

Grand Junction, Colorado

September 19, 1979

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of September, 1979, at 7:30 p.m. in Council Chambers at City Hall. Those present were Council members Louis Brach, Frank Dunn, Dale Hollingsworth, Karl Johnson, Bill O'Dwyer, and Jane Quimby, a quorum. Councilman Robert Holmes was absent. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and City Clerk Neva Lockhart.

Council President Quimby called the meeting to order.

PLEDGE OF ALLEGIANCE

INVOCATION

Bill O'Dwyer

APPOINTMENT OF REBECCA FRANK TO SERVE 1 1/2 YEAR UNEXPIRED TERM ON CITY PLANNING COMMISSION

By secret ballot, Rebecca Frank was appointed to serve the one and one-half year unexpired term on the City Planning Commission left vacant by the resignation of Bill Mikesell.

MINUTES

There being no corrections or additions to the Minutes of the September 5, 1979, meeting, they were approved as written.

DOWNTOWN PARKING DISTRICT BOUNDARIES

Stan Anderson, representing the Grand Junction, Colorado, Parking Authority and the Downtown Development Authority, presented a recommendation for Downtown Parking District Boundaries: Spruce to alley north of Grand, to 8th Street, to Rood Avenue, to 9th Street, to Colorado Avenue, to alley east of 7th Street, to alley south of Pitkin Avenue, to 2nd Street, northwesterly along railroad to Spruce.

Upon motion by Councilman Hollingsworth, seconded and carried, the described downtown parking district boundaries were adopted. The group who gave their time and effort in putting this proposal together were commended.

RESOLUTION SUPPLEMENTING ORDINANCE NO. 1815 PASSED MAY 2, 1979, SETTING CERTAIN TERMS FOR THE BONDS APPROVED AND AUTHORIZED BY SAID ORDINANCE, AND APPROVING AND AUTHORIZING CERTAIN DOCUMENTS - COLUMBINE VILLAGE PROJECT

The following Resolution was read:

## RESOLUTION

SUPPLEMENTING ORDINANCE NO. 1815 PASSED MAY 2, 1979, SETTING CERTAIN TERMS FOR THE BONDS APPROVED AND AUTHORIZED BY SAID ORDINANCE, AND APPROVING AND AUTHORIZING CERTAIN DOCUMENTS.

WHEREAS, the City Council of the City of Grand Junction, Colorado (the "City") passed an ordinance (the "Bond Ordinance") on May 2, 1979, approving and authorizing the issuance, sale and delivery of bonds to be entitled "City of Grand Junction, County of Mesa, State of Colorado, Economic Development Revenue Bonds (Columbine Village Project) Series 1979" (the "Bonds"); and

WHEREAS, the Bonds will be issued under and pursuant to the provisions of Article 3 of Title 29, Colorado Revised Statutes 1973, as amended (the "Act"); and

WHEREAS, S29-3-106 of the Act provides that the form of the Bonds and certain terms thereof must be set by the City in either an ordinance or a supplemental resolution and other sections of the Act require certain determinations to be made by the City; and

WHEREAS, the Bond Ordinance provides, among other provisions, for the form of the Bonds and certain of their terms, but contemplates that certain other terms are to be set by a supplemental resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado:

Section 1. Form of the Bonds. The form of the Bonds shall be as set forth in the Mortgage and Trust Indenture (the "Trust Indenture") dated as of October 1, 1979, by and between the City, Columbine Village (the "Company") and the trustee which is acting on behalf of the investors, the terms, conditions and provisions of which Trust Indenture are for all purposes incorporated herein by reference, and a copy of which is ordered filed by the City Clerk with the records of the City Clerk and identified as the Trust Indenture referred to in this Resolution.

Section 2. Findings and Determinations. The City Council hereby finds and determines that (a) the amounts necessary to pay the principal of and interest on the Bonds in each year and the amounts necessary to be paid each year into the funds, including the Bond Reserve Fund, created under the Trust Indenture are as set forth in the Trust Indenture; (b) since the Loan Agreement provides that the Company shall maintain the Project (as described in the Loan Agreement between the City and the Company dated as of October 1, 1979) and carry all proper insurance with respect thereto, no determination of the estimated cost of maintaining the Project in good repair and keeping it properly insured need be made; and (c) the revenues of the Company from the operation of the Project in the City are projected to be sufficient to pay any taxes or amounts, if any, in lieu of taxes required of the Company

by S29-3-120 of the Act.

Section 3. Terms of the Bonds. The Bonds shall be dated October 1, 1979, have a maximum net effective interest rate of 10.00%, be in denominations of \$5,000 each and shall be issuable as coupon bonds registrable as to principal only and as fully registered bonds without coupons. The Bonds shall be term bonds in the total principal amount of \$7,000,000, maturing on October 1, 1994, and bearing interest at the rate of 9% until maturity, with supplemental "B" coupons bearing interest at the rate of 1% for five (5) years commencing October 1, 1979.

Section 4. Execution, Payment and Redemption of the Bonds. The place of payment of the Bonds shall be Central Bank of Denver, a Colorado banking association, the present street address of which is 1515 Arapahoe Street, Denver, Colorado. The Bonds shall be executed as set forth in the Trust Indenture and be subject to redemption at par plus accrued interest thereon to the date of redemption, at the times set forth below, together with premiums equal to the following percentages of the principal amount being paid:

<u>Redemption Periods</u>	<u>Premium</u>
October 1, 1984 and April 1, 1985	3.0%
October 1, 1985 and April 1, 1986	2.5
October 1, 1986 and April 1, 1987	2.0
October 1, 1987 and April 1, 1988	1.5
October 1, 1988 and April 1, 1989	1.0
October 1, 1989 and any interest payment date thereafter	No Premium

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Section 5. Approval and Authorization of Bond Purchase Agreement. The Bond Purchase Agreement between the City, the Company and an original purchaser to be approved by the Company, with the assistance of Municipal Bond Advisors, its bond advisor, and the President of the City Council (the "Underwriter"), in substantially the same form as attached hereto as Exhibit A, is in all respects approved, authorized and confirmed and the President of the City Council and the City Clerk are authorized and directed to execute and deliver the Bond Purchase Agreement for and on behalf of the City.

Section 6. Confirmation of Preliminary Official Statement and Authorization of Execution of Official Statement. The Preliminary Official Statement prepared in connection with the offer of the Bonds and its distribution and use by the Underwriter are hereby ratified and confirmed. The President of the City Council is authorized and directed to consent to the execution by the Company of a final Official Statement to be prepared in connection with the issuance and sale of the Bonds, in such form as is approved by the President and City Attorney, as the official act of the City, and the Underwriter is authorized to distribute and use the same in connection with the sale of the Bonds; provided, however, that the execution and delivery of, and the authorization to circulate, the final Official Statement shall not be deemed and construed as a representation by the City, the President of the City Council or the City Clerk of the accuracy or completeness of any information contained therein with respect to the Company or the Project.

Section 7. Bonds Not a Liability of the City. The Bonds shall never constitute an indebtedness of the City within the meaning of any provision or limitation of the Colorado Constitution or statutes, and shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers. The Bonds are not general obligations, but are special, limited obligations of the City, payable solely out of the revenues derived under the Loan Agreement and pledged and assigned for their payment in accordance with the Trust Indenture (except to the extent paid out of moneys attributable to the proceeds derived from the sale of the Bonds or to income from the temporary investment of those proceeds or from the sale of the Project under the Trust Indenture).

Section 8. Authority to Correct Errors, Etc. The President of the City Council and City Clerk are hereby authorized and directed to make or agree to any alterations, changes or additions in the instruments hereby approved as the President of the City Council and City Attorney deem necessary or proper to accomplish the purposes of this supplemental resolution, the signatures of the President and the City Clerk on the instruments to be conclusive evidence of such approval; provided, however, no alteration,

change or addition shall be made which shall alter the maximum net effective interest rate, denomination, date, maturities, form, interest rates, registration privileges, manner of execution, places of payment or terms of redemption of the Bonds or which shall increase the aggregate principal amount of the Bonds authorized by the City Council or in any way give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers with respect to the Bonds.

PASSED and APPROVED by the City Council of the City of Grand Junction, Colorado, this 19th day of September, 1979.

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

Attest:

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

Upon motion by Councilman Hollingsworth, seconded and carried, the Resolution was passed and adopted as read.

LIQUOR & BEER

Upon motion by Councilman Johnson, duly seconded and carried, the following applications were approved:

Hotel-Restaurant - Renewals

1. Howard Johnson's Restaurant, 752 Horizon Drive
2. Santy's Stop, Pufferbelly Station, 336 S. 1st
3. Bar X Restaurant & Lounge, 1600 North Avenue

Registration of Managers (Hotel-Restaurant)

4. James L. Reuscher, Howard Johnson's Restaurant
5. Tom R. Day, Ramada Inn
6. Wanda Shoeman, Bar X Restaurant & Lounge

Retail Liquor Store - Renewal

7. State Liquors, 659 Rood Avenue

Retail Liquor Store - Change of Location and Change of Ownership

8. Holiday Liquors, 755 Horizon Drive, Jane C. Siren

Hotel-Restaurant - Change of Trade Name

9. From Ore House Restaurant to Oglevie's Bar & Grill

3.2% Beer - Renewals

10. Colescott's, 551 South Avenue

11. Cook's Warehouse Market, 1235 N. 4th Street

12. 7-11 Store, 2847 North Avenue

13. Safeway Store No. 603, 1686 U.S. Highway 50

14. Circle K Store No. 560, 2685 UnawEEP

HEARING - PETITION FOR REZONE FROM R-2 TO PB AND FINAL DEVELOPMENT PLAN FOR MOUNTAIN WEST OFFICE PRODUCTS, SW CORNER 17TH AND MAIN - PROPOSED ORDINANCE

A hearing was held after proper notice. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was passed for publication.

HEARING - CONDITIONAL USE FOR OFFICE IN R-3 ZONE, 60 FEET W OF 5TH STREET, N OF OURAY AVENUE - CONTINUED TO OCTOBER 3, 1979

A hearing was held after proper notice. Tom Logue, Paragon Engineering, was present representing the petitioners.

Mrs. Loraine Dickens, 410 Ouray, requested a continuance of this hearing so that she and some of her neighbors can get legal aid.

Upon motion by Councilman Johnson, duly seconded and carried, this hearing was continued until October 3, 1979.

HEARING - DANWILL SUBDIVISION (MINOR) FINAL PLAT, E OF CEDAR STREET, 294 FEET N OF C ROAD

A hearing was held after proper notice. Upon motion by Councilman Johnson, duly seconded and carried, the Danwill Subdivision (Minor) Final Plat was approved subject to conditions of the Planning Commission.

HEARING - GUNNISON AVENUE SOUTH SUBDIVISION FINAL PLAT, NW COR I-70 BUSINESS LOOP AND MELODY LANE

A hearing was held after proper notice. Upon motion by Councilman Johnson, duly seconded and carried, the Gunnison Avenue South Subdivision final plat was approved subject to conditions of the Planning Commission.

HEARING - ROAD VACATION - NOLAND AVENUE W OF 7TH STREET - PROPOSED ORDINANCE

A hearing was held after proper notice. The following entitled proposed ordinance was read: AN ORDINANCE VACATING A ROADWAY WITHIN THE CITY OF GRAND JUNCTION. Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was passed for publication with Councilman O'Dwyer voting NO.

HEARING - ZONING PORTIONS OF CRESTVIEW ANNEXATION R-1-A - PROPOSED ORDINANCE

A hearing was held after proper notice. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman O'Dwyer, duly seconded and carried, the proposed ordinance was passed for publication.

HEARING - ZONING PORTIONS OF POMONA ANNEXATION R-3, R-1-C AND R-1-A PROPOSED ORDINANCE

A hearing was held after proper notice. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONINGS OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Dunn, duly seconded and carried, the proposed ordinance was passed for publication.

HEARING - ZONING FORESIGHT PARK FILING #1 ANNEXATION TO PLANNED INDUSTRIAL USES - PROPOSED ORDINANCE

A hearing was held after proper notice. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman O'Dwyer, duly seconded and carried, the proposed ordinance was passed for publication.

HEARING - APPLICATION BY ELIZABETH TALLEY FOR BEER-WINE LICENSE AT TALLEY'S BAR-B-QUE AND BISCUIT FACTORY, 623 MAIN STREET

A hearing was held after proper notice. The following report was read:

The sign giving Notice of Hearing was posted on the property September 7, 1979, and the display ad giving Notice of Hearing was published in The Daily Sentinel September 7, 1979.

The area surveyed was from 4th Street on the west, White Avenue on the north, 9th Street on the east, to Pitkin Avenue on the south. The survey commenced August 25 and concluded September 8. Results:

(1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 185

a. Owners of property in neighborhood. 49

b. Employee or business lessee of property in neighborhood. 120

c. Inhabitant of the neighborhood. 16

(2) Eight (8) people favored the issuance of the license although they felt the needs of the neighborhood are being met by existing outlets. 8

a. Employee or business lessee of property in the neighborhood. 6

b. Inhabitant of neighborhood. 2

(3) Yes . . . (outside survey area)

(4) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 43

a. Owner of property in neighborhood 10

b. Employee or business lessee of property in neighborhood 26

c. An inhabitant of the neighborhood 7

(5) No . . . (outside survey area) 2

(6) No objections, neutral, no opinion 6

a. Employee or business lessee of property in the neighborhood 5

(7) Refused to vote. 15

The City Council heard and approved the petition for conditional use August 1, 1979.

The Police Department advised there are no wants, warrants, or recorded criminal history on Elizabeth Talley. Fingerprint card has been mailed to the FBI with no return to date. The Fire Department made a final reinspection on September 5, 1979, and all items listed on the inspection report July 13 have been completed. The Mesa County Health Department report advised that Talley's Bar-B-Que and Biscuit Factory meets Health regulations.

No counterpetitions and no letters of opposition have been filed. Similar type outlets: One (1).

The map showing similar type outlets was reviewed. Mrs. Talley was present for the hearing. A resolution of findings and decision is

scheduled for October 3, 1979.

BIDS - I.D. ST-79 BONDS - RESOLUTION

Three bids for I.D. ST-79 Bonds were received and opened at 2:00 p.m., September 17, 1979. Bids were:

<u>Average Interest Rate</u>	<u>Interest</u>	
Boettcher & Company 7.628 .50	\$159,279	
Hanifen, Imhoff & Samford, Inc. 7.59818 00	\$158,650	
Kirchner, Moore and Co. 7.425287 00	\$155,040	

Staff recommended award of bond sale to Kirchner, Moore and Company. Upon motion by Councilman Johnson, seconded by Councilman Dunn, the I.D. ST-79 bond sale was awarded Kirchner, Moore and Company for its low bid. Motion carried unanimously.

The following Resolution was read:

RESOLUTION

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. ST-79.

WHEREAS, the City Council of the City of Grand Junction, Colorado, adopted Resolution Creating Improvement District No. ST-79, on July 5, 1979, 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 Improvement District No. ST-79, including engineering, inspection and other incidental expenses, the City shall issue public improvement bonds of said Improvement District No. ST-79 dated the 1st day of November, 1979, in the denomination of \$1,000 each, numbered 1 to 430, inclusive, due and payable on the 1st day of November, 1989, 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 May and the first day of November of each year, as evidenced by coupons to be attached to said bonds as follows:

<u>Bond Nos.</u> <u>Maturity</u> <u>Amount</u> <u>Interest Rates</u>			
1- 4911/1/80\$49,0 006.75%			
50- 11311/1/8164,0 006.75%			
114- 16911/1/8256,0 006.75%			
170- 21711/1/8348,0 006.75%			
218- 25811/1/8441,0 006.75%			

259- 29811/1/8540,0 006.75%			
299- 33511/1/8637,0 006.75%			
336- 37011/1/8735,0 006.75%			
371- 40311/1/8833,0 006.75%			
404- 43011/1/8927,0 006.75%			

In addition to the above interest rates, bonds will bear Supplemental Coupons in the following manner:

Bond Nos. 001 to 049 bear 1.25% Supplemental Interest Coupons (1)

Bond Nos. 050 to 113 bear 1.25% Supplemental Interest Coupons (2)

Bond Nos. 114 to 430 bear 1.25% Supplemental Interest Coupons (3)

(1) from 11/1/79 to 11/1/80

(2) from 11/1/79 to 11/1/81

(3) from 11/1/79 to 11/1/82

The principal of, and interest on, said bonds shall be payable at the office of the City Finance Director 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 the City and attested by the City Clerk, the coupons shall be signed with the original or facsimile signature of the City Finance Director,

and when so executed, said bonds shall be registered by the City Finance Director.

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  
IMPROVEMENT DISTRICT NO. ST-79

No. \_\_\_\_\_

\$1,000.00

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

ONE THOUSAND DOLLARS (\$1,000.00)

in lawful money of the United States of America, on the 1st day of November, 1989, 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 1st day of May and the 1st day of November each year, both principal and interest being payable at the office of the City Finance Director 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 Improvement District No. ST-79 in the City of Grand Junction, by virtue of, and in 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 Improvement District No. ST-79 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, 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 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 Improvement District No. ST-79 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 President of the City 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 Finance Director, as of the 1st day of November, 1979.

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

Attest:

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

(SEAL)

(Form of Coupon)

No. \_\_\_\_\_

\$ \_\_\_\_\_

(November)????

On the 1st day of May, 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 Finance Director, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Improvement District No. ST-79 provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated November 1, 1979.

NO. \_\_\_\_\_

(Facsimile Signature)

\_\_\_\_\_  
City Finance Director

(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 Finance Director 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 \_\_\_\_\_, A.D., 1979.

\_\_\_\_\_  
City Finance Director

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 Finance Director, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

ADOPTED and APPROVED this 19th day of September, 1979.

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

Attest:

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

Upon motion by Councilman O'Dwyer, seconded by Councilman Dunn and unanimously carried, the Resolution was passed and adopted as read.

HEARING - APPLICATION BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMIT APPROVED FOR SEPTEMBER 22 FROM 1:00 P.M. TO 5:00 P.M. ON LAWN W OF SAUNDERS FIELD HOUSE - 6TH PERMIT

A hearing was held after proper notice. No opponents or counterpetitions. Matt Smith, President of the Student Body Association, appeared in support of the application. Upon motion by Councilman Dunn, duly seconded and carried, the application for the 3.2% beer special events permit was approved with Councilman O'Dwyer voting NO.

HEARING - CONDITIONAL USE REQUEST FOR DRIVE-UP WINDOW FACILITY FOR POPEYE'S RESTAURANT, 2430 NORTH AVENUE

A hearing was held after proper notice. Lee Miller, petitioner, was present for the hearing. No opponents or counterpetitions. Upon motion by Councilman O'Dwyer, duly seconded and carried, that the Conditional Use for drive-up window at Popeye's Restaurant was approved subject to the conditions of the Planning Commission and subject to time being given Mr. Miller on the sidewalks until such time as the North Avenue Improvement District design has been presented.

HEARING - PLANNED DEVELOPMENT PRELIMINARY PLAN FOR EASTGATE PLAZA, SW CORNER ELM AVENUE AND 28 1/4 ROAD

A hearing was held after proper notice. Stan Anderson, petitioner, was present. No opponents or counterpetitions. The proposal is short 57 parking spaces for the 310-unit apartment building. Mr. Anderson addressed the parking problem by suggesting the possibility of acquiring other vacant ground, the possibility of placing some parking half-a-level down and half-a-level up, or the possibility of the use of the parking lot Mesa United Bank is developing for its employees. He feels the developers can mitigate the parking problem.

Upon motion by Councilman Johnson, duly seconded and carried, the planned development preliminary plan for Eastgate Plaza was approved subject to the conditions of the Planning Commission.

HEARING - 12TH STREET POLICY STATEMENTS FROM HORIZON DRIVE TO PITKIN AVENUE

The following policy statements for 12th Street corridor were reviewed:

POLICY STATEMENTS FOR 12TH STREET CORRIDOR

Horizon Drive to Pitkin Avenue approximately one block east and west of 12th Street.

1. Additional development should not occur on 12th Street from Horizon Drive to Patterson Road without a commitment of

participation from the Developer(s) to assist in upgrading 12th Street to four lane status with proper left turn lanes and pedestrian improvements and with improvements to the 12th Street and Horizon Drive intersection which would likely include signalization.

2. No additional business or commercial development of any kind from Horizon Drive to Patterson Road. High density residential is appropriate in this area.

3. F1/2 and F3/4 Roads should be developed to the east for accessibility to new development.

4. Office uses, preferably professional offices, would be appropriate on the southeast and southwest corners of 12th and Patterson. This development should be done within a PD context.

5. Higher density residential uses, preferably college oriented housing, are appropriate south of Patterson to North Avenue along both sides of 12th.

6. The existing zoning and uses are appropriate on both sides of 12th from North Avenue to Pitkin Avenue.

7. No additional retail should be developed in the 12th Street corridor except in conjunction with a large parcel multi-use planned development. Developments of this type should consolidate small parcels of land, minimize the number of curb cuts onto 12th Street and be compatible with adjacent neighborhoods. Strip business development should be avoided.

8. South of Elm and East of 12th Street and North of North Avenue any retail developments approved under Item #7 should consist of student oriented uses.

9. The Mesa College Master Plan should be supported and considered in reviewing and approving developments in the 12th Street Corridor. This support for the Master Plan does not include approval for changes or development in the Elm Avenue Corridor area.

10. Curb cuts along the entire length of 12th Street should be minimized. Sharing of common curb cuts is encouraged.

11. Ingress and egress to Lincoln Park should be improved. This should include \*providing walkways/bikeways, and channelization improvements at the 12th and Gunnison intersection.

12. Investigation of a railroad/river crossing of 12th Street is still recommended.

\*Removing the diagonal drive at 12th and Gunnison. (Deleted from this statement.)

No opponents or counterpetitions. Upon motion by Councilman Dunn, duly seconded and carried, the 12th Street Policy Statement as amended was approved and adopted.

The President declared a five-minute recess. Upon reconvening, six Council members were present.

ORDINANCE NO. 1837 - GONZO ANNEXATION, 12TH AND HORIZON

Proof of Publication to following entitled proposed ordinance was presented: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman O'Dwyer, duly seconded and carried, the Proof of Publication was accepted for filing.

Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was called up for final passage and read.

There were no comments and upon motion by Councilman Dunn, duly seconded and carried, the Ordinance was passed, adopted, numbered 1837, and ordered published.

ORDINANCE NO. 1838 - I.D. ST-78 ASSESSMENTS

Proof of Publication to following entitled proposed ordinance presented: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-78, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. Upon motion by Councilman O'Dwyer, duly seconded and carried, the Proof of Publication was accepted for filing.

Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was called up for final passage and read.

There were no comments and upon motion by Councilman Brach, duly seconded and carried, the Ordinance was passed, adopted, numbered 1838, and ordered published.

TRANSPORTATION SYSTEMS PLANNING AGREEMENT

Submitted was the Transportation Systems Planning Agreement for the Grand Junction area by the State of Colorado, the City of Grand Junction and Mesa County.

Upon motion by Councilman O'Dwyer, duly seconded and carried, the Agreement was approved and the Mayor authorized to sign. (Signed copy of Agreement not on file in Permanent Record.)

PARKS AND RECREATION SITE SELECTION COMMITTEE

The makeup of the Parks and Recreation Site Selection Committee is: Parks Improvement Advisory Board Chairman, Recreation Board member, County Parks Director, County Parks Board member, School District Board member or its designee, Lions Club member, and City of Grand Junction Parks and Recreation Director. Upon motion by Councilman Brach, duly seconded and carried, the Parks and Recreation Site Selection Committee was approved.

Councilman Johnson encouraged this Committee to pursue all avenues of funding for the acquisition of park sites.

RESOLUTION - AUTHORIZING COSPONSOR AGREEMENT FOR ADAP PROJECT NO. 6-08-0027-06 ENTITLED PAVING AND MARKING OF PARTIAL PARALLEL TAXIWAY FOR RUNWAY 11-29, AT WALKER FIELD AIRPORT

The following Resolution was read:

RESOLUTION

AUTHORIZING COSPONSOR AGREEMENT FOR ADAP PROJECT NO. 6-08-0027-06 ENTITLED PAVING AND MARKING OF PARTIAL PARALLEL TAXIWAY FOR RUNWAY 11-29, AT WALKER FIELD AIRPORT.

BE IT RESOLVED BY THE City Council of the City of Grand Junction, Colorado:

1. That the City of Grand Junction, Colorado, jointly with the County of Mesa Colorado and the Walker Field, Colorado, Public Airport Authority assume to the United States and among themselves the particular obligations as set out in the agreement incorporated hereto; and

2. The President of the City Council is hereby authorized and directed to execute said agreement for the City of Grand Junction, Colorado, and the City Clerk is authorized and directed to affix the Seal of the City thereto and attest the execution.

The said agreement is as follows:

COSPONSOR AGREEMENT

This agreement is made and entered into effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 1979, by and jointly between City of Grand Junction, Colorado; County of Mesa, Colorado, and Walker Field, Colorado, Public Airport Authority with respect to "this grant agreement" to an Airport Development Aid Program project No. 6-08-0027-06 entitled "Paving and Marking of Partial Parallel Taxiway for Runway 11-29" at Walker Field Airport.

1. With respect to accomplishing the proposed development and operating and maintaining the Airport, the City of Grand Junction, Colorado, and the County of Mesa, Colorado, in their support of

the Walker Field, Colorado, Airport Authority, will, in the event of the Dissolution of the airport authority - or upon F.A.A. determination that said airport authority is in noncompliance or default under the terms and conditions of this grant agreement, jointly and severally accept the responsibilities for such performance. No other responsibility is accepted or assumed by said County and City under this grant agreement.

2. Walker Field, Colorado, Public Airport Authority, the airport authority, shall assume to the United States all obligations of the said terms and conditions and in doing so the above representations shall be null and void. However, should the airport authority be dissolved or said airport authority be in non-compliance or default under the terms and conditions of this grant agreement, the airport authority will (except for obligations assumed pursuant to statutory dissolutionment or separate agreement) indemnify and save harmless the said City and County from any cost, liability and indebtedness that the City and County may assume to the United States as a result of dissolutionment or non-compliance or default.

3. It is understood and agreed the said Walker Field, Colorado, Public Airport Authority will accept, receipt for, and disburse grant payments.

Executed for the City of Grand Junction, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 1979;

By

\_\_\_\_\_  
Jane Quimby  
President of the Council

Attest:

\_\_\_\_\_  
Neva Lockhart, City Clerk

Executed for the County of Mesa, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 1979;

By

\_\_\_\_\_  
Maxine Albers, Chairman  
Board of County Commissioners

Attest:

\_\_\_\_\_  
Clerk

Executed for Walker Field, Colorado, Public Airport Authority this

\_\_\_\_\_ day of \_\_\_\_\_, 1979;

By

\_\_\_\_\_  
Maxine Albers, Chairman  
Airport Board

Attest:

\_\_\_\_\_  
Clerk J. Spelman by  
M.A. Harms, Deputy

In regular meeting of the City Council this 19th day of September, 1979.

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

Attest:

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

Upon motion by Councilman Johnson, duly seconded and carried, the Resolution was passed and adopted as read.

Upon motion by Councilman Hollingsworth, duly seconded and carried, a Resolution to authorize the acceptance of the grant offer was approved subject to FAA approval and review and approval by the City Attorney, and authorizing the Mayor to sign said documents September 27, 1979.

It was recommended this meeting be adjourned to noon, September 27, 1979, in the event FAA does not accept this method of expediting the signing of the documents.

#### MISCELLANEOUS DISCUSSION

##### Special Districts

Councilman Dunn filed a report on Special districts.

##### Highway Trust Funds

President Quimby filed a report on the Highway Trust Funds. Grand Junction's allocation for 1980 is \$226,600.

##### Colorado Water Convention

In addition to Councilman Brach being a delegate to the Colorado

Water Convention in Denver, Jim Dufford from the Conservation Board has agreed to be a delegate. Upon motion by Councilman Johnson, duly seconded and carried, Jim Dufford was confirmed as a delegate.

North Avenue Improvements

Councilman Johnson commended the North Avenue merchants on the projected plans for improving North Avenue.

ADJOURNMENT TO NOON SEPTEMBER 27, 1979

Upon motion by Councilman Brach, duly seconded and carried, the meeting was adjourned to 12:00 noon, September 27, 1979.

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk