

CITY COUNCIL
WORK SESSION/SPECIAL MEETING
TUESDAY, JUNE 13, 2023

1. The workshop was called to order at 6:00 p.m., in the City Council Chambers. Councilmembers present included: Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matt Keefauver, David Rainey, and Dennis Spruell. Planning and Zoning Commission Chairperson Robert Rime, Lance McDaniel, Katrina Weiss, and Jim Skorvc. Staff members present included: Chief of Police Vern Knuckles, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Director of Parks and Recreation Creighton Wright, IT Manager Shay Allred, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were six people present in the audience.

2. Interviews were held with applicants Linda Towle (Historic Preservation Board); Tai Rogers (Arts Advisory Board); and Matt Josef (Arts Advisory Board) on appoint/re-appointment to City Advisory Boards.

3. A joint worksession was held with the Planning and Zoning Commission and City Council regarding the Housing Policy recently adopted for the City of Cortez. The discussion was led by Sarah McClain with Western Spaces, LLC, associated with the consulting group Logan Simpson. Ms. McClain stated that comments received by the Commission and City Council will be considered as they draft the housing policy section of the updated Land Use Code. Discussion was held on the housing needed in the community by 2028 and what that spectrum includes. Goals for the housing policy were reviewed and included: developing and maintaining safe, desirable, and quality housing for all current and future residents, with emphasis on affordability/attainability and revitalization of neighborhoods; preserve, protect, and maintain the quality and attainability of the community's existing housing stock; increase the amount of housing produced in Cortez and encourage a diverse mix of housing types to improve housing availability and options for residents to best meet their needs; and focus new housing on the full range of incomes in need and for various life stages with priority placed on entry level rentals, first-time homeownership, missing middle, and supportive housing. Strategies were reviewed and it was noted that flexibility/effectiveness should be built into the plan. Discussion was held on education and the best way to get information out to the public. Councilmember Keefauver suggested that Council go to the people for the education outreach piece. It was noted that collaboration can lead to more effective strategies, shared resources, and a unified approach to housing preservation. Ms. McClain stated that the next steps will include a presentation on finalizing an action plan with the Planning and Zoning Commission on July 18, 2023 and a joint workshop with City Council/Planning and Zoning Commission on August 8, 2023. Ms. McClain stated that the City is on the right track with the plan and work will continue.

4. Council General Discussion. Concerns were raised regarding the temporary closure of the birthing rooms at Southwest Memorial Hospital. Discussion was held by Council on how the loss of the birthing rooms will affect the community and the limited amount of information that has been shared on the closure. It was noted that a meeting will be held Thursday, June 15,

2023, at 6:00 p.m., at the Hospital Ambulance Bay. Council spoke about what type of communication should be given to the Hospital Board from the City and it was agreed that the City Manager should send a letter from his office stating concern about the value of the birthing center to the community. Council will consider making a more formal comment at their July 11, 2023, Council meeting. It was noted that more information should be available prior to the July meeting.

Councilmember Keefauver noted that he attended the open house held at the Chamber of Commerce on the City's Housing Policy and that the discussion was really good and the meeting was very productive.

The regular workshop was adjourned at 7:30 p.m.

CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 13, 2023

1. The meeting was called to order in the City Council Chambers at 7:40 p.m., with the Pledge of Allegiance. Roll Call was taken and the following Councilmembers were present: Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Lydia DeHaven, Robert Dobry, Matthew Keefauver, David Rainey, and Dennis Spruell. Staff present included: Chief of Police Vernon Knuckles, Finance Director Kelly Koskie, Manager of Marketing and Events Jon Brooks, Director of Parks and Recreation Creighton Wright, Director of Public Works Brian Peckins, Library Director Isabella Sharpsteen, Airport Manager Jeremy Patton, Director of General Services Rick Smith, IT Manager Shay Allred, Deputy City Clerk Donna Murphy, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were eleven people present in the audience.

Councilmember Dobry moved that the agenda of June 13, 2023 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	Yes

2. The Consent Agenda items acted upon by Council were as follows:
 - a. Approval of the Council Worksession and Agenda Minutes of May 23, 2023.
 - b. Approval of the Expenditure List for June 13, 2023.
 - c. Approval of a renewal application for a Retail Marijuana Store License/Retail Marijuana Cultivation Facility for Rinnie Rulez LLC, DBA Doobie Sisters/Doobie Sisters Botanics, located at 695 North Broadway, Unit 1 and 2, Cortez.
 - d. Approval of a renewal application for a Retail Marijuana Center License for NuVue Pharma LLC, to be located at 503 Patton Street, Cortez.
 - e. Approval of a renewal Fermented Malt Beverage and Wine Liquor License for Western Refining Retail, LLC, DBA Speedway #9499, located at 921 East Main Street, Cortez.
 - f. Approval of a Hotel and Restaurant Liquor License for Kashmien, LLC, DBA Lotsa Pasta and That'za Pizza, located at 439 East Main Street, Cortez.
 - g. Approval of a Hotel and Restaurant Liquor License for Ocean Pearl of Cortez, LLC, DBA Ocean Pearl Chinese Restaurant, located at 300 East Main Street, Cortez.
 - h. Approval of a renewal Tavern Liquor License for A&S LLC, DBA Angel's End Zone, located at 309 North Broadway, Cortez.

i. Approval of an Outdoor Dining Agreement between the City of Cortez and Community Radio Project Inc., DBA KSJD, located at 2-8 East Main Street, Cortez.

Councilmember Dobry moved that the Consent Agenda be approved as presented. Mayor Pro-tem Yazzie seconded the motion, and the vote was as follows:

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

3. PUBLIC PARTICIPATION

a. Susan Kemnitz, South Cedar Street, stated that the City should suggest a solution to the Hospital if they are going to make a comment on the closure of the birthing room. She spoke about the resolution for Pride Month and objected to the favoritism of a group of people over everyone else. She stated that everyone should be treated equally and people should be wonderful human beings.

b. Lindsay Yeager, Edith Street, spoke about her fear and heart break of the announcement to close the birthing center at Southwest Memorial Hospital. She asked that Council pass a resolution opposing the closure and join in the fight. She spoke about how the closure affects women's care in the community as well as doctors that will leave the area.

4. PRESENTATIONS

a. Award of the Colorado Grand Scholarship to Mancos High School Senior Sophie Eschallier. Councilmember Spruell, member of the Scholarship Committee, read for the record the announcement of a \$10,000 scholarship from Colorado Grand (charity car tour) being awarded to Mancos High School Senior Sophie Eschallier. Ms. Eschallier will be attending the University of Denver in the fall of 2023. It was noted that the Colorado Grand visited Cortez in 2022 and donates money to small towns, charities and scholarships to the communities which they have visited. Councilmember Spruell stated there were 17 wonderful applicants for the scholarship and Ms. Eschallier was the best of the best. He stated that with Ms. Eschallier and the other applicants becoming future leaders of our Country, we are in good shape. Ms. Eschallier's essay was on mountain biking and how it applies to living. A picture was taken of Ms. Eschallier with City Council receiving her scholarship award. Mayor Medina thanked Manager of Marketing and Events Brooks for being a good host and liaison for this event which is part of the reason the Colorado Grand had a great time in our community.

b. Proclamation for Pride Month in the City of Cortez. Mayor Medina read the proclamation and commented that on behalf of all residents, the City of Cortez proclaims June 2023 as Pride Month and urges all residents to respect and honor our diverse community, to celebrate and build a culture of inclusiveness and acceptance. Councilmember Keefauver stated that, from someone that has taught for 29 years and has volunteered on many non-profit boards, it means a lot that the City has chosen to read the proclamation and to recognize the achievements and contributions that LGBTQ2S+ people give to their communities.

