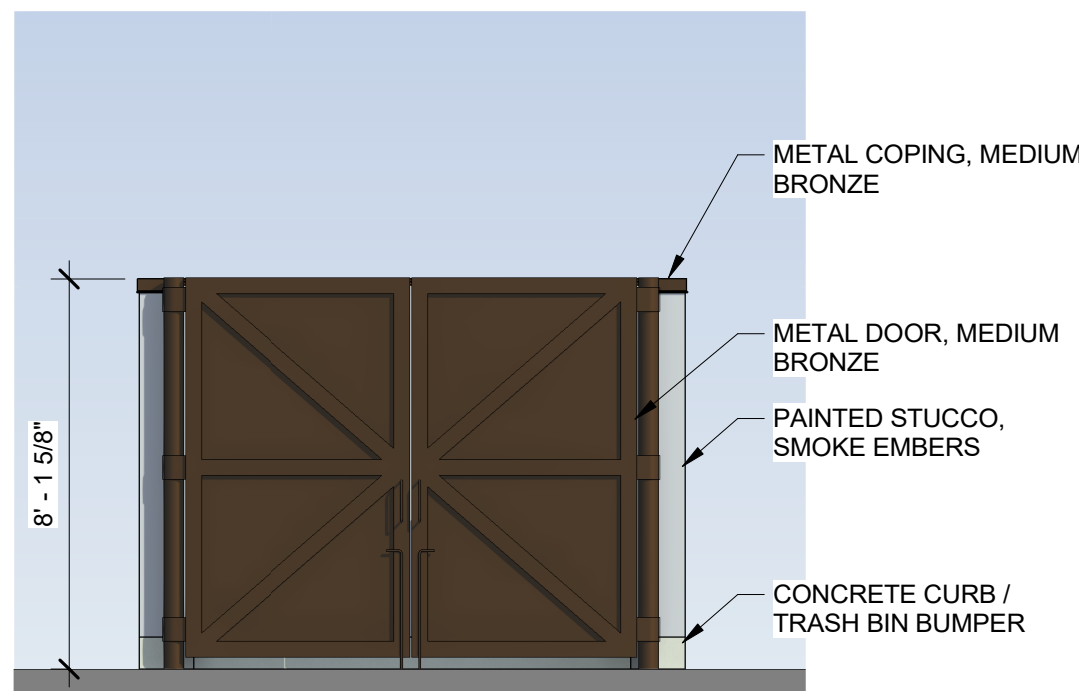
**1 TRASH ENCLOSURE PLAN**  
1/4" = 1'-0"



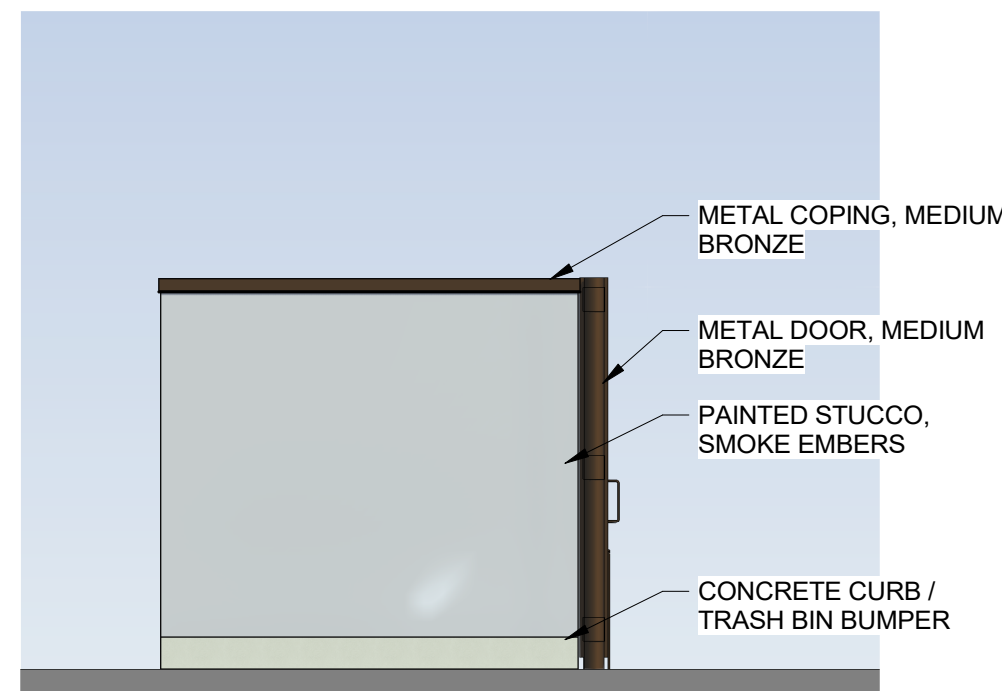
**2 VACUUM ENCLOSURE PLAN**  
1/4" = 1'-0"

## MATERIALS AND FINISHES

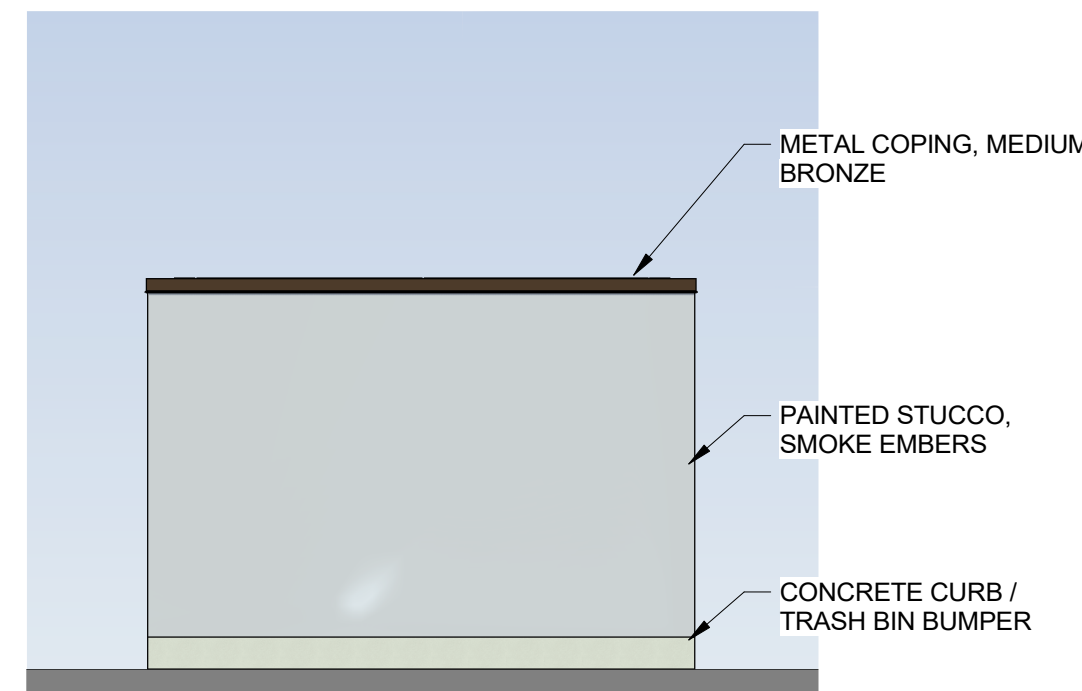
	STUCCO FIELD COLOR	BENJAMIN MOORE - SMOKE EMBERS 1466
	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE



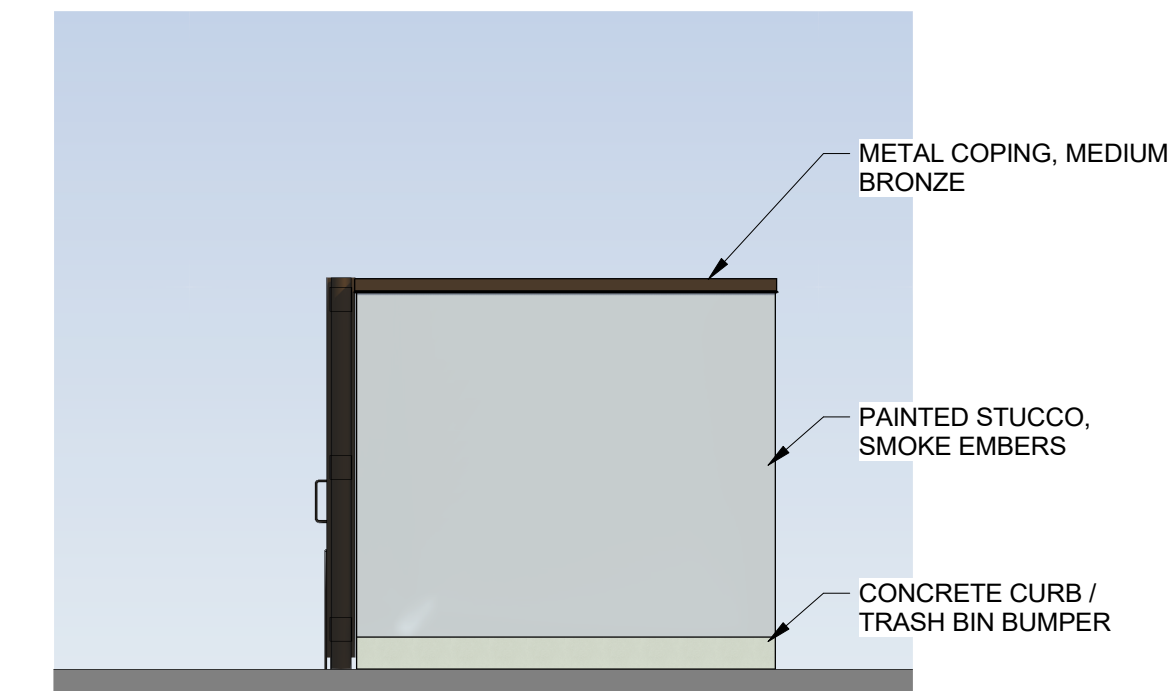
**3 TRASH FRONT ELEVATION**  
1/4" = 1'-0"



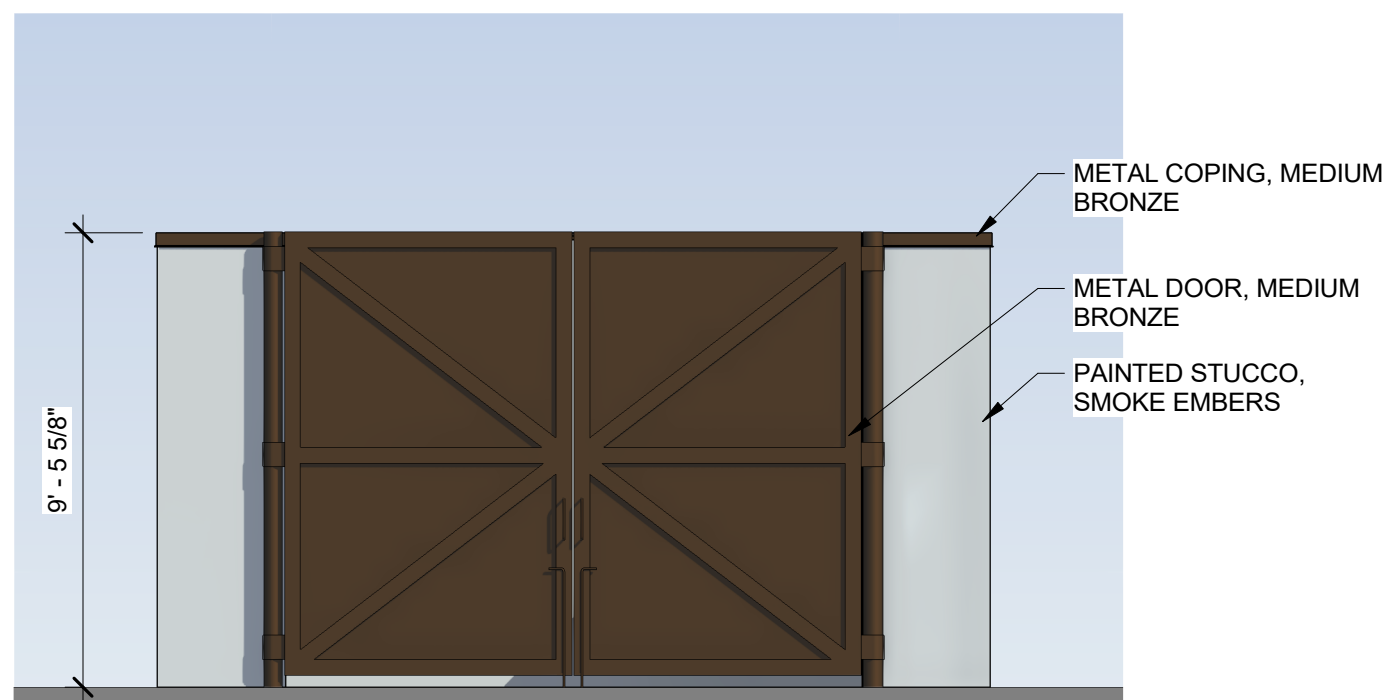
**4 TRASH LEFT ELEVATION**  
1/4" = 1'-0"



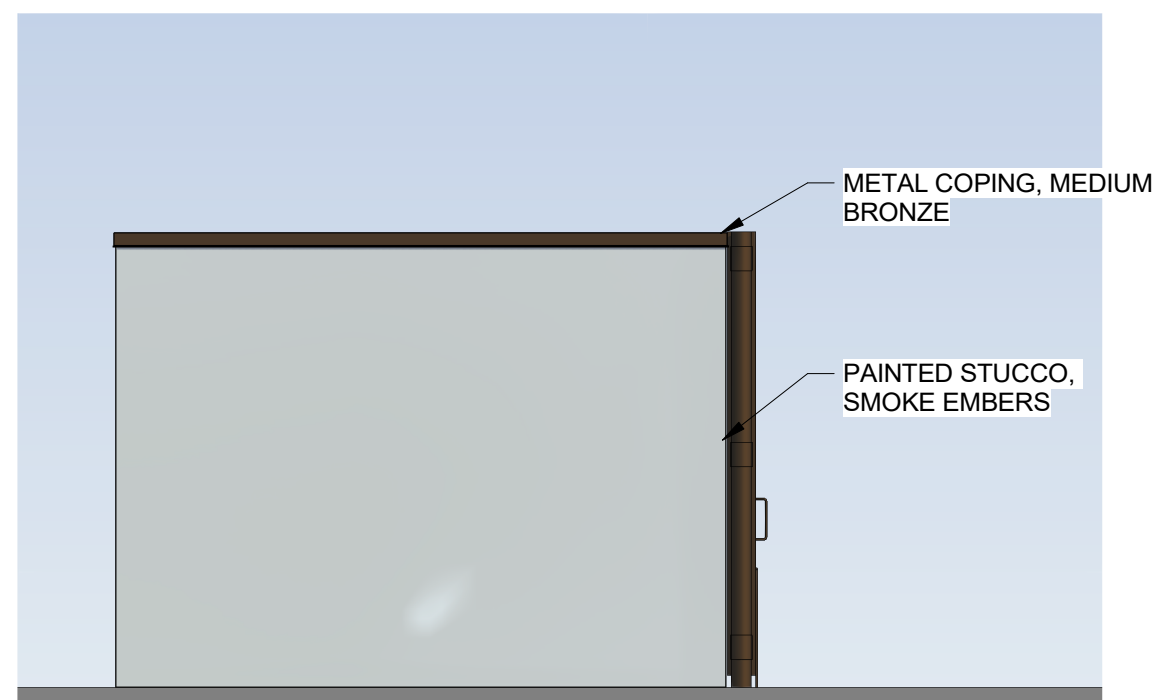
**5 TRASH REAR ELEVATION**  
1/4" = 1'-0"



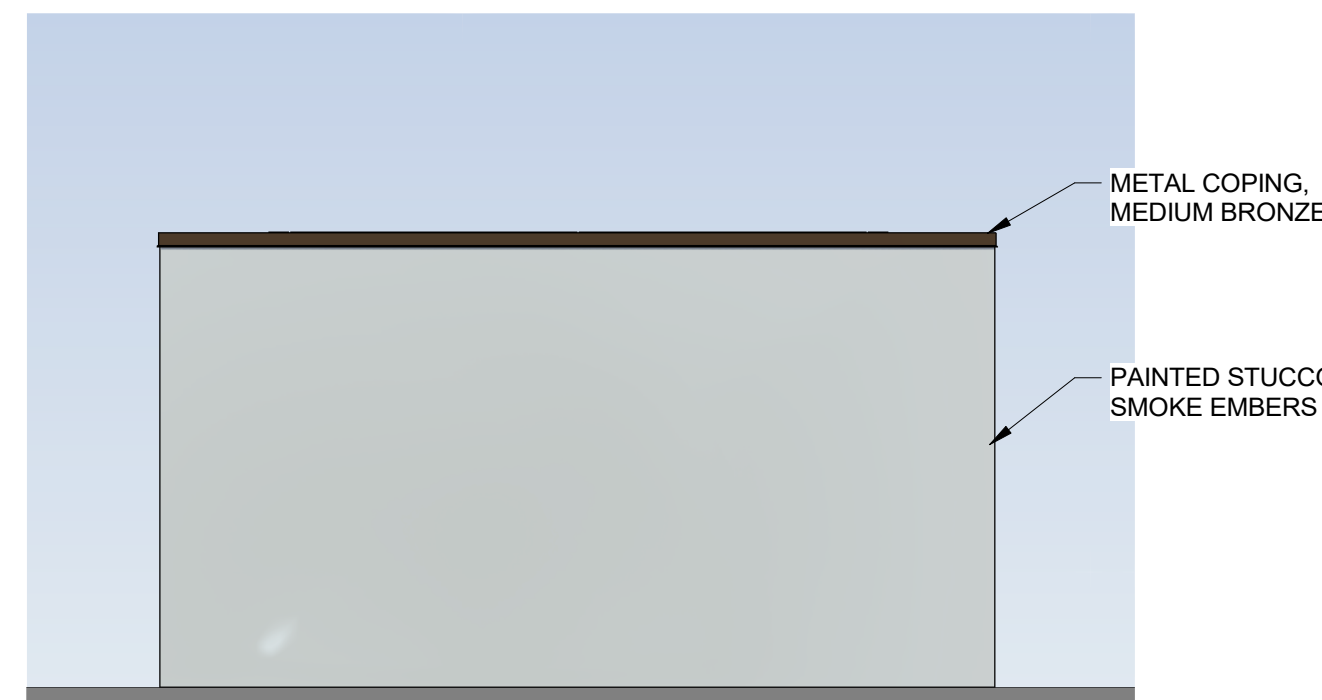
**6 TRASH RIGHT ELEVATION**  
1/4" = 1'-0"



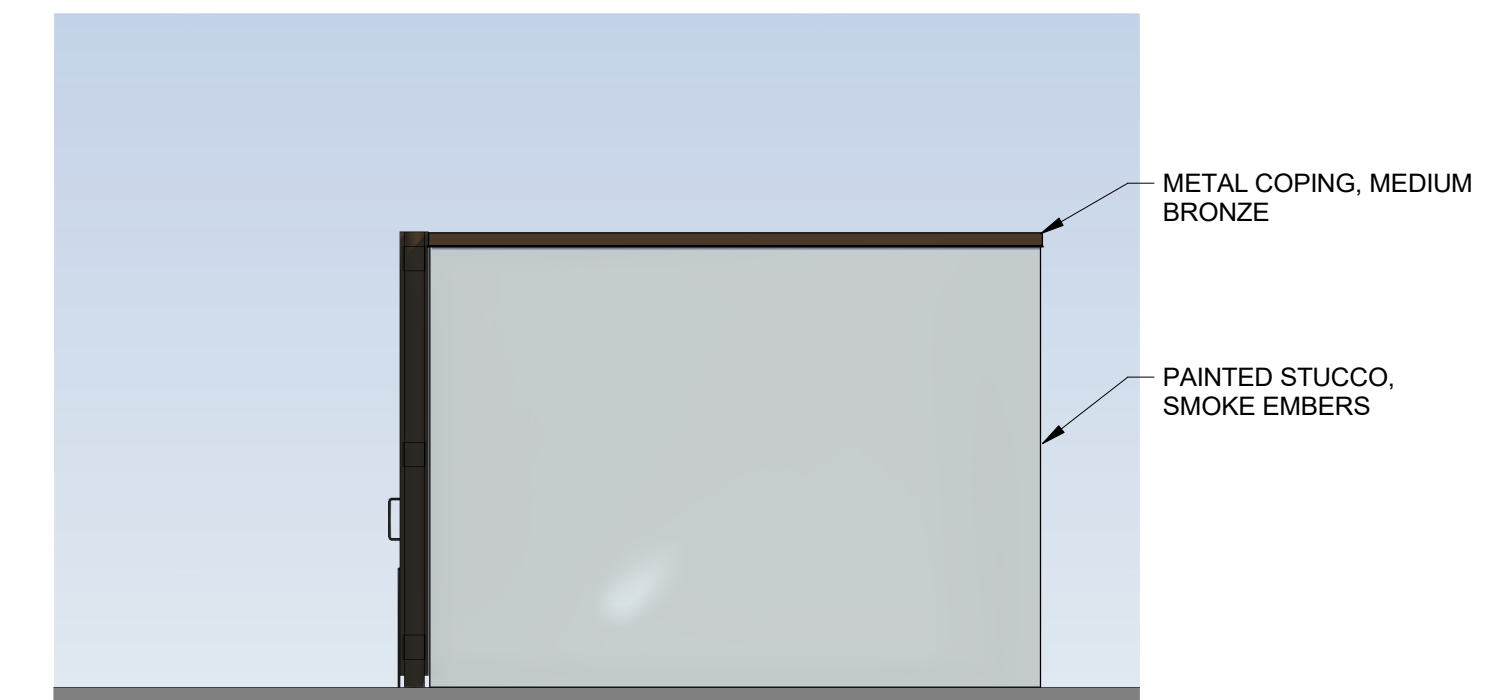
**7 VACUUM ENCLOSURE FRONT ELEVATION**  
1/4" = 1'-0"



**8 VACUUM ENCLOSURE LEFT ELEVATION**  
1/4" = 1'-0"



**9 VACUUM ENCLOSURE REAR ELEVATION**  
1/4" = 1'-0"



**10 VACUUM ENCLOSURE RIGHT ELEVATION**  
1/4" = 1'-0"

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## SCHEMATIC DESIGN

PROJECT 22075.000	DATE 11-02-2022
DRAWN PP	CHECKED WS

REVISED

SHEET TITLE

ENCLOSURES

SHEET

A3F

ORIGINAL SHEET SIZE  
24" x 36"



**From:** Reider - CDOT, Randee <randee.reider@state.co.us>  
**Sent:** Tuesday, January 31, 2023 8:22 AM  
**To:** Nick Barber <nick@3k1.us>  
**Cc:** Roussin - CDOT, Daniel <daniel.roussin@state.co.us>  
**Subject:** Re: 1511 Main Street - Access Control Permit

Hi Nick,

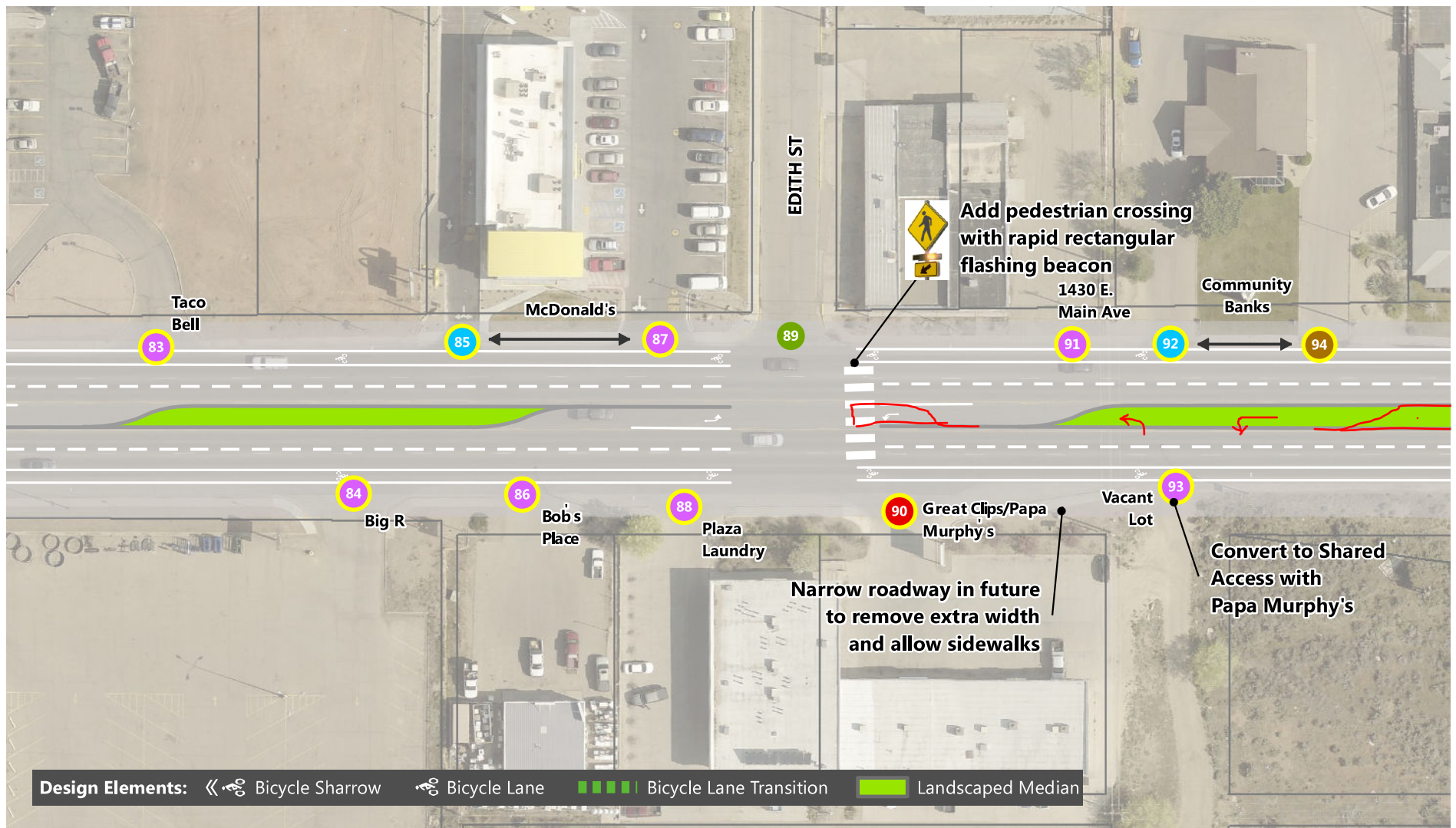
Please see attached for comments related to the TIS.

Also, as stated in an earlier email, CDOT will also need to know who the owner of the road is, as I assume it is platted to the City of Cortez. If that is the case, the City of Cortez needs to provide documentation to delegate to the land owner to apply for the Access Permit. An email from the City of Cortez will suffice for delegation purposes.

Please let me know if you have any questions.

Thank you,  
Randee Reider  
Region 5 Permits Program Manager

P 970.385.3626 | F 970.385.8361  
3803 N. Main Ave., Suite 100, Durango, CO 81301  
[randee.reider@state.co.us](mailto:randee.reider@state.co.us) | [codot.gov](http://codot.gov) | [cotrip.org](http://cotrip.org)



#### Access Recommendations

- |              |                    |                     |                                |
|--------------|--------------------|---------------------|--------------------------------|
| Full         | Left In Only       | Recommended Closure | Access Change                  |
| 3/4 Access   | Right In Only      | Planned Closure     | Traffic Signal                 |
| Ingress Only | Right In/Right Out | Access Closed       | Multiple Accesses per Business |
|              | Right Out Only     |                     |                                |

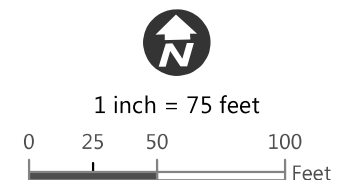


Figure: 9J  
US 160 Access Recommendations and Design Concepts

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE CITY OF CORTEZ (THE CITY) and  
THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION  
(THE DEPARTMENT)  
FOR THE CORTEZ ACCESS CONTROL PLAN**

**THIS INTERGOVERNMENTAL AGREEMENT** is entered into effective as of this 15<sup>th</sup> day of September 2016, by and between the City and the Department, all of said parties being referred to collectively herein as "Agencies."

**RECITALS**

- A. The Agencies are authorized by the provisions of Article XIV, Section 18(2)(a), Colorado Constitution, and Sections 29-1-201 et. Seq., C.R.S., to enter into contracts with each other for the performance of functions which they are authorized by law to perform on their own; and
- B. Each Agency is authorized by Section 43-2-147(I)(a) C.R.S. to regulate access to public highways within its respective jurisdiction; And
- C. The coordinated regulation of vehicular access to public highways is necessary to maintain the efficient and smooth flow of traffic, to reduce the potential for traffic accidents, to protect the functional level and optimize the traffic capacity, to provide an efficient spacing of traffic signals and access points; and
- D. The Agencies desire to provide for the coordinated regulation of vehicular, pedestrian, and bicycle access and safety for the US Hwy 160 corridor through Cortez as follows:  
  
Between MP 38.05 and MP 40.51 (hereafter referred to as the "Segments") which is within the jurisdiction of the Agencies; and
- E. The Agencies are authorized pursuant to Section 2.12 of the 1998 State Highway Access Code, 2 C.C.R. 601-1 (the "Access Code") to enter into a written agreement adopting and implementing a comprehensive and mutually acceptable highway access control plan for the Segments for the purposes above recited; and
- F. The Agencies specifically find and determine that this access control plan is a necessary exercise of the Agencies' legislative, governmental, or police powers to promote and protect the public health, safety, and general welfare of the citizens of the City, County, State; and
- G. The development of this Access Control Plan adheres to the requirements of the Access Code, Section 2.12.

**NOW THEREFORE**, for and in consideration of the mutual promises, agreements, and commitments herein contained, the Agencies agree as follows:

- 1. The Access Control Plan, dated \_\_\_\_\_, 2016, for the Segments (herein referred to as the "ACP") is attached hereto as Exhibits A, B, and C, and incorporated herein by this reference.



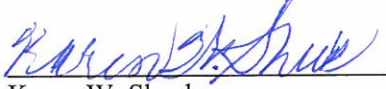
2. The Agencies shall regulate access to the ACP in compliance with the Access Control Plan. Section 42-2-147 C.R.S. (the "Access Law"), and the applicable sections of the Access Code. Vehicular access within the ACP may be permitted only when such access is in compliance with this Agreement, the ACP, Access Control Plan, and Access Law and the applicable sections of the Access Code. Per section 2.12(a) of Access Code, design waivers necessary for access design and construction within State Highway Right-of-Way may be approved by the Regional Transportation Director, or his/her approved designee.
3. Accesses that were in existence in compliance with the Access Law prior to the effective date of this Agreement may continue in existence until such time as a change in the private access is required by the Access Control Plan, the Access Law, in the course of highway reconstruction, or as determined appropriate in the course of development, subdivision actions, or change of use by the City. When closure, modification, or relocation of access is necessary or required, the Agencies having jurisdiction shall utilize the appropriate legal process to effect such action.
4. Actions taken by the Agencies with regard to transportation planning, transportation facilities, and traffic operations within the ACP shall be in conformity with this Agreement. The Agencies agree to develop and adopt the necessary ordinances, official documents, plans and maps to fulfill their respective responsibilities under this Agreement.
5. Parcels of real property created after the effective date of this Agreement which adjoin the Segments shall be provided with access to the Segments as documented in the ACP, as the use, location, and design thereof, conform to the provisions of this Agreement, the City and County Codes, except in unforeseen circumstances, or based upon approved amendments to the ACP.
6. This Agreement is based upon and intended to be consistent with the Access Law and Access Code.
7. This Agreement does not create any current specific financial obligation for any of the Agencies. Any further financial obligation of any Agency shall be subject to the execution of an appropriate encumbrance document, where required. Agencies involved in or affected by any particular or site-specific undertaking provided for herein will cooperate with each other to agree upon a fair and equitable allocation of the costs associated therewith, but, notwithstanding any provision of this Agreement. No Agency shall be required to expend its public funds for such undertaking without the express prior approval of its governing body or director. All financial obligations of the Agencies hereunder shall be approval of its governing body or director. All financial obligations of the Agencies hereunder shall be contingent upon sufficient funds therefore being appropriated, budgeted, and otherwise made available.
8. Should any section(s) or provision(s) of this Agreement be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Agreement, the intention being that the various provisions hereof are severable.
9. This Agreement supersedes and controls all prior written and oral agreements and representations of the Agencies concerning regulating vehicular access to the Segments. No additional or different oral representation, promise, or agreement shall be binding on any Agency.

10. This Agreement may be amended or terminated only in writing executed by the Agencies with express authorization from their respective governing bodies or legally designated officials. To the extent the Access Control Plan is modified by a change, closure, relocation, consolidation, or addition of an access, the Agencies may amend the attached Access Control Plan so long as the amendment is executed in writing and amended in accord with Access Law and the Access Code. The Access Control Plan Amendment Process is attached hereto and is incorporated in Exhibit C.
11. By Signing this Agreement, the Agencies acknowledge and represent to on another that all procedures necessary to validly contract and execute this Agreement have been performed, and that the persons signing for each Agency have been duly authorized to sign.
12. No portion of this Agreement shall be deemed to constitute a waiver of any immunities the parties or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this Agreement.
13. It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement. It is an express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be incidental beneficiary only.

IN WITNESS THEREOF, the Agencies have executed this Agreement effective as of the day and year written above.

City of Cortez, Colorado

ATTEST:

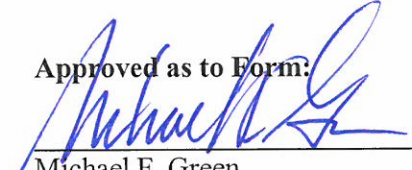
  
Karen W. Sheek  
Mayor, City of Cortez

4/27/16  
Date

  
Linda E. Smith  
City Clerk

4/27/16  
Date


Approved as to Form:

  
Michael F. Green  
City Attorney

3 June 16  
Date



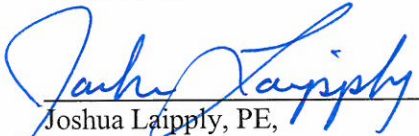
State of Colorado  
Department of Transportation

  
Michael D. McVaugh  
Region Transportation Director


9/19/16  
Date

CONCUR:

ATTEST:

  
Joshua Laipply, PE,  
Chief Engineer

9/15/2016  
Date

  
Chief Clerk

9-15-2015  
Date



## **Exhibits A & B**

### **ACCESS CONTROL PLAN**

#### **United States Highway 160 between MP 38.05 and MP 40.51**

#### **City of Cortez and the State of Colorado Department of Transportation**

##### **I. Purpose**

The purpose of this Access Control Plan (ACP) is to provide the Agencies with a comprehensive roadway access control plan for the pertinent segments of United States highway 160 through Cortez, Colorado.

##### **II. Authority**

The development of this Access Control Plan was completed pursuant to the requirements of the Access Code, Section 2.12, and adopted by the attached Agreement.

##### **III. Responsibilities**

It is the responsibility of each of the Agencies to this Agreement to ensure that vehicular access to the Segments shall only be in conformance with this Agreement. The cost of access improvements, closures and modifications shall be determined pursuant to section 43-2-147(6)(b) C.R.S., the Agreement, and this Access Control Plan. All access construction shall be consistent with the design criteria and specifications of the Access Code.

##### **IV. Existing and Future Access**

- A. The attached table (Exhibit A) provides a listing of each existing and future access point in the Segments. The Attached Map (Exhibit B) shows the access points along the Segments of US 160 through Cortez. For each access point the following information is provided: location, description of the current access status, and the proposed configuration or condition for change (Access Plan). All access points are defined by the approximate Department mile point (in hundredths of a mile) along United States Highway 160. All access points are located at the approximate centerline of the access.
- B. All highway design and construction will be based on the assumption that the Segments have a sufficient cross section to accommodate all travel lanes and sufficient right-of-way to accommodate longitudinal installation of utilities.

## **Exhibit C**

### **ACCESS CONTROL PLAN AMENDMENT PROCESS United States Highway 160 between MP 38.05 and MP 40.51**

#### **City of Cortez and the State of Colorado Department of Transportation**

Any request for amendment must be submitted to the Department's Region 5 Access Manager by a signatory of the Agreement (either of the Agencies). The amendment must be located within the jurisdiction and have the written support of the submitting signatory. Amendments shall be required for any change to the Access Control Plan as shown in the Exhibit A and B, including, but not limited to, any new or changes to the location of:

1. Signalized intersections
2. Full movement intersections/access points
3.  $\frac{3}{4}$  intersections/access points
4. Right-in/right-out only intersections/access points

The amendment request shall include the following documents:

1. Descriptions of the proposed access and changes to the Access Control Plan.
2. Justification for the requested amendment.
3. For signalized intersections, a supporting Traffic Impact Study per the State Highway Access Code.
4. A list of any requested design waivers as applicable.
5. A proposed revised plan sheet clearly depicting the access modifications. The revised plan sheet will replace the corresponding sheet in Exhibit B.

Upon Submission of Information:

1. The Department shall review the submittal for completeness and for consistency with the access objectives, principles, and strategies described in the United States Highway 160 - City of Cortez Access Control Plan and the State Highway Access Code ("Access Code"). The Department shall also determine if any applicable design waivers can be granted. Any amendment request that results in a violation of the Access Code or for which a design waiver cannot be granted will not be considered.
2. If the amendment request is found to be complete, it will be forwarded, along with a brief report, to an Access Control Plan Advisory Committee, consisting of representatives from the City and the Department. Each Agency is responsible for appointing one Advisory Committee member. An Alternative Advisory Committee member may be appointed as an alternate.
3. After the forwarding, each Advisory Committee member will be responsible for coordinating their agency review and providing a decision on whether to accept or decline the amendment. The Advisory Committee members will have 30 days to submit their agency's vote to the Department Region 5 Access Manager in writing. A unanimous vote of the Agencies will be necessary to approve the amendment. An agency not responding within the 30-day period will be interpreted as a

“decline” decision. The Department will provide voting results, to include a tally sheet documenting each agency vote, to all Advisory Committee members within 15 days of receiving all votes, or following the 30-day review period.

4. Acceptable votes from the Agencies include: accept without modifications; accept with conditions or modifications; or disapprove.
5. If an agency accepts with conditions or modifications, the agency requesting the condition or the modification must provide supporting justification and any applicable requests for a design waiver. Any vote to accept with conditions or modifications that results in a violation of the Access Code or for which a design waiver cannot be granted will not be considered.
6. If found to be complete, The Department will forward the conditions or modifications to all members of the Access Control Plan Advisory Committee.
7. After the forwarding, each Advisory Committee member will be responsible for coordinating their agency review and providing a decision on whether to accept or decline the conditions and modifications. The Advisory Committee members will have 20 days to submit their agency’s subsequent vote to the Department in writing. A unanimous vote of the Agencies will be necessary to approve the conditions and modifications. An agency not responding within the 20-day period will be interpreted as a “decline” decision. The Department will provide voting results to all Advisory Committee members within 10 days of receiving all votes, or following the 20-day review period.



Exhibit A: Listing of existing and future access points

Page 1 of 6

Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
DOWNTOWN SEGMENT						
1	38.04	Lt		Maple Street	Full movement, public access, signalized intersection	No change
2	38.04	Rt		Maple Street	Full movement, public access, signalized intersection	No change
3	38.08	Rt	561126307001	Nero's Restaurant	Access closed	No change
4	38.09	Rt	561126307001	Sand Canyon Motel	Enter only, commercial access	Restrict to right in only
5	38.2	Lt	561126251004	Conoco station	Full movement, commercial access	Restrict to right in/right out only
6	38.11	Rt	561126307001	Sand Canyon Motel	Exit only, commercial access	Restrict to right/out only
7	38.12	Rt		Linden Street	Full movement, public access	No change
8	38.12	Lt		Linden Street	Full movement, public access	No change
9	38.15	Lt		North Pinon Drive	Enter only, public access	No change
10	38.13	Lt		Elm Street	Full movement, public access	No change
11	38.13	Rt		Elm Street	Full movement, public access	No change
12	38.29	Lt		Chestnut Street	Full movement, public access, signalized intersection	No change
13	38.29	Rt		Chestnut Street	Full movement, public access, signalized intersection	No change
14	38.36	Lt		Market Street	Full movement, public access, signalized intersection	No change
15	38.36	Rt		Market Street	Full movement, public access, signalized intersection	No change
16	38.43	Lt		Beech Street	Full movement, public access	No change
17	38.43	Rt		Beech Street	Enter only, public access	No change
18	38.5	Lt	561126245004	Gravel Parking Lot	Full movement, commercial access	Restrict to right in/right out only
19	38.48	Lt	561126245003	Rent A Wheel	Full movement, commercial access	Restrict to right in/right out only
20	38.46	Lt		Ash Street	Full movement, public access, signalized intersection	No change
21	38.46	Rt		Ash Street	Full movement, public access, signalized intersection	No change
22	38.7	Rt	561126404005	Wendy's	Full movement, commercial access	Restrict to right in/right out only



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Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
23	38.53	Lt	561126126003	ALON Station	Full movement, commercial access	Restrict to right in/right out only; potentially change to egress only or consolidate upon redevelopment
24	38.54	Lt	561126126003	ALON Station	Full movement, commercial access	Restrict to right in/right out only; potentially change to ingress only or consolidate upon redevelopment
25	38.54	Lt		Washington Street	Full movement, public access	No change
26	38.54	Rt		Washington Street	Full movement, public access	No change
27	38.7	Rt	561126403003	Criston Mall	Full movement, commercial access	Restrict to right in/right out only; reduce access width to 30' upon redevelopment
28	38.57	Lt	561126125005	Ocean Pearl Restaurant	Access closed	No change
29	38.58	Lt	561126125008	La Casita Restaurant	Full movement, commercial access	Restrict to right in/right out only
30	38.69	Rt	561126403001	Community Banks	Enter only, commercial access	Restrict to right in only
31	38.68	Rt	561126403001	Community Banks	Exit only, commercial access	Restrict to right out only
32	38.59	Lt		Madison Street	Full movement, public access	No change
33	38.59	Rt		Madison Street	Full movement, public access	No change
34	38.67	Rt	561126402003	Aqua Carwash	Full movement, commercial access	No change
35	38.61	Lt	561126124007	Burger Boy	Full movement, commercial access	No change
36	38.66	Rt	561126402003	Aqua Carwash	Full movement, commercial access	Recommended closure
37	38.62	Lt	561126124012	Methodist Thrift Store	Full movement, commercial access	Recommended closure; share access with existing Burger Boy access
38	38.65	Rt	561126402002	Jimmer's Restaurant	Full movement, commercial access	No change
39	38.62	Lt	561126124012	Garcia & Company	Full movement, commercial access	No change
40	38.65	Rt	561126402011	Cork & Bottle	Full movement, commercial access	No change
41	38.64	Lt		Harrison Street	Full movement, public access, signalized intersection	No change
42	38.64	Rt		Harrison Street	Full movement, public access, signalized intersection	No change
CITY PARK SEGMENT						
43	39.03	Rt	561126401002	Super 8 Motel	Full movement, commercial access	Restrict to right in/right out only; open emergency access on Harrison Street
44	38.73	Lt	561126123001	City Market	Full movement, commercial access	Restrict to right in/right out only







Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
45	39.02	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to right in/right out only
46	39	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to 3/4 access
47	38.74	Lt	561126100031	Cortez Dialysis	Full movement, commercial access	Restrict to right in/right out only; close upon redevelopment and share access with Front Row Seat
48	38.93	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to right in/right out only
49	38.92	Rt	561126400008	CO Land & Title	Full movement, commercial access	Restrict to right in/right out only
50	38.75	Lt	561126100031	Front Row Seat	Full movement, commercial access	Restrict to 3/4 access; upon redevelopment share access with Cortez Dialysis and Liquid Assets
51	38.91	Rt	561126400008	Carpenter Plaza	Full movement, commercial access	Restrict to right in/right out only
52	38.77	Lt	561126100024	Liquid Assets	Full movement, commercial access	Restrict to right in/right out only; close upon redevelopment and share access with Front Row Seat
53	38.91	Rt	561126400006	Aneth Lodge	Full movement, commercial access	Restrict to 3/4 access
54	38.79	Lt	561126100025	Dolores State Bank	Full movement, commercial access	Restrict to right in/right out only
55	38.88	Rt	561126400005	Cortez Auto Repair	Full movement, commercial access	Restrict to right in/right out only
56	38.87	Rt	561126400004	Jack's Country Kitchen	Full movement, commercial access	No change
57	38.8	Lt		Park Street	Full movement, public access	No change
58	38.86	Rt	561126400004	Jack's Country Kitchen	Full movement, commercial access	Restrict to 3/4 access; upon redevelopment prevent left turns via pork chop
59	38.84	Rt	561126400003	Sundance RV Park	Full movement, commercial access	Restrict to 3/4 access
60	38.83	Rt	561126447001	Rent All Rentals	Full movement, commercial access	Restrict to right in/right out only
61	38.83	Rt	561126400001	Giant Station	Full movement, commercial access	Restrict to right in/right out only
62	38.81	Lt		Mildred Street	Full movement, public access, signalized intersection	No change
63	38.81	Rt		Mildred Street	Full movement, public access, signalized intersection	No change
64	39.16	Rt	561125308009	One Stop Taqueria	Planned Closure	No change
65	39.07	Lt	561125200010	C&G Health	Full movement, commercial access	Restrict to right in/right out only
66	39.16	Rt	561125308009	One Stop Taqueria	Full movement, commercial access	Restrict to right in/right out only
67	39.09	Lt	561125200008	Long Trailer Court	Full movement, commercial access	Restrict to right in/right out only







Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
68	39.09	Lt	561125200012	Durango Organics	Full movement, commercial access	Restrict to right in/right out only
69	39.17	Rt	561125308009	Vacant Lot	Full movement, residential access	Restrict to right in/right out only
70	39.17	Rt	561125300007	Holgate's Carwash	Full movement, commercial access	Restrict to right in/right out only
71	39.17	Rt	561125300007	Holgate's Tools	Full movement, commercial access	Restrict to right in/right out only
72	39.1	Lt	561125200013	1118 Main Ave	Full movement, residential access	Restrict to right in/right out only
73	39.11	Lt	561125225001	Travel Lodge	Full movement, commercial access	Restrict to 3/4 access
74	39.19	Rt	561125300006	Dairy Queen/Pizza Hut	Full movement, commercial access	Restrict to 3/4 access
75	39.12	Lt	561125225001	Willis Furniture	Full movement, commercial access	Restrict to right in/right out only
76	39.2	Rt	561125300013	Dairy Queen	Exit only, commercial access	Restrict to right out only
77	39.12	Lt	561125200019	Sunshine Motors	Full movement, commercial access	Restrict to right in/right out only
78	39.21	Rt	561125312004	Cortez Flooring and Others	Full movement, commercial access	Restrict to 3/4 access
79	39.13	Lt	561125200019	Sunshine Motors	Full movement, commercial access	Restrict to right in/right out only
80	39.14	Lt	561125200018	Auto Zone	Full movement, commercial access	Restrict to right in/right out only
81	39.15	Lt		Roger Smith Avenue	Full movement, public access	No change
82	39.24	Rt	561125300004	Big R	Full movement, commercial access	No change
83	39.57	Lt	561125215007	Taco Bell	Full movement, commercial access	Restrict to right in/right out only
84	39.27	Rt	561125300004	Big R	Full movement, commercial access	Restrict to right in/right out only
85	39.55	Lt	561125213004	McDonalds	Exit only, commercial access	Restrict to right out only
86	39.27	Rt	561125304003	Bob's Place	Full movement, commercial access	Restrict to right in/right out only
87	39.55	Lt	561125213004	McDonalds	Full movement, commercial access	Restrict to right in/right out only
88	39.32	Rt	561125313002	Plaza Laundry	Full movement, commercial access	Restrict to right in/right out only
89	39.53	Lt		Edith Street	Full movement, public access	No change
90	39.33	Rt	561125313001	Great Clips/Papa Murphy's	Full movement, commercial access	Recommended closure; share access with access # 93 (vacant lot)
91	39.49	Lt	561125212003	1430 E. Main Ave	Full movement, commercial access	Restrict to right in/right out only
92	39.48	Lt	561125200022	Community Banks	Exit only, commercial access	Restrict to right out only
93	39.33	Rt		Vacant Lot	Full movement, commercial access	Restrict to right in/right out only; convert to shared access with Papa Murphy's
94	39.45	Lt	561125200022	Community Banks	Enter only, commercial access	Restrict to right in only





Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
95	39.42	Lt	561125218001	1st S.W. Bank	Full movement, commercial access	Restrict to right in/right out only
96	39.39	Lt	561125222001	Safeway	Full movement, commercial access	Restrict to 3/4 access
132	39.39	Rt	561125303001	N/A	N/A	Configure as 3/4 access when development occurs
97	39.37	Lt	561125217015	Net Force PC	Full movement, commercial access	Restrict to right in/right out only
98	39.34	Rt	561125311001	Wal-Greens	Right in/right out, commercial access	No change
99	39.37	Lt	561125217006	Super Splash Carwash	Exit only, commercial access	Restrict to right out only
100	39.36	Lt	561125217006	Super Splash Carwash	Enter only, commercial access	Recommended closure
EASTERN GATEWAY SEGMENT						
101	39.35	Rt		Sligo Street	Full movement, public access, signalized intersection	No change
102	39.57	Rt		Veach Street	Full movement, public access	No change
103	39.62	Rt	561125403002	Cedarwood Animal Clinic	Planned Closure	No change
104	39.62	Lt		Henry Street	Full movement, public access	Restrict to right in/right out only
105	39.6	Rt	561125403002	Cedarwood Animal Clinic	Full movement, commercial access	Restrict to right in/right out only
106	39.63	Lt	561125100019	American Home Patient	Full movement, commercial access	Restrict to right in/right out only
107	39.69	Rt	561125412001	O'Reilly's	Full movement, commercial access	Restrict to right in/right out only
108	39.64	Lt	561125100019	Pro Nails	Full movement, commercial access	Restrict to right in/right out only
109	39.64	Lt		Texas Street	Full movement, public access	Restrict to right in/right out only
110	39.69	Rt	561125402001	Mountain Chiropractic	Full movement, commercial access	Restrict to right in/right out only
111	39.72	Rt		Cactus Street	Full movement, public access	Restrict to 3/4 access
112	39.73	Lt	561125100024	Econo Lodge	Full movement, commercial access	Restrict to right in/right out only; can provide 3/4 access if access is reconfigured to align with Cactus Street
113	39.77	Rt	561125401004	Shell Station	Full movement, commercial access	Restrict to right in/right out only
114	39.76	Lt	561125100024	Econo Lodge	Full movement, commercial access	Restrict to right in/right out only
115	39.8	Lt	561125100024	Econo Lodge	Full movement, commercial access	Left in only
116	39.8	Rt	561125401006	Denny's	Full movement, commercial access	Restrict to right in/right out only; potential for future 3/4 access
117	39.82	Lt	561125100016	Retro Inn	Exit only, commercial access	Restrict to right out only







Access Number	Mile Post	Right/ Left	Parcel	Current Use	Current Access Description	Proposed Access Change
118	39.84	Lt	561125100016	Retro Inn	Full movement, commercial access	Restrict to right in/right out only
119	39.85	Rt	561125400004	Holiday Inn	Full movement, commercial access	Restrict to right in/right out only
120	39.89	Lt	561125118104	Cortez Plaza	Full movement, commercial access	No change
121	39.89	Rt		Hawkins Street	Full movement, public access	No change
122	40.1	Lt	561125118100	Cortez Plaza	Full movement, commercial access	No change
123	40.09	Rt		Trinity Avenue	Full movement, public access	No change
124	40.12	Lt	561125100013	Conoco station	Full movement, commercial access	Restrict to right in/right out only
125	40.17	Lt	561125100025	La Mesa RV Park	Full movement, commercial access	Restrict to right in/right out only
126	40.19	Lt		Dolores Street	Right in/right out, public access	No change
127	40.29	Lt		US Highway 145/State Street	Full movement, public access, signalized intersection	No change
128	40.29	Rt		US Highway 145/State Street	Full movement, public access, signalized intersection	No change
129	40.53	Lt	560930200012	Days Inn	Full movement, commercial access	Restrict to right in/right out only
130	40.41	Rt		Lakeside Drive	Full movement, public access	Restrict to 3/4 access
131	40.44	Lt		Patton Street	Full movement, public access	Restrict to right in/right out only

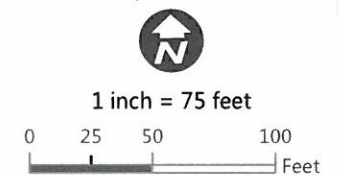
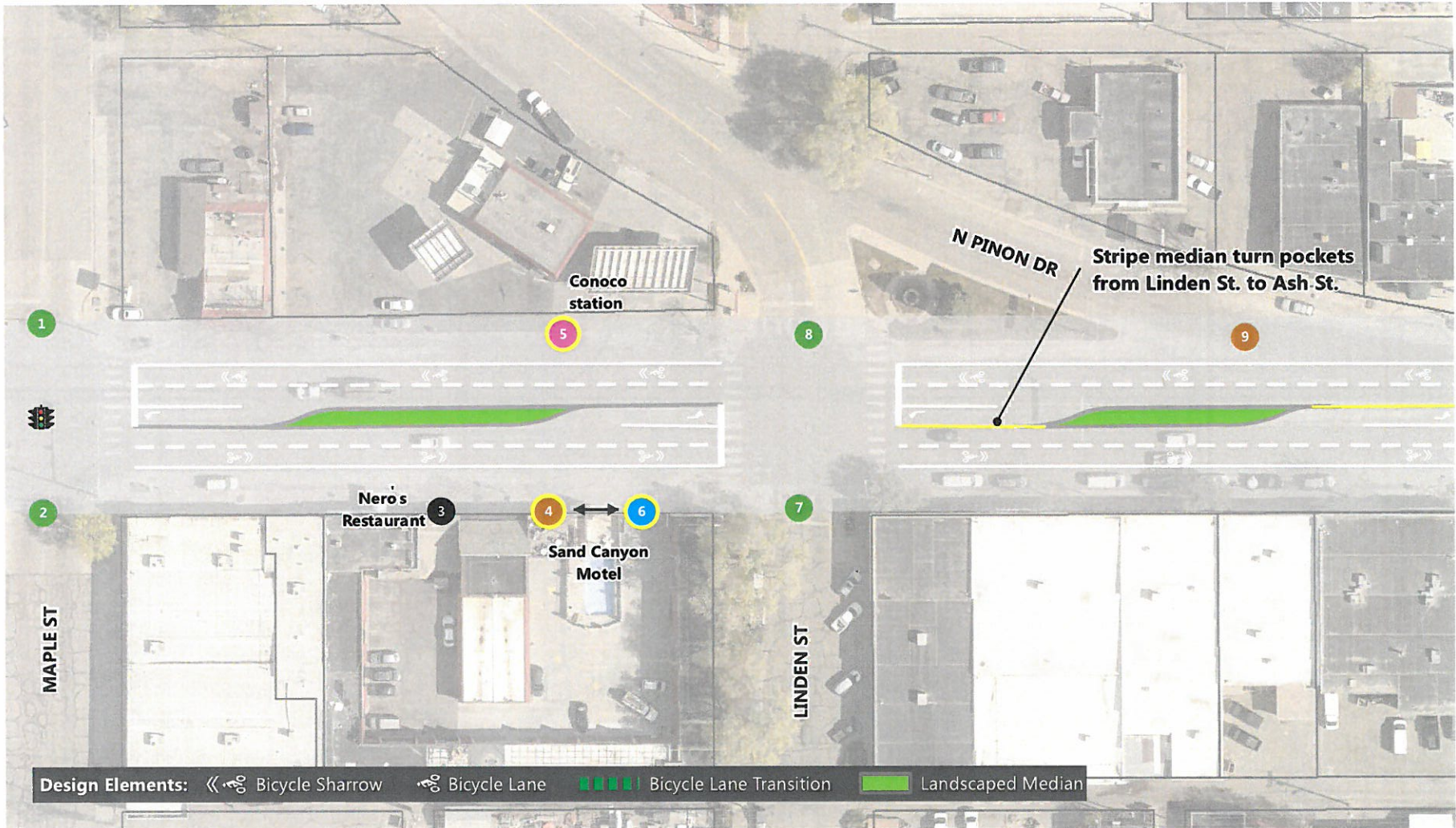
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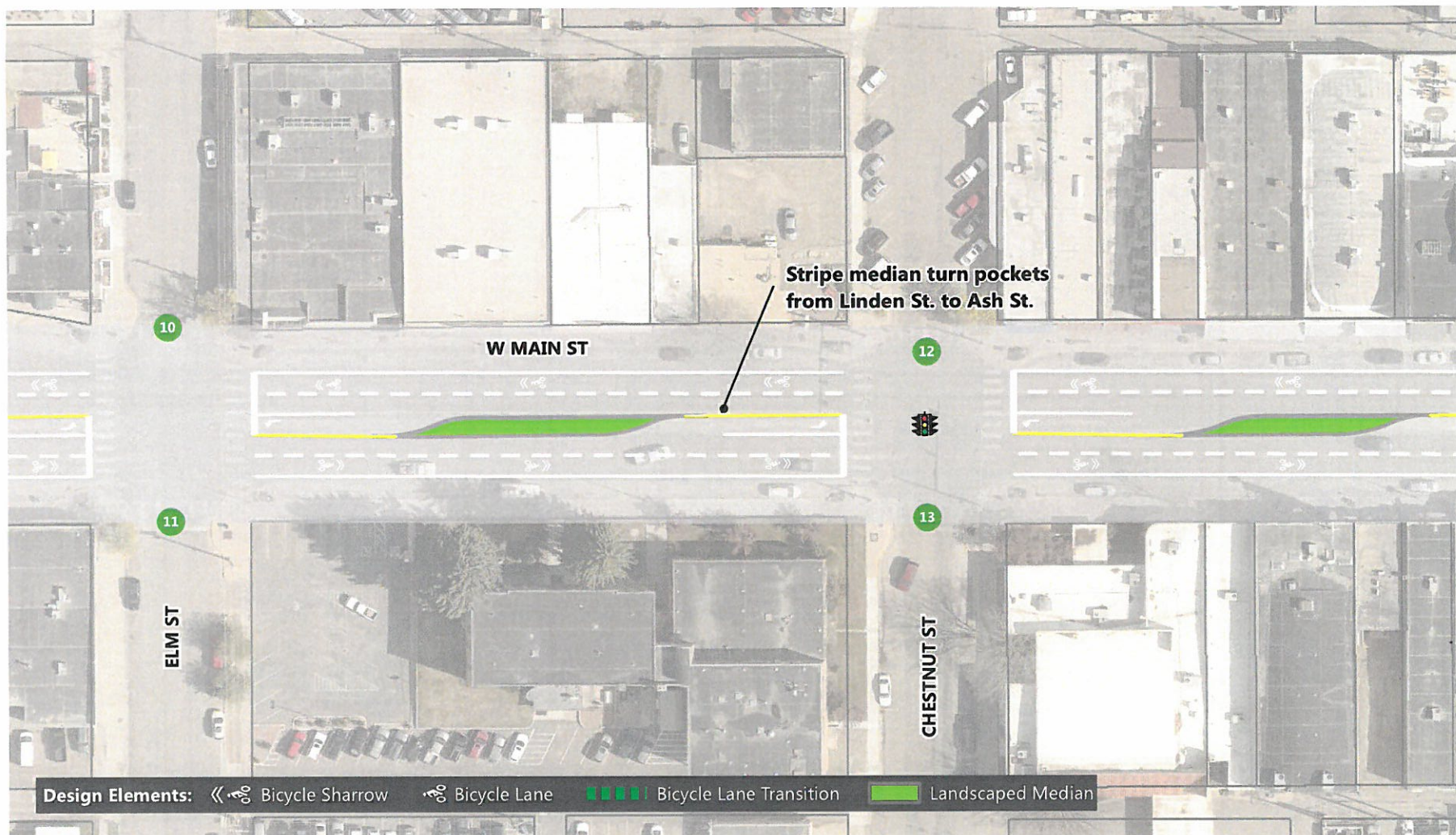






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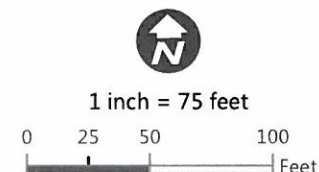
# Access Recommendations

- Full
- 3/4 Access
- Ingress Only

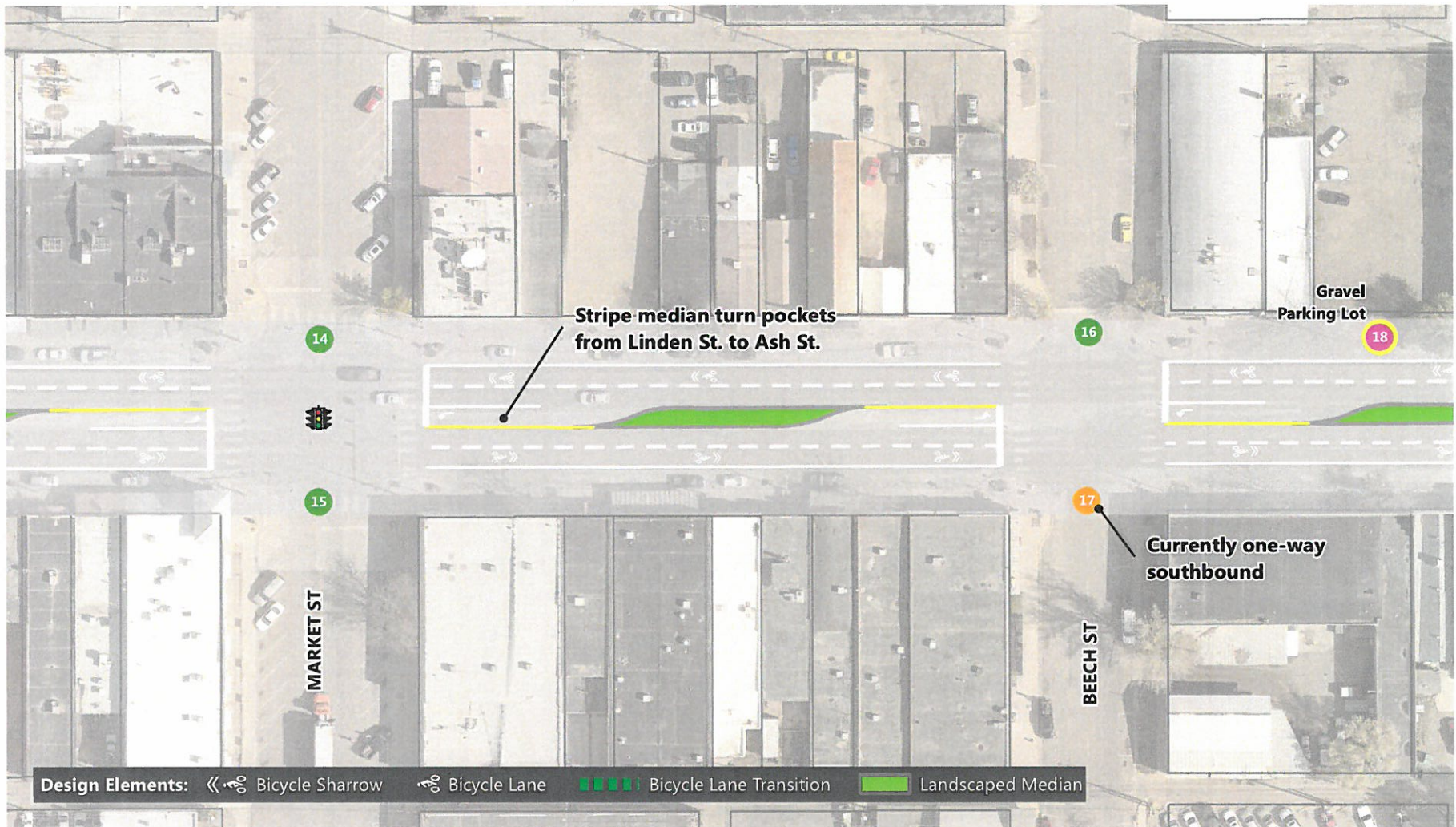
- Left In Only
- Right In Only
- Right In/Right Out
- Right Out Only

- New Access
- Recommended Closure
- Planned Closure
- Access Closed

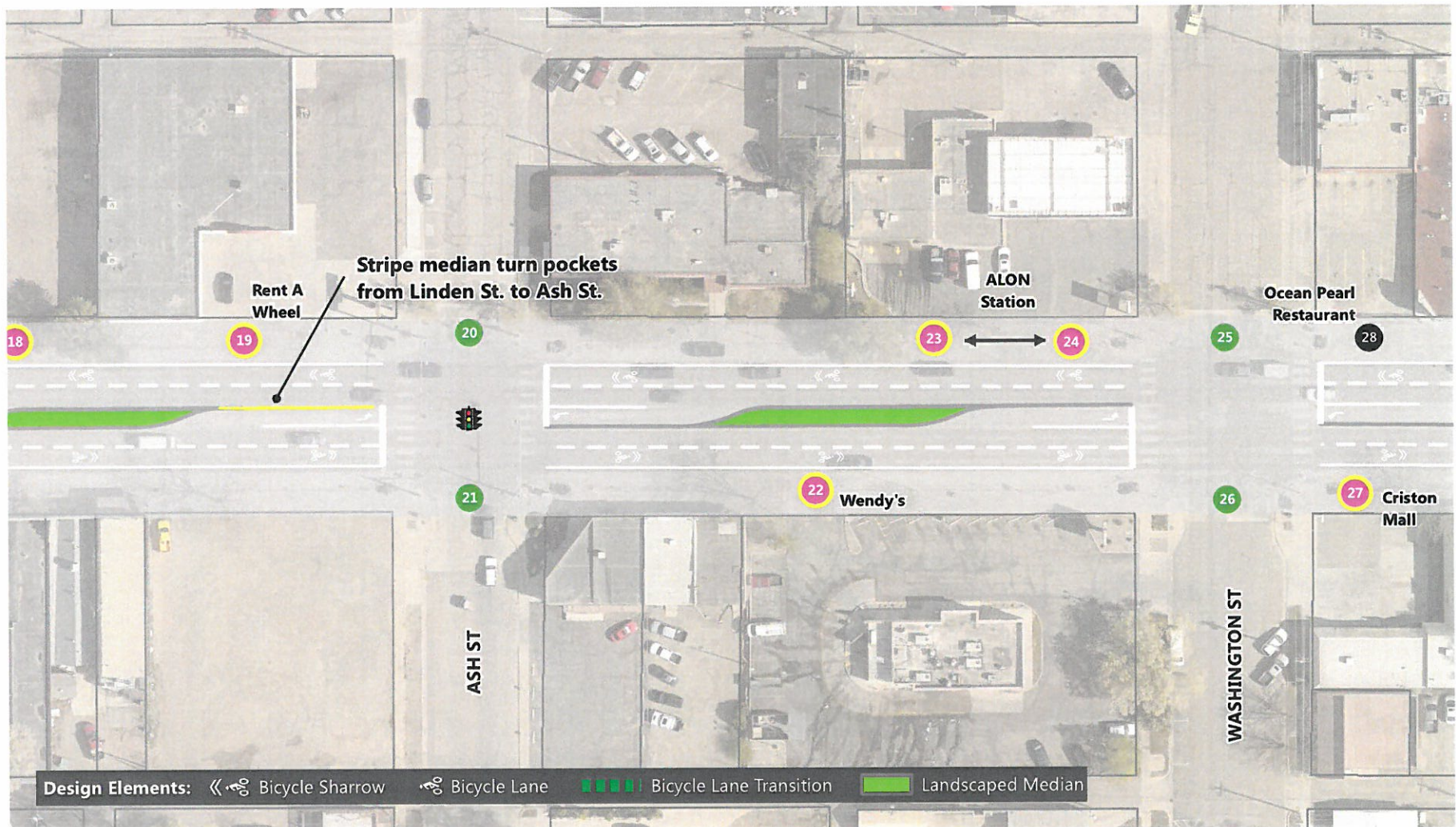
- Access Change
- Traffic Signal
- Multiple Accesses per Business



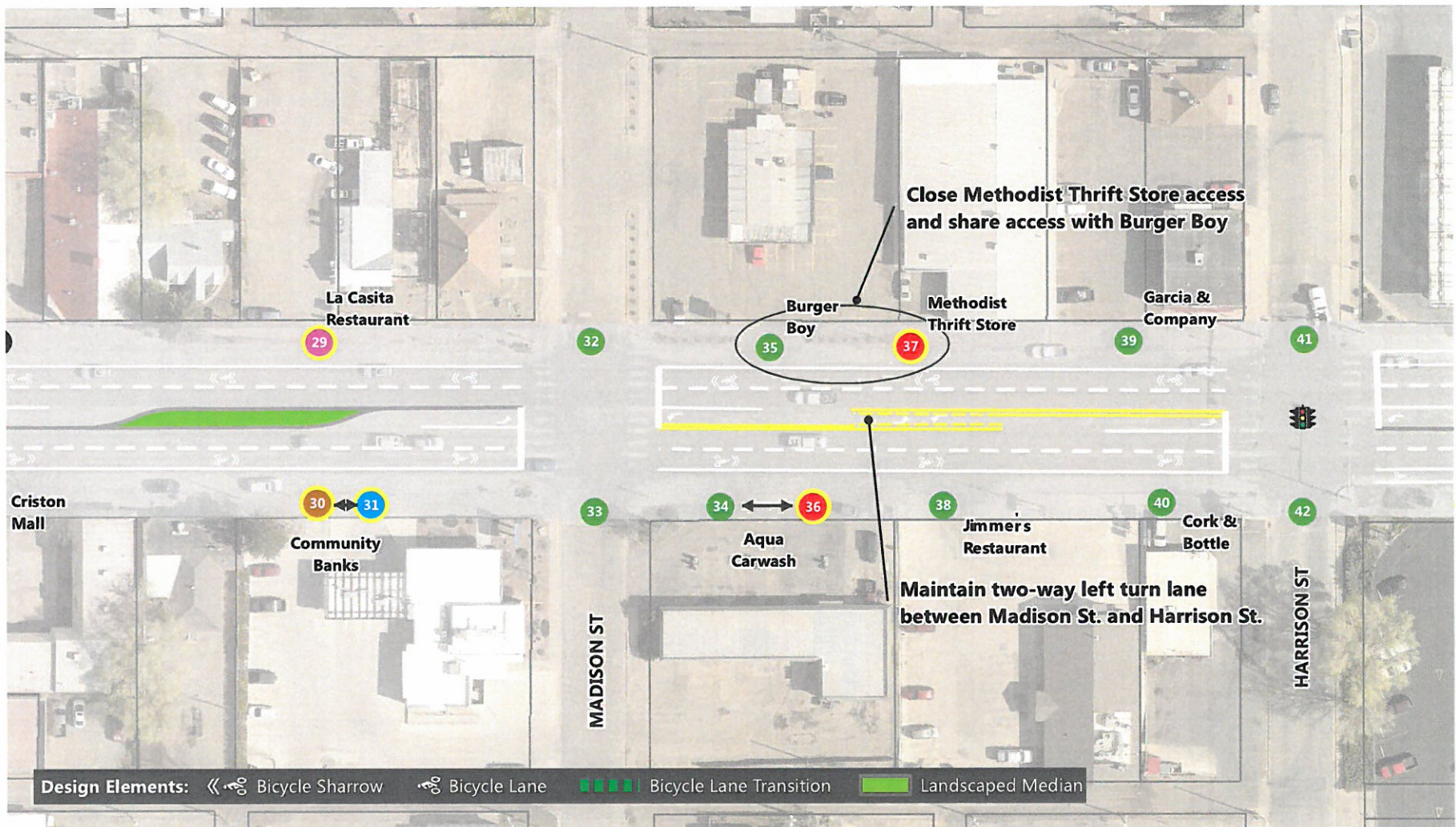






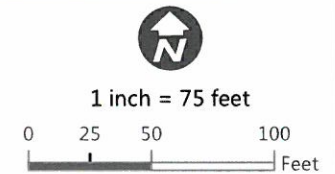




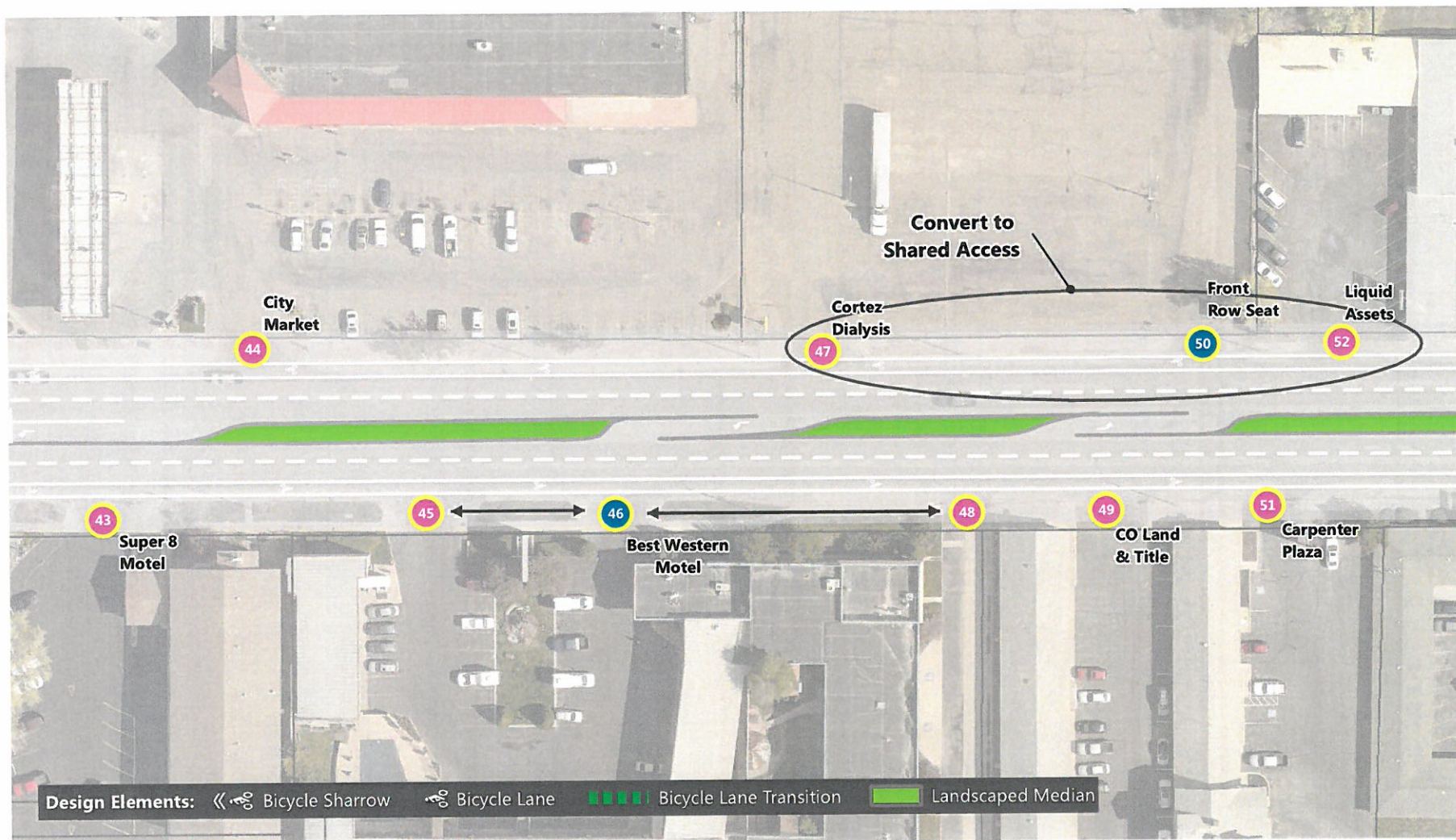


#### Access Recommendations

- |  |  |  |   |
|--|--|--|---|
| <span style="color: green;">●</span> Full          | <span style="color: blue;">●</span> Left In Only       | <span style="color: pink;">●</span> New Access         | <span style="color: yellow;">●</span> Access Change |
| <span style="color: blue;">●</span> 3/4 Access     | <span style="color: brown;">●</span> Right In Only     | <span style="color: red;">●</span> Recommended Closure | Traffic Signal                                      |
| <span style="color: orange;">●</span> Ingress Only | <span style="color: pink;">●</span> Right In/Right Out | <span style="color: red;">■</span> Planned Closure     | Multiple Accesses per Business                      |
|  | <span style="color: blue;">●</span> Right Out Only     | <span style="color: black;">●</span> Access Closed     |   |

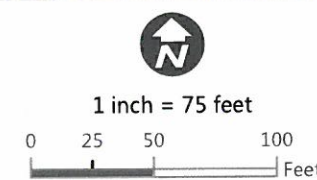




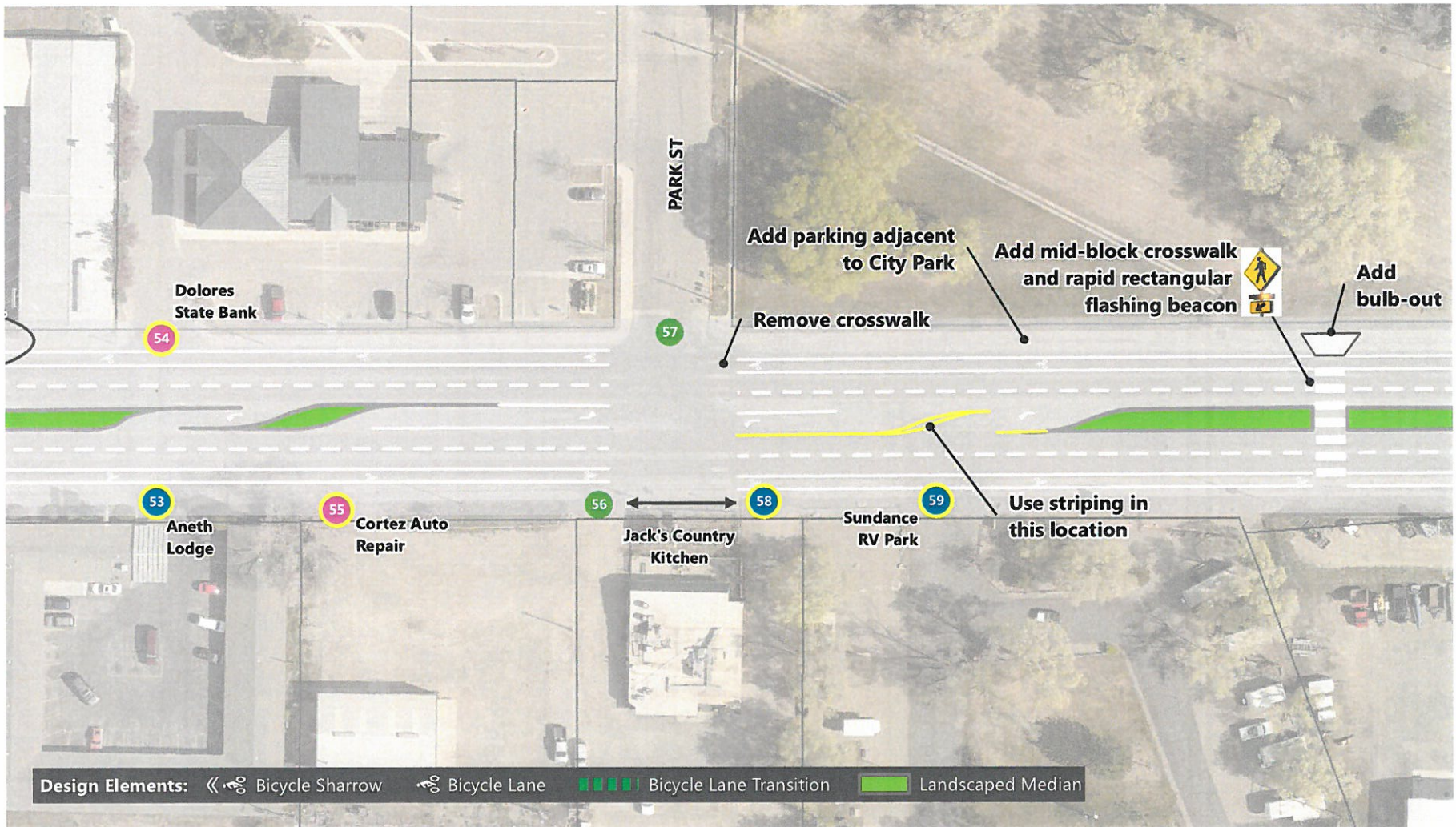


**Access Recommendations**

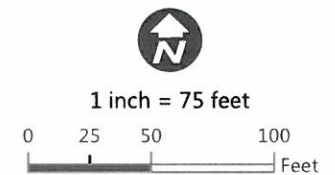
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|--------------|--------------------|---------------------|--------------------------------|
| Full         | Left In Only       | New Access          | Access Change                  |
| 3/4 Access   | Right In Only      | Recommended Closure | Traffic Signal                 |
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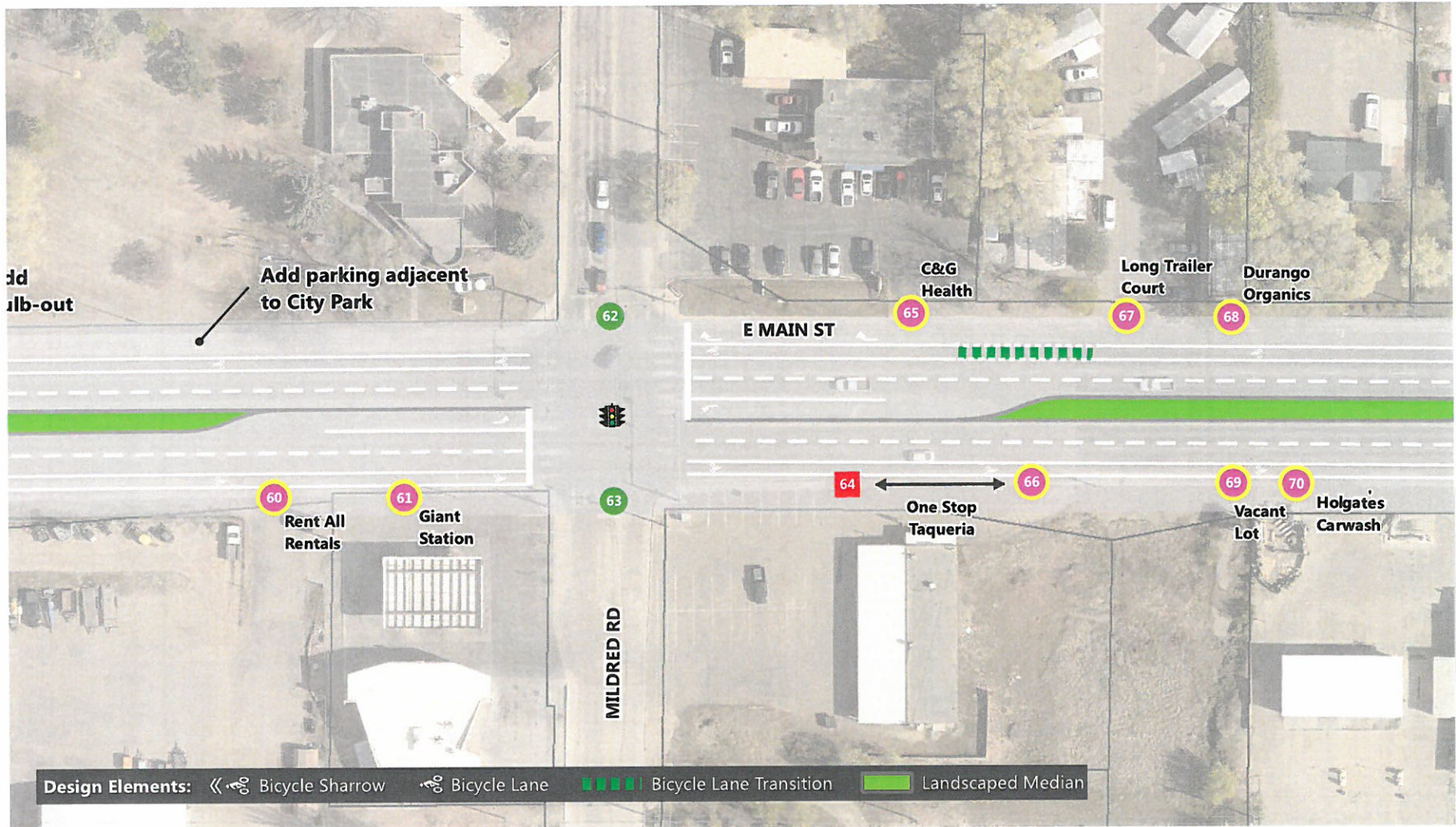
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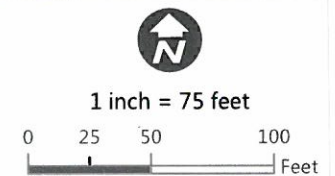




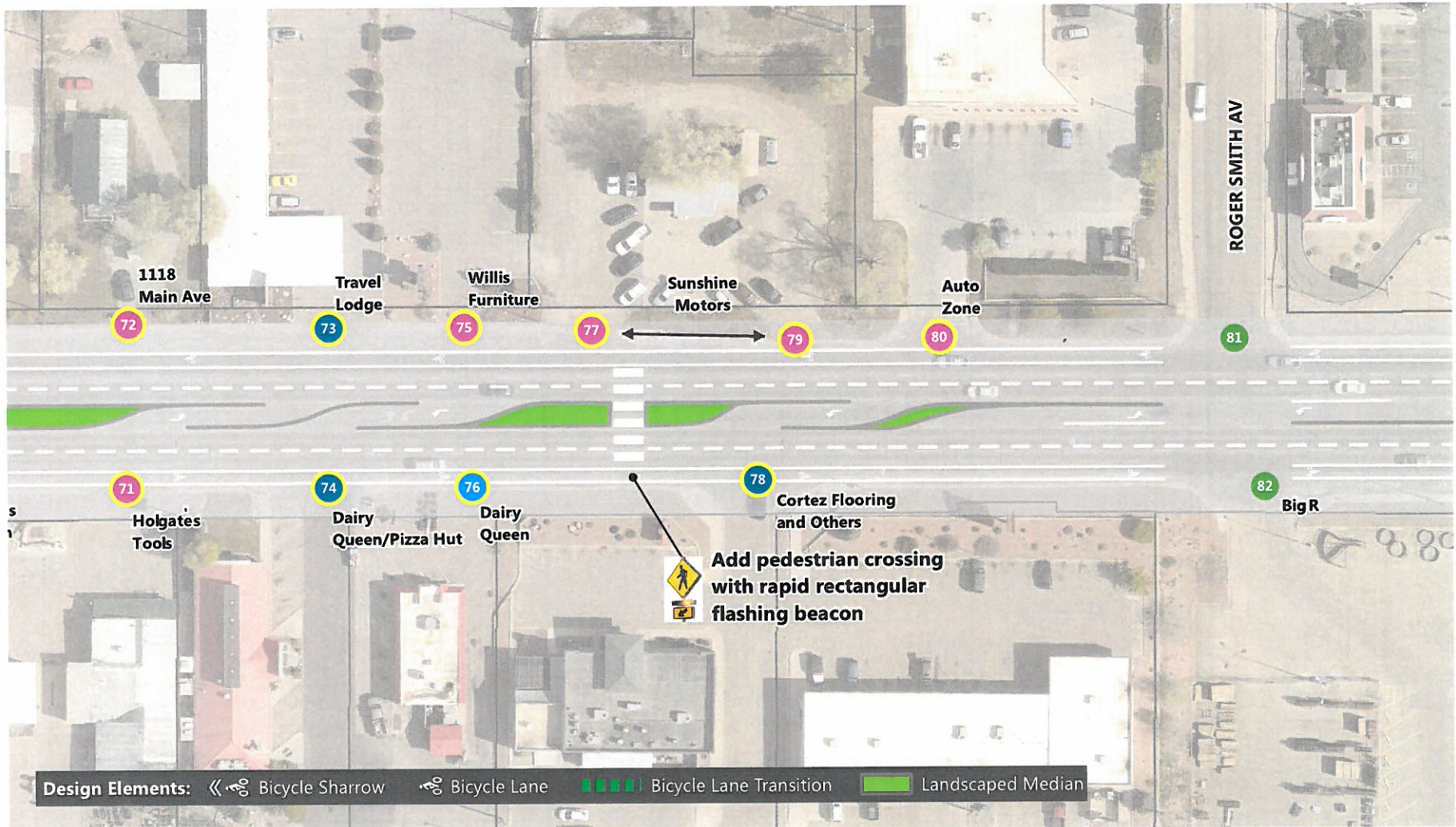


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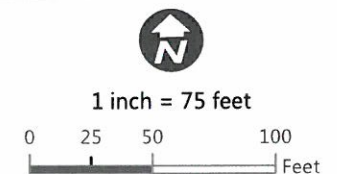
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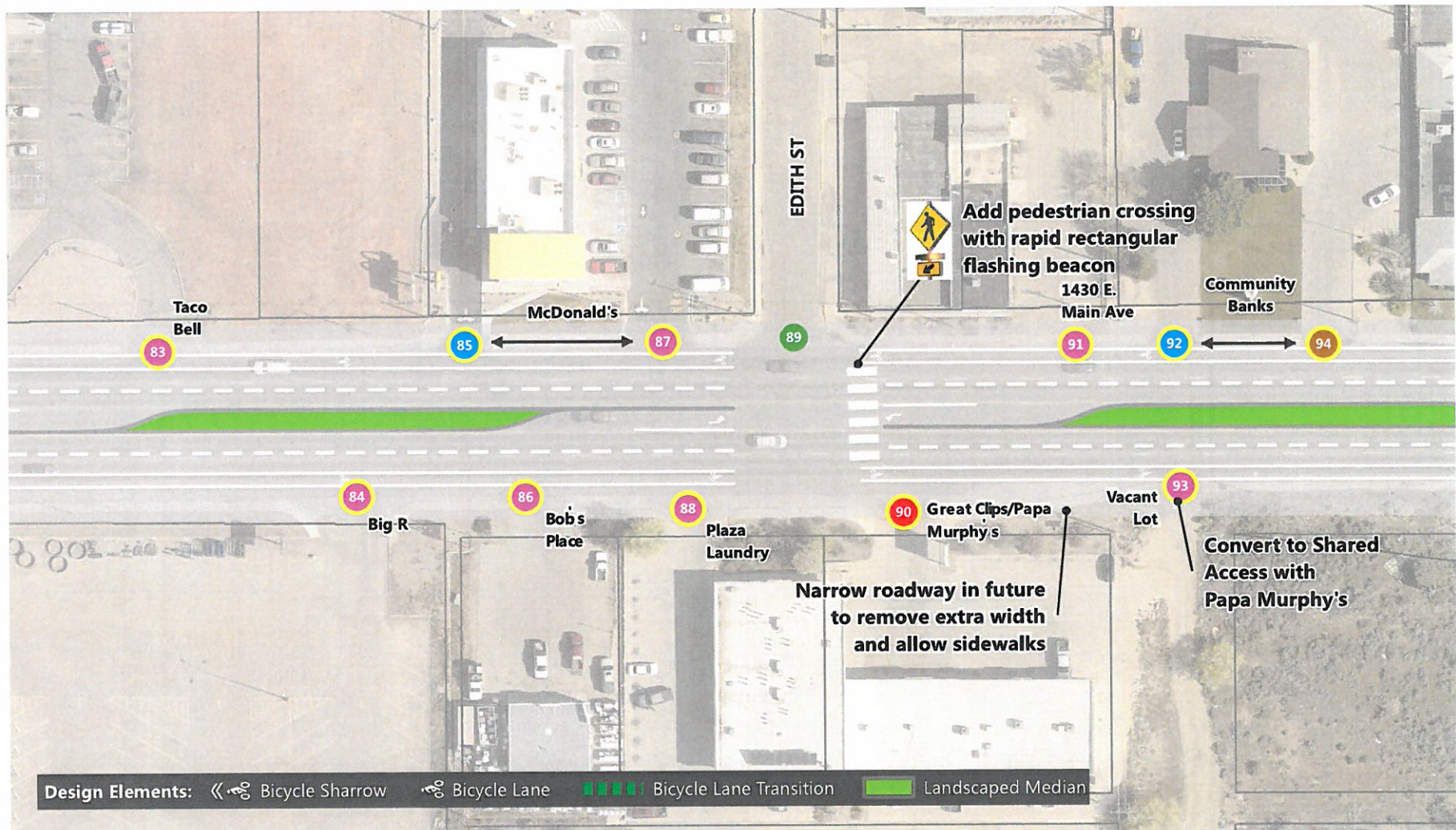




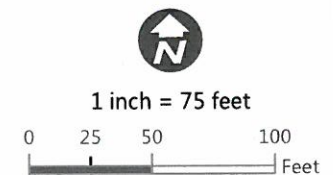
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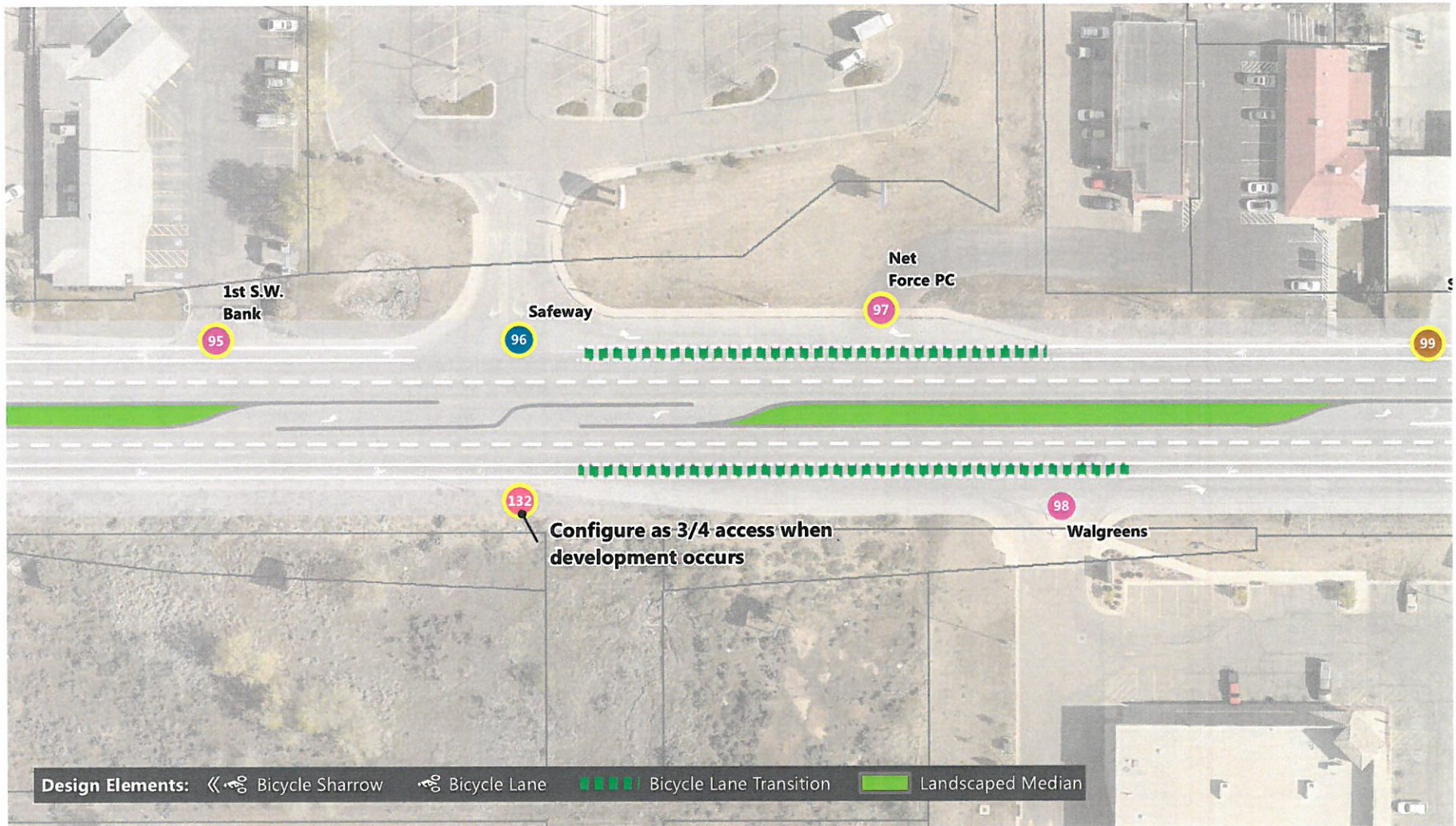




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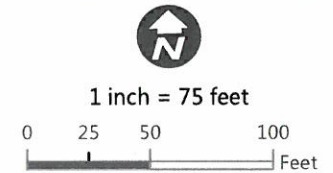




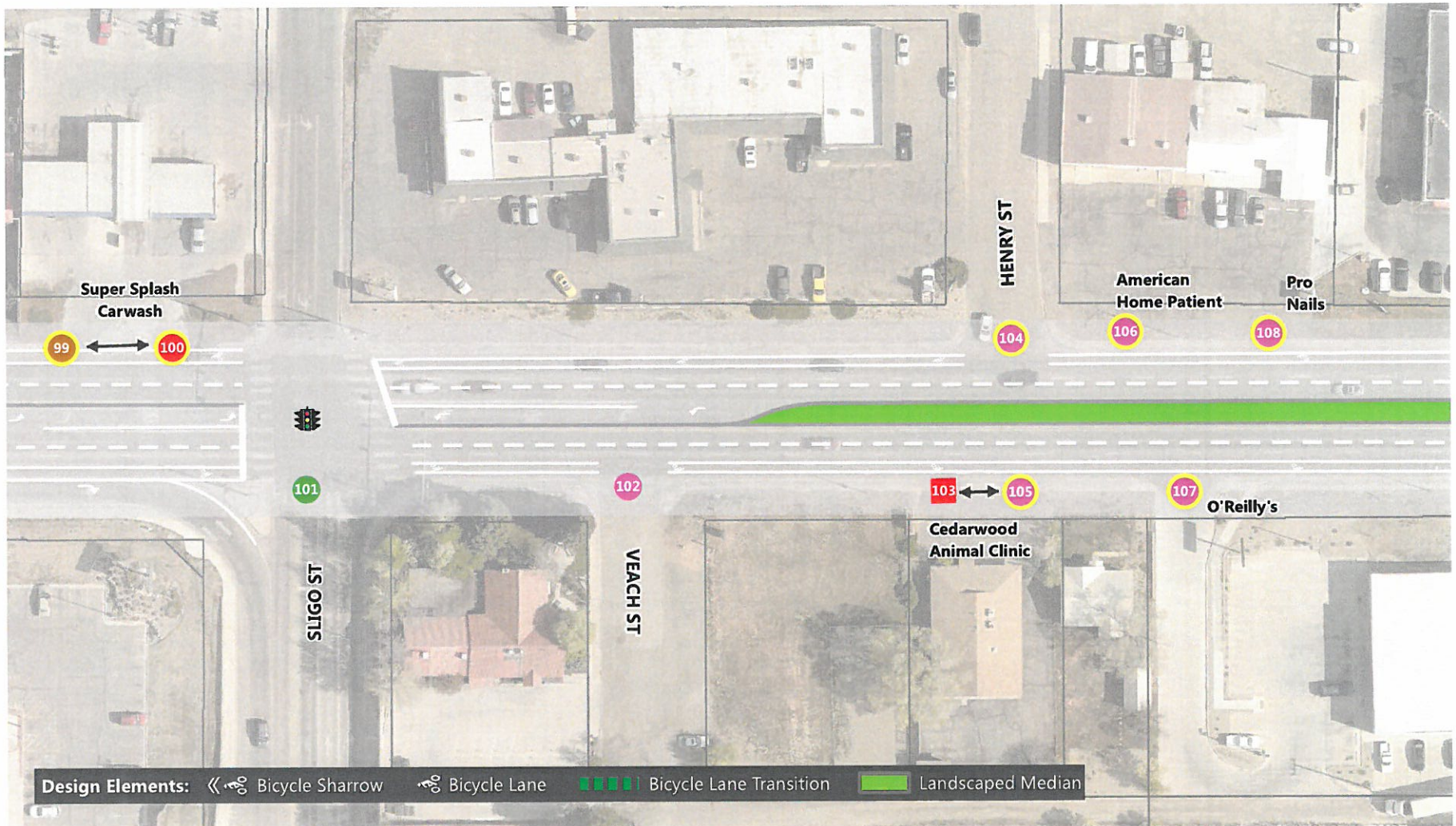


#### Access Recommendations

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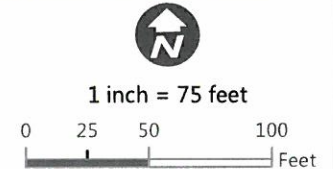




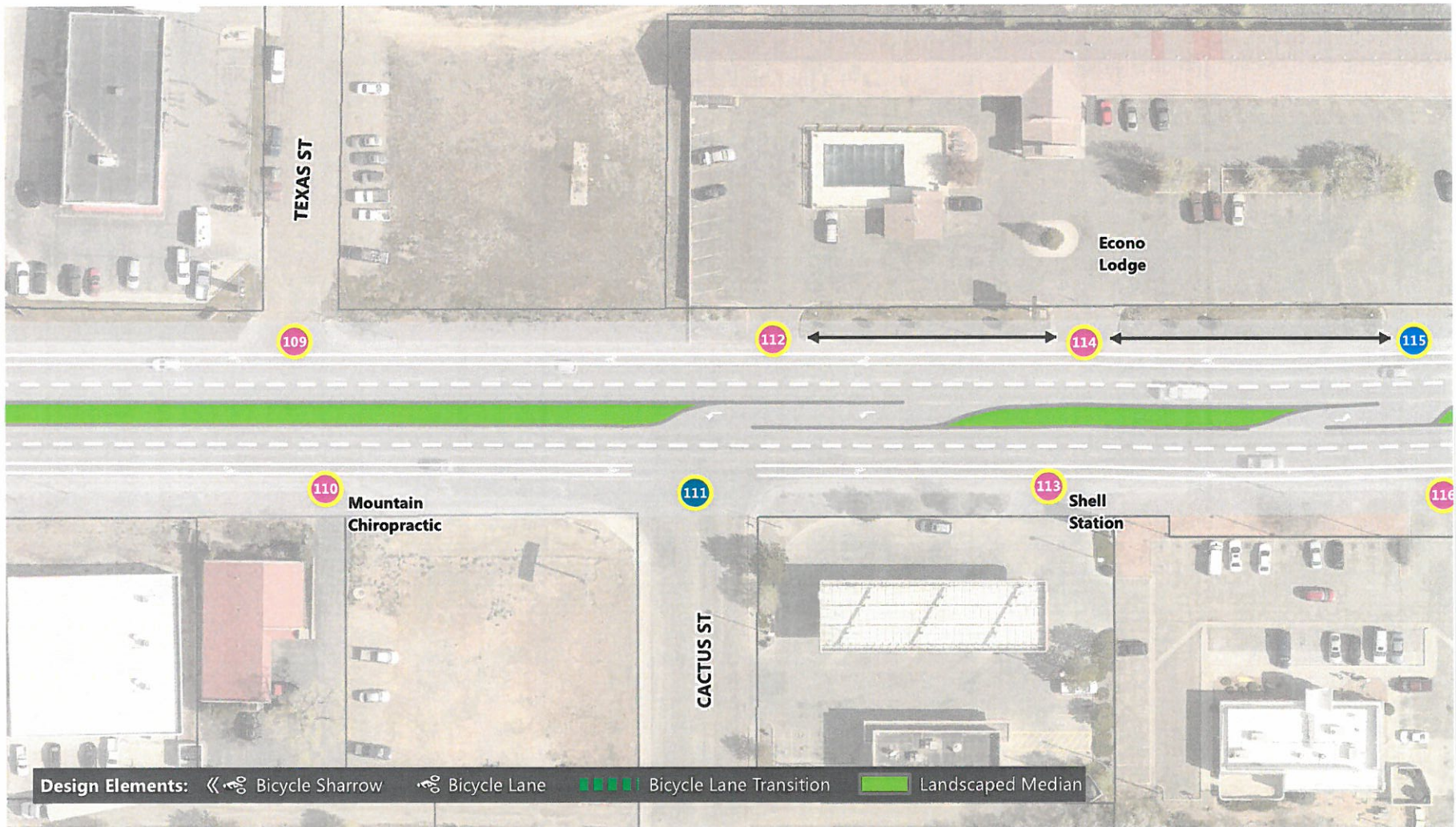


#### Access Recommendations

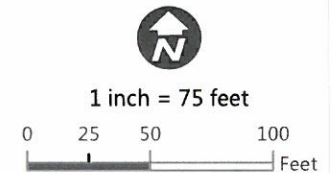
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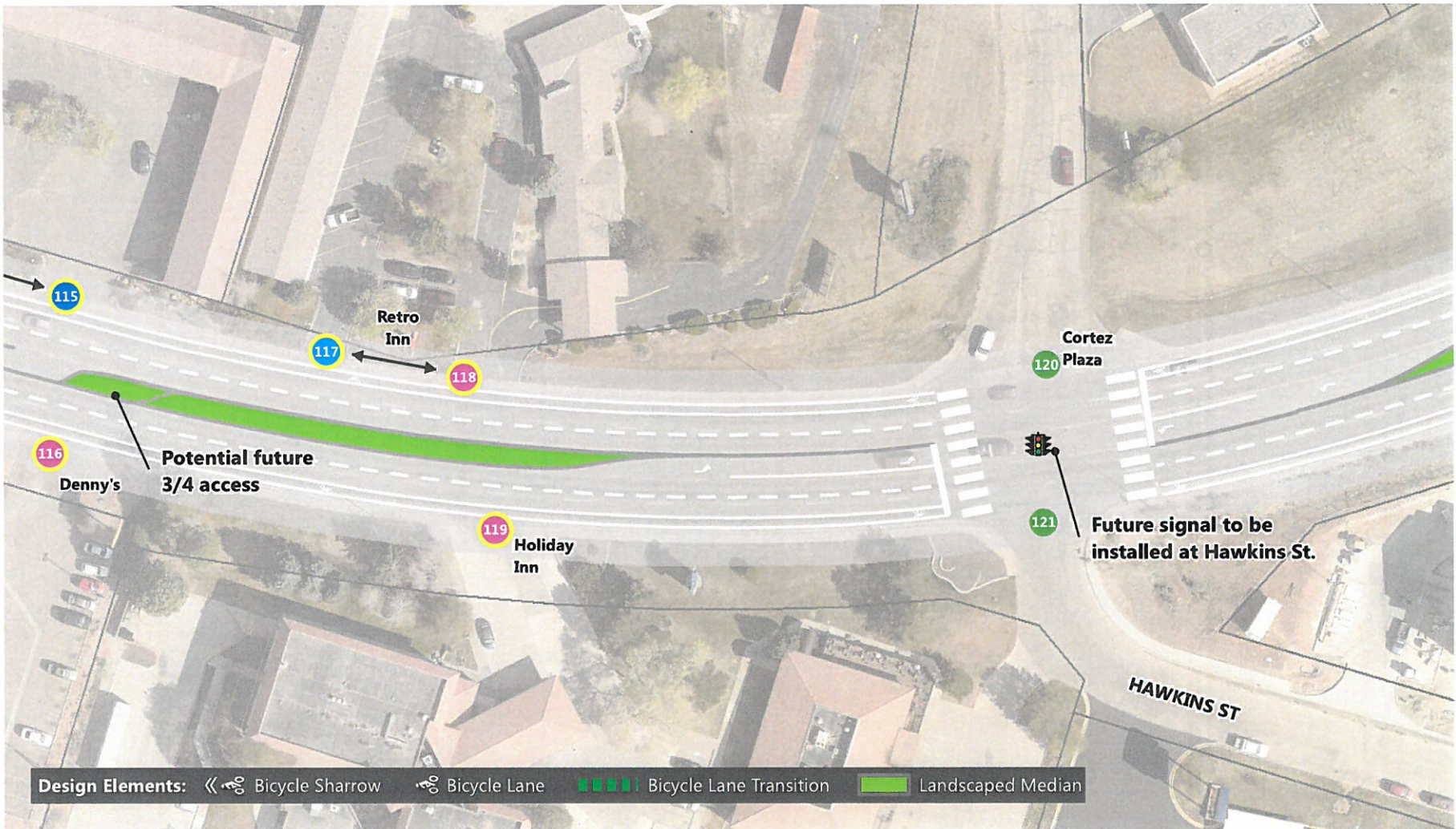




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**Access Recommendations**



Full



3/4 Access



Ingress Only



Left In Only



Right In Only



Right In/Right Out



Right Out Only



New Access



Recommended Closure



Planned Closure



Access Closed



Access Change



Traffic Signal



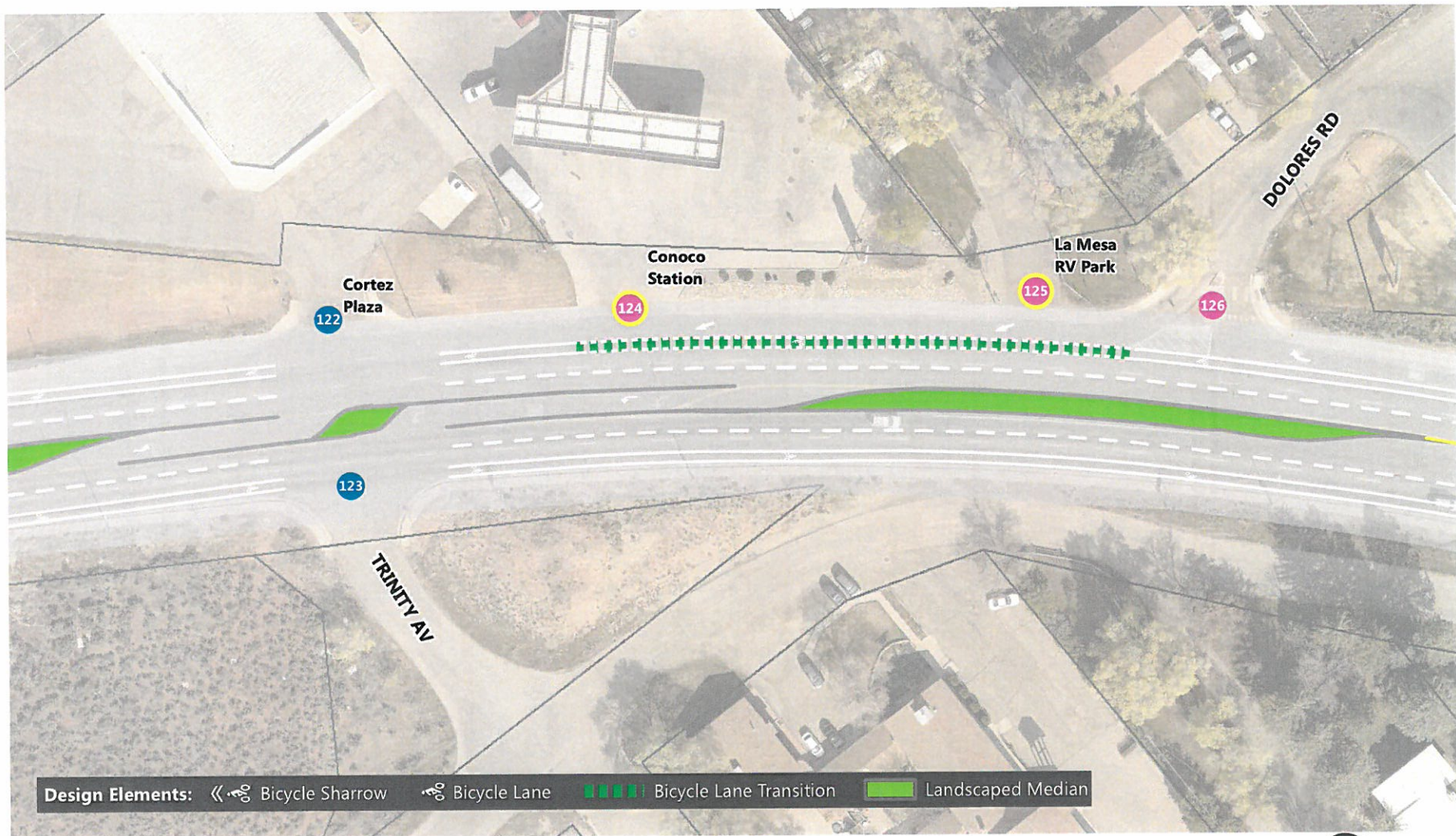
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1 inch = 75 feet







**Access Recommendations**

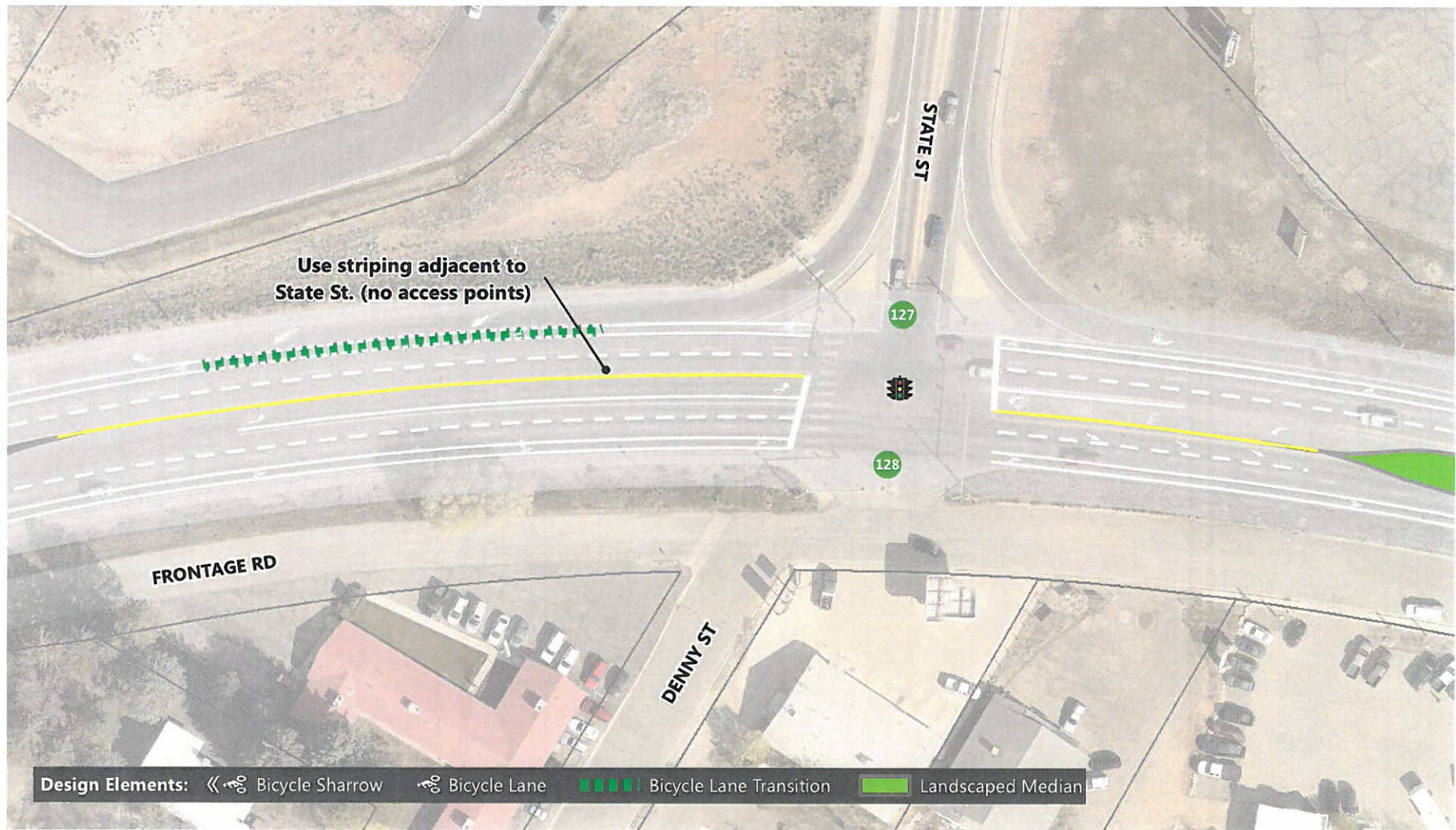
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1 inch = 75 feet  
0 25 50 100 Feet







#### Access Recommendations

Full

3/4 Access

Ingress Only

Left In Only

Right In Only

Right In/Right Out

Right Out Only

New Access

Recommended Closure

Planned Closure

Access Closed

Access Change

Traffic Signal

Multiple Accesses per Business

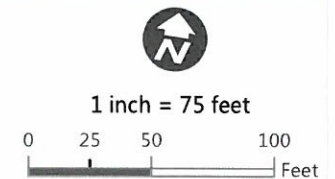
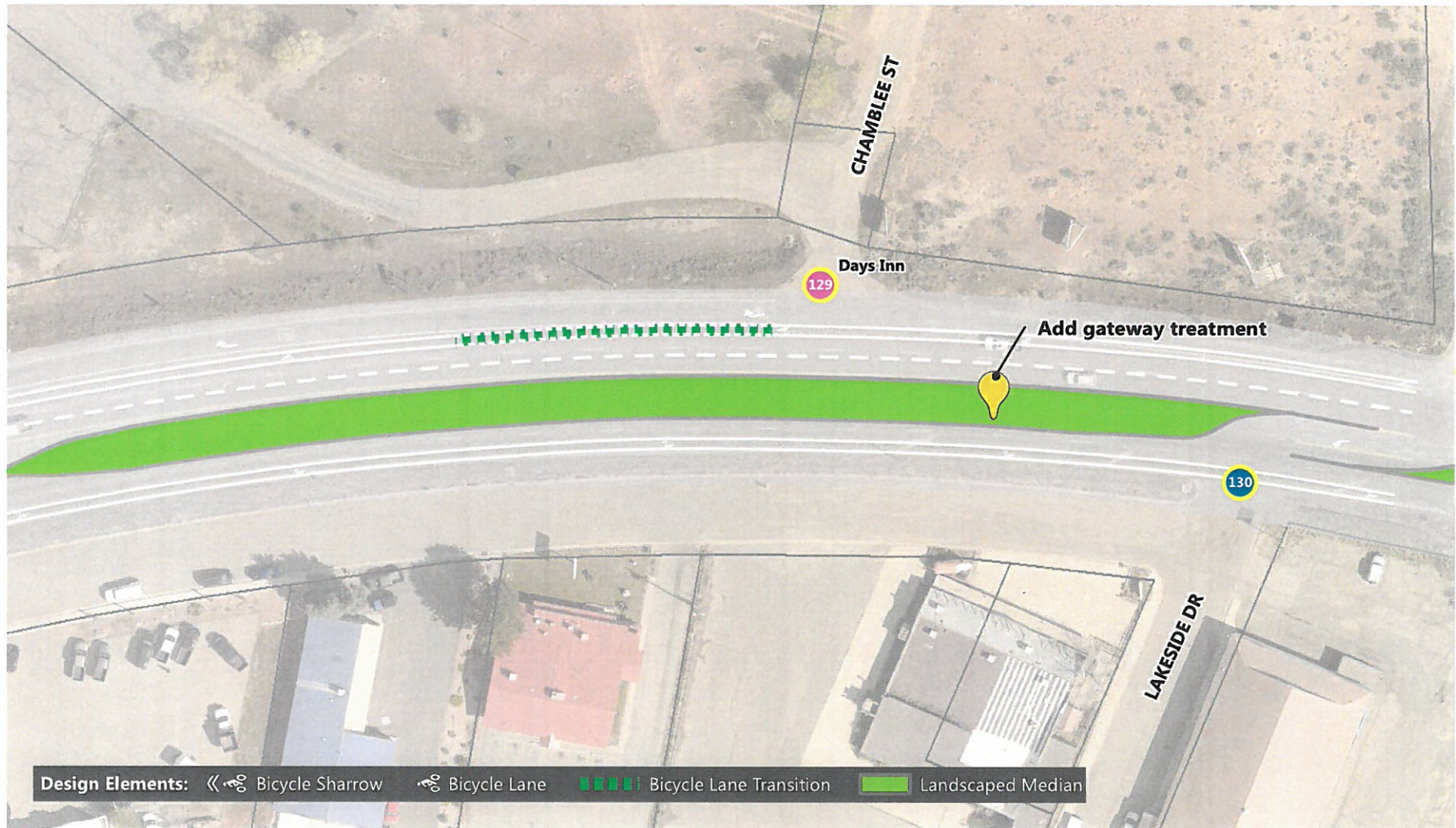


1 inch = 75 feet

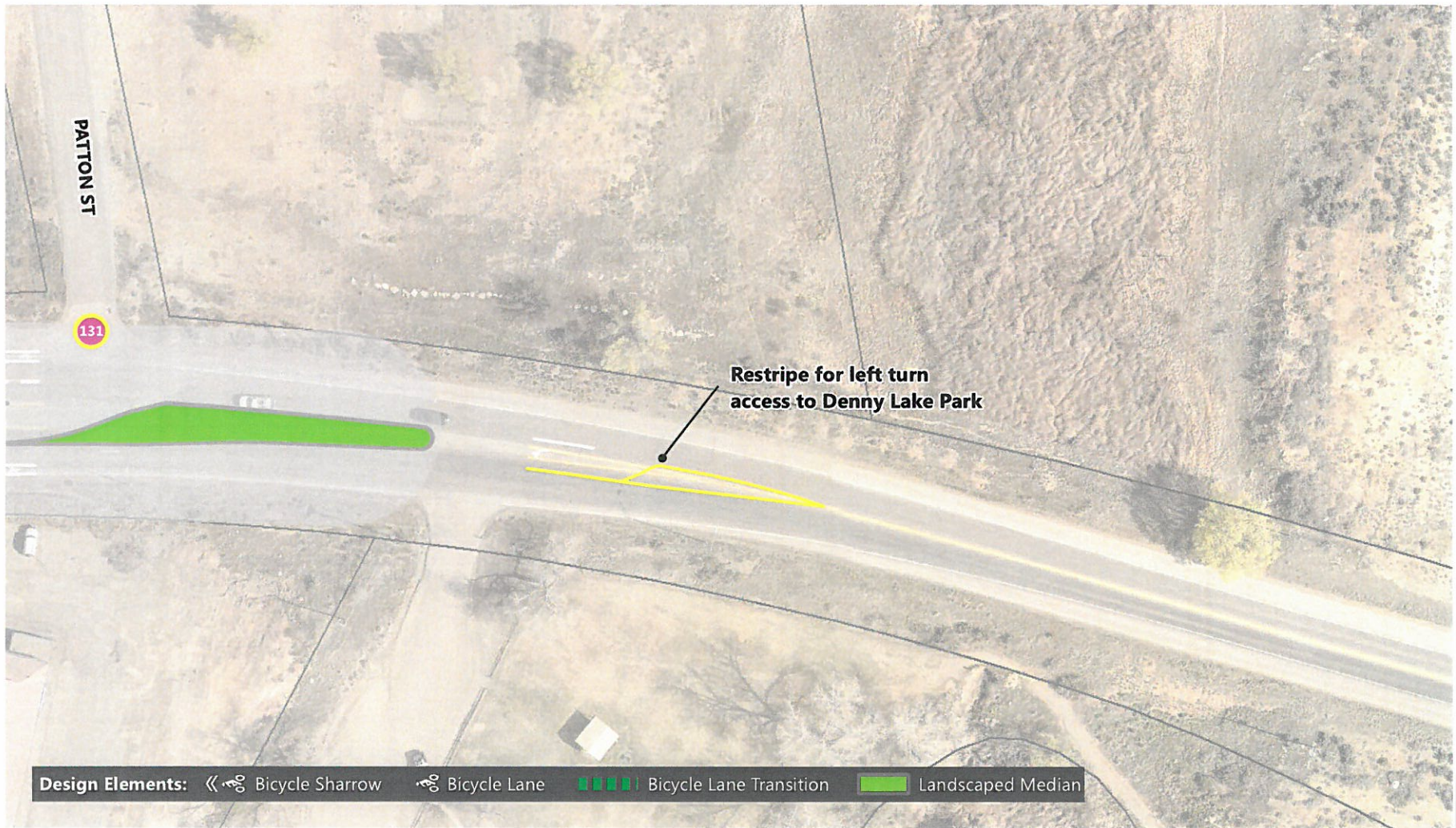
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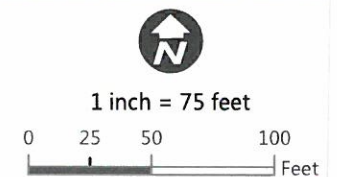






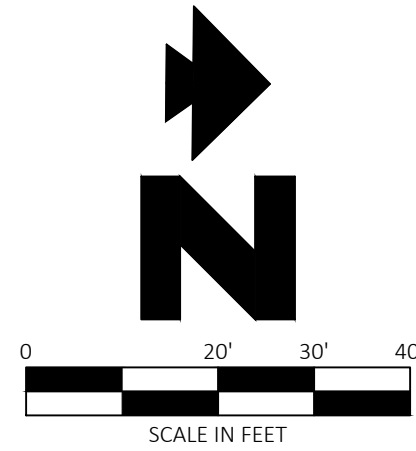
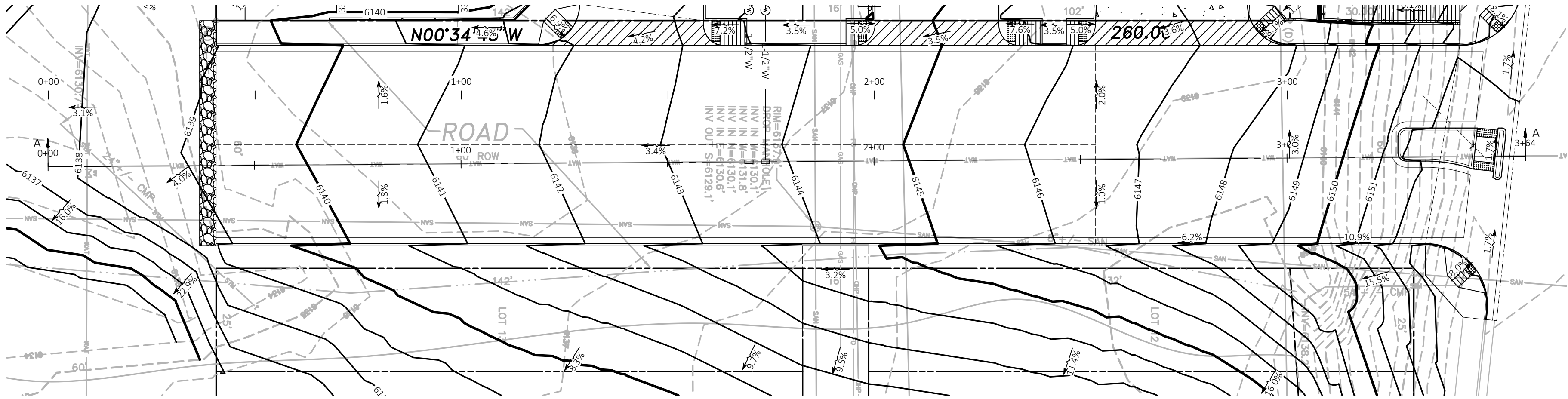


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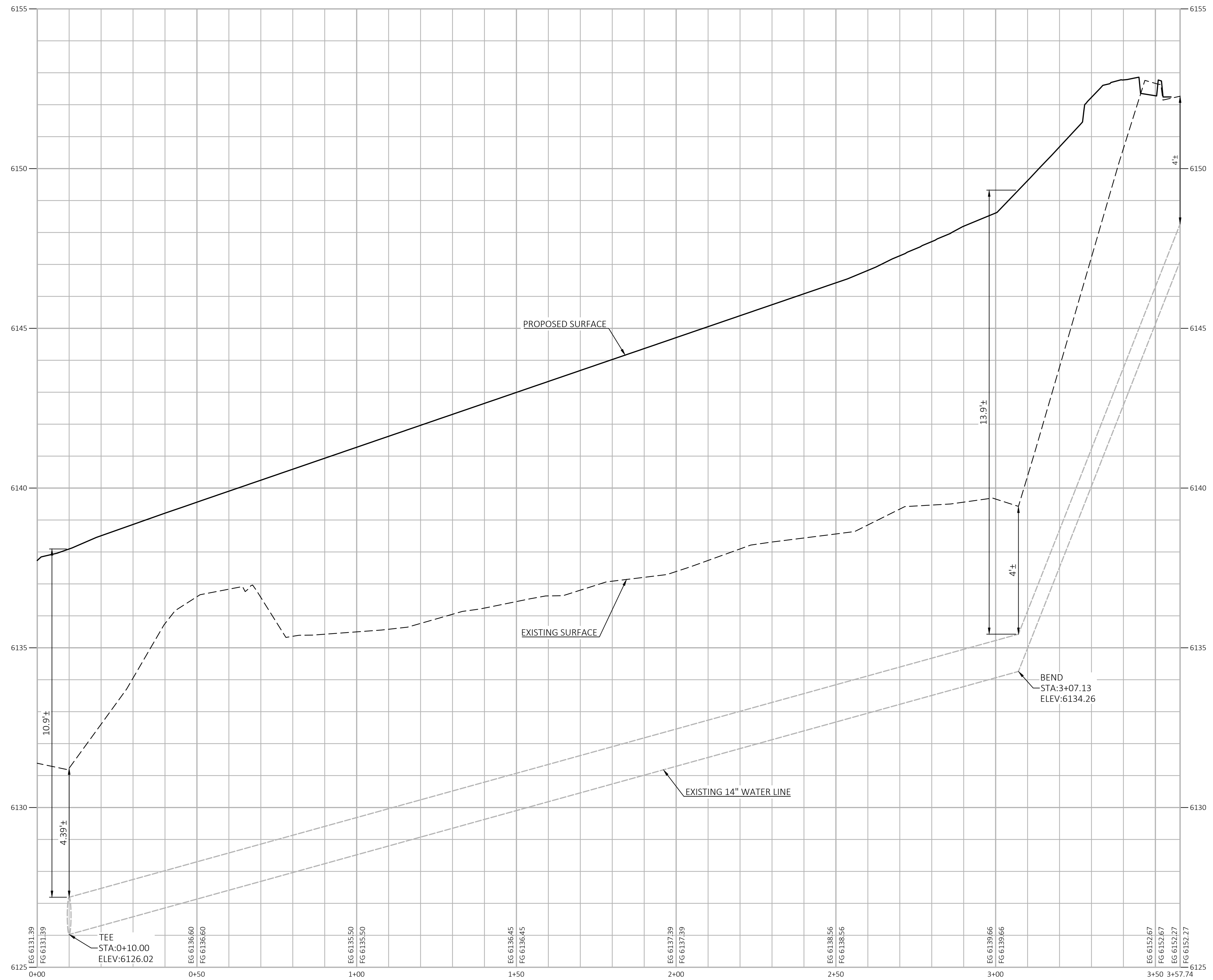


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 Kim Percell Clerk/Recorder, Montezuma County, Co





WATER LINE - A PROFILE  
VERTICAL SCALE: 1"=2'  
HORIZONTAL SCALE: 1"=20'



CEI ENGINEERING ASSOCIATES, INC.  
710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
FAX: (559) 447-3129



CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION		
NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, CO

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	2/7/2023
REVISION	REV-2

EXISTING WATER LINE  
PROFILE

SHEET TITLE  
SHEET NUMBER

EX1

# **GEOTECHNICAL INVESTIGATION REPORT**

**Proposed Quick N Clean Carwash  
1511 Main Street  
Cortez, Colorado**

**Yeh Project No.: 222-475**

**November 10, 2022**

**Prepared for:**

**3K1 Consulting Services, LLC  
11811 N. Tatum Boulevard, Suite 1051  
Tucson, Arizona 85028**

**Attn: Mr. Nick Barber**

**Prepared by:**

**Yeh and Associates, Inc.  
570 Turner Dr. Suite D  
Durango, CO. 81303  
Phone: 970-475-9590**



# GEOTECHNICAL INVESTIGATION REPORT

Proposed Quick N Clean Carwash  
1511 Main Street  
Cortez, Colorado

Yeh Project No.: 222-475

November 10, 2022

Prepared by:



11/10/2022

Roger K. Southworth, P.E.  
Senior Project Engineer

Reviewed by:



Marty Skyrman, P.E.  
Senior Project Engineer

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## **1.0 PURPOSE AND SCOPE OF STUDY**

This report presents the results of our geotechnical investigation for the carwash that will be constructed in Cortez, Colorado. This investigation was performed in general accordance with our Proposal No. 222-475 dated October 13, 2022. Our scope of services included a field exploration, laboratory testing, geotechnical engineering analyses, and preparation of this report.

The purposes of this investigation were to evaluate the subsurface conditions on the site and to develop geotechnical recommendations to guide design and construction of the proposed carwash. Our scope of services included the following:

- Drilling soil borings to evaluate the subsurface conditions in the proposed building and pavement areas.
- Laboratory testing of the soils encountered during the field exploration to evaluate pertinent engineering properties of the soil.
- Foundation design recommendations, including allowable bearing pressure, approximate depth to bearing stratum, and estimated movement.
- Floor slab design considerations and floor slab subgrade preparation recommendations.
- Pavement subgrade preparation and recommended pavement sections.
- Estimated soil percolation rate for detention basin design
- Earthwork, including recommendations for fill placement and compaction, suitability of the site soil for reuse as engineered fill, and subgrade preparation.
- Discussion of geotechnical conditions that could impact construction, such as subgrade stabilization, hard rock excavation, and drainage.

## **2.0 PROPOSED CONSTRUCTION**

The project will consist of constructing a carwash in Cortez, Colorado. The location of the project site is depicted on the following Figure 1, *Project Location Map*. The facility will include a one-story building with a footprint of approximately 5,380 square feet, a parking lot and drives, a detention pond, and associated infrastructure. It was assumed that the building will have maximum column loads of less than 100 kips and maximum wall loads of less than 3 kips per linear foot.

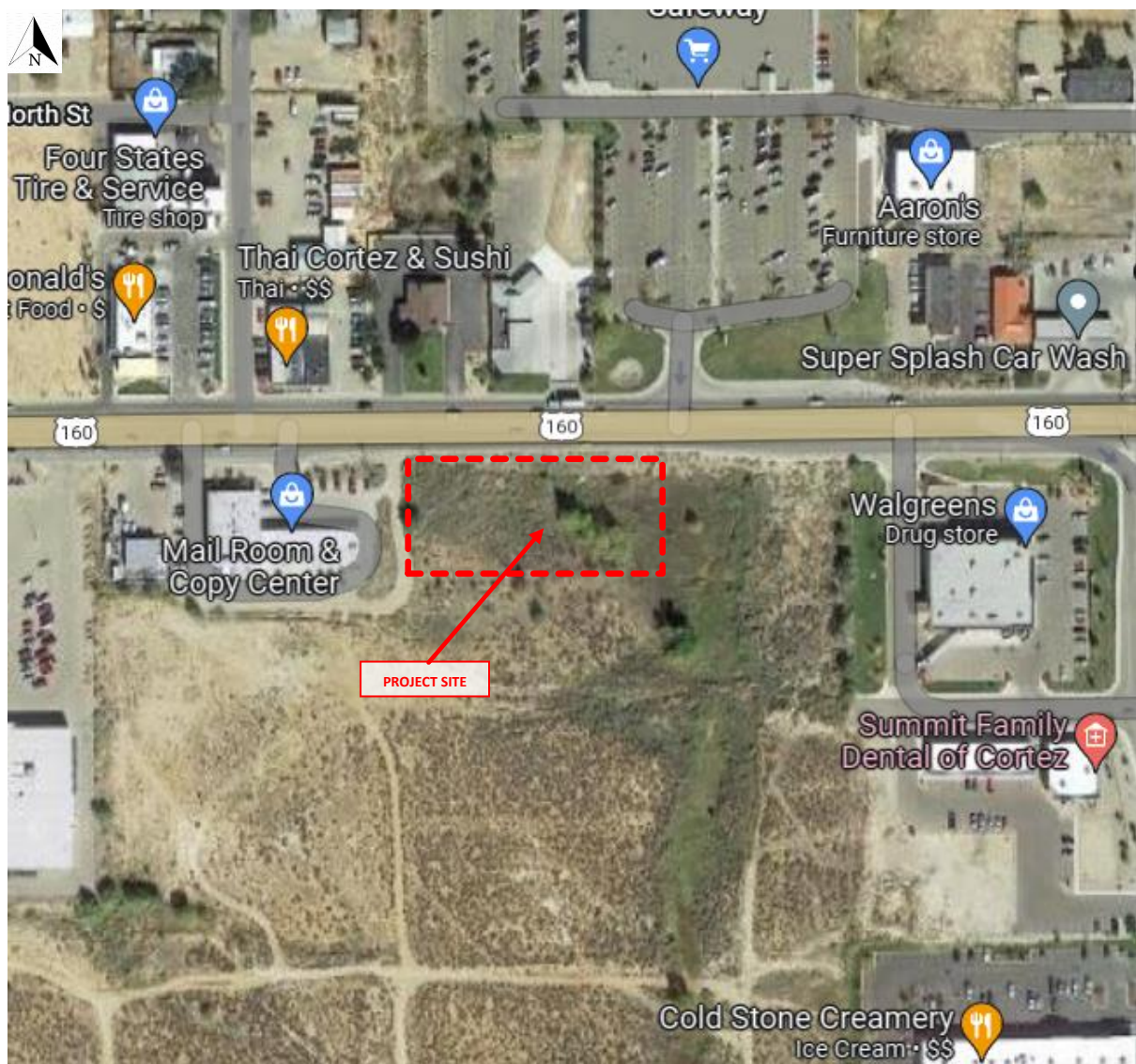
The *Grading Plan* for the project prepared by CEI Engineering Associates, Inc dated October 4, 2022 indicates that a finish floor elevation of El. 6142.5 feet is planned for the building. The site grades in the proposed building area currently vary from about El. 6138 to 6142 feet. The finish



floor of the building will therefore vary from about ½ foot lower to 4 feet higher than the current site grades.

The project site slopes down from the west towards the east approximately 11 feet, with elevations ranging from about El. 6136 to 6147 feet. The final site grades in the western portion of the site will be within about 1 foot of the current site grades. The final site grades in the eastern portion of the site will be about 3 to 10 feet higher than the current site grades. We should be contacted if this information is incorrect so that we can determine if a revision of the recommendations contained herein is necessary.

**Figure 1 – Project Location Map**





### 3.0 SITE CONDITIONS

The project site was vacant and vegetated with native grasses, brush, and small trees at the time of the field investigation. The site slopes down from the west towards the east approximately 11 feet. The site is on the order of 3 to 18 feet lower than East Main Street, which is located immediately north of the site. The site is bounded by vacant land to the south and east of the site, and by a strip shopping center to the west of the site. A site photograph is provided in the following Figure 2.

**Figure 2 –Site Photograph**



**Project site looking north from near the southeast property corner**

## **4.0 SUBSURFACE INVESTIGATION**

### **4.1 Field Exploration**

Eight borings were drilled for this project to depths ranging from approximately 5 to 10 feet. Four of the borings were terminated due to auger refusal in sandstone. The other four borings were terminated at a depth of 5 feet, prior to encountering the sandstone. The approximate boring locations are indicated on the *Boring Location Plan* attached in Appendix A.

Samples of the subsurface materials were obtained from the borings at select depths by driving a split-spoon sampler. Bulk samples of the soil were recovered from auger cuttings as the borings were advanced. The samples were transported to our laboratory where they were examined by the project geotechnical engineer and a program of laboratory testing was prepared.

Penetration resistance measurements were made by driving the samplers into the subsurface materials with a 140-pound hammer falling 30 inches. The number of blows required to drive the sampler 12 inches, after an initial penetration of 6 inches for the standard sampler, constitutes the N-value as shown on the boring logs. The N-values can be correlated to the relative density of granular soil and the consistency of cohesive soil.

Water levels were recorded in each boring at completion of the drilling operations. The borings were backfilled with the auger spoil after the water level readings were obtained. The water level readings are presented on the boring logs.

The drilling operations were monitored by a Yeh and Associates geotechnical engineer. The engineer prepared field logs documenting the soil conditions encountered, groundwater levels, standard penetration test blow counts (N-values), sampling intervals, and types of samples obtained. The field logs were used by the project geotechnical engineer as an aid in preparing the final boring logs. Copies of the boring logs are presented in Appendix B. Our scope of services did not include survey of the boring locations.

### **4.2 Laboratory Testing**

The recovered soil samples were classified by the project geotechnical engineer in accordance with the Unified Soil Classification System (USCS). Laboratory tests were then performed on select samples to evaluate the pertinent engineering properties of the soil. The laboratory testing was conducted in general accordance with the American Society for Testing and Materials (ASTM) test procedures. The following laboratory tests were performed for this evaluation:



- Water Content
- Dry Unit Weight
- Liquid and Plastic Limits
- Swell/Compression Potential
- Percent Passing No. 200 Sieve

The laboratory test results are presented on the boring logs.

## **5.0 SUBSURFACE CONDITIONS**

Lean clay with variable sand content was encountered in the borings to depths of about 6 to 9½ feet, underlain by sandstone that extended to the boring termination depths. Sandstone was not encountered in Borings B-2 through B-5, which were terminated at a depth of 5 feet, prior to encountering the sandstone. The consistency of the lean clay varied from medium stiff to hard.

Groundwater was not encountered in the borings during drilling. Variations in the groundwater level may occur seasonally. The magnitude of the variation will be largely dependent upon the amount of spring snowmelt, duration and intensity of precipitation, irrigation practices, site grading changes, and the surface and subsurface drainage characteristics of the surrounding area. Perched water tables may be present but were not encountered in the borings.

## **6.0 RECOMMENDATIONS**

### **6.1 Design Considerations**

The borings indicate that the project site is underlain by highly expansive clay, which will experience volume change with variations in its water content. Structures and related improvements situated within the clay will experience large movements if the moisture content of the clay increases. The foundations and floor slabs should therefore be underlain by non-expansive fill and moisture conditioned soil in order to reduce the amount of movement due to clay shrink/swell. Recommendations for treatment of the foundation/floorslab subgrade in order to reduce the potential for excessive movement are presented herein.

### **6.2 Foundations**

The proposed carwash can be supported by spread footings. However, the site soil is expansive and is not recommended for direct foundation support. The footings should be underlain by a layer of engineered fill having a minimum thickness of 24 inches in order to reduce the potential for movement due to soil shrink/swell. Foundation subgrade preparation is discussed in greater detail in the **Earthwork** section of this report.

Foundations bearing on the newly placed engineered fill can be designed for a maximum net allowable bearing pressure of 2,500 pounds per square foot (psf). The allowable bearing pressure applies to dead load plus design live load conditions. The design bearing pressure can be increased by one-third or as allowed by local code, when considering transient loads, such as wind or seismic.

Resistance to lateral loads will be provided by the passive earth pressure acting against the footings and the frictional resistance acting along the base of the footings. An ultimate passive earth pressure resistance of 300 pounds per square foot per foot (psf/ft) is recommended for design. A coefficient of sliding resistance of 0.35 is recommended for design. The lateral load resistance should incorporate a factor of safety of at least 1.5.

The foundations should be founded a minimum of 32 inches below the final site grade for frost considerations. Interior footings in heated areas should have a minimum embedment depth of 12 inches. Strip footings should have a minimum width of 16 inches and isolated column pad foundations should have a minimum dimension of 24 inches.

We estimate that the total post-construction movement of foundations supported as recommended herein will be on the order of 1 inch or less. We estimate that the differential movement between comparably sized and loaded foundations could equal the total foundation movement. Additional foundation movement can occur if water from any source infiltrates the foundation subgrade. Therefore, proper drainage should be provided in the final design and during construction.

Foundation excavations should be observed by the project geotechnical engineer, or a representative of the engineer, to document that the foundation bearing stratum is similar to the conditions encountered in the borings. If the subsurface conditions encountered differ from those presented herein, supplemental recommendations may be required.

### **6.3 Floor Slab**

A slab-on-grade floor can be used for the proposed carwash. However, the site soil is expansive and is not recommended for direct floor slab support. The floor slab should therefore be underlain by a minimum of 18 inches of non-expansive fill to reduce the potential for floor slab movement due to shrink/swell of the expansive clays. The floor slab subgrade should be prepared in accordance with the recommendations presented in the **Earthwork Recommendations** section of this report.

Additional floor slab design and construction recommendations are as follows:

- Positive separations and/or isolation joints should be provided between slabs and all foundations, columns, or utility lines to allow independent movement.
- Control joints should be provided in slabs to control the location and extent of cracking.
- Interior trench backfill placed beneath slabs should be compacted in accordance with recommended specifications outlined herein.
- If moisture-sensitive floor coverings are used on interior slabs, barriers to reduce the potential for vapor rise through the slab are recommended.
- Floor slabs should not be constructed on frozen subgrade.
- Other design and construction considerations, as outlined in Section 302.1 R of the "ACI Design Manual", are recommended.

#### **6.4 Seismic Considerations**

The building should be designed to resist lateral forces generated by earthquake shaking in accordance with the current building codes and applicable design practice. The site is classified as Site Class C “Very Dense Soil and Soft Rock” per Table 20.3-1 *Site Classification* in ASCE-7 (ASCE 2016). The site class was based on the conditions encountered in our shallow exploratory soil borings and our knowledge of the soil conditions in the site vicinity. The soil characteristics extending beyond the depth of our borings were assumed for the purposes of providing this site classification. Values for use in seismic design are presented in the following table.

The design parameters were determined using a website application ([www.seismicmaps.org](http://www.seismicmaps.org)) developed by the Structural Engineers Association of California (SEAOC) and California’s Office of Statewide Health Planning and Development (OSHPD). The program uses the United States Geological Survey (USGS) web services to retrieve seismic design data and present it in a report format. A copy of the computer output from this program is attached in Appendix C.



**Table 1 – Seismic Design Parameters**

Seismic Parameter	Value
Latitude, degrees	37.348462
Longitude, degrees	-108.566535
Site Class	C
$S_s$ , Seismic Factor for Site Class D at 0.2 seconds	0.172
$S_1$ , Seismic Factor for Site Class D at 1 second	0.055
$F_a$ , Site Amplification Factor at 0.2 seconds	1.3
$F_v$ Site Amplification Factor at 1 second	1.5
$S_{MS}$ , Site Specific Response Parameter at 0.2 seconds	0.223
$S_{M1}$ , Site Specific Response Parameter at 1 second period	0.082
$S_{DS} = 2/3 S_{MS}$ , Design Spectral Acceleration Parameter at Short Periods	0.149
$S_{D1} = 2/3 S_{M1}$ , Design Spectral Acceleration Parameter at 1 second period	0.055

## 6.5 Drainage Considerations

Properly functioning foundations and floor slabs require appropriately constructed and maintained site drainage conditions. Therefore, it is extremely important that positive drainage be provided during construction and maintained throughout the life of the structure. It is also important that proper planning and control of landscape and irrigation be performed.

The building should be provided with downspouts extensions to direct water away from the structure. The downspouts should discharge into drainage swales or into the storm sewer system.

Infiltration of water into utility or foundation excavations must be prevented during construction. Backfill against footings, exterior walls, and in utility and sprinkler line trenches should be well compacted and free of all construction debris to reduce the potential for moisture infiltration. If utility line trenches are backfilled with the on-site clay, care should be taken not to overcompact the backfill. However, if the trenches are backfilled with granular soil then a clay plug should be placed in the trench adjacent to the building to reduce the potential for water following the trench back under the structure.

In areas where sidewalks, patios, or driveways do not immediately adjoin the structure, the ground surface adjacent to the structure should slope down at a grade of about five percent for a distance of at least 10 feet from the perimeter walls. Planters or other surface features that could retain water adjacent to the structure should be avoided. If planters and/or landscaping are adjacent to or near the structure, we recommend the following:

- Grades should slope away from the structure.
- Planters should slope away from the structure and should not pond water. Drains should be installed in enclosed planters to facilitate flow out of the planters.
- Watering should be kept to a minimum. Irrigation systems should be situated on the far side of any planting and away from the building to reduce the potential for infiltration beneath the structure from possible leaks.
- A minimum horizontal distance of 36 inches should be maintained between the building foundations and shallow-rooted plants. In a like manner, for deeper-rooted plants a minimum of 72 inches should be maintained between the building foundations and the plants. These deeper-rooted plants should also have a low water requirement.
- Trees should be planted no closer than a distance equal to one-half their mature height or fifteen feet, whichever is greater, from the building.

These recommendations will help reduce the potential for soil movement and the resulting distress but will not eliminate this potential.

## **6.6 Pavement**

The project will include the construction of parking lots and drives. Based upon the conditions encountered in the borings it is anticipated that the pavement subgrade will consist of lean clay. Design traffic volumes were not provided for our analysis. It was assumed that the development would be subject to automobile and light truck traffic, with occasional moderately loaded delivery traffic. A pavement design life of 20 years was assumed for the analysis.

A revision of the recommended pavement sections may be necessary if the design traffic loading conditions are different than assumed. An evaluation of the type and volume of traffic that each portion of the parking lot will experience should be conducted to determine if the pavement sections presented herein are appropriate.

**Table 2: Recommended Pavement Sections**

Traffic Area	Asphalt Pavement	Aggregate Base Couse
Parking Stalls	3 inches	6 inches
Access Drives	4 inches	8 inches

The "design life" of a pavement is defined as the expected life at the end of which reconstruction of the pavement will need to occur. Normal maintenance, including crack sealing, slurry sealing, and/or chip sealing, should be performed during the life of the pavement.

A rigid pavement section is recommended in loading and unloading areas, at dumpster locations, and access drives due to the high static loads imposed by the vehicles in these areas. A minimum six-inch thick Portland cement concrete pavement bearing on compacted subgrade is recommended. The pavement should be reinforced with No. 4 rebar placed at 24 inches on center in each direction.

Bituminous pavement should be constructed of dense-graded, central plant-mix, asphalt concrete. Base course, Portland cement, and asphalt concrete should conform to the City of Cortez standard specifications. Material and compaction requirements should conform to recommendations presented in the **Earthwork Recommendations** section of this report.

The site soils are expansive and differential heave may occur. The pavement service life may be reduced due to water infiltration into the subgrade soils and heave induced cracks in the pavement. This will result in a softening and loss of strength of the subgrade soils. A regular maintenance program to seal pavement cracks will help prolong the life of the pavement.

Pavement design methods are intended to provide an adequate thickness of structural materials over a particular subgrade such that wheel loads are reduced to a level the subgrade can support. The support characteristics of the subgrade for pavement design do not account for shrink and swell movements of an expansive soil subgrade, such as the soils encountered on this project. Consequently, the pavement may be adequate from a structural standpoint, yet still experience cracking and deformation due to shrink/swell movement of the subgrade. It is therefore important to minimize moisture changes in the subgrade to reduce shrink/swell movements. The pavement surface, subbase surface, and adjacent areas should be well drained. Excessive watering of landscaped areas adjacent to pavements should be avoided. Proper maintenance should be performed on cracks in the pavement surface to prevent water from penetrating into



the base, subbase, or subgrade material. Even with these precautions, some movement and related cracking may still occur, requiring periodic maintenance.

## **6.6 Detention Basin Design**

A detention basin will be constructed in the southeast corner of the site. The basin is planned to have a base elevation of El. 6135 and will extend approximately 1 to 2 feet below the current site grades.

Boring B-7 was drilled in the area of the proposed detention basin. The boring encountered lean clay to a depth of approximately 6 feet underlain by sandstone bedrock. According to information provided in the report entitled *Regulation No. 43 – On-Site Wastewater Treatment System Regulation* by the Colorado Water Quality Control Commission, the lean clay has an estimated percolation rate of 90 minutes per inch.

## **7.0 EARTHWORK RECOMMENDATIONS**

Site preparation and earthwork operations should be performed in accordance with applicable codes, safety regulations, and other local, state, or federal guidelines. Earthwork on the project should be observed and evaluated by Yeh and Associates (Yeh). The evaluation of earthwork should include observation and testing of engineered fills, subgrade preparation, foundation bearing soils, and other geotechnical conditions exposed during the construction of the project.

### **7.1 Site Grubbing and Stripping**

Topsoil, vegetation, tree root balls, and any other deleterious materials should be removed from the proposed building and pavement areas. All exposed surfaces should be free of mounds and depressions, which could prevent uniform compaction.

### **7.2 Building Pad Subgrade Preparation**

Following site clearing operations, the building pad should be cut, as required, to a minimum depth of 18 inches below the proposed bottom of floor slab. The foundation areas should be overexcavated to a minimum depth of 24 inches below the design foundation bearing grade. The foundation overexcavations do not have to extend beyond the outside edges of the foundations unless required for construction purposes.

The base of foundation/floor slab overexcavations should then be scarified to a minimum depth of 8 inches, moisture conditioned to a water content between 0 and 4 percentage points above the optimum water content, and recompacted to between 93 and 97 percent of the standard

Proctor maximum dry density (ASTM D 698). The site can then be raised to the design finish grade with imported non-expansive fill that meets the requirements presented in Section 7.5.

The perimeter foundation excavations on the exterior side of the building should be backfilled with on-site clay to reduce the potential for surface water ponding in the non-expansive fill underlying the foundations. This clay backfill should extend from the base of the foundation to the planned finish grade. The ground surface should be sloped away from the building to promote drainage away from the structure.

### **7.3 Pavement Subgrade Preparation**

Following site clearing operations, pavement areas should be cut, as required, to the design finish grade. The subgrade should then be scarified to a minimum depth of 8 inches, moisture conditioned as required, and recompact in accordance with the recommendations presented in Section 7.6. The site can then be raised to the design finish grade with engineered fill.

The pavement subgrade should be proof rolled under the observation of the project geotechnical engineer, or a representative of the engineer, to verify stability immediately prior to placing the aggregate base course. Proof rolling should be accomplished with a fully loaded water truck or similar heavy rubber-tired equipment weighing a minimum of 10 tons and should include multiple equipment passes in two directions. Any soft, loose, or otherwise unsuitable material detected during proof rolling operations should be removed and replaced with engineered fill or otherwise stabilized.

### **7.4 Subgrade Preparation Considerations**

The lean clay deposits exhibit relatively low strength characteristics and may be unstable, especially during wet weather. In areas where unsuitable material is encountered, placement of a geogrid, coarse aggregate, or other forms of subgrade stabilization could be necessary to develop a suitable subgrade for pavement support. The actual method of subgrade stabilization, if required, should be determined by the project geotechnical engineer at the time of construction.

### **7.5 Fill Material**

The existing site soil can be used as fill in the proposed pavement areas provided any deleterious material is removed prior to reuse. It should be noted that these deposits are moisture sensitive and that it may be necessary to adjust the moisture content of the soil to achieve the required compaction.

The existing site soil is expansive and is not recommended for use as fill in the planned building areas. Imported fill should consist of granular fill with no more than 35 percent passing the No. 200 sieve, maximum liquid limit of 40 and maximum PI of 15. Samples of any imported material proposed for use on the project should be submitted to our office for approval and testing at least three days prior to stockpiling at the site.

