

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

**May 22, 2013**

The City Council of the City of Grand Junction convened into regular session on the 22<sup>nd</sup> day of May, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boechenstein, Rick Brainard, Harry Butler, Martin Chazen, Jim Doody, Phyllis Norris, and Council President Sam Susuras. Also present were City Manager Rich Englehart, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Susuras called the meeting to order. Councilmember Chazen led the Pledge of Allegiance, followed by an invocation by Pastor Mike Rossmann, Valley Bible Church.

**Proclamations**

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

Councilmember Boeschenstein read the proclamation.

Ken Watkins, Fire Chief, presented an award to Firefighter Brad Siler. Mr. Siler was recognized for his five year City Service Award. He is being deployed as a member of the naval reserve for one year and will be gone when he is due to receive the award.

Chief Watkins thanked City Council for the Proclamation. He introduced the team on duty from Fire Station #1. Fire Department Staff are out every day providing emergency medical services for the community. The theme this year for EMS Week is “One Mission, One Team”. An award ceremony called the Phoenix Award Ceremony was sponsored by Community Hospital to recognize cardiac saves in the community. He thanked Councilmember Doody and City Manager Englehart for attending the award ceremony.

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

Councilmember Norris read the proclamation.

Will Hayes, Grand Junction Business Incubator Board Chair, thanked City Council for recognizing the Business Incubator Center. He had the pleasure of going to Boston to accept the Dinah Adkins Incubator of the Year award on behalf of the Incubator. He recognized the Incubator Staff for all their work. Jon Maraschin, Executive Director for the Incubator, congratulated the new Councilmembers. Mr. Maraschin said economic development is the key to success. He thanked everyone for their help in the success of

the Incubator. Pat Tucker, Incubator Board Member, said she has been on the Board twice and is proud to be part of the organization.

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

Councilmember Butler read the proclamation.

Eldon Krugman, Executive Director of Housing Resources of Western Colorado, said that Neighborworks America is responsible for this event. They provide funding as an incentive for affordable housing projects. Housing Resources is a Charter member of the organization. He thanked City Council for the proclamation.

### **Certificate of Appointment**

Paul Nelson was present to receive his Certificate of Appointment to the Grand Junction Airport Authority.

### **Council Comments**

Councilmember Butler said it is good to be back on Council. It is a great Council, they will work together and benefit the City.

Councilmember Chazen said that he attended a strategic planning session with the Associated Governments of Northern Colorado (AGNC). He went to the Visitor and Convention Bureau (VCB) meeting; they just opened up a great addition to their website which will be good for economic development.

Councilmember Norris went to the Horizon Drive Association Business Improvement District meeting and said it is a great group working to bring more money into Grand Junction.

Councilmember Boecheinstein said on May 16<sup>th</sup>, he and Councilmember Doody attended the ribbon cutting for Edgewater Brewery. It is an amazing investment for the area and revitalization for the Riverfront. He also attended the Colorado Mesa University (CMU) groundbreaking for the new classroom building, and the Municipalities Dinner. He then talked about economic development. The Riverfront Commission had a presentation on the Las Colonias and the Monument Road Corridor Plan. He noted there were many meetings attended by City Councilmembers.

**Citizen Comments**

Clark Carroll, 1240 Cannell Avenue, expressed his love for the City and Colorado Mesa University (CMU). He also thanked Brady Trucking, the Police Department, and the Fire Department. He thanked the students he has come to know that live in his neighborhood. He then read the "Principals of Americanism."

*"The characteristics which distinguish our form of government from others is the recognition of truth that the inherent and fundamental rights of man are derived from God and not from governments, dictators, or majorities. These inalienable rights which are gifts of man from his creator are freedom of worship, freedom of speech and press, freedom of assemblies, freedom to work in such occupations as the experienced training and qualifications of man may enable him to secure and hold, freedom to enjoy the fruits of his work, which means the protection of his property rights. The right to pursue his happiness so long as he does not harm others in the pursuit of his happiness. Upon these basic principals, the whole structure of our form of government that was established by our forefathers."*

Mr. Carroll thanked City Council and said he appreciated the time he was given to speak.

John Williams, 433 N. 7<sup>th</sup> Street, said he is known as the "tortured artist" in Grand Junction. His family has lived here for 50 years and a lot of people are upset about Councilmember Rick Brainard. He feels Councilmember Brainard should step down. He would step down if he was in the same situation. He lauded City Attorney Shaver for the great person he is and also lauded City Clerk Stephanie Tuin. He has been writing a book for the last three years about what goes on in Grand Junction which will come out soon.

Mare Charlesworth, 2712 Rincon Drive, said she was touched by the invocation. She is included in a group that has been labeled as non-educated, uninformed, and angry by Councilmember Susuras. She stated that members in this group are highly educated people. She feels she has a right to be angry. She is a survivor of abuse. She was in the courtroom when Councilmember Brainard was sentenced and asked him whose fault it was that he lost his job and was kicked off of various boards. She feels that Councilmember Brainard should not have taken the oath of office. She advised Council President Susuras that she has watched him when women are talking about this topic during Council meetings and he doesn't seem to be listening. She asked Council President Susuras and Councilmember Brainard to step down from City Council. She said the business she works for pulled out of the Chamber of Commerce because of issues regarding Councilmember Brainard.

## CONSENT CALENDAR

Councilmember Doody read Consent Calendar items #1-6 and then moved to adopt the Consent Calendar. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

*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]

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*

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

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*

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

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*

5. **Purchase of Property at 764 Valley Court and 779 22 Road for the 22 Road Realignment at Highway 6 Project**

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*

6. **Transfer of the Ownership of the Cable Television Franchise from Cablevision Systems Corporation to Charter Communications Incorporated**

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*

### ITEMS NEEDING INDIVIDUAL CONSIDERATION

#### **CDBG 2013 Program Year Funding Requests** [File #2013 CDBG]

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.

Tim Moore, Deputy City Manager, introduced this item. He advised that Council spent time at a workshop on May 20<sup>th</sup> looking at all the programs that are being discussed under this item. He explained the CDBG funding and advised that it is money provided to the City in order to grant it out to qualifying programs. He said that over the last 17 years, \$7 million dollars have been allocated to various programs. He then introduced Kristen Ashbeck, Senior Planner/CDBG Administrator.

Kristen Ashbeck, Senior Planner/CDBG Administrator, presented this item. She summarized each of the projects chosen by City Council for funding:

#### **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. **Recommended Funding: \$43,000**

#### **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.

**Recommended Funding: \$10,000****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. **Recommended Funding: \$12,000**

**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. **Recommended Funding: \$10,000**

**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. **Recommended Funding: \$7,000**

**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. **Recommended Funding: \$ 0**

**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. **Recommended Funding: \$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. **Recommended Funding: \$9,242**

**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. **Recommended Funding: \$0**

**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. **Recommended Funding: \$23,190**

#### **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. **Recommended Funding: \$20,000**

#### **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 7<sup>th</sup> 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. **Recommended 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. Beds 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. **Recommended Funding: \$ 0**

**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. **Recommended Funding: \$0**

**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. **Recommended Funding: \$86,840**

**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. **Recommended Funding: \$15,000**

**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. **Recommended Funding: \$15,221**

**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. **Recommended Funding: \$0**

**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 10<sup>th</sup> Street would be requested as part of the 2014 Capital Improvement Plan. **Recommended Funding: \$ 0**

**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. **Recommended Funding: \$38,707**

## **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. **Recommended Funding: \$30,000**

The total allocation is \$352,950. Ms. Ashbeck listed the schedule for adoption. The 2013 One Year Action Plan is proposed for adoption on June 19, 2013 with a public hearing.

Councilmember Doody asked if the funding is shrinking for the CDBG funding. Ms. Ashbeck confirmed that it is shrinking. More and more communities are eligible for funding. There may be an increase in the future because HUD is looking at alternative funding methods.

Councilmember Chazen asked if there is a procedure to make sure the money is spent appropriately. Ms. Ashbeck advised an agreement is signed by the City Manager and the applicant, who must provide reporting that goes to HUD. The bidding process is followed closely when funds are used for construction projects.

Tammy Rupp, Mesa County Partners, thanked Council for recommending funding.

Scott McInnis, representing Hospice and Palliative Care of Western Colorado Child/Teen Grief Program, thanked City Council for their consideration for Camp Good Grief. Mr. McInnis said he appreciated the help for children who have had to go through very traumatic events with the passing of loved ones. Hospice serves people at the camp who have lost loved ones, some due to horrible accidents.

Judy Lopez, Rocky Mountain SER Head Start Program Director, thanked City Council for their consideration of the funding to improve their facilities and security measures. Due to recent lockdown situations, they need to make their facilities safer.

Milton "Tony" Long, 237 White Avenue, Apartment B, said he heard something about a 12-passenger van and stated that he had a 15-passenger van once and it would be better to go from a 12 passenger van to a 15 passenger van.  
Penny Frankhouser, Executive Director for Counseling and Education Center (CEC),

thanked Ms. Ashbeck for all of her help with their application. She also thanked City Council for their consideration of the funding. With City Council support, they can help those who need help.

Angie Weaver, grant writer for the Marillac Clinic, thanked City Council for their consideration and the recommendation for the grant program. She also lauded Ms. Ashbeck.

Councilmember Norris said Ms. Ashbeck did excellent work on this project. City Council truly appreciated all of her hard work.

Councilmember Doody said that CDBG is a highlight for City Council and it is a great program. He acknowledged the need for new sidewalks at Orchard Avenue and 28 ¾ Road and noted that this was one of former Councilmember Palmer's pet peeves because he felt new sidewalks in these areas were very needed. He feels that former Councilmember Palmer would be pleased.

Councilmember Boeschstein said this is a great program and they are leveraging their money. He's glad to see the sidewalk project on the list.

Councilmember Butler said that lack of sidewalks can be a safety hazard and thanked City Council on behalf of the School District.

Councilmember Chazen and Councilmember Brainard thanked Ms. Ashbeck for her hard work and organization on the project.

Councilmember Norris moved to approve the CDBG 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. Councilmember Brainard seconded the motion. Motion carried by roll call vote.

### **Lincoln Park and Orchard Mesa Pool Locker Room Remodels and Pool Deck Re-surface and Pool Re-plaster Project**

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.

Jay Valentine, Internal Services Manager, introduced this item. The request is for approval of three contracts. The Purchasing Department put out four different bid

packages. The budget fell short by \$31,731, and Staff is asking for a carry forward amount from the Facilities Fund to make up the difference.

Rob Schoeber, Parks and Recreation Director, said the projects are two different types of projects. One addresses the Americans with Disabilities Act (ADA) concerns, and they have already completed some of these improvements at the playground at Lincoln Park. These ADA guidelines were changed in 2010. The second project is re-plastering the Orchard Mesa Pool as it is dingy and decaying and has become harder to maintain a clean and safe surface.

Councilmember Doody asked Mr. Valentine for an update on the Intergovernmental Government Agreement (IGA) with Mesa County for the Orchard Mesa Pool. Mr. Valentine said that the IGA was for operating and capital costs. The gap was supposed to be split 50/50 between Mesa County and the City. Mesa County has not made any contributions since 2011. Councilmember Doody asked about having a workshop to discuss IGA's.

City Manager Englehart said he has been talking to the Mesa County Administrator and they are looking at scheduling a meeting to discuss this topic.

Councilmember Boeschstein said it is inexcusable for Mesa County not to pay according to the IGA.

Councilmember Brainard asked if the intent is to bring the County current from the 2011 payment. City Manager Englehart said it would be up to City Council. The City has not received anything that indicated the IGA was going to be eliminated. Councilmember Brainard said it would be appropriate to go back to the last payment made by the County and have them bring it current.

Councilmember Chazen asked how much the County owes in arrears and what is the County's share of the proposed Orchard Mesa pool project. Mr. Valentine said all of the Orchard Mesa Pool improvements would need to be shared 50/50. Councilmember Chazen asked if it would be \$135,000 and asked how much in total the County would owe including the arrears. Mr. Valentine said approximately \$300,000.

Councilmember Susuras asked City Attorney Shaver if Mesa County could have backed out of this IGA. City Attorney Shaver said yes they could, the agreement has provisions to terminate. The Mesa County Attorney has said it is not their intention to terminate the agreement, however, there is no performance by the County indicating the agreement is in effect.

Councilmember Boeschstein said his family has used the Orchard Mesa pool a lot. It was seen as a scaled back recreation center. It served as a place for kids to learn to

swim in the winter. The County at one time said they would use their lottery money but this has not happened. Mesa County residents use the pool as well. Mr. Schoeber agreed that it is about a 50/50 split with Mesa County and City residents who use the pool.

Councilmember Doody moved to approve the 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 resurfacing and pool re-plastering in the amount of \$200,820. Councilmember Boeschstein seconded the motion. Motion carried.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

Councilmember Doody noted there is a Memorial Day Ceremony at the Western Colorado Veterans Cemetery at 10:00 a.m. on Monday and invited the community to attend and celebrate the Country's history and Veterans.

### **Adjournment**

The meeting was adjourned at 8:26 p.m.

Debbie Kemp, MMC  
Deputy City Clerk