

Grand Junction, Colorado

August 21, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of August, 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, Tim Mannion, Mike Pacheco, and President of the Council Ray Phipps. Councilman Gary Lucero was absent. Also present were City Manager Mark Achen and Deputy City Clerk Teddy Martinez.

Council President Phipps called the meeting to order and Councilman Mannion led in the Pledge of Allegiance.

INVOCATION

Rev. Gerald Reed, First Assembly of God Church.

MINUTES

The minutes of the August 7, 1985, Council meeting were corrected to reflect the approval of past Council meetings July 3, 1985, and July 17, 1985. Upon motion of Councilman Pacheco, seconded by Councilman Leland and carried, the minutes of the August 7, 1985, meeting were approved as corrected.

REQUEST NAMES TO FILL VACANCIES ON THE HOUSING AUTHORITY AND THE PARKS AND RECREATION BOARD

Council President Phipps requested names to fill one vacancy on the Housing Authority and three vacancies on the Parks and Recreation Board.

HEARING - APPLICATION BY MESA COLLEGE FOR 3.2% BEER SPECIAL EVENTS PERMITS AT PRACTICE FIELD W OF SAUNDERS FIELD HOUSE ON SEPTEMBER 22, 1985, AND OCTOBER 5, 1985, FOR "MR. BARLEY HOP" - 4TH AND 5TH PERMITS - APPROVED

A hearing was held after proper notice on the applications by Mesa College for 3.2% Beer Special Events Permits to be held at the practice field west of Saunders Field House on September 22, 1985, from 11:00 a.m. to 7:00 p.m., and October 5, 1985, from 8:00 p.m. to 12:00 midnight, for "Mr. Barley Hop." There was no representative present to speak for the permit. There were no opponents, letters or counterpetitions. Upon motion of Councilman Pacheco, seconded by Councilman Bennett and carried, the applications were approved.

LETTER FROM WILLIAM A. BACA DECLARING INTENT TO OPERATE THE FILLING STATION, 1037 NORTH AVENUE, AS A FULL-SERVICE RESTAURANT

A letter from William A. Baca declaring intent to operate The Filling Station, at 1037 North Avenue, as a full-service

restaurant was acknowledged. The letter requested a change in the name of the restaurant from the Golden Dragon to The Filling Station. Upon motion of Councilman Pacheco, seconded by Councilman Mannion and carried, the request to change the name of the Golden Dragon Restaurant to the Filling Station was approved subject to previous conditions of the Planning Commission and any existing licenses that would apply.

PROPOSED ORDINANCE - PROVIDING FOR REFUNDING BONDS FOR INDEPENDENCE PLAZA PROJECT

The following entitled proposed ordinance was read: AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BOND (INDEPENDENCE PLAZA LTD. PROJECT), SERIES 1985, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 TO FINANCE THE REFUNDING OF \$2,000,000 CITY OF GRAND JUNCTION, COLORADO, INDUSTRIAL DEVELOPMENT REVENUE BOND (INDEPENDENCE PLAZA LTD. PROJECT), SERIES 1981; AND APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF THE REFUNDING BOND AND THE LOAN AGREEMENT RELATING THERETO; APPROVING THE ISSUANCE AND SALE OF THE REFUNDING BOND; MAKING CERTAIN DETERMINATIONS WITH RESPECT THERETO; PROVIDING FOR THE MAXIMUM PRINCIPAL AMOUNT, MAXIMUM MATURITY OF, AND MAXIMUM NET EFFECTIVE INTEREST RATE ON THE REFUNDING BOND AND AUTHORIZING CERTAIN TERMS FOR THE REFUNDING BOND TO BE DETERMINED BY SUBSEQUENT RESOLUTION; REPEALING INCONSISTENT ACTIONS; AND ORDERING A PUBLIC HEARING. It was moved by Councilman Love and seconded by Councilman Pacheco that the proposed ordinance be passed for publication.

Councilman Love amended his motion by requesting that the proposed ordinance be referred to the IRB Committee for approval. Motion carried.

Vote was called on the main motion, as amended, and was passed unanimously.

PROPOSED ORDINANCE - PROVIDING FOR REFUNDING BONDS FOR RENTE V/CROSSROADS PROJECT

The following entitled proposed ordinance was read. AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BOND (RENTE V - CROSSROADS PROJECT), SERIES 1985, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,700,000 TO FINANCE THE REFUNDING OF \$4,400,000 CITY OF GRAND JUNCTION, COLORADO, INDUSTRIAL DEVELOPMENT REVENUE BOND (RENTE V CROSSROADS PROJECT), SERIES 1981; AND APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF THE REFUNDING BOND AND THE LOAN AGREEMENT RELATING THERETO; APPROVING THE ISSUANCE AND SALE OF THE REFUNDING BOND; MAKING CERTAIN DETERMINATIONS WITH RESPECT THERETO; PROVIDING FOR THE MAXIMUM PRINCIPAL AMOUNT, MAXIMUM MATURITY OF, AND MAXIMUM NET EFFECTIVE INTEREST RATE ON THE REFUNDING BOND AND AUTHORIZING CERTAIN TERMS OF THE REFUNDING BOND TO BE DETERMINED BY SUBSEQUENT RESOLUTION; REPEALING INCONSISTENT ACTION; AND ORDERING A PUBLIC HEARING. Upon motion of Councilman Love, seconded by Councilman Mannion and

carried, the proposed ordinance was passed for publication and referred to the IRB Committee for approval.

ORDINANCE NO. 2239 - NEIGHBORS ANNEXATION, 24 AND G ROADS

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

There were no comments. Upon motion of Councilman Love, seconded by Councilman Bennett and carried by roll call vote, the Ordinance was passed, adopted, numbered 2239, and ordered published.

ORDINANCE NO. 2240 - ZONING NEIGHBORS ANNEXATION PLANNED RECREATIONAL, 24 AND G ROADS

Upon motion of Councilman Pacheco, seconded by Councilman Love and carried, the following proposed ordinance was called up for final passage and the title 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 of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Ordinance was passed, adopted, numbered 2240, and ordered published.

RESOLUTION NO. 57-85 DESIGNATING UNITED BANK OF DENVER NATIONAL ASSOCIATION A DEPOSITARY OF SECURITIES AND PROPERTY

The following Resolution No. 57-85 was read:

RESOLUTION NO. 57-85

DESIGNATING UNITED BANK OF DENVER NATIONAL ASSOCIATION A DEPOSITARY OF SECURITIES AND PROPERTY.

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

That United Bank of Denver National Association ("Bank") be and hereby is designated a depository for the safekeeping of this corporation's securities and other property and is authorized to receive the corporation's property for safekeeping; and

FURTHER RESOLVED that the following officer be and hereby is authorized to deliver to the Bank for safekeeping this corporation's securities and other property, to enter into agreements in the corporation's name for the safekeeping of the corporation's property by the Bank, to receive on behalf of the corporation safekeeping receipts from the Bank, to surrender such receipts to the Bank and to receive on behalf of the corporation property deposited for safekeeping with the Bank:

Name and Office: John D. Tasker, Finance Director

FURTHER RESOLVED that the authority of the aforesaid officer conferred by the foregoing resolutions shall continue until notice in writing terminating such authority shall be received by the Bank, and shall be noted upon the certified copy of these resolutions delivered to the Bank, and that all similar resolutions heretofore delivered to the Bank are hereby rescinded and cancelled effective upon the delivery of a certified copy of these resolutions to the Bank and the notations by the Bank of the receipt of such copy upon the Bank's copy of such similar prior resolutions.

PASSED and ADOPTED this 21st day of August, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

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

CHANGE ORDER TO LINCOLN PARK WATERLINE CONSTRUCTION CONTRACT WITH PIPELINE SERVICES - \$6,545.60

Upon motion of Councilman Bennett, seconded by Councilman Pacheco and carried, the Change Order to Lincoln Park Waterline Construction Contract with Pipeline Services in the amount of \$6,545.60 was approved.

CITY-COUNTY JOINT AGREEMENT REGARDING ROAD MAINTENANCE RESPONSIBILITIES AT I-70 AND 24 ROAD AND G ROAD

City Manager Achen reviewed the Agreement. Councilman Pacheco commented the County, originally, in the Sales Tax Proposal and Agreement with the City, it was Council's understanding that 24 Road would be funded under the auspices of that Sales Tax Project. Mr. Pacheco wished to continue to request that the County, sometime in the future when finances allow, meet that commitment. He hoped that this Agreement does not mean that the County no longer has to keep that commitment that it made to the residents of the community, and that the City is taking on that responsibility.

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the Agreement was approved and the President of the

Council was authorized to sign.

CITY MANAGER MARK ACHEN INTRODUCES DAVID VARLEY, NEW ASSISTANT TO THE CITY MANAGER, EFFECTIVE AUGUST 19, 1985

DDA JOINT MEETING WITH CITY COUNCIL TO BE HELD ON AUGUST 26, 1985, AT 8:00 A.M., AT TWO RIVERS PLAZA

ADJOURNMENT

The President adjourned the meeting.

Theresa F. Martinez

Theresa F. Martinez
Deputy City Clerk

AGREEMENT

THIS AGREEMENT entered into this 3rd day of September, 1985, by and between the COUNTY OF MESA, COLORADO, a governmental entity, and the CITY OF GRAND JUNCTION, COLORADO, a municipal corporation;

WITNESSETH:

WHEREAS, by Resolution No. 46-85, Grand Junction has accepted a petition for the annexation of lands to the City of Grand Junction and set a hearing on such annexation for August 7, 1985, and said hearing having been duly held; and

WHEREAS, a portion of the land petitioned for annexation is located at the northwest corner of the intersection of G Road and 24 Road in Mesa County, Colorado; and

WHEREAS, in order to effect such annexation, Grand Junction must also annex the south one-half of G Road between 25 and 24 Roads and the west one-half of 24 Road between G Road and I-70, which sections of road (hereafter "subject roads") are presently entirely within the jurisdiction of Mesa County; and

WHEREAS, the annexation by Grand Junction of the one-half road sections of the subject roads will create certain problems with law enforcement, traffic control, maintenance and administration which the parties desire to minimize or alleviate by this Agreement;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE PROMISES HEREAFTER SET FORTH, THE PARTIES AGREE AS FOLLOWS:

1. Mesa County shall take jurisdiction over G Road from 24 Road to 25 Road and the City of Grand Junction shall assume jurisdiction over 24 Road from G Road to Interstate 70.
2. Law enforcement on the subject roads shall be accomplished as it now is on other roads within the jurisdiction of the entities.
3. Each entity shall undertake traffic control responsibilities on its road section to include, without limitation, establishing speed limits, signage, signalization and striping. Such responsibilities shall be undertaken at controlling entity's sole discretion after consultation with the other. Each shall reimburse

the other for one-half of the cost of such maintenance upon receipt of a bill therefor.

4. Each entity shall undertake maintenance responsibilities on its road segment in its sole discretion after consultation with the other. Each shall reimburse the other for one-half of the cost of such maintenance upon receipt of a bill therefor.

5. Each entity shall undertake administration of its road segment, in its sole discretion after consultation with the other, for purposes of road construction and improvements, rights-of-way, utility permits, curb cut permits and road or pavement cut permits. Each shall execute any legal documents reasonably required to effect orderly administration of the subject roads.

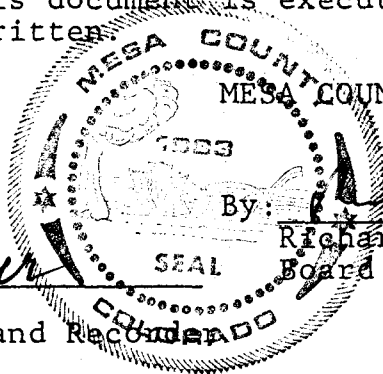
6. Each entity shall hold the other harmless from any claims or demands arising out of its responsibilities for its road segment under this Agreement. This will include the legal defense of the other.

7. Prior to approval by Grand Junction of any second phase of the recreation vehicle park which is proposed on the land to be annexed by Grand Junction, or prior to approval by either party of any other major project adjacent to or near 24 Road between Mesa Mall and I-70, the parties shall have reviewed the already existing 24 Road design prepared by Paragon Engineering, in 198 , and shall have reviewed and considered necessary improvements to G Road, and shall have formulated a policy for the necessary improvement of 24 Road and of G Road.

WHEREFORE, this document is executed as of the day and year first above written.

Attest:

Earl Sawyer
Earl Sawyer
Mesa County Clerk and Recorder



MESA COUNTY BOARD OF COUNTY COMMISSIONERS
By: Richard C. Pond
Richard C. Pond, Chairman
Board of County Commissioners

Attest:

Neva B. Lockhart, CMC
Neva B. Lockhart
City Clerk



CITY OF GRAND JUNCTION, COLORADO
By: Raymond G. Phipps
Raymond G. Phipps, President
City Council of the City of
Grand Junction

CITY OF GRAND JUNCTION, COLORADO

MEMORANDUM

Reply Requested
Yes No

Date
8/27/85

To: ~~(XXXX)~~ Gordon Tiffany County Administrator From: ~~(XXX)~~ Mark K. Achen City Manager *MKA*

Re: 24 and G Roads Agreement

Attached is the revised agreement regarding administration and maintenance of 24 and G Roads. This was approved by the City Council at its August 21st meeting. This remedies the problems of half jurisdiction resulting from the City's annexation of this area. I trust this is a reasonable attempt to mitigate negative consequences of our annexation.

As to the needs for major street improvements, I believe the Metropolitan Planning Organization is probably the best forum. I suggest we or our staffs discuss a more aggressive approach to wrestling with these issues. I am uncertain what base data is available, such as traffic counts, but the fiscal year 1986 program of the Metropolitan Planning Organization seems fairly well suited to accommodate this role.

Please return an executed copy of this agreement once it has been adopted by the County.

MKA:jc
Attachments

cc: Neva B. Lockhart, City Clerk (with attachment)
Jim Shanks, Public Works Director (with attachment)
Gary Leonard, Police Chief (with attachment)

*Please discard
& replace with this
8/28/85*