## 7.6 Compaction Recommendations

Fill should be placed in horizontal lift thicknesses that are suitable for the compaction equipment being used but in no case should exceed 8 inches by loose measure. Fill should be moisture conditioned and compacted in accordance with the criteria shown in Table 3.

**Table 3 - Compaction Requirements**

Fill Location	Material Type	Percent Compaction	Moisture Content
Scarified and Recompacted Building Pad and Pavement Subgrades	On-Site Soils	93 to 97 (ASTM D698)	0 to +4% of optimum
Engineered Fill for Building Pad Areas	Imported Granular Fill	95 minimum (ASTM D698)	± 3 % of optimum
Engineered Fill for Pavement Areas	On-Site Soils or Imported Fill	95 minimum (ASTM D 698)	± 3 % of optimum
Aggregate Base Course (ABC) for Pavement Areas	CDOT Class 6 ABC	95 minimum (ASTM D1557)	± 3 % of optimum

Engineered fill should be placed and compacted in horizontal lifts, using equipment and procedures that will produce a uniform fill with the recommended moisture contents and densities throughout the lift.

Fill should be keyed into any slopes that are steeper than 4 horizontal to 1 vertical (4H:1V). The benches should be well keyed and a minimum of 8 feet wide.

We recommend that a representative of Yeh and Associates monitor construction operations to verify that the soil exposed during construction is consistent with those encountered during our subsurface exploration, and that foundations, floor slabs, and pavement are constructed in accordance with the recommendations presented herein.



## **8.0 LIMITATIONS**

The recommendations in this report are based on our field observations, laboratory testing, and our present understanding of the proposed construction. It is possible that subsurface conditions can vary beyond the limits explored. If the conditions found during construction differ from those described in this report, please notify us immediately so that we can review our report considering those conditions and provide supplemental recommendations as necessary. We should also review this report if the scope of the proposed construction, including the proposed loads or structure locations, changes from that described in this report.

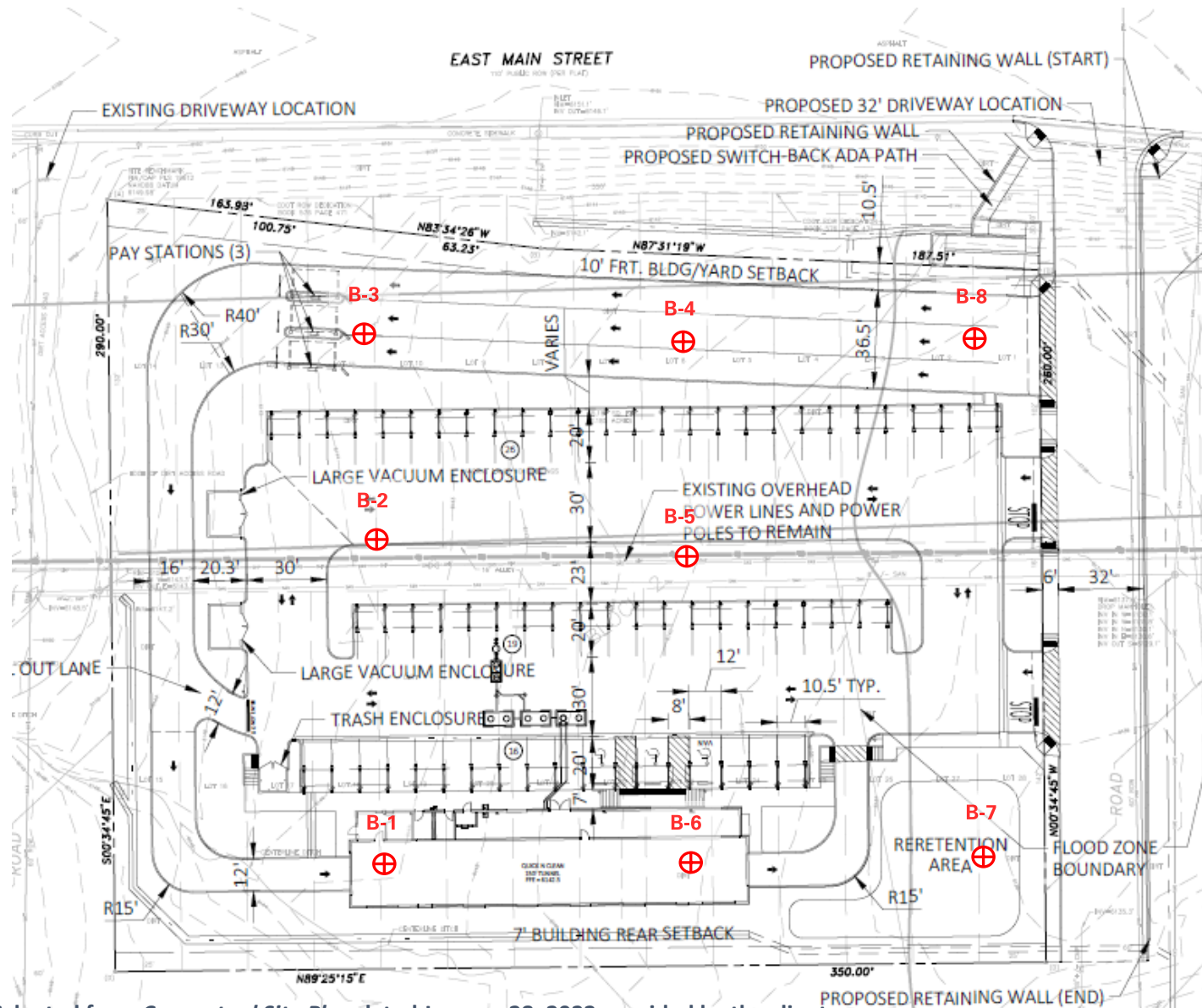
The scope of services for this project did not include, specifically or by implication, any environmental or biological (e.g. mold, fungi, and bacteria) assessment of the site or identification or prevention of pollutants, or conditions or biological conditions. If the owner is concerned about the potential for such contamination, conditions or pollution, other studies should be undertaken and a professional in that field should be consulted.

Yeh and Associates has prepared this report for the exclusive use of 3K1 Consulting Services. This report was prepared in substantial accordance with the generally accepted standards of practice for geotechnical engineering as they exist in the site area at the time of our investigation. No warranty is expressed or implied. The recommendations in this report are based on the assumption that Yeh and Associates will conduct an adequate program of construction testing and observation to evaluate compliance with our recommendations.

# **APPENDIX A**

## **BORING LOCATION PLAN**





Adapted from Conceptual Site Plan dated January 28, 2022 provided by the client

Not to Scale



## BORING LOCATION DIAGRAM

## PROPOSED QUICK N CLEAN CARWASH

Job No.: 222-475

FIGURE A-1



## **APPENDIX B**

### **BORING LOGS AND LEGEND**





## Legend for Symbols Used on Borehole Logs

### Sample Types



Bulk Sample of  
auger/odex cuttings



Standard  
Penetration Test  
(ASTM D1586)

### Drilling Methods



SOLID-STEM  
AUGER

### Lithology Symbols (see Boring Logs for complete descriptions)



Lean Clay (CL)



Sandstone

### Lab Test Standards

Moisture Content	ASTM D2216
Dry Density	ASTM D7263
Sand/Fines Content	ASTM D421, ASTM C136, ASTM D1140
Atterberg Limits	ASTM D4318
AASHTO Class.	AASHTO M145, ASTM D3282
USCS Class.	ASTM D2487
(Fines = % Passing #200 Sieve Sand = % Passing #4 Sieve, but not passing #200 Sieve)	

### Other Lab Test Abbreviations

pH	Soil pH (AASHTO T289-91)
S	Water-Soluble Sulfate Content (AASHTO T290-91, ASTM D4327)
Chl	Water-Soluble Chloride Content (AASHTO T291-91, ASTM D4327)
S/C	Swell/Collapse (ASTM D4546)
UCCS	Unconfined Compressive Strength (Soil - ASTM D2166, Rock - ASTM D7012)
R-Value	Resistance R-Value (ASTM D2844)
DS (C)	Direct Shear cohesion (ASTM D3080)
DS (phi)	Direct Shear friction angle (ASTM D3080)
Re	Electrical Resistivity (AASHTO T288-91)
PtL	Point Load Strength Index (ASTM D5731)

### Notes

1. Visual classifications are in general accordance with ASTM D2488, "Standard Practice for Description and Identification of Soils (Visual-Manual Procedures)".
2. "Penetration Resistance" on the Boring Logs refers to the uncorrected N value for SPT samples only, as per ASTM D1586. For samples obtained with a Modified California (MC) sampler, drive depth is 12 inches, and "Penetration Resistance" refers to the sum of all blows. Where blow counts were > 50 for the 3rd increment (SPT) or 2nd increment (MC), "Penetration Resistance" combines the last and 2nd-to-last blows and lengths; for other increments with > 50 blows, the blows for the last increment are reported.
3. The Modified California sampler used to obtain samples is a 2.5-inch OD, 2.0-inch ID (1.95-inch ID with liners), split-barrel sampler with internal liners, as per ASTM D3550. Sampler is driven with a 140-pound hammer, dropped 30 inches per blow.
4. "ER" for the hammer is the Reported Calibrated Energy Transfer Ratio for that specific hammer, as provided by the drilling company.



Boring Began: 10/25/2022

Total Depth: 8.5 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyman

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 8.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, very stiff to hard, moist.							
				12-16-11	27			7.0	102.6	72.4	26	14		2.8 ft - 1.9% swell under 200 psf load
	5			11-15-15	30			4.6		52.5				
				13-25-50	75									
							8.0 - 8.5 ft. SANDSTONE; light brown, very hard.							
Bottom of Hole at 8.5 ft.														8.5 ft - Auger refusal at 8.5 feet





Boring Began: 10/25/2022

Total Depth: 5.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	6.9		77.9				

5

Bottom of Hole at 5.0 ft.



Project  
Name:

Proposed Quick N Clean Carwash

Project Number: 222-475

Boring No.: B-3

Boring Began: 10/25/2022

Total Depth: 5.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.							

5

Bottom of Hole at 5.0 ft.



Boring Began: 10/25/2022

Total Depth: 5.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	9.6		68.4	32	19		

5

Bottom of Hole at 5.0 ft.





**Project Name:**

**Proposed Quick N Clean Carwash**

**Project Number: 222-475**

**Boring No.: B-5**

**Boring Began: 10/25/2022**

**Total Depth: 5.0 ft**

Weather Notes: 50 degrees,

**Boring Completed: 10/25/2022**

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

**Groundwater Levels:**

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.							

5

Bottom of Hole at 5.0 ft.



Boring Began: 10/25/2022

Total Depth: 10.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 9.5 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	8.1		75.1				
				8-8-7	15			9.2	112.9	79.1	27	15		2.8 ft - 4.9% swell under 200 psf load
	5						changing to hard.							
				12-17-20	37			15.2	110.6					5.8 ft - 0.8% swell under 500 psf load
							changing to very stiff.							
				7-5-12	17			17.6		83				
	10						9.5 - 10.0 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 10.0 ft.

10.0 ft - Auger refusal at 10 feet



Boring Began: 10/25/2022

Total Depth: 8.5 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyman

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 6.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, medium stiff, moist.	10.4		68.5				
				2-2-2	4			22.2		74				
	5			10-31-50	81			13.1		59.9				
				50	50		6.0 - 8.5 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 8.5 ft.

8.5 ft - Auger  
refusal at 8.5 feet





Boring Began: 10/25/2022

Total Depth: 10.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyman

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 9.5 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, medium stiff, moist.							
				2-2-2	4		changing to stiff.	18.9		65.8				
	5			2-4-5	9		changing to very stiff.	15.2		89.1				
				5-10-14	24									
	10						9.5 - 10.0 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 10.0 ft.

10.0 ft - Auger  
refusal at 10 feet

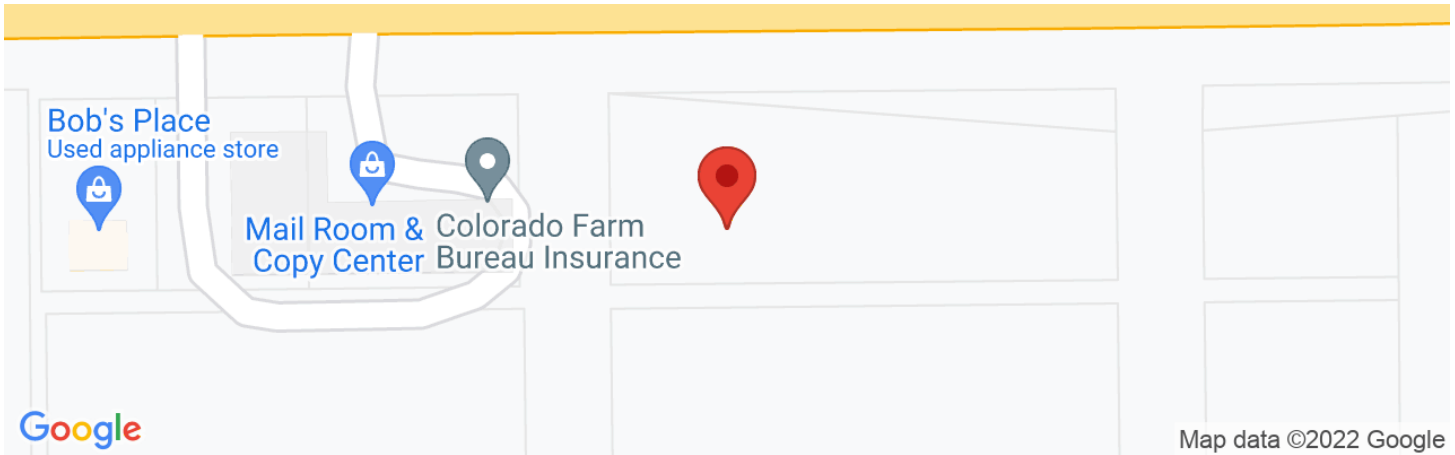
# **APPENDIX C**

## **SEISMIC DESIGN DATA**





Latitude, Longitude: 37.34846245, -108.56653587



Date	11/9/2022, 3:51:47 PM
Design Code Reference Document	ASCE7-16
Risk Category	II
Site Class	C - Very Dense Soil and Soft Rock

Type	Value	Description
$S_S$	0.172	$MCE_R$ ground motion. (for 0.2 second period)
$S_1$	0.055	$MCE_R$ ground motion. (for 1.0s period)
$S_{MS}$	0.223	Site-modified spectral acceleration value
$S_{M1}$	0.082	Site-modified spectral acceleration value
$S_{DS}$	0.149	Numeric seismic design value at 0.2 second SA
$S_{D1}$	0.055	Numeric seismic design value at 1.0 second SA

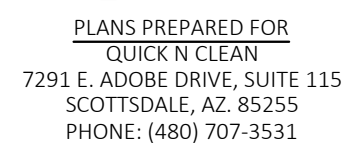
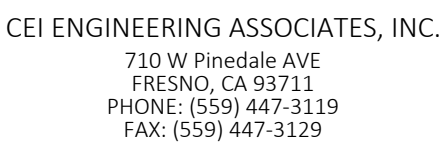
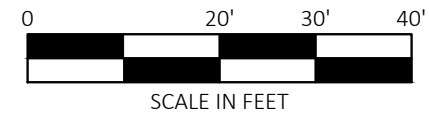
Type	Value	Description
SDC	A	Seismic design category
$F_a$	1.3	Site amplification factor at 0.2 second
$F_v$	1.5	Site amplification factor at 1.0 second
PGA	0.087	$MCE_G$ peak ground acceleration
$F_{PGA}$	1.3	Site amplification factor at PGA
$PGA_M$	0.114	Site modified peak ground acceleration
$T_L$	4	Long-period transition period in seconds
$S_{sRT}$	0.172	Probabilistic risk-targeted ground motion. (0.2 second)
$S_{sUH}$	0.181	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration
$S_{sD}$	1.5	Factored deterministic acceleration value. (0.2 second)
$S_{1RT}$	0.055	Probabilistic risk-targeted ground motion. (1.0 second)
$S_{1UH}$	0.059	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration.
$S_{1D}$	0.6	Factored deterministic acceleration value. (1.0 second)
$PGAd$	0.5	Factored deterministic acceleration value. (Peak Ground Acceleration)
$PGA_{UH}$	0.087	Uniform-hazard (2% probability of exceedance in 50 years) Peak Ground Acceleration
$C_{RS}$	0.948	Mapped value of the risk coefficient at short periods
$C_{R1}$	0.927	Mapped value of the risk coefficient at a period of 1 s
$C_V$	0.7	Vertical coefficient



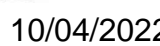
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QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, CO



PROFESSIONAL OF RECORD	POR
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	10/3/2022
REVISION	REV-0

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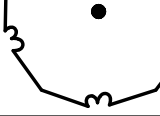
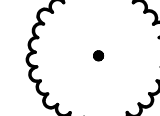
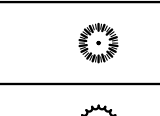

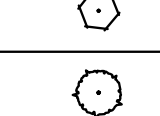



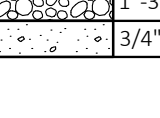

LIGHT POLE  
 FIRE HYDRANT  
 UTILITY POLE  
 SANITARY SEWER MAHOLE  
 STORM SEWER MANHOLE  
 WATER VALVE  
 GAS VALVE  
 WATER METER  
 @  
 — OHP — OVERHEAD UTILITY LINES  
 — GAS — UNDERGROUND GAS LINES  
 — SAN — UNDERGROUND SANITARY SEWER LINES  
 — STM — UNDERGROUND STORM SEWER LINES  
 — FO — UNDERGROUND FIBER OPTIC LINE  
 UNDERGROUND WATER LINES  
 (A) FND PIN/CAP PLS 19612  
 (B) FND PIN/CAP PLS ILLEGIBLE  
 (C) FND NO 4 REBAR  
 (D) SET PIN/CAP PLS 14142

AE CROSS SECTIONS SCALED FROM FIRMETTE OVERLAY

AREA	REQUIREMENT	REQUIRED	PROVIDED
OVERALL SITE	A MIN OF 10% OF THE DEVELOPED AREA SHALL BE LANDSCAPED	TOTAL AREA: 101,499 SF x 10% = 10,149 SF REQUIRED	17,450 SF PROVIDED
PARKING AREA	A MIN OF 10% OF THE PARKING AREA SHALL BE LANDSCAPED	PARKING AREA: 53,423 SF x 10% = 5,342 SF REQUIRED	12,380 SF PROVIDED

	BOUNDARY LINE
	RIGHT OF WAY LINE
	STORM DRAIN
	TYPICAL PLANTING WITH QUANTITY AND KEY (SEE PLANT LIST)

50A TREE PLANTING  
50B SHRUB PLANTING  
50Q STEEL EDGING

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	DETAIL	CAL.
	6	GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE' / SKYLINE HONEY LOCUST	B&B	50A	2.00" CAL.
	4	POPULUS TREMULOIDES / QUAKING ASPEN	B&B	50A	2.00" CAL.
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	DETAIL	
	6	CHRYSOTHAMNUS NAUSEOSUS 'LA PLATA' / LA PLATA SILVER LEAF RABBITBRUSH	5 GAL	50B	
	29	JUNIPERUS X PFITZERIANA 'KALLAY'S COMPACT' / KALLAY'S COMPACT PFITZER JUNIPER	5 GAL	50B	
	10	LEUCANTHEMUM X SUPERBUM / SHASTA DAISY	5 GAL	50B	
	7	PEROVSKIA ATRIPLICIFOLIA / RUSSIAN SAGE	5 GAL	50B	
	6	PICEA PUNGENS 'MESA VERDE' / MESA VERDE COLORADO SPRUCE	5 GAL	50B	
	17	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC	5 GAL	50B	
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE		
	32,855 SF	GRASS SEED MIX 40% CEASTED WHEATGRASS 30% RUSSIAN WILD RYE 30% WESTERN WHEATGRASS	SEED		
	17,450 SF	TURF SOD / 90/10 FESCUE BLEND	SOD		

SYMBOL	DESCRIPTION	QTY	DETAIL
	1\"-3\" DIA. COLORADO RIVER ROCK, 4\" DEPTH	10,995 SF	
	3/4\" DIA. SCREENED ROCK, 3\" DEPTH, COLOR: BROWN	1,385 SF	



DRAWING LOCATION: P:\22000\2272\0\DRAWINGS\DESIGN\WORKING\2272\1.DWG. SAVED BY: JWPARKS

- GENERAL NOTES
1.

CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL PROPOSED LANDSCAPING IS INSTALLED IN ACCORDANCE WITH PLANS, DETAILS, SPECIFICATIONS (IF APPLICABLE) AND ALL LOCAL CODES AND REQUIREMENTS.

2.

CONTRACTOR TO INSPECT SITE AND VERIFY CONDITIONS AND DIMENSIONING PRIOR TO PROCEEDING WITH WORK DESCRIBED HERE IN. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES PRIOR TO BEGINNING ANY CONSTRUCTION.

3.

QUANTITIES PROVIDED IN THE PLANT LIST ARE FOR GENERAL USE ONLY. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT AND LANDSCAPE MATERIAL QUANTITIES. SYMBOL COUNT ON PLAN TAKES PRECEDENCE OVER TABLE QUANTITIES.

4.

IMMEDIATELY AFTER AWARD OF CONTRACT, NOTIFY THE OWNER'S REPRESENTATIVE AND/OR THE LANDSCAPE ARCHITECT OF UNAVAILABILITY OF SPECIFIED PLANT MATERIAL FROM COMMERCIAL NURSERIES. THE OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT WILL PROVIDE ALTERNATE PLANT MATERIAL SELECTIONS IF UNAVAILABILITY OCCURS. SUCH CHANGES SHALL NOT ALTER THE ORIGINAL BID PRICE UNLESS A CREDIT IS DUE TO THE OWNER.

5.

ALL PLANT MATERIALS TO CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1.

6.

CONTAINER GROWN STOCK SHOULD HAVE GROWN IN A CONTAINER LONG ENOUGH FOR THE ROOT SYSTEM TO HAVE DEVELOPED SUFFICIENTLY TO HOLD ITS SOIL TOGETHER.

7.

ANY PLANT SUBSTITUTIONS, RELOCATION, OR REQUIRED CHANGE SHALL REQUIRE THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT OR OWNER.

8.

THE OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT RESERVE THE RIGHT TO REFUSE ANY MATERIAL THEY DEEM UNACCEPTABLE.

9.

COORDINATE WITH PROJECT REPRESENTATIVE FOR DISTURBED SITE TREATMENTS OUTSIDE LANDSCAPE IMPROVEMENTS. SEE CIVIL PLANS FOR SOIL STABILIZATION FOR EROSION CONTROL.

10.

IF REQUIRED, CONTRACTOR TO ENSURE THAT AN AUTOMATED IRRIGATION SYSTEM THAT PROVIDES COMPLETE COVERAGE OF THE SITE IS INSTALLED PRIOR TO INSTALLING TREES/PALMS (SEE IRRIGATION PLAN SHEET IF PROVIDED). IF NO PLAN IS PROVIDED THE CONTRACTOR SHALL SUBMIT A PROPOSED DESIGN TO THE LANDSCAPE ARCHITECT/ENGINEER FOR APPROVAL PRIOR TO INSTALLATION. THE PROPOSED DESIGN MUST HAVE AN APPROVED BACKFLOW DEVICE AND RAIN SENSOR INSTALLED TO STOP IRRIGATION DURING RAIN EVENTS. CONTRACTOR SHALL ENSURE THAT THERE IS POSITIVE DRAINAGE AND NO PONDING OF WATER AT ROOT AREA.

11.

ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND FOUR INCHES OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEEDED/SODDED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS. ANY RELOCATED TREES SHALL BE MAINTAINED UNTIL SUCH POINT AS TREE IS RE-ESTABLISHED. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

12.

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR 1) TO VERIFY THE LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA 2) TO PROTECT OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD 3) TO REPAIR ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE CONSTRUCTION AT NO COST TO THE OWNER.

13.

WEED MAT IS REQUIRED IN LANDSCAPED ISLANDS AS SPECIFIED.

14.

ALL PLANT MATERIAL QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN.

15.

IF A SWPPP PLAN IS PROVIDED THIS PLAN IS TO BE IMPLEMENTED COOPERATIVELY WITH SWPPP PLAN, AS NEEDED, TO MAXIMIZE THE EFFECTIVENESS OF THE SWPPP PLAN FOR THIS SITE.

16.

THE CONTRACTOR IS ENCOURAGED TO COMPLETE TEMPORARY OR PERMANENT SEEDING OR SODDING IN STAGES FOR SOIL STABILIZATION AS AREAS ARE COMPLETED AFTER GRADING.

17.

ALL DISTURBED AREAS AS DESIGNATED ON THE GRADING PLAN SHALL BE SOWN WITH GRASS SEED MIX OF 40% CRESTED WHEATGRASS, 30% RUSSIAN WILD RYE, 30% WESTERN WHEATGRASS BY WEIGHT @ 5 LBS / 1000 SF.

18.

SEEDING ON SLOPES: HYDROSEED WITH GRASS SEED AS INDICATED ON PLANS. SEE LEGEND FOR SPECIFIC GRASS SEED TYPE. SEEDING SHALL BE ACCOMPLISHED IMMEDIATELY AFTER BED PREPARATION. HYDROSEED MIXTURE SHALL CONTAIN CELLULOSE MULCH APPLIED AT A RATE OF 2,000 LBS./ACRE, WITH A MAXIMUM OF 50 LBS./100 GAL. OF WATER. IF SEEDING IS DELAYED AFTER MIXING 1/2 - 2 HOURS ADD AN ADDITIONAL 50% OF SEED MIX, IF DELAY IS LONGER THAN 2 HOURS, BEGIN WITH NEW MIXTURE. ALL SLOPES 2:1 OR GREATER SHALL BE COVERED WITH EROSION CONTROL BLANKET AS SHOWN IN THE EROSION CONTROL BLANKET DETAIL. SEE SPECIFICATIONS FOR SEED ESTABLISHMENT REQUIREMENTS.

19.

ALL PLANT MATERIAL IN TREE HOLDING AREAS SHALL BE MANUALLY WATERED/IRRIGATED TO KEEP MOIST UNTIL PLANTED.

19.

THE LANDSCAPE CONTRACTOR SHALL HAVE A SOILS ANALYSIS TEST CONDUCTED ON THE SITE PRIOR TO INSTALLATION OF ANY LANDSCAPE MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETING THE SOIL SAMPLING AND SUBMITTING THE SAMPLES TO A SOILS TESTING LAB FOR RESULTS. THIS WILL INCLUDE A SEPARATE LAB TEST REPORT AND RECOMMENDATIONS (AMENDMENTS/FERTILIZER AMOUNTS AND APPLICATION RATES) FOR EACH TYPE OF PROPOSED LANDSCAPING (SHRUBS, SOD, TREES). THE SOILS LAB RESULTS AND RECOMMENDATIONS ARE REQUIRED TO BE REVIEWED AND APPROVED BY THE DESIGN LANDSCAPE ARCHITECT PRIOR TO INSTALLING ANY LANDSCAPING MATERIALS ONSITE.
- SOLID SOD NOTES

1.

ADJUST FINE GRADE TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.

2.

ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1 1/2" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.

3.

CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.

4.

IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION KNOWN AS BOTTOM LAND SOIL; FREE FROM LUMPS, CLAY TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BE BLACK TO BROWN IN COLOR.

5.

ALL LAWN AREAS TO BE FINE GRADED, SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT PRIOR TO SOD INSTALLATION.

6.

ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, CONSTRUCTION WASTE, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION.

7.

PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.

8.

ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.

9.

FERTILIZE ALL SOD AT THE TIME OF PLANTING WITH A TIME RELEASE FERTILIZER PER BRAND'S SPECIFIED APPLICATION RATES.

10.

WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.

11.

IF SOD IS INSTALLED ON SLOPES OF 3:1 OR GREATER. SOD SHALL BE STAKED TO AVOID SLIPPING OR SLIDING APART. STAKING OR STAPLES SHALL BE INSTALLED FLUSH AS TO NOT CREATE A MAINTENANCE ISSUE WITH CARE EQUIPMENT.

12.

CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN VIGOROUS, HEALTHY CONDITIONS.

13.

CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

14.

IF INSTALLATION OCCURS BETWEEN OCTOBER AND MAY ALL SOD AREAS TO BE OVER-SEEDED WITH ANNUAL RYEGRASS.
- PLANTING NOTES

1.

LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PREPARING ALL PLANTED AREAS. ALL DELETERIOUS MATERIALS SUCH AS ROCK, TRASH, CONSTRUCTION DEBRIS, AGGREGATE BASE MATERIAL, ASPHALT, ETC. SHALL BE REMOVED PRIOR TO ANY FILL OPERATIONS. FILL ALL PLANTING AREAS WITH CLEAN EARTHEN FILL. SOIL SHALL BE FREE OF HEAVY, STIFF CLAY AND ANY DELETERIOUS MATERIAL OVER ONE INCH IN SIZE. THE TOP SIX INCHES OF FILL MATERIAL STRIPPED FROM SITE MAY BE UTILIZED FOR PLANTER OR TOPSOIL FILL IF PRIOR APPROVAL HAS BEEN OBTAINED FROM THE OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.

2.

FINISH GRADE OF LANDSCAPE AREAS (TOP OF TURF AND MULCH) MUST BE GRADED TO 1 1/2" BELOW ADJACENT PAVEMENT SURFACES.

3.

LOCATE SHRUBS A DISTANCE OF HALF OF THEIR AVERAGE MATURE SPREAD AWAY FROM WALKS, STRUCTURES, CONCRETE PADS, ETC. LOCATE GROUND COVER PLANTINGS A MINIMUM OF 2' FROM WALKS, STRUCTURES, CONCRETE PADS, ETC.

4.

ALL LAWN AREAS NOT OTHERWISE BORDERED BY WALKS, OR OTHER STRUCTURES, SHALL HAVE MANUFACTURED EDGING AS REQUIRED.

5.

TREES PLANTED ADJACENT TO PUBLIC ROADS AND PEDESTRIAN SIDEWALKS SHALL BE PRUNED SUFFICIENTLY TO AVOID VISUAL BLOCKS TO INTERSECTING VEHICULAR ACCESS OR INTERFERENCE WITH PEDESTRIAN WALKWAYS. TREES WITH A 4" OR LARGER CALIPER SHALL BE PRUNED UP TO 6'-0" ABOVE PAVEMENTS.

6.

ALL TREES WITHIN 4' OF PAVED SURFACES (SUCH AS CURBS, WALLS, BUILDINGS AND SIDEWALKS) SHALL BE PROVIDED WITH A DEEP ROOT BARRIER CONTROL DEVICE OR EQUAL. INSTALL PER MFR'S SPECIFICATIONS.

7.

TOPSOIL DEPTH SHALL BE AS FOLLOWS :  
PLANTER BEDS - 12" MINIMUM  
GRASS/SOD AREAS - 4" MINIMUM (AFTER COMPACTION)

8.

BACKFILL ALL TREES, SHRUBS, GROUNDCOVER WITH A MIXTURE OF 2 PARTS NATIVE SOIL AND 1 PART SOIL CONDITIONING WITH WOOD MULCH.

9.

THE LANDSCAPE CONTRACTOR SHALL WATER TEST ALL PLANTING HOLE PRIOR TO PLANTING. IF HOLES DO NOT DRAIN PROPERLY, EXCAVATE FURTHER UNTIL IMPERMEABLE LAYER IS BREACHED. EXCAVATED PLANT PITS SHALL HAVE POSITIVE DRAINAGE. PLANT PITS (WHEN FULLY FLOODED WITH WATER) SHALL DRAIN WITHIN 1 HOUR OF FILLING. ENSURE THAT ALL PLANT PITS HAVE POSITIVE DRAINAGE.

10.

ALL PLANTING BEDS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE. PRE-EMERGENT HERBICIDE SHALL BE APPLIED PER MANUFACTURER'S RECOMMENDATIONS AND SHALL OCCUR AFTER TOPSOIL PLACEMENT AND PRIOR TO INSTALLATION OF PLANT MATERIALS AND MULCH.

11.

FERTILIZE ALL PLANTS AT THE TIME OF PLANTING WITH A TIME RELEASE FERTILIZER PER BRAND'S SPECIFIED APPLICATION RATES.

12.

ALL PLANTING BED SOILS SHALL BE AMENDED WITH 2" OF ORGANIC COMPOST

13.

ALL TREES AND SHRUBS SHALL BE PLANTED IN SUCH A MANNER AS TO ENSURE THEIR SURVIVAL.

14.

ANY ROPE OR WIRE BINDING THE BALL SHALL BE CUT PRIOR TO PREVENT GIRDING OF THE TREE. REMOVE WIRE, TWINE, AND BURLAP FROM THE TOP HALF OF ALL B&B PLANT MATERIAL.

15.

IF A NON-BIODEGRADABLE MATERIAL IS USED AROUND THE BALL, IT SHALL BE COMPLETELY REMOVED PRIOR TO BACKFILLING.

16.

PRIOR TO INSTALLATION, THE ROOTS OF CONTAINER GROWN STOCK SHALL BE SEPARATED OR SPLIT TO ENSURE PROPER ROOT DEVELOPMENT.

17.

CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERY SCHEDULE AND PROTECTION BETWEEN DELIVERY AND PLANTING TO MAINTAIN HEALTHY PLANT CONDITIONS.

18.

ANY PLANT MATERIAL WHICH IS DISEASED, DISTRESSED, DEAD, OR REJECTED (PRIOR TO SUBSTANTIAL COMPLETION) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS. TREES & SHRUBS SHALL BE PLANTED AS SOON AS POSSIBLE AFTER DELIVERY.

19.

ALL TREES MUST BE STRAIGHT-TRUNKED, FULL-HEADED AND MEET ALL REQUIREMENTS SPECIFIED.

20.

ALL TREES MUST BE STAKED AS SHOWN IN THE DETAILS.

21.

NO SUBSTITUTIONS OR ALTERNATIVES WILL BE ALLOWED FOR GROUND SURFACE MATERIALS UNLESS APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT OR OWNER.

22.

MAINTAIN 5' MIN. HORIZONTAL SEPARATION BETWEEN TREE PLANTINGS AND ALL UTILITIES UNLESS OTHERWISE SPECIFIED.

23.

A TOP DRESSING/MULCHING OF SHALL BE PLACED IN ALL PLANT BEDS AND AROUND ALL TREES. SINGLE TREES OR SHRUBS SHALL HAVE TOP DRESSING TO THE OUTSIDE EDGE OF THE MANUFACTURED EDGING OR LANDSCAPE ISLAND. (SEE PLANTING DETAILS) TOP DRESSING CAN BE WOOD MULCH, ROCK, OR ANY OTHER DECORATIVE MATERIAL SPECIFIED ON PLANS. SEE LANDSCAPE PLAN FOR TYPE.

24.

THE FOLLOWING PLANTING SEASONS ARE RECOMMENDED:  
EVERGREEN SHRUBBERY OCT-APRIL  
DECIDUOUS SHRUBBERY & TREES OCT-APRIL  
EVERGREEN TREES OCT-APRIL
- PLANT GUARANTEE, REPLACEMENT AND MAINTENANCE

A.

GUARANTEE:  
ACCEPTANCE OF GRADING AND SEEDING SHALL BE BY LANDSCAPE ARCHITECT AND/OR OWNER. THE CONTRACTOR SHALL ASSUME MAINTENANCE RESPONSIBILITIES UNTIL FINAL ACCEPTANCE. MAINTENANCE SHALL INCLUDE WATERING, WEEDING, RESEEDING AND OTHER OPERATIONS NECESSARY TO KEEP ALL LAWN AREAS IN A THRIVING CONDITION. UPON FINAL ACCEPTANCE, OWNER SHALL ASSUME ALL MAINTENANCE RESPONSIBILITIES. AFTER LAWN AREAS HAVE GERMINATED, AREAS WHICH FAIL TO SHOW A UNIFORM STAND OF GRASS FOR ANY REASON WHATSOEVER SHALL BE RE-SEEDED REPEATEDLY UNTIL ALL AREAS ARE COVERED WITH A SATISFACTORY STAND OF GRASS. MINIMUM ACCEPTANCE OF SEEDED LAWN AREAS MAY INCLUDE SCATTERED BARE SPOTS, NONE OF WHICH ARE LARGER THAN 1 SQUARE FOOT, AND WHEN COMBINED DO NOT EXCEED 2% OF TOTAL SEEDED LAWN AREA.

B.

REPLACEMENT:  
ANY PLANT UNDER THIS SPEC WHICH IS DEAD, MISSING, UNHEALTHY, OR OTHERWISE NOT ACCEPTABLE AND NOT IN SATISFACTORY GROWING CONDITION DURING CONSTRUCTION MAINTENANCE PERIOD, OR AT THE END OF THE GUARANTEE PERIOD, SHALL BE REMOVED FROM SITE AND REPLACED WITH SUITABLE, ACCEPTABLE PLANT AS SPECIFIED, WITHIN FIVE (5) DAYS.

C.

MAINTENANCE:  
GENERAL CONTRACTOR SHALL PROVIDE ONE YEAR OF LANDSCAPE MAINTENANCE, FROM THE TIME THE PROJECT RECEIVES THE CERTIFICATE OF OCCUPANCY AND THERE AFTER, FOR ALL NEW LANDSCAPE. IF EXISTING LANDSCAPE EXISTS ON-SITE, GENERAL CONTRACTOR IS TO PROVIDE THE OPTION OF MAINTENANCE FOR THE OWNER'S REVIEW.
- HERBICIDES NOTES

1.

APPLICATION OF HERBICIDES SHALL BE IN COMPLIANCE WITH STATE PESTICIDES REGULATIONS. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO CONSULT WITH THE REGULATORY AGENCIES FOR LOCAL HERBICIDES APPLICATION REQUIREMENTS.

2.

IF THERE IS A DISCREPANCY BETWEEN STATE REGULATIONS AND ADDITIONAL REQUIREMENTS BELOW, MOST STRINGENT SHALL RULE

3.

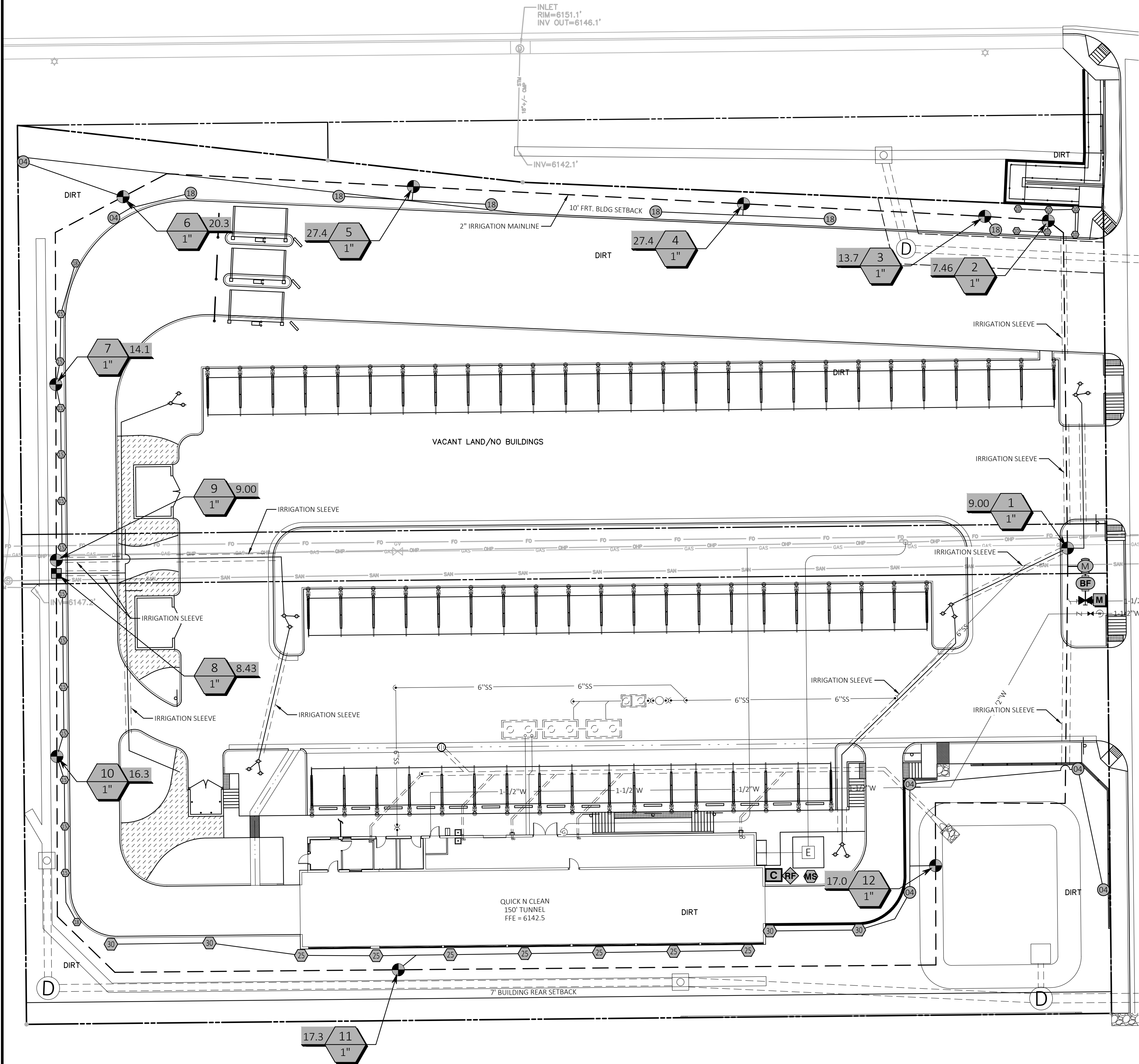
NO AERIAL APPLICATION OF HERBICIDES IS PERMITTED ON SITE.

4.

CARCINOGENS AND EPA TOXIC CATEGORY I AND II ARE PROHIBITED TO USE ON SITE.
- Diagram showing tree planting details. The top part shows a tree with a 12" (MIN.) trunk diameter. The bottom part shows a cross-section of the tree with a 12" (MIN.) trunk diameter. The diagram includes labels for 'FINISHED GRADE PER GRADING PLAN', 'TREE WRAP', 'TREE ANCHOR', 'DUCKBILL ANCHORS', 'BACKFILL MIX PER SPECIFICATIONS', 'PLANTING PIT TO BE 2X THE DIAMETER OF THE ROOT BALL', and 'UNDISTURBED SUBSOIL'. Notes include: 1. DEPICTION ABOVE IS FOR TREE PLANTING ON A SLOPE. 2. ALL OTHER SPECIFICATIONS SHALL BE AS SHOWN BELOW IN THE TREE PLANTING DETAIL. 3. SEE TREE PLANTING DETAIL BELOW FOR TREE ANCHORING SYSTEM.
- TREE PLANTING  
N.T.S.
- Diagram showing shrub planting details. The top part shows a shrub with a 12" (MIN.) trunk diameter. The bottom part shows a cross-section of the shrub with a 12" (MIN.) trunk diameter. The diagram includes labels for 'FINISHED GRADE, SEE GRADING PLAN', 'TREE WRAP', 'TREE ANCHOR', 'DUCKBILL ANCHORS', 'BACKFILL MIX PER SPECIFICATIONS', 'PLANTING PIT TO BE 2X THE DIAMETER OF THE ROOT BALL', and 'UNDISTURBED SUBSOIL'. Notes include: 1. DEPICTION ABOVE IS FOR SHRUB PLANTING ON SLOPE. 2. ALL OTHER SPECIFICATIONS SHALL BE SHOWN BELOW IN THE PLANTING DETAIL.
- Diagram showing shrub planting details. The top part shows a shrub with a 12" (MIN.) trunk diameter. The bottom part shows a cross-section of the shrub with a 12" (MIN.) trunk diameter. The diagram includes labels for 'FINISHED GRADE, SEE GRADING PLAN', 'TREE WRAP', 'TREE ANCHOR', 'DUCKBILL ANCHORS', 'BACKFILL MIX PER SPECIFICATIONS', 'PLANTING PIT TO BE 2X THE DIAMETER OF THE ROOT BALL', and 'UNDISTURBED SUBSOIL'. Notes include: 1. DEPICTION ABOVE IS FOR SHRUB PLANTING ON SLOPE. 2. ALL OTHER SPECIFICATIONS SHALL BE SHOWN BELOW IN THE PLANTING DETAIL.
- SHRUB PLANTING  
N.T.S.
- Diagram showing steel edging details. The top part shows a cross-section of the edging with a 1/2" ABOVE FINISH GRADE and 3/2" BELOW FINISH GRADE. The bottom part shows a cross-section of the edging with a 1/2" ABOVE FINISH GRADE and 3/2" BELOW FINISH GRADE. The diagram includes labels for 'MULCH TOP DRESSING: SEE LANDSCAPE NOTES FOR MULCH MATERIAL AND REQUIRED DEPTH', 'SODDED AREA', 'FINISH GRADE', 'POLYPROPYLENE MATERIAL WEED BARRIER', 'NATURAL STEEL EDGING: NO PAINTED EDGING SHALL BE USED', 'STEEL STAKE DRIVEN FROM MULCH SIDE OF EDGING WITH TOP OF STAKE BELOW TOP OF HEADER', 'POLYPROPYLENE MATERIAL WEED BARRIER AT FINISH GRADE', 'COMPACTED SAND SUB-BASE', 'POLYPROPYLENE MATERIAL WEED BARRIER AT FINISH GRADE', and 'NATURAL STEEL EDGING: NO PAINTED EDGING SHALL BE USED'. Notes include: 1. DEPICTION ABOVE IS FOR SODDED AREA WITH MULCH.
- STEEL EDGING  
N.T.S.
- 
- CEI ENGINEERING ASSOCIATES, INC.  
710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
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- 
- CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101
- 
- PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531
- | REVISION |             |      |
|----------|-------------|------|
| NO.      | DESCRIPTION | DATE |
|          |             |      |
|          |             |      |
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|          |             |      |
|          |             |      |
- QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, CO
- 
- 10/04/2022
- |                        |           |
|------------------------|-----------|
| PROFESSIONAL OF RECORD | POR       |
| PROJECT MANAGER        | JCH       |
| DESIGNER               | JSC       |
| CEI PROJECT NUMBER     | 32372     |
| DATE                   | 10/3/2022 |
| REVISION               | REV-0     |
- LANDSCAPE NOTES  
SHEET TITLE  
SHEET NUMBER
- L2
- © 2022 CEI ENGINEERING ASSOCIATES, INC.

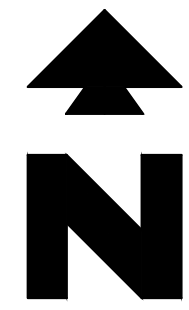


EAST MAIN STREET  
110' PUBLIC ROW (PER PLAT)



GENERAL IRRIGATION NOTES

- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A COPY OF THE PROJECT SPECIFICATIONS PRIOR TO BIDDING. THE PROJECT SPECIFICATIONS ARE A PART OF THESE PLANS AND SHALL BE CONSULTED BY THE IRRIGATION CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING WORK AS SPECIFIED IN THE PROJECT SPECIFICATIONS AND ON THE PLANS.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, EQUIPMENT QUANTITIES, AND UTILITY LOCATIONS PRIOR TO BEGINNING WORK.
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OR LICENSED IRRIGATOR OF ANY DISCREPANCIES IN PLANS OR SPECIFICATIONS PRIOR TO BEGINNING OR CONTINUING WORK.
- THE CONTRACTOR SHALL MAKE NO SUBSTITUTIONS, DELETIONS, OR ADDITIONS TO THIS PLAN WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT OR LICENSED IRRIGATOR.
- ALL CONSTRUCTION SHALL CONFORM TO CITY, COUNTY, STATE, AND FEDERAL REQUIREMENTS. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THAT ALL IRRIGATION EQUIPMENT MEETS GOVERNMENT REGULATIONS. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS OR APPROVALS.
- CONTRACTOR IS TO VERIFY ACTUAL AVAILABLE WATER PRESSURE BEFORE BEGINNING INSTALLATION. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OR LICENSED IRRIGATOR IF AVAILABLE WATER PRESSURE EXCEEDS 5 PSI HIGHER OR LOWER THAN THE DESIGN WATER PRESSURE OF 70 PSI.
- IRRIGATION SYSTEMS CONNECTED TO POTABLE WATER SUPPLY, SHALL HAVE A BACKFLOW PREVENTER INSTALLED PER LOCAL REQUIREMENTS.
- ANY EXISTING TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE. DO NOT TRENCH OR EXCAVATE WITHIN THE CRITICAL ROOT ZONE OF ANY TREE.
- SUPPLY LINE AND METER TO BE PROVIDED BY GENERAL CONTRACTOR. BACKFLOW PREVENTER TO BE PROVIDED BY IRRIGATION CONTRACTOR. IRRIGATION CONTRACTOR'S POINT OF CONNECTION TO BEGIN AFTER THE IRRIGATION WATER METER.
- IRRIGATION CONTRACTOR SHALL REVIEW WINTERIZATION PROCEDURES FOR IRRIGATION SYSTEM WITH OWNERS REPRESENTATIVE.
- IRRIGATION CONTRACTOR IS RESPONSIBLE FOR INSTALLING MANUAL DRAIN VALVES AT LOWEST POSSIBLE ELEVATION ON IRRIGATION MAIN SO AS TO PROVIDE POSITIVE DRAINAGE OF IRRIGATION MAIN DURING WINTER MONTHS, OR PROVIDE BLOWOUT ASSEMBLY.
- ALL LATERAL LINES SHALL BE EQUIPPED WITH AUTOMATIC DRAIN VALVES AT LOW POINTS.
- IRRIGATION CONTRACTOR SHALL COORDINATE CONTROLLER LOCATION WITH GENERAL CONTRACTOR. GENERAL CONTRACTOR SHALL PROVIDE (2) 1" ELECTRICAL CONDUITS FOR IRRIGATION CONTRACTOR'S POWER/DATA CONNECTION TO CONTROLLER. SEE ARCHITECTURAL ELECTRICAL PLAN FOR ELECTRICAL CONNECTION TO THE IRRIGATION CONTROLLER. IRRIGATION CONTRACTOR SHALL COORDINATE CONSTRUCTION OF IRRIGATION SYSTEM WITH GENERAL CONTRACTOR AND LANDSCAPE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- ALL BELOW GRADE LOW VOLTAGE WIRING CONNECTIONS SHALL BE INSTALLED PER WIRE CONNECTION DETAIL.
- DO NOT INSTALL IRRIGATION AT PYLON / MONUMENT SIGN LOCATION UNTIL SIGN HAS BEEN INSTALLED.
- LOCATION FOR IRRIGATION SYSTEM AS SHOWN IS FOR DRAWING PURPOSES ONLY. UNSLEEVED PIPES MAY BE SHOWN IN PAVEMENT AREAS FOR CLARITY ONLY. INSTALL THESE PIPES IN ADJACENT LANDSCAPE AREAS WHERE NECESSARY. CONTRACTOR SHALL VERIFY THE EXACT LOCATION IN FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF PROPOSED IRRIGATION SYSTEM. ALL PROPOSED IRRIGATION LINES AND EQUIPMENT SHALL BE INSTALLED WITHIN THE BOUNDARIES OF THE PROJECT SITE. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OR LICENSED IRRIGATOR IF THE DESIGN AS SHOWN IS NOT achievable.
- MINIMUM COVER FROM TOP OF PIPING TO FINISHED GRADE SHALL BE AS PER DETAIL 64A.
- IRRIGATION CONTRACTOR SHALL COORDINATE IRRIGATION INSTALLATION WITH PLANTING PLAN AND SITE CONDITIONS TO PROVIDE COMPLETE COVERAGE WITH MINIMUM OVERSPRAY. THE IRRIGATION CONTRACTOR SHALL MAKE MINOR ADJUSTMENTS TO ENSURE PROPER COVERAGE AT NO ADDITIONAL COST TO THE OWNER.
- VALVE BOXES SHALL BE INSTALLED FLUSH WITH GRADE, SUPPORTED BY BRICKS IF NEEDED, WITH 3" OF CLEAN PEA GRAVEL LOCATED BELOW THE VALVE.
- ALL MAIN LINE PIPING, NON-PRESSURE PIPING AND CONTROL WIRE SLEEVING SHALL BE INSTALLED IN SEPARATE SLEEVES. ALL LATERAL LINE PIPING UNDER PAVING SHALL BE PVC SCHEDULE 40 AND SHALL BE INSTALLED PRIOR TO ANY HARDSCAPE MATERIAL. IRRIGATION CONTRACTOR TO PROVIDE SLEEVES BETWEEN 12" AND 15" BELOW GRADE AT ALL DRIVE ENTRANCES AND SIDEWALKS. MAINLINE SLEEVE SIZE SHALL BE A MINIMUM OF TWICE (2X) THE DIAMETER OF THE PIPE TO BE SLEEVED. CONTROL WIRE SLEEVES SHALL BE OF SUFFICIENT SIZE FOR THE REQUIRED NUMBER OF WIRES.
- IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL GRADE DIFFERENCES, LOCATION OF FENCES, RETAINING WALLS, AND UTILITIES. THE IRRIGATION CONTRACTOR SHALL REPAIR OR REPLACE ALL ITEMS DAMAGED BY HIS WORK. HE SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE SLEEVES AND LATERALS THROUGH WALLS, UNDER ROADWAYS AND PAVING AND TIMING, ETC. REFER TO CIVIL ENGINEERING PLANS FOR GRADING, METHODS OF DRAINAGE, IRRIGATION METERS, AND BACKFLOW PREVENTION DEVICE LOCATION.
- ALL IRRIGATION EQUIPMENT NOT OTHERWISE DETAILED OR SPECIFIED, SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS, DETAILS AND SPECIFICATIONS. ACCEPTABLE MANUFACTURERS INCLUDE RAINBIRD, HUNTER, TORO, OR NETAFIM.
- ANY DRIP SYSTEM PIPING IN PLANTING BEDS IS DIAGRAMMATIC. CONTRACTOR CAN ROUTE PIPING IN A FREEFORM MANNER (AVOIDING OBJECTS SUCH AS LIGHT POLES, TRANSFORMERS PADS, EQUIPMENT VAULTS, SUBSURFACE ROCK TOO LARGE TO REMOVE, ETC.) AS LONG AS ALL PLANT MATERIAL RECEIVES THE PROPER NUMBER OF EMITTERS PER SCHEDULE AND THE VINYL DISTRIBUTION TUBING DOES NOT EXCEED THE MAXIMUM DESIGN LENGTHS PER MANUFACTURER'S RECOMMENDATIONS.
- UNLESS OTHERWISE REQUIRED, BACKFLOW PREVENTION DEVICES LESS THAN 2" SHALL BE PLACED IN A WIRE MESH BASKET ENCLOSURE AND PAINTED TO MATCH THE PRIMARY BUILDING COLORS. SEE CIVIL PLANS FOR LOCATION.
- ALL JOINTS AND BENDS 2" OR LARGER SHALL HAVE CONCRETE THRUST BLOCKING. THRUST BLOCKING SHALL BE A MINIMUM OF 1 CUBIC FOOT OF CONCRETE. PIPE SHALL NOT BE ENCASED IN CONCRETE. SEE DETAIL 31C FOR THRUST BLOCKING.
- CONTRACTOR WILL PROVIDE OWNER WITH A COMPLETE AND REPRODUCIBLE DRAWING OR IRRIGATION SYSTEM LAYOUT AS IT WAS INSTALLED. DRAWING SHOULD INCLUDE, BUT NOT BE LIMITED TO, LOCATIONS OF ZONES VALVES, MAIN, LATERAL AND DISTRIBUTION LINES, SLEEVES, WATER METER, BACKFLOW PREVENTION DEVICE, SENSORS AND CONTROLLER.
- ALL LATERAL LINE SIZING SHALL REFER TO PIPE SCHEDULE ON THIS PLAN.



NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF  
RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS AND  
PRECISE BUILDING DIMENSIONS.

EXISTING LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MANHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- GAS- UNDERGROUND GAS LINES
- SAN- UNDERGROUND SANITARY SEWER LINES
- STM- UNDERGROUND STORM SEWER LINES
- FO- UNDERGROUND FIBER OPTIC LINE
- WAT- UNDERGROUND WATER LINES
- (A) FND PIN/CAP PLS 19612
- (B) FND PIN/CAP PLS ILLEGIBLE
- (C) FND NO 4 REBAR
- (D) SET PIN/CAP PLS 14142

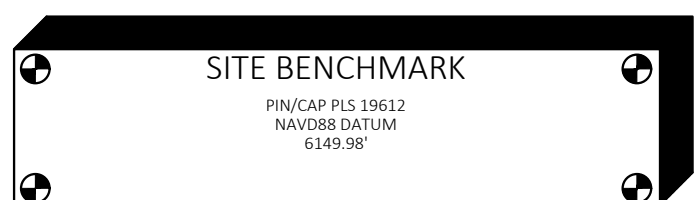
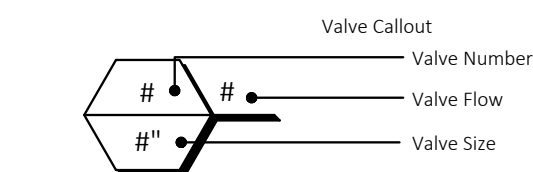
— ZONE AE LIMITS BY ELEVATIONS  
— ZONE AE LIMITS BY SCALING GRAPHIC

AE CROSS SECTIONS SCALED FROM FIRMETTE OVERLAY

2022-10-03 09:00

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI		
	RAIN BIRD 1806-SAM-PRS ADJ TURF SPRAY 6.0" POP-UP SPRINKLER WITH CO-MOLDED WIPER SEAL. 1/2" NPT FEMALE THREADED INLET. WITH SEAL-A-MATIC CHECK VALVE, AND PRESSURE REGULATING.	21	30		
	RAIN BIRD RWS-B-C W/ RWS-SOCK 1400 SERIES ROOT WATERING SYSTEM WITH 4" DIAMETER X 36" LONG WITH LOCKING GRATE, SEMI-RIGID MESH TUBE. CHECK VALVE AND SAND SOCK. RAIN BIRD BUBBLER OPTION AS INDICATED: 1401 0.25 GPM, 1402 0.5 GPM, 1404 1.0 GPM, 1408 2 GPM.	18	30		
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI	GPM	RADIUS
	RAIN BIRD 5006-PC-MPR TURF ROTOR, 6" POP-UP, PLASTIC RISER, MATCHED PRECIPITATION ROTOR (MPR NOZZLE). ARC AND RADIUS AS PER SYMBOL. 25 FT-RED, 30 FT-GREEN, 35FT-BEIGE.	7	35		24'
	RAIN BIRD 5006-PC-MPR TURF ROTOR, 6" POP-UP, PLASTIC RISER, MATCHED PRECIPITATION ROTOR (MPR NOZZLE). ARC AND RADIUS AS PER SYMBOL. 25 FT-RED, 30 FT-GREEN, 35FT-BEIGE.	4	35		30'
	RAIN BIRD 6504-PC, FC TURF ROTOR, 4.0" POP-UP, PLASTIC RISER, ADJUSTABLE AND FULL CIRCLE. WITH REMOVABLE SEAL-A-MATIC CHECK VALVE, 1" FEMALE THREADED INLET.	6	40	3.30	41'
	RAIN BIRD 6504-PC, FC TURF ROTOR, 4.0" POP-UP, PLASTIC RISER, ADJUSTABLE AND FULL CIRCLE. WITH REMOVABLE SEAL-A-MATIC CHECK VALVE, 1" FEMALE THREADED INLET.	6	40	13.7	59'
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY			
	RAIN BIRD XCZ-100-PRB-COM 1" WIDE FLOW DRIP CONTROL KIT FOR COMMERCIAL APPLICATIONS. 1" BALL VALVE WITH 1" PSB VALVE AND 1" PRESSURE REGULATING 40PSI QUICK-CHECK BASKET FILTER. 0.3 GPM-20 GPM	1			
	AREA TO RECEIVE DRIPLINE RAIN BIRD XFS-CV-09-18 XFS-CV SUB-SURFACE AND ON-SURFACE LANDSCAPE DRIPLINE WITH A HEAVY-DUTY 4.3 PSI CHECK VALVE. 0.9 GPM EMITTERS AT 18" O.C. DRIPLINE LATERALS SPACED AT 18" APART, WITH EMITTERS OFFSET FOR TRIANGULAR PATTERN. SPECIFY XF INSERT FITTINGS.	841.3 L.F.			
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY			
	RAIN BIRD PGA-PRS-D GLOBE 1" 1", 1-1/2", 2" ELECTRIC REMOTE CONTROL VALVE, GLOBE. WITH PRESSURE REGULATOR MODULE.	11			
	SHUT OFF VALVE	1			
	RAIN BIRD 300-BPS-PRS-D GLOBE 3" 3" BRASS MASTER VALVE, WITH GLOBE CONFIGURATION, AND PRESSURE REGULATOR MODULE. WITH A PATENTED NYLON SCRUBBER THAT SCRAPES A STAINLESS STEEL SCREEN TO PREVENT DEBRIS BUILD-UP AND CLOGGING.	1			
	ZURN 950XL 1-1/2" DOUBLE CHECK VALVE ASSEMBLY IN HEATED ENCLOSURE	1			
	RAIN BIRD ESPLXME2P-LXMMS5 1/2" STATION, TRADITIONALLY WIRED, PRO SMART (MODULE INCLUDED), COMMERCIAL CONTROLLER. INDOOR/OUTDOOR, PLASTIC WALL-MOUNT ENCLOSURE. INSTALL IN LXMMS5 STAINLESS STEEL, WALL-MOUNTED CABINET.	1			
	RAIN BIRD SMRT-Y SOIL MOISTURE SENSOR KIT. 24VAC @ 50/60 HZ. OPERATING TEMPERATURE: -4 DEGREES F TO 158 DEGREES F. SURVIVAL TEMPERATURE: -40 DEGREES F TO 185 DEGREES F. UL, CUL, C-TICK CERTIFICATIONS.	1			
	RAIN BIRD WR2-RFS WIRELESS RAIN/FREEZE SENSOR.	1			
	WATER METER 1"	1			
=====	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 1/2"	864.6 L.F.			
=====	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 3/4"	368.5 L.F.			
=====	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 1"	153.7 L.F.			
=====	IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 1 1/4"	8.1 L.F.			
=====	IRRIGATION MAINLINE: PVC SCHEDULE 40 1 1/2"	1,142 L.F.			
=====	PIPE SLEEVE: PVC SCHEDULE 40	354.2 L.F.			



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PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, CO



10/04/2022

PROFESSIONAL OF RECORD POR  
PROJECT MANAGER JCH  
DESIGNER JSC  
CEI PROJECT NUMBER 32372  
DATE 10/3/2022  
REVISION REV-0

IRRIGATION PLAN

SHEET TITLE  
SHEET NUMBER

L3





*Civil Engineering, Landscape Architecture,  
Survey, Planning & Program Management*

710 W. Pinedale Avenue  
Fresno, CA 93711  
Office: 559.447.3119  
Toll-free: 1.800.473.1887  
[ceieng.com](http://ceieng.com)

February 09, 2023

Planning Department - Review Team  
City of Cortez  
110 W. Progress Circle  
Cortez, CO 81321

Re: Initial City Comments for Proposed Quick N Clean Car Wash at 1511 East Main Street

Dear Review Team,

Please find below our responses to the initial comments for this project as presented in the city coordination meeting on Jan 11, 2023. In addition, CEI has prepared some rough updated site and grading plans to assist in further progress with the proposed development. There are additional items which CEI would also like some clarification or further direction on before finalizing revised plan sets.

*CEI Responses in blue*

- **Alley** - Due to the number of utilities in the alley, access needs to be maintained. Although the city has no existing water line at this location, it may be necessary to install a loop connection in the future. Also, future trash removal access may be needed. Therefore, if this development gets approved, the city will want to have the option of returning this easement back to its original, intended use. The intended level of fill over this location needs to be addressed - utilities cannot be buried deeper than the capability of equipment and personnel access below grade utility depths for repairs/replacement.

*CEI Response: Please note that per city meeting on Jan 11, alley access at proposed Quick N Clean Car Wash shall be maintained. CEI has now proposed a larger collector street for the site which will have (2) lanes on each side. A single sidewalk is currently proposed along the western side. A mountable curb has been proposed to aid in existing alley access on the eastern side of the road.*

*For the fill over existing utilities, current proposed grades currently would result in max fill heights or 14-15' over sanitary and water lines (based on existing water line at minimum cover requirements and survey data for sanitary line). Unfortunately, to be able to develop the city collector street off of CDOT HWY, there will need to be additional fill for the running slope of the street to stay within reasonable levels. CEI is open to reducing the amount of fill, but would greatly appreciate some feedback from the city on what type of max fill heights for additional fill would be deemed acceptable to be able to access with city equipment and what would be the max slopes the city would allow for the collector street to help reduce the fill height? City standards mention a max street slope of 7% where practicable. Current grading has some slopes in excess of 10%. In addition, if the street slopes were to increase, pedestrian sidewalk access would be very difficult due to extreme running slopes.*

*CEI is also providing a quick profile of the existing water line with existing and proposed grades shown. The water line has not been shown to be brought up as there was some concern as well about raising the water line and adding more vertical bends in certain locations. Does the city have some guidance or direction on this as well?*

- **Street** - The existing 60'-0" street ROW is the standard for a collector street. Therefore, it needs to have a minimum pavement width, slope, curvature, etc. associated with that designation. Again, the amount of fill intended for construction of this street would require the existing water line to be raised to an accessible depth. This would require coordination with CDOT, for the section within their ROW, and all modifications are the responsibility of the project owner. Also, this location is in a FEMA designated floodplain, so development here would have to meet FEMA requirements.

*CEI Response: The collector street has been added to latest site and grading plans. Please note that only the western side of the street currently shows a pedestrian sidewalk. Would the city like a sidewalk along the eastern side as well? Also a porkchop island has been added at access of CDOT HWY to help accommodate a right in/left in and right out traffic pattern per city and CDOT meeting. Striping of street is not shown yet, but will be added after further coordination. Please note that there would again be challenges with max street slopes and additional fill over existing utilities.*



*For the water line, it can be raised, but CEI would kindly appreciate some clarification on what direction it should proceed in as far as raising the water line or keeping it as is to avoid additional vertical bends.*

*For FEMA floodplain, CEI is currently working to obtain FEMA hydraulic models to perform a flood study to meet FEMA requirements.*

- **Drainage** - Stormwater diversion would need to follow city standards, and it is not desired for this drainage to be discharged onto the location that is in the existing city street ROW (planned 1<sup>st</sup> St). Therefore, it should be planned to discharge at a location that is beyond the edge of the existing city street ROW. Due to CDOT and FEMA regulations, there would need to be inquiries about their drainage requirements (their jurisdictions may apply to this element from beginning to end).

*CEI Response: Updated plans show stormwater discharge beyond existing city street ROW. CEI will work to complete flood study to help satisfy any FEMA requirements. Who is the current contact for the floodplain administrator for the area? Previous coordination had been with Chad Hill and Eric Krch with SGM regarding the flood study. They mentioned a flood study would be required for the project.*

*For CDOT drainage requirements, there was mention of concern about proposed sidewalk and drainage development within CDOT ROW dedication area. Current plans still have this proposed development shown, however CEI is looking at options to remove. But there is an 18" CMP pipe from CDOT highway where the drainage needs to be captured appropriately as well as any drainage from the CDOT ROW dedication area and then routed through or around site to final discharge location.*

- **Permit requirements** - following city standards, development here would require applications for permits such as ROW, Grading, and Floodplain Development for review and approval by the city engineer.

*CEI Response: Understood. To be coordinated by client.*

Please let us know your feedback at your earliest convenience and if any additional questions or concerns arise. Thank you!

Regards,



Eric Lawrence, P.E.  
Assistant Project Engineer



## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, First American Title Insurance Company, a(n) Nebraska corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 180 Days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
  - (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
  - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
  - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
  - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
  3. The Company's liability and obligation is limited by and this Commitment is not valid without:
    - (a) the Notice;
    - (b) the Commitment to Issue Policy;
    - (c) the Commitment Conditions;
    - (d) Schedule A;
    - (e) Schedule B, Part I—Requirements; and
    - (f) Schedule B, Part II—Exceptions; and
    - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I - Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

***Transaction Identification Data for reference only:***

Issuing Agent: Kensington Vanguard National Land Services, LLC  
Issuing Office: 39 W 37th Street, 3rd Fl, New York, NY 10018  
Issuing Office's ALTA® Registry ID:  
Loan ID No.:  
Commitment No.: 594124-F-CO-CP-CR

### SCHEDULE A

1. Commitment Date: September 21, 2021 at 08:00 AM
2. Policy to be issued:
  - a. ALTA Owners Policy (06/17/06)  
Proposed Insured: Upper Image Services, LLC, an Arizona limited liability company  
Proposed Policy Amount: \$450,000.00
  - b. ALTA Loan Policy (06/17/06)  
Proposed Insured: Lender to be named  
Proposed Policy Amount: TBD
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:

Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust

Gilbert Schwartz, as Trustee, who acquired title by Warranty Deed made by Harold I. Lovell, Jr., Trustee and Danny W. Case, Trustee, dated June 29, 1983 and recorded July 22, 1983, in [Book 553, Page 528](#), in the Office of the Clerk of Montezuma County.
5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

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## SCHEDULE A

(Continued)

Kensington Vanguard National Land Services,  
LLC

By:



\_\_\_\_\_  
Authorized Signatory

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Warranty Deed from Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust to Upper Image Services, LLC, an Arizona limited liability company.

Deed of Trust from Upper Image Services, LLC, an Arizona limited liability company to Trustee(s) for Lender to be named, securing the principal amount of \$0.00.

5. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
6. Pay the agreed amount for the estate or interest to be insured.
7. Pay the premiums, fees, and charges for the Policy to the Company.
8. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.
9. Evidence that all assessments for common expenses, if any, have been paid.
10. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company.

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## SCHEDULE B

(Continued)

11. This Company must be provided with an existing survey less than ten years old and an Affidavit certifying that the survey accurately represents the configuration of the Property and the location of the improvements thereon and uses thereof as of the date of the Survey, and since the date of the Survey there have been no other improvements on the Property or uses thereof given by the Borrower and there have been no encroachments upon Property or uses of the Property taken by other parties to the best of Borrower's knowledge and belief.
12. Provide the Company with a survey prepared by a registered land surveyor to confirm proper legal description prior to closing. The Company reserves the right to make additional requirements and/or exceptions, and to amend the legal description of the land described in Schedule A, upon review of the description furnished by said surveyor.
13. Proof of payment of any and all Homeowners Association liens and/or assessments against the land described in Schedule A (including, but not limited to, any special assessments or payments due to others such as master associations).
14. Receipt by the Company of a certified rent roll, identifying all leases and tenancies on the subject property.

NOTE: This commitment is subject to further requirements and/or exceptions upon review of the rent roll.

15. Receipt by the Company of the following documentation for Upper Image Services, LLC, an Arizona limited liability company, a Arizona limited liability company:  
  
Operating Agreement, and all amendments thereto, if any.  
  
Certificate of Good Standing issued by the Colorado Secretary of State.
16. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Upper Image Services, LLC, an Arizona limited liability company, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
17. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
18. Recordation of an Affidavit(s) for Grantee Acting in a Representative Capacity pursuant to C.R.S. 38-30-108, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust.
19. Updates to the title commitment are required to disclose defects, liens, encumbrances, adverse claims or other matters, if any are created, first appearing in the public records or attaching subsequent to the effective date of the commitment and prior to the effective date of the Policy.

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## SCHEDULE B

(Continued)

20. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
21. This Company requires a copy of the Agreement, Indenture, or Declaration of Trust of Gilbert B. Schwartz Trust, together with copies of any amendments, modifications, or revocations. In the event that there have been no amendments, modifications, or revocations, this Company will require satisfactory evidence to that effect. Upon receipt additional exceptions may be raised.
22. Company finds no open mortgages of record in the County Office. Company is to be advised of any unrecorded mortgages or any other liens against the premises under examination.
23. The Company reserves the right to raise exceptions and requirements or determine that it will not issue a title policy based upon the details of the transaction, the review of the closing documents, and changes in recording and title searching capabilities resulting from the COVID-19 virus.

NOTE: The following is for informational purposes only and is given without assurance or guarantee: 2020 taxes show Due. The gross amount is \$2,030.73 for Tax Identification No. 561125303001.

24. The Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242, must comply with the following:
  - (a) Include the signature and certification of Robert J. Rubino, PLS No. 14142
  - (b) Confirm whether the instrument referenced in Exception No. 11 in Schedule B, Part II affects the subject property

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## SCHEDULE B

(Continued)

### SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the Public Records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in [Book 8 at Page 6](#), recorded on May 28, 1958 . We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).

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## SCHEDULE B

(Continued)

11. Electric Line Right of Way Easement Easement granted to Empire Electric Association, Inc. disclosed by Document No. [597797](#) recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. [609187](#) recorded December 12, 2017.
13. Any existing leases or tenancies.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property
  - (d) Rights, if any, due to centerline ditch

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### **SCHEDULE C SCHEDULE C**

The Land is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in [Book 8 at Page 6](#), excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

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## OWNER'S POLICY OF TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE A

Name and Address of Title Insurance Company:

First American Title Insurance Company

1 First American Way, Santa Ana, CA 92707

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

Address Reference: 1511 East Main Street, Cortez, CO 81321

Amount of Insurance: \$450,000.00

Premium: \$0.00

Date of Policy: at

1. Name of Insured:

Upper Image Services, LLC, an Arizona limited liability company

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Upper Image Services, LLC, an Arizona limited liability company

4. The Land referred to in this policy is described as follows:

SEE SCHEDULE C ATTACHED HERETO

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

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AMERICAN  
LAND TITLE  
ASSOCIATION



## SCHEDULE B

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Intentionally deleted.
2. Intentionally deleted.
3. Intentionally deleted.
4. Intentionally deleted.
5. Intentionally deleted.
6. Intentionally deleted.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in Book 8 at Page 6, recorded on May 28, 1958. We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).
11. Electric Line Right of Way Easement granted to Empire Electric Association, Inc. disclosed by Document No. 597797, recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. 609187, recorded December 12, 2017.
13. Intentionally deleted.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property

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## **SCHEDULE B**

(Continued)

(d) Rights, if any, due to centerline ditch

PROFORMA

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## SCHEDULE C

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

The land referred to in this Policy is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in Book 8 at Page 6, excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

PROFORMA

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

***First American Title Insurance Company***

The Company insures against loss or damage sustained by the Insured if, at Date of Policy (i) the Land does not abut and have both actual vehicular and pedestrian access to and from East Main Street (the "Street"), (ii) the Street is not physically open and publicly maintained, or (iii) the Insured has no right to use existing curb cuts or entries along that portion of the Street abutting the Land.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

The Company insures against loss or damage sustained by the Insured by reason of the lack of a right of access to the following utilities or services: **[CHECK ALL THAT APPLY]**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Water service            | <input checked="" type="checkbox"/> Natural gas service | <input type="checkbox"/> Telephone service               |
| <input checked="" type="checkbox"/> Electrical power service | <input checked="" type="checkbox"/> Sanitary sewer      | <input checked="" type="checkbox"/> Storm water drainage |
| <input type="checkbox"/> _____                               |   |  |

either over, under or upon rights-of-way or easements for the benefit of the Land because of:

- (1) a gap or gore between the boundaries of the Land and the rights-of-way or easements;
- (2) a gap between the boundaries of the rights-of-way or easements; or
- (3) a termination by a grantor, or its successor, of the rights-of-way or easements.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

*First American Title Insurance Company*

The Company insures against loss or damage sustained by the Insured by reason of the failure of the Land as described in Schedule A to be the same as that identified on the survey made by Robert J. Rubino, PLS No. 14142 dated November 8, 2021, and designated Job No. 21242.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

PROFORMA

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

1. The insurance provided by this endorsement is subject to the exclusion in Section 4 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For purposes of this endorsement only, "Improvement" means a building, structure located on the surface of the Land, and any paved road, walkway, parking area, driveway, or curb, affixed to the Land at Date of Policy and that by law constitutes real property, but excluding any crops, landscaping, lawn, shrubbery, or trees.
3. The Company insures against loss or damage sustained by the Insured by reason of the enforced removal or alteration of any Improvement, resulting from the future exercise of any right existing at Date of Policy to use the surface of the Land for the extraction or development of minerals or any other subsurface substances excepted from the description of the Land or excepted in Schedule B.
4. This endorsement does not insure against loss or damage (and the Company will not pay costs, attorneys' fees, or expenses) resulting from:
  - a. contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence; or
  - b. negligence by a person or an Entity exercising a right to extract or develop minerals or other subsurface substances; or
  - c. the exercise of the rights described in None.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**  
**Issued By**  
***First American Title Insurance Company***

1. The insurance provided by this endorsement is subject to the exclusion in Section 4 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For purposes of this endorsement only, "Improvement" means a building, structure located on the surface of the Land, and any paved road, walkway, parking area, driveway, or curb, affixed to the Land at Date of Policy and that by law constitutes real property, but excluding any crops, landscaping, lawn, shrubbery, or trees.
3. The Company insures against loss or damage sustained by the Insured by reason of the enforced removal or alteration of any Improvement, resulting from the future exercise of any right existing at Date of Policy to use the surface of the Land for the extraction or development of water excepted from the description of the Land or excepted in Schedule B.
4. This endorsement does not insure against loss or damage (and the Company will not pay costs, attorneys' fees, or expenses) resulting from:
  - a. contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence;
  - b. negligence by a person or an Entity exercising a right to extract or develop water; or
  - c. the exercise of the rights described in None.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

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Kensington Vanguard National Land Services,  
LLC

By:

*Mem Sam E*

\_\_\_\_\_  
Authorized Signatory

PROFORMA

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AMERICAN  
LAND TITLE  
ASSOCIATION





**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

Item No. 14 of Conditions is hereby deleted.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

PROFORMA

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

*First American Title Insurance Company*

The Company hereby insures the Insured against loss which the Insured shall sustain by reason of damage to existing and future improvements, including lawns, shrubbery or trees resulting from the exercise of any right to use the surface of the land for enforcement of any of the reservations contained in the Patent to said land excepted from the description or shown in Exception No. 7 of Schedule B.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Warranty Deed from Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust to Upper Image Services, LLC, an Arizona limited liability company.

Deed of Trust from Upper Image Services, LLC, an Arizona limited liability company to Trustee(s) for Lender to be named, securing the principal amount of \$0.00.

5. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
6. Pay the agreed amount for the estate or interest to be insured.
7. Pay the premiums, fees, and charges for the Policy to the Company.
8. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.
9. Evidence that all assessments for common expenses, if any, have been paid.
10. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## SCHEDULE B

(Continued)

11. This Company must be provided with an existing survey less than ten years old and an Affidavit certifying that the survey accurately represents the configuration of the Property and the location of the improvements thereon and uses thereof as of the date of the Survey, and since the date of the Survey there have been no other improvements on the Property or uses thereof given by the Borrower and there have been no encroachments upon Property or uses of the Property taken by other parties to the best of Borrower's knowledge and belief.
12. Provide the Company with a survey prepared by a registered land surveyor to confirm proper legal description prior to closing. The Company reserves the right to make additional requirements and/or exceptions, and to amend the legal description of the land described in Schedule A, upon review of the description furnished by said surveyor.
13. Proof of payment of any and all Homeowners Association liens and/or assessments against the land described in Schedule A (including, but not limited to, any special assessments or payments due to others such as master associations).
14. Receipt by the Company of a certified rent roll, identifying all leases and tenancies on the subject property.

NOTE: This commitment is subject to further requirements and/or exceptions upon review of the rent roll.

15. Receipt by the Company of the following documentation for Upper Image Services, LLC, an Arizona limited liability company, a Arizona limited liability company:  
  
Operating Agreement, and all amendments thereto, if any.  
  
Certificate of Good Standing issued by the Colorado Secretary of State.
16. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Upper Image Services, LLC, an Arizona limited liability company, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
17. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
18. Recordation of an Affidavit(s) for Grantee Acting in a Representative Capacity pursuant to C.R.S. 38-30-108, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust.
19. Updates to the title commitment are required to disclose defects, liens, encumbrances, adverse claims or other matters, if any are created, first appearing in the public records or attaching subsequent to the effective date of the commitment and prior to the effective date of the Policy.

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## SCHEDULE B

(Continued)

20. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
21. This Company requires a copy of the Agreement, Indenture, or Declaration of Trust of Gilbert B. Schwartz Trust, together with copies of any amendments, modifications, or revocations. In the event that there have been no amendments, modifications, or revocations, this Company will require satisfactory evidence to that effect. Upon receipt additional exceptions may be raised.
22. Company finds no open mortgages of record in the County Office. Company is to be advised of any unrecorded mortgages or any other liens against the premises under examination.
23. The Company reserves the right to raise exceptions and requirements or determine that it will not issue a title policy based upon the details of the transaction, the review of the closing documents, and changes in recording and title searching capabilities resulting from the COVID-19 virus.

NOTE: The following is for informational purposes only and is given without assurance or guarantee: 2020 taxes show Due. The gross amount is \$2,030.73 for Tax Identification No. 561125303001.

24. The Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242, must comply with the following:
  - (a) Include the signature and certification of Robert J. Rubino, PLS No. 14142
  - (b) Confirm whether the instrument referenced in Exception No. 11 in Schedule B, Part II affects the subject property

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## SCHEDULE B

(Continued)

### SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the Public Records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in [Book 8 at Page 6](#), recorded on May 28, 1958 . We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).

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## SCHEDULE B

(Continued)

11. Electric Line Right of Way Easement Easement granted to Empire Electric Association, Inc. disclosed by Document No. [597797](#) recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. [609187](#) recorded December 12, 2017.
13. Any existing leases or tenancies.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property
  - (d) Rights, if any, due to centerline ditch

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## COMMITMENT FOR TITLE INSURANCE

Issued By

*First American Title Insurance Company*

### SCHEDULE C SCHEDULE C

The Land is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in [Book 8 at Page 6](#), excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

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CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

**Patrick Coleman**  
City Attorney  
123 Roger Smith Avenue  
Cortez, CO. 81321  
pcoleman@cortezco.gov

## Memorandum

---

**To:** CORTEZ CITY COUNCIL

**From:** PATRICK COLEMAN, CITY ATTORNEY

**Date:** May 3, 2023

**RE:** Ordinance No. 1320, Series 2023

---

### DISCUSSION

Article VI, Section 2 of the Cortez City Charter requires that the Judge's compensation shall be fixed by ordinance from time to time. Judge Padilla has submitted a letter requesting that the compensation portion of her professional services contract be amended, and a proposed amendment to the contract and an ordinance have been prepared for the Council's consideration.

### BACKGROUND

On November 15, 2021, the City adopted a contract for professional services to obtain the services of Beth Padilla as the Municipal Court Judge. Judge Padilla is requesting that the compensation portion of the contract be amended.

### RECOMMENDATION

Staff recommends that Council consider approving Ordinance No. 1320, Series 2023, which approves the compensation amendment as requested by Judge Padilla.

### MOTION

If Judge Padilla's compensation amendment is agreed upon by the City Council, a possible motion would be: I move to approve on first reading Ordinance No. 1320, Series 2023, an ordinance approving an amendment to the Professional Services Contract for Municipal Judge Services, and set the ordinance for second reading and public hearing on May 23, 2023.

---

### Attachments

Letter to Council from Judge  
Ordinance No. 1320, Series 2023  
Amendment to Professional Services Contract

April 27, 2023

Dear City of Cortez Council Members:

I am the municipal court judge, and I was appointed in November, 2021. I am contacting you regarding my salary, with a request to restructure and increase my salary. Currently, I am an independent contractor earning \$18,595 per year for work performed on Mondays. I bill \$80/hour for all work performed on any day of the week other than Mondays.

Since becoming the judge, I have implemented numerous positive changes in the courtroom, which are outlined below.

#### Education

- I joined the Colorado Municipal Judges Association.
- I have attended two multi-day conferences with the CMJA. I received no compensation from the City for attending these conferences.
- The Clerk of Court, Ms. Odell, and I attended the fall CMJA conference in Glenwood Springs, Colorado, and plan to attend in 2023. This allows us to receive legislative updates, network with other municipal courts, and ensure we are up-to-date on important legal changes that impact the court.

#### Accountability

- I started issuing bench warrants when a person fails to appear in Court. This was not previously common practice.
- I implemented community service as part of an unsupervised probation sentence.
- Routinely, I require criminal defendants to undergo a substance abuse evaluation when there are allegations of alcohol or drug use.
- I have imposed a presumptive jail sentence for convictions of indecent exposure when a child was present.
- I was contacted by a neighboring Chief of Police after he heard about the changes we have implemented, and he wanted to learn how he could encourage his municipal court judge to do the same.

#### Networking

- Ms. Odell and I are planning a networking event for local municipal court judges and court staff, to occur at City Hall this summer. There are currently no networking opportunities for local municipal courts, and this will be a starting point for more collaboration.
- Ms. Odell and I work with the Colorado Office of Alternate Defense Counsel to ensure that our defense attorneys are complying with statutes regarding competency. This protects the City from liability.

### Improved court security

- I worked with the City Manager and Chief of Police to obtain a City of Cortez police officer to provide security in the court room during hearings. Prior to my appointment, the court room had no police security.

### Established court schedule

- Court is always held on Mondays at 9 am. However, if a defendant is in custody, the defendant must appear before the court within 48 hours of her arrest. I established a set schedule of Wednesday and Friday at noon to hold in-custody hearings. This creates predictability for the jail staff and attorneys appearing in the municipal court.
- I am on-call every Wednesday and Friday all year, in the event we have in custody defendants. We do not know if we will have court at noon until about 9 a.m. on Wednesday and Friday each week.
- Given the increase in bench warrants I have issued, we frequently have in-custody hearings on Wednesdays and Fridays. In addition to the increase in Wednesday and Friday hearings, we also heard 711 cases in 2022, up from 377 in 2021.

### Outreach Court

- I am creating the first Outreach Court (homeless court) in the state of Colorado through a collaboration with the American Bar Association.
- I am working with community partners to identify referring agencies and we plan to have the Outreach Court operational by August 1, 2023.
- Outreach Court will provide opportunities for criminal defendants to address the issues that brought them to municipal court (substance abuse, mental health, chronic homelessness) by working with local agencies.

### Juvenile docket

- I established a separate juvenile docket that occurs at 8:30 a.m. on Mondays, immediately prior to the adult docket.
- I have implemented sentencing that includes essay writing to hold juveniles accountable and ensure their parents are not paying court costs and fees.

### Access to justice

- The municipal court now has a sign in Spanish, Ute, and Navajo explaining that interpreter services are available.
- The municipal court now has a standard WebEx meeting ID so that every court session has remote appearance options. This increases defendants' access to the court and ensures that court appointed counsel from Durango are able to appear in a cost-effective manner.

My current salary is established for Monday appearances but is an hourly rate for work that occurs on any non-Monday. There are two problems with this structure: first, it requires that I bill my time for Wednesday and Friday and Ms. Odell must review and audit it; second, the hourly



rate is extremely low. Specifically, my understanding is that the Assistant City Attorney earns \$130/hour for work performed in my court room and I earn \$80/hour. To provide additional context, I bill at \$225/hour in my private practice.

I do not receive any benefits (insurance, payment for attending training, etc) as the municipal court judge.

I have researched salaries for similarly situated positions and will outline my findings below:

- The Town of Pagosa Springs recently hired a new part-time municipal court judge and the salary range was \$38,950 to \$55,160.
- Within the last month, the combined court in Cortez hired a part-time magistrate. The magistrate is a ten hour a week position for \$39,318.
- The Ute Mountain Ute magistrate is paid \$460/day, up to 261 days per year.
- There is a current job posting for a part-time municipal court judge for Parker, CO (on the Front Range) for 11-18 hours of work per month for \$25,000-\$45,000. Benefits include a rec center pass, accrued sick leave, and access to the Employee Assistance Program.

I propose that the salary for the municipal court judge be modified as follows:

- There will no longer be a distinction between salary and billable days of the week. The position will be salaried.
- Effective August 1, the salary would be increased to \$2,200 per month, or \$26,400 per year.
- Effective January 1, 2024, the salary would be increased to \$3,000 per month or \$36,000 per year.

Given the increased frequency in Wednesday and Friday hearings, the proposed change from the current salary to \$2,200 is reasonable. For example, in March 2023, I earned the salary of \$1,549.58 and the hourly amount of \$424, for a total of \$1,973.58.

I understand that the proposal is an increase in the salary for this position. However, I would respectfully submit that the current salary is well below similarly situated judicial positions in our region.

I am incredibly dedicated to this work and believe I will continue to make improvements in the lives of people that work and live in Cortez, Colorado. I am open to further discussion of this proposal.

Thank you for your time and consideration.

*/s/ Beth Padilla*

Beth Padilla

beth@padillalawpractice.com

Office: (970) 764-4547 x 1

**ORDINANCE NO. 1320**  
**SERIES 2023**

**AN ORDINANCE APPROVING AN AMENDMENT TO PROFESSIONAL SERVICES  
CONTRACT FOR MUNICIPAL JUDGE SERVICES**

WHEREAS, on November 15, 2021, the City of Cortez (“City”) and Beth Padilla/Padilla Law (“Contractor”) entered into that certain PROFESSIONAL SERVICES CONTRACT - AGREEMENT BY AND BETWEEN THE CITY OF CORTEZ AND PADILLA/PADILLA LAW FOR MUNICIPAL JUDGE SERVICES (the “Agreement”); and

WHEREAS, Article VI, Section 2 of the Cortez City Charter requires that the Contractor’s compensation shall be fixed by ordinance from time to time; and

WHEREAS, the City and the Contractor desire to change the Contractor’s compensation as more specifically described in the AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR MUNICIPAL JUDGE SERVICES (the “Amendment”) that is attached hereto and incorporated herein.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT the Amendment that is attached hereto and incorporated herein, is approved and the Mayor is authorized to sign the same.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

FIRST READING: This ordinance shall be considered on first reading on May 9, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time the City Council shall consider authorizing the ordinance to be considered for a public hearing on second and final reading on May 23, 2023.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the May 23, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 9th DAY OF MAY, 2023.

CITY OF CORTEZ

ATTEST:

\_\_\_\_\_  
RACHEL B MEDINA, MAYOR

\_\_\_\_\_  
LINDA L. SMITH, CITY CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 23rd DAY OF MAY, 2023.

CITY OF CORTEZ

ATTEST:

\_\_\_\_\_  
RACHEL B MEDINA, MAYOR

\_\_\_\_\_  
LINDA L. SMITH, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
J. PATRICK COLEMAN, CITY ATTORNEY



AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR  
MUNICIPAL JUDGE SERVICES

1. On November 15, 2021, the City of Cortez (“City”) and Beth Padilla/Padilla Law (“Contractor”) entered into that certain PROFESSIONAL SERVICES CONTRACT - AGREEMENT BY AND BETWEEN THE CITY OF CORTEZ AND PADILLA/PADILLA LAW FOR MUNICIPAL JUDGE SERVICES (the “Agreement”).
2. Pursuant to Section 4.0 of the Agreement, the City shall pay the Contractor for services under the Agreement a total not to exceed the amounts set forth in Exhibit “B” attached and incorporated into the Agreement.
3. Pursuant to Exhibit “B” of the Agreement, the City shall pay the Contractor a fixed salary of \$18,595.00 per year, \$80/hour for time spent preparing for and conducting jury trials, and \$80/hour for any optional Court work such as jury trials, and extra Court days as may be required from time to time.
4. Pursuant to Section 4.0 of the Agreement, the payment amount for the Contractor’s services may be changed by a properly authorized amendment to the Agreement. The City and the Contractor desire to change the payment amount for the Contractor’s service pursuant to this AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR MUNICIPAL JUDGE SERVICES (the “Amendment”).
5. Article VI, Section 2 of the Cortez City Charter requires that the Contractor’s compensation shall be fixed by ordinance from time to time.
6. Effective August 1, 2023, upon approval of an ordinance authorizing the Mayor to execute this Amendment, the City and Contractor agree to amend Exhibit “B” of the Agreement to increase the Contractor’s compensation as follows: Fixed salary of \$26,400 per year.
7. Effective January 1, 2024, upon approval of an ordinance authorizing the Mayor to execute this Amendment, the City and Contractor agree to amend Exhibit “B” of the Agreement to increase the Contractor’s compensation as follows: Fixed salary of \$36,000 per year. The City and Contractor acknowledge that the City’s multi-year financial obligation set forth in this Amendment is subject to the City making an annual appropriation of sufficient funds to satisfy its obligation, as required pursuant to C.R.S. § 29-1-110, and any failure to appropriate such funds shall be deemed as a termination of the Agreement without cause.
8. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, when taken together, shall constitute one and the same instrument. This Amendment may be executed using facsimile or electronic signatures and such signatures shall be given the authority of original signatures for purposes of executing and enforcing the validity of this Amendment.

9. Except as specifically amended by this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

AGREED TO EFFECTIVE ON THE DATE OF THE LAST PARTY'S SIGNATURE BELOW:

BETH PADILLA/PADILLA LAW

THE CITY OF CORTEZ

/s/ Beth Padilla  
Beth Padilla

\_\_\_\_\_  
Rachel B. Medina, Mayor

5/3/23  
Date

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Linda Smith, City Clerk