

SPECIAL MEETING

Grand Junction, Colorado

August 30, 1967

NOTICE OF SPECIAL MEETING

TO THE CITY COUNCIL OF THE  
CITY OF GRAND JUNCTION  
COUNTY OF MESA  
STATE OF COLORADO:

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Grand Junction, Mesa County, Colorado, will be held, in said City, at the City Hall, at 7:30 o'clock p.m., on Wednesday, the 30th day of August, 1967, for the purpose of canvassing the results of the charter amendment election held in said City on Tuesday, the 29th day of August, 1967, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

\_\_\_\_\_  
Ray A. Meacham  
President

\_\_\_\_\_  
Helen C. Tomlinson  
Clerk

**ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING**

We, the undersigned members of the City Council of the City of Grand Junction, Mesa County, Colorado, do hereby acknowledge receipt of the foregoing notice of a special meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice and to the transaction of any and all business which may come before such meeting.

\_\_\_\_\_  
Ray A. Meacham

\_\_\_\_\_  
Harry O. Colescott

\_\_\_\_\_  
R. G. Youngerman

\_\_\_\_\_  
H. M. Wright

\_\_\_\_\_  
R. B. Evans

\_\_\_\_\_  
Charles E. McCormick

\_\_\_\_\_  
City Council  
Grand Junction, Colorado

SPECIAL MEETING  
August 30, 1967

ROLL CALL

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

The City Council of the City of Grand Junction, in the County of Mesa and State of Colorado, met in special session, in full conformity with law and the ordinances and rules of said Council in the Council Chamber in the City Hall in the City, being the regular meeting place of the Council, on Wednesday, the 30th day of August, 1967, at the hour of 7:30 o'clock p.m.

Upon roll call, the following were found to be present, constituting a quorum:

Present:

President: Ray A. Meacham

Councilmen: Charles E. McCormick  
Richard G. Youngerman  
Herbert M. Wright  
Harry O. Colescott  
Robert B. Evans

Absent: Stanley Anderson

constituting all the members thereof.

There were also present:

City Manager: Richard N. Gray  
City Clerk: Helen C. Tomlinson

City Attorney: Gerald J. Ashby

Thereupon the following proceedings, among others, were had and taken.

The City Clerk presented the following abstract:

STATE OF COLORADO	)		
COUNTY OF MESA	)	SS.	<u>ABSTRACT OF VOTES</u>
CITY OF GRAND JUNCTION	)		

ABSTRACT OF VOTES - SPECIAL ELECTION 8-29-67

I, Helen C. Tomlinson, City Clerk of Grand Junction, Mesa County, State of Colorado, do hereby certify that the returns have been made to me from the judges of election of each of the several election precincts or districts of the City of Grand Junction, said returns reflecting the results of all votes cast on the charter amendment question submitted at the special municipal election held on Tuesday, the 29th day of August, 1967; these returns, after being opened by me were abstracted by me as follows:

Charter Amendment:	Absent Votes	Election Precinct District No. A	Election Precinct District No. B	Election Precinct Election No. C	Election Precinct District No. D	Election Precinct District No. E
For:	25	238	316	234	244	237
Against:	2	77	77	87	84	84
TOTAL: CHARTER AMENDMENT						
Total For:		1,294				
Total Against:		411				
Total Votes Cast:		1,707				

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Grand Junction this 30th day of August, 1967.

Helen C. Tomlinson  
City Clerk  
Grand Junction, Colorado

Councilman Evans then introduced the following resolution, which was thereupon read in full as follows:

RESOLUTION

WHEREAS, at the special municipal election duly called and held within the City of Grand Junction (herein the "City"), on Tuesday, the 29th day of August, 1967, there was submitted to the qualified and registered electors of the City the following question:

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

'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 customers 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.' ''

WHEREAS, the Council has determined and does hereby declare that the results of said election are as follows:

CHARTER AMENDMENT

TOTAL:

FOR  
1294

AGAINST  
411

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

Section 1. The question proposing the amendment of Section 96, Article XII of the Charter of the City of Grand Junction, Colorado, submitted to the qualified and registered electors of the City at the special municipal election held on Tuesday, the 29th day of August, 1967, carried; and said question is hereby declared to have been adopted.

Section 2. All action heretofore taken by the City Council and by the officers of the City (not inconsistent with the provisions of this resolution) directed toward the amendment of the City Charter, and toward holding an election thereon, be, and the same hereby is, ratified, approved and confirmed, including without limitation the giving of the notices of the election and the registration of electors.

Section 3. 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 resolution, including without limiting the generality of the foregoing, the publication and the filing of the results of the election.

Section 4. No informalities in conducting the election shall invalidate the same, the Council determines that the election has been conducted fairly and insubstantial conformity with the requirements of the Constitution of the State of Colorado and the Charter of the City of Grand Junction.

Section 5. If any section, 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, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 6. All resolutions, by-laws, regulations, or parts thereof in conflict with this resolution are hereby repealed to the extent only of such

inconsistency. This repealer shall not be construed to revive any resolution, by-law, regulation, or part thereof heretofore repealed.

Section 7. This resolution, immediately on its final passage, shall be recorded in the City book of resolutions kept for that purpose and shall be authenticated by the signatures of the President of the City Council.

FINALLY ADOPTED AND APPROVED THIS 30TH DAY OF AUGUST, 1967.

\_\_\_\_\_  
President of the City Council

Attest:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

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

Those voting Nay:     None  
Those Absent:         Stanley Anderson

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

Councilman McCormick then moved that said resolution be finally passed and adopted as read. Councilman Youngerman seconded the motion.

The question being upon the final passage and adoption of said resolution, 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

Those voting Nay: None  
Those Absent: Stanley Anderson

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

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

Thereafter there being no further business to come before the meeting, on motion duly made, seconded, and unanimously carried, the meeting was adjourned.

/s/ Helen C. Tomlinson  
City Clerk