REGULAR CITY COUNCIL MEETING AGENDA
Monday, June 20, 2011
12:00 P.M. CITY COUNCIL CHAMBERS
Located in the Elks Civic Building at 107 South Cascade

The Montrose City Council is pleased to have residents of the community take time to attend City Council Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time.

1) City Council meeting called to order by Mayor Kathy Ellis.
2) The Pledge of Allegiance.
3) Roll Call by City Clerk.
4) Changes to the Agenda, including additions and deletions.
5) Recognition of the audience by Mayor Kathy Ellis.
6) CALL FOR PUBLIC COMMENT

The “Call for Public Comment” agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.

Individuals wishing to speak will be recognized by the Chair, invited to the podium, asked to state their name, address, and whether they reside within the City Limits, and will be allowed three minutes to speak. Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate. Personal attacks and the use of profanity or ethnic, racial or gender-oriented slurs is prohibited, as is any “disorderly conduct” which violates state or local law and shall not be permitted.

*Please note that the times listed are estimates of approximately how long each item may take. This time is intended to serve as a guide for the Mayor in an effort to help keep the meeting moving.

*Hearing assistance devices are available for public use. Please let us know if you need accommodation.
7) CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the City Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.

(a) City Council consideration of the minutes from the regular City Council meeting held on June 7, 2011. Action: Consider making a motion to approve the minutes as prepared. Staff: City Clerk Lisa DelPiccolo. 5-12

(b) City Council consideration of a bid for a Safe Routes to School Project including the construction of sidewalk, curb and gutter along the south side of Miami Road and north side of South Fifth Street and two bulb-outs at South Fifth Street and Pythian Avenue. The total construction cost for this project, including ten percent for contingencies is $186,754.60. The City was awarded a Safe Routes to School grant for this project. Action: Consider making a motion to award the bid for the Safe Routes to School Project to Skip Huston Construction for a total bid price of $186,754.60. Staff: Municipal Services Director Jim Hougnon. 13-15

(c) City Council consideration of a bid for six new Arbitrator Camera Systems with installation and software, reinstallation of one unit, transfer and integration to new software for 13 units, configuration and trainings costs. Action: Consider making a motion to award the bid for Arbitrator Camera Systems, installation and training to PCS Mobile of Denver for a total bid price of $39,715.86. Staff: Police Chief Tom Chinn. 16-17

(d) City Council consideration of a Deed of Easement between the City of Montrose and the Hiltman Family Trust. Action: Consider making a motion to approve the Deed of Easement as presented. Staff: City Attorney Russ Duree. 18-19

8) ORDINANCE 2274 – SECOND READING (5 minutes)

City Council consideration of Ordinance 2274 on second reading, an ordinance of the City of Montrose, Colorado, for the annexation of the Scott Williams Addition. 20-21

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2274 on second reading.

Staff: Community Development Director Kerwin Jensen.
9) **ORDINANCE 2275 – SECOND READING** (5 minutes)

City Council consideration of Ordinance 2275 on second reading, an ordinance of the City of Montrose, Colorado, providing for the zoning of the Scott Williams Addition as an "RL," Rural Living District, with a one (1) acre minimum lot size.  

**Action:** Hold a hearing. Consider making a motion to adopt Ordinance 2275 on second reading.

**Staff:** Community Development Director Kerwin Jensen.

10) **ORDINANCE 2276 – SECOND READING** (5 minutes)

City Council consideration of Ordinance 2276 on second reading, an ordinance of the City of Montrose, Colorado, amending the City Council district boundaries by the adoption of a new Council District Map, and by its insertion into the Official Code of the City of Montrose, and by repeal of the old Council District Map.

**Action:** Hold a hearing. Consider making a motion to adopt Ordinance 2276 on second reading.

**Staff:** Administrative Services Director Virgil Turner.

11) **ORDINANCE 2277 – FIRST READING** (10 minutes)

City Council consideration of Ordinance 2277 on first reading, an ordinance of the City of Montrose, Colorado, assessing the costs of the Block 51 Selig’s Alley Improvement District to the property included within the District.

**Action:** Consider making a motion to pass Ordinance 2277 on first reading.

**Staff:** City Attorney Russ Duree and Municipal Services Director Jim Hougnon.

12) **ORDINANCE 2278 – FIRST READING** (10 minutes)

City Council consideration of Ordinance 2278 on first reading, an ordinance adding and amending certain sections of Chapter 3-7 of the Official Code of the City of Montrose, for the purpose of complying with the mandatory requirements set by the State of Colorado Department of Public Health and Environment, in its 2010 Storm Water Quality Audit of the City of Montrose.

**Action:** Consider making a motion to pass Ordinance 2278 on first reading.

**Staff:** City Attorney Russ Duree.
13) **STAFF REPORTS**

   (a) Downtown Traffic Improvements Project Change Order  (10 minutes)
       (Project Manager John Harris)  **33-34**

   (b) ________________________________________________

14) **CITY COUNCIL REPORTS**

   (a) ________________________________________________

   (b) ________________________________________________

15) **CITY COUNCIL DISCUSSION**

   (a) ________________________________________________

   (b) ________________________________________________

16) **EXECUTIVE SESSION**

   An executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b); 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 the purpose of determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e); and the following additional details are provided for identification purposes: property discussion, possible litigation with contractor.

17) **ADJOURNMENT**

**FUTURE TOPICS**

The following is a list of items City Council may consider in the near future. Please keep in mind these items may change and are not necessarily scheduled for the next City Council meeting. If there is a particular item that you are interested in we recommend reviewing the City Council meeting agendas and packets on-line at the City of Montrose website, www.cityofmontrose.org.

- Engineering Regulations Revisions
- Downtown Development Authority Board Member Appointments
- Montrose Pavilion Senior Center Advisory Committee Appointment
A regular City Council meeting of the Montrose City Council was held on Tuesday, June 7, 2011, at 7:00 p.m., in the City Council Chambers located in the Elks Civic Building at 107 South Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Kathy Ellis, Carol McDermott, Thomas Smits, Gail Marvel, Bill Patterson, Scott Sellers, Russ Duree, Ben Morris, Elsa Anderson, Virgil Turner, Jim Hougnon, Lisa DelPiccolo, Laura Page, John Harris, Garry Baker, Gene Lillard, Ted Valerio,


CALL FOR PUBLIC COMMENT

Dee Laird spoke against the increase in event fees the City charged to Main in Motion for 2011.

APPROVAL OF MINUTES

City Council considered the minutes from the regular City Council meeting held on May 17, 2011, and the special City Council meeting held May 12, 2011. A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the minutes of the May 17, 2011, City Council meeting and the May 12, 2011, special City Council meeting as presented. All voted yes. Motion passed.

CAPTAIN OVERSTREET

Captain Darin Overstreet, chief of community outreach for the Colorado National Guard, invited City Council to an open house on June 30, and updated Council on the status of the soldiers who were given a deployment send-off celebration in Montrose on January 3.

CITY MANAGER EMPLOYMENT AGREEMENT

City Council considered a City Manager Employment Agreement between the City of Montrose and William E. Bell. Mr. Bell was listening to the Council meeting on the telephone during the discussion of the employment agreement.

Council discussed a minor change to the employment contract that will reimburse mileage from Rhinelander, Wisconsin, to Montrose. Council agreed that Mr. Bell is an excellent fit for the Montrose community and commended Mr. Bell for his selection from a field of highly qualified applicants. A Council retreat with Mr. Bell will be scheduled as soon as possible.

Council discussed the need for the Council and community members to welcome Mr. Bell and allow him an opportunity to acclimate before pressuring him to take sides on current issues.

A motion was made by Bill Patterson, seconded by Thomas Smits, to approve the City Manager Employment Agreement as presented. All voted yes. Motion passed.
MONTROSE CITIZENS FOR FUNDING OUR FUTURE PRESENTATION

Montrose Citizens for Funding our Future Committee Chair Dave Laursen presented information about the formation of a Regional Tourism Zone and presented an Intergovernmental Agreement for Council consideration.

Mr. Laursen reported that since November of last year, his group has been working to gather support in Gunnison, Delta, Montrose, Hinsdale, Ouray and San Miguel Counties to participate in a Regional Tourism Zone for funding tourism infrastructure. Only Montrose County expressed interest. Applications are due June 30 for the establishment of two Regional Tourism Authority Boards. If the application is successful and the City opts to participate, the City would be given a seat on the board, and authority to appoint an at-large member and two commercial property owners.

Mr. Laursen explained the terms of the Intergovernmental Agreement for the formation task force to gather community input before March 1, 2011.

Council asked questions regarding funding and participation of other communities.

A motion was made by Carol McDermott, seconded by Gail Marvel to enter into an intergovernmental agreement with Great Colorado Adventures Regional Tourism Zone as presented. All voted yes. Motion passed.

COLORADO MESA UNIVERSITY FEE WAIVER REQUEST

City Council considered a request for a waiver of fees totaling $4,800.00 for the Colorado Mesa University Montrose Campus renovation project.

Colorado Mesa University Director of Special Projects and Strategic Initiatives Derek Wagner explained a request for a waiver of permit review and code review fees for the facility remodel.

Council discussed whether the Montrose Library District, as owner of the building, should be responsible for the fees and the fact that the waiver would affect the General Fund.

A motion was made by Bill Patterson, seconded by Thomas Smits, to approve a waiver of fees totaling $4,800.00 as requested. All voted yes. Motion passed.

BLACK CANYON GOLF COURSE FUNDING REQUEST

City Council considered a second quarter funding request of $12,500 from Montrose Land Company for the Black Canyon Golf Course.

Mayor Kathy Ellis recapped the May 31, 2011, special work session meeting between the Montrose Land Company Board and City Council in which the City agreed to fund the Golf Course in compliance with the current contract and the Council and Board agreed to meet on a quarterly basis to discuss future options.

Montrose Land Company Board President Buck Miller was present to address any questions.
Finance Director Shani Wittenberg provided options for the funding the golf course.

A motion was made by Thomas Smits, seconded by Bill Patterson, to approve the second quarter funding request of $12,500 from Montrose Land Company for the Black Canyon Golf Course with funds from the Economic Development Fund.

Mr. Smits clarified that the City owns the Back Nine at the Golf Course and has an obligation to provide funding to maintain to the City portion.

Council discussed whether the Economic Development Fund should be replenished with a transfer from unprioritized funds.

Council voted on the motion on the floor. All voted yes. Motion passed.

A motion was made by Gail Marvel, seconded by Carol McDermott to transfer $12,500 from unprioritized funds to the Economic Development Fund. Bill Patterson and Thomas Smits voted no. All others voted yes. Motion passed.

WESTSIDE ARTERIAL PROJECT

Project Manager John Harris updated Council on the progress of the Westside Arterial Project including a necessary rebidding of the construction contract, funding for the project, the design process, goals of the project, public outreach efforts.

Mr. Harris reviewed the current bid and explained the construction process and the budget for the project. The first phase of construction will cover South First Street to North Ninth Street.

Mr. Harris also reviewed a bid for materials testing and a change order for design services.

Construction Bid Approval: City Council considered a bid for the Montrose West Side Arterial HPP M910-005 project contingent upon CDOT award concurrence. Total would be $4,100,000.00 for this construction phase.

A motion was made by Carol McDermott, seconded by Gail Marvel, to award the bid for the Montrose West Side Arterial HPP M910-005 project to Rundle Construction of Hotchkiss, CO for a total bid price of $4,100,000.00. All voted yes. Motion passed.

Materials Testing Bid Approval: City Council considered a bid for the Materials Testing for the West Side Arterial Project.

A motion was made by Carol McDermott, seconded by Gail Marvel, to award the bid for materials testing to Geotechnical Engineering Group of Montrose for a total bid price of $20,210.00. All voted yes. Motion passed.

Change Order: City Council considered a supplement to the original contract for the Westside Arterial design project with Jacobs Engineering Group. The additional amount requested is not to exceed $115,000.00 for construction engineering services.

A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the Change Order as presented. All voted yes. Motion passed.
SCOTT WILLIAMS ADDITION ANNEXATION HEARING  (15 minutes)

City Council held a hearing on the annexation of the Scott Williams Addition.

Mayor Kathy Ellis opened the hearing.

Senior Planner Garry Baker distributed prepared testimony. City Attorney Russ Duree entered the City of Montrose official file for this annexation into the record.

Mr. Baker explained the request for annexation and indicated that the applicant has been issued a building permit and an extension agreement has been signed. The annexation is within 400 feet of a sewer line. Mr. Baker reviewed the annexation agreement, the location, and compliance with the comprehensive plan.

No comments received. Mayor Ellis closed the hearing.

Mr. Baker reviewed the proposed zoning of RL, rural living district, with a one acre minimum lot size, which was recommended by the Planning Commission.


A motion was made by Carol McDermott, seconded by Thomas Smits to adopt Resolution 2011-18 as presented. All voted yes. Motion passed.

Ordinance 2274 – First Reading: City Council considered Ordinance 2274 on first reading, annexing the Scott Williams Addition.

A motion was made by Carol McDermott seconded by Gail Marvel, to pass Ordinance 2274 on first reading. All voted yes. Motion passed. A hearing on this ordinance will be held on June 20, 2011.

ORDINANCE 2275 – FIRST READING

City Council considered Ordinance 2275 on first reading, an ordinance of the City of Montrose, Colorado, providing for the zoning of the Scott Williams Addition as an "RL," Rural Living District, with a one (1) acre minimum lot size.

A motion was made by Carol McDermott, seconded by Gail Marvel, to pass Ordinance 2275 on first reading. All voted yes. Motion passed. A hearing on this ordinance will be held on June 20, 2011.

CIMMARON CREEK SUBDIVISION PRELIMINARY PLAT

City Council considered the Cimarron Creek Subdivision Preliminary Plat. This is a proposal to divide 114 acres into 3 lots. The property is zoned MHR, and is located at 901 6530 Road.

Senior Planner Garry Baker entered all staff reports and exhibits into the official record and reviewed the subdivision proposal, location and comprehensive plan recommendation. Mr. Baker indicated that the Planning Commission recommended conditional approval and explained the public benefits.
Council Member Bill Patterson inquired about original the plans for a par three golf course.

Applicant Pete Newman explained that the decision not to proceed with the golf course was made for economic reasons.

A motion was made by Carol McDermott, seconded by Gail Marvel, to approve the Cimarron Creek Subdivision Preliminary Plat, expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Preliminary Plat. The City staff is not authorized by this approval to execute the Preliminary Plat prior to all conditions being satisfied. All voted yes. Motion passed.

ORDINANCE 2276 – FIRST READING

City Council considered Ordinance 2276 on first reading, an ordinance of the City of Montrose, Colorado, amending the City Council district boundaries by the adoption of a new Council District Map, and by its insertion into the Official Code of the City of Montrose, and by repeal of the old Council District Map.

Administrative Services Director Virgil Turner reviewed a request from Council at the May 17, 2011, regular meeting for the preparation of an ordinance to comply with redistricting requirements as outlined in the City Charter. Mr. Turner explained that redistricting impacts who can run for Council, but not who can vote.

A motion was made by Carol McDermott, seconded by Gail Marvel to pass Ordinance 2276 on first reading. All voted yes. Motion passed. A hearing on this ordinance will be held on June 20, 2011.

STAFF REPORTS

Community Program Support Funding Update: City Clerk Lisa DelPiccolo updated Council on applications received for Community Program Support funding. Council discussed an application received from Museum of the Mountain West and declined the funding request. Council agreed to continue to proceed with Community Support funding requests as determined in March.

Sales and Use Tax Report: Finance Director Shani Wittenberg presented a sales and use tax report for the month of April 2011. Total sales and use tax was down 2.7 percent as compared to April 2010 with a zero budget variance for the year to date. Ms. Wittenberg indicated that sales and use tax is down a total of 12.8 percent from 2008, which was the highest year.

Public, Education, and Government Access (PEG) Fee Update: Administrative Services Director Virgil Turner updated Council on the evening’s first live Council meeting broadcast on Channel 10. Mr. Turner gave a brief update on the process and acknowledged Records and Information Manager David Spear who worked to make the live broadcasts possible.

Mr. Turner reviewed projected PEG fee revenues and expenditures and thanked Eagle County for their assistance. Future plans include the development of a media center on website for live streaming and enhancing the City’s capability of video production. Council asked questions and thanked Mr. Turner for the presentation and Mr. Spear for his efforts.
RECESS

A brief recess was called at 9:31 p.m. The meeting was called back into session at 9:37 p.m.

Airport Trunk Sewer Line Project Update: Project Manager John Harris updated Council on the status of the Airport Trunk Sewer Line Project and reviewed options for completing the project. Council asked questions and thanked Mr. Harris for the update.

CITY COUNCIL REPORTS:

Telluride Montrose Regional Air Organization (TMRAO) Quarterly Report and Funding Request: Telluride Montrose Regional Air Organization Executive Director Scott Stewart presented a second quarter report and requested an additional $50,000 to cover increased expenses for 2012 due to rising fuel costs. A funding commitment for 2012 is necessary at the present time to allow TMRAO to determine the winter service within the next few weeks. Mr. Stewart explained that TMRAO has narrowed its focus to its original purpose, which eliminates marketing.

Erica Lewis Kennedy provided comments from Montrose business owners who could not be present. Ms. Kennedy read statements from Melanie Freimuth, owner of Horsefly Brewing Company, Helen Sebree, general manager of Holiday Inn Express, and Steve Benningsdorf, assistant manager of the Montrose City Market Stores, in support of the funding request.

Tricia Joy, with Hampton Inn, Sue Rovito, with Telluride Express, and Rita Flora, with Natural Grocers, spoke in favor of the increased funding for TMRAO.

Mayor Kathy Ellis relayed a message from developer Matt Miles in support of the funding.

Council agreed to continue the meeting past 11:00 p.m.

Options for funding the request were discussed.

A motion was made by Thomas Smits, seconded by Bill Patterson, to appropriate $50,000 from the Economic Development line item to fund the TMRAO request for 2012. All voted yes. Motion passed.

All Points Transit Quarterly Report: All Points Transit Executive Director Terri Wilcox introduced Board Members Mabel Risch and Chris Miller. Ms. Wilcox presented an overview of first quarter ridership statistics for the Dial-A-Ride program and city bus service and gave an overview of first quarter expenditures. A city bus service review is scheduled for June 16 and 17.

Council thanked Ms. Wilcox for the report and agreed to provide second quarter funding.
Montrose Economic Development Corporation (MEDC) Quarterly Report: MEDC Executive Director Sandy Head reported on the involvement of the Montrose Economic Development Corporation (MEDC) in the Governor’s Bottom Up Economic Development Plan, and updated council on the status of Intermountain Resources, Gordon Composites and Polystrand, Bright Leaf Solar, EXTRA Aircraft, and projects in the west end of the county.

Board Chair Bruce Panter reviewed first quarter financial information provided in the meeting packet. Mr. Panter explained that expenses were reduced by 10 percent, and 81% of funding was derived from private sources. Mr. Panter outlined changes to the Board of Directors and stated the MEDC is in compliance with its bylaws and the contract with the City.

Council thanked Ms. Head and Mr. Panter for a thorough report and agreed to provide second quarter funding.

COUNCIL DISCUSSION

Delta Montrose Electric Association (DMEA) Ballot Discussion: Council cast individual ballots to determine how to vote the one City ballot for the DMEA election. The Council selected Mark Eckhart for District Four, Vicki Ripp for District Seven, and Paul Gottlieb for District Nine.

Phone Call Discussion: Council Member Thomas Smits recounted a phone call he received from a former coworker indicating that other members of Council were asking questions about him during a training trip to Gunnison. Mr. Smits asked for an explanation.

Council Members Carol McDermott and Gail Marvel responded to the allegations, indicating that the intent of the inquiries was to gather information to assist the Council to work as a team.

June 21, 2011 City Council Meeting: City Council considered cancelling or rescheduling the June 21, 2011, City Council meeting due to a conflict with the CML Annual Conference.

A motion was made by Carol McDermott, seconded by Gail Marvel, to reschedule the June 21, 2011, City Council meeting for Monday, June 20, 2011, at 12:00 p.m. with no work session. All voted yes. Motion passed.

EXECUTIVE SESSION

At 11:30 p.m., a motion was made by Gail Marvel, seconded by Carol McDermott, to go into An executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b); 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 the purpose of determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e); and the following additional details are provided for identification purposes: property discussion, possible litigation with contractor.
RECONVENEMENT AND ADJOURNMENT

The meeting reconvened into regular session at 1:34 a.m.

At 1:34 a.m., a motion was made by Carol McDermott, seconded by Gail Marvel, to enter into an intergovernmental agreement with the County to reimburse Jacobs Engineering for adjustment of the easement legal description and for engineering amendments to the approved project documents to complete a satisfactory boring in the vicinity of the existing bore. City staff is to provide a change order to Triad as discussed in the executive session. All voted yes. Motion passed.

At 1:36 a.m., a motion was made by Bill Patterson, seconded by Carol McDermott, to adjourn with no further action taken. All voted yes. Motion passed.

ATTEST:

____________________________________
Kathy Ellis, Mayor

____________________________________
Lisa DelPiccolo, City Clerk
To: Honorable Mayor and Members of the City Council

From: John Harris, Project Manager

CC: Scott Sellers, City Manager

Date: June 15, 2011

Subject: Safe Routes To Schools – Centennial Middle School Construction Contract Recommendation

Recommendation
Approve the selection of Skip Huston Construction, Inc. to construct the Safe Routes To Schools – Centennial Middle School Project. The total Skip Huston bid price is $186,754.60.

Background
In 2009, the City of Montrose applied for and received a federal Safe Routes To Schools Infrastructure Improvement grant. The goal of this project is to provide additional infrastructure necessary to encourage students to walk and bicycle to and from school more frequently. The federal grant only requires matching local funds if the project exceeds $250,000. The use of federal funds requires Colorado Department of Transportation (CDOT) oversight. Bidding and construction follow CDOT requirements. This project was designed and engineered in-house.

On June 2, 2011, construction bids were opened publically. The following bids were received:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>CITY/STATE</th>
<th>BID PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skip Huston Construction</td>
<td>Montrose, CO</td>
<td>$186,754.60</td>
</tr>
<tr>
<td>ECO Contracting, LLC</td>
<td>Hotchkiss, CO</td>
<td>$226,738.19</td>
</tr>
</tbody>
</table>

This project constructs concrete curb, gutter, driveway accesses, and attached sidewalk along the south side of Miami Road from Star Court to South Fifth Street and along the north side of South Fifth Street from San Juan Avenue to Nevada Avenue. Construction also includes two raised concrete bulb-outs at the intersection of South Fifth Street and Pythian Avenue to decrease the pedestrian crossing distance at the entrance to Centennial Middle School.

Net Financial Result of Contract
It is anticipated that no local matching funds will be required for this project. However, the $186,754.60 required to complete construction of this project prior to CDOT reimbursement is funded through the Capital Improvement Fund. This bid price is thirty six percent (36%) below the engineering estimate of $291,589.80.
Memorandum

To: Mayor and City Council
From: Sue Hamilton
Date: May 10, 2011
Re: Contract Bid Recommendation

BID TABULATIONS
Invitations for Bid were received and registered for the Safe Routes to School Project on June 1, 2011. Two (2) prospective Offerors submitted bids as follows:

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>City &amp; State</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECO Contracting, LLC</td>
<td>Hotchkiss, CO</td>
<td>$226,738.19</td>
</tr>
<tr>
<td>Skip Huston Construction</td>
<td>Montrose, CO</td>
<td>$186,754.60</td>
</tr>
</tbody>
</table>

AWARD RECOMMENDATION
Staff recommends awarding the bid to Skip Huston Construction for the Safe Routes to School Project. Skip Huston Construction is a local contractor and meets the requirement of being CDOT qualified. Total award is $186,754.60. The city was awarded a Colorado Safe Routes to School grant for this project.

Please circle the appropriate response line below, sign and return to the Procurement Office. Thank you.

FINAL AUTHORIZATION:  City Council Approval (required $20,000 +) YES NO

COUNCIL AUTHORIZATION:

Authorized Signature Title Date

cc: Lisa DelPiccolo
    Shani Wittenberg
    Scott Sellers
    Jim Hougnon
    John Harris
**Background**

The missing sidewalks identified in this project were recognized in the Capital Improvements Program Six Year Plan 2010-2015. The project includes the construction of curb, gutter, and sidewalk missing links along the south side of Miami Road and north side of South Fifth Street leading to Centennial Middle School. In addition, two raised concrete bulb-outs at South Fifth Street and Pythian Avenue will be constructed. Project engineering design was accomplished by City staff. City staff will manage the project with CDOT oversight.

Challenges associated with this project include maintaining access to local residents and businesses, keeping all construction activities within existing City of Montrose rights-of-way, and maintaining adequate traffic control.

**Net Financial Result of Contract**
The total construction cost for this project, including ten percent for contingencies, is $186,754.60. The City received a grant award for $250,000 from the Colorado Safe Routes to School program in 2009 which will be used for this project. The matching ratio for the federal participating funds for this work is 100% federal-aid funds to 0% local agency funds for $250,000 of participating costs.

**BID CONTACT PERSON(s)**
John Harris
Memorandum

To: Mayor and City Council
From: Sue Hamilton
Date: June 14, 2011
Re: Contract Bid Recommendation

BID TABULATIONS
Invitations for Bid were received and registered for Arbitrator Camera Systems and installation on June 7, 2011. Two (2) prospective Offerors submitted bids as follows:

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>City &amp; State</th>
<th>Total Price Equipment, Installation, and Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wireless Advanced Communications, Inc.</td>
<td>Evans, CO</td>
<td>$42,820.52</td>
</tr>
<tr>
<td>PSC Mobile</td>
<td>Denver, CO</td>
<td>$39,715.86</td>
</tr>
</tbody>
</table>

AWARD RECOMMENDATIONS:
Staff recommends that PSC Mobile be awarded the bid for the Arbitrator Camera Systems, installation, and training. No local preference applies to this bid. The total bid price will be based on 6 camera systems with installation and software, reinstallation of one unit, transfer and integration to new software for 13 units, configuration and training costs for a total of $39,715.86.

Please circle the appropriate response line below, sign and return to the Procurement Office. Thank you.

FINAL AUTHORIZATION: City Council Approval (required $20,000 +) YES NO

COUNCIL AUTHORIZATION:

Authorized Signature  Title  Date

cc: Lisa DelPiccolo
    Shani Wittenberg
    Scott Sellers
    Jeff Scheetz
**Background**

Six new arbitrator camera systems will be installed into the new interceptor patrol cars that were purchased earlier this year. One arbitrator unit will be removed from an existing patrol unit and reinstalled into a new patrol unit. There will be a transfer and integration of 13 existing camera systems from current software to the new arbitrator 360 software and server. Vendor will provide configuration and training for all units.

**Net Financial Result of Contract**

Purchase shall be made from the General Fund, Police Department.

**BID CONTACT PERSON(s)**

Jeff Scheetz and LaVernie McBride
DEED OF EASEMENT

This Deed of Easement is made this 18th day of April, 2011, by and between The Hiltman Family Trust, 1956 6450 Road, Montrose CO 81401, herein called “Grantor”, and the City of Montrose, Colorado, a Colorado home rule municipal corporation, whose address is 433 South First Street, P.O. Box 790, Montrose, Colorado 81402-0790 herein referred to as “City”.

WITNESSETH

Said Grantor for and in consideration of the sum of Ten and no/100 Dollars ($10.00) and other good and valuable consideration, in hand paid by the City, the receipt whereof is hereby confessed and acknowledged, does hereby grant, bargain, sell, confirm and convey unto the City, its successors and assigns, forever, a perpetual easement in, over, across, through and under the following described property situate in the County of Montrose, State of Colorado, to-wit:

A non-exclusive easement for the purposes of ingress and egress from 6450 Road to the easterly parcel of the Matt Miles Boundary Agreement Plat (15.819 acres) and for the installation, operation, maintenance and repair of underground utilities. Said easement is twenty (20) feet wide and one thousand feet long, located within the southerly 20 feet of the SW1/4NE1/4, Section 21, Township 49 North, Range 9 West, N.M.P.M.

Said easement includes the right of entry, ingress and egress to and from said tract of land for the purpose of access and laying, constructing, maintaining, operating, repairing, altering, upgrading, replacing and removing public utilities, including but not limited to water, sewer, electrical, telephone, gas and CATV lines, together with a perpetual right of ingress and egress for installation, maintenance and replacement of such lines and related facilities.

The Grantor covenants that it is the owner of the above-described property and hereby warrants and agrees to defend the title to the above described premises. Grantor shall have the use of such easement except for any use which conflicts with purposes for which this easement is granted; provided, however, Grantor shall not build or construct, nor permit to be built or constructed, any building or other improvement over or across said easement. With the permission of the utility owner, Grantor may connect to any utility lines placed within the easement, subject to all laws and ordinances of the City of Montrose. Grantee will not object to Grantor’s use of any roadway placed in the easement.

The City shall not be liable for costs of repair for improvements, which were installed on said easement.

This Deed of Easement and all provisions hereof shall be applicable to and binding upon the parties and their respective heirs, devisees, administrators, successors and assigns.

Signed this 18th day of April, 2011.
The Hiltman Family Trust

By  

By

Jack Hiltman, Trustee

Robert Hiltman, Trustee

State of Colorado  )
 )ss
County of Montrose  )

The foregoing instrument was acknowledged before me this 20 day of April, 2011, by Jack Hiltman and Robert Hiltman as Trustees of The Hiltman Family Trust.

My commission expires 10-14-11.
Witness my hand and official seal.

Notary Public

This Deed is hereby accepted on behalf of the City of Montrose by the undersigned officer.

CITY OF MONTROSE

By: Kathy Ellis, Mayor

STATE OF COLORADO  )
 ) SS
COUNTY OF MONTROSE  )

The foregoing instrument was acknowledged before me this ____ day of ___________, 2011, by Kathy Ellis, Mayor, City of Montrose.

Witness my hand and official seal.
My commission expires: ____________

Notary Public
ORDINANCE NO. 2274

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE SCOTT WILLIAMS ADDITION.

WHEREAS, a petition for the annexation of a tract of land known as the Scott Williams Addition has been submitted to the City of Montrose and has been found by the City Council to be in substantial compliance with C.R.S. 31-12-107(1), and

WHEREAS, said petition has been signed by the owners of 100% of the area proposed to be annexed exclusive of streets and alleys, and

WHEREAS, the property is eligible for annexation in accordance with the Municipal Annexation Act of 1965, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

Lot 1 of the Scott Williams Intra Family Subdivision, Montrose, County, Colorado, known as the SCOTT WILLIAMS ADDITION, is hereby annexed to the City of Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 7th day of June, 2011.

Kathy Ellis, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Monday, the 20th day of June, 2011, at the hour of 12:00 p.m. at Montrose City Council Chambers, Elks Building, Montrose, Colorado.
INTRODUCED, READ and ADOPTED on second reading this 20th day of June, 2011.

______________________________
Kathy Ellis, Mayor

ATTEST:

______________________________
Lisa DelPiccolo, City Clerk
ORDINANCE NO. 2275

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE SCOTT WILLIAMS ADDITION AS AN "RL", RURAL LIVING DISTRICT, WITH A ONE (1) ACRE MINIMUM LOT SIZE.

WHEREAS, the Scott Williams Addition has been recently annexed to the City of Montrose, Colorado; and

WHEREAS, the owners of such property have requested zoning which the Planning Commission has reviewed and recommended in accordance with the requirements of the City Code; and

WHEREAS, the proposed recommendation is substantially in accord with the City's Master Plan, is compatible with existing zoning in nearby or adjoining properties, and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

The Official Zoning Map is hereby amended to designate the Scott Williams Addition, according to the Official Annexation Map thereof, as an "RL", Rural Living District, with a one (1) acre minimum lot size.

INTRODUCED, READ and PASSED on first reading this 7th day of June, 2011.

ATTEST:        Kathy Ellis, Mayor

Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Monday, the 20th day of June, 2011, at the hour of 7:00 p.m. at Montrose City Council Chambers, Elks’ Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this 20th day of June, 2011.

ATTEST:        Kathy Ellis, Mayor

Lisa DelPiccolo, City Clerk
ORDINANCE NO. 2276

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE CITY COUNCIL DISTRICT BOUNDARIES BY THE ADOPTION OF A NEW COUNCIL DISTRICT MAP, AND BY ITS INSERTION INTO THE OFFICIAL CODE OF THE CITY OF MONTROSE, AND BY REPEAL OF THE OLD COUNCIL DISTRICT MAP.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

Section 1-9-4 (A) of the Official Code of the City of Montrose is hereby amended as follows:

The City of Montrose hereby adopts a new Council District Map, attached to this Ordinance as "Exhibit "A"", and incorporated herein by reference; the existing Council District Map, located in § 1-9-4 (A) of the Official Code of the City of Montrose is hereby repealed in its entirety, and the existing Council District Map shall be removed from said Code.

INTRODUCED, READ and PASSED on first reading this 7th day of June, 2011.

__________________________
Kathy Ellis, Mayor

ATTEST:

__________________________
Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance, and on the question of its adoption on second reading on Monday, the 20th day of June, 2011, at the hour of 7:00 p.m. at the Elks’ Civic Building in Montrose, Colorado.

Introduced, read, and passed on second reading this 20th day of June, 2011.

__________________________
Kathy Ellis, Mayor

ATTEST:

__________________________
Lisa DelPiccolo, City Clerk
ORDINANCE NO. 2277

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ASSESSING THE COSTS OF THE Block 51 Selig’s Alley Improvement District to the property included within the District.

WHEREAS, the costs of the Block 51 Selig’s Alley Improvement District have been sufficiently determined in order to make the assessments, and

WHEREAS, the City Council has held a hearing concerning any complaints or objections to the assessments, made adjustments as equitable and the assessment herein are lawful and equitable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO.

SECTION 1:

The costs of the improvements to be assessed against each of the parcels of property in the District are as follows:

<table>
<thead>
<tr>
<th>LEGAL DESCRIPTION</th>
<th>ASSESSMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots 6, 7, 8, 9, 10 and 11 Except that part of Lot 11 conveyed to the City of Montrose in deed recorded April 3, 1923 in Book 268 at Page 301, Block 51 Selig’s Addition to the Town of Montrose, now a part of the City of Montrose</td>
<td>$ 3695.47</td>
</tr>
<tr>
<td>Lots 1-5, Block 51 Selig’s Addition to the Town of Montrose, now a part of the City of Montrose</td>
<td>$ 3169.75</td>
</tr>
<tr>
<td>Lots 22, 23, and 24, Block 51, Selig’s Addition to the Town of Montrose, now a part of the City of Montrose, Colorado, EXCEPT the Southerly 66 feet of Lots 22, 23, and 24, Block 51, Selig’s Addition to the Town of Montrose, now a part of the City of Montrose, Colorado</td>
<td>$1901.85</td>
</tr>
<tr>
<td>Lot 1 Mehas/Hedrick Minor Subdivision</td>
<td>$1654.45</td>
</tr>
<tr>
<td>Lot 2 Mehas/Hedrick Minor Subdivision</td>
<td>$1654.45</td>
</tr>
<tr>
<td>Lot 3 Mehas/Hedrick Minor Subdivision</td>
<td>$1654.45</td>
</tr>
<tr>
<td>City of Montrose</td>
<td>$1731.78</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$15462.20</td>
</tr>
</tbody>
</table>

All lots in the Town of Montrose, now a part of the City of Montrose, Colorado.
**SECTION 2:**

Assessments may be paid immediately or in 10 annual installments with interest at 4.75% per annum on the unpaid principal. If such assessments are paid within 30 days after publication of this ordinance, a 2% discount shall be allowed. The due date of the first annual installment shall be April 30, 2012, and each subsequent installment shall be due on April 1st each year thereafter until paid in full.

INTRODUCED, READ and PASSED on first reading this _____ day of __________, 2011.

____________________________________
Kathy Ellis, Mayor

ATTEST:

____________________________________
Lisa DelPiccolo, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Tuesday, the _____ day of ____________, 2011, at the hour of 7:00 p.m. at Council Chamber at Elks’ Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this _____ day of __________, 2011.

____________________________________
Kathy Ellis, Mayor

ATTEST:

____________________________________
Lisa DelPiccolo, City Clerk
ORDINANCE NO. 2278

AN ORDINANCE ADDING AND AMENDING CERTAIN SECTIONS OF CHAPTER 3-7 OF THE OFFICIAL CODE OF THE CITY OF MONTROSE, FOR THE PURPOSE OF COMPLYING WITH THE MANDATORY REQUIREMENTS SET BY THE STATE OF COLORADO, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN ITS 2010 STORM WATER QUALITY AUDIT OF THE CITY OF MONTROSE

WHEREAS, the Montrose City Council has established storm water pollution prevention provisions within the Official Code of the City of Montrose, for regulation of the same within the City; and

WHEREAS, the Council finds that the mandatory requirements set by the State of Colorado Department of Public Health and Environment comprise an unfunded mandate, and are imposed on local governments by law, and not by agreement, choice, or compromise; and

WHEREAS, the City Council has determined that the amendments contained in this Ordinance will be consistent with the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

The following definitions in § 3-7-1 of the Official Code of the City of Montrose are hereby amended to read in their entirety as follows:

3-7-1: The terms as used in this Ordinance shall have the following meanings:

Director - The City Manager, or its duly authorized representative or designee.

Fire Protection - Any water, and any substances or materials contained therein, used by any person to control or extinguish a fire.

Harmful Quantity - The amount of any substance that the Director determines will cause an adverse impact to storm drainage system or will contribute to the failure of the City to meet the water quality based requirements of the CDPS permit for discharges from the Municipal Separate Storm Sewer System.

Illicit Discharge - Any discharge to a storm drain system that is not composed entirely of storm water, except discharges pursuant to a CDPS permit, discharges resulting from fire fighting activities, and discharges further exempted by this Ordinance.

NDPES - [Delete this term and entire definition from Official Code.]

NPDES Permit - [Delete this term and entire definition from Official Code.]
SECTION 2:

The following new definitions are hereby added to read in their entirety as follows in § 3-7-1 of the Official Code of the City of Montrose:

CDPS - The Colorado Discharge Permit System.

CDPS Permit - A permit issued by the Colorado Department of Public Health and Environment that authorizes the discharge of pollutants to Waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

SECTION 3:

Subsections (a), (b), (c), and (f) within § 3-7-2 (B)(1) of the Official Code of the City of Montrose are hereby amended to read in their entirety as follows:

3-7-2: GENERAL PROVISIONS

(B) Exemptions

(1)

(a) A discharge authorized by a CDPS permit, other than the CDPS permit for discharges from the Municipal Separate Storm Sewer System.

(b) Uncontaminated waterline flushing and other discharges from potable water sources.

(c) Infrequent uncontaminated discharge from landscape irrigation or lawn watering, and irrigation return flows.

(f) Uncontaminated groundwater, including rising groundwater, uncontaminated groundwater infiltration into storm drains (as defined at 40 CFR 35.2005(20)), uncontaminated pumped groundwater and springs.

SECTION 4:

New subsections (i) and (j) are hereby added to § 3-7-2 (B)(1) of the Official Code of the City of Montrose to read in their entirety as follows:

(i) Water incidental to street sweeping (including associated sidewalks and medians) and that is not associated with construction.
(j) Dechlorinated swimming pool discharges.

SECTION 5:

Sections 3-7-3 (B)(1), 3-7-3 (B)(1)(h), 3-7-3 (D)(3) and 3-7-3 (D)(5) of the Official Code of the City of Montrose are hereby amended to read in their entirety as follows:

3-7-3: STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

(B)

(1) The CDPS regulations require CDPS permit coverage for construction activities disturbing one (1) acre or more, including disturbances that are part of a larger common plan of development or sale that disturb one (1) acre or greater. Sites with under one (1) acre of disturbed area that are sold to a homeowner for occupancy, and that meet the criteria in Part I.A.9 of the City of Montrose CDPS permit, are no longer considered part of a larger common plan of development in conjunction with ongoing construction within the same project, and so no longer require permit coverage. For construction sites requiring a CDPS permit, an approved Storm Water Pollution Prevention Plan (Plan) for the site shall be provided to the City, and implemented by the construction site owner as follows:

(h) The owner bears the responsibility for implementation of the approved Plan for all construction activity within the development. An owner shall provide a copy of the approved Plan to all utility agencies, subcontractors and other agencies or persons prior to their working within the construction site or subdivision development. Minor alterations to the approved plan are permissible.

(D)

(3) The owner or their representative shall inspect all BMPs in accordance with CDPS inspection frequencies.

(5) Where a major modification is required, the owner shall meet with authorized City personnel to determine the appropriate modifications. All major modifications shall be completed within seven (7) days of the referenced inspection, and shall be recorded on the owner’s copy of the Plan.
SECTION 6:

A new § 3-7-3 (E), inclusive of its subsections, is hereby added to the Official Code of the City of Montrose to read in its entirety as follows:

(E) Post-Construction BMPs

(1) Permanent water quality BMPs shall be installed and maintained by qualified persons.

(2) The owner or the owner’s representative shall be able to provide, upon the Director’s request, a copy of the Plan on site during construction.

(2) Outstanding water quality is exceedingly important to the environmental health and continuing watershed integrity of lands comprising the City of Montrose, the State of Colorado, and the United States.

SECTION 7:

Sections 3-7-4 (C) and 3-7-4 (F), exclusive of their subsections, of the Official Code of the City of Montrose are hereby amended to read in their entirety as follows:

3-7-4: ENFORCEMENT

(C) Notice of Violation. Whenever the Director determines that a person has violated a prohibition or failed to meet a requirement of this Ordinance, City enforcement personnel may order compliance first by oral Notice of Violation; and if necessary, then by written Notice of Violation to the responsible person. The written Notice of Violation shall identify:

(F) Enforcement Actions. Any person who fails to comply with a Notice of Violation pursuant to § 3-7-4 (C) shall be subject to any of the following:

SECTION 8: PENALTY

It shall be unlawful for any person to violate any of the provisions of this Ordinance. Enforcement of this Ordinance, and the penalties for violation thereof shall be as set forth in § 3-7-4 of the Official Code of the City of Montrose, Colorado.
SECTION 9: INVALIDITY AND SEVERANCE

If any provision of this Ordinance or the application of it to any person or circumstance is held invalid by a Court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications. To this end, the provisions of this Ordinance are expressly declared to be severable.

SECTION 10: PROVISIONS NOT AMENDED TO REMAIN IN EFFECT

Except as specifically amended hereby, the Official Code of the City of Montrose, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

SECTION 11: INTERPRETATION

This Ordinance shall be so interpreted and construed as to effectuate its general purpose. Article and section headings of the Ordinance shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. In the case of a conflict between any provision or provisions of this Ordinance, and those of prior ordinances, where such conflicts cannot be resolved by reasonable legal interpretive methods or doctrines, the provisions of this Ordinance shall control.

SECTION 12: AUTHORITY TO ADOPT

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution, and the powers contained in the City Charter of the City of Montrose.

SECTION 13: EFFECTIVE DATE

This Ordinance shall become effective as provided by the City Charter of the City of Montrose.

INTRODUCED, READ and PASSED on first reading this ____ day of ________, 2011.

ATTEST: Kathy Ellis, Mayor

Lisa DelPiccolo, City Clerk
You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its adoption on second reading on Tuesday, the ____ day of ________________, 2011, at the hour of 7:00 p.m. in the City Council Chambers at the Elks’ Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this ___ day of ________________, 2011.

ATTEST:  

Kathy Ellis, Mayor  

Lisa DelPiccolo, City Clerk
To: Honorable Mayor and Members of the City Council

From: John Harris, Project Manager

CC: Scott Sellers, City Manager

Date: June 15, 2011

Subject: Downtown Traffic Improvements Project Construction Contract Change Order Recommendation

Recommendation
Approve a construction contract change order with Skip Huston Construction, Inc. for $69,064.86.

Background
In August 2010, the City awarded a construction contract to Skip Huston Construction, Inc. for the Downtown Traffic Improvements Project. Construction began immediately and was temporarily suspended in November 2010 due to poor weather conditions. The project was continued in April 2011.

Several unanticipated construction related issues have been encountered throughout the project. Yielding subgrade conditions were discovered in several areas. The project team mitigated these issues by increasing the pavement structural section and milling, rather than completely removing, the remaining asphalt. After the construction contract was awarded, CDOT required milling and 2" asphalt overlays for the Townsend/N. 1st Street and Townsend/S. 1st Street intersections. This costly work was not included in the original bid schedule. The contractor also discovered a 24" thick, reinforced concrete road surface just below the Townsend asphalt between S. 1st Street and N. 2nd Street. The reinforcing and depth prevented the removal of concrete to accommodate the median curb type identified in the construction drawings. The most efficient and inexpensive resolution for this issue was to mill the concrete to provide a 6” working depth and to change the curb type. Other unanticipated construction costs encountered to date include drainage mitigation, additional ADA compliant access ramps, additional paving exchanged for a temporary construction easement, and additional median cover material.

Net Financial Result of Contract
The $69,064.86 change order recommendation is approximately four percent (4%) of the original contract amount. This and previous construction change orders amount to approximately fourteen percent (14%) of the original contract amount. This brings the total contract to $2,175,056.27. The original City project budget was $2,400,000.00. This project is funded through the Capital Improvement Fund.
FORM E

CITY OF MONTROSE
REQUEST FOR CHANGE ORDER

REQUESTING DEPARTMENT: Engineering
REQUEST DATE: 6/15/2011

PROJECT NAME/LOCATION: Downtown Traffic Improvements
AMOUNT: $69,064.86

BID NO. 10-025
CHANGE ORDER # 3 OF 3

ADDITION TO CONTRACT: YES X  NO
MODIFICATION TO BID: YES X  NO

REASON FOR CHANGE ORDER
(Attach cost and pricing information, contractor/vendor “in-field” requests/statements and other information supporting request. Return to Purchasing Department)

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ACCEPTANCE
I certify that unencumbered funds are available in Account No. 235-6515-962-000 and that the change order is proper and in the best interest of the City.

Sue Hamilton
Budget Analyst

APPROVAL REQUIRED FROM COUNCIL: