

Grand Junction, Colorado

January 18, 1967

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. January 18, 1967 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were R. B. Evans, Chas. H. Love, Richard G. Youngerman, Herbert M. Wright and President Pro Tem Chas. E. McCormick. Councilman Harry O. Colescott and President Ray A. Meacham were absent. Also present were City Manager Richard Gray, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Bishop John Whiting, Church of Jesus Christ of Latter Day Saints.

MINUTES

It was moved by Councilman Love and seconded by Councilman Evans that the minutes of the regular meeting held January 4, 1967 be approved as written. Motion carried.

3.2 BEER RENEWAL - SAFEWAY STORE, INC. 525 OURAY - GRANTED

An application for renewal of 3.2 beer license was presented by Safeway Stores, Inc., 525 Ouray Avenue. A letter was read from Police Chief Karl Johnson stating that he knew of no reason why license should not be renewed. It was moved by Councilman Wright and seconded by Councilman Love that the application of Safeway Stores, Inc., 525 Ouray Ave., for 3.2 beer license be approved and license issued when State license has been received. Motion carried.

DAYS - SING-OUT `67 TO SELL BUMPER STICKERS JANUARY 23 & 24 GRANTED

A letter was read from Alice Lockhart asking permission for Sing-Out `67 group to sell bumper stickers on the sidewalks of Main Street and in Teller Arms Shopping District from 4:00 to 6:00 p.m., January 23rd and 24th. City Manager Gray stated the group was asking for only two hours on each of the two days (Monday and Tuesday) as this is the only time they will be out of school and can do it. Councilman Wright stated that this is a worthwhile purpose, and he felt the group of teenagers is doing a fine job. In view of this fact, even though it had not been the policy of the Council to grant permission for two days, and the fact that the time requested is limited to two hours each day, he would move that the request be granted. Motion was seconded by Councilman Love and carried.

DAYS - MARCH OF DIMES, JANUARY 21, 1967 - GRANTED

A letter was read from Fred D. Burmeister, Campaign Director for the March of Dimes, asking permission to conduct a fund drive on Main Street and in the Teller Arms Shopping district from 10 a.m. to 3 p.m. on Saturday, January 21st. It was moved by Councilman Evans and seconded by Councilman Youngerman that the request be granted. Motion carried.

ORDINANCE NO. 1250 PASSED - WATER RATES FOR CITY RESIDENTS USING UTE WATER

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTION 31-12 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO PROVIDE A WATER RATE FOR CITY RESIDENTS OBTAINING WATER AS INDIVIDUALS FROM THE UTE WATER CONSERVANCY DISTRICT SYSTEM. It was moved by Councilman Love and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Evans and seconded by Councilman Youngerman that the ordinance be called up for final passage. Motion carried.

The Ordinance was then read. It was moved by Councilman Evans and seconded by Councilman Love that Section (d) (2) of the proposed ordinance be amended to read as follows:

(2) Applicability. The above rate shall apply to those City residents using water from the Ute Water Conservancy District system and considered and billed by the City as individual customers under the agreement between said District and the City.

Motion carried.

The Ordinance was then read as amended and it was moved by Councilman Love and seconded by Councilman Youngerman that the Ordinance be passed and adopted as read, numbered 1250 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. President Pro Tem McCormick declared the motion carried.

WATER - OPTION TO BUY RABER BROS. & JOHN GROUNDS WATER RIGHTS - JUNIATA AND HIGHLINE - RESOLUTION

Mr. Jim Dufford, Attorney, who represents the City in water matters was present and explained an option agreement which he had prepared with Raber Brothers and also John Grounds. This agreement grants an option for the City to acquire the interests of the Rabers and Grounds in the Juniata Reservoir enlarged and the original Juniata Reservoir. These negotiations have been in progress over a period of several months and finally culminated in

an agreement to acquire this option. Mr. Clifford Jex, Engineer, has evaluated the water rights and approved the purchase by the City. This involves the purchase of reservoir rights by the City. The Rabers have approximately 2% in the original Juniata reservoir (a reservoir holding approximately 400 acre feet of water) and 25% of the Juniata enlarged reservoir.

Mr. Grounds' interests constitute approximately 25% of the Juniata enlarged reservoir. The options spread the purchase price over a period of five years. The cost would be for the Raber interest \$144,000, and for the Grounds' interests, \$84,000. The initial cost would be \$32,000.00. There would be three additional years to renew the option, but at the end of the fourth year, a decision would have to be made as to whether the option was to be exercised and payment made at that time.

The City would get possession of the reservoir during the option period. There would be contracts back to Rabers and Grounds so that the water could be used, unless the City needed it, so that the ranches could be operated. The Rabers would sell the City 367 shares of Highline Canal stock, the filling right for the original Juniata reservoir. However, 135 of these shares are to be contracted to Mr. Kenneth Johnson, who is purchasing the Raber property.

The City would have 232 shares of the Highline stock. The City, at present, is not in any condition to commit itself to a firm payment and this is the best method to acquire additional water rights. Acquiring the reservoir rights will give a better control of storage water as Juniata reservoir is used in connection with Hallenbeck reservoir.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Option Agreements have been negotiated between the City of Grand Junction and John P. Raber, Katheryne J. Raber, Wilbur J. Raber and Winifred K. Raber and between the City of Grand Junction and John Grounds under which agreements the City secures options to purchase certain water rights and reservoir rights and shares of corporate stock representing such rights, and

WHEREAS, it is necessary to approve such transactions and to provide for the execution of the necessary documents, by the City:

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

1. That said Agreements, together with their supporting and related documents, be, and they are hereby, approved.

2. That the City Manager be authorized, on behalf of the City and as the act of the City, to execute the Option Agreements, the Escrow Instructions in connection therewith, the lease-back contracts, and the Agreement concerning 135 shares of the Kannah Creek Highline Ditch Co. and transfer such shares in accordance with such Agreement to Kenneth E. Johnson and Christy G. Brost, and to execute such other documents as may be necessary to accomplish the contemplated transaction.

PASSED AND ADOPTED this 18th day of January, 1967.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman Evans that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. President Pro Tem McCormick declared the motion carried.

ADJOURNMENT

It was moved by Councilman Wright and seconded by Councilman Youngerman that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk