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**CITY COUNCIL AGENDA
WEDNESDAY, SEPTEMBER 18, 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
Moment of Silence

Presentation

August Yard of the Month

Proclamations

Proclaiming the Week of September 17 through September 23, 2013 as “Constitution Week” in the City of Grand Junction

Proclaiming the Weekend of September 26 through 29, 2013 as “Peace Corps Reunion Weekend - Kilimanjaro Comes to the Rockies!” in the City of Grand Junction

Appointments

To the Planning Commission/Zoning Board of Appeals

Revised September 18, 2013

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

REVISED

Certificate of Appointment

To the Urban Trails Committee

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Summary of the July 23, 2013 Workshop, Minutes of the September 4, 2013 Regular Meeting, and the Minutes for the September 5, 2013 Candidate Forum and Special Meeting

2. **CDBG Subrecipient Contract with the Counseling and Education Center for Previously Allocated Funds within the 2013 Community Development Block Grant (CDBG) Program Year** [File #CDBG-2013-05] [Attach 2](#)

The Subrecipient Contract formalizes the City's award of \$7,000 to the Counseling and Education Center allocated from the City's 2013 CDBG Program as previously approved by Council. The grant funds will be used for counseling services to low income persons and families within the City limits.

Action: Authorize the City Manager to Sign the Subrecipient Contract with the Counseling and Education Center for the City's 2013 Program Year Funds

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

3. **Amending the Planning Commission Bylaws to Eliminate an Outdated Provision and Modify Some of the Rules** [Attach 3](#)

The Planning Commission Bylaws are reviewed periodically and changes are suggested for improved operations and services by the Commissioners. After discussion and much consideration the Planning Commissioners have approved and request the City Council approve the proposed amended Bylaws.

Resolution No. 60-13—A Resolution Amending the Bylaws of the Grand Junction Planning Commission

®Action: *Adopt Resolution No. 60-13*

Staff presentation: Jamie B. Beard, Assistant City Attorney

4. **Sole Source Approval for Smeal Fire Apparatus and Approval for the Purchase of a Smeal Aerial Ladder Truck for the Fire Department** [Attach 4](#)

This request is to authorize the City Purchasing Division to sole source purchase future Smeal Fire Apparatus and approve a request to purchase a Smeal Aerial Ladder Truck. The new unit is a scheduled replacement of a 15 year old aerial ladder truck that has a history of mechanical and service issues. A future fire apparatus purchase is expected in 2014 with the replacement of a 14 year old pumper truck.

Action: *Authorize the City Purchasing Division to Sole Source Smeal Fire Apparatus and Authorize the Purchase of a Smeal Aerial Ladder Truck from Mile-Hi Fire Apparatus, Inc, for the Amount of \$667,733*

Staff presentation: Ken Watkins, Fire Chief
Jay Valentine, Internal Services Manager

*** 5. **Amending Council Committee Assignments for 2013 – 2014** [Attach 5](#)

On May 6, 2013 the City Council reviewed and determined who on the City Council would represent the City Council on various boards, committees, commissions, authorities, and organizations. Subsequently, on June 5 and August 7, 2013, the City Council amended those assignments. The proposed resolution amends those assignments.

Resolution No. 61-13—A Resolution Amending Resolution No. 51-13 Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

®Action: *Adopt Resolution No. 61-13*

Staff presentation: City Council

*** 6. **Community Solar Garden Subscription and Lease Agreement** [Attach 6](#)

This is a request to approve a resolution authorizing the City Manager to enter into an agreement with Ecoplexus, Inc. as a subscriber to the Pear Park Community Solar Garden and a lease agreement for the use of a portion of City-owned property.

Resolution No. 62-13—A Resolution Authorizing the City Manager to Enter into Negotiations with Ecoplexus, Inc. as a Subscriber to the Pear Park Community Solar Garden and Authorize a Lease for the Use of a Portion of City-Owned Property for the Pear Park Community Solar Garden

®Action: *Adopt Resolution No. 62-13*

Staff presentation: Kathy Portner, Economic Dev. and Sustainability
Terry Franklin, Streets and Utilities Manager

*** END OF CONSENT CALENDAR ***

*** ITEMS NEEDING INDIVIDUAL CONSIDERATION ***

7. **Public Hearing—Zoning the Cunningham Investment Company Annexation (Crispell Property), Located at 2098 E 1/2 Road** [File #GPA-2007-263] [Attach 7](#)

A request to zone the 27.7 +/- acre Cunningham Investment Company Annexation consisting of one unplatted parcel located at 2098 E 1/2 Road to R-E (Residential – Estate, 1 dwelling unit/acre) zone district.

Ordinance No. 4602—An Ordinance Zoning the Crispell Property, also known as the Cunningham Investment Company Annexation, to the R-E (Residential – Estate) Zone District, Located at 2098 E ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4602

Staff presentation: Scott D. Peterson, Senior Planner

8. **Non-Scheduled Citizens & Visitors**
9. **Other Business**
10. **Adjournment**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

July 23, 2013 – Noticed Agenda Attached

Meeting Convened: 8:07 a.m. in the City Hall Auditorium

Meeting Adjourned: 12:00 noon

Council Members present: All except Councilmember Brainard. Staff present: Englehart, Shaver, Moore, Schoeber, Romero, Camper, Hazelhurst, Trainor, Kovalik, Watkins, Rainguet, and Tuin.

Agenda Topic 1. Department Presentations

City Manager Englehart introduced the topic as being an overview of each department and opening up discussion as to what the Council envisions for the future. He noted that the City has experienced tough budget years recently. He reviewed some of the cutbacks that were implemented including reducing expenses, a workforce reduction, a wage reduction and wage freeze, establishing stronger and forging new partnerships while having only limited service reduction, continued capital and community investment, and staying committed to energy efficiency.

For 2013, 26 positions were requested and thirteen were funded as well as implementing the first half of the market adjustment for wages. Reorganization took place which created some efficiencies and saved some salary expenses. He noted the number of new facilities that are completed or underway. One unanticipated expense was a charge XCEL will be assessing of \$150,000 annually for equipment replacement. The City's average labor costs are 42% compared to the average of 60% for other local governments.

Looking at 2014, Staff is anticipating flat revenues and Staff has been directed to maintain the same level of services. The City Manager's goal is to maintain the employee base. As the housing market loosens up, there may be problems with retention of employees. Another area of concern is the mandates and costs associated with the new health care law.

City Manager Englehart addressed the process for reviewing capital projects. Councilmember Norris requested that the Council receive a list of all capital projects as well as a list of grant opportunities. City Manager Englehart agreed noting that Staff is always asked to look for outside funding sources and if a project is dependent on a grant and a grant is not awarded, the project will be re-evaluated before going forward.

City Manager Englehart listed a number of policy issues that Staff will bring to Council on August 5 including TABOR, the fund balance, tax policy, the pay plan, Council economic

development, transportation capacity payments, and stormwater. All of those influence the development of the budget.

The first department presentation was the **Police Department**.

Police Chief John Camper reviewed the Department's mission and statistics. He discussed the various divisions and their functions. He highlighted the reinstatement of the bike patrol and how that is a seasonal function. He addressed crime statistics and staffing. The police services contract with Colorado Mesa University (CMU) was mentioned in conjunction with future staffing needs. Chief Camper listed the capital needs for 2014 (vehicle and equipment storage and the shooting range) and 2015 (vehicle storage and the training facility). Further in the future, they will need new radios, and they have discussed using body cameras or going back to in-car video.

Chief Camper addressed Code Enforcement now that the position is in the Police Department. The new person is keeping up with calls and may have the time to be more proactive.

Chief Camper noted the strengths of the Department as quality employees, a state of the art facility, community support, collaboration, and state of the art equipment. The Department weaknesses are staffing challenges (they are currently at 95 officers and are authorized for 109) and the lack of vehicle and equipment storage. He sees the Department opportunities as promotions and reorganizations, the new training facility, and having Code Enforcement. The threats they are facing are the drug trends, vagrancy, keeping up with growth, the job market, and technology.

Things the Chief asked the City Council to consider were how many officers the Police Department should have including considering overhiring in order to address shortages and the construction of a storage building/annex for equipment and vehicle storage.

Councilmember Boeschstein inquired about coordination with the Sheriff's Department especially with the patchwork of annexation. Chief Camper said that they do coordinate and collaborate very well and dispatch knows whose jurisdiction any call is through the technology.

Councilmember Chazen asked if the CMU reimbursement is sufficient to cover the costs. The Chief said he believes it is; the agreement is mutually beneficial. But they will continue to keep an eye on it.

The next department presentation was **Economic, Convention and Visitor Services (ECVS)**.

ECVS Director Debbie Kovalik reviewed the Department and its relationship with the Visitor and Convention Bureau (VCB) board. She addressed seasonal employees who are non-benefited which includes students and retirees. She broke out the Department budget as: 50% Two Rivers Convention Center, 7% Avalon Theatre, and 43% Visitor and Convention Bureau.

Ms. Kovalik provided a history of the Department and its funding. The VCB was restructured and renamed in 2008 to the Economic, Convention, and Visitor Services. Two Rivers Convention Center is run as an enterprise fund. The Department's core objectives are to promote tourism and Two Rivers Convention Center. Their customers are people attending events and their constituents are contractors (event promoters) and service providers.

Regarding the Visitor and Convention Bureau (VCB) Division has tracked 1.5 million hotel guests annually. Friends and relative visitors cannot be measured but also impact visitor dollars.

Relative to VCB budgetary issues, the lodging revenues are down by 4.6%. The Department anticipates no staffing changes for 2014. They expect to have some repairs to the administrative offices and a vehicle replacement in 2014. They also will keep up with internet marketing and continue to fund special events to attract more out-of-town visitors. In 2015, the Department may have one to two retirements so they are mentoring others to fill those upcoming vacancies and provide training resources.

Ms. Kovalik addressed 2013 for both the Two Rivers Convention Center and the Avalon Theatre. With the closure of the Avalon during the remodel, there is a reduction in labor and operational costs. In the Convention Center, one capital expense was for new carpet and that is complete. There is also audio-visual equipment on order as well as kitchen equipment.

For those facilities in 2014, Director Kovalik looks forward to the reopening of the Avalon Theatre. The needs at the Convention Center for 2014 will be kitchen equipment, structural updates to the garage area, lighting improvements (energy efficient), and some office renovation.

For 2015, an increase in administrative support is expected. There was a brief discussion on whether to hire staff first to increase events or hire staff after the events are booked.

Capital needs will be new carpet in the Creekside Rooms, a new forklift, new furniture, keeping up with technology, and office renovation including a satellite VCB and registration desk at Two Rivers.

Director Kovalik listed the Department's strengths as growth (particularly in the outdoor travel market), the development of a Strategic Plan, the change from the Monument designation to a park, studying the web analytics to keep pace with trends, and the dedicated employees. Challenges are increased competition, especially from resorts, the stagnant revenues, completion of the Avalon Theatre, the Council's policy on funding of Two Rivers specifically the subsidy, study of the facilities, development of cultural assets, and transportation/airport services.

City Manager Englehart mentioned that he has heard that a shuttle service from the airport to downtown would be of benefit. Ms. Kovalik said the downtown hotels have decided not to provide shuttle service after 9:00 p.m. which limits their contracting ability with the airlines.

The next department presentation was for the **Fire Department**.

Fire Chief Ken Watkins provided statistics for the Fire Department. The fire service area is 77 square miles, the ambulance service area is 649 square miles, and the hazardous materials service area is 3,300 square miles. The Department has a lean staff, like the rest of the City government, especially in administration. There is only one training officer to keep 105 people trained.

Fire has new facilities, two remodeled fire stations and the fire administration building. Chief Watkins listed all the specialized equipment they have needed to do the job.

Core services provided by the Fire Department are fire and emergency medical services (EMS) combined. 78% of their calls are EMS and 2.5% are working fires. This is reflective of the change in the national trend.

Chief Watkins was pleased that the Department is fully staffed including part-time emergency medical technicians (EMT) who help with peak call volumes. This also helps develop a recruiting pool. The Department does anticipate some retirements in the near future. They are running a training academy in the fall which takes fifteen weeks. Some of the part-time EMT's will be in that academy.

The Chief described foam technology for fighting fires and how that is becoming more widely used.

Challenges for the Department include the limited opportunity for training for working fires, fire and EMS response reliability which includes the number of calls, service demand, concurrency (multiple pieces of equipment on one call), station area coverage, and mutual aid. Some of the numbers indicate that some stations are responding to up to three times the national average number of calls.

Chief Watkins reviewed the 2013 capital expenditures including the completion of the Fire Administration building and the near completion of the remodel of Fire Station #2. The Fire Alerting system is almost complete. Regarding fire stations, three stations are in good condition and are in good locations. There are two stations that need to be relocated and are in the worst shape.

Fleet has been helpful to the Department with the apparatus replacement plan by helping the apparatus last longer and spread out the replacement schedule. The Department was able to

acquire grant funding to re-chassis ambulances which has saved 30% over buying new ambulances. A box truck was repurposed into a wildland truck which saved money.

For 2014 and 2015, the Department is looking at labor, the impacts of the Affordable Care Act (ACA), seeking land and design for a new fire station in the Pear Park area, and facing any changes from the collective bargaining legislation. Relative to operating expenses, they will be exploring accreditation, replacing some operating equipment, providing training, addressing the effect of the ACA, and any changes coming from the medical director. For capital expenses, items included are fleet and equipment for the new station and training center infrastructure. They continue to seek grants for many of these items and pursue partnerships with other entities and departments.

Council President Susuras inquired as the anticipated impacts of the collective bargaining bill. City Attorney Shaver advised that he serves on a statewide committee for the subject and at this point there has been no movement on any of the options in the bill. It is being watched closely.

Chief Watkins lastly provided areas relative to policy direction for the City Council to consider. First, there is cooperative service with other departments. The City Council has been very supportive of that. One idea is an automatic vehicle locator to be used valley-wide so that dispatch could always send the closest responder. The next area is fire facilities. The need has been identified for additional/relocated stations but the Chief asked the Council to consider response time – is the national standard response time the target or does the Council think a reduced or increased response time is appropriate? That policy does affect staffing as well as staffing needs as a result of any new stations. Chief Watkins advised that funding for some of the needs could come from the charging of additional fees that insurance companies will pay. There are other funding streams that can be considered; a public safety tax, an increased mill levy, a sub-district tax, and others.

Councilmember Norris asked if the training has lagged so far behind that it will be an issue if someone leaves. Chief Watkins advised that they have kept up with the basic training; it has limited the specialized training.

Councilmember Chazen observed that the role of the Fire Department is changing and these changes will cost money. He is concerned about the budget impact. Councilmember Norris supported charging the fees mentioned previously. Chief Watkins noted that will be a philosophical change for the City Council to consider.

Councilmember Boeschstein asked about the overlapping service areas with Clifton Fire Department. Chief Watkins described the recent meetings and discussions that have taken place including meetings with Clifton Fire Department on a possible partnership with a station in the Pear Park area.

Councilmember Boeschstein inquired why the City Fire Department responds to wild fires that are really the Sheriff's Department's responsibility. Chief Watkins said the Sheriff's Office does have a team and the City has a team. The cooperation helps with training and any response out of the district requested by the State is reimbursed which pays for the expense and allows the Department to backfill for those positions that are out on the fire.

Financial Operations Director Jodi Romero clarified that the City receives \$7 million in property tax annually and the Fire Department operations costs around \$14 million so sales tax helps fund that operation.

Council President Susuras welcomed a group of teachers that came into observe as part of a CML workshop they are attending.

The next department presentation was the **Parks and Recreation Department**.

Parks and Recreation Director Rob Schoeber presented the Department's mission statement and described the main divisions of the Department: Administration, the Recreation Division (recreation, aquatics, arts and culture), the Parks Division (forestry, parks maintenance, cemeteries, horticulture, sports facilities), and the Golf Division. He provided information on the number of events at the stadium and described staffing levels which includes 71 full-time employees and 215 seasonal employees. They work with four advisory boards and Staff serves on a number of other groups and committees.

Regarding operations, Mr. Schoeber said the levels are good and they are comfortable with them, however, they do budget some contingency funds to pay for unexpected expenses and equipment needs. Chemical costs can also be volatile. Staffing needs will be affected by future development of Las Colonias Park.

The biggest staffing need is in the area of Forestry. The Forestry Division is down by four full time employees, so they have been using contractors to address some higher priority needs. They are responsible for 30,000+ trees throughout the City (in parks and right-of-ways) and currently have 300 work orders backlogged. The reduced staff has resulted in a declining tree inventory as planting is way down. They have not been able to keep up with removal of dead trees although some are left in place on purpose at the golf courses. One of the main problems is there is not enough staff to treat dying/damaged/aging trees in an effort to save them.

Councilmember Boeschstein applauded the City for being a Tree City USA for 40+ years and for the great Arbor Day celebration put on annually.

Councilmember Chazen confirmed that by his calculations, the City is losing about 250 trees per year. Director Schoeber concurred.

Regarding capital expenditures for 2013/2014/2015, Director Schoeber listed the Matchett Park Master Plan, the development (Phase I) of Las Colonias, trail maintenance, maintenance equipment, an update to the parks inventory which rates the condition of the amenities in each park, Americans for Disabilities Act (ADA) improvements, and pool maintenance on the two pools.

There was a brief discussion on the City's increased financial support to Orchard Mesa Pool due to the County's lack of support. Council President Susuras, and Councilmembers Boeschstein, Norris, and Doody all voiced the importance of the facility and the need for continued support and operation. It was noted that there is a meeting scheduled with the County Commissioners to discuss the matter. Councilmember Chazen asked for information on the user fees and operating expenses before going to that meeting. City Manager Englehart said he intends to provide to City Council a one page summary of the last five years of operating at the Pool, and include a breakdown of City users versus non-City users.

In the Golf Fund (an enterprise fund), Mr. Schoeber listed the demolition of the Quonset huts at Lincoln Park and a relocation of the maintenance facility at Tiara Rado to expand the parking at the Golf Course.

Director Schoeber provided an overview of the capital expenditures for 2012 to 2015 which mostly included capital maintenance. Most of those items have been accomplished so the direction will shift to development of areas not built out. Future capital needs include boiler replacements at both pools but they have not been assigned to a year certain (approximately \$600,000). Councilmember Norris suggested that be conveyed to the other partners at Orchard Mesa Pool so they can also prepare for those upcoming expenditures. Lastly there is note for additional equipment (replacement) in the future.

Councilmember Boeschstein asked about solar upgrades at the pools and other parks facilities. Mr. Schoeber said the facilities manager has not really determined it to be feasible at those facilities.

The last department presentation was the **Public Works, Utilities, and Planning Department (PWUP)**.

PWUP Director Greg Trainor described the scope of this broadly structured department which includes seven Division Managers and 156 full-time and seasonal employees. He listed engineering, planning, streets, and stormwater, as well as four utility enterprise funds. In contrast to some of the other departments that have mostly personnel assets, the PWUP Department focuses on their physical assets.

Councilmember Norris asked if it is possible to contract out some of the responsibilities and projects. Director Trainor responded that is done with both Spring Clean-up and with the

rejuvenation of the Riverside Parkway. City Manager Englehart said that can be a policy discussion as to how far the Council wants to go with contracting out services.

Regarding budgeting and financing for the Department, they do long-range planning in order to consciously map out where the Department will be in 2 to 5 years and beyond. There is sufficient fund balance in the utility funds to ensure the City Council has the ability to either borrow or continue to save in order to pay cash for capital improvements.

The Department has developed many partnerships including water policy partners such as Colorado Water Congress and the Basin Roundtables. They have worked toward the dissolution of the special sanitary sewer districts. The Department also works on stormwater management and works with other agencies, including the 521 Drainage Authority, to prevent stormwater damage.

Under Planning and Engineering, Director Trainor noted that they administer the Zoning and Development Code and they try to strike a balance between the Code and workable development solutions. The Comprehensive Plan is used as the basis for transportation and utility planning. The Department supports the City's commitment to upgrade and maintain transportation facilities. Director Trainor mentioned the Department's responsibility to keep track of environmental regulations and federal mandates. They also monitor pavement conditions as another tool in order to determine where street capital improvements will be needed.

There was a discussion on pavement conditions and the report based on field surveys in 2009. The Department intends to update that field study to determine the current conditions in order to plan for street capital improvements in the future particularly in light of the fact that due to the economic recession there was no funding for street overlays for two years. It was noted that chip and seal extends the life of pavement at one-tenth of the cost of an overlay. The chip and seal program was not reduced in those recession years.

In conclusion, Mr. Trainor listed the policy items for consideration: the importance of the Comprehensive Plan, maintenance of the City's infrastructure, future use of City lands and protection of the natural resources on those properties including development opportunities, flood facility construction, financing for infrastructure improvements, and consolidation of water and sewer services. There is a potential of consolidating water services with other water operators.

Councilmember Boeschstein expressed his concerns with funding of the upgrades to the drainage facilities and the lack of participation from the Grand Valley Drainage District (GVDD).

Director Trainor said it is hoped that would be worked out so that the City purchases the materials for piping the drain and the GVDD has the resources to install the pipe.

Agenda Topic 2. Other Business

With no other business, the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL
WORKSHOP**

**TUESDAY, JULY 23, 2013, 8:00 A.M.
CITY AUDITORIUM
250 N. 5TH STREET**

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

- 1. Department Presentations**
- 2. Other Business**

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

September 4, 2013

The City Council of the City of Grand Junction convened into regular session on the 4th day of September, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Phyllis Norris, and Council President Sam Susuras. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Susuras called the meeting to order. Councilmember Norris led the Pledge of Allegiance, followed by a moment of silence. Council President Susuras asked that the moment of silence be in honor of Leif Johnson, an employee of the Chambers of Commerce in Grand Junction and Palisade, who passed away recently.

Proclamation

Proclaiming the Month of September 2013 as “Suicide Prevention Month” in the City of Grand Junction

Councilmember Doody read the proclamation. Karen Levad, Director of the Suicide Prevention Coalition, was present to receive the proclamation. She thanked the City Council for the proclamation, noting the suicide rate has been high for many years, however the good news is the community recognizes it as a priority issue. She distributed a pamphlet which included ten ways to prevent suicide. There is training on how to recognize the symptoms of a possible suicide and ways to help stop it. There are two important events coming up. This upcoming Saturday is an “Out of the Darkness” walk, which happens nationwide. They have about 200 walkers signed up to walk at Canyon View Park at 10:30 a.m. The other event planned is a golf tournament on September 14th to support the work done in Mesa County. She named some of the corporate sponsors and said they need more golfers to sign up for this event.

Councilmember Doody said the golf tournament will be held at Chipeta Golf Course and starts at 4:00 p.m. The first nine holes are in the daylight, then a meal will be served. The last nine holes will be played in the dark as glow ball.

Council Comments

Councilmember Boeschstein said it was a busy weekend in Grand Junction. He mentioned the Epic Mountain Bike Race and the Hilltop Car Show. He registered his 1965 MGB Roadster in the show. He attended the Incubator meeting. On September 5th the Riverfront and Bureau of Land Management (BLM) partners will attend the interagency meeting.

Councilmember Doody announced that on Saturday there will be a dedication and celebration of the completion of the Public Safety Facilities along with the completion of the buildings, unveiling of art, and tours of Fire Station #2. He invited the community out for this event.

Councilmember Chazen said he attended the Compressed Natural Gas (CNG) Rolling Tour sponsored by Greenfield, Colorado Fleet, and Monument Clean Fuels to bring awareness of CNG as an alternate source of fuel. It was a great event and was well attended.

Citizen Comments

Milton “Tony” Long, 237 White Avenue, Apt. B, was concerned about an alleyway between 1st and 2nd Streets (and Grand Avenue and White Avenue) that had some challenging pot holes and they have since been repaired. He lauded the work the City did to fix those holes.

CONSENT CALENDAR

Councilmember McArthur read the Consent Calendar Items #1-6 and then moved for approval. Councilmember Doody seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the August 5, 2013 Workshop, the Summary of the August 8, 2013 Workshop, the Summary of the August 19, 2013 Readiness Session, and the Minutes of the August 21, 2013 Regular Meeting

2. **Setting a Hearing on the Bibeau Enclave Annexation, Located along D ½ Road between approximately 29 ¼ and 29 ½ Roads** [File #ANX-2013-338]

A request to annex 16.10 acres of enclaved property, located along D ½ Road between approximately 29 ¼ and 29 ½ Roads. The Bibeau Enclave consists of seven parcels and 0.26 acres of public right-of-way.

Resolution No. 57-13—A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as the Bibeau Enclave, Located Along D ½ Road Between Approximately 29 ¼ and 29 ½ Roads, Consisting of Approximately 16.10 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bibeau Enclave Annexation, Located Along D ½ Road Between Approximately

29 ¼ and 29 ½ Roads Consisting Of Approximately 16.10 Acres

Action: Adopt Resolution No. 57-13, Introduce a Proposed Annexation Ordinance, and Set a Hearing for October 16, 2013

3. **Setting a Hearing on the Wild Enclave Annexation, Located at 3122 and 3124 E Road** [File #ANX-2013-334]

A request to annex 3.65 acres of enclaved property, located at 3122 and 3124 E Road. The Wild Enclave consists of two parcels and no public right-of-way.

Resolution 58-13—A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as the Wild Enclave, Located at 3122 and 3124 E Road, Consisting of Approximately 3.65 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wild Enclave Annexation, Located at 3122 and 3124 E Road, Consisting of Approximately 3.65 Acres

Action: Adopt Resolution No. 58-13, Introduce a Proposed Annexation Ordinance, and Set a Hearing for October 16, 2013

4. **Setting a Hearing on Zoning the Cunningham Investment Company Annexation (Crispell Property), Located at 2098 E 1/2 Road** [File #GPA-2007-263]

A request to zone the 27.7 +/- acre Cunningham Investment Company Annexation consisting of one unplatted parcel located at 2098 E 1/2 Road to R-E (Residential – Estate, 1 dwelling unit/acre) zone district.

Proposed Ordinance Zoning the Crispell Property, also known as the Cunningham Investment Company Annexation, to the R-E (Residential – Estate) Zone District, Located at 2098 E ½ Road

Action: Introduce a Proposed Ordinance and Set a Hearing for September 18, 2013

5. **Outdoor Dining Lease for Santos Enterprises, Inc. dba Café Sol Located at 420 Main Street**

Santos Enterprises, Inc., located at 420 Main Street, is a new tenant occupying the former location of Fins Grill restaurant. As a new business entity, Santos Enterprises, Inc. is requesting a first-time Outdoor Dining Lease for an area measuring 164.50 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the

City of Grand Junction to include the leased area in their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed sidewalk dining area that was occupied by Fins Grill.

Resolution No. 59-13—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Santos Enterprises, Inc. dba Café Sol

Action: Adopt Resolution No. 59-13

6. **Acceptance of a State EMS Grant and Re-chassis of a Type III Ambulance**

The Fire Department has been awarded a State emergency medical services provider grant in the amount of \$71,081 to offset a total cost of \$142,162 to re-chassis a Life Line Type III Ambulance. The new unit will replace a 12 year old ambulance that has a history of mechanical and service issues.

Action: Authorize the Purchasing Division to Award a Contract to Life Line Emergency Vehicles through Rocky Mountain Emergency Vehicles of Denver, CO in the Amount of \$142,162 for the Re-chassis of a Life Line Type III Ambulance and Authorize the City Manager to Accept the Colorado Emergency Medical Services Provider Grant Award of \$71,081 for this Purchase

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Amending the Grand Junction Municipal Code to Prohibit Retail Sale of Marijuana

Amendment 64 to the Colorado State Constitution allows local governments to regulate or prohibit marijuana retail stores as well as cultivation, manufacturing, and testing facilities by ordinance or by placing a ballot measure on the General Election ballot. Based on direction previously provided by the City Council, Staff has prepared an ordinance prohibiting marijuana businesses in Grand Junction for the Council's consideration.

The public hearing was opened at 7:19 p.m.

John Shaver, City Attorney, presented this item. He explained what will not be modified with the adoption of the ordinance. The ordinance does not change the allowance of adults over the age of 21 years old to possess or personally cultivate marijuana. The ordinance will prohibit the retail sale of marijuana and marijuana products and commercial cultivation. Without adoption of the ordinance, the City Council will need to regulate the sale of marijuana whether through State regulation or by adopting their own regulations.

Councilmember Doody asked about revenues that would be generated by the State. City Attorney Shaver said the Amendment states it would be for schools but there is no provision in the Amendment for the tax. That is a separate ballot question that will be proposed for the upcoming November election.

Council President Susuras asked what happens if the proposed amendment for tax were to fail. City Attorney Shaver said legislature may have to step in or there may be another try with another election, however this is all speculation.

Councilmember Boeschstein asked how many municipalities have adopted regulations to sell marijuana by retail. City Attorney Shaver replied only a handful of municipalities have. Councilmember Boeschstein asked how marijuana will be sold if not by retail. City Attorney Shaver said this ordinance does not affect medical marijuana sales and distribution.

Councilmember Chazen noted the ordinance refers to penalties and is deemed a misdemeanor. He asked what the penalty is for a misdemeanor. City Attorney Shaver said it would be a minimal fine, (and possibly Useful Public Service (UPS)).

Councilmember McArthur asked if the ordinance affects any other ordinances regarding marijuana. City Attorney Shaver said this ordinance does not.

Council President Susuras asked how the voters in Mesa County and the City voted for Amendment 64. City Attorney Shaver said it was voted against in the City and in the County at that statewide election.

Council asked Police Chief John Camper to come forward.

Police Chief Camper expressed his opinion and said he does not know if retail sales would affect crime but he can't see how it will make the community better. He feels it sends a mixed message to the youth about funding schools with drug money. He does not believe it is more harmful than alcohol however, it is not without harm. Prior to the City placing a moratorium on the medical marijuana dispensaries, the school districts had a higher incidence of youths possessing marijuana. He had some statistics regarding driving fatalities, the number of users, emergency room visits, and amounts of marijuana seized. He believes that retail sales of marijuana are a bad idea for Grand Junction.

Councilmember Boeschstein asked how marijuana is being distributed. Police Chief Camper said that it is still being sold illegally. Councilmember Boeschstein referred to how Denver is handling the legalization of marijuana. He thought it was premature for Grand Junction to allow it at this time however, they may want to reconsider in the future.

The public comment section was opened.

Eric Neiderkruger, 629 Ouray Avenue, said he would like to see the telephone number for Suicide Prevention be provided. Regarding Amendment 64, it is a testimony to micromanagement. Amendment 64 is the law of the land. People in Grand Junction can smoke, possess, and grow marijuana. Personal cultivation will cut off the drug cartels. He suggested the matter go to a vote. The legislation by the City Council is dabbling with his rights. He also objected to the tax revenue being cut off from sales of marijuana.

John Williams, 433 N. 7th Street, said cannabis is an herb and it promotes spiritual enlightenment. He is a felon because of cannabis. He was, at one time, legally dispensing medical cannabis. He said it is the only thing that works for his Obsessive Compulsive Disorder (OCD) yet his felony prohibits him from having it.

Milton "Tony" Long, 237 White Ave, Apt. B, said he is not opposed to drug use, he is opposed to drug abuse. He fears marijuana could be abused the way alcohol is if it is accessible.

Dave of Orchard Mesa, quoted Benjamin Franklin, and contested the vote. He said banning sales will not eliminate the problem. It will continue on the black market. He felt it tells children they are not cared about, their future, or their safety. Sales of tobacco to underage youth are down due to regulation. He felt a banning would say the Council does not trust the citizens. The ordinance is a misguided attempt. Just because a marijuana store opens up does not mean he will go buy pot. He encouraged the Council to vote down the proposed ordinance.

Joshua Christensen, no address, preferred the name cannabis and said cannabis is central to human survival and it necessary for the health of our bodies. He felt it is very beneficial and the essential oil is medicinal. He noted Dr. Sanjay Gupta's recent claim that the oils were beneficial for children with epilepsy. He felt cannabis has been vilified. He spoke to cultivation along the medians and highways. He told a story of a friend with uterine cancer and how the essential oils help her. He said non-heated cannabis is non-psychoactive and is beneficial.

Charles Michael Elliott, 2880 Jean Lane, said there are people who need marijuana but prefer not to be on a list and therefore get their marijuana from the black market. He said that it is a right to have access to marijuana and there are ways to restrict availability to minors. He said making it illegal does not stop it; outlawing marijuana encourages criminal activity and misbehavior.

Anne Landmann, 671 Moonridge Circle, said she is a non-smoker who worked for the American Lung Association, and worked to pass a smoke free ordinance in Grand Junction. However, there has been a societal shift on how marijuana is viewed. She said marijuana is less addictive and less deadly than alcohol. When she worked in the emergency room about 75% of the visits were alcohol related, yet none were marijuana related. She warned that large scale cultivation will happen here. By prohibiting

commercial operations, the City will miss employment creation opportunities along with taxes and fees that would be beneficial to the community; marijuana commerce will be driven underground. She said marijuana is renewable, sustainable, and environmentally friendly. It is better to be proactive and create a regulatory structure rather than knowingly creating a black market which will be assured by prohibition. She noted in the Netherlands, there are coffee bars where they can order different kinds of marijuana from a menu, there is screening for age, warnings about interactions, and the establishments are highly regulated.

Diane Cox, 3641 E ¼ Road, Palisade, said claims that retail sales of marijuana will eliminate a black market is not true; marijuana will still be less costly on the black market. She spoke of a study regarding the damage to young developing brains using marijuana; IQ drops from the 50th percentile to the 29th within one year. She compared the use of opium in China and the drug addition to liberty. She quoted statistics that have increased negatively since medical marijuana was made available. She noted how much stronger marijuana is today. In Amsterdam they classify anything with more than 15% THC as a hard drug. Welcoming marijuana does not keep the drug cartel out, and Colorado is considered a hub. She encouraged approval of the ordinance.

Linda Jones, 1993 South Broadway, distributed some paperwork and said she was speaking for the youth. She works for the school district and noted the toughest problems for high schools are truancy and drugs. She had information on disciplinary actions taken in the high schools. The disciplinary actions reduced as children got older because the troubled kids were moved into alternative schools. She gave the increased drop-out rates from schools in California and other statistics resulting from the use of marijuana. She said the message sent to the youth that marijuana is good for them is a bad message to send. She had a picture of the brain and noted that studies reveal critical issues and brain damage associated with marijuana use in adolescents. People are becoming addicted even though it is labeled as a non-addictive drug. There are communities letting down the youth by normalizing marijuana use.

Trevor Sutton, 2440 Bunting Avenue, quoted tourism statistics, and said regulating retail sales of marijuana would increase tourism in the City.

There were no other public comments.

The public hearing was closed at 8:04 p.m.

Councilmember Norris said Amendment 64 does allow municipalities to prohibit retail sales so approving the ordinance will not go against the Constitution. The voters have voted and voted against it.

Councilmember McArthur thanked those who spoke and agreed that the way marijuana is handled is changing and it is not known how it will impact communities as of yet. It is

not known if regulation will reduce the cartels. He agrees with Police Chief Camper that normalizing marijuana will make it more available and he feels it is premature to approve regulating it.

Councilmember Boeschstein said he will vote in favor of the ordinance now but he believes they should look at it again in the future. He felt the City can learn from other cities' experience. It is premature at this stage.

Councilmember Doody said he appreciated the comments made. He has a problem because it is against federal law. In his industry, he has seen many job applicants turned away because of drug use. However, he has seen the benefits to those needing it medically. He agreed it could be reviewed again later. He will support the ordinance.

Ordinance No. 4599—An Ordinance Prohibiting the Operation of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities, and Retail Marijuana Stores, and Amending the Grand Junction Municipal Code by the Addition of a New Section Prohibiting Certain Uses Relating to Marijuana

Councilmember Chazen moved to adopt Ordinance No. 4599 and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Federal Aviation Administration, Airport Improvement Program Grant #3-08-0027-51, Construct Terminal Building (Phase I, Including ARFF Bay), and Supplemental Co-Sponsorship Agreements

Grant #3-08-0027-51 is a draft grant for \$3,688,829 to Construct Terminal Building (Phase I, Including ARFF Bay). The Federal Aviation Administration requires the Supplemental Co-Sponsorship Agreement. This grant will expire on September 19, 2013 if not accepted.

Rex A. Tippetts, Director of Aviation, presented this item. He explained they are seeking approval of the grant request for Phase I of the terminal building which includes administration offices and a fire station. He noted the emphasis on the design is horizontal. The design of the new terminal building is in compliance with the design guidelines. He noted the life of the current building is very short. The project is planned in several phases over ten to fifteen years. The best location of the new terminal is the location of the existing terminal. Transportation Security Administration (TSA) is the biggest leasee of the terminal space and they need more space. Mr. Tippetts displayed the complex concept and identified where certain elements will be located. He detailed the budget and the funding.

Council President Susuras asked if he should recuse himself as he is Council's representative for the Airport Authority. City Attorney Shaver said that is not necessary.

Councilmember Norris asked if the Airport is asking for any funding from the City. Mr. Tippetts said they are not however, because of the structure under which the Airport was formed, the City's co-sponsorship is a requirement of the grant agreement. Councilmember Norris asked if the number of requirements found in the documents is normal. Mr. Tippetts said yes, the assurances are standard with these grants.

Councilmember Boeschstein thanked Mr. Tippetts and lauded the design guidelines. He then asked about the gate issue. Mr. Tippetts said an amendment was submitted to the Federal Aviation Authority (FAA) a year and half ago and they are still waiting for a reply.

Councilmember Chazen asked if approval obligates the City for future phases. Mr. Tippetts said this is a stand-alone request. Phase II has not even been started. The eventual new terminal will actually be smaller than the existing terminal.

Councilmember Doody moved to approve the grant, and authorize the Mayor and City Attorney to sign the original grant documents, approve the supplemental co-sponsorship agreements, and authorize the City Manager to sign the agreement. Councilmember Norris seconded the motion. Motion carried by roll call vote.

Contract for the G Road Improvements from 23 ½ Road to 23 ¾ Road for the Community Hospital Medical Office Building

This is the contract award for the construction of a road widening on G Road in the vicinity of 23 ¾ Road. The road widening will provide for left turn lanes at 23 ¾ Road and the private entrance into the Medical Office Building complex located just west of 23 ¾ Road. The Medical Office Building complex is an ancillary development taking place in conjunction with Community Hospital's proposed development of their new hospital proposed for G Road and 23 ½ Road.

Greg Trainor, Public Works, Utilities, and Planning Director, introduced this item. He explained the project and the bidding process.

Councilmember Norris asked if the project is funded by Transportation Capacity Payments (TCP). Mr. Trainor said it is funded solely by the TCP.

Councilmember Doody asked about the piping of the drain and who will be responsible for the upsizing of the drain. Mr. Trainor said the Cannery Drain pipe will be 60 inches. He said development would be responsible for any additional needs drainage-wise.

Councilmember Boeschstein asked if the Grand Valley Drainage District (GVDD) is participating in this project. Mr. Trainor said they are not. The involvement of the Wilsea Drain just recently deeded to the City was discussed. Additional drainage responsibility and road improvement will be assessed to any new development.

Councilmember Boeschstein asked if there will be pedestrian paths and bike trails. Mr. Trainor was not certain.

Councilmember McArthur asked if the Cannery Drain will remain a GVDD asset. Mr. Trainor said yes. Councilmember McArthur asked why the pipe goes so far to the east. Deputy City Manager Tim Moore said the ditch is being piped to facilitate the development. There will be decel and accel lanes so the drain has to be extended that far.

Councilmember Chazen read from the staff report on the deficit in the TCP fund. Mr. Trainor said they anticipate sufficient funds in the TCP fund by the time the hospital is complete.

Jay Valentine, Internal Services Manager, addressed the funding noting they are projecting the TCP revenues and the 2014 TCP fund will not be in deficit. The 2014 road improvement has not yet been designed for the Hospital project so he anticipates the project will occur late in 2014.

Councilmember Norris asked if the award being presented is for both 2013 and 2014. Mr. Trainor said only the 2013 portion is before them.

Councilmember Chazen asked some more clarifying questions on the funding and the ownership of Cannery Drain.

Councilmember Doody asked about where this drain ends and how that will interface with CDOT's pipe and who will be responsible. Mr. Moore said future development will be responsible. It is mostly carrying agricultural water. Future development will have to maintain historic flows. It will not be the City's responsibility as the GVDD will still maintain and control that drain.

Councilmember Boeschstein moved to authorize the Purchasing Division to enter into a contract with M.A. Concrete Construction, Inc. for the construction of G Road Improvements near the New Community Hospital Medical Office Building in the amount of \$601,826.90. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—2013 Supplemental Appropriation Ordinance

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2013 amended budgets.

The public hearing was opened at 8:38 p.m.

Jodi Romero, Financial Operations Director, presented this item. She explained the reason for the various supplemental requests including carryover of projects that were

not completed in 2012 and projects that were new opportunities for the City Council which she listed: Lincoln Park Renovation Phase 2, the I-70B Undergrounding Project, the Fire Administration/ Fire Station #2 Public Safety Projects, CNG vehicles, purchase of the 755 Struthers property, the 22 Road Interchange Project, the Community Hospital Medical Office Building, Americans with Disabilities Act (ADA) improvements to Lincoln Park Pool, and the Avalon Theatre Project .

Councilmember Chazen asked about the 109 Fund increase of \$270,382. Ms. Romero said that when the budget was adopted they did not have the final numbers available for the Downtown Development Authority (DDA) bond issuance and this supplemental appropriation includes the final number.

Jay Valentine, Internal Services Manager, explained that the budget was developed prior to the Downtown Development Authority board making the final decision for the final amount and terms. The bonds were closed on December 17, 2012 and the 2013 budget was already adopted. It was both principal and interest. The bonds sold were within the parameters of the bond ordinance.

Councilmember Norris asked who is responsible for the additional funds. Mr. Valentine said it is the DDA's responsibility and it just needs to be appropriated for the second payment.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Ordinance No. 4600—An Ordinance Making Supplemental Appropriations to the 2013 Budget of the City of Grand Junction

Councilmember Doody moved to adopt Ordinance No. 4600 and ordered it published in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Amendments to Title 21 of the Grand Junction Municipal Code to Revise the Definition of Lot Coverage [File # ZCA-2013-313]

The amendments to Sections 21.03.030(e) and 21.10.020 will revise the definition of lot coverage by eliminating “and other impervious surfaces”.

The public hearing was opened at 8:45 p.m.

Lisa Cox, Planning Manager, presented this item. She explained the reason for the request. The current Code restricts the building of an accessory structure on a lot due lot coverage including driveways. The restriction became part of the Code in 2001 with the revision to the Zoning and Development Code. Lot sizes were also changed which

compounded the challenge. The inclusion of “other impervious surfaces” made for the difficulty. This is specific to residential lots.

Ms. Cox said they took a sampling of lots throughout the City, using examples from each residential zone district, and they estimate many were over the allowed lots coverage due to the new definition. The definition would also prohibit hard surfacing driveways for those lots that are already at or over the allowed lot coverage.

The City Development Engineer did not feel the change would adversely impact drainage flows. Ms. Cox said they also looked at other possibilities such as someone paving their entire lot but they don't think it would be likely or desired by most homeowners. In conclusion, the proposal is to change the Code which will affect lots city-wide. The Planning Commission did consider the request on August 13, 2013 and they forwarded a recommendation of approval. There are citizens in attendance that may want to speak.

Councilmember McArthur asked why the lot percentage coverage wasn't changed to counteract this. Ms. Cox said they wanted to address the vertical landscape. They feel it is important to control that built vertical environment. Councilmember McArthur asked if detention requirements will be increased. Ms. Cox said that it could be looked at but the idea is to allow for more outdoor living space.

Councilmember Norris asked why it was changed in 2001. Ms. Cox said she researched it but there was not enough explanation in the staff report. They have concluded the change was made to anticipate changes in stormwater quality regulations.

Steve Hoaglund, 679 Step-a-Side Drive, said he and his wife wanted a property that could accommodate up to six cars. Their current garage sits back 100 feet and they have a one acre lot. Their driveway is 3,000 square feet. Most of the neighbors are over the 20% coverage. They want to utilize their huge backyard.

Chad Schnider with More Storage said they see this with their customers. He has a customer this affects. When the City reduced lots sizes it did make many lots out of compliance. The Zoning Code is really limiting, and the realtors are not aware of these limitations when working with their buyers. He asked for approval.

John Williams, 433 North 7th Street, said 2639 Dahlia Drive was originally his grandparent's house said it is a great neighborhood. He does not think the neighborhood is aware of this issue. He thought the matter should be postponed until the neighborhood becomes aware.

There were no other public comments.

Councilmember Norris thanked Staff for bringing this forward.

Councilmember McArthur asked how the Planning Department will address the request for a six car garage. Ms. Cox said they will look at the percentage allowed for each zone district and recalculate their allowed lot coverage.

Councilmember McArthur asked how the additional drainage will be addressed. Ms. Cox said it is figured as a range so frequently the facilities being constructed are designed to handle a range of flows; the Engineer did not feel it would be problem and the additional runoff would be accommodated. Councilmember McArthur said they might have to increase the detention for the subdivision. Ms. Cox said they will look at this on a case by case basis but unless the entire neighborhood was increasing their coverage it will likely not be an issue. A resident cannot impact adjacent properties with their drainage. Regarding advertising the Code change, since the request came from a particular neighborhood, individual mailings were done for that neighborhood even though the change affects properties city-wide.

Councilmember Doody complimented Ms. Cox for her presentation.

The public hearing was closed at 9:16 p.m.

Ordinance No. 4601—An Ordinance Amending Section 21.03.030(e) and 21.10.020 of the Grand Junction Municipal Code to Revise the Definition of Lot Coverage

Councilmember Doody moved to adopt Ordinance No. 4601 and ordered it published in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Milton “Tony” Long, 237 White Ave, Apt. B, related the time he did not commit suicide. He said Jesus came to him and made him feel that he would take care of him.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:20 p.m.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE CANDIDATE FORUM AND SPECIAL MEETING**

September 5, 2013

The City Council of the City of Grand Junction convened into the Candidate Forum and Special Meeting on the 5th day of September, 2013 at 6:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Phyllis Norris, and Council President Sam Susuras. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Susuras called the meeting to order at 6:00 p.m. The candidates seated at the dais were Teresa Black, Riecke Claussen, Charles Michael Elliot, Tom Kenyon, Barbara Traylor Smith, and Reginald Wall.

Council President Susuras allowed each candidate to introduce himself or herself and then posed questions to each. After all of the City Council questions were asked, questions were solicited from the audience including the media. The candidates were then asked to make a brief closing statement.

Council President Susuras closed the question and answer portion of the meeting and called a recess in order for the City Council to take their place on the dais for deliberation.

The meeting recessed at 8:04 p.m.

The meeting reconvened at 8:15 p.m. All members of Council were seated at the dais.

Council President Susuras asked for discussion.

Councilmember Boeschstein thanked all the candidates and encouraged anyone not selected for the At Large Council seat to apply for one of the City's volunteer boards. He said they should not be discouraged.

Councilmember Doody thanked all the candidates and said he knows how difficult it is to be up on all the issues. He agreed that serving on the City's boards and commissions is a good foundation for getting started.

Councilmember Norris also thanked the candidates and noted the decision will be very difficult as any of the candidates could serve and be a great contribution. She agreed with Councilmembers Boeschstein and Doody that the candidates should stay involved.

Councilmember Chazen echoed the thanks and noted that it is a difficult process and it will be a difficult decision. There were diverse questions and diverse answers. He

encouraged anyone not selected to volunteer for one of the City's boards or to run for City Council in the future.

Councilmember McArthur said he agreed that it will be very difficult decision and that anyone of the candidates could serve well.

Council President Susuras agreed with all of Council's comments.

Council President Susuras asked City Clerk Tuin to call the roll.

Councilmember Boeschstein voted for Tom Kenyon.

Councilmember Chazen voted for Barbara Traylor Smith

Councilmember Doody voted for Teresa Black

Councilmember McArthur voted for Barbara Traylor Smith

Councilmember Norris voted for Reicke Claussen

Council President Susuras voted for Reicke Claussen.

Council President Susuras asked each Councilmember to voice their reasons for their vote.

Councilmember McArthur said he liked Barbara Traylor Smith's answers and she has attended Council workshops and meetings.

Councilmember Chazen said his vote was based on Barbara Traylor Smith's skills and participation.

Councilmember Norris agreed that Ms. Traylor Smith was a strong candidate, however she feels that Mr. Claussen came across with a different perspective that she liked.

Councilmember Doody said Ms. Black is consistent, grounded, and knowledgeable on the issues and he liked her approach.

Councilmember Boeschstein said he is willing to change his vote to Ms. Traylor Smith. He has worked with Mr. Kenyon during his first term and has known him a long time. Mr. Kenyon is a good friend and a good ally, however in order to encourage a majority vote, he is willing to change his vote to Ms. Traylor Smith.

Councilmember Norris said she is would also change her vote to Ms. Traylor Smith.

Council President Susuras said he has known Mr. Claussen for a long time and he has high morals and standards. He also really liked Tom Kenyon and has the utmost respect for him, however he also supports Ms. Traylor Smith. He thinks she is a great woman and respects her attendance at Council meetings. Council President Susuras said he would change his vote to Ms. Traylor Smith.

Councilmember Doody said he encouraged Ms. Black to be a candidate for the next Council election. He thinks Ms. Traylor Smith has put in her homework and believes it is important for Council to move forward in unison; his vote is for Ms. Traylor Smith.

Barbara Traylor Smith was elected by the current Councilmembers unanimously to fill the At Large Council seat.

City Clerk Stephanie Tuin administered the Oath of Office to Barbara Traylor Smith.

Councilmember Traylor Smith thanked the City Council and all others who participated and encouraged the candidates to participate on the boards and commissions.

Adjournment

With no further business before Council, the meeting was adjourned at 8:30 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

CITY COUNCIL AGENDA ITEM

Subject: CDBG Subrecipient Contract with the Counseling and Education Center for Previously Allocated Funds within the 2013 Community Development Block Grant (CDBG) Program Year

Action Requested/Recommendation: Authorize the City Manager to Sign the Subrecipient Contract with the Counseling and Education Center for the City's 2013 Program Year Funds

Presenter(s) Name & Title: Tim Moore, Deputy City Manager
Kristen Ashbeck, Senior Planner/CDBG Administrator

Executive Summary: The Subrecipient Contract formalizes the City's award of \$7,000 to the Counseling and Education Center allocated from the City's 2013 CDBG Program as previously approved by Council. The grant funds will be used for counseling services to low income persons and families within the City limits.

Background, Analysis and Options: This program of the Counseling and Education Center provides counseling services for low income citizens. Funds in the amount of \$7,000 will be used to help pay for 140 counseling sessions for an estimated 20 more persons. The number of persons served is directly related to the amount of funding received. In 2012, CEC served 342 low and moderate income clients. The funding will allow for a 6% increase in the program. CEC will leverage \$42,500 from other funding sources towards these services.

The Counseling and Education Center is considered a "subrecipient" to the City. The City will "pass through" a portion of its 2013 Program Year CDBG funds to the Counseling and Education Center but the City remains responsible for the use of these funds. The contract with the Counseling and Education Center 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 1) contains the specifics of the project and how the money will be used by the Counseling and Education Center.

How this item relates to the draft Comprehensive Plan Goals and Policies: This project funded through the 2013 CDBG grant year allocation will include steps towards the City's Comprehensive Plan goal listed below:

Goal 12: Goods and Services that Enhance a Healthy, Diverse Economy: The CDBG project for the Counseling and Education Center described above provides services

that enhance our community including improved services for low income persons and families.

Board or Committee Recommendation: N/A

Financial Impact/Budget: Previously approved 2013 CDBG Budget

Legal issues: Funding is subject to Subrecipient Agreement. The City Attorney has reviewed and approved the form of agreement.

Other issues: None

Previously presented or discussed:

City Council discussed and approved the allocation of CDBG funding to this project at its May 22, 2013 meeting.

Attachments:

1. Exhibit A, Subrecipient Agreement – Counseling and Education Center

**2013 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS WITH
CENTER FOR ENRICHED COMMUNICATIONS**

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The City agrees to pay subject to the Subrecipient Agreement the Center for Enriched Communications dba Counseling and Education Center (CEC) \$7,000 from its 2013 Program Year CDBG Entitlement Funds for counseling services provided by CEC. The general purpose of the entire program and this project is to meet the special needs of low income to moderate income individuals and/or families that have no insurance or are underinsured and in need of assistance with a variety of mental health problems.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low and moderate income clientele benefit (570.201(c)). It shall meet this objective by providing the above-referenced services to low and moderate income persons in Grand Junction, Colorado. In addition, this project meets CDBG eligibility requirements under section 570.201(e), Public Services.
3. CEC operates from its location at 2708 Patterson Road in Grand Junction. CEC has no client eligibility requirements and a sliding scale payment is used for counseling services. CDBG funds will supplement fees paid by clients, with \$7,000 providing approximately 107 counseling hours to benefit low-income clients otherwise unable to access this assistance. It is understood that the City's grant of \$7,000 in CDBG funds shall be used towards counseling services only and for clients who live in the City limits of Grand Junction.
4. This project shall commence upon the full and proper execution of the 2013 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 December 31, 2014.
5. Funding sources to date for the program in the coming year include the following:

City of Grand Junction CDBG	\$ 7,000
United Way of Mesa County	\$ 21,862
AV Hunter Trust	\$ 7,500
Other Private Foundations	\$ 4,000
6. 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.

_____ CEC

_____ City of Grand Junction

7. 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.
8. CEC understands that the funds described in the Agreement are received by the City of Grand Junction from the US Department of Housing and Urban Development under the Community Development Block Grant Program. CEC shall meet all City of Grand Junction and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. CEC shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
9. 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.
10. A formal project notice will be sent to CEC once all funds are expended and a final report is received.

_____ CEC

_____ City of Grand Junction



Attach 3

CITY COUNCIL AGENDA ITEM

Date: Sept. 6, 2013

Author: Jamie B. Beard

Title/ Phone Ext: Assistant City

Attorney/4032

Proposed Schedule: Sept. 18, 2013

2nd Reading: _____

File # (if applicable): _____

Subject: Amending the Planning Commission Bylaws to Eliminate an Outdated Provision and Modify Some of the Rules
Action Requested/Recommendation: Adopt a Resolution Approving the Amended Planning Commission Bylaws
Presenter(s) Name & Title: Jamie B. Beard, Assistant City Attorney

Executive Summary:

The Planning Commission Bylaws are reviewed periodically and changes are suggested for improved operations and services by the Commissioners. After discussion and much consideration the Planning Commissioners have approved and request the City Council approve the proposed amended Bylaws.

Background, Analysis and Options:

The last time the Planning Commission Bylaws were significantly modified was in February 1997. Since then, changes have been made to allow for the consent portion on the Planning Commission’s agenda and for time and date modifications regarding the public meetings.

At the end of 2012, the Chairman and the Vice Chairman added the review of the Bylaws as part of the Commission’s 2013 work plan. The Bylaws have been reviewed by each of the Commissioners and discussed at two different workshops.

Many of the proposed changes are considered a cleanup of the language as changes have occurred regarding the name of the Planning Division and to refer to a Chairperson rather than a Chairman.

A significant change was to have the bylaws language be consistent with the requirements in the Code concerning what constitutes a quorum. As the Bylaws differed, the language has been removed from the Bylaws.

In addition, the Commissioners asked to change the times when the Chairperson and Vice Chairperson were voted upon to give new members, which normally are appointed to the Board in the latter part of the year, more time and experience before voting or nominating the Chair or Vice Chair. The month of May was chosen to be consistent

with the time period when City Council votes on the City Council President and President Pro Tempore.

An additional paragraph has also been included regarding the attendance of members at workshops and meetings. The Commissioners recognize the importance of the participation of all members in the discussions and wanted to emphasize the importance and allow for consideration of removal if a member is not participating as is expected when the Commissioner is appointed.

How this item relates to the Comprehensive Plan Goals and Policies: The amendment to the Planning Commission Bylaws do not impact or effect the goals and policies of the Comprehensive Plan.

Board or Committee Recommendation: Planning Commission approved the Bylaws on September 10, 2013 and recommended the proposed Bylaws to City Council for approval.

Financial Impact/Budget: No impact

Legal issues: The Assistant City Attorney has reviewed the proposed changes and attended the workshops when the Bylaws were discussed. The changes are legally sufficient and properly reflect the Commissioners intent and recommendation for approval.

Other issues: None

Previously presented or discussed: No

Attachments:

Changes shown to present Planning Commission Bylaws with strikethroughs in language to be deleted and new language to be added underlined.

Proposed Resolution

CITY OF GRAND JUNCTION PLANNING COMMISSION BYLAWS

PLANNING COMMISSION OFFICERS – DUTIES, POWERS, ELECTION and TERMS OF OFFICE

1 Chairperson

- a) Presides at all meetings of the Commission.
- b) Calls special meetings of the Commission in accordance with the bylaws.
- c) Signs documents of the Commission.
- d) Sees that all actions of the Commission are properly taken.
- e) Serves as ex-officio member of all committees established by the Grand Junction Planning Commission with voice but no vote.
- f) Elected by the Commission at a regular meeting in ~~December~~ May of each year.
- g) Votes under the same procedures as other Commission members at public hearings.
- h) Shall not serve more than two (2) consecutive full years as Chair except with the unanimous vote of the members of the Planning Commission.

2 Vice-Chairperson

- a) During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.
- b) Elected by the Commission at a regular meeting in ~~December~~ May of each year.
- c) Shall succeed the Chairperson if the office is vacated before the term of the Chairperson has expired; the Vice-Chairperson shall serve the unexpired term of the vacated office. A new Vice-Chairperson shall be elected by a majority vote of the members of the Planning Commission at the next regular meeting following the Vice-Chair~~person~~man assuming the Chair.

3 Secretary and Staff

- a) Engineering, planning and technical staff to the Commission are provided by the City.

- b) The Secretary to the Commission shall keep the minutes of all public hearings of the Commission in an appropriate manner.
- c) The Secretary shall prepares minutes, transcripts and certifications of record(s) of the Commission.

PLANNING COMMISSION MEMBER CONDUCT

- 1 The Chairperson, on behalf of the Commission, may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after three (3) unexcused absences during a calendar year. The determination of what comprises an unexcused absence shall be left to the discretion of the Chairperson and/or Vice-Chairperson. A recommendation to the City Council for removal of a member requires a motion, only after a finding of 3 unexcused absences as provided herein, and majority vote of the members. The Chairperson and the member considered for removal shall be entitled to vote.
- ~~12~~ Commissioners attend both the workshops and the regularly scheduled public meetings. Any Commissioner may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after six (6) or more excused/unexcused absences during a calendar year. If a majority of the members find that the absence of the Commissioner is a neglect of duty or is inefficient for the actions and operations of the Commission, then the matter shall be presented to City Council for consideration for removal. The member considered for removal shall be entitled to vote.
- ~~23~~ The Planning Commission members shall not discuss applications filed, to be filed or contemplated with petitioner(s), applicant(s) or representative(s) in individual sessions or telephone conversations. Commissioners shall make no comment or input on a petition or item on the Planning Commission Agenda prior to consideration at a meeting or hearing of the Commission. This bylaw shall not be construed in such a way so as to prevent Planning Commission members from questioning or interviewing members of the development community, private citizens, City staff or other parties that may have information which will enhance a Commissioner's ability to perform his/her duties.

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF RESPONSIBILITIES TO PLANNING COMMISSION

- 1 Gives or serves all notices by law or these rules.
- 2 Prepares the agenda for all meetings of the Commission.
- 3 Is custodian of all Commission records and documents including all maps, plats and other matters required by law, rule or regulation filed, kept or controlled by the Department.

- 4 Informs the Commission of correspondence relating to business of the Commission and attends to such correspondence as necessary.
- 5 Administers funds allocated to the Commission in accordance with its directives, the law and City regulations.

CONDUCT OF MEETINGS

- 1 The number of meetings per month and a schedule of meeting dates shall be established and may be altered or changed at any regularly scheduled meeting. Two regular meeting dates are established each month on the second and fourth Tuesdays of each month at 6:00 PM in the City Hall Auditorium, located at 250 North 5th Street.
- 2 Additional meetings may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the Grand Junction City Council following no less than a ~~twenty four~~ 24 hour notice to each member of the Commission. In addition to any other means of providing notice, the Commission shall be deemed to have given full and timely notice if the notice of the meeting is posted in the designated public place no less than 24 hours prior to the holding of the meeting.
- 3 A majority of the members of ~~the Commission in attendance at the hearing shall constitute a quorum for the transaction of business.~~ Each member of the Planning Commission who has knowledge that he/she will not be able to attend a scheduled meeting of the Commission shall notify ~~the Community Development Department Staff member designated by the Chairperson~~ at the earliest possible opportunity and, in any event, prior to 3:00 PM on the date of the meeting. Failure to give such advance notice may result in the Chairperson ~~man~~ determining an unexcused absence for that member. The ~~Community Development Director Staff member~~ shall notify the Chairperson of the Commission in the event that scheduled or anticipated absences will result in the lack of a quorum.
- 4 The Commission shall conduct all meetings in accordance with generally accepted parliamentary procedure unless otherwise provided for in these rules.
- 5 Grand Junction Planning Commission Order of Hearing: the following procedure will normally be observed; however, the Chairperson may designate an alternate order for the expeditious conduct of business.
 - a) Consent Agenda
 - 1) Items of a non-controversial or minor nature may be heard and considered by the Commission on a consent agenda.

- 2) For all items on the consent agenda, the Chair~~person~~ shall read the title of each item and determine ~~o~~if the ~~P~~petitioner or ~~R~~representative is present. The Chair~~person~~ shall then ask if any of the Commissioners, the ~~P~~petitioner or public want an item or items removed from the consent agenda. If not, the agenda is voted on by the Commission. If an item is removed from the agenda, it will be heard at a full hearing, in accordance with the procedures established in paragraph b, below. A Commissioner may vote no on any item without removing the item from the consent agenda, or may vote no on the entire agenda. One Planning Commission member may remove an item or items from the consent agenda. Removal may be for any or no reason; the Commission may explain the reason for removal but that is not required.
- 3) Removal of an item or items from the consent agenda or placement of an item or items on a consent agenda may occur by the ~~S~~staff or a majority of the Commissioners at the workshop or at public hearing.

b) Public Hearing Agenda

- 1) Chair reads the agenda item and asks if the Petitioner or Representative is present. If the ~~P~~petitioner or ~~R~~representative is present, Chair opens hearing.
- 2) Petitioner or Representative presents the proposal, Review Agency and Staff comments which have not been resolved.
- 3) Planning Commission may question Petitioner or Representative to clarify any items in the presentation.
- 4) Community Development Department Staff presents additional information on the proposal and gives recommendation for approval, approval with conditions or denial of the proposal.
- 5) Planning Commission may question Staff for clarification, explanation, or advice.
- 6) Chair asks for public comments in favor of the proposal.
 - Chair should discourage lengthy repetitive testimony or debate. All questions/comments are to be directed to the Commission or City staff.
 - Public ~~T~~estimony and documents (e.g. petitions, exhibits) may be presented and ~~may shall~~ be entered into the permanent record of the hearing if presented.
 - Commission may question opponents of the proposal.

7) Chair asks for public comments against the proposal.

- Chair should discourage lengthy repetitive testimony or debate. All questions/comments are to be directed to the Commission or City staff.
- Public ~~T~~estimony and documents (e.g. petitions, exhibits) may be presented and ~~mayshall~~ be entered into the permanent record of the hearing if presented.
- Commission may question opponents of the proposal.

If testimony is duplicative or repetitious the Chair shall note that comments have already been received and note for agreement or disagreement with preceding testimony.

Presentations by a representative of a group are encouraged. The group representative may ask the group to raise their hands or stand so the Planning Commission can see who speaker is representing.

8) Petitioner or Representative gives final response/summary/rebuttal.

9) Planning Commission ~~M~~embers may question the Petitioner or Representative on points brought by Staff, proponents or opponents.

10) Chair closes public hearing and asks for Commission discussion, motion, second and vote on the item.

6 If any member of the Planning Commission determines a conflict of interest or potential conflict of interest exists either prior to or during the proceedings concerning any item on the Planning Commission agenda, the member shall excuse him/herself, vacate his/~~her~~ seat, leave the dais and refrain from discussing and voting on said item as a Planning Commission member. Members who are excused should leave the hearing room.

7 If the Chairperson and Vice-Chairperson cannot be present at a scheduled meeting, the Planning Commission shall elect a temporary Chairperson to conduct that meeting.

8 Matters referred to the Commission by the Grand Junction City Council may be placed on the calendar for consideration and action at the next available meeting determined by ~~Staff~~ the Administrator.

WORKSHOPS

- 1 Planning Commission workshops may be scheduled from time to time for the purpose of fact-finding, conducting or reviewing planning research, discussions on possible policy recommendations, engaging in comprehensive planning, training, and/or for conducting or participating in other areas of general interest to the Planning Commission.
- 2 Workshops are open to the public but testimony shall not be received from Ppetitioners, Representatives or opponents.
- 3 If a Ppetitioner, Representative or other person requests an appearance before the Grand Junction Planning Commission at a workshop, the Chairperson shall evaluate the request and determine if the request is appropriate and in conformance with the bylaws, rules, regulations and law applicable to the Commission. All requests to appear before the Planning Commission at a workshop must be in writing and must contain an explanation of the person's intentions as to why they person wishes to appear, what they person intends to present, the date requested, and any other relevant information, including the amount of time needed for a presentation. The Commission shall consider the request and, if approved, will invite the person to make an appearance at a specified workshop. An appearance before the Planning Commission at a workshop shall be expressly limited to discussion/presentation of general, non-specific information to assist the Commission in discharging its duties or in other matters related to general planning in and for the City of Grand Junction.

AMENDMENT OF PLANNING COMMISSION BYLAWS

These rules and regulations may be recommended to be amended at any meeting by a vote of the majority of the entire membership of the Commission provided five (5) days' notice has been given to each member of the Commission. Proposed amendments approved by the Commission, must be considered and approved by the City Council.

RESOLUTION NO. _____-13

A RESOLUTION AMENDING THE BYLAWS OF THE GRAND JUNCTION PLANNING COMMISSION

Recitals:

WHEREAS, the bylaws of the Grand Junction Planning Commission were last significantly amended/adopted as a whole was in 1997; and

WHEREAS, since last adopted, changes have been considered by the Planning Commission for changes considering the operation and needs of the Planning Commission; and

WHEREAS, the Planning Commission recommended approval of the amendments to the Bylaws at its September 10, 2013 meeting; and

WHEREAS, the City Council finds that these amendments are necessary and prudent to the continued efficient function of the Planning Commission.

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

That the Bylaws of the Grand Junction Planning Commission are amended to read as follows:

CITY OF GRAND JUNCTION PLANNING COMMISSION BYLAWS

PLANNING COMMISSION OFFICERS – DUTIES, POWERS, ELECTION and TERMS OF OFFICE

- 1 Chairperson
 - a) Presides at all meetings of the Commission.
 - b) Calls special meetings of the Commission in accordance with the bylaws.
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 - d) Sees that all actions of the Commission are properly taken.
 - e) Serves as ex-officio member of all committees established by the Grand Junction Planning Commission with voice but no vote.

- f) Elected by the Commission at a regular meeting in May of each year.
- g) Votes under the same procedures as other Commission members at public hearings.
- h) Shall not serve more than two (2) consecutive full years as Chair except with the unanimous vote of the members of the Planning Commission.

2 Vice-Chairperson

- a) During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.
- b) Elected by the Commission at a regular meeting in May of each year.
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3 Secretary and Staff

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PLANNING COMMISSION MEMBER CONDUCT

- 1 The Chairperson, on behalf of the Commission, may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after three (3) unexcused absences during a calendar year. The determination of what comprises an unexcused absence shall be left to the discretion of the Chairperson and/or Vice-Chairperson. A recommendation to the City Council for removal of a member requires a motion, only after a finding of three (3) unexcused absences as provided herein, and majority vote of the members. The Chairperson and the member considered for removal shall be entitled to vote.

- 2 Commissioners attend both the workshops and the regularly scheduled public meetings. Any Commissioner may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after six (6) or more excused/unexcused absences during a calendar year. If a majority of the members find that the absence of the Commissioner is a neglect of duty or is inefficient for the actions and operations of the Commission, then the matter shall be presented to City Council for consideration for removal. The member considered for removal shall be entitled to vote.
- 3 The Planning Commission members shall not discuss applications filed, to be filed or contemplated with petitioner(s), applicant(s) or representative(s) in individual sessions or telephone conversations. Commissioners shall make no comment or input on a petition or item on the Planning Commission Agenda prior to consideration at a meeting or hearing of the Commission. This bylaw shall not be construed in such a way so as to prevent Planning Commission members from questioning or interviewing members of the development community, private citizens, City staff or other parties that may have information which will enhance a Commissioner's ability to perform his/her duties.

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- 3 Each member of the Planning Commission who has knowledge that he/she will not be able to attend a scheduled meeting of the Commission shall notify the Staff member designated by the Chairperson at the earliest possible opportunity and, in any event, prior to 3:00 PM on the date of the meeting. Failure to give such advance notice may result in the Chairperson determining an unexcused absence for that member. The Staff member shall notify the Chairperson of the Commission in the event that scheduled or anticipated absences will result in the lack of a quorum.
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 - Public testimony and documents (e.g. petitions, exhibits) may be presented and may be entered into the permanent record of the hearing if presented.
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present, the date requested, and any other relevant information, including the amount of time needed for a presentation. The Commission shall consider the request and, if approved, will invite the person to make an appearance at a specified workshop. An appearance before the Planning Commission at a workshop shall be expressly limited to discussion/presentation of general, non-specific information to assist the Commission in discharging its duties or in other matters related to general planning in and for the City of Grand Junction.

AMENDMENT OF PLANNING COMMISSION BYLAWS

These rules and regulations may be recommended to be amended at any meeting by a vote of the majority of the entire membership of the Commission provided five (5) days' notice has been given to each member of the Commission. Proposed amendments approved by the Commission, must be considered and approved by the City Council.

PASSED and APPROVED this _____ day of _____,
2013.

ATTEST:

City Clerk

President of Council



Date: 8/30/13
 Author: Bill Roth
 Title/ Phone Ext: 5803
 Proposed Schedule: 09/16/13
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

Attach 4
CITY COUNCIL AGENDA ITEM

Subject: Sole Source Approval for Smeal Fire Apparatus and Approval for the Purchase of a Smeal Aerial Ladder Truck for the Fire Department
Action Requested/Recommendation: Authorize the City Purchasing Division to Sole Source Smeal Fire Apparatus and Authorize the Purchase of a Smeal Aerial Ladder Truck from Mile-Hi Fire Apparatus, Inc, for the Amount of \$667,733
Presenter(s) Name & Title: Ken Watkins, Fire Chief Jay Valentine, Internal Services Manager

Executive Summary:

This request is to authorize the City Purchasing Division to sole source purchase future Smeal Fire Apparatus and approve a request to purchase a Smeal Aerial Ladder Truck. The new unit is a scheduled replacement of a 15 year old aerial ladder truck that has a history of mechanical and service issues. A future fire apparatus purchase is expected in 2014 with the replacement of a 14 year old pumper truck.

Background, Analysis and Options:

The Fire Department Apparatus and Equipment Committee researched various options for replacing the department’s current 14 year old 75’ aerial ladder truck. By replacing with a like unit, the department maintains capabilities afforded by a shorter wheelbase aerial unit with better maneuverability than the larger 100’ aerial platform truck. In addition, maintaining more than one aerial ladder truck in the fleet is important for service needs and to maintain Insurance Service Office ratings to keep community fire insurance costs low. The specifications for this vehicle were designed to best meet the needs of the department and the community

The Fire Department, in addition to fleet, has been very pleased with the quality of fire apparatus and customer service that has come from Smeal. Additionally, there are other benefits to staying with that manufacturer, to include:

- **Compatibility/standardization:** By purchasing like manufactured units, especially of a custom built nature, it is more cost effective to stock common-use parts such as valves and actuators. By standardizing a fleet where local parts are non-existent and failures can be un- predictable, fleet can stock one common part that will fit several units, as opposed to stocking several parts that are specific to one unit. Standardization is also important for firefighter response and on-scene

operations. Driving operations are safer due to familiarization of the units and retrieval of equipment on scene is more efficient. During a critical incident, this standardization is one aspect that helps firefighters quickly mitigate fire and medical incidents.

- Reduction in training cost: Fleet technicians, as well as fire personnel, would only be required to attend training on one system. This also reduces time required for refresher courses.
- Increase in the unit's available time: Familiarization of one specific system will increase productivity and decrease diagnostic time while repairs are being made.

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.*

This purchase will allow the City of Grand Junction to continue to provide effective public safety services to the citizens of the community.

Board or Committee Recommendation:

This equipment replacement was approved by the City's Equipment Replacement Committee and Fleet Services.

Financial Impact/Budget:

The Fleet Replacement Fund has budgeted funds appropriated for this purchase. A formal Invitation for Bids was issued on the Rocky Mountain Bid System. Four responsive and responsible vendors replied.

FIRM	Location	Cost
Mile-Hi Fire Apparatus – Smeal 75' Aerial Quint	Commerce City, CO	\$667,733.00
Max Fire Apparatus – Rosenbauer FX Viper	Castle Rock, CO	\$695,026.00
Front Range Fire Apparatus – Pierce Arrow XT	Frederick, CO	\$767,351.00
Western Fire Truck – KME 79' Aerial	Arvada, CO	\$777,847.00

Legal issues:

There are no known or anticipated legal issues associated with this request.

Other issues:

The City has invested significantly in Smeal. Over the past couple of years, the Department has purchased a Smeal aerial platform ladder truck for Station 1 and two Smeal fire engine pumpers for Station 2 and 4 for a total investment of over \$1.75

million. Council approval for Sole Source of Smeal fire apparatus would ensure compatibility and conformity to the existing City-owned fleet.

Previously presented or discussed:

This specific agenda item has not been presented or discussed with Council.

Attachments:

There are no attachments with this agenda item.



Date: September 16 2013

Author: Stephanie Tuin/John Shaver

Title/ Phone Ext: City Clerk, x 1511, city

Attorney, X1506

Proposed Schedule: September 18,

2013

2nd Reading (if applicable): _____

File # (if applicable): _____

Attach 5

CITY COUNCIL AGENDA ITEM

Subject: Amending Council Committee Assignments for 2013 - 2014

Action Requested/Recommendation: Adopt Proposed Resolution

Presenter(s) Name & Title: City Council

Executive Summary:

On May 6, 2013 the City Council reviewed and determined who on the City Council would represent the City Council on various boards, committees, commissions, authorities, and organizations. Subsequently, on June 5 and August 7, 2013, the City Council amended those assignments. The proposed resolution amends those assignments.

Background, Analysis and Options:

The City Council assigns its members to represent the governing body on a variety of Council appointed boards, committees and commissions as well as a number of outside organizations.

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

NA

Board or Committee Recommendation:

NA

Financial Impact/Budget:

NA

Legal issues:

The proposed resolution has been noticed and lawfully agendized for the September 18th meeting. There are no legal issues arising out of consideration/approval of the resolution.

Other issues:

NA

Previously presented or discussed:

Changes in assignment was moved and approved at a regular meeting held on August 7, 2013. Council Assignments have also been discussed on May 6, June 5, July 23, and July 31, 2013. With the appointment of Barbara Traylor Smith on September 5, 2013, Staff was asked to present this amendment at the September 18, 2013 meeting.

Attachments:

Proposed Resolution

RESOLUTION NO. __-13

**A RESOLUTION AMENDING RESOLUTION NO. 51-13 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 adopted amendments to that resolution on June 5 and August 7, 2013 as Resolutions No. 38-13 and Resolution No. 51-13. Due to the appointment of Barbara Traylor Smith to the At-large seat, the assignments heretofore made by Resolution No. 51-13 are amended as follows.

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

The appointments and assignments of the members of the City Council as approved by Resolution Nos. 30-13, 38-13, and 51-13 are amended to wit:

Barbara Traylor Smith is appointed to the Grand Junction Housing Authority Board.

Barbara Traylor Smith is appointed as the alternate to the Parks Improvement Advisory Board.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

President of the City Council

ATTEST:

City Clerk

AMENDED (September 18, 2013) - 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	Barbara Traylor Smith
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 Alternate – Barbara Traylor Smith
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	Duncan McArthur
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 meets at least annually. The time and place for board meetings are determined by the Executive Committee.	Sam Susuras

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
Riverview Technology Corporation *	Annual meeting in January	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 Bureau Board of Directors *	2 nd Tuesday of each month at 3:00 p.m.	NA
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



Attach 6

CITY COUNCIL AGENDA ITEM

Date: Sept. 5, 2013
 Author: Kathy Portner
 Title/ Phone Ext: Econ Dev & Sustainability/1420
 Proposed Schedule: Sept. 18, 2013
 2nd Reading: _____
 File # (if applicable): _____

Subject: Community Solar Garden Subscription and Lease Agreement
Action Requested/Recommendation: Approve a Resolution to Enter into a Subscription Agreement and Lease Agreement for the Pear Park Community Solar Garden
Presenter(s) Name & Title:

Executive Summary:

This is a request to approve a resolution authorizing the City Manager to enter into an agreement with Ecoplexus, Inc. as a subscriber to the Pear Park Community Solar Garden and a lease agreement for the use of a portion of City-owned property.

Background, Analysis and Options:

In 2012, Xcel Energy released its Solar* Rewards Community Program to provide incentives to stimulate the development of community solar gardens in its service territory. Ecoplexus, Inc., a solar developer, won a competitive bid for a 2 MW project in Mesa County. A community solar garden operates at a centralized location, generating energy that is sold directly to Xcel via an energy procurement agreement. Each kWh produced generates a “virtual net metering” credit and a renewable energy certificate. Subscribers to the solar garden purchase power from the solar provider and receive a credit from Xcel on their monthly utility statement.

The project is proposed to be located on 14 acres of vacant land, located at 2950 D ¼ Road in Pear Park. The site consists of two parcels, 10 acres owned by School District 51 and 4 acres owned by the City of Grand Junction. The property is bounded by the unimproved D ¼ Road on the south, the unimproved 29 ¼ Road on the west and the Mesa County ditch along the northeast perimeter. The School District property will be fully utilized for the placement of the solar array. Approximately ½ acre of the adjacent City property is proposed to be leased for an access driveway and perimeter landscaping. A Conditional Use Permit for the project was approved by the Planning Commission on June 25, 2013.

The solar array had originally been planned to utilize the entire 14 acres, including the City-owned property, but through the design process it was determined that it could be accommodated on just the ten acres owned by the School District, utilizing a portion of

the City property for the access driveway and landscape buffer adjacent to the neighborhood. The improvements on the City property will be confined to the southern and eastern perimeter with landscaping and a driveway, leaving the bulk of the property available for other purposes. Ecoplexus has submitted a bid to Xcel for another solar project, which, if approved, could be located on the remainder of the City property. The City property would be leased at a rate of \$600 annually for the 1/2 acre for twenty years, with optional renewal provisions and Ecoplexus will be responsible for all improvements and maintenance.

As a subscriber to the Community Solar Garden, the City can maximize savings by selecting the accounts to utilize approximately 23% of the 2 MW project. Other subscribers will include School District 51, Mesa County, Alpine Bank and Grand Junction Housing Authority (5% of the solar garden must be available to income qualified). Based on the City accounts identified for best return, the annual savings projected for 2014 are \$32,943. The City can select and change accounts on an annual basis to maximize their return. The subscription agreement will be for a twenty year period, with an optional extended term for up to five additional one year periods.

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

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

The proposed Community Solar Garden will generate over \$3.5 million in electricity cost savings for taxpayer funded entities over the 20 year period.

GJ CORE: This project also furthers the goals of GJ CORE (Conserving Our Resources Efficiently) to promote and monitor waste reduction, energy conservation, water conservation, alternative transportation, and pollution reduction and prevention in all City operations.

Board or Committee Recommendation: N/A

Financial Impact/Budget:

Savings are conservatively estimated at \$724,838 over the twenty year period.

Legal issues:

All documents pertaining to the lease agreement and subscriber's agreement will be reviewed and approved by the City Attorney's office.

Other issues: N/A

Previously presented or discussed:

This proposed project was discussed at the December 12, 2012 City Council workshop and general direction was given to continue negotiating the terms of the project. A non-binding letter of intent to lease City property and subscribe to the solar garden was executed March 15, 2013.

At the September 16, 2013 Readiness Meeting, City Council directed that the Community Solar Garden proposal be placed on the September 18, 2013 agenda for consideration.

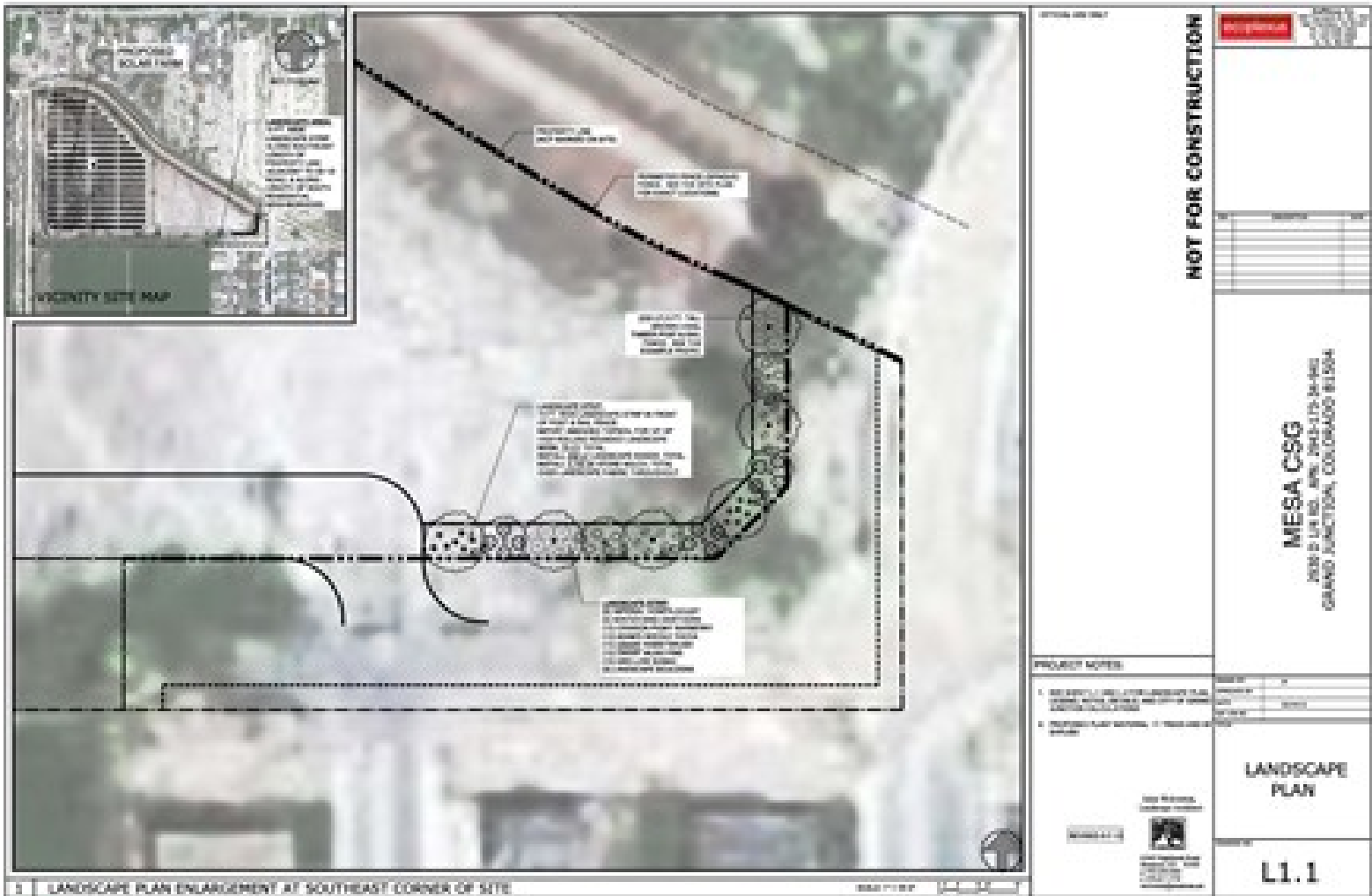
Attachments:

Site Plan
Estimated Savings Analysis
Resolution

Site Layout



Landscaping Plan



NOT FOR CONSTRUCTION	MESA CSG <small>1000 S UT RD, APT. 200-115-10-002 GRAND JUNCTION, COLORADO 81504</small>
	LANDSCAPE PLAN L1.1



City Grand Junction Estimated Savings Analysis - \$0.0675/kWh SA Rate

Yr	Subscription Value per kWh			Subscription Share (% CSG)			Aggregate Annual and Cumulative Savings					
	Avg Xcel SRC Credit (per kWh) ¹	SA Rate (per kWh) ²	Savings (per kWh)	Annual CSG Production (kWh) ³	Subscrip %	Annual kWh's Subscribed ⁴	1.5% Utility Escalation		3.0% Utility Escalation		4.5% Utility Escalation	
							Annual Savings	Cumulative Savings	Annual Savings	Cumulative Savings	Annual Savings	Cumulative Savings
1	\$ 0.10746	\$ 0.06750	\$ 0.03996	3,566,642	23.1%	824,395	\$ 32,943	\$ 32,943	\$ 32,943	\$ 32,943	\$ 32,943	\$ 32,943
2	\$ 0.10907	\$ 0.06851	\$ 0.04056	3,548,809	23.1%	820,273	\$ 33,270	\$ 66,213	\$ 34,592	\$ 67,535	\$ 35,914	\$ 68,857
3	\$ 0.11071	\$ 0.06954	\$ 0.04117	3,531,065	23.1%	816,172	\$ 33,600	\$ 99,812	\$ 36,290	\$ 103,825	\$ 39,020	\$ 107,877
4	\$ 0.11237	\$ 0.07058	\$ 0.04179	3,513,409	23.1%	812,091	\$ 33,933	\$ 133,746	\$ 38,039	\$ 141,864	\$ 42,266	\$ 150,143
5	\$ 0.11405	\$ 0.07164	\$ 0.04241	3,495,842	23.1%	808,031	\$ 34,270	\$ 168,016	\$ 39,840	\$ 181,704	\$ 45,659	\$ 195,802
6	\$ 0.11576	\$ 0.07272	\$ 0.04305	3,478,363	23.1%	803,990	\$ 34,610	\$ 202,626	\$ 41,694	\$ 223,398	\$ 49,203	\$ 245,005
7	\$ 0.11750	\$ 0.07381	\$ 0.04369	3,460,971	23.1%	799,970	\$ 34,954	\$ 237,580	\$ 43,603	\$ 267,001	\$ 52,905	\$ 297,909
8	\$ 0.11926	\$ 0.07491	\$ 0.04435	3,443,666	23.1%	795,971	\$ 35,301	\$ 272,881	\$ 45,567	\$ 312,568	\$ 56,771	\$ 354,681
9	\$ 0.12105	\$ 0.07604	\$ 0.04501	3,426,448	23.1%	791,991	\$ 35,651	\$ 308,532	\$ 47,590	\$ 360,158	\$ 60,810	\$ 415,490
10	\$ 0.12287	\$ 0.07718	\$ 0.04569	3,409,316	23.1%	788,031	\$ 36,005	\$ 344,537	\$ 49,671	\$ 409,829	\$ 65,026	\$ 480,516
11	\$ 0.12471	\$ 0.07834	\$ 0.04638	3,392,269	23.1%	784,091	\$ 36,362	\$ 380,899	\$ 51,813	\$ 461,643	\$ 69,428	\$ 549,944
12	\$ 0.12658	\$ 0.07951	\$ 0.04707	3,375,308	23.1%	780,170	\$ 36,723	\$ 417,623	\$ 54,018	\$ 515,660	\$ 74,023	\$ 623,967
13	\$ 0.12848	\$ 0.08070	\$ 0.04778	3,358,431	23.1%	776,269	\$ 37,088	\$ 454,710	\$ 56,286	\$ 571,946	\$ 78,819	\$ 702,785
14	\$ 0.13041	\$ 0.08191	\$ 0.04849	3,341,639	23.1%	772,388	\$ 37,456	\$ 492,166	\$ 58,619	\$ 630,565	\$ 83,824	\$ 786,609
15	\$ 0.13236	\$ 0.08314	\$ 0.04922	3,324,931	23.1%	768,526	\$ 37,828	\$ 529,994	\$ 61,020	\$ 691,586	\$ 89,046	\$ 875,655
16	\$ 0.13435	\$ 0.08439	\$ 0.04996	3,308,306	23.1%	764,683	\$ 38,203	\$ 568,197	\$ 63,490	\$ 755,076	\$ 94,496	\$ 970,151
17	\$ 0.13637	\$ 0.08566	\$ 0.05071	3,291,765	23.1%	760,860	\$ 38,582	\$ 606,779	\$ 66,031	\$ 821,107	\$ 100,180	\$ 1,070,331
18	\$ 0.13841	\$ 0.08694	\$ 0.05147	3,275,306	23.1%	757,056	\$ 38,965	\$ 645,744	\$ 68,645	\$ 889,752	\$ 106,110	\$ 1,176,441
19	\$ 0.14049	\$ 0.08825	\$ 0.05224	3,258,930	23.1%	753,270	\$ 39,352	\$ 685,096	\$ 71,333	\$ 961,086	\$ 112,296	\$ 1,288,737
20	\$ 0.14259	\$ 0.08957	\$ 0.05302	3,242,635	23.1%	749,504	\$ 39,742	\$ 724,838	\$ 74,098	\$ 1,035,183	\$ 118,746	\$ 1,407,483
				68,044,053		15,727,732	\$ 724,838		\$ 1,035,183		\$ 1,407,483	

Footnotes

- 1) Weighted average SRC credit for subscribed SG premises; assumes 1.5% annual utility escalation
- 2) 1.5% annual escalation; assumes project is not exempt from taxes
- 3) Based upon preliminary PVSyst performance models with fixed-tilt system; will be fine-tuned during final system engineering; assumes 0.5% annual PV degradation
- 4) Applies the 120% rule to actual annual consumption

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____-13

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH ECOPLEXUS, INC. AS A SUBSCRIBER TO THE PEAR PARK COMMUNITY SOLAR GARDEN AND AUTHORIZE A LEASE FOR THE USE OF A PORTION OF CITY-OWNED PROPERTY FOR THE PEAR PARK COMMUNITY SOLAR GARDEN

RECITALS

In 2012, Xcel Energy released its Solar* Rewards Community Program to provide incentives to stimulate the development of community solar gardens in its service territory. Eco plexus, Inc., a solar developer, won a competitive bid for a 2 MW project in Mesa County. A community solar garden operates at a centralized location, generating energy that is sold directly to Xcel via an energy procurement agreement. Each kWh produced generates a “virtual net metering” credit and a renewable energy certificate. Subscribers to the solar garden purchase power from the solar provider and receive a credit from Xcel on their monthly utility statement.

The project is proposed to be located on 14 acres of vacant land, located at 2950 D ¼ Road in Pear Park. The site consists of two parcels, 10 acres owned by School District 51 and 4 acres owned by the City of Grand Junction. The property is bounded by the unimproved D ¼ Road on the south, the unimproved 29 ¼ Road on the west and the Mesa County ditch along the northeast perimeter. The School District property will be fully utilized for the placement of the solar array. Approximately ½ acre of the adjacent City property is proposed to be leased for an access driveway and perimeter landscaping. A Conditional Use Permit for the project was approved by the Planning Commission on June 25, 2013.

The solar array had originally been planned to utilize the entire 14 acres, including the City-owned property, but through the design process it was determined that it could be accommodated on just the ten acres owned by the School District, utilizing a portion of the City property for the access driveway and landscape buffer adjacent to the neighborhood. The improvements on the City property will be confined to the southern and eastern perimeter with landscaping and a driveway, leaving the bulk of the property available for other purposes. Ecoplexus has submitted a bid to Xcel for another solar project, which, if approved, could be located on the remainder of the City property. The City property would be leased at a rate of \$600 annually for the 1/2 acre for twenty years, with optional renewal provisions and Ecoplexus will be responsible for all improvements and maintenance.

As a subscriber to the Community Solar Garden, the City can maximize savings by selecting the accounts to utilize approximately 23% of the 2 MW project. Other subscribers will include School District 51, Mesa County, Alpine Bank and Grand Junction Housing Authority (5% of the solar garden must be available to income

qualified). Based on the City accounts identified for best return, the annual savings projected for 2014 are \$32,943. The City can select and change accounts on an annual basis to maximize their return. The subscription agreement will be for a twenty year period, with an optional extended term for up to five additional one year periods.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction does hereby authorize the City Manager to enter into negotiations with Ecoplexus, Inc. as a subscriber to the Pear Park Community Solar Garden and upon completion of those negotiations to bring a proposed agreement to City Council for final approval.

AND BE IT FURTHER RESOLVED THAT the City Manager is authorized to enter a lease agreement for the use of a portion of City-owned property for the Pear Park Community Solar Garden.

Dated this ____ day of _____ 2013.

President of the Council

ATTEST:

City Clerk



Attach 7

CITY COUNCIL AGENDA ITEM

Date: September 5, 2013
Author: Scott D. Peterson
Title/ Phone Ext: Senior
Planner/1447
Proposed Schedule: 1st Reading:
September 4, 2013
2nd Reading: September 18,
2013
File #: GPA-2007-263

Subject: Zoning the Cunningham Investment Company Annexation (Crispell Property), Located at 2098 E 1/2 Road
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of the Proposed Zoning Ordinance
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

A request to zone the 27.7 +/- acre Cunningham Investment Company Annexation consisting of one unplatted parcel located at 2098 E 1/2 Road to R-E (Residential – Estate, 1 dwelling unit/acre) zone district.

Background, Analysis and Options:

The existing 27.7 +/- acre parcel of land is located at 2098 E 1/2 Road in the Redlands. The previous property owner, Cunningham Investment Company, requested this property be annexed into the City limits in anticipation of future residential subdivision development. The property was annexed by the City on January 16, 2008, but was not zoned pending the property owner’s request to amend the Growth Plan Future Land Use Map from Estate to Residential Medium Low (2 - 4 du/ac) to allow for more residential density on the property. The request to amend the Growth Plan was ultimately denied by the City Council on February 4, 2008. The Grand Junction Comprehensive Plan was adopted by City Council on February 10, 2010 which replaced the previous Growth Plan.

The property is annexed but not zoned to a City zone district and has gone through two changes of ownership since it was annexed in 2008. In order to zone the property in accordance with the Zoning and Development Code and State Statutes, the City of Grand Junction has been working with the current property owner, LL Crispell LLC, who is requesting that the property be zoned R-E (Residential - Estate) to be consistent with the current Comprehensive Plan Future Land Use Map designation of Estate. The R-E zone district requires a minimum of 1 acre lot size and a residential density not to exceed 1 dwelling unit per acre. No development at this time is being proposed with this zoning request.

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

The proposed zoning of R-E (Residential - Estate) meets Goals 1, 3 and 5 of the Comprehensive Plan by implementing land use decisions that are consistent with the Comprehensive Plan, spreading future growth throughout the community and by providing a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

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

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

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.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested Zone of Annexation at their August 13, 2013 meeting.

Financial Impact/Budget:

N/A.

Legal issues:

There are no legal issues arising out of the first reading and/or the form of the proposed zoning ordinance. The City Attorney has reviewed and approved the form of the ordinance.

Other issues:

None.

Previously presented or discussed:

The subject property was annexed by the City Council on January 16, 2008. Consideration and first reading of the Zoning Ordinance was on September 4, 2013.

Attachments:

Staff Report / Background Information
Site Location Map / Aerial Photo Map

Comprehensive Plan Map / Existing City and County Zoning Map
Zoning Ordinance

BACKGROUND INFORMATION					
Location:		2098 E 1/2 Road			
Applicants:		LL Crispell LLC, Owner City of Grand Junction, Representative			
Existing Land Use:		Vacant land			
Proposed Land Use:		N/A at this time			
Surrounding Land Use:	North	Single-family detached (2+ acres)			
	South	Single-family detached (5+ acres) and vacant acreage			
	East	Single-family detached (2+ acres)			
	West	Single-family detached (2+ acres)			
Existing Zoning:		None			
Proposed Zoning:		R-E (Residential - Estate)			
Surrounding Zoning:	North	RSF-2 (Residential Single Family – 2 du/ac) and RSF-4 (Residential Single Family – 4 du/ac) (County)			
	South	RSF-2 (Residential Single Family – 2 du/ac) and RSF-4 (Residential Single Family – 4 du/ac) (County)			
	East	RSF-4 (Residential Single Family – 4 du/ac) (County)			
	West	RSF-2 (Residential Single Family – 2 du/ac) (County)			
Future Land Use Designation:		Estate (1 – 3 acres)			
Blended Residential Land Use Categories Map (Blended Map):		Residential Low (Rural – 5 du/ac)			
Zoning within density range?		X	Yes		No

Neighborhood Meeting:

A Neighborhood Meeting was held on June 17, 2013. Three phone calls were received by City staff and six residents of the area attended the meeting. To date, City staff has not received any negative comments regarding the proposed zoning of R-E. In fact, all comments received by staff have been in favor of the proposed zoning or had no opinion.

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

Zone requests must meet at least one of the following criteria for approval:

(1) Subsequent events have invalidated the original premise and findings;

Subsequent events have not invalidated the original premises and findings. The property was annexed in 2008 and the zoning is being triggered by the Persigo Agreement between Mesa County and the City of Grand Junction, the Zoning and Development Code and State Statutes which requires all property within the City to be zoned to a City zone district. The requested zone of R-E implements the Comprehensive Plan Future Land Use Map designation of Estate. No development at this time is being proposed with this zoning request.

This criterion has not been met.

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

The residential character of this area of the Redlands and E 1/2 Road is single-family detached on large acreage ranging in size from 2 + acres to 59.7 +/- acres. The character and condition of the area has not changed.

This criterion has not been met.

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

Adequate public and community facilities and services are available to the property at this time and are sufficient to serve one single-family detached home in the R-E zone district. Ute Water is presently located within the E 1/2 Road right-of-way, however the property does not have access to sanitary sewer at this time. The applicant would be allowed to construct one house on the property and have a septic system to serve the proposed house in accordance with the Mesa County Health Department.

The existing E 1/2 Road, from 20 1/2 Road eastward, is unpaved and does not meet current City standards. Future development of the property that creates additional lots will require connection to the City sewer system which would have to be extended from the Highway 340, Broadway; dedication of right-of-way and pavement of the minimum road access (20' paved surface) to 20 1/2 Road. Xcel Energy is the electrical and gas service provider in the Redlands. Local schools are also located nearby (Redlands Middle School, Broadway and Wingate Elementary Schools). Both Xcel Energy and the school district have adequate capacity to serve a proposed residential density as identified by the R-E zone district at a maximum of one dwelling unit per acre.

This criterion has been met.

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

There is very little R-E zoning within the City because this zone district is reserved for large acreage development with a minimum of 1 acre lot size. In fact, there are only 21 lots that total 156 +/- acres that are zoned R-E within the City limits. Much of the property in this area of the Redlands is in the unincorporated area of Mesa County, therefore there is an inadequate supply of R-E land in this area of the City.

This criterion has been met.

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

The Comprehensive Plan Future Land Use Map allows the applicant to request a zoning of R-E which supports Goals 1, 3 and 5 of the Comprehensive Plan. The benefit to the area and community will be zoning of the property that will allow new residential estate development in an area that has a strong demand for that housing type, one house on large acreage.

This criterion has been met.

Alternative zone districts that implement the Estate land use designation: In addition to the zoning that the petitioner has requested, the following zone districts would also implement the Comprehensive Plan Estate land use designation for the subject property:

- a. R-R (Residential - Rural)
- b. R-1 (Residential – 1 du/ac)
- c. R-2 (Residential – 2 du/ac)
- d. R-4 (Residential – 4 du/ac)
- e. R-5 (Residential – 5 du/ac)

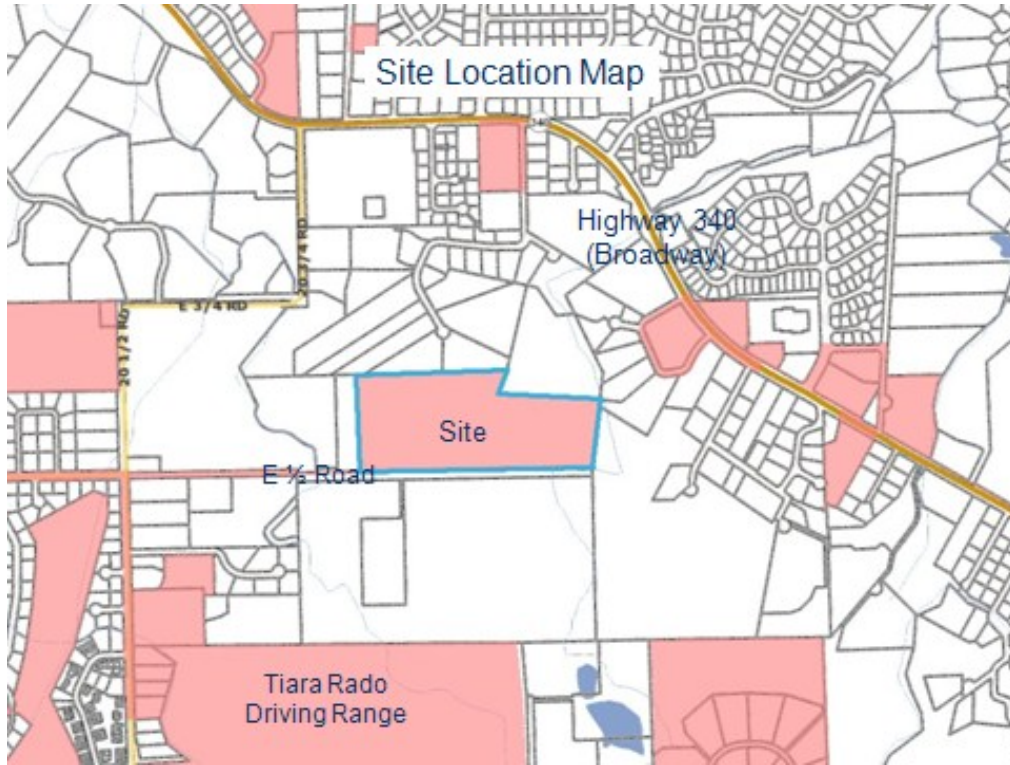
The Planning Commission has recommended the R-E zone district because it implements the Estate future land use designation which provides an appropriate residential density that can be served by the existing infrastructure. The R-E zone is the most appropriate zone district because it will serve as a transition zone between the nearby Neighborhood Center to the east and the Residential Medium Low future land use designation to the north and west.

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

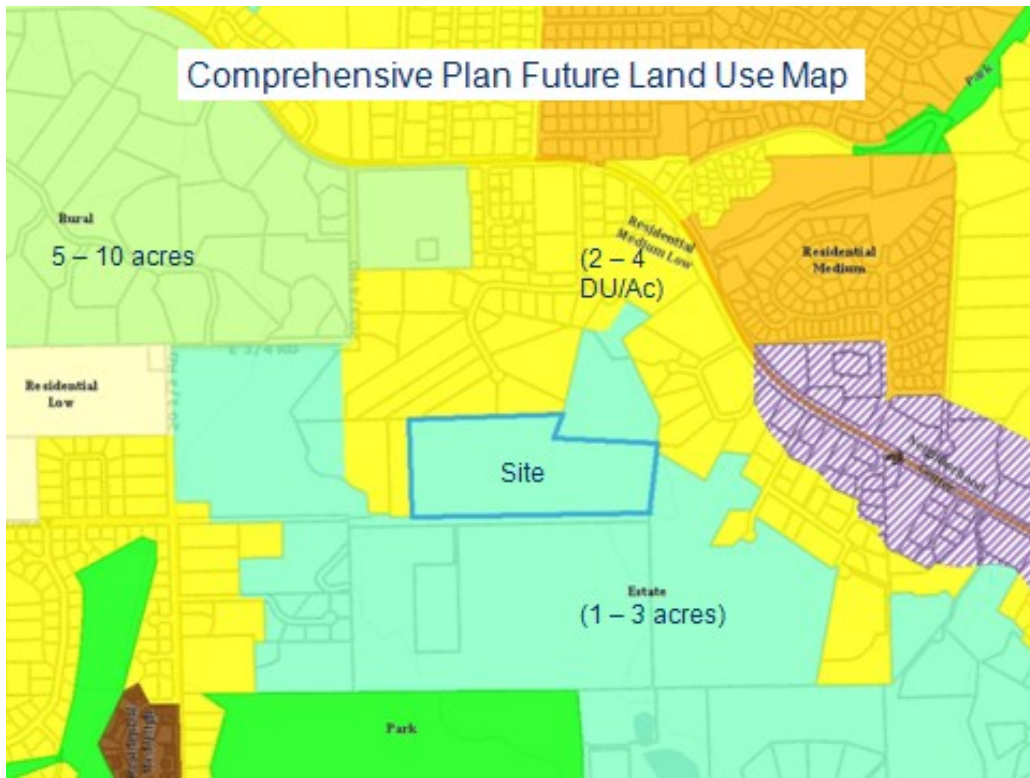
PLANNING COMMISSION RECOMMENDATION:

After reviewing the Cunningham Investment Company Zone of Annexation, GPA-2007-263, a request to zone property R-E (Residential – Estate, 1 dwelling unit/acre), the following findings of fact and conclusions have been determined:

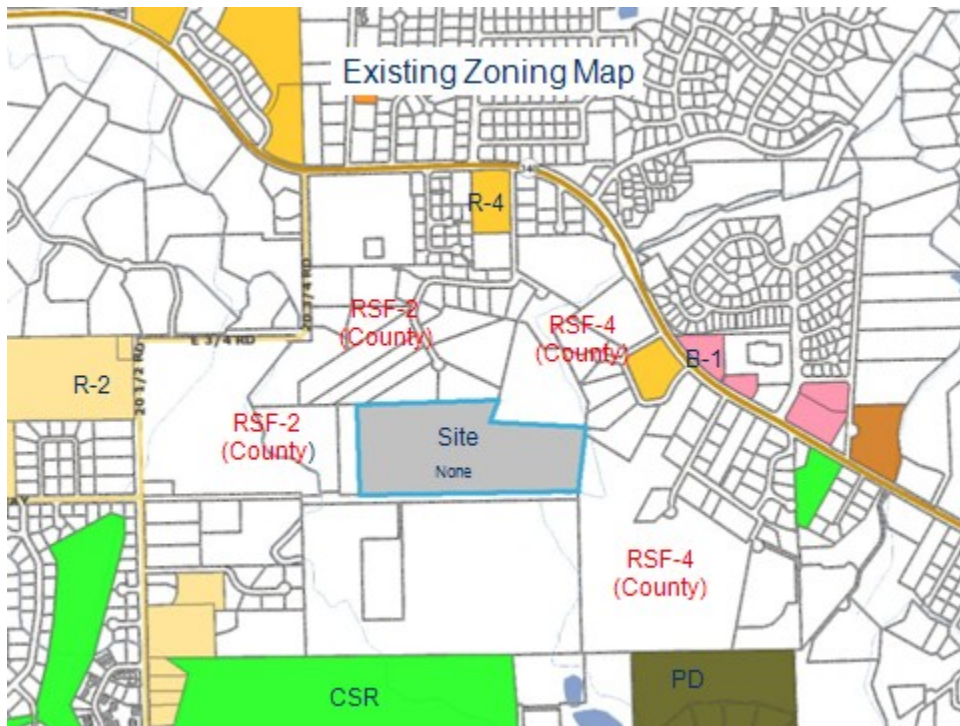
1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. Review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code, specifically criteria 3, 4 and 5, have been met.



Comprehensive Plan Future Land Use Map



Existing Zoning Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CRISPELL PROPERTY,
ALSO KNOWN AS THE CUNNINGHAM INVESTMENT COMPANY ANNEXATION, TO
THE R-E (RESIDENTIAL – ESTATE) ZONE DISTRICT**

LOCATED AT 2098 E 1/2 ROAD

Recitals:

The property was annexed by the City on January 16, 2008 but was unzoned pending the previous property owner's request to amend the Growth Plan Future Land Use Map from Estate to Residential Medium Low (2 - 4 du/ac) to allow for more residential density on the property. The request to amend the Growth Plan was ultimately denied by the City Council on February 4, 2008.

The property is annexed but not zoned to a City zone district and has gone through two changes of ownership since it was annexed in 2008. In order to zone the property in accordance with the Zoning and Development Code and State Statutes, the City of Grand Junction has been working with the current property owner, LL Crispell LLC, who is requesting that the property be zoned R-E (Residential – Estate, 1 dwelling unit/acre) to be consistent with the current Comprehensive Plan Future Land Use Map designation of Estate. The R-E zone district requires a minimum of a 1 acre lot size and a residential density not to exceed 1 dwelling unit per acre. No development at this time is being proposed with this zoning request.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Crispell property to the R-E (Residential - Estate) zone district for the following reasons:

The R-E zone district implements the Estate future land use designation shown on the Future Land Use map of the Comprehensive Plan, and meets the Comprehensive Plan's goals and policies and is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-E (Residential – Estate) zone district to be established.

The Planning Commission and City Council find that the R-E (Residential – Estate) zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be zoned R-E (Residential – Estate, 1 dwelling unit/acre).

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 22 and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 NE 1/4 of said Section 22 and assuming the South line of the SE 1/4 NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°30'14" W, along the South line of the NE 1/4 SE 1/4 of said Section 22, a distance of 476.95 feet to the POINT OF BEGINNING; thence from said Point of Beginning, along the boundary of that certain parcel of land described in Book 2566, Page 428 and Book 5188, Page 718, Public Records of Mesa County, Colorado the following seven (7) courses: (1) N 00°06'14" E a distance of 737.51 feet, (2) S 89°54'21" E a distance of 1151.54 feet, (3) S 22°12'18" W a distance of 188.16 feet, (4) S 85°08'25" E a distance of 784.87 feet, (5) S 09°06'35" W a distance of 511.79 feet to a point on the South line of the SW 1/4 NW 1/4 of said Section 23; (6) N 89°48'44" W, along the South line of the SW 1/4 NW 1/4 of said Section 23 a distance of 933.19 feet to a point being the Southwest corner of the SW 1/4 NW 1/4 of said Section 23; (7) N 89°30'14" W, along the South line of the SE 1/4 NE 1/4 of said Section 22 a distance of 849.63 feet, more or less, to the Point of Beginning.

CONTAINING 1,207,398 Square Feet or 27.71 Acres, more or less, as described.

Introduced on first reading this 4th day of September, 2013 and ordered published in pamphlet form.

Adopted on second reading this __ day of _____, 2013 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor