

GUNNISON CITY COUNCIL AGENDA

THE MEETING WILL BE HELD IN THE CITY COUNCIL CHAMBERS OF CITY HALL
201 W. VIRGINIA AVENUE IN GUNNISON

**TUESDAY,
MAY 17, 2016**

SPECIAL SESSION

7:00 P.M.

Per City Charter Section 5.2, this Special Session was set by written request from Mayor Hagan to City Clerk on May 13, 2016.

- A. Action on MOU with Gunnison Country, Re: FLAP Grant Application for Gold Basin Trails Project
- B. Action on Approval of FLAP Grant Application Submittal and Authorize Mayor to Sign Application

MAY 17, 2016

WORK SESSION

Following Special Session

Times are approximate

- 7:05 – 7:35 P.M. A. Presentation on Fixed Assets Inventory and Cost Allocation Plan By Finance Department WSCU Intern Darren Brady
- 7:35 – 7:50 P.M. B. Update from Gunnison Arts Center and Sundays at 6 Multi-Day City Event Permit – GAC Director Carlie Kenton
- 7:50 – 8:00 P.M. C. Interviews with P&Z Commission Applicants (2) and Challenge Grant Committee Applicant (1)
- 8:00 – 8:10 P.M. D. Discussion on 2016 Street Improvements Bids – Streets Supervisor Greg Summer
- 8:10 – 8:20 P.M. E. Discussion on Ordinance No. 4 Amendments – CD Director Steve Westbay
- 8:20 – 8:30 P.M. F. Discussion on Draft Ordinance No. 7 – City Code Amendment Re: Municipal Court Organization
- 8:30 – 8:40 P.M. G. Discussion on Draft Resolution No. 4, Re: Formation of Parks & Recreation Advisory Commission– P&R Director Ampietro
- 8:40 – 9:00 P.M. H. Discussion on City Marijuana Licensing – City Council
- 9:00 – 9:05 P.M. I. Non-Scheduled Citizens: *At this agenda time, non-scheduled citizens may present issues of City concern to Council. Per Colorado Open Meetings Laws, NO action or Council discussion will be take place until a later date, unless an emergency situation is deemed to exist by the City Attorney. Speaker has a time limit of 3 mins.*
- 9:05 – 9:20 P.M. J. City Councilors Meeting Reports, Discussion Items for Future Work Sessions
- K. Meeting Adjournment

This agenda is subject to change, including the addition or deletion of items at any time. **Times are approximate** and the agenda may proceed faster or slower than listed. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website www.cityofgunnison-co.gov No formal action can be taken at a Work Session. For further information, contact the City Clerk's office at 641-8140.

TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE ASKED TO CONTACT THE CITY CLERK AT 641-8140 AT LEAST 24 HRS. BEFORE THE MEETING.

May 13, 2016

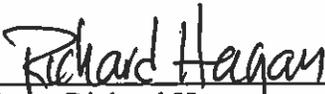
To City Clerk Gail A. Davidson,

Pursuant to Section 5.2 of the City of Gunnison Municipal Home Rule Charter, I, Richard Hagan, Mayor the City of Gunnison, am directing you, the City Clerk, to set a Special Session meeting of City Council for 7:00 P.M., Tuesday, May 17, 2016, to consider the following agenda item:

- Action on MOU with Gunnison County , Re: Federal Lands Access Program (FLAP) Grant for Gold Basin Trail Project
- Action on Submittal of FLAP Grant Application and Authorize Mayor to Sign Application

I understand the meeting will be properly noticed and posted per Colorado Open Meetings Law.

Thank you.



Mayor Richard Hagan

5/12/16

Date

MEMORANDUM AGREEMENT

THIS AGREEMENT is made and entered into this ----- day of May, 2016, by and between the CITY OF GUNNISON, a Colorado home rule municipality, hereinafter called "CITY," and the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, a political subdivision of the State of Colorado, hereinafter called "COUNTY," WITNESSETH:

WHEREAS, in 1938 the City and County jointly purchased 160 acres that today is the primary access to the Hartman Rocks Recreation Area managed by the Bureau of Land Management; and

WHEREAS, long term management of this unique habitat and recreation resource is a shared program of the BLM, CITY and COUNTY; and

WHEREAS, there is tremendous community support for the Hartman Rocks Recreation Area as witnessed by the many volunteer hours donated to maintain the Area; and

WHEREAS, the CITY and COUNTY jointly were awarded Great Outdoors Colorado grants for master planning and development of base amenities to the Hartman Rocks Area; and

WHEREAS, Hartman Rocks is a growing national and international tourist attraction as witnessed by formal recognition from the International Mountain Bicycling Association as among its top five Mountain West biking opportunities; and

WHEREAS, Gunnison County Road 38 (Gold Basin Road) is the primary route to access Hartman Rocks and most of the right-of-way necessary is owned by the COUNTY; and

WHEREAS, the proposed detached trail along County Road 38 will provide improved connectivity between Hartman Rocks and the city's residential neighborhoods, the Central Business District and Western State Colorado University; and

WHEREAS, collaborating with Gunnison County to improve connectivity between the city's urban area and Hartman Rocks is a defined policy in the CITY and COUNTY joint Hartman Rocks Management and Master Plan (1998), the Transportation Element of the CITY Master Plan (2007), the Upper Gunnison Valley Transportation Plan (2008), and the Multi- Use Trail System section of the CITY Non-Motorized Transportation Plan (2013).

WHEREAS, the Colorado Federal Land Access Program (FLAP) is an exceptional opportunity for the CITY and COUNTY to collaborate on completing the Gold Basin Trail much sooner than either can currently afford; and

WHEREAS, the BLM's Gunnison Field Office encourages and supports a Colorado Federal Land Access Program grant application for the Gold Basin Trail; and

WHEREAS, the COUNTY has demonstrated expertise in applying for and administering Federal grants; and

WHEREAS, pursuant to Section 29-1-110 C.R.S., this MOU is subject to the CITY making an annual budget appropriation in an amount sufficient to fund this MOU; and

WHEREAS, the CITY has both sufficient reserves and dedicated future revenues from its 1A sales tax to fund the Gold Basin Trail project;

NOW, THEREFORE, the parties hereto, agree to be co-applicants for a Colorado Federal Lands Access Program grant to complete the proposed detached trail (Gold Basin Trail) along County Road 38 to provide improved connectivity between Hartman Rocks and the city's residential neighborhoods, the Central Business District and Western State Colorado University; and further agree as follows:

1. The COUNTY will prepare and submit the FLAP grant application;
2. The CITY will provide the necessary \$10,000 reimbursable deposit to complete an accurate scope, schedule, and budget for the project;
3. The COUNTY will administer the grant for compliance;
4. The CITY will provide matching funds as construction progresses, currently estimated to total \$260,000, if the grant is awarded;
5. Both parties will consult once the official cost estimated is provided by the Federal Highway Administration to assure the project's financial feasibility;
6. Once constructed, the COUNTY will maintain the Gold Basin Trail.
7. This written agreement constitutes the only expressed or implied understanding between the CITY and COUNTY, respectively.

