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**CITY COUNCIL AGENDA
WEDNESDAY, MAY 22, 2013
250 NORTH 5TH STREET
6:30 P.M. – PLANNING DIVISION CONFERENCE ROOM
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order
(7:00 p.m.)

Pledge of Allegiance
Invocation – Pastor Mike Rossmann, Valley Bible Church

[The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand or leave the room.]

Proclamations

Proclaiming May 19 – 25, 2013 as “Emergency Medical Services Week” in the City of Grand Junction

Proclaiming May 25 – 31, 2013 as “Grand Junction Business Incubator Center Week” in the City of Grand Junction

Proclaiming June 1 – June 8, 2013 as “National Neighborworks Week” in the City of Grand Junction

*Revised May 23, 2013
** Indicates Changed Item
*** Indicates New Item
® Requires Roll Call Vote*

REVISED

Certificate of Appointment

To the Grand Junction Airport Authority

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Minutes of the May 1, 2013 Regular Meeting and the May 6, 2013 Special Meeting

2. **Setting a Hearing on the Perry Annexation, Located at 2884 B Road** [File #ANX-2013-104] [Attach 2](#)

A request to annex 4.712 acres, located at 2884 B Road. The Perry Annexation consists of one parcel and no public right-of-way.

Resolution No. 31-13—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Perry Annexation, Located at 2884 B Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Perry Annexation, Approximately 4.712 Acres, Located at 2884 B Road

®Action: Adopt Resolution No. 31-13, Introduce a Proposed Ordinance, and Set a Hearing for July 3, 2013

Staff presentation: Brian Rusche, Senior Planner

3. **Setting a Hearing on the Heritage Church Annexation, Located at 2935 Patterson Road** [File #ANX-2013-105] [Attach 3](#)

A request to annex 0.84 acres, located at 2935 Patterson Road. The Heritage Church Annexation consists of one parcel of 0.68 acres and 0.16 acres (6,940 square feet) of the 29 3/8 Road right-of-way.

Resolution No. 32-13—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Heritage Church Annexation, Located at 2935 Patterson Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heritage Church Annexation, Approximately 0.84 Acres, Located at 2935 Patterson Road and Including Portions of the 29 3/8 Road Right-of-Way

®Action: Adopt Resolution No. 32-13, Introduce a Proposed Ordinance, and Set a Hearing for July 3, 2013

Staff presentation: Brian Rusche, Senior Planner

4. **Vacating a Portion of an Existing Public Utility Easement in Village Park, Located at 615 28 1/4 Road** [File #VAC-2013-4] [Attach 4](#)

The applicant is requesting to vacate a portion of an existing public utility easement that is no longer needed. A new easement has been dedicated and a new sewer line has been constructed so there is no need for this portion of the easement to remain.

Resolution No. 33-13—A Resolution Vacating a Portion of an Existing Public Utility Easement Located at 615 28 1/4 Road (Village Park)

®Action: Adopt Resolution No. 33-13

Staff presentation: Greg Moberg, Planning Supervisor

5. **Purchase of Property at 764 Valley Court and 779 22 Road for the 22 Road Realignment at Highway 6 Project** [Attach 5](#)

The City has accepted a counteroffer from Magerko Real Estate, LLC to purchase a portion of the property at 764 Valley Court and 779 22 Road. The City's

acceptance of this offer is contingent upon City Council’s ratification of the purchase contract.

Resolution No. 34-13—A Resolution Authorizing the Purchase of Real Property by the City of Grand Junction Located at 764 Valley Court and 779 22 Road from Magerko Real Estate, LLC and to Ratify Actions Heretofore Taken in Connection Therewith

®Action: *Adopt Resolution No. 34-13*

Staff presentation: Trent Prall, Engineering Manager

*** 6. **Transfer of the Ownership of the Cable Television Franchise from Cablevision Systems Corporation to Charter Communications Incorporated** [Attach 6](#)

Earlier this year Cablevision Systems Corporation (“Cablevision”), the parent company of Bresnan Communications LLC (“Bresnan”) dba Optimum entered into an agreement with Charter Communications Incorporated (“Charter”) to transfer control of the Grand Junction cable television franchise to Charter. If the change in control is approved Bresnan will continue to operate the local franchise. The change in control is at the parent company level.

The companies have provided adequate legal disclosure via FCC form 394. Staff has reviewed the 394 form disclosures and saw no issues

Resolution No. 35-13—A Resolution of the City of Grand Junction, Colorado Approving the Change of Control of the Cable Television Franchise

®Action: *Adopt Resolution No. 35-13*

Staff presentation: John Shaver, City Attorney

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

** 7. **CDBG 2013 Program Year Funding Requests** [File #2013 CDBG] [Attach 7](#)

City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2013 Program Year. The City will receive

approximately \$352,950 for the 2013 Program Year which begins September 1, 2013.

At this meeting, the City Council will receive public input on the use of the 2013 CDBG allocation.

Action: Approve the CDBG City Council Workshop Recommendations of Funding for the 2013 Program Year and Set a Public Hearing for Adoption of the 2013 One-Year Action Plan for June 19, 2013

Staff presentation: Tim Moore, Deputy City Manager
Kristen Ashbeck, Senior Planner/CDBG Administrator

**** 8. Lincoln Park and Orchard Mesa Pool Locker Room Remodels and Pool Deck Re-surface and Pool Re-plaster Project [Attach 8](#)**

Parks and Recreation is seeking approval for American Disabilities Act (ADA) upgrades to both locker room facilities at Lincoln Park-Moyer Pool and Orchard Mesa Community Center Pool. The 2010 ADA standards became enforceable on January 31, 2013, so upgrades are warranted at both facilities. In addition, the pool deck and pool plaster have exceeded their life expectancy and are in need of replacement at Orchard Mesa Pool.

Action: Approve the Award of the Lincoln Park-Moyer Pool Locker Room Remodel Project to Emery Welsh Construction for a Contract Amount of \$160,177; Orchard Mesa Community Center Pool Locker Room Remodel Project to PNCl Construction for a Contract Amount of \$110,661; and Mid America Pool Renovation, Inc. for Deck Re-surfacing and Pool Re-plastering in the Amount of \$200,820

Staff presentation: Jay Valentine, Internal Services Manager
Rob Schoeber, Parks and Recreation Director

9. Non-Scheduled Citizens & Visitors

10. Other Business

11. Adjournment

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

May 1, 2013

The City Council of the City of Grand Junction convened into regular session on the 1st day of May, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Jim Doody, Tom Kenyon, Laura Luke, Sam Susuras, and Council President Bill Pitts. Councilmember Teresa Coons was absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pitts called the meeting to order. The Combined Law Enforcement Honor Guard posted the Colors and Councilmember Laura Luke led the Pledge of Allegiance, followed by an invocation by Pastor Hans Weston, Jubilee Family Church.

Presentations

Appreciation Plaques were presented to outgoing City Councilmember Tom Kenyon, Mayor Pro Tem Laura Luke, and President of the Council Bill Pitts.

Council President Pitts presented appreciation plaques to Councilmember Kenyon and Mayor Pro Tem Luke. Councilmembers Kenyon and Luke thanked the Council.

Councilmember Luke presented an appreciation plaque to Council President Pitts. She expressed her appreciation and said what a pleasure it has been to serve with him.

Communications Manager Sam Rainguet presented information on the Joint Information Center (JIC) of Mesa County.

Sam Rainguet, Communications Manager, presented information on the concept of joint information. She noted that a recent example of the use of this concept put into action was the gas explosion on 7th Street where the members of JIC worked together to get information out to the public. The members have been trained for years, even at the federal level, and were prepared. The organization meets monthly and they come together to help each other out. She then showed a video on the Joint Information System and the Joint Information Center. The video is to get the word out to let the community know this committee is ready to jump into action when needed.

Proclamations

Proclaiming May 12 – 18, 2013 as “National Police Week” in the City of Grand Junction

Councilmember Doody read the proclamation. Grand Junction Police Chief John Camper, along with Mesa County Undersheriff Rebecca Spiess, Colorado State Patrol Captain Mike Ozanick, and Fruita Police Department Lieutenant Judy Macey were present to receive the proclamation and thanked the City Council for the proclamation. Police Chief Camper expressed remembrance for those that have fallen, especially those in Colorado. He then listed some of the events that will happen that week. There will be an event at the Police Station on May 15th which will include tours and performances by the expanded Combined Honor Guard and the Rifle Salute Team. He asked that the public wear blue ribbons in support of National Police Week.

Proclaiming May 2013 as “Relay for Life Month” in the City of Grand Junction

Councilmember Kenyon read the proclamation. Event Chair Laurie Freeborn thanked the City Council for the proclamation and she read information about the event with a goal of raising \$250,000. She asked everyone to join them at the opening ceremonies at Long Family Park on June 14th to kick off the event.

Proclaiming May 11, 2013 as “Grand Junction Letter Carriers Stamp Out Hunger Day” in the City of Grand Junction

Councilmember Susuras read the proclamation. United States Postal Services Mail Carrier Pancho Carrillo explained how the event works and said there is always a need. Even though they collect 100,000 to 200,000 pounds of food, it is distributed in three to four weeks. He thanked the City Council for their support.

Proclaiming May 11, 2013 as “National Train Day” in the City of Grand Junction

Councilmember Boeschstein read the proclamation. He noted there will be a little celebration at the Train Station on May 11, 2013.

Appointment

Councilmember Susuras moved to appoint Paul Nelson to the Grand Junction Regional Airport Authority for a four year term expiring May 2017. Councilmember Kenyon seconded the motion. Motion carried.

Certificates of Appointment

Clark Atkinson and Janice Rohr were not present to receive their Certificates of Re-appointment to the Horizon Drive Association Business Improvement District but Council President Pitts read their certificates.

Council Comments

Councilmember Doody said the City is a member of the Grand Junction Chamber of Commerce at the highest level. He asked City Manager Rich Englehart to confirm this and asked who, other than the City of Grand Junction, is a member at that level. City Manager Englehart could not say who else was a member at that level, but confirmed the City is a member at the highest level.

Councilmember Doody went on to say that the Grand Junction Chamber of Commerce has formed a 501(c)4 organization, the Western Colorado Business Alliance, which is a political organization, and the organization did not file recent election campaign reports with the City Clerk. He then moved to immediately withdraw the City as a member of the Grand Junction Chamber of Commerce. Councilmember Luke seconded the motion.

Councilmember Susuras said they can be assured that at the next City Council meeting the motion will be repealed and the membership will be reinstated.

Councilmember Boeschstein agreed with Councilmember Doody and said the Chamber of Commerce meetings are totally one sided and he feels they do not hear other points of view.

Councilmember Kenyon said they did nothing illegal and no complaint was filed. While he too feels the sting of their political motives, he agrees with Councilmember Susuras, although he might support a lower membership level. They do a good service at the legislative level and they serve an important function.

Councilmember Susuras said he agrees with Councilmember Kenyon except for lowering the contribution to a lower membership level.

Councilmember Luke asked about the annual cost of membership. City Manager Englehart said it is \$6,000 a year. She said she will support the withdrawal from the Chamber of Commerce.

Council President Pitts said he has been a member of the Chamber of Commerce for 44 years and he is withdrawing his membership.

The vote was called with the motion being carried four to two with Councilmembers Susuras and Kenyon voting NO.

Councilmember Boeschstein recapped all the accomplishments made by this Council in the last two years: reinstatement of City employee salaries; City taxes were not increased; a balanced budget; in the process of working with the North Avenue Association to improve North Avenue and with the Horizon Drive Association to improve Horizon Drive, which are grass root movements which will provide for more employment helping the overall economy; Hawthorne Park clean up, with the assistance of the Police Department's HOT Team, issues are being treated proactively; refocus on the Riverfront with Los Colonias Park; the 29 Road Viaduct with Mesa County; the Comprehensive Plan; Lincoln Park; and the Police and Fire Departments new construction. He thanked those retiring and said they can look back proudly on their service.

Councilmember Kenyon said he is also proud of hiring a new City Manager, signing up JUCO for another 25 years, the Suplizio Stadium improvements, and the Grand Junction Rockies coming to town. He has enjoyed working with all on City Council.

Council President Pitts applauded City Staff, and said the public has one of the finest organizations in the United States, including the City Manager, the City Attorney, and all the employees who do a great job for the town.

Citizen Comments

Cathy Mortenson, 475 West Niagara Circle, thanked the current City Councilmembers for their services. She was present as a concerned community member, woman, mother, daughter, and a survivor of domestic violence. She felt that Mr. Rick Brainard's act of violence inflicted the same upon the community. She did not feel he could be healed in three weeks. She called for support in protesting Mr. Brainard's seat at the City Council swearing in ceremony on May 6th.

Eric Niederkruger, 629 Ouray Avenue, is an activist and was present to support the Womens group called W.H.O.R.E.S. which is an acronym for Women Helping Others Resist Exploitation and Sexism. He referred to Mr. Brainard as being surrounded by funk. He said a culture of abuse is being established in this society. He brought up examples of well-known people in the community who he thinks have been hypocritical. He feels the Chamber of Commerce has an agenda for the newly elected Council and demanded that Mr. Brainard be jettisoned.

Jessica Coleman, 484 McMullin Street, thanked those watching on public broadcast and in the audience and also thanked the current City Council. She feels the citizens of the City endow elected officials with public trust and feel confident that they will be the public voice for those who have elected them. The citizens feel that Council should use the power vested in them to act in good faith and represent the values of those who have voted for them with honesty, integrity, and transparency; not for personal or political gain or other interests of power brokers. She feels that Councilmembers serve as protectors of the community's reputation and resources as they are also leaders in the State of

Colorado. She feels dishonorable actions by certain Councilmembers mar the City's reputation, and also feels the people should take a stance to uphold values that the citizens have a vested interest in. She said she had become aware that the newly elected City Council has quietly arranged to swear in Sam Susuras as Mayor right after Mr. Brainard is sworn in as a Councilmember. She then addressed Councilmember Susuras saying she thought he was involved in corrupt dealings while promoting the interest of a few over the well-being of the community. She spoke to Mr. Brainard and told him to step down and not swear in as his recall by the people of Grand Junction is imminent. She applauded those currently on Council who have been outspoken against Mr. Brainard taking his seat; she said those who have done so have acted with integrity and transparency, and the people will not forget what they have done. She asked those present to sign a petition to recall Rick Brainard from City Council.

Robert Noble, 1041 Ouray Avenue, said that the previous presenter's speech was very powerful. He complimented the current Council for passing the resolution to ask Rick Brainard to step away from Council and also the motion to withdraw membership from the Chamber of Commerce; they were brave statements. The issue that has brought this about is Mr. Brainard's behavior; even if convicted of a misdemeanor, he cannot be denied office. He will not be denied his day in court; the issue is Mr. Brainard's behavior. He noted that Councilmember Susuras's seat is also at risk because he supports a man who, by his own sworn statement, beat his girlfriend, which is not acceptable behavior. The other issue is the Chamber of Commerce which is separate. He urged citizens to boycott Chamber member businesses. He has heard there are businesses who are diametrically opposed to the Chamber of Commerce; this would be a good way to deal with that issue. He thanked the current City Council and especially those that are leaving and said they did a great service for the community.

Joel Dyar, 3033 B ½ Road, quoted Mark Twain and modified the quote to represent the issue at hand concerning what the previous presenters spoke to. He said "Suppose you were a den of thieves, crooks, and liars and suppose you were the Chamber of Commerce, but then I repeat myself."

CONSENT CALENDAR

Councilmember Susuras moved to approve and then read Consent Calendar items #1-7. Councilmember Kenyon seconded the motion. Motion carried.

1. Minutes of Previous Meeting

Action: Approve the Minutes of the April 17, 2013 Regular Meeting

2. **Setting a Hearing on Zoning the Peony Heights Annexation, Located at 612 Peony Drive** [File #ANX-2013-96]

A request to zone the 1.12 acre Peony Heights Annexation, consisting of one parcel located at 612 Peony Drive, to an R-5 (Residential – 5 du/ac) zone district.

Proposed Ordinance Zoning the Peony Heights Annexation to R-5, (Residential – 5 DU/AC), Located at 612 Peony Drive

Action: Introduce a Proposed Ordinance and Set a Public Hearing for June 5, 2013

3. **Setting a Hearing on the Karis House Annexation, Located at 536 29 Road** [File #ANX-2013-141]

A request to annex 0.207 acres, located at 536 29 Road. The Karis House Annexation consists of one parcel, including portions of 29 Road and Formay Avenue rights-of-way. The total annexation area contains 0.494 acres of which 0.289 acres or 12,627 sq. ft. is right-of-way.

Resolution No. 25-13—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Karis House Annexation, Located At 536 29 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Karis House Annexation, Approximately 0.494 Acres Located at 536 29 Road

Action: Adopt Resolution No. 25-13 and Introduce a Proposed Ordinance and Set a Hearing for June 19, 2013

4. **Outdoor Dining Lease for Downtown Vineyard Church dba Downtown Coffee, 644 Main Street**

Downtown Coffee, located at 644 Main Street, is requesting a first-time Outdoor Dining Lease for a total area measuring 230 square feet in two non-contiguous areas – one directly in front of the business on the main sidewalk comprising 160 square feet, and a second along the west side of the business in the breezeway comprising 70 square feet. Downtown Coffee does not serve alcohol. All new Outdoor Dining Leases require initial approval by City Council; once authorized leases renew without subsequent Council review pursuant to the lease agreement.

Resolution No. 26-13—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Downtown Vineyard Church dba Downtown Coffee, 644 Main Street

Action: Adopt Resolution No. 26-13

5. **Carpet Replacement for Two Rivers Convention Center**

This request is for the purchase and installation of new carpet in the three Colorado River rooms (aka the exhibit hall) at Two Rivers Convention Center and is included in the 2013 capital budget.

Action: Authorize the City Purchasing Division to Award a Contract to Empire Today LLC., in the Amount of \$57,930.70 to Purchase and Install New Carpet at Two Rivers Convention Center

6. **Contract to Fund the Transfer of Mill Tailings to the Grand Junction Disposal Site (Formerly Known as the Cheney Repository)**

The City of Grand Junction's interim mill tailings storage facility at City Shops is reaching capacity. The Department of Energy has scheduled to open the Cheney Repository in late June to receive the mill tailings stored at City Shops as well as tailings being remediated at the Xcel's Cameo plant demolition. This contract is with the State of Colorado's Department of Local Affairs (DOLA) and allows the City to be reimbursed for expenses incurred by the Energy and Mineral Impact Assistance Program. The value of the contract is set at \$150,000. After the work is bid, the haul contract will come back to City Council for award.

Resolution No. 27-13—A Resolution Accepting State of Colorado Energy and Mineral Impact Assistance Program Funds For the Removal of Mill Tailings from the City of Grand Junction's Interim Storage Facility and Haul the Mill Tailings to the Department of Energy's Grand Junction Disposal Site and Authorizing the Mayor to Sign a Contract with the Colorado Department of Local Affairs

Action: Adopt Resolution No. 27-13

7. **CDBG Subrecipient Contract with Karis Inc. for Previously Allocated Funds within the 2012 Community Development Block Grant (CDBG) Program Year**

The Subrecipient Contract formalizes the City's award of \$85,000 to Karis, Inc. allocated from the City's 2012 CDBG Program as previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contract with Karis, Inc. for the City's 2012 Program Year Funds

ITEMS NEEDING INDIVIDUAL CONSIDERATION

North Avenue (US Highway 6) Complete Streets Project Intergovernmental Agreement

In July of 2012, the City was awarded a Federal Transportation, Community, and System Preservation Program (TCSP) grant in the amount of \$1,190,099 for the North Avenue (US Highway 6) Complete Streets Project. This intergovernmental agreement establishes the relationship between Colorado Department of Transportation (CDOT), acting on behalf of Federal Highway Administration (FHWA), and the City of Grand Junction.

Greg Trainor, Public Works, Utilities, and Planning Director, introduced this item.

Trent Prall, Engineering Manager, introduced two prime representatives of the North Avenue Owners Association, Kevin Bray and Poppy Wood. Mr. Prall reviewed the history of the Intergovernmental Agreement and grant applications for this project. Last July, the City received notice of award of a grant in the amount of \$1,190,099 for the North Avenue Complete Streets Project. The project will run from 1st Street to 29 Road for design, and from 12th Street to 23rd Street for the actual construction. He provided information on how this project will go forward. The construction phase funds are not yet formally available and will not be until federally authorized. He asked City Attorney John Shaver to elaborate.

City Attorney Shaver said because of the nature of these funds and the situation in Washington, this is unique. CDOT is the intermediary and even though the grant has been awarded, the City has not yet received the money to spend yet. Mr. Prall said CDOT still needs the City Council's approval before they will then go to the federal government for funding.

Councilmember Kenyon noted the grant application was applied for some time ago and this is part of the renovation for North Avenue. He asked about the City's vulnerability because this is a long term contract.

City Attorney Shaver said that when City dollars are spent, getting credit for the match is the foremost consideration. The other obligation is the various federal requirements which adds to the requirements. Otherwise, it is basically an application for funds and saying the City is ready to proceed.

Councilmember Kenyon clarified by saying the process is different. The City is making a commitment, and at some point in the future, will get the green light.

Councilmember Susuras asked for confirmation that the City's matching funds are \$80,000 which are included in the 2013 budget. Mr. Prall said that is correct and the funds will go toward consultant expertise that Staff cannot provide.

Councilmember Boeschstein thanked the Staff and said he looks forward to the revitalization of North Avenue noting he is already seeing some improvements.

Resolution No. 28-13—A Resolution Accepting Federal Aid Funds for Construction Work on the North Avenue (US Highway 6) Complete Streets Project, Authorizing City Matching Funds and Inkind Services and Authorizing the City Manager to Sign an Intergovernmental Agreement with the Colorado Department of Transportation

Councilmember Susuras moved to adopt Resolution No. 28-13. Councilmember Kenyon seconded the motion.

Councilmember Kenyon expressed regrets in not being on the future City Council for this project or for the Horizon Drive Improvements and said he hopes the future Council will support these two projects. He thanked the North Avenue representatives Kevin Bray and Poppy Wood noting the City Council received a nice, kind, supportive letter from the North Avenue Association.

Councilmember Susuras thanked Dave Thornton, Principal Planner, for shepherding the project.

Motion carried by roll call vote.

Public Hearing—1941 Palisade Street Rezone, Located at 1941 Palisade Street [File #RZN-2013-77]

Request to rezone 0.24 acres from R-8 (Residential – 8 units per acre) to R-12 (Residential -12 units per acre) zone district. The applicant would like to rezone their property to R-12, which would allow a greater density on their property and thereby allow conversion of the larger house into a duplex.

The public hearing was opened at 8:19 p.m.

Greg Trainor, Public Works, Utilities, and Planning Director, introduced this item. He said Lori Bowers, Senior Planner will present and Dave Thornton, Principal Planner, will first explain a new tool called the Blended Residential Land Use Categories Map. Bret Guillory, Utility Engineer/Floodplain Manager, was also present to answer questions. Dave Thornton, Principal Planner, provided information regarding the Blended Map tool. It creates three categories of residential land uses and better defines residential compatibility. He used several examples to explain it, the first being the Cornersquare Apartments at 1st Street and Patterson Road. He showed how the Blended Map works in concert with the Future Land Use Map and allows a range of densities for residential zoning.

City Attorney Shaver said part of the reason the Blended Map came into being is that if a proposed zoning was not equivalent, adjacent neighbors would insist that it be

denied, and that always put the Council in a conundrum on determining appropriateness and compatibility. This tool gives the City Council a tool to use for those situations.

Councilmember Kenyon thanked Mr. Thornton and recalled the retreats and workshops to develop this and the other parts of the Comprehensive Plan.

Councilmember Luke expressed her appreciation of the Blended Map and how it gives the City Council the latitude to make those determinations.

Senior Planner Lori Bowers said the Blended Map was the element that resulted in the Comprehensive Plan receiving the American Planning Association Award. She then described the site, the location, the request and how one structure is in need of repair and renovation. The property is not in compliance with the current zoning and the renovation will increase the density further.

Ms. Bowers then addressed the floodplain. The property is located in a non-FEMA floodplain and there will be no elevation certificate required as there is no new external building construction. The proposed remodel will be less than 50% of the value of the structure. The neighborhood is changing and the housing in the area is eclectic. No one attended the neighborhood meeting that was held. The Planning Commission has recommended approval. She described the surrounding land uses and zoning.

Councilmember Kenyon said Ms. Bowers is right about the neighborhood and appreciated the thorough presentation.

Councilmember Doody asked about parking requirements. Ms. Bowers said they will have to provide two off-street parking spaces per dwelling unit.

Councilmember Boeschstein asked about the floodplain issues. Ms. Bowers said a certificate is not required because there is no exterior construction, but the owners have been advised that it may be wise to obtain flood insurance.

There were no public comments.

The public hearing was closed at 8:43 p.m.

Ordinance No. 4585—A Ordinance Rezoning 1941 Palisade Street from R-8 (Residential – 8 Units Per Acre) to R-12 (Residential – 12 Units Per Acre)

Councilmember Susuras moved to adopt Ordinance No. 4585 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Connie Dolezal, who lives in the City, asked about the Brady Trucking timeline as far as going forward with the construction they have planned. She also inquired as to the process for selecting a Mayor and when that will happen.

Councilmember Doody asked City Attorney Shaver to meet with Ms. Dolezal and explain the process.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:47 p.m.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
Special Meeting Minutes**

May 6, 2013

The City Council of the City of Grand Junction convened into special session on the 6th day of May, 2013 at 10:30 a.m. in the City Auditorium. Those present were Councilmembers Rick Brainard, Harry Butler, Martin Chazen, Phyllis Norris, and Sam Susuras. Councilmembers Bennett Boecheinstein and Jim Doody were absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Councilmember Susuras called the meeting to order. Councilmember Chazen led the Pledge of Allegiance, followed by an invocation from Councilmember Harry Butler.

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Councilmember Butler said they should not vote for a Mayor or Mayor Pro Tem until all Councilmembers are present.

Councilmember Norris said she has been attending the City Council meetings for over six months and Councilmember Susuras always comes prepared.

Councilmember Norris nominated Councilmember Susuras for President of the Council/Mayor of the City of Grand Junction for 2013-2014. Councilmember Chazen seconded the nomination.

There were no other nominations.

A roll call vote was called. Councilmember Susuras was elected as President of the Council/Mayor for 2013-2014 with Councilmember Butler abstaining.

Councilmember Norris nominated Councilmember Chazen as President of the Council Pro Tem/Mayor Pro Tem for the City of Grand Junction for 2013-2014. Councilmember Brainard seconded the motion.

There were no other nominations.

A roll call vote was called with Councilmember Butler abstaining. Councilmember Chazen was elected as President of the Council Pro Tem/Mayor Pro Tem for the City of Grand Junction for 2013-2014.

City Clerk Stephanie Tuin administered the oath of office to both Council President Susuras and Council President Pro Tem Chazen.

City Council seats were retaken and the meeting continued.

Amending the 2013 City Council Meeting Schedule

On January 16, 2013, the City Council adopted Resolution No. 01-13 setting the meeting schedule for City Council meetings for 2013. This resolution will amend that schedule to change the regular meeting scheduled for May 15, 2013 to May 22, 2013. The Grand Junction Municipal Code, Sec. 2.04.010, requires the meeting schedule be determined by resolution.

City Clerk Stephanie Tuin presented this item. She advised that the City Council meeting schedule was set per the City's Code of Ordinances by Resolution No. 01-13. The proposal to change the next City Council meeting from May 15 to May 22 may be accomplished by amending that resolution to reflect the changed date.

Resolution No. 29-13—A Resolution of the City of Grand Junction Amending the 2013 City Council Meeting Schedule

Councilmember Brainard moved to adopt Resolution No. 29-13. Councilmember Norris seconded the motion. Motion carried by roll call vote.

City Council Committee Assignments for 2013 – 2014

Annually the City Council reviews and determines who on the City Council will represent the City Council on the various boards, committees, commissions, authorities, and organizations.

City Council discussed Committee Assignments for 2013-2014.

Associated Governments of Northwest Colorado (AGNC)

Council President Susuras noted that Councilmember Jim Doody has been serving on that board so he nominated Councilmember Doody. Councilmember Chazen stated he was interested in serving on that board also.

Councilmember Chazen was voted in to serve as the Council representative on AGNC committee by roll call vote 4 to 1 with Councilmember Butler voting for Councilmember Doody.

Downtown Development Authority/Downtown Business Improvement District (BID)

Council President Susuras noted that Councilmember Bennett Boeschenstein has been serving on that board so he nominated Councilmember Boeschenstein. Councilmembers Chazen and Butler stated they were interested in this board as well.

Councilmember Chazen was voted in to serve as the Council representative on the Downtown Development/BID board by roll call vote 4 to 1 with Councilmember Butler voting for Councilmember Boeschenstein.

Grand Junction Housing Authority (GJHA)

Councilmembers Harry Butler and Rick Brainard both said they were interested in serving on this board. Councilmember Butler was selected to serve as the Council representative on GJHA by roll call vote 4 to 1 with Councilmember Brainard voting for himself.

Grand Junction Regional Airport Authority (GJRAA)

Council President Susuras said he was interested in serving on this board. No one else expressed an interest. Council President Susuras was voted in to serve as the representative on the GJRAA board by roll call vote.

Parks Improvement Advisory Board (PIAB)

Councilmember Harry Butler advised that he currently sits on this board as the School District representative and would be willing to serve as the City's representative also. City Attorney John Shaver advised against this but suggested a representative could be appointed with Councilmember Butler as the alternate. Once Councilmember Butler is no longer on the School Board, the City's PIAB representative could cede their seat to Councilmember Butler. Council President Susuras, who served as the alternate with former Councilmember Kenyon, was selected to represent the City Council currently with Councilmember Harry Butler selected as the alternate by roll call vote.

Parks and Recreation Advisory Board (PRAB)

The City Council is currently represented by Councilmember Doody. Council President Susuras nominated Councilmember Doody. Councilmember Doody remained as the Council's representative to the Parks and Recreation Advisory Board by roll call vote.

Riverfront Commission

The City Council representative for this Commission is currently represented by Councilmember Boeschenstein. Councilmember Boeschenstein remained as the Council's representative to the Riverfront Commission by roll call vote.

Mesa County Separator Project Board

The City Council is represented by Councilmember Boeschenstein on the Board. Council President Susuras nominated Councilmember Boeschenstein. Councilmember Boeschenstein remained as the Council's representative to the Mesa County Separator Project (PDR) Board by roll call vote.

Grand Valley Regional Transportation Committee (GVRTC)

Councilmember Norris expressed a desire to serve as the City Council representative for the GVRTC board. Councilmember Norris was selected as the City Council's representative by roll call vote.

Grand Junction Economic Partnership (GJEP)

Councilmember Brainard said he would like to serve on this board. Councilmember Brainard was selected as the City Council representative to the Grand Junction Economic Partnership by roll call vote.

Colorado Water Congress

Council President Susuras stated he has been serving on this board and was elected for a three year term. He asked that he remain as the City's Representative. Council President Susuras remained as the Council's representative to the Colorado Water Congress by roll call vote.

Chamber Governmental Affairs (Legislative) Committee

The City Manager attends as well as other members of City Council. It is posted on the City Council calendar and Council President Susuras asked if it is the desire of the City Council that it remain as is. The City Council voted by roll call vote to leave that as is.

5-2-1 Drainage Authority

Council President Susuras said he is the current representative for the Council but Councilmember Doody has also served on this board. Councilmember Butler nominated Councilmember Doody. Council President Susuras remained as the Council's representative to the 5-2-1 Drainage Authority by roll call vote 4 to 1 with Councilmember Butler voting for Councilmember Doody.

Criminal Justice Leadership 21st Judicial District

The Municipal Judge is currently representing the City for Criminal Justice Leadership 21st Judicial District, also known as EBDM (Evidence Based Decision Making). No one on City Council expressed a desire to change that representation.

Club 20

Council President Susuras noted that for Club 20 representation, it has historically been the Mayor who represents the City Council. Councilmember Norris suggested that the appointment be by name rather than by position. Council President Susuras remained as the Council's representative to the Club 20 Board by roll call vote.

The City Council next reviewed the list of Ad Hoc Committees.

Avalon Theatre Committee

Councilmember Boeschstein currently represents the City Council on this committee. Councilmember Chazen, expressed an interest in serving on this committee. Following the roll call vote, 3 votes for Councilmember Chazen and 2 votes for Councilmember Boeschstein. Council President Susuras noted the selection had to be by 4 votes. Councilmember Chazen then withdrew his name and Councilmember Boeschstein remained as the Council's representative.

Agenda Setting

For the Council Agenda Setting Meeting, Council President Susuras said the Mayor Pro Tem has been attending those meetings and asked if anyone felt the need to change this. No one spoke, so it was decided President of the Council Pro Tem Chazen will attend the Council Agenda Setting Meetings.

Las Colonias Committee

Councilmember Boeschstein has been representing the City Council on the Las Colonias Committee. Councilmember Boeschstein remained as the City Council representative to the Las Colonias Committee by roll call vote.

Matchett Park Committee

Councilmember Butler expressed an interest, citing the fact that it has been ongoing since he was on Council previously. Councilmember Chazen also expressed an interest. Councilmember Chazen was voted to represent City Council on the Matchett Park Committee by roll call vote 4 to 1 with Councilmember Butler voting for himself.

Mesa County Fire Study Committee

Councilmember Norris said she would like to serve on the Mesa County Fire Study Committee. She was selected to serve as the City Council representative by roll call vote.

Public Safety Project Committee

Councilmember Jim Doody has been serving on the Public Safety Project Committee. Councilmember Doody remained as the Council's representative by roll call vote.

Quarterly Budget Reviews

Quarterly Budget Reviews have been attended in the past by two Councilmembers. A discussion ensued regarding keeping the limitation at two Councilmembers unless the meeting is posted. It was determined by roll call vote that Councilmembers Chazen and Norris will attend those Quarterly Budget Reviews, unless otherwise noticed and posted.

Under "Other Boards", several other boards were listed for informational purposes only. Many are boards for which the City Council appoints the membership. Associated Members for Growth and Development (AMGD) was an exception and it was determined that it could be open to all. In case any Councilmember discusses public business while in attendance, the meetings will now be included on the posted City Council calendar.

Councilmember Brainard asked if the other Boards could also be noticed so that Councilmembers can attend as they would like. Council President Susuras said the Council appoints to all these boards but, if noticed, any and all can attend.

City Manager Rich Englehart noted that the Grand Valley Trails Alliance is a newly formed board and had sent out a solicitation for board members. It is up to the City

Council if they would like to make an appointment to that board. The City Council declined to take any action.

Council President Susuras noted that the Persigo Board includes all City and County elected officials so they are all a part of that board. It is a ten member board.

Resolution No. 30-13—A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

Councilmember Brainard moved to adopt Resolution No. 30-13 with the appointments as voted upon. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Other Business

Councilmember Chazen said at the last City Council meeting the City Council voted 4 to 2 to withdraw from the Grand Junction Chamber of Commerce. Councilmember Chazen read a statement he prepared regarding this matter.

*“Thank you Mayor,
At the last regular Council meeting, the City Council voted four to two to unilaterally withdraw its membership from the Grand Junction Area Chamber of Commerce. This was surprising because the City of Grand Junction and the Chamber sustained a long-standing and important relationship. The Chamber has been a reliable partner with the City, GJEP, Business Incubator, and many other regional organizations in the struggle to maintain and attract businesses to our City. Clearly, the Chamber represents hundreds of businesses and these businesses employ thousands of our citizens. I view the Chamber as a valuable resource and vital economic development ally. In my estimation, the support and research the Chamber provides far outweighs the value of dues the City pays to the organization. Coupled with the fact that current year dues have already been paid, I believe we should revisit the withdrawal decision. Therefore, I move that this Council instruct the City Manager to immediately contact the Chamber, clearly communicating the City of Grand Junction intends to continue its membership at the same level for which we have already paid. Thank you.”*

Councilmember Chazen moved to direct the City Manager to immediately reinstate the City's membership to the Chamber of Commerce. Councilmember Brainard seconded the motion.

Councilmember Butler said the Chamber was previously not so political but now he feels they are political and so he will vote NO on reinstating the Chamber membership.

Councilmember Norris said the Chamber has always been involved in political activities and are big supporters of the City. The City needs to be able to listen to the 1,000

businesses and the employees they represent so she believes they should reinstate their membership.

Council President Susuras said withdrawing the City membership was a worst kind of example for cooperation and collaboration with the leading organizations in the community it could possibly set. Working with all the leading organizations to create jobs and a business friendly community should be City Council's goal. He therefore supports City Council's membership with the Grand Junction Chamber of Commerce.

Motion carried to reinstate the City's membership to the Chamber of Commerce by roll call vote 4 to 1 with Councilmember Butler voting NO.

Adjournment

Council President Susuras said there was no further business and asked for a motion to adjourn the meeting.

Councilmember Butler moved to adjourn the meeting. Councilmember Chazen seconded the motion. Motion carried and the meeting was adjourned.

The special meeting was adjourned at 11:12 a.m.

Stephanie Tuin, MMC
City Clerk



Attach 2

CITY COUNCIL AGENDA ITEM

Date: May 6, 2013
 Author: Brian Rusche
 Title/ Phone Ext: Senior Planner/4058
 Proposed Schedule: Resolution Referring Petition, May 22, 2013.
 1st Reading Zoning: June 19, 2013
 2nd Reading: July 3, 2013
 File #: ANX-2013-104

Subject: Perry Annexation, Located at 2884 B Road
Action Requested/Recommendation: Adopt a Resolution Referring the Petition and Exercising Land Use Control for the Perry Annexation, Introduce a Proposed Ordinance and Set a Hearing for July 3, 2013
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to annex 4.712 acres, located at 2884 B Road. The Perry Annexation consists of one parcel and no public right-of-way.

Background, Analysis and Options:

The property owner, Eric Perry, has requested annexation into the City and a zoning of R-4 (Residential 4 du/ac) to facilitate the construction of a residential subdivision, to be known as Chipeta Heights West. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Annexation of this property will allow for efficient provision of municipal services.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

The proposed zoning of the property will create an opportunity to develop a vacant parcel in a manner consistent with adjacent residential development.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

The proposed zoning of the property will create an opportunity for additional housing units to be brought to market.

Board or Committee Recommendation:

The Planning Commission will consider the Zone of Annexation on May 28, 2013. Their recommendation will be forwarded for 1st Reading of the Zoning Ordinance on June 19, 2013.

Financial Impact/Budget:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation.

Legal issues: None.

Other issues: None.

Previously presented or discussed:

A Neighborhood Meeting was held on February 20, 2013.

Attachments:

1. Staff report/Background information
2. Annexation Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing City Zoning Map
6. Resolution Referring Petition
7. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2884 B Road			
Applicant:		Eric Perry			
Existing Land Use:		Vacant			
Proposed Land Use(s):		Residential subdivision			
Surrounding Land Use:	North	Single-family detached Residential			
	South	Single-family detached Residential			
	East	Single-family detached Residential			
	West	Single-family detached Residential			
Existing Zoning:		County RSF-4 (Residential Single Family – 4 du/ac)			
Proposed Zoning:		R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family – 4 du/ac)			
	South	County RSF-4 (Residential Single Family – 4 du/ac)			
	East	R-4 (Residential 4 du/ac)			
	West	County RSF-4 (Residential Single Family – 4 du/ac)			
Future Land Use Designation:		Residential Medium Low (RML) Density (2-4 du/ac)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

The annexation area consists of 4.712 acres and is comprised of one parcel and no public right-of-way.

