

Grand Junction, Colorado

December 4, 1985

The City Council of the City of Grand Junction, Colorado, convened in regular session the 4th day of December, 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, Tim Mannion, and President of the Council Raymond Phipps. Also present were City Manager Mark Achen, City Attorney Gerald Ashby and City Clerk Neva Lockhart.

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

INVOCATION

Rev. Eddie Scroggins, Riverside Baptist Church.

MINUTES

Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the minutes of the November 20, 1985, City Council meeting were approved as submitted.

BOY SCOUT TROOPS 341, 384 AND 386

Scouts from Troops 341, 384 and 386 were in attendance at the meeting and were introduced to Council.

CONDITIONAL USE FOR A HOTEL-RESTAURANT LIQUOR LICENSE IN A PLANNED BUSINESS ZONE AT 2692-E HIGHWAY 50, MESA PLAZA SHOPPING CENTER

A hearing was held after proper notice on the petition by Fred M. Erwin, Jr., for a conditional use for a Hotel-Restaurant Liquor License in a Planned Business Zone at 2692E Highway 50, Mesa Plaza Shopping Center. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the conditional use for a Hotel-Restaurant Liquor License in a Planned Business Zone at 2692E Highway 50, Mesa Plaza Shopping Center, was approved.

HEARING - APPLICATION BY MESA COLLEGE MEXICAN AMERICAN SCHOLARSHIP FUND FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON DECEMBER 31, 1985, AT TWO RIVERS PLAZA, FOR ANNUAL NEW YEAR'S EVE DANCE - 2ND PERMIT APPROVED

A hearing was held after proper notice on the application by Mesa College Mexican American Scholarship Fund for a malt, vinous and spirituous liquor special events permit on December 31, 1985, from 2:00 p.m. to 2:00 a.m., at Two Rivers Plaza, 159 Main Street, for its annual New Year's Eve Dance. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Bennett and carried, the application was approved.

HEARING - PROPOSED 1986 BUDGET AND REVENUE SHARING FUNDS

City Manager Mark Achen stated that the Budget for the City's 1986 expenditures and revenues totals \$27,113,000 for expenditures including capital expenditures, revenues of \$23,300,000, a beginning balance in all funds of \$16,500,000, and an ending balance of 12.3 million dollars. The Revenue Sharing portion of the Budget represents approximately \$800,000, and is still subject to final Congressional action. The requests for Revenue Sharing Funds were as follows:

Organization Requested Amount Representative		
Partners \$1,000 Jack Ludwig		
Western Slope Association of the Blind \$7,000 Linda Marsh		
Domestic Violence \$5,000 Susan Rush		
Crisis Help Line of Mesa County \$2,000 Donna Scott		
Resource Center, Inc. \$1,000 Joanna Little		
Human Services Council of Mesa County (Bridge House) \$10,000 Carol McMannis		
Anciano Advocacy \$1,000 Juanita Ulibarri		

Those speaking regarding cut-backs in Fire and Police Departments

were as follows:

FirePolice Resource ProgramOther		
Norm NobleEileen RogansackDan Craig		
Fire Prevention OfficerDirector, Youth Who Care880 Hall Avenue		
Everett ReeceKathy Pinson		
Fire Department EmployeeJan Henwood, Principal, West Middle School		

The hearing was closed.

PROPOSED ORDINANCE - ID ST-84, PHASE A (STREET IMPROVEMENT DISTRICT - 15TH ST S OF PATTERSON RD TO GRAND VALLEY CANAL; POPLAR DR N OF INDEPENDENT AVE; ALLEY FR 24TH TO 26TH ST BTN HILL AVE AND TELLER AVE; ACOMA, APACHE AND LAGUNA DR - ASSESSMENTS

The following entitled proposed ordinance was read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-84, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178 ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING SALES AND USE TAX ORDINANCE, CHAPTER 24

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE SALES AND USE TAX ORDINANCE OF THE CITY OF GRAND JUNCTION TO COMPLY WITH THE REQUIREMENTS OF HOUSE BILL 1007,

ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF COLORADO IN ITS 1985 SESSION. Upon motion of Councilman Mannion, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - APPROPRIATIONS FOR 1986

The following entitled proposed ordinance was read: AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1986, AND ENDING DECEMBER 31, 1986, AND FIXING THE SALARY OF THE CITY MANAGER OF SAID CITY. Upon motion of Councilman Love, seconded by Councilman Mannion and carried, the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - AMENDING WATER RATES IN THE CITY OF GRAND JUNCTION

The following entitled proposed ordinance was read: AN ORDINANCE INCREASING THE WATER RATES IN THE CITY OF GRAND JUNCTION. Upon motion of Councilman Leland, seconded by Councilman Love and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE

Proof of Publication on the following Ordinances proposed for final passage have been received and filed. Copies of the Ordinances proposed for final passage have been submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2252 - REPEALING AND REENACTING SECTION 19-77 OF CHAPTER 19, CODE OF ORDINANCES, CITY OF GRAND JUNCTION, TO PROHIBIT SMOKING IN CERTAIN PLACES WITHIN THE CITY

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE REPEALING AND REENACTING SECTION 19-77 OF CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO PROHIBIT SMOKING IN CERTAIN PLACES WITHIN THE CITY.

The President opened the hearing. Those speaking in favor of the ordinance:

Phil Mohler, Chairperson, Colorado Coalition for Clean Indoor Air

Chuck Houston, Dixson Instruments, General Manager

Dennis Stahl, CEO at Hilltop's Health Services Corporation

Steve Kelly, Oral Surgeon, Representing Dental Community and Mesa County Dental Society

Mary Ann Heacock, Rocky Mountain Health Maintenance Organization

Dale Hollingsworth, Vice President, Hilltop Rehabilitation Hospital

Fred Paquette, Physician, Cancer Specialist

Bruce Ricks, Dentist and Health Enthusiast

Norman Noble, 2833A Monroe Lane, Fire Education Officer

Ed Olwine, 2933 Elm Avenue, Businessman, Chronic Asthmatic

Lindy Davis, County Employee

Frank Bering, Owner/Operator of The Winery and Gladstone's

Bill Osborn, 2632 Birch, Associate Administrator, St. Mary's Hospital

John Goley, Local Clergy

Charles Kemper, 297 27-3/8 Road

Jeff Ollinger (letter in favor of ordinance)

Those speaking in opposition to the Ordinance:

Jerry Belt, 599 Redwing Lane

Kay Stevens

Edward Claude Allard, 3421/2 South Redlands Road

Greg Raber, Engineering Student at Mesa College

George Harper, 3060 Gunnison Avenue

The President closed the hearing.

Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote with Councilman BENNETT ABSTAINING, the Ordinance was passed, adopted, numbered 2252, and ordered published.

The President declared a five-minute recess. Upon reconvening, six members of Council were present.

ADOPTION OF 1986 BUDGET - TABLED TO DECEMBER 18, 1985, CITY COUNCIL MEETING

RESOLUTION NO. 75-85 - SETTING PARKS AND RECREATION FEES

The following Resolution was presented and read:

RESOLUTION NO. 75-85

ESTABLISHING FEES AND CHARGES FOR THE FACILITIES AND PROGRAMS OPERATED BY THE PARKS & RECREATION DEPARTMENT.

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

That the following fees and charges are established for the Parks and Recreation Department until further resolution of the City Council:

SWIMMING POOL ADMISSIONS		
Service or Program Resident Non-Resident		
Admissions		
Adult \$2.25 \$2.25		
Child 1.25 1.25		
Teen 1.50 1.50		
Senior 1.50 1.50		
Family 5.00 5.00		
Infant .25 .25		
Punch Cards Lincoln Park Pool Only		
Adult \$33.50 \$36.75		
Child 19.25 21.25		
Teen 24.00 26.50		
Senior 24.00 26.50		

Summer PassesLincoln Park Pool Only		
Adult\$39.50\$43,50		
Child30.0033.00		
Teen35.0038.50		
Senior35.0038.50		
Family120.00132.00		
Note: Non-resident fee not applicable to Orchard Mesa Pool since it is jointly funded.		
Private Party (2 hours)		
Swimmers		
000-050\$84.00Not Applicable		
051-100120.00"		
101-150156.00"		
151-200192.00"		
201-250228.00"		
251-281*252.00"		
251-300264.00"		
+ additional 5036.00"		
*Orchard Mesa Capacity		
Waterslide		
Daily Pass*\$5.00\$5.00		

Per 10 Rides*\$3.50\$3.50		
*Fees may be adjusted if market dictates and Board would like to consider a season pass once market is established.		
Wading Pool.25.25		
(Swimmers not to exceed 3'6" in height) (During non public swim hours if accompanied by an adult)		
Orchard Mesa PoolNot Applicable		
Child\$16.00		
Preschool19.00		
Adult20.00		
Adult & Tot24.00		
Disadvantaged2.00		
Lincoln Park Pool		
Child\$14.00\$15.50		
Preschool16.0017.50		
Adult18.0019.75		
Adult & Tot20.0022.00		
Disadvantaged2.002.25		
Adult Volleyball\$135/10 games\$135/10 games		

Gymnastics (Youth)\$10/6 classes\$11/6 classes		
Adult Basketball\$160/8 games\$160/8 games		
\$145/8 games\$145/8 games		
\$3/player fee\$3.25/player fee		
Pee Wee Boys Basketball (and Girls)\$5/8 games\$5.50/8 games		
Pee Wee Wrestling\$8/P + T\$8.75/P + T		
Summer Softball\$240/10 games\$240/10 games		
Fall Softball\$145/8 games\$145/8 games		
Junior Bowling\$16/8 lessons\$17.50/8 lessons		
Outdoor Survival\$5/1 class\$5.50/1 class		
Basic Bicycle\$10/3 classes\$11/3 classes		
Karate\$20/4 classes\$22/4 classes		
Judo\$32/8 classes\$35.25/8 classes		
Junior Softball\$10/5		

classes\$11/5 classes		
Amateur Wrestling\$10/6 classes\$11/6 classes		
Freethrow Contest\$1/one entry\$1/one entry		
Open Basketball (Barn)\$.50/one time\$.50/one time		
Lincoln Park Barn (All existing rates will remain the same)		
Softball		
Player Fee\$8.00\$8.75		
Country Western\$18/couple\$19.7 5/couple		
Energetics\$15/8 classes\$16.50/8 classes		
\$2.50/class\$2/75/class		
\$22.50/16 class\$24.75/16 class		
Kayaking\$24/6 classes\$26.50/6 classes		
Stretch Dynamics\$15/8 classes\$16.50/8 classes		
\$2.50/class\$2.75/class		
Tot Tumbling\$20/8 classes\$22/8 classes		
Summer		

Band\$55.00\$60.50		
Ballroom Dance\$33/couple\$36.25/ couple		
Tennis		
Adult League\$20.00\$22.00		
Student League\$15.00\$16.50		
Adult Instruction\$20.00\$22.0 0		
Student Instruction\$16.0\$17.50		
Tourney\$1/event\$1/even t		
Teen Dance\$2.00\$2.00		
Cake Decorating\$20/6 classes\$22/6 classes		
Sketch Imagery\$20/6 classes\$22/6 classes		
Creative Movement\$13/8 classes\$14.25/8 classes		
LINCOLN PARK AUDITORIUM		
Damage Deposit\$100.00\$--		
Damage Deposit (Outside Mesa County)\$--\$200.00		

Business Event\$100.00\$100.00		
Family Event\$30.00\$30.00		
Dances, Concerts, Plays\$100.00\$100.00		
Extending Event (One Hour) \$15.00\$15.00		
Chairs (Business) \$20.00\$20.00		
Tables (Business) \$30.00\$30.00		
Tables (Family) \$15.00\$15.00		
Chairs (Family) \$10.00\$10.00		
Tables (Dances) \$30.00\$30.00		
Chairs (Dances) \$20.00\$20.00		
P.A. (Call) \$15.00\$15.00		
STOCKER STADIUM		
Stadium Use Fee\$.50 or 10% of admission charged		
\$50 minimum		
Stadium Lights\$35/hour		
Stadium PA with no admissions\$20.00		

CEMETERIES		
Opening & Closing		
Adult\$290.00		
Child\$130.00		
Infant\$100.00		
Perpetual Care\$130.00		
Monument Set (Veterans only) \$100/each		
Grace Space\$275.00		
Landscaping\$90.00		
Cremation Urns\$115.00		
Disinterment\$535.00		
Reinterment\$265.00		
Sundays/Holidays\$150.00		
TWO RIVERS PLAZA		
Rooms		
15 x 28\$25.00		
30 x 28\$50.00		
45 x 28\$75.00		
60 x 28\$100.00		
75 x 28\$125.00		

`B' Section		
Day 1\$265.00		
Day 2\$240.00		
Day 3\$215.00		
`A' Section		
Day 1\$480.00		
Day 2\$430.00		
Day 3\$390.00		
`A' & `B' Combined		
Day 1\$560.00		
Day 2\$500.00		
Day 3\$450.00		
Entire Building		
Day 1\$635.00		
Day 2\$570.00		
Day 3\$510.00		
GOLF COURSES		
Unlimited\$150.00\$165.00		
Senior\$120.00\$132.00		
Junior\$50.00\$55.00		
9-Unlimited\$2.00\$2.00		

18-Unlimited\$3.00\$3.00		
9-Senior\$1.50\$1.50		
18-Senior\$2.50\$2.50		
9-Junior\$1.00\$1.00		
18-Junior\$1.50\$1.50		
9-Green Fee\$5.00\$5.00		
18-Green Fee\$9.00\$9.00		
9-Junior/Senior Green\$4.00\$4.00		
Off Season\$5.00/day\$5.00/d ay		
Off- Unlimited\$2.00/day\$2.0 0/day		
Off- Senior\$1.00/day\$1.00/d ay		
Off- Junior\$1.00/day\$1.00/d ay		
Exempt Tournament\$3.00/player \$3.00/player		
Age Classification:		
Adult (18 years of age and older)		
Child (2 through 12 years)		

Teen (13 through 17 years of age)		
Senior (60 and older)		
Infant (under 2 years)		

PASSED and ADOPTED this 4th day of December 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

ORDINANCE NO. 2248 - SS 3584 (SANITARY SEWER DISTRICT - VENEGAS) ASSESSMENTS

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER DISTRICT NO. 35-84 IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178 ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST, AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. Upon motion of Councilman Mannion, seconded by Councilman Love and carried by roll call vote, the Ordinance was passed, adopted, numbered 2248, and ordered published.

ORDINANCE NO. 2249 - ZONING FAIRWAY PARK ANNEXATION #4 TO RSF-4 (RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE)

Upon motion of Councilman Love, seconded by Councilman Leland 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

Leland and carried by roll call vote, the Ordinance was passed, adopted, numbered 2249, and ordered published.

ORDINANCE NO. 2250 - AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION (THE ZONING ORDINANCE) CONCERNING ZONING CATEGORIES, REZONING, FILING AND PROCESSING, REZONING SUBMITTAL REQUIREMENTS, FLOOD HAZARD REPORTING, GRADING AND DRAINAGE PLANS, SUBDIVISION PRELIMINARY PLANS, FINAL PLAT CERTIFICATION AND PRELIMINARY PLANS FOR PLANNED DEVELOPMENT. Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Ordinance was passed, adopted, numbered 2250, and ordered published.

ORDINANCE NO. 2251 - PROVIDING FOR A SALES AND USE TAX CAPITAL IMPROVEMENT FUND

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the following proposed ordinance was called up for final passage and the title read: AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, PROVIDING FOR THE CREATION OF A SALES AND USE TAX CAPITAL IMPROVEMENT FUND TO BE USED TO PROVIDE CAPITAL IMPROVEMENTS AND TO PAY DEBT SERVICE ON BONDS OR OTHER OBLIGATIONS OF THE CITY ISSUED TO PROVIDE CAPITAL IMPROVEMENTS; PLEDGING TO SUCH FUND CERTAIN PROCEEDS OF THE 2% SALES AND USE TAX IMPOSED BY THE CITY; AND PROVIDING FOR THE ISSUANCE OF BONDS.

There were no comments. Upon motion of Councilman Mannion, seconded by Councilman Leland and carried by roll call vote, the Ordinance was passed, adopted, numbered 2251, and ordered published.

RESOLUTION NO. 76-85 - PETITION FOR ANNEXATION- BELLA VISTA #1, NW COR OF 12TH AND G ROAD - NOTICE SETTING HEARING ON JANUARY 15, 1986

The following Resolution was presented and read:

RESOLUTION NO. 76-85

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION.

WHEREAS, on the 4th day of December, 1985, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at a point on the E line of Sec 2, T1S, R1W, Ute

Meridian, which point is 741.5 ft S of the NE Cor of said Sec 2, thence N along said E line of Sec 2 and along the E line of Sec 35, T1N, R1W, Ute Meridian, to a point of intersection with the Eerly projection of the N line of Blk 3, 1st Addition to Bella Vista Sub, thence W along said N line and the N line of Lots 19 and 20 of Bella Vista Sub to the E line of Victor Dr, thence S along the E line of Victor Dr to the S line of Sec 35, T1N, R1W, Ute Meridian, thence E along said S line to a point 40 ft W of the SE Cor of said Sec 35, thence S along the W right-of-way line of 12th Street to a point W of the point of beginning, thence E to the point of beginning;

and

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 15th day of January, 1986, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings, and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 4th day of December, 1985.

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 77-85 - SUPPLEMENTARY RESOLUTION FOR RENTE V ON REFUNDING BONDS

The following Resolution was presented and read:

RESOLUTION NO. 77-85

A RESOLUTION SUPPLEMENTING ORDINANCE NO. 2241; DETERMINING THE PRINCIPAL AMOUNT, MATURITY AND RATES OF INTEREST ON \$4,400,000 OF THE CITY'S INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BOND (RENTE V - CROSSROADS PROJECT), SERIES 1985; DETERMINING REVENUES TO BE PAID FOR SUCH PROJECT; AUTHORIZING INCIDENTAL ACTION; AND REPEALING INCONSISTENT ACTIONS.

WHEREAS, the City Council (the "Council") of the City of Grand Junction, Colorado (the "Issuer"), by Ordinance No. 2241, finally passed and adopted on September 4, 1985, authorized the issuance of the Issuer's Industrial Development Revenue Refunding Bond (Rente V - Crossroads Project), Series 1985 (the "Refunding Bond") to refund the Issuer's Industrial Development Revenue Bond (Rente V - Crossroads Project), Series 1981, and authorized the determination of final terms thereof by subsequent resolution of the Council; and

WHEREAS, the Issuer has approved a Loan Agreement dated the date of issuance of the Refunding Bond (the "Loan Agreement") by and between the Issuer, Crossroads Venture, a Colorado joint venture, and The Empire Savings, Building and Loan Association, a Colorado corporation, pursuant to which the Refunding Bond will be issued.

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

Section 1. TERMS OF THE REFUNDING BOND. The Refunding Bond shall be dated as of its date of issuance, shall be in the principal amount of \$4,400,000, shall mature July 7, 2011, and shall be amortized the paid in monthly installments in accordance with the form of Refunding Bond previously approved by Ordinance No. 2241. The Refunding Bond shall bear interest at the rate of 7% per annum during the period from the date of issuance of the Refunding Bond to the third anniversary of the date of issuance of the Refunding Bond and at the rate of 8% per annum thereafter, provided, however, that until the fifth anniversary of the date of issuance of the Refunding Bond (the "Fifth Anniversary") interest shall be paid monthly at the rate of 6% per annum and on the Fifth Anniversary all accrued but unpaid amounts of interest shall become due and payable, and thereafter interest shall be paid monthly at the rate of 8% per annum, all as set forth in the form of Refunding Bond. All other terms of the Refunding Bond shall be as set forth in the Loan Agreement, previously approved by Ordinance No. 2241, and hereby reconfirmed. The Loan Agreement is hereby found to comply with the maximum net effective interest rate for the Refunding Bond of 15% per annum stated in Ordinance

No. 2241.

Section 2. DETERMINATION OF REVENUES. The determination of revenues set forth previously in Section 3 of Ordinance No. 2241, is ratified and confirmed. In accordance with Ordinance No. 2241, it is hereby determined that, based on the interest rate accruing on the Refunding Bond of 7% per annum through the third anniversary of the issuance of the Refunding Bond and 8% per annum thereafter, the maximum amount that will be necessary to pay the principal of and interest on the Refunding Bond in each of the years 1986 through 2011 is \$522,874.

Section 3. INCIDENTAL ACTION. The President of the Council and City Clerk of the Issuer are hereby authorized and directed to execute and deliver such other documents, and to take such other action as may be necessary or appropriate in order to effectuate the execution and delivery of the Loan Agreement and to issue and secure the Refunding Bond, all in accordance with the foregoing Sections hereof and the provisions of Ordinance No. 2241.

Section 4. REPEAL. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

Section 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

INTRODUCED, READ, APPROVED AND ADOPTED this 4th day of December, 1985.

CITY OF GRAND JUNCTION, COLORADO

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

RESOLUTION NO. 78-85 - SUPPLEMENTARY RESOLUTION FOR INDEPENDENCE PLAZA REFUNDING BONDS

The following Resolution was presented and read:

RESOLUTION NO. 78-85

A RESOLUTION SUPPLEMENTING ORDINANCE NO. 2242; DETERMINING THE PRINCIPAL AMOUNT, MATURITY AND RATES OF INTEREST ON \$2,000,000 OF

THE CITY'S INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BOND (INDEPENDENCE PLAZA LTD., PROJECT) SERIES 1985; DETERMINING REVENUES TO BE PAID FOR SUCH PROJECT; AUTHORIZING INCIDENTAL ACTION; AND REPEALING INCONSISTENT ACTIONS.

WHEREAS, the City Council (the "Council") of the City of Grand Junction, Colorado (the "Issuer"), by Ordinance No. 2242, finally passed and adopted on September 18, 1985, authorized the issuance of the Issuer's Industrial Development Revenue Refunding Bond (Independence Plaza Ltd., Project), Series 1985 (the "Refunding Bond") to refund the Issuer's Industrial Development Revenue Bond (Independence Plaza Ltd., Project), Series 1981, and authorized the determination of final terms thereof by subsequent resolution of the Council; and

WHEREAS, the Issuer has approved a Loan Agreement dated the date of issuance of the Refunding Bond (the "Loan Agreement") by and between the Issuer, Independence Plaza Venture, a Colorado joint venture, and The Empire Savings, Building and Loan Association, a Colorado corporation, pursuant to which the Refunding Bond will be issued.

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

Section 1. TERMS OF THE REFUNDING BOND. The Refunding Bond shall be dated as of its date of issuance, shall be in the principal amount of \$2,000,000, shall mature October 1, 2011, shall be amortized and paid in monthly installments in accordance with the form of Refunding Bond previously approved by Ordinance No. 2242 and shall bear interest at the rate of 6% per annum during the period from the date of issuance of the Refunding Bond to August 12, 1986, at the rate of 7% per annum during the period from August 1, 1986, to August 1, 1988, at the rate of 8% per annum during the period from August 1, 1988, to August 1, 1990, and at the rate of 9% per annum thereafter, provided that if the Project (as defined in the Loan Agreement) is sold or disposed of prior to payment of the Refunding Bond in full, the interest rate on the Refunding Bond may be increased to 12.5% per annum in accordance with the Loan Agreement and the form of the Refunding Bond. All other terms of the Refunding Bond shall be as set forth in the Loan Agreement, previously approved by Ordinance No. 2242, and hereby reconfirmed. The Loan Agreement is hereby found to comply with the maximum net effective interest rate for the Refunding Bond of 15% per annum stated in Ordinance No. 2242.

Section 2. DETERMINATION OF REVENUES. The determination of revenues set forth previously in Section 3 of Ordinance No. 2242, is ratified and confirmed. In accordance with Ordinance No. 2242, it is hereby determined that, based on the maximum permitted interest rate on the Refunding Bond of 12.5% per annum, the maximum amount that will be necessary to pay the principal of and interest on the Refunding Bond in each of the years 1986 through 2011 is \$256,142.

Section 3. INCIDENTAL ACTION. The President of the Council and City Clerk of the Issuer are hereby authorized and directed to execute and deliver such other documents, and to take such other action as may be necessary or appropriate in order to effectuate the execution and delivery of the Loan Agreement and to issue and secure the Refunding Bond, all in accordance with the foregoing Sections hereof and the provisions of Ordinance No. 2242.

Section 4. REPEAL. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

Section 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

INTRODUCED, READ, APPROVED AND ADOPTED this 4th day of December, 1985.

CITY OF GRAND JUNCTION, COLORADO

/s/ Raymond G. Phipps

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

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

UNITED COMPANIES CHANGE ORDER #2 TO CONTRACT FOR PATTERSON ROAD RECONSTRUCTION, FROM SPRING VALLEY CIRCLE TO 281/2 ROAD - EXTENDING CONTRACT TIME FOR AN ADDITIONAL 65 DAYS - INCREASES CONTRACT COST \$7,758.55

Upon motion of Councilman Love, seconded by Councilman Leland and carried, Change Order No. 2 to United Companies Contract for Patterson Road Reconstruction from Spring Valley Circle to 281/2 Road extending the Contract time for an additional sixty-five (65) days and increasing the Contract cost by \$7,758.55 was approved.

PIAB

Councilman Mannion reported on the Park Improvement Advisory Board Meeting.

DISTRICT "C" VACANCY

President of the Council Phipps announced that four letters of interest have been received regarding the District "C" vacancy.

The cut-off date is December 9, 1985.

ADJOURNMENT

The President adjourned the meeting.

/s/ Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk