

Grand Junction, Colorado

July 19, 1967

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P.M. July 19, 1967 in the Civic auditorium at City Hall. Councilmen present and answering roll call were Chas. E. McCormick, R. B. Evans, Stanley Anderson, Harry O. Colescott, R. G. Youngerman, Herbert M. Wright and President Ray A. Meacham. Also present were City Manager R. N. Gray, City Attorney Ashby and City Clerk Helen C. Tomlinson.

INVOCATION

The invocation was given by Councilman Herbert M. Wright.

MINUTES

It was moved by Councilman Wright and seconded by Councilman McCormick that the minutes of the regular meeting held July 5, 1967 be approved as written. Motion carried.

ELM AVENUE STORM SEWER - BIDS - AWARD CONTRACT TO GREAT BASIN CONSTRUCTION \$85,579.51

City Manager Gray presented a memo which he had received from City Engineer Dave Hickman regarding bids for the Elm Avenue Storm Sewer which were opened and tabulated on July 18, 1967 at 2:00 P.M. The following bids were tabulated:

	<u>Schedule I</u>	<u>Schedule II</u>	<u>Total</u>
Engineer's Estimate	\$58,519.50	\$22,730.00	\$ 81,249.50
Great Basin Constr (low)	62,089.50	23,490.00	85,579.50
Bookcliff Constr	72,724.44	27,011.00	99,735.44
Scheierman Constr	83,141.00	32,590.00	115,731.00
Elam Constr	85,219.60	32,612.50	117,832.10
Nielsons, Inc.	83,616.00	35,040.00	118,656.00
Devers Constr	89,467.21	40,047.10	129,514.31

Penner Constr	97,023.45	36,661.20	133,684.65

Budget Item No. 71.31-B for this project was in the amount of \$88,600.

Project costs are as follows: (Estimated)

Construction Costs Schedule I and II (Low Bid)	\$85,579.00
3% Contingency on Construction	2,567.00
Engineering Design (Complete System)	
Nelson, Haley, Patterson, and Quirk	8,500.00
Job Engineering 3 months @ \$900	<u>2,700.00</u>
	\$99,346.00
Sales Tax Refund (Estimate)	<u>1,000.00</u>
	\$98,346.00
Estimated Final Cost	\$98,346.00
Budgeted Funds	<u>88,600.00</u>
Project Deficit	\$ 9,746.00

Mr. Hickman stated that he had budgeted in the 1967 budget, an amount of \$88,600 for this sewer. This is account No. 71.31-B. Including \$8,500 to Consulting Engineers Nelson, Haley, Patterson & Quirk and the cost of job engineering, (3 months at \$900 per month,) plus a 3% contingency fund less sales tax refund, \$1,567, the total cost of the project would be \$98,346.00. this would include Schedules I and II and would build the sewer from Sherwood Park to Cannell Avenue. Mr. Hickman further stated that he had funds in the Public Works budget in account No. 71.30-C in the amount of \$5,000 and approximately \$7,000 in Account No. 71.31-A which would cover the balance of the money necessary for the

sewer. City Manager Gray stated that it was the recommendation of Engineers Nelson, Haley, Patterson & Quirk and of City Engineer Hickman that the contract be awarded to the lowest apparent bidder, Great Basin Construction Co. of Provo, Utah. He concurred in this recommendation.

A check on the qualifications of the Great Basin Construction Company was very favorable, and the engineers feel that this Company can do a very good job. Mr. Dave Limes, Project Engineer, was present to answer questions. It was moved by Councilman Youngerman and seconded by Councilman Wright that the City Council award contract for the construction of the Elm Avenue Sewer, both Schedule I and Schedule II, to the apparent low bidder, Great Basin Construction Company of Provo, Utah, for the bid price of \$85,579.51. Motion carried.

3.2 BEER RENEWALS

The following applications for renewal of 3.2 beer licenses were presented:

City market dba First St. City Market, Inc., P.O. Box 729, 104 Orchard Avenue
City Market dba City Market, Inc. Store #2, P.O. Box 729, 865 North Avenue
Roy Lavell Reynolds, Sr., dba Lincoln Park Golf Club, Lincoln Park

A letter was read from Karl M. Johnson, Chief of Police, stating that there was no reason why the licenses for City Market should not be renewed as there have been no unfavorable complaints. It was stated that Mr. Johnson had no objection to the renewal of the license for Roy Reynolds at the Lincoln Park Golf Club. It was moved by Councilman Colescott and seconded by Councilman Wright that these applications be approved and licenses be granted when State licenses have been received. Motion carried.

SEWER & WATER POLLUTION - REQUEST CHLORINATORS BE INSTALLED - WRITE LETTER

A letter from Mr. Fred Matter, P.E., Acting Director of the Water Pollution Control Commission was read. This letter stated that at a meeting held in Grand Junction on May 18 and 19, the Commission went on record requesting the City of Grand Junction to take the necessary steps to disinfect its sewage effluent to bring it into the range considered in the Basic Standards adopted by the Water Pollution Control Commission. On July 10th, the Commission met again and expressed the need for immediate installation of the chlorinators if they have not already been installed.

City Manager Gray stated that it would cost between \$75,000 and \$100,000 to put in the chlorinators and make the necessary construction and installation so that the sewage effluent might be chlorinated. The chlorinators could possibly be used in the new

plant, but any construction cost would not be utilized again. He stated that the Engineers who are making a study of the sewage system may find that it will be necessary to install chlorinators, and if this is the case, they could possibly be put in this fall. This report should be ready within a few weeks.

Several Councilmen felt that the City is progressing as rapidly as possible to correct the improper treatment of sewage in the City. There are funds available for 30% grant for improvements of this type, and it is contemplated that the City will apply for assistance in the over-all sewage improvement program.

It was moved by Councilman Wright and seconded by Councilman Evans that the City Manager and City Clerk draft a letter over the signature of the President of the City Council pointing out the time table set up and the procedures to be followed and progress made in the sewage improvement program. Motion carried.

Mr. W. C. Bush appeared before the Council and protected the chlorination of sewage effluent stating that no one below the City of Grand Junction takes water from the Colo. River for domestic purposes until Boulder City, and they have no problems with the water.

WATER/SEWER BONDS - SERIES 1967 - MEMO FROM BRUCE D. NEWMAN, BOETTCHER & CO., FISCAL AGREEMENT

A Memorandum from Mr. Bruce C. Newman, Boettcher & Company, Fiscal Agents, was read. Mr. Newman set forth the economic advantages to the City in issuing joint Water & Sewer revenue bonds, as opposed to the issuance of separate bond issues to finance the cost of improvements to each utility system.

The contemplated bond issue will be for \$2,250,000 for water bonds and \$2,750,000 for sewer improvement bonds. Water improvements can be financed with the proceeds of a bond issue that would obtain the same average rate of interest regardless of whether the bonds were designated as water revenue bonds or joint water and sewer revenue bonds. It was their opinion that water revenue bonds, governed by a sound bond ordinance, would sell at a rate as low as a general obligation issue. However, they feel that great economic advantages can be achieved by financing the sewer system improvements on a combined basis with the water system improvements. Paying off sewer bonds from sewer revenue only would be prohibitive because of the sewer rental charges necessary to raise income enough for this purpose and to maintain the sewer system. If the proposed charter amendment is approved, the City can adopt a bond ordinance authorizing the issuance of joint water and sewer revenue bonds, and providing the most feasible and economic approach for the citizens of the City. Sewer rental fees up to \$4.00 per month might be necessary to finance sewer bonds.

Councilman McCormick stated that he was glad the Council had received this "Memo" as the public might think the program contemplated was administrative, and that it had not been recommended by the City's Fiscal Agent. He also stated that the City is dealing in intangibles, but it can be reasonably assured that the ratios will remain the same regardless. Councilman Colescott stated that the Council did not like to have to raise utility rates, but under the circumstances have no choice, and will have to tell the people what the City is up against. Councilman Wright stated that the Councilmen could be liable if they do not move on this, and an epidemic could be traced to this City.

TRAFFIC LIGHT AT 4TH & GRAND TO BE INSTALLED

A petition was given to Councilman Colescott and presented to the Council stating that a traffic light was badly needed on the corner of 4th and Grand Avenue. City Manager Gray stated that traffic counts establishing "warrants" have been conducted this summer, and it appears that the intersection of 4th and Grand shows the highest warrant of any in the City. There is \$3,300 in the 1967 budget, and he recommended that this traffic light be installed as quickly as possible. It was moved by Councilman Colescott and seconded by Councilman Wright that the petition be accepted and that the City Manager be authorized to have traffic signal lights installed at 4th and Grand Avenue, and also that a study be made to see if it is necessary to continue the pedestrian light at 3rd and Grand Avenue. Motion carried. Councilman McCormick asked if pedestrian lights would be installed in connection with the traffic lights. This will also be given some study.

SIDEWALK BAZAAR AUGUST 1 & 2

A letter from the Chamber of Commerce Downtown Retail Trade Committee was read requesting permission to hold the Annual Sidewalk Bazaar on August 1 and 2. It was moved by Councilman Wright and seconded by Councilman Youngerman that the request be granted. Motion carried.

ORDINANCE NO. 1266 (EMERGENCY) - SPECIAL ELECTION FOR CHARTER CHANGE TO PERMIT JOINT WATER/SEWER BONDS

The following entitled proposed emergency ordinance was introduced and read in full:

EMERGENCY ORDINANCE NO. 1266

SERIES 1967

AN ORDINANCE SUBMITTING TO A VOTE OF THE QUALIFIED ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, AT A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, AUGUST 29, 1967, A PROPOSED AMENDMENT TO

THE CHARTER OF THE CITY OF GRAND JUNCTION CONCERNING THE WATER SYSTEM AND THE SEWER SYSTEM OF THE CITY; PROVIDING FOR THE HOLDING OF SAID SPECIAL ELECTION FOR THE SUBMISSION OF SAID AMENDMENT IN ACCORDANCE WITH THE CHARTER OF THE CITY OF GRAND JUNCTION AND THE CONSTITUTION OF THE STATE OF COLORADO; PRESCRIBING DETAILS IN CONNECTION WITH SAID ELECTION AND CHARTER AMENDMENT; RATIFYING ALL ACTION TAKEN TOWARD AMENDING THE CHARTER AND HOLDING SAID ELECTION; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Grand Junction, in the County of Mesa and State of Colorado (herein the "City," the "County" and the "State," respectively), is a body corporate and politic, and a home rule city with a "Council-Manager Government," pursuant to Article XX of the State Constitution and the Charter of the City (herein the "Charter"); and

WHEREAS, Article XX, Section 5, of the Constitution of the State of Colorado, as amended on November 7, 1950, provides in part as follows, to-wit:

"The city council, or board of trustees, or other body in which the legislative powers of any home rule city or town may then be vested, on its own initiative, may submit any measure, charter amendment, or the question of whether or not a charter convention shall be called, at any general or special state or municipal election held not less than thirty days after the effective date of the ordinance or resolution submitting such question to the voters";

and

WHEREAS, Section 151 of Article XVII of the Charter of the City provides that it may be amended at any time in the manner provided by Article XX of the Constitution of the State of Colorado; and

WHEREAS, the City Council of the City (herein the "Council" proposes to submit an amendment to the Charter authorizing the issuance from time to time of the revenue bonds of the City payable out of the net revenues of the water system and sewer system or either or both of said systems without the submission of the question of their issuance to the electors of the City and further to clarify the provisions of the Charter relating to the water system and sewer system of the City.

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

Section 1. That all action heretofore taken by the City Council and officers of the City of Grand Junction, not inconsistent with the provisions of this ordinance, directed toward the amendment to the Charter, and the election thereon, be, and the same is hereby ratified, approved and confirmed.

Section 2. That the following amendment to Section 96 of Article XX of the Charter of the City of Grand Junction be submitted to a vote of the qualified electors of the City of Grand Junction in accordance with the provisions of Article XX of the Constitution of the State of Colorado and the Charter of the City at a special municipal election to be held in the five election precincts or districts of the City on Tuesday, the 29th day of August, 1967, between the hours of 7:00 o'clock A.M. and 7:00 o'clock P.M., which proposed amendment is as follows:

(Form of Proposed Amendment)

"Section 96. Rates-Regulations-Fines-Financing

(1) The city council shall by ordinance or ordinances fix rates, establish regulations for the use of the water and sewer systems, provide for the orderly administration of the department, and impose fines and penalties for the violation thereof.

(2) The city council, pursuant to ordinance and without an election, may borrow money or issue interim warrants or revenue bonds for the purpose of acquiring, constructing, improving or extending the water system or the sewer system; provided that such borrowing shall be repaid, and such warrants and bonds shall be made payable solely out of the net revenue derived from the operation of the water system or sewer system, or either or both of such systems.

(3) The revenues derived from the operation of the water or sewer systems shall be used for the maintenance, operation, extension and improvement of either or both of such systems and for interest on and discharging of principal of bonds and other obligations incurred in the acquisition, construction, improvement and extension of either or both of such systems. Whenever such revenues produce a surplus over and above such costs, such surplus may be used to create reasonable capital improvement or reserve funds, and to the extent the surplus is not so used it shall be the duty of the council to reduce the rates to consumers so that, as far as practicable, the people may receive the benefits of the department at not more than actual cost.

(4) All consumers of water for domestic use outside of the city limits shall pay not more than double the rates so established and fixed for users within the city limits.

(5) Nothing herein contained shall be construed to prevent the council from issuing bonds or other obligations payable solely out of the net revenue derived from the operation of any other utilities or income producing projects in the manner provided by law."

(End of Form of Proposed Amendment)

Section 3. That pursuant to section 25 of Article II of the Charter, the provisions of the laws of the State now in force relating to the qualifications and registration of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of the election, except as otherwise provided in Article II of the Charter, so far as they may be applicable, shall govern the election, except as the Council may have otherwise provided by ordinance, including without limitation this Ordinance, and except as otherwise provided in Article XX of the State Constitution.

Section 4. That the City Clerk shall cause the ballots to be used for voting upon the proposed amendment to be printed, bound, numbered, endorsed and authenticated as required by the Charter. The official ballots shall be furnished by the City Clerk to the judges of election to be by them furnished to the electors and shall be in substantially the following form:

(Form of Face of Ballot)

OFFICIAL BALLOT

CITY OF GRAND JUNCTION, COLORADO
SPECIAL MUNICIPAL ELECTION

ON
TUESDAY, AUGUST 29, 1967

Instructions to Electors

To vote on the proposed Charter Amendment, make a cross mark (X) in the square opposite the words "For Charter Amendment" Or "Against Charter Amendment" which expresses your choice. After you have completed voting, deposit your ballot in the ballot box provided for such purpose.

PROPOSED CHARTER AMENDMENT:

Shall Section 96 of Article XII of the Charter of the City of Grand Junction, Colorado, be amended to read as follows:

FOR Charter Amendment

"(Insert in the ballot as printed the full text of the proposed Charter Amendment, as set forth in Section 2 of this ordinance)"

AGAINST Charter Amendment

(End of Form of Face of Ballot)

The following shall be endorsed on the back of each ballot:

(Form of Back of Ballot)

Official ballot for the City of Grand Junction, Colorado, Special Municipal Election on Tuesday, August 2, 1967.

