

GRAND JUNCTION, COLORADO MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

August 1, 1990

The City Council of the City of Grand Junction, Colorado, convened in regular session the 1st day of August, 1990, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, Paul Nelson, Earl Payne, R.T. Mantlo, Reford Theobold, and President of the Council Pro Tempore Conner Shepherd. President of the Council William E. McCurry was absent. Also present were City Manager Mark Achen, Assistant City Attorney John Shaver, and City Clerk Neva Lockhart.

President Pro Tem Shepherd called the meeting to order and Councilman Payne led in the Pledge of Allegiance.

INVOCATION - Pastor Tim Thies, American Lutheran Church.

MINUTES

Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried, the minutes of the regular meetings July 5 and July 18, 1990, were approved as submitted.

PROCLAMATION DECLARING AUGUST 7, 1990, AS "NATIONAL NIGHT OUT" IN GRAND JUNCTION

APPOINTMENTS TO THE BUILDING CODES AND FIRE CODE BOARD OF APPEALS

Upon motion by Councilman Nelson, seconded by Councilman Payne and carried with Councilman THEOBOLD ABSTAINING, (his wife works for one of the nominees), Mark Harris and Norman F. Kinney were each appointed for four-year terms and Brad Niblett, James R. Brock, and Harry McCrary were each appointed for three-year terms to the Building Codes and Fire Code Board of Appeals.

HEARING NO. 27-90 - ORDINANCE NO. 2483 (HELD IN ABEYANCE) REZONE 850 NORTH AVENUE FROM LIGHT COMMERCIAL (C-1) TO PLANNED BUSINESS (PB); REZONE 845-875 GLENWOOD AVENUE FROM RESIDENTIAL SINGLE-FAMILY WITH A DENSITY OF APPROXIMATELY 8 UNITS PER ACRE (RSF-8) TO PLANNED BUSINESS (PB); FINAL PLAN FOR TACO BELL (APPROVED)

A hearing was held after proper notice on the petition by Moss, Inc., represented by Michael Saelens, to rezone 850 North Avenue from Light Commercial (C-1) to Planned Business (PB), and the rezone of 845-875 Glenwood Avenue from Residential Single-Family with a density of approximately 8 units per acre (RSF-8) to Planned Business (PB) and the Final Plan for Taco Bell.

President Pro Tempore SHEPHERD ABSTAINED from discussing and voting on this item as Moss, Inc., was a contributor to his election campaign. He turned the chair over to Acting President of the Council, R.T. Mantlo.

The hearing was opened. Dave Thornton, Planner, represented that the Taco Bell proposal was heard by the Planning Commission July 10, 1990, and was approved with a 4-2 vote for the final plan and a 6-0 vote on the rezone to forward on to the City Council with a recommendation of approval. Since that hearing, Mr. Thornton said a letter of appeal on the final plan and a letter of opposition on the rezone have been filed. The proposal by Taco Bell is to build a new restaurant and expand the business at this location.

Mr. Michael Saelens, representing John Moss, Moss, Inc., reviewed the proposal. Plans are to demolish the present Taco Bell building and construct a new restaurant in the spring that will seat approximately 75 people. The existing location has 19 parking spaces. There will be two handicapped spaces in the new proposal increasing from the one space presently allotted. It will have a drive through on the west side of the property that will exit onto North Avenue. He noted that fifty percent of the present business is drive through and may increase with the new and larger restaurant and the easier access to the proposed outlet. In compliance with Planning and Engineering requests, stop signs are proposed for all exits. There will be extensive landscaping on the Taco Bell site, according to Mr. Saelens; actually, 16% of that site alone will be landscaped. In addition to the buffer of trees, shrubs, and flowers on the west side, there will also be a split-rail fence. On the east side of the property, there will be a two-foot curb. They proposed a marked pedestrian crosswalk across the alley to the additional property to the back (north) of three lots in which Moss, Inc., has a contract interest located on Glenwood Avenue. Mr. Saelens submitted photographs of the property on Glenwood Avenue as it now exists. He said that Moss, Inc., Taco Bell has been at the present site for approximately 18 years as a tenant but is now in the process of purchasing that property. The proposal for the three lots on Glenwood Avenue is to set it up as a parking lot and will provide 38 additional parking spaces with two exits into the alley and one exit onto Glenwood from the east side of the property. Mr. Saelens said that at the present time there are three exits, onto Glenwood from these lots. Mr. Saelens pointed out that on the west side of these lots there will be a six-foot screen fence plus 12 1/2 feet of grass area as a buffer zone, and on the east side a 12-foot grass area with a six-foot screen fence. The frontage area of these lots along Glenwood will have a three-foot grass berm 20 feet wide. On top of that, Mr. Saelens proposes a two-foot hedge along Glenwood Avenue. He proposed for the alley a six-foot sidewalk, shrubs, and a curb. Mr. Saelens said that the budget just for the parking lot on Glenwood Avenue is running between \$90,000 to \$100,000. Lighting has been engineered and diffused. Mr. Saelens gave three reasons why Moss, Inc., would like to develop the three lots:

1. Employee parking;
2. Overflow parking to accommodate one and one-half hours at lunch time and at dinner time;

3. To improve the appearance of the area to the rear of the restaurant.

Mr. Saelens noted the three meetings that have been held with the neighbors. From the positive and negative comments, Mr. Saelens indicated they have tried to pull the proposal together. He pointed out the reduction from two exits onto Glenwood to just one with a posted sign "right turn only." He proposed "no parking" on the south side of Glenwood from the west end of the property up to Cannell Avenue.

Mr. Saelens submitted a letter from Russell and Gloria Parry, 835 Glenwood Avenue, supporting the project.

Speaking for the project:

Stan Forrest, 814 Glenwood Avenue

Barbara Forrest, 814, Glenwood Avenue

Opposed:

Greg Jouflas, 1275 Cannell Avenue. Mr. Jouflas opposed because of the substantial intrusion of business into a residential neighborhood. He believes the attractive parking lot will create a situation similar to that at the Vickers Station just down the block on North Avenue.

Clark Carroll, 1240 Cannell. Mr. Carroll opposed the development because he believes it will decrease property values in that neighborhood due to the increase in traffic, noise, trash. His primary concern was safety.

Martin Wenger, 1132 Cannell. Mr. Wenger had three objections to the proposal:

1. Increased heavy traffic both on Glenwood and on Cannell; the parking on Glenwood Avenue; the traffic in the alley is already quite heavy;

2. If the zoning is changed, it establishes a precedent that is very dangerous because of what might happen at the vacant lot on the north side of Glenwood at Cannell next to the Gregory Jouflas house;

3. Possibility of noise after hours.

Lisa Roberts, 866 Glenwood Avenue, directly across from the proposed exit of the parking lot, opposed because of the congestion on Glenwood Avenue. Two-way traffic is almost impossible on Glenwood Avenue. The proposed "no parking" zone the full length of the parking lot and eastward to Cannell does nothing to alleviate this problem for the remaining two-thirds of

the west end of the block. She said the "no parking" zone would also restrict the use she and her husband would have of their own street. An improved, paved parking lot over the existing dirt lot cannot help but increase the traffic. She stated that all attempts at negotiations with Taco Bell for no curb cut or exit onto Glenwood at all have met with failure, and she requested that Council deny the rezone request and preserve the neighborhood.

Mrs. Roberts read a letter from her neighbor, Mary E. Berry, 836 Glenwood Avenue, opposing the exit onto Glenwood Avenue, the trash, and kids parking in that lot after hours.

Curt Robinson, 911 Glenwood Avenue. Mr. Robinson opposed the parking lot, period. He has lived with the dirt lots, the weeds, the vacant houses for a long time, but he said he preferred that to the noise and the increased traffic that the parking lot will bring. If, however, the Council should decide to go ahead and grant the rezone, Mr. Robinson stated he was very much opposed to the Glenwood curb cut. With the large amount of college parking on Glenwood and Cannell, he feels the parking lot exit area will be extremely congested. He submitted that traffic will also increase down Glenwood from 7th Street once Taco Bell patrons discover the convenient rear entrance. He stated that two-way traffic on Glenwood is difficult even during the summer. Add winter conditions, college parking, and Taco Bell traffic and they will have very unsafe traffic patterns on their street. He addressed another problem at the Glenwood Avenue-7th Street intersection down by the Great American Bank. He believed the Police department records would show large numbers of traffic collisions in this area. He said that at the Planning Commission Hearing the City Engineer went on record by saying the proposed parking lot will work without the curb cut. Mr. Robinson requested Council to deny the curb cut. He submitted that the parking lot will be an attraction for young people after hours. His property is fifteen feet from the edge of the parking lot. He said the simple and effective solution was to require Taco Bell to barricade the parking lot. Since Taco Bell has expressed a reluctance to do this, Mr. Robinson requested Council to stipulate in the final plan that Taco Bell be required to chain off the entrances to the parking lot each night after closing.

Howard Roberts, 866 Glenwood Avenue, directly across from the proposed parking lot. He opposed the rezone of the three lots because of the encroachment of business into the neighborhood. He cited the two vacant lots on the corner of Glenwood and Cannell where a church once stood and said they are currently on the market. He submitted that the rezone in that area will cause the property values to suffer. He did not feel the residents should bear the burden of the expansion of Taco Bell.

Mr. Saelens submitted that the neighborhood is in transition, and it is not completely a residential neighborhood. He submitted pictures of two parking lots that exit onto Glenwood at 7th Street from two restaurants. Directly across the street from Taco Bell's

proposed parking lot, there is a parking lot for a church. A small home down close to 7th Street on the south side has a small business in it. He requested that Mr. Moss, Taco Bell, not be judged by the many references to the problems that exist at the Vickers parking lot. He stated that Taco Bell would control it.

The Acting President closed the hearing.

Councilman Theobold said there was mention made by Moss, Inc., as to what they would obligate themselves to do in writing and some questions raised as to whether they can be held to that. He requested the Assistant City Attorney to explain what they can or cannot be obligated to do by doing that.

Mr. Shaver said that the Council, as the final reviewing agency, can engraft conditions upon approval of the rezone and acceptance of the final plan and plat. Specifically, he said those should pertain to the actual use of the property. As a condition of the approval, a letter could be binding. The ultimate question that comes up would be the aspects of enforcement because as a practical matter the rezone and the plan and plat would be accepted so enforcement would be a matter that would need to be addressed.

Councilman Theobold pointed out that Council needs a five (affirmative) vote majority to overturn a Planning Commission decision. Because of an absence and an abstention, there were five members present. He asked "what then are the possibilities before Council?" Could it make any change to what was before it either to modify in either direction, more lenient, more stringent, or to make any changes whatsoever with less than five votes?

Mr. Shaver said yes. The reason was that this was an appeal process. The Council would not, in fact, be overturning a decision per se of the Planning Commission. If the Council bifurcates the issues, for example, the rezone was voted on by the Planning Commission and was accepted by a 6-0 vote and the Final Plan and Plat by a vote of 4-2. By virtue of the letter of opposition and the appeal that had been filed, with the five Councilmembers present, Council could make the decision.

Councilman Theobold clarified that the only thing that would require five votes would be to deny, but changes would require, in this case, a simple three to two vote.

Councilman Payne asked whether the PB zoning permitted only parking or could it be used perhaps for something else.

Mr. Shaver said that it is use specific as to this particular application. Dave Thornton, Planning, said that if a building were proposed, it would come back through the hearing process.

The Proof of Publication to the following entitled proposed ordinance had been received for filing: CHANGING THE ZONING ON

CERTAIN LANDS WITHIN THE CITY WITH A STREET ADDRESS OF 850 NORTH AVENUE, 845, 865, 875 GLENWOOD AVENUE. Upon motion by Councilman Nelson, seconded by Councilman Theobold and carried, the proposed ordinance was called up for final passage and read by title only.

Clark Carroll was concerned about the safety of sight distance exiting from the parking lot onto Glenwood with the five-foot berm and parked vehicles. Don Newton, City Engineer, said that the berm is located back approximately 20 feet from the curb line. He felt there would be adequate sight distance.

Councilman Theobold asked Mr. Saelens to address the impacts on the plan if there were no ingress and egress onto Glenwood.

Mr. Saelens said the impact would be that if there were no exit on Glenwood, they would not do the project. They feel they need that exit to get good traffic circulation.

Lisa Roberts, 866 Glenwood, wanted to emphasize that she lives directly across from that parking lot and she did not want the headlights into her home for the rest of her life.

It was moved by Councilman Nelson and seconded by Councilman Payne that the Ordinance be passed and adopted, numbered 2483, and ordered published, and in addition to require in writing from the petitioner a statement that if there are after-hours parking, noise, use by unauthorized persons, the petitioner provide security for the lot until the problem goes away, and if it comes back the petitioner will again provide security.

Acting President Mantlo asked if the entrance off Glenwood could be deleted and have only an exit to the right onto Glenwood. City Engineer Don Newton said it was possible to do that, however, the problem would be enforcement.

Acting City Attorney Shaver said the dedicatory language would be placed on the final plat and plan reference to this issue.

Roll was called on the motion with the following result:

Councilmembers present voting AYE: NELSON, PAYNE THEOBOLD

Councilmembers present voting NO: BENNETT, MANTLO

Councilmembers ABSTAINING: SHEPHERD

Councilmembers ABSENT: MC CURRY

Upon motion by Councilman Nelson, seconded by Councilman Payne and carried, the Final Plat and Plan for Taco Bell was approved with the stipulation by Councilman Nelson to require in writing from the petitioner a statement that if there are after-hours parking, noise, use by unauthorized persons, the petitioner provide security for the lot until the problem goes away, and if it comes

back the petitioner will again provide security.

President Pro Tempore Shepherd resumed the Chair and called a five-minute recess. Upon reconvening, the above-listed six Councilmembers were present.

A question of procedure was raised by City Manager Mark Achen. He said that his understanding of the City Charter was that no ordinance could be adopted by anything less than a majority of all Councilmembers, be they present or not present, so an ordinance could only be passed by at least four affirmative votes.

Mr. Shaver proposed that the matter be taken under advisement and continue the Ordinance until August 15, 1990, and at that time have a legal opinion as to the construction of the Charter and as to whether or not the vote taken is in fact binding under that provision by virtue of it being three to two, a majority of the voting members of Council as opposed to a majority of the entire Council.

Final publication of the Ordinance will be postponed until after the August 15 meeting.

HEARING NO. 26-90 - NORTHRIDGE ESTATES FILING #4 FINAL PLAN AND PLAT (ALSO KNOWN AS MESA VIEW II) APPROVED - ORDINANCE NO. 2485, VACATING NORTH BLUFF DRIVE AND A PORTION OF HORIZON PLACE, AND A UTILITY EASEMENT IN NORTHRIDGE ESTATES FILING #3

A hearing was held after proper notice on the letter of appeal submitted by Timothy V. Mannion, 3038 Cloverdale Court, regarding the Final Plan and Plat. Karl Metzner, Planning Department, reviewed the proposed. The Planning Commission approved the Final Plan for Northridge Estates Filing #4 July 10, 1990, by a vote of 6-0. The nature of the appeal was that at the preliminary stage it was represented there would be no changes from the preliminary approval to the final plan and that there were indeed, as the appeal stated, substantive changes to that plan. Mr. Metzner said the preliminary plan showed two cul de sacs shown, instead there were flagged lots to substitute for those cul de sacs. And in addition, in the final plan it was proposed that three lots on the northeast portion of the site backing up against the Grand Valley Canal would have a rear yard setback of 20 feet instead of 30 feet. Approval at the Planning Commission Hearing was subject to substituting one cul de sac to replace the flag lots. He indicated that everything else on the final plan was as shown on the preliminary plan.

The following letter from Tim Mannion, who could not be present for the hearing due to a business trip out of town, was presented:

July 28, 1990

Dan Wilson  
City Attorney

250 North 5th Street  
Grand Junction, CO 81501

Dear Mr. Wilson,

As I am out of town on business and will be unable to attend the City Council meeting of August 1, and you informed me that the appeal I have filed cannot be moved to the next meeting when I would have the opportunity to present my case in person, I am writing this letter and wish to have it read into the record.

The issue before you today has to do with honor and integrity. The question before you is a simple one. Did Colson & Colson keep the promises they had made.

When the city voted to uphold Ordinance 2450 they voted on the ordinance not on the zoning itself. In your resolution which was approved in that vote, you made all the promises made by Colson & Colson a condition of the approval of the rezone. You must now ask the question did they keep their promise to only make "insignificant modifications necessary to meet utility easements and/or City engineering specifications or requirements"? The answer to this would have to be NO as Colson & Colson made numerous changes and the utilities and the City did not require or even ask for any of them. This promise is contained in the Declaration of Covenants, Conditions and Restrictions which Colson & Colson wrote themselves. Colson & Colson also use the preliminary plan in their advertisements during the election implying to the voters that this is what would be built. The changes that were made an attempt to save Colson & Colson money.

By the terms Colson & Colson agreed to, they were prohibited from making changes even if they were an improvement on the preliminary plan. In making your decision you should consider the plan that Colson & Colson submitted, not the one planning commission passed after they had mitigated most, but not all of the changes Colson & Colson made. Most plans change from the preliminary stage to the final plan. But this is not like most plans, each time the planning commission turned down this project Colson & Colson revised their preliminary plan and resubmitted it. When Colson & Colson agreed not to make any further changes it was on the fifth or sixth revision of their plan. It should also be noted that the condition of not changing the plan was imposed by the City Council in response to fears that Northridge residents had that what was promised is not what would be built, it appears that those fears were well founded. All Colson & Colson had to do to qualify for the rezone was to build what they had promised the residents of Northridge, the City Council, and the voters of Grand Junction.

I know our thoughts on this project have not always agreed, but I also know that you are honorable men doing a difficult job. We all believed the City Council when they said that if Colson & Colson did not keep every promise they had made they would not get the rezoning they wanted. I am not asking that the City Council



attempt to force Colson & Colson to honor their promises, I am asking that because Colson & Colson broke their word to us, and to you, that you now do your duty by keeping your word and revoke their conditional zoning.

Respectfully,

/s/ Timothy V. Mannion  
3038 Cloverdale Court  
Grand Junction, CO 81506

Pat Edwards, 510 Tiara Drive, representing Colson & Colson, stated that a letter together with the final plan that indicated that all the documents, including the improvements escrow, etc., etc., were being submitted unsigned pending any revisions that were necessary from the City Attorney, from the Home Owners Association Attorney. All those documents will be executed when they are in their final stage along with and together with the final plat and plan. He emphasized that all those items are a part of the Escrow Agreement that was worked out with the City Attorney, with the representative of the Homeowners Association, etc. He stated that the letter of appeal was challenged by the petitioner by a letter dated 7-17-90 by the petitioner's counsel to Karl Metzner for the reasons contained in that letter. Other than the changes noted by Mr. Metzner, there are no other changes between the preliminary plan and the final plan.

There were no other opponents, letters, or counterpetitions.

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the Final Plan for Northridge Estates Filing #4 was approved.

The Proof of Publication to the following entitled proposed ordinance was accepted for filing: VACATING NORTH BLUFF DRIVE, A PORTION OF HORIZON PLACE, AND A UTILITY EASEMENT IN NORTHRIDGE ESTATES FILING #3. Upon motion by Councilman Nelson, seconded by Councilman Theobold and carried, the proposed ordinance was called up for final passage and read by title only.

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2485, and ordered published.

PROPOSED ORDINANCE RE: ISSUANCE OF CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT BONDS, SERIES 1990, DATED AUGUST 15, 1990, IN THE PRINCIPAL AMOUNT OF \$1,300,000.00

The following entitled proposed ordinance was read: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT BONDS SERIES 1990, DATED AUGUST 15, 1990, IN THE PRINCIPAL AMOUNT OF \$1,300,000, FOR THE PURPOSE OF ACQUIRING OR CONSTRUCTING PUBLIC IMPROVEMENTS

DESIGNED TO IMPROVE TRAFFIC AND PEDESTRIAN CIRCULATION WITHIN THE DOWNTOWN AREA; PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE MANNER OF EXECUTION, DELIVERY AND REGISTRATION OF THE BONDS; PROVIDING HOW THE PROCEEDS OF THE BONDS WILL BE USED AND HOW PAYMENT OF THE BONDS WILL BE MADE; APPROVING THE BOND PURCHASE AGREEMENT AND THE PRELIMINARY OFFICIAL STATEMENT; FURTHER PROVIDING FOR THE DEFEASANCE OF THOSE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT BONDS DATED SEPTEMBER 1, 1986, BY THE ESCROW OF MONEYS OR FEDERAL SECURITIES THEREFOR; AND RELATED MATTERS.

Councilman NELSON ABSTAINED from discussion and voting on the proposed ordinance due to an actual conflict of interest.

Upon motion by Councilman Mantlo, seconded by Councilman Payne and carried, the proposed ordinance was passed for publication.

#### ORDINANCE ON FINAL PASSAGE - PROOF OF PUBLICATION

Proof of Publication on the following Ordinance proposed for final passage had been received and filed. Copies of the Ordinance proposed for final passage were submitted to the City Council prior to the meeting.

ORDINANCE NO. 2484 - REZONE 144 N. 9TH STREET FROM RESIDENTIAL MULTI-FAMILY (RMF-64) TO PLANNED BUSINESS (PB) FOR A PARKING LOT - COLORAMA FEDERAL CREDIT UNION

Upon motion by Councilman Nelson, seconded by Councilman Theobald and carried, the following entitled proposed ordinance was called up for final passage and read by title only: CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY WITH A STREET ADDRESS OF 144 NORTH NINTH STREET.

There were no comments. Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2484, and ordered published.

RESOLUTION NO. 46-90 ADOPTING THE UNIFIED WORK PROGRAM AND THE TRANSPORTATION IMPROVEMENT PLAN FOR 1991 - \$4,028 CITY COST

The following Resolution was read:

RESOLUTION NO. 46-90

MCC# MCM 90-97

A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING ADOPTION OF THE FISCAL YEAR 1991 UNIFIED PLANNING WORK PROGRAM AND THE FISCAL YEAR 1991-1995 TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the City and the County have been designated by the

Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and

WHEREAS, the City and the County realize the importance of both short and long-range planning in the development of an efficient transportation system; and

WHEREAS, the City and the County are aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and

WHEREAS, the City and the County, in their performance of those planning functions, wish to use Federal Highway Administration transportation planning funds in coordination with the Colorado Department of Highways;

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

That the Fiscal Year 1991 Unified Planning Work Program and the Fiscal Year 1991-1995 Transportation Improvement Program and Annual Element for the Grand Junction/Mesa County Urbanized Area, attached hereto, is hereby adopted as the FY 1991 Unified Planning Work Program and FY's 1991-1995 Transportation Improvement Program for the County and City, by:

COUNTY OF MESA

/s/ John M. Leane

\_\_\_\_\_  
Chairman of the Board of County Commissioners of Mesa County

31st day of July, 1990.

Attest:

/s/ Gincy French

\_\_\_\_\_  
Chief Deputy County Clerk

CITY OF GRAND JUNCTION

/s/ Conner W. Shepherd

\_\_\_\_\_  
President of Council Pro Tempore

1st day of August, 1990.

Attest:

/s/ Neva B. Lockhart, CMC

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

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

RESOLUTION NO. 47-90 AUTHORIZING LOANS FROM THE GENERAL FUND TO THE GOLF COURSE FUNDS OF THE CITY OF GRAND JUNCTION

The following Resolution was read:

RESOLUTION NO. 47-90

A RESOLUTION AUTHORIZING LOANS FROM THE GENERAL FUND TO THE GOLF COURSE FUNDS OF THE CITY OF GRAND JUNCTION

WHEREAS, it is desirable to remodel the Lincoln Park Club House, and to construct a new club house at Tiara Rado Golf Course and a pong at Lincoln Park Golf Course; and

WHEREAS, the golf course funds do not currently have sufficient funds to pay for these construction projects but do have revenues from expansion fees and operations over the next ten (10) years to finance the projects; and

WHEREAS, the amount to be financed does not justify the problems and costs associated with outside financing.

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

That:

(a) Loans to the golf course funds from the General Fund are authorized up to the amount of \$891,543 for these projects.

(b) The loans will be repaid with interest at nine (9) percent per annum over the next ten (10) years.

(c) Outstanding loans will be a reservation of fund balance to the General Fund and will not be available for appropriation.

PASSED and ADOPTED this 1st day of August, 1990.

/s/ Conner W. Shepherd

\_\_\_\_\_  
President of Council Pro Tempore

Attest:

/s/ Neva B. Lockhart, CMC

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

Upon motion by Councilman Nelson, seconded by Councilman Mantlo

and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 48-90 - ACCEPTING ENGINEER'S STATEMENT OF COMPLETION OF (ALLEYS) I.D. ST-89, PHASE A, ASSESSING COSTS AND GIVING NOTICE OF HEARING

The following Resolution was presented:

FY 1991

UNIFIED PLANNING WORK PROGRAM FOR THE GRAND JUNCTION/MESA COUNTY URBANIZED AREA

Prepared by the Grand Junction, Mesa County Area Metropolitan Planning Organization and the Colorado Department of Highways, Program Management Branch

In cooperation with the U.S. Department of Transportation, Federal Highway Administration

August, 1990

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MPO Local Review Process - Figure 3 . . . 3

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Figure 1

TRANSPORTATION PLANNING TERMINOLOGY

Air Quality Control Commission . . . AQCC

Colorado Department of Highways . . . CDOH

Continuing, Comprehensive and Cooperative Transportation Planning Process . . . "3C" Process

U.S. Department of Transportation . . . DOT

Federal-Aid Highway Program Manual . . . FHPM

Federal Aid System . . . FAS

Federal-Aid Urban System . . . FAUS

Federal Highway Administration . . . FHWA

Fiscal Year for the MPO . . . FY

Highway Planning and Research Funds . . . HPR

Metropolitan Planning Organization . . . MPO

FHWA planning funds made available through CDOH to the MPO for "3C" process . . . PL Funds

Technical study funds for UMTA made available to the MPO for "3C" process . . . Section 8 Funds

State Implementation Plan . . . SIP

Title VI of the U.S., Civil Right Act of 1964, as amended . . . Title VI

Transit Development Plan . . . TDP

Transportation Improvement Program . . . TIP

Transportation Policy Advisory Committee . . . TPAC

Transportation Technical Advisory Committee . . . TTAC

Unified Planning Work Program . . . UPWP

Urban Mass Transportation Administration . . . UMTA

Urban Transportation Planning Process . . . UTPP

Vehicle Miles Traveled . . . VMT

## Introduction

The Unified Planning Work Program describes planning tasks and personnel costs and budget funds for the Fiscal Year 1991 running from October 1, 1990 through September 30, 1991.

The Metropolitan Planning Organization (MPO), composed of Grand Junction and Mesa County elected officials and staff, coordinates this planning with state officials from the Colorado Department of Highways (CDOH) and the Colorado Health Department who, through the Air Quality Control Commission, is charged with protecting air quality throughout Colorado. The ultimate goal of this planning process is an efficient, effective transportation system.

To further the continuing, comprehensive, and cooperative planning for the Grand Junction Urbanized Area (Fig. 2), the Federal Highway Administration provides PL funds to the MPO under the administration of the CDOH. The 1991 PL allocation is \$34,281, with an additional amount of \$21,432 in carryover funds, and \$11,800 in deprogramed funds, for a total amount available of \$67,513. PL funds are matched at a 12.90% ratio by the MPO members. Thus, for every \$100 expended by the MPO on approved tasks, \$87.10 will be reimbursed by PL funds up to the budgeted amount. The MPO plans to program \$54,394 of the available PL funds in FY 1991. The MPO proposed to spend a total of \$62,450, including local match, on transportation related tasks contained in the FY 1991 Unified Planning Work Program.

The CDOH, as the Contract Administrator, monitors the timely accomplishment of tasks and the reimbursement process. In addition, the CDOH actively participates in the planning process through the provision of technical services. (See Page 3 for the MPO structure.)

The current local operational structure allows for the maximum funding to be channeled to local City and County agencies, through the Transportation Technical Advisory Committee (TTAC) and Transportation Policy Advisory Committee (TPAC), to provide staff and resources for completion of the various tasks. With MPO funding trending downward, the MPO has shifted much of the administrative activity associated with each task (development, implementation and monitoring) into the task budget itself. This allows the MPO Administrator to focus on required documents, annual certification and overall policy development for the agency and direct more dollars to actual studies and activities.

The Director of the Mesa County Transportation Services Division, Support Services Group, currently serves as the MPO Administrator. This office is the "single point-of-contact" between MPO agencies, state and federal officials. The technical operational agencies have assumed a more active role in developing, implementing and monitoring the program tasks. The MPO Administrator provides technical support and perform the managerial tasks necessary for the MPO to comply with state and federal requirements. Program

goals call for continued support of planning, monitoring and implementation tasks, and minimum administrative overhead. The local MPO's approach to this UPWP should accomplish those goals.

GRAND JUNCTION/MESA COUNTY METROPOLITAN PLANNING ORGANIZATION

LOCAL REVIEW PROCESS

DECISION MAKING OFFICIALS

Grand Junction City Council  
Mesa County Commissioners

TRANSPORTATION POLICY ADVISORY COMMITTEE (TPAC)

Grand Junction City Council Designee  
Mesa County Commissioners Designee  
State Highway Commission Designee  
Colorado Air Quality Control Commission Designee  
Federal Highway Administration Designee

MPO ADMINISTRATION

Mesa Co. Transportation Services Division Director

TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

Colorado Dept. of Health - Air Pollution Control Division, Denver  
Colorado Dept. of Highways - Dist. 3  
Colorado Dept. of Highways - Division of Transportation Planning,  
Denver  
Colorado State Patrol  
Federal Highway Administration, Denver  
Grand Junction HazMat Coordinator  
Grand Junction City Planning Div.  
Grand Junction City Public Works Dept.  
Mesa County Engineering Division  
Mesa County Health Department  
Mesa County Planning Division  
Urban Mass Transportation Admin. - Region VIII, Denver

Grand Junction City Planning Commission

Mesa County Planning Commission

City of Fruita

City of Fruita

Town of Palisade

Summary of the Budget

For FY 1991 it is proposed that \$62,450 be expended by the MPO on



transportation planning. Of that amount, 12.9% or \$8,056 would be the required match from Grand Junction and Mesa County. Federal Highway Administration PL funds, passed through the Colorado Department of Highways, would provide 87.1% or \$54,394. A breakdown of these funds by task group and agency is shown below.

TABLE 1

	TASK GROUP						AGENCY /FUNDING
		LOCAL	PL FUNDS	TOTAL LOCAL	CDOH	TOTAL LOCAL & CDOH	UMTA
A.	Management	\$1,135	\$7,665	\$8,800	\$10,025	\$18,825	\$-0-
B.	Monitoring	\$1,135	\$7,665	\$8,800	\$-0-	\$8,800	\$-0-
C.	Planning	\$5,224	\$35,276	\$40,500	-0-	\$40,500	\$-0-
D.	Implementation	\$162	\$1,088	\$1,250	\$750	\$2,000	\$-0-
E.	Services	\$400	\$2,700	\$3,100	\$5,100	\$8,100	\$-0-
	TOTALS	\$8,056	\$54,395	\$62,450	\$15,775	\$78,225	\$-0-

FUNDING BREAKDOWN

Colorado Department of Highways, PL funds	\$54,394.00 (87.10%)
Mesa County Funds	4,028.00 (6.45%)
City of Grand Junction Funds	4,028.00 (6.45%)

Total	\$62,450.00 (100%)

SOURCE OF PL FUNDS

FUNDING SOURCE	AMOUNT	PROGRAMMED FOR 1991
Fund Carryover:	\$21,432.00	\$21,432.00
Deprogrammed Funds:	\$11,800.00	\$11,800.00
1991 Allocation:	\$34,281.00	\$21,162.00
TOTALS	\$67,513.00	\$54,394.00

These amounts are further broken down in Table 2 by task and agency.

TABLE 2

UPWP TASK COSTS

TASK	LOCAL DAYS	LOCAL SHARE	PL SHARE	TOTAL LOCAL	UMTA SHARE	CDOH DAYS	CDOH COSTS	TOTAL COSTS
A.1 FY91 UPWP	15	\$ 367	\$ 2,483	\$ 2,850	\$-0-	7	\$ 2,000	\$ 4,8
A.2 CIT PART	2	26	174	200	-0-	-0-	-0-	2
A.3 PROG ADMIN	30	742	5,008	5,750	-0-	32	8,025	13,7
MANAG EMENT SUBT	47	\$ 1,135	\$ 7,665	\$ 8,800	\$-0-	39	\$10,0 25	\$18,8

B.1 TRAF COUNT S	30	\$ 516	\$ 3,484	\$ 4,000	\$-0-	-0-	\$-0-	4,0
B.2 STP/S IG INV	20	206	1,394	1,600	-0-	-0-	-0-	1,6
B.3 ACCID MONIT	30	413	2,787	3,200	-0-	-0-	-0-	3,2
MONIT ORING SUBT	80	\$ 1,135	\$ 7,665	\$ 8,800	\$-0-	-0-	\$-0-	\$ 8,8
C.1 MAJ ART STY	90	\$ 1,999	\$13,5 01	\$15,5 00	\$-0-	-0-	\$-0-	\$15.5
C.2 CENSU S	120	1,290	8,710	10,00 0	-0-	-0-	-0-	10,0
C.3 COM BCY SYS	90	645	4,355	5,000	-0-	-0-	-0-	5,0
C.4 OM O&D STY	120	645	4,355	5,000	-0-	-0-	-0-	5,0
C.5 HORIZ ON STY	120	645	4,355	5,000	-0-	-0-	-0-	5,0
PLANN ING SUBT	540	\$ 5,224	\$35,2 76	\$40,5 00	-0-	-0-	\$-0-	\$40,5
D.1 FY 91 TIP	5	\$ 123	\$ 827	\$ 950	\$-0-	3	\$750	\$ 1,7
D.2 TIP AMEND	2	39	261	300	-0-	-0-	-0-	3
IMPLE	7	\$	\$	\$	\$-0-	3	\$750	\$ 2,0

MENT SUBT		162	1,088	1,250				
E.1 TITLE VI	2	\$ 26	\$ 174	\$ 200	\$-0-	-0-	\$-0-	\$ 2
E.2 SERVI CES	15	374	2,526	2,900	-0-	-0-	5,000	7,9
SERVI CES SUBT	17	\$ 400	\$ 2,700	\$ 3,100	\$-0-	25	\$ 5,000	\$ 8,1
PROGR AM TOTAL	676	\$ 8,056	\$54,3 94	\$62,4 50	\$-0-	67	\$14,7 75	\$78,2

#### GRAND JUNCTION/MESA COUNTY MPO

#### UPWP WORK TASKS

The major portion of this document consists of work tasks to be completed during Fiscal Year 1991 (October 1, 1990 to September 30, 1991). These work tasks are intended to monitor and implement the continuing, cooperative and comprehensive urban transportation planning process carried out by the MPO and CDOH in the Grand Junction urbanized area. The agencies with primary responsibility for completion of each task are listed in the UPWP. The UPWP is intentionally presented as an outline of primary funding sources and planning schedules. An overview of the entire planning process is contained in the Memorandum of Agreement establishing the MPO. (See Figure 3 for the MPO structure)

Figure 4 provides a summary of scheduling for all UPWP tasks. Work tasks of a continuing nature are differentiated from those with definable time frames. Modifications in task schedules are reflected in quarterly PL monitoring reports. Significant changes in schedules will be agreed to by CDOH and the MPO.

An accomplishment report for FY 1991 will be completed in October, 1991 and submitted to the CDOH.

#### A. MANAGEMENT ACTIVITIES

The primary objective of the UPWP management activities is to provide for the on-going management of the urban transportation planning program in the Grand Junction urbanized area. Secondary objectives include coordination of planning efforts between local, regional and state agencies, and monitoring and documentation of transportation planning efforts and technical studies through locally adopted planning documents. Since the MPO and CDOH share

responsibility for compliance with Federal planning guidelines, both agencies are involved in program management activities.

A.1. Task Name: Fiscal Year 1992 (October 1, 1991 through September 30, 1992) Unified Planning Work Program (UPWP).

Objective: To perform the necessary management tasks to produce a FY92 UPWP that will include all transportation planning activities, regardless of Federal funding sources, which significantly impact the local Study Area, whether performed on a federal, state, or local level.

Methodology: The MPO staff, with input from the local government technical staff and the CDOH, will be responsible for preparing the FY92 UPWP. The UPWP will be prepared in accordance with applicable federal and state requirements. Each task in the UPWP will be described in terms of objective, methodology, product, schedule, agency responsibility, costs and CDOH.

Product: A Unified Planning Work Program for FY 1992.

Schedule: A meeting to discuss planning work needs will be held in May. UPWP first draft in July, with local adoption by August 15th. The MPO Contract will be signed by the Grand Junction City Council, Mesa County Commissioners, and State of Colorado by September 30th.

Agency: MPO Administrator.

Personnel: Local 15 days CDOH 7 days

Costs: Local \$2,850 CDOH \$4,850

A.2. Task Name: Citizen Participation.

Objective: To encourage public involvement in transportation planning and increase awareness of the Metropolitan Planning Organization Process.

Methodology: Citizens will actively participate in the development of policy for the MPO through the City and County Planning Commissions. Local staff will prepare information for the media and the public, hold open meetings of the TTAC, and advertise public hearing on items requiring public comment.

Products: Press release concerning transportation issues and an annual report. The annual report will be a brief overview of work performed by the MPO during the fiscal year. The report will be in language understandable by the general public.

Schedule: Continuous throughout the year. Annual report in September 1991.

Agency: MPO Administrator.

Personnel: Local 2 days

Costs: Local \$200

### A.3. Task Name: Program Administration.

Objective: To effectively administer, manage, support, monitor, coordinate, control the continuing federally assisted transportation planning process for the Grand Junction urbanized area.

Methodology: The local staff will be responsible for carrying out the following activities:

(1) Maintain the commitments included in the Memorandum of Agreement and the contracts for planning funds (P.L. funds and Section 8 & 7 funds); (2) Submit monitoring reports on the FY91 UPWP tasks; (3) Maintain and document expenditures and submit financial reports; (4) Support members of the decision making bodies, transportation Policy Advisory Committee, Transportation Technical Advisory Committee and the City and County Planning Commissions in their decisions on MPO related activities; (5) To monitor significant policy activities on the federal, state and local levels that could have potential impact on MPO activities. At the direction of the MPO, represent the MPO members in federal, state, and local decision making processes; (6) Represent the MPO on the Northwest Colorado Transportation Needs Study Task Force; (7) Monitor UPWP task activities; (8) Develop RFP for UPWP study and manage the contract.

The Colorado Department of Highways staff will participate in the above listed activities and, in addition, perform necessary administrative functions to assure the effective coordination and participation of other branches of State government and appropriate federal agencies in the MPO Transportation Planning Process.

Schedule: Continuous through the year with quarterly monitoring reports (October, January, April, and July) and T.T.A.C. meetings as required.

Agency: MPO Administration.

Personnel: Local 30 days CDOH 32 days

Costs: Local \$5,750 CDOH \$8,025

### B. MONITORING ACTIVITIES

The primary objective of monitoring is to provide support to transportation planning, implementation, and service activities through the collection, maintenance and analysis of certain factors indicating the condition of land use development and the

existing transportation system. Data normally maintained by participating agencies will be utilized to meet reporting requirements as much as possible. A compatible data base will be utilized to the maximum extent feasible.

B.1. Task Name: Traffic Counting.

Objective: To monitor traffic conditions at a variety of intersections and other critical locations.

Methodology: Engineering staff will conduct traffic counts with no less than 1-hour intervals, with some specific intersection monitoring. Locations will be coordinated with the CDOH.

Product: An on-going traffic monitoring program with the ability to produce information on peak hour and directional flows.

Schedule: On-going, with results submitted annually.

Agency: Mesa County Public Works, Traffic Division. Grand Junction Public Works, Engineering Div.

Personnel: County 15 days City 15 days

Costs: County \$2,000 City \$2,000

B.2. Task Name: Stripping and Traffic Signal Inventory.

Objective: To record all existing traffic stripping and signals owned and/or maintained by Mesa County.

Methodology: Personnel will conduct a county-wide survey of stripping and signal locations.

Products: A computerized data base to; assist in budgeting for stripping and signals; aid in development of a maintenance program; and to determine a formal replacement plan.

Schedule: October, 1990 through August, 1991

Agency: Mesa County Public Works, Engineering Div.

Personnel: Local 20 days

Costs: Local \$1,600

B.3. Task Name: Traffic Accident Report Coordination.

Objective: To record all traffic accidents in Mesa County on a generalized map.

Methodology: Personnel will compile accident information from the Colorado State Patrol, Mesa County Sheriff's Department and City of Grand Junction Police Department.

Products: A coded map showing location and severity of traffic accidents for the past year.

Schedule: February, 1991 through May, 1991.

Agency: Mesa County Public Works, Engineering Div. Grand Junction Public Works, Engineering Div.

Personnel: City 15 days County 15 days

Costs: City \$1,600 County \$1,600

### C. PLANNING ACTIVITIES.

The primary objective of planning activities is to support the decision making process of the MPO through the development of studies and analyses concerning short and long-term transportation needs.

#### C.1. Task Name: Major Arterial Corridor Study

Objective: Analysis of existing traffic volumes, growth and development patterns, and projected growth trends along major arterial roads including 24 Road, 29 Road, Rosevale Road-Black Bridge, B-3/4 Road, 26-3/8 Road and others to be determined in the final scope-of-work. To plan and program for future segments of roads based on area growth.

Methodology: Consultant will research traffic volumes, survey existing conditions of roads and bridges in the study area, and develop zone buildout potentials along major arterial road corridors in the urban area. Required roadway improvements will be generated, based on the buildout potentials, and prioritized for future capital improvement capital improvement plan programming. Exact task requirements will be detailed in a request for proposals if this task is contracted to the private sector.

Product: A report on existing roadway and bridge conditions, the required improvements necessary to service the expected future development, and a prioritized capital improvement program for the next ten (10) years.

Schedule: October, 1990 - August, 1991.

Agency: Mesa County Public Works. Grand Junction Public Works.

Personnel: Local 90 days

Costs: Local \$15,500

#### C.2. Task Name: Census Coordination and Summary.

Objective: To complete the Local Review Process and to compile



census data, by traffic zones, in a format usable by the public and local entities.

Methodology: MPO Administrator will coordinate local contact with Census officials. Staff will compile the preliminary census data by traffic zone in a summary format. Graphic illustrations will be done for easy reference. Recommendations for annual updates and projections will be included.

Product: Required responses to the Census Bureau. Data will be contained in a summary document on diskette which can be easily updated and printed on a laser printer for publication.

Schedule: October, 1990 through September, 1991.

Agency: MPO Administrator. Mesa County Public Works, Planning Division. Grand Junction Public Works, Planning Division.

Personnel: Local 120 days

Costs: Local \$10,000

### C.3. Task Name: Commuter Bicycle Route System

Objective: To study the current and potential use of roads and trails for safe bicycle commuter traffic through the urban area.

Methodology: Staff will research existing bicycle trails and potential street and off-road routes for commuting purposes. References should include the Grand Junction Bicycle Access Map and the 1990 MPO Off-Road Pedestrian/Bicycle System Study. A system of possible routes that would connect community facilities and activity nodes with residential areas will be identified.

Products: Report with maps and recommendations of the preferred routes for bicycle commuting. The report shall include existing and proposed routes, connections, signage, funding sources, and implementation schedules.

Schedule: October, 1990 through May, 1991.

Agency: Mesa County Public Works, Planning Division. Grand Junction Public Works, Planning Div.

Personnel: Local 90 days

Costs: Local \$5,000

### C.4. Task Name: Orchard Mesa (Highway 50) Origin and Destination Study.

Objective: To analyze traffic origins, destinations and volumes to and from the Orchard Mesa Area in order to determine the present and future need for additional roadways and river crossings.

Methodology: A consultant will be selected to survey existing traffic patterns and volumes, develop zone buildout potential, and analyze existing roadway capacities on Orchard Mesa and along the Highway 50 corridor. Computer modeling will be used to develop a plan for future road improvements and river crossings.

Product: A report on existing roadway and bridge conditions and capacities and a capital improvement plan for road improvements and new river crossings.

Schedule: January, 1991 through August, 1991.

Agency: Grand Junction Public Works. Mesa County Public Works.

Personnel: Local 90 days

Costs: Local \$5,000

C.3. Task Name: Northeast Area Transportation Study.

Objective: To develop a transportation and capital improvement plan in the area bounded by 12th Street on the west, Horizon Drive and I-70 on the north, 29 Road on the east, and F Road on the south. To evaluate existing roadway locations and classifications in this area, and modify as necessary to meet present and future transportation needs.

Methodology: A consultant will be selected to evaluate current roadways, zoning, and zone buildout potential in this area. Roadway corridors will be located based on zoning and traffic generated from potential buildout. Computer modeling will be used to develop a plan for future roadway improvements and priorities.

Products: A report to be used for planning the growth and development of the area including:

1. Recommendations for zoning changes.
2. Major street corridor locations.
3. Recommendations of street classifications.
4. Prioritized capital improvement program for major street construction.

Schedule: November, 1990 through May, 1991.

Agency: Grand Junction Public Works. Mesa County Public Works.

Personnel: Local 90 days

Costs: Local \$5,000

#### D. IMPLEMENTATION TASKS.

Implementation activities refer to lists of capital projects adopted by the MPO which establish policy guidance on the use of transportation funds in the urbanized area of Grand Junction.

D.1. Task Name: Fiscal Years 1992-1996 Transportation Improvement Program (TIP).

Objective: The Fiscal Years 1992-1996 TIP will establish the capital projects in the urbanized area for which federal assistance is expected. It will contain an annual element showing specific projects to which funds have been committed.

Methodology: MPO, City Engineering, County Engineering and CDOH District 3 staff will develop a TIP using information from existing capital improvement programs, monitoring data concerning traffic volumes, accidents, and revenue projections.

Products: The FYs 1992-1996 Transportation Improvement Program.

Schedule: First draft in July with local adoption by August 15th.

Agency: MPO Administrator.

Personnel: Local 5 days CDOH 3 days

Costs: Local \$950 CDOH \$750

D.2. Task Name: Fiscal Year 1991 Transportation Improvement Program Amendments.

Objective: To amend the FY 1991 TIP as needed.

Methodology: As advised by City Engineering, County Engineering and CDOH District 3 staff, the MPO staff will process the necessary amendments. The 2010 Transportation Plan will be used to guide amendments.

Products: An amended TIP.

Schedule: As necessary.

Agency: MPO Administrator.

Personnel: Local 2 days

Costs: Local \$300

#### E. SERVICE TASKS.

Service activities refer to assistance to local and other governmental agencies concerning transportation issues.

E.1. Task Name: Title VI.

Objective: To assure that the activities of the MPO are in accordance with Title VI of the Civil Rights Act of 1964 as amended.

Methodology: Local and CDOH staff will prepare data on minority concentrations in the MPO Study Area and assure that minorities are afforded access to by CDOH and the MPO.

Products: Quarterly reports.

Schedule: Reports in January, April, July and September.

Agency: MPO Administrator.

Personnel: Local 2 days

Costs: Local \$200

E.2. Task Name: Services.

Objective: To provide technical data and general assistance to requesting agencies.

Methodology: Published reports or data will be supplied when available. Local MPO staff will also provide planning assistance to local or state agencies. The MPO technical library will be maintained for use by the agencies. The MPO will provide service as necessary to assist in the 1990 U.S. Census.

Products: Inquiries answered, assistance provided.

Schedule: Continuous.

Agency: MPO Administrator.

Personnel: Local 15 days CDOH 25 days

Costs: Local \$2,625 CDOH \$5,000

FIGURE 4

TASK SCHEDULE

LEGEND

--- = TASK ACTIVITY TIMEFRAME

\*\*\* = CONTINUOUS TASK ACTIVITY

D = DRAFT REPORT DUE

O = OUTLINE DUE

R = REPORT DUE

A = LOCAL APPROVAL DUE

C = CONTRACT SIGNED

TRANSPORTATION IMPROVEMENT PROGRAM

FISCAL YEARS 1991-1995 FOR THE GRAND JUNCTION/MESA COUNTY  
URBANIZED AREA

OCTOBER 1, 1990 TO SEPTEMBER 30, 1995

PREPARED BY THE GRAND JUNCTION/MESA COUNTY AREA METROPOLITAN  
PLANNING ORGANIZATION

IN COOPERATION WITH THE COLORADO DEPARTMENT OF HIGHWAYS PROGRAM  
MANAGEMENT BRANCH

AND THE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

August, 1990

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Figure 1

#### TRANSPORTATION PLANNING TERMINOLOGY

Air Quality Control Commission . . . AQCC

Colorado Department of Highways . . . CDOH

Continuing, Comprehensive and Cooperative Transportation Planning  
Process . . . "3C" Process

U.S. Department of Transportation . . . DOT

Federal-Aid Highway Program Manual . . . FHPM

Federal-Aid Interstate . . . FAI

Federal-Aid Primary . . . FAP

Federal-Aid System . . . FAS

Federal-Aid Urban System . . . FAUS

Federal Highway Administration . . . FHWA

Fiscal Year for the MPO . . . FY

Highway Planning and Research Funds . . . HPR

Metropolitan Planning Organization . . . MPO

FHWA planning funds made available through CDOH to the MPO for  
"3C" process . . . PL Funds

Technical study funds for UMTA made available to the MPO for "3C"  
process . . . Section 8 Funds

State Implementation Plan . . . SIP

title VI of the Civil Rights Act of 1964, as amended . . . Title  
VI

Transit Development Plan . . . TDP

Transportation Improvement Program . . . TIP

Transportation Policy Advisory Committee . . . TPAC

Transportation Technical Advisory Committee . . . TTAC

Unified Planning Work Program . . . UPWP  
United States Department of Transportation . . . DOT  
Urban Mass Transportation Administration . . . UMTA  
Urban Transportation Planning Process . . . UTPP  
Vehicle Miles Traveled . . . VMT

## INTRODUCTION

The Transportation Improvement Program (TIP) is a five-year capital improvement program for the urbanized area of Grand Junction and Mesa County (See Map). The program's purpose is to carry out continuing, comprehensive and cooperative transportation planning by:

- Coordinating projects in the urbanized area initiated by individual City, County and State agencies.
- Defining the costs of these projects and the available financial resources.
- Prioritizing the projects to make the best use of available resources.

The TIP not only serves the needs of the people of the area for an efficient transportation system, but also satisfies regulations jointly issued by the Urban Mass Transportation Administration (UMTA) and Federal Highway Administration (FHWA), regarding the content and purpose of the program. An approved program is necessary to maintain the federal funding for highways and streets on the urban system, and for federal assistance on transit programs. It is developed by the Grand Junction/Mesa County Metropolitan Planning Organization (MPO).

## CONTENTS

The program shall contain all federally funded transportation projects in the urbanized area initiated by Mesa County, Grand Junction or by the Colorado Department of Highways (CDOH). It is necessary to include operating and/or capital grants from the U.S. Department of Transportation's (U.S. DOT) UMTA to agencies (public or private) in the urbanized area. By an agreement between Mesa County, the City of Grand Junction and the State of Colorado, certain projects funded by the U.S. DOT's FHWA under Federal Aid Interstate (FAI) or Federal Aid Primary (FAP) which do not increase street capacity are excluded from the TIP. Projects may include overlays, reconstruction or hazard elimination work. Projects which affect capacity, such as an increase in the number of lanes or a new interchange, must still be included in the TIP.

Only projects on the Federal Aid Urban System (FAUS) are eligible for Federal aid. The Federal Aid Urban System is defined by the urban area boundary illustrated in Figure 1 and is made up of those arterial and collector streets which are not urban extensions of primary highways such as U.S. 50. Principal arterials, like S.H. 146 (32 Road) in the urbanized area, are not eligible for Federal secondary aid, but are eligible for Urban System aid when shown on the approved FAUS map.

FAUS funds are not allocated on the basis of number of street miles in the system. The addition or subtraction of arterial or collector mileage does not affect the amount of money available.

In 1985 the City and the County went to a two year cycle in the sharing of urban system funds. This allows the money to be used more effectively on larger projects. Annual adjustments of funds are made as required with input from the City, County and CDOH.

For informational purposes, projects locally funded and of regional significance may be included so that improvements to the total urbanized area transportation system can be considered.

#### FORMAT

Format for the TIP is specified by federal and state requirements. Projects are broken out by:

1. Funding Source - (FAUS, FAP, etc.)
2. Priority - The projects are listed by priority in the first year of the program. The first year is the only year in which commitments are made. This year is frequently called the annual element.

Each project must identify the location, description, responsible agency, general purpose, whether the project has received or will receive federal/state funding beyond the program period, and the breakdown of funding by year and source. This format is standardized by the CDOH for all urbanized areas.

Location, description, and responsible agency are self-explanatory. The general purpose relates to whether the project furthers goals of the long-range plan or the Transportation System Management Element, which emphasizes solution of short-term needs by relatively low capital intensive means (i.e. signal timing to increase traffic flow). Other purposes may be safety related. An example might be "for relief of traffic congestion and implementation of adopted plan".

#### PROCESS

The projects in the program were proposed for inclusion by the implementing agencies. Projects will be considered by member of the Transportation Technical Advisory Committee (TTAC), composed



of representatives from all public agencies involved in construction or operation of transportation systems in the Grand Junction Urbanized area. The first year, the portion of the program to which financial commitments are made, is discussed with elected officials to assure that matching funds will be included in the local agency budgets.

After review of the program, the TIP is forwarded to the Transportation Policy Advisory Committee (TPAC), composed of local representatives from the Grand Junction City Council, the Mesa County Board of Commissioners, the State Highway Commission and the State Air Quality Control Commission. The TPAC may refer the program back to the TTAC or endorse the program and place it before the Mesa County Commissioners and the Grand Junction City Council for their approval. The Council and the County Commission will approve the program or refer it back to the TPAC for consideration. A copy of the final document is sent to the State Clearinghouse for review and approval.

The program is sent to the State Highway Commissioners for their approval, and then forwarded to the Federal Highway Administration for concurrence and/or comments. The UTMA Region VII office in Denver, Colorado is also copied with the approved document.

Amendments to the TIP involve major changes in the costs of projects or the addition or deletion of projects. These are approved in the same manner as the program. Flexibility is required to allow for construction cost changes or unforeseen difficulties.

An "Urban Transportation Planning Process Certification" is part of the TIP. This document is a brief certification between the CDOH and the MPO that work is, or is not, being completed in a satisfactory manner.

### FIGURE 3

#### GRAND JUNCTION/MESA COUNTY METROPOLITAN PLANNING ORGANIZATION

##### LOCAL REVIEW PROCESS

##### DECISION MAKING OFFICIALS

Grand Junction City Council  
Mesa County Commissioners

##### TRANSPORTATION POLICY ADVISORY COMMITTEE (TPAC)

Grand Junction City Council Designee  
Mesa County Commissioners Designee  
State Highway Commission Designee  
Colorado Air Quality Control Commission Designee  
Federal Highway Administration Designee

MPO ADMINISTRATION

Mesa Co. Transportation Services Division Director

TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

Colorado Dept. of Health - Air Pollution Control Division, Denver  
Colorado Dept. of Highways - Dist. 3  
Colorado Dept. of Highways - Division of Transportation Planning,  
Denver  
Colorado State Patrol  
Federal Highway Administration, Denver  
Grand Junction HazMat Coordinator  
Grand Junction City Planning Div.  
Grand Junction City Public Works Dept.  
Mesa County Engineering Division  
Mesa County Health Department  
Mesa County Planning Division  
Urban Mass Transportation Admin. - Region VIII, Denver

Grand Junction City Planning Commission

Mesa County Planning Commission

City of Fruita

City of Fruita

Town of Palisade

TABLE 1

TOTAL COSTS AND REVENUE ANALYSIS

U.S. DEPT. OF TRANSPORTATION

FHWA

PROGRAM TYPE	FISCAL YEAR	FEDERAL AVAILABLE	FEDERAL PROGRAMMED	STATE/LOCAL PARTICIPATION	TOTAL PROGRAMMED
Federal	1991	\$225,000	\$225,000	\$ 69,300	\$294,300
Aid Urban	1992	225,000	225,000	69,300	294,300
System	1993	225,000	225,000	69,300	294,300

System	1994	225,000	225,000	69,300	294,300
System	1995	225,000	225,000	69,300	294,300
Subtotal			\$1,125,000	\$346,500	\$1,471,500

UMTA

PROGRAM TYPE	FISCAL YEAR	FEDERAL AVAILABLE	FEDERAL PROGRAMME D	STATE/LOCAL PARTICIPATION	TOTAL PROGRAMME D
Section 9	1991	\$800,725*	\$406,800	\$187,200	\$594,000
and 9B	1992	663,925	208,756	186,250	395,006
"	1993	725,175	272,400	212,400	484,800
"	1994	651,079	344,096	236,096	580,192
"	1995	632,980	288,099	228,099	516,198
Subtotal			\$1,520,151	\$1,050,045	\$2,570,196

\*All UMTA Section 9 and 9B allocations and carryover to date, and assuming Section 9 allocations of \$270,000/year for FY92-95.

Projections based on estimated expenditures under the current privatization program. Fiscal year 1992 will be projected in a TDP Update as a part of the privatization plan. A new five-year plan will be completed in 1992 utilizing UMTA Section 8 funding.

UMTA

PROGRAM TYPE	FISCAL YEAR	FEDERAL AVAILABLE	FEDERAL PROGRAMME	STATE/LOCAL	TOTAL PROGRAMME
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			D	PARTICIPATION	D
Section 8	1991				
"	1992	\$32,000*	\$32,000	\$8,000	\$40,000
"	1993				
"	1994				
"	1995				
			\$32,000	\$8,000	\$40,000

\*Section 8 funding is designated for technical studies and is allocated on a regional basis. The schedule assumes selection for this funding in 1992 to complete a five-year update of the TDP.

TABLE 2

LOCAL DISTRIBUTION OF FEDERAL FUNDS

YEAR	URBAN SYSTEM	FAU CARRYOVER (50%-50%)	UMTA FUNDS
1991	Grand Junction	City/County	Mesa County
1992	Grand Junction	City/County	Mesa County
1993	Mesa County	City/County	Mesa County
1994	Mesa County	City/County	Mesa County
1995	Grand Junction	City/County	Mesa County

Future carryover (if any) will be divided on an equal basis. An executive committee of the TTAC will meet annually to monitor distribution of these funds.

TABLE 3

TRANSPORTATION IMPROVEMENT PROGRAM AND ANNUAL ELEMENT FY's 1991-1995

PROGRAM: Federal Aid Urban System

LOCATION; Grand Junction, Colorado

MAP REFERENCE #: N.A.

PROJECT DESCRIPTION: Various City street overlay and re-paving projects to be determined. Specific projects are identified in the UZA's annual application for funding to the FHWA.

RESPONSIBLE GOVERNMENT: Grand Junction City (Public Works Department)

PAST FUNDING: N		FUTURE FUNDING: N		LONG RANGE:	TMS: X
BUDGET YEAR	1991	1992	1993	1994	1995
FEDERAL:	\$234,029	\$234,029			\$234,029
STATE:	-	-			-
LOCAL:	72,029	72,029			72,029
TOTAL:	\$306,058	\$306,058			\$306,058

LOCATION: Mesa County, Colorado

MAP REFERENCE #: N.A.

PROJECT DESCRIPTION: Various County road overlay and/or re-paving projects to be determined. Specific projects are identified in the UZA's annual application for funding to the FHWA.

RESPONSIBLE GOVERNMENT: Mesa County (Public Works Department)

PAST FUNDING:		FUTURE FUNDING:		LONG RANGE:	TSM: X
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N		N			
BUDGET YEAR	1991	1992	1993	1994	1995
FEDERAL:			\$234,029	\$234,029	
STATE:			-	-	
LOCAL:			72,029	72,029	
TOTAL:			\$306,058	\$306,058	

TABLE 4

PROGRAM: URBAN MASS TRANSPORTATION ADMINISTRATION

LOCATION: Mesa County, Colorado

MAP REFERENCE #: N.A.

PROJECT DESCRIPTION: Operating assistance for elderly and handicapped transit services. Project utilities UMTA Section 9 and 9B funds.

RESPONSIBLE GOVERNMENT: Mesa County

PAST FUNDING: Y		FUTURE FUNDING: Y		LONG RANGE: X	TSM:
BUDGET YEAR	1991	1992	1993	1994	1995
FEDERAL:	\$175,000	\$185,000	\$192,400	\$200,096	\$208,099
STATE:	-	-	-	-	-
LOCAL:	\$175,000	\$185,000	\$192,400	\$200,096	\$208,099
TOTAL:	\$350,000	\$370,000	\$383,800	\$400,192	\$416,198

LOCATION: Mesa County, Colorado

MAP REFERENCE #: N.A.

PROJECT DESCRIPTION: Capital acquisition as per 1988-1992 TDP and/or updates. Project utilities UMTA Section 9 and 9B funds.

YEAR:	1991	1992	1993	1994	1995
Wheelchair Van	4*				
Passenger Van	8*	1*	2*	4*	3*
Computer Equip.	1*				
					(* Denotes replacement vehicle)

This plan only considers replacement of existing transit vehicles under the current TDP. A vehicle plan for 1991 and 1992 will be part of the privatization study presently being conducted. Capital needs for years 1993-95 will be included in the TDP update to be completed in 1992.

RESPONSIBLE GOVERNMENT: Mesa County

PAST FUNDING: Y		FUTURE FUNDING: Y		LONG RANGE: X	TSM:
BUDGET YEAR	1991	1992	1993	1994	1995
FEDERAL:	\$231,800	\$23,750	\$ 80,000	144,000	\$ 80,000
STATE:	-	-	-	-	-
LOCAL:	12,200	1,250	20,000	36,000	20,000
TOTAL:	\$244,000	\$25,000	100,000	\$180,000	\$100,000

LOCATION: Mesa County, Colorado

MAP REFERENCE #: N.A.

PROJECT DESCRIPTION: Update of five-year Transportation Development Plan (TDP) for years 1993-1997. Project utilizes UMTA Section 8 funds.

RESPONSIBLE GOVERNMENT: Mesa County

PAST FUNDING: N		FUTURE FUNDING: N		LONG RANGE: X	TSM:
BUDGET YEAR	1991	1992	1993	1994	1995
FEDERAL:		\$32,000			
STATE:		-			
LOCAL:		8,000			
TOTAL:		\$40,000			

PRIVATE SECTOR DOCUMENTATION - UMTA CIRCULAR C 7005.1

The Grand Junction/Mesa County Urbanized Area has formally adopted policies for the involvement of the private transportation providers. A joint resolution and policy was adopted by the Mesa County Board of Commissioners on June 2, 1987, and by the Grand Junction City Council on June 3, 1987. The resolution is on file in the MPO Administrator's office.

There are currently two private operators who have expressed an interest in providing transit service for the urbanized area. Both of these operators are directly involved in the planning process through their membership in the Mesa County Transportation Coalition (MCTC).

The MCTC meets monthly and is open to members and the public in general. Any private provider can use this forum to propose contracting opportunities, make suggestions for service, or make complaints.



Mesa County currently has active contracts, either directly or through subcontracts, with both of the local providers. Additionally, any taxi provider who holds a valid Colorado P.U.C. license is eligible to contract with the County to provide service for its User-Side Subsidy Program.

Private providers may submit proposals to provide service for the existing MCTC system between January 15th and February 15th of each year. Proposals on new or expanded service will be evaluated throughout the year. Opportunity for input, on this TIP, from private enterprise was provided. Local transportation providers and parties known to be interested in transportation were contacted directly. A legal ad was also placed in the area newspaper soliciting input and/or comments. No comments were received during FY 1990 (or ALL input was considered and/or addressed in the approved TIP/AE document).

There are currently no known impediments to contracting services of for the MCTC. Mesa County is committed to using the private sector to its fullest economic capability.

The private sector policy, as submitted to UMTA, sets forth procedures to resolve complaints or conflicts with regard to proposals, contracting, or involvement of the private sector in transit services. There were no complaints submitted during FY 1989 and none to date during FY 1990.

Proposals and bids, from the private sector, are evaluated on a "true cost" basis when comparing them to the public sector. Currently, Mesa County contracts out over 50% of its transit services to the private sector. The MCTC and Mesa County currently have a study underway to determine an operational plan to further privatize the transit program under Mesa County's control.

#### CERTIFICATION

URBAN TRANSPORTATION PLANNING PROCESS GRAND JUNCTION/MESA COUNTY  
URBANIZED AREA AUGUST, 1990

The Federal Highway Administration (FHWA) and the Urban Mass Transportation Administration (UMTA) have amended 23 CFR Part 450 and 49 CFR Part 613, relative to urban transportation planning. This revision, effective August 1, 1983, is intended to: (1) increase flexibility at the State and local level; (2) reduce red tape and simplify administration of the planning process; and (3) shift certain responsibilities from the Federal to the State and local level, while maintaining an appropriate Federal oversight role.

The most recent certification covering the "3C" Continuing, Cooperative, and Comprehensive Transportation Planning process in the Grand Junction/Mesa County Urbanized Area, the process was approved by the Metropolitan Planning Organization, the Colorado Department of Highways, Urban Mass Transportation Administration

and Federal Highway Administration. There were no conditions placed on the area.

This certification of the Grand Junction/Mesa County urban transportation planning process assures that activities support the development and implementation of a Transportation Development Plan (TDP), Transportation Improvement Program/Annual Element (TIP/AE), and subsequent project development activities, including the environmental impact assessment process. These activities are included in the Unified Planning Work Program (UPWP) to the degree appropriate for the size of this urbanized area, and the complexity of its transportation problems. In addition, the planning process is consistent with the involvement of appropriate public and private transportation providers, Title VI of the Civil Rights Act, and special efforts to plan public mass transportation facilities and services that can effectively be utilized by elderly and handicapped persons. A Minority Business Enterprise Plan does not exist for the MPO. It is understood by the MPO it must follow MBE guidelines and provide for maximum opportunity for minority business participation on any contracting opportunities.

The State and the MPO certify that the planning process is being carried on in compliance with applicable requirements of 23 CFR Part 450, 49 CFR Part 613, and Section 174 and 176(c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506(c) and (d)).

The above certification statement is a preface to the following specific comments concerning:

- A. UMTA Privatization Study
- B. Transportation Improvement Plan/Annual Element (TIP/AE)
- C. Unified Planning Work Program (UPWP)
- D. Major Technical Activities since last Certification
- E. Specific Recommendations for Improvements
- F. Conditions on the Area

A. UMTA PRIVATIZATION STUDY

The County is will engage a transportation consultant to perform a study determining the most efficient and effective ways to transfer the present transit activities from Mesa County Government to the private sector. The study will contain an operational plan to accomplish this by January 1, 1991. The study will additionally update the current TDP for fiscal years 1991 and 1992. The TDP will be fully updated in 1992 to cover fiscal years 1993-1997.

B. TRANSPORTATION IMPROVEMENT PLAN/ANNUAL ELEMENT

The Transportation Improvement Program (TIP) is a product of the continuing, cooperative and comprehensive (3C) transportation planning process, carried out in the Grand Junction/Mesa County, Colorado Urbanized Area. The time period for the current TIP is October 1, 1989 through September 30, 1994. The geographic area covered by this TIP is the Grand Junction/Mesa County Urbanized Area. All projects contained in this TIP have been found to be consistent with applicable portions of the current Colorado State Implementation Plan (SIP). Projects for Elderly and Handicapped Transportation will be taken from the Mesa County Transportation Development Plan: 1988-1992 and any updates.

#### C. UNIFIED PLANNING WORK PROGRAM

The City Council of Grand Junction and the Mesa County Board of Commissioners are the designated Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area. Responsibility for carrying out the "3C" transportation planning process rests jointly with the Colorado Department of Highways and the MPO as described in the current Memorandum of Agreement. A contract was executed between the State of Colorado for the use and benefit of the State Department of Highways, Division of Transportation Planning and the Grand Junction/Mesa County MPO in October, 1989. The contract was based on the FY 1990 UPWP, which was approved through the 3C planning process and addresses the planning needs in the Grand Junction/Mesa County Urbanized Area.

#### D. MAJOR TECHNICAL ACTIVITIES SINCE LAST CERTIFICATION

The major technical activities of the Grand Junction/Mesa County MPO during FY 1990 included:

- \* Various traffic counting activities.
- \* Complete County Committee coordination for the 1990 Census.
- \* Input and coordination on the CDOH's Northwest Colorado. Transportation Needs Study (Task Force Member).
- \* Completion of Phase II - Northwest Area Transportation Study.
- \* Completion of computerized traffic control device, inventory for Mesa County urbanized area.
- \* Completion of the Off-Road Pedestrian System Study.
- \* Preparation/distribution of materials for public information.
- \* Efforts to comply with Title VI requirements.
- \* Preparation of the FY 91 Unified Planning Work Program.
- \* Preparation of the FY's 1991-95 Transportation Improvement Plan and Annual Element.

E. SPECIFIC RECOMMENDATIONS FOR IMPROVEMENTS

None.

F. CONDITIONS ON THE AREA

None.

The above certification and comments have been reviewed and jointly agreed to by the Colorado Department of Highways and the Grand Junction/Mesa County MPO.

Approved as part of the FY's 1991-1995 Transportation Improvement Program by the Mesa County Board of Commissioners on the 31st day of July, 1990, and by the Grand Junction City Council on the 1st day of August, 1990. (Joint resolution attached)

Approved as part of the FY's 1991-1995 Transportation Improvement Program by the Colorado State Highway Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
Mark Eckert  
Mesa County Administrator

\_\_\_\_\_  
Harvey Atchison, Director  
Division of Transportation Planning  
Colorado Department of Highways

RESOLUTION NO. 48-90

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Alley Improvement District No. ST-89, Phase A; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Alley Improvement District No. ST-89, Phase A, and apportioning the same upon each lot or tract of land to be assessed for the same.

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

1. That the improvements connected therewith in said District be, and the same are hereby, approved and accepted; that said statement be, and the same is hereby, approved and accepted as the statement of the assessable cost of the improvements of said Alley Improvement District No. ST-89, Phase A;
2. That the same be apportioned on each lot or tract of land to be

assessed for the same;

3. That the City Clerk shall immediately advertise for three (3) days in the Daily Sentinel, a newspaper of general circulation published in said City, a Notice to the owners of the real estate to be assessed, and all persons interested generally without naming such owner or owners, which Notice shall be in substantially the form set forth in the attached "NOTICE", that said improvements have been completed and accepted, specifying the assessable cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons objections that may be made in writing by such owners or persons shall be made to the Council and filed with the City Clerk within thirty (30) days from the first publication of said Notice; that any objections may be heard and determined by the City Council at its first regular meeting after said thirty (30) days and before the passage of the ordinance assessing the cost of the improvements, all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

#### NOTICE

NOTICE IS HEREBY GIVEN to the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Improvement District No. ST-89, Phase A, and to all persons interested therein as follows:

That the improvements in and for said District, which are authorized by and in accordance with the terms and provisions of a resolution passed and adopted on the 20th day of September, 1989, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local alley improvement district to be known as Improvement District No. ST-89, Phase A, with the terms and provisions of a resolution passed and adopted on the 20th day of September, 1989, creating and establishing said District, all being in accordance with the terms and provisions of Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction, Colorado.

That the whole cost of the improvements has been definitely ascertained and is in the sum of \$137,537.52, and the whole cost of the improvements to be assessed has been definitely ascertained and is in the sum of \$61,246.26, said amount including six percent (6%) for cost of collection and other incidentals; that the part apportioned to and upon each lot or tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Finance Director of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinance assessing the real estate in said District for the cost of said improvements,

and that the owner(s) so paying should be entitled to an allowance of six percent (6%) for cost of collection and other incidentals;

That any complaints or objections that may be made in writing by the said owner or owners of land within the said District and assessable for said improvements, or by any person interested, may be made to the City Council and filed in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the said City Council at its first regular meeting after said mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively as by law provided;

That the sum of \$61,246.27 for improvements is to be apportioned against the real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to wit:

ALLEY 4TH TO 5TH, CHIPETA TO GUNNISON:

TAX SCHEDULE NO.: 2945-142-28-004 LEGAL DESCRIPTION: THE SOUTH 37.5 FEET OF LOTS 1 TO 4, INCLUSIVE OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$477.00

TAX SCHEDULE NO.: 2945-142-28-005 LEGAL DESCRIPTION: LOTS 5 & 6 OF BLOCK 51, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-006 LEGAL DESCRIPTION: LOTS 7 & 8 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-007 LEGAL DESCRIPTION: LOTS 9 & 10 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-008 LEGAL DESCRIPTION: LOTS 11 & 12 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-009 LEGAL DESCRIPTION: LOTS 13 & 14 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-010 LEGAL DESCRIPTION: LOTS 15 & 16 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-011 LEGAL DESCRIPTION: LOTS 17, 18 & 19 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.

ASSESSMENT . . . \$397.50

TAX SCHEDULE NO.: 2945-142-28-012 LEGAL DESCRIPTION: LOTS 20, 21,  
22 & 23 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.  
ASSESSMENT . . . \$530.00

TAX SCHEDULE NO.: 2945-142-28-014 LEGAL DESCRIPTION: LOTS 24, 25 &  
26 OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.  
ASSESSMENT . . . \$397.50

TAX SCHEDULE NO.: 2945-142-28-015 LEGAL DESCRIPTION: LOTS 27 & 28  
OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.  
ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-016 LEGAL DESCRIPTION: LOTS 29 & 30  
OF BLOCK 52, CITY OF GRAND JUNCTION, COLORADO.  
ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-142-28-017 LEGAL DESCRIPTION: LOTS 31 & 32  
OF BLOCK 52 CITY OF GRAND JUNCTION, COLORADO.  
ASSESSMENT . . . \$265.00

ALLEY 7TH TO CANNELL, NORTH TO GLENWOOD:

TAX SCHEDULE NO.: 2945-114-18-001 LEGAL DESCRIPTION: LOTS 1 & 2 OF  
BLOCK 2, CRAIG'S SUBDIVISION.  
ASSESSMENT . . . \$302.10

TAX SCHEDULE NO.: 2945-114-18-002 LEGAL DESCRIPTION: LOTS 3 & 4 OF  
BLOCK 2, CRAIG'S SUBDIVISION.  
ASSESSMENT . . . \$265.00

TAX SCHEDULE NO.: 2945-114-18-003 LEGAL DESCRIPTION: LOTS 5 TO 7  
INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION.  
ASSESSMENT . . . \$397.50

TAX SCHEDULE NO.: 2945-142-18-004 LEGAL DESCRIPTION: LOTS 8 & 10  
INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION.  
ASSESSMENT . . . \$397.50

TAX SCHEDULE NO.: 2945-114-18-005 LEGAL DESCRIPTION: LOTS 11 & 12  
OF BLOCK 2, CRAIG'S SUBDIVISION.  
ASSESSMENT . . . \$914.25

TAX SCHEDULE NO.: 2945-114-18-006 LEGAL DESCRIPTION: LOTS 13 TO  
15, INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION EXCEPT ALLEY ROW PER  
B-1251 P-285.  
ASSESSMENT . . . \$2,385.00

TAX SCHEDULE NO.: 2945-114-18-008 LEGAL DESCRIPTION: LOTS 21 TO  
26, INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION AND 1/2 VACATED ALLEY  
LYING ADJ. TO WEST.  
ASSESSMENT . . . \$3,005.10

TAX SCHEDULE NO.: 2945-114-18-009 LEGAL DESCRIPTION: LOTS 28 TO  
30, INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION.

ASSESSMENT . . . \$1,431.00

TAX SCHEDULE NO.: 2945-114-18-110 LEGAL DESCRIPTION: LOTS 31 & 32 OF BLOCK 2, CRAIG'S SUBDIVISION.

ASSESSMENT . . . \$1,087.56

TAX SCHEDULE NO.: 2945-114-18-011 LEGAL DESCRIPTION: LOT 27 OF BLOCK 2, CRAIG'S SUBDIVISION.

ASSESSMENT . . . \$477.00

TAX SCHEDULE NO.: 2945-114-18-012 LEGAL DESCRIPTION: LOTS 16 TO 20, INCLUSIVE, BLOCK 2, CRAIG'S SUBDIVISION & 1/2 VACATED ALLEY LYING ADJACENT ON EAST EXCEPT ALLEY ROW PER B-1251 P-285.

ASSESSMENT . . . \$620.10

TAX SCHEDULE NO.: 2945-114-19-001 LEGAL DESCRIPTION: LOT 1 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$331.25

TAX SCHEDULE NO.: 2945-114-19-002 LEGAL DESCRIPTION: LOT 2 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$331.25

TAX SCHEDULE NO.: 2945-114-19-003 LEGAL DESCRIPTION: LOT 3 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$340.52

TAX SCHEDULE NO.: 2945-114-19-004 LEGAL DESCRIPTION: LOT 4 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$372.32

TAX SCHEDULE NO.: 2945-114-19-005 LEGAL DESCRIPTION: LOT 5 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$344.50

TAX SCHEDULE NO.: 2945-114-19-006 LEGAL DESCRIPTION: LOT 6 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$400.15

TAX SCHEDULE NO.: 2945-114-19-007 LEGAL DESCRIPTION: LOT 7 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$349.80

TAX SCHEDULE NO.: 2945-114-19-008 LEGAL DESCRIPTION: LOT 8 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$349.80

TAX SCHEDULE NO.: 2945-114-19-009 LEGAL DESCRIPTION: LOT 9 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$371.00

TAX SCHEDULE NO.: 2945-114-19-010 LEGAL DESCRIPTION: LOT 10 OF BLOCK 4, ROSE PARK SUBDIVISION.

ASSESSMENT . . . \$1,431.00



TAX SCHEDULE NO.: 2945-114-19-011 LEGAL DESCRIPTION: LOT 11 OF  
BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$1,431.00

TAX SCHEDULE NO.: 2945-114-19-012 LEGAL DESCRIPTION: THE EAST 35  
FEET OF LOT 12, BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$667.80

TAX SCHEDULE NO.: 2945-114-19-017 LEGAL DESCRIPTION: LOT 16 OF  
BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$1,225.89

TAX SCHEDULE NO.: 2945-114-19-018 LEGAL DESCRIPTION: LOTS 17 & 18  
OF BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$2,385.00

TAX SCHEDULE NO.: 2945-114-19-021 LEGAL DESCRIPTION: THE WEST 47  
FEET OF LOT 12 & ALL OF LOT 13 OF BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$2,146.50

TAX SCHEDULE NO.: 2945-114-19-023 LEGAL DESCRIPTION: LOTS 14 & 15  
OF BLOCK 4, ROSE PARK SUBDIVISION.  
ASSESSMENT . . . \$2,771.37

ALLEY 5TH TO 6TH, WHITE TO GRAND

TAX SCHEDULE NO.: 2945-143-05-004 LEGAL DESCRIPTION: LOTS 9 & 10  
OF BLOCK 82, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-005 LEGAL DESCRIPTION: LOTS 11 & 12  
OF BLOCK 82, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-006 LEGAL DESCRIPTION: LOTS 13 & 14  
OF BLOCK 82, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-007 LEGAL DESCRIPTION: LOTS 15 & 16  
OF BLOCK 82, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-009 LEGAL DESCRIPTION: LOTS 24 & 25  
OF BLOCK 82, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-014 LEGAL DESCRIPTION: LOTS 17 & 18  
AND THE EAST 1.0 FEET OF LOT 19 OF BLOCK 82, CITY OF GRAND  
JUNCTION.  
ASSESSMENT . . . \$973.08

TAX SCHEDULE NO.: 2945-143-05-016 LEGAL DESCRIPTION: 5 THRU 8 OF  
BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$1,908.00

TAX SCHEDULE NO.: 2945-143-05-931 LEGAL DESCRIPTION: LOTS 22 & 23 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-05-933 LEGAL DESCRIPTION: LOT 19 EXCEPT THE EAST 1.0 FEET THEREOF AND THE EAST 1/2 OF LOT 20 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$696.42

TAX SCHEDULE NO.: 2945-143-05-934 LEGAL DESCRIPTION: THE WEST 1/2 OF LOT 20 AND ALL OF LOT 21 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$715.50

TAX SCHEDULE NO.: 2945-143-05-951 LEGAL DESCRIPTION: LOTS 28 TO 32 INCLUSIVE AND THE EAST 1/2 OF LOT 27 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$2,623.50

TAX SCHEDULE NO.: 2945-143-05-952 LEGAL DESCRIPTION: LOT 26 AND THE EAST 1/2 OF LOT 27 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$715.50

TAX SCHEDULE NO.: 2945-143-05-953 LEGAL DESCRIPTION: LOTS 1 TO 4 OF BLOCK 82, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$1,908.00

ALLEY 5TH TO 6TH, SOUTH TO PITKIN

TAX SCHEDULE NO.: 2945-143-40-001 LEGAL DESCRIPTION: LOTS 1 TO 4 INCLUSIVE OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$1,908.00

TAX SCHEDULE NO.: 2945-143-40-002 LEGAL DESCRIPTION: LOTS 5 & 6 OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-003 LEGAL DESCRIPTION: LOTS 7 & 8 OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-004 LEGAL DESCRIPTION: LOTS 9 & 10 OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-005 LEGAL DESCRIPTION: LOTS 11 & 12 OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-008 LEGAL DESCRIPTION: THE NORTH 50 FEET OF LOTS 28 TO 32 INCLUSIVE OF BLOCK 148, CITY OF GRAND JUNCTION.

ASSESSMENT . . . \$2,385.00

TAX SCHEDULE NO.: 2945-143-40-010 LEGAL DESCRIPTION: LOTS 26 & 27  
OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-011 LEGAL DESCRIPTION: LOTS 24 & 25  
OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-012 LEGAL DESCRIPTION: LOTS 22 & 23  
OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-013 LEGAL DESCRIPTION: LOT 21 OF  
BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$477.00

TAX SCHEDULE NO.: 2945-143-40-938 LEGAL DESCRIPTION: LOTS 15 & 16  
OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-939 LEGAL DESCRIPTION: LOTS 13 & 14  
OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$954.00

TAX SCHEDULE NO.: 2945-143-40-958 LEGAL DESCRIPTION: LOTS 17, 18,  
19 & 20 OF BLOCK 148, CITY OF GRAND JUNCTION.  
ASSESSMENT . . . \$1,908.00

Dated at Grand Junction, Colorado, this 1st day of August, 1990.

BY ORDER OF THE CITY COUNCIL, CITY OF GRAND JUNCTION, COLORADO

By: /s/ Neva B. Lockhart, CMC

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

PASSED and ADOPTED this 1st day of August, 1990.

/s/ Conner W. Shepherd

\_\_\_\_\_  
President of Council Pro Tempore

Attest:

/s/ Neva B. Lockhart, CMC

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

Councilman NELSON ABSTAINED from discussion and voting on this  
matter due to the fact that he has family members who own property  
in the affected area.

Upon motion by Councilman Payne, seconded by Councilman Mantlo and

carried by roll call vote, the Resolution was passed and adopted as read.

WATER PURCHASE AGREEMENT BETWEEN CITY OF GRAND JUNCTION AND THE CLIFTON WATER DISTRICT

Upon motion by Councilman Theobold, seconded by Councilman Payne and carried, the Water Purchase Agreement between the City of Grand Junction and the Clifton Water District was authorized. A Resolution is scheduled for the August 15, 1990, City Council meeting.

PURCHASE OF CULLIGAN "POINT OF USE" TREATMENT SYSTEMS FOR CITY FLOW LINE USERS RESIDING IN THE KANNAH CREEK AREA - \$28,596.82 - APPROVED

Upon motion by Councilman Theobold, seconded by Councilman Nelson and carried, the purchase of Culligan "Point of Use" treatment systems for City flowline users residing in the Kannah Creek area in the amount of \$28,596.82 was approved.

PURCHASE OF JARVIS PROPERTY FOR COLORADO RIVERFRONT PROJECT

The City Manager distributed the following press release:

PRESS RELEASE GRAND JUNCTION CITY COUNCIL AUGUST 1, 1990

RE: PURCHASE OF JARVIS PROPERTY FOR COLORADO RIVERFRONT

Today the City has received additional information from the Colorado Department of Health and the U.S. Department of Energy concerning the lead contamination on the Jarvis property. Since an important consideration in the decision whether to buy this land is the cost of cleaning up any lead deposits, the City Council believes it is important to share this new information with the community.

The City believes this new information dramatically reduces the potential costs of lead clean-up. At the July 12th press conference these costs were estimated to range between \$422,000 and \$745,000. We now estimate these costs to be approximately \$50,000.

This dramatic reduction is the result of efforts by these State and Federal agencies to find practical solutions for implementing regulations applicable to low levels of buried lead contamination.

The Colorado Department of Health has provided much less costly guidelines for handling any lead deposits that will remain after mill tailings are removed from the Jarvis property. If any action is required, these guidelines will call for an 18 inch earthen cap and controls, such as signage, to prohibit disturbance of the deposits.

Since most of the lead already lies several feet below the ground surface, the City may be able to avoid any action at all by merely leaving the deposits undisturbed. These deposits are generally within the 100 foot easement necessary for the Riverfront trail. This makes it unlikely that the deposits will need to be disturbed.

The U.S. Department of Energy now expects lead deposits that are commingled with mill tailings to be removed at D.O.E. expense. According to tests by D.O.E., none of these deposits exceed the regulatory limit of 5 parts per million. Thus no special handling or treatment will be required. If deposits exceeding this limit are encountered, D.O.E. reserves the right to not remediate that location. The City considers this risk to be fairly low.

The City is extremely pleased with the cooperation provided by the Colorado Department of Health and the U.S. Department of Energy.

Below is an updated summary of expected costs and revenues associated with purchase of the Jarvis property.

#### COSTS

Purchase price \$2,125,000  
Environmental assessment 55,000  
Lead deposit handling 50,000  
Surveying, fencing 30,000  
Total estimate costs \$2,260,000

#### REVENUES

Colorado Dept Local Affairs grant \$340,000  
Goodwin Foundation 250,000  
U.S. Dept Energy cost avoidance 900,000  
Total estimated revenue \$1,490,000

NET COST TO CITY \$770,000

Speaking for the purchase of the Jarvis property:

Jim Robb, Co-Chairman of the Riverfront Commission. He stated that the Riverfront Commission has had an opportunity to review the details of the proposal, and its recommendation to the Council was to go forward with the purchase. He noted that the Jarvis property was the keystone to the riverfront development. He submitted for the record the following remarks by Senator Wirth in the U.S. Senate on June 28, 1990: (Full copy in P.R.). He read a letter from Henry J. Fausson who urged the purchase of the property.

Jan Hammer, 2673 Catalina Drive, encouraged the purchase of the property.

William Ela, Co-Chairman of the Riverfront Commission; Trustee of the Goodwin Foundation.

Speaking against the purchase:

Jim Golden, 207 Country Club Park, Attorney with emphasis on real estate. Mr. Golden said the information offered by Mr. Achen this evening changed his viewpoint somewhat substantially. He referred to himself as fiscally conservative, and the potential of a large savings has its attractions. He continued that it really did not change the point he tried to make, however, in that there is an error in the process, a potential for the voters of this City to lose confidence in the City Council and City Administration when it undertakes large expenditures and does not follow prudent business practices by obtaining an appraisal, an independent opinion of value and not make what appears to some people a decision of "by guess or by God or by the seat of your pants." He submitted that there has been time since the proposal was first submitted to Council and Administration to obtain an appraisal. He thought the City voters and taxpayers of this community, if there is a situation where the property has a value outrageously less than the two point two million dollars, should have direct input on deciding how much extra money is to be paid.

Richard Robbins, 315 Cedar Street. Mr. Robbins was very much in favor of the riverfront project. He questioned the acreage of this property. He visited the County Assessor's Office recently and with the assistance of an employee tried to find this property, what the appraisal value was, taxes paid on it. He said the best he could come up with was slightly less than 22 acres. He could not find 50 acres. Although Mr. Robbins wants to see the riverfront project move forward, he believed this was too much money to pay for 22 acres. He wanted to be sure the City got its money's worth. He also pointed out that the area is flood plain and asked what could be put down there that could afford to buy the insurance on the high flood plain.

Mr. Achen said the City had a physical survey done, and it revealed there are a full 50 acres involved in the purchase. He could not remember exactly what the difference between the high-water and low-water acreage was, but he believed there was approximately 47 acres above the high-water mark.

William Ela rebutted the remarks by Mr. Golden. He referred to a three-day trial he has been involved with regarding condemnation in which the principal issue, still to be decided by a jury that is still out and working, is the difference between an appraiser's view of the value of a piece of property and the view of the value of the property by real estate broker. One says \$3,900, the other says either \$325,000 or \$350,000. Mr. Ela submitted that, unless there is a statutory or charter restriction on purchasing property without an appraisal, if the City delays this for an appraisal, it may get itself into the same kind of a hassle. He said the real estate broker's opinion could very well be substituted for by Ward Scott, by Counsel of the EPL, any number of other people who could speak from that viewpoint and not from an appraiser's viewpoint.

Councilman Mantlo stated that as a kid he remembers South 5th Street and it was not what it is today. He has the vision and the dream that it can become again what it once was. He believes the Jarvis property is the keystone to the riverfront project and vital to its development. He was very much in favor of the purchase.

Councilman Payne said that over the weekend he almost did a complete about face on the purchase of this because of the contamination and the cost of the cleanup. Just today with the new information, the cost is almost exactly what the original purchase was; therefore, he was very much in favor of going ahead with the purchase of this property.

Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried with Councilman BENNETT voting NO, the purchase of the Jarvis property was approved.

Councilman Theobald echoed the sentiments expressed by Councilmembers Mantlo and Payne. He discussed one aspect that needed to be recognized, and that was the potential divisiveness of this issue. For him, this has been a very difficult decision because of all the issues involved and because of the uniqueness of the situation in that there is no room for compromise. He wanted the people to recognize the limited options Council had. Now the decision has been made, he encouraged uniting behind the project and going forward.

President Pro Tempore Shepherd said the City Council has not reached this point without a lot of anguish, without a lot of give and take, and without a lot of communication. The decision and solutions have not been easy. Because of the concerns of the citizens, the Council has researched and looked for better solutions, and though Council's response may not be yea or nay on one side or the other, its response is a result of the citizen's efforts to help educate the Council to look for better solutions to the problems.

Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried with Councilman BENNETT voting NO, the City Manager was authorized to sign the appropriate documents and to release the earnest money pertaining to the actual purchase.

Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried with Councilman BENNETT voting NO, the Supplemental Agreement regarding the Jarvis property was approved and the City Manager was authorized to sign. The Supplemental Agreement to be incorporated into the Purchase Contract pertains to Jarvis performing certain work on the property to address potential contamination relating to asbestos materials.

CREATION OF COMMUNITY DEVELOPMENT DEPARTMENT, COMMUNITY DEVELOPMENT DIRECTOR POSITION, AND AUTHORIZING THE TRANSFER FROM

GENERAL FUND CONTINGENCY TO THE NEW DEPARTMENT \$31,950 FOR 1990 ESTIMATED COSTS - APPROVED

Upon motion by Councilman Mantlo, seconded by Councilman Theobold and carried, the creation of a Community Development Department and a Community Development Director position was approved and the City Manager was authorized to transfer from General fund Contingency to the new department \$31,950 for the 1990 estimated costs.

TRANSFER FROM GENERAL FUND CONTINGENCY TO THE PLANNING DIVISION OF \$35,000; \$30,000 OF WHICH IS FOR WATSON ISLAND AND \$5,000 REMAINING PRICE ON ORIGINAL LEWIS PROPERTY PURCHASE - APPROVED

Councilman NELSON ABSTAINED from voting on this item as the transaction was handled by his employer's broker.

Upon motion by Councilman Theobold, seconded by Councilman Payne and carried, it was approved and the City Manager was authorized to transfer from General fund Contingency to the Planning Division of \$35,000; \$30,000 of which is for Watson Island and \$5,000 remaining price on the original Lewis property purchase.

ADJOURNMENT

Upon motion by Councilman Payne, seconded by Councilman Nelson and carried, the meeting was adjourned.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk