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*360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776*

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## **A G E N D A**

**Delta City Council  
Work Session**

**December 4, 2018  
6:00pm**

- A. Discussion on Damage Prevention Safety Program for Underground Utilities**
- B. Discussion on a Safety Plan and Evacuation Routes for City Council**
- C. Discussion Regarding 2018 Supplemental Appropriations**



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Date: November 15 for November 20 Council Work Session  
To: City Council  
From: Betsy Suerth, Public Works and Utilities Director  
Cc: David Torgler, City Manager  
Subject: Damage Prevention Safety Program for Underground Utilities

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**Background:** On May 25, 2018 Governor Hickenlooper signed Senate Bill 18-167 into law. This bill included the creation of the Underground Damage Prevention Safety Commission (Commission), effective August 8, 2018. The Commission, to be appointed by 1/1/2019, will be an independent agency in the Department of Labor and Employment Division of Oil and Public Safety (OPS). Its purpose is to assist the 811 program (also known as “Call Before You Dig”) in preventing damage to underground facilities by making recommendations regarding:

- Best practices and training,
- Policies to enhance public safety, and
- Policies to improve efficiency and cost savings to the 811 program.

The Commission will also have enforcement over the existing excavation damage prevention law by reviewing complaints of alleged violations and ordering appropriate remedial action/penalties.

Home Rule counties, cities and counties, municipalities and power authorities may either develop their own damage prevention safety programs that are similar to the Commission or complete a waiver that delegates their damage prevention safety programs to the Commission.

If a home rule municipality chooses to develop their own damage prevention safety programs, the City Council must form a local damage prevention safety commission (Local Commission) and appoint members. That Local Commission would then be required to adopt bylaws and complete the tasks as listed above, including adopting penalties and receiving and reviewing all complaints of possible violations of the excavation damage prevention law. Upon reviewing violations, they would be required to establish a process to determine remedial actions. That process may include holding hearings to impose penalties and to adopt rules to prevent future

damages. The Local Commission must meet at least once every three months, regardless of the need to address any pending issues.

**Cost to City:** The new Damage Prevention Safety Program is requiring additional efforts for all underground utility providers, including having a record of the location of all service lines. The Public Works and Utilities Divisions of ML&P, Water Distribution, Wastewater Collection, and Stormwater are working on developing best practices to comply with the additional requirements. The new requirements will require additional staff time.

Should the Council decide to establish a City managed Damage Prevention Safety Program, staff will return to the Council with a recommended program scope and associated estimated costs.

**Alignment with the 2018 Strategic Plan:** The Damage Prevention Safety Program will assist with *maintaining City infrastructure*, under the core priority of **Keeping and Improving Quality of Life**.

**Recommendation:** Staff believes that the City's resources are better spent on focusing on other Council objectives as recently established in the August council retreat. It is therefore recommended that Council waive the exemption.



Lucas G. Fedler, Chief of Police

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**MEMO:**

Date: 11/28/2018

To: Mayor and City Council

From: Chief Fedler

CC: City Manager and Department Heads

Subject: Emergency Action Plan for City Council Meetings

The potential for violence at public gatherings is ever present and City Council Meetings are not immune. The Delta Police Department understands these threats of potential violence and has created an Emergency Action Plan for council members, staff and the public, if such an event were to happen at a City Council Meeting. Creating and understanding an Emergency Action Plan involves procedure, evacuation and counter measures during a potential threat. Having this knowledge, it is imperative that pre-established reaction options are in place. These options are put into place to increase safety, or chances of survival in an armed violent incident.

An Emergency Action Plan has been created and will be disseminated to council members during the work session.

Lucas G. Fedler

A handwritten signature in blue ink, appearing to read 'Lucas G. Fedler', is written over a horizontal line.

Chief of Police

Ordinance #16, 2018

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW FOR THE CITY OF DELTA, COLORADO, FOR THE 2018 BUDGET YEAR

WHEREAS, the City Council has adopted the annual budget on November 21, 2017; and

WHEREAS, the City has received additional and unanticipated revenues in the form of grants and other revenue sources and there exists unappropriated surplus in the various funds; and

WHEREAS, it is not only required by law, but also necessary to appropriate the additional revenues and surplus to and for the purposes described below, so as not to impair the operations of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

**Section 1.** That the following supplemental appropriations, in addition to those appropriated by Ordinance #4 Series of 2017, are hereby appropriated from the revenue and surplus of each fund, to each fund, as follows:

Golf Course Fund	\$	15,000
General Fund	\$	25,000
Refuse Fund	\$	5,000

ADOPTED on first reading and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ADOPTED on second and final reading and ordered published  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk