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**CITY COUNCIL AGENDA
WEDNESDAY, MARCH 5, 2014
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
A Moment of Silence

Appointments

To the Forestry Board

To the Commission on Arts and Culture

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***[®]**

1. **Minutes of the Previous Meetings**

[Attach 1](#)

Action: Approve the Summaries of the February 19, 2014 and the February 24, 2014 Workshops and the Minutes of the February 19, 2014 Regular Meeting and the Minutes of the February 24, 2014 Special Meeting

Revised March 6, 2014

** Indicates Changed Item

*** Indicates New Item

[®] Requires Roll Call Vote

2. **Setting a Hearing on the Droskin Rezone, Located at 2726 Patterson Road** [Attach 2](#)
[File #RZN-2013-547]

Request to rezone 0.375 acres located at 2726 Patterson Road from an R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

Proposed Ordinance Rezoning 0.375 Acres from R-8 (Residential 8 DU/AC) to R-O (Residential Office), Located at 2726 Patterson Road

Action: Introduce a Proposed Ordinance and Set a Public Hearing for March 19, 2014

Staff presentation: Brian Rusche, Senior Planner

3. **Contract for the 2014 Asphalt Overlay Project** [Attach 3](#)

This request is to award a construction contract for the asphalt resurfacing project along arterial roads throughout the City of Grand Junction. A total of 3 locations were selected.

Action: Authorize the City Purchasing Division to Enter into a Contract with Oldcastle SW Group Inc., dba United Companies of Mesa County of Grand Junction, CO for the 2014 Asphalt Overlay Project in the Amount of \$ 498,795.00

Staff presentation: Tim Moore, Deputy City Manager
Jay Valentine, Internal Services Manager

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

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

4. **Resolution Concerning Contracting to Complete Full Scope Build-out of the Avalon Theatre Core Renovation Project** [Attach 4](#)

[Supplemental documents presented](#)

The City has contracted with FCI Constructors, Inc. to renovate the Avalon Theatre as well as build the shell addition to the east of the existing Theatre. As directed by City Council, the City Manager sought and secured additional funding

to move toward completion of the Core renovation project that Council authorized.

Additional funding was obtained through a \$1 million Department of Local Affairs (DOLA) grant as well as continued private fundraising. With those funds additional work above and beyond that called for in the current contract will be performed.

The cost to complete the Core project is \$9.65 million. In order to complete the project the existing contract with FCI Constructors, Inc. ("FCI") and other equipment and service providers must be amended.

Resolution No. 04-14—A Resolution Authorizing the City Manager to Sign Contract Adjustments Concerning Completion of the Avalon Theatre Renovation Project

®Action: *Adopt Resolution No. 04-14*

Staff presentation: Rich Englehart, City Manager

5. **Colorado Law Enforcement and Fire Training Center Grant Request**

[Attach 5](#)

This request is for authorization to submit a request to the Mesa County Federal Mineral Lease District for a \$400,000 grant for the development of the Colorado Law Enforcement and Emergency Services Training Center. The grant application is due March 15, 2014.

Resolution No. 05-14—A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Development of the Colorado Law Enforcement and Emergency Services Training Center

®Action: *Adopt Resolution No. 05-14*

Staff presentation: Rich Englehart, City Manager

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

7. **Other Business**

8. **Adjournment**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

February 19, 2014 – Noticed Agenda Attached

Meeting Convened: 5:00 p.m. in the Administration Conference Room

Meeting Adjourned: 6:27 p.m.

Council Members present: All. Staff present: Moore, Shaver, Romero, Moberg, Portner, and Tuin.

Agenda Topic 1. Petition for Urban Renewal Authority (URA)

City Attorney Shaver introduced the topic noting the City was in receipt of a valid petition to form an Urban Renewal Authority but before that can be brought forward for a public hearing the Staff will need to conduct studies as to the conditions in the City that would possibly meet the criteria for a URA.

It was clarified that the URA boundaries would be co-terminus with the City limits even though it was the North Avenue Owners Association (NAOA), specifically Poppy Woody and Corey Snider, that circulated the petition. Expense will be realized when, after the formation of the URA, project plans are brought forward. Plans can be implemented incrementally and since the funding is accumulated over time, that is likely how any plan would be implemented.

There is no set time frame for the public hearing to be scheduled but the City Clerk asked that Council schedule a date, which can be rescheduled if need be, so that Staff and she have a target date.

City Attorney Shaver advised that there are bills pending in the legislature that could affect a URA using Tax Increment Financing (TIF). However, there are lots of other funding options.

It was the consensus of the City Council to set the hearing for June 4, 2014, to direct Staff to prepare a presentation for a workshop prior to the public hearing to include all the options available after the legislative session has concluded, and that advertising would be by display advertising rather than just a legal notice.

Agenda Topic 2. Form Districts

Deputy City Manager Moore noted that the public hearing on this Code Amendment is on the agenda that evening. He provided a history of the proposal, how form-based zoning was developed during the update to the Zoning and Development Code in 2010, which provided for this option at intersections along opportunity corridors (Patterson Road, 29 Road, and 30 Road). The proposal before them will allow that type of development at other locations besides just at the intersections of those roads. There has been a request from a developer to allow mixed use development “mid-block” along Patterson Road, west of 1st Street.

Councilmember Chazen expressed concern that the requirements for form-based zoning were too specific and may not work in all cases. He said he would rather see a range of options available to developers.

Deputy City Manager Moore responded that this particular concept could be adopted as presented and that Staff could get a group of architects, engineers, and planners to look at developing a range of options to bring back to the Council at a later time (his estimate was sixty days). Those options would be presented to the Associated Members for Growth and Development (AMGD) group before coming back to Council.

Councilmember Boeschstein urged caution in developing these corridors and controlling access so as not to create another situation as seen along North Avenue.

The public hearing was discussed briefly with it being suggested that the Staff Report could be entered into the record and the presentation could be abbreviated.

Agenda Topic 3. Other Business

Deputy City Manager Moore noted that the approval to apply for the Great Outdoors Colorado (GOCO) grant for Las Colonias was on the agenda that evening as the deadline for the grant submittal is March 5. However, he assured the City Council the grant will not be submitted until after the discussion at Executive Session on February 24. He distributed letters from the Grand Junction Lion's Club and Parks and Recreation Director Schoeber's response (see attached). It was noted that GOCO will require a specifically worded letter from the Lion's Club to be included with the grant application.

Agenda Topic 4. Board Reports

Councilmember Norris reported that the Pear Park Fire Committee met and new maps were distributed. She noted that progress has been slow but they will know more at the next meeting.

Councilmember Chazen advised that the Downtown Development Authority Board discussed the proposed panhandling ordinance and noted that Director Weiss will be bringing to them plans for business development.

Councilmember Traylor Smith announced that the Housing Authority is having their annual meeting on Monday and all of the Council is invited. Staff will get the event on Council's calendar.

Councilmember Boeschstein said he went to the Riverview Technology Corporation meeting at 7:00 a.m. at the Incubator. That area is a business park and to that end has completed a number of upgrades including the availability of broadband. Councilmember Boeschstein also talked about the State Historical Conference he attended in Denver where both the

Aspinall Federal Building and Handy Chapel were recognized. He also mentioned he went to an Avalon Theatre Project meeting.

Councilmember McArthur noted that the 521 Drainage Authority (521) did not meet but he is researching Grand Valley Drainage District's (GVDD) assertion about not being compensated for accepting urban flows when indeed they do receive the mill levy from those properties. In the case of the City taking over Wilsea Drain, he questioned the GVDD still receiving the mill levy for properties served by that drainage. Meanwhile, the 521 is drafting a business plan which will include looking at funding sources.

Councilmember Norris advised as representative on the Grand Valley Regional Transportation Committee, she wants the manager of Grand Valley Transit, Todd Hallenbeck, to present a plan for reducing the local government match for funding.

Council President Susuras reported that the Airport Authority attorney is researching whether the Airport can rent a hangar to the City for storage of their large emergency vehicles. He also would like an opportunity to update the rest of the Council on the Airport situation in Executive Session. City Attorney Shaver said that can be added to the Executive Session scheduled for Monday, February 24, 2014. Council President Susuras noted that the Airport Authority Board has formed two committees, one of which will begin a search for a new Director.

With that addition to the Executive Session, City Clerk Tuin was directed to reschedule the Arts Commission interviews scheduled for the evening of Monday, February 24, 2014.

There was no further business and the meeting adjourned.

**GRAND JUNCTION CITY COUNCIL
WORKSHOP**

**WEDNESDAY, FEBRUARY 19, 2014, 5:00 P.M.
ADMINISTRATION CONFERENCE ROOM
2ND FLOOR, CITY HALL, 250 N. 5TH STREET**

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

1. **Discussion of Petition to Form an Urban Renewal Authority:** The City Clerk received a petition to form an Urban Renewal Authority (URA). There are sufficient signatures of registered voters on the petition and the City Clerk has found it to be sufficient. Therefore the matter will come forward to the City Council for consideration and a briefing by the staff on the next steps.
[Attachment](#)
2. **Discussion on Amending the Grand Junction Municipal Code Adopting Changes to Form Districts within the City:** The proposed ordinance amends Section 21.03.090, Form Districts, eliminating barriers and cleaning up language for the development of mixed use projects in Mixed Use Opportunity Corridors.
[Attachment](#)
3. **Board Reports**
4. **Other Business**



February 11, 2014

Rob Schoeber
Grand Junction Parks & Recreation
1340 Gunnison Ave.
Grand Junction, Co 81501

RE: Grand Junction Lions Club Letter of Understanding

Dear Rob,

The Grand Junction Lions Club is a proud supporter of the Colorado Riverfront Development and the many attributes that it provides to our community. Our club sees the completion of Los Colonias Park as the ultimate success of this already important area located in South Downtown. In 2013 the Grand Junction Lions Club pledged \$300,000 to the completion of Los Colonias Park. To date the Club has raised \$114,000 towards this pledge. The remaining portion will be raised over the next four years with the objective to have all funds raised by 2018.

It is the intent of the Grand Junction Lions Club that the funds raised will be spent on the construction of an outdoor amphitheater located within the park boundaries, consistent with the current Master Plan for the park and amphitheater. The Club also understands that plans for the Park no longer contain a Kayak Park. The removal of the Kayak Park scope is acceptable to the Club and we shift our focus to the completion of the park as a whole with the amphitheater being the major point of emphasis. At this time it is understood that the park will be constructed in three phases as follows:

1. Phase 1 will include West end development of an arboretum, additional parking, restrooms, and walking path.
2. Phase 2 will include construction of irrigation ponds located on the east end of the park, additional parking, and restrooms.
3. Phase 3 will include the completion of the park, including the amphitheater.

At the time of this letter it is understood that the City of Grand Junction Parks & Recreation Department is underway with fundraising for Phase 1. Total budget for Phase 1 is estimated at \$786,000. The City of Grand Junction has budgeted \$397,000 towards this project and is re-applying for a \$350,000 grant from Great Outdoors Colorado. The remaining budget is made up of other various donations from within the community, including an initial \$10,000 disbursement from the Grand Junction Lions Club's total \$300,000.00 pledge. The \$10,000 disbursement from the Grand Junction Lions Club is contingent on

successful procurement of the Great Outdoors Colorado Grant. It is understood that the result of the Great Outdoors Grant will be known by June 30th 2014.

If the City of Grand Junction is not successful in obtaining the Great Outdoors Colorado grant the Club reserves the right to withdraw the \$10,000 disbursement. However, it is understood by the Club that even without the Great Outdoors Colorado Grant that the City of Grand Junction will move forward with a modified scope of phase 1.

Fundraising and budgeting for Phase 2 and 3 is in development by the Parks and Recreation Staff. It is understood that in order for the park to be completed that these phases must be within the 5 year budget plan which is anticipated to be adopted by Grand Junction City Council in December of 2014. The Grand Junction Lions Club reserves the right to withdraw our commitment of the \$300,000 pledge minus any funds spent on Phase 1 if Council does not approve the completion of Los Colonias Park and specifically the construction of the outdoor amphitheater consistent with the Master Plan within the 5 year plan. In addition, if Council chooses to construct a scaled back amphitheater inconsistent with the current Master Plan, the Club reserves the right to rescind or modify its pledge, after having had an opportunity to review the revised plans.

The Grand Junction Lions Club is hopeful that completion of Los Colonias Park be will be adopted within the City's 5 year budget plan. In the event of approval and further progress of Phase 2 and 3 the Club intends to fulfill our obligation with the following conditions:

1. Substantial completion of the amphitheater and park by 2019.
2. Naming rights of the amphitheater.
3. Historical signage in the park detailing the Grand Junction Lions Club's history with the Park, including its participation in the clean-up of the riverfront and the development of the trail system, the Botanical Gardens, and the Park itself.
4. Funding will be released following construction of the amphitheater, subject to advanced funding that may be approved by the Club's Board of Directors from time to time
5. The City will continue to allow three members of the Club to participate in meetings addressing the design and construction of the Park and amphitheater, as the liaisons between the Club and City. Those three Club members are currently Harry Griff, Larry Jones and Evan Walton, but may change from time to time as determined by the Club's President.

The Grand Junction Lions Club will continue to be an advocate for the successful completion of Los Colonias Park and we look forward to continuing our working relationship with the City of Grand Junction Parks & Recreation Department.

Sincerely,



Chris Allen Larry Jones Harry Griff Evan Walton
Club President Committee Member Committee Member Committee Member



PARKS & RECREATION

February 19, 2014

Harry Griff
Grand Junction Lions Club
PO Box 1948
Grand Junction, CO 81502

Dear Harry,

I would like to take this opportunity to respond to your letter dated February 11, 2014, and also provide an update as to the progress of the funding for the initial phase of development of Las Colonias Park.

Since our last meeting on January 23rd, we have been in contact with several partners in hopes of increasing the local cash contributions for phase one. Various commitments – including the increase from Grand Junction Lions Club – have increased our local cash match by a total of \$38,600. In addition, we have revised the project costs slightly resulting in an overall savings of \$12,643.50 for the initial phase of development. This brings the new project cost for phase one to a total of \$771,947.50. The updated project budget is as follows:

Total cash match:	\$471,251.00
GOCO request:	\$298,756.50
Total in-kind:	<u>\$ 1,940.00</u>
Total project cost:	\$771,947.50

Contingent upon approval from City Council, the Great Outdoors Colorado grant will be submitted by March 5th, and notification is expected by June 19th. If the grant application is successful, we anticipate development to begin this summer. In the event the grant is not awarded to this project, we will re-convene the stakeholders group and determine the best course of action at that time with the available funds. We understand that the Lions Club and all other funding partners may wish to re-direct their funding commitment or withdraw from the project.

During the next month, the City Council and City staff will be having detailed discussions relating to major capital development projects over the next 5 years. This visioning exercise will clearly define the goals that each department will work toward during this timeframe. The development of Las Colonias Park will continue to be a high priority for our department and hopefully for the entire community. Major projects such as this are developed in multiple phases, with each phase being proposed and approved independently from each other. It is our goal for the major park amenities to be completed within the next 5 years. These amenities include the west end development, irrigation



PARKS & RECREATION

system and community amphitheater. As we introduce each phase for development, we will continue the process of value engineering. It is our goal to develop the master plan as close as possible. As we have seen with the first phase, revisions to the design will be necessary based upon funding, soil conditions, utility locations, and other changes that are unforeseen at this time. Considering the number of variables that are involved with this multi-year project, it is impossible to commit to a definite timeline or project scope. We will continue to rely on the input from all stakeholders as potential changes come about. We understand that the amphitheater is top priority for you and the entire Lion's Club, therefore we will rely on your input throughout the design phase of that amenity.

Again, I would like to thank your entire Club and specifically yourself, Larry, Evan and Chris for making this commitment to the community. You have proven to be a strong advocate of park development in Grand Junction not only with your funding, but also with the personal time that has been committed by you all. We look forward to moving ahead with this strong partnership in the next weeks and months ahead. Please let me know if you have any questions regarding the status of this project.

Sincerely,

A handwritten signature in black ink that reads "Rob Schoeber". The signature is fluid and cursive, with a long horizontal line extending to the right.

Rob Schoeber, Director
Grand Junction Parks & Recreation

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

February 24, 2014 – Noticed Agenda Attached

Meeting Convened: 2:04 p.m. in the City Auditorium

Meeting Adjourned: 3:22 p.m.

Council Members present: All. Staff present: Englehart, Moore, Shaver, Romero, Schoeber, Valentine, Taylor, Prall, Cooper, Tice, and Tuin.

Also present: Stan Kiser, FCI Constructors, Ed Forsman, FCI Constructors, Daniel Gartner, Chamberlin Architects, John Halvorson, Avalon Theatre Foundation (ATF) Board Chair, and Robin Brown, Development Director for the ATF.

Agenda Topic 1. Avalon Theatre Project Update

City Manager Rich Englehart introduced the topic while Internal Services Manager Jay Valentine distributed a staff report. City Manager Englehart reviewed the history of the project with it being an economic development project at the end of Main Street. He reported that the current portion of the project is on time and under budget. He recalled that when the decision was made to go forward, it was noted that phasing the construction would come at a cost. With the award of the Division of Local Affairs (DOLA) grant, those additional costs have been calculated. He then deferred to Councilmember Boeschenstein.

Councilmember Boeschenstein read an excerpt from his project groundbreaking speech and then identified the elements that had been deleted from the first phase that are health/safety related: the elevator (ADA accessibility), the restrooms (ADA accessibility), and sprinklers/fire alarms in the new addition. Additional features not included in the first phase are revenue generating areas such as the multi-purpose room where movies will be shown and the rooftop terrace which will be another venue for lease.

Councilmember Doody added that those areas were also included in the business model presented last year.

Councilmember Norris inquired about teleconferencing capability being included in the final product. Stan Kiser, the contractor from FCI Constructors, said he was sure the infrastructure would be in place.

City Manager Englehart advised that in order to complete the project, with all the items mentioned, it will now cost \$9.65 million, 12.2% over the original estimate due to the phasing and increased costs. It will also include a new roof for the facility (rather than repairing the old one).

Financial Operations Director Jodi Romero then reviewed the resources available to complete the work: an additional \$500,000 contribution from the ATF, the \$469,000 contingency budgeted by the City which is not needed to stopgap the ATF's original obligation since Home

Loan has agreed to fulfill that obligation if need be, another major donor for \$250,000 that has been in negotiations with the City, for a total of \$1,219,000. That leaves a shortfall of \$131,000. Ms. Romero felt that the \$131,000 could easily be covered by the 2013 year end fund balance.

John Halvorson, chair of the ATF Board, explained that the additional \$500,000 contribution from the Foundation will be from the Take Your Seat Campaign and the naming rights campaign.

Completion times were discussed with Mr. Kiser from FCI Constructors stating he is still committed to having the theatre (old part) open by June 1st, the first floor of the addition by August, and the top two floors by September. City Manager Englehart noted it might be worth considering waiting until all is complete for a big grand opening.

Two Rivers and Avalon Theatre Manager Stuart Taylor advised that he has had a lot of interest from groups wanting to use the facility for concerts and weddings.

Staff said, if so directed, the change order could be placed on the March 5th City Council Meeting Agenda for consideration.

Councilmember Norris said she would like to see a revised business plan.

Council President Susuras polled the City Council and there was five to two in support of placing the item on the City Council Meeting Agenda March 5th.

There was no further business and the meeting adjourned.

**GRAND JUNCTION CITY COUNCIL
SPECIAL WORKSHOP**

MONDAY, FEBRUARY 24, 2014, 2:00 P.M.

**CITY HALL AUDITORIUM
250 N. 5TH STREET**

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

1. Avalon Theatre Project Update

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

February 19, 2014

The City Council of the City of Grand Junction convened into regular session on the 19th day of February, 2014 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Phyllis Norris, Barbara Traylor Smith, and Council President Sam Susuras. Also present were Deputy City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Susuras called the meeting to order. Boy Scout Troop #357 led the Pledge of Allegiance, followed by an invocation by Minister Jerry Gonzales, Living Stone Christian Center.

Proclamation

Proclaiming February 2014 as “African American History Month” in the City of Grand Junction

Councilmember Boeschstein read the proclamation. He called a number of representatives from the Handy Chapel to the podium. Barbara Anderson introduced her husband Bernie, grandsons Angelo Adams and Michael Matherne, plus Danielle Butler and Janelle Butler. Barbara Anderson thanked the City Council and provided some inspirational readings and a history of the restoration of the Chapel. She recognized the Bacon Foundation and the El Pomar Foundation that provided matching funds from the community. Additional funds were needed and that effort was spearheaded by former State Senator Tilman (Tillie) Bishop. She personally expressed her appreciation to him. Ms. Anderson provided a history of the church including the involvement of Josephine Dickey and family as well as the late Councilmember Harry Butler and his family. She then introduced former Senator Tillie Bishop. Mr. Bishop spoke on behalf of the partnership that helped with the restoration of the Chapel and church house. He recognized Herb and Laura May Bacon, the late Kathy Jordan, the late Councilmember Harry Butler, Josephine Dickey, the Daily Sentinel, Architect Ed Chamberlin, and Contractor Ed Forsman of FCI Constructors. The church was built in 1893 for the black community but has been shared with the whole community. Herb Bacon said it was pleasure and a privilege to be a part of this project. Bernie Anderson agreed it was a privilege and thanked the Council, as well as Herb and Tillie for all the work they put into the project. He appreciated the outpouring of support from the community to help restore the church. Danielle Butler said her husband, the late Councilmember Harry Butler, was a pastor at that church and loved it very much.

Proclaiming March 2014 as “Developmental Disabilities Awareness Month” in the City of Grand Junction

Councilmember Traylor Smith read the proclamation. Doug Sorter, Director of Development for Strive, introduced Jessie Quintana, a member of Strive as well as a board member. Ms. Quintana related that she and her husband have been married for thirteen years and how Strive has helped them. Mr. Sorter then related some Strive demographics, giving numbers on how many members are working in the community, how many are married, and how many have their own homes. There are several hundred Strive members in the community but in most cases it would be hard to single them out. Mr. Sorter thanked the City Council.

Council Comments

Councilmember Doody said about two weeks ago the Council met with the County and other municipalities for dinner and it was a good opportunity to share issues and successes. He spoke about DeBeque’s ballot issue on gambling.

Councilmember Boeschstein said he went to the Saving Places Conference in Denver from February 4th through the 9th and the Handy Chapel was recognized there. On February 12th he attended the BLM Oil and Gas briefing with the Chamber of Commerce. On February 17th he attended the Latino Chamber of Commerce meeting. He attended a water course at Colorado Mesa University (CMU), and just that day attended the Business Incubator meeting.

Councilmember Chazen said he went to the Downtown Development Authority (DDA) and Downtown Grand Junction Business Improvement District (DGJBID) meeting on February 6th. The board approved an additional \$5,000 donation for the Las Colonias GOCO grant and discussed the remediation of White Hall. There was also discussion on downtown business development and the Board will be getting a plan from the Director. On February 13th there were several meetings on Matchett Park’s Master Plan. The release of mineral lease payments is included in a Senate bill that has been passed and is headed for the House for approval by the Governor.

Councilmember Traylor Smith noted that she is the Chair of the Strive Foundation Board. She also mentioned the Housing Authority is having their annual meeting.

Councilmember McArthur went to the open house of the new County Workforce Center. He congratulated the County on the building. On February 3rd he was ushered out of City Hall by the Grand Junction Fire Department EMT’s for an event that was more painful

than serious. He expressed his appreciation for all the outpouring of concern from the community.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Doody read the Consent Calendar items #1-5 and then moved to adopt the Consent Calendar. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the February 3, 2014 Workshop and the Minutes of the February 5, 2014 Regular Meeting

2. **Professional Services Contract for the Persigo Wastewater Treatment Plant Nutrient Study**

Staff is requesting that Council approve a professional services contract with Stantec Consulting Services Inc. to study alternatives for dealing with nutrient concentrations in the effluent from the Persigo Waste Water Treatment Plant (WWTP).

Action: Authorize the Purchasing Division to Execute a Professional Services Contract with Stantec Consulting Services Inc. for the Persigo Wastewater Treatment Plant Nutrient Study in the Amount of \$89,060

3. **Purchase Hot Mix Asphalt for Streets Division for 2014**

This request is for the purchase up to 1,000 tons of hot mix asphalt for the Streets Division to be used for road work and repairs in 2014.

Action: Authorize the Purchasing Division to Purchase Approximately 1,000 Tons of Hot Mix Asphalt, on Behalf of the Streets Division, from Oldcastle SW Group, Inc., dba United Companies of Mesa County for an Amount Not to Exceed \$84,818

4. **Construction Contract for the 2014 Kannah Creek Raw Water Flow Line Replacement Project**

This Project will replace certain sections of the aging Kannah Creek raw water flow line that diverts water out of Kannah Creek and conveys the raw water to either Juniata Reservoir or the City's Water Treatment Plant. The existing steel flow line

was installed in the mid-1940's. Typically, the service life for a buried pipe made of steel is 50-years. As a result of the pipe's age, the existing flow line is experiencing periodic breaks due to corrosion.

Action: Authorize the Purchasing Division to Execute a Construction Contract with Rundle Construction, Inc. for the Construction of the 2014 Kannah Creek Raw Water Flow Line Replacement Project in the Amount of \$448,419.47

5. **Great Outdoors Colorado Grant Resolution for Las Colonias Park Phase I**

Parks and Recreation is seeking approval to reapply for a Great Outdoors Colorado (GOCO) local government grant to assist with funding critical elements of the early phases of Las Colonias Park. A resolution from the governing body with primary jurisdiction must be attached to all grant applications. The spring cycle of grants is due on March 5 with an award decision on June 19.

Resolution No. 03-14—A Resolution Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for Las Colonias Park Project

Action: Adopt Resolution No. 03-14

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Amending the Grand Junction Municipal Code to Prohibit Certain Activities Related to Panhandling

Residents of Grand Junction are reporting increasing instances of aggressive panhandling and disturbances by individuals attempting to panhandle money. For consideration by the City Council, Staff has prepared an ordinance regulating certain panhandling activities through reasonable time, place and manner restrictions.

The public hearing was opened at 7:40 p.m.

John Camper, Police Chief, presented this item. He explained that panhandling is nothing new and is not unlawful or unconstitutional but the more aggressive or unsafe forms can be an issue. In 2013, there were 377 panhandling complaints within the City. The ordinance being presented will provide a tool for the Police Department to address the more aggressive panhandling activities. This ordinance is not to ban panhandling, it will just set reasonable restrictions. He noted the groups that support the ordinance.

Councilmember Boeschstein asked if the ordinance will prohibit Girl Scouts from selling cookies. Police Chief Camper said it will not; most of those activities are on private property and typically those groups are not aggressive. Councilmember Boeschstein thanked the Police Chief for the Homeless Outreach Team (HOT Team), the bike patrol, and the other organizations that provide services to the homeless.

Police Chief Camper said the Police Department knows the HOT Team must address the issue from multiple angles, not just the law enforcement side.

Councilmember McArthur noted that Council deliberated every aspect of the proposed ordinance and the issue, and he expressed his appreciation to Police Chief Camper and Staff.

Councilmember Traylor Smith said she feels that a good balance has been found with this ordinance.

Councilmember Doody noted all the support the City and the Council have provided to help the homeless issue. He asked if a monetary figure could be placed on that help. Police Chief Camper said that including all the calls for service and grant contributions, it was about \$2.2 million.

Councilmember Norris asked how the ordinance will be communicated. Chief Camper said in 2009 the ordinance for panhandling in the medians was passed and only six tickets have been written. It is a tool. This ordinance will be used in much the same way. Councilmember Norris asked if calls increased when the HOT Team was not in operation. Police Chief Camper said he can't make that link but what was lost was being able to get some folks out of the system permanently. Now all programs are in operation. Councilmember Norris thanked the Chief for the bicycle team. Chief Camper said they will have the bike patrol in operation again this summer.

Councilmember Chazen thanked the City Attorney and the Police Chief for the work on the ordinance and for the involvement of the HOT Team. He also thanked Councilmembers Boeschstein and McArthur and City Staff for their work. He said he heard some concern that the Salvation Army bell ringers will be affected. Chief Camper said the ordinance does not apply to private property nor are the bell ringers aggressive. He said the officers will use discretion. Councilmember Chazen asked about the method or procedure for the public meeting and asked for confirmation that all were noticed and made public and there has been a lot of media involvement. Chief Camper listed all the research that was conducted and noted there were a lot of internal meetings.

City Attorney Shaver added that all meetings were noticed as required by the Open Meetings Law.

Eric Neiderkruger, 629 Ouray Avenue, said the American Civil Liberties Union (ACLU) totally lambasted the proposed ordinance. He was disturbed by the process. He said the ACLU will entertain a lawsuit. He said the problem is the City's own doing by relying only on Police instead of having other involvement in the ten year plan to end the homeless problem. He voiced opposition to the proposed ordinance and said homelessness and panhandling can't be legislated. He related his history with this issue. He said asking for help is protected free speech. He objected to the location prohibition.

Quentin Collins, 2240 Lands End Road, Clifton, said he doesn't trust the Police after the incident of slashed tents in the homeless camps. He felt citizens should take responsibility, and he related his experience about being approached. He noted that minstrels have been in existence for centuries.

Rocky Bailey, 2852 North Avenue, thanked Grand Valley Catholic Outreach and Homeward Bound. He said he flies a sign, he is not aggressive, and he appreciates the help from the community. He thought the hours prohibition was reasonable. He was born and raised in Grand Junction, has had a long history here, and has fallen on some hard times. He appreciates the City and the citizens.

Mike Wallace, homeless since 2007, said it pays to strategically panhandle and it is very hard and humbling. He is a minister and advocate among the homeless. He said people have the right to ask and the right to give. He cited Bible verses about giving. He believes God sees everything and said many of the men who panhandle have served this country. He mentioned a homeless woman named Diana and how she changed his life in a positive way. He opposed the ordinance because it might cause more aggressiveness.

Harry Weiss, Downtown Development Authority Executive Director, read a letter into the record from the Board of Directors supporting the ordinance (attached).

Caleb Ferganchick, 412 E. Mayfield Drive, said he is the editor for the CMU student newspaper. There are three stories of value for the consideration of this ordinance. He related a story about a homeless man named Casper who treated him like a grandson. Then a story about a teenager who came out as gay and was cast out by his family. Lastly, he recalled a time when a group of homeless men saved him from oncoming traffic. He said these are people just trying to get by. He asked Council to take into account that they have the responsibility to make sure all in the community are taken care of, and not just the ones with stable employment.

Milton “Tony” Long, 237 White Avenue, Apt. B, referred to a brochure called “Breaking the Chains of Addiction and Supporting Love.” He suggested panhandlers make money by selling something.

Julie Mamo, 662 Bud Long Street, with Grand Valley Peace and Justice, said she was contacted by Police Chief Camper to review the proposed ordinance. She read the ordinance and then went to the committee meeting and found Councilmembers who were very concerned and engaged and asked a lot of questions. Council wanted to make sure people were protected on all sides. She felt the ordinance has logic. She agreed with the time, place, and manner restrictions. It is not a punishment, it is about protection. However, there are some confusing terms in the ordinance and it is open to interpretation. She asked that the Council review the ordinance in a year to see what the affect has been and if it is working.

Molly Woodward, Acting Chair for the Grand Valley Coalition for the Homeless, said during the time of the writing, from the beginning all the way to the completion of the ordinance, there were countless meetings with City Councilmembers, noting especially Councilmembers Teresa Coons, Bennett Boeschstein, and Jim Doody; many times City Attorney John Shaver was there. She also noted the HOT Team brought their compassion and expertise to those meetings.

Shane Allerhelligen, downtown business owner representing other business owners, thanked the HOT Team, the Councilmembers, and especially City Attorney Shaver, for their efforts. He thought the issue has been understated and said everyone he talked to had a story about aggressive panhandling. He appreciated the comments about citizens taking action themselves. He is very supportive of the ordinance.

Richard Schultz, 260 ½ Martello Drive, said he was concerned regarding whether the City will be considered an open community or an exclusive community. He asked if the ordinance is really necessary. He felt the existing laws cover the aggressive behavior. He questioned how the proposed ordinance will be enforced. He did not feel it was addressing the underlying issue. It labels certain groups who, through no fault of their own, are in this situation.

Kenneth Albertson, homeless and disabled, said he has been homeless most of his life due to mental illness. He has recently been able to get some disability payments. He was evicted from his home, and is not allowed in the homeless shelters due to his illness. He has flown a sign recently. He thinks the existing laws can address the problems. He feels the proposed ordinance singles out the most vulnerable. A gift from one person to another should not be regulated.

There were no other public comments.

Councilmember McArthur said there is a misconception that the ordinance bans panhandling; it only restricts aggressive panhandling. People have a right to say no,

people have a right to go to an ATM, or eat in a sidewalk restaurant without being approached. He expressed empathy toward those that need to panhandle. This will not lead to a lot of arrests, it will help the police protect everyone's rights.

Councilmember Traylor Smith asked about the existing ordinance, and does it have the same provisions. City Attorney Shaver said it is not the same. The body of law from the State addresses assault, but as to the specific activity of panhandling there is nothing replicated in the law. There is "at risk" language in the law and that is what this ordinance is modeled after.

Councilmember Chazen said this ordinance places reasonable restrictions on time, place, and manner of panhandling and is not an anti-homeless ordinance. The City has been working with providers to help people get back on their feet. He recognized all the providers and the HOT Team as well as other City Departments that are trying to connect homeless with the service providers. The City has reached out to several organizations that provide services. The ordinance strikes a proper balance and places reasonable restrictions. He encouraged the public to read the ordinance and decide for themselves.

Councilmember Norris thanked everyone who spoke. She is concerned about the safety of all citizens. The ordinance addresses the issues of behavior and will protect both the homeless and those that are not homeless. She will support the ordinance.

Councilmember Doody thanked everyone for their comments. He reiterated that since 2005 the City has put about \$2.2 million toward helping the homeless. He recognized the programs Sister Karen with Catholic Outreach has put together. He appreciates the HOT Team and Staff. He disagreed that this is a Police solution as stated by a speaker. He agreed that giving the ACLU the heads up was the right thing to do. He asked about the time restriction affecting panhandlers who work swing shift. City Attorney Shaver said panhandling at night can be more of a safety issue than it is during the day, but, if the Council desires, that provision can be stricken. There is a component of apprehension of fear for the panhandling activity to happen in darkness. Councilmember Doody supported the ordinance.

Councilmember Boeschstein said the community is compassionate as demonstrated by all the projects that have been done and those coming forward. Ft. Lyons on the front range is being used as a homeless center and the Regional Center here has been considered for the same. He said it is a balanced and compassionate ordinance.

Council President Susuras thanked those that spoke. He noted the work done on the ordinance and concern for the protection of citizens' health, safety, and welfare. He believed the ordinance protects the rights of both panhandlers and the citizens.

City Attorney Shaver read into the record a correction of a typographical error from 9.05.030. The correction would read that the ordinance would be applicable within the City's jurisdiction.

The public hearing was closed at 8:53 p.m.

Ordinance No. 4618—An Ordinance Prohibiting Activities Relating to Panhandling

Councilmember Chazen moved to adopt Ordinance No. 4618 with an amendment to the jurisdictional wording as presented by the City Attorney and ordered it published in pamphlet form. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Council President Susuras called for a recess at 8:55 p.m.

The City Council was back in session at 9:03 p.m.

Public Hearing—St. Martin's Place Phase 2 Rezone, Located at 221 Pitkin Avenue
[File #RZN-2013-514]

Request to rezone 0.50 +/- acres from C-1 (Light Commercial) to B-2 (Downtown Business) in anticipation of the next phase of development for St. Martin's Place, a housing development being proposed by Grand Valley Catholic Outreach to provide housing for homeless individuals particularly veterans.

The public hearing was opened at 9:05 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. The application is for a rezone to B-2 for St. Martin's Place Phase 2. He described the previous occupancy of the lots and the proposed new density which will allow more units. The applicant held a neighborhood meeting. The concerns raised were the lack of parking, the influx of more homeless individuals and that the plans do not meet the long term plans of the downtown area. The parking will be addressed at the site plan review. Mr. Peterson stated the findings of the Planning Commission in recommending approval of the rezone. It also meets the goals of the Comprehensive Plan. He noted there is an inadequate supply of property for high density residential housing. The proposed site is located near services that meet the need of the proposed residents of the complex. The rezone criteria has been met. He noted the applicant would also like to make a presentation.

Ed Chamberlin, Chamberlin Architects, described the proposal and noted the project will provide housing to the chronically homeless with preference given to veterans. There are facilities nearby that will offer support services to the residents. The project has three buildings with eight units each for a total of 24 units. There will be landscaping and open space. The design will be similar to St Martin's Phase 1. He

also referred to the St. Benedict's complex which also serves the chronically homeless. He said they will not have a problem meeting the parking requirements, although most residents will not have cars.

Councilmember Boeschstein asked what the ratio of cars to residents is in the existing facilities. Sister Karen said at St. Benedict's Place, there are twenty-three apartments and seven cars; at St Martin's Place, there are sixteen apartments and seven cars.

Councilmember McArthur asked what the parking requirement is. Mr. Chamberlin said looking at Phase 1, there are 1.25 parking spaces required per unit. There are 61 on-street parking spaces within 500 feet and a parking study showed that only 14 spaces were occupied at any given time.

Councilmember Norris said she is concerned due to some businesses raising questions about parking near Phase I. Mr. Chamberlin pointed out the spaces on site as well as the number of on-street parking spaces.

Councilmember McArthur asked if more spaces could be provided along Pitkin Avenue. Mr. Peterson said that is in the right-of-way and the road is in Colorado Department of Transportation's (CDOT's) jurisdiction. There is a provision for an alternate parking plan submittal, since most residents don't have cars. A study can be submitted for similar complexes and the Planning Director can take that into consideration and determine the appropriate number, which is what happened with Phase 1.

Councilmember Doody asked for the projected cost and percentage of local labor to be used. Sister Karen said the projected cost is \$2.6 million. Shaw Construction will be doing the construction with the same team that did the other two projects. Shaw Construction has been aggressive about getting donations from subcontractors.

Councilmember Chazen said both facilities look nice and are well maintained. He complimented the management of these projects. Mr. Chamberlin said Phase 2, single apartments, are designed for one person, about 500 square feet. Councilmember Chazen asked about cooking facilities. Mr. Chamberlin said there are small kitchens, a small living area, a small dining area, one bedroom, and a bathroom. Councilmember Chazen asked if these are facilities for people who are phasing back into society. Sister Karen said they are both transitional and not. The object is to help individuals self-sustain. Councilmember Chazen asked if the units can be sold. Sister Karen said the facility is designed for this purpose. Councilmember Chazen said he would encourage the Planning Department to ensure adequate parking.

Councilmember Traylor Smith agreed with Councilmember Chazen's concern about lack of parking. There should be a long term and happy solution for the whole neighborhood.

Councilmember Chazen asked about the parking across the street to the south. Mr. Chamberlin said it is owned by Central Distributing.

Stephanie Harville, 186 Edlun Road, Director of the Catholic Outreach Program, provided an overview of the existing St. Martin's complex. It provides support for the chronically homeless, and residents pay 30% of their income into this program. All residents served their country in Vietnam and have some sort of disability. Many residents have jobs and volunteer. The residents are assisted in a variety of ways such as case management for the goal of self sufficiency and weekly visits to ensure maintenance and cleanliness of the home. The site manager lives at St. Martin's Place as well, is asked to be mindful of behavior in residents and maintains the grounds. St. Martin's is a community effort towards ending homelessness. Potential residents are vetted by the Veterans Administration (VA), Grand Junction Housing Authority, and Grand Valley Catholic Outreach through an application process that involves a background check, panel interview, and approval. The VA also provides a case manager. Grand Valley Catholic Outreach partners with other service providers to help the veterans in this program.

Beverly Lamplight, 426 E. Mayfield Drive, Director of Development and Communication for Grand Valley Catholic Outreach and former Director of Housing, described their clientele and the first step, which is to put them into housing. This program is vetted for people that the Outreach program thinks will succeed and thrive. This is the lead agency for dealing with single, chronically homeless. These are good people who deserve a chance. These residents can be a part of the community, and it is a restoration of dignity for those who are struggling.

Council President Susuras asked if the veteran population in this program includes female veterans as well. Ms. Lamplight said it does include females.

Jody Brynner, 2660 G 3/8 Road, board member of Grand Valley Catholic Outreach, provided the positive statistics of the Catholic Outreach programs. The State is using the Grand Valley Catholic Outreach residential programs as the State model.

Greg Kampf, 2207 E. Morrison Court, board member of Grand Valley Catholic Outreach, thanked the City for their support. He spoke to the economic impact of the project by pointing out the benefits the community will reap by hiring local contractors, vendors, and maintenance workers. There has also been a positive impact on the neighbors with the value of their property. He talked about the spending with the three projects. Only \$500,000 of public funding has gone into this project, the rest has been through private donations. There is a contract in place with the State to keep this project for the chronically homeless population for the next thirty years.

Tish Starbuck, 852 Haven Crest Court, board member of Grand Valley Catholic Outreach, talked about the benefits of the housing provided by Catholic Outreach. There were five blighted properties and this will add to the beautification of this corridor.

There has been reduction in transient traffic. Additional benefits are evidenced based on other successful models to house the homeless and surround them with support for self sustainment. She is the Vice President of Mind Springs Health, working collaboratively with the Catholic Outreach program to serve many of their clients. Many people have been diagnosed with depression, anxiety, and post traumatic stress disorder, and these programs and services have helped to benefit those in these conditions. It is hard for one to comply with treatment when not housed.

Patricia Boone, who works for the Grand Valley Outreach at The Day Center, said there were homes previously across the street from St. Martin's that were used for drug trafficking before these housing units were built. It is a great relief to the Day Center that this problem is gone. She recalled a guest who was a former drug addict who said he had to walk out of his way to avoid going by the drug trafficking houses. This housing project gives hope of betterment to those who are ready to make a change.

Mark Lancaster, 415 S. Third Street, Apartment 105, the Site Manager for St. Martin's, is also the Facilities Manager for Grand Valley Catholic Outreach. He invited Council to come out and see a unit; he is quite proud of these projects. He heard in the invocation, reference to a great City of Grand Junction and he agrees. He has heard Councilmembers talk of the importance of public safety, and through researching past activity he gave the negative statistics of 29 police calls before the rental properties were bought for the purpose of this housing project. Since the demolition of those properties there have been no calls to the police. Since the establishment of St. Martin's 1, there have been no police calls. Sister Karen encouraged him to talk to Mr. Wallace about the parking issue, as there is not a great deal of parking available on Third Street. Of those five spaces, it was surveyed that only four of the occupied spaces during high traffic times were taken solely by residents. There were more spaces at St. Martin's and there are three parking spaces on site. There are an additional sixteen parking spaces and they were never occupied during the time of the survey.

Roger Holmes, 415 S. Third Street, Apt. 204, who rents an apartment at St. Martin's, said he is a vietnam veteran who ended up homeless six to eight years ago. This housing has been a Godsend to him and has allowed him to enjoy life. There are 150,000 homeless veterans in the United States and there will be a lot more with the mid-east wars winding down. He believes the community should provide some place for the homeless veterans to live; people's lives are more important than a parking space.

Clarence Lipinski, 415 S. Third Street, Apt.103, makes \$1,054 per month and after rent this gives him \$600 per month to spend, which allows him to be a patron of downtown businesses. Sister Karen doesn't allow drugs or alcohol on her places; she sets guidelines that are followed.

Jesse Gifford, 415 S. Third Street, Apt. 107, lives at St. Martin's, said he has never been rich and has worked most of his life; he has never lived better than at this housing. He appreciates and is thankful for the compassion in the community.

Sister Karen Bland, Director of Grand Valley Catholic Outreach, 541 ½ 23 Road, said the request tonight is rezoning, but the real issue is housing for the homeless. It is morally imperative that something be done because it is right, regardless of how hard it is. The help of Council and the community is needed to bring this to fruition. She told a story from the tales of the Magic Monastery; the moral of the story was the question, "what do they really need?" Is it charity or justice to meet the basic needs of others? One is dependent on the other.

Councilmember McArthur asked Sister Karen about the backlog of applicants for residency there. Sister Karen said there were 360 counted at a point in time; 164 of them were literally homeless and thirty were veterans. The preference for St. Martin's is for veterans, but if there are not enough veterans, it will be filled with others who have mental illnesses and are homeless.

There were no other public comments.

The public hearing was closed at 10:05 p.m.

Ordinance No. 4620—An Ordinance Rezoning St. Martin's Place, Phase 2 from C-1 (Light Commercial) to B-2 (Downtown Business), Located at 221 Pitkin Avenue

Councilmember Doody moved to adopt Ordinance No. 4620 and ordered it published in pamphlet form. Councilmember Boeschstein seconded the motion.

Councilmember McArthur referred to a letter from Mr. Wallace regarding his suggestion of, in the future, widening South Avenue, and changing Ute, Pitkin, and South Avenues. He expressed appreciation for Grand Valley Catholic Outreach.

Motion carried by roll call vote.

Public Hearing—Amending the Sales and Use Tax Code Exempting Certain Food Items Sold Through Vending Machines from Sales Tax

The City Council will consider an Ordinance amending the City Sales and Use Tax Code that would exempt food, except for soda and candy, sold through vending machines from sales tax. If passed, the ordinance and exemption would be in effect for three years after the effective date.

The public hearing was opened at 10:08 p.m.

Jodi Romero, Financial Operations Director, presented this item. The exemption will expire in three years unless the City Council decides to extend it. She noted that the topic was discussed at a number of different workshops. The ordinance before them would exempt food sold through vending machines with the exception of soda and candy in alignment with the State.

Alden Savoca, 2800 Hunters Way, owner of Vendors Tech Inc., said he is representing the vending machine companies. There are currently five vending companies in town and 145 business owners who are managers and others that support this ordinance. He believes it is a step forward. He stressed the importance of the sugar tax which has yet to be applied equally to vendors and retailers.

Sherry Phillips and Kerry Phillips, 8183 Tovar Court, owners of Victor Vending, are local business owners and have had this business for six years. The removal of this tax will help them expand their business. They would also support the exemption of tax on pop and candy too which would help them keep their prices low.

There were no other public comments.

Councilmember Chazen said he likes giving tax relief for reinvestment into the community. He thanked them for bringing it forward.

The public hearing was closed at 10:14 p.m.

Ordinance No. 4621—An Ordinance Concerning Section 3.12.020 of Chapter 3 of the Grand Junction Municipal Code Concerning the Taxability of Food Products Sold from Money Operated Machines

Councilmember Chazen moved to adopt Ordinance No. 4621 and ordered it published in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote of 6 to 1 with Councilmember Doody voting NO.

Public Hearing—Amending Section 21.03.090 of the Grand Junction Municipal Code Adopting Changes to Form Districts within the City [File #ZCA-2013-229]

The proposed ordinance amends Section 21.03.090, Form Districts, eliminating barriers and cleaning up language for the development of mixed use projects in Mixed Use Opportunity Corridors.

The public hearing was opened at 10:15 p.m.

Greg Moberg, Planning Supervisor, presented this item. He described the amendment to the Code, entered his Staff Report into the record, and asked for questions.

City Attorney Shaver said for purposes of the record he would suggest Council acknowledge they are in receipt of the Staff Report for this item.

Council President Susuras said the Staff Report was received, read, and understood.

Councilmember Norris said it was helpful to ask questions in workshop and she thanked Mr. Moberg for his clarification.

Councilmember Chazen said during workshop it was discussed with Staff about coming back with additional options for the mixed use and he is looking forward to this opening up as much as possible to facilitate development.

There were no public comments.

The public hearing was closed at 10:18 p.m.

Ordinance No. 4622—An Ordinance Amending the Zoning and Development Code, Grand Junction Municipal Code Section 21.03.090, Form Districts

Councilmember Traylor Smith moved to adopt Ordinance No. 4622 and ordered it published in pamphlet form. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Public Hearing—Amending Title 21 of the Grand Junction Municipal Code to Revise Performance Standards to Provide More Flexibility in the MU, BP, I-O, I-1, and I-2 Zone Districts for Outdoor Storage and Display [File #ZCA-2013-548]

The amendments to Sections 21.03.070(g)(2)(iii)(F) and (h)(3)(iii), and Sections 21.03.080(a)(3)(iv), (b)(3)(iv), and (c)(3)(iv) will provide more flexibility for outdoor storage and display.

The public hearing was opened at 10:20 p.m.

Lisa Cox, Planning Manager, presented this item. She entered into the record her Staff Report and asked if Council would like a presentation. The request comes at the request of the development community and will provide more flexibility.

Councilmember McArthur said this has been discussed for some time and he complimented Staff for listening to the development community and noted that this will bring flexibility to the Code. He will support it.

There were no public comments.

The public hearing was closed at 10:22 p.m.

Ordinance No. 4623—An Ordinance Amending Sections 21.03.070(g)(2)(iii)(F) and (h)(3)(iii) and Sections 21.03.080(a)(3)(iv), (b)(3)(iv), and (c)(3)(iv) to Revise the

Performance Standards for Outdoor Storage and Display in the MU, BP, I-O, I-1, and I-2 Zone Districts

Councilmember Doody moved to adopt Ordinance No. 4623 and ordered it published in pamphlet form. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Change Order #1 to Construction Contract for the Water Tank Painting Project

During the process of repainting the interior of the water storage tank, it was discovered that there was inadequate adhesion of the existing floor paint. This condition does not allow the floor to be recoated as previously planned. Additional preparation is needed to allow for a successful coating of the tank floors.

Bret Guillory, Utility Engineer, presented this item. He described the request and the reason for the request. The paint on the bottom of the tank (4 million gallon tank) is no longer adhering and needs to be removed and repainted.

Councilmember Traylor Smith inquired about the funding sources and noted there was some funding in 2013, 2014, and then other water projects. She asked if those water projects will need to be funded later as well. Mr. Guillory said the earlier project for Kannah Creek was under budget; \$50,000 per year is budgeted for water rights and they will use \$25,000 for this project. Other water line replacements will be delayed. City crews will do a project at Purdy Mesa Reservoir with savings of \$27,000. The remainder comes out of the fund balance. The projects are necessary and will be added to the 2015 budget.

Councilmember Chazen asked if this comes out of an enterprise fund. Mr. Guillory said yes. Councilmember Chazen asked if this will affect water rates. Mr. Guillory said it will not have an effect on water rates and there will still be ample reserves.

Councilmember Boeschstein asked how, during this process, it will be ensured that the water will remain clean. Mr. Guillory said there is a curing time of 48 hours to a week, then the tank is rinsed, chlorinated, and tested.

Councilmember McArthur asked if this was a function of an inferior product or is it a time issue? Mr. Guillory said it is an issue of time. The materials have been improved since 1998, which will hopefully provide more longevity. A replacement tank would cost \$2.4 million and would still need planned maintenance.

Councilmember Chazen moved to authorize the City Purchasing Division to issue a change order to Spiegel Industrial, LLC of Steamboat Springs, CO for the Water Tank Painting Project in the amount of \$336,967.46. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

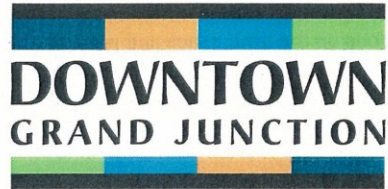
Other Business

There was none.

Adjournment

The meeting was adjourned at 10:30 p.m.

Stephanie Tuin, MMC
City Clerk



Grand Junction City Council
250 N 5th Street
Grand Junction, CO 81501
February 19, 2014

RE: Proposed Panhandling Ordinance

Dear Mayor Susuras and Members of City Council,

At their meeting of February 6, 2014, the Grand Junction Downtown Development Authority Board of Directors discussed the proposed ordinance concerning aggressive panhandling. The Board supports the adoption of the ordinance before you tonight, and wishes to convey the following comments for Council's consideration.

The steady increase in recent years of aggressive panhandling has been a matter of growing concern to the DDA for some time. While panhandling occurs throughout the City, there is a particular concentration of the activity in the Downtown core as reported by residents and visitors alike, and heightened concern among downtown businesses and property owners for the increasing incidence of aggressive behavior that sometimes accompanies solicitations of help. This has tended to stigmatize the district, and thus, impedes the progress of economic development and Downtown revitalization. The fulfillment of the DDA's mission to strengthen the economic vitality of Downtown and to enhance its critical role as the center of our community is compromised and undermined by this persistent problem.

Downtown is a unique area of the community where the impact of aggressive panhandling is especially pronounced. Unlike privately-owned places such as Mesa Mall or a strip shopping center, which operate under the legal authority as property owners and often employ private security services, Downtown comprises many private properties fronting on an extensive public realm where all members of our community converge, and we depend upon public law enforcement for security. Downtown is also the preeminent pedestrian-oriented district in the City, which by its very nature amplifies the one-on-one interaction of people on the streets and sidewalks, and the number of direct confrontations possible with aggressive behavior as a factor. While much panhandling activity is passive and non-threatening, there remains a significant level of aggressive panhandling that warrants reasonable legal constraint and effective law enforcement tools.

Grand Junction Downtown Development Authority
248 South 4th Street, Grand Junction, CO, 81501
Phone (970) 245-9697 Fax (970) 243-1865

The protection afforded by a well-crafted ordinance is not a one-sided benefit simply for those being solicited. Restrictions on the time, place and manner of solicitation affords additional safety to those who are seeking others' help. Even perceived aggressive behavior can all too quickly provoke the escalation to an outsized response. Thus, all involved will be better served by a bulwark against this possibility.

We appreciate the sensitivity and the complexity of this issue which demands a thoughtful approach and appropriate tools for its management. The DDA Board feels the proposed ordinance offers a reasonable basis for the regulation and management of this real problem while respecting the integrity of individuals and the constitutional guarantees they enjoy.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harry M. Weiss".

Harry M. Weiss
Executive Director

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

FEBRUARY 24, 2014

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, February 24, 2014 at 3:30 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bennett Boeschstein, Marty Chazen, Jim Doody, Duncan McArthur, Phyllis Norris, Barbara Traylor Smith, and President of the Council Sam Susuras. Also present were City Manager Rich Englehart, City Attorney John Shaver, Deputy City Manager Tim Moore, Fire Chief Ken Watkins, and Parks and Recreation Director Rob Schoeber.

Council President Susuras called the meeting to order.

Councilmember Traylor Smith moved to go into Executive Session to Discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal, or Other Property Interest Under Section 402 (4)(a) of the Open Meetings Law Relative to a Fire Station Location and Possible Park Land and Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators Under Section 402(4)(e), of the Open Meetings Law Relative to the Airport. Councilmember McArthur seconded the motion. Motion carried.

The City Council convened into executive session at 3:32 p.m.

Stephanie Tuin, MMC
City Clerk



Date: February 12, 2014
 Author: Brian Rusche
 Title/ Phone Ext:
Senior Planner / 4058
 Proposed Schedule: 1st
Reading, March 5, 2014
 2nd Reading: March 19, 2014
 File #: RZN-2013-547

Attach 2
CITY COUNCIL AGENDA ITEM

Subject: Droskin Rezone, Located at 2726 Patterson Road
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for March 19, 2014
Presenter(s) Name & Title: Brian Rusche, Senior Planner

Executive Summary:

Request to rezone 0.375 acres located at 2726 Patterson Road from an R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

Background, Analysis and Options:

The subject property is a single-family residence on approximately 0.375 acres.

The applicant currently has a dental practice at 900 North Avenue and acquired the subject property in 2006. The applicant would like to relocate his practice to the subject property and proposes to utilize the existing structure. The existing location on North Avenue is being considered for purchase by Colorado Mesa University, thus creating the impetus for relocation.

The request to rezone the property to R-O (Residential Office) would allow the existing structure to be used for a dental office, which is not permitted within the R-8 zone.

Neighborhood Meeting:

A neighborhood meeting was held on September 23, 2013. Two citizens attended, expressing general support for the proposal to rezone the property in order to facilitate the dental office.

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

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

This request is consistent with the following Goals and Policies of the Comprehensive Plan:

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

The proposed rezoning of the property will create an opportunity for appropriate reuse and/or redevelopment of the property in a manner that is consistent with the Comprehensive Plan.

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

The property is a single-family residence that is currently used as a rental home. This use can continue until such time as the applicant is ready to move forward with the reuse of the structure for a dental office.

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

The rezone of this property to an R-O (Residential Office) zone district would allow the owner, who has an existing dental practice, to continue providing services to his patients at a new location.

Board or Committee Recommendation:

The Planning Commission unanimously recommended approval of the requested R-O (Residential Office) zone district at their regular meeting on February 11, 2014.

Financial Impact/Budget:

This rezone action has no direct financial impact on the City budget.

Legal issues:

The proposed amendment has been reviewed by the Legal Division and found to be compliant with applicable law.

Other issues:

There are no other issues.

Previously presented or discussed:

This item has not been presented or discussed at a previous City Council meeting or workshop.

Attachments:

Background Information/Analysis/Findings and Conclusions
General Project Report
Neighborhood Meeting summary
Site Location Map
Aerial Photo Map
Comprehensive Plan Map
Existing City Zoning Map
Blended Residential Map
Ordinance

BACKGROUND INFORMATION					
Location:		2726 Patterson Road			
Applicants:		Craig and JoAnn Droskin			
Existing Land Use:		Single-family residence			
Proposed Land Use:		Dental office			
Surrounding Land Use:	North	Single-family Residential			
	South	Grand Villa Assisted Living			
	East	Single-family Residential			
	West	Larchwood Inn PARC (Post Acute Rehab Center)			
Existing Zoning:		R-8 (Residential 8 du/ac)			
Proposed Zoning:		R-O (Residential Office)			
Surrounding Zoning:	North	R-8 (Residential 8 du/ac)			
	South	R-16 (Residential 16 du/ac)			
	East	R-8 (Residential 8 du/ac)			
	West	R-O (Residential Office)			
Future Land Use Designation:		Residential Medium (4-8 du/ac) Mixed Use Opportunity Corridor (Patterson Road)			
Blended Residential Land Use Categories Map (Blended Map):		Residential Medium (4-16 du/ac)			
Zoning within density range?		X	Yes		No

ANALYSIS:

Background:

The subject property is a single-family residence on approximately 0.375 acres. According to the County Assessor, the residence was constructed in 1924, but aerial photos do not appear to show the residence until the 1950s, suggesting that the residence was moved to the site. The property is currently zoned R-8 (Residential – 8 du/ac).

The applicant currently has a dental practice at 900 North Avenue and acquired the subject property in 2006. The applicant would like to relocate his practice to the subject property and proposes to utilize the existing structure, as described in the General Project Report. The existing location on North Avenue is being considered for purchase by Colorado Mesa University, thus creating the impetus for relocation.

A neighborhood meeting was held on September 23, 2013. Two citizens attended, expressing general support for the proposal to rezone the property in order to facilitate the dental office.

The request to rezone the property to R-O (Residential Office) would allow the existing structure to be used for a dental office, which is not permitted within the R-8 zone.

The purpose of the R-O (Residential Office) zone district is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment. New construction, including additions and rehabilitations, in the R-O district must be designed with residential architectural elements and shall be consistent with existing buildings along the street. "Consistent" means operational, site design and layout, and architectural considerations, which are outlined in Grand Junction Municipal Code (GJMC) Section 21.03.070(a)(3).

Consistency with the Comprehensive Plan:

This request is consistent with the following Goals and Policies of the Comprehensive Plan:

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

The proposed rezoning of the property will create an opportunity for appropriate reuse and/or redevelopment of the property in a manner that is consistent with the Comprehensive Plan.

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

The property is a single-family residence that is currently used as a rental home. This use can continue until such time as the applicant is ready to move forward with the reuse of the structure for a dental office.

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

The rezone of this property to an R-O (Residential Office) zone district would allow the owner, who has an existing dental practice, to continue providing services to his patients at a new location.

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

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

Section 21.02.140 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;

The Comprehensive Plan, adopted in 2010, designated the property as Residential Medium. The Comprehensive Plan also introduced a new Mixed-Use Opportunity Corridor along Patterson Road, in order to implement Goal 3 of the Plan, which calls for spreading growth throughout the community. In particular, the Plan calls for the creation of opportunities to reduce trips and provide services throughout the community.

The R-O (Residential Office) zone district is an option within the Residential Medium designation for use in transitional corridors between single-family residential and more intensive uses (according to the 2000 ZDC). The applicant is seeking to exercise this option on his property, citing the recent expansion of medical care services to the west as evidence of a transition underway along this section of Patterson Road.

The applicant is requesting the R-O zoning to reuse an existing residence as a dental office, in order to continue providing services to his patients, as his existing location has been identified for acquisition by Colorado Mesa University.

This criterion has been met.

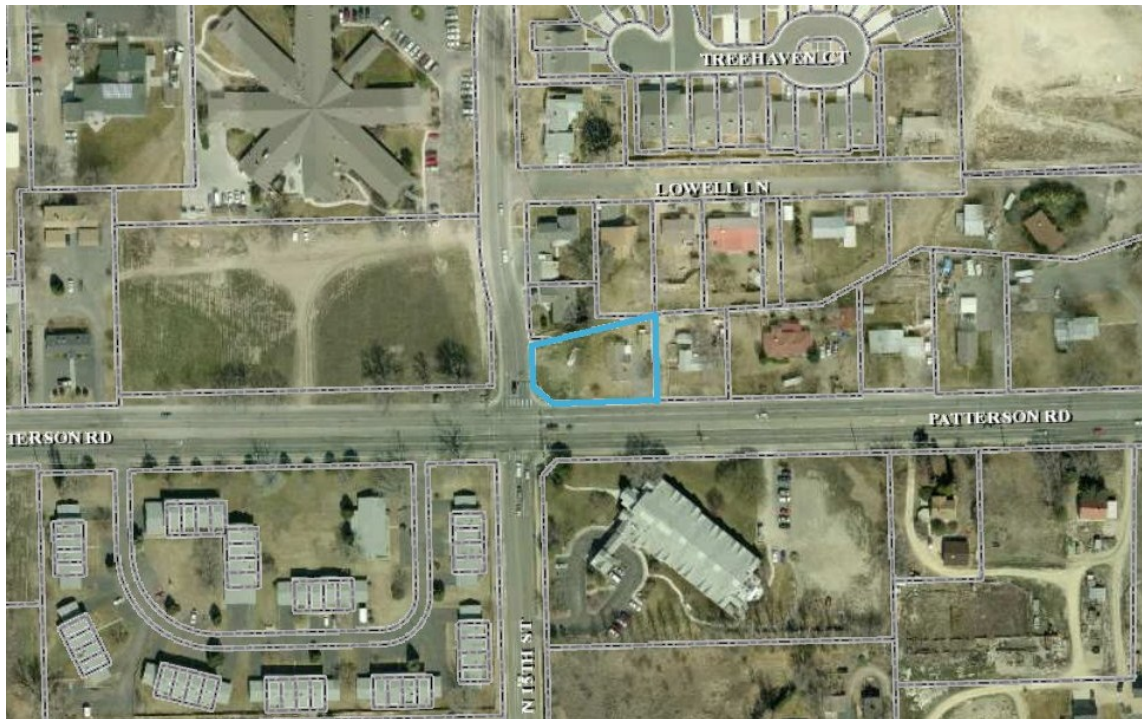
(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan;

Applicant response: We feel that this proposed rezone is appropriate as the character and/or condition of the area has changed such that the amendment is consistent with the plan. For example, the Larchwood long term care facility across 15th street from our property has added a new building of similar character and service within the last 5 years. This lot on the Northwest corner of the intersection was a vacant lot prior to the recent addition. Also, the Grand Villa long term care facility across Patterson on the Southeast corner of the intersection was not present at the time our building was constructed. Since establishment of original zoning designations, much of the immediate surrounding area has changed to facilities that provide health care.

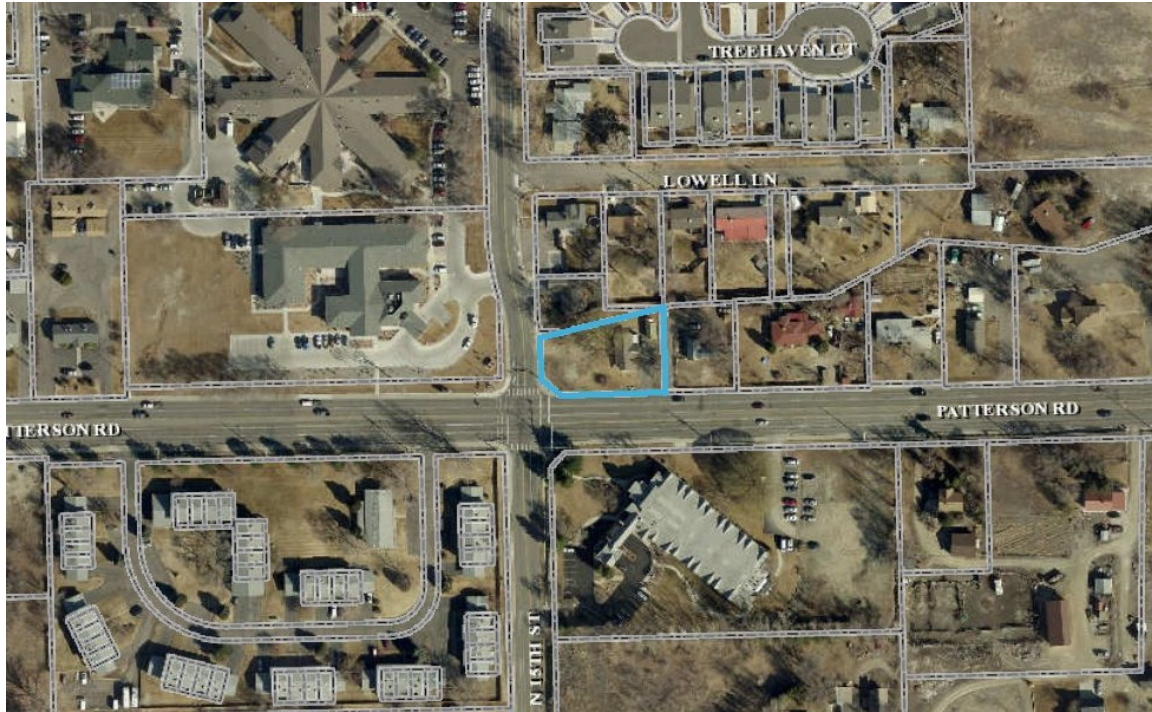
The two developments cited by the applicant are significantly larger in size and scale than the subject property and the existing residence. Aerial photos support this finding that the character of the intersection has changed.



1986



2008



2012

This criterion has been met.

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

There are public utilities already connected to the existing residence, including potable water provided by the City of Grand Junction, sanitary sewer service maintained by the City, and electricity from Xcel Energy (a franchise utility).

The property is on the corner of a signalized intersection. It is noted that during the plan review for the dental office the existing vehicular access to Patterson Road and North 15th Street will be evaluated and may be modified in order to meet current standards.

Retail, service, and restaurant uses, along with two churches and a park, are within one-quarter mile walking distance of the subject parcel. Grand Valley Transit provides bus service along Patterson Road, with a stop in each direction on N. 15th Street in front of Larchwood Inn. St. Mary's Hospital main campus is three-quarters of a mile west and Fire Station #2 is one mile east, all accessible from Patterson Road.

This criterion has been met.

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

Applicant Response: In addition, we propose the rezone because an inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use. We currently operate our dental clinic in the facility I own on 900 North Avenue. But with expansion of Colorado Mesa University, we have been asked to sell our dental office and find another comparable location. There are literally no suitable free standing properties available in a high visibility location like the one we currently own on 900 North Avenue. Our proposed rezone, remodel, and move would allow us to continue to serve our western slope dental patients like we have for the last seventeen years. Although there are a few medical condominium suites available near the hospital, it is my experience that having an office that is not near the hospital is nonthreatening, and helps alleviate anxiety of phobic patients.

Along the Patterson Road corridor within one mile of the subject property are nodes of R-O zoning, though only a few parcels are utilized as small scale office or service businesses, with the remainder devoted to apartments and/or long-term care facilities. The R-O Zone is a unique zone which allows professional offices and multifamily residential to join with single family residential uses and others that may be found in a residential zone, including group living. Examples of these uses can be found within walking distance of the subject property.

As of January 8, 2014 there was a total of 98.33 acres of R-O zoned property within the City. This represents less than 2% of the total acreage zoned for non-residential development (planned developments excluded).

The nature of the R-O zone district is to provide a range of uses that function as a transition between single-family residential neighborhoods and more intensive uses, so it is implemented as needed in appropriate transition areas.

Changing the zoning of the subject property to the R-O zone district will add acreage to the zone district in a transitioning corridor and will serve as a buffer between the larger long-term care facilities to the west and south and the traditional single-family residential to the north and east.

This criterion has been met.

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

Applicant Response: Finally, we feel that the community or area, as defined by the presiding body, will derive benefits from the proposed amendment. As a dentist in private practice we spend a significant amount of time serving an aging population. It is clear that transportation of elderly patients from long term care facilities can be difficult. We feel that our proposed dental office location should facilitate access for the high population of elderly individuals that live in adjacent care facilities. In addition, Patterson road is a major corridor of our community, and the proposed improvements

will dramatically improve the esthetics of the property reflecting well on our city in general.

The R-O Zone is a unique zone within the City and allows professional offices and multifamily residential to join with single family residential uses and others that may be found in a residential zone, including group living, as well as community services, such as daycare or religious assembly. Examples of all of these uses can be found within walking distance of the subject property. It also has specific architectural standards intended to make buildings compatible in appearance to a residential environment. The adjacent Larchwood Inn and PARC (Post Acute Rehab Center) addition is a recent example of a building built to these standards. The applicant has indicated his desire to improve the aesthetics of the existing residence as part of its conversion to a dental office.

The proposed R-O zone would implement Goal 3, 6, and 12 of the Comprehensive Plan as described earlier. In addition to the reasons cited by the applicant, the proposed relocation will allow the applicant to sell his existing practice to Colorado Mesa University, which will facilitate the growth of the university campus.

This criterion has been met.

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

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

The R-4 through R-16 zones are inconsistent with the applicant's request, since the goal is to relocate a dental office, which is not a use by right in any of these zones.

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

The purpose of the R-O zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Performance standards within this zone are intended to make buildings compatible and complementary in scale and appearance to a residential environment. As noted earlier, other former residences along Patterson Road in proximity to St. Mary's Regional Medical Center have been rezoned for office use(s), primarily due in part to that very proximity. The subject property, though farther from St. Mary's, is in proximity to several facilities that provide care for the elderly, as noted by the applicant.

It is my professional opinion that extending the R-O zone to this property will achieve not only the goals of the Comprehensive Plan but will provide a suitable transition for this property that, through established development standards, provides compatibility with the adjacent neighborhood.

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Droskin Rezone, RZN-2013-547, a request to rezone the property at 2726 Patterson Road from R-8 (Residential 8 du/ac) to R-O (Residential Office), 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. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

21.02.140 Code Amendment and Rezoning

(a) **Approval Criteria**

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premise and findings; and/or
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
- (4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

GENERAL PROJECT REPORT

Project description: Rezone of 2726 Patterson rd from R8 to RO

Purpose of project: Remodel existing single family dwelling to serve as a family dental practice

I Craig Droskin, come before the City of Grand Junction with the request for a zoning change for the property I own at the address of 2726 Patterson road. We are currently petitioning for a zone change from R8 to RO, though it has been suggested that a change to B1 could be another option. In the following project report I will: 1) provide details of our plans; 2) Show that the project makes sense due to the changed character and/or condition of the area such that the amendment is consistent with the plan; 3) Suggest that there is inadequate supply of suitably designated land available in the community, as defined by the presiding body, to accommodate the proposed land use; 4) Submit that community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The purpose for this zoning change is to facilitate a remodel of the existing single family dwelling thereby converting it to a family practice dental office. The existing structure built in the 1940s would be fully upgraded to serve this purpose, and would be given an exterior facelift that would blend nicely with surrounding long term nursing facilities and single family homes. The empty portion of the lot that is currently dirt with no landscaping serves as a parking area for the college students that rent the house on the property. (See Figure 1 for photos of existing condition of property). Our building plan includes paving a portion of this vacant dirt parking area and landscaping the boarder. The facelift on the existing building and the current parking area will certainly be a dramatic improvement to the esthetics

of the property. We plan to use exterior finishes and landscaping similar to properties located on 601 28 ¼ Rd. (see Figure 2 for proposed exterior finish.) (See Figure 3 for proposed remodel blueprint)

We feel that this proposed rezone is appropriate as the character and/or condition of the area has changed such that the amendment is consistent with the plan. For example, the Larchwood long term care facility across 15th street from our property has added a new building of similar character and service within the last 5 years. This lot on the NorthWest corner of the intersection was a vacant lot prior to the recent addition. Also, the Grand Villa long term care facility across Patterson on the SouthEast corner of the intersection was not present at the time our building was constructed in the 1940s. Since establishment of original zoning designations, much of the immediate surrounding area has changed to facilities that provide health care. (see Figure 4 for photos of nursing facilities on NW and SE corners)

In addition, we propose the rezone because an inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use. We currently operate our dental clinic in the facility I own on 900 North Avenue. But with expansion of Colorado Mesa University, we have been asked to sell our dental office and find another comparable location. There are literally no suitable free standing properties available in a high visibility location like the one we currently own on 900 north avenue. Our proposed rezone, remodel, and move would allow us to continue to serve our western slope dental patients like we have for the last seventeen years. Although there are a few medical condominium suites available near the hospital, it is my experience that having an office that is not near the hospital is nonthreatening, and helps alleviate anxiety of phobic patients.

Finally, we feel that the community or area, as defined by the presiding body, will derive benefits from the proposed amendment. As a dentist in private practice we spend a significant amount of time serving an aging population. It is clear that transportation of elderly patients from long term care facilities can be difficult. We feel that our proposed dental office location should facilitate access for the high population of elderly individuals that live in adjacent care facilities. In addition, Patterson road is a major corridor of our community, and the proposed improvements will dramatically improve the esthetics of the property reflecting well on our city in general.

In conclusion, I have illustrated with the above project report that our proposed rezone is a great fit for the City and area, and makes sense due to the following: changed character and/or condition of the area such that the amendment is consistent with the plan; there is inadequate supply of suitably designated land available in the community, as defined by the presiding body, to accommodate the proposed land use; and finally the community or area, as defined by the presiding body, will derive benefits from the proposed amendment and resulting improvements to the property.

APPENDIX

Fig 1. 2726 Patterson showing existing house and adjacent dirt SW area used for parking by renters.



Fig 2. Proposed exterior finish and landscaping of project similar to 601 28 ¼ Rd shown below.



Fig 3. Blueprint of Proposed remodel layout

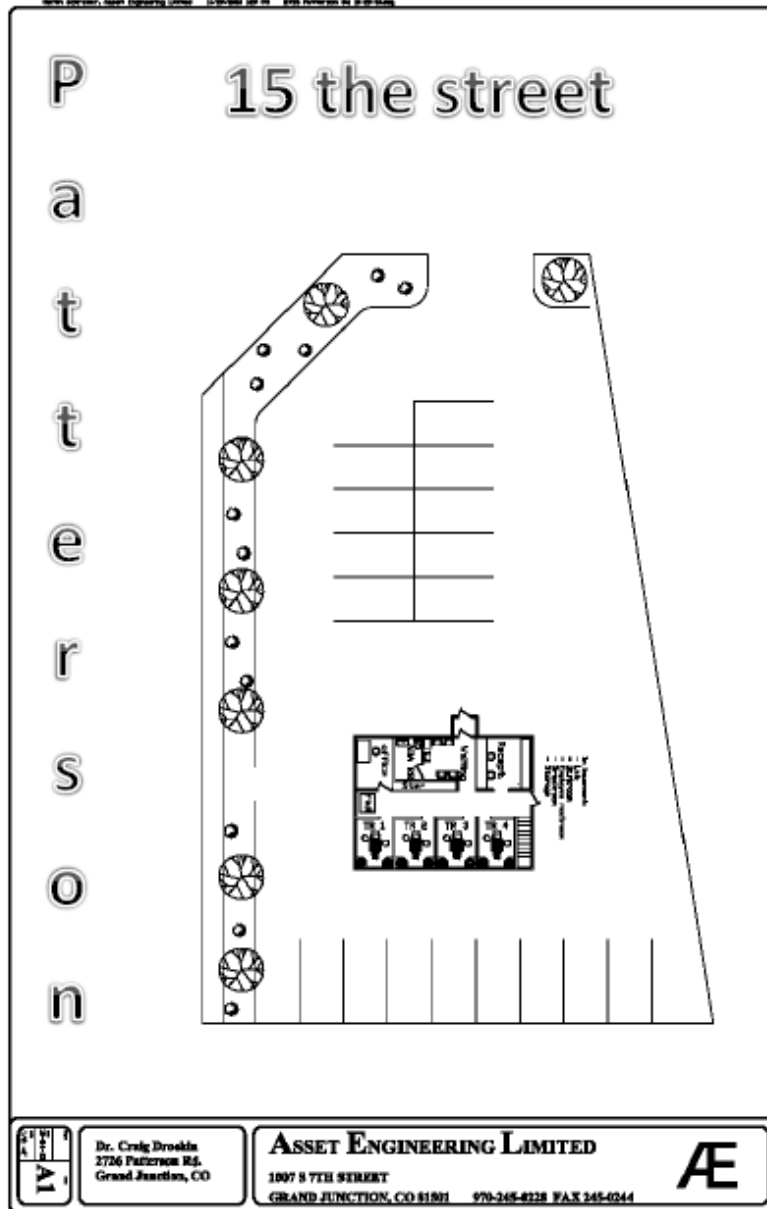


Figure 4. photos of nursing facilities on NW and SE corners



Neighborhood Meeting
Proposed Rezone to B-1
Located at 2726 Patterson

Existing Zoning is R-8

Future land Use Designation is Residential Medium

(adjacent to Commercial and Residential High Mixed Use)

Please Sign In

Name	Address	Contact info
Brian Rusche	250 N. 5TH ST.	258-4058
Don Kosow	1331 HERMOSA AVE.	244-0808
SANDY WILLIAMS	2721 PATTERSON RD #601	216-8945

From: craig droskin <othermin@msn.com>
To: "brianr@ci.grandjct.co.us" <brianr@ci.grandjct.co.us>
Date: 9/30/2013 8:06 PM
Subject: Droskin rezone 2726 Patterson

9/30/13

Attn zoning committee,

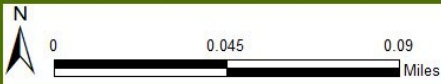
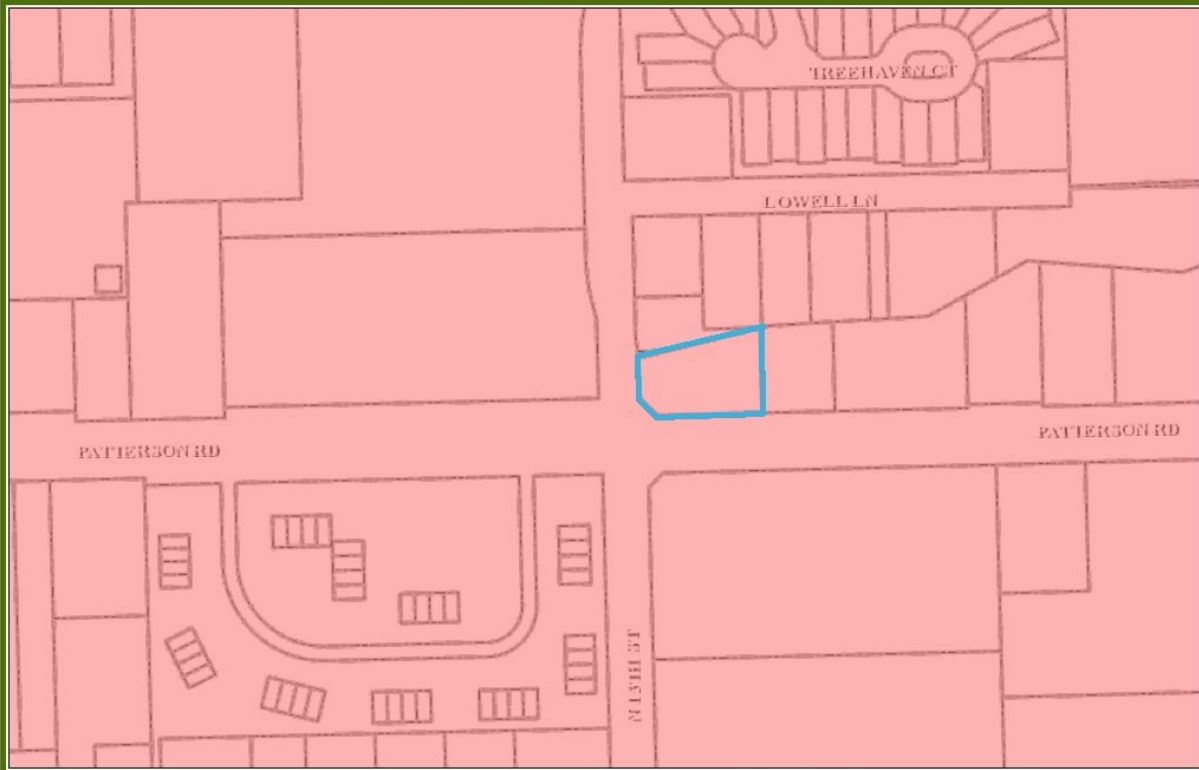
On September 23, 2013 at 6:00PM we held a neighborhood meeting to discuss proposed zoning change for the property at 2726 Patterson. All residents in the area were notified of the meeting according to city planning protocol. The current zoning for the property is R8 and we proposed a change to RO or B1 to facilitate the construction of a new dental office, or a remodel of the current structure enabling it to be used as a dental office.

The neighborhood meeting was held at 900 north avenue, the location of my current dental office. Attendees signed in and expressed support for the proposal. Senior Planner Brian Rusche attended the meeting and provided input.

Thank You,

Craig Droskin

Site Location Map

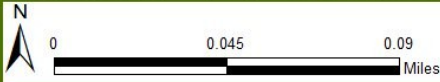
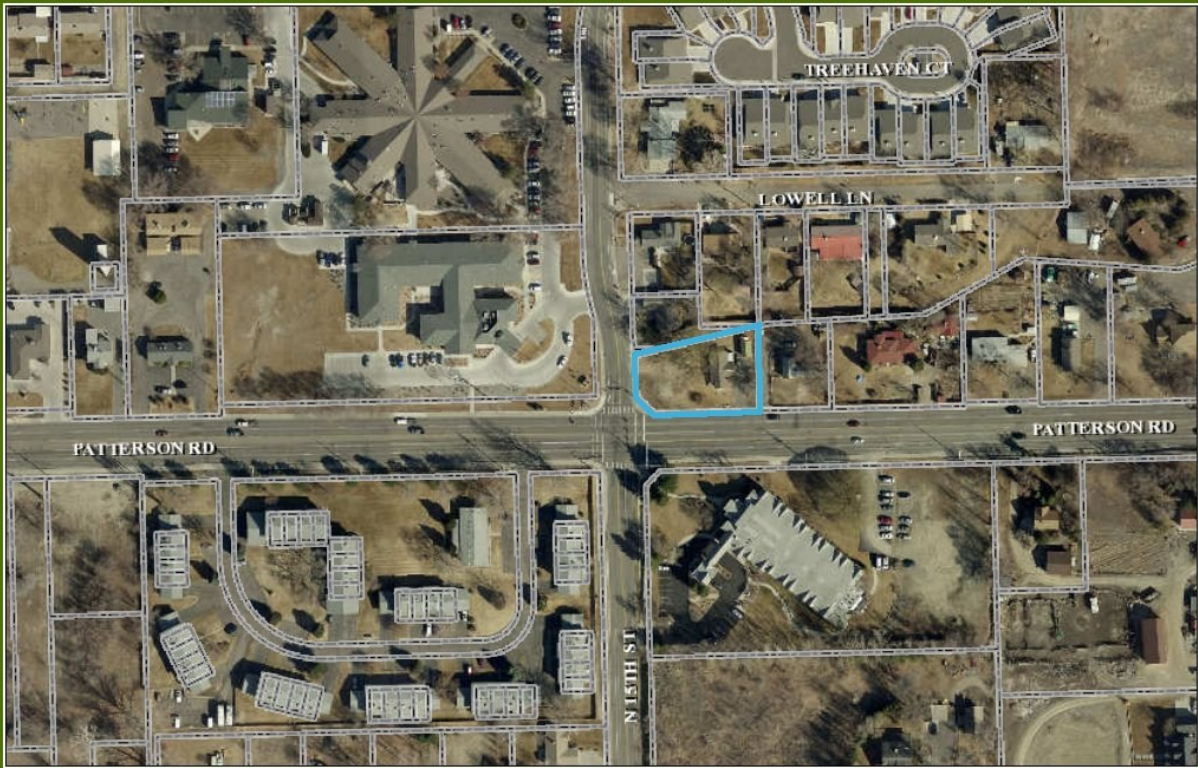


Printed: 1/20/2014

1 inch = 156 feet



Aerial Photo Map

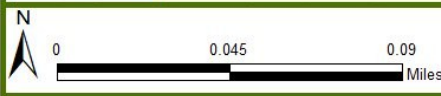
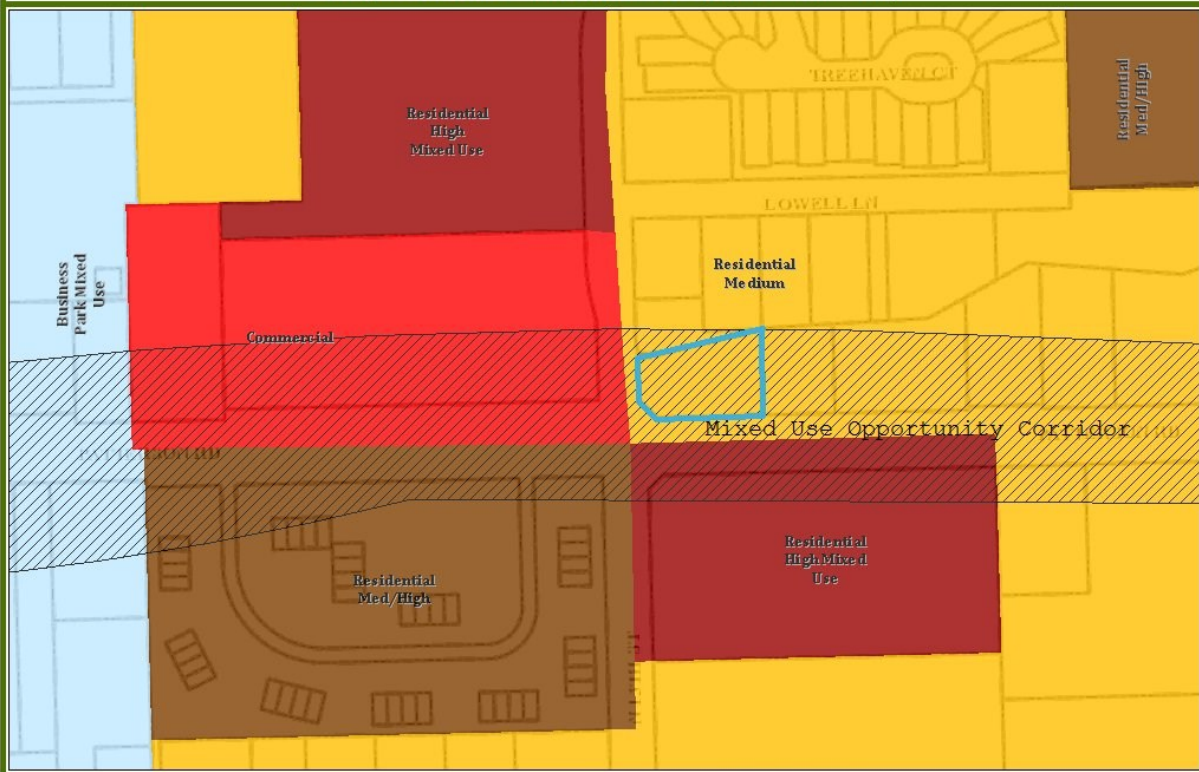


Printed: 1/20/2014

1 inch = 156 feet



Comprehensive Plan Future Land Use Map

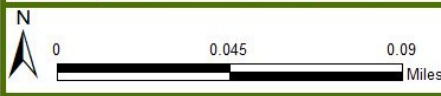
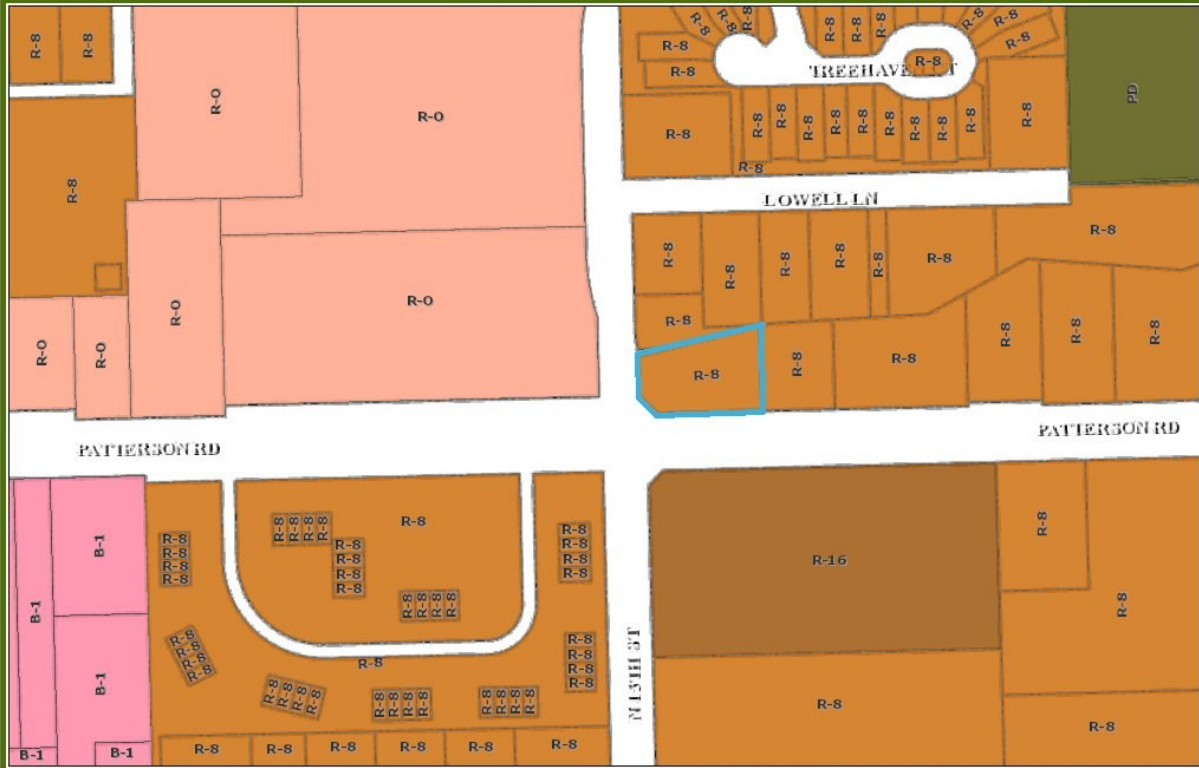


Printed: 1/20/2014

1 inch = 156 feet



Existing City Zoning



Printed: 1/20/2014

1 inch = 156 feet



Blended Residential Land Use Category



Printed: 1/20/2014

1 inch = 156 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING 0.375 ACRES
FROM R-8 (RESIDENTIAL 8 DU/AC)
TO R-O (RESIDENTIAL OFFICE)**

LOCATED AT 2726 PATTERSON ROAD

Recitals.

The subject property is a single-family residence on approximately 0.375 acres. The property is currently zoned R-8 (Residential – 8 du/ac).

The applicant has a dental practice at 900 North Avenue and acquired the subject property in 2006. The applicant would like to relocate his practice to this property and proposes to utilize the existing structure, as the existing location on North Avenue is being considered for purchase by Colorado Mesa University.

The request to rezone the property to R-O (Residential Office) would allow the existing structure to be used for a dental office, which is not permitted within the R-8 zone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the property from R-8 (Residential 8 du/ac) to the R-O (Residential Office) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium, and the Comprehensive Plan's goals and policies and/or 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-O (Residential Office) zone district to be established.

The Planning Commission and City Council find that the R-O (Residential Office) 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 rezoned R-O (Residential Office):

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, THENCE NORTH 105 FEET, THENCE NORTH 77°32' EAST 196.6 FEET, THENCE SOUTH 147 FEET, THENCE WEST 192 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THOSE PORTIONS THEREOF CONVEYED TO THE CITY OF GRAND JUNCTION, A MUNICIPAL CORPORATION, BY INSTRUMENTS RECORDED OCTOBER 19, 1984 IN BOOK 1513 AT PAGE 302 AND APRIL 18, 1985 IN BOOK 1536 AT PAGE 29, MESA COUNTY, COLORADO.

INTRODUCED on first reading the ____ day of ____, 2014 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____, 2014 and order published in pamphlet form.

ATTEST:

City Clerk

Mayor



Date: February 24, 2014
 Author: Justin Vensel
 Title/ Phone Ext: Project Engineer, ext. 4017
 Proposed Schedule: March 5, 2014
 2nd Reading (if applicable):
N/A
 File # (if applicable): N/A

Attach 3
CITY COUNCIL AGENDA ITEM

Subject: Contract for the 2014 Asphalt Overlays Project
Action Requested/Recommendation: Authorize the City Purchasing Division to Enter into a Contract with Oldcastle SW Group Inc., dba United Companies of Mesa County of Grand Junction, CO for the 2014 Asphalt Overlay Project in the Amount of \$ 498,795.00
Presenter(s) Name & Title: Tim Moore, Deputy City Manager Jay Valentine, Internal Services Manager

Executive Summary:

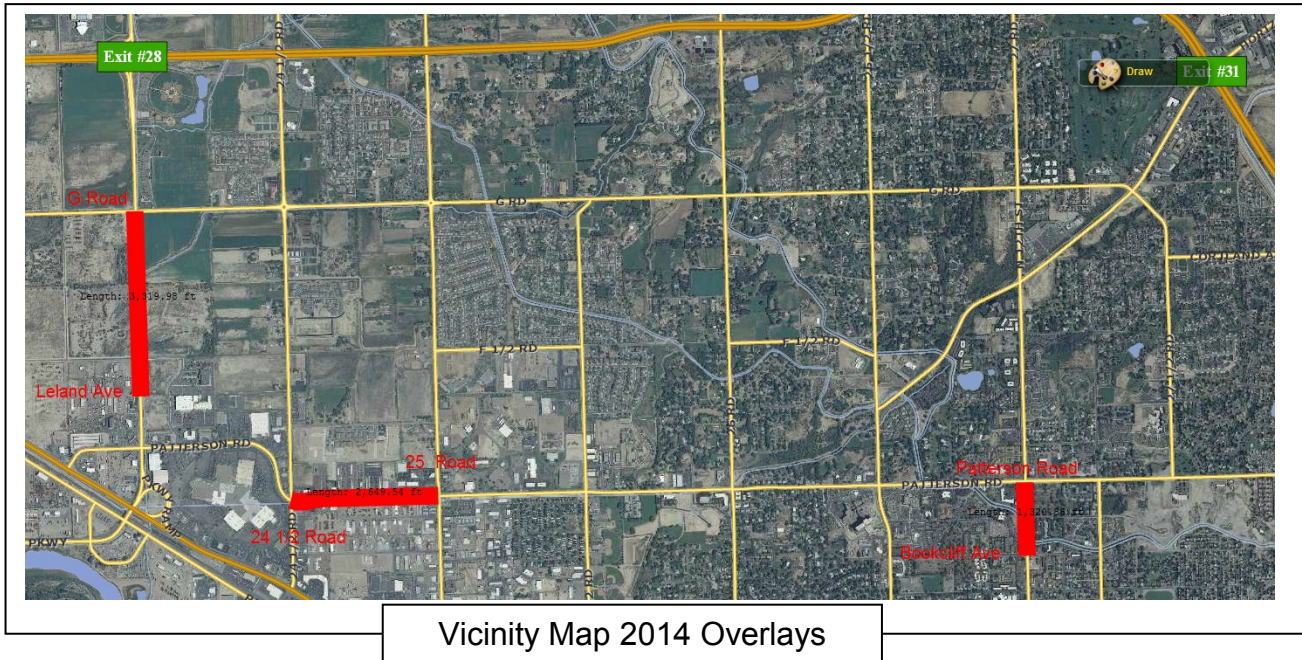
This request is to award a construction contract for the asphalt resurfacing project along arterial roads throughout the City of Grand Junction. A total of 3 locations were selected.

Background, Analysis and Options:

The annual street maintenance project generally consists of resurfacing City streets with up to 2 ½” of new asphalt pavement based on the condition of the existing street section. Work items associated with the paving include: milling of existing asphalt pavement where needed, adjusting manhole lids and valve covers to grade, and placing shoulder gravel on roads that do not have curb and gutter. Various streets were selected for the 2014 overlay project using the following parameters: Traffic volume, pavement quality, structural adequacy and surface distress (cracks and rutting). The 2014 Overlay Project includes 20,000 square yards of asphalt milling and 4,320 tons of Hot Mix Asphalt and will pave approximately 5.65 lane miles.

The streets selected for the 2014 are as follows:

1. 24 Rd – Leland Ave to G Rd (Approximately 1.9 lane miles)
2. Patterson Rd – 24 ½ Rd to 25 Rd (Approximately 2.5 lane miles)
3. 12th St – Bookcliff Ave to Patterson Rd (Approximately 1.25 lane miles)



Vicinity Map 2014 Overlays

A formal solicitation was advertised in the Daily Sentinel, and sent to Western Colorado Contractor’s Association (WCCA), and posted on the City's website.

The following bids were received:

Firm	Location	Amount
Oldcastle SW Group Inc. (United Companies)	Grand Junction, CO	\$498,795.00
Elam Construction Inc.	Grand Junction, CO	\$532,622.50

This project is anticipated to take approximately one month to begin in early June with an expected final completion date of early July.

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

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

Street overlays improve the existing streets, provide longevity of the asphalt and prevent having to reconstruct the street cross section. This maintenance activity is an important element to maintaining a transportation system that moves traffic throughout the community safely and efficiently.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The funding to complete this project is budgeted in the Contract Street Maintenance Fund. The budget set in Contract Street Maintenance is set at \$500,000.00.

Project Funding/costs:

Budget:	\$500,000.00
<u>Contract Amount:</u>	<u>\$498,795.00</u>
Remaining Budget:	\$ 1,205.00

The remaining funds in the Contract Street Maintenance Budget will go towards the repair of damaged concrete throughout the City.

Legal issues:

A contract in a form and with content acceptable to the City Attorney will be used for the purchase if it is authorized.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This has not been previously presented but street overlays were discussed during the budget process.

Attachments:

None.



Date: 2/26/14
 Author: Rich Englehart
 Title/ Phone Ext: 1502
 Proposed Schedule: 3/5/14
 2nd Reading
 (if applicable): _____

Attach 4
CITY COUNCIL AGENDA ITEM

Subject: Resolution Concerning Contracting to Complete Full Scope Build-out of the Avalon Theatre Core Renovation Project
Action Requested/Recommendation: Approval of a Resolution Authorizing the City Manager to Enter into an Agreement to Amend the Contract with FCI Constructors, Inc. and Incidental Service Providers for the Full Build-Out of the Core Avalon Theatre Renovation Project not to Exceed a Total Completed Price of \$9,650,000
Presenter(s) Name & Title: Rich Englehart, City Manager

Executive Summary:

The City has contracted with FCI Constructors, Inc. to renovate the Avalon Theatre as well as build the shell addition to the east of the existing Theatre. As directed by City Council, the City Manager sought and secured additional funding to move toward completion of the Core renovation project that Council authorized.

Additional funding was obtained through a \$1 million Department of Local Affairs (DOLA) grant as well as continued private fundraising. With those funds additional work above and beyond that called for in the current contract will be performed.

The cost to complete the Core project is \$9.65 million. In order to complete the project the existing contract with FCI Constructors, Inc. ("FCI") and other equipment and service providers must be amended.

Background, Analysis and Options:

On March 7, 2012 the City Council authorized a contract for architectural services with Westlake, Reed & Leskosky ("WRL") to prepare architectural drawings to for the project.

Bids were received in March 2013 and FCI was the most responsive and lowest bidder. The City project team met with FCI to value engineer some elements of the project to fit within available funds.

In June 2013 FCI was awarded the contract for improvements to the performance hall and the east shell addition. That contract called for a Core project that would be completed in phases. At that time FCI advised that if the project was constructed in phases an additional 10% to 15% increase in the cost of the overall project should be expected. The City Council directed the City Manager to seek additional funding to finish the shell addition. That funding, principally the \$1M grant has allowed the project

to continue to move ahead but was insufficient to complete all of the interior finish work on the shell addition. With the proposed change to the contract, that work will be completed.

The contracted phase (Theatre and shell) is under budget and on time if the additional work is not added.

Although all funding was not in hand prior to construction, the City Council began the project with the understanding and expectation that private sector funds would be sufficient to cover the initial phase. The City budgeted \$469,077 in the 2014 contingency in the event that the fundraising fell short. Because fundraising has progressed, the contingency is available for use to fund the completion work.

Through a combination of funding sources and efforts, cash and committed funds in the amount of \$8,257,921 exists as of this writing. In addition to this the Arts Commission has recommended a dedication of \$80,000 from the 1% for the Arts funds towards this project. Upon Council approval, this amount of funding will be committed to the project and will increase the funds to \$8,337,921.

On February 24, 2014, the costs for completion of the Core project and the funding gap were discussed. Council also considered an intermediate step of completing a portion of the full build out, if chosen, which would leave a large portion of the second and third story floors unfinished.

A majority of the Council cited concerns regarding the intermediate step and continued escalation of the cost of completion and the fact that the partial step does not maximize the usability of the facility.

A majority of the Council directed staff to bring a resolution authorizing a change order that will set the not to exceed amount for the full build-out of the Core, rather than the continued piecemeal approach, to the March 5, 2014 City Council meeting.

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

The Avalon Theatre Renovation Project supports the following goals from the Comprehensive Plan:

Goal 4: *Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing, and tourist attractions.*

Reinvestment in the Avalon Theatre is an essential component of the continued development in the downtown area. The project will help transform the aging theatre into a fully functioning performing arts center and anchor the east end of Main Street.

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

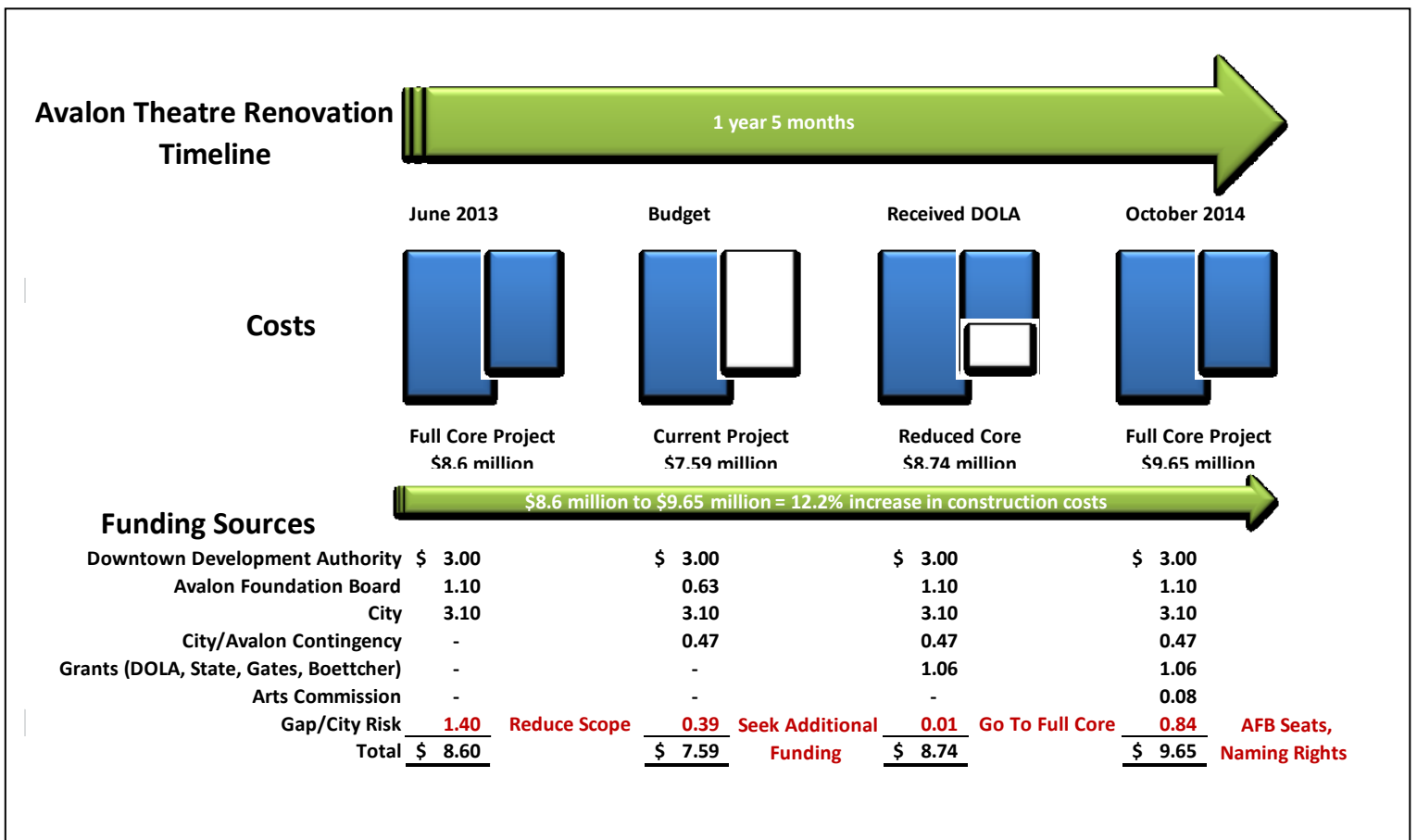
This project will help complement and enhance the architectural character of the Downtown Area and will comply with the guidelines and design standards of the

Strategic Downtown Master Plan. This project will incorporate historical lighting, colored concrete surfaces, landscaping, gathering areas, and other furnishings that enhance the cultural and social vitality of Main Street.

Financial Impact/Budget:

The 2014 budget includes a contingency for the Avalon project in the amount of \$469,067. If the Council authorizes the contract changes to complete the Core project, the existing contingency would be expended on the project and a new contingency of \$843,012 ($\$9,650,000 - \$8,337,921 - \$469,067 = \$843,012$) would be supplementally appropriated to establish the contingency for the Core project. This contingency could be offset by other sources of funds such as grants, donations and private fundraising.

The following timeline represents the progression of the project, constructions costs, funding, and decision points over the last year and five months.



Legal issues:

If authorized, contract documents will be reviewed by the City Attorney.

Previously presented or discussed:

March 7, 2012 - Council authorizes contract for Architectural Services for the Avalon Theatre Addition and Renovation.

June 20, 2012 – City Council authorizes \$3.0 million (\$1.5 million in 2013, \$1.5 million in 2014) toward the Avalon.

October 17, 2012 – City Council Authorizes WRL to take “Core” scope to final design.

January 14, 2013 – Avalon Theatre Update to City Council by Avalon Theatre Foundation Board

April 1, 2013 – Avalon Theatre Update after bids were received.

June 19, 2013 – City Council passed Resolution No. 43-13 affirming the commitment to fund the Avalon Renovation in the amount of \$3 million with the DDA at \$3 million and the Avalon Foundation Board at \$1.1 million.

November 6, 2013 – City Council approved Resolution No. 68-13—A Resolution Authorizing the Offering for Sale of the Naming and Sponsorship Rights for the Avalon Theatre.

January 13, 2014 – City Council work session in the Green Room.

February 24, 2014 – City Council work session

Attachments:

Proposed Resolution

RESOLUTION NO. __-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN CONTRACT ADJUSTMENTS CONCERNING COMPLETION OF THE AVALON THEATRE RENOVATION PROJECT

RECITALS:

On June 19, 2013 the City Council approved Resolution No. 43-13. That Resolution, a copy of which is attached as Exhibit "A" and incorporated by this reference as if it is fully set forth, authorized and directed the City Manager to negotiate and enter into contracts with FCI Constructors Inc., Chamberlin Architects and incidental service providers in an amount not to exceed seven million six hundred thousand dollars (\$7,600,000.00) for the renovation of the Avalon Theatre in a form the same or substantially similar to what is known as Option B, which was improvements to the auditorium and building the shell of the addition to the east of the auditorium.

Furthermore, as authorized and directed by the City Council, the City Manager appealed to various sources of funds, including but not limited the Colorado Department of Local Affairs (DOLA) for project funding. In December 2013 the Department of Local Affairs awarded the City \$1,000,000.00 for the Core project, which allows for the completion of most of the shelled-in addition; however, due to cost increases the DOLA grant does not pay for all of the work.

In addition to the award from DOLA, the Avalon Theatre Foundation Board has successfully raised, in cash, pledges and other commitments in excess of \$1,100,000.00. Those funds will be expended in support of completion of the project as well.

So that the Core project can be completed without additional delay and/or the cost increases attendant to phased construction, the City Council authorizes and directs the City Manager to enter into contract adjustments with FCI Constructors Inc., Chamberlin Architects/Westlake, Reed & Leskosky and all incidental service providers for a total amount not to exceed nine million six hundred fifty thousand dollars (\$9,650,000.00) for the completion of the renovation of the Avalon Theatre and the addition thereto in a form the same or substantially similar to that now known as the Core project.

The City Manager is additionally authorized and directed to expend 2014 budgeted contingency funds of \$469,067.00 in support of the contract changes and at a customary time and manner to bring a supplemental appropriation in the amount of \$843,012.00 to establish the contingency for the Core project. It is the hope and expectation of the City Council that additional grants, gifts, bequests, and/or revenue derived from the sale of naming rights will offset the need for/use of the supplemental appropriation but in the event that funds are not realized, the maximum obligation is hereby established and recognized.

The City Council expresses its thanks to the DDA, the Avalon Theatre Foundation, and the Colorado Department of Local Affairs for the generous contributions to the project.

Furthermore, the City Council extends its sincere appreciation to all citizens that have participated in the deliberations of and about the project, contributed financially and/or otherwise been involved in this important community project.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2014.

Susuras

Sam
Mayor

ATTEST:

Stephanie Tuin
City Clerk

Exhibit "A"
RESOLUTION NO. 43-13

**A RESOLUTION CONCERNING FUNDING FOR THE AVALON THEATRE
RENOVATION PROJECT**

RECITALS:

On June 20, 2012 the City Council approved Resolution No. 27-12. That Resolution, a copy of which is attached and incorporated by this reference as if it is fully set forth, committed on certain conditions three million (\$3,000,000.00) dollars to the renovation of the Avalon Theatre.

Subsequent to the adoption of Resolution No. 27-12 the membership of the City Council changed. Consistent with the Council's legal and ethical obligations to be responsible stewards of the public's funds it reconsidered the Avalon project in general and the commitment made by Resolution No. 27-12 in particular. On June 5, 2013 the City Council suspended Resolution No. 27-12.

After receiving significant public comment and engaging in its own thorough analysis, the City Council has determined that it will honor the commitment made by Resolution No. 27-12 and furthermore, to avoid inflationary increases and impart certainty to the project, direct that the renovation project proceed apace.

NOW, THEREFORE, BE IT AGREED AND RESOLVED BY THE GRAND JUNCTION CITY COUNCIL THAT THE CITY AFFIRM ITS COMMITMENT TO FUNDING THE AVALON RENOVATION IN ACCORDANCE WITH RESOLUTION NO. 27-12, THE FOREGOING RECITALS AND THE DIRECTION TO THE CITY MANAGER SET FORTH HEREIN ALL OF WHICH SHALL SERVE TO AMEND RESOLUTION NO. 27-12 AND GIVE IT FULL LEGAL EFFECT:

- 1) By this Resolution the suspension of Resolution No. 27-12 on June 5, 2013 shall be deemed vacated and of no further effect. Resolution No. 27-12 is hereby reinstated as amended.
- 2) The City of Grand Junction, the Grand Junction Downtown Development Authority (DDA) and the Avalon Theatre Foundation Board (Foundation) have designated cash and/or financial pledges that will equal or exceed the cost of design, construction, construction oversight and administration and as such the condition of Resolution No. 27-12 regarding the raising and committing of funds for the renovation project (identified currently as "Option B") is and shall be deemed satisfied and/or waived;
- 3) Notwithstanding paragraph 2) above the City Council does authorize and direct the City Manager to secure and deposit in the accounts of the City the funds of and from the DDA, the Foundation, the donors and all others that have participated and/or promised to participate in the funding of the project;

- 4) The City Council acknowledges and agrees as the owner of the Avalon Theatre and the party that bears the legal responsibility for the same, that it will by contract be obligated to and be responsible for the entire cost of the renovation project.
- 5) Furthermore, in order to minimize the possibility of expenditure by the City of funds in excess of three million dollars (\$3,000,000.00) the City Council does authorize and direct the City Manager to pursue, solicit and appeal to any and all sources of funds, including but not limited to grants, gifts and bequests from the Colorado Department of Local Affairs, the Boettcher and Gates Foundations and any and all other philanthropic, altruistic and benevolent grant/funding agencies.
- 6) Pursuant to and in accordance with the foregoing, the City Council authorizes and directs the City Manager to negotiate and enter into contracts with FCI Constructors Inc., Chamberlin Architects and incidental service providers in an amount not to exceed seven million six hundred thousand dollars (\$7,600,000.00) for the renovation of the Avalon Theatre in a form the same or substantially similar to that now known as Option B.
- 7) Pursuant to and in accordance with the foregoing, the City Council authorizes and directs the City Manager to negotiate and enter into contracts with the DDA and the Foundation to secure no less than \$3,000,000 (three million dollars) from the DDA and an amount to be determined from the Foundation anticipated to be no less than one million one hundred thousand dollars (\$1,100,000.00.)
- 8) The City Council expresses its thanks to the DDA and the Foundation.
- 9) The City Council extends its sincere appreciation to all citizens that have participated in the deliberations of and/or otherwise been involved in this important community matter.

PASSED AND ADOPTED THIS 19th DAY OF JUNE, 2013.

/S/ Sam Susuras
Mayor

ATTEST:

/s/ Stephane Tuin
City Clerk



Date: February 24, 2014
 Author: Kathy Portner
 Title/ Phone Ext: Econ Dev & Sustainability, ext. 1420
 Proposed Schedule: Mar 5, 2014
 2nd Reading
 (if applicable): N/A

Attach 5
CITY COUNCIL AGENDA ITEM

Subject: Colorado Law Enforcement and Fire Training Center Grant Request
Action Requested/Recommendation: Adopt a Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Development of the Colorado Law Enforcement and Emergency Services Training Center
Presenter(s) Name & Title: Rich Englehart, City Manager

Executive Summary:

This request is for authorization to submit a request to the Mesa County Federal Mineral Lease District for a \$400,000 grant for the development of the Colorado Law Enforcement and Emergency Services Training Center. The grant application is due March 15, 2014.

Background, Analysis and Options:

The City has partnered with Mesa County and Colorado Mesa University to develop the Colorado Law Enforcement Training Center (CLETC) to meet the training needs of law enforcement and first responder agencies throughout the region and state, as well as students in the CMU Peace Officer Standards and Training (POST) academy. The training center is located on 80 acres acquired from the U.S. Bureau of Land Management at Whitewater Hill.

The CLETC is a multi-phased project, including a driver training track, a simulated city block training area, a pistol shooting range, a POST classroom building, a fire training area and a fitness course. Phase I of the project, the driver training and high speed pursuit track, was recently dedicated. The City has the opportunity to apply for a grant from the Mesa County Mineral Lease District for the development of a simulated city block, to include an unpaved roadway, burn props for fire training, and a concrete pad for a future burn tower.

The Mesa County Federal Mineral Lease District grant can cover up to 70% of project cost, with a maximum grant award of \$400,000. The proposed grant request will not exceed \$400,000 for an estimated \$575,000 project cost. The required 10% cash match will be provided by the City, with the remainder of the project cost being provided by the City of Grand Junction and Mesa County with in-kind engineering and site construction services and with CMU's purchase of houses near the main campus that will be relocated to the Whitewater site for the simulated city block.

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.*

Policy A: *The City will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.*

The Colorado Law Enforcement Training Center will serve the region's public health, safety and welfare needs.

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

Policy A: *Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism.*

As does Colorado Mesa University and Western Colorado Community College, the Colorado Law Enforcement Training Center will strengthen the community's position as a regional center.

Board or Committee Recommendation:

NA

Financial Impact/Budget:

The required 10% cash match of \$57,500 will be provided by the City and is included in the 2014 budget. The remainder of the project cost, \$117,500, will be in-kind match to be provided by CMU with relocated houses for the city block, which includes the value of the houses and moving costs. In addition, the City and County will provide in-kind services for design and engineering, and clearing and excavation for the city block.

Legal issues:

If awarded the grant funding documents shall be reviewed and approved by the City Attorney such that the same are consistent with the prior and now this Resolution.

Other issues:

None

Previously presented or discussed:

Discussed as part of the 2014 budget.

Attachments:

Resolution authorizing application to the Mesa County Federal Mineral Lease District in accordance with the representations made in this report.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT REQUEST TO THE MESA COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE DEVELOPMENT OF THE COLORADO LAW ENFORCEMENT AND EMERGENCY SERVICES TRAINING CENTER

RECITALS.

The City has partnered with Mesa County and Colorado Mesa University to develop the Colorado Law Enforcement Training Center (CLETC) to meet the training needs of law enforcement and first responder agencies throughout the region and state, as well as students in the CMU Peace Officer Standards and Training (POST) academy. The training center is located on 80 acres acquired from the U.S. Bureau of Land Management at Whitewater Hill. Through a Memorandum of Understanding, the CLETC is governed by an advisory board to guide development, operations and maintenance of the facility.

The CLETC is a multi-phased project, including a driver training track, a simulated city block training area, a pistol shooting range, a POST classroom building, a fire training area and a fitness course. Phase I of the project, the driver training and high speed pursuit track, was recently dedicated. The City has the opportunity to apply for a grant from the Mesa County Mineral Lease District for the development of a simulated city block, to include an unpaved roadway, burn props for fire training and a concrete pad for a future burn tower.

The Mesa County Federal Mineral Lease District grant can cover up to 70% of project cost, with a maximum grant award of \$400,000. The proposed grant request will not exceed \$400,000 for an estimated \$575,000 project cost. The required 10% cash match will be provided by the City, with the remainder of the project cost being provided by the City of Grand Junction and Mesa County with in-kind engineering and site construction services and with CMU's purchase of houses near the main campus that will be relocated to the Whitewater site for the simulated city block.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports the development of the simulated city block and fire training facility and does hereby authorize the City Manager to submit a \$400,000 grant request in accordance with and pursuant to the recitals stated above to the Mesa County Federal Mineral Lease District for the Development of the Colorado Law Enforcement and Emergency Services Training Center and authorizes the City Manager to enter into a grant agreement with MCFMLD if the grant is awarded.

Dated this _____ day of _____, 2014.

President of the Council

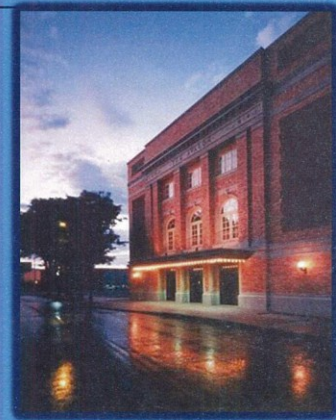
ATTEST:

City Clerk

AVALON THEATRE RENOVATION CORE PROJECT

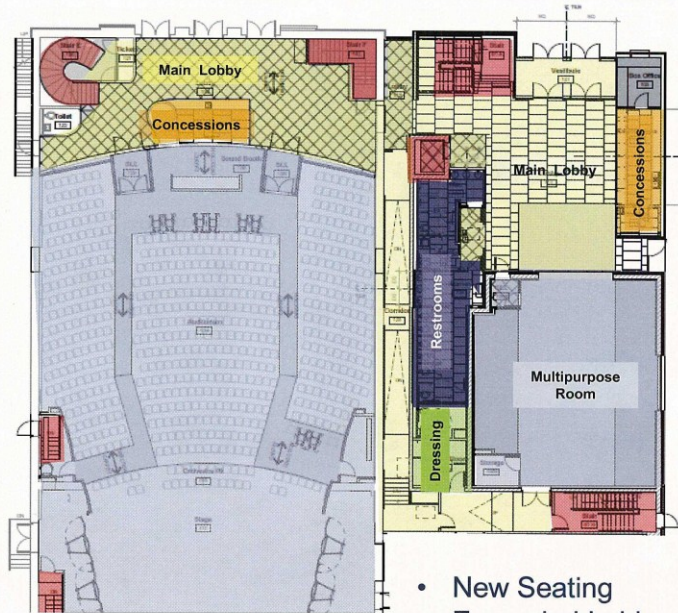
March 5th, 2014

City Manager Rich Englehart





Avalon Theatre Core Project

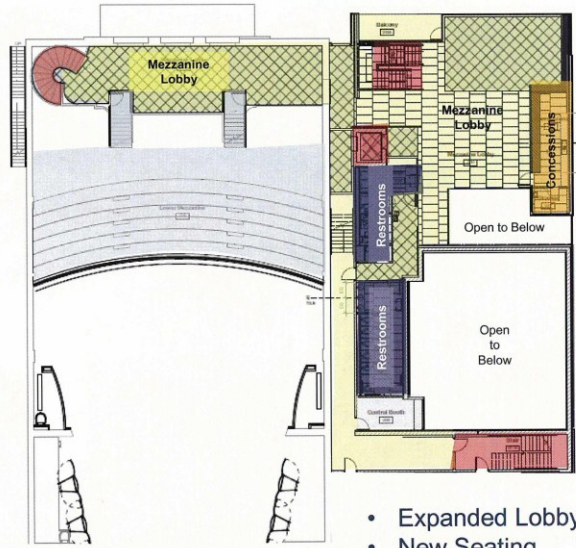


- New Seating
- Expanded Lobby
- Multipurpose Room
- More Concessions
- More Bathrooms

Orchestra Main Level



Orchestra Main Level View



Mezzanine Level

- Expanded Lobby
- New Seating
- More Bathrooms
- More Concessions
- Patron Elevator



Mezzanine View

level 1 entrance



Rooftop Terrace View



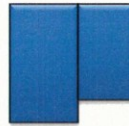
Avalon Theatre Core Project

Avalon Theatre Renovation Timeline



June 2013

Costs



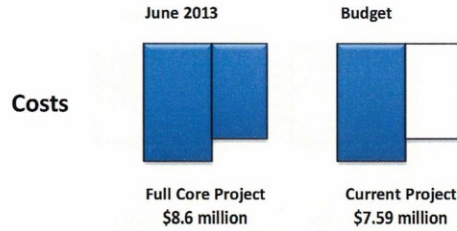
Full Core Project
\$8.6 million

Funding Sources

Downtown Development Authority	\$	3.00	
Avalon Foundation Board		1.10	
City		3.10	
City/Avalon Contingency		-	
Grants (DOLA, State, Gates, Boettcher)		-	
Arts Commission		-	
Gap/City Risk		1.40	Reduce Scope
Total	\$	8.60	



Avalon Theatre Renovation Timeline

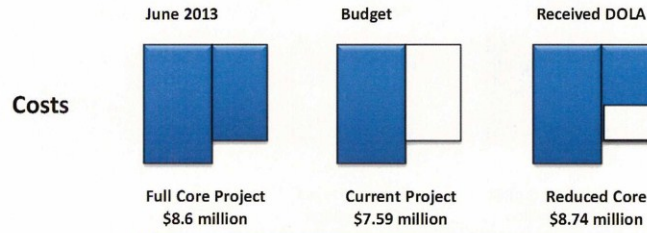


Funding Sources

Downtown Development Authority	\$ 3.00		\$ 3.00	
Avalon Foundation Board	1.10		0.63	
City	3.10		3.10	
City/Avalon Contingency	-		0.47	
Grants (DOLA, State, Gates, Boettcher)	-		-	
Arts Commission	-		-	
Gap/City Risk	1.40	Reduce Scope	0.39	Seek Additional Funding
Total	\$ 8.60		\$ 7.59	



Avalon Theatre Renovation Timeline

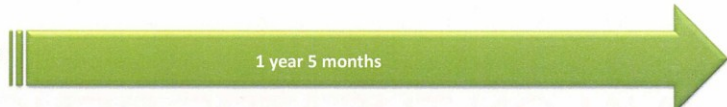


Funding Sources

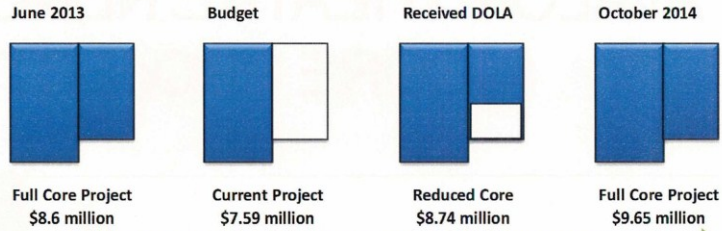
Downtown Development Authority	\$ 3.00	\$ 3.00	\$ 3.00
Avalon Foundation Board	1.10	0.63	1.10
City	3.10	3.10	3.10
City/Avalon Contingency	-	0.47	0.47
Grants (DOLA, State, Gates, Boettcher)	-	-	1.06
Arts Commission	-	-	-
Gap/City Risk	1.40	0.39	0.01
	<i>Reduce Scope</i>	<i>Seek Additional</i>	<i>Go To Full Core</i>
Total	\$ 8.60	\$ 7.59	\$ 8.74
		Funding	



Avalon Theatre Renovation Timeline



Costs



\$8.6 million to \$9.65 million = 12.2% increase in construction costs

Funding Sources

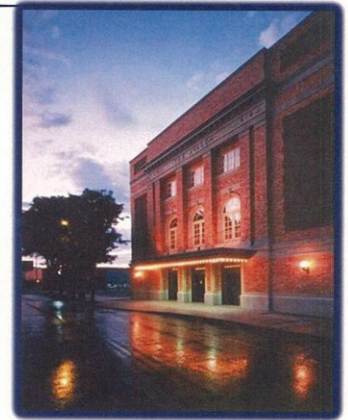
Downtown Development Authority	\$ 3.00	\$ 3.00	\$ 3.00	\$ 3.00
Avalon Foundation Board	1.10	0.63	1.10	1.10
City	3.10	3.10	3.10	3.10
City/Avalon Contingency	-	0.47	0.47	0.47
Grants (DOLA, State, Gates, Boettcher)	-	-	1.06	1.06
Arts Commission	-	-	-	0.08
Gap/City Risk	1.40	0.39	0.01	0.84
Total	\$ 8.60	\$ 7.59	\$ 8.74	\$ 9.65

Reduce Scope Seek Additional Funding Go To Full Core AFB Seats, Naming Rights



AVALON THEATRE RENOVATION CORE PROJECT

Questions?



March 5, 2014

Grand Junction City Council
Grand Junction, CO 81501

To Whom It May Concern:

I unconditionally support the completion of the Avalon project. It is the cornerstone of Main Street and our community and would be an historic and cultural asset to our community attracting business, people, entertainment, and other events to our locale and celebrating our beautiful town.

Sincerely,

Martha Barrett Scott
811 White Avenue
Grand Junction,
CO 81501
970-241-9192