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**CITY COUNCIL AGENDA
WEDNESDAY, JULY 3, 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 – Retired Reverend Eldon Coffey

[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.]

Presentations

Special Olympics State Committee to Recognize the Grand Junction City Council for their Financial Support of the Colorado Special Olympics State Meet

Recognition of Recreation Coordinator Shon Birch who was Recognized as the Volunteer of the Year for the State of Colorado at the Colorado State Hershey Track Meet

Appointments

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board

Revised June 28, 2013

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

Council Comments**Citizen Comments******* CONSENT CALENDAR ***®****1. Minutes of Previous Meetings [Attach 1](#)**

Action: Approve the Summary of the May 22, 2013 Workshop, the Minutes of the June 14, 2013 Special Meeting, and the Minutes of the June 19, 2013 Regular Meeting

2. Setting a Hearing on a Reduction of Distance Restriction for Beer and Wine Liquor Licenses to College Campuses [Attach 2](#)

State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. The request is to reduce or eliminate the distance restriction from a beer and wine license to a college campus.

Proposed Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance a Beer and Wine Liquor Licensed Premise Must be from the Principal Campus of a College or University in the City of Grand Junction

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 17, 2013

Staff presentation: John Shaver, City Attorney

3. Amending the Policy for Appointments to City Boards, Amending the City Council Assignments to include a Council Representative to the Riverview Technology Corporation and Amending the Definitions in Resolution No. 79-06 [Attach 3](#)

The City Council has recommended some changes to the 2003 City board appointment policy. The City Council also determined it is prudent to appoint a representative to the Riverview Technology Corporation. In addition, there have been changes to the City boards necessitating minor housekeeping changes to the

definitions contained within Resolution No. 79-06 which adopted ethical standards for members on City boards.

Resolution No. 44-13—A Resolution Adopting a Policy Concerning the Interview and Appointment of Members to City Boards

Resolution No. 45-13—A Resolution Amending Resolution No. 38-13 Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

Resolution No. 46-13—A Resolution Amending Definitions, Section 1, of Resolution No. 79-06 Which Established Ethical Standards for Members of the City's Boards, Commissions, and Similar Groups

®Action: *Adopt Resolution Nos. 44-13, 45-13, and 46-13*

Staff presentation: Stephanie Tuin, City Clerk

4. **Contract for the 2013 Orchard Avenue/Epps Drive Reconstruction Project**

[Attach 4](#)

This request is to award a construction contract for the road reconstruction and utility upgrades for Orchard Avenue from 7th Street to Cannell Avenue and Epps Drive.

Action: *Authorize the City Purchasing Division to Enter into a Contract with Sorter Construction, Inc. of Grand Junction, CO for the 2013 Orchard Avenue/Epps Drive Reconstruction Project for the Bid Amount of \$651,788*

Staff presentation: Greg Trainor, Public Works, Utilities, and Planning Director
Jay Valentine, Internal Services Manager

5. **Sole Source Purchase for Wastewater Pump Station to be Located North of the Albertson's Shopping Center**

[Attach 5](#)

The request is to replace the existing 35 year old Albertson's Shopping Center (Brach's Market) Pump Station with a new Smith & Loveless, Inc. pump station assembly. The City of Grand Junction currently has 28 Smith & Loveless wastewater pump stations in service today. Continuing to use the Smith & Loveless product allows continuity between all of the City's pump stations, allows maintenance personnel easier evaluation of a pump station should a problem

occur, and results in stocking fewer replacement parts as a result of interchangeable parts.

Action: Authorize the Purchasing Division to Execute a Sole Source Purchase Order in the Amount of \$54,969 with Smith & Loveless, Inc. for a Complete Wastewater Pump Station

Staff presentation: Greg Trainor, Public Works, Utilities, and Planning Director
Jay Valentine, Internal Services Manager

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

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

6. **Amendment to Action Plan for 2012 Community Development Block Grant (CDBG) Program Year and Subrecipient Contract for HomewardBound of the Grand Valley Project within the 2012 CDBG Program Year** [File #2013 CDBG] [Attach 6](#)

The request is to amend the City's Action Plan for CDBG Program Year 2012 in order to revise the grant to HomewardBound of the Grand Valley for remodeling the existing community homeless shelter rather than acquire property for relocation of the shelter and to authorize the accompanying Subrecipient Contract formalizing the City's award of \$109,971 to HomewardBound as allocated from the City's 2012 CDBG Program previously approved by Council.

Action: Approve the 2012 CDBG Action Plan Amendment and Authorize the City Manager to Sign the Subrecipient Agreement

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

7. **Las Colonias Master Plan** [Attach 7](#)

Parks and Recreation is seeking approval of the 2013 Las Colonias Master Plan.

Resolution No. 47-13—A Resolution Adopting the Las Colonias Master Plan

®Action: Adopt Resolution No. 47-13

Staff presentation: Rob Schoeber, Parks and Recreation Director

8. **Application for U.S. Department of Justice Annual Justice Assistance Grant for Additional Audio/Video Equipment for Training for the Police Department** [Attach 8](#)

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the U.S. Department of Justice to apply for an annual grant, which for 2013 is in the amount of \$23,732. If awarded, these funds will be used in combination with other funding sources to purchase audio/video equipment for the training room of the new Police building.

As part of the application process, the Bureau of Justice Assistance requires that City Council review and authorize receipt of the grant, and provide an opportunity for public comment. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

Action: Allow for Public Comment and Authorize the City Manager to Apply for these Funds, and if Awarded, to Manage \$23,732

Staff presentation: John Camper, Police Chief
Jim Finlayson, Information Technology Director

9. **Public Hearing—Colorado Mesa University Right-of-Way Vacation, a Portion of the Intersection at Texas and Cannell Avenues** [File #VAC-2013-114] [Attach 9](#)

Colorado Mesa University is requesting to vacate a portion of the intersection of Texas and Cannell Avenues with retention of a utility easement.

Ordinance No. 4590—An Ordinance Vacating a Portion of the Texas and Cannell Avenues Right-of-Way and Retaining a Utility Easement over the Northern 25' Located in the Colorado Mesa University Area

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4590

Staff presentation: Scott D. Peterson, Senior Planner

10. **Public Hearing—Heritage Church Annexation and Zoning, Located at 2935 Patterson Road** [File #ANX-2013-105] [Attach 10](#)

A request to annex and zone the Heritage Church Annexation, 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. The requested zoning is an R-O (Residential Office) zone district.

Resolution No. 48-13—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Heritage Church Annexation, Located at 2935 Patterson Road and Including Portions of the 29 3/8 Road Right-of-Way, is Eligible for Annexation

Ordinance No. 4591—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

Ordinance No. 4592—An Ordinance Zoning the Heritage Church Annexation to R-O (Residential Office), Located at 2935 Patterson Road

®Action: Adopt Resolution No. 48-13, Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance Nos. 4591 and 4592

Staff presentation: Brian Rusche, Senior Planner

11. **Public Hearing—Perry Annexation and Zoning, Located at 2884 B Road** [File #ANX-2013-104] [Attach 11](#)

A request to annex and zone the Perry Annexation, located at 2884 B Road. The Perry Annexation consists of one parcel and no public right-of-way. The requested zoning is an R-4 (Residential 4 du/ac) zone district.

Resolution No. 49-13—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Perry Annexation, Located at 2884 B Road, is Eligible for Annexation

Ordinance No. 4593—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Perry Annexation, Approximately 4.712 Acres, Located at 2884 B Road

Ordinance No. 4594—An Ordinance Zoning the Perry Annexation to R-4, (Residential – 4 DU/Ac), Located at 2884 B Road

®Action: Adopt Resolution No. 49-13, Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance Nos. 4593 and 4594

Staff presentation: Brian Rusche, Senior Planner

12. **Non-Scheduled Citizens & Visitors**

13. **Other Business**

14. **Adjournment**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

May 22, 2013 – Noticed Agenda Attached

Meeting Convened: 8:30 a.m. in the City Hall Auditorium

Meeting Adjourned: 10:02 A.M.

All Members present; Councilmember Boeschstein present for 30 minutes. Staff present Englehart, Shaver, Romero, and Kemp.

Agenda Topic 1. TABOR Discussion: Council President Susuras stated the purpose of the meeting was to discuss the City's current exclusion of the City's ¼% sales tax and the City's portion of the County's 1% sales tax (32/100th) from the TABOR calculation.

The question before Council is whether to direct staff to change the current position.

Councilmember Boeschstein advised he had to leave the meeting shortly so he wanted to state that the taxes were previously approved by the voters so they are voter-approved taxes and the taxes fund very important and needed capital projects. He said the City has a legal opinion from Dee Wisor, the City's attorney for these matters, and there is no need to go back to the voters. He is in favor of the methodology being used currently.

The City Attorney explained the current position noting there is law that supports its use. The taxes were voter approved in the County in 1981 and the City in 1989 and paragraph 7(d) of the Amendment does not require voter approval after the Amendment was voter approved.

Councilmember Chazen asked a number of questions including when these sales taxes were excluded from the calculation and if the City were to go back to 2007 and include the sales taxes in the black box calculations, would any change in the TABOR excess result. He asked what the impacts would be for this going forward.

The Financial Operations Director stated it does not make a net change, however it would make a change in 2006 and 2007 because actual growth was more than allowed growth. There was an excess in the property tax. With the revenues put back into the base and then calculating the excess for the sales tax (black box excess) and comparing that to what was already transferred from the property tax excess, that's about a \$2.9 million excess. Ms. Romero and Mr. Shaver explained the process for the calculation from year to year to determine excess revenue; if the City is above the allowed growth, then there is an "excess" as defined by the Constitution.

Councilmember Norris asked if the City would go back four years like the County did. Ms. Romero said going back four years would not have any impact because the revenues were down that year and although in 2006 the excess would have been \$2.9 million but that was offset by the \$7 million prefunded by the City Council. The City Attorney said that the City would not have to go back at all, any change would be up to City Council and can be applied going forward.

Council President Susuras asked if there have been excess real estate taxes refunded. The Finance Director said from 1998 to 2005 there was a refund through a temporary mill levy credit on property tax.

Councilmember Brainard asked how the City compares with other municipalities.

The City Attorney said that they could not find another municipality with the same fact pattern as the City. The County tax was approved in 1981 and the City's ¾% tax was approved in 1989. Originally the City's tax was approved by Ordinance, but the citizens objected, and it went to the voters and was approved.

Councilmember Doody said when the Riverside Parkway is paid off those funds can be used for other capital expenditures. Financial Operations Director Romero concurred and at that time the Council could consider whether or not they wanted to put another question forward to the voters to retain any excess revenues.

Mr. Ron Gibbs, Mr. Dennis Simpson and Mr. Bill Voss spoke against the current calculation method claiming that section 7(b) and (c) of the Amendment controlled.

The discussion concluded with a Council majority (5-2) indicating support for the current calculation method.

With no other business the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL
WORKSHOP
WEDNESDAY, MAY 22, 2013, 8:30 A.M.
CITY AUDITORIUM
250 N. 5TH STREET**

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

1. TABOR Discussion

Attach W-1

2. Other Business

GRAND JUNCTION CITY COUNCIL

SPECIAL MEETING MINUTES

June 14, 2013

The City Council of the City of Grand Junction, Colorado met in Special Session on Thursday, June 14, 2013 at 10:00 a.m. in the City Hall Auditorium. Those present were Councilmembers Rick Brainard, Marty Chazen, Jim Doody, Phyllis Norris, and President of the Council Sam Susuras. Councilmember Bennett Boeschstein was absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Susuras called the special meeting to order.

Avalon Theatre Discussion

Council President Sam Susuras asked the Council if they had any questions of Staff regarding the Avalon Theatre.

Councilmember Norris asked architect Dan Gartner with Chamberlin and Associates what the difference in cost would be to just renovate the inside of the Avalon and add restrooms. Mr. Gartner said that this had not been configured because this was never a proposed scenario. Councilmember Norris asked if the restroom renovation could be done without the Americans with Disabilities Act (ADA) compliance portion. Mr. Gartner said the master plan created the framework for ADA compliance; with just the option Councilmember Norris suggested, there would be some improvements but would not bring the building into compliance. City Attorney Shaver agreed that improvement does not provide compliance with ADA regulations.

Councilmember Chazen asked if construction alternative plan C were in process and the finances could be obtained in the middle of this construction process, could the construction be switched over at that point to alternative plan A. Mr. Gartner said it is possible, but not easily done. It would cost more, as money spent on the plan C design process will not be of any benefit if the plans switch. Councilmember Chazen asked for confirmation that the difference will be \$1.1 million or more. Mr. Gartner confirmed this figure as the difference. City Manager Rich Englehart clarified that option C is set up for expansion. Mr. Gartner agreed that the incremental cost will be now or later. Option C is what works with the budget, however, there is a premium cost.

Councilmember Chazen asked City Attorney Shaver if the project is in process and there were to be a shortfall from the Avalon Foundation, would this be absorbed by the City and Downtown Development Association (DDA), and what is DDA's legal mechanism for coming through with the shortfall.

City Attorney Shaver said when a contract is signed, it is the City who is legally obligated. The City has not worked with the Avalon Foundation to assign pledges to the City, this is a possibility. However, in terms of the shortfall, the DDA has options: loaning money to the City or another potential capital contribution, which although not offered by the DDA, it has been stated other options would be looked at. Another legal mechanism could be to direct the City Manager to have the City absorb the shortfall with other funds.

Councilmember Brainard asked for confirmation that the City would be on the hook for the contract in every scenario. City Attorney Shaver said yes.

Council President Susuras asked if Council had any other questions.

There were no further questions from Council.

Council President Susuras then opened the meeting for Council comments.

Councilmember Brainard said he recognizes that Council's discussion at the previous Council meeting was a surprise to many, including himself, and he apologized. He feels that the Avalon is the City's building, the City should be prepared to take responsibility if this is what the community wants. He does not want to see it piecemealed. He believes it reasonable for the Avalon Foundation to assign financial pledges to the City. There is a \$1.4 million a year economic impact of the current Avalon, so the impact with any improvement will be even higher. The City investing in its own building is a great return on investment. He would love to see the Avalon constructed as Option A, however, he is in favor of the improvement phase moving forward.

Councilmember Doody said the core project (option C) is projected at \$7.1 million. He said option C seems to be the most responsible.

Councilmember Chazen said he thinks this is a legitimate project for the DDA and they have done exactly what they said they would do. This is a building for a commercial purpose. The taxpayers deserve a rate of return. He has a deep concern regarding the pledges as there are no contractual relationships. He believes it would not be good for the City to take the risk. He wants to look at the alternative use of funds. This project would be a greater expenditure than the overlay project; it is a major expenditure, and a risky investment. He believes if this project should go forward it should be done right with option A; option C would just be a foot in the door. If they go with option C, then it is incumbent upon the Foundation to come forward with their donations. The City made a promise with the resolution in 2012. Citizens have stepped forward with contributions to the Avalon Foundation and that money was spent. Morally, it is hard to go against a promise by a prior Council to people who have relied on it, even if it is ill advised.

Councilmember Norris said that when Council made that promise, they were looking at the finished core project, Option A, and it would be wrong to cut it back. Option A is what they should do. She is disappointed the DDA does not think it is important to share in that expense. She agrees with Councilmember Brainard. There is no intention of taking the \$3 million back, the intention is how to move forward. Option C will cost more in the long run, and Option B is very questionable.

Council President Susuras said the Avalon is a City-owned building and it should be refurbished and re-utilized. He would like to honor the previous Council's promise.

City Manager Rich Englehart read an email from Councilmember Boeschstein who could not be at this meeting. Councilmember Boeschstein stated that after he had done additional research, he believes there are resources that have not been tapped yet. Wells Fargo may be willing to do some naming rights, and the Boettcher Foundation will be in town next Monday to tour the Avalon building. His vote is for Option B; if all else fails, Option C.

City Manager Englehart disclosed that a Division of Local Government (DOLA) grant application would not be considered for review under Option A because a contract in place for a full build-out would disqualify the application. If option B or C were in place, the City would be able to qualify for a DOLA grant because portions of the Avalon would not be under contract. The DOLA application for a Tier II grant is due in August, and would require 20% matching funds.

Council President Susuras asked what the odds were of the Avalon project being awarded this DOLA grant. City Manager Englehart said the City would have a strong application due to community involvement. However, it is a very competitive process, and DOLA historically rates infrastructure and roads at a higher priority; he could not predict the outcome. There are different cycles when grants can be applied for through DOLA.

Councilmember Brainard asked for confirmation that if the City went with Option A, it would take applying for a DOLA grant out of the equation. City Manager Englehart said this is correct; Options B and C give the City the opportunity to apply for DOLA grants; these options leave components to be funded with a 20% match. Councilmember Brainard asked about the deadlines for applying for a grant. City Manager Englehart said August 1, 2013 is the deadline, with review September through November.

Council President Susuras asked each Councilmember what direction Staff should take regarding the options before Council.

Councilmember Norris said her recommendation is for Option B.

Councilmember Brainard said based on the information given in this meeting his vote would be Option B.

Councilmember Doody said his vote is Option B.

Councilmember Chazen asked if Option B was underway, would it be easier to switch to Option A. Stan Kiser, FCI, confirmed that it would be much easier to go this route because there would be no extra design fees. Councilmember Chazen noted that the cost between Option B and C would be about half a million dollars and asked where those funds would come from. City Manager Englehart said there are three options to commit these funds in 2014: 1) look at the capital program and earmark those dollars; 2) use reserves; or 3) tap into the fund balance.

Council President Susuras asked if the City could still at that time go to the DDA and the Avalon Foundation to ask for help with the balance. City Manager Englehart said Option B would set the City up for funds to flow in order to provide for the shortfall.

Councilmember Chazen asked for confirmation that Option B would take care of the ADA compliance issues. Mr. Kiser said it would provide the framework for compliance. Public Works Engineering Manager Trent Prall said Option B would provide ADA seating in the auditorium; it would not be ADA compliant on the upper level.

Councilmember Chazen confirmed that he would prefer Option B.

Council President Susuras said it was unanimous vote to give direction to Staff to move forward with Option B for the Avalon Theatre.

City Manager Englehart asked City Attorney Shaver if, based on the current Resolution No. 27-12, another resolution is needed to go forward. City Attorney Shaver at the last Council meeting it was Council's decision to suspend Resolution No. 27-12. There are now two options: 1) obtain the construction contracts and have Council formally approve these; or 2) undo the action by Council of suspension of Resolution No. 27-12 and authorize the construction contracts. The decision would be based on how much detail City Council prefers to have regarding the contracts. The vote would be to address the resolution or to authorize the City Manager to enter into negotiations to sign a construction contract pending Council's ratification. City Council may vote at the meeting as it is a special City Council meeting.

Council President Susuras polled Councilmembers for their preference on making a decision at this meeting or at the next televised City Council meeting. City Council voted to wait until the next televised City Council meeting.

Avalon Theatre Foundation Development Director Robin Brown said she is very confident in the Foundation's ability to raise the funds needed to go forward.

Council President Susuras thanked all those who participated in all of the meetings regarding the Avalon Theatre. He noted there have been many citizens who participated by voicing their opinions as well. He appreciated all who were involved.

Fire Station 6

City Manager Rich Englehart said the Clifton Fire District has a high level of interest in consolidation with the City Fire Department. He suggested two Councilmembers be assigned to initially approach the Clifton Fire District Board.

Councilmembers Norris and Doody were assigned to this task.

City Manager Englehart stated that Staff members would be a part of this as well and a recommendation will be brought back to all Councilmembers.

Councilmember Chazen asked about the charter for the group.

City Manager Englehart said because of the location of the Clifton Fire station, the calls are comprised of 70% County and Clifton residents. Currently the response time exceeds four minutes for City residents. The goal would be to have a Fire Station centrally located to fill in the current gap in order to have a response time of four minutes to City residents.

Councilmember Doody asked if this would bring revenue to the City. City Manager Englehart said this would be part of the discussion; currently the City pays to have the Clifton Fire District provide services to City residents.

City Attorney Shaver said the goal would be for the City and Clifton Fire Boards to come to an understanding and then approach Mesa County. The County and City agreed in the 1998 Persigo agreement to hold Clifton harmless based upon City annexations. When there is a property annexation, owners no longer pay district taxes and instead pay City taxes; however, Clifton continues to provide Fire and EMS services which are paid for by the City. The fees paid are based on the assessed mill levy, which makes the calculation complicated. There is a draft of a supplementary agreement on how the calculations are performed.

Council President Susuras asked how much the Clifton Fire Department has been paid for these services. City Attorney Shaver said about \$180,000 a year. With the advent of a new fire station, this situation would be reversed.

Councilmember Doody noted that the Clifton District is outside the Persigo boundary; does this present a problem? City Attorney Shaver said legally it does not. Pending the decision from the Clifton Fire Board, the boundaries can be redrawn to allow another area for compensation for Clifton, or create an umbrella authority board over all fire districts.

Councilmember Chazen noted there are many issues to address.

City Manager Englehart said \$175,000 in DOLA grant funds are available for design work of a new fire station; another option would be to move Fire Station 4. Council President Susuras said it was his recollection the Council had directed Staff to negotiate for the property for a new fire station; is there discussion to now trade property for partial payment?

City Attorney Shaver said there has been discussion, however, the property owners are not interested in a trade; they want cash. The suggestion is to obtain authority to purchase an option to tie up the property.

Councilmember Chazen asked how much this would cost. City Attorney Shaver said a few thousand dollars.

Council President Susuras asked if the deposit would be refundable. City Attorney Shaver answered for an option contract, yes; for a first right of refusal, no.

Council President Susuras polled Councilmembers and it was unanimous to move forward in discussions with the Clifton Fire District.

Work Plan Follow-Up

City Manager Englehart gave Council a draft calendar for workshop items and discussed the upcoming items.

Councilmember Norris noted the Recreation Center/Ice Rink is a new item on the agenda. City Manager Englehart agreed there are items that require an update to Council.

Councilmember Norris confirmed that although Council may approve the Las Colonias Master Plan, it does not necessarily mean there are funds for this project to move forward. City Manager Englehart concurred.

Discussion ensued regarding July agenda items and it was decided by Council to rearrange the Council schedule to allow all Councilmembers to be present for particular items. Dates were also decided upon for Council work sessions/meetings before joint City/County meetings.

City Manager Englehart said he attended a meeting at CMU on the public safety training center and grants. He encouraged applying for PILT (Payment in Lieu of Taxes) funds. The Economic Development (ED) partners committed to this being a top priority. He also asked for confirmation to go forward with the RAMP application for Horizon Drive.

There were no objections from Council. City Council directed City Manager Englehart to move forward with the RAMP application.

Financial Operations Director Jodi Romero reviewed the financial work session meetings coming up in August. She asked Council to let Administrative Specialist Belinda White know of any vacations scheduled. Two four-hour sessions or a full-day session is available. The City Council's consensus was to have a full-day session. Ms. Romero said these meetings will provide Staff with policy direction to work on the details of budget development.

Ms. Romero said the July 15, 2013 workshop, presentations will include a financial report; 2013 budget update; and 2013 supplemental appropriations. Ms. Romero reviewed the other scheduled financial workshops and what these meetings would entail.

Councilmember Norris asked how the budget is adopted. Ms. Romero said an ordinance will be adopted by majority vote. City Attorney Shaver clarified that the appropriation ordinance is the fund level approval; there will be more detail in the budget itself.

Council President Susuras provided a correction for a contact on the CNG versus diesel vehicles discussion from last City Council meeting.

Councilmember Norris asked if the CNG gas from Persigo would be free. City Manager Englehart said the decision hinges on Xcel as they need to make sure it is clean enough to go into transmission lines; Xcel thinks it can be done. City Manager Englehart will get an update, and noted this is a pilot project which will set precedence.

Council President Susuras asked if there had been any discussion with Fred Eggleston with Xcel since the results of the investigation into 7th Street explosion incident had been released.

Councilmember Brainard said Mr. Eggleston told him he would like to have an Xcel representative present when a dig takes place near medium pressure gas lines. City Attorney Shaver said that from a legal standpoint, Xcel did have a representative present at this incident by virtue of Xcel's contractor.

City Manager Englehart asked City Attorney Shaver if more could be done to help Xcel establish a firm policy on this matter by means of an ordinance. City Attorney Shaver said this matter was brought to Council several years ago and it did not go any further, however, it could be brought back for consideration.

Councilmember Chazen recalled a matter in California some years ago; an earthquake caused a gas leak which in turn caused a major explosion that took many lives and houses. This explosion prompted state legislation for California gas companies.

City Manager Englehart said there have been other unfortunate incidents like these.

Councilmember Brainard said there are contractors who specialize in identifying problem areas. He cautioned against going with the lowest bidder on a project like this as there is a difference in the quality of tools the contractor is using.

Councilmember Chazen asked who would pay for this pilot project. City Manager Englehart said Xcel would need to participate, and grant funds would be available. City Attorney Shaver said there could be an indemnity issue.

Other Business

City Manager Englehart said a trip is planned to Houston, Texas in July to visit an Energy Park Complex created by the University of Houston. Councilmember Norris will be visiting the site as part of the group.

Councilmember Brainard asked why money would be put into an energy epicenter unless the State of Colorado shows support. City Manager Englehart said the trip to Houston is regarding renewable energy, although Councilmember Brainard raises a good question.

Councilmember Norris said the goal is for Grand Junction to be an energy epicenter.

City Manager Englehart then asked for direction on how Council would like to have notes taken for work sessions. Three options were presented by the City Attorney: a detailed summary drafted by the City Clerk; a briefer recap; and a really brief one page summary.

Councilmember Norris said she prefers Option 2, Option 3 was too vague.

Councilmember Chazen agreed with Councilmember Norris. He would like to hear the legal ramifications.

City Attorney Shaver said any of the options would essentially act like minutes. The driving factor in this decision should be who is the intended audience. All the options are legally compliant. Consistency is not required but would be good for the City Clerk's office where these minutes are captured.

Council President Susuras asked City Clerk Stephanie Tuin if a burden would be placed on her department and what the solution would be. Ms. Tuin confirmed it is more work, and currently there is no additional Staff planned for. It would depend on how many meetings Council plans to have. She inquired if Council wants the summaries brought back to Council for approval. City Clerk Tuin suggested the summaries could be placed on the Consent Calendar with the minutes for approval.

Councilmember Doody said he prefers Option 2. He believes it is a good safeguard to have a summary, then approval of these notes as part of the Consent Agenda at a Council meeting.

Councilmember Brainard agreed with Option 2.

Councilmember Chazen said he preferred Option 2 as he would like to see some sort of record and context. He would like to approve these as part of the Consent Agenda.

Council President Susuras agreed.

Adjournment

The meeting adjourned at 11:35

Stephanie Tuin, MMC
City Clerk

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

June 19, 2013

The City Council of the City of Grand Junction convened into regular session on the 19th day of June, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Rick Brainard, Martin Chazen, Jim Doody, Phyllis Norris, and Council President Sam Susuras. Also present were Deputy City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin. City Manager Rich Englehart was absent.

Council President Susuras called the meeting to order. Councilmember Chazen led the Pledge of Allegiance, followed by a moment of silence.

Presentation

May Yard of the Month

Kami Long, Chair of the Forestry Board, announced the winner of the May Yard of the Month as being Marcia Hutson, at 642 Grandview Drive. Ms. Hutson could not be present.

Proclamation

Proclaiming the Week of June 23, 2013 as “St. Baldrick’s Foundation Week” in the City of Grand Junction

Councilmember Boeschstein read the proclamation. Jim Hamlin with the St. Baldrick’s Foundation was present and introduced a number of people who are part of the organization, and a representative from Edgewater Tap and Grill, the host of the event. He thanked the City Council for the proclamation and their support, noting Councilmember Chazen will be attending the event and will speak. He thanked Chris Gillespie, Major Mortgage, NBC Grand Communications, Powderhorn Resort, Rocky Mountain Health Plans, and St. Mary’s Hospital. He noted the St. Mary’s Blood Mobile will be on site for the event.

Council Comments

Councilmember Boeschstein said he and other Staff members went to Ouray, Colorado, for Western Colorado Philanthropy Days to scout for grants for various City projects including the Avalon Theatre and Las Colonias Park. The City was well received by several foundations in attendance, including the Boettcher Foundation and Colorado Department of Local Affairs. He noted the event is held once every three years.

Councilmember Chazen said he attended a Matchett Park community meeting on June 6, 2013. Over sixty residents attended, as well as Staff. Comment forms were available for residents to fill out, and he complimented Staff for how the meeting was conducted. He attended an Associated Government of Northern Colorado (AGNC) meeting on June 12, 2013 in Parachute, Colorado. The presentation was on enterprise zones; he found it interesting that they have a virtual incubator. On June 18, 2013, he attended the Visitor and Convention Bureau (VCB) Board meeting; representatives from the Monument and Bureau of Land Management (BLM) attended. He was impressed with the stewardship of the VCB of their funds. He complimented VCB Staff for all their hard work to bring in tourism.

Citizen Comments

Clark Carroll, 1240 Cannell Avenue, said he would like to speak regarding University expansion. He apologized for not including the former City Manager and the City Attorney in his pursuit of problem solving. He did not want to blindside the Staff or City Council with his issue. Therefore he will remove himself from the public comment and being on record. After meeting with City Staff he will report back in public comment. He then ended with a quote from the Maverick, a university publication, page 18, *"Perhaps newly elected officials, managers or staff aren't sure where to start when they encounter a sticky problem. Why not partner with the experienced officials?"*

Ed Kowalski, 2871 Orchard Avenue, addressed the City Council regarding traffic on Orchard Avenue. The area he lives in is both under City and County jurisdiction. There are two churches and one elementary school. When the school day ends, there are many children, parents, and other pedestrians, and he is concerned with their safety. Inevitably, the Interstate will eventually connect with 29 Road and traffic and noise issues will worsen. He asked that additional signage be installed along with other precautions necessary to help slow traffic.

CONSENT CALENDAR

Councilmember Doody read Consent Calendar items #1-8 and then moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meeting

Action: Approve the Minutes of the June 5, 2013 Regular Meeting

2. **Setting a Hearing on the Colorado Mesa University Right-of-Way Vacation, a Portion of the Intersection at Texas and Cannell Avenues** [File #VAC-2013-114]

Colorado Mesa University is requesting to vacate a portion of the intersection of Texas and Cannell Avenues with retention of a utility easement.

Proposed Ordinance Vacating a Portion of the Texas and Cannell Avenues Right-of-Way and Retaining a Utility Easement over the Northern 25' Located in the Colorado Mesa University Area

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 3, 2013

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

A request to zone the Heritage Church Annexation, consisting of one parcel of 0.68 acres located at 2935 Patterson Road to an R-O (Residential Office) zone district.

Proposed Ordinance Zoning the Heritage Church Annexation to R-O (Residential Office), Located at 2935 Patterson Road

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 3, 2013

4. **Setting a Hearing on Zoning the Perry Annexation, Located at 2884 B Road** [File #ANX-2013-104]

A request to zone the 4.712 acre Perry Annexation, consisting of one parcel located at 2884 B Road, to an R-4 (Residential 4 du/ac) zone district.

Proposed Ordinance Zoning the Perry Annexation to R-4, (Residential – 4 DU/Ac), Located at 2884 B Road

Action: Introduce a Proposed Ordinance and Set a Public Hearing for July 3, 2013

5. **Library Utility Easement Vacation, Located at 502/530/550 Grand Avenue** [File #VAC-2013-29]

Request approval to vacate a utility easement retained as part of the east/west alley vacation approved with Ordinance No. 1467.

Resolution No. 39-13—A Resolution Vacating a Public Utility Easement, Located at 502/530/550 Grand Avenue (Mesa County Public Library)

Action: Adopt Resolution No. 39-13

6. **Municipal Recreation Agreement with the Bureau of Reclamation**

A one year Agreement between the City of Grand Junction and the Bureau of Reclamation for the delivery of surplus water from Green Mountain Reservoir for recreational purposes in the Colorado River between Palisade and Loma, Colorado.

Action: Authorize the City Manager to Sign the Agreement with the Bureau of Reclamation for Delivery of Surplus Water

7. **Water Lease Agreement with the Northern Colorado Water Conservancy District**

A perpetual Agreement between the City of Grand Junction and the Northern Colorado Water Conservancy District for the annual delivery of 5,412.5 acre feet of Colorado-Big Thompson Project Water for non-consumptive municipal - recreational purposes in the Colorado River between Palisade and Loma, Colorado.

Action: Authorize the City Manager to Sign the Agreement with the Northern Colorado Water Conservancy District for Water Delivery

8. **State of Colorado Nutrients Grant Request**

This is a request to approve a resolution authorizing the City Manager to submit a planning grant application to the Colorado Department of Public Health and Environment (CDPHE) for \$80,000. The purpose of the grant application is to provide funding for an engineering consultant to evaluate wastewater treatment plant upgrade options in order to meet recently adopted State nutrient limits.

Resolution No. 40-13—A Resolution Authorizing the City Manager to Submit a Nutrients Program Planning Grant Request to the Colorado Department of Public Health and Environment Water Quality Improvement Fund

Action: Adopt Resolution No. 40-13

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Contract for Avalon Theatre Renovation Project

Since 2008 the City, DDA and the Avalon Theatre Foundation Board have been working toward transforming the Avalon Theatre into a fully functioning performing art center. As

a result of a three phase master plan, design work and construction documents were completed for the first phase (also known as the "Core" project) to address life safety, accessibility, and improved public amenities. The Core Project was bid earlier this year. FCI Constructors was the most responsive and responsible low bid and have since been working with the project team to bring construction alternatives to be discussed with City Council.

Deputy City Manager Tim Moore presented this item, a follow up to the Special Meeting held June 14, 2013 where the item was discussed. He referred City Council to the Staff report and Resolution that reinstates the commitment of funds for the Avalon Theatre Project and authorizes the City Manager to sign contracts with FCI Constructors, Chamberlin Architects, and other incidental providers. Mr. Moore noted that although Staff did not prepare a presentation, Staff members involved with the project were present to answer questions.

Councilmember Chazen expressed his concern by reading a statement: *"About a year ago on June 20, 2012 the prior Council approved Resolution 27-12 which committed the City of Grand Junction to spend three million dollars on improvements to the Avalon Theatre. At our last Council meeting on June 5, 2013 this Council suspended Resolution 27-12 in order to have time for public comment and analysis. Since then there were a series of work sessions. During the June 14, 2013 session, the question was posed to the Council that if the project moved forward, which of three options would be best? Although there was unanimous consensus, for the \$7.6 million dollar Option B, I believe the financial risks inherent to this project were never resolved. On June 14, 2013 there was never a vote to recommit funds. Tonight, we are considering a resolution, that among other things does the following: it commits the City to spend \$3 million dollars on the Avalon project; it vacates the suspension and amends Resolution 27-12; it authorizes the City to accept funds from the DDA and Avalon Theatre Foundation; it acknowledges the City as building owner bears the legal and financial responsibility for the project; it authorizes the City to solicit grants; it authorizes the City to enter into construction contracts not to exceed \$7.6 million dollars; and it authorizes the City management to negotiate contracts with our financial partners in the amount of \$3 million dollars from the DDA and \$1.1 million dollars from the Avalon Foundation. Analysis of the resolution uncovers the situation where the City can potentially commit itself to a \$7.6 million dollar project before agreements with our financial partners are in place. Partners who are responsible for a major portion of the total project cost. For me, this alone is a fatal flaw. Separately, at a fundamental level, I believe this is a commercial venture. We are not building a pool or park, this is not a place for kids to play, or adults who enjoy a few quiet moments surrounded by nature. The Avalon is a place for various groups, even non-profit groups, to produce events designed to meet a budget or profit objective. For this type of venue, I believe the City has an obligation to treat its citizens as investors and operate the facility at a profit. If this cannot be achieved, we should not make the investment. The open and transparent discussions in the past two weeks have exposed the financial risks in this venture. The City has no assurance that the Foundation will*

raise their share of the money. If the Foundation fails to perform, the City will be on the hook for any shortfall. The original project was estimated to cost \$7.1 million dollars, that was Option C. The project is now estimated to cost \$7.6 million dollars. There is no guarantee that the grant money will be available to cover the difference. There are no credible pro-forma projections showing the new Avalon Theatre will operate at a profit, and in the background, we have a City that through May of this year is \$1.4 million dollars below budget for sales tax collections, which is a significant shortfall. We have a City with deferred infrastructure maintenance and we have a City with competing capital projects. Now is not the time to engage in a \$7.6 million dollar project with this level of risk. This resolution does nothing to address the financial risk of the Avalon project, and therefore, I will oppose this resolution. I want to thank everyone involved for the review process, your efforts are genuinely appreciated. And let it be said, if we proceed, we go forward with our eyes wide open. Thank you."

Councilmember Norris said they have had a lot of meetings and have asked many questions. Anything they do is a risk, however, Option B will allow them to apply for grants; there is a good possibility of receiving grant funds, and she believes the Avalon Foundation will be able to raise the funds needed. She supports going forward.

Councilmember Doody said the Council has talked about this for 364 days; he has confidence in the Avalon Theatre Foundation raising funds and looks forward to the continued partnership with the DDA. He said Councilmember Boeschstein went to Ouray recently to see about securing a grant and returned with positive feedback. He will support going forward. He thanked former Mayor Teresa Coons, former Mayor Bill Pitts, and Councilmember Boeschstein for having the vision to push this forward.

Councilmember Boeschstein said there has been overwhelming support from the community for the Avalon project. If the project were delayed, it would cost more money down the road. He believes a new Avalon is needed to become the most livable community west of the Rockies. He believes the finished Avalon will reap revenue and will increase downtown business profits. He believes grant funds will come through and he supports moving forward.

Council President Susuras said the City owns the Avalon building and he believes the Avalon Foundation will raise the funds needed. He does not want to see the Avalon go dark and vacant. The Avalon is essential for the vitality of the downtown area. The downtown area attracts many visitors and he will support it going forward.

Resolution No. 43-13—A Resolution Concerning Funding for the Avalon Theatre Renovation Project

Councilmember Doody moved to adopt Resolution No. 43-13. Councilmember Norris seconded the motion. Motion carried by roll call vote with Councilmember Chazen voting NO.

Public Hearing—2013 Community Development Block Grant (CDBG) Program Year Action Plan [File #2013 CDBG]

The City will receive approximately \$352,950 CDBG funding for the 2013 Program Year which begins September 1st. The purpose of this hearing is to adopt the 2013 Annual Action Plan which includes allocation of funding for 14 projects as a part of the Five-Year Consolidated Plan.

The public hearing opened at 7:38 p.m.

Tim Moore, Deputy City Manager, introduced this item noting it is a follow up from a number of meetings with the City Council.

Senior Planner/CDBG Administrator Kristen Ashbeck presented this item. She reviewed the process and how the 2013 Program Year Action Plan is required to be adopted as part of the Five-Year Consolidated Plan. The funding comes from the Department of Housing and Urban Development. The 2013 allocation is \$352,950. She reviewed the various items that can be included and listed the organizations in each of the categories, noting how the funding meets CDBG and City goals. The City is accepting an amount for Program Administration services; it is allowed up to 20% but the City is accepting less.

The program will also be completing some 2012 projects that have yet to close. The Homeless Shelter grant from last year is being revised to allow for remodeling instead of a new building.

The report has been out for public comment since June 5, 2013 and will remain available for thirty days.

Councilmember Boeschstein inquired if sidewalks on Orchard Avenue are included as related to the citizen who spoke earlier on this topic. Ms. Ashbeck confirmed that this project is in the budget.

There were no public comments.

The public hearing was closed at 7:45 p.m.

Resolution No. 41-13—A Resolution Adopting the 2013 Program Year Action Plan as a Part of the City of Grand Junction Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Chazen moved to adopt Resolution No. 41-13. Councilmember Brainard seconded the motion. Motion carried by roll call vote.

Request from the Grand Junction Rockies for Three Fireworks Displays at Suplizio Field

There have typically been two fireworks displays annually at Suplizio Field including Memorial Day (JUCO) and July 4th (City). Last year, due to fire restrictions in Mesa County, the City show was moved to Labor Day weekend in conjunction with a home game for the Grand Junction Rockies. This proved to be quite popular with local fans with nearly 7,000 visitors in attendance. The Rockies would like to continue offering a special show on Labor Day weekend, as well as two additional Friday night games. The City sponsored show will be held this year on July 4th, and the Rockies will be traveling on that date.

Rob Schoeber, Parks and Recreation Director, introduced this item. He said last year the City had to cancel the fireworks display due to fire danger. The event was rescheduled in conjunction with the Rockies game on Labor Day 2012 and was the most well attended game of the season. It was such a popular event, the Rockies would like to make fireworks a part of some of their games.

Councilmember Chazen asked who is financially responsible for the fireworks displays. Mr. Schoeber said it is the responsibility of the event organizer. In this case, the Rockies would be taking the financial responsibility.

Councilmember Chazen asked if any notification is given to the surrounding neighborhood. Mr. Schoeber said notification is not typically given for the two traditional displays per year, however, for any non-traditional displays that have a high noise volume, they would give notification.

Councilmember Norris noted it must be understood that if there are fire restrictions, even if fireworks have been purchased, the event will not take place. Mr. Schoeber agreed this is a good point.

General Manager of the Grand Junction Rockies Tim Ray said he is ready for the Mayor to throw out the honorary first pitch at the first game. They are excited about their second year. They take pride in taking care of their customers who are the fans, and they do their best to make game day the best family experience possible. Fireworks will add to their events. The crowd last Labor Day set a 74-year record for the Pioneer League in baseball attendance, and they want to offer this type of event again. He understands the danger of fire and they will follow all guidelines of the City, the County, and the State. They will send out flyers to the surrounding neighborhood to notify them of the upcoming events.

Councilmember Boeschenstein moved to approve a request from the Grand Junction Rockies for fireworks displays in conjunction with regularly scheduled games on Friday, July 12; Friday, August 9; and Sunday, September 1. Councilmember Brainard seconded the motion. Motion carried by roll call vote.

Contract for Lincoln Park Tennis Court and Track Renovation

This contract will complete the phase of the Lincoln Park Renovation project that includes renovations to the Lincoln Park Tennis Court complex and the track facility. Both facilities have significant wear and do not meet standards for competitive use.

Rob Schoeber, Parks and Recreation Director, introduced this item. This is the third and final phase of the Lincoln Park renovation. It has two major components: the tennis courts and the track facility. The tennis courts will be replaced with post-tensioned concrete that will last fifty years. The reconfiguration will include pickleball courts which is an up-and-coming sport. The reconfiguration will eliminate the horseshoe courts and add approximately 100 new parking spaces. The second component is the track overlay and repaint. There is a one-month window to complete the project.

Jay Valentine, Internal Services Manager, presented this item. Initially the two projects were going to be bid out separately as they are specialty construction but they found the two could be combined and therefore save the City money. Three bids were received with Mays Concrete being the low bid, however, an additional allocation is needed from Conservation Trust Funds. There is a pending grant which could off-set some of the additional appropriation.

Councilmember Norris asked where the additional funding comes from. Mr. Valentine said Conservation Trust Funds come through the Colorado Lottery; the City receives an annual allocation based on population. There is some unallocated fund balance and this project fits the criteria for these funds.

Councilmember Chazen asked if there are sufficient funds in reserve to cover this project. Mr. Valentine confirmed this.

Councilmember Chazen moved to authorize the City purchasing department to enter into a construction contract with Mays Concrete, Inc. for the Park Tennis Court and Track Renovation in the amount of \$614,508.35. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Karis House Annexation and Zoning, Located at 536 29 Road [File #ANX-2013-141]

A request to annex and zone 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. The requested zoning is R-8 (Residential – 8 units per acre) which is consistent with the current County zoning of RSF-8 (Residential Single-Family – 8 units per acre).

The public hearing was opened at 8:02 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. Ms. Bowers described the history of the property, the current use, and the reason for the annexation request: so they can qualify to apply for future CDBG funds to remodel and upgrade the housing. The request meets Goals 1 and 5 of the Comprehensive Plan. The zoning request of R-8 is consistent with existing County zoning and the Comprehensive Plan, and meets the criteria of the Zoning and Development Code. The Planning Commission considered this criteria when reviewing the application and forwarded a recommendation of approval for the zoning. Ms. Bowers detailed the comments and inquiries she received; no negative comments or concerns were submitted.

Councilmember Norris noted annexing one property at a time makes the City limits very spotty.

Councilmember Boeschstein asked the applicant about the complaints received on one of their other properties.

Mr. John Mok-Lamme, the owner, said they try to be good neighbors. They met with police to try to mitigate some of the issues. They reached out to the neighborhood and they have Staff ready to respond to any concerns. They talked with the teens in the program about preferred neighborhood traffic patterns. Services offered have included landscaping services, and to meet with anyone who may have an issue at anytime. He recently spoke with a neighbor who shared that he is happy to live next to them. They are committed to being good neighbors.

Council President Susuras asked for information on the three programs offered by Karis, Inc.

Mr. Mok-Lamme said Candlewood Community Apartments is a residential two-year program for families. The Asset House is a step out of homelessness, typically for middle aged adults; for a very small amount one can move into this housing and be supported for up to two years. The Teen Shelter House is the only licensed teen house in the State, and provides psychological services to teens. The program is designed to unite teens with their families or support growth towards self-sufficiency.

Council President Susuras thanked Mr. Mok-Lamme for the services rendered to this community.

Councilmember Chazen asked Ms. Bowers about the part of 29 Road being annexed and the reason for that. Ms. Bowers said it is to obtain contiguity and meet State requirements for annexation.

There were no public comments.

The public hearing was closed at 8:15 p.m.

Resolution No. 42-13—A Resolution Accepting a Petition for the Annexation, Making Certain Findings, Determining that Property Known as the Karis House Annexation, Located at 536 29 Road, is Eligible for Annexation

Ordinance No. 4588—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Karis House Annexation, Approximately 0.494 Acres, Located at 536 29 Road

Ordinance No. 4589—An Ordinance Zoning the Karis House Annexation to R-8 (Residential – 8 Units Per Acre), Located at 536 29 Road

Councilmember Doody moved to adopt Resolution No. 42-13, and Ordinances Nos. 4588 and 4589 and ordered them published in pamphlet form. Councilmember Brainard seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:17 p.m.

Stephanie Tuin, MMC
City Clerk



Date: June 26, 2013
 Author: John Shaver/Stephanie Tuin
 Title/ Phone Ext: City
 Attorney/City Clerk, 1506/1511
 Proposed Schedule: 1st reading July 3, 2013
 2nd Reading
 (if applicable): July 17, 2013
 File # (if applicable): _____

Attach 2
CITY COUNCIL AGENDA ITEM

Subject: Reduction of Distance Restriction for Beer and Wine Liquor Licenses to College Campuses
Action Requested/Recommendation: Introduce a Proposed Ordinance on First Reading and Set a Public Hearing for July 17, 2013
Presenter(s) Name & Title: John Shaver, City Attorney

Executive Summary:

State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. The request is to reduce or eliminate the distance restriction from a beer and wine license to a college campus.

Background, Analysis and Options:

In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet and then in 2004, the City Council eliminated the distance restriction from college campuses to full service restaurant licenses. In 2005, the City Council eliminated the distance restriction from college campuses to brew pub liquor licenses. The City Council has now been requested to consider reducing the distance restriction from college campuses for beer and wine liquor licenses. The distance from the proposed location, measured from the edge of the proposed patio to the property line of the campus, the way a pedestrian would walk safely and legally, is about 216 feet.

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

Not applicable.

Board or Committee Recommendation:

NA

Financial Impact/Budget:

The only financial impact is an additional liquor license will pay application fees and annual renewal fees.

Legal issues:

The City Attorney has reviewed the request.

Other issues:

This will be a student run facility for training purposes. Changing the distance restriction for this facility changes the restriction for any license of this type (beer and wine) to any college campus.

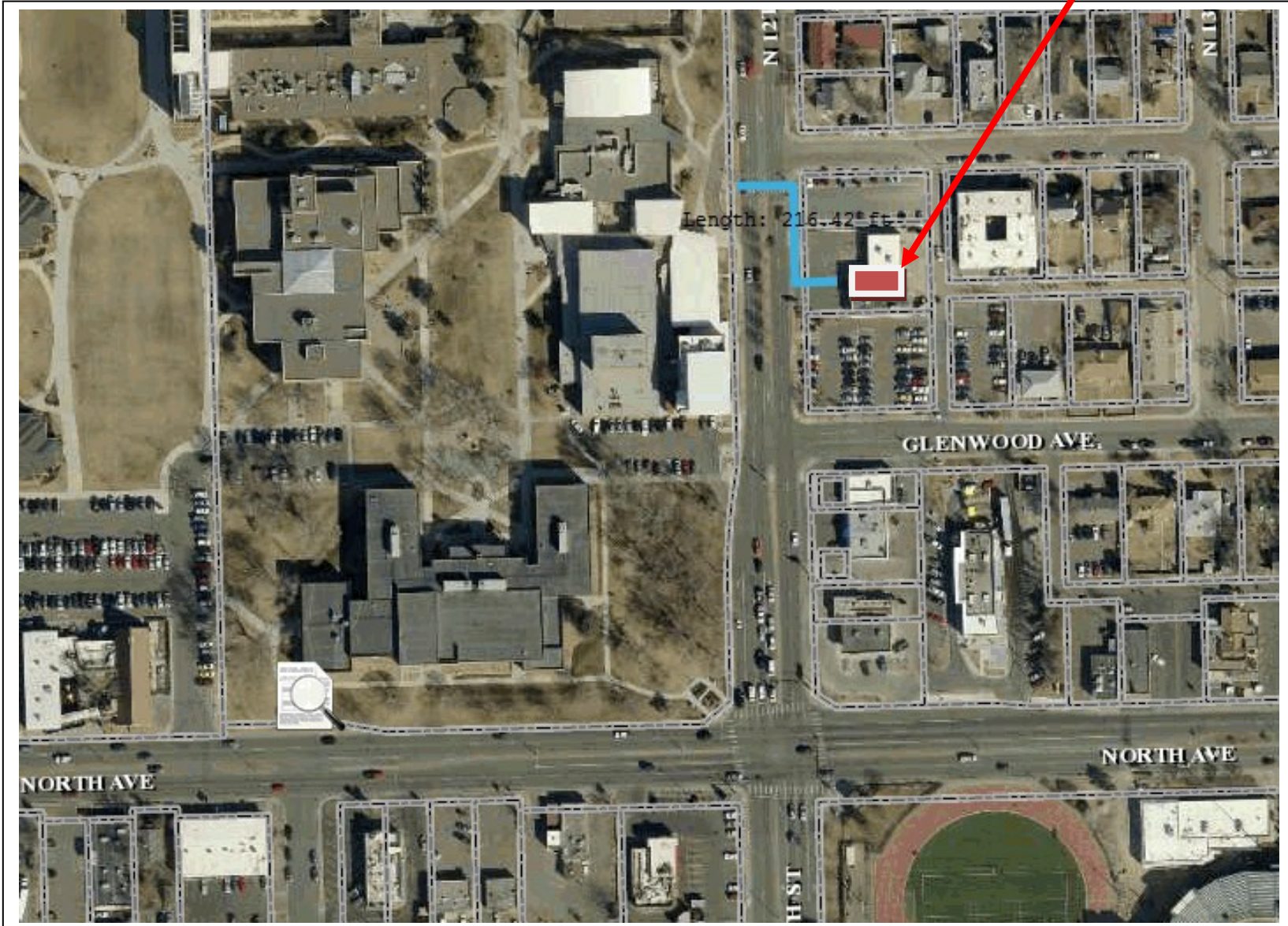
Previously presented or discussed:

This has not been presented previously.

Attachments:

Site Location Map
Proposed Ordinance

Site



ORDINANCE NO. ____

AN ORDINANCE AMENDING SECTION 5.12.220 OF THE GRAND JUNCTION MUNICIPAL CODE REDUCING THE DISTANCE A BEER AND WINE LIQUOR LICENSED PREMISE MUST BE FROM THE PRINCIPAL CAMPUS OF A COLLEGE OR UNIVERSITY IN THE CITY OF GRAND JUNCTION

Recitals.

12-47-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous or spirituous liquor is to be sold to be located at least five hundred feet (500') from any public or parochial school or the principal campus of any college, university or seminary.

12-47-313 (1)(d)(III) C.R.S. provides that "The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (d)."

The City Council has after properly noticed public hearings previously reduced the distance a hotel and restaurant liquor licensed establishment and a brew pub licensed establishment must be from the principal campus. The City Council has been requested to similarly reduce the distance for a beer and wine licensee.

The City Council having duly considered the requested reduction of distance required between beer and wine licenses and the principal campus of colleges and universities does hereby establish the required distance as provided with this ordinance.

NOW, THEREFORE, BE IT ORDAINED THAT:

Under the provisions of 12-47-313 (1)(d)(III) C.R.S., the distance that a beer and wine licensed premises must be separated from the principal campus of a college or university in the City of Grand Junction is reduced from 500 feet to 0 feet. The distance shall be determined in accordance with 12-47-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326. This will amend Grand Junction Municipal Code Section 5.12.220 by adding the following paragraph "Under the provisions of § 12-47-313(1)(d)(III), C.R.S., the distance that a beer and wine liquor licensed premises must be separated from the principal campus of a college or university in the City is reduced to zero feet."

Introduced on first reading and ordered published in pamphlet form this ___ day of _____, 2013.

Passed, adopted and ordered published in pamphlet form this ___ day of _____, 2013.

Mayor and President of the City Council

ATTEST:

City Clerk



Date: June 20, 2013
 Author: Stephanie Tuin,
 Title/ Phone Ext: City Clerk, x1511
 Proposed Schedule: July 3, 2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Attach 3
CITY COUNCIL AGENDA ITEM

Subject: Amending the Policy for Appointments to City Boards, Amending the City Council Assignments to include a Council Representative to the Riverview Technology Corporation, and Amending the Definitions in Resolution No. 79-06
Action Requested/Recommendation: Adopt Resolutions
Presenter(s) Name & Title: Stephanie Tuin, City Clerk

Executive Summary:

The City Council has recommended some changes to the 2003 City board appointment policy. The City Council also determined it is prudent to appoint a representative to the Riverview Technology Corporation. In addition, there have been changes to the City boards necessitating minor housekeeping changes to the definitions contained within Resolution No. 79-06 which adopted ethical standards for members on City boards.

Background, Analysis and Options:

On June 17, 2013, the City Council, in a workshop session, reviewed the 2003 policy for making appointments to the City boards. Changes to interview protocol have been recommended and are being brought forward in the revised policy.

At the same workshop, the City Council determined that it is proper and prudent to have a City Council representative on the Riverview Technology Corporation Board of Directors; Councilmember Bennett Boeschenstein volunteered to serve in that capacity. This second resolution being brought forward amends Resolution No. 38-13 which amended Resolution No. 30-13 which adopted the current year assignments for Council representation on City boards by adding a representative to the Riverview Technology Corporation.

Lastly, there have been some changes to some of the City's boards that necessitate minor changes to the adopted ethical standards resolution (Resolution No. 79-06). Specifically, the Historic Preservation Board is now an authoritative board, the Grand Junction Regional Airport Authority was formerly known as Walker Field Public Airport Authority, and there have been a few new boards added.

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

Not applicable.

Board or Committee Recommendation:

NA

Financial Impact/Budget:

None.

Legal issues:

The City Attorney has reviewed the proposals.

Other issues:

None.

Previously presented or discussed:

The City Council reviewed the interview policy and recommended an appointment to the Riverview Technology Corporation at the June 17, 2013 workshop.

Attachments:

Revised interview policy with mark ups
Revision to definitions in Resolution No, 79-06 with mark ups
Proposed Resolution adopting new interview policy
Proposed Resolution amending Council Assignments
Resolution amending the definitions in Resolution No. 79-06 (ethical standards)

POLICY ON VOLUNTEER BOARD APPOINTMENTS

PURPOSE: To establish an appointment policy for volunteer boards that is consistent and encourages participation by qualified citizens.

PROCESS:

Step 1 - Two months prior to any term expiration, the City Clerk sends a letter to individuals, whose terms are expiring, advising that the term is coming to an end and if interested in continuing to serve they should reapply by the deadline. If the member has already served two terms, then they are not eligible to reapply and will not receive the letter. Term limitations on Grand Junction's volunteer boards will be analogous to term limits in Colorado Law. Term limitations do not apply to boards that are jointly appointed with other entities (Riverfront Commission and Riverview Technology Corporation).

At the same time, a letter is sent to the board advising that vacancies are coming open and inviting the board to provide written input to the City Council regarding skills and expertise that would be beneficial to the make-up of the board.

The City Clerk advertises the openings ~~_(approximately 2 months prior to expiration)_~~. The deadline for receipt of applications is established approximately 1 month prior to the expiration date of the board seats. Every applicant will receive a postcard from the City Clerk acknowledging receipt of the application.

All letters of interest shall be accompanied by the City's standard volunteer board application (sample attached).

The City Council has determined that ~~some of the~~ volunteer boards will require interviews with only those exceptions provided herein~~some will not (unless there are extenuating circumstances)~~. ~~For those boards that will generally not require interviews, the City Council will make appointments based on solicited recommendations made by the board itself on expertise needed and from the material submitted by the applicants.~~ Generally, no more than six (6) applicants will be interviewed for any one position. When a large volume of applications/resumes is are received and/or on file for any one board, all of City Council will review them applications/resumes in order to reduce ~~down the applicant list~~ to six.

Appointments Based on Application:

- ~~_____~~ Arts Commission
- ~~_____~~ Historic Preservation Board
- ~~_____~~ Forestry Board _____
- ~~_____~~ Ridges Architectural Control Committee

Interviews Required for all boards with the following exceptions:

Colorado State Leasing Authority – recommendation accepted from board
Urban Trails Committee – City Council will interview recommendations from
Riverfront Commission

Riverview Technology Corporation – City Council will interview recommendations
from RTC

Building & Fire Code Board of Appeals – Mesa County Commissioners appoint,
the City Council ratifies

- ~~— Airport Authority~~
- ~~— Downtown Development Authority~~
- ~~— Housing Authority~~
- ~~— Public Finance Corporation~~
- ~~— Riverview Technology Corporation (joint with County)~~
- ~~— Parks & Recreation Advisory Board~~
- ~~— Planning Commission/Board of Appeals~~
- ~~Riverfront Commission (joint with County, Fruita &~~
- ~~-Palisade~~
- ~~— Visitor & Convention Bureau Board of Directors~~

Council Ratifies Appointments:

- ~~— Building & Fire Code Board of Appeals (County appoints)~~
- ~~— Urban Trails Committee (Riverfront Commission appoints)~~

When interviews are required:

Step 2 - Approximately one month prior to expiration date, when deadline has passed, a date is set for interviews. Applicants, **including existing members interested in continuing**, are scheduled for an interview.

Step 3 - Interviews are conducted with at least 3 members of City Council present. City Council will usually select no more than six applicants to interview, depending on number of openings, number of applicants and expertise needed on the volunteer board. Any applicant not selected for interview will be advised of such immediately by letter prepared by the City Clerk.

Step 4 – Council will advise the City Clerk who will be recommended for appointment. The City Clerk will schedule appointments on the agenda. For the Council meeting following appointments, the City Clerk will invite the appointees (and reappointees) to the meeting to receive their certificates. If one or more can attend, go forward. If none can attend, and there is not a time issue, then reschedule to a time when at least one appointee can be present.

Step 5 - By majority vote of the Council members conducting the interviews, a recommendation for appointment is made at the City Council meeting when scheduled. The decision for appointment will be made by a majority vote of the City Council.

Step 6 - The City Clerk notifies unsuccessful candidates who were interviewed by letter.

When interviews are not required Steps for exceptions:

~~Step 2— One month prior to term expiration, copies of letters of interest and applications received are forwarded to the City Council.~~Step 2 –

The Colorado State Leasing Authority will send its recommendations for appointments and reappointments to the City Clerk who will bring that forward to the City Council at a regularly scheduled meeting for formal action.

Riverfront Commission will interview applicants for the Urban Trails Committee. It will forward a recommendation(s) to the City Clerk who will schedule interviews of the recommended candidates with the City Council interview committee. The interview committee will forward a recommendation to the full City Council for action at a regularly scheduled City Council meeting.

The Riverview Technology Corporation will interview applicants for the Riverview Technology Corporation. It will forward a recommendation(s) to the City Clerk who will schedule interviews of the recommended candidates with the City Council interview committee. The interview committee will forward a recommendation to the full City Council for action at a regularly scheduled City Council meeting.

Step 3 - City Council considers the interview committee recommendation and any written input and decides by majority vote on the appointment(s) at a formal~~the next~~ City Council meeting. Appointees are invited to attend the following Council meeting and receive their certificate of appointment.

Step 4 - Notification by the City Clerk will be made by letter to all unsuccessful candidates.

NOTE: Anyone applying for more than one appointment will be interviewed for each position.

Updated: June 18, 1997
Revised: October 22, 1998
Revised: June 1, 2001
Revised: June 2, 2003
Revised: July 3, 2013

NOTE: When you have completed this form, save it and print a copy for your records, then email the Application form as an attachment to stepht@gjcity.org.

Application for a Grand Junction Volunteer Board

Board you are interested in _____
(please submit separate application for each board applied for)

Name _____

Home Residence Address

Mailing Address (if different) _____

Business Name & Address & Job Title _____

Telephone numbers.. Home _____ **Work** _____

Cell (opt) _____ **Fax** _____ **Email** _____

If the board applied for requires expertise, please tell us your qualifications in that area (education, experience, etc). _____

Why are you interested in serving on this board? _____

After reviewing the informational table on the following page, are there any identified conflicts with the meeting times (please specify)? _____

Will you have any conflicts with the services required of the board being applied for (please specify)? _____

What other volunteer boards have you served on (give dates)? _____

What else can you tell us about yourself? _____

Please feel free to submit a resume' along with this application and your letter of interest. Address letter to the City Council c/o the City Clerk, 250 N. 5th Street, Grand Junction, Co. 81501 OR Fax to 970-244-1599. If you submit more than one application, please tell us which board you are the most interested in.

Although we have indicated the best time to apply for a particular board, we accept applications for any of the boards year-round. Thank you.

Definition Section of Resolution No. 79-06

1. Definitions. The following definitions apply to this resolution:

Advisory as used herein shall mean a body with advisory powers and duties only.

The following entities are examples of primarily “advisory”:

- Commission on Arts and Culture
- Parks and Recreation Advisory Board
- Urban Trails Committee
- Riverfront Commission
- ~~Historic Preservation Board~~
- ~~Growth Plan Commission~~
- ~~Study groups~~
- ~~Transit Committees/groups~~
- Visitor & Convention Bureau Board of Directors
- Other *Ad Hoc* Committees

Advisory groups shall also include those entities that normally act through a City employee or other City group(s).

Authoritative as used herein shall refer to boards, commissions, committees, groups and similar entities which have one or more of the following powers, duties or opportunities:

- spend money
- adopt a budget
- buy or sell property
- act for or bind the City
- sue and be sued,
- hire/fire and supervise employee(s),
- make land use decisions, including zoning and /or variances,
- issue and regulate City licenses, including the power to suspend or revoke a right or privilege to do business within the City,
- make or recommend decisions affecting criminal defendants in Municipal Court.

The following entities are by virtue of their powers and functions “authoritative” entities:

- Building Code Board of Appeals
- Colorado State Leasing Authority
- Downtown Grand Junction Business Improvement District
- Grand Junction Downtown Development Authority
- Grand Junction Forestry Board
- ~~Walker Field Public Airport Authority (for the three City appointees)~~
- Grand Junction Housing Authority
- Grand Junction Planning Commission
- Grand Junction Regional Airport Authority (for the three City appointees)
- Grand Junction Planning Commission Zoning Board of Appeals

- Horizon Drive Association Business Improvement District
- ~~Contractor's Licensing Board~~
- Parks Improvement Advisory Board (for the City's appointee)
- Public Finance Corporation
- Riverview Technology Corporation
- ~~Grand Junction Forestry Board~~
- Ridges Architectural Control Committee

Business associate(s) as used herein shall mean a person who is (1) an owner of ten percent (10%) or more of a firm, corporation, limited liability company, partnership or other legal entity; and/or (2) an officer or director of a corporation; a manager or general manager of a member of a limited liability company; a partner of a partnership or a similar position of authority in another entity.

Disclosure or *disclose* shall mean to provide all pertinent information in writing to each member of the respective board or groups, and to send a copy to the Mayor and to the City Attorney.

Family member means husband, wife, son, daughter, mother, father, step-son, step-daughter, step-mother, step-father, grandmother, grandfather, grandchildren, brother, sister, and domestic partner, and shall include any minor children for whom the person or his or her domestic partner provides day-to-day care and financial support. A "domestic partner" is an unmarried adult, unrelated by blood, with whom an unmarried member has an exclusive committed relationship, maintains a mutual residence and shares basic living expenses.

Member(s) as used herein shall mean any person(s) appointed to a board, commission, committee or similar group or entity by the City Council or by one or more City officials.

RESOLUTION NO. _____-13

A RESOLUTION ADOPTING A POLICY CONCERNING THE INTERVIEW AND APPOINTMENT OF MEMBERS TO CITY BOARDS

WHEREAS, the City of Grand Junction believes a consistent and standardized program for interviewing and appointing members to the various City boards contributes to the efficiency and effectiveness of the entire City organization; and,

WHEREAS, it is in the best interest of the City to adopt and follow such policies and procedures, as described in Exhibit A.

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

- (a) Interviews and appointment to City boards shall follow the procedure outlined in Exhibit A attached.
- (b) The City Clerk is hereby directed to follow the procedure as outlined in the attached.

PASSED and ADOPTED this _____ day of _____, 2013.

Attest:

President of the City Council

City Clerk

Exhibit A

POLICY ON VOLUNTEER BOARD APPOINTMENTS

PURPOSE: To establish an appointment policy for volunteer boards that is consistent and encourages participation by qualified citizens.

PROCESS:

Step 1 - Two months prior to any term expiration, the City Clerk sends a letter to individuals, whose terms are expiring, advising that the term is coming to an end and if interested in continuing to serve they should reapply by the deadline. If the member has already served two terms, then they are not eligible to reapply and will not receive the letter. Term limitations on Grand Junction's volunteer boards will be analogous to term limits in Colorado Law. Term limitations do not apply to boards that are jointly appointed with other entities (Riverfront Commission and Riverview Technology Corporation).

At the same time, a letter is sent to the board advising that vacancies are coming open and inviting the board to provide written input to the City Council regarding skills and expertise that would be beneficial to the make-up of the board.

The City Clerk advertises the openings. The deadline for receipt of applications is established approximately 1 month prior to the expiration date of the board seats. Every applicant will receive a postcard from the City Clerk acknowledging receipt of the application.

All letters of interest shall be accompanied by the City's standard volunteer board application (sample attached).

The City Council has determined that volunteer boards will require interviews with only those exceptions provided herein. Generally, no more than six (6) applicants will be interviewed for any one position. When a large volume of applications/ resumes are received and/or on file for any one board, all of City Council will review the applications/resumes in order to reduce the applicant list to six.

Interviews Required for all boards with the following exceptions:

Colorado State Leasing Authority – recommendation accepted from board
Urban Trails Committee – City Council will interview recommendations from
Riverfront Commission
Riverview Technology Corporation – City Council will interview recommendations from RTC

Building & Fire Code Board of Appeals – Mesa County Commissioners appoint, the City Council ratifies

When interviews are required:

Step 2 - Approximately one month prior to expiration date, when deadline has passed, a date is set for interviews. Applicants, **including existing members interested in continuing**, are scheduled for an interview.

Step 3 - Interviews are conducted with at least 3 members of City Council present. City Council will usually select no more than six applicants to interview, depending on number of openings, number of applicants and expertise needed on the volunteer board. Any applicant not selected for interview will be advised of such immediately by letter prepared by the City Clerk.

Step 4 – Council will advise the City Clerk who will be recommended for appointment. The City Clerk will schedule appointments on the agenda. For the Council meeting following appointments, the City Clerk will invite the appointees (and reappointees) to the meeting to receive their certificates. If one or more can attend, go forward. If none can attend, and there is not a time issue, then reschedule to a time when at least one appointee can be present.

Step 5 – By majority vote of the Council members conducting the interviews, a recommendation for appointment is made at the City Council meeting when scheduled. The decision for appointment will be made by a majority vote of the City Council.

Step 6 – The City Clerk notifies unsuccessful candidates who were interviewed by letter.

Steps for exceptions:

Step 2 –

The Colorado State Leasing Authority will send its recommendations for appointments and reappointments to the City Clerk who will bring that forward to the City Council at a regularly scheduled meeting for formal action.

Riverfront Commission will interview applicants for the Urban Trails Committee. It will forward a recommendation(s) to the City Clerk who will schedule interviews of the recommended candidates with the City Council interview committee. The interview committee will forward a recommendation to the full City Council for action at a regularly scheduled City Council meeting,

The Riverview Technology Corporation will interview applicants for the Riverview Technology Corporation. It will forward a recommendation(s) to the City Clerk who will schedule interviews of the recommended candidates with the City Council interview committee. The interview committee will forward a recommendation to the full City Council for action at a regularly scheduled City Council meeting,

Step 3 - City Council considers the interview committee recommendation and any written input and decides by majority vote on the appointment(s) at a formal City Council meeting. Appointees are invited to attend the following Council meeting and receive their certificate of appointment.

Step 4 - Notification by the City Clerk will be made by letter to all unsuccessful candidates.

NOTE: Anyone applying for more than one appointment will be interviewed for each position.

Updated: June 18, 1997
Revised: October 22, 1998
Revised: June 1, 2001
Revised: June 2, 2003
Revised: July 3, 2013

NOTE: When you have completed this form, save it and print a copy for your records, then email the Application form as an attachment to stepht@gjcity.org.

Application for a Grand Junction Volunteer Board

Board you are interested in _____
(please submit separate application for each board applied for)

Name _____

Home Residence Address

Mailing Address (if different) _____

Business Name & Address & Job Title _____

Telephone numbers.. Home _____ Work _____

Cell (opt) _____ Fax _____ Email _____

If the board applied for requires expertise, please tell us your qualifications in that area (education, experience, etc). _____

Why are you interested in serving on this board? _____

After reviewing the informational table on the following page, are there any identified conflicts with the meeting times (please specify)? _____

Will you have any conflicts with the services required of the board being applied for (please specify)? _____

What other volunteer boards have you served on (give dates)? _____

What else can you tell us about yourself? _____

Please feel free to submit a resume' along with this application and your letter of interest. Address letter to the City Council c/o the City Clerk, 250 N. 5th Street, Grand Junction, Co. 81501 OR Fax to 970-244-1599. If you submit more than one application, please tell us which board you are the most interested in.

Although we have indicated the best time to apply for a particular board, we accept applications for any of the boards year-round. Thank you.

RESOLUTION NO. __-13

**A RESOLUTION AMENDING RESOLUTION NO. 38-13 APPOINTING AND
ASSIGNING CITY COUNCILMEMBERS TO REPRESENT THE CITY
ON VARIOUS BOARDS, COMMITTEES, COMMISSIONS, AUTHORITIES, AND
ORGANIZATIONS**

Recitals:

At its meeting on May 6, 2013 the City Council appointed its members to serve on various boards, commissions, committees and organizations. The City Council subsequently amended that resolution due to the untimely death of Councilmember Harry Butler and in order to maximize the effectiveness of Council service on all boards. The assignments heretofore made by Resolution 38-13 are amended as follows.

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

Until further action by the City Council, the appointments and assignments of the members of the City Council as approved by Resolution 30-13 and subsequently amended by Resolution No. 38-13 are amended to wit:

- 1) Bennett Boeschstein is assigned to serve as an ex officio member of the Riverview Technology Corporation.

PASSED AND ADOPTED THIS _____ day of _____
_____, 2013.

President of the City Council

ATTEST:

City Clerk

AMENDED - CITY COUNCIL FORMAL ASSIGNMENTS

Individual Members are assigned for each of the following:

Board/Organization	Meeting Day/Time/Place	2013 Assignments
Associated Governments of Northern Colorado (AGNC)	2 nd Tuesday of each month @ 10:00 a.m. different municipalities	Martin Chazen
Downtown Development Authority/Downtown BID	2 nd and 4 th Thursdays @ 7:30 am @ Whitman Educational Center, BID board meets quarterly	Martin Chazen
Grand Junction Housing Authority	4 th Monday @ 11:30 am @ 1011 N. 10 th	Jim Doody
Grand Junction Regional Airport Authority	Usually 3 rd Tuesday @ 5:15 pm @ City Hall, Municipal Hearing Room (workshops held the 1 st Tuesday when needed)	Sam Susuras
Parks Improvement Advisory Board (PIAB)	Quarterly, 1 st Tuesday @ noon @ various locations	Sam Susuras Rick Brainard
Parks & Recreation Advisory Committee	1 st Thursday @ noon @ various locations	Jim Doody
Riverfront Commission	3 rd Tuesday of each month at 5:30 p.m. in Training Room A, Old Courthouse	Bennett Boeschenstein
Mesa County Separator Project Board (PDR)	Quarterly @ Mesa Land Trust, 1006 Main Street	Bennett Boeschenstein
Grand Valley Regional Transportation Committee (GVRTC)	4 th Monday @ 3:00 pm @ GVT Offices, 525 S. 6 th St., 2 nd Floor	Phyllis Norris
Grand Junction Economic Partnership	3 rd Wednesday of every month @ 7:30 am @ GJEP office	Sam Susuras
Colorado Water Congress	Meets 3-4 times a year in Denver	Sam Susuras
Chamber Governmental Affairs (Legislative) Committee	Meets biweekly during the legislative session and monthly during the rest of the year	City Manager and open to any and all
5-2-1 Drainage Authority	Meets quarterly, generally the 4 th Wednesday of month at 3:00 p.m. in the Old Courthouse in Training Room B	Rick Brainard
Criminal Justice Leadership 21 st Judicial District	Meets 3 rd Thursday of each month, at 11:30 at S.O. Training Room at 215 Rice Street.	Municipal Judge
Club 20	The board of directors meet at least annually. The time and place for board meetings are determined by the Executive Committee.	Sam Susuras
Riverview Technology Corporation	Meets quarterly at the Incubator Center	Bennett Boeschenstein, ex officio

Ad Hoc Committees	Date/Time	2013 Council Representative
Avalon Theatre Committee		Bennett Boeschstein
Council Agenda Setting Meeting	Wednesday before next City Council Meeting in the a.m.	Mayor Pro Tem Martin Chazen
Las Colonias Committee		Bennett Boeschstein
Matchett Park Committee		Martin Chazen
Mesa County Fire Study		Phyllis Norris
Public Safety Project		Jim Doody
Quarterly Budget Reviews		Phyllis Norris and Martin Chazen

Other Boards

Board Name	Date/Time	2013 Council Representative
Associated Members for Growth and Development (AMGD)	Monthly	Open to all
Building Code Board of Appeals *	As needed	NA
Commission on Arts and Culture *	4 th Wednesday of each month at 4:00 p.m.	NA
Forestry Board *	First Friday of each month at 8:00 a.m.	NA
Historic Preservation Board *	1 st Tuesday of each month at 4:00 p.m.	NA
Horizon Drive Association Business Improvement District *	2 nd Wednesday of each month at 10:00 a.m.	NA
Grand Valley Trails Alliance	New board, meetings time not established	No assignment
Persigo Board (All City and County Elected)	Annually	All
Planning Commission *	2 nd and 4 th Tuesday at 6:00 p.m.	NA
Public Finance Corporation *	Annual meeting in January	NA
Ridges Architectural Control Committee *	As needed	NA
State Leasing Authority *	2 nd Tuesday in January other times as needed	NA
Urban Trails Committee *	2 nd Tuesday of each month at 5:30 p.m.	NA
Visitor and Convention	2 nd Tuesday of each month at 3:00	NA

Bureau Board of Directors *	p.m.	
Zoning Code Board of Appeals *	As needed	NA

*No Council representative required or assigned - City Council either makes or ratifies appointments - may or may not interview dependent on particular board

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____-13

A RESOLUTION AMENDING DEFINITIONS, SECTION 1, OF RESOLUTION NO. 79-06 WHICH ESTABLISHED ETHICAL STANDARDS FOR MEMBERS OF THE CITY'S BOARDS, COMMISSIONS, AND SIMILAR GROUPS

Recitals.

A. The members of City boards, committees, commissions and similar entities are typically appointed by the City Council.

B. The mission of such entities is to in some way support the City and its citizens.

C. There have been some changes to some of the City boards necessitating some changes to the definitions provided in Resolution No. 79-06.

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

1. Section 1 of Resolution No. 79-06 is hereby amended to read

1. Definitions. The following definitions apply to this resolution:

Advisory as used herein shall mean a body with advisory powers and duties only.

The following entities are examples of primarily "advisory":

- Commission on Arts and Culture
- Parks and Recreation Advisory Board
- Urban Trails Committee
- Riverfront Commission
- Visitor & Convention Bureau Board of Directors
- Other *Ad Hoc* Committees

Advisory groups shall also include those entities that normally act through a City employee or other City group(s).

Authoritative as used herein shall refer to boards, commissions, committees, groups and similar entities which have one or more of the following powers, duties or opportunities:

- spend money
- adopt a budget
- buy or sell property
- act for or bind the City
- sue and be sued,
- hire/fire and supervise employee(s),
- make land use decisions, including zoning and /or variances,
- issue and regulate City licenses, including the power to suspend or revoke a right

· or privilege to do business within the City,
· make or recommend decisions affecting criminal defendants in Municipal Court.

The following entities are by virtue of their powers and functions “authoritative” entities:

- Building Code Board of Appeals
- Colorado State Leasing Authority
- Downtown Grand Junction Business Improvement District
- Grand Junction Downtown Development Authority
- Grand Junction Forestry Board
- Grand Junction Housing Authority
- Grand Junction Planning Commission
- Grand Junction Regional Airport Authority (for the three City appointees)
- Grand Junction Zoning Board of Appeals
- Historic Preservation Board
- Horizon Drive Association Business Improvement District
- Parks Improvement Advisory Board (for the City’s appointee)
- Public Finance Corporation
- Riverview Technology Corporation
- Ridges Architectural Control Committee

Business associate(s) as used herein shall mean a person who is (1) an owner of ten percent (10%) or more of a firm, corporation, limited liability company, partnership or other legal entity; and/or (2) an officer or director of a corporation; a manager or general manager of a member of a limited liability company; a partner of a partnership or a similar position of authority in another entity.

Disclosure or *disclose* shall mean to provide all pertinent information in writing to each member of the respective board or groups, and to send a copy to the Mayor and to the City Attorney.

Family member means husband, wife, son, daughter, mother, father, step-son, step-daughter, step-mother, step-father, grandmother, grandfather, grandchildren, brother, sister, and domestic partner, and shall include any minor children for whom the person or his or her domestic partner provides day-to-day care and financial support. A “domestic partner” is an unmarried adult, unrelated by blood, with whom an unmarried member has an exclusive committed relationship, maintains a mutual residence and shares basic living expenses.

Member(s) as used herein shall mean any person(s) appointed to a board, commission, committee or similar group or entity by the City Council or by one or more City officials.

All other provisions contained within Resolution No. 79-06 remain in full force and effect.

PASSED and ADOPTED this _____ day of _____, 2013.

President of the Council

ATTEST:

City Clerk



Attach 4

CITY COUNCIL AGENDA ITEM

Date: June 20, 2013
 Author: Justin Vensel
 Title/ Phone Ext: Project Engineer,
4017
 Proposed Schedule: July 3, 2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Subject: Contract for the 2013 Orchard Avenue/Epps Drive Reconstruction Project
Action Requested/Recommendation: Authorize the City Purchasing Division to Enter into a Contract with Sorter Construction, Inc. of Grand Junction, CO for the 2013 Orchard Avenue/Epps Drive Reconstruction Project for the Bid Amount of \$651,788
Presenter(s) Name & Title: Greg Trainor, Public Works, Utilities, and Planning Director Jay Valentine, Internal Services Manager

Executive Summary:

This request is to award a construction contract for the road reconstruction and utility upgrades for Orchard Avenue from 7th Street to Cannell Avenue and Epps Drive.

Background, Analysis and Options:

Orchard Avenue from 7th Street to Cannell Avenue has exceeded its design life on both the road surface and vitrified clay pipe sewer lines. The sewer main will be replaced with Poly Vinyl Chloride (PVC) Pipe. In addition, sanitary sewer manholes damaged by hydrogen sulfide gases will be replaced. The sanitary sewer service lines will also be replaced within the street right of way. The road surface will be reconstructed utilizing a 12 inch class 6 aggregate base course section with 5 inches of hot mix asphalt, grading SX with a 64-22 binder.

Epps Drive located on 29 Road is a horseshoe shaped road that ties back into 29 Road. This section of road has had little to no maintenance since the road was constructed in the late 50's and has exceeded its design life on the road surface. The existing vitrified clay pipe sewer lines and cast iron water lines have also met and exceeded their design life. The sewer main will be replaced with Poly Vinyl Chloride (PVC) Pipe. In addition, sanitary sewer manholes damaged by hydrogen sulfide gases will be replaced. The sanitary sewer service lines will also be replaced within the street right of way. The water main will be replaced with Poly Vinyl Chloride (PVC) Pipe. New copper service lines connect to the existing lines. The road surface will be reconstructed utilizing a 8 inch class 6 aggregate base course section with 3 inches of hot mix asphalt, grading SX with a 64-22 binder.

A formal solicitation was advertised in the Daily Sentinel, posted on the City's website and sent to the Western Colorado Contractors Association (WCCA). Two responsive bids were received from the following firms:

Firm	Location	Amount
Sorter Construction Inc.	Grand Junction, CO	\$ 651,788.00
MA Concrete Construction	Grand Junction, CO	\$ 794,849.47

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

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

Street reconstruction will improve the existing streets that have meet and exceeded their design life and will improve the existing street cross slope that have built up over the years from overlays.

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

This repair and maintenance will guard against failure and ensure longevity for the water distribution and wastewater collection system.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

This project is funded by the Water fund, Joint Sewer fund and the Sales Tax Capital Improvement Fund. The project budget is shown below.

Sources

Water Fund	\$ 89,866
Joint Sewer Fund	249,078
Sales Tax CIP Fund	<u>336,294</u>
Total Project Sources	\$675,238

Expenditures

Construction Contract - Sorter Construction	\$651,788
Design	6,450
Inspection & Contract Administration	<u>17,000</u>
Total Project Expenditures	\$675,238

Legal issues:

N/A

Other issues:

An open house was held on Tuesday, June 25, 2013 to inform the residents of the upcoming work along Orchard Avenue. A total of 7 residents attended the meeting. The major concern from property owners was access to their property during the construction and what to do with their trash during construction.

Jon Price with Xcel was in attendance to explain the gas line upgrade along the corridor. There will be 11 affected properties that will receive new service upgrades as part of this project and a new gas main will be installed from 7th Street east to Cannell Avenue.

City Transportation Engineer Jody Kliska was in attendance to discuss the signal upgrade at 7th Street and Orchard Avenue. One resident, Daniel Scott, 746 Orchard Avenue, inquired about the signal work. Due to the low citizen participation an additional meeting will not be conducted to discuss the work at the signal.

As part of the City's standard procedures and acceptance by City Council, a letter will be sent out to the adjoining property owners within the construction area with information on the contractor, accessibility issues, and trash services.

Previously presented or discussed:

N/A

Attachments:

N/A



Date: June 25, 2013
 Author: Lee Cooper
 Title/ Phone Ext: Project Engineer
 Proposed Schedule: July 3, 2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

**Attach 5
 CITY COUNCIL AGENDA ITEM**

Subject: Sole Source Purchase for Wastewater Pump Station to be Located North of the Albertson’s Shopping Center
Action Requested/Recommendation: Authorize the Purchasing Division to Execute a Sole Source Purchase Order in the Amount of \$54,969 with Smith & Loveless, Inc. for a Complete Wastewater Pump Station
Presenter(s) Name & Title: Greg Trainor, Public Works, Utilities, and Planning Director Jay Valentine, Internal Services Manager

Executive Summary:

The request is to replace the existing 35 year old Albertson’s Shopping Center (Brach’s Market) Pump Station with a new Smith & Loveless, Inc. pump station assembly. The City of Grand Junction currently has 28 Smith & Loveless wastewater pump stations in service today. Continuing to use the Smith & Loveless product allows continuity between all of the City’s pump stations, allows maintenance personnel easier evaluation of a pump station should a problem occur, and results in stocking fewer replacement parts as a result of interchangeable parts.

Background, Analysis and Options:

Due to the age, condition, and the current pump station being obsolete; the City needs to replace the existing Brach’s Market Pump Station with a new Smith & Loveless pump station assembly.

The Brach’s Market Pump Station is located along Power Road on the north side of the Albertson’s Shopping Center in the Redlands. The Brach’s Market Pump Station serves the entire shopping plaza that Albertson’s is located in.

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

The replacement of the Brach’s Market Pump Station supports the following Goal from 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.*

The City of Grand Junction has the responsibility of providing reliable wastewater collection systems for the citizens and businesses of Grand Junction.

Board or Committee Recommendation:

None

Financial Impact/Budget:

Budgeted funds for this purchase have been allocated in the Joint Sewer System fund.

Legal issues:

N/A

Other issues:

None

Previously presented or discussed:

N/A

Attachments:

None



Date: June 21, 2013
 Author: Kristen Ashbeck
 Title/ Phone Ext: Senior Planner x1491
 Proposed Schedule:
Approve Amendment and Subrecipient
Agreement July 3, 2013
 File #: 2013 CDBG

Attach 6

CITY COUNCIL AGENDA ITEM

Subject: Amendment to Action Plan for 2012 Community Development Block Grant (CDBG) Program Year and Subrecipient Contract for HomewardBound of the Grand Valley Project within the 2012 CDBG Program Year
Action Requested/Recommendation: Approve the 2012 CDBG Action Plan Amendment and Authorize the City Manager to Sign the Subrecipient Agreement
Presenter(s) Name & Title: Tim Moore, Deputy City Manager Kristen Ashbeck, Senior Planner/CDBG Administrator

Executive Summary: The request is to amend the City’s Action Plan for CDBG Program Year 2012 in order to revise the grant to HomewardBound of the Grand Valley for remodeling the existing community homeless shelter rather than acquire property for relocation of the shelter and to authorize the accompanying Subrecipient Contract formalizing the City’s award of \$109,971 to HomewardBound as allocated from the City’s 2012 CDBG Program previously approved by Council.

Background, Analysis and Options:

Plan Amendment:

The City developed a Consolidated Plan and a 2012 Action Plan as part of the requirements for use of CDBG funds under its status as an entitlement city. The 2012 Action Plan earmarked \$109,971 for HomewardBound of the Grand Valley. HomewardBound provides temporary shelter, meals and services for individuals and families. The existing facility located at 2853 North Avenue typically houses 90 persons per night, operates three successful transitional programs, and collaborates with local area churches to address emergency shelter issues during the winter. The organization has recently undergone a change in leadership and is in the process of re-evaluating needs. They have identified the need for a separate family center and, thus, are concentrating efforts on creating a guided growth plan for future creation of that facility. In the meantime, there are several refurbishment projects needed at the existing shelter which the organization intends to retain rather than relocate as originally planned when the 2012 CDBG grant application was submitted to the City. The refurbishment projects include improving the restroom and shower areas, improving the administrative and storage areas, and minor repairs to electrical structural systems. Consequently, per the attached information provided by HomewardBound (Attachment 2), the organization is requesting an amendment to the City’s 2012 CDBG Annual Action Plan to redirect use of its 2012 grant to be used for refurbishment of the existing facility rather than towards acquisition of property to relocate the facility.

Subrecipient Contract:

HomewardBound of the Grand Valley is considered a “subrecipient” to the City. The City will “pass through” a portion of its 2012 Program Year CDBG funds to HomewardBound but the City remains responsible for the use of these funds. The contract with HomewardBound outlines the duties and responsibilities of each party/program and is used to ensure that the subrecipient complies with all Federal rules and regulations governing the use of these funds. The contract must be approved before the subrecipient may spend any of these Federal funds. Exhibit A of the contract (Attachment 3) contains the specifics of the project and how the money will be used by HomewardBound.

How this item relates to the draft Comprehensive Plan Goals and Policies: This project funded through the 2012 CDBG grant year allocation will include steps towards the City’s Comprehensive Plan Goals listed below:

Goal 5: Mix of Housing Types: HomewardBound provides a temporary shelter need for the homeless population in Grand Junction.

Goal 12: Goods and Services that Enhance a Healthy, Diverse Economy: In addition to providing temporary housing and meals, HomewardBound provides services to the homeless to help them towards self-sufficiency, thereby improving their lives.

Board or Committee Recommendation: N/A

Financial Impact/Budget: Previously approved 2012 CDBG Budget

Legal issues: Subject to Subrecipient Agreement

Other issues: None

Previously presented or discussed:

City Council discussed and approved the allocation of CDBG funding to this project at its May 16, 2012 meeting.

Attachments:

1. Amendment as Advertised for Public Comment
2. Letter and Information from HomewardBound of the Grand Valley
3. Exhibit A, Subrecipient Agreement – HomewardBound of the Grand Valley

ATTACHMENT 1

USER PROJECT

ORIGINAL PROJECT 2012-07

Project Title HomewardBound of the Grand Valley
Property Acquisition for Community Homeless Shelter Relocation

Description HomewardBound will acquire a property, with or without an existing building, for purposes of relocating the Community Homeless Shelter

Project ID --
Local ID 2012-07

Activity Real Property Acquisition

Funding

Community Development (CDBG)	\$109,971
Homeless (ESG)	\$ 0
Housing (HOME)	\$ 0
HIV/AIDS (HOPWA)	\$ 0
Other Funding	\$ TBD
TOTAL	\$Estimate 2.4 million

Prior Funding \$ 0

Eligibility

Type of Recipient Private Non-Profit

Performance Completion of property acquisition

Location Type **Address**
TBD

ATTACHMENT 1 / page 2

USER PROJECT

AMENDED PROJECT 2012-07

Project Title HomewardBound of the Grand Valley
Community Homeless Shelter Remodel

Description HomewardBound will complete
several remodel

projects at the existing Community Homeless Shelter including
improving the bathroom and shower areas,
improving administration and storage areas and making
minor repairs to the electrical and structural systems.

Project ID --

Local ID 2012-07

Activity Rehabilitation/Capital Construction

Funding

Community Development (CDBG) \$109,971

Homeless (ESG) \$ 0

Housing (HOME) \$ 0

HIV/AIDS (HOPWA) \$ 0

Other Funding \$ 42,308

TOTAL \$152,279

Prior Funding 0

Eligibility

Type of Recipient Private, Non-Profit

Performance Completion of remodel construction

Location Type Address

2853 North Avenue

ATTACHMENT 2



April 25, 2013

Ms. Kristen K. Ashbeck, AICP
Senior Planner
250 N. 5th Street
Grand Junction, CO 81501

Re: 2012 Community Development Block Grant - Status Update and Scope Modification Request

Dear Ms. Ashbeck:

This letter is in follow-up on our meeting of April 17, 2013 where we discussed the 2012 Community Development Block Grant ("CDBG") currently allocated to HomewardBound of the Grand Valley ("HBGV") for the specific use of acquisition of a new facility.

As we discussed in detail, HBGV has recently retained the architectural services of Design Specialists and Genesis Designs, two local architectural firms that have joined together for this project to assist us in developing a comprehensive plan for our facilities and provision of services to the community. This comprehensive planning project is being referred to as a "Guided Growth Plan". The Guided Growth Plan will focus on developing the conceptual plans and operational elements for the addition of a new family center. Our current North Avenue facility will continue to be utilized as the shelter for individuals and our plans call for conducting some refurbishment work to more effectively serve these homeless individuals. The Guided Growth Plan is currently underway and is scheduled to be completed no later than June 15, 2013. As a result of undertaking this Guided Growth Plan Project, HBGV did not submit an application for 2013 CDBG funding, knowing we were not in a position at this time to effectively utilize this potential funding. We will certainly consider future CDBG funding as a part of this overall planning initiative and look forward to working with you in that regard for the proposed Family Center project.

The Guided Growth Plan for the HBGV Family Center Project is envisioned to provide an overall plan for developing the facilities that will separate homeless families in our community from homeless individuals. We firmly believe this is necessary in order to create an atmosphere that allows these families in need to foster family unity, build on family strengths, and provide space for integration with community partners to utilize their strength and resources. This will provide homeless families with a first step in aiding them to regain their strength, stability and have access to the resources that will enable a transition to self-sufficiency.

In order to continue providing adequate opportunities for homeless individuals in our community to also move toward self-sufficiency, we believe that it is necessary to undertake several refurbishment projects here in our existing North Avenue facility. Our current refurbishment needs include improving our restroom and shower areas, improving our administrative and storage spaces, and several other minor

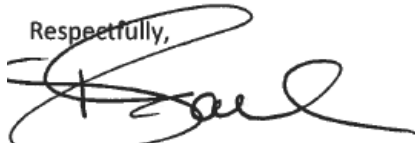
ATTACHMENT 2 / page 2

electric and structural improvements to bring the facility back to an efficient, safe and fully functional facility.

In that vein, we are requesting that an amendment to the current CDBG Grant be submitted to the City and the Department of Housing and Urban Development that would allow the use of the currently allocated 2012 grant funds of \$109,971 for North Avenue facility renovations. Upon approval of this amendment we would immediately begin the process of bidding for the work with a target date of completing all such work prior to December 31, 2013. In order to further support approval of this amendment, we can provide under separate cover, further details and cost breakdowns of how the 2012 CDBG funds would be allocated to these renovations. In addition, we would offer to appear before the City Council to provide them with an update on both the Guided Growth Plan and details of the requested renovation funding.

We would like to thank you for considering our request to amend the scope of the 2012 CDBG funding and for all your support in enabling our organization to provide services to the homeless families and individuals here in Grand Junction. Please let us know if we can provide you with additional information to move this request to the next steps.

Respectfully,

A handwritten signature in black ink, appearing to read "Douglas A. Karl", written over a horizontal line.

Douglas A. Karl
Executive Director

cc: HomewardBound of the Grand Valley Board of Directors



**ATTACHMENT 3
2012 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS WITH
HomewardBound of the Grand Valley**

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, \$109,971.00 from its 2012 Program Year CDBG Entitlement Funds for the remodel of the Community Homeless Shelter building and owned and operated by HomewardBound of the Grand Valley located at 2853 North Avenue in Grand Junction, Colorado ("Property") primarily to improve safety and health concerns within the building and on the site.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.208(a)). It shall meet this objective by providing the above-referenced services to low/moderate income and homeless persons in Grand Junction, Colorado. In addition, this project meets CDBG eligibility requirements under section 570.201(e), Public Services.
3. The project consists of capital construction/improvement to the building at 2853 North Avenue. HomewardBound operates the Community Homeless Shelter at this location. Since plans to expand the shelter have been withdrawn, there are urgent and critical capital repairs/improvements needed for the existing building and site in order to continue operating a safe and healthy shelter primarily including 1) remodel the men's and women's restrooms/shower facilities; and 2) remodel administrative offices. The property is owned by HomewardBound of the Grand Valley, which will continue to operate the facility. It is understood that the City's grant of \$109,971 in CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project or costs above the grant amount shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2012 Subrecipient Agreement and the completion of all appropriate environmental, Code, State and Local permit review and approval and compliance. The project shall be completed on or before March 31, 2014.

_____ HomewardBound

_____ City of Grand Junction

5. The total project budget for the improvements to be funded with CDBG is as listed below. Maximum CDBG funding is \$109,971. Remainder shall be paid by HomewardBound.
 - Restroom Remodel & Kitchen Upgrade \$107,676
 - Administrative Offices Remodel \$20,873
 - Lease Modular Office Space \$10,179
 - Electrical & Mechanical Upgrades \$8,064
 - Roof & Parking Lot Repair \$5,487
6. The Community Homeless Shelter provides services to approximately 1,000 unduplicated persons each year.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the date of completion of the project the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the City's \$109,971 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

____ HomewardBound
 ____ City of Grand Junction



Attach 7

CITY COUNCIL AGENDA ITEM

Date: June 24, 2013
 Author: Traci Wieland
 Title/ Phone Ext: Recreation
Supt./3846
 Proposed Schedule: July 3, 2013
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Subject: Las Colonias Master Plan
Action Requested/Recommendation: Adopt Resolution Approving the Revised 2013 Las Colonias Master Plan
Presenter(s) Name & Title: Rob Schoeber, Parks and Recreation Director

Executive Summary:

Parks and Recreation is seeking approval of the 2013 Las Colonias Master Plan.

Background, Analysis and Options:

Las Colonias Park, a 101 acre parcel on the edge of the Colorado River south of downtown, was deeded to the City of Grand Junction in 1997 from the State of Colorado after the mill tailings cleanup was completed. The site has cultural and historical significance because of “Las Colonias”, the colonies of people who worked in the orchards and sugar beet fields who once resided on the site.

Las Colonias Park was originally master planned in 1998. Construction of the Riverside Parkway, which started in 2006, impacted that original master plan so it was revised in 2008. That master plan included a footprint for a 75,000 square foot civic facility as well as a dog park, natural areas, playgrounds, picnic areas, a festival area/amphitheater, and trails. In 2012, City Council directed Parks and Recreation to again revise the existing master plan because of changing priorities among user and community groups.

A group of key stakeholders was convened to guide the master planning process in April of 2012. This group included representatives from the Riverfront Commission, Western Colorado Botanical Gardens, Tamarisk Coalition, Grand Valley Disc Golf Club, and Grand Junction Lions Club. This group rated components and phases of the 2008 master plan offering critical feedback about a direction the most recent revision should take. The group met routinely for the remainder of 2012. In December 2012, a committee of City staff, comprised of Parks and Recreation, Engineering, Neighborhood Services, and Finance, was developed to work directly with Ciavonne, Roberts, & Associates to incorporate the feedback from the stakeholders into a conceptual master

plan. In addition, the committee has been working very closely with representatives from the Department of Energy, Colorado Department of Public Health and Environment, US Fish and Wildlife, and US Army Corps of Engineers. These entities will remain closely involved in the project as approvals and permits will be required throughout the park's development.

The 2013 Las Colonias Master Plan includes many of the passive amenities found in the original and 2008 master plan; however, the locations, sizes, access points, and relativity to other amenities has been further refined and enhanced through this process. Major components include:

- A western entrance into the park with shared parking for Western Colorado Botanical Gardens and any future educational developments, an 18 hole disc golf course on Watson Island, additional trail connections, park shelter/restroom, and play features.
- An amphitheater with sloped lawn seating for small events of 1,000 or large events of 10,000 with a stage, multipurpose rooms, developed plaza areas for tickets, restrooms, and vendors, a park shelter/restroom with play features, and paved/native grass parking areas.
- A multipurpose/festival grounds area for informal neighborhood play or festival use as well as a park shelter/restroom.
- A wetlands area with several cascading ponds, trails, picnic tables, fenced dog park, and an irrigation system. Area includes several parking areas, a restroom/shelter, boat launch and parking, as well as several hundred additional native grass parking spaces.

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.

Any suggested improvements at the currently undeveloped site would enhance the visual appeal from the Orchard Mesa neighborhoods as well as those using the Riverfront Trail through the park.

Goal 10: Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and recreational purposes.

Once developed, Las Colonias Park will be one of the City's largest parks serving neighborhood and regional uses. The park would provide numerous passive park amenities not currently found in any other park, especially a park with riverfront access.

Board or Committee Recommendation:

Parks and Recreation Advisory Board reviewed this master plan on May 4, 2013 and recommended approval.

Financial Impact/Budget:

Master Plan/Development Funding - Parkland Expansion Fund

Planning	\$ 30,000
Development	250,000
Lions Club Donation*	<u>64,000</u>
Total	\$344,000

Development costs for the park are broken down into twelve phases, many of which can be combined based on available funding. Total development costs for the park are estimated at \$13 million although actual costs will vary depending upon the degree to which each phase is developed.

*The Grand Junction Lions Club donated \$64,000 in January of 2013 as a first payment toward a six-year \$300,000 total donation to the overall project. These funds can be leveraged to acquire additional grant funds.

Legal issues:

NA

Other issues:

NA

Previously presented or discussed:

The master planning process was discussed at City Council workshops on March 18, 2013, April 29, 2013, and June 17, 2013.

Attachments:

Proposed Resolution
2013 Las Colonias Park Master Plan

RESOLUTION NO. __-13

A RESOLUTION ADOPTING THE LAS COLONIAS MASTER PLAN

Based on changing user group priorities and a renewed interest in developing the site, the 2008 Las Colonias Master Plan was revised. The plan was prepared by City staff and Ciavonne, Roberts, and Associates.

The plan has been reviewed by a group of local stakeholders and the community and was met with positive feedback regarding the conceptual plan. The plan was also reviewed by the Parks and Recreation Advisory Board on May 2, 2013 and was recommended for approval.

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

The Las Colonias Master Plan, prepared by City staff and Ciavonne, Roberts, and Associates, and recommended for approval by the Grand Junction Parks and Recreation Advisory Board, be adopted by the Grand Junction City Council.

Passed and adopted this _____ day of _____, 2013.

President of the Council

ATTEST:

City Clerk

Las Colonias Park Master Plan



June 2013

Introduction

Las Colonias Park, a 101 acre parcel on the edge of the Colorado River south of downtown, was deeded to the City of Grand Junction in 1997 from the State of Colorado after the mill tailings cleanup was completed. The site has cultural and historical significance because of “Las Colonias”, the colonies of people who worked in the orchards and sugar beet fields who once resided on the site. A naming contest was once held to find a name for the park, and it was determined it would be named after the colonies of people who resided there. After the sugar beet industry died, the site was used as a collection stockpile site for uranium mill tailings. Many residents refer to the site as the Climax Mill Tailing site.

The site is largely vacant, with the exception of a segment of the Riverfront Trail system that passes through the site. The Riverfront Trail System is an extensive trail network that extends through the valley along the Colorado River corridor, providing a valued amenity for recreationalists and commuters. Las Colonias Park is envisioned as a "jewel" in the “string of pearls” once envisioned for this area.

Las Colonias Park was originally master planned in 1998. Construction of the Riverside Parkway, which started in 2006, impacted that original master plan so it was revised in 2008. That master plan included a footprint for a 75,000 square foot civic facility as well as a dog park, natural areas, playgrounds, picnic areas, a festival area/amphitheater, and trails. In 2012, City Council directed Parks and Recreation to again revise the existing master plan.

Project Goals

A committee of City staff, comprised of Parks and Recreation, Engineering, Neighborhood Services, and Finance, was developed to work directly with Ciavonne, Roberts, & Associates. The project goals were to:

1. Revise the 2008 master plan to address changing priorities among user and community groups.
2. Maintain the overall passive theme of the first two master plans.
3. Involve the stakeholders in the initial discussions to help determine a “roadmap” for the revision.
4. Conduct additional community participation processes.
5. Develop a conceptual design and phasing options.
6. Develop cost estimates for development and ongoing maintenance.
7. Develop and utilize an internal City employee team to lead the master planning process.

The committee worked very closely with representatives from the Department of Energy, Colorado Department of Public Health and Environment, US Fish and Wildlife, and US Army Corps of Engineers. These entities will remain closely involved in the project as approvals and permits will be required throughout the park’s development.

Stakeholder Involvement

A group of key stakeholders was convened to guide the master planning process in April of 2012. This group included representatives from the Riverfront Commission, Western Colorado Botanical Gardens, Tamarisk Coalition, Grand Valley Disc Golf Club, and Grand Junction Lions Club. This group rated components and phases of the 2008 master plan offering critical feedback about a direction the most recent revision should take. The group met routinely for the remainder of 2012. The following is a summary of their feedback and comments regarding the direction of the 2013 revision.

High

Parking – West
Disc Golf
Dog Park
Restroom Facilities – West
Amphitheatre

Medium

Additional Trails
Developed Vendor Area
Open Turf Area – Passive
Controlled Water Slue

Low

Kayak Park

Other Amenities Rated But Not Ranked

High/Medium/Low

Playground
Educational Native Arboretum
Picnic Shelters – East
Picnic Shelters – Small Group
Sport Courts - Basketball, Volleyball, Etc.
Sport Fields - Soccer, Football, Etc.
Other - Revegetation w/Native Elements
Other - Large Open Festival Area
Safety Fencing During Run Off
Civic Center/Recreation Center
Boardwalk
Lighted Trails
Picnic Shelters – Large
Restroom Facilities - East

Comments

- Important that new vegetation doesn't create "campsites".
- Native grasses closer to river, but landscape for amphitheater, picnic, and park areas.
- Plant trees for shade.
- Area can't be all bluegrass.
- Improve condition of Watson Island to tie in with disc golf and new park complex. This would be a nice compliment and support of the new brewery.
- More public will use the park. Start the increase in usage on the west end near Watson Island and Botanical Gardens.
- Parking access is important for individual use and large amphitheater events.
- Dog parks always bring people.
- Water feature could be the "creek" with water flow that kids can play in or a water park/kayak park in the river.
- Need larger amphitheater in central GJ that will accommodate large event (4000-5000 people).
- Compliment to downtown - help keep/bring visitors and users to the great downtown area.
- Other park/civic development and development of Kannah Creek and the Botanical Gardens together with the other efforts will likely increase the desire of developers to begin projects.

Park Program Elements

The 2013 Las Colonias Master Plan includes many of the passive amenities found in the original and 2008 master plan; however, the locations, sizes, access points, and relativity to other amenities has been further refined and enhanced through this process. Major components include:

- A western entrance into the park with shared parking for Western Colorado Botanical Gardens and any future educational developments, an 18 hole disc golf course on Watson Island, additional trail connections, park shelter/restroom, and play features.
- An amphitheater with sloped lawn seating for small events of 1,000 or large event of 10,000 with a stage, multipurpose rooms, developed plaza areas for tickets, restrooms, and vendors, a park shelter/restroom with play features, and paved/native grass parking areas.
- A multipurpose/festival grounds area for informal neighborhood play or festival use as well as a park shelter/restroom.
- A wetlands area with several cascading ponds, trails, picnic tables, fenced dog park, and an irrigation system. Area includes several parking areas, a restroom/shelter, boat launch and parking, zip line, and several hundred additional native grass parking spaces. Irrigation includes an option to upgrade to a regional system to serve neighboring City owned properties currently on domestic water.

Public Process

A community meeting was held on April 10, 2013 at Two Rivers Convention Center with approximately 75 attendees. Participants reviewed the plans with staff that was present to answer questions and make notations. Written feedback was also available via a suggestion card.

In addition to the community meeting, presentations were made to the following groups:

Grand Junction Lions Club	Trail Hosts
Parks and Recreation Advisory Board	Arts and Culture Commission
Riverfront Commission	Grand River Mosquito Control District
Riverfront Foundation	Council on Aging
Urban Trails	Senior Recreation Center, Inc.
Master Gardeners	Western Colorado Conservation Corps
US Army Corps of Engineers	US Fish and Wildlife
Colorado Department of Public Health and Environment	

The master planning process was discussed at two city council workshops on March 18, 2013 and April 29, 2013. It was recommended for approval by the Parks and Recreation Advisory Board on May 2, 2013.

Phasing and Construction Cost Estimates

This master plan is well suited for phasing, allowing the park to grow and be developed based on levels of funding and potential grants. The following phasing options are listed from west to east, and the order listed bears no significance. Cost estimates include general conditions, testing, construction contingency, and design fees.

Native Arboretum

- Complete loop through North Channel
- Collaboration with Tamarisk Coalition revegetation
- Develop interpretive signage for native plant species
- Collaboration with Botanical Gardens for maintenance

Cost Estimate: \$92,000

Watson Island Disc Golf Course

- 18 hole disc golf course, more than likely relocated from Matchett Park to Watson Island
- Concrete tee pads and baskets in addition to some wood chip trails

Cost Estimate: \$15,000

Trailhead Phase

- Defines Botanical Gardens boundary allowing controlled access
- Allows use of existing trail as connection to Riverfront Trail
- 90 paved parking spaces

Cost Estimate: \$418,000

West Shelter Phase

- Restroom/Shelter and play features
- Pedestrian bridge across slough
- 140 paved parking spaces
- 115 native grass parking spaces
- Two trail connections, one through commercial property off of Struthers Avenue

Cost Estimate: \$1.5 million

Amphitheater Phase

- Relocate existing trail
- Import fill from other on-property excavation
- Includes multiple sub-phases

Cost Estimate: \$3.4 million

Middle Shelter Phase

- Relocate existing trail
- Import fill from other Construct one Parkway access
- Restroom/Shelter and play features
- 150 paved parking spaces

Cost Estimate: \$1.5 million

Riparian Restoration/Backwater Area

- Excavation to create backwater area

Cost Estimate: \$75,000

Overflow Parking Phase

- Relocate existing trail
- 250 paved parking spaces
- 500 native grass parking spaces

Cost Estimate: \$981,000

Multipurpose/Festival Area Phase

- Relocate existing trail
- Restroom/Shelter
- Multipurpose grass area for festival or other use
- Includes multiple hookups for water and electric

Cost Estimate: \$731,000

Ponds and Wetlands Phase

- Import fill from other excavation
- Sculpt ponds
- Road access to boat launch/maintenance
- Several small paved parking lots with 100 spaces
- 5 acre fenced dog park
- Irrigation for park and optional regional irrigation to Eagle Rim Park, Riverside Parkway, Botanical Gardens, and other properties to the west

Cost Estimate: \$3 million

Grass Parking Phase

- 300 native grass, overflow parking spaces
- Overnight camping opportunities for large events

Cost Estimate: \$130,000

Boat Launch Phase

- Restroom/Shelter
- Boat ramp

Cost Estimate: \$712,000

Zipline Phase

- Possible private-public partnership with local company to operate

Cost Estimate: \$403,000

Total Park Cost Estimate: \$13 million

Maintenance Cost Estimates

Maintenance of the park as it is developed is critical to several phases because of the size, nature, and technical nature of the phase. All estimates were developed using 2013 data. All personnel costs include an estimate for benefits.

Native Arboretum/Watson Island Disc Golf Course/Trailhead/West Shelter

- One 40 week seasonal employee, \$22,000, annual cost
- One service truck, \$23,000, one-time expense
- One utility vehicle, \$10,000, one-time expense
- Operational supplies and expenses, \$17,000, annual cost

Total Annual Cost Estimate: \$39,000

Total Start Up Cost Estimate: \$33,000

Ponds and Wetlands/Backwater Area/ Multipurpose Area/Overflow Parking/Grass Parking

- One full-time equipment operator, \$65,000, annual cost
- One 40 week seasonal employee, \$22,000, annual cost
- One service truck, \$23,000, one-time expense
- One storage building, \$8,000, one-time expense
- Operational supplies and expenses, \$15,000, annual cost

Total Annual Cost Estimate: \$102,000

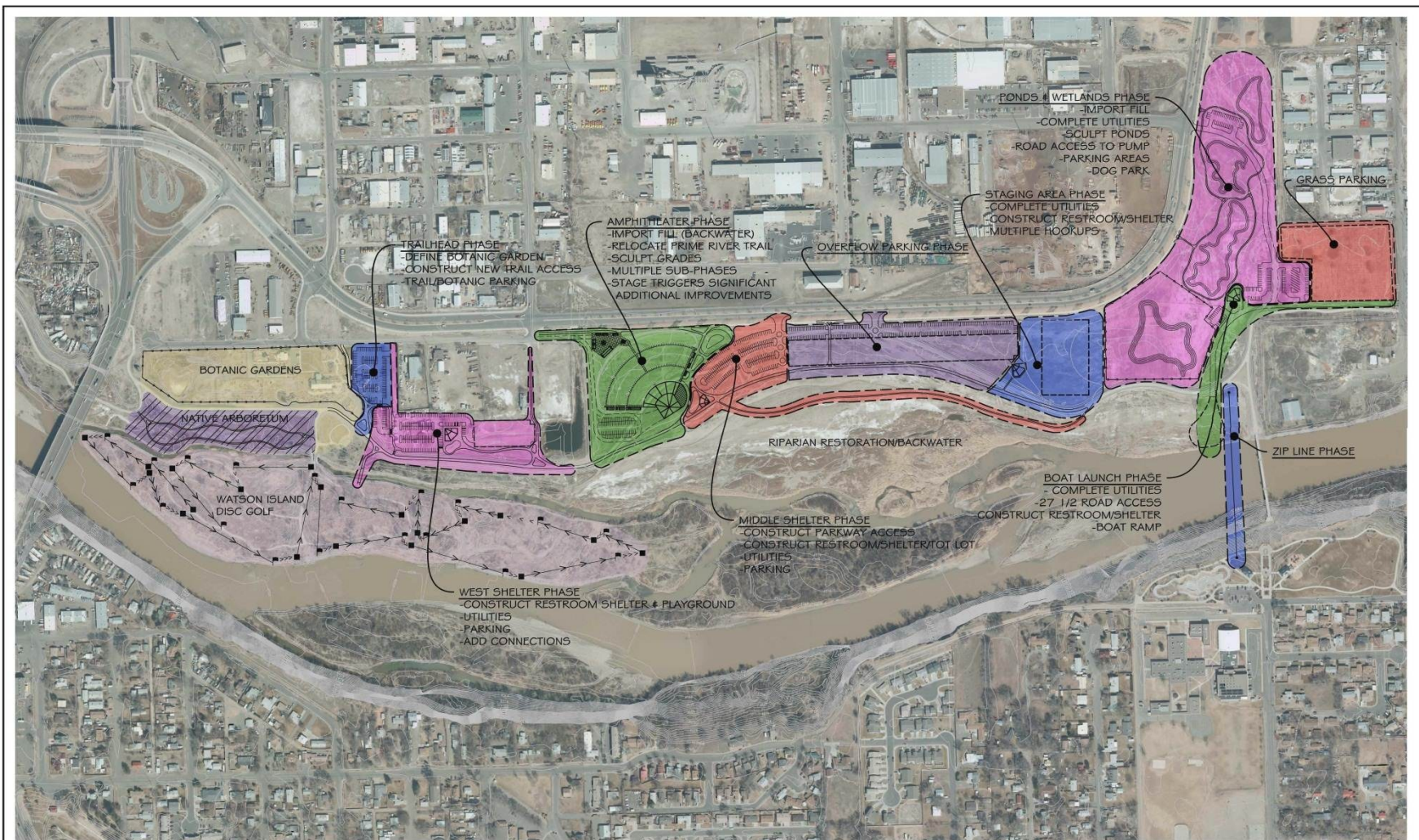
Total Start Up Cost Estimate: \$31,000

Amphitheater/Middle Shelter/Boat Launch/Zipline

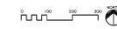
- One 40 week seasonal employee, \$22,000, annual cost
- Mowing equipment, \$75,000, one-time expense
- Operational supplies and expenses, \$15,000, annual cost

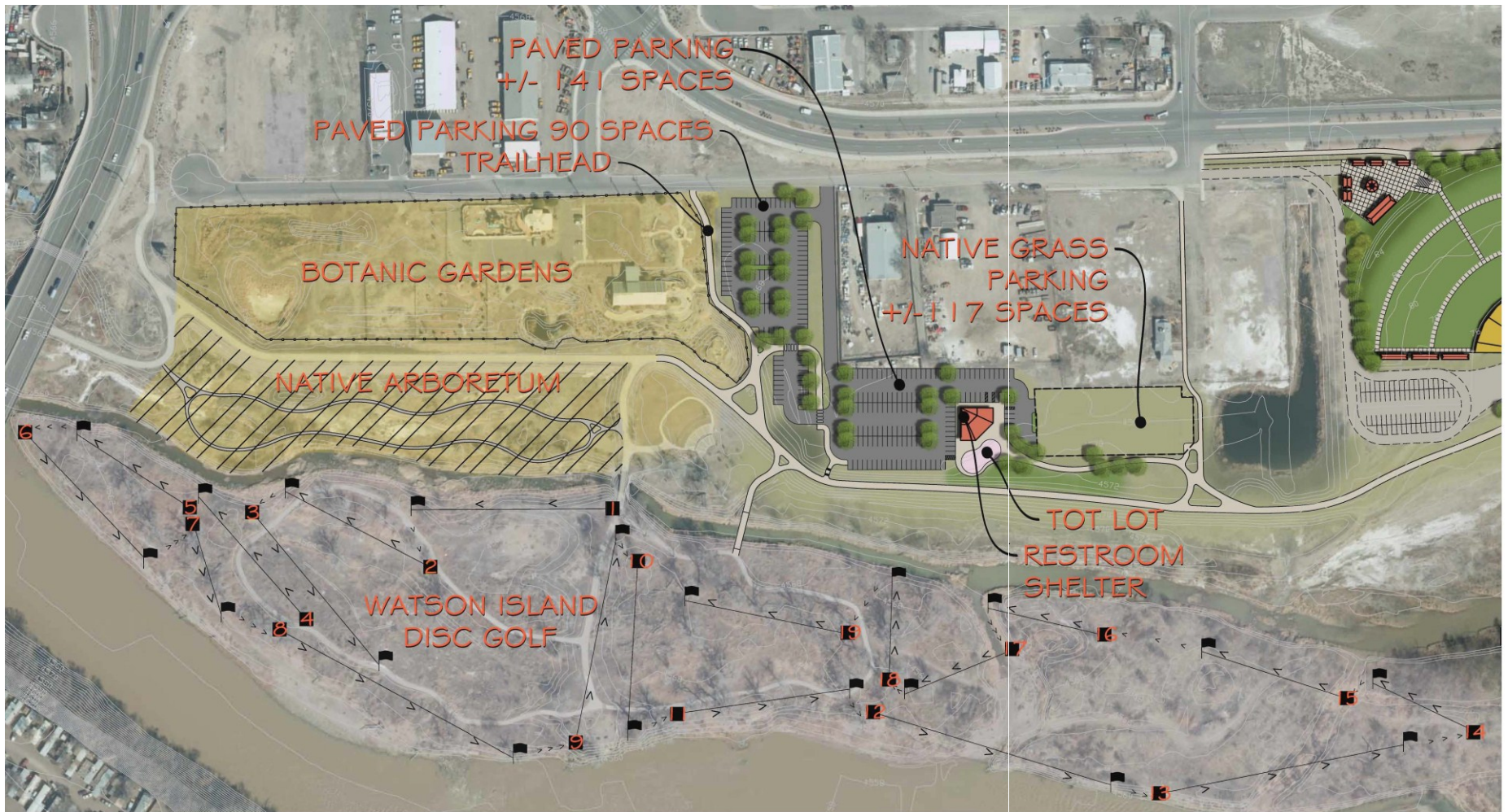
Total Annual Cost Estimate: \$37,000

Total Start Up Cost Estimate: \$75,000

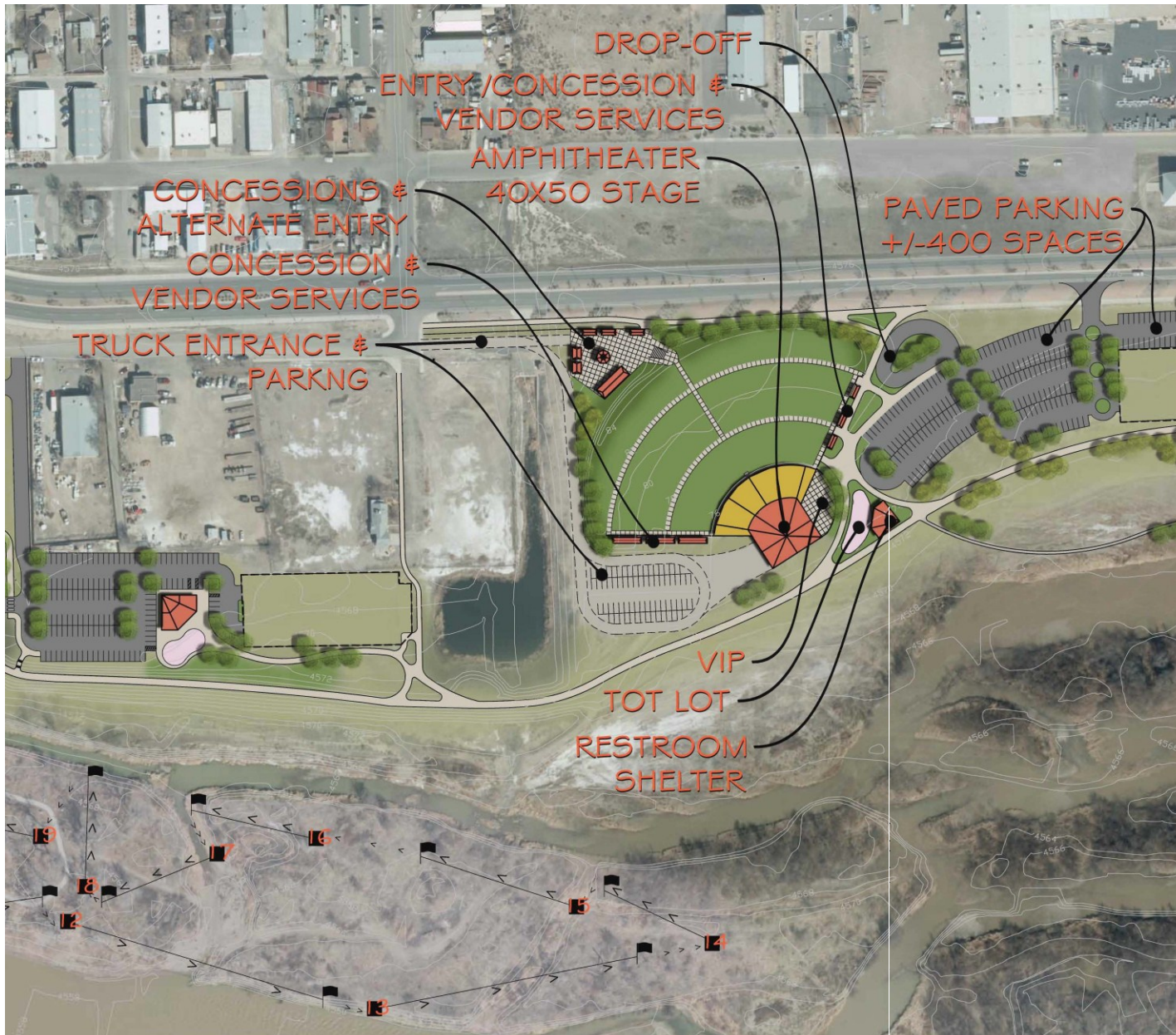


LAS COLONIAS - PHASING PLAN
 GRAND JUNCTION, COLORADO





West Shelter/Trailhead/Watson Island



Amphitheater



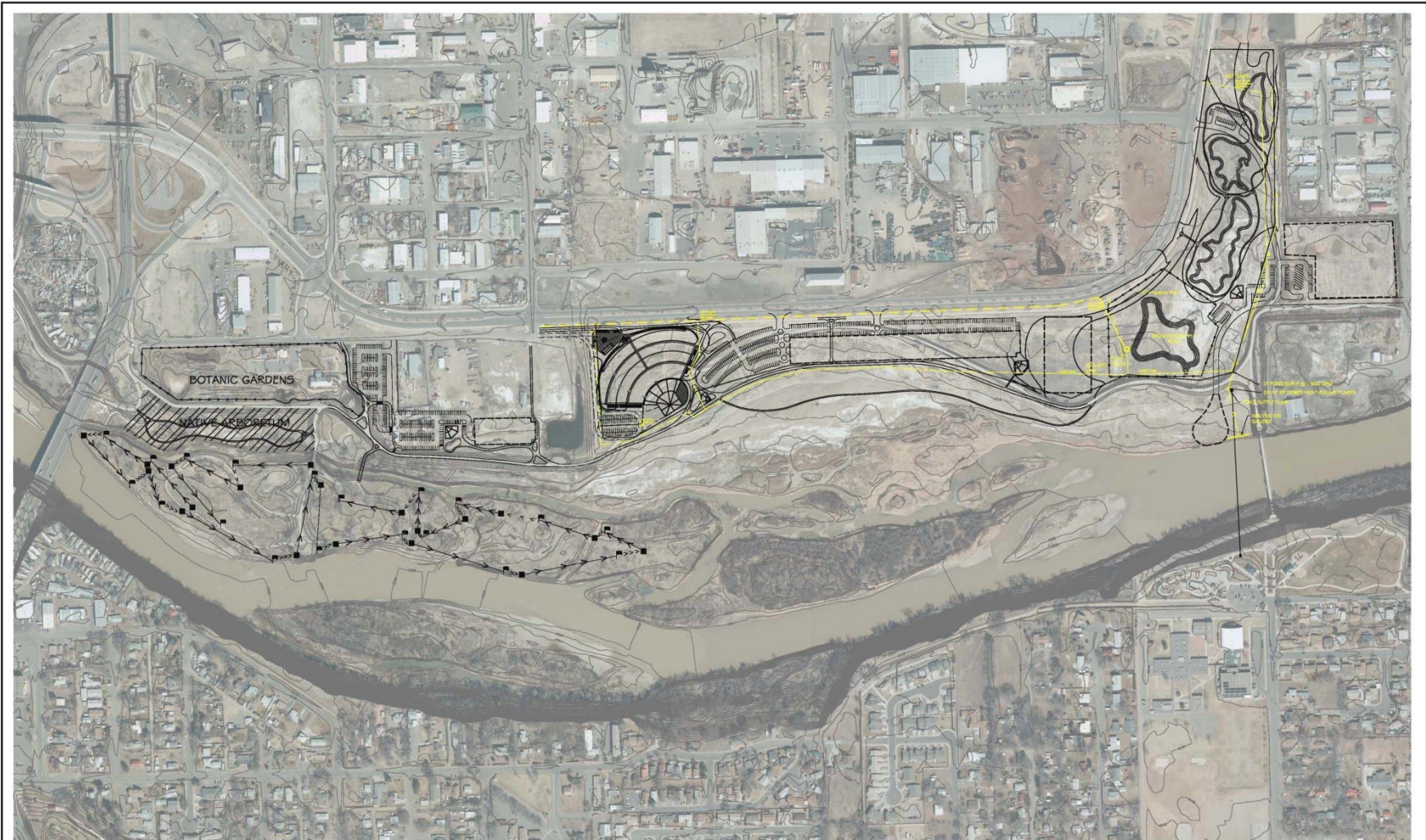
Backwater and Multi Use Area



Zipline/Boat Launch/Overflow Parking

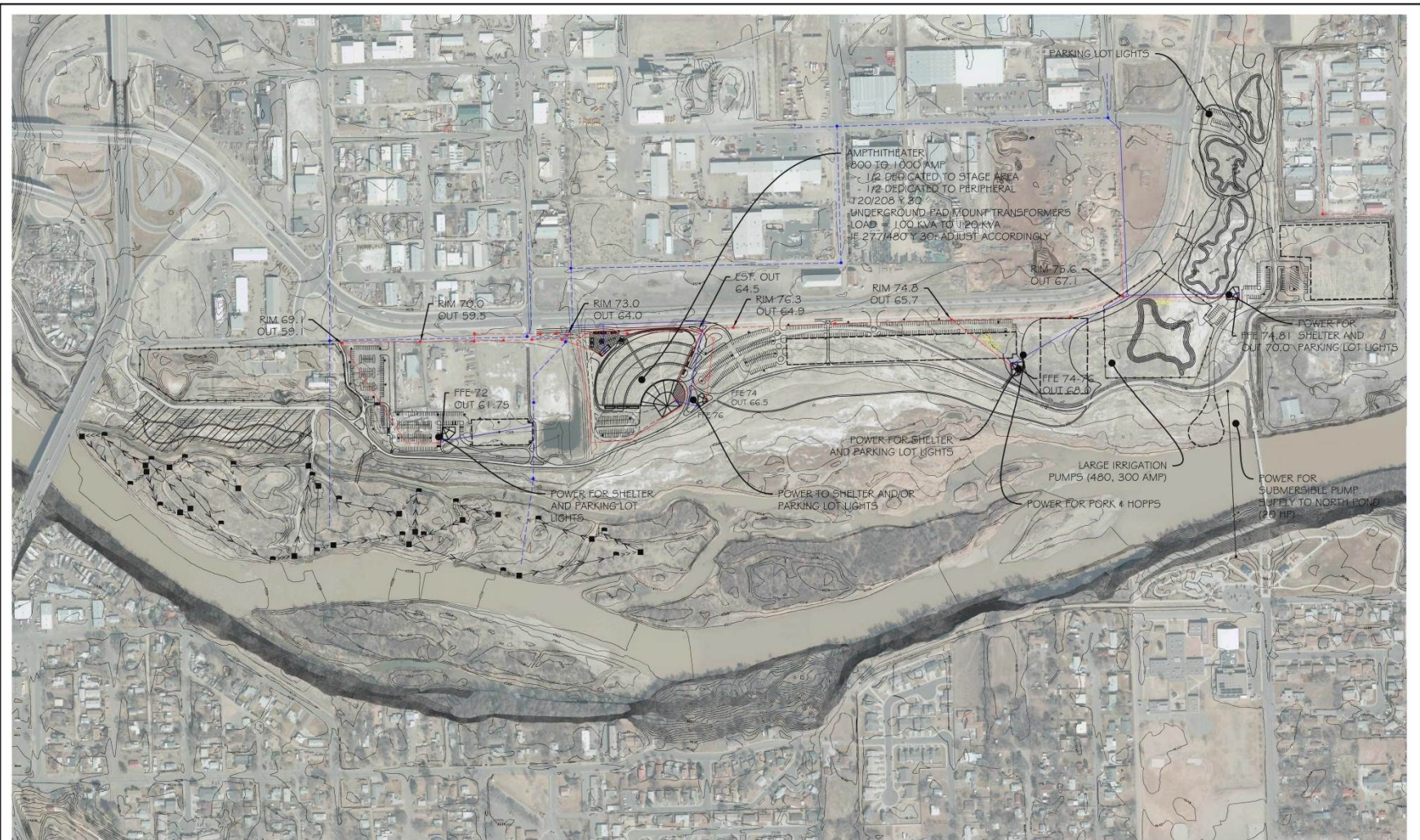


Wetlands and Dog Park



LAS COLONIAS - IRRIGATION PLAN
GRAND JUNCTION, COLORADO

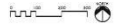




LAS COLONIAS - UTILITIES PLAN
 GRAND JUNCTION, COLORADO

LEGEND

- - - - - - EXISTING SANITARY SEWER
- - - - - - PROPOSED SANITARY SEWER
- - - - - - EXISTING CITY WATER
- - - - - - PROPOSED CITY WATER
- LIGHTS





Attach 8

CITY COUNCIL AGENDA ITEM

Date: June 25, 2013

Author: Kimberly Swindle

Title/ Phone Ext: Financial Analyst,
X5119

Proposed Schedule: July 3, 2013

2nd Reading

(if applicable): _____

File # (if applicable): _____

Subject: Application for U.S. Department of Justice Annual Justice Assistance Grant for Additional Audio/Video Equipment for Training for the Police Department

Action Requested/Recommendation: Allow for Public Comment and Authorize the City Manager to Apply for these Funds, and if Awarded, to Manage \$23,732

Presenter(s) Name & Title: John Camper, Police Chief
Jim Finlayson, Information Technology Director

Executive Summary:

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the U.S. Department of Justice to apply for an annual grant, which for 2013 is in the amount of \$23,732. If awarded, these funds will be used in combination with other funding sources to purchase audio/video equipment for the training room of the new Police building.

As part of the application process, the Bureau of Justice Assistance requires that City Council review and authorize receipt of the grant, and provide an opportunity for public comment. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

Background, Analysis and Options:

The Grand Junction Police Department has been the recipient of funding from this annual formula grant for many years and has benefitted from the funding for various projects. The funding level changes each year as the Bureau of Justice Assistance calculates, for each State and Territory, an allocation based upon the statutory JAG formula (U.S.C. 3755(d)(2)(B)). Funds received in prior years ranged from \$14,000 to \$254,568.

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

Goal 11: Public safety facilities and services for our citizens will be a priority in planning for growth.

These grant funds are being used to purchase state of the art audio visual equipment that will be placed in the new police facility. This equipment will contribute to a more efficient public facility.

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

This purchase will assist in supporting increasing police officer proficiency and the community's perception of safety. Lower crime rates and the community's perception of safety have an impact on the economy and its overall health.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

There will be no net impact to the General Fund associated with this request, however, \$23,732 will need to be appropriated with the related revenue budgeted in the revision process.

Legal issues:

None.

Other issues:

None.

Previously presented or discussed:

This is an annual formula grant application process, as has been done in previous years, and requires an opportunity for public comment and Council approval at the application phase.

Attachments:

None.



Date: June 20, 2013
Author: Scott D. Peterson
Title/ Phone Ext: Senior Planner/1447
Proposed Schedule: 1st Reading: June 19, 2013
2nd Reading: July 3, 2013
File #: VAC-2013-114

**Attach 9
CITY COUNCIL AGENDA ITEM**

Subject: Colorado Mesa University Right-of-Way Vacation, a Portion of the Intersection at Texas and Cannell Avenues
Action Requested/Recommendation: Hold a Public Hearing to Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Vacation Ordinance
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

Colorado Mesa University is requesting to vacate a portion of the intersection of Texas and Cannell Avenues with retention of a utility easement.

Background, Analysis and Options:

The applicant, Colorado Mesa University, wishes to vacate a portion of the Texas and Cannell Avenue intersection (1,048 sq. ft. – see attached vacation exhibit) in order to accommodate a new dormitory building for the campus which has been constructed within the existing right-of-way.

The surrounding properties are all owned by Colorado Mesa University and the proposed vacation of a portion of this intersection will not impede traffic, pedestrian movement or access along Cannell Avenue.

With the vacation, the City of Grand Junction (“City”) shall retain a Utility Easement to cover the existing water line, sanitary sewer and storm drain infrastructure that bisects the northern 25’ portion of the requested right-of-way vacation.

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

Vacating this excess right-of-way supports the University in their building expansion development, provides additional housing for college students, enhances a healthy, diverse economy and supports a vibrant City Center, therefore, the proposed right-of-way vacation implements and meets the following goals from the Comprehensive Plan:

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

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested right-of-way vacation at their June 11, 2013 meeting.

Financial Impact/Budget:

None.

Legal issues:

None.

Other issues:

None.

Previously presented or discussed:

First Reading of the Vacation Ordinance was June 19, 2013.

Attachments:

Staff Report / Background Information
Site Location Map / Aerial Photo Map
Comprehensive Plan Future Land Use Map / Existing Zoning Map
Right-of-Way Vacation Exhibit
Right-of-Way and Building Encroachment Exhibit
Ordinance

BACKGROUND INFORMATION					
Location:		Texas and Cannell Avenues, portion of intersection (1,048 +/- sq. ft.)			
Applicant:		Colorado Mesa University			
Existing Land Use:		City street right-of-way			
Proposed Land Use:		Colorado Mesa University dormitory building expansion			
Surrounding Land Use:	North	Colorado Mesa University properties			
	South	Colorado Mesa University properties			
	East	Colorado Mesa University properties			
	West	Colorado Mesa University properties			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)			
	South	R-8 (Residential – 8 du/ac)			
	East	R-8 (Residential – 8 du/ac)			
	West	R-8 (Residential – 8 du/ac)			
Future Land Use Designation:		Business Park Mixed Use			
Zoning within density range?		X	Yes		No

Section 21.02.100 of the Grand Junction Zoning and Development Code:

The vacation of a portion of the existing right-of-way shall conform to the following:

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

Granting the request to vacate a portion of the existing right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The proposed vacation would not impede traffic movement along Cannell Avenue. A Utility Easement will be retained to allow for the continuation and access of existing utilities as a condition of approval.

Therefore, this criterion has been met.

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

No parcels will be landlocked as a result of this vacation request. Texas Avenue right-of-way immediately to the east of the requested vacation area has been previously vacated (City Ordinance #4431) and easements granted for the existing utility infrastructure. A new Utility Easement will be retained with this application to allow for the continuation and access of existing utilities.

Therefore this criterion has been met.

- 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 will not be restricted to any parcel. All adjacent properties are owned by Colorado Mesa University and a Utility Easement will be retained to cover all existing utilities that are impacted by the proposed right-of-way vacation.

Therefore this criterion has been met.

- 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).*

There will be no adverse impacts on the health, safety and/or welfare of the general community. All adjacent properties are owned by Colorado Mesa University and a Utility Easement will be retained to cover all existing utilities that are impacted by the proposed right-of-way vacation. The area is part of the larger existing CMU campus with future changes or modifications to access, right-of-way and utility location changes anticipated. With the current and future expansion of the University campus, additional educational services and opportunities will be available to the community.

Therefore this criterion has been met.

- 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 Zoning and Development Code.*

The provision of adequate public facilities and services will not be inhibited to any property. All adjacent properties are owned by Colorado Mesa University and a Utility Easement will be retained to cover all existing utilities that are impacted by the proposed right-of-way vacation. No adverse comments concerning the proposed right-of-way vacation were received from the utility review agencies during the staff review process.

Therefore this criterion has been met.

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

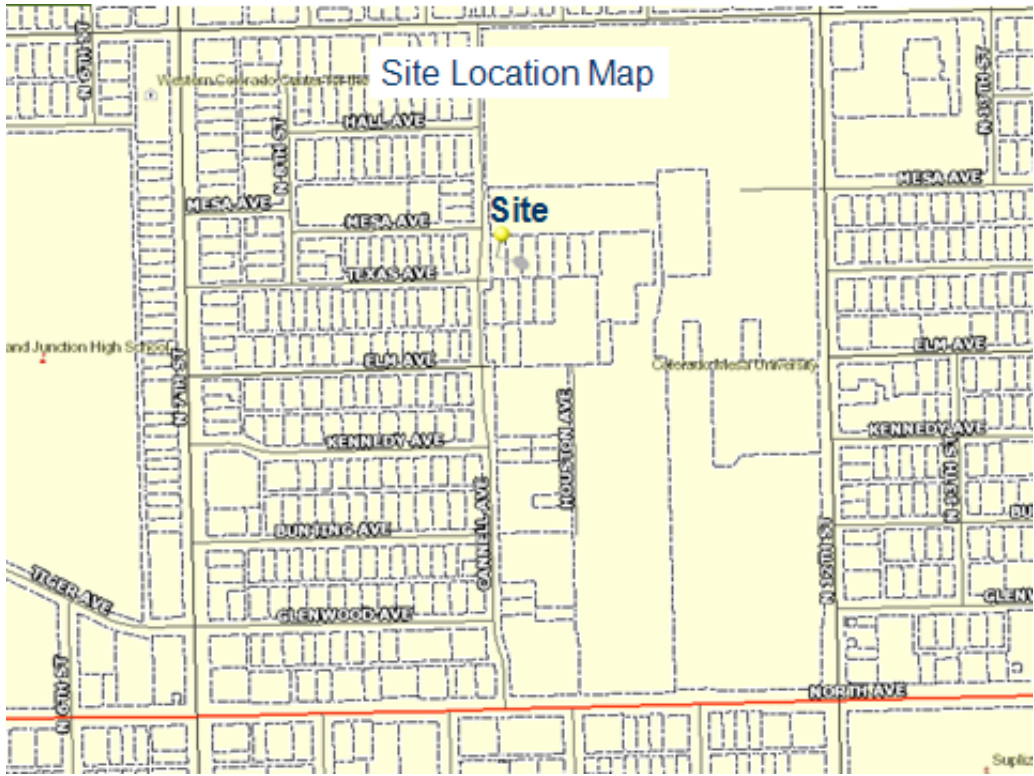
Maintenance requirements for the City will not change as a result of the proposed partial right-of-way vacation. A Utility Easement will be retained to allow for the continuation and access of existing utilities. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The right-of-way is already encumbered by CMU's new dormitory building, so vacation is needed by CMU as part of this campus expansion.

Therefore this criterion has been met.

PLANNING COMMISSION RECOMMENDATION:

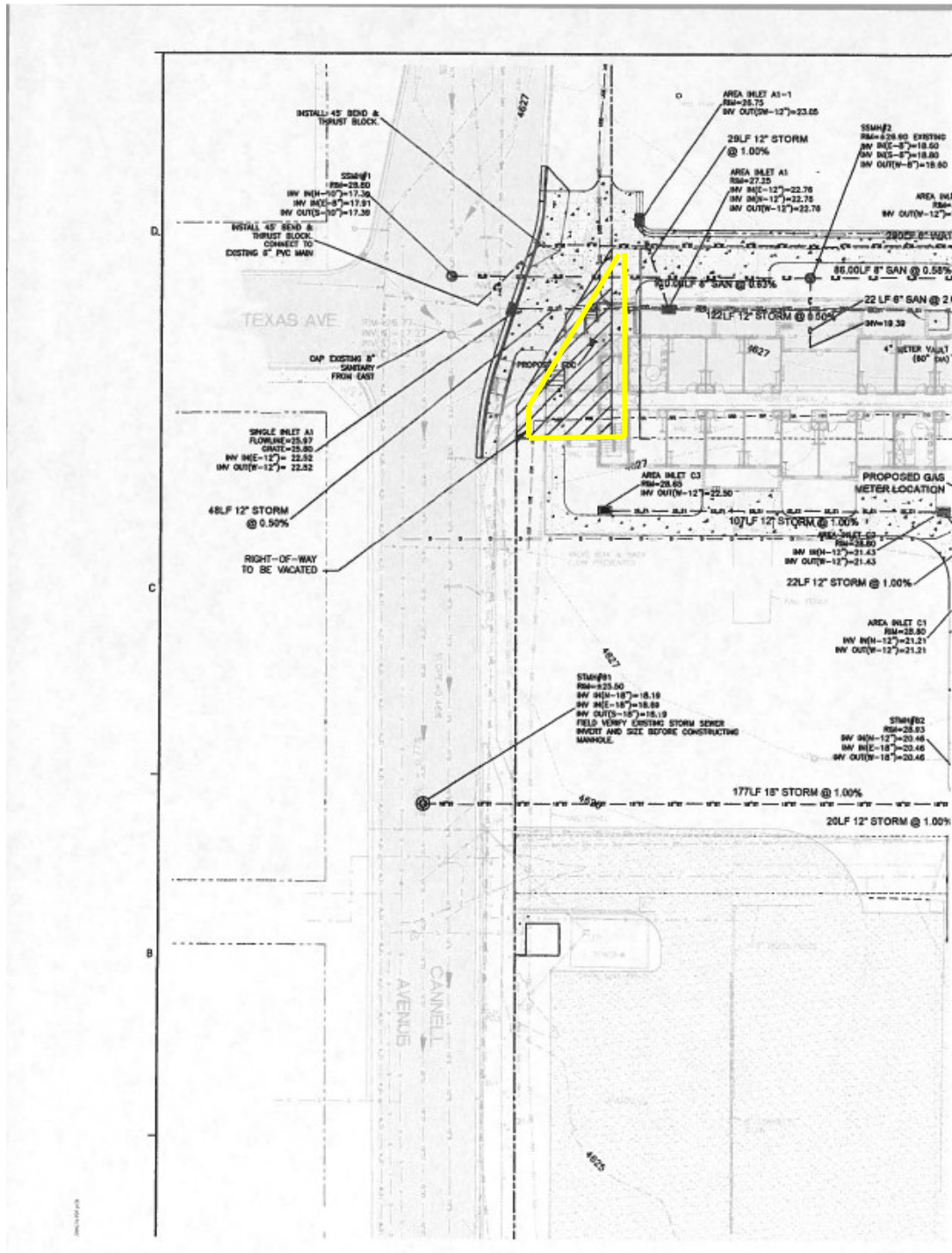
After reviewing the Colorado Mesa University application, VAC-2013-114 for the vacation of a portion of public right-of-way, the Planning Commission made the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 of the Grand Junction Zoning and Development Code have all been met, specifically items a through f.
3. With the vacation, the City retains a utility easement over the northern 25' to allow for the continuation and access of existing utility infrastructure.





Right-of-Way Vacation Exhibit:



CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING A PORTION OF THE TEXAS AND CANNELL AVENUES RIGHT-OF-WAY AND RETAINING A UTILITY EASEMENT OVER THE NORTHERN 25' LOCATED IN THE COLORADO MESA UNIVERSITY AREA

RECITALS:

Colorado Mesa University has requested the vacation of a portion of the Texas and Cannell Avenues intersection (1,048 sq. ft.) in order to accommodate a new dormitory building for the campus which has been constructed within the existing right-of-way.

The surrounding properties are all owned by Colorado Mesa University and the proposed vacation of a portion of this intersection will not impede traffic or public access along Cannell Avenue.

With the vacation, the City of Grand Junction ("City") reserves a utility easement over the northern 25' of the area for the existing water, sanitary sewer and storm drain infrastructure that bisects the northern portion of the requested right-of-way vacation.

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 Grand Junction Zoning and Development Code with the reservation of the utility easement as described within this ordinance.

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 with the retention of an easement for the utilities.

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

The following described dedicated right-of-way for is hereby vacated with an easement for utilities retained as described below:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A Portion of the Cannell Avenue Road Right-of-Way dedicated on the plat Garfield Park Subdivision as recorded in Plat Book 6 Page 23 of the Mesa County Records, situated in the Southeast Quarter of section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

Commencing at the City Block Monument at the intersection of Elm Avenue and Cannell Avenue whence the City Block Monument at the intersection of Texas Avenue and Cannell Avenue bears North 0 degrees 12 minutes 12 seconds West, a distance of 340.63 feet, with all bearings herein being relative thereto; thence along the East Right-of-Way line of Cannell Avenue North 0 degrees 12 minutes 12 seconds West, a distance of 300.50 feet to the POINT OF BEGINNING; thence North 0 degrees 12 minutes 12 seconds West, a distance of 10.00 feet; thence North 30 degrees 46 minutes 32 seconds East, a distance of 58.28 feet, to the Southwest corner Block 6 of Garfield Park Subdivision; thence South 0 degrees 08 minutes 27 seconds East, a distance of 60.00 feet, to the North line of South Garfield Park Subdivision; thence South 89 degrees 47 minutes 41 seconds West, a distance of 29.93 feet to the POINT OF BEGINNING.

And retaining a utility easement over the northerly 25' of this description for the purpose of installing, maintaining and repairing water, sanitary sewer and storm drainage structures and facilities.

Said parcel containing an area of 1,048 square feet more or less, as described herein and depicted on "EXHIBIT A"

Introduced for first reading on this 19th day of June, 2013 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2013 and ordered published in pamphlet form.

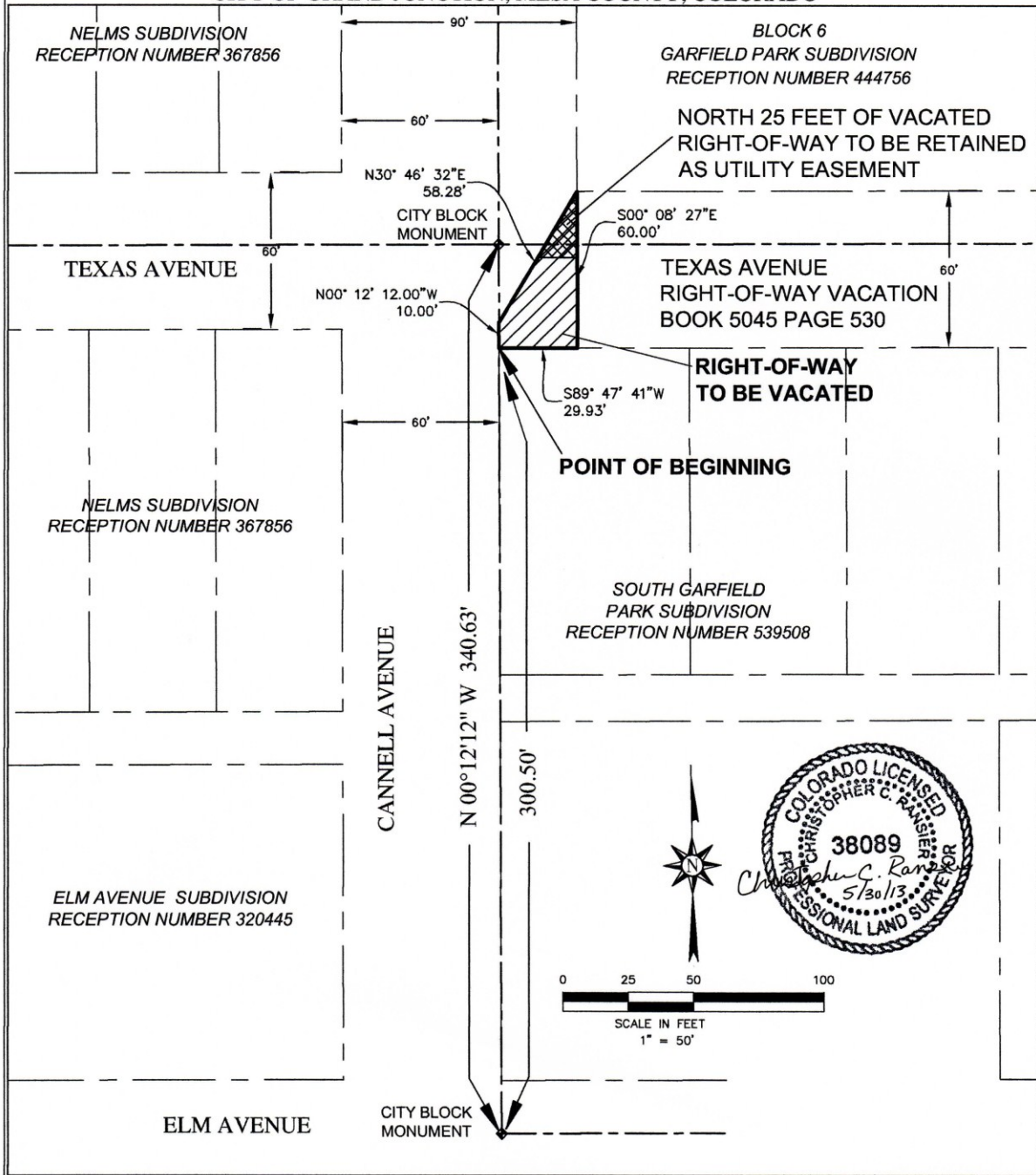
ATTEST:

President of City Council

City Clerk

EXHIBIT A

CANNELL AVENUE RIGHT-OF-WAY VACATION CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO





Attach 10

CITY COUNCIL AGENDA ITEM

Date: May 31, 2013
Author: Brian Rusche
Title/ Phone Ext: Senior
Planner/4058
Proposed Schedule: 1st Reading:
May 22, 2013 and June 19, 2013
2nd Reading: July 3, 2013
File #: ANX-2013-105

Subject: Heritage Church Annexation and Zoning, Located at 2935 Patterson Road
Action Requested/Recommendation: Adopt a Resolution Accepting the Petition for the Heritage Church Annexation, Hold a Public Hearing to Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Annexation and Zoning Ordinances
Presenter(s) Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to annex and zone the Heritage Church Annexation, 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. The requested zoning is an R-O (Residential Office) zone district.

Background, Analysis and Options:

The 0.84 acre Heritage Church Annexation consists of one parcel of 0.68 acres at 2935 Patterson Road and 0.16 acres (6940 square feet) of the 29 3/8 Road right-of-way. The property owner, Heritage Church of Grand Junction, has relocated and has requested annexation into the City and has requested the R-O zoning to market the property for a use other than a church.

Under the 1998 Persigo Agreement between the City and Mesa County, any proposed development within the Persigo 201 Boundary that requires a change in zoning is considered annexable. To facilitate marketing the property for a use other than a church, a rezoning is necessary and, therefore, the property must be annexed by the City of Grand Junction.

Land annexed to the City must be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the Comprehensive Plan. The Comprehensive Plan Future Land Use designation of the property is Residential Medium (4 -8 du/ac). The proposed zoning of R-O (Residential Office) will implement this land use designation and is consistent with the Comprehensive Plan.

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 in a manner that is consistent with the Comprehensive Plan.

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 and zoning provides an opportunity for redevelopment of a tax exempt property into a productive economic use.

Board or Committee Recommendation:

On May 28, 2013 the Planning Commission forwarded a recommendation of approval of the R-O (Residential Office) zone district.

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:

A Neighborhood Meeting was held on February 21, 2013. No citizens attended this meeting, only members of the church.

City Staff has received calls from residents of the adjacent neighborhoods inquiring about what uses could be allowed if the property is rezoned. The applicant is requesting the rezone solely to market the property. An R-O zone would allow professional offices, single or multifamily residential uses, including group living, as well as community services, such as daycare or religious assembly. An administrative review will be required to establish any new use, except for another church.

Previously presented or discussed:

A Resolution Referring the Petition for Annexation was adopted on May 22, 2013.

First Reading of the Zoning Ordinance was June 19, 2013.

Attachments:

1. Staff Report / Background Information
2. Annexation Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Acceptance Resolution
7. Annexation Ordinance
8. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2935 Patterson Road			
Applicants:		Heritage Church of Grand Junction			
Existing Land Use:		Church (vacant)			
Proposed Land Use:		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)			
	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.

Under the 1998 Persigo Agreement between the City and Mesa County, any proposed development within the Persigo 201 Boundary that requires a change in zoning is considered annexable. To facilitate marketing the property for a use other than a church, a rezoning is necessary and, therefore, the property must be annexed by the City of Grand Junction.

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:	Residential Medium (RM) Density (4-8 du/ac) Mixed Use Opportunity Corridor (Patterson Road)	
Values (2012):	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

ZONE OF ANNEXATION:

The property owner, Heritage Church of Grand Junction, is requesting the R-O zoning to market the property for a use other than a church. The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac), which would allow a Religious Assembly use, but few other nonresidential use(s). To facilitate marketing the property for a use other than a church, a rezoning is necessary. The consideration of the rezoning is concurrent with the annexation of the property.

Zone of Annexation

Land annexed to the City must be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the Comprehensive Plan.

The Comprehensive Plan Future Land Use designation of the property is Residential Medium (4 -8 du/ac). The proposed zoning of R-O (Residential Office) will implement this land use designation and is consistent with the Comprehensive Plan.

The property is also located within the Mixed Use Opportunity Corridor that extends the entire length of Patterson Road. The only zoning that implements the Mixed Use Opportunity Corridor is a Mixed-Use Form District, which the applicant has elected not to pursue at this time.

Neighborhood Meeting

A Neighborhood Meeting was held on February 21, 2013. No citizens attended this meeting, only members of the church.

City Staff has received calls from residents of the adjacent neighborhoods inquiring about what uses could be allowed if the property is rezoned. The applicant has not identified a buyer or tenant and is requesting the rezone solely to market the property. An R-O zone would allow professional offices, single or multifamily residential use, including group living, as well as community services, such as daycare or religious assembly. An administrative review will be required to establish any new use, except for another church

Section 21.02.140 (a) of the Grand Junction Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the R-O (Residential Office) zone district is consistent with the Future Land Use Map designation of Residential Medium (4-8 du/ac). The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac). Section 21.02.160(f) of the Grand Junction Zoning and Development Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

- (1) *Subsequent events have invalidated the original premises and findings.*

The Comprehensive Plan, adopted in 2010, designated the property as Residential Medium. This designation is unchanged from the 1996 Growth Plan designation.

The R-O (Residential Office) zone district has been available since 2000 as an option within the Residential Medium designation for use in transitional corridors between single-family residential and more intensive uses (according to the 2000 ZDC).

The applicant is requesting the R-O zoning to market the property for a use other than a church. The church has relocated and the property is in transition, having been a church for many years.

The Comprehensive Plan introduced a Mixed-Use Opportunity Corridor along Patterson Road, in order to implement Goal 3 of the Plan, which calls for spreading growth throughout the community. In particular, the Plan calls for the creation of opportunities to reduce trips and provide services within designated centers throughout the community. The Patterson Corridor is one of those areas.

This criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan.

The character of the adjacent neighborhoods consists of single-family residences built within the last two or three decades.

Recent development along Patterson Road includes the Maverik convenience store at the northwest corner of 29 ½ Road. A retail development has been proposed for the northeast corner of Patterson and 30 Roads.

The applicant is requesting the R-O zoning to market the property for a use other than a church. The church has relocated and the property is in transition, having been a church for many years.

This criterion has not been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed.

There are public utilities already connected to the existing building, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the City, and electricity from Xcel Energy (a franchise utility). Utility mains are adjacent to the subject parcel that can be utilized to facilitate new use(s) or construction that may occur as a result of the proposed zoning.

The property is a corner lot, with full-motion access to Patterson Road, a major arterial, from 29 3/8 Road.

Community facilities, including four gas stations and a grocery store, restaurant(s), a bank, and other neighborhood facilities and uses are within one-quarter mile walking distance of the subject parcel.

This criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

The Purpose of the R-O Zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Examples of areas already zoned R-O include the 800 Block of Grand Avenue, several blocks on the eastern edge of Downtown, offices along N. 1st Street north of North Avenue on corner lots adjacent to residential subdivisions, and parcels near St. Mary's and Community Hospitals.

The R-O Zone is a unique zone within the City and allows professional offices and multifamily residential to join with single family residential uses and others that may be found in a residential zone, including group living, as well as community services, such as daycare or religious assembly. Though the R-O introduces nonresidential uses, it does not permit retail and does have specific architectural standards intended to make buildings compatible in scale and appearance to a residential environment. The existing church is an example of a building that is compatible with a residential environment.

Recently, parcels along Patterson Road, particularly in proximity to existing commercial uses, have been considered for rezoning to R-O on a case-by-case basis, including 602 N. 7th Street (RZN-2011-483) and 2674 Patterson Road (RZN-2012-408), both from R-4 to R-O.

The nearest existing R-O zone to the subject property is over one-half mile west at 2872 Patterson Road. This property is still a single-family residence, which is permitted in the R-O zone.

Recent development along Patterson Road includes the Maverik convenience store at the northwest corner of 29 1/2 Road. Other retail development has been proposed for the northeast corner at 30 Road. While there are commercial properties available for sale or lease throughout the community, there are no other properties along the corridor within one mile of the subject property for small scale office or service businesses that are not already devoted to that use.

As of May 7, 2013 there was a total of 97.65 acres of R-O zoned property within the City. This represents 1.8% of the total acreage zoned for non-residential development (planned developments excluded).

This criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed R-O zone would implement Goal 3, 6, and 12 of the Comprehensive Plan by creating an opportunity for appropriate reuse of the existing vacant building and/or an opportunity for redevelopment of a tax exempt property into a productive economic use.

This criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designations for the subject property.

- a. R-4 (Residential – 4 du/ac)
- b. R-5 (Residential – 5 du/ac)
- c. R-8 (Residential – 8 du/ac)
- d. R-12 (Residential – 12 du/ac)
- e. R-16 (Residential – 16 du/ac)
- f. MXR-3, 5 (Mixed Use Residential)
- g. MXG-3, 5 (Mixed Use General)
- h. MXS-3, 5 (Mixed Use Shopfront)

While the previous use of the building as a church (Religious Assembly) is permitted in all Residential zone districts, the applicant would like to market the property for uses other than a church. The R-4 through R-16 zones are inconsistent with the applicant's request, since a church use would not require annexation into the City.

The Mixed Use districts are considered form-based zones which emphasize buildings close to the sidewalk and a mix of uses. While the existing structure does not meet these standards, the Code does permit incremental improvements to the property so long as they bring the property closer to conformance with the standards of the zone. The Mixed Use districts, as evidenced by its name, permit a variety of uses, including retail and entertainment. These uses may not be compatible with the adjacent single-family development.

The purpose of the R-O Zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings

compatible and complementary in scale and appearance to a residential environment. This niche of land uses is underrepresented east of 29 Road, an area which is largely developed with single-family residences. It is my professional opinion that introducing the R-O zone to this property will achieve not only the goals of the Comprehensive Plan but will provide a suitable transition for this property that, through its established development standards provides compatibility with the adjacent neighborhood.

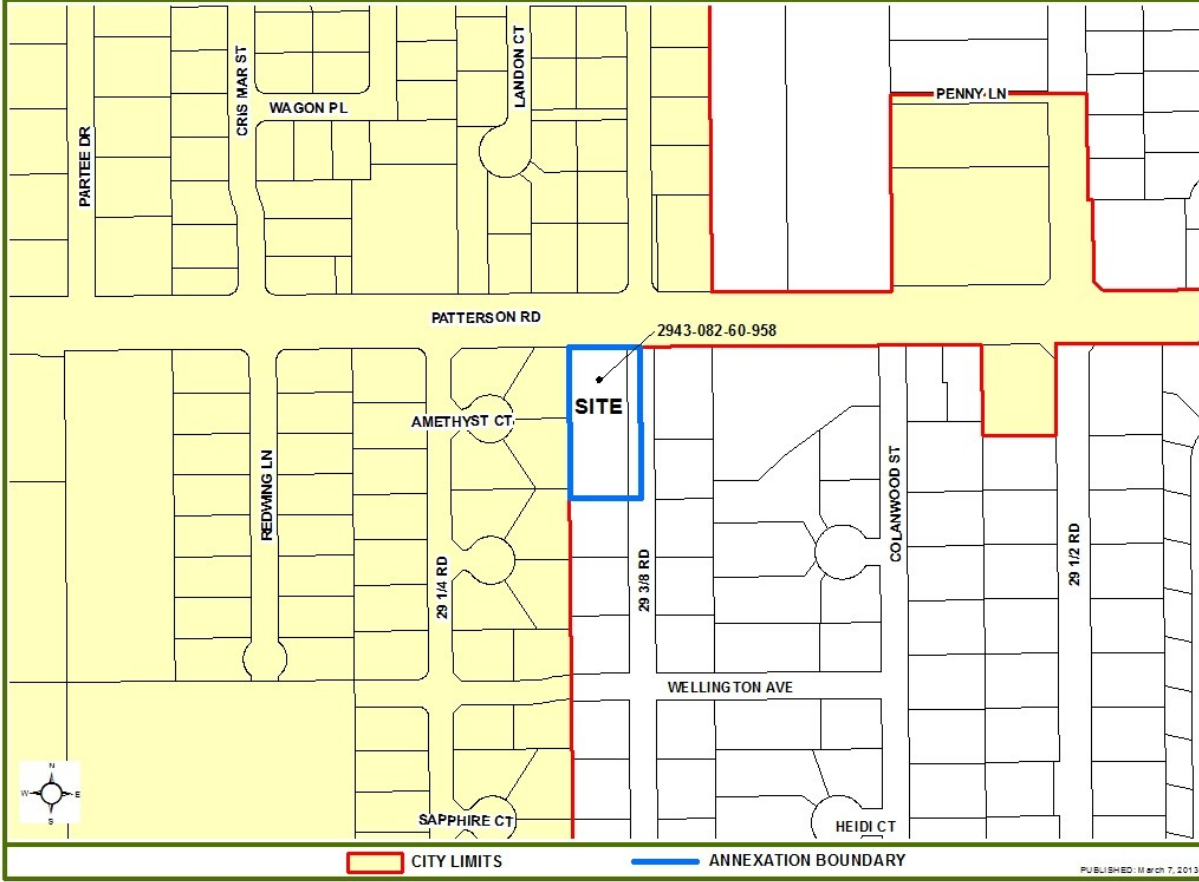
If the City Council chooses to approve an alternative zone designation, specific alternative findings must be made as to why the City Council is choosing an alternative zone designation.

PLANNING COMMISSION RECOMMENDATION:

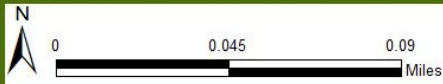
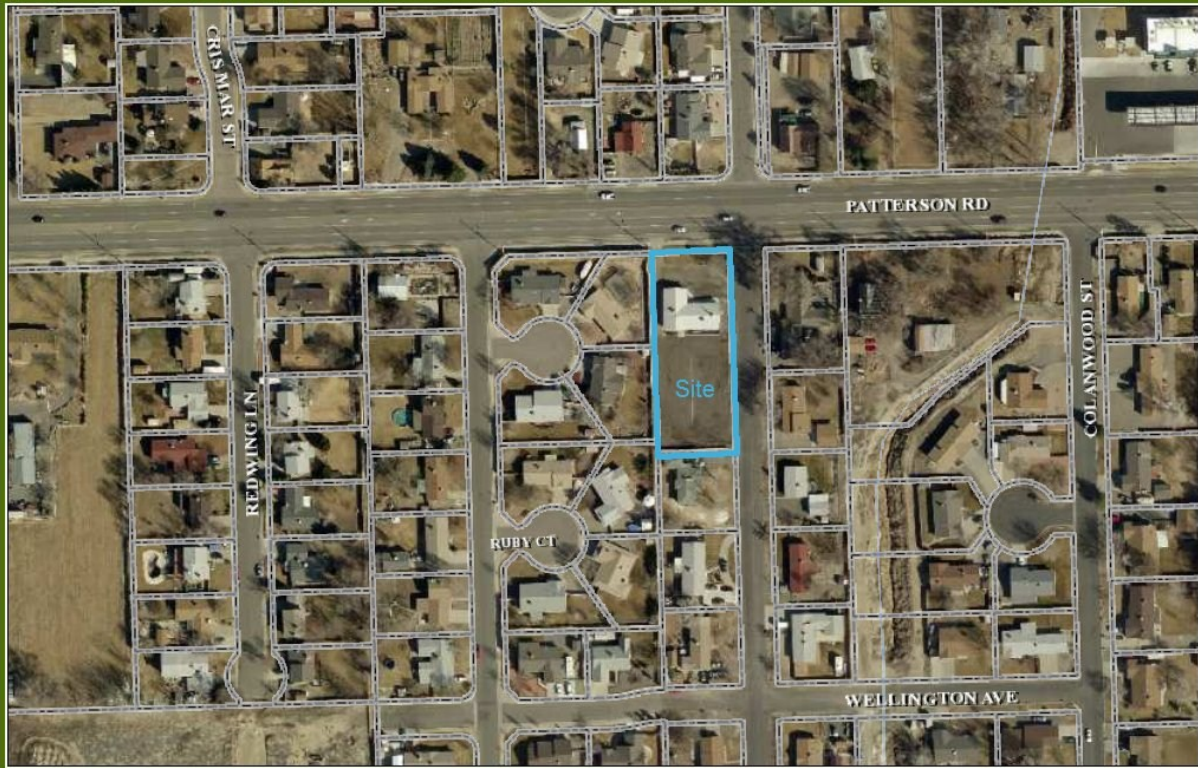
After reviewing the Heritage Church Annexation, ANX-2013-105, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

4. The requested zone district of R-O (Residential Office) is consistent with the goals and policies of the Comprehensive Plan and implements the Future Land Use Map designation of Residential Medium (4-8 du/ac).
5. The applicable review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code, specifically criteria 3, 4 and 5, have been met.

HERITAGE CHURCH ANNEXATION



Aerial Photo Map

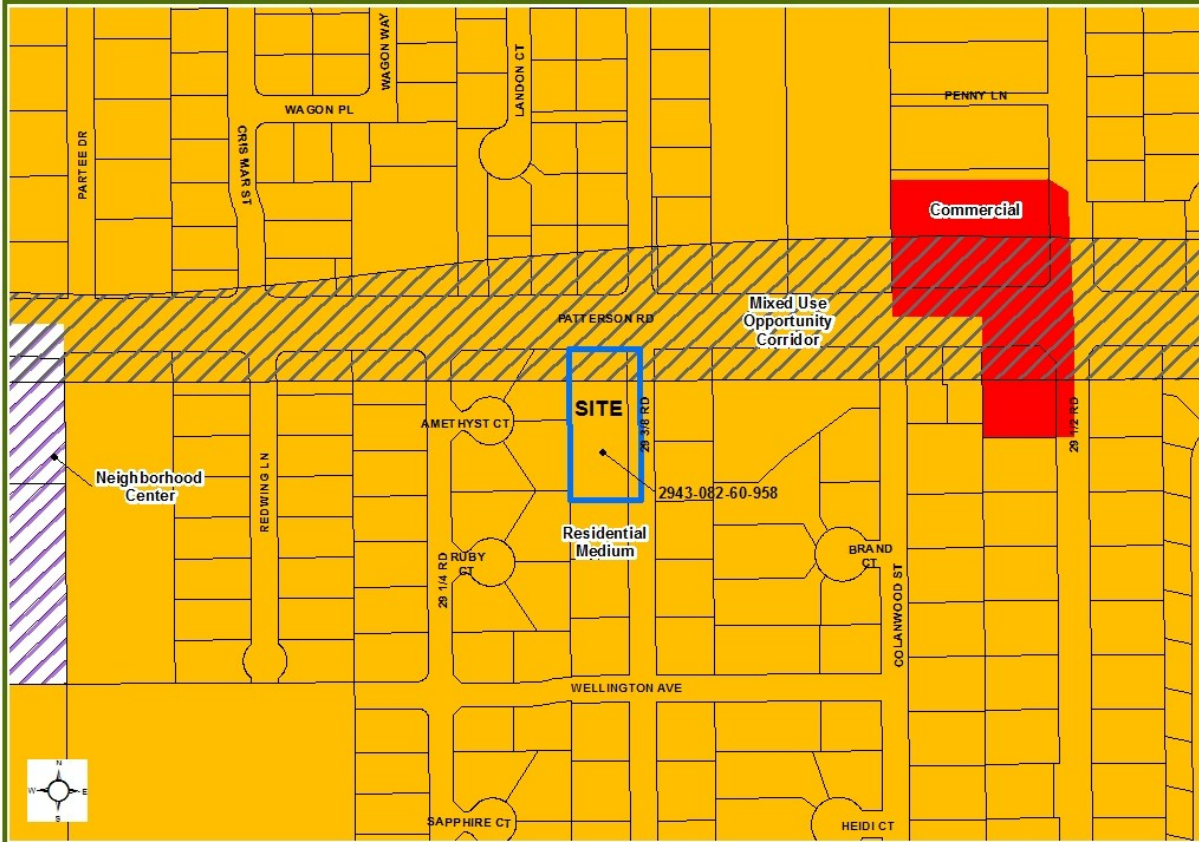


Printed: 5/1/2013

1 inch = 156 feet



HERITAGE CHURCH ANNEXATION FUTURE LAND USE



ANNEXATION BOUNDARY

ZONING MAP



Printed: 5/16/2013

1 inch = 188 feet



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

HERITAGE CHURCH ANNEXATION

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

IS ELIGIBLE FOR ANNEXATION

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

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the

near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2013.

Attest:

President of the Council

City Clerk

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 22nd day of May, 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE
HERITAGE CHURCH ANNEXATION
TO R-O (RESIDENTIAL OFFICE)**

LOCATED AT 2935 PATTERSON ROAD

Recitals

The Heritage Church Annexation consists of one parcel of 0.68 acres at 2935 Patterson Road and 0.16 acres (6940 square feet) of the 29 3/8 Road right-of-way.

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, reuse, and/or redevelopment of the property.

Under the 1998 Persigo Agreement between the City and Mesa County, any proposed development within the Persigo 201 Boundary that requires a change in zoning is considered annexable. Since the church is attempting to market the property for a use other than a church, a rezoning is necessary and, therefore, the property must be annexed by the City of Grand Junction. The consideration of the rezoning is concurrent with the annexation of the property.

The proposed zoning of R-O (Residential Office) implements the Future Land Use Map designation of Residential Medium (RM) Density (4-8 du/ac) of the Comprehensive Plan.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Heritage Church Annexation to the R-O (Residential Office) zone district finding that it conforms with the Future Land Use Map of the Comprehensive Plan, furthers the Comprehensive Plan's goals and policies, is generally compatible with land uses located in the surrounding area and meets the zoning criteria found in Section 21.02.140 of the Grand Junction Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-O (Residential Office) zone district is in conformance with the applicable criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code, implements and is consistent with the Comprehensive Plan and is compatible with the surrounding neighborhood.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned R-O (Residential Office):

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.

LESS 0.16 acres (6940 square feet) of public right-of-way.

INTRODUCED on first reading the 19th day of June, 2013 and ordered published in pamphlet form.

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

ATTEST:

President of the Council

City Clerk



Date: May 31, 2013
Author: Brian Rusche
Title/ Phone Ext: Senior
Planner/4058
Proposed Schedule: 1st Reading:
May 22, 2013 and June 19, 2013
2nd Reading: July 3, 2013
File #: ANX-2013-104

Attach11
CITY COUNCIL AGENDA ITEM

Subject: Perry Annexation and Zoning, Located at 2884 B Road
Action Requested/Recommendation: Adopt a Resolution Accepting the Petition for the Perry Annexation, Hold a Public Hearing to Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Annexation and Zoning Ordinances
Presenter(s) Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to annex and zone the Perry Annexation, located at 2884 B Road. The Perry Annexation consists of one parcel and no public right-of-way. The requested zoning is an R-4 (Residential 4 du/ac) zone district.

Background, Analysis and Options:

The 4.712 acre Perry Annexation consists of one vacant parcel located at 2884 B Road. 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 between the City and Mesa County, proposed development within the Persigo Wastewater Treatment boundary that results in the subdivision of land into more than one additional residential lot requires annexation into the City.

Land annexed to the City shall be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan Future Land Use designation of the property is Residential Medium Low (2 – 4 du/ac). The requested zoning of R-4 (Residential 4 du/ac) will implement this land use designation.

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, which may include single family detached and two family dwelling units.

Board or Committee Recommendation:

On May 28, 2013 the Planning Commission forwarded a recommendation of approval of the R-4 (Residential 4 du/ac) zone district.

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:

A Neighborhood Meeting was held on February 20, 2013. Residents of the adjacent Granite Springs and Chipeta Heights subdivisions were in attendance and asked questions about the proposed subdivision design and the impact of future construction. Meeting minutes are attached.

A letter was subsequently received from some residents of the Granite Springs Subdivision asking about access through the proposed subdivision, along with covenants about fencing. Staff has contacted a representative of Granite Springs to discuss questions regarding the proposed subdivision design, which will be addressed as part of an administrative review of the subdivision.

Previously presented or discussed:

A Resolution Referring the Petition for Annexation was adopted on May 22, 2013.

First Reading of the Zoning Ordinance was June 19, 2013.

Attachments:

1. Staff Report / Background Information
2. Annexation Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Neighborhood Meeting Minutes
7. Acceptance Resolution
8. Annexation Ordinance
9. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2884 B Road			
Applicants:		Eric Perry			
Existing Land Use:		Vacant			
Proposed Land Use:		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)			
Blended Residential Land Use Categories Map:		Residential Low (Rural – 5 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.

Under the 1998 Persigo Agreement between the City and Mesa County, proposed development within the Persigo Wastewater Treatment boundary that results in the subdivision of land into more than one additional residential lot requires annexation into 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:

<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

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:	Residential Medium Low (RML) Density (2-4 du/ac)	
Values (2012):	Assessed:	\$8,760
	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

ZONE OF ANNEXATION:

The property owner, Eric Perry, has requested a zoning of R-4 (Residential 4 du/ac) to facilitate the construction of a residential subdivision, to be known as Chipeta Heights West.

Zone of Annexation

Land annexed to the City shall be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The Comprehensive Plan Future Land Use designation of the property is Residential Medium Low (2 – 4 du/ac). The requested zoning of R-4 (Residential 4 du/ac) will implement this land use designation.

Neighborhood Meeting

A Neighborhood Meeting was held on February 20, 2013. Residents of the adjacent Granite Springs and Chipeta Heights subdivisions were in attendance and asked questions about the proposed subdivision design and the impact of future construction. Meeting minutes are attached.

A letter was subsequently received from some residents of the Granite Springs Subdivision asking about access through the subdivision (both permanent and temporary during construction), along with covenants about fencing. Staff has contacted a representative of Granite Springs to discuss questions regarding the subdivision design, which will be addressed as part of the administrative review of the subdivision.

Section 21.02.140 (a) of the Grand Junction Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) zone district is consistent with the Future Land Use Map designation of Residential Medium Low (2-4 du/ac). The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac). Section 21.02.160(f) of the Grand Junction Zoning and Development Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The request for R-4 is consistent with the Comprehensive Plan and the maximum density is equal to the existing County zoning.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

- (1) *Subsequent events have invalidated the original premises and findings.*

The requested annexation and zoning is being triggered by the Persigo Agreement (1998) between Mesa County and the City of Grand Junction in anticipation of development. The Persigo Agreement defines Residential Annexable Development to include any proposed development that requires

approval of a subdivision plat resulting in the creation of more than one additional lot or parcel (GJMC Section 45.02.020.e.1.xi). The property owner wishes to develop the property in the near future for a residential subdivision of single-family detached dwelling units.

Based on the requirement for annexation found within the Persigo agreement, the property cannot be developed as a subdivision in unincorporated Mesa County, despite its RSF-4 (Residential Single-Family 4 du/ac) zoning.

This criterion **has** been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan.

The adjacent properties on the north and east have been subdivided and developed, beginning with Granite Springs Filing No. 5 in 2005 and Chipeta Heights in 2007, thereby changing the character of the area from large vacant or agricultural parcels to developed neighborhoods. There are approximately 22 vacant lots remaining in Chipeta Heights. Both of these subdivisions are zoned for a maximum of four (4) dwelling units per acre.

This criterion **has** been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed.

There are public utilities already stubbed to the property from Granite Springs and Chipeta Heights, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the Orchard Mesa Sanitation District, and electricity from Grand Valley Power (a franchise utility). Utility mains were stubbed to the subject parcel in anticipation of future development and will be extended into the property as part of the development of the parcel.

The property will derive access from Basalt Street and Meadow Vista Street. Existing access to B Road will be terminated. While neighbors on Basalt Street expressed an interest in having the subdivision take access from B Road (see neighborhood meeting minutes) this would be inconsistent with City transportation policies.

The property is within the Mesa View Elementary school attendance boundary. Mesa View is approximately three-quarters of a mile east on B Road.

This criterion **has** been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

Several large parcels of land on Orchard Mesa east of 28 ½ Road and north of US Highway 50 were annexed and zoned R-4 between 2000 and 2010. Some of these developments did not materialize, including Osprey Subdivision (east of Mesa View Elementary), Mesa Crest South Subdivision (now owned by the Bureau of Reclamation), Pumpkin Ridge II Subdivision (south side of UnawEEP at 29 Road), Mountain View Estates (2922 B ½ Road), Orchard Park Subdivision (Jon Hall Road at 29 ½ Road) and Orchard Estates (south of Jon Hall Road).

Those subdivisions that were constructed have seen their inventories of platted lots slowly absorbed by the market. The adjacent Chipeta Height Subdivision, in which Mr. Perry is building homes, has 22 vacant lots, only 3 of which are owned by Mr. Perry.

While there are several acres of land appropriately zoned for single-family residences throughout the community, the applicant has submitted a subdivision plan for the subject property in a manner that supports the Comprehensive Plan and would like to bring additional housing units to the market for this area of the community.

This criterion **has** been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed R-4 zone would implement Goals 3 and 5 of the Comprehensive Plan by creating an opportunity to develop a vacant parcel and bring additional housing units to the market in a manner consistent with adjacent residential development.

This criterion **has** been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designation for the subject property.

- a. R-R (Residential – Rural)
- b. R-E (Residential – Estate)
- c. R-1 (Residential – 1 du/ac)
- d. R-2 (Residential – 2 du/ac)
- e. R-5 (Residential – 5 du/ac)

The intent of the R-4 (Residential 4 du/ac) zone is to provide for medium-low density single-family uses where adequate public facilities and services are available. This zone is consistent with the adjacent subdivisions to the north and east. If the property were zoned less than R-4, the allowed density would be less than the present County zoning; this is inconsistent with Section 21.02.160(f) of the Grand Junction Zoning and Development Code, which states that generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. In contrast, the R-5 zone district would allow density that exceeds that of the surrounding neighborhoods. It is my professional opinion that the R-4 zone is the best choice for this property.

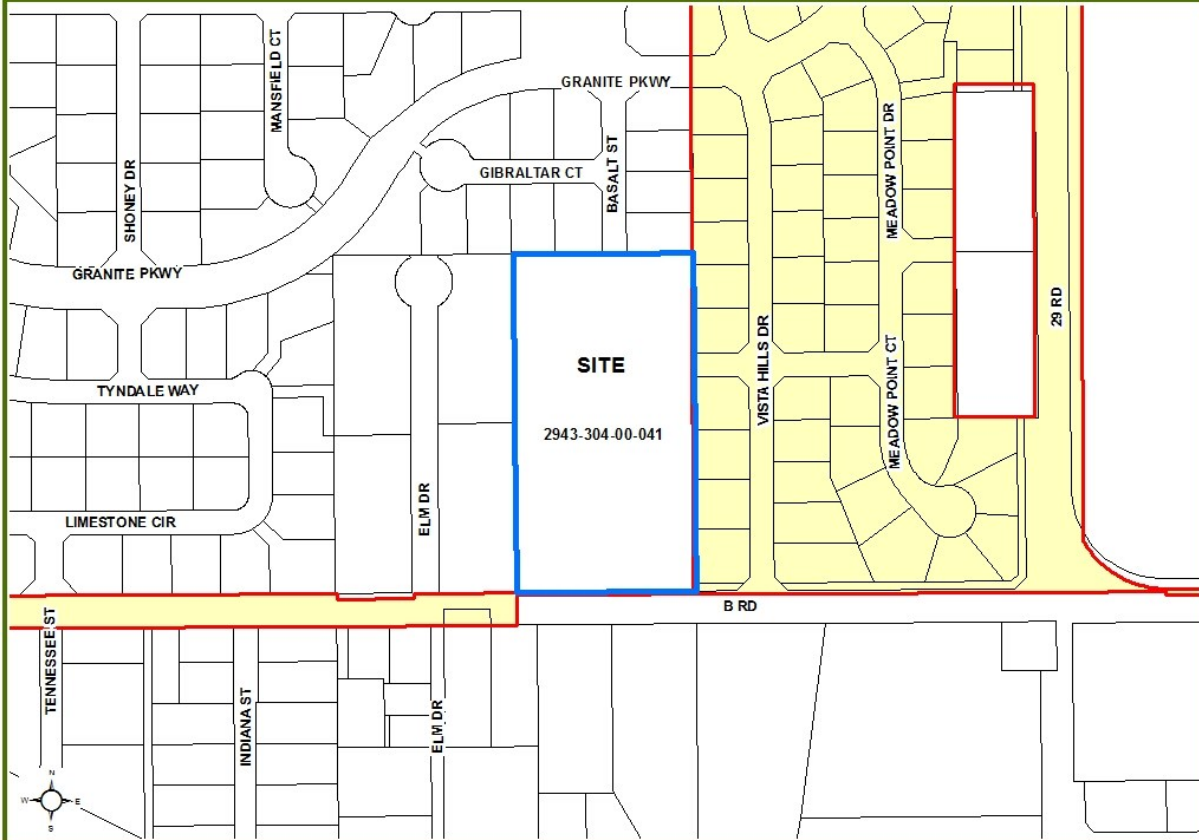
If the Council chooses to not approve the request and instead approves one of the alternative zone designations, specific alternative findings must be made as to why the Council is approving an alternative zone designation.

PLANNING COMMISSION RECOMMENDATION:

After reviewing the Perry Annexation, ANX-2013-104, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

1. The requested zone district of R-4, (Residential – 4 du/ac) is consistent with the goals and policies of the Comprehensive Plan and implements the Future Land Use Map designation of Residential Medium Low (2-4 du/ac).
2. All review criteria in Section 21.02.140(a) of the Grand Junction Zoning and Development Code have been met.

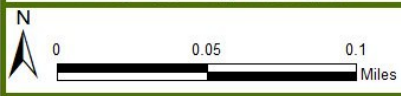
PERRY ANNEXATION



 CITY LIMITS

 ANNEXATION BOUNDARY

Aerial Photo Map

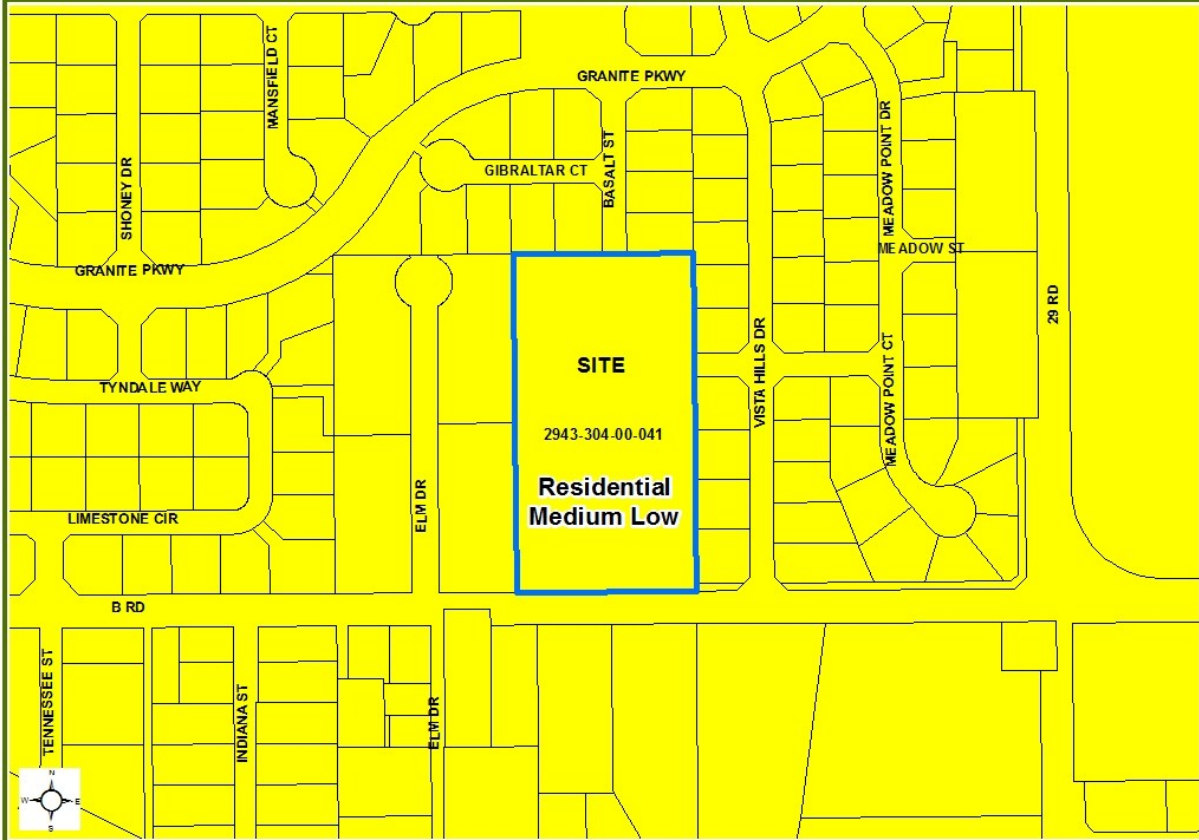


Printed: 5/2/2013

1 inch = 200 feet

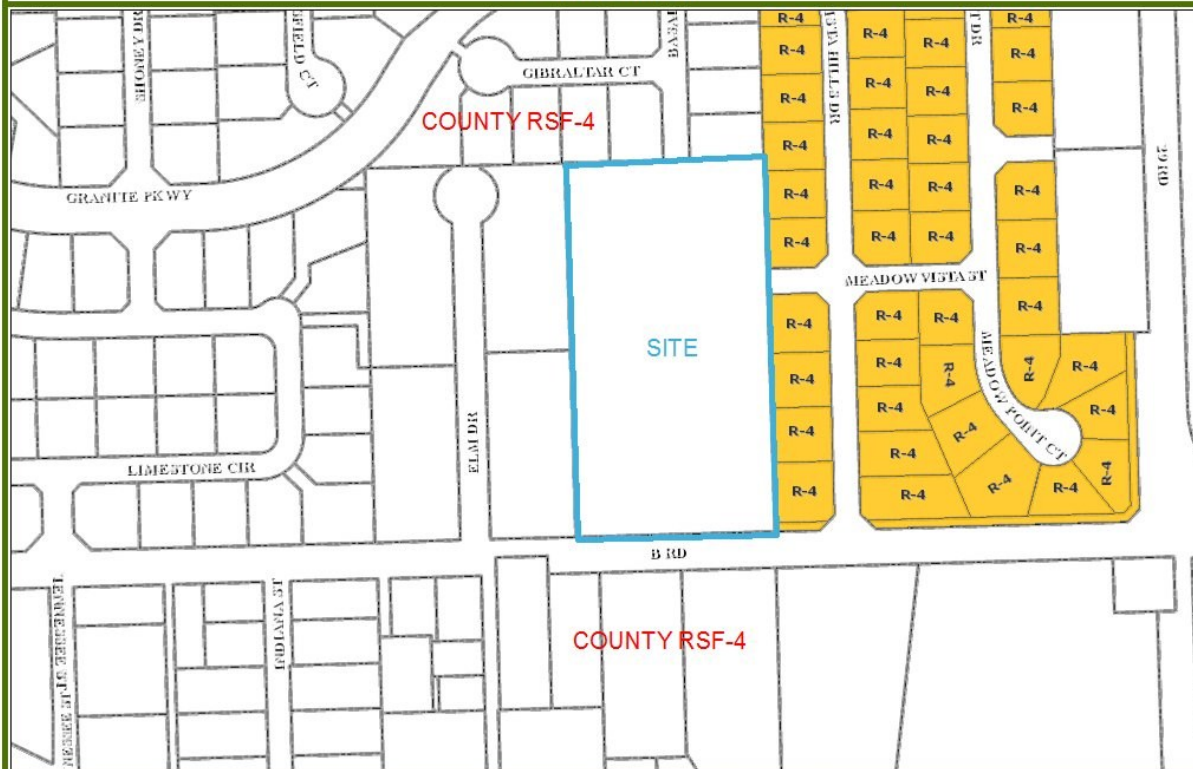


PERRY ANNEXATION FUTURE LAND USE



— ANNEXATION BOUNDARY

ZONING MAP



Printed: 5/14/2013

1 inch = 188 feet





Austin Civil Group, Inc.

Land Planning • Civil Engineering • Development Services

February 21, 2013

Mr. Brian Rusche, Planner
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: Chipeta Heights West Neighborhood Meeting Summary

Dear Mr. Rusche:

The neighborhood meeting for this project was held yesterday at 6:00 P.M. at the Jockey Club building at the Mesa County Fairgrounds. The meeting was attended by approximately 14 people. A copy of the attendance sign in sheet is attached and a summary of the meeting items is listed below:

1. The meeting started at 6:00 P.M. and was attended by ___ homeowners. Mark Austin with Austin Civil Group, Inc. conducted the meeting and the property owner, Eric Perry, was also in attendance. Brian Rusche with the City of Grand Junction Planning Department was also in attendance.
2. Mark Austin stated the 4.7-acre property is currently in Mesa County and the as part of a development of the parcel, it is required to be annexed into the City of Grand Junction. The applicant will be requesting a zoning of R-4, which is similar to the existing properties to the north and east of this development.
3. The property owner, Eric Perry, is the builder that has constructed several homes in the Chipeta Heights Subdivision that abuts this property to the East.
4. Mark Austin explained the stormwater detention process for the subdivision that that Chipeta Heights Subdivision stubbed a pipe to this location to collect stormwater if this property developed. We will be connecting to this system which discharges into the Orchard Mesa Drain.
5. Neighbors in Granite Falls were concerned that annexation of this property would require their subdivision to be annexed into the City. Brian Rusche with the City explained this is not the case and their subdivision is not in the City of Grand Junction. Brian discussed the Persigo Agreement to the homeowners and also discussed the enclave process.

Mr. Brian Rusche
February 21, 2013
Page 2 of 2

6. Some of the neighbors would prefer to have Basalt Court extend to B Road. Mark Austin explained that B Road is classified as a "major collector" roadway and as such the City has an intersection spacing criterion that restricts the number of accesses allowed onto the roadway and we could not be able to comply with this spacing requirement. The City does have a variance request process for the spacing requirement but it would be almost impossible to justify a variance for another access location when the property has the ability to connect to existing stubbed residential streets.
7. The existing irrigation system was a big topic at the meeting. There was a consensus with all property owners the existing system has lots of problems. Granite Falls Subdivision completed some piping improvements near the highway and there's a cost recovery in place to help pay for these improvements. Mr. Perry indicated that he received a bill for his portion of the work and that according to the Granite Springs HOA, he owns approximately 25 percent of the water in this lateral and Granite Springs has 33 percent. Mark Austin recommended the property owners consider forming a "lateral association". Orchard Mesa Irrigation District has brochures to help walk ditch owners through the process of incorporating. Mark Austin indicated that once they incorporate, there's a much better opportunity to get assistance from government programs such as the NRCS to help design irrigation pipelines and to also help with installation costs. There's money out there for these types of programs because open ditches are creating a selenium problem with the water and piping the open drains helps mitigate these issues.
8. Mark Austin indicated the 4.7-acre property will proposed to take their irrigation water from the SE corner of the property, next to B Road. They are not proposing to take irrigation water from the SW corner where there are a couple of existing irrigation take outs, including Granite Springs.
9. Brian Rusche explained the annexation process requires approximately 4 months to complete but the City will allow the property owner to submit and review the proposed development plan while the annexation process is occurring.

If you have any corrections or additions, please let me know.

Sincerely,
Austin Civil Group, Inc.



Mark Austin, P.E.
President

Attachment: Attendance Sheet

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

PERRY ANNEXATION

LOCATED AT 2884 B ROAD,

IS ELIGIBLE FOR ANNEXATION

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

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the

near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2013.

Attest:

President of the Council

City Clerk

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 22nd day of May, 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PERRY ANNEXATION
TO R-4, (RESIDENTIAL – 4 DU/AC)**

LOCATED AT 2884 B ROAD

Recitals

The 4.712 acre Perry Annexation consists of one parcel located at 2884 B Road. The property owner has requested annexation into the City of Grand Junction and a zoning of R-4 (Residential 4 du/ac). Under the 1998 Persigo Agreement between the City and Mesa County, proposed development within the Persigo Wastewater Treatment boundary that results in the subdivision of land into more than one additional residential lot requires annexation into the City and shall be zoned consistent with the Comprehensive Plan. The proposed zoning of R-4 (Residential – 4 du/ac) implements the Residential Medium Low (2-4 du/ac) designation found on the Future Land Use Map of the Comprehensive Plan.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Perry Annexation to the R-4 (Residential – 4 du/ac) zone district finding that it conforms with the Future Land Use Map designation of the Comprehensive Plan, furthers the Comprehensive Plan's goals and policies, is generally compatible with land uses located in the surrounding area and meets the zoning criteria found in Section 21.02.140 of the Grand Junction Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential – 4 du/ac) zone district is in conformance with the applicable criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code, implements and is consistent with the Comprehensive Plan and is compatible with the surrounding neighborhood.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned R-4 (Residential – 4 du/ac).

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.

INTRODUCED on first reading the 19th day of June, 2013 and ordered published in pamphlet form.

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

ATTEST:

President of the Council

City Clerk