CITY OF CORTEZ
RESOLUTION NO. 11, SERIES 2024

A RESOLUTION AMENDING THE 2024 FEE SCHEDULE FOR THE CITY OF CORTEZ

RECITALS

WHEREAS, the City of Cortez Municipal Code establishes rules and regulations for operations for the City, and the Code requires that various fees for City services be set forth in a fee schedule to be adopted by resolution; and

WHEREAS, pursuant to Resolution NO. 30, Series 2023, the City Council adopted the City of Cortez Fee Schedule, Effective January 1, 2024 (the "2024 Fee Schedule"), as the official fee schedule for the operations of the City of Cortez and the various chapters of the City of Cortez Municipal Code that address such operations; and

WHEREAS, the 2024 Fee Schedule contains a section entitled PUBLIC RECORDS STANDARD FEES AND CHARGES, which contains a fee for the Research, Retrieval, and Data Manipulation Fees that the City can charge in responding to public records requests (the "CORA Fee"); and

WHEREAS, the CORA Fee was set at $33.58 per hour by the Colorado Legislature pursuant to C.R.S. § 24-72-205(6)(b) in 2019, and the Legislature Council is required to adjust the CORA Fee every five years using a formula based upon the Consumer Price Index; and

WHEREAS, the Legislative Council has determined that the new maximum CORA Fee that state and local governments in Colorado may charge effective on July 1, 2024, is $41.37 per hour; and

WHEREAS, the 2024 Fee Schedule contains a section entitled PUBLIC WORKS, which contains a fee for a Right of Way Construction Permit (the "ROW Construction Fee"); and

WHEREAS, to compensate the City for expenses incurred in the event the City is asked to patch asphalt removals from City streets that occur due to construction conducted by a Right of Way Construction Permit holder, additional fees for Surfaced Roadway Replacement need to be added to the 2024 Fee Schedule.

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

Section 1. Recitals Incorporated. The City of Cortez City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.

Section 2. CORA Fee. The City Council hereby amends the 2024 Fee Schedule by changing the CORA Fee from $33.58 per hour to $41.37 per hour.

Section 3. New Fee Category. The City Council hereby amends the 2024 Fee Schedule by adding two subcategories of fees under the Right of Way Construction Permit to be entitled SURFACED ROADWAY REPLACEMENT COLD PATCH and SURFACE ROADWAY REPLACEMENT HOT PATCH (collectively the "Asphalt Patch Fees").

Section 4. Asphalt Patch Fees. The fee for the Surface Roadway Replacement Cold Patch shall be $280.00/sq. yd., and the fee for the Surface Roadway Replacement Hot Patch shall be $250.00/sq. yd. Additional fees and restrictions may apply for Surface Roadway Replacements.

Section 5. Remainder Unchanged. Except as amended herein, the 2024 Fee Schedule remains unchanged and in full force and effect.

Section 6. Severability. If any part or provision of this Resolution is judged to be unenforceable or invalid, such judgement shall not affect, impair or invalidate the remaining provisions of this Resolution, it being Council's intention that the various provisions hereof are severable.

Section 7. Conflicting Acts. All acts, orders and resolutions, or parts thereof, of the Council, which are inconsistent or in conflict with the Resolution, are hereby repealed to the extent only of such inconsistency or conflict. The amended CORA Fee and the added Asphalt Patch Fees shall become effective on July 1, 2024.

MOVED, SECONDED, AND ADOPTED THIS 25th DAY OF JUNE, 2024.

Rachel Medina

Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk