

Grand Junction, Colorado

May 15, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 15th day of May, 1985, at 7:30 p.m. in the City-County Auditorium, at City Hall. Those present were Council members John Bennett, James Leland, Steve Love, Gary Lucero, Timothy Mannion, 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 Councilman Mannion led in the Pledge of Allegiance.

INVOCATION

Pastor Roger Ferguson, Clifton Christina Church.

MINUTES

Upon motion of Councilman Phipps, seconded by Councilman Bennett and carried, the minutes of the regular meeting May 1, 1985, were approved as submitted.

PROCLAMATION DECLARING MAY 28, 1985, "MISS GRAND JUNCTION DAY"

PROCLAMATION DECLARING DAYS FROM MAY 24, 1985, TO JUNE 1, 1985, "JUCO WEEK" IN GRAND JUNCTION

REORGANIZATION OF COUNCIL - RAYMOND PHIPPS ELECTED PRESIDENT OF THE COUNCIL EX-OFFICIO MAYOR - MIKE PACHECO ELECTED PRESIDENT OF THE COUNCIL PRO TEMPORE EX-OFFICIO MAYOR PRO TEMPORE

Upon motion of Councilman Love, seconded by Councilman Leland and carried by acclamation, Ray Phipps was elected President of the Council Ex-Officio Mayor of the City of Grand Junction. The Oath of Office was administered. President of the Council Phipps assumed his Chair upon the presentation of his gavel.

Upon motion of Councilman Leland, seconded by Councilman Bennett and carried by acclamation, Mike Pacheco was elected President of the Council Pro Tempore Ex-Officio Mayor Pro Tempore. The Oath of Office was administered. President Phipps presented Councilman Pacheco with his gavel.

INTRODUCTIONS

Adriana Pacheco, Jerry Phipps, Mr. and Mrs. Art Phipps, children and grandchildren of Ray Phipps, were present in the audience and acknowledged.

AWARDS OF APPRECIATION PRESENTED BY PRESIDENT PHIPPS TO CECIL

HOBBS AND WARREN LOWE FOR THEIR 19 YEARS AND 11 YEARS RESPECTIVELY OF SERVICE ON THE BOARD OF ADJUSTMENT AND APPEALS

REQUEST TO WAIVER 10% SURCHARGE FEE AT LINCOLN PARK FOR "DRUMS ALONG THE ROCKIES" ON FRIDAY, JULY 5, 1985 - APPROVED

Mel Mulder, representing the "1985 Drums Along the Rockies" show, appeared before Council to request a reduction of the park use fee, a waiver of the surcharge fee on the items sold by the individual corps, and sponsor one corps for the visit to Grand Junction. After discussion, Councilman Pacheco moved to waive the 10% surcharge fee at Lincoln Park for this event, but to maintain the park use fee in fairness to other users. The motion was seconded by Councilman Lucero and carried unanimously.

CONSENT SECTION - PLANNING COMMISSION ITEMS (SUBJECT TO CONDITIONS OF PLANNING COMMISSION)

The following items were considered as they had exceeded the development schedule and/or zone. The Planning Commission recommended reversion:

- a. Crown Heights Filing #2, NE Corner of 271/2 Road and Cortland - Reversion per petitioner's request.
- b. Hawthorne Place at Crestview III, NW of F Road and 271/2 Road - Reversion per petitioner's request.
- c. CBW Office Condos, N of I-70 at 271/4 Road Line - Reversion per petitioner's request.
- d. Guffey Rezone, 845 Colorado Avenue, now zoned Planned Business, will revert to B-1 Limited Business

Upon motion of Councilman Love, seconded by Councilman Lucero and carried, the foregoing items were approved for reversion.

BIDS - AWARD OF CONTRACT - CURB, GUTTER AND SIDEWALK REPAIRS, 1985 - CONSTRUCTION SERVICES - \$117,345

Bids were received and opened May 9, 1985, for the 1985 Curb, Gutter and Sidewalk Repairs. Bidders were:

Fred Cunningham Construction Company \$131,899.00

Construction Services \$117,345.00

Engineer's Estimate \$108,502.50

Staff recommended award of contract to Construction Services. Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried, the bids were accepted, the contract was awarded Construction Services for its bid of \$117,345, and the City Manager was authorized to sign said contract.

BIDS - AWARD OF CONTRACT - GOLF COURSE FERTILIZER - S.A.J. TURF PRODUCTS - \$12,950.40

Bids were received and opened on the Golf Course Fertilizer contract for Lincoln Park and Tiara Rado Golf Courses. Bidders were:

Randall Industries \$13,507.00

M.J.K. Sales \$13,315.20

S.A.J. Turf Products \$12,950.40

Staff recommended award of contract to S.A.J. Turf Products for its low bid. Upon motion of Councilman Mannion, seconded by Councilman Pacheco and carried, the contract for the Golf Course fertilizer was awarded S.A.J. Turf Products for its bid of \$12,950.40.

BIDS - AWARD OF CONTRACT - SIX (6) MARKED POLICE PATROL CARS - WESTERN SLOPE FORD - \$72,078

One bid was received from Western Slope Ford for six (6) 1985 marked Police Patrol cars in the amount of \$72,078. Upon motion of Councilman Bennett, seconded by Councilman Mannion and carried, the bids was accepted and the contract was awarded to Western Slope Ford for its bid of \$72,078.

HEARINGS - PROPOSED ORDINANCE - REVERSION OF PLAN AND/OR ZONING

Hearings were held on the following items recommended by the Planning Commission for reversion of plans and/or zoning due to the failure of petitioners to dedicate rights-of-way and due to petitioners failure to respond:

#3-81 - Tamerlane, NW Corner of F1/2 and 271/4 Road Line (15th Street)

#70-81 - Orchard Grove, SE Corner of 12th Street and Orchard

#105-81 - Hodges Addition, 2048 N. 12th Street, NE Corner of 12th and Walnut

#26-82 - Conditional Use - First Security Drive-Up Window, 2692 Highway 50

#44-83 - Crossroads Nautilus, 2770 Compas Drive

Richard Livingston, 2808 North Avenue, was present to comment on #70-81, Orchard Grove, southeast corner of 12th Street and Orchard Avenue. As one of the owners of the property, he stated that they did not feel they could ask for a further extension of the zoning on the property. There were no other comments from the audience;

there were no letters or petitions. Councilman Lucero stated that he would like to see the Council address this item and the Planning Code at a workshop to see whether this process is really necessary.

Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried with Councilman LUCERO voting NO, the above-listed items were approved for reversion.

The following entitled proposed ordinance was read: AN ORDINANCE REVERTING THE ZONING ON CERTAIN LANDS IN THE CITY TO THE FORMER ZONING CATEGORY. Upon motion of Councilman Love, seconded by Councilman Pacheco and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - SUPPLEMENTAL APPROPRIATIONS

The following entitled proposed ordinance was read: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO CERTAIN FUNDS. Upon motion of Councilman Lucero, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

HEARING - I.D. ST-84, PHASE B - PATTERSON ROAD FROM 7TH STREET TO 12TH STREET AND 271/2 ROAD TO 281/4 ROAD - RESOLUTION NO. 30-85 CREATING DISTRICT - DEFEATED

A hearing was held after proper notice on the proposal to create I.D. ST-85, Phase B, Patterson Road from 7th Street to 12th Street, and 271/2 Road to 281/4 Road. Comments were had from the following people: John Williams, resident of Mantey Heights; John Schumacher, 608 Viewpoint Drive, representing a majority of homeowners and submitting a petition signed by approximately 116 people: approximately 125 people in the audience who stood opposing the creation of the district; Jim Hensley, 2734 Patterson Road; Bud Lovato, 804 Jamaica Drive; Dennis Price, 138 Santa Fe; Harold Hamel, 135 Carlitos Avenue; Bill Graham, 2129 Barberry Avenue, representing J. Earl and Mildred Shaw, 2778 Patterson Road; Dick Pond, 2714 8th Court; Earl Jensen, 215 Easter Hill Drive; Dick Coakley, Mantey Heights. A number of letters were filed. The hearing was closed.

Resolution No. 30-85 Creating the District was read. It was moved by Councilman Pacheco, and seconded by Councilman Lucero that the Resolution be passed and adopted as read. Roll was called upon the motion with the following result: Councilmembers voting AYE: LELAND, LUCERO, PHIPPS. Councilmembers voting NO: BENNETT, LOVE, MANNION, PACHECO. The President declared the motion lost, and the Resolution failed to pass.

CONTRACT BETWEEN DDA AND DELBERT MCCLURE CONSTRUCTION FOR CONSTRUCTION OF SHELTERS AND KIOSKS ON MAIN STREET FROM 3RD TO 7TH IN AMOUNT OF \$112,941 RATIFIED

Upon motion of Councilman Bennett, seconded by Councilman Pacheco

and carried, the contract between the Downtown Development Authority and Delbert McClure Construction for the construction of shelters and kiosks on Main Street from 3rd Street to 7th Street, in the amount of \$112,941 was ratified.

CONTRACT BETWEEN DOWNTOWN DEVELOPMENT AUTHORITY AND MOUNTAIN BELL FOR COST OF UNDERGROUNDING TELEPHONE FACILITIES WITHIN THE ALLEY ON THE S SIDE OF MAIN ST BTN 4TH AND 7TH STREETS IN THE AMOUNT OF \$42,000 RATIFIED

Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried, the contract between the Downtown Development Authority and Mountain Bell for the cost of undergrounding telephone facilities within the alley on the south side of Main Street between 4th and 7th Streets in the amount of \$42,000 was ratified.

CONTRACT BETWEEN DDA AND ARIX ENGINEERS FOR DESIGN AND ENGINEERING OR IMPROVEMENTS TO 7TH AND MAIN AND 3RD AND MAIN INTERSECTIONS, AND THE ALLEY BTN MAIN AND COLORADO FROM 4TH TO 7TH STREETS RATIFIED

Upon motion of Councilman Leland, seconded by Councilman Pacheco and carried, the Contract between the Downtown Development Authority and ARIX Engineers for design and engineering of improvements to 7th and Main and 3rd and Main intersections, and the alley between Main and Colorado from 4th to 7th Streets was ratified.

RESOLUTION NO. 31-85 REVOKING THE RENAMING OF HILARIA AVENUE

The following Resolution was read:

RESOLUTION NO. 31-85

REVOKING THE RENAMING OF HILARIA AVENUE IN THE CITY OF GRAND JUNCTION.

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

That that portion of road right-of-way situated in CH Four Commercial Park platted as HILARIA AVENUE and changed by Resolution No. 26-85 to SUNDSTRAND BOULEVARD be renamed HILARIA AVENUE.

PASSED and ADOPTED this 15th day of May, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RECOMMENDATION IN REGARD TO THE SMITH FOOD PETITIONS, 12TH AND PATTERSON - SPECIAL ELECTION SET FOR JULY 16, 1985

City Attorney Ashby stated that at the last meeting of Council, there was a protest filed and the sense of that protest was that persons were paid to circulate petitions. Mr. Ashby said that a number of attorneys briefed the point. He was not sure that all the attorneys reached total consensus, but that he determined that the particular Section of the Statute did not apply to a Home Rule city such as Grand Junction, and therefore, this was not a proper objection to the petition. Since that time, a supplemental protest of the petitions has been filed by Mr. Prakken, who represents Smith Foods.

Mr. Prakken was present to address that issue. Mr. Prakken stated that with respect to the original protest filed at the last Council meeting, it dealt with the fact that their information was that certain individuals had been paid to circulate petitions. He said that they respectfully disagreed with Mr. Ashby's opinion. It was their position that the State Statute which prohibits payment for circulation of petitions was indeed applicable in Home Rule cities such as Grand Junction. Since they filed the original protest, he said they had received additional information that many of the petitions evidently were circulated by these individuals that were paid to do so. They then returned the petitions to members of the group who are in opposition to the rezone. The members of the group asked the circulators if the signatures were valid; they, of course, said yes, and the member of the opposition group would sign the affidavit at the bottom of the petition. As a result of receiving that information, he filed the supplemental protest. This issue, that is to say the question of the procedure that was followed, doesn't necessarily involve the distinction between Home Rule and non Home Rule cities. It was his position that this process was legally invalid under Section 28 of the City Charter which calls for individuals to sign the petitions and verify that the signatures are genuine. He said they did not feel the procedure that was followed could result in someone giving an intelligent and accurate statement as to whether the signatures are indeed genuine or not. Admittedly, he said, the language in the City Charter under Section 28 on this issue was less than crystal clear. But he said that it was their position that the framers of the City Charter didn't have in mind an initiative and referendum process where you pay people to circulate petitions, they deliver them to somebody, that person would sign them and submit them to the City Clerk. It was for that reason, he said, that they would ask the Council to invalidate the petitions. One other matter that had surfaced in this research, he

said, was that no hearing had been held to take evidence or to hear testimony on the process under which these petitions had been circulated and the signatures were obtained. He said it was their position legally that constitutional due process requires that that kind of a hearing be held and further that State Statutes, subject to the Home Rule question again, but State Statutes likewise require some form of evidentiary hearing, and he wanted to make that known to the Council as well. He said that Smith's want to be a part of this community and do business in this community. They do not want to deny the right of citizens to engage in the initiative and referendum process; that's not the point. He said that Smith's takes the position that those members of the neighborhood surrounding the project who oppose the project should do so in a way that complies with the law and it was Smith's position that they simply had not done so, they had not followed the rules. He asked that the petitions be invalidated and denied.

Mr. Ashby responded that the thing to remember was that the petition process was one that has been pretty near and dear to the Constitutional framers and to everyone else. He said it was one of those things that you don't try to mask in some sort of difficult set of rules. You try to get effective petitions if you can. He conceded that as Mr. Prakken had pointed out, the City Charter was not totally clear in spelling out every little thing that has to be done in regard to petition. But it was Mr. Ashby's feeling that in reviewing the Charter provisions and even accepting as true, and he pointed out that the City has no proof of that at this point, what Mr. Prakken indicated was the scenario in securing these that the petitions were still valid. He stated that the thing that was required of the petition signer who was affirming that these were signatures of persons they purport to be was that he determine that in his own mind. There was nothing that said that he must be the circulator of the petition. Mr. Ashby said that it was still his opinion that the petitions were valid; they had a valid number of signatures on them and that the protests were not valid in relation to these particular petitions and that the Council should act either to repeal the Ordinance which it had adopted or to set an election. In response to a question from Councilman Pacheco, Mr. Ashby stated that he believed that it was proper to declare the petitions valid and to set a date for the election. Mr. Ashby indicated that Mr. Prakken had the alternative, if they felt Council was acting improperly, of bringing a court action and then have the hearings that Mr. Prakken indicated. They have not been deprived of the next step, and Mr. Ashby felt the Council was on sound ground.

Upon motion of Councilman Mannion, seconded by Councilman Bennett and carried, the petitions were accepted as valid and the date for the election was set for Tuesday, July 16, 1985.

RESOLUTION NO. 34-85 INDUCEMENT FOR INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR MESA VIEW RETIREMENT APARTMENTS - 103 UNITS \$4,000,000

The following Resolution was read:

RESOLUTION NO. 34-85

RESOLUTION OF INDUCEMENT FOR INDUSTRIAL DEVELOPMENT BONDING FOR THE DEVELOPMENT OF A RETIREMENT APARTMENT COMPLEX FOR MESA VIEW RETIREMENT APARTMENTS, AN OREGON GENERAL PARTNERSHIP.

WHEREAS, the City of Grand Junction, County of Mesa, State of Colorado (the "City") is authorized by the City Charter and the County and Municipality Development Revenue Bond Act, C.R.S. constituting Title 29, Article 3, Part 1, C.R.S., as amended (the "Act"), to finance one or more projects, including any land, building or other improvements and all necessary and appurtenant real or personal properties suitable for manufacturing, industrial, commercial or business enterprises; and

WHEREAS, the City is further authorized by the Act to issue its revenue bonds or other obligations for the purpose of defraying the cost of financing any such project; and

WHEREAS, representatives of Mesa View Retirement Apartments, an Oregon General Partnership formed by Colson & Colson Construction Company, William E. Colson, Hugh D. Colson and Alfred B. and Eula Carrick, husband and wife (the "User") have met with officials of the City and have advised the City of the User's interest in acquiring, constructing and equipping a 103-unit retirement apartment complex (the "Project"), subject to the willingness of the City to finance the Project by the issuance of industrial development revenue bonds or other obligations pursuant to the Act; and

WHEREAS, the City has considered the User's proposal and has concluded that the economic benefit to the City will be substantial and it wishes to proceed with the financing of the Project under the process established by Senate Bill 108 (April 5, 1985) Fifty-fifth General Assembly, First Regular Session, amending Article 32 of Title 24, Colorado Revised Statutes, (1982 Supplement), whereby the City may apply to the State for an allocation of the Statewide Balance; and

WHEREAS, the action herein contemplated is not prohibited by the Charter or any ordinances of the City;

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

Section 1. In order to induce the User to complete the Project within the City, the City shall take all steps necessary or advisable to effect the issuance of industrial development revenue bonds or other obligations in a maximum aggregate principal amount not exceeding \$4,000,000 or such lesser amount as shall be mutually agreed upon to finance the Project. No costs are to be borne by the City in connection with this transaction.

Section 2. Prior to execution of the necessary financing documents as shall be mutually agreed upon in connection with the Project and such bonds or other obligations, such documents will be subject to authorization by Ordinance of the City Council pursuant to law and any ordinances or rules of the City.

Section 3. The User has agreed to provide for reimbursement of all expenses incurred or to be incurred by the City related to the Project.

Section 4. Nothing contained in this Resolution shall constitute the debt or indebtedness of the City within the meaning of the City Charter or the Constitution or statutes of the State of Colorado, nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers.

INTRODUCED, PASSED AND ADOPTED this 15th day of May, 1985.

/s/ Raymond G. Phipps

President of the Council

ATTEST:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried by roll call vote with Councilman LUCERO voting NO, the Resolution was passed and adopted as read.

RESOLUTION NO. 35-85 ENABLING THE ESTABLISHMENT OF A PURCHASE RETIREMENT PLAN

The following Resolution was read:

RESOLUTION NO. 35-85

ENABLING THE ESTABLISHMENT OF A PURCHASE RETIREMENT PLAN.

WHEREAS, the establishment of a Money Purchase Plan will benefit employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

WHEREAS, the establishment of a Money Purchase Plan will assist the City of Grand Junction to attract and retain qualified personnel; and

WHEREAS, the City desires that its Money Purchase Plan be administered by the ICMA Retirement Corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

GRAND JUNCTION:

That the City establish a Money Purchase Plan in the form of the ICMA Retirement Corporation Prototype Money Purchase Plan and Trust, pursuant to the specific provisions of an executed Adoption Agreement. The Plan and the Trust forming a part hereof are established and shall be maintained for the exclusive benefit of eligible employees and their beneficiaries.

PASSED and ADOPTED this 15th day of May, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 36-85 REPEALING RESOLUTION NO. 22-85 AND ADOPTING JOINT RESOLUTION WITH COUNTY ACCEPTING THE CONSTRUCTION OF THE PERSIGO WASH WASTEWATER TREATMENT FACILITY

The following Resolution was read:

RESOLUTION NO. 36-85

JOINT RESOLUTION OF THE COUNTY OF MESA AND CITY OF GRAND JUNCTION, COLORADO, ACCEPTING THE CONSTRUCTION OF THE PERSIGO WASH WASTEWATER TREATMENT FACILITY.

WHEREAS, the County of Mesa, Colorado is the recipient of a Federal Sewage Works Grant, Grant No. CO-80337-26, for the construction of the Persigo Wash Wastewater Treatment Facility; and

WHEREAS, construction of the Persigo Wash Wastewater Treatment Facility has been completed and said facility is currently in operation; and

WHEREAS, as a prerequisite to the final payment of the amount due to the County of Mesa through the City of Grand Junction as payee pursuant to said Grant and amendments thereto, the United States Environmental Protection Agency ("EPA") and the Colorado Department of Health ("CDH") have requested adoption of a resolution accepting the construction of the facility; and

WHEREAS, the contractors who provided labor and materials on the

construction of the facility are listed on Exhibit A hereto; and

WHEREAS, the engineering firm of Henningson, Durham & Richardson has provided the City of Grand Junction with a letter regarding the completion of the facility, indicating that the project has been built in substantial compliance with plans and specifications approved by CDH; and

WHEREAS, the City of Grand Junction as Project Manager has recommended through its Utilities Director that construction of the facility be accepted for grant finalization purposes;

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

Section 1. The construction of the Persigo Wash Wastewater Treatment Facility and the facility itself are hereby accepted for the sole purpose of grant finalization.

Section 2. The adoption of this Resolution in no way affects the City's or the County's right to assert or enforce claims against contractors, or to seek reimbursement from EPA or CDH for any successful contractor claims against the City or County.

PASSED and ADOPTED this 14th day of May, 1985.

MESA COUNTY BOARD OF COUNTY COMMISSIONERS

//s Richard Pond

Chairman, Mesa County Board of County Commissioners

Attest:

/s/ Earl Sawyer

Mesa County Clerk and Recorder

PASSED and ADOPTED this 15th day of May, 1985.

CITY OF GRAND JUNCTION

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

EXHIBIT "A"

CONTRACTORS/SUBCONTRACTORS

PERSIGO WASH WASTEWATER TREATMENT PLANT

GRAND JUNCTION, COLORADO

Robert Dougan Construction Company
(General Contractor)
2100 South Valentia Street
Denver, CO 80231-3397

Bonnell Painting
351 Northridge Drive
Grand Junction, CO 81501

Casework Systems
P. O. Box 15655
Denver, CO 80215

Cedaredge Interiors
P. O. Box 519
Cedaredge, CO 81403

Chuck's Pumps and Sprinklers
P. O. Box 1222
Grand Junction, CO 81502

Colorado Fence
1435 West Vermijo Street
Colorado Springs, CO 80904

Conservatek, Inc.
Conservatek Place
P.O. Box 1678
Conroe, TX 77301

Corn Construction
P.O. Box 1240
Grand Junction, CO 80502

Edex Construction, Inc.
381 30 Road
Grand Junction, CO 81501

Four Corners Sand Blasting Service
3216 Southside Road
Farmington, NM 87401

Harding Glass Industries, Inc.
607 South 7th Street
Grand Junction, CO 81502

Independence Door Company

500 North 64th
Denver, CO 80229

Kendall Electric Company
2527 Foresight Circle E.
Grand Junction, CO 81501

Dawayne Martin Building
1712 Glenwood Avenue
Grand Junction, CO 81501

Pacheco, Inc.
859 East Grand Avenue
Fruita, CO 81521

Par Mechanical
62108 Chu-Chu Lane
Montrose, CO 81401

Pitt Roofing and Construction
P.O. Box 375
Vernal, UT 84078

Quick Masonry
3679 Ivanhoe Street
Denver, CO 80207

Smith-Wolf Construction
10750 Berma Drive, Suite #2
Northglenn, CO 80233

Stonaber, Inc.
P.O. Box 55584
Houston, TX 77255

Terra Concrete, Inc.
1760 North County Road 23
Berthoud, CO 80513

Rex Garden Service
359 29-5/8 Road
Grand Junction, CO 81501

Rodeo Systems, Inc.
10101 West 64th Avenue
Arvada, CO 80004

Western States Drywall
1221 West 8th
Grand Junction, CO 81501

Upon motion of Councilman Pacheco, seconded by Councilman Love and carried by roll call vote, the Resolution was passed and adopted as read.

VISITORS & CONVENTION BUREAU SEWER TAP FEE CONTRIBUTION FOR
INFORMATION CENTER ON HORIZON N OF I-70 - CONTINGENCY FUNDS OF
\$1000

Upon motion of Councilman Pacheco, seconded by Councilman Bennett
and carried, the sewer tap fee will be charged for the Visitors
and Convention Bureau Information Center on Horizon north of
Interstate 70, but the City will make a donation not to exceed
\$1000 to the Visitors and Convention Bureau.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

attached
00850515

MESA COUNTY RESOLUTION NO. MCM 85-38

CITY OF GRAND JUNCTION RESOLUTION NO. 36-85

JOINT RESOLUTION OF THE COUNTY OF MESA
AND CITY OF GRAND JUNCTION, COLORADO,
ACCEPTING THE CONSTRUCTION OF THE
PERSIGO WASH WASTEWATER TREATMENT FACILITY

WHEREAS, the County of Mesa, Colorado is the recipient of a Federal Sewage Works Grant, Grant No. CO-80337-26, for the construction of the Persigo Wash Wastewater Treatment Facility; and

WHEREAS, construction of the Persigo Wash Wastewater Treatment Facility has been completed and said facility is currently in operation; and

WHEREAS, as a prerequisite to the final payment of the amount due to the County of Mesa through the City of Grand Junction as payee pursuant to said Grant and amendments thereto, the United States Environmental Protection Agency ("EPA") and the Colorado Department of Health ("CDH") have requested adoption of a resolution accepting the construction of the facility; and

WHEREAS, the contractors who provided labor and materials on the construction of the facility are listed on Exhibit A hereto; and

WHEREAS, the engineering firm of Henningson, Durham & Richardson has provided the City of Grand Junction with a letter regarding the completion of the facility, indicating that the project has been built in substantial compliance with plans and specifications approved by CDH; and

WHEREAS, the City of Grand Junction as Project Manager has recommended through its Utilities Director that construction of the facility be accepted for grant finalization purposes;

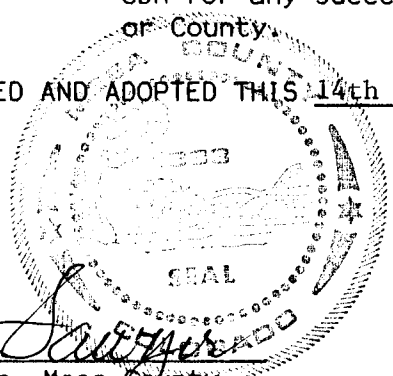
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

Section 1. The construction of the Persigo Wash Wastewater Treatment Facility and the facility itself are hereby accepted for the sole purpose of grant finalization.

Section 2. The adoption of this Resolution in no way affects the City's or the County's right to assert or enforce claims against contractors, or to seek reimbursement from EPA or CDH for any successful contractor claims against the City

PASSED AND ADOPTED THIS 14th day of May, 1985.

ATTEST:



Earl Sawyer
Earl Sawyer, Mesa County
Clerk and Recorder

MESA COUNTY BOARD OF COUNTY COMMISSIONERS

Richard Pond
Richard Pond, Chairman, Mesa County Board
of County Commissioners

Joint Resolution Accepting Construction of Persigo Wash Wastewater Treatment Facility

PASSED AND ADOPTED THIS 15 day of May, 1985.

ATTEST:

CITY OF GRAND JUNCTION

Deva B. Lockhart, CMC
City Clerk

William D. Hays
President of the City Council

JOINT RESOLUTION OF THE COUNTY OF MESA
AND CITY OF GRAND JUNCTION, COLORADO,
ACCEPTING THE CONSTRUCTION OF THE
PERSIGO WASH WASTEWATER TREATMENT FACILITY.

MESA COUNTY RESOLUTION NO. _____
CITY OF GRAND JUNCTION RESOLUTION NO. 22-85

WHEREAS, the County of Mesa and the City of Grand Junction, Colorado, are the recipients of a Federal Sewage Works Grant, Grant No. CO-80337-26, for the construction of the Persigo Wash Wastewater Treatment Facility; and

WHEREAS, construction of the Persigo Wash Wastewater Treatment Facility has been completed and said facility is currently in operation; and

WHEREAS, as a prerequisite to the payment of the amount due to the County of Mesa and the City of Grand Junction pursuant to said Grant, the United States Environmental Protection Agency ("EPA") and the Colorado Department of Health ("State Health") have required the adoption of a resolution accepting the construction of the facility; and

WHEREAS, the engineering firm of Henningson, Durham & Richardson has provided or will provide EPA and State Health with letters regarding the completion of the facility; and

WHEREAS, the contractors who provide labor and materials on the construction of the facility are listed on Exhibit A hereto, as required by EPA and State Health;

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

- Section 1. The construction of the Persigo Wash Wastewater Facility and the facility itself are hereby accepted.
- Section 2. The adoption of this Resolution in no way affects the City's or the County's ability to pursue claims against contractors or to seek reimbursement from EPA for any successful claims by contractors which are grant eligible.

PASSED and ADOPTED this _____ day of _____, 1985.

COUNTY OF MESA

Attest:

County Clerk

By: _____
Chairman of the Board of County
Commissioners of Mesa County

PASSED and ADOPTED this 17 day of April, 1985.

CITY OF GRAND JUNCTION

Attest:

By: 
President of the City Council

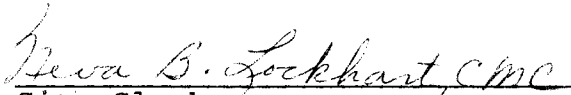

City Clerk

EXHIBIT "A"

CONTRACTORS/SUBCONTRACTORS - PERSIGO WASH WWTP, GRAND JUNCTION, COLORADO

Robert Dougan Construction Company (General Contractor)
2100 South Valentia Street
Denver, CO 80231-3397

Bonnell Painting
351 Northridge Drive
Grand Junction, CO 81501

Casework Systems
P. O. Box 15655
Denver, CO 80215

Cedaredge Interiors
P. O. Box 519
Cedaredge, CO 81403

Chuck's Pumps and Sprinklers
P. O. Box 1222
Grand Junction, CO 81502

Colorado Fence
1435 West Vermijo Street
Colorado Springs, CO 80904

Conservatek, Inc.
Conservatek Place
P. O. Box 1678
Conroe, TX 77301

Corn Construction
P. Box Box 1240
Grand Junction, CO 80502

Edex Construction, Inc.
381 30 Road
Grand Junction, CO 81501

Four Corners Sand Blasting Service
3216 Southside Road
Farmington, NM 87401

Harding Glass Industries, Inc.
607 South 7th
Grand Junction, CO 81502

Independence Door Co.
500 North 64th
Denver, CO 80229

Kendall Electric Company
2527 Foresight Circle E.
Grand Junction, CO 81501

Dawayne Martin Building Contractor
1712 Glenwood Avenue
Grand Junction, CO 81501

Pacheco, Inc.
859 East Grand Avenue
Fruita, CO 81521

Par Mechanical
62108 Chu-Chu Lane
Montrose, CO 81401

Pitt Roofing and Construction
P. O. Box 375
Vernal, UT 84078

Quick Masonry
3679 Ivanhoe Street
Denver, CO 80207

Smith-Wolf Construction
10750 Berma Drive, Suite #2
Northglenn, CO 80233

Stonaber, Inc.
P. O. Box 55584
Houston, TX 77255

Terra Concrete, Inc.
1760 North County Road 23
Berthoud, CO 80513

Rex Garden Service
359 29-5/8 Road
Grand Junction, CO 81501

Rodco Systems, Inc.
10101 West 64th Avenue
Arvada, CO 80004

Western States Drywall
1221 West 8th
Grand Junction, CO 81501