Councilmember Keefauver moved that Council accept the proclamation establishing June 2023 as LGBTQ2S+ Pride Month in the City of Cortez. Councilmember DeHaven seconded the motion and the vote was as follows:

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

c. April 2023 Financial Statements. Director of Finance Koskie reviewed the April 2023 Financial Statements and stated that the first of the new leased vehicles for the Police Department were received and the lease payment is shown in the Equipment Fund as the Police Department is a part of the General Fund. She also noted that the Vero lease payment was received in April and is shown as revenue in the CCN Fund which will then pay back the General Fund. She also spoke about her attendance at the annual Governmental Finance Officers Association (GFOA) conference in Portland, Oregon, which included many interesting sessions and networking opportunities. Discussion was held on the Vero payment and Director of Finance Koskie commented that the General Fund will be paid in full for outstanding loans from the General Fund to the CCN Fund. She spoke about a new program (Debt Book) that has been purchased that will help in tracking loan payments/leases for the City. In answer to a question from Mayor Medina, Chief of Police Knuckles spoke about the new graphics for the Police Department and stated that the new Police vehicles have not received the new graphics on them yet.

d. Discussion on Council Chambers AV Equipment Purchase. IT Manager Allred spoke to Council about the AV Equipment for Council Chambers and the Request For Proposal (RFP) process that has been conducted beginning in 2021. He stated that the original RFP was rejected and another RFP was issued in 2022 with three quotes received. He stated that Council asked for different options to lower the cost of the 2022 quotes and new pricing was approved with reduced features in the approved 2023 Budget. Discussion was held on what the 2023 pricing includes and the support that would come with the three different companies which had offered quotes. City Manager Sanders stated that the amount budgeted for 2023 for the AV Equipment Purchase was \$86,734.86. In answer to Council questions regarding the price differences in the three quotes, IT Manager Allred stated that the price difference is mostly due to the support that would be offered from the different companies. Discussion was held on the variety of equipment that could be included in the bid and the price amount that would come with the equipment changes (could be up to \$200,000 in price). IT Manager Allred stated that the life cycle for the equipment could be up to eight to ten years if it is taken care of. City Manager Sanders stated that staff would present the functions that would be included in the 2023 bid amount at the next meeting so Council could make a more informed decision on how to proceed forward.

- 5. PUBLIC HEARINGS – None.
- 6. UNFINISHED BUSINESS – None.
- 7. NEW BUSINESS

a. 2023 Clarifier Drive Replacement Project. Director of Public Works Peckins stated that bid documents and advertisement for the 2023 Clarifier Drive Replacement Project was completed on

the City’s website, BidNet and in the Cortez Journal. The Invitation to Bid was downloaded by 17 contacts with eight sets of plans picked up. Three potential bidders attended the pre-bid meeting and two bids were received. The City is seeking a qualified contractor to remove and replace the drive unit on the solid contact clarifier located at the water treatment plant. The drive unit that is to be replaced has been in service since 1992, and has developed an oil leak that cannot be repaired. Without proper lubrication, the drive will fail and needs to be replaced, thus ensuring proper pre-treatment of our drinking water. It was noted that \$200,000 was budgeted in the 2023 Water Fund for the clarifier drive replacement and Mueller Construction Services, Inc. is the low bidder and meets the City’s need for the project. Councilmember Yazzie complimented Director of Public Works Peckins for including the information in his memo on how many people reviewed the advertisement for the bid.

Councilmember Keefauver moved that Council award the 2023 Clarifier Drive Replacement Project to Mueller Construction Services, Inc. at the bid price of \$153,522.00. Councilmember Spruell seconded the motion, and the vote was as follows:

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

b. Resolution No. 12, Series 2023, Adopting the Drought Management and Mitigation Plan for the City of Cortez. Director of Public Works Peckins stated that Resolution No. 12, Series 2023, adopts the Drought Management and Mitigation Plan (DMMP). He stated that the primary focus of the DMMP is on best management practices to manage water demand, while evaluating options for alternate water sources. The plan is a framework of forward-leaning planning for scenarios and objectives, managerial and technical actions, and potential response systems in order to better respond to drought conditions. It was noted that the plan has five drought stages with triggers based on flow and reservoir levels, and identifies response actions for each drought stage, as well as establishing water use allocations. The plan is a living document and will be updated on a periodic basis, or as needed. No comments have been received on the plan from the public. Council thanked staff for all their hard work on the plan. Director of Public Works Peckins stated that there is a Water Conservation Committee that meets regularly and discussion will be held with that committee as to whether they can dwarf into the Drought Task Force as well or if a separate body needs to be created.

Councilmember Dobry moved that Council approve Resolution No. 12, Series 2023, adopting the Drought Management and Mitigation Plan for the City of Cortez. Councilmember Keefauver seconded the motion, and the vote was as follows:

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

c. Ordinance No. 1321, Series 2023, Proposed Update to Sec. 2-3, Council Rules of Procedure. City Manager Sanders stated that staff is requesting approval of Ordinance No. 1321, Series 2023, on first reading. He stated that Ordinance No. 1321, Series 2023, approves a revision of Cortez City Code Section 2-3, Council Rules of Procedure Generally. The section was last revised in 1968 and contains some outdated language and requirements that are not in keeping with the current

needs of the Council and the City. He stated that the need has arisen to update the rules to reflect current practices. The various changes were reviewed including the use of the Roberts Rules of Order, which would be used as a guide rather than the more strict compliance as it is currently being required in the Code. It was noted that the current flow of the Council meetings does not adhere to the strict rules of the Robert Rules of Order. Mayor Medina noted that the Colorado Municipal League has good information on the procedural rules for Council meetings which seem to make sense on how a Council meeting best works.

Mayor Pro-tem Yazzie moved that Council approve on first reading Ordinance No. 1321, Series 2023, an ordinance approving a revision to Section 2-3, Council Rules of Procedure Generally, of the Cortez City Code, and set the ordinance for second reading and a public hearing on July 11, 2023. Councilmember DeHaven seconded the motion, and the vote was as follows:

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

d. Appointment/Re-appointments to City Advisory Boards. Mayor Medina stated that three interviews were held during the Council worksession. Matt Josef is interested in serving on the Cortez Arts Advisory Board as a new member; Tai Rogers would be a re-appointment to the Cortez Arts Advisory Board; and Linda Towle would also be a re-appointment to the Cortez Historic Preservation Board.

Councilmember Dobry moved that Council appoint Matt Josef to the Cortez Arts Advisory Board for a three-year term; re-appoint Tai Rogers to the Cortez Arts Advisory Board for a two-year term; and re-appoint Linda Towle to the Cortez Historic Preservation Board for a three-year term. Councilmember DeHaven seconded the motion, and the vote was as follows:

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

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY’S REPORT – None.

10. CITY MANAGER’S REPORT

City Manager Sanders noted the following information:

*The 2020 audit including the single audit report for the Airport is now complete. We are officially done with the 2020 audit and have moved forward with the 2021 audit. The 2021 and the 2022 audits should be completed this fall.

*Ms. Naomi Dobbs, SW CO Regional Director for Congresswoman Boebert, met with staff last Tuesday, June 6, 2023. She has offered her assistance with various federal grants available to Cortez as well as working with us regarding a refund of the loan interest payment made to the Dolores Water Conservation District, DWCD, when we paid off the City’s water loans. DWCD

was contacted last November, 2022 and informed that we would like to pay off the loan for an additional three months, and charging the City interest for that time frame.

*We have received the first of three refuse trucks: Public Works will be conducting a truck naming contest. The new refuse truck will be on display at the Third Thursday event on June 15, 2023 at Montezuma Park. The new street sweeper should arrive by the end of June, 2023, the additional two (2) refuse trucks by the end of August, 2023, and the side load refuse truck by the end of December, 2023. Public Works will look to the community to also name the incoming new trucks as well.

*Vero will start construction on the fiber build-out this week in Cortez. Montezuma Avenue is the first part of that build-out.

*The next Board-to-Board Joint Meeting has been tentatively scheduled for Thursday, August 24, 2023, from 7:00 p.m. to 9:00 p.m. in Mancos. He stated that notice has been sent to Council and a reply can be made to Wendy Mimiaga, City Manager's Executive Assistant, if Council can make the meeting.

*Noticed for the official record was the receipt of two letters that were sent to the Council Comment Email: one from ZU Gallery, Jodi Jahrling, regarding her concern with the closure of the Hospital birthing rooms and another letter from Charles Jeter regarding the City of Cortez Housing Needs Assessment. Copies of both letters have been given to City Council and will be included with the Council Board packet.

II. CITY COUNCIL COMMITTEE REPORTS

a. Mayor's Report on Workshop. Mayor Medina stated that during the worksession interviews were held with three applicants for City Advisory Board openings. Also, a joint workshop was held with the Planning and Zoning Commission and City Council regarding the priorities on the City's housing policies. General Council Discussion included the news on the closure of the birthing center at the Hospital and Councilmember Keefauver noted that he attended the open house at the Chamber of Commerce on the City's Housing Policy and he was really impressed with the information that was shared and the organization of the meeting.

b. Cortez Public Arts Board. Councilmember Rainey stated that Cortez Public Arts Board meeting was held on June 5, 2023, with three new board members in attendance. Everyone is optimistic about where the Board is going.

c. Parks, Recreation, and Forestry Advisory Board. Councilmember Keefauver stated that the next Parks, Recreation, and Forestry Advisory Board meeting will be held on Friday, June 16, 2023, at 7:00 a.m.

d. Library Advisory Board. Councilmember DeHaven spoke about the discussion held at the Library Advisory Board meeting held on June 8, 2023, which included summer programming/events and summer reading club. She invited everyone to check out the flyers at the Library to find out all that is going on throughout the summer.

e. Historic Preservation Board. Councilmember Dobry stated that the Historic Preservation Board met on June 7, 2023, and two members that were recently re-appointed by City Council were sworn in. Also, the board met with the State Historic Preservation Office Representative about the City continuing to be a Certified Local Government.

f. Thank You. Mayor Pro-tem Yazzie thanked staff for all the work that was done to recruit people to fill the seats on the City advisory boards. She noted that the Arts Advisory Board now has a full board again.

g. Golf Advisory Board. Councilmember Spruell stated that discussion at the Golf Advisory Board included information on the revenue at the golf course which is down partly due to the weather and the late opening of the course; however, the course is in great condition.

h. Mesa Verde Country Board Meeting. Mayor Medina stated that recruitment continues for the Executive Director position at Mesa Verde Country.

12. OTHER ITEMS OF BUSINESS

a. Executive Session. Councilmember Dobry moved that Council adjourn at 8:55 p.m. to Executive Session to discuss the possible acquisition of real estate under C.R.S. Section 24-6-402(4)(a) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators regarding the possible acquisition of real estate, under C.R.S. Section 24-6-402(4)(e). Mayor Pro-tem Yazzie seconded the motion, and the vote was as follows:

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

b. Additional Executive Session. Councilmember Dobry moved that Council adjourn to Executive Session for discussion of a personnel matter, and specifically to conduct an annual performance review of the Cortez City Manager and to discuss possible amendments to Mr. Sanders' employment agreement as authorized by C.R.S. Section 24-6-402(4)(f)(I). The Executive Session will not involve any specific employee who has 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. Mayor Pro-tem Yazzie seconded the motion, and the vote was as follows:

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

Council returned from Executive Session at 10:10 p.m. Participants in the Executive Session included City Manager Sanders, City Attorney Coleman, Mayor Medina, Mayor Pro-tem Yazzie, Councilmember DeHaven, Councilmember Dobry, Councilmember Keefauver, Councilmember Rainey, and Councilmember Spruell. No adoption of any policy, position, resolution, rule,

regulations, or other formal action occurred during Executive Session.

13. PUBLIC PARTICIPATION – None.

14. ADJOURNMENT: Councilmember Dobry moved that the regular meeting be adjourned at 10:12 p.m. Councilmember DeHaven seconded the motion, and the vote was as follows:

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


Rachel B. Medina, Mayor

ATTEST:


Linda L. Smith, City Clerk