

CITY COUNCIL
REGULAR WORKSHOP/SPECIAL MEETING
TUESDAY, NOVEMBER 14, 2023
6:30 p.m.

1. The Workshop was called to order at 6:30 p.m., at the City Council Chambers. Councilmembers present included Mayor Rachel Medina, Mayor Pro-tem Arlina Yazzie, Robert Dobry, Matt Keefauver, David Rainey, Dennis Spruell, and Lydia DeHaven. Staff members present included: Chief of Police Vernon Knuckles, Finance Director Kelly Koskie, Community and Economic Development Director Rachael Marchbanks, Director of General Services Rick Smith, IT Technician Aaron Holleman, Director of Parks and Recreation Creighton Wright, Director of Public Works Brian Peckins, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were six people present in the audience.

2. A presentation was made by Homeless Outreach Coordinator Lucia Bueno-Valdez and Director Kelly Willis, from the Pinon Project, on homelessness in the community. Three additional outreach navigators have been hired through the Pinon Project and are working to help the homeless find shelter, food, and other resources that they may need. The lobby at the Pinon Project is currently serving as a makeshift day center (warming shelter) and a building is being sought to use more permanently (hopefully year round). It was noted there are 342 people that have been identified as homeless in the area. Ms. Bueno-Valdez spoke about the programs that the Pinon Project continues to work on to help the homeless. Discussion was held on the program "Built for Zero" which is working towards zero homelessness and how the statistics/data are defined. It was noted that the Recreation Center, Library, and Municipal Court (Outreach Court) have helped tremendously with the homeless. Council thanked the Pinon Project for all their work on behalf of the most vulnerable in the community.

3. Interviews were held with two applicants (Gary Welch and Bob Bright) for the Planning and Zoning Commission and two applicants (Jake McIntosh and Anthony Beadle) for the Cortez Public Arts Advisory Board. It was noted that one seat is available on each Board/Commission. Council will consider appointment to the Planning and Zoning Commission and Cortez Public Arts Advisory Board at the November 28, 2023, Council meeting.

4. Discussion was held on term limits for Cortez Boards and Commissions. City Manager Sanders spoke about the current system that has been used by staff to fill vacancies. He noted that the process was revised with City Council's input the first part of 2023. Arguments in favor of term limits and arguments against term limits were reviewed. Considerations for how to proceed were also reviewed and it was noted that there are a total of 46 volunteer board/commission seats to fill. After discussion by Councilmembers, it was suggested that staff work on an application that would be used for serving on a City board/commission which would contain more information on the person that would be applying. Also, it was suggested that the person applying be asked to attend a meeting of the board in which they are interested in serving on so they can participate in a meeting and have some understanding of what the board is about before they are interviewed by Council. Council asked that the questions used for the interview

process be updated to better align with the individual board's functions. It was recommended that no term limits be set at this time. Staff will work on the recommendations made by Council.

5. General Discussion: None.

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

CITY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 14, 2023

1. The meeting was called to order in the City Council Chambers at 7:35 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, Community and Economic Development Director Rachael Marchbanks, Court Clerk/Administrator Carla Odell, Library Director Isabella Sharpsteen, Airport Director Jeremy Patton, Human Resources Director Matt Cashner, Director of General Services Rick Smith, Director of Public Works Brian Peckins, City Clerk Linda Smith, City Manager Drew Sanders, and City Attorney Patrick Coleman. There were eight people present in the audience.

Mayor Pro-tem Yazzie moved that the agenda for November 14, 2023 be approved. Councilmember Dobry 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 for October 24, 2023.
 - b. Approval of the Expenditure List for November 14, 2023.
 - c. Approval of a renewal Hotel and Restaurant Liquor License for New Hong Kong of Cortez, Inc., DBA New Hong Kong Chinese Restaurant, located at 332 West 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

Tai Rogers, Canyon Drive, Cortez asked about the status of the Colorado Department of Transportation (CDOT) study that was being conducted on South Broadway and Highway 491. City Manager Sanders stated that information on that study would be included in his City Manager Report at the end of the meeting.

4. PRESENTATIONS

- a. 2023 September Financial Statements. Finance Director Koskie stated that items to note from

the September Financial Statements is that the revenue is at 1.4% above the budgeted amount for the Lodgers Tax Fund and net income (total revenue minus total expenses) is 12.6% above projected actuals through September for the Refuse Enterprise Fund. She stated that the net income has increased in the Refuse Enterprise Fund due to cost cutting measures and additional commercial accounts. Mayor Pro-tem Yazzie noted that the tax revenue through September 30, 2023, shows the City is at 57% and she asked if the revenue will meet the projected amount set for 2023. Finance Director Koskie stated that the tax revenue section has included the entry for the money (3.7 million) that would be used to pay off the water fund loan and therefore the tax revenue amount is off in the projection. The property tax (approximately \$976,000) that was withheld by Montezuma County due to the previous audits not being completed, will be included in the October Financial Statement. Financial Director Koskie stated that the 2021 audit is complete and it is expected that the 2022 audit should be completed by the end of the year.

5. PUBLIC HEARINGS

a. Ordinance No. 1323, Series 2023. Finance Director Koskie stated that Ordinance No. 1323, Series 2023, is an ordinance that summarizes the expenditures and revenues for each fund and adopts the budget for the City of Cortez, Colorado, for the calendar year beginning on the first day of January 2024 and ending on the last day of December 2024. She spoke about the budget process which begins with review by the City Manager and Department Directors. She stated that the budget is posted on ClearGov and she noted that the comments that were received from the public (Appendix B) were included in the packet. An additional comment received following the publishing of the packet was given to Council this evening as a handout. She noted that the overall budget is approximately \$35 million which represents all projected revenue for the General Fund, Enterprise Funds, and Capital projects. Staff recommends approval of Ordinance No. 1323, Series 2023, on second and final reading.

Mayor Medina opened the public comment portion of the public hearing. Susan Kemnitz, Cedar Street, stated that she had some trouble trying to comment on the ClearGov program; however, she wanted to say that when the economy is bad it is good to know that the City's budget is not going up. She thanked the City for doing a good job. No one else spoke and Mayor Medina closed the public comment portion of the public hearing. Mayor Medina stated that a lot of Colorado communities are seeing sales tax plateau and some of the City's revenue sources are decreasing, so the budget has been set to meet the needs of the community but is balanced with the revenue projected. She thanked everyone for all the hard work on the budget.

Mayor Pro-tem Yazzie moved that Council approve on second and final reading, Ordinance No. 1323, Series 2023, an Ordinance summarizing expenditures and revenues for each fund and adopting a Budget for the City of Cortez, Colorado, for the calendar year beginning on the first day of January 2024 and ending on the last day of December 2024. Councilmember Rainey seconded the motion and the vote was as follows:

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

6. UNFINISHED BUSINESS – None.

7. NEW BUSINESS

a. Resolution No. 29, Series 2023. Airport Director Patton stated that Resolution No. 29, Series 2023, adopts the 2024 Fees and Charges for the Cortez Municipal Airport. He stated that the guiding document has been worked on for several months and a majority of the fees are already being applied via land lease agreements, surface use agreements, contracts, etc. New fees include a tiered structure to the existing landing fees based on aircraft weight, flight simulator use fees, classroom use fees, keys/gate card issuance fees, and callout fees. The guiding document brings the Airport into a better position for growth while maintaining fairness to the users in the general aviation community. The Enterprise Fund of the Airport will realize increased revenue based on some of the new fees as demand increases for various operations. Projected landing fees will see a steady increase as many of our larger charter jets and the airline will fall into a higher weight bracket. Note that the parking lot fees are left to be determined as the parking lot project is carried into 2024. Staff recommends approval of Resolution No. 29, Series 2023. Councilmember Keefauver stated that he appreciates the professionalism that Airport Director Patton has brought forward with his presentations and that the fee document is well structured and reasonable. Discussion was held on Cortez Flying Service and how their programs (landing fees and fuel fees) are tied to the City's revenue. It was noted more information will be shared with Council in the future on how the City could capture more revenue.

Councilmember Dobry moved that Council approve Resolution No. 29, Series 2023, a Resolution adopting the 2024 Fees and Charges for the Cortez Municipal Airport. 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

b. Resolution No. 30, Series 2023. City Clerk Smith stated that Resolution No. 30, Series 2023, adopts the 2024 Fee Schedule for the City of Cortez. She stated that the City Clerk's office received the changes that are being recommended by the different departments and the information was put into one document. The changes being recommended to the 2023 fee schedule have been highlighted in yellow. She reviewed the fee changes made to the City Clerk's portion and noted that Directors are available should there be any questions regarding the other fee recommendations. Mayor Medina asked about adding the Animal Shelter license fees and also the fee for equipment rental of various items that the Library loans out. City Manager Sanders stated that both items would be added. Director of General Service Smith explained that the Cortez Community Network (CCN) fees include the remaining items that the City takes care of after the lease was completed with Clearnetworkx.

Councilmember DeHaven moved that Council approve Resolution No. 30, Series 2023, adopting the 2024 Fee Schedule for the City of Cortez. Councilmember Rainey seconded the motion and the vote was as follows:

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

c. Letter of Support – Montezuma County B1 Energy. Director of Public Works Peckins stated that the County has requested a letter of support for B1 Energy and their efforts to apply for grants to support their goal of recycling efficiency and overall landfill reduction strategies at the Montezuma County landfill. He spoke about the use of the grant which would help fund a program which would separate recyclables from other items and keep them out of the landfill. By reducing and/or diverting waste, the life expectancy of the landfill could be extended and help reduce long term costs. Staff recommends that Council authorize the Mayor to sign the letter of support for B1 Energy as requested by Montezuma County. Mayor Medina noted that the landfill has done some innovative programs over the years which is really helpful to keep the landfill viable into the future.

Councilmember DeHaven moved that Council authorize the Mayor to sign the letter of support for B1 Energy as requested by Montezuma County. 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

8. DRAFT RESOLUTION/ORDINANCES – None.

9. CITY ATTORNEY’S REPORT – City Attorney Coleman spoke about CORA (Colorado Open Records Act) and the process on which they are handled when received by the City of Cortez. He stated that the City has received several CORA requests in the past few months and it has taken some time to complete the requests due to the volume of documents that have been requested. He spoke of the time needed by his office to review each of the documents to be sure they fall within the CORA requirements for release and noted that the Statutes dictate the cost for which can be charged for the process/documents. He spoke of the time frame which the CORA requests must be completed by and the exceptions allowed for requests that will take some time to complete.

10. CITY MANAGER’S REPORT – City Manager Sanders gave the following report:

- The City of Cortez affordable housing commitment was accepted by the Department of Local Affairs, allowing Cortez to opt-in to Prop 123, a state law that opens up funding for housing. This could allow for the City and also for profit and non-profit entities to apply for available funds through the State for affordable workforce housing projects.
- The City received 37 applications for the Cortez Community Support Grant. Each year, the Cortez City Council budgets money from the General Fund to support community organizations that preserve or enrich the health, education, welfare, and fitness of the community. The grant review committee will convene to review the submissions and will report to Council with their recommendations.
- According to CDOT, the South Broadway/Highway 491 speed study final report will not be done until Spring of 2024. The delay is due to the system they use being unable to compute the findings of the Hwy 491 study. CDOT will continue to work on the issue.

- **Employee Spotlight – Colby Early, Refuse and Recycling Superintendent**
Colby Early has worked for the City for 22 years; starting off as a loader on the refuse trucks before being promoted to Recycling Manager in 2010. He was again promoted to Refuse and Recycling Superintendent in September, 2022.
Colby implemented a series of positive steps that included reorganization of the department, instilling a safety-first culture, developing standard operating procedures, optimizing truck routes, and replacing old equipment with four state-of-the-art new trucks, to name a few. Because of these improvements, our refuse and recycling program continues to add new residential and commercial customers.
Colby is a member of the San Juan Basin Recycling Association and the Four Corners Recycling Association and is currently part of the Leadership Montezuma class of 2024. He has successfully written a Recycling Resource Economic Opportunity (RREO) grant which helped pay a portion of one of the new trucks, and has written successful recycling rebates for the City since 2011. Interestingly, Colby's family farm worked with the City's Parks and Rec Department on seeding City Parks in the past and played a big role in Colby coming to work for the City of Cortez. Colby is a consummate leader, professional and a dedicated public servant. He is a credit to the Public Works team, the City of Cortez, and our community.

11. CITY COUNCIL COMMITTEE REPORTS

- a. Mayor's Report on Workshop. Mayor Medina stated that during the worksession Kelly Willis and Lucia Bueno-Valdez from the Pinon Project gave an update on homelessness in the community, four applicants were interviewed for the Planning and Zoning Commission and Arts Advisory Board openings, and discussion was held on term limits for City Boards and Commissions.
- b. Public Arts Advisory Board. Councilmember Rainey stated that he is optimistic about the Public Arts Advisory Committee and new ideas are moving forward that will benefit the community.
- c. Cortez Historic Preservation Board. Councilmember Dobry stated that a new grant was reviewed and a potential new board member attended the meeting of the Cortez Historic Preservation Board held on November 1, 2023.
- d. Mesa Verde Country. Councilmember Dobry stated that discussion at the Mesa Verde Country Board meeting included information on Lodgers Tax and the financials. He stated that the next meeting will not be held until January 2024.
- e. Golf Advisory Board. Councilmember Spruell stated that the golf course will be closing for the season on Sunday, November 19, 2023 at which time the greens will be covered for the winter. He stated that the golf course achieved its best cost recovery year ever. He commented there will be a small increase in golf fees in 2024, which is the first increase in three years.
- f. Parks, Recreation, and Forestry Advisory Board. Councilmember Keefauver stated that the next meeting will be held the first part of December.

g. Leadership Montezuma. Councilmember Keefauver stated that he has been a part of the rebuilding of Leadership Montezuma since the Covid period and Thursday, November 9, 2023, was Governance Day. He thanked City Manager Sanders and City Clerk Smith for attending and sharing with the group and commented that the time at City Hall was most enjoyed by the Leadership Montezuma group.

h. Youth Commission. Mayor Medina stated that during her weekly visit with the City Manager she has asked that the Youth Commission be revived so the youth can become more involved in local government.

12. OTHER ITEMS OF BUSINESS

a. Colorado Department of Transportation (CDOT). Councilmember Spruell stated that he feels the City is being held hostage by CDOT and that the City has done everything they can to get the intersection on Highway 491/South Broadway improved. He stated that he feels there is a huge safety hazard on South Broadway, but before improvements can be made, CDOT has to complete a study.

13. PUBLIC PARTICIPATION – None.

14. ADJOURNMENT: Mayor Pro-tem Yazzie moved that the regular meeting be adjourned at 8:35 p.m. 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


 Rachel B. Medina, Mayor

ATTEST:


 Linda L. Smith, City Clerk