

Published by Municipal Code Corporation

Grand Junction, Colorado

April 17, 1974

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 p.m. April 17, 1974, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson, Council Members Harry Colescott, Silas Grantham, Lawrence Kozisek, Jane Quimby, Elvin Tufly, and Robert Van Houten. Also present were City Attorney Gerald Ashby, City Manager Harvey Rose, and City Clerk Neva Lockhart.

MINUTES

There being no corrections to the Minutes of the Regular Council Meeting held April 3, 1974, Councilman Grantham moved they be approved as written. Councilman Kozisek seconded and the said motion carried.

HEARING

Adoption by Reference of the 1973 Edition of the "Model Traffic Code for Colorado Municipalities"

Ordinance No. 1498

This date was advertised for hearing upon the adoption by reference of the 1973 Edition of the "Model Traffic Code for Colorado Municipalities." No letters had been filed, and there was no one in the audience who indicated a desire to speak on this matter. The President closed the hearing.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE CITY OF GRAND JUNCTION, COLORADO, FOR THE PURPOSE OF PROVIDING A SYSTEM OF TRAFFIC REGULATIONS CONSISTENT WITH STATE LAW AND GENERALLY CONFORMING TO SIMILAR REGULATIONS THROUGHOUT THE STATE AND THE NATION; ADOPTING BY REFERENCE THE 1973 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES:" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF. It was moved by Councilman Tufly and seconded by Councilman Grantham that the Proof of Publication be accepted and filed. Motion carried.

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

It was moved by Councilwoman Quimby and seconded by Councilman Kozisek to suspend the rules and waive the reading of the 1973

Edition of the "Model Traffic Code for Colorado Municipalities."
Motion carried.

It was moved by Councilman Colescott and seconded by Councilman Grantham that the Ordinance be passed, adopted, numbered 1498, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

BIDS

Award of Contract

Curb, Gutter, & Sidewalk Repairs, 1974

Clifton Mays - \$18,524.52

Bids were opened at 2:00 p.m. Tuesday, April 16, for the Curb, Gutter, and Sidewalk Repairs, 1974. The following two bids were considered:

FRED CUNNINGHAM \$25,443.78
CLIFTON MAYS \$18,524.52
Engineer's Estimate \$31,536.00

Submitted for the record: Memorandum from Public Works Director Gus Byrom.

"Our estimate, which was primarily based on the actual cost of last years smaller project, was \$31,536.00.

I recommend that the bid of Clifton Mays be accepted and that the contract be awarded to him.

For your information, after we tabulated the bids and determined that Mr. Mays was in fact the low bidder, he called me on the telephone at approximately 2:33 p.m. and stated that he had made several omissions in the preparation of his estimates. He asked if he could withdraw his bid as he thought he was probably about three thousand dollars low. I explained that according to his contract, he could not just simply withdraw the bid without forfeiting the bid bond and suggested that he put his request in writing and that the Council may consider it. (His letter is attached.)

This job was advertised in the Daily Sentinel March 29, April 5 and 12. Mr. Mays picked up his set of specifications on the 2nd of April and Mr. Cunningham on the 8th of April."

Submitted for the record: Letter from Mr. Clifton Mays.

C. Mays Concrete Construction
774 Old Orchard Rd.
Grand Junction, Colorado 81501

242-9575

Attn: Director of Public Works 4-16-74

In the rush to meet the 2:00 deadline, I left out several items that were to be put in the bid, namely, Soc. Sec. Ins. & Base Material. Also extra for trailings removal on Main Street.

My total bid should be \$3200.00 more.

Clifton A. Mays

City Manager Rose stated that although he sympathized with Mr. Mays, he feels the City would be setting a precedent if Mr. Mays were allowed to withdraw his bid. He recommended award of contract to Mr. Mays for his low bid of \$18,524.52. If Mr. Mays then wishes to forfeit his bid bond, the contract would be awarded to the next low bidder.

It was moved by Councilman Van Houten and seconded by Councilman Tufly that the contract be awarded to Clifton Mays for his low bid of \$18,524.52. Motion carried.

City Manager Rose said that he and Public Works Director Byrom will negotiate with the contractor for additional work up to the \$30,000 budgeted.

DAYS

Main Street Carnival May 8, 9, 10, 11, and 12, 1974

Mr. Howard Butterfield, representing the Downtown Retail Trade Committee, appeared before Council to request the closure of Main Street, from 2nd to 7th, May 8, 9, 10, 11, and 12, 1974, for a carnival. The Committee is negotiating with Pete Sutton of the Greater Pacific Coast Shows to bring his carnival to Grand Junction. Mr. Sutton will give the Downtown Retail Trade Committee a check in the amount of \$1,500 and a certain percentage of the ticket sales will be paid to the Committee. Mr. Butterfield noted that the Police Chief has worked closely with the Committee on this matter, and that the Police Chief feels this carnival is all right. The cross streets will be left open and fire lanes down Main Street will be open at all times. Mr. Sutton has been informed that if he drives stakes to hold down the rides, he must replace the asphalt and repair and leave the area in an acceptable condition. Mr. Butterfield noted that the contract is still to be signed and certain legal work is to be ironed out. He indicated that Mr. Sutton would be in town this week to purchase the licenses. He has insurance in the amount of \$2 million.

It was moved by Councilman Van Houten that permission be granted subject to the following:

1. Mr. Sutton must post a check in an adequate amount to replace

and repair any damages;

2. Insurance must be validated in a company of 4 Star rating and must be current; and

3. Affected City Departments must be satisfied before the carnival is allowed to set up. Councilwoman Quimby seconded the motion and said motion carried.

3.2 BEER LICENSE CHANGE OF OWNERSHIP APPROVED

Colescott's 7-11 George W. Pedersen

Presented for consideration was the application by George W. Pedersen for a 3.2 beer license. Mr. Pedersen is in the process of purchasing Colescott's, 551 South Avenue. Councilman Colescott noted that there has been no financial interest by his family in the store for some time, but that since the store still carries his family name he would abstain from discussion and voting. A memorandum directed to the Police Chief from Sgt. Ron Smith stated that a character and background check of Mr. Pedersen was made. Nothing was found which would disqualify him as the holder of this type of license.

It was moved by Councilman Grantham and seconded by Councilman Kozisek that the application be approved and the license issued when the State license has been received. Motion carried.

DAYS

Permission Granted for "Buddy" Poppy Sale

Letters from the American Legion Post 37 Auxiliary and the V.F.W. Post 3981 and Auxiliary were read which requested permission to sell the "Buddy" Poppy on Main Street on Friday, May 17. It was moved by Councilman Colescott and seconded by Councilman Tufly that permission be granted. Motion carried.

ORDINANCE NO. 1499

Amending Sales Tax Ordinance to Provide for Moveable Structures

The Proof of Publication to the following entitled proposed ordinance was presented: AMENDING SECTIONS OF THE CITY'S SALES AND USE TAX ORDINANCE, CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, SUCH AMENDMENTS CONCERNING MOVEABLE STRUCTURES. It was moved by Councilman Colescott and seconded by Councilman Grantham that the Proof of Publication be accepted and filed. Motion carried.

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

The Ordinance was read. There were no comments. It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1499, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORDINANCE NO. 1500

Providing for Off-Street Parking Facilities

As Council President Stanley Anderson is a member of the Grand Junction, Colorado, Parking Authority, he abstained from voting on this issue. The Chair was assumed by President Pro Tem Harry Colescott.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR CERTAIN OFF-STREET PARKING FACILITIES BY MEANS OF THE LEASING OF SUCH OFF-STREET PARKING FACILITIES BY THE CITY OF GRAND JUNCTION FROM THE GRAND JUNCTION, COLORADO, PARKING AUTHORITY, A COLORADO NON-PROFIT CORPORATION; APPROVING THE FORM OF THE LEASEHOLD AGREEMENT WITH OPTION TO PURCHASE BETWEEN THE CITY AND SAID AUTHORITY FOR SAID PURPOSE; AND PROVIDING OTHER MATTERS RELATING THERETO. It was moved by Councilman Tufly and seconded by Councilman Colescott that the Proof of Publication be accepted and filed.

It was moved by Councilman Grantham and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There were no comments. It was moved by Councilman Tufly and seconded by Councilman Kozisek that the Ordinance be passed, adopted, numbered 1500, and ordered published. Roll was called upon the motion with six members voting AYE. The President Pro Tem declared the motion carried.

ORDINANCE NO. 1501

Mantey Heights Water Tank Annexation

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

It was moved by Councilman Grantham and seconded by Councilman Van Houten that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There were no comments. It was moved by Councilwoman Quimby and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1501, and ordered

published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

ORDINANCE NO. 1502

West Side Sewer Plant Annexation

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

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

The Ordinance was read. There were no comments. It was moved by Councilman Grantham and seconded by Councilman Tufly that the Ordinance be passed, adopted, numbered 1502, and ordered published. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried.

OPTION TO BUY MATERIAL AGREEMENT WITH STATE HIGHWAY DEPARTMENT
EXTENDED TO JUNE 30, 1974

The following letter was read:

STATE DEPARTMENT OF HIGHWAYS
Chas. E. Shumate - Executive Director

Division of Highways
E. N. Haase
Chief Engineer

District 3
R. A. Prosenice
District Engineer

April 3, 1974

Mr. Gus Byrom
City of Grand Junction
5th and Rood Avenue
Grand Junction, Colorado 81501

Dear Mr. Byrom:

Thank you for your reminder in regard to the expiration date on our Option to Buy Material. I am enclosing herewith two copies of a rider which will extend the expiration date of this agreement to June 30, 1974. This new date should give the Department adequate time to complete our construction project.

Would you please obtain the proper signature on behalf of the city. Please keep one copy for your file and return the other to me in the envelope provided. The cooperation of the City of Grand Junction is greatly appreciated.

Very truly yours,

R. A. PROSENCE
DISTRICT ENGINEER

By /s/ R. P. Moston

District Materials Engineer

Enclosures

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the Option to Buy Material Agreement with the State Highway Department be extended to June 30, 1974, and that the City Manager be authorized to sign the rider. Motion carried.

SANITARY SEWER DISTRICT 30-74

Resolution declaring intent to create district - Resolution adopting Plans & Details

Notice

Orchard Mesa, Phase 1

The following Resolution was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 30-74, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, the City Council has found and determined, and does hereby find and determine, that the construction of a sanitary sewer drainage system within the said described areas is necessary for the health and safety of the residents of the territory to be served, and would be of special benefit to the property included within the said district; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement sanitary sewer district to be known as Sanitary Sewer District No. 30-74;

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

1. That the district of lands to be assessed with the cost of the proposed sanitary sewer improvement shall be as follows:

Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 26, Township 1 South, Range 1 West of the Ute Meridian; thence running East along the South property line of Unawep Avenue a distance of 1000.0 feet; thence running Southeasterly to the Northwest corner of Lot 31 of Canon's Addition to Orchard Mesa Heights; thence running East 150 feet to the center line of Aspen Street; thence running South to the North right of way line of U.S. Highway 50 (as now constructed); thence running Southeasterly along the North right of way line of said highway to its intersection with the South line of the Northeast quarter of the Northeast quarter Section 26 Township 1 South, Range 1 West Ute Meridian; thence running East along said South line to a point which is 165 feet East of the West boundary line of the Northeast quarter Northeast quarter of Section 26, Township 1 South, Range 1 West Ute Meridian; thence running Northerly to the Southeast corner of Lot 1 Block 1 of Replat of Perkins Subdivision; thence East 170.0 feet; thence North $0^{\circ} 03'$ West 448.31 feet; thence North $45^{\circ} 00'$ East 44.65 feet; thence $0^{\circ} 03'$ West a distance of 180.0 feet to the center line of Unawep Avenue (C Road); thence West along said center line a distance of 185.6 feet; thence North to the North boundary of the Central Orchard Mesa Annexation (south bank of Colorado River); thence Westerly along the City limits line to its intersection with the West boundary line of Lot 4 Section 23 Township 1 South, Range 1 West, Ute Meridian; thence Northwesterly to a point 30.0 feet South of the Southeast corner of Lot 17, Block 35, of Moon and Day's Subdivision; thence West 839.0 feet; thence South 650.0 feet; thence West 254.0 feet; thence Southeasterly along the West right of way line of U.S. Highway 50 (as now constructed) 186.0 feet; thence South $4^{\circ} 51'$ West 115.0 feet; thence South $24^{\circ} 40'$ East 266.0 feet; thence South 80.0 feet; thence East to Point of Beginning; all in the City of Grand Junction, Mesa County, Colorado;

2. That the City Engineer be, and he is hereby, authorized and directed to prepare and file full details, plans, and specifications for such sewer construction, and estimate of the total cost thereof, exclusive of the per centum for cost of collection and other incidentals, and of interest to the time the first installment becomes due, and a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by Ordinance No. 178, as amended, of the City.

ADOPTED and APPROVED this 17th day of April, 1974.

Stanley R. Anderson

President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Grantham and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

RESOLUTION ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SANITARY SEWER DISTRICT NO. 30-74, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND A HEARING THEREON.

WHEREAS, on the 17th day of April, 1974, the City Council of the City of Grand Junction, Colorado, by Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for construction of a sanitary sewer within proposed Sanitary Sewer District No. 30-74, together with an estimate of the total cost of such improvements, and a map of the District to be assessed; and,

WHEREAS, said City Engineer has fully and strictly complied with the directions so given and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City;

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

1. That said details, plans, specifications, estimates and map be, and the same are hereby approved and adopted.
2. That the District of lands to be assessed with the cost of said improvement is described as follows:

Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 26, Township 1 South, Range 1 West of the Ute Meridian; thence running East along the South property line of Unawep Avenue a distance of 1000.0 feet; thence running

Southeasterly to the Northwest corner of Lot 31 of Canon's Addition to Orchard Mesa Heights; thence running East 150 feet to the center line of Aspen Street; thence running South to the North right of way line of U.S. Highway 50 (as now constructed); thence running Southeasterly along the North right of way line of said highway to its intersection with the South line of the Northeast quarter of the Northeast quarter Section 26 Township 1 South, Range 1 West Ute Meridian; thence running East along said South line to a point which is 165 feet East of the West boundary line of the Northeast quarter Northeast quarter of Section 26, Township 1 South, Range 1 West Ute Meridian; thence running Northerly to the Southeast corner of Lot 1 Block 1 of Replat of Perkins Subdivision; thence East 170.0 feet; thence North $0^{\circ} 03'$ West 448.31 feet; thence North $45^{\circ} 00'$ East 44.65 feet; thence $0^{\circ} 03'$ West a distance of 180.0 feet to the center line of Unawep Avenue (C Road); thence West along said center line a distance of 185.6 feet; thence North to the North boundary of the Central Orchard Mesa Annexation (south bank of Colorado River); thence Westerly along the City limits line to its intersection with the West boundary line of Lot 4 Section 23 Township 1 South, Range 1 West, Ute Meridian; thence Northwesterly to a point 30.0 feet South of the Southeast corner of Lot 17, Block 35, of Moon and Day's Subdivision; thence West 839.0 feet; thence South 650.0 feet; thence West 254.0 feet; thence Southeasterly along the West right of way line of U.S. Highway 50 (as now constructed) 186.0 feet; thence South $4^{\circ} 51'$ West 115.0 feet; thence South $24^{\circ} 40'$ East 266.0 feet; thence South 80.0 feet; thence East to Point of Beginning; all in the City of Grand Junction, Mesa County, Colorado;

3. That the cost of said improvement shall be assessed upon the improved real estate in the District against those people with developed property and those who have vacant property who choose to be assessed at the time of construction of the district in accordance with those tap charges as the same are set out in Section 19 Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado.

4. The assessments to be levied against the property in said District to pay the cost of such improvement, shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) days, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed eight per centum (8%) per annum.

5. Notice of Intention to Create said Sanitary Sewer District, and of hearing thereon, shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form, to wit:

NOTICE

OF INTENTION TO CREATE SANITARY SEWER DISTRICT NO. 30-74, IN THE CITY OF GRAND JUNCTION, COLORADO, AND A HEARING THEREON.

PUBLIC NOTICE is hereby given to the owners of real estate in the District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Sanitary Sewer District No. 30-74 in said City for the purpose of constructing a sanitary sewer to serve the property hereinafter described:

ORCHARD MESA HEIGHTS (2nd Amended Sub.)
Gifford's Replat of part of Blocks 1 & 2
Lots 1 through 21

ORCHARD MESA HEIGHTS (2nd Amended Sub.)
Block 1, Lots 7 through 15
Block 2, Lots 7 through 42

ORCHARD MESA HEIGHTS
Block 3, Lots 1 through 48
Block 4, Lots 1 through 48
Block 7, Lots 1 through 8 (lying East of U.S. Hwy 50)
Block 8, Lots 1 through 38 (lying East of U.S. Hwy 50)
Block 9, Lots 1 through 38
Block 10, Lots 1 through 38

ORCHARD MESA HEIGHTS (Amended Sub.)
Block 11, Lots 1 through 36
Block 12, Lots 1 through 36
Block 13, Lots 1 through 36

ORCHARD MESA HEIGHTS (Amended Plat)
Block 14, Lots 1 through 36
Block 15, Lots 1 through 17

ORCHARD MESA HEIGHTS
Block 16, Lots 20 through 38
Block 17, Lots 1 through 38
Block 18, Lots 1 through 38
Block 19, Lots 1 through 38
Block 20, Lots 1 through 38 (lying North of U.S. Hwy 50)
Block 21, Lots 1 through 38 (lying North of U.S. Hwy 50)
Block 22, Lots 1 through 38
Block 23, Lots 20 through 38
Block 24, Lots 1 through 7 (lying North of U.S. Hwy 50)
Block 25, Lots 1 through 16 (lying North of U.S. Hwy 50)

BENTON CANON'S ADDITION TO ORCHARD MESA HEIGHTS
Lots 32 through 50

ORCHARD MESA HEIGHTS
Block 28, Lots 1 through 10
Block 29, Lots 1 through 20
Block 30, (all)

261-00-007 West 165 ft. of SW 1/4 NE 1/4 NE 1/4 Sec. 26 T1S R1W
Exc Linden Acres Subdivision Replat and Exc South 30 ft. for road

261-00-016 Beg 200 ft. South of NW cor NE 1/4 NE 1/4 Sec. 26 T1S
R1W; thence East 155 ft.; thence South 125 ft.; thence West 155
ft.; thence North to beginning.

261-00-017 Beginning at NW cor NE 1/4 NE 1/4 Sec. 26 T1S R1W;
thence South 200 ft., thence East 165 ft.; thence North 200 ft.;
thence West to Beginning exc. West 30 ft. for road.

PERKINS SUBDIVISION, Replat of part of Blocks 2, 3 & 4 of Perkins
Subdivision 1st Addition, Replat No. 1 and Replat Perkins Sub.
Block 1, Lots 1, 2, 3
Block 2, Lots 1 through 5

261-02-007 That part of Block 2 Perkins Subdivision 1st Addition
described as: beginning at NW cor Block 2 Perkins Subdivision, 1st
Addition; thence South 89° 33' East 31.7 ft; thence South 02° 05'
West 170.7 feet; thence North 89° 33' West 25.26 feet; thence
North 00° 03' West 170 feet to beginning.

262-00-016 That portion of the following described tract: Lying
North and East of Fairway Sanitation District beginning at NE cor
E 1/2 NE 1/4 NW 1/4 Sec 26 T1S R1W; thence South 501.4 ft.; thence
North 52° 48' West 79.4 feet; thence North 17° 16' West 195 feet;
North 264 feet to the North line of E 1/2 NE 1/4 NW 1/4 Sec. 26;
thence East 123 feet to beginning.

262-01-002 That portion of Lots 1 and 2 Block 2 Fairley.

262-02-001 Addition lying North and East of the Fairway Sanitary
Sewer District.

234-00-012 The West 181 feet of that part of SE 1/4 SE 1/4 Sec. 23
T1S R1W lying South of Colorado River and North of following
described line: Beginning 818 feet North of SW cor of SE 1/4 SE
1/4 said Sec. 23; thence East 200 feet; thence South 62° 30' East
200 feet; thence South 88° 30' East 230 feet; thence North 75° 40'
East 556.8 feet to a point; thence 178.5 feet West of East line
Sec. 23.

234-00-013 The West 181 feet of the following described Tract:

Beginning at West line Lot 4 Sec. 23 T1S R1W 379.8 feet North of SW cor Lot 4; thence North 420.2 feet to a point on South line of Colorado River; thence East 200 feet; South 62° 30' East 200 feet; thence South 62° 30' East 200 feet ;thence South 88° 30' East 230 feet; thence North 75° 40' East 556.8 feet; thence South 459.6 feet; thence West 1146.8 feet to beginning exc. Beginning 393.8 feet North of SW cor Lot 4; thence North 181 feet to NE cor. Lot 1 Block 15 Orchard Mesa Heights; thence East 181 feet; thence South 181 feet; thence West 181 feet, to beginning.

234-00-014 Beginning 393.8 feet North and 91 feet East of SW cor. of Lot 4 Sec. 23 T1S R1W; thence North 181 feet; thence East 90 feet; thence South 181 feet; thence West to beginning.

2340-00-015 Beginning 393.8 feet North of SW cor. Lot 4 Sec. 23 T1S R1W; thence North 181 feet to NE cor. of Lot 1 Block 15 Orchard Mesa Heights; thence East 91 feet; thence South 181 feet; thence West to beginning.

234-00-016 Beginning 120 feet East of SW cor. Lot 4 Sec. 23 T1S R1W; thence North 210 feet; thence West to the North line of Highway; Southeasterly along North line to a point West of Beginning; thence East to Beginning.

234-00-017 The West 61 feet of following described tract: Beginning 120 feet East of SW cor. Lot 4 Sec. 23 T1S R1W; thence North 379.8 feet; thence East 1026.8 feet; thence South 379.8 feet; thence West 1026.8 feet to beginning.

234-00-951 Beginning 30 feet East of SE cor. Lot 11 Block 15 Orchard Mesa Heights; thence East 91 feet; thence North 169.8 feet; thence West 95 feet; thence South 25 feet; thence East 4 feet; thence South 144.8 feet to beginning.

The City Engineer has made an estimate of the total cost of the improvements.

The maximum share of said estimate to be borne by the properties within the District, as based upon the size of water service line serving the improvements on the property is as follows:

<u>Water Service</u> <u>SizeCapital</u> <u>Improvement</u> <u>ChargePlant</u> <u>Investment</u> <u>FeeTotal</u>			
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1" or less \$1,050 +\$150 = \$1,200			
1-1/2" 1,400 +200 = 1,600			
2" 1,900 +300 =2,200			
4" 3,650 +500 =4,150			
6" 5,650 +700 =6,350			

Such assessment shall be made against all of the improved property in the district at the time of the installation of the sewers in the district; provided, however, that nothing herein shall relieve the owner of property within the District from paying other tap fees as portions of his property are improved even though they may have been assessed within this District.

To all of such estimated costs there shall be assessed six per centum (6%) for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said District to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. The said assessment shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided that all such assessments may, at the election of the City be paid in ten equal annual installments of principal; with interest in all cases on the unpaid principal payable annually at a rate not exceeding eight per centum (8%) per annum; provided, however, that nothing herein shall prevent the Council from providing that interest may be added onto the principal, the entirety to then be repaid in monthly installments as a part of the sewerage charges on the monthly water bill, as is herein set out. The number of

installments, the period of payment and the rate of interest may be determined by the Council.

On the 5th day of June, 1974, at the hour of 7:30 o'clock P.M. in the Council Chambers in the City Hall of said City, the Council will consider the ordering of the proposed improvements and will hear all complaints and objections that may be made in writing concerning the proposed improvements by the owner of any real estate to be assessed or by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the Office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, on this 17th day of April, 1974.

BY ORDER OF THE CITY COUNCIL CITY OF GRAND JUNCTION, COLORADO

City Clerk

PASSED and ADOPTED this 17th day of April, 1974.

President of City Council

ATTEST:

City Clerk

It was moved by Councilman Colescott and seconded by Councilman Grantham that the Resolution be passed and adopted as read. Roll was called upon the motion with all Council members voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

RESOLUTIONS

Grand Junction, Colorado, Parking Authority

President of the Council Stanley Anderson left the meeting at this time. President Pro Tem Harry Colescott assumed the Chair.

The following Resolution was presented and read:

RESOLUTION

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE IMPOSITION, COLLECTION AND APPLICATION OF PARKING CHARGES WITH RESPECT TO THE PREMISES LEASED BY THE CITY UNDER THE LEASEHOLD AGREEMENT APPROVED BY CITY ORDINANCE NO. 1500 AND PROVIDING FOR A SPECIAL FUND DESIGNATED AS "GRAND JUNCTION, COLORADO, OFF-STREET PARKING FUND" FOR RECEIPT OF FUNDS TO BE APPLIED TO THE PAYMENT OF THE RENTAL AND OTHER PAYMENTS DUE PURSUANT TO SAID LEASEHOLD AGREEMENT.

WHEREAS, the City Council of the City of Grand Junction, Colorado, has by its Ordinance No. 1500, approved a form of Leasehold Agreement with Option to Purchase (the "Lease") between the City of Grand Junction, Colorado, Parking Authority, a Colorado nonprofit corporation (the "Authority"), pursuant to which Lease the City will possess the premises leased thereunder (the "Leased Premises") primarily for off-street parking purposes; and

WHEREAS, said Lease provides that the City shall collect all charges for the use of the Leased Premises, including receipts from parking meters and parking lot operations and said Lease further provides that the City will impose sufficient rates for parking meters, parking lot operations and other usage of the Leased Premises by others, so that such revenue, together with any other legally available municipal income, shall be sufficient to pay the Rental as the same may be due and payable pursuant to said Lease; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens and inhabitants of the City of Grand Junction that the Rentals and other payments which may become due under said Lease shall be provided for in part by the imposition of reasonable parking charges for the use of the Leased Premises and by pledging the revenue therefrom for said Rental and other payments; and

WHEREAS, the City Council has determined that a special fund should be set up to receive all of said charges and revenues from the Leased Premises, and also to receive such other legally available municipal income as the City Council may designate from time to time, and that provision be made for the application of such special fund to the Lease Rentals and other Lease payments.

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

1. At such time as the Leasehold Agreement with Option to Purchase approved by Ordinance No. 1500 is executed and entered into by and between the City and the Grand Junction, Colorado, Parking Authority, and effective at the time the City takes possession of the Leased Premises pursuant to said lease, the City shall impose charges for the parking and storage of automobile vehicles on the Leased Premises at the rates provided for in, and in accordance

with, the municipal ordinances and codes applicable to parking lot parking meter zones as the same may be amended from time to time. Special additional rates, and rates where not otherwise provided may be set by further resolution of the City Council or may be determined and charged for special occasions and/or for periods not to exceed one month at any time by order of the City Traffic Engineer.

In any event, the specific amounts of the charges should be increased as necessary to meet the requirements of the Lease.

2. The City shall collect all of said charges and receipts for the use of the Leased Premises and hold the same in a special fund separate and apart from other City funds, which special fund is hereby designated the "Grand Junction, Colorado, Off-Street Parking Fund" (the "Special Fund"). The City hereby pledges and agrees to apply the monies held in or designated for inclusion in said Special Fund solely to the payment of the Rentals and other payments which may from time to time become due during the term of and as provided in said Lease; provided that, to the extent said Rentals and other payments required under the Lease are determined by the City Council to be fully provided for in any fiscal year by the monies in said Special Fund, then the City shall be permitted, during such fiscal year, to use any excess monies (which are or will not be needed to fully pay said Lease Rentals and other payments) for other purposes.

3. The officials of the City of Grand Junction are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of law.

4. All Acts, orders, resolutions or parts thereof, taken by the City of Grand Junction and in conflict with this Resolution are hereby repealed.

5. If any paragraph, clause or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions hereof, the intention being that the various paragraphs, clauses or provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 17th day of April, 1974.

CITY OF GRAND JUNCTION, COLORADO

By /s/ Harry O. Colescott

President Pro Tem,
City Council

(SEAL)

ATTEST:

/s/ Neva B. Lockhart

City Clerk
City of Grand Junction

Councilmen Voting in Favor of the above Resolution:

Harry Colescott

Silas Grantham

Lawrence Kozisek

Elvin Tufly

Robert Van Houten

Jane Quimby

Councilmen Voting Against the above Resolution:

Councilmen Absent:

Abstaining:

Stanley Anderson

We hereby certify that this Resolution was duly adopted by the City Council of the City of Grand Junction, Colorado on the 17th day of April, 1974.

/s/ Harry O. Colescott

President of the City Council Pro Tem
Grand Junction, Colorado

ATTEST:

/s/ Neva B. Lockhart

City Clerk

Grand Junction, Colorado

It was moved by Councilman Kozisek and seconded by Councilman Tuflly that the Resolution be passed and adopted as read. Roll was called upon the motion. The six members of Council having voted AYE, the President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE PLEDGING OF THE REVENUES OF PARKING METERS FROM CERTAIN ON-STREET METERED AREAS WITHIN THE CITY, SAID PLEDGED REVENUES TO BE APPLIED TO THE PAYMENT OF THE RENTAL AND OTHER PAYMENTS DUE PURSUANT TO THE LEASEHOLD AGREEMENT WITH OPTION TO PURCHASE APPROVED BY CITY ORDINANCE NO. 1500.

WHEREAS, the City Council of the City of Grand Junction, Colorado, has by its Ordinance No. 1500, approved a form of Leasehold Agreement With Option to Purchase (the "Lease") between the City and the Grand Junction, Colorado, Parking Authority, a Colorado nonprofit corporation (the "Authority"), pursuant to which Lease the City will possess the premises leased thereunder (the "Leased Premises"), primarily for off-street parking purposes; and

WHEREAS, said Lease provides that the City will impose sufficient rates for parking meters, parking lot operations and other usage of the Leased Premises so that such revenue, together with any other legally available municipal income, shall be sufficient to pay the Rental as it becomes due and payable pursuant to the said Lease; and

WHEREAS, the City Council has determined that it will be necessary to provide revenue in addition to the receipts from the parking meters and parking lot operations on the Leased Premises, in order to make the Rental and other payments which may become due under said Lease; and

WHEREAS, the off-street parking facilities to be provided by the City on the Leased premises are situated at various locations in the downtown region of the City, and said off-street parking facilities benefit the downtown business region hereinafter described by regulating vehicular traffic, protecting pedestrians and assuring the public peace, health and safety in that area; and

WHEREAS, the City Council has determined that it is in the best interests of the citizens and inhabitants of the City of Grand Junction that the additional revenue necessary to pay the rentals and other payments which may become due under said Lease shall be provided in part by the revenues from the on-street parking meters which may be located within the downtown business region of the City on the following described streets or parts of streets:

Main Street 1st to 3rd Street
Main Street 3rd to 7th Street
Main Street 7th to 8th Street

Main Street 8th to 9th Street
White Avenue 4th to 5th Street
White Avenue 3rd to 4th Street

White Avenue 5th to 6th Street

Rood Avenue 1st to 2nd Street
Rood Avenue 2nd to 7th Street

Colorado Avenue 3rd to 6th Street
Colorado Avenue 2nd to 3rd Street

Colorado Avenue 6th to 7th Street
Colorado Avenue 4th to 5th Street
8th Street Main to Rood
7th Street Ute to Grand

6th Street Ute to White

5th Street Ute to Grand

4th Street Ute to Grand

3rd Street Rood to White
3rd Street Ute to Grand
2nd Street Ute to White

hereinafter referred to as the "designated parking meter zone area" to the extent such meters are maintained by the City from time to time therein.

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

1. At such time as the Leasehold Agreement With Option to Purchase approved by Ordinance No. 1500 is executed and entered into by and between the City and the Grand Junction, Colorado, Parking Authority, and effective at the time the City takes possession of the Leased Premises pursuant to said Lease, the City shall collect the parking meter receipts from those parking meters which may be located in the "designated parking meter zone area", and the City shall hold said receipts in that certain special fund (separate and apart from other City funds) designated the "Grand Junction, Colorado, Off-Street Parking Fund" (the "Special Fund"), provided for in a Resolution of the City of Grand Junction dated on this same date, to be used and applied as provided in the said Resolution, as the same may be amended.

2. The City shall collect, hold, pledge, and apply said parking

meter revenues only to the extent that parking meters are actually provided for and maintained by the City from time to time within the "designated parking meter zone area."

3. The City reserves the right to remove, change the location of or add parking meters in said "designated parking meter zone area".

4. The specific amounts of the parking meter rates to be charged for said on-street parking meters may be reduced or increased from time to time by the City as the City in its discretion may determine.

5. The officials of the City of Grand Junction are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of law.

6. All acts, orders, Resolutions or parts thereof, taken by the City of Grand Junction and in conflict with this Resolution, are hereby repealed.

7. If any paragraph, clause or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions hereof, the intention being that the various paragraphs, clauses or provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 17th day of April, 1974.

CITY OF GRAND JUNCTION, COLORADO

By /s/ Harry O. Colescott

President, City Council

(SEAL)

ATTEST:

/s/ Neva B. Lockhart

City Clerk
City of Grand Junction, Colorado

Councilmen Voting in Favor of the above Resolution:

Harry Colescott

Silas Grantham

Lawrence Kozisek

Elvin Tufly

Robert Van Houten

Jane Quimby

Councilmen Voting Against the above Resolution:

Councilman Absent:

Abstaining:

Stanley Anderson

We hereby certify that this Resolution was duly adopted by the City Council of the City of Grand Junction, Colorado, on the 17th day of April, 1974.

/s/ Harry O. Colescott

President of the City Council, Pro Tem
Grand Junction, Colorado

ATTEST:

Neva B. Lockhart

City Clerk
Grand Junction, Colorado

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Roll was called upon the motion. The six members of Council having voted AYE, the President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE PLEDGING OF THE REVENUES OF RENTALS AND PARKING RECEIPTS FROM LOTS 17 TO 19 INCLUSIVE, AND THE EAST HALF OF LOT 20 OF BLOCK 99, AND LOTS 3 TO 8 INCLUSIVE, IN BLOCK 100, OF THE PLAT OF THE CITY OF GRAND JUNCTION, COLORADO, SAID PLEDGED REVENUES TO BE APPLIED TO THE PAYMENT OF THE RENTAL AND OTHER PAYMENTS DUE PURSUANT TO THE LEASEHOLD AGREEMENT WITH OPTION TO PURCHASE

APPROVED BY CITY ORDINANCE NO. 1500.

WHEREAS, the City Council of the City of Grand Junction, Colorado, has by its Ordinance No. 1500, approved a form of Leasehold Agreement with Option to Purchase (the "Lease") between the City and the Grand Junction, Colorado, Parking Authority, a Colorado nonprofit corporation (the "Authority"), pursuant to which Lease the City will possess the premises leased thereunder (the "Leased Premises"), primarily for off-street parking purposes; and

WHEREAS, said Lease provides that the City will impose sufficient rates for parking meters, parking lot operations and other usage of the Leased Premises so that such revenue, together with any other legally available municipal income, shall be sufficient to pay the rental as it becomes due and payable pursuant to said Lease; and

WHEREAS, the City Council has determined that it will be necessary to provide revenue in addition to the receipts from the parking meters and parking lot operations on the Leased Premises, in order to make the rental and other payments which may become due under said Lease; and

WHEREAS, the City, in connection with its long-term plans for providing off-street parking facilities, has entered into an agreement with Downtown Parking Company, Inc., a Colorado corporation for the acquisition by the City of Lots 17 to 19 inclusive, and the East Half of Lot 20 of Block 99, and Lots 3 to 8 inclusive, in Block 100, of the Plat of the City of Grand Junction, Colorado (the "Parking Property"), which Parking Property is subject to an existing lease (the "Existing Lease"), but which Parking Property is designated for its intended use in connection with the City's long-term plans for providing off-street parking facilities within the City; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens and inhabitants of the City of Grand Junction that additional revenue necessary to pay the rentals and other payments which may become due under the City's said "Lease" shall be provided in part by the revenues from the rentals to be paid to the City under said "Existing Lease" on the Parking Property and ultimately from the revenue derived from the imposition of charges for parking and storage of automobile vehicles on said Parking Property.

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

1. At such time as the City acquires the Parking Property described above and further at such time as the Leasehold Agreement with Option to Purchase approved by Ordinance No. 1500 is executed and entered into by and between the City and the Grand Junction, Colorado, Parking Authority, and effective at the time the City takes possession of the Leased Premises pursuant to said

Lease, the City shall collect the rental income from the Parking Property and shall hold said income in that certain special fund (separate and apart from other City funds) designated the "Grand Junction, Colorado, Off-Street Parking Fund" (the "Special Fund") provided for in a Resolution of the City of Grand Junction dated on this same date to be used and applied as provided in said Resolution setting up said fund, as the same may be amended.

2. Upon the expiration of the "Existing Lease" on the Parking Property, the City shall impose charges for the use of said Parking Property, including charges for the parking and storage of automobile vehicles thereon, and shall collect all of said charges and receipts and hold the same in said Grand Junction, Colorado, Off-Street Parking Fund separate and apart from other city funds, to be used and applied as provided in the said Resolution setting up said Fund, as the same may be amended.

3. The City reserves the right to use the Parking Property for any purpose, but declares that it is the present intent of the City to use the Parking Property for off-street parking purposes.

4. The officials of the City of Grand Junction are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of law.

5. All acts, orders, resolutions or parts thereof, taken by the City of Grand Junction and in conflict with this Resolution, are hereby repealed.

6. If any paragraph, clause or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses, or provisions hereof, the intention being that the various paragraphs, clauses, or provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 17th day of April, 1974.

CITY OF GRAND JUNCTION, COLORADO

By /s/ Harry O. Colescott

President, City Council Pro Tem

ATTEST:

/s/ Neva B. Lockhart

City Clerk
City of Grand Junction, Colorado

It was moved by Councilwoman Quimby and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion. The six members of Council having

voted AYE, the President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE LEASING OF CERTAIN REAL ESTATE OF THE CITY TO GRAND JUNCTION, COLORADO, PARKING AUTHORITY, A COLORADO NONPROFIT CORPORATION, FOR THE PURPOSE OF PROVIDING VEHICULAR PARKING FACILITIES ON SAID PROPERTY.

WHEREAS, the City of Grand Junction, Colorado, is undertaking the construction of a municipal community center to be located on Lots 1 to 12 inclusive, in Block 121 of the Plat of the City of Grand Junction, Colorado; and

WHEREAS, the City Council of the City of Grand Junction has determined and hereby determines that it is in the interest of the citizens and inhabitants of the City of Grand Junction to provide for public off-street parking facilities to be associated with said municipal community center which parking facilities will serve the community center itself and also the downtown business district of the City, it being the intention of the City that there will be imposed rates and charges for the parking and storage of vehicles thereon; and

WHEREAS, the City Council has carefully considered and studied the various means of providing for such off-street parking facilities to be associated with the municipal community center and as a result of such consideration and study has determined that it is necessary and advisable for the City to enter into a Ground Lease with the Grand Junction, Colorado, Parking Authority, a Colorado nonprofit corporation (the "Tenant") whereby the City would lease to Tenant for a period of twenty-five (25) years that portion of the municipal community center which is to be used for off-street parking purposes and pursuant to which Ground Lease the Tenant would use the premises so leased primarily for the storage and parking of vehicles; and

WHEREAS, pursuant to said Ground Lease the Tenant would prepay the entire rent due to the City for the twenty-five (25) year term of the Lease, in the amount of \$250,000, and the City would set aside said rental paid in a separate special fund to be used for the purpose of constructing the parking facilities to be associated with the said municipal community center; and

WHEREAS, subsequent to entering into said Ground Lease, the City would then take possession of the Leased Premises thereunder, as well as other off-street parking properties, all pursuant to that certain Leasehold agreement With Option to Purchase by and between the City and Grand Junction, Colorado, Parking Authority approved by City Ordinance No. 1500; and

WHEREAS, Section 48(b) of the Charter of the City of Grand Junction, Colorado, authorizes the City to lease real estate held by the City for the purposes contemplated by said Ground Lease; and

WHEREAS, the City Council has determined that the said Ground Lease with Grand Junction, Colorado, Parking Authority is the best available arrangement for providing for said parking facilities, and the consideration for said Ground Lease is the best obtainable on the same terms and conditions.

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

1. The City of Grand Junction does hereby designate and set aside primarily for vehicular parking and future vehicular parking purposes the "Leased Premises" described in the form of Ground Lease (the "Ground Lease") by and between the City and Grand Junction, Colorado, Parking Authority, which form of Ground lease and description of the Leased Premises therein is attached hereto and incorporated herein by this reference.

2. In order to provide for said vehicular parking on the Leased Premises, the officials of the City of Grand Junction, Colorado, on behalf of the City, are authorized to enter into said Ground Lease with Grand Junction, Colorado, Parking Authority, in a form substantially as provided in the said form of Ground Lease attached hereto.

3. The considerations, form and contents of said Ground Lease are hereby approved for the purposes provided therein.

4. There is hereby set up a special Ground Lease Fund, apart from all other funds of the City, to be held and used in accordance with the provisions of said Ground Lease.

5. The officials of the City of Grand Junction are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of law.

6. All acts, orders, resolutions, or parts thereof, taken by the City of Grand Junction and in conflict with this Resolution are hereby repealed.

7. If any paragraph, clause or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining paragraphs, clauses or provisions thereof, the intention being that the various paragraphs, clauses or provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED THIS 17th day of April, 1974.

CITY OF GRAND JUNCTION, COLORADO

By /s/ Harry O. Colescott

President Pro Tem, City Council

ATTEST:

Neva B. Lockhart

City Clerk
City of Grand Junction, Colorado

It was moved by Councilman Van Houten and seconded by Councilman Grantham that the Resolution be duly passed and adopted as read. Roll was called upon the motion. The six members of Council having voted AYE, the President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

The following Resolution was presented and read:

RESOLUTION

A RESOLUTION OF THE CITY OF GRAND JUNCTION, COLORADO, APPROVING A SETTLEMENT AGREEMENT BETWEEN THE CITY AND DOWNTOWN PARKING COMPANY, INC., OF THEIR AGREEMENT DATED DECEMBER 3, 1964, PROVIDING FOR THE CITY TO RECEIVE CERTAIN REAL PROPERTY INTERESTS, IN EXCHANGE FOR ITS EQUITABLE RIGHTS UNDER SAID AGREEMENT.

WHEREAS, the City of Grand Junction heretofore entered into an agreement dated December 3, 1964, with Downtown Parking Company, Inc., a Colorado corporation, which agreement has been amended from time to time; and

WHEREAS, the City, in pursuance of its long-term plan for providing downtown, off-street parking facilities, desires to acquire Lots 17 to 19 inclusive, and the East half of Lot 20 of Block 99, and Lots 3 to 8 inclusive in Block 100, of the Plat of the City of Grand Junction, Colorado, which is presently subject to an existing outstanding lease, to be used in connection with the City's long-term plans for providing off-street parking facilities; and

WHEREAS, a proposed Settlement Agreement dated as of May 1, 1974, by and between Downtown Parking Company, Inc., and the City of Grand Junction, Colorado, a copy of which is attached hereto and made a part hereof as Exhibit "A", has been presented to the City Council for its consideration; and

WHEREAS, the City Council, after due consideration of the status of the City's contract with Downtown Parking Company, Inc., with respect to various parking properties involved, the values of the properties involved, and the interest of the citizens and inhabitants of the City of Grand Junction, has determined that

said Settlement Agreement would be in the best interests of the City of Grand Junction, and based on the fair exchange between the parties involved;

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

1. The officials of the City of Grand Junction, Colorado, on behalf of the City, are authorized to enter into and execute that certain Settlement Agreement between Downtown Parking Company, Inc. and the City, substantially in the form of agreement which is attached hereto and incorporated herein by this reference.

2. The form and contents of said Settlement Agreement are hereby approved for the purposes provided therein.

3. The officials of the City of Grand Junction are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of law, including all acts necessary to effectuate the provisions of said Settlement Agreement.

4. All acts, orders, resolutions, or parts thereof, taken by the City of Grand Junction and in conflict with this Resolution are hereby repealed.

5. If any paragraph, clause, or provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions thereof, the intention being that the various paragraphs, clauses or provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED, this 17th day of April, 1974.

CITY OF GRAND JUNCTION, COLORADO

By /s/ Harry O. Colescott

President Pro Tem City Council

ATTEST:

Neva B. Lockhart

City Clerk
City of Grand Junction, Colorado

It was moved by Councilman Tufly and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Roll was called upon the motion. The six members of Council having voted AYE, the President Pro Tem declared the motion carried and the Resolution duly passed and adopted.

WESTERN COLO. REGIONAL PLANNING COMMISSION

Resol-Dissolved - restructured (City withdraws from Comm)

President of the Council Stanley Anderson returned to the meeting at this time.

A review of the Western Colorado Regional Planning Commission and the proposed new Steering Committee for the City Planning Commission and the County Planning Commission was presented by the City Manager.

It was moved by Councilman Van Houten and seconded by Councilman Kozisek that in accordance with State Statutes, Section 106.2-30, the City Attorney be directed to prepare a notice of the City's intent to withdraw from the Western Colorado Regional Planning Commission and that the City Manager be authorized to sign said notice. Motion carried.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, the City of Grand Junction and County of Mesa have joined in the operation of a planning, zoning and building department and have established the Western Colorado Regional Planning Commission through their planning commissions to function in those areas of joint interest to the City and County; and

WHEREAS, the City Council and the Board of County Commissioners now feel that they are not accomplishing through such joint approach what was hoped for and feel that a restructuring of the arrangement is necessary;

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

1. That questions concerning the daily and general operations of the Planning Department shall be under the supervision of the Planning Director, the City Manager and the County Budget Officer.
2. That matters concerning general policy and staff shall require the consideration of the persons named with the addition of the Chairmen of the Mesa County Planning Commission and the City Planning Commission.
3. That subjects of a regional nature or impact, formerly referred to Wester Colorado Regional Planning Commission, will be considered by those persons already mentioned and an additional member of the City Planning Commission, an additional member of the County Planning Commission, a member of the Board of County Commissioners and a member of the City Council with the aid of such other groups or agencies as this group may from time to time determine.

4. It is intended hereby to provide those planning functions called for in Chapter 106, C.R.S. 1963 as amended.

PASSED and ADOPTED this 17th day of April, 1974.

/s/ Stanley R. Anderson

President of the Council

ATTEST:

/s/ Neva B. Lockhart

City Clerk

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

MULTI-PURPOSE BLDG.

Van Deusen reviews plans

Architect Robert Van Deusen reviewed the plans for the proposed Multi-Purpose Building. He noted that the rapid increases in building materials have forced some revisions in the plans. His latest estimate of the total cost of the building is \$1,247,000. He noted this estimate does allow some contingency. It is proposed that approximately 5,000 square feet will be cut from the building in the lobby area.

He is proposing to take alternate bids on the large folding wall, heating and air conditioning, and one bay area. He stated that the plans and specs should be ready between the 1st and 15th of May and proposes opening bids by the middle of June. It is estimated that construction time will take one year.

STUDIES

Storm Drainage & Modifications to Water Pollution Control Plan (Sewage Treatment)

NHP&Q apptd consultants

The City Council met in a work study session at 6:30 p.m. this date to hear qualification statements from two consulting engineering firms regarding the storm drainage study recommended by the Planning Commission. The firms presenting qualifications were Frasier & Gingery, Inc., located in Denver and Glenwood Springs, and Nelson, Haley, Patterson, and Quirk.

Public Works Director Byrom noted that a study of modifications to the Water Pollution Control Plan is required so the facility will comply with State Health and EPA regulations. Grant funds are available but there must be a plan in order to be put on the list for the funds. Mr. Byrom said the State can contribute 25 percent of the cost of the study and there is a possibility of obtaining 75 percent Federal funding in 1976.

Although these two studies are separate, it was felt there might be some overlapping area. Therefore, consensus of Council was to appoint one consulting engineering firm for both studies. It was noted that the area for the storm drainage study has not been delineated by the Planning Staff. The Council did not feel it could commit funds for a study that would really affect the County more than the City.

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that Nelson, Haley, Patterson, and Quirk be appointed the consultants for the studies with the provision that a proposal be submitted to Council. Motion carried.

FUNDS

\$6,100 fr Contingency to Recreation to meet new minimum wage

Parks and Recreation Director Wysocki advised Council that the new minimum wage law would go into effect May 1, 1974. He stated that in order to comply, the Recreation budget would need approximately \$6,100 to complete the balance of the year. The alternative is to cut the recreation program.

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Recreation program for 1974 be retained and authorized appropriation not to exceed \$6,100 from the Council Contingency Fund to comply with the minimum wage law for the Recreation workers. Motion carried unanimously.

FIRE TRUCK

Bids on new

City Manager Rose reported that bids were received and opened for the new fire truck as follows:

Mesa Mack \$56,304 with one year delivery date
American LaFrance \$57,250 18 month delivery date
Ward LaFrance \$58,228 18 month delivery date

Mr. Rose said he anticipates awarding the contract. Funds in the amount of \$45,000 are in the 1974 Budget. He will request additional funds in the 1975 Budget for the balance.

FIRE DEPT.

Resolution commending

Councilman Van Houten presented and read the following Resolution:

RESOLUTION

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

That the City Council express a special commendation to the Fire Department and the Police Department of the City for their excellent performances during the fire of April 9, 1974, under unusually difficult circumstances, and further that the Council express its thanks to all those others who aided the departments and the City.

PASSED and ADOPTED this 17th day of April, 1974.

/s/ Stanley R. Anderson

President of the City Council

ATTEST:

/s/ Neva B. Lockhart

City Clerk

It was moved by Councilman Tufly and seconded by Councilman Kozisek that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted. The Clerk was instructed to publish the Resolution in the Daily Sentinel.

Ltr. fr Continental Oil Co.

A letter from Mr. Robert L. Lipson, Distributor for the Continental Oil Company, 631 south Ninth Street, was read. Mr. Lipson expressed deep gratitude and humble appreciation to every member of the Grand Junction Fire Department for the MIRACLE they performed on the night of April 9, 1974, in fighting the catastrophic industrial fire which surrounded the Continental Oil Company establishment. He also thanked the Police Department, the Mesa County Sheriff's Department, and all other volunteers who so willingly did all they could to save property and human lives.

FRONTIER AIRLINES

Resol favor application for route Colo Sprgs to S.F.

Council President Stanley Anderson presented and read the following Resolution:

RESOLUTION

WHEREAS, FRONTIER AIRLINES has made application to the Civil Aeronautics Board for route authority to permit it to establish service from Colorado Springs, Colorado, to San Francisco, California, via Grand Junction, Colorado; and

WHEREAS, there is a developing relationship between the City of Grand Junction and the City of San Francisco and the Bay Area in the areas of tourism and business with the further development of recreational facilities in Western Colorado, and of oil shale lands in the region; and

WHEREAS, transportation facilities between the two areas are not now serving the need and will less well serve such need as it expands;

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

That the City Council of the City of Grand Junction record itself as strongly favoring any such application with the request to the Civil Aeronautics Board that such route authority be granted for the benefit of the City of Grand Junction and the Western Colorado region.

PASSED and ADOPTED this 17th day of April, 1974.

/s/ Stanley R. Anderson

President of the City Council

ATTEST:

/s/ Neva B. Lockhart

City Clerk

It was moved by Councilman Tufly and seconded by Councilman Van Houten that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

City Clerk