

Grand Junction, Colorado

March 20, 1985

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

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

INVOCATION

Councilman Gary Lucero.

MINUTES

Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried, the minutes of the regular City Council meeting held March 6, 1985, were approved as submitted.

PROCLAMATION DECLARING MARCH 23, 1985, THE OPENING CEREMONIES OF THE 34TH ANNUAL COLORADO STATE BOWLING ASSOCIATION HANDICAP TOURNAMENT

PROCLAMATION DECLARING MARCH 20-24, 1985, "HEARTWORM PREVENTION WEEK"

HEARING - PROPOSED ORDINANCE - 1985 ZONING TEXT AMENDMENT

A hearing was held after proper notice on the petition by the Grand Junction Planning Commission for Zoning Text Amendments concerning Home Occupations, Residential Uses in Business and Commercial areas, Counseling Services, Right-of-Way Dedication Requirements, Variances, Sign Regulations, Small Animal Regulations, and Retail Sales in Residential Areas. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AMENDING THE ZONING AND DEVELOPMENT CODE AND CONCERNING HOME OCCUPATIONS, BUSINESS, RESIDENCES, THE PLANNING COMMISSION, COUNSELING CENTERS, STREET DEDICATION, VARIANCES, SIGNS, SMALL ANIMAL SPACING AND HOME-GROWN PRODUCE. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - ZONING FAIRWAY PARK ANNEXATION (VIKING CONDOS) TO PR-8, E OF GOLFMORE, N OF G ROAD

A hearing was held after proper notice on the petition to zone

Fairway Park Annexation (Viking Condos) to PR-8, Planned Residential at 8 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 Lucero, seconded by Councilman Phipps and carried, the proposed ordinance was passed for Publication.

#### ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

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

ORDINANCE NO. 2225 - REZONE FROM RSF-8 AND PB TO PB, PROPERTY LOCATED ON THE SE CORNER OF 12TH STREET AND PATTERSON ROAD

Upon motion by Councilman Lucero, seconded by Councilman Dunn and carried, the following entitled 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.

Dave McKinley, 1308 Wellington, submitted the following comments:

"There is some case authority that requires in all those cities with the two reading process that a record be made throughout the process. I just have three items. I stand on the record previously made and three items for which the evidence has arisen since your last meeting which I think I'm obligated under the law to make you aware of concerning my theory of why this rezoning is incorrect. First is a reference to the City Council workshop on February 19, 1985, where one of your bodies stated as follows and I quote, 'I have no problem with rezoning it for business, but there is no way I can vote for this until Smith's moves its buildings because I can't have it sitting on those back yards.' That Council person then approved the plan which moved the store 38 feet closer to those backyards than it was at the time the statement was made. It's my opinion that that's an example of arbitrary and capricious conduct and I think you have an opportunity to correct it tonight. February 20, 1985, the regular City Council meeting, as a reason for approval the Council person stated in referring to the intersection in question, quote 'We need to use public facilities to their greatest advantage.' and again referring to that intersection that person said such roads quote 'Need to be used to generate taxes for our city coffers.' It's my belief that such use of economic analysis as a basis for rezoning and plan approval is error and an example of arbitrary and capricious conduct. There are two sections in the particular code applicable that apparently

by interpretation require a vote especially in the situation here and that is where it was approved by the Planning Commission and also where a protest has been filed. It is my belief that because the interpretation required a vote, there has been a violation of law. I believe that as elected officials you must always be given the opportunity to abstain. There has been much said about a conflict of interest and that is not merely a legal term under Colorado law. There is also an ethical and moral structure which supports your conduct. It is my belief, based on the law, that you must always be given the opportunity to abstain and for instance I would make reference to the fact that your neighbor or friend might have a rezoning matter. Independent of the Smith issue according to the interpretation rendered by Mr. Ashby and especially because of these conflicting ordinances, if the same facts had obtained a vote would be required. I do not believe that is the law. There's only six of you here tonight. I hope Mr. Dunn will stay with us and ask the others of you to search your conscience and either abstain or change your vote and we'll have at least one of you have four to two and I think it stops here. Thank you."

There was no further discussion. Upon motion by Councilman Phipps, seconded by Councilwoman Clark and carried by roll call vote with Councilman DUNN voting NO, the ordinance was passed and adopted, numbered 2225, and ordered published.

RESOLUTION NO. 13-85 GIVING NOTICE OF ELECTION

The following Resolution was read:

RESOLUTION NO. 13-85

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

ELECTION NOTICE

CITY OF GRAND JUNCTION, COLORADO NOTICE OF GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 2ND DAY OF APRIL, 1985

PUBLIC NOTICE IS HEREBY GIVEN THAT A GENERAL MUNICIPAL ELECTION WILL BE HELD ON TUESDAY, THE 2ND DAY OF APRIL, 1985, IN THE POLLING PLACES HEREINAFTER DESIGNATED IN THE CITY OF GRAND JUNCTION, COLORADO.

That said General Municipal Election will be held at the several polling places in the several districts of the City of Grand Junction, Colorado, as follows:

DISTRICT "A", PRECINCT 1Two	
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Rivers Plaza 159 Main Street	
DISTRICT "A", PRECINCT 2Columbus School 2660 Unawep	
DISTRICT "B"Grand Junction High School 1400 North 5th Street	
DISTRICT "C"Mesa College Physical Education Center 12th and Orchard	
DISTRICT "D"Orchard Avenue School 1800 Orchard Avenue	
DISTRICT "E"Lincoln Park School 600 North 14th Street	

Upon the date and at the places designated, the polls will be open from the hour of 7:00 a.m. to and including and will be closed at the hour of 7:00 p.m. Voting devices will be provided in each polling place for the election. The ballots to be used in voting will be prepared and furnished by the City Clerk to the Judges of Election, to be by them furnished to the voters. The election will be held and conducted as nearly as may be as prescribed by law.

Registration for the said election did take place in the manner now provided by Ordinance and law.

That at said election a member of the City Council will be elected from each of three election districts (i.e. Districts "A", "D" and "E") and one from the City at Large to serve four-year terms, and a member of the City Council will be elected from one election district (District "B") to serve a two-year term.

Candidates are:

DISTRICT "A"

JOHN BENNETT  
PAUL MULDOWNY

DISTRICT "B"

DAVID N. BERRY  
JAMES LELAND

DISTRICT "D"

STEPHEN C. LOVE

DISTRICT "E"

CLARK L. CARROLL  
GARY A. LUCERO  
JEFF OLLINGER

CITY AT LARGE

ELIZABETH M. (BETSY) CLARK  
TIMOTHY V. MANNION

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Neva B. Lockhart, CMC, City Clerk

PASSED and ADOPTED this 20th day of March, 1985.

/s/ J.P. Mike Pacheco  
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Attest:

/s/ Neva B. Lockhart  
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City Clerk

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

RESOLUTION NO. 14-85 APPOINTING JUDGES OF ELECTION

The following Resolution was read:

RESOLUTION NO. 14-85

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

That the following persons be, and they are hereby appointed as Judges of Election and Alternates for the General Municipal Election to be held in the City on Tuesday, April 2, 1985.

DISTRICT A, Precinct 1

Judges:

Mildred Sawyer  
249 Grand Avenue

Marion Brayton  
811 Colorado Avenue

Josephine Manzanares

644 West Colorado Avenue

Alternates:

Janice Serna  
431 Lawrence Avenue

DISTRICT A, Precinct 2

Judges:

Patricia Parrish  
310 E. Highland

Wesley Miller  
288 26 1/4 Road

Lois L. Geary  
2704 C Road

Alternates:

Pearl Kovacic  
1710 Laveta

Alice Arcieri  
2690 B-3/4 Road

DISTRICT B

Judges:

Helen Kephart  
435 North Avenue

Helen Dixon  
2562 F Road

Charles Teed  
510 West Mesa Avenue

Patricia Mehs  
455 Mesa Court

Alternates:

Edith Bauer  
2551 Mayfair

DISTRICT C

Judges:

Aura Moon

564 Normandy Drive

Mae Uhlemann  
1234 Texas Avenue

Mary Ann Warner  
1340 N. 21st Street

William H. Nelson  
1000 Texas Avenue

Alternates:

Dorothy Gearhart  
555 28 1/2 Road, #21

DISTRICT D

Judges:

Nora Peterson  
2540 N. 12th Street

Hallie Meek  
1161 Lowell Court

Louise Sutrina  
2012 N. 22nd Street

Mary Colosimo  
1032 Lakeside Drive

Alternates:

Lenore Ellis  
2042 N. 22nd Street

Delbert Mueller  
2002 N. 21st Street

DISTRICT E

Judges:

Irene Abbey  
1805 Grand Avenue

Pauline Bynum  
2022 Gunnison Avenue

Helen Youngerman  
535 N. 17th Street

Basil Knight

1110 Gunnison Avenue

Alternates:

Ester Granat  
1055 Chipeta

Margie Lopas  
1261 Colorado Avenue

ABSENTEE

Shirlee Roth  
2837 Elm Avenue

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

That each Judge of Election serving on the day of election be compensated for his/her time by the payment of fifty dollars (\$50).

PASSED and ADOPTED this 20th day of March, 1985.

/s/ J.P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

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

RESOLUTION NO. 15-85 SUPPORTING APPROPRIATE STEPS TO RECLASSIFY THE COLORADO NATIONAL MONUMENT AS A STATE CATEGORY 2 AIR QUALITY AREA

The following Resolution was read:

RESOLUTION NO. 15-85

CONCERNING AIR QUALITY IN THE COLORADO NATIONAL MONUMENT.

Recitals

The City Council of the City of Grand Junction is abundantly aware of the value of the Colorado National Monument to Mesa County and to the City of Grand Junction because of the many tourists it attracts and because of the recreational area it affords for



citizens of Grand Junction and Mesa County. The Council also recognizes that a part of the attractiveness of the Monument is the clean and clear air present there. However, the City Council is also mindful of the balance which must be struck between the demands of the Monument and the demands of economic development in Mesa County and Grand Junction if the area is to get out of its economic doldrums and continue to develop and prosper.

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

That the Legislature and any other regulatory body of the State of Colorado having authority in the matter be strongly urged to change the air quality designation for the Colorado National Monument from Category 1 to Category 2 for the following reasons:

1. Category 2 is an acceptable compromise between those interested in pure air and those who understand the economic necessities of the area.
2. Category 1 is sufficiently stringent in requirement that businesses may not be interested in coming into the area, not because they are not interested in maintaining proper standards but because, if another is not, they may be forced to cease operation along with all others.
3. There are other methods of forcing conformance by offending industry without so strict a standard being applied in a general area.

PASSED and ADOPTED this 20th day of March, 1985.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

Comments were had from Clemens M. Kopf, Chairman of the Colorado Public Air Quality Control Commission; John Leary; Paul Muldowney; Tim Armstrong; David Berry; Mark Pierce; Ed Hurlbert; and Scott Miller, District Engineer Air Pollution Control Division for the Colorado Department of Public Health.

After lengthy discussion, it was moved by Councilman Dunn and seconded by Councilman Phipps that Resolution No. 15-85 be passed and adopted as read.

It was moved by Councilwoman Clark and seconded by Councilman Lucero to postpone the resolution so that a study of the overall

air quality issues be made broadening Council's studies beyond just SO2.

Council members voting AYE: CLARK, LUCERO.

Council members voting NO: BENNETT, DUNN, PHIPPS, PACHECO.

The President declared the motion lost.

Roll was called on the motion to pass and adopted Resolution No. 15-85 as read.

Council members voting AYE: BENNETT, DUNN, PHIPPS, PACHECO.

Council members voting NO: CLARK, LUCERO.

RESOLUTION NO. 16-85 ALTERING THE DIRECTION TO THE LIQUOR/BEER HEARING OFFICER REGARDING PENALTIES FOR LIQUOR OR BEER CODE VIOLATIONS

The following Resolution was read:

RESOLUTION NO. 16-85

CONCERNING PENALTIES TO BE ASSESSED FOR VIOLATIONS OF THE LIQUOR AND BEER CODES AND REGULATIONS.

WHEREAS, the City Council on the 5th day of December, 1984, by Resolution No. 64-84, adopted a statement of policy as to penalties for violations of the Liquor and Beer Codes and the regulations established under them; and

WHEREAS, the statement provided for a mandatory penalty of suspension for at least some time period; and

WHEREAS, the City Council, while still holding to its desire that the Codes be strongly enforced, believes that consistency and uniformity of action would best result from a more flexible approach;

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

1. That the Hearing Officer be reminded that it is the policy of the Council that the Liquor and Beer Codes be strictly and strongly enforced, but that no mandatory penalty of suspension be required, with the Hearing Officer to act with his best judgement to treat offenders fairly and consistently.

2. This policy change may be considered by the Hearing Officer on pending as well as future decisions.

PASSED and ADOPTED this 20th day of March, 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 Clark and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 17-85 OF INTENT TO WITHDRAW FROM THE STATE FIRE AND POLICE PENSION SYSTEM (FPPA)

The following Resolution was read:

RESOLUTION NO. 17-85

EXPRESSING THE INTENT OF THE CITY OF GRAND JUNCTION TO WITHDRAW FROM THE STATE OF COLORADO FIRE AND POLICE PENSION ASSOCIATION.

WHEREAS, the City of Grand Junction, as an employer under Section 31-30-1002(4) C.R.S. as amended, desires to withdraw from the State of Colorado Fire and Police Pension Association; and

WHEREAS, a resolution of intent to withdraw must be filed with the Fire and Police Pension Association in accordance with Section 31-30-1003(2)(6) C.R.S. as amended and Section 203.01 of the Rules and Regulations of the Fire and Police Pension Association; and

WHEREAS, the resolution of withdrawal must also state a requested date for withdrawal;

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

That the City of Grand Junction intends to withdraw from the State of Colorado Fire and Police Pension Association; and

FURTHER, that the effective date of withdrawal be January 1, 1986, or as ????

FURTHER, that this Resolution of Withdrawal be filed with the Fire and Police Pension Association by delivering a certified copy of this Resolution to such Association.

PASSED and ADOPTED this 20th day of March, 1985.

/s/ J.P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

City Manager Mark Achen explained the proposed action. The current statutes allow members of the FPPA municipalities to withdraw from the State Pension Plan after giving a year's notice meeting the information requirements of the Pension Board and approval of 65% of the participants of the plan that are City employees. It also allows withdrawal by department. In the City's case, the Police Department and a number of the officers of the department have expressed an interest in this option. At this time the City has not developed the portion that employees would go to other than the State Pension Plan. However, the Pension Authority has and is lobbying the State Legislature to prohibit the City from withdrawing and to take the option away from municipalities for ever withdrawing. The intent of this Resolution was twofold, according to Mr. Achen. One, to send a message to the Legislature that the City of Grand Junction desires to withdraw and hopefully encourage them to continue statutory authority giving the City the option, and the second reason was to give notice to the Pension Authority that indeed the City does have at least one employee group that is interested in considering that and during this interim period of this next year, the City would be developing the option of an alternative plan and making employees aware of that and informing them of that, and providing an opportunity for employee reaction to that in the vote. Whether the City withdraws or not, it really is not at a point where it can be said yes indeed we are sure we do as much as to say we want to keep open our option--we're concerned the Legislature is thinking about taking the option away from us and we have some employees who have expressed an interest. The interest has primarily come from the Police Department at this point.

Mr. Ashby mentioned that the bill that is before the Legislature has now been amended to provide that 1988 is now the target date, so we would be safe but there was some consideration when we began working on this Resolution that the Legislature might cut us off in midstream here, so this might have been a futile act. But he thought that the Resolution should still be adopted so that it gives the policemen or the firemen the opportunity to vote down the line on which plan they want to be in.

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

RESOLUTION NO. 18-85 OF NECESSITY TO CONDEMN LAND ON F ROAD

The following Resolution was read:

RESOLUTION NO. 18-85

ESTABLISHING THE NEED FOR THE ACQUISITION OF INTERESTS IN LAND UNDER EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the City of Grand Junction is undertaking construction of Patterson Road or F Road from 12th Street to 28 1/4 Road; and

WHEREAS, it is necessary to acquire immediately certain interests in lands owned by Rogder L. Huston in order to proceed with such construction;

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

That it is necessary that the City of Grand Junction immediately acquire the interests indicated in the following described lands for the purpose of the construction on the roadways named above, to wit:

A parcel of land for Road and utility right of way purposes being a portion of the NW4 of the E4NW4NE4 of Sec 12, T1S, R1W of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

The N 44.5 ft of a tract of land owned by the undersigned as described in B-1329, P-637, Parcel 1, and recorded in the office of the Mesa County Clerk and Recorder.

The above described parcel of land contains 3572 sq ft more or less, of which 2408 sq ft, more or less, is right of way for the present F Road.

PE-230 Description

A Permanent Easement for Roadway Slope, Utilities and Irrigation purposes being a portion of the NW4 of the E4NW4NE4 of said Sec 12, more particularly described as follows:

Commencing at the NW Cor of the E4NW4NE4 of said Sec 12 and considering the Nly boundary line of said Sec 12 to bear E with all bearings being herein relative between said found corner and found Mesa County Brass Cap #279 set for the NE Cor of the NW4NE4 of said Sec 12, as the basis of bearings;

Thence along the Nly boundary line of said Sec 12 E, 170.0 ft to the NW Cor of a tract of land owned by the undersigned as described in B-1329, P-637, and recorded in the office of the Mesa County Clerk and Recorder;

Thence along the Wly boundary line of said tract of land S, 44.5 ft to the True Point of Beginning;

Thence along a line which abuts and lies adjacent to the S of the

above right of way description E, 80.25 ft to the intersection of the Ely boundary line of said tract of land; thence along the Ely boundary line of said tract of land S 17.????

Thence N 60 deg. 00 min. W, 24.0 ft; thence W 59.47 ft to the intersection of the Wly boundary line of said tract of land; thence along the Wly boundary line of said tract of land N, 5.5 ft to the True Point of Beginning.

A parcel of land for Road and utility right of way purposes being a portion of the E4NW4NE4 of Sec 12, T1S, R1W of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

The N 44.5 ft of the following described tract of land owned by the undersigned as described in B-1329, P-637, Parcel 2, and recorded in the office of the Mesa County Clerk and Recorder, to wit:

Beginning at the NW Cor of the E4NW4NE4 of said Sec 12; thence S 315.0 ft; thence N 55 deg. 55 min. E, 205.3 ft; thence N 200.0 ft; thence W 170.0 ft to the True Point of Beginning.

and

A Permanent Easement for Roadway Slope, Utilities and Irrigation purposes being a portion of the E4NW4NE4 of said Sec 12, lying adjacent to the S Side of F Rd, more particularly described as follows:

The S 5.5 ft of the N 50.0 ft of the above said tract of land, which abuts and lies adjacent to the S of the above described right of way description, owned by the undersigned as described in B-1329, P-637, Parcel 2, and recorded in the above said office.

PASSED and ADOPTED this 20th day of March, 1985.

/s/ J.P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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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. 19-85 APPROVING SWAP OF THE CITY'S 1984 FEDERAL AID URBAN SYSTEM FUNDS FOR MESA COUNTY'S FEDERAL AID URBAN SYSTEM FUNDS IN 1986

The following Resolution was read:

RESOLUTION NO. 19-85

A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING AMENDMENT TO THE FISCAL YEAR 1985-1989 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE GRAND JUNCTION URBANIZED AREA

WHEREAS, the City and the County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction Urbanized Area; and

WHEREAS, the City and the County realize the importance of coordinating transportation improvements in the urbanized area; and

WHEREAS, Federal Laws establishing aid to urban street systems require the comprehensive planning of improvements (23 U.S.C. 134 and 49 U.S.C. 1607); and

WHEREAS, the City and the County wish to make the most effective use of funds on the transportation system, whether the source of funds be local, state, or federal;

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the City of Grand Junction will exchange with Mesa County the Fiscal Year 1984 Federal Aid Urban System (FAUS) Funds currently designated for use by the City for Fiscal Year 1986 FAUS funds now designated for use by the County.

That the amendment to the Fiscal Year 1985-1989 Transportation Improvement Program for the Grand Junction Urbanized Area, hereunto attached, be adopted as shown.

PASSED and ADOPTED this 20th day of March, 1985.

CITY OF GRAND JUNCTION

/s/ J.P. Mike Pacheco

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

COUNTY OF MESA

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Chairman of the Board of County Commissioners of Mesa County

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Attest:

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County Clerk

ATTACHMENT TO RESOLUTION NO. 19-85

PROGRAM: F.A.U.S. Carryover

LOCATION: Various projects

PROJECT DESCRIPTION: Overlay existing roadways, and where necessary bring up to minimum 3R standards for MAT width, horizontal clearance and guardrails.

RESPONSIBLE GOVERNMENT: Mesa County

PAST FUNDING: No

FUTURE FUNDING: No

LONG RANGE:

TSM: X

REMARKS

BUDGET YEAR198519 8619871988 1989					
FEDERAL:\$4 67,257					
STATE:					
LOCAL:\$131 <u>790</u>					



TOTAL:\$599 ,047					
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Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried by roll call vote, the Resolution was passed and adopted as read.

WATER COMMITTEE - RESERVOIR NO. 8 - RECONSTRUCTION - CITY'S SHARE, \$42,000

Mr. Achen stated that pursuant to the direction of the Council's Water Committee, Staff met with the Grand Mesa Reservoir Company of which the City is a part owner regarding the repair of Reservoir No. 8 which was breached the winter before last. The cost of the repair was estimated to be \$140,000. The Reservoir Company obtained tentative approval of \$50,000 grant from the Agricultural, Stabilization, and Conservation Service, and the City reached agreement with the Reservoir Company that the City will front-end the project cost (the grant is a reimbursement grant) with the City's share of the project being \$42,000, with the balance of the project cost of approximately \$48,000 to be in the form of an agreement with individual share owners proportioned among the share owners according to the amount of their ownership of the Company on a five-year note agreement at the City's current rate of investment return. So the City in essence would be financing about \$48,000 of the project over a four-year period with each of the individual owners of that Company. This arrangement would permit the restoration during this construction season before next year's winter melt so the reservoir would be usable during next year's runoff season.

President Pacheco pointed out that should the cost of restoration exceed \$140,000 that the normal percentage of ownership allocation would apply to those funds over \$140,000. Mr. Achen agreed and stated that if the cost goes over or under the estimated cost, the savings or the extra cost would be distributed among all members, including the City, based on their percentage of ownership of the total company.

Upon motion by Councilman Phipps, seconded by Councilman Dunn and carried, the City Manager was authorized to proceed.

LRF CONSULTANTS, INC. - AUTHORIZED TO PROCEED WITH STUDY FOR PRIVATIZATION OF FLOW LINE OR TO CONSTRUCT NEW ONE - COST NOT TO EXCEED \$2,000 - TO BE COMPLETED BY END OF APRIL

Upon motion by Councilman Phipps, seconded by Councilman Dunn and carried, the City Manager was authorized to proceed with the expenditure of up to \$2,000 for the study by LRF Consultants, Inc., regarding the privatization of the flow line to the water

treatment plant or whether to construct a new one, said study to be completed by the end of April.

WAIVER OF RIGHT-OF-WAY DEDICATION GRANTED ALBERTSON'S/SKAGGS, 12TH AND ORCHARD, FOR TEMPORARY USE BY TROPICAL SNOW

Mr. Achen reported that Mr. Lawrence Sumner applied for a building permit to place a temporary structure on the property of Albertson's/Skaggs at 12th and Orchard. The permit was held up as there is a provision in the Code requiring the property owners to dedicate right of way. The Planning Commission reviewed the proposal and recommended waiver of dedication since this will be a temporary structure. Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried, the waiver of right-of-way dedication for the temporary structure, Tropical Snow, was granted.

CONCESSION CONTRACTS FOR LINCOLN PARK STOCKER STADIUM AND LINCOLN PARK POOL

After review of the memorandum submitted by Staff, and listening to a presentation by Mr. Lewis Miller as to his qualifications for the contracts, it was moved by Councilman Dunn and seconded by Councilwoman Clark that the Lincoln Park Concession contract be awarded to Mr. Dave Hunt and Mr. Corky Hunt. Motion carried.

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the concession contract for the Lincoln Park Pool was awarded to Mr. Robert Shopbell.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC