

Grand Junction, Colorado

May 2, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 2nd day of May, 1984, in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Mike Pacheco, Ray Phipps, and President of the Council Gary Lucero. Also present were City Attorney/Acting City Manager Gerald Ashby and City Clerk Neva Lockhart.

President of the Council Gary Lucero called the meeting to order and Councilman Pacheco led in the Pledge of Allegiance.

INVOCATION

Reverend Coffey, Central Orchard Mesa Community Church.

MINUTES

After correction of the spelling of the name of Pastor Dordigan, it was moved by Councilman Phipps, seconded by Councilwoman Kreissler and carried that the minutes of the regular meeting held April 18, 1984, be approved as corrected.

MAYOR LUCERO'S REVIEW OF THE PAST YEAR

Mayor Lucero submitted a report summarizing the activities of the past year.

J.P. MIKE PACHECO ELECTED PRESIDENT OF THE COUNCIL EX-OFFICIO MAYOR - OATH OF OFFICE

It was moved by Councilman Phipps, seconded by Councilwoman Kreissler and carried, that J.P. Mike Pacheco be nominated for President of the Council Ex-Officio Mayor.

It was moved by Councilwoman Clark and seconded by Councilwoman Kreissler that nominations cease and that J.P. Mike Pacheco be elected to the Office of President of the Council Ex-Officio Mayor by acclamation. Motion carried.

The Oath of Office was administered to J.P. Mike Pacheco.

RAYMOND G. PHIPPS ELECTED PRESIDENT OF THE COUNCIL PRO TEMPORE EX-OFFICIO MAYOR PRO-TEMPORE - OATH OF OFFICE

There were two announced candidates for the Office of the President of the Council Pro Tempore Ex-Officio Mayor Pro-Tempore -- Christine Kreissler and Raymond G. Phipps. By secret ballot Raymond G. Phipps was elected to the Office. The Oath of Office was administered to Raymond G. Phipps.

MAYOR PACHECO SUBMITS ACTION PLAN FOR "EXCELLENCE IN CITY GOVERNMENT" FOR THE COMING YEAR

Mayor Pacheco submitted an eight point action plan for "Excellence in City Government" for Council's consideration and implementation.

DOWNTOWN SCULPTURE

Dave Davis, 719 30 Road, Clifton, presented a proposal to install the work of local sculptors on 32 sites in the downtown area at no expense to the taxpayers, City of Grand Junction, the DDA, Chamber of Commerce, or the downtown merchants for a period of one year with the understanding that it may draw some new business to town, art market and what not, and maybe educate the people about the arts, and try to telegraph that this sculpture is helping the community and the community is helping the sculptors. He noted that this will be insured by an independent insurance agent. He thought this would make the comment that although the community is experiencing financial problems now, it is still a very creative and innovative community and it can step forward and do some things for its own. The sculpture would range in size from four feet to fifteen feet. One hundred percent of the downtown merchants support the concept as well as the Downtown Association.

Councilwoman Kreissler recommended that the Downtown Development Authority act as an overseeing body to help coordinate this program. Kathy Glenn was to take this information to the DDA Board.

Upon motion by Councilman Holmes, seconded by Councilman Lucero and carried, the concept of "Art on the Corner" for the downtown area was accepted and approved.

PROCLAMATION DECLARING MAY, 1984, "THINK TWICE MONTH"

BEER - APPLICATIONS TO RENEW LICENSES APPROVED

Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the applications by the following business concerns for the renewal of their 3.2% beer licenses were approved:

City Market Store No. 18, 2830 North Avenue
7-Eleven Store, 1134 N. 12th Street

BIDS - AWARD OF CONTRACT - DECKING FOR 15TH STREET BRIDGE OVER GRAND VALLEY CANAL - ELDORADO CONSTRUCTION - \$71,800

Five bids were received and opened April 26, 1984, for the Decking for 15th Street Bridge over the Grand Valley Canal. Bidders were:

G.A. Western Construction Company\$92,827	
G & R Builders\$89,319	
Francis Constructors, Inc.\$84,000	
C. Mays Concrete Construction\$77,960	
Eldorado Construction\$75,800	
Engineer's Estimate\$75,000	

The Consulting Engineer discussed with the low bidder changing the metal decking from 7 gage to 22 gage. Eldorado offered a deduct of \$4,000 for this change. The Change will not affect the integrity of the bridge deck. Staff recommended award of the contract to Eldorado Construction in the amount of \$71,800.

Upon motion by Councilman Holmes, seconded by Councilwoman Kreissler and carried, the bids were accepted and the contract was awarded to Eldorado Construction in the amount of \$71,800, and the City Manager was authorized to sign said contract.

BIDS - AWARD OF CONTRACT - CURB, GUTTER & SIDEWALK REPAIR, 1984 - M.A. CONCRETE CONSTRUCTION - \$64,697.50 WITH CHANGE ORDER TO ADD OTHER REPAIR LOCATIONS TO THE CONTRACT IN AN AMOUNT THAT CONTRACT NOT EXCEED \$80,325

Bids were received and opened April 30, 1984, for the Curb, Gutter and Sidewalk Repair, 1984. Bidders were:

Commercial Services Construction Co., Inc.\$93,575.00	
Fred Cunningham Construction Co.\$68,042.00	
M.A. Concrete Construction\$64,697.50	
Engineer's Estimate\$85,065.00	

Staff recommended award of contract to M.A. Concrete Construction for its bid of \$64,697.50 and that the Staff be allowed to issue a

change order in order to add other repair locations to the contract in an amount that the contract not exceed \$80,325. Upon motion by Councilwoman Kreissler, seconded by Councilwoman Clark and carried, the bids were accepted, the contract was awarded to M.A. Concrete Construction for its bid of \$64,697.50. The Staff was authorized to issue the change order to add other repair locations to the contract in an amount that the contract not exceed \$80,325, and the City Manager was authorized to sign said contract.

HEARING - APPLICATION BY GRAND JUNCTION AREA CHAMBER OF COMMERCE FOR A MALT, VINOUS & SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT AT TWO RIVERS PLAZA, 159 MAIN STREET, MAY 25, 1984, FROM 5 P.M. TO MIDNIGHT - JUCO CLUB ANNUAL BANQUET - 1ST PERMIT

A hearing was held after proper notice on the application by the Grand Junction Area Chamber of Commerce for a malt, vinous and spirituous liquor special events permit at Two Rivers Plaza, 159 Main Street, on May 25, 1984, from 5 p.m. to midnight for the JUCO Annual Banquet. Jerry Fossenier was present to speak for the granting of the permit. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application was approved.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

The Proofs of Publication to the following Ordinances proposed for final passage had been received and filed. A copy of the Ordinances proposed for final passage had been submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2184 - AMENDMENT TO ZONING AND DEVELOPMENT CODE CHANGING DEFINITION OF CONDITIONAL USE, CHAPTER 13 OF CHAPTER 32, CODE OF ORDINANCES, AND DEFINITION OF HEIGHT IN SECTIONS 4, 7 AND 8 OF ORDINANCE NO. 2117

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title was read: AN ORDINANCE CONCERNING HEIGHT RESTRICTIONS IN CERTAIN AREAS OF THE CITY AND CONCERNING THE DEFINITIONS OF CONDITIONAL USE.

There were no comments. Upon motion by Councilman Phipps, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 2184, and ordered published.

ORDINANCE NO. 2185 - RIGHT-OF-WAY VACATION ON HORIZON DRIVE ADJACENT TO LOTS 78 THROUGH 86, TECH DEL SOL SUBDIVISION

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2185, and ordered published.

ORDINANCE NO. 2186 - SETTING THE SALARY OF THE CITY MANAGER

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title was read: SETTING THE SALARY OF THE CITY MANAGER.

There were no comments. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried by roll call vote with Councilman HOLMES voting NO, the Ordinance was passed, adopted, numbered 2186, and ordered published.

ORDINANCE NO. 2187 - REZONE FROM PB TO RSF-8 12TH AND PATTERSON PLAZA

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title 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.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2187, and ordered published.

ORDINANCE NO. 2188 - REZONE FROM PB TO RSF-8 THE SE CORNER OF 27 AND C ROADS

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the following proposed ordinance was called up for final passage and the title 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.

There were no comments. Upon motion by Councilwoman Kreissler, seconded by Councilman Phipps and carried by roll call vote, the Ordinance was passed, adopted, numbered 2188, and ordered published.

ORDINANCE NO. 2189 - I.D. ST-82, PHASE D, ASSESSMENTS (HORIZON DRIVE, I-70 TO H ROAD)

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried the following proposed ordinance was called up for final passage and the title was read: AN ORDINANCE APPROVING THE

ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-82, PHASE D, 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 ASSESSMENT.

The amendment to the Ordinance was reviewed. There were no comments. Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted as amended, numbered 2189, and ordered published.

I.D. ST-84, PHASES A & B, VARIOUS STREETS AND 7TH STREET FROM PATTERSON ROAD TO HORIZON DRIVE - RESOLUTION NO. 22-84 OF INTENT TO CREATE DISTRICT - RESOLUTION NO. 23-84 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution was read:

RESOLUTION NO. 22-84

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT NO. ST-84, PHASES A AND B, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, the City Council has determined the desirability of the construction of the following improvements on 15th Street south of F Road; Laguna etal, and Poplar Street, and the alley between 24th and 26th Streets, as to Phase A, and on 7th Street from F Road to Horizon Drive, as to Phase B:

ALLEY FROM 24TH TO 26TH STREET, BETWEEN TELLER AVENUE AND HILL AVENUE:

To include base course material under a 16-foot wide mat of Hot Mix Bituminous Paving.

15TH STREET, SOUTH FROM F ROAD TO GRAND VALLEY IRRIGATION COMPANY CANAL:

To include concrete vertical curb, gutter and sidewalk with a base course material under a 34-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as deemed necessary by the City Engineer.

POPLAR DRIVE, NORTH FROM INDEPENDENT AVENUE TO EXISTING FULL IMPROVEMENTS:

To include concrete vertical curb gutter and sidewalk with a base

course material under a 29-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as deemed necessary by the City Engineer.

LAGUNA DRIVE, ACOMA DRIVE AND APACHE DRIVE:

To include grading and leveling base course material under a 30-foot wide mat of double penetration surfacing using rubberized emulsion with 3/4 in. crushed rock on the bottom course and 3/8 in. crushed rock on the top course.

The service life of these temporary improvements, as described above, is unknown; the City will not be obligated to replace them.

At such time as permanent full improvements (pavement, storm sewer, drainage systems, irrigation systems and concrete curbs, gutters and sidewalks) are required, the benefitted property will be assessed its fair share. Until these improvements are required, the above described temporary improvements will be maintained by City services.

7TH STREET FROM F ROAD TO NORTHACRES ROAD; HORIZON DRIVE FROM 7TH STREET TO GRAND VALLEY CANAL AND F ROAD 449 FEET EAST OF 7TH STREET:

To include concrete retaining walls, vertical curb, gutter and sidewalk with a base course material under a mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter, the lowering of an 8 in. waterline and such storm drainage facilities as deemed necessary by City Engineer.

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement district;

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

That the District of land to be assessed is described as follows:

ALLEY FROM 24TH TO 26TH STREETS, BETWEEN TELLER AVENUE AND HILL AVENUE

Land being a portion of Section 24, Township 1 South, Range 1 East of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 1 through 18 inclusive of Block 3 Teller Arms Subdivision as recorded in Plat Book 9 Page 74 in the office of Mesa County Clerk and Recorded.

15TH STREET, SOUTH FROM F ROAD TO GRAND VALLEY IRRIGATION COMPANY CANAL

Land being a portion of Section 12, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Patterson Gardens as filed under Reception Number 1106072 in the office of the Mesa County Clerk and Recorder;

Also, Lot 2 of Houston Heights as recorded in Plat Book 13, Page 4 with said office;

Also, beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 12; thence East 512.1 feet; thence South 304.3 feet; thence North 89 deg. 56 min. West to a point which is 307.3 feet South of the point of beginning, thence North to the point of beginning;

Also, beginning at the Southeast Corner of Lot 44 in Block 12 of FAIRMOUNT SUBDIVISION, running thence West 130 feet; thence North 230 feet; thence East 130 feet; thence South 230 feet to Point of Beginning;

Also, that part of Block 10 Fairmount Subdivision, lying North of the right-of-way of the Grand Valley Irrigation Company's Canal, AND the East 20 feet of the vacated road adjacent to the West side of said Block 10 and lying North of the right-of-way of said Canal, in said City;

Also, beginning at point 1322 feet East and 664.8 feet South of the Northwest corner of said Section 12; thence East parallel with the North line of said Section, 429 feet; thence North 40 deg. 29 min. East 20 feet; thence South 411.4 feet; thence South 70 deg. 39 min. West 467.5 feet; thence North 548.5 feet to Point of Beginning.

POPLAR DRIVE, NORTH FROM INDEPENDENT AVENUE TO EXISTING FULL IMPROVEMENTS

Land being a portion of Section 10, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 1 and 3 of Monument View Estates Subdivision as recorded in Plat Book 12, Page 30 in the Office of the Mesa County Clerk and Recorder.

Also, beginning at a point 330 feet North and 1118 feet West of the Southeast corner of the NE4SE4 of said Section 10; thence West 202 feet; thence South 130 feet; thence East 97 feet; thence South 200 feet; thence East 105 feet; thence North 330 feet to the Point of Beginning; EXCEPT that portion conveyed to the City of Grand Junction by instrument recorded in Book 1021 at Page 157.

Also, beginning at a point 1223 feet West of the SE Corner of the NE4SE4 of said Section 10, thence North 200 feet; thence West 97

feet; thence South 200 feet; thence East 97 feet to the place of beginning.

LAGUNA DRIVE, ACOMA DRIVE AND APACHE DRIVE

Land being a portion of Section 24, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa State of Colorado, more particularly described as follows:

Lots 6 through 10 inclusive of Block 4; Lots 1 through 5 inclusive of Block 5, Replat of Block 4 except Lot 1 and East 1/2 of Block 5 The Reservation Subdivision as recorded in Plat Book 9 Page 202 in the office of Mesa County Clerk and Recorder;

also, Lot 1 Block 4, Lots 7 through 12 inclusive of Block 5, Lots 2 through 7 inclusive of Block 6; lots 1 through 7 inclusive of Block 7 The Reservation Subdivision as recorded in Plat Book 9 Page 69 in said office.

Land being a portion of Sections 2 and 11, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

P.D.C. Subdivision Lot 1 as recorded in Plat Book 11 Page 227 in the office of Mesa County Clerk and Recorder.

P.D.C. Subdivision Filing No. 2 Lots 1 and 2 as recorded in Plat Book 13 Page 123 in said office.

Beginning at a point 298 feet North of the Southeast corner of the Southwest Quarter of said Section 2; thence South 78 deg. 58 min. West 132 feet, thence South 51 deg. 20 min. West 225 feet, thence South 54 feet to the Northerly boundary of Fairmount Heights Subdivision as recorded in Plat Book 6 at Page 12, thence North 68 deg. 54 min. East 325.6 feet, more or less along the Northerly boundary of Fairmount Heights Subdivision to the East line of said Southwest Quarter, thence North 104 feet more or less to the point of beginning; EXCEPT the East 35 feet thereof for road right of way; Lot A in FAIRMOUNT HEIGHTS SUBDIVISION, according to the recorded plat thereof;

That part of the NE4SE4SW4 of said Section 2, lying North at the South bank of the Independence Ranchman Ditch, EXCEPT commencing at a point 660 feet West of the SE Corner of the NE4SE4 of said Section 2; thence South to the center of the main line of the Grand Valley Canal, thence in a general Northeasterly direction along said center line to a point where the said Canal intersects the South line of the NE4SW4, thence West 200 feet, more or less, to the point of beginning. ALSO EXCEPT beginning at the Northeast Corner of the NE4SE4SW4 of said Section 2; thence South 100 feet; thence West 395 feet, thence North 100 feet, thence East 395 feet to the point of beginning.

Beginning at the Northeast corner of the NE4SE4SW4 of said Section 2 thence South 100 feet, thence West 395 feet, thence North 100 feet, thence East 395 feet to point of beginning, except road right of way over East 30 feet of subject property.

Commencing at the Southeast Corner of the Northeast Quarter of the Southwest Quarter of said Section 2, thence West 430 feet, more or less, to the center of the main line of the Grand Valley Canal, thence northeasterly along said canal to the East line of the Northeast Quarter of the Southwest Quarter, thence south to the point of beginning.

That part of the following described tract lying North and West of the Center Line of the Grand Valley Canal; commencing at the SE corner of the SE4 of the NE4 of the SW4, said Section 2, thence West 430 feet; thence North 454.71 feet, thence North 81 deg. 25 min. East 62.95 feet, thence East 367 feet to a point North of the point of beginning, thence South to the Point of Beginning, EXCEPT a tract of land quit claimed to Mesa County in document recorded in Book 939 on Page 72 of the records of the Mesa County Clerk and Recorder.

Beginning at the South Quarter corner (being in the center of the Public highway) of said Section 2; thence North 150 feet; thence East 192 feet; thence South 150 feet; thence West 192 feet to the point of beginning; Also beginning at a point 150 feet North and 30 feet East of the South Quarter corner of said Section 2; thence North 10 feet; thence East 160 feet; thence West 160 feet to the point of beginning;

Beginning at a point 315 feet North and 30 feet East of the South 1/4 Corner of said Section 2, thence North 140 feet, thence East 160 feet, thence South 140 feet, thence West 160 feet to the point of beginning;

Beginning at a point which is 455.0 feet North and 40 feet East of the South Quarter Corner of said Section 2, thence East 100 feet, thence North 151.75 feet to the Southerly right of way of the County Road, thence West 100 feet to a point 151.75 feet North of the point of beginning, thence South to Beginning.

That part of the N2SW4SE4 and that part of the S2NW4SE4 lying South and West of the main line of the canal of the Grand Valley Irrigation Company in said Section 2;

Beginning at a point of the West boundary line of the NW4SE4 of said Section 2 1681.8 feet North of the South Quarter corner of said Section 2, thence East 74.7 feet, thence South 84 deg. 05 min. East 143 feet, thence South 50 feet, more or less to the canal of the Grand Valley Irrigation Company, thence Southwesterly along said canal to the West boundary line of said NW4SE4 of said Section 2, thence North to the point of beginning.

Beginning at a point 598 feet North of the SE corner of the SE4SW4

said Section 2, thence North 60.5 feet, thence West 619 feet to the Wash Channel, thence Southwesterly along said Wash Channel to the West line of SE4SW4, thence South to a point 157.8 feet North of the SW Corner of said SE4SW4, thence East 412 feet to the NW corner of Lot 10 Fairmount Heights Subdivision, thence Northeasterly along the North lines of Lots 5, 6, 7, 8, 9 and 10 of Fairmount Heights Subdivision to the NE corner of Lot 5 of said Subdivision, thence North 54 feet, more or less, to a point which is South 78 deg. 58 min. West 132 feet, thence South 51 deg. 20 min. West 225 Feet from the point of beginning, thence North 51 deg. 20 min. East 225 feet, thence North 78 deg. 58 min. east 132 feet to the point of beginning;

Beginning at a point on the West line of the NW4SE4 of said Section 2, from whence the S4 corner of said Section 2 bears South 1681.8 feet, thence North 376.71 feet, thence East 265.32 feet, thence South 52 deg. 33 min. East 393.47 feet to the Northerly right of way of Horizon Drive, thence South 53 deg. 51 min. West along said Northerly right of way 250.0 feet to the Northerly right of way of the Highline Lateral of the Grand Valley Canal, thence North 89 deg. 09 min. West 73.7 feet, thence South 57 deg. 18 min. West 101.24 feet, thence leaving said right of way North 48.5 feet, thence North 84 deg. 05 min. West 143.0 feet, thence West 74.7 feet to the point of beginning; containing 3.9537 acres more or less; EXCEPT for road right of way along the West for 26.5 Road (North 7th Street);

A tract of land in the North Half of the Northwest Quarter of the Northeast Quarter (N2NW4NE4) of said Section 11 described as follows: Beginning 215 feet East of the North Quarter corner of Section 11, thence South 5 deg. 33 min. West 182 feet; thence Northeasterly 490 feet, more or less, to a point 90 feet South and 470 feet East of the place of beginning; thence North 90 feet; thence West 470 feet to the place of beginning, except the following described tract, to wit: Beginning at a point 215 feet East of the North Quarter corner of said Section 11, thence South 5 deg. 33 min. West 182 feet; thence Northeasterly 143 feet; thence North 155 feet; thence West 121 feet to the point of beginning;

Beginning at a point which is 363.1 feet South and North 63 deg. 50 min. East 215 feet from the North Quarter corner of said Section 11, thence North 63 deg. 50 min. East 10 feet; thence North 15 deg. 12 min. East 55.8 feet; thence North 79 deg. 50 min. East 119.8 feet; thence North 34 feet more or less; thence South 79 deg. 19 min. West 143 feet; thence 5 deg. 35 min. West 84.3 feet more or less to the point of beginning; and beginning 215 feet East of the North Quarter corner of said Section 11, thence South 5 deg. 33 min. West 212.1 feet; thence Northeasterly 143 feet to a point 185 feet South of North line of said Section 11; thence North 185 feet; thence West 121 feet to the point of beginning; except the South 30.1 feet thereof.

Also, a tract of land in the Northwest Quarter of the Northwest

Quarter of the Northeast Quarter (NW4NW4NE4) of said Section 11 described as follows: Beginning at a point 215.0 feet East of the North Quarter corner of said Section 11; thence South 5 deg. 33 min. West 256.3 feet to a point; thence Northerly to a point 205.0 feet East of said Section 11; thence East 10 feet to beginning;

That part of the NE4SE4SW4 of said Section 2 lying South of the Wash;

A tract of land in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 11, described as follows: Beginning at a point 150 feet East of the North Quarter corner of said Section 11, thence South 255 feet thence East 40.3 feet, thence Northerly to a point 205 feet East of the North Quarter corner of said Section 11, thence West to the place of beginning; except a right of way for a County Road on the North;

A tract of land in the Northwest Quarter of the Northeast Quarter of said Section 11 described as follow: Beginning at the North Quarter Corner of said Section 11, thence South 105 feet, thence East 109 feet, thence North 105 feet, thence West 190 feet to a place of beginning.

Beginning at a point 160 feet North and 30 feet East of the S4 Corner of said Section 2, thence North 155 feet, thence East 160 feet, thence South 155 feet, thence West 160 feet to the point of beginning.

Beginning 455 feet North and 130 feet East of the South Quarter corner of said Section Two (2), thence East 80.37 feet, thence North 02 deg. 25 min. 54 sec. East 22.60 feet; thence North 88 deg. 51 min. 06 sec. East 118.74 feet; thence North to the North line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 2, thence West along said North line to a point which is 185 feet East of the Northwest corner of said South Half of the Southwest Quarter of the Southeast Quarter, thence South 50 feet; thence West 55 feet, thence South 151.75 feet to the point of beginning.

That the City Engineer be, and he is hereby, authorized and directed to have prepared and filed full details, plans and specifications for such sidewalk, curb, gutter and street paving and estimate of the total costs thereof, exclusive of the per centum for cost of collection and other incidentals, and of interest to the time the first installment became 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, City of Grand Junction, Colorado.

PASSED and ADOPTED this 2nd day of May, 1984.

/s/ J.P. Mike Pacheco

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:

Section 1. That said details, plans and specifications, estimates and map be and the same are hereby approved and adopted.

Section 2. That the district of lands to be assessed are as follows:

(Description of lands to be assessed identical to description in previous Resolution No. 22-84.)

All installations to be constructed in accordance with General Conditions, Specifications and Details for Street Improvement Projects, City of Grand Junction, Colorado. Where acceptable curb, gutter and/or sidewalk exists, credit will be given.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided that all such assessments may, at the election of the owner of the property in said District be paid in ten (10) equal installments, or four (4) equal installments for double penetration surfacing, the first of which shall be payable at the time of the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period; 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 the amount established by the City Council in the assessing ordinance.

Sectoin 4. Notice of Intention to Create said Improvement District No. ST-84, Phases A and B, and of a 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:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO ST-84, PHASES A AND B, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF 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 Improvement District No. ST-84, Phases A and B, in said City for the purpose of constructing sidewalks, curbs and gutters and paving streets to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

LEGAL DESCRIPTION

Beg 330 ft N and 1118 ft W of SE Cor NE4SE4 Sec 10 1S 1W W 202 ft S 130 ft E 97 ft S 200 ft E 105 ft N 330 ft to Beg Exc Street as Recd B-1021 P-157 Co Clerks Off

Beg 200 ft N and 1223 ft W of SE Cor NE4SE4 Sec 10 1S 1W W 97 ft S 200 ft E 97 ft N to Beg

Lot 1 Monument View Estates Sub Sec 10 1S 1W

Lot 3 Monument View Estates Sub Sec 10 1S 1W

Beg NW Cor NE4NW4 Sec 12 1S 1W E 512 ft S 304.3 ft N 89 deg. 56 min. W to a Pt 307.3 ft S of Beg N to Beg

Beg 664.8 ft S of NW Cor NE4NW4 Sec 12 1S 1W E 429 ft N 40 deg. 29 min. E 20 ft S 411.4 ft SWly to a Pt 548 ft S of Beg N to Beg

Beg SE Cor Blk 12 Fairmount Sub Sec 12 1S 1W W 130 ft N 230 ft E 130 ft S to Beg

That Pt of Blk 10 Fairmount Sub Sec 12 1S 1W N of G V Cnl and E 20 ft of Vacated Road on W

Lots 1 and A Blk 1 Patterson Gardens Sec 12 1S 1W

Lots 2 and B Blk 1 Patterson Gardens Sec 12 1S 1W

Lots 3 and C Blk 1 Patterson Gardens Sec 12 1S 1W

Lots 4 and D Blk 1 Patterson Gardens Sec 12 1S 1W

Lots 1 and A Blk 2 Patterson Gardens Sec 12 1S 1W

Lots 2 and B Blk 2 Patterson Gardens Sec 12 1S 1W

Lots 3 and C Blk 2 Patterson Gardens Sec 12 1S 1W

Lots 4 and D Blk 2 Patterson Gardens Sec 12 1S 1W

Lots 1 and A Blk 3 Patterson Gardens Sec 12 1S 1W

Lots 2 and B Blk 3 Patterson Gardens Sec 12 1S 1W

Lots 3 and C Blk 3 Patterson Gardens Sec 12 1S 1W

Lots 4 and D Blk 3 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 4 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 4 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 4 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 4 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 5 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 5 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 5 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 5 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 6 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 6 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 6 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 6 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 7 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 7 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 7 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 7 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 8 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 8 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 8 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 8 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 9 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 9 Patterson Gardens Sec 12 1S 1W
Lots 3 and C Blk 9 Patterson Gardens Sec 12 1S 1W
Lots 4 and D Blk 9 Patterson Gardens Sec 12 1S 1W
Lots 1 and A Blk 10 Patterson Gardens Sec 12 1S 1W
Lots 2 and B Blk 10 Patterson Gardens Sec 12 1S 1W

Lots 3 and C Blk 10 Patterson Gardens Sec 12 1S 1W

Lots 4 and D Blk 10 Patterson Gardens Sec 12 1S 1W

Lot 1 Houston Heights Sec 12 1S 1W

Lot 2 Houston Heights Sec 12 1S 1W

Lots 1 to 9 Inc Blk 3 Teller Arms Sub

Lot 18 Blk 3 Teller Arms Sub

Lot 17 Blk 3 Teller Arms Sub

Lot 16 Blk 3 Teller Arms Sub

Lot 15 Blk 3 Teller Arms Sub

Lot 14 Blk 3 Teller Arms Sub

Lot 13 Blk 3 Teller Arms Sub

Lot 12 Blk 3 Teller Arms Sub

Lot 11 Blk 3 Teller Arms Sub

Lot 10 Blk 3 Teller Arms Sub

Lot 2 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 3 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 4 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 5 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 6 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 7 Blk 6 The Reservation Sub Sec 24 1S 1W

Lot 1 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 2 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 3 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 4 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 5 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 6 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 7 Blk 7 The Reservation Sub Sec 24 1S 1W

Lot 7 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 5 Blk 5 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 4 Blk 5 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 8 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 9 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 3 Blk 5 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 10 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 2 Blk 5 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 11 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 12 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 1 Blk 5 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 10 Blk 4 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 9 Blk 4 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 8 Blk 4 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 7 Blk 4 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation Sub Sec 24 1S 1W

Lot 1 Blk 4 The Reservation Sub Sec 24 1S 1W

Beg SE Cor NE4SW4 Sec 2 1S 1W N 470 ft W 367 ft SWly to a Pt 430 ft W and 450 ft M-L N of Beg S 450 ft M-L E 430 ft to Beg Exc Pt S of G V Cnl Exc Road in B-939 P-72 Co Clerks Off

NE4SE4SW4 N of Ind R Cnl and S of G V Cnl Sec 2 1S 1W Exc N 100 ft of E 395 ft

That Pt of NE4SE4SW4 S of Wash Sec 2 1S 1W

Beg 598 ft N of SE Cor SW4 Sec 2 1S 1W S 78 deg. 58 min. W 132 ft S 51 deg. 20 min. W 225 ft S 54 ft NEly Alg N Bdry Fairmount Heights 325.6 ft to E Li of SW4 N 104 ft to Beg and Lot A Fairmount Heights Sec 2

Lot 6 Blk 4 Replat of Blk 4 Exc Lot 1 and E2 Blk 5 The Reservation
Sub Sec 24 1S 1W

Beg 598 ft N of SE Cor SW4 Sec 2 1S 1W N 60.5 ft W 619 ft to Wash
SWly Alg Wash to W Li SE4SW4 Sec 2 S to a Pt 157.8 ft N of SW Cor
SE4SW4 E 412 ft to NW Cor Lot 10 Fairmount Heights NEly Alg N Li
of Lots 5, 6, 7, 8, 9 and 10 Fairmount Heights to NE Cor Lot 5 Sub
N 54 ft to a Pt which is S 78 deg. 58 min. W 132 ft and S 51 deg.
20 min. W 225 ft fr Beg N 51 deg. 20 min. E 225 ft N 78 deg. 58
min. E 132 ft to Beg.

Beg SE Cor NE4SE4 Sec 2 1S 1W W 430 ft to G V Cnl NEly Alg Cnl to
E Li NE4SW4 S to Beg

Lot 1 P.D.C. Sub Sec 2 1S 1W Exc W 5 ft for Rd R-O-W per B-1415 P-
776 Mesa Co Records

Lot 2 P.D.C. Sub Fil No. 2 a Replat of Lot 1 and A Portion of Lots
2 and 3 Fairmount Heights Sub Sec 2 1S 1W

Lot 2 P.U.C. Sub Fl No. 2 a Replat of Lot 1 and A Portion of Lots
2 and 3 Fairmount Heights Sub Sec 2 1S 1W

Beg 1681.8 ft N of S4 Cor Sec 2 1S 1W E 74.7 ft S 84 deg. 05 min.
E 143 ft S 50 ft to G V Cnl Wly Alg Cnl to W Li NW4SE4 Sec 2 N to
Beg Exc Rd in B-939 P-68 Co Clerk Office

N2SW4SE4 W of G V Cnl and S2NW4SE4 S and W of G V Cnl Sec 2 1S 1W
Exc Co Road and Exc 40 ft for Road on W

Beg 315 ft N and 30 ft E of S4 Cor Sec 2 1S 1W N 140 ft E 160 ft S
140 ft W to Beg

Beg 160 ft N and 30 ft E of S4 Cor Sec 2 1S 1W N 155 ft E 160 ft S
155 Ft W to Beg

Beg S4 Cor Sec 2 1S 1W N 160 ft E 190 ft S 160 ft W 190 ft to Beg

Beg 455 ft N and 40 ft E of S4 Cor Sec 2 1S 1W E 100 Ft N 151.75
ft to Sly R-O-W Co Rd W 100 ft S 151.75 ft to Beg

That Pt of NW4SE4 Sec 2 1 S 1W of Interurban R-O-W and N of G V
Cnl and N and W of Co Rd Exc Beg Inters of S Li G R V RR Wi W Li
NW4SE4 S 180 ft E to RR NWly to Beg and Exc Beg 1681.1 ft N of S4
Cor Sec 2 E 74.7 ft S 84 deg. 05 min. E 143 ft S 50 ft to G V Cnl
Wly Alg Cnl to W Li NW4SE4 N to Beg Exc Rd on W in B-939 P-70 Co
Clerks Off and Exc Road on W as Desc in B-1053 P-288 Co Clerks Off

Lot 1 Walker Heights Sub Sec 2 1S 1W Exc S 10 ft as Recd B-1063 P-
116 Co Clerks Off

Lot 12 Walker Heights Sub Sec 2 1S 1W

Beg 286 ft E of N4 Cor Sec 11 1S 1W S 195.1 ft N 79 deg. 50 min. E 51 ft N 185 ft W 50 ft to Beg

Beg 363.1 ft S and N 63 deg. 50 min. E 215 ft fr N4 Cor Sec 11 1S 1W N 15 deg. 12 min. E 55.8 ft N 79 deg. 59 min. E 119.8 ft N 34 ft S 79 deg. 19 min. W 143 ft S 5 deg. 35 min. W 84.3 ft to Beg and Beg 215 ft E of N4 Cor S 5 deg. 33 min. W 212.1 ft NEly 143 ft to a Pt 185 ft S of N Li Sec 11 N 185 ft W 121 ft to Beg Exc S 30 ft and Beg 215 ft E of N4 Cor S 50 deg. 33 min. W 256.3 ft Nly to a Pt 205 ft E of N4 Cor E to Beg Exc Beg 286 ft E of N4 Cor S 195.1 ft N 79 deg. 50 min. E 51 ft N 185 ft W 50 ft to Beg

Beg N4 Cor Sec 11 1S 1W S 105 ft E 190 ft N 105 ft W to Beg Exc W 50 ft for Road R-O-W

Beg 340 ft E of Nr Cor Sec 11 1S 1W S 150 ft NEly 140 ft N 125 ft to N Bdry Li Sec 11 W to Beg Exc That Pt Beg 449 ft E of N4 Cor S 175 ft E 100 ft N 175 ft W 100 ft to Beg

Beg 455 ft N and 140 ft E of S4 Cor Sec 2 1S 1W S 89 deg. 54 min. E 70.37 ft N 2 deg. 25 min. 54 sec. E 22.6 ft N 88 deg. 51 min. 06 sec. E 118.74 ft N to N Li SW4SW4SE4 N 89 deg. 56 min. W Alg N Li SW4SW4SE4 to a Pt 185 ft E of W Li SE4 S 50 ft W 45 ft S 151.75 ft to Beg

Where acceptable curb, gutter and/or sidewalk exist, credit will be given. Any portion of the District cost not covered by said assessment shall be paid by the City.

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$1,233,223.62, exclusive of collection, interest and incidentals. The estimated assessable cost is \$618,146.44, also exclusive of costs of collection, interest and incidentals.

The maximum share of such total cost shall be as follows:

ALLEY FROM 24TH TO 26TH STREETS, BETWEEN TELLER AVENUE AND HILL AVENUE:

Residential: 1140 abutting feet
\$17.00 per abutting foot

15TH STREET, SOUTH FROM F ROAD TO GRAND VALLEY IRRIGATION COMPANY CANAL:

Levied by Power of Attorney

Full cost of their half of such improvements

324 front feet
\$125.00 per abutting foot

Residential:

1966 front feet
\$85.00 per abutting foot

POPLAR DRIVE, NORTH FROM INDEPENDENT AVENUE TO EXISTING FULL IMPROVEMENTS:

Levied by Power of Attorney

Full cost of their half of such improvements

448 abutting feet
\$60.00 per abutting foot

Residential:

185 abutting feet
\$40.00 per abutting foot

LAGUNA DRIVE, ACOMA DRIVE AND APACHE DRIVE:

Residential:

3025 abutting feet
\$4.50 per abutting foot

7TH STREET FROM F ROAD TO NORTHACRES ROAD; HORIZON DRIVE FROM 7TH STREET TO GRAND VALLEY CANAL AND F ROAD 449 FEET EAST OF 7TH STREET

Full cost of their half of such improvements

220 abutting feet
\$82.00 per abutting foot

Residential:

4462 abutting feet
\$55.00 per abutting foot

To the estimated assessable cost of \$618,146.44 (said amount reflects estimated credit for existing curb, gutter and/or sidewalk) to be borne by the property owners, there shall be added six (6) percent 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 ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided that all such assessments, at the election of the owner of the property in said District, may be paid in ten (10) equal annual installments which become due

upon the same date upon which general taxes, or the first installment thereof, are by laws of the State of Colorado, made payable, except for double penetration surfaced streets which may be paid in four annual installments. Interest not to exceed the amount established by the City Council in the assessing ordinance shall be charged on unpaid installments.

On June 6, 1984, at the hour of 7:30 o'clock p.m., in the City-County Auditorium in City Hall of said City, the Council will consider objections that may be made in writing concerning the proposed improvements, by the owners 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, this 2nd day of May, 1984.

BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION

By: Neva B. Lockhart, CMC
City Clerk

PASSED and ADOPTED this 2nd day of May, 1984.

/s/ J.P. Mike Pacheco

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried by roll call vote, the Resolution was passed and adopted as read.

LIQUOR - THE TIMBERS, 1810 NORTH AVENUE - REVIEW OF HEARING OFFICER'S RECOMMENDATION 2-DAY SUSPENSION OF LICENSE IMPOSED COMMENCING MAY 3, 1984 CONCLUDING MAY 4, 1984

The City Attorney reviewed the recommendations of the Hearing Officer, Bruce J. Kaye, regarding the alleged violations that occurred in 1983 at The Timbers Restaurant, 1810 North Avenue. He noted the mitigating circumstances outlined by Mr. Kaye regarding these events. Also noted were the recommendations to the Council

for implementation of a training program for all employees. The Hearing Officer recommended that no action be taken to suspend or revoke the license. (Hearing Officer's report in The Timbers file).

It was moved by Councilman Lucero and seconded by Councilman Dunn that the Hearing Officer's report be adopted and approved.

Councilwoman Clark offered a substitute motion that the license issued to S & W Enterprises, doing business as The Timbers, 1810 North Avenue, be suspended for two days. Councilman Holmes seconded the motion.

There was a lengthy discussion. Vote was called for on the substitute motion. Results of the roll call vote:

Council members voting AYE: HOLMES, PHIPPS, CLARK, PACHECO.

Council members voting NO: KREISSLER, LUCERO, DUNN.

The President declared the motion carried and the suspension of the license commence at 7:00 a.m. May 3, 1984.

AIRPORT - GRANT AMENDMENT ADAP PROJECT NO. 6-08-0027-07 - APPROVED

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, Grant Amendment ADAP Project No. 6-08-0027-07 was approved and the President of the Council was authorized to sign. The Grant Amendment amounts to an increase of \$3,359 in federal funds. The change was requested because of project cost overruns.

AMBULANCE SERVICE

Acting City Manager/City Attorney Gerald Ashby said that this was the meeting that Staff was to report back to Council in regard to success or failure in achieving some contractual relationship with two ambulance companies. Mr. Ashby stated that in the interim the City had been served with a notice of claim arising out of the incident which had been discussed often before the City Council concerning Mr. Motti. Within that notice was an allegation with regard to anti-trust violation. Mr. Ashby met with the representatives of the ambulance service and indicated to them that his recommendation to Council at this meeting would be that in view of the now legal situation that Council do nothing at this point until the City, and the insurance carriers, has an opportunity to thoroughly inform itself of the total legal ramifications of any change in what it has been doing and that he would recommend to Council that it continue with the program inaugurated last October which is essentially the two-tier system where the City Rescue Unit transports in those cases of severe trauma. Mr. Ashby did not perceive this as something lasting forever. He thought that in a month at least there should be some information as to what the City can legally do.

AGREEMENT - TRAFFIC SIGNAL MAINTENANCE AGREEMENT WITH MESA COUNTY APPROVED

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the Traffic Signal Maintenance Agreement with Mesa County was approved and the Acting City Manager was authorized to sign said Agreement. Councilwoman Clark commended the Staff for its effort in finding another area of Cooperation with the County.

APPOINTMENT OF MARK K. ACHEN AS CITY MANAGER EFFECTIVE MAY 14, 1984

Upon motion by Councilman Lucero, seconded by Councilwoman Kreissler and carried, Mark K. Achen was appointed City Manager effective May 14, 1984.

APPOINTMENT OF RON GIBBS TO WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY RATIFIED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the appointment of Ron Gibbs to the Walker Field, Colorado, Public Airport Authority was ratified. Mr. Gibbs replaced Barney Barnett. Councilman Holmes explained that his NO vote was against the process used to elect Mr. Gibbs to the Authority rather than the individual.

CONTRACT TO ROLLAND ENGINEERING FOR DESIGN OF 15TH STREET AUTHORIZED - \$28,650

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, the Contract for the design of 15th Street was authorized to Rolland Engineering in the amount of \$28,650.

Councilman Lucero commended the Architectural Committee for its work.

POPLAR DRIVE

Mr. Deryl Love, 1605 Poplar Drive, was pleased to hear that Poplar Drive will receive full improvements under the Street Improvement District this summer. He noted that the dust problem in the area had been horrible.

Mr. Robert Kocher, 1628 Poplar Drive, requested speed bump speed limit sign or something to slow down traffic. Mr. Ashby said that the Traffic Engineer will look at the situation and give a determination.

AMBULANCE SERVICE

Lee Kelley, Quality Ambulance Service, stated that in regard to Mr. Ashby's comments regarding the ambulance transportation system he would like to go on record that this has been delayed for two or three months now. He conceded that obviously there is a concern

here and the City Attorney had a legitimate reason for delaying it a little bit longer. Mr. Kelley said they would go along with that up to a point, although he would like to go on record as stating that he did think ambulance transportation service was his business and he would like to have a situation developed eventually so that the transportation system is done by the ambulance companies unless they are not available and then the Fire Department can go ahead and transport. He had no objection to that. But as a routine thing he did not think that transportation was the Fire Department's business and that is the ultimate goal he hopes to achieve. In the interim, Mr. Kelley said that he would continue to work under the system. If nothing has been achieved within a month or so, Mr. Kelley said he may come back and request that Council appoint a Task Force.

AIRPORT

Councilman Dunn reported that Continental Commuter is a new airline at the Airport.

JUNE 20, 1984, CITY COUNCIL MEETING CANCELLED

A majority of the City Council members plan to attend the CML meeting in Vail June 19 through the 23rd. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried, the regular Council meeting June 20, 1984, was cancelled.

MUNICIPAL LEAGUE WORKSHOP AT HILTON HOTEL SATURDAY, MAY 5, 1984

Councilwoman Clark reminded Council of the Municipal League workshop at the Hilton on Saturday, May 5, 1984.

MOMENT OF SILENCE IN MEMORY OF ROBERT QUIMBY AND SINCERE SYMPATHIES TO HIS FAMILY

CML POLICY MEETING IN DENVER MAY 11, 1984

Councilwoman Kreissler reported there will be a CML Policy Meeting in Denver on May 11, and suggested the Council members given to her any items they wish to have considered for the coming year.

BONAVENTURA

Councilman Holmes informed Mrs. Bonaventura of his support and he requested Council to lend its support to Mrs. Bonaventura as she attempts to put into place something in an effective organization to prevent people like the individual who caused the tragic circumstance in the Bonaventura family from happening again.

COUNCILMAN LUCERO EXPRESSED APPRECIATION TO COUNCIL FOR ITS SUPPORT DURING HIS TENURE AS PRESIDENT OF THE COUNCIL EX-OFFICIO MAYOR

Councilman Lucero extended best wishes to Council members Mike

Pacheco and Ray Phipps for their election to their respective offices. He expressed his appreciation to Council for its support during his tenure as President of the Council Ex-Officio Mayor.

FAMILY MEMBERS ACKNOWLEDGED

Mayor Pacheco noted the presence of Mrs. Jerry Phipps, wife of Ray Phipps, and his family, daughters Adriana and Michelle, son Mikey, and his wife Adriana.

COUNCIL COMMITTEE ASSIGNMENTS SCHEDULED JUNE 6, 1984.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk