



MEETING OF THE CITY COUNCIL

City Council Chambers  
448 East 1<sup>st</sup> Street, Room 190  
City of Salida, Colorado

AMENDED 9/3/2010

Tuesday, September 7, 2010, 4:00 p.m.

*The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.*

I. MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE – Led by Mayor Charles Rose

III. ROLL CALL

IV. EXECUTIVE SESSION –

1. 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);

AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: To discuss pending litigation.

2. For the purpose of determining positions relative to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R. S. Section 24-6-402 (4)(e);

AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: To discuss pending litigation.

Following the conclusion of the Executive Session the regular meeting will continue at 6:00 p.m.

V. CITIZEN PARTICIPATION – 3 minute time limit

VI. PRESENTATION –

1. Proclamation – Constitution Week 2010 by Mayor Rose

2. Geothermal update

VII. SCHEDULED ITEMS

*Agenda September 7, 2010*

1

*The order of agenda items listed above are approximate and intended as a guideline for the City Council. Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk, 448 E. 1<sup>st</sup> Street, Ste. 112, Salida, CO 81201, 719-539-2311 at least 48 hours in advance.*

1. **Consent Agenda** (Janella Martinez) **Section 1**
  - a. Approval of Agenda
  - b. Approval of Minutes: July 20, 2010, August 17, 2010
  - c. City Property requests: 1.) Colorado Grand
  
2. **Award 2010 Asphalt Overlay Bid Acceptance** – (Rob Vance) **Section 2**  
Resolution 2010-47 authorizing the city administrator to enter into a Construction Services Agreement between the City of Salida and Y & K Excavation, Inc.
  
3. **Award Phase 3 Hot water line Bid Acceptance**– (Rob Vance) **Section 3**  
Resolution 2010-48
  
4. **Revised Construction Standards and Specifications** – (Rob Vance) **Section 4**  
Resolution 2010-49 Adopting the City of Salida Revised Standards and Specifications for Construction
  
5. **Mira Monte Rezoning** - 1st reading (Dara MacDonald) **Section 5**  
Ordinance 2010-10 rezoning a 10.63 Acre area of land known as Mira Monte as Medium Density Residential (R-2)
  
6. **Medical Marijuana Moratorium Repeal** – 2<sup>nd</sup> reading (Karl Hanlon) **Section 6**  
Ordinance 2010 – 09 suspending the temporary moratorium on Medical Marijuana Dispensaries
  
7. **USDA Grant Agreement** – (Jan Schmidt) **Section 7**  
Resolution 2010- 50 approving a Waste System grant agreement with the United States Department of Agriculture, Rural Utilities Service.
  
8. **USDA Loan Resolution** (Jan Schmidt) **Section 8**  
Resolution 2010-51 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending it sewer facility to serve an area lawfully within its jurisdiction to serve.”
  
9. **Authorizing interim financing for Wastewater Treatment Plant** – 1<sup>st</sup> reading **Section 9**  
(Jan Schmidt) Ordinance 2010- 11 acting by and through its Water Activity Enterprise, authorizing the issuance of water and sewer improvement revenue bonds in the aggregate principal amount not to exceed \$12,500,000; providing for the use of net proceeds thereof to pay the costs of the construction of improvements to the sewer system; providing for the payment of the series 2010 notes from proceeds of permanent financing and from the net revenue derived from the operation of the water and sewer system comprising the City’s Water Activity Enterprise, and making certain covenants in connection therewith; providing for the form, payment, and other details in connection with the Series 2010 Notes; authorizing the execution of agreements and documents in connection with the Series 2010 notes; and declaring an emergency.
  
10. **Authorizing permanent financing for Wastewater Treatment Plant** - 1<sup>st</sup> reading **Section 10**  
(Jan Schmidt) Ordinance 2010-12 acting by and through its Water Activity Enterprise,

*Agenda      September 7, 2010*

**2**

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authorizing the issuance of water and sewer refunding and improvement revenue bonds in the aggregate principal amount not to exceed \$15,500,000; providing for the use of net bond proceeds to pay the costs of the construction of improvements to the sewer system; providing for the payment of the Series 2010 Bonds from the net revenue derived from the operation of the water and sewer system comprising the City's Water Activity Enterprise, and making certain covenants in connection therewith; providing for the form, payment, and other details in connection with the series 2010 bonds; authorizing the execution of agreements and documents in connection with the Series 2010 Bonds; and declaring an emergency.

- 11. Engineering Services Agreement with SGM (Jan Schmidt) Section 11**  
Resolution 2010-52 USDA agreement for Engineer Professional Services at the Waste Water Treatment Plant
- 12. Authorizing an amendment to the 2003 Colorado Water Resources & Power Development Authority Water Pollution Control Revolving Fund Note- 1<sup>st</sup> reading (Jan Schmidt) Section 12**  
Ordinance 2010- 13 authorizing the execution and delivery of an amendment to the loan agreement dated December 8, 2003 previously entered into between the City, acting by and through its Water Activity Enterprise, and the Colorado Water Resources and Power Development Authority, and making other provisions in connection therewith.
- 13. Fee in Lieu of Land Dedication for Schools, changing fee amount - 1st reading (Dara MacDonald) Section 13**  
Ordinance 2010-14 amending Article XX of Title 16 of The Salida Municipal Code regarding fair Contribution for public school sites.
- 14. Lowther Sites Minor Subdivision – (Dara MacDonald) Section 14**  
Resolution 2010- 53 approving the Lowther Sites Holdings Minor Subdivision
- 15. Zollinger License to Encroach agreement– (Dara MacDonald) Section 15**  
Resolution 2010- 54 approving a license to encroach agreement for a portion of Lots 1 through 2, Block D in Babcock's Addition in the City of Salida.
- 16. Award Bid and Contract for Touber Building Rehabilitation – (Dara MacDonald) Section 16**  
Resolution 2010-55 authorizing the City Administrator to enter into a Construction Agreement between the City Of Salida and Upscale Builders, Inc
- 17. Establishing fees for Watershed Protection Permits - (Jack Lewis) Section 17**  
Resolution 2010- 45 approving permit fees for the Watershed Protection District.
- 18. Lease with Western State College for Business Incubator- 1<sup>st</sup> reading (Jack Lewis) Section 18**  
Ordinance 2010- 14 approving a lease agreement with Western State College
- 19. Option and Lease Agreement with Over the River Corporation (Jack Lewis) Section 19**  
Ordinance 2010-15 approving an agreement with Over the River Corporation

**20. Administrator/City Attorney/Deputy City Clerk**

- a. Administrator's Report – (Jack Lewis)
  - 1. Unique Theater update - Direction
  - 2. Removal of absentee PC Member
- b. City Attorney Report – Karp, Neu, Hanlon, PC
- c. Deputy City Clerk Report – Janella Martinez

**21. Elected Official Reports**

- a. City Treasurer – Eileen Rogers
- b. Mayor – Charles Rose
- c. City Council- Keith Baker, Scott Damman, Jim McCormick, Jay Moore, Steven Stewart, and Tom Yerkey.

**VIII. ADJOURN –**

[SEAL]

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Mayor

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City Clerk