This agreement shall be construed according to the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

CITY OF GUNNISON, a Colorado
Home rule municipality

By _____
Richard Hagan, Mayor

ATTEST:

Gail Davidson
City Clerk

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY
OF GUNNISON, a political subdivision of the
State of Colorado

By _____
Paula Swenson, Chairperson

ATTEST:

DRAFT

The World of Governmental Finance & Accounting

BY: DARREN BRADY

BACHELORS OF ACCOUNTANCY, EMPHASIS: FINANCIAL ANALYSIS

BACHELORS OF BUSINESS ADMINISTRATION, EMPHASIS: MARKETING

MINOR: ECONOMICS



What I Learned (Fixed Asset Accounting)

- ▶ How to distinguish non capital assets from capital assets.
- ▶ How to do audit preparation properly and efficiently.
- ▶ How to properly input journal entries into governmental accounting software.
- ▶ How to determine life expectancy of assets.
- ▶ How to calculate 1st year and annual depreciation.
- ▶ How to properly distinguish construction in progress assets from completed assets.
- ▶ How to correctly record the acquisition and disposition of fixed assets.
- ▶ Took pictures of tangible assets for documentation purposes.



Fixed Asset Entry Example

Fixed Asset Maintenance

Assets		Purchase & Depr. History		Depreciation Rules	
Tag	2015001			Date Acquired	08/15/2015
Item Class	4001 MAJOR STREE IMPROVEMENTS			Method Acquired	P
Type Class	400 INFRASTRUCTURE			Asset Status	ACTIVE
Quantity	1	Location	1 CITY OF GUNNISON		
Unit Cost	616040.91	Building	440 STREETS		
Total Cost	616040.91	Room			
		Function	4035 STREET IMPROVEMENTS		
			<input type="checkbox"/> Use Depr Rules?		
Method of Cost Determination	HC	Salvage Value ea.		% of Fed. Ownership	
Org		Life	20	Federal CFDA	
Desc.	8 STREETS COMPLETELY REBUILT: Boulevard from Tomichi to Gothic Ave Adams St. from Tomichi to Georgia Ave West side of Wisconsin St. and Georgia Ave. San Juan Ave. from 11th st to boulevard Evans Ave. from 11th st to 12th Pine St. from Tomichi to New York Ave. 12th st from Tomichi to New York Taylor St. from Tomichi to Virginia Ave.	Deprec Method	SL	Date of Manufacture	//
		1st Year Deprec	11645.71	Original Cost ea.	
		Annual Deprec	30802.05	Replace Cost ea.	616040.91
		Total Deprec	11645.71	<input type="checkbox"/> Inventory?	
		Disposal Date	//		
Remarks		Scan	View Scanned		

Fixed Assets Journal Entry Example

														Tag	2015001	Total Cost	616040.91
Acquisition		Depreciation		Transfer		Disposal		Delete Line						Total Deprec		11645.71	
VencPeriod	Year	Type	Description	Amount	D/C	Fund	Org	Account	Object	Proj	Doc #	Capital Fund	Capital DB	Capital CR	Manual	PO #	VencSale Proc
	3/15	2015	Acq.	SCHMALZ CONST STREET	-45.00	D	1	0	4035	9111	CR	90048	75	1315	2800	Manual	
	3/15	2015	Acq.	CSI STREET IMPROVEMEN	-45.00	D	1	0	4035	9111	CR	90049	75	1315	2800	Manual	
13	4/15	2015	Acq.	PUBLIC WORKS	25.76	D	1	0	4035	9111	CL	21014	75	1315	2800	System	GUN
38	5/15	2015	Acq.	STREET PAINT	65.61	D	1	0	4035	9111	CL	21227	75	1315	2800	System	SHE
31	5/15	2015	Acq.	AERIAL TARGET MEASURE	875.00	D	1	0	4035	9111	CL	21282	75	1315	2800	System	PEA
31	6/15	2015	Acq.	ST IMPR SURVEY	700.00	D	1	0	4035	9111	CL	21438	75	1315	2800	System	PEA
41	7/15	2015	Acq.	2015 STREET IMP	557462.70	D	1	0	4035	9111	CL	21585	75	1315	2800	System	UNI
21	7/15	2015	Acq.	REPAIR	123.38	D	1	0	4035	9111	CL	21661	75	1315	2800	System	LK \$
41	7/15	2015	Acq.	RETAINAGE	55746.28	D	1	0	4035	9111	CL	21996	75	1315	2800	System	UNI
15	8/15	2015	Acq.	TOW/SLURRY	375.00	D	1	0	4035	9111	CL	22098	75	1315	2800	System	H &
15	9/15	2015	Acq.	TOWS	450.00	D	1	0	4035	9111	CL	22258	75	1315	2800	System	TOF
31	9/15	2015	Acq.	SAFETY SIGNS	300.00	D	1	0	4035	9111	CL	22348	75	1315	2800	System	OFF
11	11/15	2015	Acq.	OCTOBER STATEMENT	7.18	D	1	0	4035	9111	CL	22856	75	1315	2800	System	FUL
	13/15	2015	Depr		11645.71	D	75	0	4035	4422	0		0	0	0	System	
	13/15	2015	Depr		11645.71	C	75	0	1415	0	0		0	0	0	System	

What I Learned (Cont.) (Cost Allocation)

- ▶ How to determine a basis to correctly allocate indirect costs.
- ▶ How to correctly determine allocation rate by which expenditures apply.
- ▶ Improved my overall efficiency and proficiency of Microsoft Excel
- ▶ Interviewed department heads in effort to determine worthy allocation basis.
- ▶ How to correctly structure a governmental budget.

Original

2016 BUDGET						
Expense #1 - City Hall						
			2016 Budget =	\$80,400		Allocated
Basis of Allocation: % Sq.Ft.			To Utility		Allocation	to Utility Funds
City Council	10.00%	8,040	60%		4,824	
City Manager	5.00%	4,020	60%		2,412	
City Clerk	3.00%	2,412	50%		1,206	
Finance	10.00%	8,040	50%		4,020	
Sub-Total		22,512			12,462	12,462
Other	72.00%	57,888				
Combined Total		80,400			12,462	
Expense #2 - Administrative Support						
			2016 Budget	Fund Utility	General	
City Council (less Youth Council and City Fest)			\$56,003	60%	40%	33,602
City Manager (less internship program and contingency expenses)			\$204,420	60%	40%	122,652
City Clerk			\$181,076	50%	50%	90,538
Finance			\$520,401	50%	50%	260,200
Information Technology (less capital outlay)			\$119,957	50%	50%	59,979
Expense #3 - City Shop						
			2016 Budget =	49,236		
Street & Alley Admin					17%	8,206
Fleet Maintenance					17%	8,206
Electric Admin					17%	8,206
Water Distribution					17%	8,206
Wastewater Collection					17%	8,206
Refuse					17%	8,206
TOTAL EXPENSES TO BE ALLOCATED TO UTILITY FUNDS						628,668

Proposed

2016 BUDGET

Expense #1 - City Hall

		2016 BUDGET =		80,400		Allocated	
Basis of Allocation: % of Sq.Ft.	Square Footage		To Utility	Allocation	To Utility Funds		
City Council	1123.36	19.62%	\$ 15,774.88	55.20%	\$ 8,707.91		
City Manager	486.08	8.49%	\$ 6,825.82	17.25%	\$ 1,177.11		
City Clerk	750.72	13.11%	\$ 10,542.05	55.20%	\$ 5,819.33		
Finance	1245.12	21.75%	\$ 17,484.71	42.16%	\$ 7,371.43		
Sub-Total	3605.28	62.97%	\$ 50,627.46		\$ 23,075.78	\$ 23,075.78	
Other	2120.16	37.03%	\$ 29,772.54				
Combined Total	5725.44	100.00%	\$ 80,400.00		\$ 23,075.78		
Second Allocation Base:							
*City Council allocated on the basis of Expenditures designated to Enterprise Funds.			utility exp.	\$ 10,985,005.00	total exp.	\$ 19,899,977.00	
*City Manager allocated on basis of FTE's (full time employees) designated to Enterprise Funds.			# of emp. to utility funds	18.04	total # of emp.	104.61	
*City Clerk allocated on the basis of expenditures designated to Enterprise Funds.			utility exp.	\$ 10,985,005.00	total exp.	\$ 19,899,977.00	
*Finance allocated on basis of transaction designated to Enterprise Funds.			# of transactions	27,764	total # of transactions	65,855	

Expense #2 - Administrative Support

		2016			% allocated to		
		Budget	Utility Exp.	Total Exp.	Utilities	General	
City Council (less Youth Council and City Fest)		\$ 56,003	\$ 10,985,005	\$ 19,899,977	55.20%	44.80%	\$ 30,914.27
City Manager (less internship program and contingency expense)		\$ 204,420	*	*	17.25%	82.75%	\$ 35,252.24
City Clerk		\$ 181,076	\$ 10,985,005	\$ 19,899,977	55.20%	44.80%	\$ 99,955.93
Finance		\$ 520,401	*	*	42.16%	57.84%	\$ 219,397.36
Information Technology (less capital outlay)		\$ 119,957	*	*	14.55%	85.45%	\$ 17,448.29
City Attorney		\$ 65,300	\$ 10,985,005	\$ 19,899,977	55.20%	44.80%	\$ 36,046.31
*Information Technology allocated on the basis of the # of devices (printers,computers,collectors) designated to Enterprise Funds.							
# of devices designated to enterprise funds		16	total # of devices	110			
*City Manager allocated on basis of FTE's (full time employees) designated to Enterprise Funds.			# of emp. to utility funds	18.04	total # of emp.	104.61	
*Finance allocated on basis of transaction designated to Enterprise Funds.			# of transactions	27,764	total # of transactions	65,855	

Original

Expense #3 - City Shop								
				2016 Budget =		49,236		
Street & Alley Admin							17%	8,206
Fleet Maintenance							17%	8,206
Electric Admin							17%	8,206
Water Distribution							17%	8,206
Wastewater Collection							17%	8,206
Refuse							17%	8,206
TOTAL EXPENSES TO BE ALLOCATED TO UTILITY FUNDS								628,668
FINAL ALLOCATION 2016 BUDGETED EXPENSES								
Basis: Number of Utility Customers								
@ 09/30/15								
			4,425	2,224	2,146		1,954	10,749
			41.17%	20.69%	19.96%		18.18%	100%
	S & A	Fleet	Electric	Water	Sewer	WWTP	Trash	Total
City Hall			5,130	2,578	995	1,493	2,265	12,462
City Council			13,833	6,952	2,683	4,025	6,108	33,602
City Manager			50,492	25,377	9,795	14,692	22,296	122,652
City Clerk			37,271	18,733	7,230	10,845	16,458	90,538
Finance			107,116	53,836	20,779	31,169	47,300	260,200
Information Technology			24,691	12,410	4,790	7,185	10,903	59,979
City Shop	8,206	8,206	8,206	8,206	8,206	0	8,206	49,236
Total	8,206	8,206	246,739	128,092	54,478	69,409	113,537	628,668

Proposed

Expense #3 - City Shop

		2016 Budget =	\$ 49,236.00				
Street & Alley Admin						17%	\$ 8,206
Fleet Maintenance						17%	\$ 8,206
Electric Admin						17%	\$ 8,206
Water Distribution						17%	\$ 8,206
Waste Water Collection						17%	\$ 8,206
Refuse						17%	\$ 8,206

TOTAL EXPENSES TO BE ALLOCATED TO UTILITY FUNDS **\$511,326.19**

*According to the Public Works Director all cost are allocated evenly between the six funds.

FINAL ALLOCATION OF 2016 BUDGETED EXPENSES

Basis: Number of Utility Customers

@ 04/07/16	4,413	2,185	2,134	1,989	10,721
	41.16%	20.38%	9.25%	18.55%	100.00%

2nd Allocation Basis : Expenditures

635,980 732,853

* 2nd allocation base for Sewer and WWTP allocated on the basis of total expenditures. Expenditures designated to sewer 635,980/ total expenditures 1,368,833

expenditures designated to WWTP 732,853/ total expenditures 1,368,833

	S & A	Fleet	Electric	Water	Sewer	WWTP	Trash	Total
City Hall			\$ 9,498.50	\$ 4,702.97	\$ 2,134.51	\$ 2,457.57	\$ 4,281.10	\$ 23,074.66
City Council			\$ 12,724.99	\$ 6,300.50	\$ 2,859.57	\$ 3,292.37	\$ 5,735.33	\$ 30,912.77
City Manager			\$ 14,510.60	\$ 7,184.60	\$ 3,260.83	\$ 3,754.36	\$ 6,540.13	\$ 35,250.53
City Clerk			\$ 41,144.07	\$ 20,371.58	\$ 9,245.92	\$ 10,645.31	\$ 18,544.20	\$ 99,951.08
Finance			\$ 90,308.79	\$ 44,714.41	\$ 20,294.26	\$ 23,365.82	\$ 40,703.42	\$ 219,386.70
Information Technology			\$ 7,182.10	\$ 3,556.06	\$ 1,613.97	\$ 1,858.24	\$ 3,237.07	\$ 17,447.44
City Attorney			\$ 14,837.46	\$ 7,346.44	\$ 3,334.28	\$ 3,838.93	\$ 6,687.45	\$ 29,357.12
City Shop	\$ 8,206.00	\$ 8,206.00	\$ 8,206.00	\$ 8,206.00	\$ 8,206.00	\$ -	\$ 8,206.00	\$ 49,236.00
Total	\$ 8,206.00	\$ 8,206.00	\$ 198,412.51	\$ 102,382.58	\$ 50,949.34	\$ 49,212.61	\$ 93,934.70	\$ 504,616.29

Monetary Differences of Original Plan vs. Proposed Plan

Department	Original Plan	Proposed Plan	Difference
Street & Alley	\$8,206	\$8,206	\$0
Fleet	\$8,206	\$8,206	\$0
Electric	\$246,739	\$198,413	\$48,326
Water	\$128,092	\$102,383	\$25,710
Sewer	\$54,478	\$50,949	\$3,529
WWTP	\$69,409	\$49,213	\$20,196
Trash	\$113,537	\$93,935	\$19,603
Total	\$628,668	\$504,616	\$124,052

INTEROFFICE MEMORANDUM

TO: CITY COUNCILORS
CC: INTERIM CITY MANAGER ACHEN
FROM: CITY CLERK GAIL A. DAVIDSON, CMC
SUBJECT: MULTI-DAY SPECIAL EVENTS PERMIT APPLICATION
DATE: 5/12/2016

City Council,

Attached please find a copy of the City Event Permit application from the Gunnison Arts Center for the 2016 Sundays @ 6 Concert Series. The concerts will once again be held at the covered pavilion in the northeast corner of Legion Park and will run on Sunday evenings from June 12th through August 14th.

Per City Policy, since this event takes place on multiple days, exceeding 4 or more separate days, Council approval is required. Arts Center representatives will be present at the Work Session on May 17th to give you an update on the Arts Center activities and the proposed special events. Thank you for your consideration of this request.

Action Requested of Council at the May 24th Regular Session meeting: A motion, second and vote to approve the multi-day Special Events Permit application from the Gunnison Arts Center for the 2016 Sundays @ 6 Concert Series to be held at Legion Park.

City of Gunnison Special Event Permit Application

To be submitted to the City Clerks Office, at City Hall, 201 W. Virginia Avenue or at the Gunnison Community Center, 200 E Spencer Street in Gunnison, CO 81230

Phone: 970.641.8140 Fax: 970.641.8051

No later than ten (10) business days prior to the Proposed Event

Gunnison Arts Center
Name of Applicant

Sponsoring Agency (If Different than Applicant)

970-641-4029
Phone Number

102 S. Main St
Address

Sarah@gunnisonartscenter.org
E-Mail Address

602-229-1859
Cell Number

Type of Event: concert / community gathering

Name or Title of Event: Sundays @ 6

Location and Description of the Event: Legion Park - concert on the covered stage

6/12 - 8/14
Date of Event

300+
of People

From: 4 AM/PM to 9 AM/PM
Event Hours (including set up/take down)

List any streets requiring closure as a result of the Event (Please be specific in regards to time making sure there is extra time before and after the event for clearing parked cars, set-up and clean-up): N/A

Times of actual street closure: From: N/A AM/PM To: --- AM/PM

Route to be Traveled (Display on accompanying map): _____

Unless exempted by the City, Businesses and Residents located adjacent to your event must be notified at least 7 days prior to the event - of any possible street closures, potential noise or traffic impacts. See last page of application for an example of a notification form.

**INDEMNIFICATION AND RELEASE PROVISIONS
FOR USE OF CITY OF GUNNISON FACILITIES AND RIGHTS-OF-WAY**

A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Gunnison, (hereinafter "City"), (insert name of person/entity seeking permission to use facilities and/or rights-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

B. By signing below, Applicant agrees that, in the event of any damage, loss, or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that, if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.

C. In addition, in consideration for being permitted to use the facilities and/or rights-of-way, Applicant, on behalf of itself, and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

Sarah Rozell
Signature of Applicant

Sarah Rozell
Printed Name of Applicant

4/12/16
Date

For Internal Use Only

Approved:

City Clerk: AM

Additional Comments: no alcohol w/o Spec-Event liquor Permit.

Finance: BC

Additional Comments: _____

Community Development: GW

Additional Comments: _____

Fire Marshall: GW For Demos

Additional Comments: _____

Park and Recreation: DA

Additional Comments: Any vendors with vehicles need to be on street
NOT GRASS.

Police: KR

Additional Comments: no alcohol in park without permit

Public Works: TX

Additional Comments: _____

City Manager: _____

Additional Comments: _____

IT: M

City Council: _____

Mayor

Does the Event Involve Any of the Following? (Please check if applicable):

Liquor/ Beer Sale and/or Consumption? If yes, please contact the City Clerk 641-8140

N/A

Sales of Any Kind of Product? If yes, please contact the Finance Department 641-8070

N/A

Distribution of Handbills/ Flyers or Hanging of Banners? If yes please contact the Community Development at 641-8090

Use of a City Park/ Pavilion? If yes, please contact the Parks Dept 641-8060

Music/ Entertainment? If yes, please describe: live music - various artists

Animals/ Livestock? If yes, please describe: _____

Use of Tents or Fencing Causing Ground Disturbance? If yes, please contact the Parks Dept 641-8060

Open Flame Cooking in Booths or Trailers? If yes, contact Fire Marshal at 641-8153.

Use of Port-a-Toilets? If yes, please contact the Parks Department 641-8060

Pyrotechnic Displays? If yes, contact Fire Marshal at 641-8153.

Will you Require:

Water? If yes, for what use, amount needed and method of dispensing N/A

Electricity? If yes, for what use, type needed and method of dispensing yes, outlets on covered stage

Dumpsters/ Trash Cans? If yes, amount needed, type, time delivered/ picked up and location _____

Traffic Cones/ Barricades? If yes, for what use, amount needed, time delivered/ picked up and location _____

Additional Police/ Fire Presence? If yes, for what purpose, type needed, and time/ location _____

Have You Placed the Event on the Gunnison-Crested Butte Community Calendar (www.gcbcalendar.com)?

Yes, it will be

Memorandum

To: City Council

CC: City Manager Ken Coleman

From: City Clerk Gail A. Davidson 

Date: 5/13/2016

Re: Appointments to City Planning & Zoning Commission and Challenge Grant Committee

As you are aware, the City has been advertising vacancies on several City Commissions, Boards and Committees for many weeks. Those vacancies were posted in display ads in the Times and the Shopper, on facebook and on the City website.

For the Planning Commission vacancy, with a 5-year term to expire May 17, 2021, I have received letters/emails of interest from Cody Scott and Theresa Hanacek. I have attached those letters of interest.

For the Challenge Grant Committee vacancy, I received a letter of interest from Erin Carlson. That letter is attached as well.

Cody, Theresa and Erin have been invited to speak with Council at the Work Session meeting on May 17th. Appointment could be accomplished at the Regular Session on May 24th.

Action Requested of Council at the May 24th Regular Session Meeting:

A motion, second and vote to appoint _____ to the City Planning & Zoning Commission with a term in expire May 17, 2021; and

to appoint Erin Carlson to the City Challenge Grant Committee with an indefinite term.

Planning and Zoning Commission
City of Gunnison
201 W Virginia Ave, Gunnison, CO 81230

April 22, 2016

To whom it may Concern:

I would like to express my interest in filling the vacancy on the Planning and Zoning Commission. I recently spoke with Sharon Cave about the position and feel that I may be the right fit.

Given my educational background in Sociology, I have a strong interest in community planning and development. Though I recently applied to a Master's program in community and regional planning, I would prefer to gain practical experience in the field while serving the community that I love.

Sincerely,



Cody Scott

607 592 0841

Gail Davidson

From: Theresa Hanacek <theresa.hanacek@gmail.com>
Sent: Thursday, May 12, 2016 4:05 PM
To: Gail Davidson
Subject: Position on Planning and Zoning Commission

Dear Ms. Davidson:

I would like to express my interest in serving on the City of Gunnison Planning and Zoning Commission. I am a current resident for more than a year and am registered to vote in the City of Gunnison.

My husband and I chose to move to Gunnison for the amazing quality of life. I would like to give back to the community that has already given us so much by helping to shape its present and future development.

I hold a bachelor's degree in Geography and Spanish and have formerly worked in the fields of GIS, civil engineering, and medical and legal translation. Presently, I am not employed outside my home.

I look forward to meeting the city council members on Tuesday evening.

Kind regards,

Theresa Hanacek

rec'd 1/11/10



"Creating A New Financial Outlook On Life"

Gail Davidson – City Clerk
PO Box 239
Gunnison, CO 81230

RE: Challenge Grant Program Committee Vacancy

Ms. Davidson,

I am writing to express my interest in the open position on the Challenge Grant Program Review Committee. As a representative of a business within the community, I feel I could contribute to the decision making process of this committee. NuVista is dedicated to supporting the community and fully believes in efforts to support small businesses and the citizens of Gunnison. I feel my aptitude for numbers and my financial knowledge could be an asset on this committee.

Thank you for our consideration and I look forward to your reply.

Sincerely,

Erin Carlson
NuVista FCU - Branch Member Service Lead
243 N. Main St.
Gunnison, CO 81230
970-648-7022
ecarlson@nuvista.org



MEMO

To: City Council
Date: May 12, 2016
From: Street Supervisor/Greg Summer
Re: 2016 Street Improvements Bid

Advertisements were published per the city purchasing policy for 2016 Street Improvements Bids.

Two projects were presented to council at an earlier council work session. The projects are to remove existing asphalt, prep sub-grade, and replace broken curb/gutter; concrete drainage pans and place new asphalt at 3" thick compacted. The two projects are San Juan from Wisconsin to Teller and North 14th from Hwy. 50 to Spencer. The budgeted amount for 2016 street improvements is \$655,000.

We received one bid from locally based United Companies for \$679,488.75 which is \$24,488.75 more than budget. City staff will work with Greg Frazier of United Companies to identify any cost savings and are reductions in the scope of work to bring the project in at the budgeted amount of \$655,000.

Staff recommends council approval to award the 2016 street improvements bid to United Companies at the next regularly scheduled council meeting on May 24, 2016 for an amount not to exceed \$655,000.

**ORDINANCE NO. 4
SERIES 2016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON REPEALING TITLE 8, CHAPTER 8.20, SIDEWALK VENDORS, AND REPEALING AND REENACTING TITLE 9, CHAPTER 9.40, USE OF PUBLIC RIGHTS-OF-WAY FOR PRIVATE PURPOSES, OF THE CITY OF GUNNISON MUNICIPAL CODE

WHEREAS, the City of Gunnison as a home-rule municipality has the power to enact ordinances regulating the use of right-of-ways within its boundaries to ensure the safety and convenience of its citizens and visitors; and

WHEREAS, the City Council of the City of Gunnison directed staff to review policies and standards related to private business sidewalk cafe seating within the Central Business District; and

WHEREAS, on April 5, 2016 the staff provided a report on existing Municipal Code provisions regulating the use of rights-of-way for private purposes and described the existing provisions to be lacking in necessary detail; and

WHEREAS, the City Council of the City of Gunnison desires to establish standards in the municipal code that provide a means to allow for the use of public-rights-of-way for private purposes when there is adequate space and site conditions to ensure that public safety and convenience is not impaired; and

WHEREAS, informal surveys and community input suggests that an active and vital Central Business District is desired; and

WHEREAS, on May 10, 2016 the Council held a public hearing to consider amendments to Title 9, Chapter 9.40 of the Municipal Code regulating the use of public rights-of-way for private purposes; and

WHEREAS, the City Council hereby determines that the proposed standards regulating the use of public rights-of-way for private purposes, is in the best interests of the City of Gunnison, Colorado, and its citizens.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1.

Gunnison Municipal Code, Title 8, Chapter 8.20, Sidewalk Vendors is hereby repealed.

Section 2.

Gunnison Municipal Code, Title 9, Chapter 9.40, Use of Public Rights of Way for Private Purposes is hereby repealed and reenacted to read as follows:

9.40.010 Purpose

The purpose of this Chapter is to manage the use of public rights-of-way in a manner that is flexible, adaptable, and protects the community's health, safety and welfare.

9.40.20 Definitions

- A. "Accessway" means that portion of the public sidewalk section designated as the clear and continuous pedestrian corridor for use and enjoyment by the general public.
- B. "Barrier" means any fence, landscaped planter, rope or other perimeter enclosures used to separate cafe sidewalk seating areas from the public accessway or required curb clearance established within the public rights-of-way.
- C. "License" means a Revocable License Agreement, addressing the terms for using a portion of the public rights-of-way for private purposes.

- D. “Licensee” means any property owner, business owner, representative, or assignee that is the signatory to a valid Revocable License Agreement and who is responsible for the maintenance, upkeep and general conformance of the standards established by this Chapter.
- E. “Merchandise Display” means stands, tables, freestanding merchandise or other features intended for sale to the general public that is placed within the public rights-of-way. For the purposes of administering this Chapter, sandwich board signs shall be considered a merchandise display.
- F. “Permanent Physical Feature” means trees, public signage, street lights, fire hydrants, decks, and porch roofs extending into the rights-of-way and any other features deemed by the City Manager to be a permanent feature.

9.40.030 Applicability

This Chapter applies to all public rights-of-way within the City of Gunnison incorporated limits. Any private roads and sidewalks serving development within the city limits are not affected by the standards established herein, but private ways intended for the purposes of public use shall be subject to Section 4.1 (Adequate Public Facilities), Section 4.2 (Road Construction Standards), Section 4.5 (Pedestrian Circulation Facilities) and any other applicable standards established by the *City of Gunnison Land Development Code*.

Nothing in this Chapter shall be construed to limit the City’s ability to use public rights-of-way as deemed necessary or desired.

9.40.040 Administrative Authority and Responsibility

The City Manager, or a designee assigned by the City Manager, shall have the administrative authority over the provisions of this Chapter of the Municipal Code.

9.40.050 Revocable License Agreement Required

All use of public rights-of-way for private purposes requires a Revocable License Agreement (License) approved by the City of Gunnison.

Exceptions: Placing irrigation pumps, irrigation pump covers, mail boxes and landscaping improvements compliant with the *Land Development Code* (Section 4.6, Landscaping, Buffering and Screening) and parking of currently licensed private vehicles within the rights-of-way pursuant to *Municipal Code*, Chapter 5.30 (Traffic) shall not be subject to licensing requirements established in this Chapter.

9.40.060 License Types, Application, and Process

- A. Physical improvements within the public rights-of-way for private purposes are subject to the standards and conditions established by this Chapter. Two types of licenses are established by this Chapter:
 1. **Permanent Feature License Agreement.** Revocable License Agreement applications requesting the placement of apparatus, facilities, posts, any structural element of a building extending into the right-of-way or other permanent physical features shall be subject to review and approval of a Revocable License Agreement acted on by the City Council at a regular or special meeting. Applications proposing cafe sidewalk seating shall be classified as a Permanent Feature License Agreement.
 2. **Administrative Use License Agreement.** A Revocable License Agreement application proposing the placement of merchandise, displays, racks, sandwich boards or other features that are temporary in nature, are subject to administrative approval by the City Manager under the provisions of this Chapter.
- B. **Interpretation Authority.** The City Manager shall have the discretionary authority to determine if a license application is classified as a Permanent feature or an Administrative Use License Agreement. The City Manager may submit any Administrative Use License Agreement application to the City Council for consideration.

- C. **Minimum Application Contents.** All Revocable License Agreement applications shall include, at a minimum, the following information and materials.
1. **Name, Street and Mailing Address, Telephone Number, and Power of Attorney.** The proposed licensee name, address and telephone number. If the licensee is to be represented by an agent, a letter signed by the licensee granting power of attorney to the agent shall be submitted, authorizing the agent to represent the licensee and stating the representative's name, street and mailing address and phone number.
 2. **Legal Description.** The legal description and street address, if such exists, of the property on which the improvement is to be located. Legal descriptions are available at the County Assessor Office (970-641-1085) or City Community Development Department (970-641-8150).
 3. **Disclosure of Ownership.** A disclosure of ownership of the property to which the application applies.
 4. **Vicinity Map.** An eight and one-half inch by 11inch vicinity map locating the subject property within the City of Gunnison.
 5. **Written Description.** A written description of the proposal and an explanation in written, graphic or model form of how the proposed private use of the public right-of-way complies with the applicable review standards established in this Chapter.
 6. **Plan View and Elevation Drawing.** Any license application proposing to develop a Permanent Feature within public rights-of-way shall provide a scaled plan view (map) and elevation drawing depicting the feature, the continuous and clear accessway, and any other permanent feature located on the sidewalk adjacent to the business front.
 7. **Barriers.** All applications proposing barriers shall include cut sheets or design illustrations depicting the proposal design.
- C. **Process.** Five stages comprise the process for the use of public rights-of-way for private purposes as described below.
1. **Pre-Application Conference.** The licensee is encouraged, but not required to meet with the Community Development Department staff prior to the submittal of a Revocable License Agreement application.
 2. **Application Submittal.** The licensee must provide a complete application to the Community Development Department prior to scheduling a formal review.
 3. **Staff Review.** The Community Development Director or an assigned designee shall review the application within five working days of the application submittal. Upon review completion, the Community Development Department shall notify the applicant of any omissions or required additional information.
 4. **Decision.** All Permanent Physical Feature license applications shall be submitted to and discussed by the City Council at a work session, prior to scheduling any action at a regular meeting. Administrative Use License Agreement shall be approved by City Manager or designee.
 5. **Post Decision Actions.** All uses of public rights-of-way for purposes that are subject to license application review shall be memorialized through the execution of a Revocable License agreement defining the terms by which the licensee shall comply.
- D. **Insurance and Indemnification.** The revocable License Agreement shall be a binding contract approved as to form by the City Attorney. The licensee/property owner hereby agrees to indemnify, defend, and save harmless the city, its officers, agents, and employees, against any and all claims for personal injury or property damage, including reasonable attorney's fees arising out of or connected in any way with the licensee's use of the public right-of-way. The Licensee shall obtain and maintain in force comprehensive general liability, broad form property damage and blanket contractual liability insurance in a combined single limit amount,

per claim and aggregate, of at least one million dollars covering the Licensee's operation on the sidewalk. Such insurance shall name the City as an additional insured.

E. **Application Fee.** The application fee for a license agreement shall be determined by resolution approved by the City Council.

G. **Termination.** Upon termination of the license, the licensee shall immediately remove any permanent features, personal property, furnishings, display and equipment from the right-of-way. The public right-of-way shall be restored to its original condition.

9.40.070 Land Development Code Applicability

A. **Sidewalk Facilities.** Pedestrian circulation facility improvements associated with either a Land Use Development Application or a Site Development application shall be subject to the Pedestrian Circulation Facilities standards established in Section 4.5 of the *City of Gunnison Land Development Code*.

B. **Landscaping.** Landscaping improvements associated with either a Land Use Development Application or a Site Development application shall be subject to the standards established in Section 4.5 (Landscaping, Buffers and Screening) of the *City of Gunnison Land Development Code*.

C. **Signage.** All signs and banners in the public rights-of-way shall be subject to Section 4.8.H of the *City of Gunnison Land Development Code*, which includes the requirement to maintain a current and valid Administrative License Agreement.

9.40.080 Commercial, B-1, CBD Districts

Uses within the Commercial, B-1, and CBD Districts proposing to use public rights-of-way for private purposes shall be subject to the standards established herein.

A. **General Standards.**

1. **Accessway.** All public sidewalks shall maintain a minimum six feet wide clear and continuous pedestrian corridor. The accessway shall, in most cases, be located between the property line and any irrigation ditch located within the right-of-way. No clear and continuous accessway shall be located within the curb clearance area. **To accommodate easy pedestrian movement, horizontal transitions of the accessway should be uniform and should not exceed three feet over a linear distance of eight feet.**



2. **Curb Clearance.** Proposed uses on public sidewalks shall be arranged and conducted in a manner to maintain a minimum three feet of clear distance from the curb edge. Placement of permanent features, merchandise displays or other items shall not create a **barrier physical impediment** greater than 15 feet in length that precludes pedestrian ~~from moving~~ **movement** between parking stalls and the accessway.



3. **Americans with Disabilities Act Standards.** Any proposed use of public rights-of-way for private purposes shall fully comply with all provisions of the Americans with Disabilities Act (ADA).
4. **Vertical Clearance.** Any proposed use of public rights-of-way for private purposes shall maintain a minimum seven feet of vertical clearance distance from the sidewalk grade.
5. **Sound System Noise Level.** The maximum noise level for any sound system equipped with speakers within the public rights-of-way shall not exceed 60 decibels.
6. **Electric Cords or Other Tripping Hazard.** The use of electric cords or other features not specifically addressed herein, but that could create a tripping hazard, are prohibited.

B. Merchandise Display Standards.

1. Merchandise displays located on public sidewalks shall be contained in no more than two display clusters per business frontage.
2. The aggregate maximum coverage area of displays shall be 35 square feet of the sidewalk surface area directly adjacent to the business store front. For the purposes of administering this Chapter, the display of sandwich boards shall be considered a merchandise display, and signage standards established by the *City of Gunnison Land Development Code* (Section 4.8) shall apply.
3. **Alternative merchandise display configurations may be considered if Section 9.40.080.A General Standards are satisfied.**
4. Merchandise displays shall be removed from the public rights-of-way after business hours.
5. Placement of merchandise displays shall not create a dangerous public condition and shall provide adequate means for emergency egress and ingress from any adjacent building.

C. Sidewalk Cafe Standards.

1. Sidewalk cafe seating shall be arranged in a manner that complies with all provisions of Section 9.40.080.A General Standards.

2. Sidewalk cafe seating shall be licensed for use between March 15th and November 15th. The licensee may be required to discontinue sidewalk cafe seating at any time as determined and ordered by the City Manager.
3. Sidewalk cafe seating shall be located directly adjacent to the business wall-plane or property line. Alternative seating layout may be considered if Section 9.40.080.A General Standards are satisfied.
4. Sidewalk cafe seating may extend onto an adjacent business only upon written agreement by the adjacent property owner and under the condition that insurance indemnification provisions protecting the City's interest are satisfied.
5. Tables, chairs and other features associated with sidewalk cafe seating shall not interfere with the pedestrian accessway or the curb clearance area. Chairs next to the pedestrian accessway shall be placed in a manner as not to impede upon the accessway.



6. Smoking in the cafe seating area is prohibited.
7. Sidewalk cafe seating associated with a business serving alcoholic beverages shall be limited to the specified Premise established by a current Colorado State and City Liquor License. The specified premise shall abut directly to the building wall plane/property line bordering the licensee's business.
8. Sidewalk cafe seating associated with a business serving alcoholic beverages shall have a barrier bordering the liquor license's established Premise. Pursuant to state regulations, the serving of alcohol shall be conducted within defined barrier. Sidewalk cafe seating businesses not serving alcohol are not required to, but may install a barrier.
9. Perimeter barriers associated with sidewalk cafe seating shall be constructed, installed and maintained according to the following standards:
 - a. **General.** The location, design and construction of all barriers is subject to review and approval by the City Council.
 - b. **Design Concept.** The physical design of the barrier shall be compatible with the design of the building, shall be visually appealing and help to separate the dining/seating area from the side.
 - c. **Open Appearance.** Barriers shall be at least 70 percent open (transparent) in order to maintain visibility of street level activity.

- d. **Height.** Barriers shall be a minimum height of 36 inches and may not exceed 42 inches in height.
 - e. **Anchoring.** Barriers may be anchored through the use of recessed sleeves and posts or weighted bases, or other means approved by the City. When removed, the resulting surface must be flush with the sidewalk.
 - f. **Support Members.** Stanchions or other vertical supporting members that have a base shall not create a tripping hazard. The stanchion base shall not be domed or more than one-half inch above the sidewalk surface. The stanchion bases shall not impede upon accessway.
 - g. **Use of Planters.** Planters may be used in situations where no barrier is required. All planters must have living plants contained within them. Dead plants must be replaced or the planter removed from public view.
 - h. **Prohibited Materials.** Fabric inserts of any size, chain-link, cyclone fencing, standard wire gage material or similar small soft metal materials are prohibited from being used as part of the barrier.
10. **Furniture and Features.** Furniture and features associated with sidewalk cafe seating shall be constructed, installed and maintained according to the following standards:
- a. The licensee shall ensure that tables, chairs and other materials do not interfere with pedestrian movement in the accessway.
 - b. Umbrellas placed within the public rights-of-way shall not display trademarks, logos, brands or other advertising messages.
 - c. Furniture and features must maintain a good visual repair.
 - d. All furniture and features must be durable and of sufficiently sturdy construction as not to blow over with normal winds.
 - e. Furniture and features must not be secured to trees, lampposts, street signs, hydrant or any other public street infrastructure by any means during restaurant operation hours or when the business is closed.
11. **Lighting.** Lighting will be required for outdoor dining areas where food will be eaten during evening hours. Lighting features shall be decorative and complement the architectural character of the building façade. Lighting features will illuminate only the sidewalk area and shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers.
12. **Maintenance.** The licensee shall keep the outdoor dining area clear from litter, food scraps, and soiled dishes and utensils at all times. Debris generated from the business shall not be disposed in public trash receptacles located in the public rights-of-way. Private trash receptacles shall be emptied daily. The Licensee is required to keep the entire sidewalk in and around the sidewalk seating area clean and orderly. No debris shall be swept, washed or blown into the sidewalk, irrigation ditches, gutter or street.

9.40.090 Residential Districts (Reserved)

9.40.100 Industrial District (Reserved)

Section 3.

Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the City Council of the City of Gunnison, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this _____ day of _____, 2016, on first reading, and introduced, read, and adopted on second and final reading this _____ day of _____, 2016.

Richard Hagan, Mayor

(SEAL)

ATTEST:

Gail Davidson, City Clerk

**ORDINANCE NO. 7
SERIES 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON,
COLORADO, AMENDING TITLE 4 JUDICIARY, CHAPTER 4.10 MUNICIPAL
COURT, SECTION 4.10.040 MUNICIPAL COURT CLERK**

WHEREAS, the City of Gunnison, Colorado, is a Colorado home-rule municipality; and

WHEREAS, City staff has undertaken a review of the provisions of the City of Gunnison Municipal Code as such relates to the authority to direct the duties and personnel of the City's municipal court, particularly the municipal court clerk, and determined that changes are necessary to assist in streamlining roles and procedures; and

WHEREAS, the City Council has determined that the changes proposed by staff are appropriate and in the best interest of the City of Gunnison, Colorado.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF GUNNISON, COLORADO, THAT:**

Section 1. Title 4 Judiciary, Chapter 4.10 Municipal Court, Section 4.10.010, Municipal Court Clerk, is hereby amended to read as follows:

4.10.040 Municipal Court Administration

The City Council hereby establishes the position of municipal court clerk. The City Manager, after consultation with the municipal court judge, shall designate an employee within the Clerk's department, to perform the duties of the municipal court clerk as such are delegated by law, court ruling, or the municipal court judge. The municipal court clerk may serve without posting bond. The City Council shall annually assign two of its members to serve as liaisons to the municipal court judge.

Section 3. Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the City Council of the City of Gunnison, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this _____ day of _____, 2016, on first reading, and introduced, read, passed and adopted on second and final reading this _____ day of _____, 2016.

Richard Hagan, Mayor

ATTEST:

Gail Davidson, City Clerk

**CITY OF GUNNISON
RESOLUTION NO. 4
SERIES 2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON,
COLORADO, CREATING A PARKS AND RECREATION ADVISORY COMMITTEE**

WHEREAS, the City Council of the City of Gunnison, Colorado, desires to establish a Parks and Recreation Advisory Committee to act in an advisory capacity to the City Council relating to parks and recreation planning, projects, and budget formulation; and

WHEREAS, the City Council has determined that the structure, powers and duties of such committee as set forth below is appropriate and will serve the purposes intended by the creation of such committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO:

1. That a Parks and Recreation Advisory Committee (“Committee”) is hereby created.
2. That the Committee shall have the following powers and duties:
 - a. Act in an advisory capacity to the City Council in all matters pertaining to parks and recreation programs and services.
 - b. Consider the annual budget for parks and recreation programs during its initial preparation and make recommendations with respect thereto to the City Council and City Manager, with particular attention to the use of funds generated by the 1A initiative.
 - c. Advise in the planning of parks and recreation programs, promote and stimulate public interest for such programs, and solicit the cooperation of school authorities and other public and private agencies interested in such programs.
 - d. Recommend proposals for the acquisition, development and improvement of recreation, parks and playgrounds subject to the terms of the Parks and Recreation Department Master Plan and the rights and powers of the City Council.
 - e. Serve as a sounding board for the submission of ideas regarding parks and recreation facilities.
 - f. Encourage individuals and citizen groups to provide funding, property, and participation for the development and operation of the parks and recreation programs within the City, with particular attention to strategies which strengthen grant applications.
3. The Committee shall consist of seven (7) members appointed by City Council, determined as follows:
 - a. Four members shall be registered voters who reside within the City limits of the City of Gunnison;
 - b. One member shall be a Gunnison High School student;
 - c. One member shall reside in the North Valley, defined as North of the City limits of the City of Gunnison;
 - d. One member shall be at large.
4. The Committee shall also contain one City Council member, serving in a non-voting advisory role, and the Parks and Recreation Director, who shall guide and advise the Committee as appropriate.
5. The Committee will select a chair and vice-chair, and shall set such rules of procedure as determined by the Committee.
6. The City Council’s selection process should ensure that the Committee is comprised of individuals who represent a diversity of interest and ages. Members must have resided in the Gunnison Valley for a period of two years prior to appointment and shall serve for a period of two (2) years, or until their successors are qualified and appointed. The terms of

the members shall be staggered so all terms do not end at one time. A term runs from the date of appointment through December 31 of the appropriate year. Should a vacancy occur, Council shall appoint a successor to serve the balance of term vacated by a Committee member.

7. The Parks and Recreation Director is trained in parks and recreation administration, project and program development, grant submissions, facility management, human resource management, and other applicable tasks, and shall be regarded by the Committee as the professional in all matters pertaining to organization, administration and programming within the Parks and Recreation Department. Members of the Committee may meet with the Director to discuss programs, facilities, objectives or other related matters during formal Committee meetings or such other times convenient to the member and Director. The Committee shall not engage in any day-to-day decisions or actions affecting the Department or the Director's role with the City.
8. Meetings of the Committee shall be set at such time and place desired by the Committee, at least quarterly.

INTRODUCED, READ AND ADOPTED at a regular meeting of the City Council of the City of Gunnison, Colorado on the _____ day of _____, 2016.

CITY OF GUNNISON, COLORADO

Richard Hagan, Mayor

(SEAL)

ATTEST:

Gail A. Davidson, City Clerk

CURRENT CITY OF GUNNISON LICENSED MARIJUANA ESTABLISHMENTS

Retail store Issued 10/13/15 City# 15-01	Pure Industries LLC dba SOMA Wellness	500 W. Hwy 50 Unit 101
Retail store Issued 10/13/15 City# 15-02	ACME Healing Center of Gunnison LLC dba ACME Healing Center of Gunnison	620 S 9 th Street
Retail store PH 12/8/15 Issued 12/8/15 City# 15-03	Gunnison Cannabis LLC dba Rocky Mountain Cannabis	901 W. New York Ave.
Retail store PH 12/8/15 Issued 12/08/15 City# 15-04	East River Management; dba Growhouse Gunnison	811 N. Main Street
Retail store PH 12/15/15 Issued 12/15/15 City# 15-05	Roots RX Pete Tramm/ Robert Holmes	1198B N. Main St.
Retail Store PH 12/15/15 Issued 12/15/15 City# 15-06	MissKat Inc. dba Frosty Leaf Katina Steele	500 W. Hwy 50 Unit 102
Retail store PH 12/15/15 Issued 12/15/15 City# 15-07	The Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin Lou Costello	650 S. 11 th Street, Unit B
Retail Store PH 02/23/16 Issued 2/23/16 City# 16-08	White Porch LLC dba Hashish Hut	827 N Main Street
Retail Store PH 06/28/16?? Issued City #	The Pot Shop LLC dba The Pot Shop John Billingsly	905B N. Main Street Application in process
Retail Store PH 06/28/16 Issued City #	Frozen Smoke LLC dba Frozen Some Staci R. Davis	500 W Hwy 50 Unit 103 Application in process