The property owner has requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Perry Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

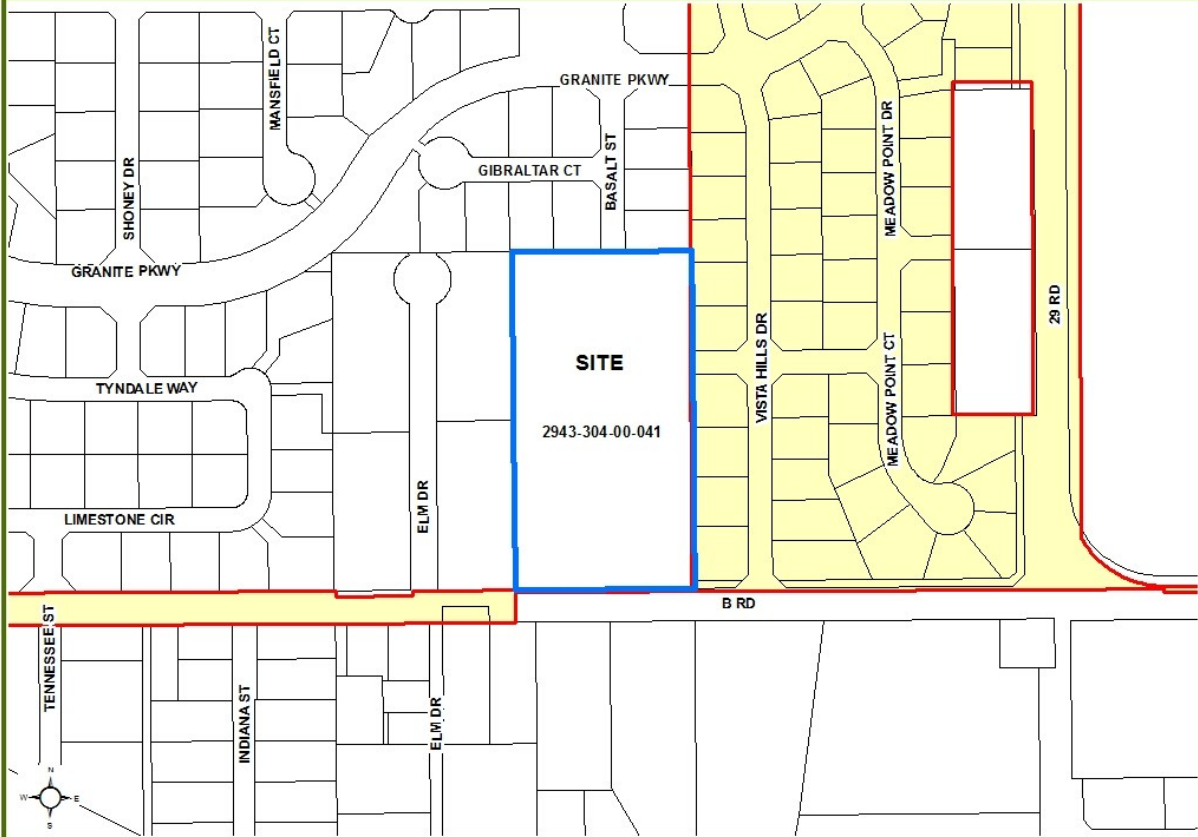
The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
May 22, 2013	Referral of Petition (30 Day Notice), Exercising Land Use Control, Introduction Of A Proposed Ordinance, Setting a Hearing
May 28, 2013	Planning Commission considers Zone of Annexation
June 19, 2013	Introduction of A Proposed Ordinance on Zoning by City Council
July 3, 2013	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 4, 2013	Effective date of Annexation and Zoning

PERRY ANNEXATION SUMMARY

File Number:	ANX-2013-104	
Location:	2884 B Road	
Tax ID Number:	2943-304-00-041	
# of Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	4.712	
Developable Acres Remaining:	4.712	
Right-of-way in Annexation:	none	
Previous County Zoning:	RSF-4, (Residential Single Family – 4 du/ac)	
Proposed City Zoning:	R-4 (Residential 4 du/ac)	
Current Land Use:	Vacant	
Future Land Use Designation:	Residential Medium Low (RML) Density (2-4 du/ac)	
Values:	Assessed:	\$8760
	Actual:	\$110,000
Address Ranges:	TBD (upon development)	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	Orchard Mesa Sanitation District
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Orchard Mesa Irrigation District / Orchard Mesa Drainage District
	School:	Mesa County Valley School District 51
	Pest:	Grand River Mosquito Control District

PERRY ANNEXATION



CITY LIMITS

ANNEXATION BOUNDARY

Aerial Photo Map



Printed: 5/2/2013

1 inch = 200 feet

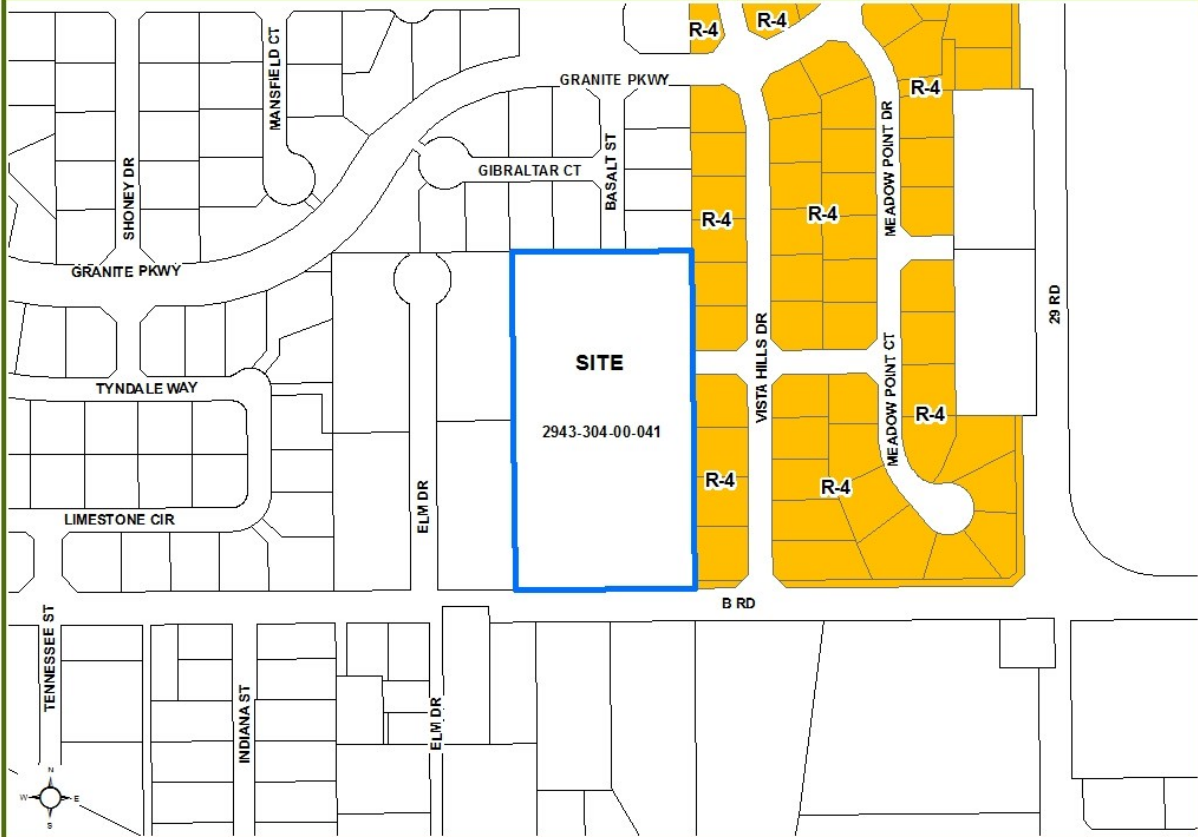


PERRY ANNEXATION FUTURE LAND USE



— ANNEXATION BOUNDARY

PERRY ANNEXATION ZONING



— ANNEXATION BOUNDARY

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 22nd of May 2013, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

PERRY ANNEXATION

LOCATED AT 2884 B ROAD

WHEREAS, on the 22nd day of May, 2013, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PERRY ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Bounded on the East by the West line of Chipeta Heights Subdivision, as same is recorded in Book 4462, Page 931, Public Records of Mesa County, Colorado, said line also being the West line of Chipeta Heights Annexation, City of Grand Junction Ordinance No. 3886, as same is recorded in Book 4133, Page 24, Public Records of Mesa County, Colorado; Bounded on the North by the South line of Granite Springs Filing No. 5, as same is recorded in Book 3902, Page 70, Public Records of Mesa County, Colorado; Bounded on the West by the East line of Fuller Subdivision, as same is recorded in Plat Book 9, Page 143, Public Records of Mesa County, Colorado, and, Bounded on the South by the North line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance No. 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado, said line also being the North line of B Road right of way, being a line 30.00 feet North of and parallel with the South line of the SE 1/4 SE 1/4 of said Section 30.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That a hearing will be held on the 3rd day of July, 2013, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works, Utilities and Planning Department of the City.

ADOPTED the _____ day of _____, 2013.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
May 24, 2013
May 31, 2013
June 7, 2013
June 14, 2013

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

PERRY ANNEXATION

APPROXIMATELY 4.712 ACRES

LOCATED AT 2884 B ROAD

WHEREAS, on the 22nd day of May, 2013, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 3rd day of July, 2013; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

PERRY ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Bounded on the East by the West line of Chipeta Heights Subdivision, as same is recorded in Book 4462, Page 931, Public Records of Mesa County, Colorado, said line also being the West line of Chipeta Heights Annexation, City of Grand Junction Ordinance No. 3886, as same is recorded in Book 4133, Page 24, Public Records of Mesa County, Colorado; Bounded on the North by the South line of Granite Springs Filing No. 5, as same is recorded in Book 3902, Page 70, Public Records of Mesa County, Colorado; Bounded on the West by the East line of Fuller Subdivision, as same is recorded in Plat Book 9, Page 143, Public Records of Mesa County, Colorado, and, Bounded on the South by the North line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance No. 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado, said line also being the North line of B Road right of way, being a line 30.00 feet North of and parallel with the South line of the SE 1/4 SE 1/4 of said Section 30.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the ____ day of _____, 2013 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

Attest:

President of the Council

City Clerk



Attach 3

CITY COUNCIL AGENDA ITEM

Date: May 6, 2013
 Author: Brian Rusche
 Title/ Phone Ext: Senior Planner/4058
 Proposed Schedule: Resolution Referring Petition, May 22, 2013.
 1st Reading Zoning: June 19, 2013
 2nd Reading: July 3, 2013
 File #: ANX-2013-105

Subject: Heritage Church Annexation, Located at 2935 Patterson Road
Action Requested/Recommendation: Adopt a Resolution Referring the Petition and Exercising Land Use Control for the Heritage Church Annexation, Introduce a Proposed Ordinance and Set a Hearing for July 3, 2013
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to annex 0.84 acres, located at 2935 Patterson Road. The Heritage Church Annexation consists of one parcel of 0.68 acres and 0.16 acres (6,940 square feet) of the 29 3/8 Road right-of-way.

Background, Analysis and Options:

The property owner, Heritage Church of Grand Junction, has relocated and has requested annexation into the City and a zoning of R-O (Residential Office) to facilitate the sale and reuse and/or redevelopment of the property. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Annexation of this property will allow for efficient provision of municipal services.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

The proposed zoning of the property will create an opportunity for appropriate reuse and/or redevelopment of the property.

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

The proposed zoning will create an opportunity for appropriate reuse of the existing vacant building.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop, and enhance a healthy, diverse economy.

The proposed annexation provides an opportunity for redevelopment of a tax exempt property into a productive economic use.

Board or Committee Recommendation:

The Planning Commission will consider the Zone of Annexation on May 28, 2013. Their recommendation will be forwarded for 1st Reading of the Zoning Ordinance on June 19, 2013.

Financial Impact/Budget:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation.

Legal issues: None.

Other issues: None.

Previously presented or discussed:

A Neighborhood Meeting was held on February 21, 2013.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing City Zoning Map
6. Resolution Referring Petition
7. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2935 Patterson Road			
Applicant:		Heritage Church of Grand Junction			
Existing Land Use:		Church (vacant)			
Proposed Land Use(s):		As found in the R-O (Residential Office) zone district			
Surrounding Land Use:	North	Single-family detached Residential			
	South	Single-family detached Residential			
	East	Single-family detached Residential			
	West	Single-family detached Residential			
Existing Zoning:		County RSF-4 (Residential Single Family – 4 du/ac)			
Proposed Zoning:		R-O (Residential Office)			
Surrounding Zoning:	North	PD (Planned Development) – Del-Mar			
	South	County RSF-4, (Residential Single Family – 4 du/ac)			
	East	County RSF-4, (Residential Single Family – 4 du/ac)			
	West	PD (Planned Development)			
Future Land Use Designation:		Residential Medium (RM) Density (4-8 du/ac) Mixed Use Opportunity Corridor (Patterson Road)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

The annexation area consists of 0.84 acres and is comprised of one parcel of 0.68 acres and 0.16 acres (6940 square feet) of right-of-way.

The property owner has requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Heritage Church Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

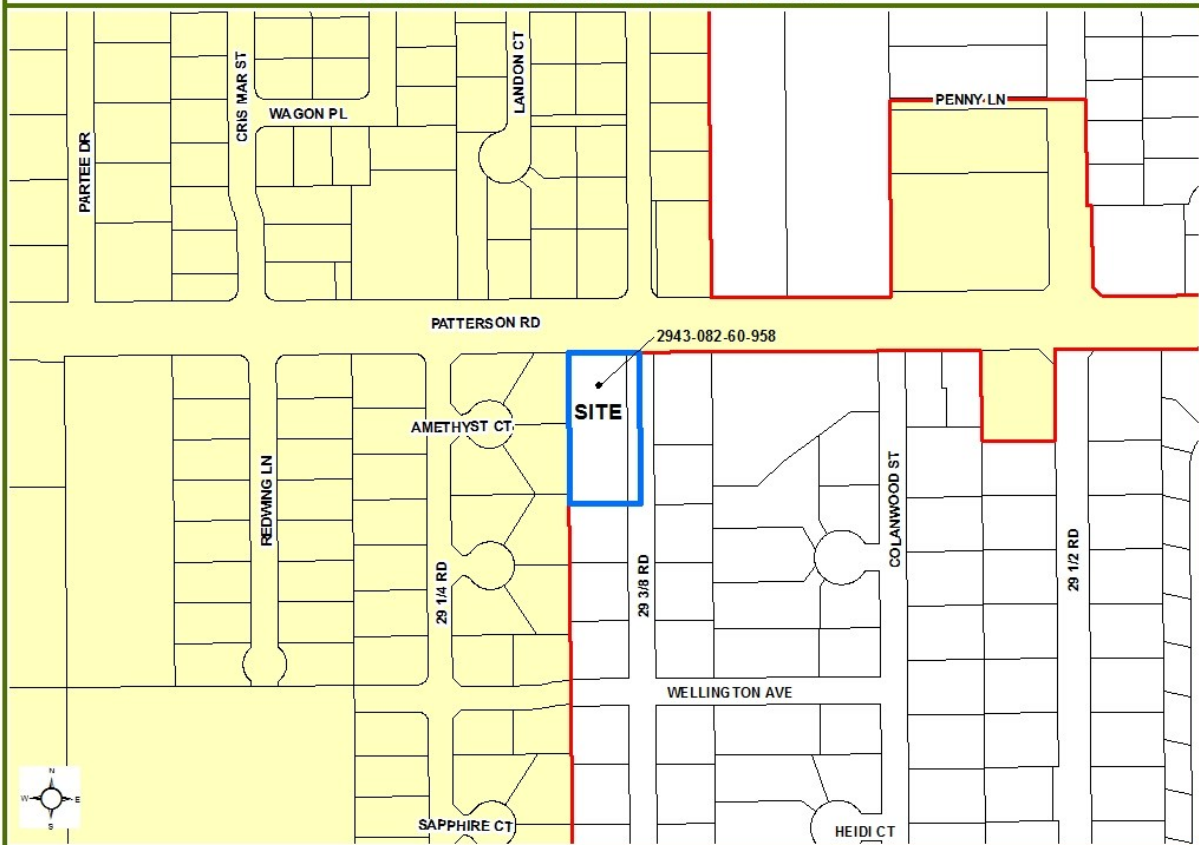
The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
May 22, 2013	Referral of Petition (30 Day Notice), Exercising Land Use Control, Introduction Of A Proposed Ordinance, Setting a Hearing
May 28, 2013	Planning Commission considers Zone of Annexation
June 19, 2013	Introduction of A Proposed Ordinance on Zoning by City Council
July 3, 2013	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 4, 2013	Effective date of Annexation and Zoning

HERITAGE CHURCH ANNEXATION SUMMARY

File Number:	ANX-2013-105	
Location:	2935 Patterson Road	
Tax ID Number:	2943-082-60-958	
# of Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	0.84	
Developable Acres Remaining:	0.68	
Right-of-way in Annexation:	0.16 acres (6940 square feet)	
Previous County Zoning:	RSF-4, (Residential Single Family – 4 du/ac)	
Proposed City Zoning:	R-O (Residential Office)	
Current Land Use:	Church (vacant)	
Future Land Use Designation:	Residential Medium (RM) Density (4-8 du/ac) Mixed Use Opportunity Corridor (Patterson Road)	
Values:	Assessed:	\$138,960
	Actual:	\$479,170
Address Ranges:	2935 Patterson Road	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	Persigo 201
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Palisade Irrigation District / Grand Valley Drainage District
	School:	Mesa County Valley School District 51
	Pest:	Grand River Mosquito Control District

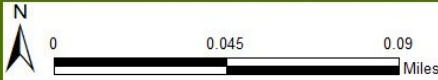
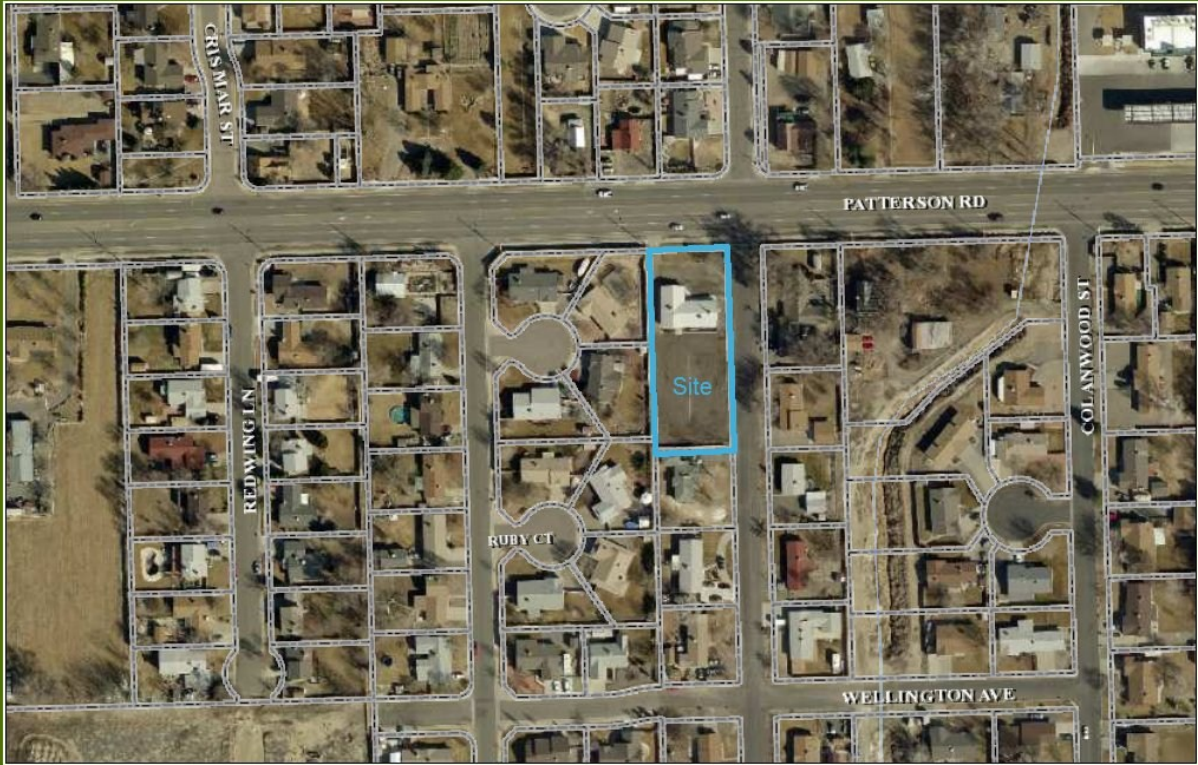
HERITAGE CHURCH ANNEXATION



 CITY LIMITS  ANNEXATION BOUNDARY

PUBLISHED: March 7, 2013

Aerial Photo Map

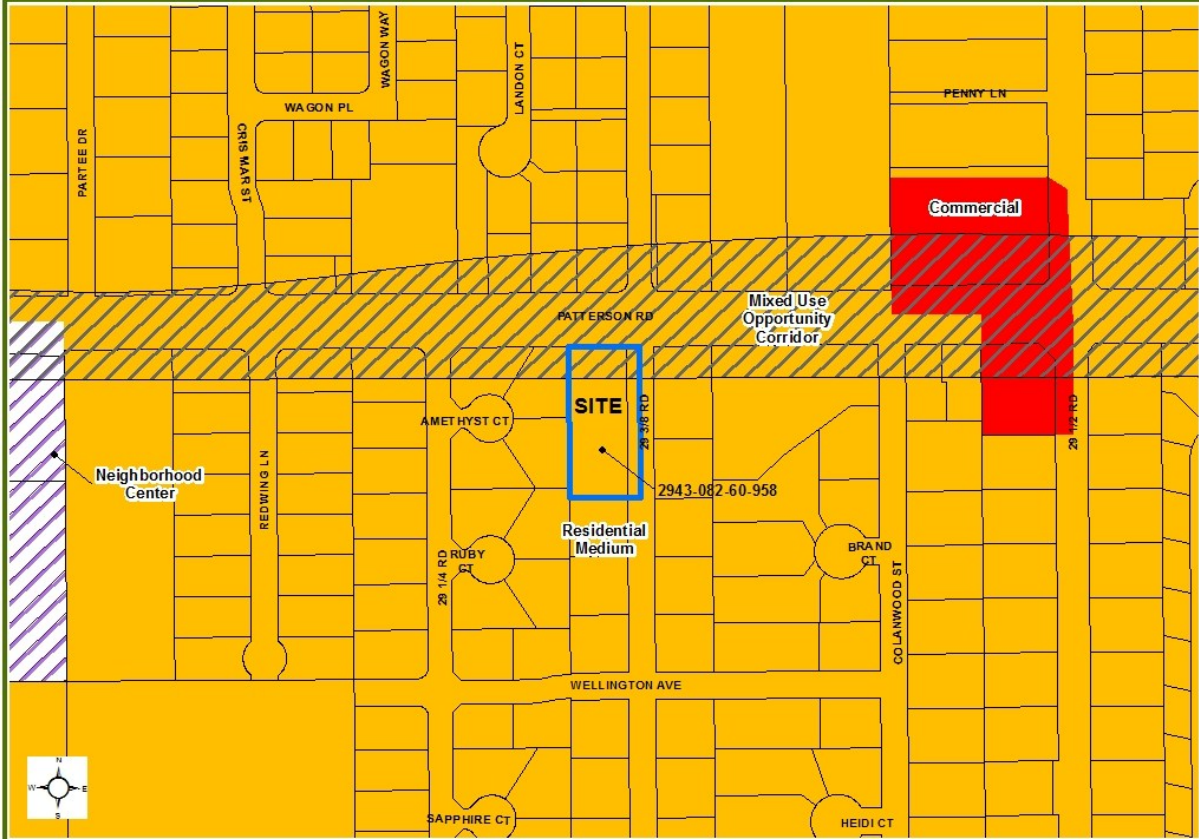


Printed: 5/1/2013

1 inch = 156 feet

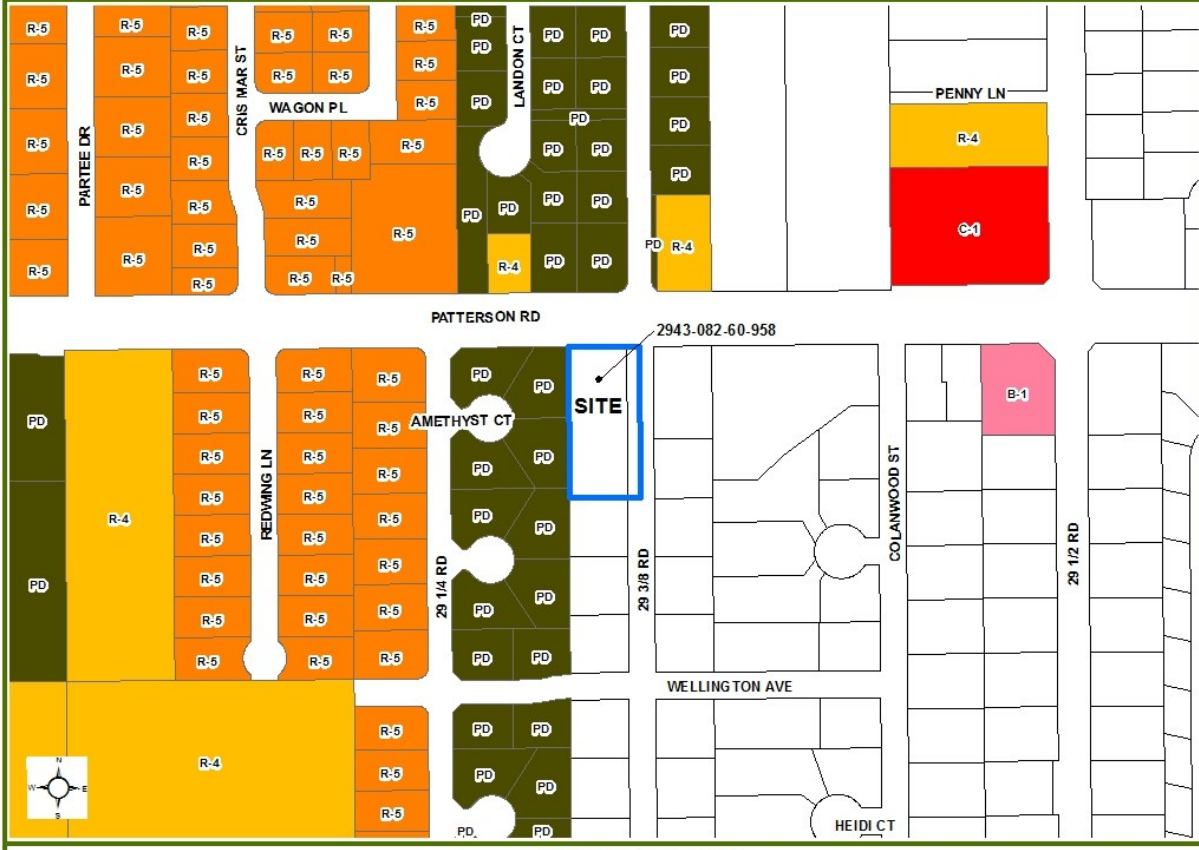


HERITAGE CHURCH ANNEXATION FUTURE LAND USE



ANNEXATION BOUNDARY

HERITAGE CHURCH ANNEXATION ZONING



ANNEXATION BOUNDARY

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 22nd of May 2013, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

HERITAGE CHURCH ANNEXATION

LOCATED AT 2935 PATTERSON ROAD

WHEREAS, on the 22nd day of May, 2013, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

HERITAGE CHURCH ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1, Heritage Church Subdivision as same is recorded in Book 4705, Page 986, Public Records of Mesa County, Colorado and assuming the North line of the NE 1/4 NW 1/4 of said Section 8 bears N 89°58'53" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°58'53" E along the North line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to a point in the centerline of 29-3/8 Road; thence S 00°04'58" E along said centerline, a distance of 277.60 feet; thence S 89°58'53" W, along the South line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to the Southwest corner of said Lot 1; thence N 00°04'58" W, along the West line of said Lot 1, a distance of 277.60 feet, more or less, to the Point of Beginning.

CONTAINING 36,643 Square Feet or 0.84 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That a hearing will be held on the 3rd day of July, 2013, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at

7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works, Utilities and Planning Department of the City.

ADOPTED the _____ day of _____, 2013.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
May 24, 2013
May 31, 2013
June 7, 2013
June 14, 2013

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

HERITAGE CHURCH ANNEXATION

APPROXIMATELY 0.84 ACRES

**LOCATED AT 2935 PATTERSON ROAD
AND INCLUDING PORTIONS OF THE
29 3/8 ROAD RIGHT-OF-WAY**

WHEREAS, on the 22nd day of May, 2013, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 3rd day of July, 2013; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

HERITAGE CHURCH ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1, Heritage Church Subdivision as same is recorded in Book 4705, Page 986, Public Records of Mesa County, Colorado and assuming the North line of the NE 1/4 NW 1/4 of said Section 8 bears N 89°58'53" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°58'53" E along the North line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to a point in the centerline of 29-3/8 Road; thence S 00°04'58" E along said centerline, a distance of 277.60 feet; thence S 89°58'53" W, along the South line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to the Southwest corner of said Lot 1; thence N 00°04'58" W, along the West line of said Lot 1, a distance of 277.60 feet, more or less, to the Point of Beginning.

CONTAINING 36,643 Square Feet or 0.84 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the ____ day of _____, 2013 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

Attest:

President of the Council

City Clerk



Date: April 15, 2013
 Author: Greg Moberg
 Title/ Phone Ext: Planning
Supervisor x4023
 Proposed Schedule: May 22,
2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): VAC-2013-4

Attach 4
CITY COUNCIL AGENDA ITEM

Subject: Vacating a Portion of an Existing Public Utility Easement in Village Park, Located at 615 28 1/4 Road
Action Requested/Recommendation: Adopt Resolution Vacating a Portion of an Existing Public Utility Easement
Presenter(s) Name & Title: Greg Moberg, Planning Supervisor

Executive Summary:

The applicant is requesting to vacate a portion of an existing public utility easement that is no longer needed. A new easement has been dedicated and a new sewer line has been constructed so there is no need for this portion of the easement to remain.

Background, Analysis and Options:

The site, situated within the Village Park Subdivision, is located northwest of the intersection of Patterson and 28 1/4 Roads and consists of approximately 6.66 acres. The property is zoned PD with specific approval for 132 multi-family residential units. On August 16, 2012 the northern 4.46 acres was approved for 72 multifamily units. The Developer anticipates that the southern 2.20 acres will be developed at a later date as senior housing.

The easement in question generally bisects the property from the southeast to the northwest. The Developer has relocated a segment of the existing 8" sewer line rendering a portion (758 square feet) of the existing easement unnecessary. There is no additional infrastructure located within this area and all affected utilities have reviewed the request and no objections have been submitted.

How this item relates to the Comprehensive Plan Goals and Policies:

There are no specific Comprehensive Plan Goals or Policies that the requested vacation relates; however, the requested vacation does not contradict nor is the request inconsistent with any of the Goals and Policies contained within the Comprehensive Plan.

Board or Committee Recommendation:

The Planning Commission recommended approval at its April 9, 2013 hearing.

Financial Impact/Budget:

N/A

Legal issues:

Legal has reviewed the attached staff report.

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Staff Report
Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Site Map
Village Park Plat
Village Park Site Plan
Resolution

BACKGROUND INFORMATION			
Location:		615 28 ¼ Road	
Applicants:		Owner/Applicant: Grand Junction Housing Authority Representative: Richard Krohn	
Existing Land Use:		Apartments	
Proposed Land Use:		N/A	
Surrounding Land Use:	North	Single Family Residential Units	
	South	Single Family Residential Units and Commercial	
	East	Church	
	West	Church and Vacant	
Existing Zoning:		PD (Planned Development)	
Proposed Zoning:		N/A	
Surrounding Zoning:	North	PD (Planned Development)	
	South	PD (Planned Development) and R-5 (Residential 5du/ac)	
	East	R-8 (Residential 8du/ac)	
	West	R-4 (Residential 4du/ac)	
Future Land Use Designation:		Residential High Mixed Use	
Zoning within density range?	X	Yes	No

1. Section 21.02.100 of the Grand Junction Municipal Code

The vacation of the easement shall conform to the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

The requested easement vacation is in conformance with the Comprehensive Plan, the Grand Valley Circulation Plan and all other adopted plans and policies of the City.

- b. No parcel shall be landlocked as a result of the requested vacation.

No parcel is landlocked by the requested vacation.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access to any parcel is not restricted by the requested vacation.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

The granting of this request creates no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel are not reduced.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

The granting of this request will not inhibit the provision of adequate public facilities and services to any property.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The relocation of the existing sewer line benefits the City by creating a more efficient design and reduces the number of infrastructure conflicts. Because the sewer line has been relocated there is no need for a portion of the easement to remain in its current location.

FINDINGS OF FACT/CONCLUSIONS

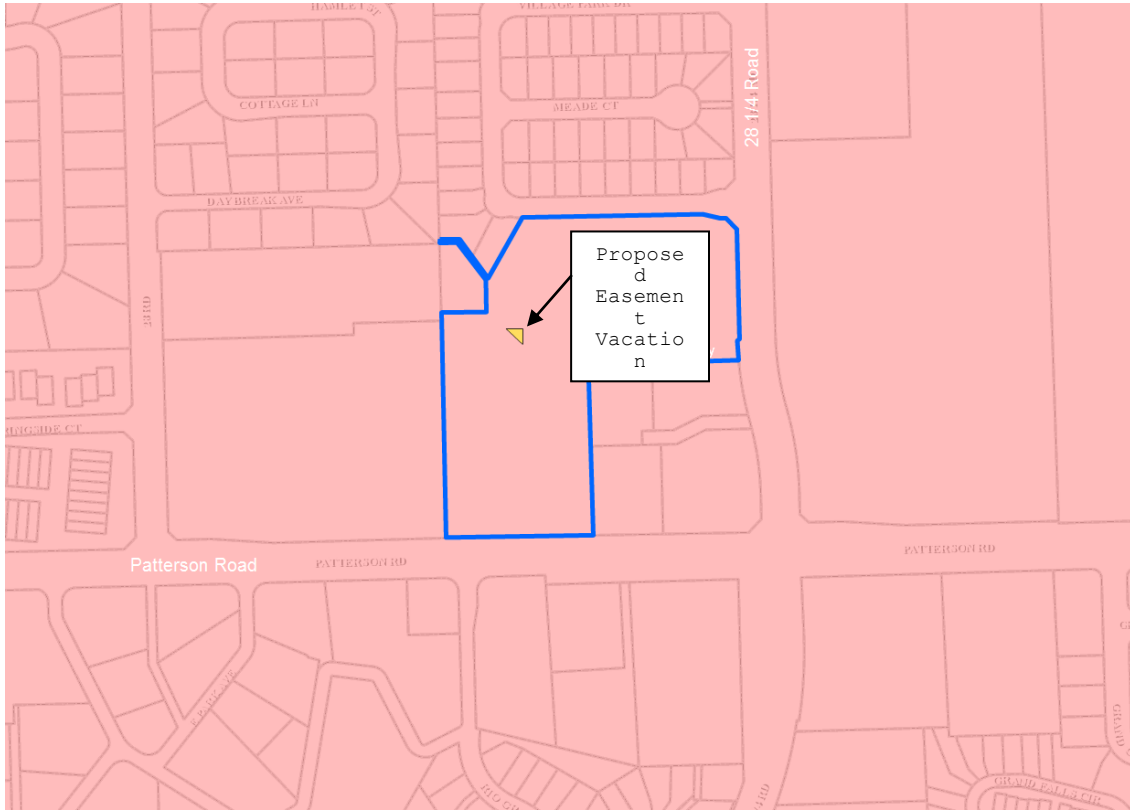
After reviewing Village Park Subdivision Public Easement Vacation application, VAC-2013-4 for the vacation of a portion of a public utility easement, I make the following findings of fact and conclusions:

1. The requested easement vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommended approval of the requested public utility easement vacation, VAC-2013-4, to the City Council with the findings and conclusions listed above.

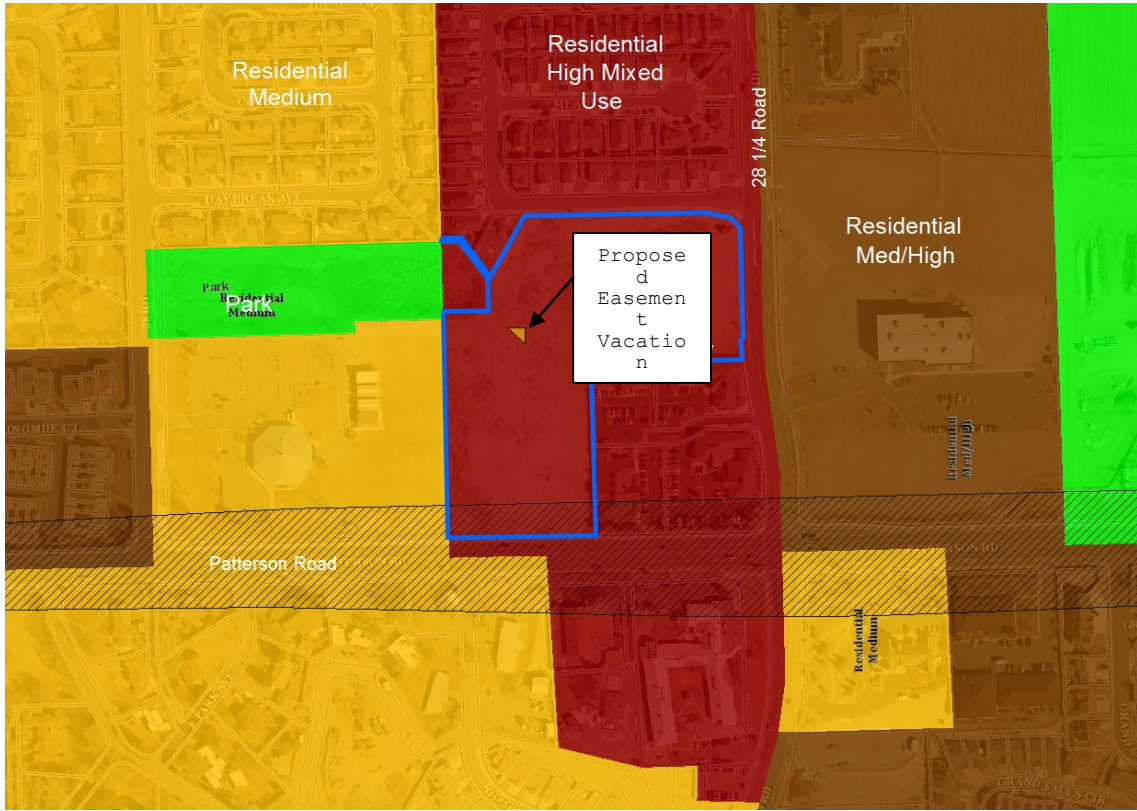
Site Location Map



Aerial Photo Map



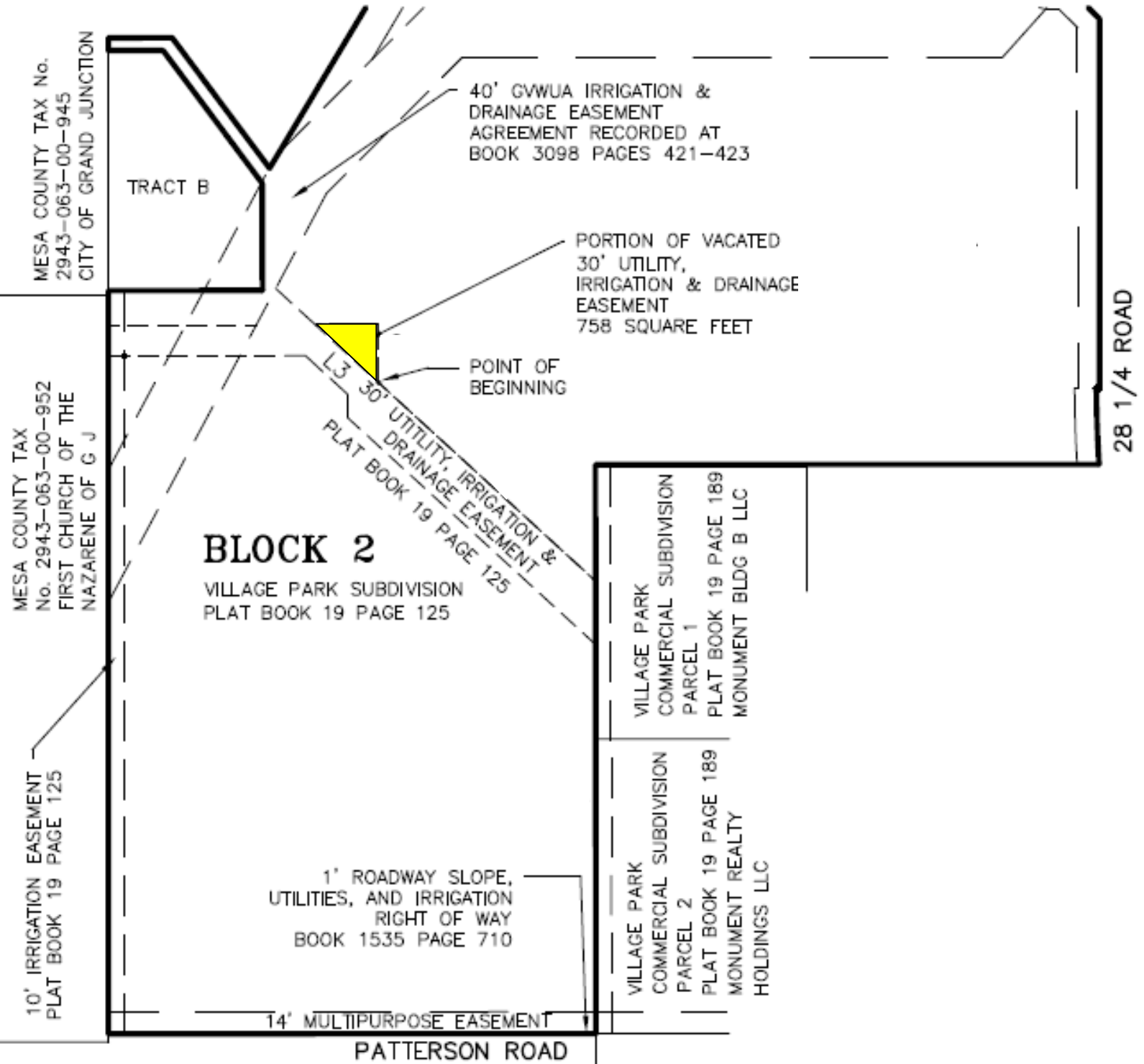
Comprehensive Plan Map



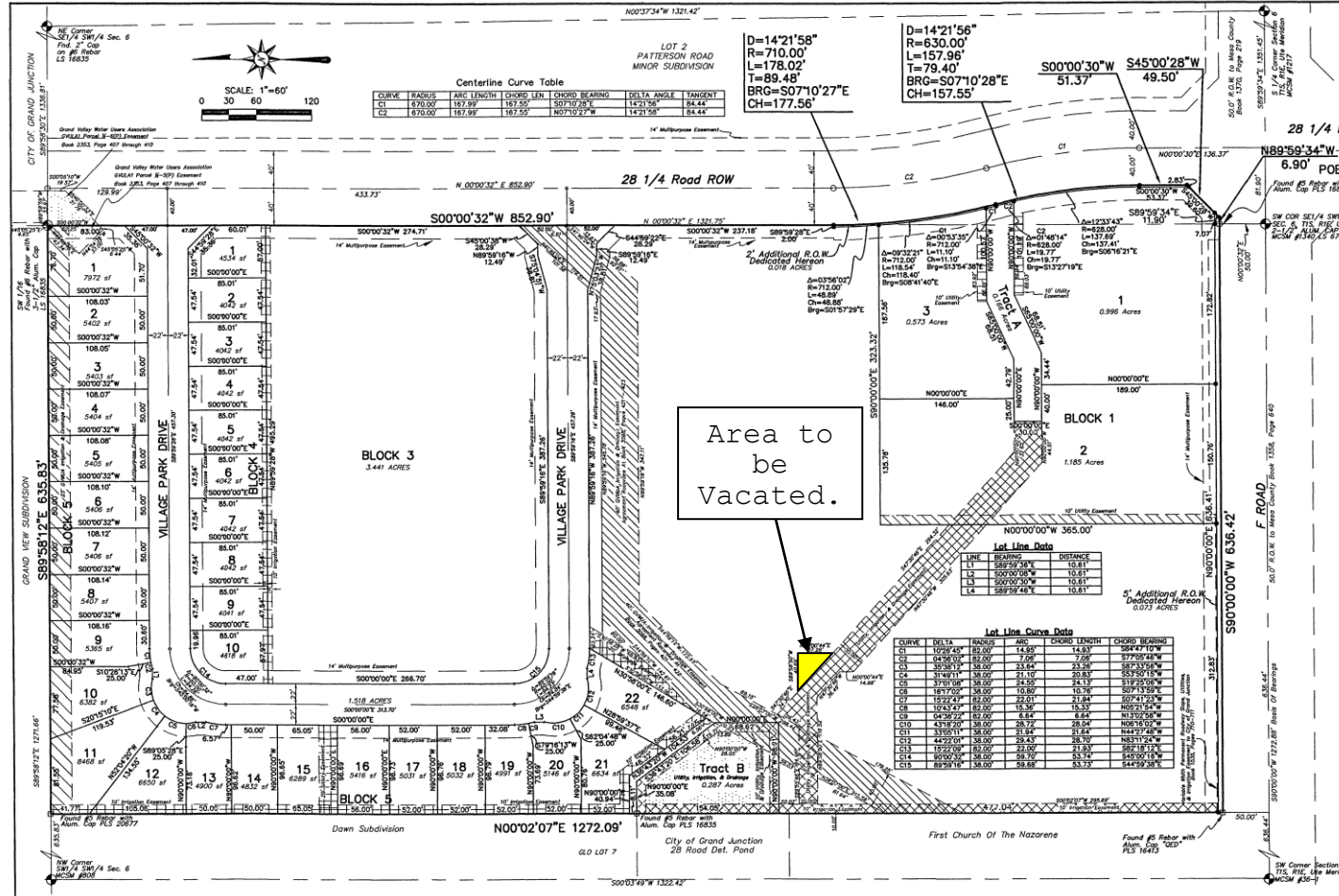
Existing City Zoning Map



Site Map



VILLAGE PARK A REPLAT OF LOT 1 PATTERSON ROAD MINOR SUBDIVISION CITY OF GRAND JUNCTION MESA COUNTY, COLORADO



D=14°21'58"
R=710.00'
L=178.02'
T=89.48'
BRG=S07°10'27"E
CH=177.56'

D=14°21'56"
R=630.00'
L=157.96'
T=79.40'
BRG=S07°10'28"E
CH=157.55'

Centerline Curve Table

CURVE	RADIUS	ARC LENGTH	CHORD LEN.	CHORD BEARING	DELTA ANGLE	TANGENT
C1	870.00'	187.89'	167.55'	S07°10'28"	142°15'	84.44'
C2	870.00'	187.89'	167.55'	N07°10'27"	142°15'	84.44'

Lot Line Data

LINE	BEARING	DISTANCE
1	S00°00'32"W	10.81'
2	S00°00'32"W	10.81'
3	S00°00'32"W	10.81'
4	S00°00'32"W	10.81'
5	S00°00'32"W	10.81'
6	S00°00'32"W	10.81'
7	S00°00'32"W	10.81'
8	S00°00'32"W	10.81'
9	S00°00'32"W	10.81'
10	S00°00'32"W	10.81'
11	S00°00'32"W	10.81'
12	S00°00'32"W	10.81'
13	S00°00'32"W	10.81'
14	S00°00'32"W	10.81'
15	S00°00'32"W	10.81'
16	S00°00'32"W	10.81'
17	S00°00'32"W	10.81'
18	S00°00'32"W	10.81'
19	S00°00'32"W	10.81'
20	S00°00'32"W	10.81'
21	S00°00'32"W	10.81'
22	S00°00'32"W	10.81'

Lot Line Curve Data

CURVE	BEARING	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	S07°10'28"	178.02'	S89°48'10"W	177.56'
C2	N07°10'27"	178.02'	N89°48'10"E	177.56'

KNOW ALL MEN BY THESE PRESENTS:
That Patterson Road Development, L.L.C., a Colorado Limited Liability Company, are the owners of that real property located in part of the Southwest Quarter (SW 1/4) of Section 6, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: (Book 2951, Page 370)

Let 1 of Patterson Road Minor Subdivision, as shown on the plat recorded in Plat Book 15, Page 188 of the Mesa County Records.

SUBJECT TO EASEMENT RIGHTS OF GRAND VALLEY WATER USERS ASSOCIATION AND THE UNITED STATES OF AMERICA as set forth in that agreement dated June 4, 2002, and recorded in Book 3088, Pages 421 through 427, Mesa County Records.

That said owners have caused the real property to be laid out and platted as Village Park, a subdivision of a part of the City of Grand Junction, Colorado, that said owner does hereby dedicate and set apart real property as shown and labeled as the accompanying plat of Village Park as follows:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever. Before acceptance of a dedication of any Street or Right of Way, the City may require proof of acceptable environmental condition by e.g. a 'phase I environmental audit'.

All Utility Easements to the City of Grand Junction for the use of City approved public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public providers and appurtenant facilities.

All Multipurpose Easements to the City of Grand Junction for the use of City approved utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

All Irrigation and Drainage Easements to an association, if formed now or later, for the benefit of the owners, or if not, to the owners of the lots and tracts hereby platted as undivided interests (not partitionable), as perpetual easements for the installation, operation, maintenance and repair of irrigation systems and to supply and drain irrigation water. Easements, conditions, or restrictions or other conveyance thereof recorded at Book 3111, Page 115.

Tract A to the Village Park Homeowners Association for the purposes of said Association including, but not limited to ingress and egress and utility purposes, and for the use of the surrounding Lot owner(s), their guest(s), and invitee(s), and also for use by public providers and utilities, including but not limited to, postal services, trash collection, fire, police and emergency vehicles and services. Deed of conveyance recorded at Book 3111, Page 115, subject to further conditions and restrictions as may be set forth in that instrument.

Tract B to the City of Grand Junction for the purposes of the City including, but not limited to ingress and egress and utility purposes and as perpetual easements for the installation, operation, maintenance and repair of irrigation systems and to supply and drain irrigation water.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or as signs, together with the right to trim or remove interfering trees and brush, and in Drainage & Detention/Retention easements or tracts, the right to dredge; provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

Owner hereby declares there are no lienholders to herein described real property.

IN WITNESS WHEREOF, said owners, Patterson Road Development, L.L.C., a Colorado Limited Liability Company, a Colorado Limited Liability Company, have caused their names to be hereunto subscribed this 23 day of September, A.D., 2002.

By: Alan Patterson
for: Patterson Road Development, L.L.C., a Colorado Limited Liability Company

NOTARY PUBLIC'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF MESA) ss

The foregoing instrument was acknowledged before me by Alan Patterson for Patterson Road Development, L.L.C., a Colorado Limited Liability Company this 23 day of September, A.D., 2002.

Witness my hand and official seal:
Teressa C. Romines
Notary Public

My Commission Expires 8/27/2005



NOTES:
The Declaration of Covenants and Restrictions are recorded at Book 3116, Pages 1 through 35, Mesa County Records.

Basis of bearings is the South line of the SW 1/4 of Section 6 which bears South 90 degrees 00 minutes 00 seconds West, a distance of 1272.88 feet. Both monuments on this line are Mesa County Survey Markers, as shown on this plat.

Note: Property corners located during this survey that were within 0.25± feet of the calculated point were accepted as being "in position".

Easement and Title Information provided by Abstract & Title Company of Mesa County, Inc., Policy No. 00905728-C2, dated June 28, 2001.

NOTE REQUIRED BY COUNTY:

Pursuant to C.R.S. 24-68-101 et seq., and Chapter 1.10 of the Mesa County Land Development Code, a site specific development plan has been approved by Mesa County and shall result in a vested right for a period of three (3) years from Jan. 3, 2002.

NOTE: ACCORDING TO COLORADO LAW YOU MUST CANCELL ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IF NO DEFECT MAY BE FOUND AFTER THREE (3) YEARS FROM THE DATE OF CERTIFICATION YOUR REMEDY MAY BE LIMITED TO THE DATE OF CERTIFICATION YOUR REMEDY.

CITY OF GRAND JUNCTION APPROVAL
This plat of Village Park, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this 23 day of September, A.D., 2002.

City Manager David A. Valley
City Mayor Cindy Emma Marty

CLERK AND RECORDER'S CERTIFICATE
STATE OF COLORADO)
COUNTY OF MESA) ss

I hereby certify that this instrument was filed in my office at 4:30 o'clock P.M. Sept 25, A.D., 2002, and was duly recorded in Plat Book 19, Page No. 125, 126
Reception No. 2078105 Drawer No. MM-79 Fees: 20.00 / 1.00 sc

Monika Todd
Clerk and Recorder
By: Cindy Daughman
Deputy

RECORDER NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

AREA SUMMARY

LOTS	= 6.648 Acres	35.36%
BLOCK 2	= 6.663 Acres	35.44%
BLOCK 3	= 3.441 Acres	18.30%
TRACT A	= 0.152 Acres	0.81%
TRACT B	= 0.287 Acres	1.53%
ROAD ROW	= 1.608 Acres	8.56%
TOTAL	= 18.800 Acres	100.00%

SURVEYOR'S CERTIFICATION

I, Patrick R. Green, do hereby certify that the accompanying plat of Village Park, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of some. This plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and the applicable laws of the State of Colorado.

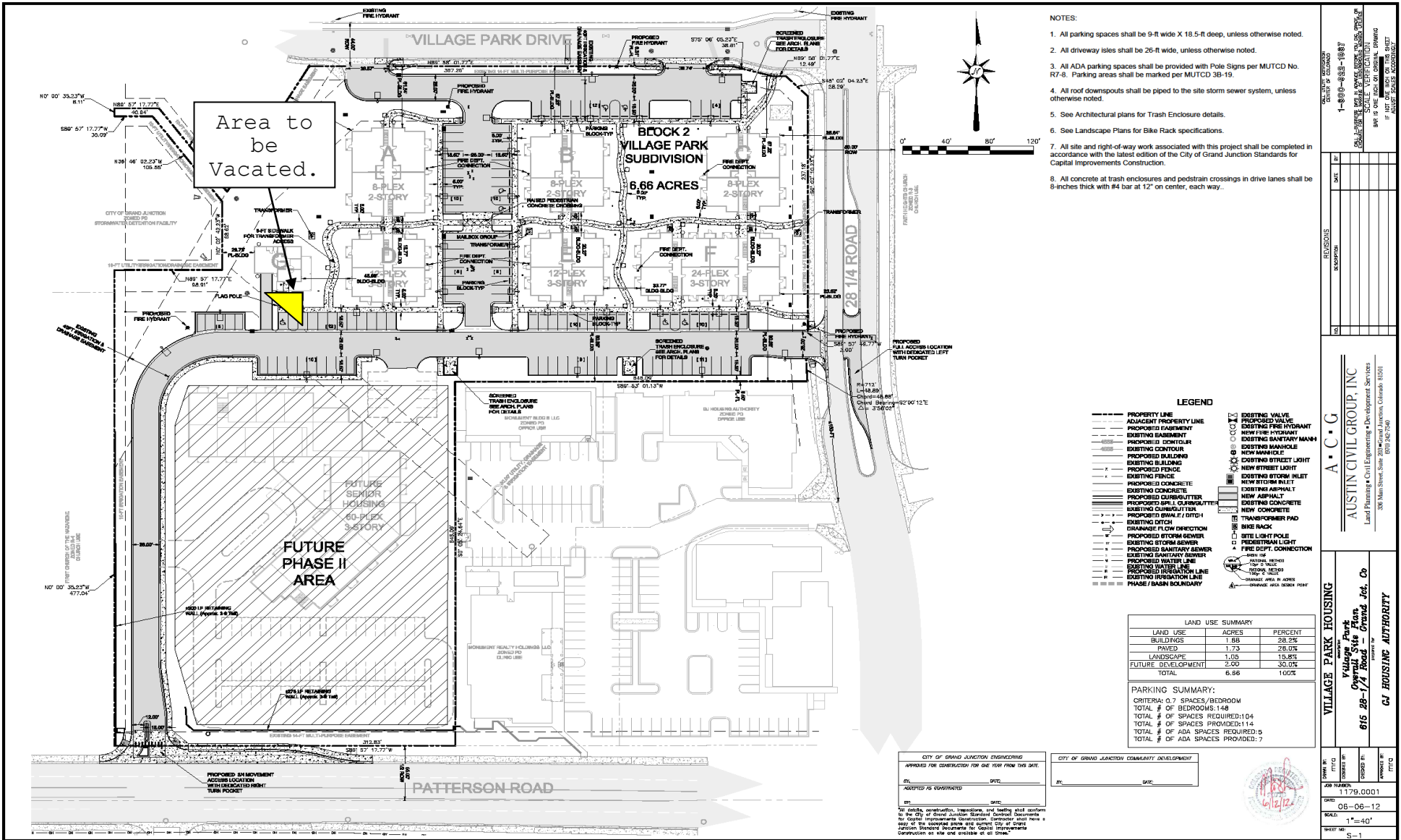
Date certified SEPTEMBER 24, 2002



VILLAGE PARK
A REPLAT OF LOT 1
PATTERSON ROAD MINOR SUBDIVISION
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO

LANDesign
ENGINEERS • SURVEYORS • PLANNERS
GRAND JUNCTION, COLORADO 81501 (970) 245-4099
PROJ. NO. 2000-21 SURVEYED [] DRAIN [] CHECKED [] SHEET [] OF []
DATE: 09/23/2002 RW PDR PHO 1 1

01278301.tif



- NOTES:
1. All parking spaces shall be 9-ft wide X 18.5-ft deep, unless otherwise noted.
 2. All driveway isles shall be 26-ft wide, unless otherwise noted.
 3. All ADA parking spaces shall be provided with Pole Signs per MUTCD No. R7-6. Parking areas shall be marked per MUTCD 3B-19.
 4. All roof downspouts shall be piped to the site storm sewer system, unless otherwise noted.
 5. See Architectural plans for Trash Enclosure details.
 6. See Landscape Plans for Bike Rack specifications.
 7. All site and right-of-way work associated with this project shall be completed in accordance with the latest edition of the City of Grand Junction Standards for Capital Improvements Construction.
 8. All concrete at trash enclosures and pedestrian crossings in drive lanes shall be 8-inches thick with #4 bar at 12" on center, each way.

LEGEND

---	PROPERTY LINE	---	EXISTING VALVE
---	ADJACENT PROPERTY LINE	---	PROPOSED VALVE
---	PROPOSED FENCE	---	EXISTING FIRE HYDRANT
---	EXISTING FENCE	---	NEW FIRE HYDRANT
---	PROPOSED CONCRETE	---	EXISTING SANITARY MANHOLE
---	EXISTING CONCRETE	---	NEW SANITARY MANHOLE
---	PROPOSED CURB/GUTTER	---	EXISTING STREET LIGHT
---	PROPOSED SPLIT CURB/GUTTER	---	NEW STREET LIGHT
---	EXISTING CURB/GUTTER	---	EXISTING STORM INLET
---	PROPOSED DRIVE / DITCH	---	NEW STORM INLET
---	EXISTING DRIVE	---	NEW ASPHALT
---	DRAINAGE FLOW DIRECTION	---	EXISTING ASPHALT
---	PROPOSED STORM SEWER	---	NEW ASPHALT
---	EXISTING STORM SEWER	---	EXISTING CONCRETE
---	PROPOSED SANITARY SEWER	---	NEW CONCRETE
---	EXISTING SANITARY SEWER	---	TRANSFORMER PAD
---	PROPOSED WATER LINE	---	BIKE RACK
---	EXISTING WATER LINE	---	SITE LIGHT POLE
---	PROPOSED IRRIGATION LINE	---	PEDESTRIAN LIGHT
---	EXISTING IRRIGATION LINE	---	FIRE DEPT. CONNECTION
---	PHASE / BASIN BOUNDARY	---	BIKE RACK
---		---	PEDESTRIAN LIGHT
---		---	FIRE DEPT. CONNECTION

LAND USE SUMMARY

LAND USE	ACRES	PERCENT
BUILDINGS	1.68	28.2%
PAVED	1.73	28.0%
LANDSCAPE	1.05	15.8%
FUTURE DEVELOPMENT	2.00	30.0%
TOTAL	6.66	100%

PARKING SUMMARY:

CRITICAL: 0.7 SPACES / BEDROOM
 TOTAL # OF BEDROOMS: 148
 TOTAL # OF SPACES REQUIRED: 104
 TOTAL # OF SPACES PROVIDED: 114
 TOTAL # OF ADA SPACES REQUIRED: 5
 TOTAL # OF ADA SPACES PROVIDED: 7

CITY OF GRAND JUNCTION ENGINEERING
 APPROVED FOR CONSTRUCTION FOR ONE YEAR FROM THIS DATE.

DATE: _____ BY: _____
 TITLE: _____

CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT

DATE: _____ BY: _____
 TITLE: _____

FOR RECORD, REVISIONS, TRANSMISSION, AND DELIVERY SHALL conform to the City of Grand Junction Standard Document for Capital Improvements Construction. Contractor shall have a copy of the approved plans and permit City of Grand Junction Standard Document for Capital Improvements Construction at all time and available at all times.

REVISIONS

NO.	DATE	DESCRIPTION

AUSTIN CIVIL GROUP, INC.
 Land Planning • Civil Engineering • Development Services
 308 Main Street, Suite 300 • Grand Junction, Colorado, 81501
 970.242.7540

VILLAGE PARK HOUSING
 Final Site Plan
 Overall Site Plan
 615 28-1/4 Road - Grand, Inc. Co
 prepared by
CJ HOUSING AUTHORITY

DATE: 11/19/2021
 JOB NUMBER: 1179-0001
 SCALE: 06-06-12
 SHEET NO: 1"=40'
 S-1

CITY OF GRAND JUNCTION

RESOLUTION NO. _____

**A RESOLUTION VACATING A PORTION OF AN EXISTING PUBLIC UTILITY
EASEMENT LOCATED AT 615 28 1/4 ROAD (VILLAGE PARK)**

RECITALS:

The applicant proposes to vacate a portion of a public utility easement dedicated with the Village Park subdivision plat identified at Plat Book 19 Page 125 of the Mesa County public records and located at 615 28 1/4 Road.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following described utility easement is hereby vacated:

A tract of land situated in the Southwest Quarter of the Southwest Quarter of Section 6, Township 1 South, Range 1 East, of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Southwest corner of said Section 6 from whence the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 6 bears N89°57'18"E a distance of 1272.82 feet for a basis of bearings with all bearings hereon related thereto, thence along the South line of the Southwest Quarter of the Southwest Quarter of said Section 6 N89°57'18"E a distance of 949.25 feet; thence N0°02'42"W a distance of 55.00 to the Southeast corner of Block 2 Village Park as recorded in Plat Book 19 at Page 125 of the Mesa County Clerk and Recorder's Office; thence N0°02'42"W along the East line of said Block 2 a distance of 290.37 feet to the North line of an existing 30 foot Utility, Irrigation and Drainage Easement as recorded in Plat Book 19 at Page 125 of the Mesa County Clerk and Recorder's; thence along said North line N47°33'43"W a distance of 188.68 feet to the Point of Beginning; thence N47°33'15"W a distance of 55.17 feet; thence N89°56'08"E a distance of 40.69 feet; thence S0°01'58"E a distance of 37.28 feet to the Point of Beginning.

Said tract of land contains 758 square feet as described and is depicted on Exhibit A attached.

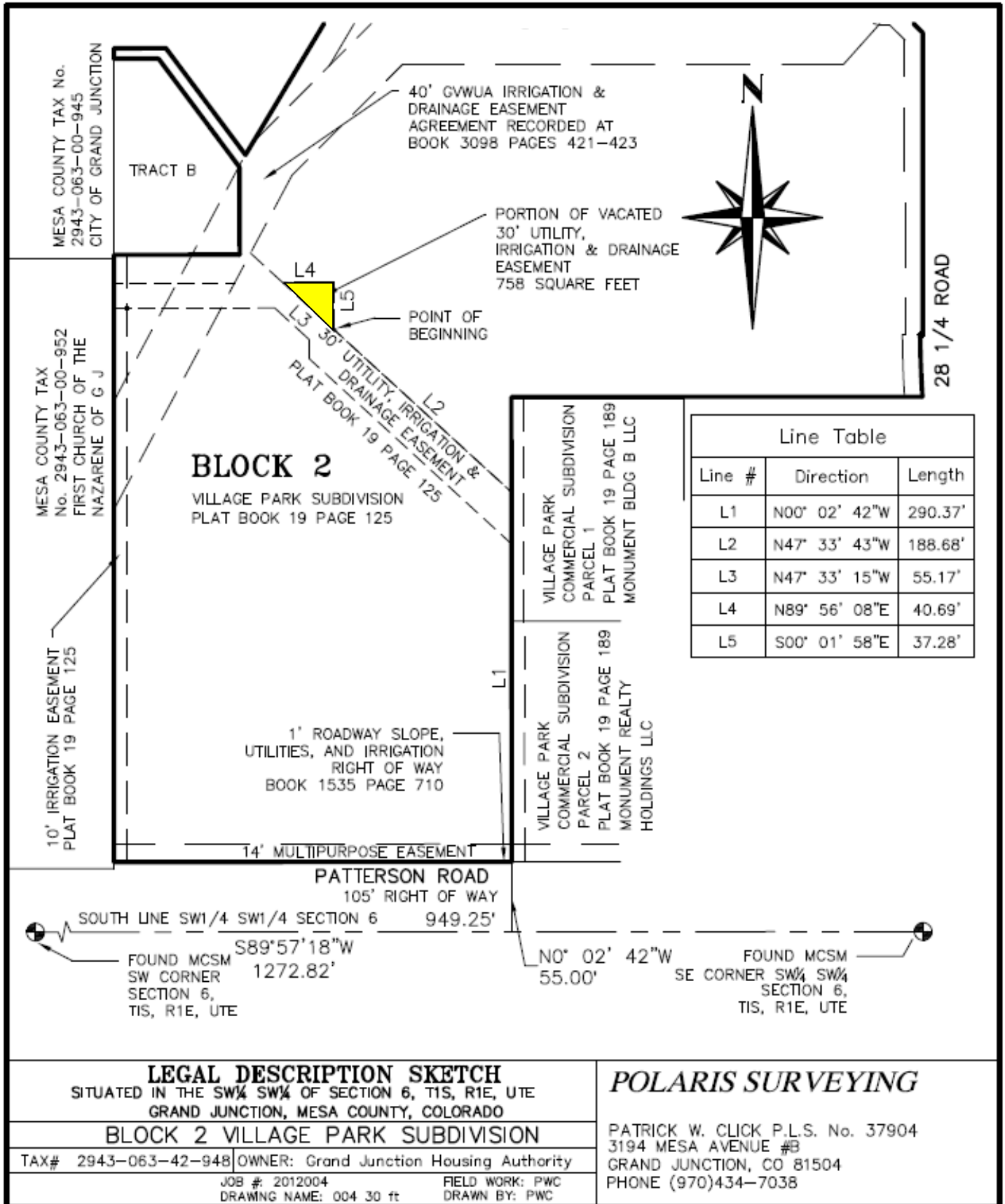
ADOPTED this _____ day of _____, 2013.

ATTEST:

President of City Council

City Clerk

Exhibit A



LEGAL DESCRIPTION SKETCH
 SITUATED IN THE SW¼ SW¼ OF SECTION 6, T1S, R1E, UTE
 GRAND JUNCTION, MESA COUNTY, COLORADO
BLOCK 2 VILLAGE PARK SUBDIVISION

POLARIS SURVEYING

TAX# 2943-063-42-948 OWNER: Grand Junction Housing Authority
 JOB # 2012004 DRAWING NAME: 004 30 ft
 FIELD WORK: PWC DRAWN BY: PWC

PATRICK W. CLICK P.L.S. No. 37904
 3194 MESA AVENUE #B
 GRAND JUNCTION, CO 81504
 PHONE (970)434-7038



Date: May 6, 2013
 Author: Jamie B. Beard
 Title/ Phone Ext: Assistant City Attorney/256-4032
 Proposed Schedule:
Wednesday, May 22, 2013
 2nd Reading
 (if applicable): N/A
 File # (if applicable): N/A

Attach 5
CITY COUNCIL AGENDA ITEM

Subject: Purchase of Property at 764 Valley Court and 779 22 Road for the 22 Road Realignment at Highway 6 Project
Action Requested/Recommendation: Adopt a Resolution authorizing the purchase of property at 764 Valley Court and 779 22 Road from Magerko Real Estate, LLC
Presenter(s) Name & Title: Trent Prall, Engineering Manager

Executive Summary:

The City has accepted a counteroffer from Magerko Real Estate, LLC to purchase a portion of the property at 764 Valley Court and 779 22 Road. The City’s acceptance of this offer is contingent upon City Council’s ratification of the purchase contract.

Background, Analysis and Options:

The realignment of 22 Road at Highway 6 will include reconstruction of about one third of a mile of Highway 6 between Valley Court and the Exit 26 Interchange on I-70 and also reconstruct almost a half mile of 22 Road. The improvements will increase the traffic capacity of the 22 Road intersection to accommodate projected traffic volumes through the year 2035, including traffic from two proposed truck stops in the area. The new intersection of 22 Road with Highway 6 will be 500’ west of its existing location. The intersection is being relocated to provide for greater spacing from the I-70 Interchange ramps. The additional spacing improves safety and traffic efficiency. The new location will also make it possible to connect 22 Road to River Road. (The connection to River Road is not a part of this project, but anticipated for the future.)

The property to be acquired is located north of Highway 6, west of 22 Road on the east portion of Lot 1 of Eighty-Four Lumber Simple Subdivision and Lot 14 of Valley West Filing No. Two. The project requires the acquisition of right-of-way parcels. In addition, multipurpose easements are required for the relocation of public utilities and temporary easements are required for construction activities.

The parcels are zoned I-1 and contain the 84 Lumber Yard operations. The area being acquired is mainly an asphalt storage area/parking area and the Grand Valley Drainage District ditch. The lumber yard will be able to continue operations on the site with minimal disruption to its use.

An appraisal was prepared for the City to determine the fair market value of the parcels to be acquired. The City's appraisal concluded a value of \$45,708.00 for the property and easements to be acquired relying on a \$3.25 per square foot value. Magerko countered with an offer of \$81,728.00 relying on a \$5.00 per square foot value. Due to comparable sales in the area for I-1 property after the City's appraisal was completed, the City agreed to the \$5.00 per square foot price. The City determined it was reasonable to accept the counteroffer.

This settlement is reasonable, prudent, and necessary for the construction of the 22 Road project, and City Staff recommends its approval. Closing is scheduled to occur on or before May 31, 2013, contingent upon the Council's approval.

How this item relates to the Comprehensive Plan Goals and Policies:

The Comprehensive Plan calls for future industrial and commercial development on this part of the 22 Road corridor, and shows 22 Road as a proposed Arterial Street. This street improvement project will contribute to future development and improve the safety and efficiency of the intersection.

In anticipation of future development and increased traffic volumes, the City of Grand Junction is working in harmony with the Colorado Department of Transportation ('CDOT') to upgrade this area of the transportation network. The City's 22 Road realignment project will work hand in hand with CDOT's I-70 Exit 26 Diverging Diamond Interchange Project ("DDI"). CDOT's DDI increases traffic capacity and improves safety with the upgrade of the I-70 Interchange and reconstruction of a 2,000 foot section of Highway 6 east of the City's 22 Road project. Together these projects improve the quality and capacity of vehicle and truck access to I-70 while maintaining acceptable levels of service to local commuter traffic along Highway 6. Both of these projects are designed to accommodate growth through the year 2035, thereby setting the stage for long term future development in the northwest part of the City.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

Funds for this purchase are budgeted in the Transportation Capacity Project ("TCP") fund.

Legal issues:

The Memorandum of Agreement has been prepared and reviewed by the City Attorney's office.

Other issues:

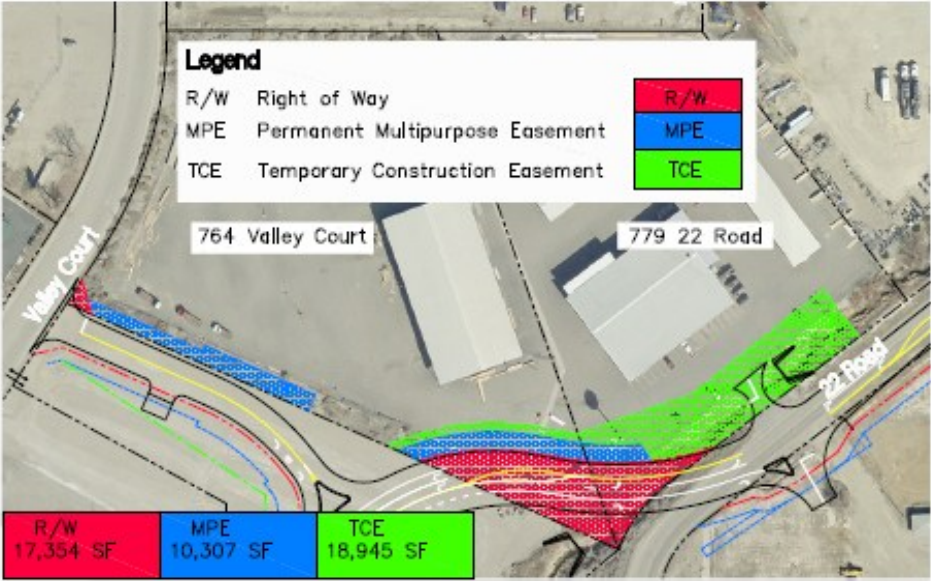
N/A

Previously presented or discussed:

N/A

Attachments:

Aerial photo of area
Resolution



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY BY THE CITY OF GRAND JUNCTION LOCATED AT 764 VALLEY COURT AND 779 22 ROAD FROM MAGERKO REAL ESTATE, LLC AND TO RATIFY ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH

RECITALS:

WHEREAS, the City of Grand Junction has accepted the counteroffer of Magerko Real Estate, LLC for the purchase by the City of certain property located at 764 Valley Court, Grand Junction Colorado and certain property located at 779 22 Road, Grand Junction, Colorado; and

WHEREAS, the City Council deems it necessary and proper that the City purchase said property.

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

1. The property described herein shall be purchased for a total price of \$81,728.00. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Memorandum of Agreements for the Purchase of Certain Real Property Interest in Mesa County, Colorado for the 22 Road Realignment Project with Magerko Real Estate, LLC ("Memorandum of Agreements") and this Resolution are hereby ratified, approved and confirmed.

2. The sum of \$81,728.00 is authorized to be paid at closing, in exchange for conveyance of the interest in the properties as set forth in the Memorandum of Agreements.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the purchase of the described property. Specifically, City staff is directed to effectuate this Resolution and the Memorandum of Agreements, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

PASSED and ADOPTED this ____ day of _____, 2013.

Attest:

President of the Council

City Clerk



Date: May 17, 2013
 Author: John Shaver
 Title/ Phone Ext: City
Attorney/244-1508
 Proposed Schedule: Wednesday,
May 22, 2013
 2nd Reading
 (if applicable): _____ N/A
 File # (if applicable): _____ N/A

Attach 6
CITY COUNCIL AGENDA ITEM

<p>Subject: Resolution Authorizing the Transfer of the Ownership of the Cable Television Franchise from Cablevision Systems Corporation to Charter Communications Incorporated</p>
<p>Action Requested/Recommendation: Adopt a Resolution Authorizing the Transfer of Ownership</p>
<p>Presenter(s) Name & Title: John Shaver, City Attorney</p>

Executive Summary:

Earlier this year Cablevision Systems Corporation (“Cablevision”), the parent company of Bresnan Communications LLC (“Bresnan”) dba Optimum entered into an agreement with Charter Communications Incorporated (“Charter”) to transfer control of the Grand Junction cable television franchise to Charter. If the change in control is approved Bresnan will continue to operate the local franchise. The change in control is at the parent company level.

The companies have provided adequate legal disclosure via FCC form 394. Staff has reviewed the 394 form disclosures and saw no issues.

Background, Analysis and Options:

In 2005 the voters approved with People’s Ordinance 36 a franchise agreement by and between Bresnan Communications and the City. The rights, privileges and authority granted thereunder took effect on May 1, 2005 and shall continue to May 1, 2015 unless terminated sooner. The franchise by its terms shall automatically extend for an additional five years for a total of 15 years upon the providers successful completion of the initial 10-year term.

Cablevision acquired Bresnan in 2010. Charter is now acquiring Cablevision. The change in control is at the parent company level. If the change in control is approved Bresnan dba Optimum will continue to operate the local franchise according to that agreement and applicable law.

The companies have provided adequate legal disclosure via FCC form 394. Staff has reviewed the 394 form disclosures and saw no issues.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

The Franchisee is a provider of telecommunication services to the Grand Valley. The continued availability of those services to the community will help the City sustain and enhance its economy.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

N/A

Legal issues:

The resolution has been prepared and reviewed by the City Attorney's office.

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Resolution

RESOLUTION NO. ___-13

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO APPROVING THE CHANGE OF CONTROL OF THE CABLE TELEVISION FRANCHISE

RECITALS: Bresnan Communications, LLC (“Franchisee”) owns, operates and maintains the cable television system (the “System”) in the City of Grand Junction pursuant to People’s Ordinance No. 36 which approved the granting of a Franchise (as may have been duly amended, the “Franchise”) to the Franchisee.

Charter Communications Operating, LLC, an indirect subsidiary of Charter Communications, Inc. (“Charter”) entered into a Purchase Agreement dated as of February 7, 2013 (the “Agreement”) with CSC Holdings, LLC (“CSC”), an indirect parent of Franchisee, pursuant to which ultimate control of the Franchisee, the System and the Franchise will transfer to Charter (the “Change of Control”).

CSC and Charter have requested consent of the City as the Franchise Authority (“Franchise Authority”) to the Change of Control, have filed an FCC Form 394 with the Franchise Authority, and have provided all information required by applicable law (collectively, the “394 Application”).

The Franchise Authority has reviewed the 394 Application and investigated the qualifications of Charter and finds it to be a suitable transferee.

NOW THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

1. The Franchise Authority hereby consents to the Change of Control effective as of the date of the closing of the transactions contemplated under the Agreement (the “Closing Date.”)
2. The Franchise Authority confirms that:
 - (a) the Franchise is currently in full force and effect and the Franchisee is the duly authorized holder of the Franchise, and
 - (b) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise or as otherwise and separately legally obligated, and
 - (c) Franchisee is in compliance in all material respects with the provisions of the Franchise.
3. The Franchise Authority authorizes Charter to assign or transfer the Franchise and the System to another subsidiary of Charter and to assign or pledge or otherwise grant or convey one or more liens or security interests in and to the Franchise and the System, to any lender providing financing to Charter or its affiliates, in each case without the consent of the Franchise Authority.

The Franchise Authority further authorizes internal reorganizations of Charter and its affiliates without the consent of the Franchise Authority so long as ultimate control of the Franchise and the System remains with Charter.

4. This Resolution shall become effective adoption of the City Council and tender of an executed document to the Franchisee by the City Attorney.

5. This Resolution shall have the force of a continuing agreement with Franchisee and Charter, and Franchise Authority shall not amend or otherwise alter this Resolution with the consent of Franchisee and Charter.

6. Charter shall operate and be bound by the Franchise and all applicable laws, rules and regulations.

PASSED, ADOPTED AND APPROVED this ____ day of _____ 2013.

by: _____
Mayor and President of the Council

ATTEST:

City Clerk



Date: May 6, 2013
 Author: Kristen Ashbeck
 Title/ Phone Ext: Senior Planner x1491
 Proposed Schedule:
 1st Meeting : May 22, 2013
 2nd Meeting with Action Plan : June 19, 2013
 File # (if applicable): _____ 2013 CDBG
 with Action Plan : June 19, 2013

Attach 7

CITY COUNCIL AGENDA ITEM

Subject: CDBG 2013 Program Year Funding Requests
Action Requested/Recommendation: Approve the CDBG City Council Workshop Recommendations of Funding for the 2013 Program Year and Set a Public Hearing for Adoption of the 2013 One-Year Action Plan for June 19, 2013
Presenter(s) Name & Title: Tim Moore, Deputy City Manager Kristen Ashbeck, Senior Planner/CDBG Administrator

Executive Summary: City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2013 Program Year. The City will receive approximately \$352,950 for the 2013 Program Year which begins September 1, 2013.

At this meeting, the City Council will receive public input on the use of the 2013 CDBG allocation.

Background, Analysis and Options: CDBG funds are a Department of Housing and Urban Development (HUD) entitlement grant to the City of Grand Junction which became eligible for the funding in 1996. The City’s 2013 Program Year will begin September 1, 2013. Applications for funding were solicited and received by the City in March. The City has received \$775,975 in grant requests. This City will receive approximately \$352,950 for the 2013 Program Year. At its May 20, 2013 workshop, City Council established a work plan for the 2013 CDBG Program Year by recommending which projects should be funded. The final funding decision will be made by the City Council at its meeting on May 22, 2013 and final adoption of the 2013 Program Year Action Plan will occur at the June 19, 2013 meeting. Attached is a summary of the applications for 2013 funding.

How this item relates to the Comprehensive Plan Goals and Policies:

The projects proposed for CDBG funding meets the following goal of the Comprehensive Plan.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy. Projects to be funded through the CDBG program will provide facilities and services that enhance our community, particularly for the benefit of low and moderate income citizens and special needs populations.

Board or Committee Recommendation: N/A

Financial Impact/Budget: Expected 2013 CDBG appropriation will be approximately \$352,950.

Summary of Recommended Funding: On May 13, 2013 City Council met in a workshop to discuss the funding requests and recommended funding for the projects listed below and on the attached spreadsheet of funding requests.

	PROPOSED PROJECT	RECOMMENDED FUNDING	FUNDS LEVERAGED
1	Program Administration	\$43,000	-
2	Foster Grandparent Program	\$10,000	\$311,888
3	Senior Companion Program	\$12,000	\$216,264
4	Marillac Care for Homeless Persons	\$10,000	\$78,785
5	Counseling and Education Center	\$7,000	\$42,500
6	Giving Adolescents New Goals After School Program	\$4,700	\$6,300
7	Hospice Camp Good Grief	\$9,242	\$11,202
8	Marillac Dental Equipment	\$23,190	-
9	Parenting Place Building Rehabilitation	\$20,000	\$27,759
10	Head Start Building Security Upgrades	\$28,050	\$26,950
11	Hilltop Opportunity Center Roof/HVAC	\$86,840	\$40,000
12	Partners Van Purchase	\$15,000	\$12,000
13	Mesa County Services Building Kitchenette Improvements	\$15,221	\$3,126
14	Orchard Avenue Sidewalk	\$38,707	-
15	28-3/4 Road Sidewalk	\$30,000	-

Total Allocation: \$352,950

Total Funds Leveraged: \$776,774

Legal issues: N/A

Other issues: N/A

Previously presented or discussed: City Council discussed this item at its May 20, 2013 workshop.

Attachments:

- A. Summary of 2013 Funding Requests
- B. CDBG Evaluation Criteria
- C. 2013 CDBG Program Year Schedule
- D. History of CDBG Projects 1996-2012
- E. Spreadsheet of 2013 Funding Requests

ATTACHMENT A: SUMMARY OF 2013 FUNDING REQUESTS

1 Program Administration

The City allocated \$5,000 2012 CDBG funds for general administration of the program, there is a remaining balance of \$2,900 which will likely be expended by September 1, 2013. Council can consider what level of CDBG funding they would like to use for 2013 Program Administration.

Funds Requested: \$3,000
Recommended Funding: \$43,000

SERVICES PROJECTS

2 St. Mary's Hospital Foster Grandparent Program

This program places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding would reimburse 55 city-resident volunteers for gas and mileage to serve an anticipated 2,000 children. The Foster Grandparent Program has received CDBG funding for this same purpose in 2003, 2004, 2007, 2010, 2011 and 2012. All funds have been expended and projects closed out except for the 2012 grant which has a 60% balance remaining.

Total Project Cost: \$321,888
Funds Requested: \$10,000
Recommended Funding: \$ \$10,000

FUNDING CONCERNS: None

3 St. Mary's Hospital Senior Companion Program

The Senior Companion Program enables low to moderate income active seniors to assist other low income frail, elderly persons so that these persons can continue to live at home rather than in an assisted living facility. In 2012, services were provided to 341 clients, using 30 senior volunteers. CDBG funds would be used to reimburse volunteers for mileage expenses incurred for traveling to and from their client's home and for travel to provide other services to the client. The Senior Companion Program has received CDBG funding for this same purpose in 2003, 2004, 2007, 2009, 2011 and 2012. All funds have been expended and projects closed out except for the 2012 grant which has a balance of less than 10% remaining.

Total Project Cost: \$228,264
Funds Requested: \$12,000
Recommended Funding: \$12,000

FUNDING CONCERNS: None

4 Marillac Clinic, Inc.

Marillac Clinic serves low and moderate income, uninsured and underinsured individuals and families who pay a portion of the cost of medical and dental services. Many of the persons served are homeless. Funding is requested for both 1) provide integrated care for the homeless population in Grand Junction (services request); and 2) upgraded x-ray equipment for the dental program (capital request - refer to project 10). In 2012, Marillac provided services to 637 homeless persons at the Day Center and 150 at the Clinic. CDBG funds were allocated in 1997 (\$90,000) and in 2002 (\$200,000) for improvements to and expansion of the clinic. All funds have been expended and projects closed out.

Total Project Cost: \$88,785
Services Funds Requested: \$17,000
Recommended Services Funding: \$10,000

FUNDING CONCERNS: While not a concern, note that the Marillac Clinic, Inc. is requesting both a services grant (project 4) and a capital improvements grant (project 10).

5 Counseling and Education Center (CEC)

This program provides counseling services for low income citizens. Funds are requested to help pay for 107 counseling sessions for an estimated 20 more persons. The number of persons served is directly related to the amount of funding received. In 2011-2012, CEC served 342 low income clients and expects to provide services to 370 low income clients in the next year. CEC received CDBG funding for this purpose in 2007, 2010 and 2012. All funds have been expended and the projects closed out.

Total Project Cost: \$49,500
Funds Requested: \$7,000
Recommended Funding: \$7,000

FUNDING CONCERNS: None

6 Audio Information Network of Colorado (AIN)

Funds would support audio information services that provide access to ink print materials not otherwise available to Grand Junction's blind, visually impaired, and print-handicapped citizens. The number of people served is directly related to the amount of funding received. AIN has 31 listeners within the Grand Junction city limits and is proposing to add 7 more city-resident listeners in the coming year. Funding would be at a rate of \$924 per each new client in the city limits that would cover listening equipment and installation and a proportionate share of programming costs. AIN received CDBG funding in 2004 (\$4,500) and in 2007 (\$4,500). All funds have been expended and the projects closed out.

Total Program Cost: \$59,353

Funds Requested: \$6,468
Recommended Funding: \$ 0

FUNDING CONCERNS: None

7 Giving Adolescents New Goals, Inc. (GANG)

GANG works with children in low income housing/neighborhoods through after school programs that offer homework assistance/tutoring, art camps and sports camps. The programs are currently offered at two Grand Junction Housing Authority properties (Courtyard and Linden Pointe Apartments) and the Applewood Estates manufactured housing complex. CDBG funds are requested for staff stipend, a benevolent fund and supplies and equipment for the various activities. GANG applied once in the past for a different purpose but did not receive funding.

Total Project Cost: \$11,000
Funds Requested: \$4,700
Recommended Funding: \$4,700

FUNDING CONCERNS: The staff stipend, the benevolent fund and the basketball program at Applewood Estates (outside City limits) are not eligible CDBG expenditures. Thus, maximum eligible funding is \$4,700.

8 Hospice and Palliative Care of Western Colorado Child/Teen Grief Program

Hospice works with children ages 4 to 18 who have suffered a loss by death and provides them with positive coping skills through several programs. CDBG funds are requested to support these services to 40 more children from families of low or moderate income who reside in the City of Grand Junction through participation in Camp Good Grief. Hospice has never applied for CDBG funding.

Total Project Cost: \$20,444
Funds Requested: \$9,500
Recommended Funding: \$9,242

FUNDING CONCERNS: None

CAPITAL IMPROVEMENTS PROJECTS

9 Karis, Inc. Asset House Addition: Room for More

The Asset House is an existing two-year transitional program for homeless individuals and couples located at 536 29 Road. In exchange for a modest sliding scale rent, residents receive housing, utilities, meals and assistance in moving towards self-sufficiency. The program also provides assistance from on-site house managers and a case manager who visits The Asset House bi-weekly. CDBG funds are requested to remodel/update the existing 9 units of transitional housing for homeless and to construct an addition for 2 more units. Karis, Inc. received CDBG funding (\$85,000) in 2012 towards the purchase of The House which provides housing for homeless youth. Karis closed on the property on May 2, 2013.

Total Project Cost: \$130,197
Funds Requested: \$83,247
Recommended Funding: 0

FUNDING CONCERNS: The Asset House is not currently within the city limits but Karis has applied to be annexed with an anticipated effective date of July 21, 2013.

10 Marillac Clinic, Inc.

Marillac Clinic serves low and moderate income, uninsured and underinsured individuals and families who pay a portion of the cost of medical and dental services. Many of the persons served are homeless. Funding is requested for both 1) provide integrated care for the homeless population in Grand Junction (services request – refer to project 4); and 2) upgraded x-ray equipment for the dental program (capital request). In 2012, Marillac provided services to 637 homeless persons at the Day Center and 150 at the Clinic. CDBG funds were allocated in 1997 (\$90,000) and in 2002 (\$200,000) for improvements to and expansion of the clinic. All funds have been expended and projects closed out.

Total Project Cost: \$34,785
Capital Funds Requested: \$34,785
Recommended Funding: \$23,190

FUNDING CONCERNS: While not a concern, note that the Marillac Clinic, Inc. is requesting both a services grant (project 4) and a capital improvements grant (project 10).

11 Grand Valley Catholic Outreach (GVCO) St. Martin II Supportive Housing

GVCO is proposing to construct 8 additional units at the St. Martin Supportive Housing complex located on the south side of the 200 block of Pitkin Avenue. The housing will provide permanent housing for homeless veterans. CDBG funds would be used upon completion of the units to purchase coolers, appliances and furnishings for the units and exterior site furnishings such including mail boxes and bicycle racks.

As of 5/20/2013, GVCO has withdrawn this application.

12 The Parenting Place Rehabilitation

The Parenting Place, operating under STRIVE (formerly Mesa Developmental Services), provides programs that serve low-income families with special needs, with prenatal education, parenting classes and information, and child abuse prevention. The Parenting Place owns the property at 1505 Chipeta Avenue and utilizes the two buildings on the property for services and for its program office. CDBG funds are requested for repairs to both buildings, including a swamp cooler, new energy efficient doors and windows, new exterior trim, new flooring

and a new sewer service line. The Parenting Place received \$9,371 CDBG funds in 2011 for energy upgrades including a new heater, insulation and to replace windows in the south building and \$14,080 in 2012 to replace siding and roofing on the south building. The 2011 project has been completed and the project closed out. The 2012 project is underway and is expected to be completed by late May 2013.

**Total Project Cost: \$47,759 Funds Requested: \$30,000
Recommended Funding: \$20,000**

FUNDING CONCERNS: Project will need approval by the Colorado Historical Society to replace windows, doors and trim on the north building since it could be considered a historic structure.

13 Rocky Mountain SER Head Start Program

Head Start prepares children for kindergarten by enhancing the social and cognitive development of a child through the provision of educational, health, nutritional, social and other services, primarily to low-moderate income families, 67% of which are Hispanic/Latino. Head Start is requesting CDBG funds to make security improvements at 3 of its facilities within the city limits (2897 North Avenue, 235-A North 7th Street and 648 West Colorado Avenue). Head Start received CDBG funds in 2000 to construct a new facility in the Riverside neighborhood. The building was completed and the project closed out.

**Total Project Cost: \$55,000
Funds Requested: \$28,050
Recommended Funding: \$28,050**

FUNDING CONCERNS: 51% of the students in the Head Start facilities are City residents. Thus, only 51% of the project can be funded with CDBG funds – maximum funding \$28,050.

14 Colorado West Psychiatric Hospital Furnishings

Colorado West Psychiatric Hospital provides 32 beds for inpatient psychiatric services, and is the only psychiatric hospital between Denver and Salt Lake City. Bed are available for adults, adolescents and children who are in crisis and need 24-hour care and supervision. The hospital was built in 2005 following the closure of inpatient psychiatric units at several hospitals. Many of the beds and room furnishings purchased at that time were used. CDBG funds are requested to purchase new furnishings for the rooms. Colorado West received CDBG funds for transitional housing services. The project has been completed and closed out.

**Total Project Cost: \$113,841
Funds Requested: \$23,972
Recommended Funding: 0**

FUNDING CONCERNS: 40% of the clients served at the Psychiatric Hospital are City residents. Thus, only 40% of the project can be funded with CDBG funds. With the Colorado West match of \$35,958, the City's share of CDBG cannot exceed \$23,972.

15 Housing Resources of Western Colorado (HRWC) Woodstove Replacement Program

This program would replace non-EPA certified woodstoves with conforming woodstoves in low and moderate income households within the City limits. The project would address needs identified in the City's CDBG 5-Year Consolidated Plan to rehabilitate existing affordable housing stock, prioritizing basic health and safety issues. In addition, the community as a whole would benefit from improved air quality by the replacement of older stoves that release carbon monoxide and other cancer-causing chemicals. HRWC is requesting CDBG funds in order to purchase and install new woodstoves in approximately 15 homes. HRWC has received CDBG funding in the past for acquisition and rehabilitation of housing units and construction of a community/learning center at one of its housing complexes. All funds have been expended and projects closed out.

Total Project Cost: \$58,500
Funds Requested: \$50,000
Recommended Funding: 0

FUNDING CONCERNS: None

16 Hilltop Opportunity Center HVAC

Hilltop Community Resources, Inc. owns and operates The Opportunity Center at 1129 Colorado Avenue. The programs housed at the Center primarily serve at-risk youth receiving services to stay in school, prevent pregnancy, parenting group sessions, and job training and employment. Hilltop is requesting CDBG funding to upgrade the heating, ventilation, and air conditioning (HVAC) units and roof structure of the Center. The existing systems were installed in 1996 and are reaching their functional life. The project would replace the systems, thereby decreasing the operating cost of the programs by increasing energy efficiency of the building. CDBG funds were allocated to Hilltop in 2004 for other renovations to The Opportunity Center and in 2007 for remodeling of the daycare center at its 2897 North Avenue facility. All funds have been expended and projects closed out.

Total Project Cost: \$146,440
Funds Requested: \$106,840
Recommended Funding: \$86,840

FUNDING CONCERNS: 75% of persons served in the building are City residents so CDBG can only fund 75% of the project. Requested funding is within this amount.

17 Partners Purchase Van for One-to-One Mentoring Program

The Partners One-to-One Mentoring Program provides trained, screened and supervised mentors, tutors and positive role models for youth who are in need of additional support and come from high risk environments. Over 100 youth are referred to Partners annually. The program provides at least 2 monthly free activities to both youth on the waiting list for a mentor as well as those matched with a mentor. Partners is requesting CDBG funding to purchase a 12-passenger van to be used to transport program participants to and from these activities since providing transportation is often difficult for the families of the participants. Partners received CDBG funding in 2001 for parking and landscaping at its new facility, in 2005 to purchase a van that is used for work crews, in 2008 for acquisition of property for the Western Colorado Conservation Corps and 2010 to purchase a van for use by the Corps. All funds have been expended and projects closed out.

Total Project Cost: \$27,000
Funds Requested: \$15,000
Recommended Funding: \$15,000

FUNDING CONCERNS: 66% of persons that participate in the mentoring program are City residents so CDBG can only fund 66% of the project. Requested funding is within this amount.

18 Mesa County Health Department Community Services Building Kitchenette Improvement

The Mesa County Health Department operates the Cooking Matters program that addresses the need to foster increased household stability and income and well as improve household financial and health planning. Cooking Matters is a cooking-based nutrition education program that empowers low income individuals with improved nutritional knowledge, eating habits, and financial planning so they can more effectively provide for themselves and their families. CDBG funds are requested to remodel and purchase and install new appliances to the kitchenette used for the program at the Community Services Building at 510 29-1/2 Road. The Mesa County Health Department received CDBG funds in 2004 for specialized medical equipment. The funds have been expended and the project closed out.

Total Project Cost: \$18,388
Funds Requested: \$15,338
Recommended Funding: \$15,221

FUNDING CONCERNS: 83% of persons that participate in the Cooking Matters Program are City residents so CDBG can only fund 83% of the project. Requested funding is within this amount.

19 City of Grand Junction Sherwood Park Drainage Improvements

There are several “sink holes” in the central portions of Sherwood Park that are due to leakage in an old, underground storm drainage line and cause safety concerns in the park. The existing 36-inch pipe is approximately 20 feet deep and would be very expensive to replace conventionally. Thus, CDBG funds are proposed to be used to rehabilitate in place 600 feet of the storm line. The project will eliminate the safety concerns in the park as well as increase the carrying capacity of the pipe. Public Works funds are available to augment total project cost.

Total Project Cost: \$85,000
Funds Requested: \$50,000
Recommended Funding: 0

FUNDING CONCERNS: None

20 City of Grand Junction Emerson Park Restroom Replacement

This project would replace the restroom at the downtown Emerson Park with a new combined restroom/shelter facility. The Emerson Park neighborhood is CDBG-eligible. The existing restroom was constructed in 1950 and is dated, dilapidated and requires significant ongoing maintenance. Cost savings can be realized on the project through City Parks employees doing some of the initial site preparation and reusing the architectural plans from the shelter/restroom facility constructed in Rocket (Melrose) Park in 2009. If the CDBG grant is approved for the building, the parking improvements proposed along 10th Street would be requested as part of the 2014 Capital Improvement Plan.

Total Project Cost: \$234,600
Funds Requested: \$180,000
Recommended Funding: 0

FUNDING CONCERNS: None

21 City of Grand Junction Orchard Avenue Sidewalk

There is currently no curb, gutter and sidewalk on either side of Orchard Avenue between Normandy Avenue east to 28-3/4 Road. This segment is a walking route for students attending Nisley Elementary thus the absence of sidewalk is a safety concern. CDBG funds are requested to construct 715 linear feet of curb, gutter and sidewalk along the south side of Orchard Avenue which is the more heavily travelled side of the street for pedestrians walking to and from the school.

Total Project Cost: \$40,000
Funds Requested: \$40,000

Recommended Funding: \$38,707

FUNDING CONCERNS: None

22 City of Grand Junction 28-3/4 Road Sidewalk

There is currently no curb, gutter and sidewalk on either side of 28-3/4 Road between Orchard Avenue south to Nisley Elementary School. This segment is a walking route for students attending the school thus the absence of sidewalk is a safety concern. CDBG funds are requested to construct 350 linear feet of curb, gutter and sidewalk along the west side of 28-3/4 Road which is the more heavily travelled side of the street for pedestrians walking to and from the school.

Total Project Cost: \$30,000

Funds Requested: \$30,000

Recommended Funding: \$30,000

FUNDING CONCERNS: None

ATTACHMENT B CDBG EVALUATION CRITERIA

Applications for CDBG funding will be judged by the following criteria:

- Proposed project meets national Objectives, is an eligible project and meets Consolidated Plan goals
- Ability of the applicant to complete the project
- Agency capacity – history of performance, staff level and experience, financial stability
- Amount requested
- Request by applicant is consistent with agency needs

CDBG NATIONAL OBJECTIVES

The mission of the CDBG program is the “development of viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income.” Therefore, projects funded must address one or more of the following national objectives:

- Benefits low and moderate income persons
- Eliminates or prevents slum or blight
- Address an urgent community need (usually a natural disaster)

GRAND JUNCTION PRIORITIES 2011 FIVE YEAR CONSOLIDATED PLAN

The Grand Junction City Council maintains a commitment to use CDBG funds for facilities, services, and infrastructure that directly benefits low-income households in Grand Junction. The 5-Year Consolidated Plan outlines the following five priorities for the expenditure of CDBG funds.

- Need for non-housing community development infrastructure
- Need for affordable housing
- Needs of the homeless
- Needs of special needs populations and other human services

**ATTACHMENT C
CITY OF GRAND JUNCTION
2013 CDBG PROGRAM YEAR SCHEDULE**

Monday February 11	PUBLIC MEETING 2013 CDBG Program Year Grant Applications Available
Wednesday March 13	DEADLINE for Grant Applications
March 14-April 12	STAFF REVIEW of Applications
By May 1	STAFF REPORT for Council Workshop and Hearing
Monday, May 20	CITY COUNCIL WORKSHOP Make recommendations on which projects to fund for 2013
Wednesday May 22	CITY COUNCIL PUBLIC MEETING City Council reviews workshop recommendations and makes decision on which projects to fund for 2013 Program Year
June 4 – July 6	30-Day PUBLIC REVIEW of 2013 Annual Action Plan
Wednesday June 19	CITY COUNCIL PUBLIC HEARING Adoption of 2013 Annual Action Plan
By July 12	SUBMIT 2013 Annual Action Plan to HUD 45-day review period required
August 31	RECEIVE HUD APPROVAL
September 1	BEGIN 2013 Program Year BEGIN CONTRACTS WITH SUBRECIPIENTS

ATTACHMENT D: CDBG PROJECTS BY PROGRAM YEAR 1996-2012

1996 PROGRAM YEAR – All Projects Completed

- Habitat for Humanity Property Acquisition - \$80,000
- Catholic Outreach Homeless Day Center - \$30,000
- Program Administration - \$44,000
- GJHA Lincoln Apartments Property Acquisition - \$330,000

1997 PROGRAM YEAR – All Projects Completed

- Catholic Outreach Homeless Day Center - \$10,000
- Marillac Clinic Elevator and Program Costs - \$90,000
- South Avenue Reconstruction - \$330,000
- Program Administration - \$47,000

1998 PROGRAM YEAR – All Projects Completed

- Catholic Outreach Homeless Day Center - \$17,131
- Colorado West Mental Health Transitional Living Center - \$25,000
- Salvation Army Hope House Shelter - \$25,000
- Mesa Developmental Services Group Home Rehabilitation - \$200,000
- Elm Avenue Sidewalk - \$157,869
- Program Administration - \$44,000

1999 PROGRAM YEAR – All Projects Completed

- GJHA Homeless Shelter Acquisition - \$205,000
- Catholic Outreach Homeless Day Center - \$16,000
- Salvation Army Hope House Shelter - \$25,000
- Riverside Drainage Improvements - \$200,000
- Program Administration - \$26,000

2000 PROGRAM YEAR – All Projects Completed

- Catholic Outreach Day Center Acquisition - \$130,000
- Energy Office Linden Building Rehabilitation - \$55,000
- Riverside Drainage Improvements - \$200,000
- Head Start Classroom/Family Center - \$104,000

2001 PROGRAM YEAR – All Projects Completed

- The Energy Office – Housing Acquisition - \$200,000
- Catholic Outreach Transitional Housing services - \$10,000
- Marillac Clinic Dental Expansion - \$200,000
- Mesa County Partners Activity Center Parking/Landscaping - \$15,000
- Mesa Developmental Services Group Home Improvements - \$40,000

2002 Program Year – All Projects Completed

- Catholic Outreach Soup Kitchen Remodel - \$50,000
- Western Region Alternative to Placement Program Costs - \$10,000
- Homeward Bound Bunk Beds for Homeless Shelter - \$10,000
- Western Slope Center For Children Remodel - \$101,280
- GJHA Affordable Housing Pre-development/ costs - \$41,720

- Bass Street Drainage Improvements \$205,833
- Program Administration - \$50,000

2003 Program Year – All Projects Completed

- Riverside School Historic Structure Assessment - \$4,000
- Riverside School Roof Repair - \$15,000
- Center For Independence Purchase 4-passenger Accessible Van - \$20,000
- Western Region Alternative to Placement Program Costs - \$7,500
- The Tree House Teen Bistro Rehabilitation and Americorp Volunteer - \$20,000
- Gray Gourmet Program - \$5,050
- Foster Grand Parents Program - \$5,000
- Senior Companion Program - \$5,000
- GJHA Linden Pointe Infrastructure - \$335,450

2004 Program Year – All Projects Completed

- Program Administration - \$20,000
- Five-Year Analysis of Impediments to Fair Housing Study - \$15,000
- Gray Gourmet Program - \$10,000
- Foster Grand Parents Program - \$7,000
- Senior Companion Program - \$8,000
- Radio Reading Services of the Rockies - \$4,500
- Mesa County Health Dept Purchase Equipment - \$5,000
- Riverside School Roof Repair/Rehabilitation - \$47,650
- Senior Center Masterplan Study – \$20,000
- Hilltop Community Resources Energy Improvements - \$50,000
- Housing Resources Permanent Supportive Housing - \$50,000
- Hope Haven Roof Replacement - \$7,500
- Riverside Sidewalk Improvements - \$50,000
- Grand Avenue Sidewalk Improvements - \$60,000

2005 Program Year – All Projects Completed

- Program Administration \$25,000
- Salvation Army Adult Rehab Program - \$25,000
- Mesa County Partners Purchase 12-passenger Van - \$15,000
- GJHA Bookcliff Property Acquisition - \$127,500
- Housing Resources Install Handicap Lift at 8-plex for Homeless Veterans - \$30,000
- Ouray Avenue Storm Drain Enlargement - \$172,644

2006 Program Year – All Projects Completed

- Program Administration - \$69,656
- GJHA Village Park Property Acquisition - \$178,630
- Orchard Mesa Drainage Improvements - \$100,000

2007 Program Year – All Projects Completed

- Program Administration - \$4,808
- Audio Information Network of Colorado - \$4,500
- Center for Enriched Communication - \$7,181
- Gray Gourmet Program - \$20,500

- Foster Grandparent Program - \$10,000
- Senior Companion Program - \$10,000
- Hilltop Daycare/Family Center Remodel - \$24,547
- Homeless Shelter Screen Wall - \$40,000

2008 Program Year – All Projects Completed

- Senior Multiuse Campus Study - \$80,000
- Riverside Educational Center – Americorps Personnel - \$5,000
- Gray Gourmet Program - \$20,500
- Riverside Task Force Acquisition - \$220,900
- Partners W CO Conservation Corps Acquisition - \$100,000
- Center for Independence Vocational Center Remodel - \$9,500
- Melrose Park Restroom Replacement - \$108,201

2009 Program Year – All Projects Completed

- CDBG Program Administration - \$30,000
- HomewardBound Van Purchase - \$21,071
- Senior Companion Program - \$12,000
- GJHA Walnut Park Apartments - \$100,000
- Riverside Task Force Acquisition/Clearance - \$105,574
- MDS Group Home Remodel - \$40,000
- HRWC Garden Village Learning Center - \$120,000
- W Slope Center for Children Main Program Building Remodel - \$65,000
- Dual Immersion Academy Slope Stabilization/Landscaping - \$56,714

2010 Program Year – All Projects Completed

- CDBG Program Administration - \$60,000
- Gray Gourmet Program - \$20,500
- Foster Grandparent Program - \$12,000
- Partners Western CO Conservation Corps Van Purchase - \$17,000
- Counseling and Education Center - \$6,682
- Hawthorne Park Restroom Replacement - \$140,000
- HomewardBound Shelter Repairs and Improvements - \$6,000
- Center for Independence Energy Improvements - \$34,100
- Grand Valley Catholic Outreach Soup Kitchen Remodel - \$88,725

2011 Program Year – All Projects Completed Except as Noted

- CDBG Program Administration - \$30,000
- Grand Valley Catholic Outreach St. Martin Place - \$50,000
- BIC Revolving Loan Fund - \$50,000 (no funds expended)
- GJHA Courtyard Apartments Remodel - \$101,205
- MDS Group Home Remodel - \$9,924
- Homeless Shelter Bathroom Remodel - \$30,000
- Center for Independence Kitchen Remodel - \$30,475 (under construction)
- Strong Families, Safe Kids Parenting Place Remodel - \$9,371
- St. Mary's Senior Companion Program - \$8,000
- St. Mary's Foster Grandparent Program - \$10,000

2012 Program Year

- CDBG Program Administration - \$5,000 (40% completed)
- St. Mary's Foster Grandparent Program - \$10,000 (35% completed)
- St. Mary's Senior Companion Program - \$8,000 - \$50,000 (90% completed)
- St. Mary's Gray Gourmet Program - \$11,125 (22% completed)
- CEC Low Income Counseling Services - \$7,000 (completed)
- Karis The House Acquisition - \$85,000 (completed)
- Homeless Shelter Acquisition - \$109,971 (In process of amending grant to use for rehabilitation of existing shelter)
- GVCO T-House Rehabilitation - \$12,638 (completed)
- MDS Program Office Remodel - \$25,000 (completed)
- Strong Families, Safe Kids Parenting Place Rehabilitation - \$14,080 (bid process underway)
- Gray Gourmet Kitchen Remodel - \$5,500 (12% completed)
- 6th Street Sewer Realignment - \$27,500 (under construction)
- 6th Street Pedestrian Safety/Parking Improvements - \$60,536 (under construction)
- North Avenue Accessibility Improvements - \$25,000 (bid process underway)

	AGENCY	PROJECT TITLE	GRANT REQUEST	MIN REQUEST	2012 FUNDING	PROJECT INFORMATION AND STAFF REVIEW COMMENTS	COUNCIL RECOMMEND
17 Facility	Mesa Youth Services (Partners)	Vehicle for One-to-One Mentoring Program	\$15,000	\$10,000	\$0	Funds to purchase a new 12-passenger van to be used to transport youth and their mentors to Partners activities. 66% of persons that participate in the mentoring program are City residents so CDBG can only fund 66% of the project. Requested funding is within this amount.	\$15,000
18 Facility	Mesa County Health Department	Community Services Building Kitchenette Improvement	\$15,338	\$15,338	\$0	Funds to purchase appliances and remodel/upgrade the kitchenette used for the Cooking Matters program. 83% of persons that participate in the Cooking Matters Program are City residents so CDBG can only fund 83% of the project. Requested funding is within this amount.	\$15,221
SUB-TOTAL FACILITIES CAPITAL REQUESTS			\$409,307				
19 Public	City of Grand Junction	Sherwood Park Stormwater Pipe Rehabilitation	\$50,000			Staff requests applications for eligible City projects for Council consideration. This project would provide rehabilitate a storm drainage line in Sherwood Park to eliminate sink holes that cause safety issues in the park. Would also increase capacity of line. Public Works funds are available to augment total project cost. Major safety issues have been addressed, may be able to fund remainder of project with alternate funds in the future.	-
20 Public	City of Grand Junction	Emerson Park Restroom	\$180,000			This project would provide for construction of a new restroom/shelter to replace the existing restroom in Emerson Park. If CDBG funding is awarded, Parks will request funds for parking area in 2014 Capital budget. Project may be premature, dependent on redevelopment of surrounding downtown area.	-
21 Public	City of Grand Junction	Orchard Avenue Sidewalk	\$40,000			This project would construct 715 linear feet of missing curb, gutter and sidewalk along south side of Orchard Avenue between Normandy Avenue east to 28-3/4 Road - walking route to Nisley Elementary.	\$38,707
22 Public	City of Grand Junction	28-3/4 Road Sidewalk	\$30,000			This project would construct 350 linear feet of missing curb, gutter and sidewalk along west side of 28-3/4 Road - walking route to Nisley Elementary.	\$30,000
SUB-TOTAL CITY PROJECT REQUESTS			\$300,000				\$68,707
TOTAL PROJECT REQUESTS (excluding administration)			\$775,975				\$309,950
TOTAL FUNDING RECOMMENDATION							\$352,950



Date: April 24, 2013
 Author: Emily Wright
 Title/ Phone Ext: 254-3875
 Proposed Schedule: May 22, 2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Attach 8
CITY COUNCIL AGENDA ITEM

<p>Subject: Lincoln Park and Orchard Mesa Pool Locker Room Remodels and Pool Deck Re-surface and Pool Re-plaster Project</p>
<p>Action Requested/Recommendation: Approve the Award of the Lincoln Park-Moyer Pool Locker Room Remodel Project to Emery Welsh Construction for a Contract Amount of \$160,177; Orchard Mesa Community Center Pool Locker Room Remodel Project to PNCI Construction for a Contract Amount of \$110,661; and Mid America Pool Renovation, Inc. for Deck Re-surfacing and Pool Re-plastering in the Amount of \$200,820</p>
<p>Presenter(s) Name & Title: Jay Valentine, Internal Services Manager Rob Schoeber, Parks and Recreation Director</p>

Executive Summary:

Parks and Recreation is seeking approval for American Disabilities Act (ADA) upgrades to both locker room facilities at Lincoln Park-Moyer Pool and Orchard Mesa Community Center Pool. The 2010 ADA standards became enforceable on January 31, 2013, so upgrades are warranted at both facilities. In addition, the pool deck and pool plaster have exceeded their life expectancy and are in need of replacement at Orchard Mesa Pool.

Background, Analysis and Options:

Locker room remodels

Lincoln Park-Moyer Pool was re-built in 1986, and no major locker room remodels have occurred since that time. Orchard Mesa Community Center Pool was built in 1983, and one minor remodel occurred in 1999. This remodel was tied to the 1991 ADA requirements. The 2010 Standards contain elements that are not in the 1991 Standards. These include recreation facilities such as swimming pools. Because these elements were not included in the 1991 Standards, they are not subject to safe harbor exemption.

Prior to hiring an architect to design the remodels, a consultant, Meeting the Challenge, Inc., (MTC) was hired to audit the current facilities. This limited scope facilities survey was completed for both pools in December of 2012. Along with measurement of

elements within the scope of the project, pictures were taken to document *as-is* conditions discovered at each location. Field data was then compared to 2010 ADA Standards to find deficiencies. Recommendations were made as practical guidance for barrier removal that can achieve compliance with the least amount of difficulty and expense. Their findings determined none of the restroom/locker room facilities were compliant. Major deficiencies include depth of benches, clearance space, height/reach of applicable devices, compartment sizes, stall width, and numerous other insufficiencies. This information was shared with the Chamberlin Architects for the design of the facilities. The final designs have been approved by MTC and meet all 2010 ADA Standards.

A formal Invitation for Bid was issued via BidNet (an on-line site for government agencies to post solicitations), advertised in The Daily Sentinel, posted on the City's website, sent to the Western Colorado Contractors Association (WCCA), and the Grand Junction Chamber of Commerce. Five companies submitted formal bids, which were found to be responsive and responsible, in the following amounts (to include selected alternate line items for each facility):

Lincoln Park Pool Facility

Company	Location	Bid Price
Emery Welsh Construction	Grand Junction, CO	\$160,177
PNCI	Grand Junction, CO	\$173,401
Ford Construction	Grand Junction, CO	\$187,349
Arctic Cooling & Heating (Lincoln Park Only)	Grand Junction, CO	\$225,815
Government Contracting Services	Grand Junction, CO	\$231,786

Orchard Mesa Pool Facility

Company	Location	Bid Price
PNCI	Grand Junction, CO	\$110,661
Emery Welsh Construction	Grand Junction, CO	\$112,677
Ford Construction	Grand Junction, CO	\$120,405
Government Contracting Services	Grand Junction, CO	\$160,095
Arctic Cooling & Heating (Lincoln Park Only)	Grand Junction, CO	No Bid

Pool Deck re-surface and Pool re-plaster

The pool deck was last resurfaced in 1999 to rectify serious drainage and slipping hazards. A product called "KoolDeck" was used at that time. It's expected useful life was ten years. Since then, this product has become extremely hard to clean and has failed in numerous areas of the deck. Also, since the resurfacing in 1999, the hot tub and waterslide have been added to the facility. These two additions have caused inconsistencies with the deck material in those areas creating additional maintenance issues.

The pool received one re-plastering in 1995. Over the last 18 years, the plaster has become pitted, stained, hard to keep clean, and has failed in certain areas. The current plaster has outlived its life expectancy of eight to ten years and is overdue for replacement.

A formal Invitation for Bid was issued via BidNet (an on-line site for government agencies to post solicitations), advertised in The Daily Sentinel, posted on the City's website, sent to the Western Colorado Contractors Association (WCCA), and the Grand Junction Chamber of Commerce. One company submitted formal bids which were found to be responsive and responsible, one for each project, in the following amounts:

Orchard Mesa Pool Deck Resurface

Company	Location	Bid Price
Mid-America Pool Renovation, Inc.	Grandview, MO	\$86,275

Orchard Mesa Pool Re-Plaster

Company	Location	Bid Price
Mid-America Pool Renovation, Inc.	Grandview, MO	\$114,545

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

The current locker room facilities and Lincoln Park-Moyer Pool and Orchard Mesa Community Center Pool are dismal at best. They are showing significant signs of wear and tear in addition to the plethora of ADA deficiencies. These improvements will meet ADA Standards and provide an aesthetically pleasing environment for patrons of the pools. Re-surfacing and re-plastering will add to the overall visual appeal of the pool and also improve facility maintenance.

Board or Committee Recommendation:

The final design plans were presented to the Parks and Recreation Advisory Board on March 14, 2013 with their recommendation for approval.

Financial Impact/Budget:

The 2013 budget for the Lincoln Park and Orchard Mesa Aquatics Projects is \$490,000. To complete all of these projects, a \$31,731 use of Facility Fund balance is required. The Facility Fund budget and appropriations will be revised to reflect this use and will be brought before Council during the supplemental budget process.

Sources of Funds – 2013 Aquatics Projects

Aquatics CIP Budget – Conservation Trust Fund	\$490,000
2012 Carry Forward - Facilities Fund	<u>31,731</u>
Total Sources	\$521,731

Uses of Funds – 2013 Aquatics Projects

Locker Room ADA Upgrades LP (Emery Welsh)	\$160,177
Locker Room ADA Upgrades OM (PNCI)	\$110,661
Orchard Mesa Pool Deck Resurface (Mid-America)	86,275
Orchard Mesa Pool Re-Plaster (Mid-America)	114,545

Architectural Services	35,055
ADA Audit and Other Improvements	<u>15,018</u>
Total Uses	\$521,731

Legal issues:

N/A

Other issues:

Per an intergovernmental agreement with Mesa County, half of all operational and capital projects for Orchard Mesa Community Center Pool are to be reimbursed to the City by Mesa County. In 2011, Mesa County only contributed first and second quarter reimbursements to the City and has not provided any reimbursements since that time.

Previously presented or discussed:

N/A

Attachments:

N/A