(Facsimile Signature)
City Clerk

(End of Form of Back of Ballot)

Section 5. That no ballot for or against the proposed Charter amendment shall be received by the judges of election unless the person offering the same shall be a duly qualified and registered elector of the City.

Section 6. That the three election judges and two clerks for each election precinct or district shall be as follows:

<u>Election Precinct</u>	<u>Judges</u>	<u>Clerks</u>
District A	Mrs. Ila McCarrie	Mrs. Agnes Goodrich
	Mrs. Faye Elsberry	Mrs. Betty Christenson
	Mrs. Cora Hertzke	
District B	Mrs. Lela Zimmerman	Mrs. Lucile Craft
	Mrs. Edna White	Mrs. Elsa Ratekin
	Mrs. Edythe Clodfelter	
District C	Mrs. Eva Lindsay	Mrs. Etna Wendel
	Mrs. Wilma Porter	Mrs. Edith Ligrani
	Mrs. Donald Dorman	
District D	Mrs. Vera Stocker	Mrs. Leona Watson
	Mrs. Bernice O'Dell	Mrs. Esther Granat

	Mr. Ralph Barnes	
District E	Mrs. Jane Matteroli	Mrs. Mary Anne Warner
	Mrs. Leila Kane	Mrs. Kathryne Harper
	Mrs. Mildred Collins	

Section 7. (a) That the City Clerk shall give written or printed notice of the election for said charter amendment by causing said notice to be published for three times a week apart, said notice to be published concurrently with the first publication of the full text of the charter amendment, as required by Section 8 of this resolution.

(b) That a copy of said notice shall be sent to the Judges of Election in each precinct or district to be posted at the voting places.

(c) That said notice shall be published in _____ a daily newspaper published in and having general circulation in the City and being the official newspaper thereof.

(d) That the Clerk shall cause said notice to be republished in said newspaper on the tenth day before the election and on any three successive days during the ten-day period prior to such election. If the Clerk shall find it impracticable to make publication on the tenth day before the election, the publication shall be made on the earliest possible day before the tenth day.

(e) The said notice shall be in substantially the following form:

(Form of Notice)

NOTICE OF AND CALL FOR
 CHARTER AMENDMENT ELECTION
 Held at The
 SPECIAL MUNICIPAL ELECTION
 ON
 TUESDAY, AUGUST 29, 1967
IN GRAND JUNCTION, COLORADO

I, Helen C. Tomlinson, Clerk of the City of Grand Junction, in the County of Mesa and State of Colorado, under and by virtue of the authority vested in me as such officer by the Constitution and laws of the State of Colorado and the Charter of the City of Grand Junction, and pursuant to an ordinance adopted on the 19th day of July, 1967, DO HEREBY CALL AND GIVE PUBLIC NOTICE of a charter amendment election to be held as a Special Municipal Election in each election precinct or district in the City, on Tuesday, the 29th day of August, 1967, at which election there will be submitted to the vote of the qualified and registered electors of the City a proposed amendment to the Charter of the City, as follows:

PROPOSED CHARTER AMENDMENT:

Shall Section 96 of Article XII of the Charter of the City of Grand Junction, Colorado, be amended to read as follows:

"(In the notice as published insert the full text of the proposed charter amendment as set forth in Section 2 of this ordinance)"

If a majority of those voting on the proposed charter amendment is in favor thereof, the amendment will have carried.

The election precincts or districts and the polling places for the charter amendment election will be as follows:

<u>Election Precinct or District</u>	<u>Polling Place</u>
District A contains all that portion of the City of Grand Junction lying south of Grand Avenue.	City Hall 5th & Rood Ave.
<u>District B</u> contains all that portion of the City of Grand Junction lying north of Grand Avenue and west of North Seventh Street.	Grand Junction High School Gymnasium 1400 N. 5th St.
<u>District C</u> contains all that portion of the City of Grand Junction lying north of Elm Avenue and east of the following described line: commencing at North Twelfth and Elm, thence north along North Twelfth Street to Walnut Avenue; thence east along Walnut Avenue to Fifteenth Street, thence north to the City limits.	Orchard Avenue School 16th & Orchard Avenue

<p><u>District D</u> contains all that portion of the City of Grand Junction lying east of Seventh Street and north of Grand Avenue; and west of the following described line: beginning at the northeast corner of North Twelfth Street and Grand Avenue, thence north along North Twelfth Street to Walnut Avenue, thence east along Walnut Avenue to Fifteenth Street, thence north along Fifteenth Street to the City limits.</p>	<p>Grand Junction Junior High School Gymnasium 9th & Chipeta Ave.</p>
<p><u>District E</u> contains all that portion of the City of Grand Junction lying east of Twelfth Street, north of Grand Avenue and South of Elm Avenue.</p>	<p>Lincoln Park Auditorium Lincoln Park</p>

Any qualified registered elector may ascertain the precinct or district in which he resides and the polling place at which he should vote by inquiry directed to the City Clerk.

The polls at each polling place in each precinct or district will be opened at 7:00 o'clock a.m. on the day of said election, and will be closed at 7:00 o'clock p.m. on said day. No votes will be received or permitted by the election judges unless the person offering to vote is a duly qualified and registered elector in the precinct or district in which he seeks and is entitled to vote; provided, however, that when any registered elector of the City, on the day of the election, will be absent from the City, or by reason of his work or the nature of his employment is likely to be absent and fears that he will be absent from the City on said day, or because of serious illness or physical disability or for reasons based upon the doctrines of established religions will be unable to attend the polls, he may cast an absentee ballot at such election in the manner provided in the Colorado Municipal Election Code of 1965.

Except as otherwise provided by law, every person who has attained the age of twenty-one years is entitled to registered and vote if he is a citizen of the United States, who has resided in this State for one year, in this county for ninety days, in the city for thirty days and in the district or precinct for fifteen days immediately preceding the election.

Any qualified elector whose name does not appear in the registration books in the office of the City Clerk for his precinct or district shall have the right to register or to change

the address of his residence in said office at any time during office hours up to and including Monday, the 14th day of August, 1967, i.e., fifteen days before said election.

IN TESTIMONY WHEREOF, the City Council of the City of Grand Junction has caused this notice to be published and dated this _____ day of _____, 1967.

City Clerk

(SEAL)

(End of Form of Notice)

Section 8. That the City Clerk, in addition, pursuant to Selection 5 of Article XX of the State Constitution, shall publish with her official certification, for three times, a week apart, in _____, i.e., the City's official newspaper, the full text of the proposed Charter amendment which is to be submitted to the qualified electors of the City, the first publication thereof to be made simultaneously with the first publication of the notice authorized by Section 7 of this ordinance. Within ten days following the election, the City Clerk shall publish once in said newspaper the full text of the Charter amendment in the event such amendment shall have been approved by a majority of those voting thereon. Within said ten-day period the City Clerk shall file with the Secretary of State two copies of the amendment (with the vote for and against) officially certified by her. The notice and certification shall be in substantially the following form:

(Form of Certification)

NOTICE AND CERTIFICATION OF CHARTER AMENDMENT
TO BE SUBMITTED TO QUALIFIED ELECTORS
AT THE SPECIAL MUNICIPAL ELECTION
TO BE HELD ON
TUESDAY, AUGUST 29, 1967

PUBLIC NOTICE IS HEREBY GIVEN that I, Helen C. Tomlinson, Clerk of the City of Grand Junction, in the County of Mesa and State of Colorado, under and by virtue of the authority vested in me as such officer by the Constitution and laws of the State of Colorado, and by the Charter of the City of Grand Junction, do HEREBY OFFICIALLY CERTIFY that at the charter amendment election *to be* held as a Special Municipal Election on Tuesday, August 29, 1967, for the purpose of submitting to the qualified and registered electors of the City the following charter amendment to Section 96 of Article XII of the Charter of the City of Grand Junction, the full text of which amendment, as authorized by ordinance of the City Council adopted on the 19th day of July, 1967, is as follows:

PROPOSED CHARTER AMENDMENT:

Shall Section 96 of Article XII of the Charter of the City of Grand Junction, Colorado, be amended to read as follows:

"(In the Notice and Certification as published and filed with the Secretary of State insert the full text of the charter amendment as set forth in Section 2 of this ordinance.)"

The amendment designated * carried (or failed to carry) ***by a majority of those qualified electors voting thereon by a vote of _____ "for" and _____ "against,"**

Attested by me with the corporate seal of the City of Grand Junction, Colorado, this _____ day of _____, 1967.

City Clerk

(SEAL)

* (Delete the words "to be" from the form completed and executed after election.)

** (Insert this paragraph in the form completed after the election.)

*** (Delete the inapplicable words at the time of the completion of the form after the election.)

Section 9. That the judges and clerks of election shall count, tally, and turn over all ballots, ballot boxes and their tally sheets of the votes to the City Clerk. The Council shall within two days after the election meet as a canvassing board and duly canvass the election returns.

Section 10. That the officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance, including, without limiting the generality of the foregoing, the printing of ballots and instructions, the furnishing of such other supplies, and the publication and posting of notices.

Section 11. That no informalities in conducting the election shall invalidate the same, if the election has been conducted fairly and in substantial conformity with the requirements of the Constitution of the State of Colorado and the Charter of the City of Grand Junction.

Section 12. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section,

paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 13. That all ordinances, by-laws and regulations of the City, in conflict with this ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, by-law, or regulation, or part thereof, heretofore repealed.

Section 14. That by reason of the fact that the water system and the sewer system are not adequate and improvements and extensions are needed immediately it is necessary to hold an election the proposed Charter amendment at the earliest possible time, the Council hereby finds this Ordinance is necessary for the immediate preservation of the public peace, health and safety, a special emergency is declared to exist, and this ordinance shall be in full force and effect upon its final passage and shall be published within three days.

FINALLY ADOPTED and approved as an emergency ordinance this 19th day of July, 1967.

President of the City Council

(SEAL)

Attest:

City Clerk

APPROVED AS TO FORM

City Attorney

It was then moved by Councilman C. E. McCormick and seconded by Councilman R. B. Evans that all rules of this Council which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting, be, and the same are hereby suspended, for the purpose of permitting the final passage and adoption of said ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those Voting AYE: Ray A. Meacham
 Charles E. McCormick
 Richard G. Youngerman
 Herbert M. Wright
 Harry O. Colescott

Robert B. Evans
Stanley Anderson

Those Voting NAY: None
Those Absent: None

All members of the City Council having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Councilman Harry O. Colescott then moved that said ordinance be finally passed and adopted as read. Councilman Chas. E. McCormick seconded the motion.

The question being upon the final passage and adoption of said ordinance, the roll was called with the following result:

Those Voting AYE: Ray A. Meacham
Charles E. McCormick
Richard G. Youngerman
Herbert M. Wright
Harry O. Colescott
Robert B. Evans
Stanley Anderson

Those Voting NAY: None
Those Absent: None

The president as presiding officer thereupon declared that all the members of the City Council elected having voted in favor thereof, the said motion was carried and the said ordinance duly passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said ordinance be numbered 1266, and shall be published in The Daily Sentinel, the official newspaper of the City within three days of its passage and be recorded and authenticated according to law.

Thereupon the City Council considered other business not related to the amendment of the City Charter.

ORDINANCE NO. 1267 - ANNEXING LOT 9 FAIRMOUNT HEIGHTS SUBDIVISION

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Wright and seconded by Councilman Youngerman that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Wright that the proposed ordinance be called up for final passage. Motion carried.

The Ordinance was then read, and it was moved by Councilman McCormick and seconded by Councilman Evans that the Ordinance be passed and adopted as read, numbered 1267 and ordered published. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

CHARTER AMENDMENT

Mr. Bush stated that he would fight the charter amendment. He would not oppose the improvements to the sewer system, if they were financed in a different manner, but he did not want to pay water rent for sewer improvements.

SAN. SEWER DIST. NO. 22-67 - RESOLUTION - FORM OF BONDS

The following Resolution was presented and read:

RESOLUTION

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF SANITARY SEWER DISTRICT NO. 22-67

WHEREAS, on the 7th day of June, 1967, the City Council of the City of Grand Junction, Colorado, adopted a resolution creating Sanitary Sewer District No. 22-67 within said City:

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

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Sanitary Sewer District No. 22-67, including engineering, inspection and other incidental expense, the City shall issue public improvement bonds of said Sanitary Sewer District No. 22-67, dated the 1st day of July, 1967, in the denomination of \$1,000.00 each, numbered 1 to 110 inclusive, due and payable on the 1st day of July, 1977, subject to call and payment however at any time prior to the maturity of said bonds, said bonds shall bear interest, payable semi-annually, on the first day of January and the first day of July of each year, as evidenced by coupons to be attached to said bonds.

The principal of, and interest on, said bonds shall be payable at the office of the City Treasurer of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of said City and attested by the City Clerk, the coupons shall be signed with the original or facsimile signature of the City Treasurer, and when so executed, said bonds shall be registered by the City Treasurer.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, especially benefited by said improvements, and shall also be payable out of

available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of the said City, which tax was voted and authorized to make up deficits in special improvement district funds.

3. Said bonds, the coupons to be attached and the registration certificate to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

Public Improvement Bond
Sanitary Sewer District No. 22-67

No. _____

\$1,000.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby compromises to pay to the bearer hereof, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, on the 1st day of July, 1977, subject to call and payment however at any time prior thereto with interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the first day of January and the first day of July each year, both principal and interest being payable at the office of the City Treasurer in Grand Junction, Colorado, upon surrender of the attached coupons and this bond as they severally come due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Sanitary Sewer District No. 22-67 in the City of Grand Junction, by virtue of, and full conformity with, the Constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and ordinances of the said City, duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Sanitary Sewer District No. 22-67 especially benefited by said improvements, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon real estate in said District for the payment

hereof, with the accrued interest, shall be a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City.

It is hereby certified and recited that the total issue of bonds of said City for said District including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said Sanitary Sewer District No. 22-67 and the making of said improvements and the issuance of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issuance of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, as of the 1st day of July, 1967.

President of the City Council

ATTEST:

City Clerk

(Form of Coupon)

No. _____ \$ _____

On the 1st day of July/January, A.D. 19_____, the City of Grand Junction, Colorado, will pay the bearer

_____ dollars

in lawful money of the United States of America, at the office of the City Treasurer in Grand Junction, Colorado, being six month's interest on its local public improvement bond of Sanitary Sewer District No. 22-67, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated July 1, A.D. 1967.

No. _____

Facsimile Signature
City Treasurer

(Registration Certificate)

It is hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the office of the City Treasurer of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, 1967.

City Treasurer

The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Treasurer, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

PASSED AND ADOPTED this 19th day of July, 1967.

President of the Council

ATTEST:

City Clerk

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

AIRPORT - SUPPLEMENTAL AGREEMENT UNITED AIRLINES

A supplement to the Airport Agreement with United Airlines, Inc. which had been approved by the Airport Board, was presented to the City Council. This Supplemental Agreement provides for a four-cent per thousand pound fee to be paid the City of Grand Junction for training flights on 727's. It should provide considerable income to the City. The Airport Board approved this agreement at the last meeting. It was moved by Councilman McCormick and seconded by Councilman Youngerman that the Supplemental Agreement be ratified and that the City Manager and City Clerk be instructed to sign same. Motion carried.

ADJOURNMENT

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

/s/ Helen C. Tomlinson
City Clerk