

RESOLUTION NO. 12-07

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRAND JUNCTION APPROVING THE DOWNTOWN DEVELOPMENT AUTHORITY'S CALL FOR AN ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING A PROPOSED BALLOT MEASURE TO THE QUALIFIED ELECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT AND AUTHORIZING A MAIL BALLOT ELECTION

WHEREAS, the City of Grand Junction, in the Colorado (the "City"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter (the "Charter"); and

WHEREAS, Article X, Section 20 of the Constitution ("TABOR") requires voter approval for incurring debt, the creation of any tax, and for spending certain moneys above limits established by TABOR; and

WHEREAS, TABOR requires that ballot issue elections (as defined in TABOR) be held on certain specified election days; and

WHEREAS, April 3, 2007 is the City's regular election and one of the election dates at which ballot issues may be submitted pursuant to TABOR; and

WHEREAS, it is the desire of the City to conduct an independent mail ballot election within the Grand Junction Downtown Development Authority (the "Authority") district on the election date; and

WHEREAS, pursuant to Article II, Section 25 of the Charter, for the purposes of participating in a mail ballot election, the City shall be governed by all applicable provisions of the Municipal Election Code, being Article 10 of Title 31, C.R.S., and the Mail Ballot Election Act, being Article 7.5 of Title 1, C.R.S.; and

WHEREAS, at its regular meeting on January 11, 2007 the Board of Directors of the Authority, by resolution attached as Exhibit A, called for an election (the "DDA Election") of the qualified electors of the for the purpose of submitting to the electors a question regarding the issuance of debt by the City to finance development projects in furtherance of the Authority plan of development; and

WHEREAS, Section 31-25-807(3)(b), C.R.S. requires approval by the City Council for such DDA Election; and

WHEREAS, Section 31-25-807(3)(b), C.R.S., requires that the DDA Election be held and conducted in the manner prescribed by law for the holding and conducting of other regular or special elections in the municipality; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

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

All actions heretofore taken (not inconsistent with the provisions of this ordinance) by the City and the officers thereof, directed towards the election and the objects and purposes herein stated are hereby ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings defined in Title 31, Article 25, Part 8, C.R.S. (the "DDA Act"), the Municipal Election Code, the Mail Ballot Election Act, and TABOR.

Pursuant to the applicable laws of the State of Colorado, the Council hereby determines that at the City's regular election to be held on April 3, 2007, there shall be submitted to the qualified electors of the Authority the question set forth in Section 3 below.

The Council hereby authorizes and directs the designated election official to submit to the qualified electors of the Authority, at the election a question in the substantially the following form:

"SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000 WITH A REPAYMENT COST OF \$20,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW; AND IF THIS QUESTION IS APPROVED, THE AUTHORITY TO ISSUE DEBT PURSUANT TO BALLOT ISSUE 5T AT THE CITY'S NOVEMBER 2, 2004 ELECTION SHALL BE OF NO FURTHER EFFECT?"

The City Clerk is hereby appointed as the Designated Election Official for the City for purposes of performing acts required or permitted by law in connection with the election.

The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

ADOPTED AND APPROVED this 17th day of January, 2007.

CITY OF GRAND JUNCTION, COLORADO

(SEAL)

/s/ James J. Doody

President of the City Council

Attest:

/s/ Stephanie Tuin

City Clerk

STATE OF COLORADO)
)
 COUNTY OF MESA) SS.
)
 CITY OF GRAND JUNCTION)

I, Stephanie Tuin, the City Clerk of the City of Grand Junction, Colorado (the "City") and Clerk to the City Council of the City (the "Council"), do hereby certify that:

The foregoing pages are a true, correct and complete copy of a resolution (the "Resolution") which was adopted and approved by the Council at a regular meeting thereof held on January 17, 2007 which Resolution has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

The Resolution was duly adopted and approved at the meeting of January 17, 2007, by an affirmative vote of a majority of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting "Aye"</u>	<u>Voting "Nay"</u>	<u>Absent</u>	<u>Abstaining</u>
Jim Doody	X			
Bonnie Beckstein	X			
Bruce Hill	X			
Gregg Palmer	X			
Jim Spehar	X			
Teresa Coons	X			
Doug Thomason			X	

The members of the Council were present at such meetings and voted on the passage of such Resolution as set forth above.

The Resolution was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Resolution.

Notice of the meeting of January 17, 2007 in the form attached hereto as Exhibit A was posted at City Hall in accordance with law.

WITNESS my hand and the seal of the City affixed this 19th day of
January, 2007.

/s/ Stephanie Tuin
City Clerk and Clerk to the Council

(SEAL)

To access the Agenda and Backup Materials electronically, go to www.gjcity.org – Keyword e-packet

**GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, JANUARY 17, 2007, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation – Abe Phiefer, New Horizons Foursquare Church

Presentations

Westwood Ranch Neighborhood to address City Council about their neighborhood and becoming an “official” City neighborhood.

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** **Attach 1**
Action: Approve the Minutes of the January 3, 2007 Special Session and the January 3, 2007 Regular Meeting

2. **Purchase of Fire Department Uniforms and Work Clothing** **Attach 2**

These purchases are for Fire Fighter uniforms and work clothing for the Fire Department.

Action: Authorize the City Purchasing Division to Award the Fire Department Employee Uniforms and Work Clothing Price Agreements to Hole in the Wall, for Baseball Caps, Watch Caps, Tee Shirts, Belts, Sweat Pants, Shorts, and Coats Contained in Category I and Skaggs Public Uniforms & Equipment for the Dress Shirts and Nomex Pants Contained in Category II for the Year 2007

Staff presentation: Jim Bright, Interim Fire Chief

3. **LED Bulb Purchase for Traffic Signal Conversions** **Attach 3**

Purchase LED bulbs for traffic signals from Traffic Signal Controls, Inc. in Longmont, Colorado. This purchase will be a piggyback onto the CDOT award. State pricing has been confirmed.

Action: Authorize the Purchasing Division to Purchase LED bulbs from Traffic Signal Controls Inc. in the Amount of \$122,405.50

Staff presentation: Mark Relph, Public Works and Utilities Director

4. **Setting a Hearing on the Shetland Meadows Annexation Located at 3022 and 3024 D ½ Road** [File #ANX-2006-344] **Attach 4**

Request to annex 5.99 acres, located at 3022 and 3024 D ½ Road. The Shetland Meadows Annexation consists of two parcels.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 07-07 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Shetland Meadows Annexation, Located at 3022 and 3024 D ½ Road

®Action: Adopt Resolution No. 07-07

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shetland Meadows Annexation, Approximately 5.99 Acres, Located at 3022 and 3024 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

Staff presentation: Adam Olsen, Associate Planner

5. **Setting a Hearing on the Sunlight Annexation Located at 172 and 174 Sunlight Drive** [File #ANX-2006-348] **Attach 5**

Request to annex 11.29 acres, located at 172 and 174 Sunlight Drive. The Sunlight Annexation consists of two parcels, including a portion of 28 1/2 Road, and is a four part serial annexation.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 08-07 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Sunlight Annexation, Located at 172 and 174 Sunlight Drive, Including a Portion of 28 ½ Road Right-of-Way

®Action: Adopt Resolution No. 08-07

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 1, Approximately 0.01 Acres, Located at 174 Sunlight Drive

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 2, Approximately 0.07 Acres, Located at 174 Sunlight Drive

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 3, Approximately 5.69 Acres, Located at 174 Sunlight Drive

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 4, Approximately 5.52 Acres, Located at 172 and 174 Sunlight Drive, Including a Portion of the 28 ½ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for February 21, 2007

Staff presentation: Ronnie Edwards, Associate Planner

6. **Setting a Hearing on the Jobsite Annexation Located at 839 and 841 21 ½ Road** [File #ANX-2006-347] **Attach 6**

Request to annex 25.23 acres, located at 839 and 841 21 ½ Road. The Jobsite Annexation consists of 2 parcels.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 09-07 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Jobsite Annexation, Located at 839 and 841 21 ½ Road

®Action: Adopt Resolution No. 09-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Jobsite Annexation, Approximately 25.23 Acres, Located at 839 and 841 21 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

Staff presentation: David Thornton, Principal Planner

7. **Setting a Hearing on the Costopoulos Annexation Located at 2966, 2968, and 2970 D Road** [File #ANX-2006-328] **Attach 7**

Request to annex 10.67 acres, located at 2966, 2968, and 2970 D Road. The Costopoulos Annexation consists of three parcels.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 10-07 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Costopoulos Annexation, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way

®Action: Adopt Resolution No. 10-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Costopoulos Annexation, Approximately 10.67 Acres, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

Staff presentation: Faye Hall, Associate Planner

8. **Setting a Hearing on the Gummin Annexation Located at 2215 Magnus Court** [File #ANX-2006-100] **Attach 8**

Request to annex 6.60 acres, located at 2215 Magnus Court. The Gummin Annexation consists of one parcel.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 11-07 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Gummin Annexation, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way

®Action: Adopt Resolution No. 11-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gummin Annexation, Approximately 6.60 Acres, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

Staff presentation: Faye Hall, Associate Planner

9. **Rescinding the Annexation Request for the Bookcliff Veterinary Hospital Annexation Located at 564 29 Road** [File #ANX-2005-076] – Continued from December 20, 2006 **Attach 9**

Request to continue the rescinding of the annexation request for the 2.93 acre Bookcliff Veterinary Hospital property located at 564 29 Road to the February 7, 2007 City Council Meeting.

Action: Continue to the February 7, 2007 City Council Meeting

Staff presentation: Scott D. Peterson, Senior Planner

10. **Setting a Hearing on the Preliminary Plan and Planned Development for Fairway Villas Located at 2065 South Broadway** [File #PP-2006-208] **Attach 10**

Request for Preliminary Subdivision Plan and Planned Development Ordinance approval for the proposed Fairway Villas residential subdivision located at 2065 South Broadway.

Proposed Ordinance Establishing Standards for the Planned Development (PD) Zone District and Preliminary Development Plan for the Fairway Villas Subdivision Located at 2065 South Broadway

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Scott D. Peterson, Senior Planner

11. **Setting a Hearing on Amending the Planned Development Zoning of the Hilltop Commons Cottages Located at 625 27 1/2 Road** [File #PP-2006-250] **Attach 11**

Request for an amended Planned Development zoning ordinance and Preliminary Development Plan for revision and expansion of The Commons to include additional property and change the proposed use within the project.

Proposed Ordinance Amending Ordinance No. 3527 Zoning the Commons Planned Development to Revise the Preliminary Development Plan and Include Additional Acreage Located at 625 27-1/2 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Kristen Ashbeck, Senior Planner

12. **Setting a Hearing on Zoning the River Trail Annexation Located at 3141 D Road** [File #ANX-2006-330] **Attach 12**

Request to zone the 17.405 acres River Trail Annexation, located at 3141 D Road, to RMF-8 (Residential Multi-family - 8).

Proposed Ordinance Zoning the River Trail Annexation to RMF-8 Located at 3141 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Ken Kovalchik, Senior Planner

13. **Setting a Hearing on Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue** [File # CUP-2006-313] **Attach 13**

A request to rezone property at 1405 Wellington Avenue from RMF-8 to a Residential Office (RO) zone district in order to bring an existing Unlimited Group Home known as the Hilltop Bacon Center in compliance with the Zoning and Development Code.

Proposed Ordinance Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue from RMF-8 to Residential Office (RO)

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Kristen Ashbeck, Senior Planner

14. **Setting a Hearing on Vacating Mesa County Parking Lot Right-of-Way Located Adjacent to 420 South 6th Street** [File #SPR-2006-192] **Attach 14**

Request to vacate right-of-way located along the eastern boundary of South 6th Street.

Proposed Ordinance Vacating a Portion of the Right-of-Way for South 6th Street Located Adjacent to 420 South 6th Street, Mesa County Parking Lot

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Senta L. Costello, Associate Planner

15. **Setting a Hearing on Vacating a Right-of-Way Adjacent to 2953 Highway 50 in Buena Vista Drive** [File #VR-2006-307] **Attach 15**

A request to vacate the cul-de-sac bulb located in Buena Vista Drive adjacent to 2953 Highway 50.

Proposed Ordinance Vacating Right-of-Way Located Adjacent to 2953 Highway 50 in Buena Vista Drive

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

Staff presentation: Ronnie Edwards, Associate Planner

16. **Setting a Hearing on Vacating a Portion of the Public Right-of-Way, River Run Subdivision, Located at 3060 D Road** [File #FP-2006-301] **Attach 16**

Request to vacate the north 10 feet of a portion of D Road, abutting and lying south of Lot 1, Junction East Subdivision, (the site of the proposed River Run Subdivision) the physical address for which is 3060 D Road, consisting of 0.083 acres of land.

Proposed Ordinance Vacating a Portion of the D Road Right-of-Way Adjacent to the River Run Subdivision Located at 3060 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 7, 2007

Staff presentation: Lori V. Bowers, Senior Planner

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

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

*** 17. **Grand Junction Economic Partnership Incentive Request** **Attach 22**

An infrastructure grant request in the amount of \$300,000 to fund infrastructure for the relocation of Leitner Poma at Bookcliff Technology Park. The monies will be used to provide necessary infrastructure such as sewer, water and road improvements to make the site developable. Leitner Poma is a manufacturer of cable transportation systems and snowcat groomers

Action: Consider the Request to Fund the Infrastructure Grant in the Amount of \$300,000

Staff presentation: Sheryl Trent, Interim Community Development Director

18. **DDA Tax Increment Funding Ballot Issue** **Attach 17**

Downtown Development Authority is requesting Council approval to submit to the qualified (downtown) electors at the April 3, 2007 special municipal election, a ballot question authorizing the issuance of bonds by the City or Grand Junction to finance development projects within the DDA boundaries.

Resolution No. 12-07 – A Resolution of the Council of the City of Grand Junction Approving the Downtown Development Authority's Call for an Election to be Held for the Purpose of Submitting a Proposed Ballot Measure to the Qualified Electors of the Downtown Development Authority District and Authorizing a Mail Ballot Election

®Action *Adopt Resolution No. 12-07*

Staff presentation: Harold Stalf, Executive Director, DDA

19. **Public Hearing – Referring Charter Amendments to the April 3, 2007 Regular Municipal Election** **Attach 18**

The City Council reviewed the proposed Charter amendments and directed City Staff to draft the ballot questions for the April 3, 2007 regular municipal election.

Ordinance No. 4014 – An Ordinance Placing Charter Amendments to Repeal Obsolete Provisions, Bring the Charter into Compliance with Certain State Law Provisions, Allow the Publication of Proposed Ordinances by Title Only, and to Change the Number of Required Signatures on a Petition to Ascertain if the City Should Purchase a Franchise; on the Election Ballot for the Regular Municipal Election to be Held the 3rd day of April, 2007

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4014*

Staff presentation: John Shaver, City Attorney

20. **Set Title for TABOR Ballot Proposal** **Attach 19**

The proposed Resolution sets a ballot title for the April 3, 2007 regular municipal election regarding retaining revenues above the amounts allowed under Article X, Section 20 of the Colorado Constitution.

Resolution No. 13-07 – A Resolution Setting a Title and Submitting to the Electorate on April 3, 2007 a Measure to Retain and Spend Revenues as Defined by Article X, Section 20 of the Colorado Constitution

®Action: *Adopt Resolution No. 13-07*

Staff presentation: David Varley, City Manager
Ron Lappi, Administrative Services and Finance Director

21. **Public Hearing – Authorization of the Issuance of \$22,925,000 in Bonds for the Riverside Parkway Project** **Attach 20**

The issuance of City of Grand Junction, Colorado, General Fund Revenue Bonds, series 2007, and other funds should complete the Riverside Parkway project by the end of 2008.

Ordinance No. 4015 – An Ordinance Authorizing the Issuance of City of Grand Junction, Colorado, General Fund Revenue Bonds, Series 2007, and Pledging Certain Revenues of the City for the Payment of the Bonds

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4015

Staff presentation: Ron Lappi, Administrative Services and Finance Director

22. **Public Hearing – Apple Acres Annexation and Zoning Located at 3025 E Road** [File #ANX-2006-302] **Attach 21**

Request to annex and zone 8.84 acres, located at 3025 E Road, to RMF-5 (Residential Multi Family 5 du/ac). The Apple Acres Annexation consists of one parcel.

a. Accepting Petition

Resolution No. 14-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Apple Acres Annexation, Located at 3025 E Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4016 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Apple Acres Annexation, Approximately 8.84 acres, Located at 3025 E Road

c. Zoning Ordinance

Ordinance No. 4017 – An Ordinance Zoning the Apple Acres Annexation to RMF-5 Located at 3025 E Road

®Action: Adopt Resolution No. 14-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4016 and 4017

Staff presentation: Adam Olsen, Associate Planner

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

24. **Other Business**

25. **Adjournment**

EXHIBIT A

RESOLUTION NO. 04

A RESOLUTION OF THE BOARD OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY SUBMITTING TO THE QUALIFIED ELECTORS OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY, AT AN ELECTION TO BE HELD ON APRIL 3, 2007, A BALLOT QUESTION AUTHORIZING THE ISSUANCE OF BONDS BY THE CITY OF GRAND JUNCTION TO FINANCE DEVELOPMENT PROJECTS PURSUANT TO THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT

WHEREAS, the Grand Junction Downtown Development Authority (the "Authority"), is a duly organized and existing Downtown Development Authority under the Constitution and laws of the State of Colorado; and

WHEREAS, the members of the Board of the Authority (the "Board") have been duly appointed and qualified; and

WHEREAS, the City Council (the "Council") of the City of Grand Junction, Colorado (the "City") has heretofore approved the Plan of Development (the "Plan") for the Authority; and

WHEREAS, the interest of the Authority and the public interest and necessity demand and require the financing of certain development projects described in the Plan (the "Projects"); and

WHEREAS, Section 31-25-809, C.R.S., authorizes the City to issue bonds, payable solely from tax increment revenues generated by properties within the boundaries of the Authority, to pay all or any part of the cost of the Projects; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval in advance for the creation of any debt by the City; and

WHEREAS, the Plan contemplates the use of tax increment financing as provided in Section 31-25-807(3), C.R.S., to finance the costs of the Projects; and

WHEREAS, pursuant to Section 31-25-807(3)(b), C.R.S., the Board may call an election on the question of issuing bonds or otherwise providing for loans, advances or indebtedness ("Financial Obligations") and pledging the tax increment revenues to the payment of such Financial Obligations; and

WHEREAS, it is contemplated by the Board that Financial Obligations will be incurred, and tax increment revenues pledged for the payment thereof, over the period of time that the use of tax increment financing is available to the Authority; and

WHEREAS, the estimated cost of the Projects is approximately \$18,000,000; and

WHEREAS, TABOR requires that ballot issue elections (as defined in TABOR) be held on certain specified election days; and

WHEREAS, April 3, 2007 is the City's regular election and one of the election dates at which ballot issues may be submitted pursuant to TABOR; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election; and

WHEREAS, the Board desires to call an election to be held on April 3, 2007, subject to approval by the Council, as provided in Section 31-25-807(3)(b), C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY, IN THE CITY OF GRAND JUNCTION AND STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Council, the Authority Board, or the officers of the Authority or the City, directed toward the Election and the objects and purposes herein stated are hereby ratified, approved and confirmed. All terms used herein and not otherwise defined shall have the meanings set forth in Title 31, Article 25, Part 8, C.R.S. (the "DDA Act"), Title 31, Article 10 (the "Municipal Election Code") or TABOR.

Section 2. Pursuant to TABOR, the Municipal Election Code and the DDA Act, the Board hereby calls for an election for the Authority on April 3, 2007 (the "Election"). The Board hereby determines that at the Election there shall be submitted to the qualified electors of the Authority the question set forth in Section 3 hereof. The Authority hereby determines that, upon approval by the Council, the City Clerk shall conduct the election on behalf of the Authority and act as the designated election official.

Section 3. The Board hereby authorizes and directs the designated election official to submit to the qualified electors of the Authority at the Election a question in substantially the following form:

"SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000 WITH A REPAYMENT COST OF \$20,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE

AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW; AND IF THIS QUESTION IS APPROVED, THE AUTHORITY TO ISSUE DEBT PURSUANT TO BALLOT ISSUE 5T AT THE CITY'S NOVEMBER 2, 2004 ELECTION SHALL BE OF NO FURTHER EFFECT?"

Section 4. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

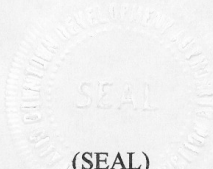
Section 5. If a majority of the votes cast on the question of increasing City debt for the purposes specified in the Plan submitted at the Election shall be in favor of same, the City, acting on behalf of the Authority, shall be authorized to proceed with the necessary action to comply with such question.

Any authority to increase City debt, if conferred by the results of the Election, shall be deemed and considered a continuing authority to increase City debt, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 6. If any section, subsection, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this Resolution, the intent being that the same are severable.

Section 7. All orders, resolutions, bylaws, ordinances or regulations of the Authority, or parts thereof, inconsistent with this Resolution are hereby repealed to the extent only of such inconsistency.

ADOPTED AND APPROVED this January 11, 2007.



(SEAL)

Attest:

Deane Keliker
Secretary

Stu Howard

Chairperson

STATE OF COLORADO)
)
 COUNTY OF MESA) SS.
)
 GRAND JUNCTION DOWNTOWN)
 DEVELOPMENT AUTHORITY)

I, Diane Keliher, the duly chosen, qualified and acting Secretary to the Grand Junction Downtown Development Authority (the "Authority"), Mesa County, Colorado, do hereby certify that:

1. The foregoing pages are a true, perfect and complete copy of a resolution (the "Resolution") passed and adopted by the Board of Directors (the "Board") of the Authority at a regular meeting of the Board held at the regular meeting place of the Board on Thursday, January 11, 2007.

2. The Resolution was duly moved and seconded, and the Resolution was finally adopted at the meeting of January 11, 2007, by an affirmative vote of a majority of the members of the Board as follows:

<u>Boardmember</u>	<u>Voting "Aye"</u>	<u>Voting "Nay"</u>	<u>Absent</u>	<u>Abstaining</u>
Karen Vogel	✓			
Scott Howard	✓			
Harry Griff	✓			
Jim Doody			✓	
Steve Thoms	✓			
Bill Keith	✓			
Peggy Page	✓			
Doug Simons	✓			
Bill Wagner	✓			

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Chairperson of the Board, sealed with the Authority seal, attested by the Secretary and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

6. Notice of the meeting of January 11, 2007 in the form attached hereto as Exhibit A was posted not less than 24 hours prior to the meeting in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this January 11, 2007.

(SEAL)



Diane Kelihor
Secretary to the Board of Directors of the Grand
Junction Downtown Development Authority

EXHIBIT A

(Attach Copy of Meeting Notice)



AGENDA
Downtown Development Authority
BOARD MEETING

Thursday, January 11th, 2007 – 7:30 a. m.
Whitman School – 248 S. Fourth Street

- 7:30 a.m. Call to Order**
- 7:35 a.m. Approval of Minutes**
- 7:40 a.m. 2006 YE Financials – 103/203**
- 7:50 a.m. 2007 TIF Ballot Resolution**
- 8:00 a.m. South Downtown Plan – Kristen Ashbeck**
- 8:30 a.m. Housing Issues**
- 8:45 a.m. Executive Session – Real Estate**

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators under 24-6-402(4)(e) C.R.S. for the review of real estate appraisal(s) and

To discuss the purchase or acquisition of real property or other property interests under 24-6-402(4)(a) C.R.S.

9:00 a.m. Adjournment

Upcoming Meetings:

Annual Dinner – January 12th, 6 p.m. @ Two Rivers
DTA – January 17th, 7:30 a.m. @ Whitman
BID – January 25th, 7:30 a.m. @ Whitman
DDA/Council – February 5th, 11:30 a.m. @ Two Rivers
DDA Meeting – February 8th, 7:30 a.m. @ Whitman
