

AGENDA

MISSION

The City of Durango and our employees provide efficient city services, effectively maintain city assets and manage growth, are accountable, ethical and fiscally responsible, and collaborate with regional partners to improve the quality of life for our entire community.

VISION

Durango is an authentic, diverse, multigenerational, and thriving community. Our residents value and enjoy our unique natural environment and benefit from the management of our city's resources in a fiscally responsible, environmental, and socially sustainable manner.

VALUES

- Teamwork
- Dependability
- Professionalism
- Service
- Respect
- Innovation
- Well-Being

STRATEGIC GOALS

- Affordability & Economic Opportunity (AEO)
- Diversity, Equity, Inclusion (DEI)
- Effective Infrastructure Network (EIN)
- Enhanced Livability & Sense of Place (ELSP)
- Environmental Sustainability & Resilience (ESR)
- Financial Excellence & High Performing Government (FE)
- Engaged & Collaborative Governance (ECG)



The City of Durango encourages the participation of all its citizens in its public meetings. If an accommodation is needed, please contact the City of Durango ADA Coordinator at (970) 375-5005

CITY COUNCIL REGULAR MEETING
VIRTUAL AND IN PERSON DURANGO CITY HALL
03/21/2023
5:30 PM

MAYOR

Barbara Noseworthy

MAYOR PRO-TEM

Melissa Youssef

CITY COUNCILORS

Kim Baxter - Olivier Bosmans - Jessika Buell

CITY MANAGER

José Madrigal

ASSISTANT CITY MANAGER

Erin Hyder

MANAGING DIRECTOR

Bob Brammer, Public Safety

CITY ATTORNEY

William Tuthill, Interim

CITY CLERK

Faye Harmer

AIRPORT

Tony Vicari, Director

FINANCIAL SERVICES

Cynthia Sneed, Director

911 COMMUNICATIONS

Zeta Fail, Director

LIBRARY SERVICES

Luke Alvey-Henderson, Director

PARKS AND RECREATION

Ture Nycum, Director

TRANSPORTATION

Sarah Hill, Director

INFORMATION TECHNOLOGY

Justin Carlton, Director

PUBLIC WORKS

Allison Baker, Director

HUMAN RESOURCES

Bonnie Kling, Director

COMMUNITY DEVELOPMENT

Scott Shine, Director

CITY OF DURANGO
CITY COUNCIL REGULAR MEETING
VIRTUAL AND IN PERSON DURANGO CITY HALL
03/21/2023
5:30 PM

Hybrid Meeting Information

This meeting is being held in a Virtual/In Person format based on City of Durango Resolution R 2022-0017 adopted on April 5, 2022 by the Durango City Council.

The link to the virtual meeting is available here:

<http://durangogov.org/zoom>

Please note: *If this link does not take you directly to the meeting list, please copy and paste it into the address bar of your web browser.*

1. CALL TO ORDER 5:30 PM
2. CITY COUNCIL ROLL CALL
3. INTRODUCTION OF TRANSLATOR
4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST
5. PROCLAMATIONS/PRESENTATIONS 5:45 PM
The City Council enjoys acknowledging those who contribute to and enhance the quality of life in Durango. Citizens may request to have the mayor present a proclamation or nominate exceptional members of the community who deserve special recognition at a City Council meeting only if someone will be present to receive the proclamation or recognition. The mayor will review and determine eligibility of all requests. Recipients will have 5 minutes to share information about the proclamation as well as any actions community members can take to provide support or recognition.
 - 5.1. Proclamation Recognizing Red Cross Month
6. PUBLIC PARTICIPATION (IN PERSON AND VIA ZOOM) 6:00 PM
This section of the agenda is set aside for the public to provide 3 minutes of comments or ask questions regarding items that are not scheduled for a hearing or public testimony or that do not otherwise appear on this agenda. City Council will not respond to questions from the dais. Citizens should address their comments directly to the City Council.
As this is a virtual meeting, the avenues for public participation have been adjusted. (Please refer to the end of the agenda for additional information regarding public comment.) All written comments received by the City Clerk by noon today have been delivered to Council and will be summarized in the meeting minutes.
7. CITY OPERATIONAL UPDATES 6:20 PM
 - 7.1. City Manager Updates
 - 7.2. Multimodal Transportation Plan Update - EIN
 - 7.3. Diversity, Equity & Inclusion Cross-Functional Team Updates
 - 7.4. Operational Update Regarding Finalization of the Scope for a Proposed Energy Performance Contract for City of Durango Facilities - ESR

8. REVIEW OF THE CONSENT AGENDA 7:05 PM

The Consent Agenda is intended to allow the City Council by a single motion to approve matters that are considered routine or noncontroversial. There will be no separate discussion of these items unless a Council member requests an item be removed from the Consent Agenda and considered separately. Items removed from the Consent Agenda will be considered under Agenda Item 9.

8.1. Approval of Minutes City Council Study Session March 7, 2023

8.2. Approval of Minutes City Council Regular Meeting March 7, 2023

8.3. Discussion and Possible Action Regarding a Request for the Vacation of a Utility Easement from Twin Buttes of Durango, Inc. - EIN

8.4. A Request for a Public Hearing to Consider an Ordinance Authorizing Execution of a Tax-Exempt Lease Purchase Financing Agreement in Connection with an Energy Performance Contract for City Of Durango Facilities (April 4, 2023) - ESR

8.5. A Request for a Public Hearing to Consider the McDonald's at Southfork Preliminary Development Plan, TBD Zyme Rock Road (April 4, 2023) - AEO

8.6. A Request for a Public Hearing to Consider the Upstream Preliminary Development Plan, 3104 E 4th Ave (April 4, 2023) - AEO

8.7. Request For a Public Hearing to Review and Consider Adoption of Ordinance to Increase Durango Fire Protection District Impact Fees

8.8. Final Approval of Ordinance O-2023-5 Approving an Easement for La Plata Electric Association for Installation of an Electric Utility Line to Service the Durango-La Plata County Airport - EIN

9. APPROVED CONSENT AGENDA ITEMS

10. REMOVED CONSENT AGENDA ITEMS

11. PUBLIC HEARINGS - No Public Hearings Scheduled

The City Council previously directed staff to publish notice of public hearing for each hearing listed below. The following proposed ordinances, or topics, have been set for public hearing at this meeting. The issues dealt with in this section of the agenda are of a legislative or policy nature.

As this is a virtual meeting, the procedure for public hearings has been adjusted. To contribute to a public hearing, please refer to the instructions under PUBLIC PARTICIPATION above.

11.1. Legislative and Policy-related Hearings:

11.2. Quasi-judicial Hearings:

12. INTRODUCTION OF ORDINANCES 7:20 PM

12.1. An Ordinance Approving the Annexation and Initial Zoning for the Cummins Addition Annexation to the City of Durango and Declaring an Effective Date - AEO

12.2. An Ordinance for the Purpose of Amending the Zoning of Real Property Located within the City of Durango, Colorado, Pursuant to Chapter 27 of the Code of Ordinances of the City of Durango and Declaring an Effective Date (Animas Mountain Vista Rezone)

- 12.3. An Ordinance Amending Portions of Chapter 2, 3, 4, 6, and 7 of Chapter 27 of the Code of Ordinances of the City of Durango (Land Use and Development Code) Including Adding a Definition for a New "Food Truck Pod" Use and Declaring an Effective Date

13. GENERAL BUSINESS ITEMS 7:35 PM

- 13.1. Discussion and Possible Action to Consider a Request from Manna for Joint Sales Taxes to Fund the Position of Coordinated Entry System Manager
- 13.2. Discussion and Possible Action Approving a Resolution to Amend the 2023 Budget for the Purpose of Budget Adjustments to the 2023 Appropriations From the General Fund for Housing – AEO
- 13.3. Discussion and Possible Action to Make Amendments to the 2022 Adopted Budget and 2023 Adopted Budget- FEHPG

14. COUNCIL REPORTS/ACTIONS 9:20 PM

Each Council member is provided an opportunity to report on meetings recently attended and to discuss topics not otherwise appearing on the agenda.

14.1. Board and Commission Council Liaison Reports

14.1.1. Parks and Recreation Advisory Board Meeting March 15, 2023

14.1.2. Multimodal Advisory Board Meeting March 15, 2023

14.1.3. Durango La Plata Airport Commission Meeting March 16, 2023

14.1.4. Infrastructure Advisory Board Meeting March 20, 2023

15. EXECUTIVE SESSION 9:40 PM

- 15.1. Discussion & Possible Action Concerning a Motion to Convene in Executive Session to Discuss the Purchase, Acquisition, Lease, Sale or Transfer of an Interest in Real Property Located at 1235 Camino del Rio and 201 E 2nd Street
(See Agenda Document for Full Title)
- 15.2. Discussion & Possible Action Concerning a Motion to Convene in Executive Session to Discuss the Purchase, Acquisition, Lease, Sale or Transfer of an Interest in Real Property Located in Downtown Durango Currently Leased (See Agenda Document for Full Title)

16. ADJOURNMENT 10:45 PM

NOTE THAT ALL TIMES ARE APPROXIMATIONS

The public may view the meeting live on Zoom at durangogov.org/zoom or on YouTube at <https://www.youtube.com/@CityofDurango6512>. An email link for public comment is located at DurangoGov.org/meetings at the top of the page as well as on the agenda itself under Public Participation. Comments must be submitted no later than noon on the Monday preceding the meeting. Each email should contain the corresponding agenda item in the subject line of the email if there is one. The sender's full name and address should be included for the record. If comment by email is not possible, comments may also be placed in the drop box located in front of City Hall no later than noon on the Monday preceding the meeting. All written comments will be provided to the Council for review. Written comments may be read into the record and/or attached to the minutes of

the meeting at the direction/discretion of Council. Email comments should be directed to:
PublicComment@durangogov.org.

Members of the public who wish to provide verbal comments can use the Virtual Meeting Information at the top of this agenda to join the meeting. Please ensure you have the Zoom app installed on your computer or mobile device prior to the meeting (<https://zoom.us/download>). The mayor will provide additional details during the meeting when public comment is accepted.

March is Red Cross Month

March 1, 2023

WHEREAS, During American Red Cross Month in March, we celebrate the humanitarian spirit of the City of Durango and reaffirm our commitment to help ensure no one faces a crisis alone; and

WHEREAS, Caring for one another is at the heart of our community and exemplified by the people of Durango, whose simple acts of kindness through the Red Cross provide help and hope in people’s most difficult moments — continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering; and

WHEREAS, Every day, these ordinary individuals lend a helping hand to make an extraordinary difference for neighbors in need — whether it’s providing emergency shelter, food and comfort for families displaced by home fires and other disasters; supporting military members and veterans, along with their families and caregivers, through the unique challenges of service or using vital skills like first aid and CPR to help others survive medical emergencies; and

WHEREAS, Their support, volunteerism and generous donations are critical to our community’s resilience. We hereby recognize this month of March in honor of all those who fulfill Clara Barton’s noble words, “You must never think of anything except the need and how to meet it,” and ask everyone to join in this commitment.

NOW, THEREFORE, I, Barbara Noseworthy, Mayor of Durango, Colorado, do hereby proclaim March, as Red Cross Month.

Mayor Barbara Noseworthy



AGENDA DOCUMENTATION

Item 7.2

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL FROM: DEVIN KING, MULTIMODAL ADMINISTRATOR

SUBJECT: MULTIMODAL TRANSPORTATION PLAN UPDATE, EIN

RECOMMENDATION:

This is an operational update, requiring no formal action by Council.

BACKGROUND SUMMARY:

The current Multimodal Transportation Plan was adopted by City Council in 2016 and was an update of the original 2012 plan. The plan is intended to serve as a guide for multimodal transportation infrastructure and transportation demand management initiatives in the city of Durango and surrounding planning area. The plan has a 4–5-year outlook and is anticipated to be updated every 5 years.

The Multimodal Division began the process to update the Multimodal Transportation Plan in 2021 in support of Council’s strategic goals. The first phase of the update consisted of extensive public outreach including 14 meetings and events, 2 surveys, and an interactive online map for feedback. The outreach phase was extended due to Covid. This phase was a key part of the update to ensure a diverse input and to understand how the community and needs have changed over the years. Outreach efforts received 458 individual comments.

In November of 2022, a consultant was contracted to assist staff with the update of the plan based on the input received during the outreach in 2021-2022 and recent data that has been collected. A visioning session was held with the Multimodal Advisory Board (MAB) and moderated by the consultant team in December. The information gathered from the board meeting was combined with the community feedback previously gathered to draft a revised vision, goals and actions, and preferred treatments for bicycle and pedestrian facilities. This draft information was then taken back to the board and to a community stakeholder group; which includes representatives from local community organizations like Los Compañeros, Community Connections, the Business Improvement District, Durango Trails, and others, for further review and input.

The update is focused around aligning the plan with the Federal Highway Administration’s framework for an action plan and the Safe System Approach, which the Safe System Approach recognizes that humans make mistakes and that the transportation system should be designed with redundancies to keep everyone safe. This will strategically position the city to apply for the new federal funding opportunities coming up over the next few years. The update will also establish recommendations on data and provide clarity on prioritizing projects and preferred facility designs.

STRATEGIC PLAN ALIGNMENT:

Effective Infrastructure Network

- 1. *Mobility: Accessibility, Transit, and Streets System*
 - 1.1 *Improve Safety and connectivity for all modes of transportation.*
 - 1.2 *Integrate Parking into Transportation Demand Management Program.*
 - 1.5 *Design transportation system improvements to maximize safety, innovation, accessibility, and resident satisfaction.*
 - 1.7 *Advance community accessibility and walkability.*

Diversity, Equity, Inclusion

- 1. *Foster strong partnerships and engagement with community groups*
 - 1.1 *Incorporate Effective Community Outreach, establishing points of connection with the different community groups included but not limited to, Black, Indigenous, People of Color, LGBTQ+, undocumented immigrants, disabled, houseless, those with mental illness, seniors, and other under-represented communities.*

ALTERNATIVE OPTIONS CONSIDERED:

Updating and adopting the Multimodal Transportation Plan are a priority for the city’s grant opportunities, planning processes, and infrastructure projects.

FISCAL IMPACT:

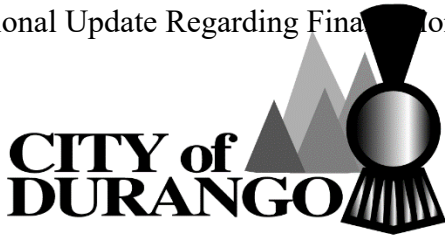
No fiscal impact is anticipated as a result of these actions.

POTENTIAL ADVERSE IMPACTS:

No adverse impacts are anticipated from implementation of these policies.

NEXT STEPS AND TIMELINE:

Staff and the consultant team are currently working on completing maps, addressing feedback, and drafting the plan. A draft plan is anticipated at the beginning of April and will be posted on the website for public comment, taken back to the stakeholder group for further input, and then brought to Council for feedback. After comments have been received, staff and the consultant team will address comments and finalize the plan for adoption by Council. The target to bring the final plan to Council for adoption is May 2023.



AGENDA DOCUMENTATION

Item 7.4

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL FROM: MARTY POOL, SUSTAINABILITY MANAGER

SUBJECT: OPERATIONAL UPDATE REGARDING FINALIZATION OF THE SCOPE FOR A PROPOSED ENERGY PERFORMANCE CONTRACT FOR CITY OF DURANGO FACILITIES - ESR

RECOMMENDATION:

This item is an informational update and does not require action from Council.

BACKGROUND SUMMARY:

On November 1, 2022, City Council, adopted Resolution R-2022-43, authorizing the City Manager to pursue an energy performance contract (EPC) for the City of Durango and establishing parameters therefore. Prior to the adoption of Resolution 2022-43, information regarding the EPC has been brought before Council at least eight times as outlined in information provided to Council at the October 4, 2023 regular meeting.

The adopted resolution allowed for the EPC process to start back up at the point where it had been put on pause in May of 2021. This allowed for City staff to execute a contract amendment and extension to the original Investment Grade Audit Report and Energy Performance Contracting Project Proposal Contract with the originally selected Contractor, McKinstry. After that, McKinstry and city staff were able to begin the process of finalizing the details of an EPC proposal to bring to Council for final approval.

The adopted resolution identified the proposed EPC scope “Option A: Partial Solar Scope” as the preferred scope option to pursue. The details of this scope were provided as part of the agenda documentation. The EPC proposal update process has included securing updated guaranteed pricing from subcontractors as well as doing a final round of cost-benefit review criteria to all projects that had been identified in the original EPC scope.

One of the most significant factors in the updated analysis performed by staff and McKinstry was the discovery that federal incentives from the Inflation Reduction Act (IRA) could also apply to roof replacements that are performed in conjunction with solar PV installations. This, alongside a review of facility roof ages, drastically reshaped the financial analysis on several solar projects. Additional scope review added and removed a few other projects for various reasons.

The items added to the proposed EPC scope include:

- Addition of solar PV at the Service Center and Recycling Center.
- Membrane roof replacement on both the Rec Center and Service Center.
- Solar operations & maintenance services provided by McKinstry deemed beyond the expertise and capacity of current City facilities staff.
- Rec Center water fixtures replacements shower fixtures.

Items to be removed from the proposed EPC scope include:

- Reduction in PowerED service scope based on feedback from Council members and the public.
- Rooftop HVAC unit replacements at City Hall.
- Animas River Trail lighting upgrade due to need to entirely replace fixtures to be Dark Sky compliant.

STRATEGIC PLAN ALIGNMENT:

Environmental Sustainability & Resilience

1. Reduce the city’s carbon footprint
 - 1.2 Continually maintain and upgrade city facilities to reduce Energy Use Intensity (EUI).
2. Increase availability of renewable energy
 - 1.1 Pursue opportunities to install renewable energy on city-owned facilities and land when viable and financially feasible.

Financial Excellence & High Performing Government

1. Fiscal Sustainability
 - 1.1 Identify partnership opportunities to leverage dollars, capacities, and efficiencies, including grants and volunteers to offset city expenditures.

- 1.2 Strive to create clearly understandable plans & policies that establish long-term innovative financial health for all funds. Reduce organizational risk while encompassing sustainable infrastructure needs with considerations for special revenues sunseting or reapproval.

ALTERNATIVE OPTIONS CONSIDERED:

Following adoption of Resolution 2022-43, staff proceeded with finalizing a proposed EPC with McKinstry based on the “Option A: Partial Solar Scope” as outlined during the November 1, 2022 City Council meeting. As project details solidified and updated information on pricing and incentives came in, staff analyzed scope and pricing updates using the same methodology as was used to previously bring the preliminary scope to Council. Using that methodology, certain project opportunities originally outside of the Option A scope became more attractive options, while other project originally included in the Option A scope no longer met the necessary criteria to be included.

Given the timing and sequence of actions necessary to proceed with the EPC, McKinstry staff and City staff could not have performed the necessary actions to consider these scope changes prior to the November 1, 2023 meeting.

Alternatives to the entire EPC process, including the option for City staff to internally-manage these facilities upgrades on a project-by-project bases were previously reviewed during the October 4, 2022 and November 1, 2022 regular City Council meetings as well as several prior Council meetings and study sessions.

FISCAL IMPACT:

The following outlines the approximate financial impact of the scope changes compared to the previously approved scope. The total impact of the scope and pricing changes amounts to \$2,119,000.

- Scope additions: \$1,847,000
- Scope subtractions: (\$444,000)
- Measurement and Verification pricing (M&V): \$43,000 – contractually required but not shown in pervious scope as it is not associated with project construction costs.
- Quoted project construction cost increases based on updated pricing from local subcontractors: \$1,699,000 – this accounts for approximately 60% of the total change to pricing after DOLA applied.
- *Increase* in IRA discounts: (\$591,000) – value shown as negative because it reduces project cost.
- *Increase* in DOLA grant funding: (\$435,000) – value shown as negative because it reduces project cost. This increase in available grant funding is due to being able to fully utilize the full \$1,000,000 grant award rather than being limited to only \$565,000 in grant funding due to a contractual 16% cost-share ratio cap applied to the previously presented scope.

Even with these project cost increases, staff analysis indicates that the EPC remains the most viable option for the City to implement energy conservation and solar PV projects at City facilities compared to all other analyzed alternatives. The project does have an increased payback timeline under the new scope, but this is still below the established payback cutoff criteria for the project. Furthermore, a large number of the projects that are included in the EPC, such as lighting upgrades and roof replacements would have to occur at some point in the near future regardless.

Additional details regarding the fiscal impact will be addressed when the final EPC proposal is brought before council for potential approval through resolution.

POTENTIAL ADVERSE IMPACTS:

While the new scope takes advantage of the opportunity to include much-needed roof replacements at City facilities and significantly increase solar PV installations, it does result in higher project cost and slightly longer payback period for the EPC scope package as a whole. Much of the cost increase comes from subcontractor and materials pricing increases which are not associated to changes in scope.

Additional details regarding potential adverse impacts will be addressed when the final EPC proposal is brought before council for potential approval through resolution.

NEXT STEPS AND TIMELINE:

At the April 4, 2023 regular City Council meeting, staff will present a final EPC scope and final project pricing alongside a proposed resolution to authorize the City Manager to enter into the EPC. Additional details regarding the EPC including a final comparison of the EPC to possible alternative approaches, a rough construction timeline, and final project outcomes will be presented as well.

Alongside this process, the consideration of an ordinance for a tax-exempt lease purchase (TELP) project financing agreement will be brought before Council following the necessary procedures.

If both the proposed ordinance and resolution are adopted, then the City Manager and necessary staff will execute both the TELP agreement and the EPC and proceed as necessary.

**DURANGO CITY COUNCIL
CITY COUNCIL STUDY SESSION
VIRTUAL MEETING
TUESDAY MARCH 7, 2023
2:15 PM**

CALL TO ORDER

Mayor Noseworthy called the meeting to order at 2:17 p.m.

ROLL CALL

Present on behalf of Durango City Council were Mayor Noseworthy, Mayor Pro Tem Youssef, and Councilors Bosmans and Buell. Also present was City Manager José Madrigal, Interim City Attorney William Tuthill, City Clerk Faye Harmer, Chief Bob Brammer, Budget and Strategic Planning Officer Devon Schmidt, and Finance Director Cynthia Sneed.

Mayor Noseworthy read a personal land acknowledgment.

Future New Business and Review of Agendas – 5:00

Mayor Noseworthy reviewed the March 21st Study Session agenda. She asked Council if they wanted to give feedback to the community groups that submitted requests for proposals for the use of the site at 209 West College Drive. She also wanted to know if the group wanted to revisit the processes for reviewing the proposals.

Council and staff talked about request for proposal processes, scoring, and debriefing the proposals. The group agreed that staff could provide final ranking and feedback for the proposals when the information would be available.

DIRECTION NEEDED ITEMS:

Discussion Regarding Municipal Court Procedures – 19:45

Council and staff reviewed municipal court’s structure and recent challenges with issuing citations.

Chief Bob Brammer commented on police activity and reoccurring situations in city limits where citations couldn’t be enforced. Many factors, including policies that were in place during Covid, were resulting in ineffective citations. Mr. Brammer reviewed best practices for sentencing, restorative justice, and diversion programs. He also reviewed figures on criminal cases and the small amount of people who were responsible for most of the cases.

Assistant Police Chief Brice Current commented on the department’s appearance of legitimacy to offenders.

Chief Brammer outlined options for action, including expanding sentencing options to include alternative court processes, services from AXIS, deferred sentences, jail time, community services, fines, drug and alcohol treatment, and restitution.

He recommended modifying MCAO 22-01, addressing the requirements of Municipal Holds. He also suggested allowing summonses to be issued in the field. Prosecutors present at court each day could provide options to the judiciary as well.

Councilor Bosmans and Chief Brammer discussed the positive benefits of a managed camp and the potential to curb citations. They also talked about recent challenges with unauthorized camping along Roosa Avenue.

Mayor Pro Tem Youssef and Councilor Buell appreciated the department’s creative response and assessment of the challenges. They looked forward to hearing more updates from staff.

Interim City Attorney Bill Tuthill noted the departmental cooperation would be critical and the additional work may require additional resources.

Council agreed that Mayor Noseworthy could contact Judges Law and Norvell to have them review the current presentation and provide feedback on the police department’s recommendations.

Budget and Strategic Plan Update: Discussion Related to Monthly Financial Reports – 1:35:00

City Manager Madrigal commented on Finance Director Cynthia Sneed, who was leaving the organization, and the expertise she brought to the organization during turbulent times. Mr. Madrigal and Council appreciated her successes with the City of Durango.

Budget and Strategic Plan Officer Devon Schmidt and Finance Director Cynthia Sneed began their presentation on financial reporting, including how their reports had evolved since 2019. The reports were now more interactive and included metrics, narratives on financial information, and reported fund balances.

Ms. Sneed reviewed year-end financial reports and why there were delays in getting the reports finalized.

Ms. Schmidt identified improvement goals for 2023, including budget tracking accuracy, financial narratives, and investment performance updates.

Councilor Bosmans was interested in monthly reports on certain financial figures that he thought were required by the city charter.

City Manager Madrigal wanted to make sure that staff had adequate time to provide certain financial reports instead of catching staff off guard.

The group talked about capital improvement project reports and how frequently they could be brought forward to staff. Councilor Bosmans wanted to see information in a different format than what was currently available, however, most councilors were content with the current reports.

Councilor Bosmans wanted to see if there was a way for staff to separate consulting expenses from construction expenses.

Ms. Schmidt noted there was separation with contract services in the financial reporting software and hoped to have more implemented in 2023 through a checkbook report.

The meeting was adjourned at 4:43 p.m.

APPROVED:

ATTESTED:

Barbara Noseworthy, Mayor

City Clerk

**DURANGO CITY COUNCIL
CITY COUNCIL REGULAR MEETING
VIRTUAL/IN PERSON MEETING
TUESDAY MARCH 7, 2023
5:30 PM**

1. CALL TO ORDER

Mayor Noseworthy called the meeting to order at 5:30 p.m.

2. ROLL CALL – 2:15

Present on behalf of the Durango City Council were Mayor Noseworthy, Mayor Pro Tem Youssef and Councilors Bosmans and Buell. Councilor Baxter was not in attendance. Also present were City Manager José Madrigal, Interim City Attorney Bill Tuthill, Public Works Director Allison Baker, Finance Director Cynthia Sneed, City Clerk Faye Harmer, Sustainability Manager Marty Pool, and Capital Improvement Project Manager Owen Tallmadge

Monique DiGiorgio and Taylor Hansen with Table to Farm Compost were in attendance as well.

3. INTRODUCTION OF TRANSLATOR

Community Language Cooperative provided translation services in Spanish for this meeting.

Mayor Noseworthy read a personal land acknowledgement.

4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST

No conflicts were identified.

5. PROCLAMATIONS/PRESENTATIONS

There were no proclamations or presentations.

6. PUBLIC PARTICIPATION – 11:30

Leigh Meigs, a former mayor, spoke about restructuring of boards and commissions. She said the current boards and commissions were a critical part of self-governance. She said it wasn't clear what was driving the changes and provided Council with a copy of the statement she read, which was signed by 16 prior Mayors.

Dick White, a city resident and former mayor, read the names of the 16 individuals who did not support the changes to city boards. He remarked that there were many long term board members that maintained historical knowledge of Durango's community focuses and provide a high level of expertise.

Sweetie Marbury, a city resident and former mayor, thought there would be a loss of public participation with the changes to Durango's boards and commissions. She thought there was not community input in the decision.

Dean Brookie, a city resident and former mayor, opposed restructuring boards and commissions because he said they hold the historical knowledge and long term visions of the community. He said the turnover in leadership and staff made it critical to maintain the current board structure.

Harrison Wendt, a city resident, thanked council for all the work put into housing initiatives. He also asked Council to re-evaluate any decisions on boards and commissions until a new Council was seated.

7. CITY OPERATIONAL UPDATES – 22:00

7.1. Operational Update Regarding Curbside Composting Service Public-Private Partnership with Table to Farm Compost - ESR

Sustainability Manager Marty Pool began a presentation on curbside composting activities in Durango. Monique DiGiorgio and Taylor Hansen with Table to Farm Compost were in attendance as well. Mr. Pool gave a history on city provided composting services, including a partnership developed a year and a half ago with Table to Farm Compost. In 2021 the program obtained a permit for a Class 3 Compost Facility which became operational in December 2022.

Taylor Hensen reviewed long term waste management, waste diversion, and economic values.

Monique DiGiorgio talked about the potential benefits of composting the community's yard waste.

Mr. Pool reviewed a market study that was completed, highlighting free service incentives and how users perceived the program. He noted price points that the community felt comfortable paying for the service.

Mayor Noseworthy appreciated their entrepreneurship and the city's commitment to sustainability.

7.2. 2022 Annual Report Update on the Durango Police Department

Chief Bob Brammer shared a video with the group showcasing Durango Police Department's successes in the community. He then began his presentation of the 2022 Annual report. He noted Part 1 offenses were down in 2022 and back to levels found in 2018. He focused on crime statistics, including a decrease in burglaries, theft, and traffic accidents. Dispatched calls for officer-initiated responses increased in 2022. He also shared information on bias motivated crimes, use and show of force, detective statistics, training statistics, and internal affairs statistics.

Council appreciated Chief and his department for their service to the community.

7.3. Coordinating Council on Homelessness Reorganization Proposal Update

Library Director Luke Alvey Henderson began his presentation on the Coordinating Council on Homelessness and a reorganization update, including moving to a Continuum of Care model. He noted next steps, including Manna's funding request and job description development that would go to the city and county for consideration. The Continuum of Care model was explained, and Mr. Henderson discussed Coordinated Entry System next steps.

The group talked about funding mechanisms that would support the Continuum of Care.

Councilor Buell and Mr. Alvey Henderson talked about changes in the new proposal and who would be responsible for the strategic plan, including the lack of a lead agency during the six month transition period.

Public Works Director Allison Baker gave a brief update her department's pothole repairs in response to all of the snow damage. They had repaired almost 300 potholes in town in past two days. Her department was also paying close attention to the "Click Fix" reporting program for the public's notices on areas of concern.

8. REVIEW OF THE CONSENT AGENDA –

City Clerk Faye Harmer read the consent agenda items into the record as noted below:

8.1. Approval of Minutes City Council Regular Meeting February 7, 2023

8.2. Approval of Minutes City Council Study Session February 21, 2023

8.3. Approval of Minutes City Council Regular Meeting February 21, 2023

8.4. Approval of Minutes City Council Special Meeting February 27, 2023

8.5. Final Approval of Ordinance O 2023 0002 Authorizing a Ground Lease with Roots and Wings Aviation LLC for Aircraft Hangar T5 at the Airport and Declaring an Effective Date - EIN

8.6. Final Approval of Ordinance O 2023 0003 Authorizing a Ground Lease with Thomas Phelps for Aircraft Hangar 1334 at the Airport and Declaring an Effective Date - EIN

8.7. Final Approval of Ordinance O 2023 0004 Revising Chapter 3 of the Code of Ordinances of the City of Durango Related to Alcoholic Beverages, Specifically Regarding Local Approval of Takeout and Delivery Permits

9. APPROVED CONSENT AGENDA ITEMS

Councilor Buell made a motion to approve the consent agenda. The motion was seconded by Mayor Pro Tem Youssef. A roll call vote was taken, and the motion passed unanimously.

The motion passed: 4 in favor; 0 opposed; Abstain 0; Absent 1

10. REMOVED CONSENT AGENDA ITEMS

No Items.

11. PUBLIC HEARINGS

There were no public hearings scheduled.

12. INTRODUCTION OF ORDINANCES – 1:22:00

12.1 Introduction of an Ordinance Approving an Easement for La Plata Electric Association for Installation of an Electric Utility Line to Service the Durango-La Plata County Airport - EIN

Interim City Attorney Bill Tuthill reviewed the proposed ordinance and it's numbering.

Councilor Buell made a motion to approve O-2023-0005. The motion was seconded by Mayor Pro Tem Youssef. A roll call vote was taken, and the motion passed unanimously.

The motion passed: 4 in favor; 0 opposed; Abstain 0; Absent 1

13. GENERAL BUSINESS ITEMS – 1:24:00

13.1. Discussion and Possible Action to Authorize an Intergovernmental Agreement with La Plata County for Cost Sharing of Construction Cost for Reconstruction of County Roads 250 and 251 - EIN

Public Works Director Allison Baker began her presentation on joint funding for the reconstruction of County Roads 250 and 251 through an intergovernmental agreement with La Plata County. The city was currently acquiring right of way and easements to implement construction and Ms. Baker outlined funding from the county and city.

Owen Tallmadge, CIP Project Manager, shared acquisition updates along some of the hillslopes. There were several property owners who declined giving land to the city. He intended to have the project out to bid by the end of March 2023.

Councilor Bosmans asked about details on an alternative cross section design and bike lane configurations. There were alternative designs included in the RFP that could be used if alternatives were needed.

Councilor Buell made a motion that City Council approve the execution of the intergovernmental agreement between the City and La Plata County to jointly fund County Roads 250 and 251 reconstruction. The motion was seconded by Mayor Pro Tem Youssef. A roll call vote was taken, and the motion passed unanimously.

The motion passed: 4 in favor; 0 opposed; Abstain 0; Absent 1

14. COUNCIL REPORTS/ACTIONS

14.1. Board and Commission Council Liaison Reports

Mayor Pro Tem Youssef updated the group on the Library Advisory Board meeting and the process for coordinating a library district. There was currently a group moving this forward and would form an issues committee. More information would come forward at the March 22nd Study Session.

Councilor Buell had attended a Creative Economy Commission meeting where they had reviewed lodgers' tax funding applications. There would be a retreat in April for the commission. She also attended a Colorado Association of Ski Towns meeting where they reviewed a housing bill with Governor Jared Polis. They also reviewed a motor vehicle theft bill and childcare bill.

Mayor Pro Tem Youssef reviewed a bill involving affordable housing that had heavy opposition from the Colorado Municipal League.

Councilor Bosmans attended a Multi Modal Advisory board meeting where they had reviewed the dissolution of city boards and commissions, along with a transit survey.

Mayor Noseworthy shared rate study conversations that occurred in an Infrastructure Advisory Board meeting. They reviewed utility rates and a recommendation not to increase rates until January 2024, per the rate study group.

15. EXECUTIVE SESSION

15.1. Discussion and Possible Action to Convene in Executive Session to Discuss the Purchase, Acquisition, Lease, Sale, or Transfer of an Interest in Real Property Located in Downtown Durango That is Currently Leased to the Durango and Silverton Railroad for Parking

Councilor Buell made a motion Convene in Executive Session to Discuss the Purchase, Acquisition, Lease, Sale, or Transfer of an Interest in Real Property Located in Downtown Durango That is Currently Leased to the Durango and Silverton Railroad for Parking. The motion was seconded by Mayor Pro Tem Youssef. A roll call vote was taken, and the motion passed unanimously.

The motion passed: 4 in favor; 0 opposed; Abstain 0; Absent 1

Council reconvened at 8:04 p.m. Mayor Noseworthy reviewed the executive session subject and asked if any improper action or conversations occurred. Council had no comments and it was confirmed no action was taken.

15.2. Discussion and Possible Action to Convene in Executive Session to Receive Legal Advice Regarding the Lawsuit Filed by John Simpson, Case #22CV30112 as permitted by C.R.S. 24-6-402(4)(b)

Councilor Buell made a motion Convene in Executive Session to Receive Legal Advice Regarding the Lawsuit Filed by John Simpson, Case #22CV30112 as permitted by C.R.S. 24-6-402(4)(b). The motion was seconded by Mayor Pro Tem Youssef. A roll call vote was taken, and the motion passed unanimously.

The motion passed: 4 in favor; 0 opposed; Abstain 0; Absent 1

Council reconvened at 8:40 p.m. Mayor Noseworthy reviewed the executive session subject and asked if any improper action or conversations occurred. Council had no comments and it was confirmed no action was taken.

ADJOURNMENT

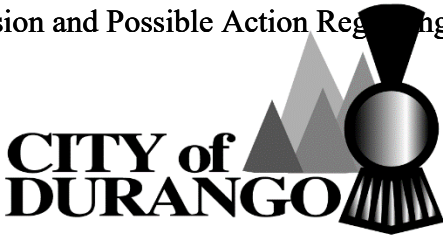
The Mayor adjourned the meeting at 8:41 p.m.

APPROVED:

ATTESTED:

Barbara Noseworthy Mayor

City Clerk



AGENDA DOCUMENTATION

Item 8.3

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL **FROM: BRYCE BIERMAN, PLANNER I**

SUBJECT: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR THE VACATION OF A UTILITY EASEMENT FROM TWIN BUTTES OF DURANGO, INC - EIN

RECOMMENDATION:
It is the recommendation of the Community Development Department for City Council to approve this request for a vacation of the utility easement and authorize the Mayor to sign the release of agreement.

BACKGROUND SUMMARY:
This is a request from Twin Buttes of Durango, Inc. to vacate a utility easement previously supporting the former Animas High School. The City of Durango has ownership ties to this parcel as part of the formation of Twin Buttes; therefore, the City must approve the vacation of the easement.

STRATEGIC PLAN ALIGNMENT:
This will support an Effective Infrastructure Network by eliminating unused easements for which the City holds responsibility.

ALTERNATIVE OPTIONS CONSIDERED:

N/A

FISCAL IMPACT:

N/A

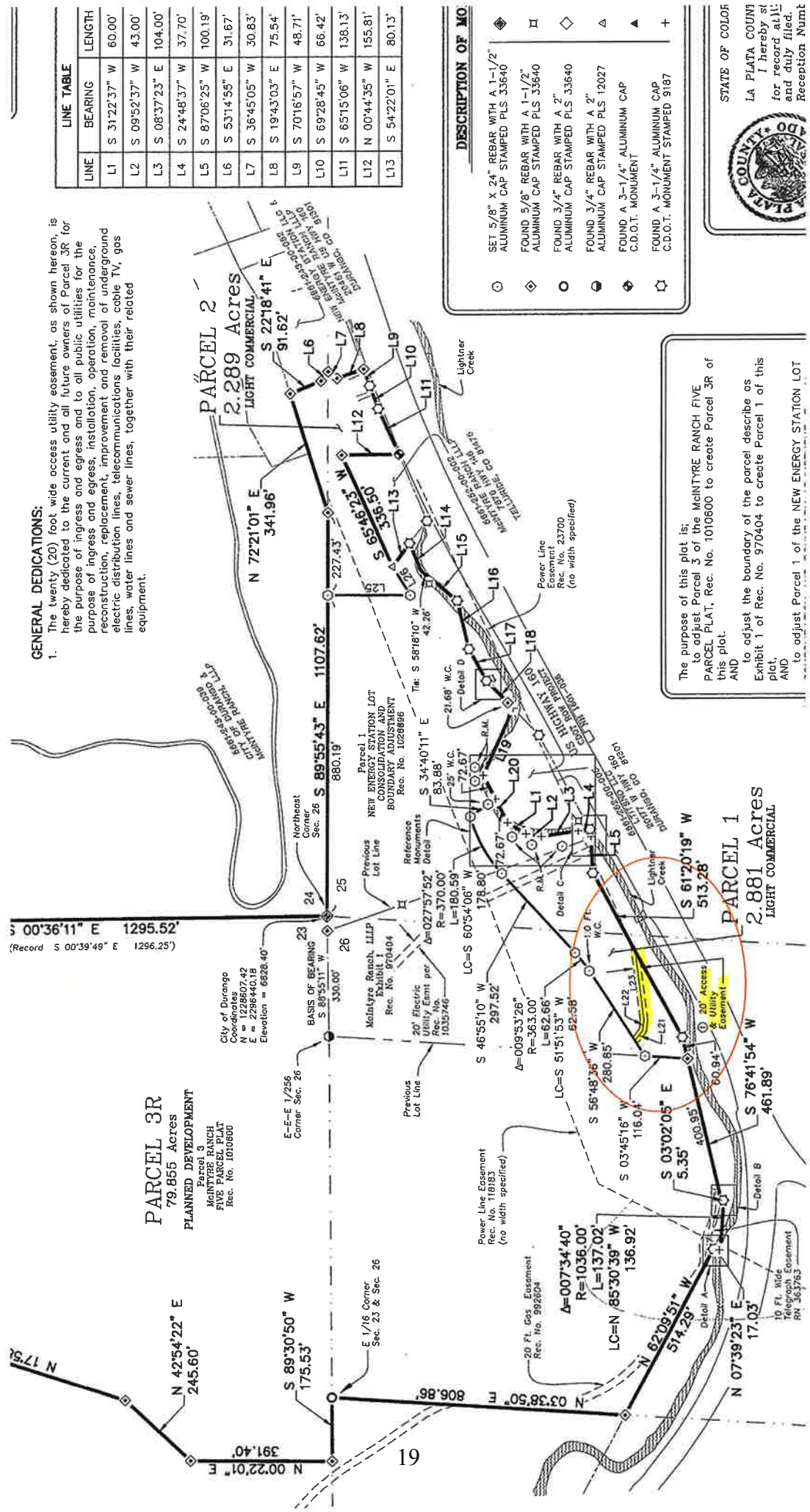
POTENTIAL ADVERSE IMPACTS:

N/A

NEXT STEPS AND TIMELINE:

If approved by City Council, the Mayor will provide their signature for the Release, Termination, and Vacation of Easement Form.

Zoomed view of easement - Not To Be recorded



RELEASE, TERMINATION AND VACATION OF EASEMENT

THIS RELEASE AND VACATION OF EASEMENT is made and entered into this 13 day of December, 2022 by the following parties:

- MCINTYRE RANCH LLLP (Owner of Parcel 3R-A, according to the plat recorded as Reception No. 1111397);
- CITY OF DURANGO (Owner of School Site 1, according to the plat recorded as Reception No. 1111401);
- LA PLATA ELECTRIC ASSOCIATION, INC., a Colorado corporation;
- ATMOS ENERGY CORPORATION, a Texas and Virginia corporation;
- CENTURYLINK COMMUNICATIONS, LLC, a Delaware limited liability company;
- OPTIMUM/ CHARTER COMMUNICATIONS; and
- TWIN BUTTES METROPOLITAN DISTRICT NO. 1,

for the benefit of Twin Buttes of Durango, Inc., a Colorado corporation.

Recitals

A. McIntyre Ranch, LLLP created a twenty (20) foot wide access and utility easement (the "Easement") on the plat (the "Plat") of the McIntyre Ranch Boundary Adjustment recorded on March 2, 2012 as Reception No. 1043559, a copy of which is attached as Exhibit A. The Easement is located on Parcel 1 of the McIntyre Ranch Boundary Adjustment ("Parcel 1").

B. Twin Buttes of Durango, Inc. ("TBD") is the current owner of Parcel 1, which is subject to the Easement.

C. The Easement was dedicated to the current and future owners of Parcel 3R for the purpose of ingress and egress and to all public utilities for the purpose of ingress and egress, installation, operation, maintenance, reconstruction, replacement, improvement and removal of underground electric distribution lines, telecommunications facilities, cable TV, gas lines, water lines and sewer lines, together with their related equipment.

D. The undersigned parties are the current owners of Parcel 3R and the public utilities, all of whom agree to release, terminate and vacate the Easement.

NOW, THEREFORE, the undersigned parties hereby freely and voluntarily agree to the release and vacate the Easement pursuant to the terms set below.

A. RELEASE, TERMINATION AND VACATION OF EASEMENT

1. Vacation of Easement. The undersigned parties release, terminate, extinguish, vacate and quitclaim any and all interest in and to the Easement, together with all rights, privileges and appurtenances thereto, to TBD in perpetuity.
2. Binding Effect. This Release, Termination and Vacation of Easement shall be binding upon the undersigned parties, their successors and assigns.

[SIGNATURE PAGES FOLLOW]

[SIGNATURE PAGE TO RELEASE, TERMINATION AND VACATION OF EASEMENT]

IN WITNESS WHEREOF, the undersigned have executed this Release, Termination and Vacation of Easement on the dates set forth below.

CITY OF DURANGO

By:

Name: _____
Title: _____
Date: _____

STATE OF COLORADO)
) ss.
County of La Plata)

This instrument was acknowledged before me by _____ as _____ of City of Durango.

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

Notary Public



AGENDA DOCUMENTATION

Item 8.4

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL FROM: MARTY POOL, SUSTAINABILITY MANAGER

SUBJECT: A REQUEST FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE AUTHORIZING EXECUTION OF A TAX-EXEMPT LEASE PURCHASE FINANCING AGREEMENT IN CONNECTION WITH AN ENERGY PERFORMANCE CONTRACT FOR CITY OF DURANGO FACILITIES (APRIL 4, 2023) - ESR

RECOMMENDATION:

It is recommended that City Council, by motion, set a public hearing to consider an ordinance authorizing the execution of a tax-exempt lease purchase (TELP) financing agreement in connection with an energy performance contract (EPC) for City of Durango Facilities at the next regularly scheduled City Council meeting, April 4, 2023.

BACKGROUND SUMMARY:

On November 1, 2022, City Council, adopted Resolution R-2022-43, authorizing the City Manager to pursue an energy performance contract (EPC) for the City of Durango and establishing parameters therefore. The Resolution states that “the project will be financed through a tax-exempt lease purchase (TELP) agreement which will be secured through a competitive bid process.” Pursuant to Section 11 of Article II of the Durango City Charter, adoption of an ordinance is required in order for the City to lease any property, which applies in this case.

City staff are currently overseeing the request for proposals (RFP) process for a TELP. Proposals will be due and staff will review proposals the last week of March, 2023. The total financing amount and terms of the TELP proposal(s) will be provided at the public hearing.

STRATEGIC PLAN ALIGNMENT:

Environmental Sustainability & Resilience

- 1. Reduce the city’s carbon footprint.
 - 1.2 Continually maintain and upgrade city facilities to reduce Energy Use Intensity (EUI).
- 2. Increase availability of renewable energy
 - 1.1 Pursue opportunities to install renewable energy on city-owned facilities and land when viable and financially feasible.

Financial Excellence & High Performing Government

- 1. Fiscal Sustainability
 - 1.1 Identify partnership opportunities to leverage dollars, capacities, and efficiencies, including grants and volunteers to offset city expenditures.
 - 1.2 Strive to create clearly understandable plans & policies that establish long-term innovative financial health for all funds. Reduce organizational risk while encompassing sustainable infrastructure needs with considerations for special revenues sunseting or reapproval.

ALTERNATIVE OPTIONS CONSIDERED:

The City Manager and staff have discussed the feasibility of alternative funding strategies for the EPC:

- A tax-exempt lease purchase (TELP);
- Up-front appropriations from existing fund balances associated with the facilities receiving upgrades;
- Internal financing through an inter-fund loan from the Water Fund; and
- Some combination of these options.

It was deemed appropriate to issue an RFP for the maximum necessary amount in order to maximize the City’s financing options. Once a TELP proposal with the most competitive interest rate has been identified, the most fiscally prudent combination of financing options can be brought before Council at the public hearing.

Additional details regarding alternative funding options for the EPC will be addressed in the agenda documentation for the public hearing and during the staff presentation.

FISCAL IMPACT:

There is no direct fiscal impact associated with a request for public hearing.

The maximum contract price (MCP) for the EPC is currently set at \$7,042,264 including \$138,000 contingency and \$42,967 for required measurement and verification (M&V). The City of Durango has secured a \$1,000,000 grant from the Department of Local Affairs (DOLA), reducing project costs by 14%. The City has also identified approximately \$500,000 in potential up-front project funding available from existing fund balances associated with the facilities receiving upgrades. If the City were to utilize a TELP to cover the remaining project cost, not including contingency, not including the amount covered by the DOLA grant, and not including the currently identified potential up-front appropriations, the total financing amount would be approximately \$5,400,000.

It is anticipated that the City of Durango will receive federal discounts from the Inflation Reduction Act (IRA) associated with the solar photovoltaic (solar PV) and roof replacement projects within the EPC scope. While the exact value of these discounts cannot be determined at this time, they are estimated to be approximately \$1,000,000 based on the contract pricing of the solar and roofing projects. These discount payments will not be received by the City until fiscal year 2024 or 2025. So, from a cashflow perspective, the City must be able to fund the project amount before receiving these discounts. The same goes for any additional funding the City may be able to secure and/or appropriate toward the project at future dates. As a financing mechanism, TELPs may allow for penalty-free pre-payments, and so future funding can be utilized to buy-down the TELP based on the terms of the TELP offer. The IRA discounts and any additional available funding identified will be directed toward pre-payments on the TELP.

TELP payments are subject to annual appropriations as with any lease agreement the City of Durango executes.

Additional details regarding the fiscal impact will be addressed in the agenda documentation for the public hearing and during the staff presentation.

POTENTIAL ADVERSE IMPACTS:

If Council fails to approve an ordinance for a TELP, the EPC project will not have an identified funding source.

If the City does not execute the proposed EPC contract, the City will be significantly delayed on making meaningful progress towards the adopted Environmental Sustainability & Resilience Strategic Plan goals outlined above. Furthermore, the City will continue to pay higher-than-average utility costs for several years until an alternative route toward facilities upgrades can be identified and executed, resulting in a conservative estimate of \$170,000 *per year* in lost energy utility savings. Additionally, it is unlikely the City will be able to hit the adopted greenhouse gas (GHG) reduction and renewable energy goals by 2030, as applied to City facilities.

Through the TELP RFP process, financing rates may only be locked in for a limited time period. A common ordinance adoption process sets the first ordinance reading two weeks after the public hearing and the second ordinance reading and adoption two weeks after the first reading. Following this timeline would result in misalignment with the necessary administrative process of executing the TELP agreement. If the ordinance is not approved before the offered TELP interest rate expires, then the TELP agreement cannot be executed because the interest rate presented during the ordinance reading process would no longer be valid. Thus, the timeline for enacting this proposed ordinance is outlined below. Furthermore, subcontractor proposed pricing can only be locked in for a limited timeframe, adding another reason that the proposed financing approval process must be followed.

Additional details regarding potential adverse impacts will be addressed in the staff report and documentation for the public hearing.

NEXT STEPS AND TIMELINE:

If City Council approves this request for a public hearing, the following timeline would apply for the upcoming regular City Council meetings:

- Tuesday, April 4, 2023: public hearing and first reading of ordinance;
- Tuesday, April 18, 2023: second reading of ordinance.

In parallel to this request, staff will present a final EPC scope and final project pricing alongside a proposed resolution to authorize the City Manager to enter into the final proposed EPC. This will either be brought before City Council at the April 4, 2023 regular City Council meeting. Additional details regarding the EPC including a final comparison of the EPC to possible alternative approaches, a rough construction timeline, and final project outcomes will be presented as well.

If both the proposed ordinance and resolution are adopted, then the City Manager and necessary staff will execute both the TELP agreement and the EPC and proceed as necessary.

Tax Exempt Lease Purchase (TELP)

Explainer and Supplemental Information

A tax-exempt lease purchase (TELP) is a municipal lease model that is self-funding and budget neutral for the public agency. This funding mechanism allows an energy project to be financed through a series of annual appropriations that are equal-to or less-than the guaranteed utility savings of the project and is structured so that 100% of the annual financing payments due are covered by the annual project benefits. Per State of Colorado statute, the energy performance contracting (EPC) must generate a positive cashflow for the agency of at least \$1 for every year of the project financing term.

Lease payments can be structured to match the cash flow of the project, increasing annually to correspond with project savings escalation. The lease terms can also allow for prepayments should funds come available (i.e. bond money or state funding programs).

Other highlights of this financing approach include:

- No upfront cost to the municipality, unless the municipality chooses to buy down portions of the project up-front in order to reduce the financed amount or improve the lease-purchase term and/or interest rate.
- The energy savings and installed equipment provide the collateral for the lease-purchase.
- Once the lease-purchase is paid off, all additional utility savings become positive cash flow to the agency. Any additional savings above the lease-purchase payment each year prior to the end of the financing term are also positive cash flow to the municipality.
- Per Colorado law, an energy services contractor (ESCO) will perform measurement and verification (M&V) of savings in order to ensure that the guaranteed savings are being realized and the lease-purchase payments can be funded. This analysis is reviewed and approved by the Colorado Energy Office (CEO) as a neutral third party.
- TELPs have proven allowable under Colorado TABOR statutes.
- ***Approximately 90% of all EPCs in Colorado are financed with TELP's.***



AGENDA DOCUMENTATION

Item 8.5

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL **FROM: MALLORY ST. PIERRE, PLANNER I**
COMMUNITY DEVELOPMENT

**SUBJECT: A REQUEST FOR A PUBLIC HEARING TO CONSIDER THE MCDONALD’S
AT SOUTHFORK PRELIMINARY DEVELOPMENT PLAN (APRIL 4, 2023) -
AEO**

RECOMMENDATION:

It is the recommendation of Community Development staff and the Planning Commission that the City Council, by motion,

1. Set a public hearing to consider the McDonald’s at Southfork Preliminary Development Plan (April 4, 2023).

BACKGROUND SUMMARY:

This is a request from McDonald’s USA LLC, represented by Jessica McCallum of Kimley-Horn and Associates, to construct a new restaurant on lot 2R-A in the Southfork area, just west of Three Springs. The Southfork Character District Master Plan calls for this area to be Regional Commercial, which allows for a variety of commercial uses. The proposed building is 4,806 sf and will have two, converging drive-through lanes. By code, this project is reviewed as a Preliminary Development Plan and requires approval by the City Council.

The Planning Commission heard this request during their February 27, 2023 public hearing and recommended approval with a 5-0 vote.

STRATEGIC PLAN ALIGNMENT:

This will be addressed in the agenda documentation for the public hearing.

ALTERNATIVE OPTIONS CONSIDERED:

This will be addressed in the agenda documentation for the public hearing.

FISCAL IMPACT:

This will be addressed in the agenda documentation for the public hearing.

POTENTIAL ADVERSE IMPACTS:

This will be addressed in the agenda documentation for the public hearing.

NEXT STEPS AND TIMELINE:

The next step is a public hearing on April 4, 2023.



AGENDA DOCUMENTATION

Item 8.6

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL **FROM: BRYCE BIERMAN, PLANNER I**

SUBJECT: A REQUEST FOR A PUBLIC HEARING FOR REVIEW OF THE UPSTREAM DEVELOPMENT PRELIMINARY PLANNED DEVELOPMENT (APRIL 4, 2023) - AEO

RECOMMENDATION:
It is the recommendation of the Community Development Department and the Planning Commission that the City Council, by motion, **set a hearing date of April 4, 2023 to review the proposed Upstream Preliminary Planned Development.**

BACKGROUND SUMMARY:
This is a request from Upstream Developments LLC for review of the Upstream Development Preliminary Planned Development. This project received a recommendation of approval from the Planning Commission at their February 27, 2023 meeting.

STRATEGIC PLAN ALIGNMENT:

The construction of additional housing units, especially that of an ADU, will bolster the local housing stock and provide a smaller ADU for lower income renter.

ALTERNATIVE OPTIONS CONSIDERED:

N/A

FISCAL IMPACT:

N/A

POTENTIAL ADVERSE IMPACTS:

There will be additional traffic generated in the neighborhood.

NEXT STEPS AND TIMELINE:

If approved by City Council, the public hearing will be set for the April 4, 2023 City Council meeting.



AGENDA DOCUMENTATION

Item 8.7

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL FROM: JOSÉ R. MADRIGAL, CITY MANAGER

SUBJECT: A REQUEST FOR A PUBLIC HEARING TO REVIEW AND CONSIDER ADOPTION OF IMPACT FEES RELATED TO FIRE PROTECTION, RESCUE AND EMERGENCY SERVICE UNDER C.R.S. 29-20-104.5, INCLUDING CONSIDERATION OF THE DUKRANGO FIRE PROTECTION DISTRICT IMPACT FEE ORDINANCE TO IMPOSED IMPACT FEES

RECOMMENDATION:

It is the recommendation that the City Council, by motion, set a public hearing on to consider Durango Fire Protection District Impact Fee Schedule increase on April 4, 2023 and direct the City Attorney to prepare an ordinance for first reading on April 4, 2023.

BACKGROUND SUMMARY

As development in DFPD boundaries occur, demand for fire protection services increases, ultimately necessitating a proportionate capital investment in district stations, support facilities, and rolling stock. The need for for a fire district impact fee on development arises from an increase in demand for services that is roughly proportionate to the growth in additional housing units and non-residential floor area. The impact fees are not calculated to remedy any deficiency in capital facilities that currently exist.

STRATEGIC PLAN ALIGNMENT:

Effective Infrastructure Network

ALTERNATIVE OPTIONS CONSIDERED:

N/A

FISCAL IMPACT:

2019 City Council passed an impact fee for necessitating a proportionate capital investment in district stations, support facilities, and rolling stock. The fiscal impact would move impact fees up to the new rate: The district wide impact fee for a new residential unit is \$1,317 and \$2.321 per nonresidential square foot of floor area or \$2,321 per 1,000 square feet of non-residential floor area. The adoption of a fire impact fee within the City of Durango’s jurisdictional boundaries does not have a direct fiscal impact on the City. All fees collected would pass directly through to the DFPD.

POTENTIAL ADVERSE IMPACTS:

N/A

NEXT STEPS AND TIMELINE:

Public hearing April 4, 2023 and first reading of the ordinance.

Second reading of the ordinance April 18, 2023.

DFPD IMPACT FEE

The impact fee is calculated by dividing the dollar amount of the Impact Fee CIP for each tier by the projected future residential dwelling units or projected non-residential floor area at the respective 20 or 30-year CIP planning horizons—when all CIP investments are projected to reach full capacity.

The Impact Fee Structure (Table 6) shows the per residential dwelling unit and per 1,000 square feet of non-residential floor area costs for each CIP tier and the total impact fee per land use type for all three CIP tiers.

Table 6. Impact Fee Structure

Future Demand Residential	Impact Fee CIP	Projected Residential Units	Fee per Residential Unit
Tier 1 (20-Year Horizon)	\$2,599,436	5,920	\$439
Tier 2 (30-Year Horizon)	\$2,596,788	8,880	\$292
Tier 3 (30-Year Horizon)	\$5,195,707	8,880	\$585
Total	\$10,391,931		\$1,317
Future Demand Non-Residential	Impact Fee CIP	Projected 1000s Sq. Ft. Non-Residential Floor Area	Fee per 1,000 Sq. Ft. Floor Area
Tier 1 (20-Year Horizon)	\$2,488,273	3,220	\$773
Tier 2 (30-Year Horizon)	\$2,506,338	4,830	\$519
Tier 3 (30-Year Horizon)	\$4,973,517	4,830	\$1,030
Total	\$9,968,127		\$2,321

Note: Dollars in Table 6 are presented as rounded to nearest dollar and do not show all of the decimal points utilized in the impact fee calculations.

The Durango Fire Protection District impact fee is \$1,317 per residential unit and \$2,321 per square foot of enclosed non-residential floor area or \$2,321 per 1,000 square feet of enclosed non-residential floor area.

Table 7. Durango Fire Protection District Impact Fee Schedule

Residential (Residential Units)	\$1,317
Non-Residential (1000s Sq. Ft. Enclosed Floor Area)	\$2,321
Non-Residential (1 Sq. Ft. Enclosed Floor Area)	\$2.321



ORDINANCE NO. O-2023-0005

AN ORDINANCE GRANTING UTILITY EASEMENT TO LA PLATA ELECTRIC ASSOCIATION TO INSTALL AN UNDERGROUND ELECTRICAL UTILITY LINE ON CITY OWNED PROPERTY AT THE DURANGO-LA PLATA COUNTY AIRPORT TO SERVICE THE NEW TERMINAL EXPANSION AND DECLARING AN EFFECTIVE DATE.

WHEREAS, La Plata Electric Association has requested the granting of a utility easement for purposes of providing underground electrical utilities across City owned property to service the new Durango-La Plata County Airport terminal expansion; and

WHEREAS, Article II, §11(d) of the Charter of the City of Durango, Colorado requires the adoption of an ordinance to convey or lease or authorize the conveyance or lease of any real property owned by the City; and

WHEREAS, a public hearing has heretofore been held before the City Council of the City of Durango, and the Council has determined, subsequent to said public hearing, that the granting of the requested utility easement in favor of La Plata Electric Association would be in the best interests of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. Subject to the approval by the City Manager of the terms and conditions of the Grant of Utility Easement and Agreement between the City of Durango and La Plata Electric Association, the City Council of the City of Durango does hereby authorize and grant the utility easement in favor of La Plata Electric Association for installing an underground electrical utility line, said easement being more particularly described and depicted on Exhibit ‘A’ hereto attached, the contents of which are incorporated by reference herein.

Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF
DURANGO

Attest:

City Clerk

Mayor

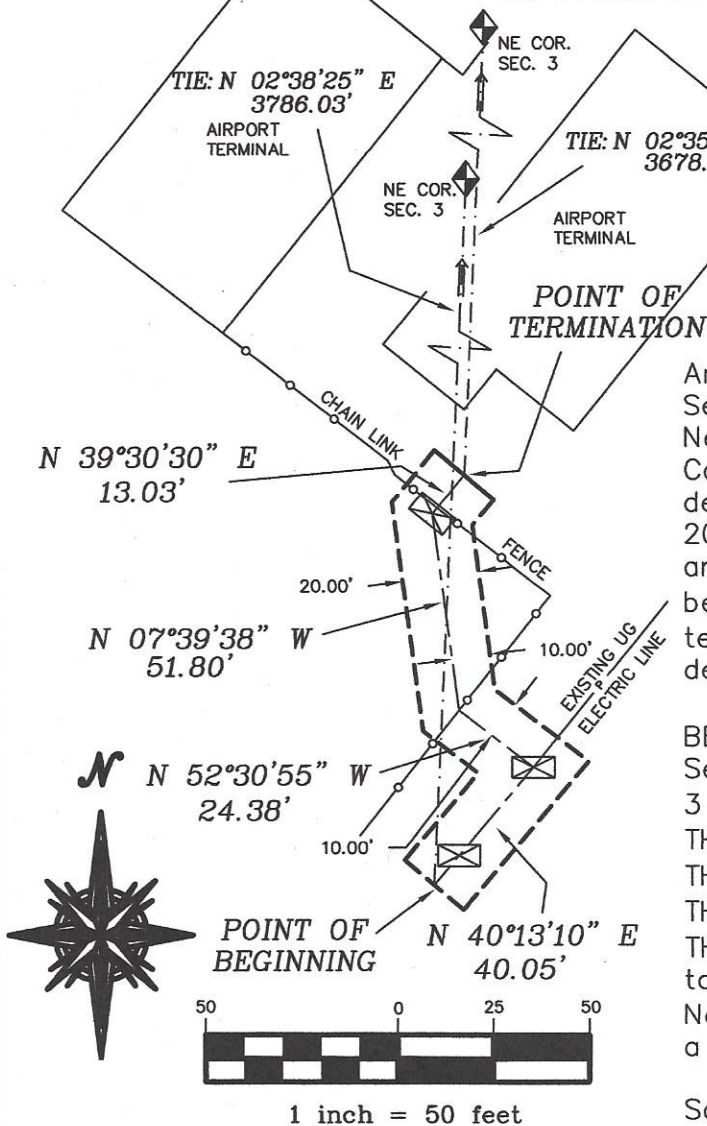
STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023-0005 was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the 7th day of March, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the 12 day of March, 2023, prior to its final consideration by the City Council.

_____/s/_____
Faye Harmer, City Clerk

EXHIBIT "A" - EASEMENT DESCRIPTION

LOCATED IN THE SE1/4NE1/4SE1/4 OF SECTION 3, T 34 N, R 8 W, N.M.P.M. LA PLATA COUNTY, COLORADO



EASEMENT DESCRIPTION

An easement located in the SE1/4NE1/4SE1/4 of Section 3, Township 34 North, Range 8 West of the New Mexico Principal Meridian, La Plata County, Colorado, being a portion of that real property described in Quit Claim Deed filed February 11, 2003 in the Office of the La Plata County Clerk and Recorder under Reception Number 849287, being a strip on land twenty (20.00) feet in width, ten (10.00) feet on each side of the following described centerline:

BEGINNING at a point in said SE1/4NE1/4SE1/4 of Section 3, whence the Northeast Corner of Section 3 bears N 02°38'25" E, a distance of 3786.03 feet; THENCE N 40°13'10" E, a distance of 40.05 feet; THENCE N 52°30'55" W, a distance of 24.38 feet; THENCE N 07°39'38" W, a distance of 51.80 feet; THENCE N 39°30'30" E, a distance of 13.03 feet to the POINT OF TERMINATION whence said Northeast Corner of Section 3 bears N 02°35'38" E, a distance of 3678.97 feet.

Said strip contains 129.26 linear feet and 0.06 acres, more or less.

SURVEYORS STATEMENT

I, David O. Freienmuth, a Registered Professional Land Surveyor in the State of Colorado, do hereby state that this survey was made under my direct supervision and checking, is in accordance with applicable standards of practice and that it is true and correct to the best of my knowledge and belief and is not a guaranty or warranty, either expressed or implied.

☒ = PROPOSED ELECTRIC BOX

Rev. 21 FEB 23
Rev. 25 JAN 23

David O. Freienmuth
P.L.S. 32437
Date 12/6/22
For and on behalf of
Animas Surveying & Mapping, Corporation

PLAT NOTICES

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

NOTICE: All linear dimensions shown hereon are U. S. Survey feet.

EXHIBIT "A" - EASEMENT DESC.

IN THE SE1/4NE1/4SE1/4 OF SEC. 3,
T 34 N, R 8 W, N.M.P.M.
LA PLATA COUNTY, COLORADO


DRAWN BY: DOF	CHK'D BY: df	DATE: 6 DEC 22
SCALE: 1" = 50'	JOB NUMBER: 1524-1	SHEET: 1 OF 1
PROP. OWNER(S) LA PLATA COUNTY & CITY OF DURANGO		

ANIMAS
Surveying & Mapping
960 E. 2ND AVENUE
P.O. Box 497
DURANGO, CO 81302
(970)385-6891

LPEA
La Plata Electric Association, Inc.
A Touchstone Energy® Cooperative

EASEMENT AGREEMENT

THIS GRANT OF EASEMENT AND AGREEMENT (“Agreement”) is made and entered into this _____ day of _____, 20____, by and between THE CITY OF DURANGO, COLORADO, a Municipal Home-Rule Corporation and THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO (hereinafter collectively referred to as “Grantors”) and LA PLATA ELECTRIC ASSOCIATION, INC. a Colorado corporation (hereinafter “Grantee”).

WHEREAS, the Grantee has requested a utility easement from the Grantors under and through the Grantors’ property for the installation of an  underground distribution power line to provide additional power to the Durango La Plata County Airport and

WHEREAS, Grantors are willing to grant the requested easement, subject to the terms and conditions herein set forth; and

WHEREAS, it is the mutual desire of the parties to set forth in writing, their understanding and agreement with respect to the matters herein set forth;

NOW, THEREFORE, in consideration of the following mutual covenants, conditions and obligations, the parties agree:

1. In exchange of good and valuable consideration, the receipt of which is hereby acknowledged, Grantors do hereby grant, bargain, sell and convey to Grantee, its successors and assigns a permanent non-exclusive, perpetual easement in gross (the “Utility Easement”), the location of which is described and depicted on Exhibit A attached hereto, the contents of which are incorporated by reference herein, for the construction, installation, operation and maintenance of underground electrical utilities, including electric cable, 2 new above ground junction boxes and 1 above ground transformer (the “Permitted Utilities”).

2. The conveyance of the Utility Easement shall be subject to the following terms and conditions:

a. The granted easement shall include the right of the Grantee, its successors, assigns, licensees, lessees and contractors, and their agents and employees, to enter upon said premises for the purpose of ingress and egress, inspection, surveying, construction, operation, reconstruction, improvement, enlargement, replacement, alteration, maintenance and removal of the Permitted Utilities, all at no cost to Grantors. Access to the easement herein granted shall be limited to public right of way.

b. Within sixty (60) days subsequent to the installation, inspection, construction, reconstruction, improvement, enlargement, replacement, alteration, maintenance, removal, or any other allowed access to or work on the Permitted Utilities, Grantee shall restore the disturbed property to a condition that is the same or better than the condition of the property prior to such work. Grantee acknowledges and agrees that the existing condition includes fencing, which shall be restored to the same or better condition as existed before any work by Grantee. For a period of three (3) years following the initial installation of the Permitted Utilities, and for a period of three (3) years following any subsequent ground disturbance by Grantee for maintenance or other activities, Grantee shall be responsible for the maintenance and eradication of noxious weeds within the easement area, in compliance with applicable law.

c. After completion and installation of the Permitted Utilities, Grantee shall maintain such Permitted Utilities in good condition and repair.

3. Grantors reserve all rights to use the surface and subsurface of the Utility Easement in any manner or for any purpose that does not interfere with the Grantee's use of the Permitted Utilities, including, but not limited to, the use of the granted easement for roadway, driveway, parking, or other utility purposes. Except for roadways, driveways, and parking areas (and of which may be fenced), no permanent buildings, structures, or other improvements shall be erected, placed or permitted within the described Utility Easement that would interfere with the exercise of any of the rights herein granted to or for the benefit of Grantee.

4. This Agreement shall run with the lands described to Exhibit A hereto attached and shall be binding upon the respective parties hereto, their heirs, successors, grantees, personal representatives, and assigns. Time is of the essence with respect to all terms, conditions, and obligations herein contained. If any part of the land described on Exhibit A shall be conveyed, or if the whole thereof shall be conveyed, the Agreement shall be binding upon all future owners of the properties described in Exhibit A, irrespective of whether the parcel so conveyed are actually benefited by the utility services installed within such easements.

5. Grantee agrees that it shall indemnify and hold Grantors' harmless from any and all claims, damages, losses, expenses, or demands, of whatsoever nature, including reasonable attorney's fees, for personal injury, property damage, or death sustained by any person(s) or property caused by the acts or omissions of the Grantee, its employees, contractors, licensees,

lessees, agents, employees or representatives arising from the use of the Utility Easement granted or Permitted Utilities allowed herein or the subsequent use thereof.

6. If Grantee shall neglect or fail to perform or strictly comply with the conditions of this Agreement, such act or omission shall be deemed an event of default. Grantors, or the successors or assigns of Grantors, may give written notice to Grantee specifying the particular or particulars of such default and directing Grantee to remedy such default. From the effective date of such notice, Grantee shall have a period of thirty (30) days within which to initiate and diligently pursue the remedying of such default. If, within such thirty (30) day period after notice, Grantee has neither cured such default nor initiated procedures reasonably calculated to cure such a default, the Facilities Easement may be terminated by Grantors.

Waiver by Grantors of any default of any term or condition of this Agreement shall not be construed as a waiver with respect to any other term or condition hereof.

7. All notices or deliveries allowed or required by this Agreement shall be either: (a) personally served; (b) given by certified mail directed to the address of the Grantors or Grantee as set forth below; or (c) given by email directed to the email address hereinafter set forth. Any such notice given hereunder shall be effective upon the date of actual receipt or three (3) days after notice is deposited in the U.S. Certified Mail, postage prepaid, whichever occurs first. Addresses for notice shall be as follows

Grantors' Address

City of Durango
949 East 2nd Avenue
Durango, Colorado 81301
Email:

La Plata County
1060 E. 2nd Avenue
Durango, CO 81301
Email: CountyAdmin@co.laplata.co.us

Grantee's Address

La Plata Electric Association, Inc.
PO Box 2750
Durango, Colorado 81302
Email: tfischer@lpea.coop

8. Any amendments to this Agreement shall only be valid if set forth in writing and executed by all parties hereto. Verbal amendments shall be ineffective for any purpose.

9. The terms and conditions of the Agreement shall be construed, interpreted and enforced in accordance with the applicable laws of the State of Colorado. If any legal action is

necessary to enforce or interpret the terms and conditions of this Agreement, the parties agree that jurisdiction and venue for such actions shall be in the appropriate court in La Plata County, Colorado. The parties further agree that should any proceeding be required to enforce or interpret the terms, conditions and provisions of this Agreement, the prevailing party in such proceeding shall be entitled, as part of any judgment entered, to recover its costs incurred, inclusive of reasonable attorney's fees.

IN WITNESS WHEREOF, the parties have executed this Grant of Easement the day and year first above written.

Grantors:

**CITY OF DURANGO, COLORADO, a
Municipal Home-Rule Corporation**

Attest:

City Clerk

Mayor

STATE OF COLORADO)
) S.S.
COUNTY OF LA PLATA)

The foregoing Grant of Easement and Agreement was acknowledged before me this _____ day of _____, 20__ by _____, as Mayor, and by _____, as City Clerk of the City of Durango, a municipal home-rule corporation.

Witness my hand and official seal.

My commission expires: _____.

Notary Public

**BOARD OF COUNTY COMMISSIONERS OF
LA PLATA COUNTY, COLORADO**

Attest:

Clerk to the Board

Marsha Porter-Norton, Chair

STATE OF COLORADO)
) S.S.
COUNTY OF LA PLATA)

The foregoing Grant of Easement and Agreement was acknowledged before me this _____
day of _____, 20__ by Marsha Porter-Norton, as Chair, and by
_____, as Clerk to the Board of the Board of County Commissioners of La
Plata County, Colorado

Witness my hand and official seal.

My commission expires: _____.

Notary Public

IN WITNESS WHEREOF, the Grantees have executed this Grant of Easement the day and year
first above written.

Travis P. Fischer, ROW Agent

STATE OF COLORADO)
) S.S.
COUNTY OF LA PLATA)

The foregoing Grant of Easement and Agreement was acknowledged before me this _____
day of _____, 20__ by Travis P. Fischer, ROW Agent for La Plata Electric
Association, Inc.

Witness my hand and official seal.

My commission expires: _____.

Notary Public



AGENDA DOCUMENTATION

Item 12.1

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL **FROM: MARK WILLIAMS, PLANNER II**

SUBJECT: INTRODUCTION OF AN ORDINANCE FOR THE ANNEXATION OF THE CUMMINS ADDITION

RECOMMENDATION:

The Community Development Department recommends that the City Attorney conduct the first reading of Cummins Addition Annexation ordinance, to be followed by a second reading of the ordinance at the April 4th Council meeting.

BACKGROUND SUMMARY:

City Council accepted the petition for annexation of the Cummins Addition Annexation through resolution at its January 19, 2021 meeting. The annexation was approved by Council at its March 21, 2021 meeting. After Council approval, several steps are required including finalization of the annexation plat, annexation agreement, and reading of the annexation ordinance. Annexation ordinances require two readings before Council, and this is the first reading, with the second reading to follow at the next Council meeting. After the second reading and a 10-day waiting period all the approval documents will be recorded, and the annexation goes into effect.

The project associated with this annexation is now called the Hazel Ridge Planned Development, but was reviewed under the working name of Florida Road Mixed Housing. The development will have a total of 38 units, with townhomes, patio homes and detached single-family homes. It is located at the corner of Florida Road and Colorado Avenue.

STRATEGIC PLAN ALIGNMENT:

AFFORDABILITY & ECONOMIC OPPORTUNITY - Create housing opportunities to support a multigenerational & mixed-income community workforce and increase affordability to bridge the disparity between income and home/rental prices.

ALTERNATIVE OPTIONS CONSIDERED:

The City only considered annexing the property through this process.

FISCAL IMPACT

The City will collect water and sewer fees from the project. The new residences will have City services such as trash and recycling pick up. The City will also collect property taxes from the project.

POTENTIAL ADVERSE IMPACTS:

No adverse impacts are anticipated through this action.

NEXT STEPS AND TIMELINE:

A second reading of the ordinance is required and will occur at the April 4, 2023 City Council meeting. After a 10-day waiting period and recordation of documents the annexation is final.

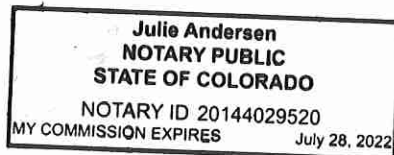
ANNEXATION PETITION—TO BE SIGNED

7. The names and addresses of adjacent property owners to the property for which annexation is sought and within 300 feet of the boundary of the property for which annexation is sought are attached as Exhibit C.
8. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
9. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
10. That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the Charter of the City of Durango, Colorado, and all ordinances, resolutions, rules and regulations of the City of Durango.

By Janna Elchager Date 11/17/2020

The foregoing Petition for Annexation was subscribed and sworn before me,
by Janna E. Schaefer, this 18th day of Nov,
2020

Witness my hand and official seal.



Julie Andersen
Notary Public

My commission expires: 7/28/22

ANNEXATION APPLICATION, TO BE SIGNED

SITE INFORMATION

PROPERTY ASSESSOR'S PARCEL NUMBER: 566521200091

PROJECT CONTACT INFORMATION

APPLICANT: Stuart Wright AGENT: Reynolds Ash & Associates

ADDRESS: _____ ADDRESS: 1140 Main Ave Suite B

Durango CO 81301

PHONE: _____ PHONE: 970-759-0490

E-MAIL: _____ E-MAIL: treynolds@ra-ae.com

ACKNOWLEDGMENT AND AUTHORIZATION

The undersigned authorizes the Community Development Department to proceed with processing this application under the requirements of the City of Durango Land Use and Development Code (LUDC). The undersigned acknowledges that the information provided herein is accurate to the fullest extent of their knowledge.

Further, it is the responsibility of the applicant, when applicable, to provide the City with the names and addresses of adjacent property owners within a specified distance of all boundaries of the subject property, and within the boundaries, as recorded in the La Plata County Assessor's office. The accuracy of this information is the applicant's responsibility and improper notification of adjacent property owners, when applicable, can result in delayed processing of this application.

Applicant:  Date: 11/17/2020

OTHER PROPERTY OWNER(S) Authorization from all property owners is required if different from the applicant. If the property is subject to a contract for sale and purchase, signature required by all contract purchasers. Where the property is owned by a legal business entity, the application must be signed by an authorized representative of the business entity, and evidence of authorization to sign for the business entity must be included with the application.

DEPARTMENT USE ONLY

Application Received By: _____ Date: _____ Project #: _____

Fee Required: _____ Paid On: _____ Receipt #: _____

Application Accepted as Complete for Processing on: _____

PETITION FOR EXCLUSION

DURANGO FIRE PROTECTION DISTRICT

TO THE BOARD OF DIRECTORS OF THE DISTRICT:

The undersigned Petitioner (whether one or more), being the fee owner of 100% of the real property hereinafter described ("Property"), hereby prays that such property be excluded from the Durango Fire Protection District, as provided by law, and for cause, states:

1. Assent to the exclusion of such Property from the District is hereby given by the Petitioner who is the fee owner of such Property.
2. Petitioner understands that there shall be no withdrawal from this Petition after publication of notice by the Board, without the consent of the Board.
3. The exclusion of such Property from the District shall be subject to any statutory condition of exclusion, as well as all terms and conditions established by the Board and accepted by Petitioner.
4. This Petition is accompanied by a deposit of \$1,000.00, sufficient to pay all costs of exclusion proceedings, as required by statute.
5. The Property is accurately described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

WHEREFORE, Petitioner prays that the Board of Directors of the District:

Set a public meeting for hearing on the Petition and publish notice thereof in accordance with Section 32-1-501(2), C.R.S. and following the hearing Order that this Petition be granted in accordance with Section 32-1-501(4)(a)(I), C.R.S.

PETITIONER

Janna E. Schaefer
Printed Name: Janna E. Schaefer
Title (if applicable):
Address: 10 Town Plaza #314 Durango, CO 81301

STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

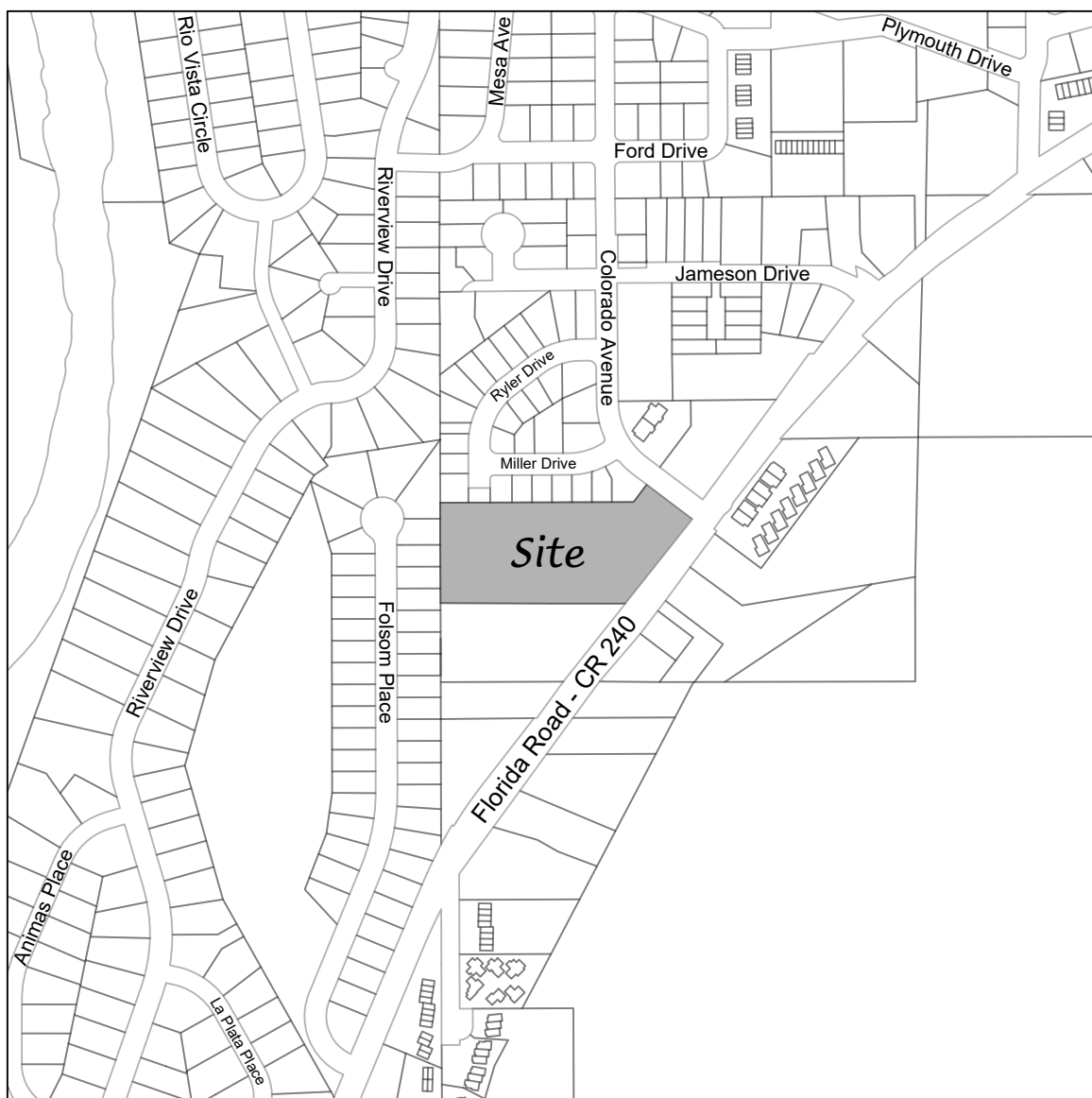
The foregoing instrument was acknowledged before me this 5th day of May, 2020
by Sara Calvin as may 5th of 2020.
Witness my hand and official seal.

My commission expires: September 16th, 2023



Notary Public [Signature]

TRACT B ANNEXATION TO THE CITY OF DURANGO
OF THE 41/CUMMINS BOUNDARY ADJUSTMENT
LOCATED IN S21, T35N, R09W, N.M.P.M.
LA PLATA COUNTY, COLORADO



Vicinity Map
Scale : 1 inch = 500 feet

SURVEYOR'S STATEMENT

I hereby state that this survey and plat was prepared by me or under my direct responsibility, supervision and checking, and that, in my professional opinion, they are true and correct to the best of my knowledge, belief and information based on the applicable standards of practice of Professional Land Surveyors in the State of Colorado. I also state that this survey and plat is not a guaranty or warranty, either expressed or implied.

PRELIMINARY

Joshua J. Casselberry, P.L.S.
Colorado Registration No. 37903

1. SURVEY CONTROL NOTE: Location of improvements is based upon found survey monuments as shown hereon.
2. TITLE RESEARCH: Title, easement and Right-of-Way research was conducted by Colorado Title and Closing Services, LLC, a Colorado Limited Liability Company, per order No. LP22000597 effective February 19, 2020 at 5:00 P.M. and not from research conducted by Moreno Surveying & Geographics, Inc. Any and all parties having interest in subject tracts of land are hereby referred to said title commitments and any title policies issued at a later date.
3. According to Colorado law you must commence any legal action based upon any defect in the this survey within three (3) years after you first discovered such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.
4. Any encroachment of fences across property may indicate possessory rights are accruing.

GENERAL DEDICATIONS

1. Tract A, as shown hereon, is hereby dedicated to the City of Durango as public right-of-way for the benefit and use of the public.
2. The 5' and 10' Utility Easements as shown hereon are hereby dedicated to all Utility Providers and Adjacent Land Owners for the purpose of ingress, egress, installation, operation, maintenance, reconstruction, improvement, replacement or removal of all existing, proposed, and future Utility improvements.

CERTIFICATE OF OWNERS KNOW BY ALL THESE PRESENTS

That M L Cummins Real Estate, LLC., A Colorado Limited Liability Company, whose legal address is 10 Town Plaza #314, Durango, Co 81301, being the legal and record owner of this tract of land, has caused the boundary to be replatted under the name and style of Tract B Annexation as shown hereon and being more particularly described as follows:

Tract B of the 41/CUMMINS BOUNDARY ADJUSTMENT, PROJECT NO. 92-127, according to the plat thereof filed for record September 23, 1992 as Reception No. 634062.

Have caused the same to be annexed to the City of Durango, Colorado, pursuant to Ordinance Number _____, and has caused the same to be platted as Tract B Annexation to the City of Durango, as shown hereon, consisting of two tracts, Tract B-R and Tract A, as shown hereon and further declare that:
-This tract is subject to the terms and conditions contained in the Annexation Agreement recorded in the office of the La Plata County Clerk and Recorder at Reception No. _____

THIS PLAT IS HEREBY EXECUTED BY THE FOLLOWING PARTIES:

By _____
Janna E. Shaefer, Manager, M.L. Cummins Real Estate, LLC., a Colorado Limited Liability Company

STATE OF COLORADO)
SS)
COUNTY OF LA PLATA)

The foregoing instrument was acknowledged before me by Janna E. Shaefer, Manager of this property on this _____ day, of _____, 2020 for the aforementioned purposes.

My commission Expires _____ Notary Public

REVIEWED AND APPROVED BY:

City Engineer	Date
Durango Fire Protection District, Fire Marshal	Date
Director of Planning and Community Development	Date
Atmos Energy Services	Date
Century Link Communications	Date
La Plata Electric Association	Date
Charter Communications	Date

Legend

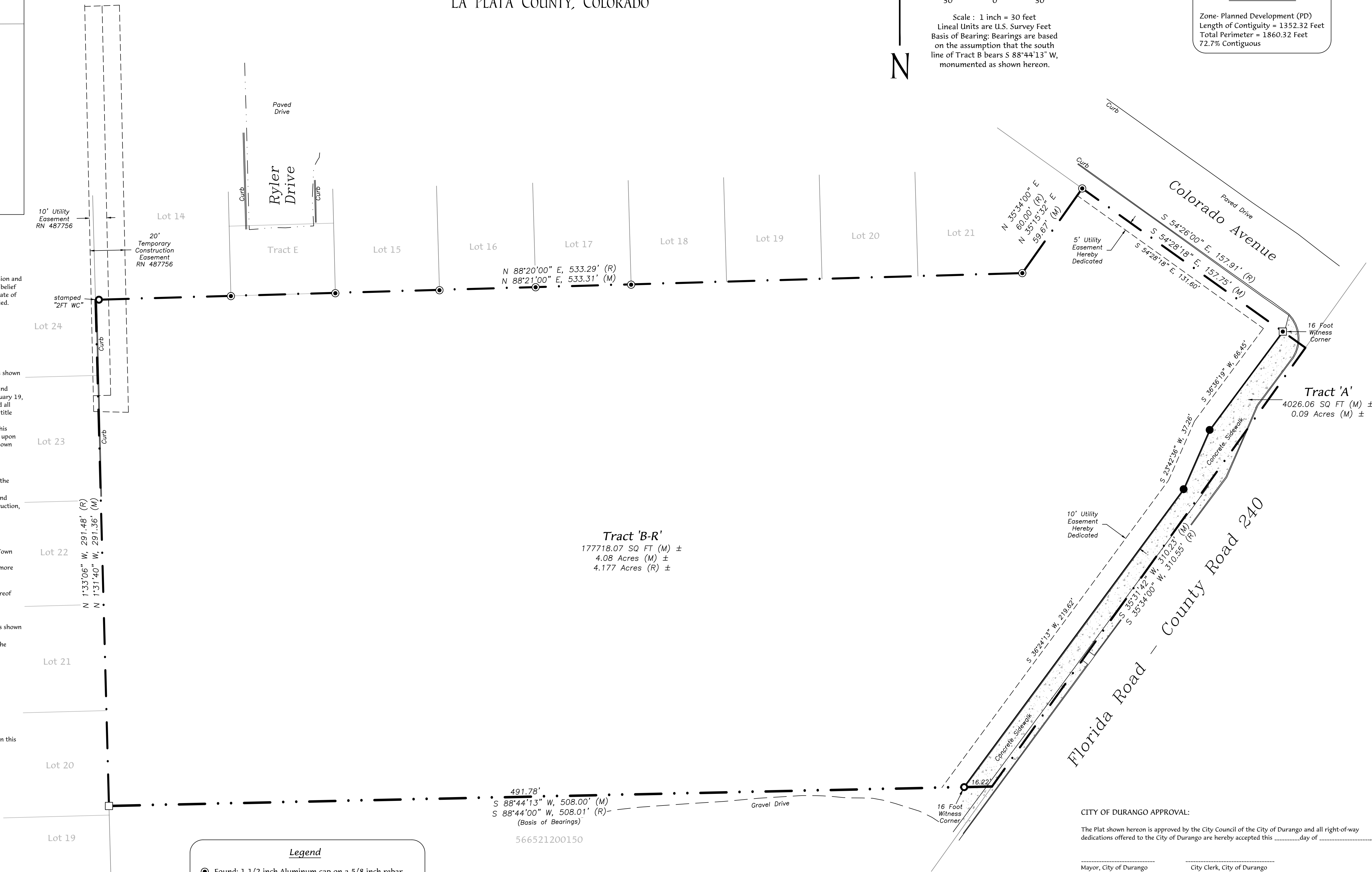
- Found: 1 1/2 inch Aluminum cap on a 5/8 inch rebar, stamped "D.Z. Crites PLS 18450"
- Found: 1 1/2 inch Aluminum cap on a 5/8 inch rebar, stamped "Gibbons PLS 23498"
- Found: 5/8 inch Rebar
- Found: 1 1/2 inch Aluminum cap on a 5/8 inch rebar, stamped "Casselberry PLS 37903"
- Set: 1 1/2 inch Aluminum cap on a 5/8 inch rebar, stamped "Casselberry PLS 37903"
- (M) Measured Dimension
- (R) Record Dimension per RN 634062
- Property Line
- Easement
- Property Line/Existing City Limits
- Property Line/Proposed City Limits
- Fence



Scale : 1 inch = 30 feet
Lineal Units are U.S. Survey Feet
Basis of Bearing: Bearings are based on the assumption that the south line of Tract B bears S 88°44'13" W, monumented as shown hereon.

Land Use Table

Zone- Planned Development (PD)
Length of Contiguity = 1352.32 Feet
Total Perimeter = 1860.32 Feet
72.7% Contiguous



CITY OF DURANGO APPROVAL:

The Plat shown hereon is approved by the City Council of the City of Durango and all right-of-way dedications offered to the City of Durango are hereby accepted this _____ day of _____, 2020.

Mayor, City of Durango

City Clerk, City of Durango

STATE OF COLORADO)
SS)
COUNTY OF LA PLATA)

I hereby state that this instrument was filed for record at _____ O'clock __M this ____ day of _____, 2020 and duly filed.
Reception Number _____ Fee \$ _____
Tiffany Lee Parker, Recorder
By _____

Deputy

TRACT B ANNEXATION
TO THE CITY OF DURANGO

S21, T35N, R9W, N.M.P.M.
LA PLATA COUNTY, COLORADO

Moreno
& SURVEYING
& GEOGRAPHICS

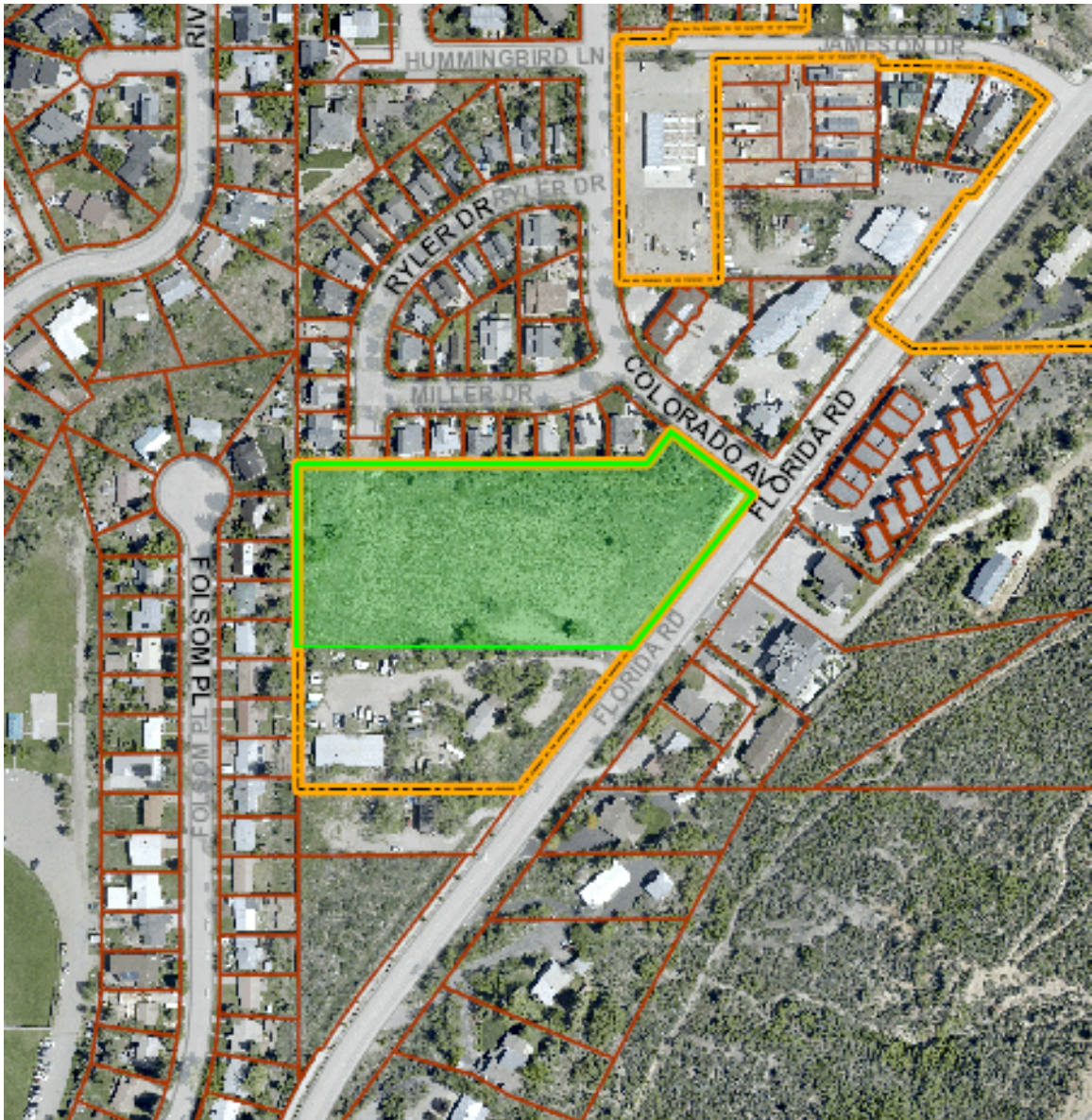
635 EAST 2ND AVE., DURANGO, CO (970) 385-8535

DATE: 6/5/2020 SCALE: 1 INCH = 30 FEET

DRAWN BY: JM CHECKED BY: JC JOB NO.: 2020-012

SHEET 1 OF 1

VICINITY MAP



ORDINANCE NO. O-2023-

**AN ORDINANCE APPROVING THE ANNEXATION AND
INITIAL ZONING FOR THE CUMMINS ADDITION
ANNEXATION TO THE CITY OF DURANGO AND
DECLARING AN EFFECTIVE DATE.**

WHEREAS, there has heretofore filed with the City a Petition for Annexation to the City of Durango, a tract of land, approximately 4.18 acres, as further described herein, to be known as the Cummins Addition Annexation to the City of Durango; and

WHEREAS, the Petition for Annexation was accompanied by the required plats of said tract of land; and

WHEREAS, the City Council by resolution, has previously found and determined that the subject property is eligible for annexation and that the Petition for Annexation meets the statutory requirements for annexation; and

WHEREAS, said Petition is signed by the owners of one hundred percent (100%) of the property proposed to be annexed; and

WHEREAS, the City Council, by resolution, did accept said Petition; and

WHEREAS, a public hearing was held before the City Council of the City of Durango on January 19, 2021. The Council has determined, subsequent to said public hearing, that the annexation of the property commonly known as the Cummins Addition Annexation is in the best interests of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. Subject to and conditioned on the execution and recording of a satisfactory Annexation Agreement and Annexation Plat, the annexation of certain territory to be known as the Cummins Addition Annexation to the City of Durango, which territory is legally described on Exhibit ‘A’ hereto attached, the contents of which are incorporated by reference herein, is hereby approved.

Section 2. The annexation of such territory to the City of Durango shall be complete and such territory shall become a part of the City of Durango following the effective date of this ordinance but not until the completion and recording of the

Annexation Agreement and Annexation Plat for the property. The Property, as described on the attached Exhibit 'A', shall be zoned PD (Planned Development).

Section 3. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF DURANGO

Attest:

City Clerk

Mayor

STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023- was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the 21st day of March 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the 25th day of March, 2023, prior to its final consideration by the City Council.

City Clerk

I further certify that said Ordinance No. O-2023- was duly adopted by the Durango City Council on the 4th day of April 2023, and that in accordance with instructions received from the Durango City Council, said ordinance was published by title only in the Durango Herald on the 8th day of April 2023.

City Clerk



CERTIFICATE OF SURVEYOR
I hereby state that this survey and plat was prepared by me or under my direct responsibility, supervision and checking, and that, in my professional opinion, they are true and correct to the best of my knowledge, belief and information based on the applicable standards of practice of Professional Land Surveyors in the State of Colorado. I also state that this survey and plat is not a warranty or warranty, either expressed or implied.

PRELIMINARY
Joshua J. Casselberry, P.L.S.
Colorado Registration No. 37903

1. SURVEY CONTROL: NOTE: Location of improvements is based upon found survey monuments as shown herein.
2. TITLE RESEARCH: Title, easement and right-of-way research was conducted by Colorado Title and Survey Services, LLC, a Colorado Limited Liability Company, per order no. 1722000007, dated October 24, 2021, at \$407.00, and not from research conducted by Moreno Surveying & Geographics, Inc. Any and all parties having interest in adjacent tracts of land are hereby referred to said title commitments and any title policies issued at a later date.
3. According to Colorado law you must commence any legal action based upon any defect in this survey within three (3) years after you file this document with the county clerk. No event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown herein.
4. Any encroachment of fence across property may indicate possessory rights are existing.

GENERAL DEDICATIONS
1. Tract A, as shown herein, is hereby dedicated to the City of Durango as public right-of-way for the benefit and use of the public.

CERTIFICATE OF OWNERS KNOWN BY ALL THESE PRESENTS
That Old Town Plaza LLC, a California Limited Liability Company, whose legal address is 9917 Macale Lane, La Mesa, CA 91941, being the legal and record owner of this tract of land, being more particularly described as follows:

Tract B of the 4-1/CUMMINS BOUNDARY ADJUSTMENT, PROJECT NO. 93-127, according to the plat thereof filed for record September 23, 1992 at Reception No. 649062.

Now caused the same to be annexed to the City of Durango, Colorado, pursuant to Ordinance Number _____, and has caused the same to be platred as Tract B, 4-1/Cummins Boundary Adjustment is Annexation to the City of Durango, as shown herein, consisting of two tracts, Tract B-R and Tract A, as shown herein and further declare that this tract is subject to the terms and conditions contained in the Annexation Agreement recorded in the office of the La Plata County Clerk and Recorder at Reception No. _____.

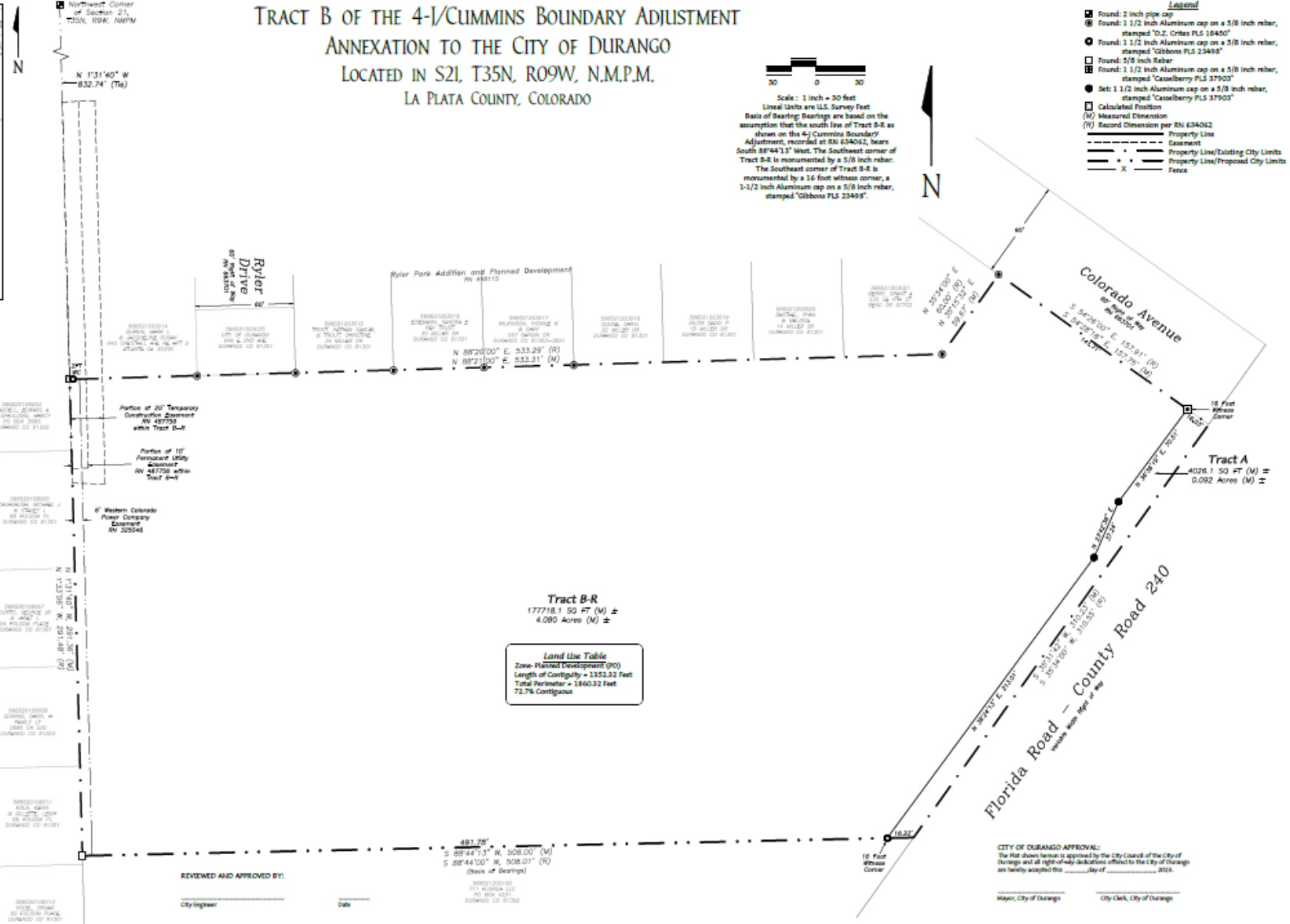
THIS PLAT IS HEREBY EXECUTED BY THE FOLLOWING PARTIES:

By _____
(Dennis Shaw, Manager, Old Town Plaza, LLC, a California Limited Liability Company)

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

The foregoing instrument was acknowledged before me by Dennis Shaw, Manager Old Town Plaza, LLC, a California Limited Liability Company on this _____ day of _____, 2024 for the abovesigned purposes.

My commission expires _____ Notary Public



REVIEWED AND APPROVED BY:

City Engineer	Date
Durango Fire Protection District, Fire Marshal	Date
Community Development Director	Date
Atmos Energy Services	Date
CenturyLink Communications	Date
La Plata Electric Association	Date
Charter Communications	Date

STATE OF COLORADO)
COUNTY OF LA PLATA)
I hereby state that this instrument was filed for record at _____ o'clock _____ M this _____ day of _____, 2023 and duly filed.
Reception Number _____ Fee \$ _____
Tiffany Lee, Recorder
By _____
Deputy

Tract B of the 4-1/Cummins Boundary Adjustment Annexation to the City of Durango

S21 T35N, R9W, N.M.P.M.
LA PLATA COUNTY, COLORADO

Moreno SURVEYING & GEOGRAPHICS
3050 Main Avenue, Durango, CO (970) 885-6565
DATE: 2/16/2024 SCALE: 1 inch = 20 feet
DRAWN BY: AL CHECKED BY: JL JOB NO.: 2020-012

ORDINANCE NO. O-2023-

AN ORDINANCE FOR PURPOSES OF AMENDING THE ZONING OF REAL PROPERTY LOCATED WITHIN THE CITY OF DURANGO, COLORADO, PURSUANT TO CHAPTER 27 SECTIONS 6-3-2-3 AND 2-1-2-6 OF THE CODE OF ORDINANCES OF THE CITY OF DURANGO AND DECLARING AN EFFECTIVE DATE (ANIMAS MOUNTAIN VISTA REZONE)

WHEREAS, the owners of property located at located at 50 Animas View Drive have requested the rezoning of approximately 1.85 acres, from an existing MU-A, (Mixed-Use Arterial) to PD (Planned Development); and

WHEREAS, the owner’s proposal and plan for a new Planned Development containing twenty (20) tiny homes has received final approvals following public hearings and reviews before both the Planning Commission and the City Council; and

WHEREAS, it is necessary to rezone the property to Planned Development in order for the owner to redevelop said property in conformance with the approved proposal and plan; and

WHEREAS, the Planning Commission has considered the proposed rezoning of the subject property and has unanimously recommended approval, with the finding that the proposed rezoning meets the criteria for approval set forth in the Land Use and Development Code of the City of Durango; and

WHEREAS, a public hearing was held before the City Council of the City of Durango on May 17, 2022, pursuant to notice as provided in Chapter 27 Section 6-3-2-3 of the Code of Ordinances of the City of Durango; and the Council has determined, subsequent to said public hearing, that the rezoning of the property hereinafter described would be in the best interests of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. That the zoning district map of the City of Durango adopted pursuant to Section 2-1-2-3 of Chapter 27 of the Code of Ordinances of the City of Durango, should be and the same is hereby amended to reflect that the zoning of the real property described herein, is hereby amended from MU-A (Mixed-Use Arterial) to PD (Planned Development). Said property is legally described as follows:

Section: 9 Township: 35 Range: 9 9 A TR IN SW/4SW/4 OR LOT 13 9-35-9 50
ANIMAS VIEW DR DURANGO 81301

Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF
DURANGO

Attest:

City Clerk
STATE OF COLORADO

COUNTY OF LA PLATA

Mayor
)
) ss.
)

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023-__ was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the 21st day of March, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the ____ day of March, 2023, prior to its final consideration by the City Council.

City Clerk

I further certify that said Ordinance No. O-2023-__ was duly adopted by the Durango City Council on the 4th day of April, 2023, and that in accordance with instructions received from the Durango City Council, said ordinance was published by title only in the Durango Herald on the ____ day of April, 2023.

City Clerk

ORDINANCE NO. O-2023-

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF DURANGO (LAND USE AND DEVELOPMENT CODE) BY THE AMENDMENT TO PORTIONS OF CHAPTERS 2, 3, 4, 6 AND 7, DESIGNATING AND ADDING A DEFINITION FOR A NEW COMMERCIAL USE CALLED “FOOD TRUCK POD”, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Land Use and Development Code (LUDC) was adopted in 2014 and since its adoption, the LUDC has had multiple revisions to address new uses and clarify provisions; and

WHEREAS, City staff has identified various amendments to sections of the LUDC that improve its function by enhancing clarity, correcting minor inconsistencies, and updating requirements to reflect how staff has interpreted or applied standards; and

WHEREAS, these proposed land use code amendments align with various aspects of the City’s Strategic Plan and will allow a new commercial use for Food Truck Pods, creating an expanded economic opportunity for business owners; and

WHEREAS, after a public hearing held on January 23, 2023, the Planning Commission voted to recommend approval of these amendments to the LUDC; and

WHEREAS, it is the desire of City Council to adopt the updates to the LUDC to provide additional clarity for the public and further align these regulations with the objectives outlined in the City’s Strategic Plan and Comprehensive Plan;

WHEREAS, a public hearing has heretofore been held before the City Council of the City of Durango, and the Council has determined, subsequent to said public hearing, that the proposed text amendments to portions of Chapter 2, 3, 4, 6 and 7 to the Land Use and Development Code are in the best interest of the citizens of the City of Durango;

NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:

Section 1. That Chapter 27 of the Code of Ordinances of the City of Durango should be and the same is hereby amended, with the sections and tables described below being added or amended as is more specifically described on Exhibit ‘A’ attached hereto and incorporated herein:

- 1) A portion of Table 2-2-3-3A *Duplex Standards* is amended, as described on item number 1 on Exhibit ‘A.’
- 2) A portion of Table 2-3-3-3 *Standards for Temporary Commercial Sales* is amended, as described on item number 2 on Exhibit ‘A.’
- 3) Section 3-1-3-2 (A)(2) *Number of Principal Buildings* is amended to read in its entirety, as described on item 3 on Exhibit ‘A.’
- 4) Section 3-1-3-6 (B)(2) *Garages and Accessory Structures* is amended to read in its entirety, as described on item number 4 on Exhibit ‘A.’
- 5) The title of Division 3-1-4 *Setback Reductions and Height Increases* is amended, as described on item number 5 on Exhibit ‘A.’
- 6) Section 3-1-4-3 *Detached Garage Bonus* is added to read in its entirety, as described on item 6 on Exhibit ‘A.’
- 7) Sections 3-1-5-1 (C) and (D) *Alternative Compliance* are amended to read in their entirety, as described on item 7 on Exhibit ‘A.’
- 8) Section 3-1-5-3 *Detached Garage Bonus* is removed in its entirety.

- 9) Section 3-6-4-1 (D) *Permanent Signs* is amended to read in its entirety as described on item number 8 on Exhibit 'A.'
- 10) Sections 4-4-6-6 (B) and 4-4-6-6 (D)(3) *Specific Standards for Flood Hazard Reduction* are amended to read in their entirety, as described on item 9 on Exhibit 'A.'
- 11) Section 4-5-2-1 (E) *Calculation of Required Parking Spaces* is amended to read in its entirety as described on item number 10 on Exhibit 'A.'
- 12) Section 4-5-2-7 (C) *Parking Credits and Reductions: General* is amended to read in its entirety as described on item number 11 on Exhibit 'A.'
- 13) Table 6-3-3-10B *Required Public Notice by Application Type* is amended in its entirety, as described on item number 12 on Exhibit 'A.'
- 14) A portion of Table 2-1-3-5 *Commercial Retail and Service, Marijuana, and Restaurant Uses* is amended, as described on item number 13 on Exhibit 'A.'
- 15) Section 2-2-3-11 (E) *Food Truck Pods* is added to read in its entirety, as described on item 14 on Exhibit 'A.'
- 16) A portion of Table 4-5-2-2C *Parking Requirements for Commercial Retail and Service, Marijuana, and Restaurant Uses* is amended, as described on item number 15 on Exhibit 'A.'
- 17) Section 2-3-2-2 (A) *Commercial Use of Patios and Outdoor Dining Areas* is amended to read in its entirety as described on item number 16 on Exhibit 'A.'
- 18) Article 7-3 *Definitions*, the following definition for *Food Truck Pod* is added to read in its entirety as described on item number 17 on Exhibit 'A'.

Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

CITY COUNCIL OF THE CITY OF DURANGO

Attest:

City Clerk

Mayor

STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023- was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the 21st day March, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the ____ day of March, 2023, prior to its final consideration by the City Council.

City Clerk

I further certify that Ordinance No. O-2023- , was duly adopted by the Durango City Council on the 4th day of April, 2023, and that in accordance with instructions received from the Durango City Council, said amended ordinance was published by title only in the Durango Herald on the ____ day of April, 2023.

City Clerk

Ordinance No. O 2023-
Exhibit A

Item 1.

Table 2-2-3-3A Duplex Standards			
Zone	Location or Context Standard	Lot Area Standard	Design Standard
Established Neighborhood Zones			
MU-N	NA	Minimum lot area: 7,500 sf.1; or a duplex lawfully existed on the lot on the effective date	For attached duplexes, see Section 3-2-2-6, Duplexes. As an alternative to attaching the duplex dwelling units, duplexes may be constructed as two single-family detached buildings on a single lot. On all lots along College Drive or 8th Avenue, design standards shall be as applicable in the EN-1 zone. Elsewhere, design standards shall comply with the requirements of Table 3-2-3-2. If the second unit is located behind the primary unit, the structure shall meet the standards for accessory structures.

Item 2.

Table 2-3-3-3 Standards for Temporary Commercial Sales			
Performance Standard	Class of Temporary Commercial Sales Use		
	Class A	Class B	Class C
Spacing and setbacks	The area used for temporary commercial sales shall be set back the greater of: 10 feet or the width of required buffers from all property lines; or 25 feet from the back of the curb (or, if no curb is present, the edge of pavement).		3 feet from all property lines. Food trucks or any vendor using gas-fired appliances shall comply with spacing requirements defined by adopted Fire Codes.

Item 3.

Sec. 3-1-3-2 Number of Principal Buildings

A.

2. Lots in the EN-MF zone which are large enough to allow for the development of two or more dwelling units may be developed with multiple principal buildings in accordance with the standards listed below.
 - a. For interior lots, multiple principal buildings are allowed only if designed to be side by side. If a second structure is located behind a principal structure, it shall be designed to accessory structure standards.
 - b. For corner lots or through lots, one principal structure shall be allowed for each street frontage.

Item 4.

Sec. 3-1-3-6 Garages and Accessory Structures

B.

2. Generally, access to second floors shall be from internal stairs. External stairs may be allowed in certain circumstances as long as the following standards are met:
 - a. External stairs parallel streets or alleys and shall not be located parallel to interior side property lines; and/or
 - b. The Administrator determines that other features are in place to protect the privacy of the adjacent lot's rear yard.

Item 5.

Division 3-1-4 Setback Reductions, Height Increases, and Detached Garage Bonuses

Item 6.

Sec. 3-1-4-3 Detached Garage Bonus

- A. In the EN-1 and EN-2 zones, the gross floor area of a detached garage (up to a maximum of 450 square feet) will be exempted from the calculation of floor area ratio ("FAR") if it is demonstrated that the garage building is consistent with the [*Design Guidelines for Established Neighborhoods*](#). The bonus provided by application of this Section does not apply to the calculation of building coverage.

Item 7.

Sec. 3-1-5-1 Alternative Compliance

- C. **When Required.** Alternative compliance review is required in the following circumstances:
 1. Development, redevelopment, or building expansions on lots with:
 - a. A lot area of 3,000 square feet or less; or
 - b. A lot width of less than 25 feet.

2. Development, redevelopment, or building expansions which impact a slope with a grade of 30 percent or more.
3. Development of an ADU in the EN-4, 5 and 6 zones, when more than two parking spaces may be required in the front setback.

D. **When Optional.** Alternative compliance review may be conducted at the applicant's request in order to:

1. Modify the requirements of [Division 3-1-3, Design Standards Applicable within Multiple EN Zones](#), except the requirements of Section [3-1-3-2, Number of Principal Buildings](#), (which is addressed by Subsection C.3., above);
2. Reduce the minimum setback requirements of [Division 3-1-2, Bulk and Intensity in EN and EN-MF Zones](#).
3. Increase the maximum wall plate height requirements of [Division 3-1-2, Bulk and Intensity in EN and EN-MF Zones](#).
4. Allow a tower or cupola exception. (See Section [3-1-5-2, Tower or Cupola Exception](#).)
5. Allow for additional lot coverage or floor area. (See Section [3-1-5-4, Building Coverage or Floor Area Ratio \(FAR\) Increase](#).)
6. Modify the requirements of Section [3-5-1-1, Fences and Walls](#).
7. Modify the requirements of Section [2-3-2-3, Accessory Dwelling Units](#), as described in that Section.

Item 8.

Sec. 3-6-4-1 Permanent Signs

D. Canopy Signs. *(See Tables 3-6-5-1 and 3-6-5-2 for more details)*

1. A canopy may include a printed or mounted sign.
2. Color bands on canopy fascia that use colors from company logos count towards the total sign area. Fascia lighting shall be limited to channel letters and / or symbols.

Item 9.

Sec. 4-4-6-6 Specific Standards for Flood Hazard Reduction

- B. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor, including basement and attendant utility and sanitary facilities, elevated a minimum of one foot above base flood elevation.
- D. **Manufactured Homes.**
 3. Manufactured homes that are placed or substantially improved on sites in existing manufactured home parks or subdivisions within the FIRM zones A1-30, AH, and AE that are not subject to the provisions of Subsection D.2., above, shall be elevated so that either:
 - a. The lowest floor and attendant utility and sanitary facilities of the manufactured home is at or above the base flood elevation; or

- b. The manufactured home chassis is supported by reinforced piers or other foundation elements that are not less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. Further guidelines and examples of foundation, reinforced pier and anchoring system designs are contained in Federal Register of September 29, 1989 (Vol. 54, No. 188) and in FEMA publication "Manufactured Home Installation in Flood Hazard Areas," copies of which are available for review at the Department.

Item 10.

Sec. 4-5-2-1 Calculation of Required Parking Spaces

E. Calculations within Main Avenue Character Area of Downtown Design Overlay Zone.

1. Within the Main Avenue Overlay Zone, as defined in Section [2-1-2-2, Overlay Zones Established](#), additional parking is not required for a change of use of gross floor area which existed on the effective date of this LUDC, including gross floor area which was not previously put to a use which generated parking demand (e.g., an unoccupied basement).
2. Parking shall be provided in an amount equal to the marginal increase in required parking (see Section [4-5-2-2, Required Off-Street Parking Spaces \(Parking Tables\)](#)) attributable to:
 - a. New gross floor area added to a building after the effective date of this LUDC, according to the use of the new gross floor area; and
 - b. Changes in use of or to residential units.

Item 11.

Sec. 4-5-2-7 Parking Credits and Reductions: General

C. Replacement of Off-Street Parking Spaces with Bicycle Parking Spaces. Any nonresidential development in any zone may substitute a minimum of one space and a maximum of up to five percent of the required off-street automobile parking spaces (to a maximum of five automobile parking spaces) with additional bicycle parking spaces (not already required by the LUDC) at the following ratios:

1. One automobile parking space for every three covered bicycle spaces (including spaces within covered bicycle cages); and
2. One automobile parking space for every one bicycle lockers.

Item 12.

Table 6-3-3-10B Required Public Notice by Application Type			
Application Type	Form of Required Public Notice		
	Staff Review	Board or Commission Review	Council Review
Use Oriented Permits			
Special Use Permit	PO.2	NA	NA
Limited Use Permit	PO.3; ML.1 (300 ft.)	NA	NA
Conditional Use Permit		PUB.2; ML2 (300 ft.) PO.4	-

Rezoning	NA	PUB.2; PO.4; ML.2 (all owners within proposed rezone, and all owners within 300 ft. of proposed boundaries)	PUB.3; ML.3 (all owners within proposed rezone, and all owners within 300 ft. of proposed boundaries)
Comprehensive Plan Future Land Use Map Amendment	NA	PUB.2; PO.4; ML.2 (500 ft.)	PUB.2; ML.3 (500 ft.)
Oil and Gas Facility; Minor	PO.2; ML.1 (see Section 6-3-8-2 , Application; Determination of Completeness; Notice, for notice radius)	NA	NA
Oil and Gas Facility; Major	NA	PUB.2; PO.4; ML.2 (1,320 ft.)	PUB.3; ML.3 (1,320 ft.)
Certificate of Designation	NA	PUB.2; PO.4; ML.2 (1,320 ft.)	PUB.3; ML.3 (1,320 ft.)
Alternative Compliance			
EN Alternative Compliance: Staff	PO.2; ML.1 (150 ft.)	NA	NA
EN Alternative Compliance: DRB	NA	PO.4; ML.2 (150 ft.)	NA
Pattern Book	NA	PO.4; ML.2 (300 ft.)	NA
Signs			
Sign Design Program	NA	PO.4	NA
Site Development (Layout)			
Major Site Plan	NA	PUB.2; PO.3; ML.2 (300 ft.);	NA
Preliminary Plan	NA	PUB.4; PO.4	PUB.5
Conceptual Development Plan	NA	PUB.4; PO.4	PUB.5
Preliminary Development Plan	NA	PUB.4; PO.4; ML.2 (all owners within proposed zone, and all owners within 300 ft. of proposed boundaries)	PUB.5; ML.3 (all owners within proposed zone, and all owners within 300 ft. of proposed boundaries)
Final Development Plan	NA	PUB.4; PO.4; ML.2 (all owners within proposed zone, and all owners within 300 ft. of proposed boundaries)	PUB.5; ML.3 (all owners within proposed zone, and all owners within 300 ft. of proposed boundaries)
Historic Landmarks and Historic Districts			
Landmark Alteration Certificate	NA	PO.4	NA
Designation of Historic District	NA	PUB.2; PO.4; ML.2 (all owners in proposed district)	PUB.2; ML.2 (all owners in proposed district)
Designation of Historic Landmark (with Consent of Owner)	NA	PUB.2; PO.4; ML.2	PUB.2; ML.2

Designation of Historic Landmark (without Consent of Owner)	NA	PUB.2; PO.4; ML.2 (owner of landmark)	PUB.2; ML.2 (owner of landmark)
Appeal or Call Up of Disapproved Historic Landmark or District Designation	NA	NA	PUB.2; ML.2
Revocation of Landmark or District Designation	NA	PUB.2; PO.4; ML.2	PUB.2; ML.2
Amendments / Vacation / Abandonment			
Administrative Amendments including Planned Development Amendment, Minor	PO.2; ML1	NA	NA
Planned Development Amendment, Major	NA	PUB2; PO.4; ML2 (300 ft.)	PUB2; ML2 (300 ft.)
Vacation of plat or Abandonment of Rights-of-Way and Easements	NA	PUB2; ML2 (300 ft.)	PUB2; ML2 (300 ft.)
LUDC text amendment	NA	PUB2	PUB3
Comprehensive Plan or Special Area Plan Amendment	NA	PUB.2; PO.4	PUB.3
Relief			
Variance	NA	PUB.2; PO.4; ML.2 (150 ft.)	NA
Appeals		PUB.2; PO.4; ML.2 (150 ft.)	NA
Administration			
Development Agreement	By type of approval associated with development agreement		
TABLE NOTES: NA = Not Applicable			

Item 13.

Table 2-1-3-5 Commercial Retail and Service, Marijuana, and Restaurant Uses																		
Land Use	Standards Reference ¹	Zoning Districts																
		Residential					Mixed-Use			Nonresidential				Rural and Open Space		Public and Planned		
		EN-# ²	EN-MF	RL	RM	RH	CB	MU-N	MU-A	CG	CR	BP	LI	RA	OS	PB	PD	
Restaurant Uses																		
Restaurant; Drive-In or Drive-Through	§ 2-2-3-11	-	-	-	-	-	-	L	L	A	A	L	-	-	-	-	A ³	
Restaurant; Drive-In or	§ 2-2-3-11	-	-	-	-	-	-	L	L	A	A	L	-	-	-	-	A ³	

Table 2-1-3-5 Commercial Retail and Service, Marijuana, and Restaurant Uses																	
Land Use	Standards Reference ¹	Zoning Districts															
		Residential					Mixed-Use			Nonresidential				Rural and Open Space		Public and Planned	
		EN-# ²	EN-MF	RL	RM	RH	CB	MU-N	MU-A	CG	CR	BP	LI	RA	OS	PB	PD
Drive-Through, Late Night / 24-Hour																	
Restaurant, No Drive-In or Drive-Through	§ 2-2-3-11	-	-	-	-	-	A	A	A	A	A	S	L	-	-	-	A ³
Food Truck Pod	§ 2-2-3-11	-	-	-	-	-	S	S	S	S	S	S	L	-	-	-	A ³

Item 14.

Sec. 2-2-3-11 Standards for Restaurant Uses

E. **Food Truck Pods.** Food truck pods may be allowed as a special use in the CB, MU-N, MU-A, CG, CR, and BP zones and as a limited use in the LI zone if, in addition to the other applicable standards of this LUDC, compliance with the following standards is demonstrated:

- Standards described in *Section 2-3-2-2, Commercial Use of Patios and Outdoor Dining Areas*, although an additional Special Use Permit is not required.
- Clear Pedestrian Passage.* Pedestrian access between the food trucks and dining area shall not cross drive-aisles or functioning parking spaces. Customer queuing shall occur onsite.
- Setbacks.* Setbacks for food trucks shall be defined as the lesser of:
 - 10 feet, or
 - The principal building setbacks for the underlying zone.
- Spacing.* Food truck spacing shall comply with requirements defined by adopted Fire Codes.
- Sanitation.* Permanent restroom facilities shall be provided onsite for employees and customers.
- Waste Receptacles.* Appropriate bear-proof and wildlife-resistant waste receptacles shall be provided by the applicant and maintained in accordance with applicable City standards.

Item 15.

Table 4-5-2-2C Parking Requirements for Commercial Retail and Service, Marijuana, and Restaurant Uses		
Land Use	Parking District	
	General	Enhanced Multimodal Area
Restaurant Uses		
Restaurant; Drive-In or Drive-Through	1 space per 50 sf. Customer Access Area	1 space per 50 sf. Customer Access Area
Restaurant; Drive-In or Drive-Through, Late Night / 24-Hour	1 space per 50 sf. Customer Access Area	1 space per 50 sf. Customer Access Area
Restaurant, No Drive-In or Drive-Through	1 space per 75 sf. Customer Access Area	1 space per 75 sf. Customer Access Area
Food Truck Pod	1 space per food truck	1 space per food truck

Item 16.

Sec. 2-3-2-2 Commercial Use of Patios and Outdoor Dining Areas

- A. **Generally.** The commercial use of patios and outdoor dining areas is a major accessory use to alcoholic beverage sales, on-premise consumption; brewing / distillery / winery production with on-premise consumption; and restaurant uses of all types. In general, this use is allowed as a special use. If live entertainment is to be provided, it may be approved as a limited use. Commercial use of patios and outdoor dining areas is limited to service of food and beverages, and may include occasional live entertainment, as provided in this Section.

Item 17.

Article 7-3 Definitions

Food Truck Pod means one or more food trucks operating on a single parcel as a principal use. The use implies the inclusion of an outdoor dining area.

MEMORANDUM

DATE: February 9, 2023

TO: Chuck Stevens, La Plata County Manager and Jose Madrigal, Durango City Manager

FROM: Ann Morse, Executive Director, Manna – The Durango Soup Kitchen

RE: 2023 Full funding for homeless plan implementation for Manna

Request

This memo is formally requesting full funding to provide support for the Manna Resource Center (\$170,000) and to fund a Coordinated Entry System Manager position (\$50,000) from the joint sales tax (\$220,000). Below is an outline from the adopted strategic plan in early 2020 and background on what has occurred during the pandemic, the closure of Purple Cliffs and next steps. Funding as soon as possible would position Manna and its team to leverage other funds to address the growing needs of the homeless population in La Plata County. Thank you for your consideration.

Background

At the beginning of 2020 the County and City of Durango endorsed a strategic plan on homelessness that was grounded in one essential principle: ***balance all interests to produce the best possible outcomes for the community as a whole***. Balancing all interests meant that addressing homelessness would include meeting the needs of people who are unhoused or at risk of losing their housing and meeting the needs of all neighbors who wish to enjoy the beauty of this community with clean community spaces and while feeling safe living in La Plata County.

The Strategic Implementation Plan section of this plan was designed to serve as a framework for guiding and supporting successful implementation of strategic action items in the Actionable Management Plan and allow for nimble responses to challenges with implementation and emerging issues or new opportunities. Grounded in both best practices and community dynamics and needs, the endorsed plan sought to:

1. Provide for an array of strategies built on common ground and effectively balance the array of interests in the community.
2. Establish a systematic approach that aims to keep people housed or get them into housing as quickly as possible, enabling a future in which homelessness is rare, brief and one time whenever it can't be fully prevented.
3. Leverage existing strengths in order to create a much greater chance of success in reaching that major goal of preventing or limiting the occurrence of homelessness.

Central to implementation of this plan was to focus on increasing the community's capacity to address homelessness through greater coordination and collaboration. This planning process developed a coordination system for the greater Durango area in La Plata County that includes:

- Developing a formal resource navigation center to better deploy services to unhoused community members and to prevent homelessness for housed community members,
- Creating a Coordinating Council structure for coordinated decision-making as the plan is implemented and requires updates,
- Integrating a coordinated data collection system into the navigation center that is linked to the Coordinated Entry System (CES) for housing and annual counts of people who are unhoused and for use with center intakes and check-ins,
- Establishing a new Systems Navigation and Coordination Director position (Director) to both manage the navigation center and support the Coordinating Council in its responsibilities, including facilitating priority resource acquisition.

The plan recommended that the local governments identify funding to support the set-up and build out of this system for the first three years of implementation (2020-2023). After that time the community would evaluate its effectiveness and, hopefully, other resources are identified to augment the need for funding from local government. Total investment in this new system was estimated to cost up to \$170,000 annually (see table below).

Strategic Plan Implementation New Investment Opportunities	
<i>Primary Investment Request</i>	
Establishing Coordination System	Range
Systems Navigation and Coordination Director position	95,000
Support Staff for Position and Navigation Center	50,000
Data System Enhancements	10,000
Office Support, supplies and set-up	15,000
Total	170,000

We fully anticipated pursuing the full \$170,000 in 2020 and then COVID hit and all of our work to launch this new scope of work was stalled. Manna eventually received \$80,000 in March 2021 and was able to partially implement the above system. We circled back with the City and County and requested for Manna to receive full funding in 2022 and received \$170,000 in March 2022. Manna is requesting the third year of funding for the Resource Center to provide the much needed funds to stabilize operations of this new model, This is more critical than ever given the increase in need with the closure of Purple Cliffs and impacts from the pandemic. Since COVID-19, La Plata County has seen a dramatic increase in food, employment, and housing insecurity. Manna's new 3-Year Strategic Plan and model change has come about because of our increased understanding of the community's needs. Manna's previous model operated as a soup kitchen and did not address food insecurity for diverse populations of the community. With many lessons learned and countless hours of research, Manna took the next steps needed to tackle poverty and to help program participants overcome social determinants of health barriers. To do this Manna has remodeled the soup kitchen and transformed it into a Community Kitchen with Take-out Window, Food Market, and Resource Center. This new model allows for more equitable food and resource access in our rural community where wealth distribution is vast, helps break down barriers of stigma and provides dignity to those we serve. Manna is requesting full funding in the amount of \$170,000 for staff wages to help provide staff capacity to support the needed wraparound services and case management for individuals/families who are experiencing impacts from the pandemic, the closure of Purple Cliffs and the daily struggles of life. The newly

remodeled resource center will connect clients with core services, case management and positive encouragement to help them reach their goals. This model will serve three roles in the community. (1) It is a Food Hub for La Plata County. (2) It is a hub of services for people who are homeless or at-risk of homelessness, offering a central starting and re-connecting point of service access. With the support of partnering organizations, it provides core, human services that help people meet basic needs. (3) It is a key source of actionable data that supports on-going community planning.

Manna's second ask is a follow-up to the discussions that the Coordinating Council on Homelessness (CCH) had with both the City Councilors and County Commissioners regarding the future direction of CCH taking next steps to providing impactful direct services to supporting individuals/families experiencing homelessness.

The Durango-La Plata County Coordinating Council on Homelessness (CCH) was created in July 2021 by Manna as the selected lead agency by the City of Durango and La Plata County. A high priority strategy of the Durango-La Plata County Strategic Plan on Homelessness, created to provide oversight and guidance for implementation and performance assessments of the coordinated plan on homelessness. There are 18 members plus alternatives made up of many different organizations and stakeholders in La Plata County. The CCH's primary objective is to make homelessness in Durango & La Plata County rare, brief, and one-time whenever it cannot be prevented entirely. The Council is tasked with implementing the City and County's Strategic Plan on Homelessness (released in January 2020) through the coordinated efforts of its member organizations, and through its support of local public and private initiatives on homelessness. The Strategic Plan's Actionable Management Plan has five strategic themes: Housing and Shelter, Health, and Other Support Services, Safe and Clean Community, Connected Community and Work that Works. The CCH has created SMART Goals (Specific, Measurable, Achievable, Relevant, Time-bound) for the strategies in these themes to guide its collective impact approach to addressing the complex and interconnected issues of homelessness in our community. The CCH conducts a review of its collective progress in meeting these goals and releases it to the public. In December 2022, the CCH meetings were put on hold while we looked at models providing direct services and support to people experiencing homelessness.

The CCH supports transitioning to an existing model already in place in La Plata County by the Colorado Balance of State (BOS) Continuum of Care (CoC) Coordinated Entry System (CES). The CES is a community-wide process, required per Housing and Urban Developments (HUD) best practices, that connects individuals and families who are currently homeless or at imminent risk of experiencing homelessness with appropriate housing and resources. The Colorado Balance of State Continuum of Care Coordinated Entry System streamlines housing services so that homelessness in Colorado is rare, brief, and nonrecurring. Each region in Colorado has a CoC Coordinated Entry System. For the Southwest Region, the lead CoC is Housing Solutions for the Southwest. The CCH is asking for the City/County to support a Coordinated Entry System Manager position in the amount of \$50,000 to provide the needed staff capacity to facilitate the Continuum of Care Coordinated Entry System. This position would be funded by the City/County for 2023; Housing Solutions and Manna are submitting a grant to DOH to provide funding for this position in 2024 and 2025. Please see the attached job description for a detailed description of the program/job duties.

Our proposed budget for 2023 is as follows:

Program	Amount Requested from County/City	Job Position – amount paid by County/City FTE%	Additional Funding to cover the remaining FTE%
Resource/Navigation Center Operations	\$40,000	0.5 FTE for Resource Center Manager (\$80,000 including benefits)	.5 FTE CDPHE Grant Daniels Fund
Direct Services Staff at Resource Center	\$30,000	.6 FTE for Resource Center Front Desk Manager (\$50,000 including benefits)	.4 FTE CDPHE Grant Daniels Fund
Direct Services Staff at Resource Center	\$50,000	2 x .5 FTE for Resource Center Navigator/Case Manager	2 x .5 FTE Bezos Grant CDPHE Grant Daniels Fund Hunger Free Co
Direct Services Staff at Resource Center	\$50,000	4 x .5 FTE for Resource Center Front Desk Staff	4 x .5 FTE CDPHE Grant Daniels Fund
Direct Services Staff at Resource Center	\$0.00	Bilingual Housing/Resource Navigator	1.0 FTE CDPHE Grant ESG- 22 Funding
Direct Services Staff at Resource Center	\$0.00	Bilingual Front Desk Navigator	.5 FTE CDPHE Grant
Direct Services Staff at Resource Center	\$0.00	WAGEES Case Manager	1.0 FTE Latino Coalition for Community Leadership
Direct Services Staff at Resource Center	\$0.00	Street Outreach Team	1.5 FTE ESG -22 Funding
Coordinated Entry System Manager – Housing Solutions	\$50,000	1.0 FTE Coordinated Entry System Manager Please see attached job description. Position would be hosted at Housing Solutions.	Position would be created if funding is received. For Future funding Housing Solutions and Manna are requesting funds from DOH for continued funding in 2024 and 2025.

Funding Outcomes for 2022/2023

- Manna's Resource/Navigation Center was opened on March 28, 2022. Since March 28, 2022, Manna has entered 1,468 unduplicated individuals into EmpowOr and has gathered demographics. Manna provides services to vulnerable populations that are under resourced and at higher risk for COVID-19. Our program participants are the most fragile in the community, with over 40% experiencing homelessness. The obstacles that many of our program participants face include addiction, mental/behavioral health challenges, physical disabilities, homelessness, lack of transportation, lack of financial support, lack of education and/or job skills, and loss of self-confidence associated with these experiences. Access to Manna programs provide a valuable and effective way for unhoused and underserved people to get the support they need. Manna works together with many partner organizations and the community to reduce barriers for those we serve and promote health equity. Manna expects to serve 2,500 unduplicated individuals in 2023.
- Data: EmpowOr, a data system which creates customized assessments, enrollment pages, case management, workforce development, track current services, demographics and much more was launched March 28, 2022. Manna will share the data that we collect to the community on a regular basis. This new tracking system allows us to provide those we serve with better case management and track client progress and successes, easily share information to partner agencies for referrals, and provide clearer data to our community and funders to show the tangible differences that the Resource Center and La Plata County and City of Durango's Strategic Plan on Homelessness is making in people's lives.
 - Manna's program participants are 18% people of Latin American Ancestry. US Census Bureau reports the population of the Latinx community of La Plata County is 13%.
 - Manna's program participants are 21% people of American Indian or Alaska Native Ancestry. US Census Bureau reports the population of Native American/Alaska Native community of La Plata County is 7.7%.
 - Manna's program participants are 40% experiencing homelessness.
- Manna's Resource Center and Street Outreach Team have provided additional support to unhoused community members during the closure of Purple Cliffs. Manna's Street Outreach Team is providing outreach 5 days a week distributing supplies, providing resource navigation and transportation. Manna has prioritized motel stays for people experiencing homelessness due to the closure of Purple Cliffs based on the individual's needs (families with children, person experiencing disability, someone who just got out of the hospital, sickness, pregnant women, etc.). La Plata County Collaborative Management Program (CMP) and Manna Resource Center are providing case management to these families and individuals. Housing Solutions, CMP and Manna are working together to securing permanent housing for these families and individuals.

- Built for Zero Pilot Exploration—focus on direct placement into housing with ESG and other resources. The Coordinated Entry System Manager would take the lead on this initiative.
- Coordinated Entry System organizational development and facilitation of unhoused initiatives would be led by the Coordinated Entry System Manager.
- Initiation and follow-up of collaborative funding opportunities identified and applied for to support unhoused community members achieving stable housing would be led by the Coordinated Entry System Manager.

Thank you for the opportunity to submit this proposal. It is an honor and privilege to have had the steadfast support of the City of Durango and la Plata County throughout the years. Manna greatly appreciates all that you have done and continue to do for the unhoused in our community. Please let me know if you need any additional information and/or if I can answer questions.

Sincerely,
 Ann Morse
 Executive Director
 (970) 385-5095 x107
 970-317-0399 cell phone
director@mannasoupkitchen.com

DRAFT Job Description

Coordinated Entry System Manager

MISSION: The Colorado Balance of State (BOS) Continuum of Care (CoC) Coordinated Entry System (CES) is a community-wide process, required per Housing and Urban Developments (HUD) best practices, that connects individuals and families who are currently homeless or at imminent risk of experiencing homelessness with appropriate housing and resources.

PURPOSE: The Colorado Balance of State Continuum of Care Coordinated Entry System streamlines housing services so that homelessness in Colorado is rare, brief, and nonrecurring. Each region in Colorado has a CoC Coordinated Entry System. For the Southwest Region, the lead CoC is Housing Solutions for the Southwest.

OVERARCHING GOALS: HUD's primary goals for coordinated entry processes are that assistance is allocated as effectively as possible and that it be easily accessible no matter where or how people present. Most communities lack the resources needed to meet all of the needs of people experiencing homelessness. This combined with the lack of well-developed coordinated entry processes can result in severe hardships for people experiencing homelessness.

Coordinated entry processes help communities prioritize assistance based on vulnerability and severity of service needs to ensure those most in need, receive timely services. Coordinated entry processes also provide information about service needs and gaps to help communities plan their assistance and identify needed resources.

The primary goals of a Coordinated Entry System:

- Ensure that housing resources are allocated effectively by matching households to the most appropriate project type based on need rather than serving households on a first-come, first-served basis
- Prioritize households that are most vulnerable and that have the highest severity of service needs for scarce permanent housing resources
- Ensure that households are not screened out of receiving assistance based on perceived barriers to housing, such as criminal record, lack of employment or income, or history of substance use
- Move away from homeless services that are provided on a project-by-project basis to a coordinated and comprehensive system of care that includes a variety of project types and funding streams

Key Benefits of a Coordinated Entry System for the Southwest Colorado Region include:

- making the region more competitive for applicants pursuing funding opportunities
- promoting the timely evaluation of available human and financial resources
- reducing duplication of efforts
- producing efficient and effective collaboration of entities providing services

Additional information about the requirements and best practices of Coordinated Entry Systems can be found in HUD's Coordinated Entry Elements document and the Colorado Balance of State Continuum

of Care links: [Coordinated Entry Core Elements \(hudexchange.info\)](http://hudexchange.info); [Intro to BoS CESprocess.docx.pdf \(coloradocoalition.org\)](http://coloradocoalition.org)

KEY RESPONSIBILITIES OF THE COORDINATED ENTRY MANAGER

COORDINATED ENTRY SYSTEM

Oversee implementation of the CoC Coordinated Entry System

- Serve as chair of CES and liaison to CE committee members
- Identify new partners and ensure training and orientation of new partners
- Set agenda and facilitate monthly CE meetings (organization updates, selection and placement on By Name waitlist, writing referral letters, and facilitating coordination of services)
- Ensure accurate completion of Vi SPDATS (vulnerability assessment screen) and entry into HMIS (Homeless Management Information System) by HMIS users
- Ensure protocols are in place and adhered to protect the confidentiality of all individuals seeking services
- Review, update and ensure adherence to CES Policies and Procedures
- Ensure ongoing collaboration with Regional CoC leads for participation in CES to share resources and coordinate service
- Work with the HMIS team to effectively manage the By Name Waitlist. This is a list of people who are homeless in the community to be assessed and matched for any available resources. Currently, we have 160 households on the list

BALANCE OF STATE COC ALIGNMENT

- Ensure compliance with HUD and Balance of State COC processes and requirements
- Report to and coordinate regional participation on the Balance of State COC Governance Board and Committees
- Ensure appropriate participation in the BOS Governing Board and committees including Project Ranking, Coordinated Entry, NOFO, and Point in Time

POLICY

- Identify, promote and lead policy discussions specific to housing and housing services/opportunities
- Convene quarterly meetings with committee members, city and local leaders, and experts to discuss issues and gaps in service affecting the homeless

FUNDING AND GRANT WRITING

- Identify local, state, and federal funding opportunities, and coordinate the writing and submission of grants
- Research and maintain a database of grant opportunities to be reviewed with the CE committee for potential collaborative work
- Ensure all entities working with the homeless discuss funding opportunities and make collaborative decisions about which entity should be the lead

Education and Experience

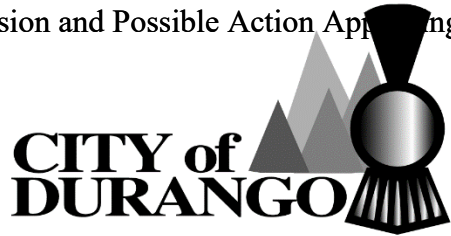
- Related college degree and HUD, human service agency, affordable housing industry experience preferred
- Experience with the Housing First Model
- The belief that housing is a human right, the understanding that many barriers exist for community members to successfully identify appropriate housing opportunities, and the desire to help decrease those barriers wherever possible
- Experience researching, writing, and/or administering federal grant
- Database development and management in excel and other database systems
- Support efforts to maintain client data and statistics in HMIS that is used for effective referrals, as well as evaluation and advocacy for improved services and resources available in the broader community
- Experienced with trauma-informed care
- Excellent communication and interpersonal skills. Must be able to work with culturally and economically diverse staff and clientele. Represent and present information about Coordinated Entry System work
- Demonstrated proficiency with computer programs, including Microsoft Word, Excel, and Outlook, and ability to learn and implement new data entry programs
- Ability to work independently and in a fast-paced environment
- Valid Driver's License. Employees must provide their own transportation and mileage will be compensated. Occasional travel within Southwest Colorado and other areas of the State is also required, primarily for training

How to apply: XXXXX

References: Must provide two references from a direct supervisor.

Resume and cover letter are required for consideration. Please send to [XXXXX](#)

Position Type: Remote work not an option. Location is the Housing Solutions Office.



AGENDA DOCUMENTATION

Meeting Date: March 21st, 2023

TO: DURANGO CITY COUNCIL FROM: SCOTT SHINE, COMMUNITY DEVELOPMENT DIRECTOR & DEVON SCHMIDT, BUDGET AND STRATEGIC PLAN OFFICER

SUBJECT: DISCUSSION AND POSSIBLE ACTION APPROVING A RESOLUTION TO AMEND THE 2023 BUDGET FOR THE PURPOSE OF BUDGET ADJUSTMENTS TO THE 2023 APPROPRIATIONS FROM THE GENERAL FUND FOR HOUSING - AEO

RECOMMENDATION:

It is recommended that City Council, by motion, approve the request by authorizing to amend the 2023 budget for the purpose of unanticipated budget adjustments to the 2023 appropriations from the General Fund Reserve to the Housing Innovation Fund.

BACKGROUND SUMMARY:

At the February 14th and 15th City Council Retreat, Council discussed priorities for the City of Durango to focus on for the near term. These priorities included: Housing, Facilities, Parks, Open Space and Trails, Parks and Multimodal, Transportation, Streets, Bridges and Alleys and Stormwater Drainage. Council deliberated on each priority area and gave direction to staff for each priority. During the retreat Council gave the following direction to staff:

- Housing: Pursue Option A.

At the March 21st City Council Study Session, staff will share in greater detail how these funds will support the expansion of housing efforts which have been proven to be effective in its short existence. The following summarizes the intent of using these funds to roll out the City’s Housing Accelerator model in partnership with the Economic Development Alliance’s and the Regional Housing Alliance’s Housing Catalyst Fund:

- Level up proven approaches to catalyzing and accelerating production of diverse types of housing units and price points.
- Use a model that is adaptable to various scales and types (rental and ownership).
- Secure units with tools that ensure long-term affordability for workforce and local residents.
- Engage a diverse set of community partners and funding sources to establish a unified, sustainable program.
- Conduct multi-platform outreach around a consistent message will be achieved to engage community and build support.
- Reduce development cost barriers.
- Align with State and Federal efforts to leverage local funds for greater impact.

At the City Council Regular Meeting on March 21st, staff will present a Budget Amendment to appropriate \$5.2 million dollars to the Housing Innovation Fund. One million dollars is coming from the City’s remaining American Rescue Plan Act (ARPA) funding while still reserving sufficient funds to cover 2024 Housing Division baseline operations. \$3.2 million is proposed to come from the General Fund Opportunity Reserve. The remaining \$1 million dollars is from a recently awarded grant through the Department of Local Affairs Innovative Housing Incentive Grant Program (IHOI).

This package of funding demonstrates the emphasis being placed on housing solutions and how allocating local funding can attract outside resources to make a greater impact. Staff is very excited to continue advancing projects which benefit the community by providing more housing options.

STRATEGIC PLAN ALIGNMENT:

Affordability and Economic Opportunity:

- 1. Create Housing Opportunities to support multigenerational & mixed-income community workforce and increase affordability to bridge the disparity between income and home/rental prices.
 - 1.1 Identify and commit resources and revenue towards implementing a long-term plan that encourages housing opportunities for mixed-income demographics with an emphasis on workforce housing.

- 1.1.1 Ensure there is adequate city staff to focus on ways to increase affordable and workforce housing inventory through a variety of mechanisms that include land and or infrastructure acquisition (or bank), changes to code, and public-private incentives.
 - 1.1.2 Explore funding opportunities for the Regional Housing Alliance and other city housing programs.
- 1.2 Support the production of a variety of housing types through incentives, partnerships, efficient review processes, and other mechanisms with particular emphasis on middle-income housing.

Financial Excellence and High Performing Government:

- 1.1 Identify partnership opportunities to leverage dollars, capacities, and efficiencies, including grants and volunteers to offset city expenditures.

FISCAL IMPACT

Estimated ending fund balance for the General Fund outperformed the 2022 Budget with the estimated ending 2022 fund balance at \$22,294,878 (unaudited). \$3.2 million dollars from the General Fund Opportunity Reserve creating an estimated fund balance for 2023 of \$18,928,420 million.

This request includes utilizing \$1 million in ARPA Funding for the Housing Innovation Fund. The City would have \$359,069.58 remaining in American Rescue Plan Act Funds that must be utilized by the end of 2024.

In addition, the City has been awarded \$1 million from the recently awarded grant through the Department of Local Affairs Innovative Housing Incentive Grant Program (IHOI) for the Residences at Durango, the Best Western Motel Conversion project that will create 120 affordable units.

RECOMMENDATION

It is the recommendation that City Council, by motion, approve the attached resolution authorizing the appropriations.

RESOLUTION R-2023-XX

A RESOLUTION AUTHORIZING TO AMEND THE 2023 BUDGET FOR THE PURPOSE OF BUDGET ADJUSTMENTS TO THE 2023 APPROPRIATIONS FROM THE GENERAL FUND FOR HOUSING (AEO)

WHEREAS, under the provisions of Article V, Section 10 of the Durango City Charter, the City Council may make additional appropriations during the budget year for unanticipated expenditures required by the city not exceeding, however, actual revenues and unappropriated surplus; and

WHEREAS, to accomplish the goals of City Council and incorporate several unanticipated budget adjustments that have been requested from departments increasing, transferring, or amending the appropriations for revenues and expenditures; and

WHEREAS, there exists sufficient funds within fund balance;

NOW, THEREFORE, BE IT RESOLVED, as follows

Section 1. That the City Council of the City of Durango, in regular meeting assembled, that 2023 budget shall reflect the changes and the appropriations for 2023 are increasing, transferring, or amending according to the tables below:

General Fund			
			Budget Increase/(Decrease)
Account Number	Project Number	Account Description	One-Time
Expenses			
11-4999-39699		Transfer to Housing Fund from the City Council designated Opportunity Reserve	3,200,000
Net Effect on Fund Balance			(3,200,000)

Grant Fund			
			Budget Increase/(Decrease)
Account Number	Project Number	Account Description	One-Time
Expenses			
18-1000-63189	7005	Transfer to Housing Fund from the American Rescue Plan Act (ARPA) funds	1,000,000
18-4137-39699	7005	Transfer to Housing Fund from the American Rescue Plan Act (ARPA) funds	1,000,000
Net Effect on Fund Balance			(1,000,000)

Housing Fund			
			Budget Increase/(Decrease)
Account Number	Project Number	Account Description	One-Time
19-1000-63189	1230	DOLA 21-1271 IHOI Grant	1,000,000
19-1000-63189	7005	Transfer to Housing Fund from the American Rescue Plan Act (ARPA) funds	1,000,000
19-1000-66559		Transfer to Housing Fund from the City Council designated Opportunity Reserve and funding from the American Rescue Plan Act	3,200,000
Expenses			
19-4137-31499	7005	Housing Fund Projects	3,912,547.86

19-4137-31499	1230	DOLA 21-1271 IHOI Grant	1,000,000
19-4137-31499		DOLA 21-1271 IHOI Grant City Match	287,452.14
Net Effect on Fund Balance			-

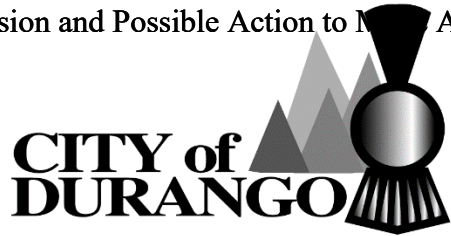
Approved and adopted this 21st day of March, 2023.

CITY OF DURANGO, COLORADO

By: _____
Mayor

ATTEST:

By: _____
Faye Harmer, City Clerk



AGENDA DOCUMENTATION

Meeting Date: March 21st, 2023

TO: DURANGO CITY COUNCIL FROM: DEVON SCHMIDT, BUDGET AND STRATEGIC PLAN OFFICER

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION TO MAKE AMENDMENTS TO THE 2022 ADOPTED BUDGET AND 2023 ADOPTED BUDGET

RECOMMENDATION:

It is the recommendation that the City Council, by motion, approve the attached resolution authorizing the budgetary transfers and additional or reduced appropriations.

BACKGROUND SUMMARY:

This item incorporates several unanticipated budget adjustments for 2022 Adopted Budget and the 2023 Adopted Budget.

The budget impacts associated with the 2022 Adopted Budget are related to the following:

- Increase to revenues for Sales Tax for exceeding the 2022 Amended Budget which offsets additional appropriations.
- To avoid department overruns in budgetary expenditures, a request for additional appropriations or transfers are requested in Fire Services, Durango Welcome Center, and City Manager’s Office, Parks and Recreation, Self Insurance, & Risk Management. These are considered to be one-off circumstances where the expenditures exceeding the budget where not foreseen.
- Due to the COVID-19 Pandemic availability of securing vehicles has been problematic.
- As a result of several unforeseen circumstances several project re-appropriations in the 2005 POST, the 2015 Sales tax funds, Water, Sewer, Housing Fund, Lodgers Tax Fund, and Airport are requested to be reduced in 2022 and re-appropriated in 2023.
- Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.
- In the Airport Fund and General Fund (Police) there is sufficient funding to pay of CERF purchases.

The budget impacts associated with the 2023 Adopted Budget are related to the following:

- Includes new or re-appropriation of grants. Additionally, Governmental Accepted Accounting Principles (GAAP) requires revenues that are received prior to expenses to not be recorded in the budget until the purpose of expenditures are designated.
- This request includes professional development for the Executive Leadership Team to continue to build shared leadership competencies.
- As a result of several unforeseen circumstances several project re-appropriations in the 2005 POST, the 2015 Sales tax funds, Water, Sewer, and Airport are requested to be reduced in 2022 and re-appropriated in 2023.
- Due to the COVID-19 Pandemic availability of securing vehicles has been problematic. There is also a request related to snow-hauling due to the moist winter 2023 has presented.
- Finally, as an effort to provide greater transparency, tracking, and make corrections as well as follow best practices around Governmental Accepted Accounting Principles (GAAP) several adjustments to the 2023 Adopted Budget are incorporated.

STRATEGIC PLAN ALIGNMENT:

Financial Excellence and High Performing Government

ALTERNATIVE OPTIONS CONSIDERED:

N/A

FISCAL IMPACT

Budget Adjustments Net Effect on Fund Balance:

Fiscal Impact		Net Effect On Fund Balance	
Fund Title	Fund	2022	2023
General Fund	11	951,558	(1,570,481)
Grant Fund	18	919,472	-
Airport Operating Fund	95	(114,219)	(3,333)
Airport Capital Fund	41	1,133,029	(1,133,029)
Trash and Recycle Fund	96	6,400	(18,767)
Trash and Recycle Construction Fund	45	56,483	(67,483)
Parks, Open Space and Trails	48	1,591,134	(1,586,634)
2015 Sales Tax Fund	21	3,189,453	(3,184,148)
Housing Fund	19	1,188,082	(1,411,428)
Lodgers Tax Fund	23	590,844	(262,426)
Transportation	97	20,648	(159,481)
Capital Equipment Replacement Fund	82	383,363	-
Water Operating	91	-	(50,667)
Water Capital	43	2,643,363	(2,643,363)
Sewer Capital	44	474,846	(474,846)
URA	29	18,991	(18,991)
Self Insurance	83	(176,366)	-
Risk Management	84	(31,704)	-
General Fund Capital	42	-	(641,340)
2019 Streets Sales Tax	24	-	(755,570)

POTENTIAL ADVERSE IMPACTS:

N/A

NEXT STEPS AND TIMELINE:

Projects reappropriated will work towards completion in 2023.

RESOLUTION R-

**A RESOLUTION TO AMEND THE 2022 AND 2023 BUDGETS FOR THE
PURPOSE OF BUDGET ADJUSTMENTS TO THE 2022 APPROPRIATIONS
AND 2023 APPROPRIATIONS**

WHEREAS, under the provisions of Article V, Section 10 of the Durango City Charter, the City Council may make additional appropriations during the budget year for unanticipated expenditures required by the city not exceeding, however, actual revenues and unappropriated surplus; and

WHEREAS, to accomplish the goals of City Council and foster a team oriented working environment resulted in budget impacts and incorporates several unanticipated budget adjustments increasing, transferring, or amending the appropriations for expenditures and revenues; and

WHEREAS, there exists sufficient funds within fund balance;

NOW, THEREFORE, BE IT RESOLVED, as follows

Section 1. That the City Council of the City of Durango, in regular meeting assembled, that 2022 budget shall reflect the changes and the appropriations for 2022 are increasing, transferring, or amending according to the tables below:

General Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
11-1000-61319		Sales Tax Revenue Forecast over 2022 Amended Budget	580,963	
911 Communications				
11-4212-49199		Generator Replacement	(190,000)	
11-4212-15899		Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	23,551	
Parks and Recreation				
11-4411-49199		Tool Cat	(61,550)	
11-4411-49199		1 ton pickup	(45,000)	
11-4411-49199		Colorado pickup	(31,500)	
11-4510-15899		Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	11,591	
11-4414-15899		Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	18,379	
11-4551-15899		Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	6,204	
Finance				
11-4121-		GFOA Leadership Training professional development	(4,800)	
11-4121-31299		Leases consultant Eide Bailly re-appropriation from 2022	(60,000)	
City Clerks Office				
11-4112-31499		On-Base Migration continuation of the project re-appropriation from 2022	(20,000)	
Community Development				
11-4132-31499		Other contracted services, including Renew and Creates grants and Main Ave enhancements	(129,930)	
City Mangers Office				
11-4103-15899		Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	8,937	
11-4103-11199		Position attrititional changes and compensated absences in 2022	27,397	
City Attorney				
11-4103-11199		Position attrititional changes and compensated absences in 2022	17,052	
Police Administration				
11-4210-31499		Contracted Services (chief's PO to Graves Consulting 22-0556) one remaining payment re-appropriation from 2022	(3,430)	
11-4210-26999		Other Supplies (computer new position)	(2,619)	
11-4210-26999		Ammunition ordered but not received re-appropriation from 2022	(19,488)	
Fire Services				
11-4220-31499		Durango Fire Protection District based on mill levy final cert	77,357	
Durango Welcome Center				
11-4108-35799		Durango Welcome Center Contract rental	7,254	
Net Effect on Fund Balance			951,558	

Grant Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
18-4523-22499	1214	Stabilization and Sustainability Grant	(95,609)	
18-5204-31499	0133	BLM/CSFS Fire Mitigation Grants	(193,236)	
18-4112-31499	7005	ARPA Lobby customer service enhancement for public outreach	(3,333)	
18-4131-31499	7005	La Posta Rd. Reappropriation	(627,294)	
Net Effect on Fund Balance			919,472	-

Airport Operating Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
95-8611-35699		Airport Operations-CERF Reconciliation	22,844	
95-8614-35699		Airport Utilities/Environmental-CERF Reconciliation	22,844	
95-8615-35699		Airport Maintenance-CERF Reconciliation	45,688	
95-8616-35699		Airport Fire Rescue/Operations-CERF Reconciliation	22,844	
Net Effect on Fund Balance			(114,219)	-

Airport Capital Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
41-5102-31499	6065	Wastewater System Upgrades - Carryforward of project funds not expended in FY22. Equipment procurement, final design, and construction planned for FY23	(145,356)	
41-5102-31499	6069	Terminal Expansion Design Phase 1A - Carryforward of \$147,586 in remaining engineering, design, and pre-construction costs into FY23. Also, a budget transfer shifting \$250,000 in appropriated budget from Phase 1A design to Phase 1B design.	(397,586)	
41-5102-31499	6070	Runway 3/21 Rehabilitation - Carryforward of remaining engineering, construction, and retainage costs into FY23	(350,000)	
41-5102-31499	6071	Taxiway A Reconstruction - Carryforward of remaining engineering and retainage costs into FY23	(150,000)	
41-5102-31499	6074	Airline GSE Parking Area Construction - Carryforward of electrical work that was not able to be completed in FY22 construction season into FY23	(90,087)	
Net Effect on Fund Balance			1,133,029	-

Trash and Recycle Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
96-8414-31499		Green Durango Grants and Green Business Certification contract re-appropriation to 2023	(6,400)	
Net Effect on Fund Balance			6,400	-

Trash and Recycle Construction Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
45-5501-31499	3009	Library EV Charging Station CIP re-appropriation to 2023	(56,483)	
Net Effect on Fund Balance			56,483	-

Parks, Open Space and Trails				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
48-5204-31499	0253	Outdoor Pickleball Courts	(88,668)	
48-5204-31499	0146	SMART 160 East Trail Connection	(1,226,195)	
48-5204-31499	0171	Park, Trail & Rec Improvements	(246,947)	
48-5204-31499	0133	Open Space Maintenance	(29,323)	
Net Effect on Fund Balance			1,591,134	-

2015 Sales Tax Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
21-5201-31499	0167	Recreation Facility Improvements	(3,149)	
21-5201-31499	0257	ART Rank Park to Demon Bridge	(637,938)	
21-5201-31499	0251	Durango Mesa Park	(1,259,006)	
21-5201-31499	0266	ART, Santa Rita Park to CR 210 Trail	(1,155,000)	
21-5202-31499	0262	Downtowns Next Step-Multimodal	(71,581)	
21-5202-31499	0223	Camino Crossing-Multimodal	(11,150)	
21-5202-31499	0249	Midtown-Multimodal	(4,197)	
21-5202-31499	0255	32nd Street-Multimodal	(8,337)	
21-5201-31499	0228	Lake Nighthorse Improvements	(39,095)	
Net Effect on Fund Balance			3,189,453	-

Housing Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues:				
19-1000-63189		Federal Grants	(3,000,000)	
19-1000-66699		Interfund Transfer from Lodgers Tax	910,000	
Expenditures:				
19-4137-39699		reimbursement of building permit fees in exchange for local workforce in a Gauge Apartments development.	(26,654)	
19-4134-31499		Other Contracted Services	(76,344)	
19-4134-31499		Other Contracted Services	(55,084)	
19-4134-31499		Other Contracted Services ADU for Locals Rebate Program	(80,000)	
19-4134-31499		Other Contracted Services DOLA HB21-1271 Planning Grant (IHOP) 25% Local Match	(40,000)	
19-4137-31499		Other Contracted Services	(3,000,000)	
Net Effect on Fund Balance			1,188,082	-

Lodgers Tax Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
23-4819-31499		Chapman Rink Ice Skates Fleet	(844)	
23-4819-31499		11% Council Determination - Housing (City Council 10.18.22)	225,000	
23-0000-81349		November Ballot Initiative - PASSED 66% Housing (11.8.22)	(685,000)	
23-4819-31499		Park Restrooms Design (Schneider Park + Buckley Park)	(30,000)	
23-4819-31499		River Trail & Parks Enhancements (update benches + tables)	(46,000)	
23-4819-31499		Parks Safety Enhancements (security cameras)	(54,000)	
Net Effect on Fund Balance			590,844	-

Transportation Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
97-8211-31299		Parking Study carryforward (contracted with Walker Consultants)	(20,648)	
Net Effect on Fund Balance			20,648	-

Capital Equipment Replacement Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenue				
82-1000-66639		Airport CERF Reconciliation	114,219	
Expense				
82-7230-44299		Rescue vehicle to be paid out of PD in 2023	(284,144)	
Net Effect on Fund Balance			398,363	

Water Capital Projects				
Account Number	Project Number	Account Description	Budget	
			One-Time	Recurring
43-5301-31499	1068	WTP Reclaim/Sludge Management re-appropriation to 2023	(1,030,795)	
43-5301-31499	1069	Filter Effluent to Waste re-appropriation to 2023	(60,000)	
43-5301-31499	1079	Meter Replacement Program re-appropriation to 2023	(65,000)	
43-5301-31499	1104	Storage Tank Control Panel Systems re-appropriation to 2023	(372,000)	
43-5301-31499	1109	CMWTP 3MG Tank re-appropriation to 2023	(282,088)	
43-5301-31499	1117	Administration Building Design/Construction re-appropriation to 2023	(200,000)	
43-5301-31499	1130	Wildcat Tank Improvements re-appropriation to 2023	150,000	
43-5301-31499	1131	South Durango Control Vault Improvements re-appropriation to 2023	(53,726)	
43-5301-31499	1135	9th St Waterline Replacement re-appropriation to 2023	(946,117)	
43-5301-31499	1139	Lake Nighthorse to WTP Raw Water Supply re-appropriation to 2023	750,000	
43-5301-31499	1140	Rivera Bridge Drainage Repair re-appropriation to 2023	78,750	
43-5301-31499	1142	SCADA Cyber Security Improvements re-appropriation to 2023	(27,676)	
43-5301-31499	1144	Pre-oxidation Treatment Process at Santa Rita Pump Station re-appropriation to 2023	220,000	
43-5301-31499	1146	Florida Pipeline Rehabilitation re-appropriation to 2023	177,000	
43-5301-31499	1148	Florida Outfall Flow Control and Metering re-appropriation to 2023	(145,000)	
43-5301-31499	1151	160W Waterline Replacement re-appropriation to 2023	(876,711)	
43-5301-31499	1158	Downtown Next Steps re-appropriation to 2023	40,000	
Net Effect on Fund Balance			2,643,363	

Sewer Capital Projects				
Account Number	Project Number	Account Description	Budget	
			One-Time	Recurring
44-5401-31499	2056	Santa Rita Utilities Administration Building re-appropriation to 2023	(200,000)	
44-5401-31499	2066	N College Sewer Line Rehab re-appropriation to 2023	(247,170)	
44-5401-31499	2071	SCADA Cyber Security Improvements re-appropriation to 2023	(27,676)	
Net Effect on Fund Balance			474,846	

URA				
Account Number	Project Number	Account Description	One-Time	Recurring
29-4140-31499		Midtown Peak Grant for Dorothy Parker Design and remaining Peak Grant funds	(18,991)	
Net Effect on Fund Balance			18,991	-

Self Insurance				
Account Number	Project Number	Account Description	One-Time	Recurring
83-7320-31199		Self Insurance claims, exceeding annual budget due to 10 high claimants	176,366	
Net Effect on Fund Balance			(176,366)	-

Risk Management				
Account Number	Project Number	Account Description	One-Time	Recurring
84-7520-31099		Workers Compensation Claims and Property Claims resulted in an overrun.	31,704	
Net Effect on Fund Balance			(31,704)	-

Section 2. That the City Council of the City of Durango, in regular meeting assembled, that 2023 budget shall reflect the changes and the appropriations for 2023 are increasing, transferring, or amending according to the tables below:

General Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
City Clerks Office				
11-4112-31499		On-Base Migration continuation of the project re-appropriation from 2022	20,000	
11-4112-33899		Professional Development	3,333	
Community Support				
11-4811-		Illegal camping cost clean-up for Parks and Recreation and Code Enforcement	15,000	
11-4811-37699		Supplemental Contract Value for United Way Block Grants	15,000	
Capital Projects Division				
11-4138-31599		Software Maintenance	1,900	
11-4138-26699		Furniture for New Hires	4,000	
Engineering				
11-4311-35799		Mobile Office for Capacity at Engineering	23,000	
11-4311-33899		Professional Development	667	
Streets				
11-4312-31499		Other Contracted Services for initiation of Capital Predictor software	35,000	
11-4312-33899		Professional Development	667	
11-4313-31499		Snow Hauling	170,000	
Finance				
11-4121-31299		Leases consultant Eide Bailly re-appropriation from 2022	60,000	
11-4121-33899		Professional Development re-appropriation from 2022	8,133	
Parks and Recreation				
11-4410-11299		Additional PT salaries for FT maternity leave	10,500	
11-4411-49199		Tool Cat	61,550	
11-4411-49199		1 ton pickup	45,000	
11-4411-49199		Colorado pickup	31,500	
11-4552-11299		Part Time Salaries increase to offset the FT position that did not get approved	27,104	
11-4510-11199		Position upgrade got approved but budget did not reflect it	10,842	
Human Resources				
11-4111-33899		Professional Development	3,333	
Information Technology				
11-4122-33899		Professional Development	3,333	
City Managers Office				
11-4103-33899		Professional Development	14,000	
911 Communications				
11-4212-49199		Back up Battery and UPS for 911 com center and pad expansion re-appropriation from 2022	200,000	
11-4212-49199		Emergency Generator Backup for 911 Center re-appropriation	190,000	
11-4212-33899		Professional Development	3,333	
Library				
11-4711-33899		Professional Development	3,333	
Buildings				
11-4911-49199		205-215 12th St. Property Evaluation	94,179	
Police				
11-4210-33899		Professional Development	3,333	
11-4210-31499		Contracted Services (chief's PO to Graves Consulting 22-0556) one remaining payment re-appropriation from 2022	3,430	
11-4210-26999		Other Supplies (computer new position)	2,619	
11-4210-26999		Ammunition ordered but not received re-appropriation from 2022	19,488	
11-4210-49199		Rescue vehicle re-appropriation from 2022	284,144	
11-4210-31599		e-citation \$131,649- grant \$67579	67,579	
Community Development				
11-4132-31499		Other contracted services, including Re:New and Creates grants and Main Ave enhancements	129,930	
11-4131-33899		Professional Development	1,667	
11-4132-33899		Professional Development	3,583	
Net Effect on Fund Balance			(1,570,481)	-
Grant Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues:				
18-1000-63349		State Grant Revenues for below Grants	649,845	
18-1000-63189		Federal Grant Revenues for below Grants	823,863	
Expense				
18-5204-31499	0133	BLM/CSFS Fire Mitigation Grants re-appropriation from 2022	193,236	
18-4210-31499		E-Citation Grant	62,000	
18-4210-31499		Durango PD Fentanyl Investigation and Prosecution Enhancement Grant	285,236	
18-4210-31499		Durango Peace Officers Behavioral Health Support	207,000	
18-4112-31499	7005	ARPA Lobby customer service enahancement for public outreach re-appropriation from 2022	3,333	
18-4523-22499	1214	Stabilization and Sustainability Grant re-appropriation from 2022	95,609	
18-4131-31499	7005	La Posta Rd. Reappropriation re-appropriation from 2022	627,294	
Net Effect on Fund Balance			-	

Airport Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
95-8611-33899		Professional Development	3,333	
Net Effect on Fund Balance			(3,333)	-

Airport Construction Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
41-5102-31499	6065	Wastewater System Upgrades - re-appropriation from 2022 Equipment procurement, final design, and construction planned for FY23	145,356	
41-5102-31499	6069	Terminal Expansion Design Phase 1A - re-appropriation from 2022 of remaining engineering, design, and pre-construction costs into FY23	147,586	
41-5102-31499	6070	Runway 3/21 Rehabilitation - re-appropriation from 2022 of remaining engineering, construction, and retainage costs into FY23	350,000	
41-5102-31499	6071	Taxiway A Reconstruction - re-appropriation from 2022 of remaining engineering and retainage costs into FY23	150,000	
41-5102-31499	6074	Airline GSE Parking Area Construction - re-appropriation from 2022 of electrical work that was not able to be completed in FY22 construction season into FY23	90,087	
41-5102-31499	6076	Terminal Expansion Design Phase 1B - Budget transfer shifting \$250,000 in appropriated budget from Phase 1A design project to Phase 1B design project to account for additional building evaluation needed to support Phase 1B expansion.	250,000	
Net Effect on Fund Balance			(1,133,029)	

Trash and Recycle Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
96-8414-31499		Green Durango Grants and Green Business Certification contract re-appropriation from 2022	6,400	
96-8418-34199		Increase in electricity usage at Transit Center EV fast charging stations	8,000	
96-8418-49199		Remaining 20% project completion costs for Transit CenterEV fast charging stations	2,200	
96-8418-33599		ICLEI membership dues	1,500	
96-8411-33899		Professional Development	333	
96-8412-33899		Professional Development	333	
Net Effect on Fund Balance			(18,767)	

Trash and Recycle Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
45-5501-31499	3009	Library EV Charging Station CIP re-appropriation from 2022, plus \$11,000 increase for project design update and materials cost increases	67,483	
Net Effect on Fund Balance			(67,483)	

POST				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
48-1000-66629	253	Conservation Trust Fund Pickleball contribution to stay in CTF	(600,000)	
Expense				
48-5204-31499	0253	Outdoor Pickleball Courts re-appropriation from 2022	88,668	
48-5204-31499	0146	SMART 160 East Trail Connection re-appropriation from 2022	1,226,195	
48-5204-31499	0012	Natural Lands Preservation/Open Space Acquisition	(4,500)	
48-5204-31499	0171	Park, Trail & Rec Improvements re-appropriation from 2022	246,947	
48-5204-31499	0133	Open Space Maintenance re-appropriation from 2022	29,323	
48-5204-31499	0012	Open Space Acquisition reduction for Natural Lands/Open Space Plan	(100,000)	
48-5204-31499	0291	New Natural Lands/Open Space Plan	100,000	
Net Effect on Fund Balance			(1,586,634)	

2015 Parks and Multimodal				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
21-1000-66699	0228	BOR Revenues for Lake Nighthorse to remain in Grant Fund	(646,398)	
Expenditures				
21-5201-31499	0228	Lake Nighthorse Improvements re-appropriation from 2022	39,095	
21-5201-31499	0167	Recreation Facility Improvements re-appropriation from 2022	3,149	
21-5201-31499	0251	Durango Mesa Park re-appropriation from 2022	1,259,006	
21-5201-31499	0266	ART, Santa Rita Park to CR 210 Trail re-appropriation from 2022	1,155,000	
21-5201-31499	0267	Chapman Hill - Ski Hill Improvements	(5,305)	
21-5201-31499	0257	ART Rank Park to Demon Bridge re-appropriation from 2022	637,938	
21-5202-31499	0262	Downtowns Next Step-Multimodal re-appropriation from 2022	71,581	
21-5202-31499	0223	Camino Crossing-Multimodal re-appropriation from 2022	11,150	
21-5202-31499	0249	MidTown-Multimodal re-appropriation from 2022	4,197	
21-5202-31499	0255	32nd Street-Multimodal re-appropriation from 2022	8,337	
Net Effect on Fund Balance			(3,184,148)	

Housing Innovation Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues:				
19-1000-63189	1225	Federal Grants- reappropriation for the Best Western Project	3,000,000	
Expenditures				
19-4137-37370		ADU for Locals Rebate Program	80,000	
19-4137-31499	1226	DOLA HB21-1271 Planning Grant (IHOP) 25% Local Match	40,000	
19-4137-31499		Other Contracted Services	131,428	
19-4137-31499		Other Contracted Services - Catalyst Fund 2023 Contribution	250,000	
19-4137-31499	1225	Other Contracted Services-reference reso # 2022-0042	3,000,000	
19-4137-31499		Other Contracted Services- Lodgers Tax Council determination	225,000	
19-4137-31499		Other Contracted Services- Housing Deferred revenues	685,000	
Net Effect on Fund Balance			(1,411,428)	

Lodgers Tax				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
23-4819-31499		E-bike re-appropriation from 2022	3,252	
23-4819-31499		Park Restrooms Design (Schneider Park + Buckley Park) re-appropriation from 2022	30,000	
23-4819-31499		River Trail & Parks Enhancements (update benches + tables) re-appropriation from 2022	46,000	
23-4821-314998		JLL: Consultant to create Destination Management Master Plan by July 2023 (Department: MCE)	97,000	
23-4819-31499		Parks Safety Enhancements (security cameras) re-appropriation from 2022	54,000	
23-4819-31499		Chapman Rink Ice Skates Fleet re-appropriation from 2022	844	
23-4818-31499		Lodgers' Tax: Arts and Culture Funding round 2 remaining project and round 1 and 2 remaining funds re-appropriation from 2022	31,330	
Net Effect on Fund Balance			(262,426)	

Transportation Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
97-1000-63349		Multimodal Options Fund (MMOF) Revenue: grant awarded 6/20/22 to develop Zero Emission Vehicle Transition Plan	40,000	
Expenditures				
97-8510-33899		Professional Development	3,333	
97-8511-22599		New driver uniforms related to transit route expansion	1,500	
97-8511-26999		Installation of speakers in buses for ADA voice stop announcements (one-time expense related to CRRSAA funding)	7,000	
97-8511-31299		Multimodal Options Fund (MMOF) Expense: Zero Emission Vehicle Transition Plan for Transit (grant funded by \$40,000 MMOF and \$40,000 FTA 5311). Full amount will be reimbursed. 5311 revenue portion is already appropriated.	80,000	
97-8511-31499		Eclipse DOT software	7000	
97-8511-49199		Transit Center/bus stop striping and curb replacement	6,500	
97-8511-49199		Transit Center facility improvements - downstairs cabinets, downstairs bathroom plumbing, repainting (one-time expense related to CRRSAA funding)	11,000	
97-8511-49199		Hampton Inn Transit Stop replacement (will be reimbursed fully by CIRSAs)	22,500	
97-8211-31299		Parking Study carryforward (contracted with Walker Consultants)	20,648	
Net Effect on Fund Balance			(159,481)	-

Water Fund				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
91-8110-33899		Professional Development	667	
91-8114-49199		Other Capital CIP #1085, Storage Tank Cleaning and Refurbishing, was a rolling project. This work is O&M in nature, and has been moved to the 49199 line, and removed from the CIP list.		50,000
Net Effect on Fund Balance			(667)	(50,000)

Water Capital Projects				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
43-5301-31499	1068	WTP Reclaim/Sludge Management re-appropriation from 2022	1,030,795	
43-5301-31499	1069	Filter Effluent to Waste re-appropriation from 2022	60,000	
43-5301-31499	1079	Meter Replacement Program re-appropriation from 2022	65,000	
43-5301-31499	1104	Storage Tank Control Panel Systems re-appropriation from 2022	372,000	
43-5301-31499	1109	CMWTP 3MG Tank re-appropriation from 2022	282,088	
43-5301-31499	1117	Administration Building Design/Construction re-appropriation from 2022	200,000	
43-5301-31499	1130	Wildcat Tank Improvements re-appropriation from 2022	(150,000)	
43-5301-31499	1131	South Durango Control Vault Improvements re-appropriation from 2022	53,726	
43-5301-31499	1135	9th St Waterline Replacement re-appropriation from 2022	946,117	
43-5301-31499	1139	Lake Nighthorse to WTP Raw Water Supply re-appropriation from 2022	(750,000)	
43-5301-31499	1140	Rivera Bridge Drainage Repair re-appropriation from 2022	(78,750)	
43-5301-31499	1142	SCADA Cyber Security Improvements re-appropriation from 2022	27,676	
43-5301-31499	1144	Pre-oxidation Treatment Process at Santa Rita Pump Station re-appropriation from 2022	(220,000)	
43-5301-31499	1146	Florida Pipeline Rehabilitation re-appropriation from 2022	(177,000)	
43-5301-31499	1148	Florida Outfall Flow Control and Metering re-appropriation from 2022	145,000	
43-5301-31499	1151	160W Waterline Replacement re-appropriation from 2022	876,711	
43-5301-31499	1158	Downtown Next Steps re-appropriation from 2022	(40,000)	
Net Effect on Fund Balance			(2,643,363)	

Sewer Capital Projects				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
44-5401-31499	2056	Santa Rita Utilities Administration Building	200,000	
44-5401-31499	2066	N College Sewer Line Rehab	247,170	
44-5401-31499	2071	SCADA Cyber Security Improvements	27,676	
Net Effect on Fund Balance			(474,846)	

2019 Streets Sales Tax				
			Budget	
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
24-1000-66429		County Contribution for CR 250/251 moved to Capital Projects fund	(3,300,000)	
Expenses				
24-5202-31499	0307	North College Road - Design	28,070	
24-5202-31499	0307	North College Road - Potholing	8,500	
24-5202-31499	0307	North College Road - Landscape Architect	5,000	
24-5201-31499	0260	Right of Way Aquistion	604,000	
24-5201-31499	0319	Assess/Test/Master Plan Streets Assets	110,000	
24-5202-31499		County Contribution for CR 250/251 moved to Capital Projects fund	(3,300,000)	
Net Effect on Fund Balance			(755,570)	

General Fund Capital- Capital Projects Fund				
Account Number	Project Number	Account Description	One-Time	Recurring
Revenues				
42-1000-66429	0260	County Contribution for CR 250/251	3,300,000	
Expenditures				
42-5202-31499	0260	County Contribution for CR 250/252	3,300,000	
42-5205-31499	0215	Stormwater Master Plan Ph3	11,000	
42-5201-31499	0260	(BHI) Bidding & Construction Support	27,190	
42-5201-31499	0260	(HDR & Properties) ROW Acquisition Estimate	603,150	
Net Effect on Fund Balance			641,340.00	-

URA				
Account Number	Project Number	Account Description	One-Time	Recurring
29-4140-31499		MidTown Peak Grant for Dorothy Parker Design and remaining Peak Grant funds	18,991	
Net Effect on Fund Balance			-18,991	-

Approved and adopted this 21st day of March, 2023.

CITY OF DURANGO, COLORADO

By: _____
Mayor

ATTEST:

By: _____
Faye Harmer, City Clerk



MARCH 21ST, 2023

2022 & 2023 BUDGET AMENDMENTS

DEVON SCHMIDT

CITY MANAGERS OFFICE

FINANCIAL EXCELLENCE AND
HIGH PERFORMING
GOVERNMENT



Mission (Why we exist)

"The City of Durango and our employees provide, efficient city services, effectively maintain city assets and manage growth, are accountable, ethical, fiscally responsible, and collaborate with regional partners to improve the quality of life for our entire community."

Vision (What we want to be)

"Durango is an authentic, diverse, multigenerational, and thriving community. Our Residents value and enjoy our unique natural environment and benefit from the management of our City's resources in a fiscally responsible, environmental, and socially sustainable manner."

Values (What we believe in)

Teamwork | Dependability | Professionalism | Service |
Respect | Innovation | Well-Being

Approve the attached resolution authorizing the budgetary transfers and additional or reduced appropriations for fiscal budget years 2022 and 2023.

2022 ADOPTED BUDGET AMENDMENT

Avoid Department Overruns

- Operating Budget Policy sets budget at a Departmental Level.
- With the removal of contingency in 2021, employee retirements, separations are an example of an overrun

Availability of Goods/Services

- Represent items that could not be received by end of 2022
- GAAP requires items to be paid for in the year they are received.

Project Re-Appropriation

- Projects that were not re-appropriated due to unforeseen circumstances
- The 2022 Budget will be adjusted downward in this instance

General Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Revenue Increases	Sales Tax out performed the amended budget.	580,963	FEHPG
Avoid Department Overrun	Staff departures and recruitment costs in multiple departments caused an overrun in the departments budget related to attrition and retirements as well as the final mill levy certification for Fire District.	129,060	FEHPG
Availability of Goods/ Services	This includes: Generator replacement ,3 Vehicles, Eide Bailly Lease project, On-Base Migration, Renew Grants and Ammunition,	568,317	FEHPG
Self Insurance Supplement	Self Insurance Supplement to pivot to an Per Employee Per Month model in 2022 to stabilize the self insurance fund.	68,662	FEHPG

Grant Fund- 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods/ Services	This includes: Stabilization and Sustainability Grant, BLM/CSFS Fire Mitigation Grants, ARPA Lobby customer service enhancement for public outreach, and La Posta Rd. Reappropriation	919,472	ELS,AEO, ESR

Airport Operating Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Best Practices	The Airport previously participated in the City of Durango CERF fund. This request is to pay-off the remained to the CERF and Airport will operate their CERF.	(114,219)	EIN, FEHPG

Airport Construction Fund 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods/ Services	Wastewater System Upgrades, Terminal Expansion Design Phase Runway 3/21 Rehabilitation, Taxiway A Reconstruction, Airline GSE Parking Area Construction.	1,133,029	EIN

Trash and Recycle Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes Green Durango Grants re-appropriation	6,400	ESR

Trash and Recycle Construction Fund- 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes Library EV charging station re-appropriation/	56,483	ESR

Parks Open Space and Trails ('05 Sales Tax) 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	Projects for reappropriation include: Outdoor Pickleball Courts, SMART 160 East, Trail Connection, Park, Trail & Rec Improvements, Open Space Maintenance	1,591,134	ELS

Parks and Multimodal (2015 Sales Tax) 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	Projects for reappropriation include: Recreation Facility Improvements, ART Rank Park to Demon Bridge, Durango Mesa Park, ART, Santa Rita Park, to CR 210 Trail Downtowns Next Step-Multimodal, Camino Crossing-Multimodal, MidTown-Multimodal, 32nd Street-Multimodal, Lake Nighthorse Improvements	3,189,453	EIN/ELS

Housing Fund 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes several projects for re-appropriation including the Best Western project, ADU rebate, Planning Grant, as well as the appropriation from lodger tax to housing.	1,188,082	AEO



Lodgers Tax Fund 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	Due to the availability of receiving goods or completing services GAAP require the budget to be reappropriated and paid for in the year services occurred or goods received- the budget is reduced in 2022 and re-appropriated to 2023. This includes several projects for re-appropriation as well as the approved over collections for housing and transit.	590,844	ELS,AEO

Transportation Fund 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of the parking study.	20,648	EIN

CERF 2022

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Best Practices	The Airport previously participated in the City of Durango CERF fund. This request is to pay-off the remained to the CERF and Airport will operate their CERF. This also includes the rescue vehicle being paid out of Police, as sufficient remaining budget exists and the vehicle will not arrive until 2023, requiring a re-appropriation.	398,363	ELS,AEO

Water Capital Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of several projects to 2023 including: WTP Reclaim/Sludge Management, Filter Effluent to Waster, Meter Replacement Program ,Storage Tank Control Panel Systems, CMWTP 3MG Tank, Administration Building Design/Construction, Wildcat Tank Improvement, South Durango Control Vault Improvements, 9th St Waterline Replacement, Lake Nighthorse to WTP Raw Water Supply, Rivera Bridge Drainage Repair, SCADA Cyber Security Improvements, Pre-oxidation Treatment Process at Santa Rita Pump Station, Florida Pipeline Rehabilitation, Florida Outfall Flow Control and Metering, I 60W Waterline Replacement, Downtown Next Steps	2,643,363	EIN

Sewer Capital Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of several projects to 2023 including: Santa Rita Utilities Administration Building, N College Sewer Line Rehab, SCADA Cyber Security Improvements.	474,846	EIN

Durango Urban Renewal- 2022

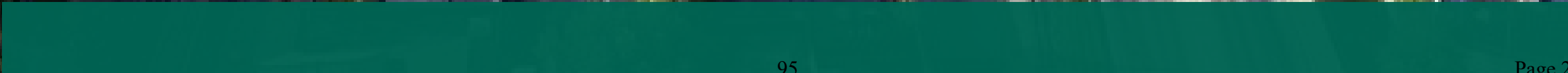
JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Availability of Goods and Services	This includes the midtown peak grant.	18,991	AEO

Self Insurance Fund- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Avoid Overrun	Self Insurance claims, exceeding annual budget due to 10 high claimants.	176,366	FEHPG

Risk Management- 2022

JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Avoid Overrun	Workers Compensation Claims and Property Claims resulted in an overrun.	31,704	FEHPG



2023 ADOPTED BUDGET AMENDMENT

Avoid Department Overruns

- Operating Budget Policy sets budget at a Departmental Level.
- With the removal of contingency in 2021, employee retirements are an example of an overrun

Availability of Goods

- Represent items that could not be received by end of 2022
- GAAP requires items to be paid for in the year they are received.

Project Re-Appropriation

- Projects that were not re-appropriated due to unforeseen circumstances
- The 2022 Budget will be adjusted downward in this instance

Additional or New Appropriations

- Unanticipated budget adjustments result in additional appropriations from better information since the budget was reconciled in November of the year prior.

General Fund- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Additional/ New Appropriations	Unanticipated budget adjustments result in additional appropriations from better information since the budget was reconciled in November of the year prior. This includes illegal camp clean up costs, streets software for capital, snow hauling due to the large winter, 205-215 property evaluation	545,579	FEHPG
Availability of Goods/ Services	Operating re-appropriations include: on-base migration project, mobile space at engineering, lease contract, 3 vehicles, emergency generator back-up, ammunition, and rescue vehicle.	976,186	FEHPG
Professional Development	Continuing to build the executive leadership competencies	48,716	FEHPG

Grant Fund- 2023

JUSTIFICATION	ACCOUNT DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods/ Services	Due to the availability of receiving goods or completing services GAAP require the budget to be reappropriated and paid for in the year services occurred or goods received- the budget is reduced in 2022 and re-appropriated to 2023.	919,472	AEO, ELS
2023 Grant Awards Received	The Durango Police Department received several grant awards for E-Citation that allows translation, Fentanyl Investigation/ Prosecution grant, and Peace officer behavioral support grant.	554,236	ELS

Airport Operating Fund- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Professional Development	Continuing to build the executive leadership competencies	3,333	FEHPG

Airport Construction Fund 2023

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods/ Services	Wastewater System Upgrades, Terminal Expansion Design Phase Runway 3/21 Rehabilitation,Taxiway A Reconstruction,Airline GSE Parking Area Construction.	1,133,029	EIN

Trash and Recycle Fund- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Availability of Goods and Services	This includes Green Durango Grants, Transit EV Fast Charge Stations.	16,600	ESR
Professional Development	Continuing to build the executive leadership competencies	2,167	FEHPG

Trash and Recycle Construction Fund- 2023

JUSTIFICATION	Description	AMOUNT	STRAGETIC PLAN ALIGNMENT
Availability of Goods and Services	Library EV Charging Station CIP re-appropriation from 2022, plus \$11,000 increase for project design update and materials cost increases	67,483	ESR

Parks Open Space and Trails ('05 Sales Tax) 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Additional/ New Appropriations	Projects for reappropriation include: Outdoor Pickleball Courts, SMART 160 East, Trail Connection, Park, Trail & Rec Improvements, Open Space Maintenance, Natural Lands Preservation/Open Space Acquisition	1,486,634	ELS
	New Natural Lands/Open Space Plan	100,000	ELS

Parks and Multimodal (2015 Sales Tax) 2023

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	Projects for reappropriation include: Recreation Facility Improvements, ART Rank Park to Demon Bridge, Durango Mesa Park, ART, Santa Rita Park, to CR 210 Trail Downtowns Next Step-Multimodal, Camino Crossing-Multimodal, MidTown-Multimodal, 32nd Street-Multimodal, Lake Nighthorse Improvements	3,184,148	EIN/ELS

Housing Fund 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes several projects for re-appropriation including the Best Western project, ADU rebate, Planning Grant.	1,411,428	AEO

Lodgers Tax Fund 2023

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes several projects for re-appropriation E-bike re-appropriation, Park Restrooms Design (Schneider Park + Buckley Park), River Trail & Parks Enhancements (update benches + tables), JLL: Consultant to create Destination Management Master Plan by July 2023 (Department: MCE), Parks Safety Enhancements (security cameras), Chapman Rink Ice Skates Fleet, Lodgers' Tax: Arts and Culture Funding round 2 remaining project and round 1 and 2 remaining funds.	262,426	ELS, AEO

Transportation Fund 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of the parking study as well as ,new driver uniforms related to transit route expansion, installation of speakers in buses for ADA voice stop announcements (one-time expense related to CRRSAA funding), Multimodal Options Fund (MMOF) Expense: Zero Emission Vehicle Transition Plan for Transit (grant funded by \$40,000 MMOF and \$40,000 FTA 5311). Full amount will be reimbursed. 5311 revenue portion is already appropriated. Eclipse DOT software Transit Center/bus stop striping and curb replacement, Transit Center facility improvements - downstairs cabinets, downstairs bathroom plumbing, repainting (one-time expense related to CRRSAA funding), Hampton Inn Transit Stop replacement (will be reimbursed fully by CIRSA)	159,481	EIN

Water Operating Fund 2023

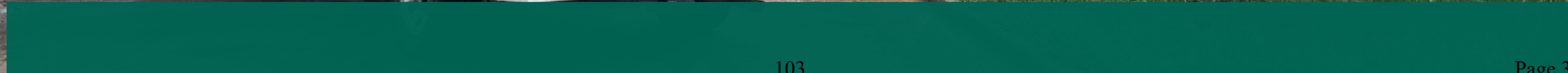
JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation for operations and maintenance project: Other Capital CIP #1085, Storage Tank Cleaning and Refurbishing, was a rolling project. This work is O&M in nature, and has been moved to the 49199 line, and removed from the CIP list.	50,667	EIN

Water Capital Fund- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of several projects to 2023 including:WTP Reclaim/Sludge Management, Filter Effluent to Waster, Meter Replacement Program ,Storage Tank Control Panel Systems, CMWTP 3MG Tank,Administration Building Design/Construction,Wildcat Tank Improvement, South Durango Control Vault Improvements, 9th St Waterline Replacement, Lake Nighthorse to WTP Raw Water Supply, Rivera Bridge Drainage Repair, SCADA Cyber Security Improvements, Pre-oxidation Treatment Process at Santa Rita Pump Station, Florida Pipeline Rehabilitation, Florida Outfall Flow Control and Metering, I 60W Waterline Replacement, Downtown Next Steps	2,643,363	EIN

Sewer Capital Fund- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRAGETIC PLAN ALIGNMENT
Availability of Goods and Services	This includes re-appropriation of several projects to 2023 including: Santa Rita Utilities Administration Building, N College Sewer Line Rehab, SCADA Cyber Security Improvements.	474,846	EIN



Durango Urban Renewal- 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	Re-appropriation of the midtown peak grant.	18,991	AEO

General Fund Capital (Capital Projects Fund) 2023

JUSTIFICATION	DESCRIPTION	AMOUNT	STRATEGIC PLAN ALIGNMENT
GAAP Adjustment	This appropriation moves the CR 250/251 county contribution to the Capital Projects Fund	3,300,000	EIN
Availability of Goods and Services	Stormwater Master Plan Ph3, (BHI) Bidding & Construction Support, (HDR & Properties) ROW Acquisition Estimate	641,340	EIN

Streets (2019 Sales Tax) 2023

JUSTIFICATION	Description	AMOUNT	STRATEGIC PLAN ALIGNMENT
Availability of Goods and Services	This includes several projects for re-appropriation: North College Road – Design, North College Road – Potholing, North College Road - Landscape Architect, Right of Way Acquisition, Assess/Test/Master Plan Streets Assets	755,570	EIN
GAAP Adjustment	This appropriation moves the CR 250/251 county contribution to the Capital Projects Fund	3,300,000	EIN

RECOMMENDATION

It is the recommendation that the City Council, by motion, approve the attached resolution authorizing the budgetary transfers and additional or reduced appropriations.



AGENDA DOCUMENTATION

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL

FROM: BILL TUTHILL

INTERIM CITY ATTORNEY

SUBJECT: DISCUSSION AND POSSIBLE ACTION CONCERNING A MOTION TO CONVEIN IN EXECUTIVE SESSION TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, SALE, OR TRANSFER OF AN INTEREST IN REAL PROPERTY LOCATED AT 1235 CAMINO DEL RIO (RIVER CITY HALL) AND 201 EAST 12TH STREET (9R ADMINISTRATION BUILDING AND TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATION AND DIRECT NEGOTIATORS, AS PERMITTED BY C.R.S. 24-6-402 (4)(a) AND (e).

RECOMMENDATION:

There may be a need for City Council to meet in Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real property located at 1235 Camino del Rio (River City Hall) and 201 East 12th street (9R administration building), and to determine positions relative to matters that may be subject to negotiation and direct negotiators, as permitted by C.R.S. 24-6-402 (4)(a) and (e).

BACKGROUND SUMMARY:

The City is the owner of real property known as River City Hall located at 1235 Camino del Rio. The Durango Fire Protection District is the owner of the 9R Administration Building and Big Picture School building located at 201 E. 12th Street. The City of Durango and Durango Fire Protection District entered into a Memorandum of Understanding regarding River City Hall property negotiations.

STRATEGIC PLAN ALIGNMENT:

Financial Excellence and High Performing Government

FISCAL IMPACT:

NEXT STEPS AND TIMELINE:

It is the recommendation that City Council, by motion, convene in Executive Session

to discuss the purchase, acquisition, lease, transfer, or sale of real property located at 1235 Camino del Rio (River City Hall) and 201 East 12th street (9R administration building), and to determine positions relative to matters that may be subject to negotiation and direct negotiators, as permitted by C.R.S. 24-6-402 (4)(a) and (e).



AGENDA DOCUMENTATION

Item 15.1

Meeting Date: March 21, 2023

TO: DURANGO CITY COUNCIL

FROM: BILL TUTHILL

INTERIM CITY ATTORNEY

SUBJECT: DISCUSSION AND POSSIBLE ACTION CONCERNING A MOTION TO CONVEIN IN EXECUTIVE SESSION TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, SALE, OR TRANSFER OF AN INTEREST IN REAL PROPERTY LOCATED IN DOWNTOWN DURANGO THAT IS CURRENTLY LEASED TO THE DURANGO AND SILVERTON NARROW GAUGE RAILROAD COMPANY FOR PARKING, AND TO DETERMINE POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATION AND DIRECT NEGOTIATORS, AS PERMITTED BY C.R.S. 24-6-402 (4)(a) AND (e).

RECOMMENDATION:

There may be a need for City Council to meet in Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real property located in downtown Durango that is currently leased to the Durango and Silverton Narrow Gauge Railroad Company for parking, and to determine positions relative to matters that may be subject to negotiation and direct negotiators, as permitted by C.R.S. 24-6-402 (4)(a) and (e).

BACKGROUND SUMMARY:

The City is the owner of real property consisting of approximately 62,000 square feet located at the corner of Camino del Rio and West College Drive. The City and the Durango & Silverton Narrow Gauge Railroad ("D&SNGRR") entered into a Ground Lease Agreement dated January 21, 2020 (the "Lease") for D&SNGRR's to lease the property which it uses as a parking lot for train customers. The Lease sets a termination date of February 6, 2023 unless the parties reach a written agreement to extend the term. The parties agreed to a short term extension of the Lease until April 16, 2023 which will provide more time for negotiating a long-term approach for the use of the property.

STRATEGIC PLAN ALIGNMENT:

Financial Excellence and High Performing Government

FISCAL IMPACT:

The Lessee pays a monthly rent in the amount of \$8,333.00 during the short term Lease extension.

NEXT STEPS AND TIMELINE:

It is the recommendation that City Council, by motion, convene in Executive Session

to discuss the purchase, acquisition, lease, sale, or transfer of an interest in real property located in downtown Durango that is currently leased to the Durango and Silverton Narrow Gauge Railroad Company for parking, and to determine positions relative to matters that may be subject to negotiation and direct negotiations, as permitted by C.R.S. 24-6-402 (4)(a) and (e).