

Grand Junction, Colorado

February 20, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 20th day of February, 1985, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were John Bennett, Betsy Clark, Frank Dunn, Christine Kreissler, Gary Lucero, Ray Phipps, and President of the City Council Mike Pacheco. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Pacheco called the meeting to order and Councilwoman Kreissler led in the Pledge of Allegiance.

INVOCATION

City Manager Achen.

MINUTES

Upon motion by Councilwoman Clark, seconded by Councilman Lucero and carried, the minutes of the regular meeting held February 6, 1985, were approved as submitted.

COUNCILWOMAN KREISSLER, DISTRICT "B", SUBMITS LETTER OF RESIGNATION SERVICE PLAQUE PRESENTED TO HER

Council President Pacheco read a letter of resignation from Christine Kreissler, Councilwoman, District "B", effective March 1, 1985. Mrs. Kreissler and her family are moving from the area.

Councilman Dunn presented Mrs. Kreissler with a service plaque expressing gratitude for her community services over the past three years.

Filling the vacancy will occur at the regular municipal election April 2, 1985.

COUNCIL DENIES REQUEST TO WAIVE FEES FOR LINCOLN PARK AUDITORIUM AND STAND-BY POLICE OFFICERS

Jeff Johnson, 955 Bunting, Judd Lovern, 3605 Beechwood, and Shannon McGee, 1527 N. 7th Street, appeared before Council to request that the rental fee for Lincoln Park Auditorium and the fees for the stand-by Police Officers be waived for a fund-raising dance for Coach Dave Warmack on March 9, 1985, from 9:30 p.m. to 11:45 p.m.

Councilman Dunn stated that this was a very worthwhile endeavor and that he would like to personally contribute. He said, however, there have in the past been similar requests and the Council had denied the requests because there is a set policy to charge the fees and he did not want to set a precedent. Councilman Phipps

agreed with Councilman Dunn's comments and stated that he, too, would make a donation. Council President Pacheco also indicated that he would donate. The consensus of Council was that the request should be denied.

HEARING - ZONE FAIRWAY PARK FIRST ADDITION ANNEXATION RSF-4 - PROPOSED ORDINANCE

A hearing was held after proper notice on the petition to zone Fairway Park First Addition Annexation to Residential Single-Family at 4 Units per acre. There were no opponents, letters or counterpetitions.

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 Dunn, seconded by Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

HEARING -- APPLICATIONS BY BOOKCLIFF KIWANIS CLUB FOR 3 FERMENTED MALT BEVERAGE SPECIAL EVENTS PERMITS AT TWO RIVERS PLAZA, 159 MAIN STREET, MARCH 8, 9, 10, 1985 - WORLD OF WHEELS SHOW - APPROVED - 3 PERMITS

A hearing was held after proper notice on the applications by the Bookcliff Kiwanis Club for three (3) fermented malt beverage special events permits at Two Rivers Plaza, 159 Main Street, for the World of Wheels Show on Friday, March 8, Saturday, March 9, and Sunday, March 10, 1985. Bob Colony, 224 W. Kennedy, was present in behalf of the applications. There were no opponents, letters or counterpetitions. Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the applications were approved.

PRESENCE OF BOY SCOUT TROOP 383 IN AUDIENCE ACKNOWLEDGED

PETITION TO REZONE FROM RSF-8 AND PB TO PB AND SMITH'S FOOD AND DRUG OUTLINE DEVELOPMENT PLAN FOR THE SE CORNER OF 12TH AND PATTERSON - PROPOSED ORDINANCE

Council again took up the matter of the petition by Smith's Management Corporation represented by John Ballagh regarding the proposal to rezone from RSF-8 and PB to PB and the outline development plan for the southeast corner of 12th Street and Patterson Road. The request was to change from Residential Single-Family zoning at 8 units per acre and Planned Business to Planned Business and an outline development plan of one lot on 5.525 acres.

There was a redraft of the outline development plan. John Ballagh submitted that the plan now proposed shows the building 100 feet from the east property line; the loading dock relocated from the east side of the building and now adjacent to Patterson Road and

further the loading dock has been enclosed and the floor of the dock would be at the same grade as the floor of the store so a vehicle would have to go into the ground. He submitted a sketch of the enclosed dock. He noted that since the Council meeting in December they have had a meeting with the neighbors and with the Planning Commission. They propose a berm along the east side of the property that would be approximately eight feet in height landscaped on both sides and on top of that would be a fence. He proposed that the berm, landscaping and maintenance would be by a local landscape firm. He stated that Smith's made the changes in its desire to meet the concerns of the Council and the neighbors.

It was pointed out that the building would be 30 feet from the south property line. When this was presented to the Planning Commission it showed the placement of the building 68 feet from the south property line.

Bob Goldin, Senior Planner, stated that the Planning Commission did review the proposal again, and again recommended it to Council for approval. Mr. Goldin submitted for the record a petition against the rezoning that was submitted to the Planning Commission.

Opponents: Claudia McKinley, 1308 Wellington; Dave McKinley, 1308 Wellington; Dick Fulton, 1556 Wellington, who presented a letter from Joe Prinster, President of City Market, Inc.; Steve Trujillo, 618 1/2 West Indian Creek; Joe Newman, 2775 Monroe Court, Harlan Huskey, President, Patterson Garden Homeowners Association; Pauline Lyttle, 1441 Patterson Road; Mrs. Abell, 1212 Wellington; Eric Townsend, 3216 Chipeta Court; Joe Abell, 1212 Wellington.

For: Roger Head, Ed Clements, 2528 N. 12th Street; Glen Green, 2708 F Road.

Tom Welch, Vice President and General Counsel for Smith's Management Corporation, stated that he felt his company had complied with all requests.

At this point public comment was closed.

After Council discussion, it was moved by Councilman Phipps that the zoning request be approved based on the footprint of the building submitted at this meeting subject to a solid fence of some type being installed on the south side and the east side of the property, hooded lighting to be installed at the perimeters of the property on the south side and the east side of the store directed inward on the property, and that the landscaping be well designed and that it be properly maintained. The motion was seconded by Councilwoman Kreissler. Roll was called upon the motion with the following results:

Council members voting AYE: PHIPPS, KREISSLER, CLARK, BENNETT, LUCERO, PACHECO.

Council members voting NO: DUNN.

A majority of Council having voted in favor of the motion, the President declared the motion carried.

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 Phipps, seconded by Councilwoman Kreissler and carried with Councilman DUNN voting NO, the proposed ordinance was passed for publication.

Dave McKinley requested that Council put this zoning change on the April 2, 1985, ballot rather than having to call a special election. Council decided not to do that.

#### 12 STREET PROJECT

The President of the Council announced that Council requested Staff to stop work on 12th Street and defer that project to a future time.

#### ORDINANCE NO. 2222 - RECORDS DEPARTMENT

Upon motion by Councilwoman Kreissler, seconded by Councilman Dunn and carried, the following proposed ordinance was called up for final passage and the title only was read: CONCERNING THE RECORDS DEPARTMENT.

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 2222, and ordered published.

#### ORDINANCE NO. 2223 - FAIRWAY PARK ANNEXATION #3

Upon motion by Councilwoman Kreissler, seconded by Councilman Dunn and carried, the following proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

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 2223, and ordered published.

I.D. ST-84, PHASES A AND B (STREET IMPROVEMENT DISTRICT) BOND BID AWARD, KIRCHNER, MOOR & COMPANY, 9.21006 - RESOLUTION NO. 7-85 PROVIDING FOR THE ISSUANCE OF THE BONDS

Bids for \$351,000 public improvement bonds for I.D. ST-84, Phases A and B, were received and opened February 12, 1985. Bidders were:

Average Interest RateInterest		
Coughlin and Company11.1404\$201,085 .00		
E. F. Hutton and Company, Inc.9.9190\$179,032.00		
Boettcher and Company9.5726\$172,785. 00		
Kirchner, Moore and Company9.2107\$166,252. 50		

Upon motion by Councilwoman Kreissler, seconded by Councilman Lucero and carried, the bond bid was awarded to Kirchner, Moore and Company.

The following Resolution was read:

RESOLUTION NO. 7-85

PROVIDING FOR THE ISSUANCE OF REGISTERED PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. ST-84, PHASES A & B.

WHEREAS, the City Council of the City of Grand Junction, Colorado, adopted Resolution Creating Improvement District No. ST-84, Phases A and B, on the 6th day of June, 1984, 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-84, Phases A and B, including engineering, inspection and other incidental expenses, the City shall issue registered public improvement bonds of said Improvement District No. ST-84, Phases A and B, dated the 1st day of April, 1985, in the denomination of \$1,00 each, numbered 1 to 351, inclusive, due and payable on the 1st day of April, 1995, 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 April and the first day of October of each year, as evidenced by coupons

to be attached to said bonds as follows:

01- 35\$35,000.007.00 %4-1-86			
36- 8045,000.007.50% 4-1-87			
81- 12040,000.008.00 %4-1-88			
121- 16040,000.008.25 %4-1-89			
161- 19535,000.008.50 %4-1-90			
196- 23035,000.008.75 %4-1-91			
231- 27035,000.009.00 %4-1-92			
271- 30030,900.009.25 %4-1-93			
301- 33030,000.009.50 %4-1-94			
331- 35126,000.009.60 %4-1-95			

In addition to the above interest rates, all bonds bear "B" coupons at the rate of 1.75% for the period April 1, 1985, to April 1, 1986.

The principal of, and interest on, said bonds shall be payable at the corporate trust office of the Central Bank of Denver, Denver, Colorado, the said bonds shall be signed with the original or facsimile signature of the President of the City Council, sealed with the original or\* facsimile signature of the City Clerk, the certificates shall be signed with the original or facsimile signature of the City Finance Director, and when so executed, said bonds shall be registered in accordance with the law.

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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 said City, which tax was voted and authorized to make up deficits in special improvement district funds.

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

(Form of Registered Bond - Front)

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

IMPROVEMENT DISTRICT NO. ST-84, PHASES A AND B

REGISTERED SPECIAL ASSESSMENT BOND

Registered NumberRateMaturi tyDate of Original Issue			
R-April 1, 1985			

The City of Grand Junction, in the County of Mesa, State of Colorado, for value received, hereby promises to pay from the fund or funds hereinafter designated to \_\_\_\_\_ or registered assigns, on April 1, 1995, unless this Bond shall have been called for prior redemption, upon surrender hereof, the principal sum of:

ONE THOUSAND DOLLARS (\$1,000.00)

and to pay to the registered owner hereof, from the fund or funds hereinafter designated, primary interest only at the rate of \_\_\_\_\_ percent per annum, payable October 1, 1985, and semi-annually thereafter on the first day of April and the first day of October of each year, and additional interest, to the registered owner of the registered supplemental interest certificate, at the rate and for the period stated in the legal opinion printed on the back of this Bond. Principal and interest shall be paid at the corporate trust office of the Central Bank of Denver, Denver, Colorado, or its successor, Paying Agent and Registrar, in any coin or currency of the United States of America which, at the time of payment is legal tender for the payment of public or private debts, provided interest may be paid to the holder of record on the Record Date by check drawn by the Paying Agent and mailed to the registered owner at his or her address as it appears on the bond registry books maintained by the Paying

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next preceding the interest payment date. Bonds of this issue are subject to call and prior payment in direct numerical order on any interest payment date, at par and accrued interest upon twenty (20) days' mailed notice of call.

Further provisions of this Bond are set forth on the reverse side hereof.

This Bond is not valid unless the Registrar's Certificate of Authentication endorsed hereon is duly executed.

IN WITNESS WHEREOF, the City of Grand Junction has caused this Bond to be executed in its name by the facsimile signature of the President of the City Council, a facsimile of the seal of the City to be affixed hereto, and attested by the facsimile signature of the City Clerk.

CITY OF GRAND JUNCTION

(FACSIMILE SEAL)

By: (Facsimile Signature)

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

ATTESTED AND COUNTERSIGNED:



(Facsimile Signature)

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

Registrar's Certificate of Authentication:

This Bond is one of the Bonds described above. Printed on the reverse side is the text of the opinion of Bond Counsel, Tallmadge, Tallmadge, Wallace & Hahn P.C., Denver, Colorado, a signed copy of which is on file with the undersigned and dated as of the date of delivery of and payment for the Bonds.

CENTRAL BANK OF DENVER

By:

\_\_\_\_\_  
Authorized Officer

(Back of Bond)

This Bond is one of a series issued for the purpose of paying part of the costs of making street improvements, including curb, gutter, sidewalk, pavement, storm drainage and other necessary miscellaneous associated work in Improvement District No. ST-84, Phases A and B, in the City of Grand Junction, Colorado, by virtue of and in full conformity with the Constitution and laws of the State of Colorado, the Charter of said City, and ordinances and resolutions of the City duly adopted prior to issuance hereof.

This Bond and the interest thereon are payable solely out of the proceeds of special assessments to be levied upon real estate situated in Improvement District No. St-84, Phases A and B, specially benefitted by said improvements, which assessments so to be levied, with accrued interest, will be liens on said real estate in the respective amounts to be apportioned thereto and assessed by an ordinance of the City, and if necessary from the Special Surplus and Deficiency Fund authorized by said City.

The ordinance of said City provide: "Where all outstanding bonds of a special or local improvement district have been paid and any moneys remain to the credit of the district, they shall be transferred to a special surplus and deficiency fund and whenever there is a deficiency in any special or local improvement district fund to meet the payment of outstanding bonds and interest due thereon, the deficiency shall be paid out of the surplus and deficiency fund."

This Bond may be transferred by the registered owner hereof, or his duly authorized attorney, at the corporate trust office of the Registrar in Denver, Colorado, upon surrender of this Bond accompanied by such executed instruments of transfer as the Registrar may require. Upon any such transfer, a new registered bond of the same estimated maturity and in the same aggregate principal amount will be issued to the transferee. Bonds of one

denomination may also be exchanged by the registered owner hereof for registered bonds of other authorized denominations, upon surrender of the original bonds accompanied by such executed transfer documents as the Registrar shall require.

It is hereby certified and recited that the total issue of the bonds of the City for said district, including this Bond, does not exceed the amount authorized by law; that every requirement of law relating to the creation of said district, the construction of said local improvements, and the issuance of this Bond has been fully complied with by the proper officers of said City; and that all conditions required to exist and things required 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 not exist in regular and due time, form and manner as required by law.

For the payment of this Bond and the interest thereon, the City pledges the exercise of all of its lawful corporate powers.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner sells, assigns and transfers unto:

(Insert Social Security or other identifying number of Assignee)

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
the within Bond numbered \_\_\_\_\_, and does hereby irrevocably appoint Central Bank of Denver, or its successor, as Registrar to transfer this Bond on the books kept for registration with full power of substitution in the premises.

Dated: \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Registered Owner

(Form of Registered Supplemental Interest Certificate)

Registered Supplemental  
Interest Certificate No. \_\_\_\_\_

On the first day of October, 19\_\_\_\_\_, unless the Bond to which this Certificate relates has been called for prior redemption, the City of Grand Junction in the County of Mesa, State of Colorado, will pay to \_\_\_\_\_ or registered assigns, but only out of the fund or fund referred to in the Bond to which this Certificate appertains, the amount set forth below and at the interest rates

and for the period set forth below, in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts, being supplemental interest then due on its City of Grand Junction Improvement District No. ST-84, Phases A and B, Registered Special Assessment Bond, dated April 1, 1985.

Bond Maturity 19Bond NumbersSupplemen tal Interest AmountSupplement al Interest Rate			
\$%			

This Supplemental Interest Certificate commences to accrue interest on \_\_\_\_\_, 19\_\_\_\_\_, and continues until \_\_\_\_\_, 19\_\_\_\_\_.

This Supplemental Interest Certificate may be assigned by the registered owner or his or her duly authorized representative, such assignment to be noted hereon and registered to the assignee as before.

CITY OF GRAND JUNCTION

By: (Facsimile Signature)

\_\_\_\_\_

Registrar's Certificate of Authentication

This Certificate is one of the certificates described above.

CENTRAL BANK OF DENVER

By:

\_\_\_\_\_  
Authorized Officer

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner sells, assigns and transfers unto:

(Insert Social Security or other identifying number of Assignee)

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_

the within Supplemental Interest Certificate appertaining to Bonds numbered \_\_\_\_\_, and does hereby irrevocably appoint Central Bank of Denver or its successor, as Registrar to transfer this Certificate on the books kept for registration with full power of substitution in the premises.

Dated: \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Signature guaranteed:

\_\_\_\_\_  
\_\_\_\_\_

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 in accordance with the Resolution.

ADOPTED and APPROVED this 20th day of February, 1985.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

SS 35-84 - SANITARY SEWER DISTRICT (VENEGAS) BOND BID AWARD, BOETTCHER & COMPANY, 9.548 - RESOLUTION NO. 8-85 PROVIDING FOR THE ISSUANCE OF THE BONDS

Bids for \$79,000 Sanitary Sewer District No. 35-84 bonds were received and opened February 12, 1985. Bidders were:

Average Interest RateInterest		
Kirchner, Moore and Company10.2183\$38,625. 00		
Boettcher & Company9.5480\$36,000.0 0		

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, the bond bid was awarded to Boettcher and Company.

The following Resolution was read:

RESOLUTION NO. 8-85

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF SANITARY SEWER DISTRICT NO. 35-84.

WHEREAS, on the 1st day of August, 1984, the City Council of the City of Grand Junction, Colorado, adopted a resolution Creating Sanitary Sewer District No. 35-84 within said City;

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

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Sanitary Sewer District No. 35-84, including engineering, inspection and other incidental expenses, the City shall issue public improvement bonds of said Sanitary Sewer District No. 35-84, dated the 1st day of April, 1985, in the denomination of \$1,000 each, numbered 1 to 79, inclusive, due and payable on the 1st day of April, 1995, 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 April and the first day of October of each year, as evidenced by coupons to be attached to said bonds as follows:

Bond Nos.PrincipalInt erest RateMaturity			
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01- 8\$8,000.007.00%4 -1-86			
09- 2214,000.007.50% 4-1-87			
23- 3210,000.008.00% 4-1-88			
33- 419,000.008.25%4 -1-89			
42- 498,000.008.50%4 -1-90			
50- 567,000.008.75%4 -1-91			
57- 626,000.009.00%4 -1-92			
63- 686,000.009.25%4 -1-93			
69- 746,000.009.50%4 -1-94			
75- 795,000.009.75%4 -1-95			

In addition to the above interest rates, bonds will bear Supplemental Coupons in the following manner: all bonds 1 to 79, inclusive, to bear 3.50% supplemental interest coupons commencing

to accrue interest April 1, 1985, to April 1, 1986.

The principal of, and interest on, said bonds shall be payable at the corporate trust office of the Central Bank of Denver, Denver, Colorado, the said bonds shall be signed with the original or facsimile signature of the President of the City Council, sealed with the original or facsimile seal of the City and attested by the original or facsimile signature of the City Clerk, the certificates shall be signed with the original or facsimile signature of the City Finance Director, and when so executed, said bonds shall be registered in accordance with the law.

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 said City, which tax was voted and authorized to make up deficits in special improvement district funds.

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

(Form of Registered Bond - Front)

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

SANITARY SEWER DISTRICT NO. 35-84

REGISTERED SPECIAL ASSESSMENT BOND

Registered NumberRateMaturi tyDate of Original Issue			
R-April 1, 1985			

The City of Grand Junction, in the County of Mesa, State of Colorado, for value received, hereby promises to pay from the fund or funds hereinafter designated to \_\_\_\_\_ or registered assigns, on April 1, 1995, unless this Bond shall have been called for

prior redemption, upon surrender hereof, the principal sum of:

ONE THOUSAND DOLLARS (\$1,000.00)

and to pay to the registered owner hereof, from the fund or funds hereinafter designated, primary interest only at the rate of \_\_\_\_\_ percent per annum, payable October 1, 1985, and semi-annually thereafter on the first day of April and the first day of October of each year, and additional interest, to the registered owner of the registered supplemental interest certificate, at the rate and for the period stated in the legal opinion printed on the back of this Bond. Principal and interest shall be paid at the corporate trust office of the Central Bank of Denver, Denver, Colorado, or its successor, Paying Agent and Registrar, in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public or private debts, provided interest may be paid to the holder of record on the Record Date by check drawn by the Paying Agent and mailed to the registered owner at his or her address as it appears on the bond registry books maintained by the Paying Agent and Registrar. The Record Date the fifteenth day of the month next preceding the interest payment date. Bonds of this issue are subject to call and prior payment in direct numerical order on any interest payment date, at par and accrued interest upon twenty (20) days' mailed notice of call.

Further provisions of this Bond are set forth on the reverse side hereof.

This Bond is not valid unless the Registrar's Certificate of Authentication endorsed hereon is duly executed.

IN WITNESS WHEREOF, the City of Grand Junction has caused this Bond to be executed in its name by the facsimile signature of the President of the City Council, a facsimile of the seal of the City to be affixed hereto, and attested by the facsimile signature of the City Clerk.

CITY OF GRAND JUNCTION

(FACSIMILE SEAL)

By: (Facsimile Signature)

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

ATTESTED AND COUNTERSIGNED:

(Facsimile Signature)

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

Registrar's Certificate of Authentication:



This Bond is one of the bonds described above. Printed on the reverse side is the text of the opinion of Bond Counsel, Tallmadge, Tallmadge, Wallace & Hahn, P.C., Denver, Colorado, a signed copy of which is on file with the undersigned and dated as of the date of delivery of and payment for the Bonds.

CENTRAL BANK OF DENVER

By:

\_\_\_\_\_  
Authorized Officer

(Back of Bond)

This Bond is one of a series issued for the purpose of paying part of the costs of making public improvements, including engineering, inspection and other necessary miscellaneous associated work in Sanitary Sewer District No. 35-84, in the City of Grand Junction, Colorado, by virtue of and in full conformity with the Constitution and laws of the State of Colorado, the Charter of said City, and ordinances and resolutions of the City duly adopted prior to issuance hereof.

This Bond and the interest thereon are payable solely out of the proceeds of special assessments to be levied upon real estate situated in Sanitary Sewer District No. 35-84, specially benefitted by said improvements, which assessments so to be levied, with accrued interest, will be liens on said real estate in the respective amounts to be apportioned thereto and assessed by an ordinance of the City, and if necessary from the Special Surplus and deficiency Fund authorized by said City.

The ordinances of said City provide: "Where all outstanding bonds of a special or local improvement district have been paid and any moneys remain to the credit of the district, they shall be transferred to a special surplus and deficiency fund and whenever there is a deficiency in any special or local improvement district fund to meet the payment of outstanding bonds and interest due thereon, the deficiency shall be paid out of said surplus deficiency fund."

This Bond may be transferred by the registered owner hereof, or his duly authorized attorney, at the corporate trust office of the Registrar in Denver, Colorado, upon surrender of this Bond accompanied by such executed instruments of transfer as the Registrar may require. Upon any such transfer, a new registered bond of the same estimated maturity and in the same aggregate principal amount will be issued to the transferee. Bonds of one denomination may also be exchanged by the registered owner hereof for registered bonds of other authorized denominations, upon surrender of the original bonds accompanied by such executed transfer documents as the Registrar shall require.

It is hereby certified and recited that the total issue of the

bonds of the City for said district, including this Bond, does not exceed the amount authorized by law; that every requirement of law relating to the creation of said district, the construction of said local improvements, and the issuance of this Bond has been fully complied with by the proper officers of said City; and that all conditions required to exist and things required 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.

For the payment of this Bond and the interest thereon, the City pledges the exercise of all of its lawful corporate powers.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner sells, assigns and transfers unto:

(Insert Social Security or other identifying number of Assignee)

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
the within Bond numbered \_\_\_\_\_, and does hereby irrevocably appoint Central Bank of Denver, or its successor, as Registrar to transfer this Bond on the books kept for registration with full power of substitution in the premises.

Dated: \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Registered Owner

(Form of Registered Supplemental Interest Certificate)

Registered Supplemental  
Interest Certificate No. \_\_\_\_\_  
(April)

On the first day of October, 19\_\_\_\_\_, unless the Bond to which this Certificate relates has been called for prior redemption, the City of Grand Junction in the County of Mesa, State of Colorado, will pay to \_\_\_\_\_ or registered assigns, but only out of the fund or fund referred to in the Bond to which this Certificate appertains, the amount set forth below and at the interest rates and for the period set forth below, in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts, being supplemental interest then due on its City of Grand Junction Sanitary Sewer District No. 35-84 Registered Special Assessment

Bond, dated April 1, 1985.

Bond Maturity 19Bond NumbersSupplemen tal Interest AmountSupplement al Interest Rate			
\$%			

This Supplemental Interest Certificate commences to accrue interest on \_\_\_\_\_, 19\_\_\_\_\_, and continues until \_\_\_\_\_, 19\_\_\_\_\_.

This Supplemental Interest Certificate may be assigned by the registered owner or his or her duly authorized representative, such assignment to be noted hereon and registered to the assignee as before.

CITY OF GRAND JUNCTION

By: (Facsimile Signature)

\_\_\_\_\_

Registrar's Certificate of Authentication

This Certificate is one of the certificates described above.

CENTRAL BANK OF DENVER

By:

\_\_\_\_\_  
Authorized Officer

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner sells, assigns and transfers unto:

(Insert Social Security or other identifying number of Assignee)

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_

the within Supplemental Interest Certificate appertaining to Bonds numbered \_\_\_\_\_, and does hereby irrevocably appoint Central Bank of Denver or its successor, as Registrar to transfer this Certificate on the books kept for registration with full power of substitution in the premises.

Dated: \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Signature guaranteed:

\_\_\_\_\_  
\_\_\_\_\_

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 in accordance with the Resolution.

ADOPTED and APPROVED this 20th day of February, 1985.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

RESOLUTION NO. 9-85 - TO OBTAIN LETTER OF CREDIT FOR PREMIUM FOR WORKERS' COMPENSATION INSURANCE

The following Resolution was read:

RESOLUTION NO. 9-85

RESOLUTION OF BOARD OF DIRECTORS OF CITY OF GRAND JUNCTION  
250 North Fifth Street  
Grand Junction, Colorado 81501

AUTHORIZING SIGNING OF CHECKS AND NOTES AND ENCUMBERING ASSETS, ETC.

The undersigned, President of the City Council and City Clerk

respectively, of the City of Grand Junction, a Municipality do hereby certify that the following resolutions were unanimously adopted at a meeting of the Board of Directors of said Company, duly called and were held on February 20, 1985, at which meeting more than a quorum of said Board of Directors were present, that said resolutions appear in the minutes of this meeting, and that the same never have been amended, rescinded or revoked:

RESOLVED, that the following named persons are hereby authorized to borrow, on behalf of this Company, from time to time, from the IntraWest Bank of Grand Junction, Colorado, such sums of money as they may deem necessary or advisable, and in the name of this Company, to execute and deliver its obligations evidencing any sums so borrowed, bearing such dates, payable at such time with such rates of interest and containing such other terms and provisions as said Bank may require:

and/or John D. Tasker

# 1 Signature(s) required Finance Director

FURTHER RESOLVED, that the persons named in the last foregoing resolution be and they hereby are, authorized to pledge, transfer, assign, endorse and deliver to the IntraWest Bank of Grand Junction, Colorado, as security for the repayment of any sums so borrowed, any of the bonds, stocks, bills or accounts receivable, or other securities of this Company, execute and deliver trust deeds or mortgages on real estate, chattel mortgages or security agreements on personal property, and any other instruments creating liens on the assets of this Company, all upon such terms as may be required by said Bank.

FURTHER RESOLVED, that for the purpose of deposit in the account of accounts of this Company with the IntraWest Bank of Grand Junction, Colorado, any officer of this Company may endorse, sign or deliver on behalf of this Company, any checks, orders or other evidence of indebtedness for the payment of moneys payable to the order of this Company.

FURTHER RESOLVED, that the authority of the aforesaid persons to perform each and all of the powers conferred by the foregoing resolutions shall continue until notice in writing, terminating such authority, shall be served upon the IntraWest Bank of Grand Junction, Colorado, and shall be noted upon the certified copy of such resolutions delivered to said Bank.

WITNESS, our hands and the seal of said Company this 20th day of February, 1985.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

ADDITIONAL WORK CONSISTING OF EARTHWORK AND CONSTRUCTION OF NEW PAVEMENT SECTION EAST AND WEST OF 26.6 PATTERSON ROAD BRIDGE - APPROVED - CHANGE ORDER NO. 3 TO CONTRACT WITH UNITED COMPANIES OF MESA COUNTY IN THE AMOUNT OF \$26,000

City Manager Achen explained that a change order will be issued through the contract with United Companies of Mesa County for the 26.6 Patterson Road Bridge Replacement Project which will extend the pavement work on the project approximately 100 feet to the west of the bridge and approximately 430 feet to the east of the bridge. The purpose of the change order will allow the grading work that will be required for the completion of Patterson Road in the future in that section to be done now while the road is closed to both gain time on the final construction of that roadway later this season and to do this work while the traffic is already off the roadway and minimize the inconvenience to the motorist once the roadway is back open again. He said the change order was contingent upon the satisfactory completion of the utility relocations that must occur first so that timing was critical on this. He continue that if the utility relocations occur with the speed anticipated, the ability to do the grading work, cut the hill on the east, fill on the west, put down the vase, and put 24 feet of 2 inch pavement down before the bridge project is completed would be enhanced. Therefore, when the bridge opens again some of the major work will have been done which would have caused a disruption of traffic later on this construction season. Mr. Achen noted liability of inclement weather. If the project is started and inclement weather occurs, the Engineering Department was estimated up to 24 hours, or one day's delay in the ability to hard surface the road if the base is not down before inclement weather. Mr. Achen thought that the advantages this change order provides was to expedite the improvement of Patterson between 7th and 12th Streets later this construction season and well worth doing the project now. The prices of the change order were based on unit prices in the contract except for Items 59, 60 and 61 which represented an 8-inch pipe in the area that will be disturbed. That amounted to \$3000 to \$4000 of the \$26,000 change order.

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, Change Order No. 3 was approved.

ALLEY IMPROVEMENTS BETWEEN 4TH ST AND 7TH ST ON S SIDE OF MAIN - CITY MANAGER AUTHORIZED TO REQUEST OF PUBLIC SERVICE COMPANY OF COLORADO RELEASE OF RESERVE FUNDS FOR UNDERGROUNDING PORTION OF PROJECT

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried, the City Manager was authorized to request of Public Service Company of Colorado release of reserve funds for undergrounding portion of project.

#### COMMON SENSE COALITION DISCUSSION OF NUCLEAR FREEZE ZONES

Paul Crawford, representing Common Sense Coalition, appeared before Council to discuss nuclear freeze zones. Mr. Crawford stated that all nuclear power plants are to be shut down and decommissioned and that the Department of Energy proposed to haul not only nuclear waste but also the reactors to dump sites that have been proposed in Utah, Nevada and Washington. He said that Monticello, Utah, and Moab, Utah, are lobbying to get the dump sites in Davis Canyon and he believes they have a very good chance of being designated the dump site because of the geologic surveys that have been completed. He submitted a map showing the corridors proposed to haul the waste to the dump sites. He expressed great concern about possible spills and the subsequent damage to the areas where the spills occur. His group are requesting resolution from the towns, cities and counties along the proposed corridors calling for a non-partisan congressional hearing on a tenable solution to handle the nuclear waste. Of the three proposals, his group recommends permanent entombment of the nuclear reactors where they sit as the solution, Council took the copy of the Resolution for review.

#### HOUSING AUTHORITY

President of the Council Mike Pacheco announced that he had appointed John Bennett, Councilman from District A, to a seat on the Housing Authority. Councilman Bennett announced one vacancy on the Housing Authority and the possibility of a second seat becoming vacant.

#### CML

Councilwoman Clark announced that she left on the Council table information from the CML Policy Committee.

#### SUGGESTIONS

Councilman Lucero suggested that Council explore a water cost relief program during the summer months so that citizens who wish to plant vegetation in the park area between their homes and the streets may do so.

Councilman Lucero suggested that now would be a good time for Council to provide the City Manager with criteria regarding the City Engineering/Public Works Department.

#### ASSESSMENT COMMITTEE

Councilman Phipps announced that the Committee met and drew up the boundaries for Patterson and 12th Street.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk