

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

DECEMBER 16, 1992

The City Council of the City of Grand Junction, Colorado, convened in regular session the 16th day of December, 1992, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, John Bennett, Bill Bessinger, Bill McCurry, Paul Nelson, Conner Shepherd, and President of the Council Reford Theobold. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President Theobold called the meeting to order and Councilman Bessinger led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Eldon Coffey, Columbus Evangelical Free Church.

PROCLAMATIONS/RECOGNITIONS

SPECIAL RECOGNITION AWARD TO FREDERICK ALEXANDER AND GARY ZAVADIL, PUBLIC WORKS AND UTILITIES, STREETS DIVISION

CONSENT ITEMS

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote with Councilman BAUGHMAN voting NO on Item 8, the following Consent Items 1--15 were approved:

1. * Resolution No. 86-92 - Accepting Community Development Block Grant Funds from the State of Colorado, Department of Local Affairs
2. * Resolution No. 87-92 - Accepting Home Investment Partnership (HOME) Funds from the State of Colorado, Department of Local Affairs
3. * Resolution No. 88-92 - Authorizing a Contract with the Energy Office for the administration of certain Community Development Block Grant (CDBG) Funds and Home Investment Partnership (HOME) Funds
4. Award of Contract to Dillon-Hunt, PC, for architectural services to construct and relocate the Grand Junction Regional Communication Center

Responsive Statements of Qualifications were received from five firms. Two firms were invited to submit written proposals and present oral presentations. Dillon-Hunt was ranked first by the evaluation committee. The firm of Dillon-Hunt has worked on over 20 related projects for AT&T, Mountain Bell and U.S. West Communications. The evaluation committee set an acceptable dollar target for architectural/engineering service fees; negotiations

were held and completed resulting in the recommended contract amount of \$32,655, or 13.5% of the construction budget. Fee includes \$25,765 in architectural services and \$6,900 for mechanical/electrical/structural engineering. The maximum-not-to-exceed contract is \$32,655; total project budget is \$274,700.

5. Approve funding recommendation by Visitors and Convention Bureau Board for five special events in 1993 for a total amount of \$15,000

Applications for seven events were received by the deadline of November 3. Upon review of the applications, the VCB Board recommends the following:

Colorado Mountain Wine Fest	\$9,000
Cross Orchards Apple Jubilee	\$1,000
Renaissance Faire	\$2,000
Dolphins Invitational Meet	\$1,000
Grand West Performing Arts Festival	\$2,000

6. Approval of Grant Agreement with Federal Aviation Administration for Project No. 3-08-0027-12 at Walker Field, Colorado, Public Airport - Project to remove and replace retaining walls (Phase II) on air carrier apron; and reconstruct and overlay east West Star apron

7. * Resolution No. 89-92 - Confirming that the name of F 1/2 Road is and shall be Roundhill Drive

8. * Resolution No. 90-92 - Changing the Boundaries of Election Districts within the City of Grand Junction

9. Proposed Ordinance - Zone of Bella Vista Annexation to RSF-2 (Residential Single Family, two units per acre), located north of G Road and east of 7th Street

a. First reading of proposed Ordinance

10. Proposed Ordinance - Zone of Galaxy Annexation to RSF-2 (Residential Single Family, two units per Acre, located north of G Road and east of 7th Street

a. First reading of proposed Ordinance

11. Proposed Ordinance - Zone of Nina Mae Annexation to RSF-2 (Residential Single Family, two units per acre), located north of G Road and east of 7th Street

a. First reading of proposed Ordinance

12. Proposed Ordinance - Zone of Green Meadows Annexation to RSF-2 (Residential Single Family, two units per acre), located north of G Road and east of 7th Street

a. First reading of proposed Ordinance

13. Proposed Ordinance - Zone of Melody Park Annexation to RSF-2 (Residential Single Family, two units per acre), located north of G Road and east of 7th Street

The previous five annexations (Bella Vista, Galaxy, Nina Mae, Green Meadows, Melody Park) are located north of G Road between 7th and 12th Streets. The annexations are all single-family residential areas of similar character and density. The previous county zoning for all five was R-1-B (2 units per acre). The proposed RSF-2 zone, also at 2 units per acre, is consistent with the previous county zoning and the existing density of the area. No non-conforming uses will be created by this zoning.

a. First reading of proposed Ordinance

14. Proposed Ordinance - Zone of La Roche Annexation to Heavy Commercial (C-2), located south of I-70 and east of 23 Road

The property is currently vacant land and was zoned C - Commercial in the county. Surrounding zoning is all commercial except for the undeveloped Neighbors R.V. Park proposal from the early 1980's which is zoned for Recreational Vehicle Resort. Proposed zoning for this annexation is C-2 (Heavy Commercial).

a. First reading of proposed Ordinance

15. Proposed Ordinance - Zone of Western Hills Annexation #1 and #2 to Planned Mobile Home (PMH) zone, located east of 27 Road, south of B-1/2 Road

The previous county zoning was PMH. Surrounding zoning is commercial except to the south which is residential. The property owner has received county approval to construct two mini-storage buildings on the easterly portion of the site and has requested the City to honor that approval. Since it is anticipated that the majority of the mini storage units would be used by the occupants of the mobile home park, staff has no concerns about accepting this approval.

a. First reading of proposed Ordinance

* * * END OF CONSENT CALENDAR * * *

RETIREMENT OF CITY CLERK NEVA B. LOCKHART

City Council expressed their feelings of appreciation, gratitude, and best wishes to Neva B. Lockhart upon her upcoming retirement as City Clerk of the City of Grand Junction for the past 22 years. Neva has been a City employee for 26 years. She is retiring from this position effective December 31, 1992.

City Manager Mark Achen stated that he has worked in three different states and four different cities with six City Clerks, including Neva, and he has never worked with a city clerk that is more knowledgeable, more compassionate, more objective, and a better spokesperson for the City and the objective political process of the City Clerk's office than Neva Lockhart. He expressed his sincere appreciation for the opportunity to work with her. Neva was also bestowed the honor of "City Clerk of the Year" in 1987 by the Colorado City Clerks Association.

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

PROPOSED ORDINANCE - REZONE FROM RMF-64 TO P (PARKING) PROPERTY LOCATED AT 12TH AND GLENWOOD (1228 GLENWOOD AVENUE) - REVOCABLE PERMIT FOR PARKING ON PUBLIC RIGHT-OF-WAY SCHEDULED FOR JANUARY 6, 1993, MEETING

The petitioner, Edward C. Rozman, is requesting the zoning be changed from RMF-64 to C-1 on a 7500 sq. ft. parcel at 1228 Glenwood. This parcel lies immediately east of the north/south alley east of 12th Street. He is also requesting that this portion of the alley be vacated. The petitioner intends to establish a parking lot for fee parking on this parcel and adjacent C-1 zoned land. The property to the west is owned by the petitioner and would be used as part of the parking lot. The property to the south is zoned C-1 while property to the north and east is RMF-64. Parking lots are an allowed use in the C-1 zone. The alley vacation is requested to maximize the number of parking spaces which can be created.

Planning Commission (4-0) recommends rezoning to "P" Parking and recommends denial of alley vacation and suggests granting a revocable permit instead. Petitioner has appealed denial of the alley vacation.

Karl Metzner, Community Development Department, stated that the C-1 zoning was requested because that was the original zoning to the west and to the south. The zone of C-1 allows a large variety of uses, some of which are not necessarily compatible with adjacent residential uses. Since the proposal was for a parking lot, and since the P (Parking) zone can also be used for parking, that is, auxiliary to another commercial use, it was felt that the Parking

would be less intrusive to the rest of the residential neighborhood. Allow the current use, and if a Business Use is put on the C-1 property, the P Zone could still be used as support parking for that use. It would allow what is proposed and what could be anticipated, but not have a chance of having an unacceptable use adjacent to the rest of the residential.

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried, the proposed ordinance rezoning the property from RMF-64 to P (Parking) was passed for publication.

Mr. Dick Scariano, representing the petitioner, Edward Rozman, was present. The petitioner has asked that he be granted this property so that he can make long-term future plans for the property, and to place the property on the tax rolls. There is a permanent easement that will be granted north and south through the property for the use of utilities. The petitioner feels that the lack of any strong Staff comments indicating why there should be a revocable easement to the property, that the alley be vacated.

It was moved by Councilman Shepherd, and seconded by Councilman Nelson that the proposed ordinance to vacate the right-of-way be approved and passed for publication. All Councilmembers having voted NO, the motion lost.

A Resolution granting a revocable permit for parking on public right-of-way will be scheduled on the January 6, 1993, City Council agenda.

RESOLUTION NO. 91-92 ADOPTING THE PARKS & RECREATION AND OPEN SPACE MASTER PLAN RECOMMENDED BY PARKS & RECREATION BOARD AND THE PARKS & RECREATION OPEN-SPACE STEERING COMMITTEE

The following citizens spoke regarding the adoption of the Parks & Recreation and Open Space Master Plan:

Mr. Keith Mumby, along with letters of support from the County of Mesa, School District #51, Grand Junction Tennis Club, Mesa County Softball Association, and the Grand Junction United Soccer Association. The priorities recommended in connection with the Master Plan are as follows:

1. Acquisition of adequate land to form a Regional Park;
2. The design of a Recreation Center;
3. The construction of a Recreation Center;
4. The development of community parks and neighborhood parks throughout the Grand Junction area.

Mr. Mumby requested that Council adopt the Master Plan and the priorities, and give the Parks & Recreation Board and the Parks & Recreation Open-Space Steering Committee the authority to take it

to a public vote of the people.

Kathy Hall, Committee member

Frank Dunn, 2680 Capra Way, Committee member

Neal Bradford, 2675 Springside Court, General Manager of Crossroads Health & Fitness Center (presented written comments)

Dan Thurlow, 2109 Barberry Street, owner of Grand Junction Athletic Club

Tom Strouf, 1221 Ouray Avenue

Dominic Romero, 2843-C Oxford Avenue, owner of Bulldogs Gym, located at 685 W. Gunnison Avenue

Gail Fogg, 2457 Broadway

Ray Jamsay, 1815 Orchard Avenue, past Manager of Grand Junction Athletic Club, and member of the Crossroads Health & Fitness Center

Tery Dixon, 423 Wildwood

Dale Reece, 2065 Blue Water Drive, owner of Crossroads Health & Fitness Center

Comments were had by Councilmembers Conner Shepherd, Paul Nelson, Bill Bessinger, and Jim Baughman.

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried by roll call vote with Councilmembers BESSINGER, BAUGHMAN and BENNETT voting NO, Resolution No. 91-92 adopting the Parks & Recreation and Open Space Master Plan recommended by the Parks & Recreation Board and the Parks & Recreation Open-Space Steering Committee was approved including the following priorities:

- a. Acquisition of the Regional Park acreage;
- b. Design of the Recreation Center;
- c. Construction of the Recreation Center;
- d. Development of the Regional Park.

RECESS

The President of the Council declared a ten-minute recess. Upon reconvening, all members of Council were present.

RESOLUTION NO. 92-92 ADOPTING THE MASTER PLAN FOR ARTS AND CULTURE

Allison Sarmo, representing the Grand Junction Arts Commission, was present. It was moved by Councilman Shepherd, seconded by Councilman McCurry that Resolution No. 92-92 adopting the Master Plan for Arts and Culture be passed and adopted. Councilman Baughman made a motion to amend Mr. Shepherd's motion by changing the first sentence on Page 62 which reads "We also recommend that the City fund the purchase and initial renovation of the Avalon estimated to be approximately \$800,000. He amended the sentence to reflect participate in instead of fund. Councilman Shepherd seconded the amended motion. The amended motion carried by roll call vote with Councilman BESSINGER voting NO, and the Resolution was passed and adopted as amended.

PROPOSED ORDINANCE - RIGHT-OF-WAY VACATION LOCATED ON GUNNISON AVENUE BETWEEN HARRIS ROAD AND MELODY LANE

The petitioners, Wagner Equipment Co., requested the vacation of Gunnison Avenue right-of-way in order to eliminate the possibility of this road being constructed. There are currently no improvements to Gunnison Avenue east of 28-1/2 Road. Wagner Equipment and other property owners own property on both the north and south sides of the right-of-way. Many years ago revocable permits were issued to fence both ends of the right-of-way. Since that time the owners have been using the right-of-way to store and transport materials. The owners feel that development of the road would jeopardize their business operations. The Planning Commission first heard this request in August of 1991. Since the Major Road Needs Study was about to get underway the Commission tabled this item pending the recommendations of the study. The completed and adopted study recommends that Gunnison Avenue right-of-way be retained for possible use as an inter-neighborhood collector.

Karl Metzner, Community Development Department, reviewed this item. He stated that the Planning Commission had a tie vote on this item which resulted in denial. The petitioners have appealed that denial.

Mr. Tom Logue representing Wagner Equipment Co., was present. Also present was Mr. Ron Tipping, owner of Grand Junction Pipe & Supply. Public Works Director Jim Shanks addressed street widths regarding this item.

Upon motion by Councilman Baughman, seconded by Councilman Nelson and carried, the right-of-way vacation located on Gunnison Avenue between Harris Road and Melody Lane was approved, to include the easement along Melody Lane on the Wagner Equipment property and to retain the utility easement 60-foot width on Gunnison, and the proposed ordinance was passed for publication.

PROPOSED ORDINANCE - REZONE FROM C-2 (HEAVY COMMERCIAL) TO B-1 ZONE (LIMITED BUSINESS) PROPERTY LOCATED ON THE SOUTH SIDE OF THE 1300 BLOCK OF COLORADO AVENUE

The south side of Colorado Avenue in the 1300 block is zoned C-2. The north side of the street is zoned RSF-8 (Residential). The existing land uses on both sides of the street are residential except for the southwest corner of 13th and Colorado which is a mobile home sales office in a converted residential structure. No mobile homes are stored on this site. As with several other cases in the recent past the owners of the residential units in the C-2 zone are having problems selling their homes since lenders are reluctant to finance non-conforming uses which cannot be replaced should they be destroyed by fire or other disaster. Residential uses are allowed in the B-1 zone and property owners are requesting this zone change to eliminate the non-conforming status of their properties. The properties on each end of this block have not joined in this petition. The owner of the mobile home sales office wishes to retain the flexibility of the commercial zone for other uses although the sales office itself is an allowed use in the B-1 zone. The owner of the southeast corner also owns commercial property to the south and wishes to retain the C-2 zoning for possible future expansion of his business.

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

HEARING - LA ROCHE ANNEXATION, LOCATED SOUTH OF I-70 AND EAST OF 23-1/2 ROAD - RESOLUTION NO. 93-92 TO ANNEX BY ORDINANCE - PROPOSED ORDINANCE

A hearing was held after proper notice. There was no one present to speak for or against. Upon motion by Councilman Shepherd, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 93-92 to annex by ordinance was passed and adopted, and the proposed ordinance was passed for publication.

HEARING - WESTERN HILLS ANNEXATION #1 AND #2, LOCATED EAST OF 27 ROAD AND SOUTH OF B-1/2 ROAD - RESOLUTION NO. 94-92 TO ANNEX BY ORDINANCE - PROPOSED ORDINANCE

A hearing was held after proper notice. There was no one present to speak for or against. Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 94-92 to annex by ordinance was passed and adopted, and the proposed ordinance was passed for publication.

RESOLUTION NO. 95-92 - ACCEPTING PETITION FOR THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF GRAND JUNCTION AND SETTING A HEARING ON SUCH ANNEXATION - ROLLING ACRES ANNEXATION, APPROXIMATELY 30.0 ACRES LOCATED WEST OF 7TH STREET, NORTH OF HICKORY DRIVE

Rolling Acres is a single-family residential development on approximately 30 acres. It contains 41 parcels, 27 of which have granted Powers-of-Attorney for annexation as a condition of receiving sewer service. This area is part of the North Area annexation proposal.

Karl Metzner, Community Development Department, stated that statutory requirements were met in that one sixth of the perimeter of the area proposed to be annexed is contiguous with the City; a community of interest exists between the territory and the City; the territory proposed to be annexed is urban or will be urbanized in the near future; the territory is integrated or is capable of being integrated with said City; no land in single ownership has been divided by the proposed annexation; no land held in identical ownership comprising more than twenty acres which together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and the land is not subject to other annexation proceedings; and no election is required under the Municipal Annexation Act of 1965.

Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 95-92 was passed and adopted.

RESOLUTION NO. 96-92 - ACCEPTING PETITION FOR THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF GRAND JUNCTION AND SETTING A HEARING ON SUCH ANNEXATION - TERRA DEL VISTA ANNEXATION, APPROXIMATELY 9.0 ACRES LOCATED EAST OF 7TH STREET, SOUTH OF I-70

Terra del Vista is a single-family residential development on approximately 10 acres. It contains 23 parcels, 18 of which have granted Powers-of-Attorney for annexation as a condition of receiving sewer service. This area is part of the North Area annexation proposal.

Karl Metzner, Community Development Department, stated that statutory requirements were met in that one sixth of the perimeter of the area proposed to be annexed is contiguous with the City; a community of interest exists between the territory and the City; the territory proposed to be annexed is urban or will be urbanized in the near future; the territory is integrated or is capable of being integrated with said City; no land in single ownership has been divided by the proposed annexation; no land held in identical ownership comprising more than twenty acres which together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and the land is not subject to other annexation proceedings; and no election is required under the Municipal Annexation Act of 1965.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 96-92 was passed and adopted.

ORDINANCE NO. 2621 - PLEDGING A PORTION OF THE VCB FUND BALANCE FOR THE PURPOSE OF EXECUTING A LEASE OPTION AGREEMENT FOR THE ACQUISITION OF A TRACT OF LAND FOR THE GRAND JUNCTION VISITOR AND CONVENTION BUREAU OFFICES AND TOURIST INFORMATION CENTER IN THE CITY OF GRAND JUNCTION, COLORADO

A hearing was held after proper notice. Councilman Baughman feels that an appraisal is needed on this land transaction before approval. He also objected to using a lease purchase without knowing the asking price to be compared to a deferred payment plan.

There were no public comments. Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote with Councilman BAUGHMAN voting NO, Ordinance No. 2621 was passed and adopted.

ORDINANCE NO. 2622 - APPROPRIATIONS FOR 1993

City Attorney Dan Wilson stated that the City Manager's salary has been set at \$82,775 to be inserted in Section 3 of this Resolution.

A hearing was held after proper notice. There were no public comments. Upon motion by Councilman Bessinger, seconded by Councilman Nelson and carried by roll call vote, Ordinance No. 2622 was passed and adopted.

RESOLUTION NO. 97-92 - ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR THE PURPOSE OF DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1993

Upon motion by Councilman Nelson, seconded by Councilman Bessinger and carried by roll call vote, Resolution No. 97-92 was passed and adopted.

RESOLUTION NO. 98-92 - DESIGNATING CERTAIN FUND BALANCES FOR RESERVES IN THE JOINT SEWER FUND FOR FUTURE CAPITAL IMPROVEMENTS IN KEEPING WITH THE TEN-YEAR CAPITAL IMPROVEMENTS PROGRAM AND BUDGET FOR 1993

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution NO. 98-92 was passed and adopted.

ORDINANCE NO. 2623 (AMENDED) - DESIGNATING CERTAIN AMOUNTS IN FUND BALANCE AS RESERVES FOR FUTURE YEARS FOR THE CITY OF GRAND JUNCTION, COLORADO, IN THE FISCAL YEAR ENDING DECEMBER 31, 1992

A hearing was held after proper notice. There were no public comments. Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2623 was passed and adopted as amended.

ORDINANCE NO. 2624 - GREEN MEADOWS ANNEXATION, APPROXIMATELY 30 ACRES, LOCATED AT G-1/2 ROAD AND 7TH STREET

A hearing was held after proper notice. There were no public

comments. Upon motion by Councilman McCurry, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2624 was passed and adopted.

ORDINANCE NO. 2625 - MELODY PARK ANNEXATION, APPROXIMATELY 10.0 ACRES, LOCATED AT G-3/8 ROAD AND 7TH STREET

A hearing was held after proper notice. There were no public comments. Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Ordinance No. 2625 was passed and adopted.

ORDINANCE NO. 2626 (AMENDED) - RATIFYING, CONFIRMING AND APPROVING RESOLUTION NO. MCM 92-160, SERIES 1992, BY THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO; AUTHORIZING THE SALE AND ISSUANCE OF THE COUNTY'S SEWER REFUNDING REVENUE BONDS, SERIES 1992, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$8,200,000, FOR THE PURPOSE OF REFUNDING THE COUNTY'S SEWER IMPROVEMENT REVENUE BONDS, SERIES 1980A AND SEWER REFUNDING REVENUE BONDS, SERIES 1980B, BOTH DATED NOVEMBER 1, 1980, OUTSTANDING IN THE AGGREGATE PRINCIPAL AMOUNT OF \$6,375,000 AND \$675,000 RESPECTIVELY PROVIDING FOR AN ESCROW TO PAY SAID BONDS AND THE INTEREST THEREON; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE APPLICATION OF REVENUES OF THE JOINT SEWER SYSTEM OF THE CITY AND COUNTY TO PAY THE SERIES 1992 BONDS AND THE INTEREST THEREON; AND INCORPORATING THE PROVISIONS OF COUNTY RESOLUTION NO. MCM 92-160, INTO THIS ORDINANCE BY REFERENCE

City Attorney Dan Wilson explained that during the December 15, 1992, County Commissioners meeting, the Mayor presented the City's position that dealt with a stated County intent to preserve the right to, in the future, invade Sewer Funds for other than sewer purposes. Following those comments the Commissioners adopted the Resolution which the City has incorporated by reference into tonight's Ordinance to authorize that the bonds be issued. Mr. Wilson has spoken with Russ Caldwell, the underwriter who has been handling this transaction, and Amy Kennedy, bond counsel. The primary issue is can the County in the future avail itself of the Sewer Funds. The County Attorney has been asked to do research and convince himself that the County cannot do that. The primary reason being that the underwriter and bond counsel have said that given the public statement of the County's intent, that they could not market or insure the bonds. The only resolution in order to save the Valley \$1 million dollars was to try and convince the County to agree with the City that it does not have that legal right. Mr. Lyle DeChant, County Attorney, today stated that he is now convinced that the County does not have that power.

As a consequence, Mr. Wilson has drafted a proposed amendment which would be an additional section to the Ordinance reading as follows:

City Council approves this ordinance contingent upon one of the two following events occurring:

1. Mesa County shall approve an amendment to its Resolution adopted December 15, 1992 which adopts language that confirms that monies in surpluses and other funds of the Joint Sewer System shall only be used for the Joint Sewer System; Section 509 shall be amended by adding the words "of the joint system between for any lawful purposes and (including without limitation)."

2. In a letter with language satisfactory to the City Manager that County acknowledges that it cannot obtain or use Joint System funds or monies or surpluses for general County purposes or for other than the use or benefit of the Joint System.

Ron Lappi, Finance/Administrative Services Director, read into the record the following letter from Russ Caldwell of Dougherty, Dawkins, Strand & Bigelow, Inc., underwriter of this bond issue, addressed to Ron Lappi, Sue Kaliszewski-Gormley, Lyle DeChant, Don Wilson, which was received today, with copies to the Mayor and the County Commission Chairman:

"Yesterday's events brought into the public domain the County's intent to preserve any right it may have to use excess money of the Joint Sewer Fund. We the Bond and Disclosure Attorney, the insurance agencies and the market have fully assumed money in the Fund would be used in the System like an other utility. If the County believes that it can divert these monies, we would certainly not be able to rate or insure the bonds. We cannot close the current bond issue until this matter is dealt with affirmatively. Yesterday the Commission said they had no intent of diverting monies of the Joint Sewer Fund. Because this was a public, on the record discussion, and the issue must be dealt with as material to the bond issue. While we would not require the Resolution requested by the City we need a written assurance from the County that it does not intend to invade the Joint Sewer Fund while the bonds are outstanding. Please let me know if this can be provided by letter from the County's legal staff in a form sufficient to satisfy us that our representations to the insurer and the market place are accurate. The letter should be sufficiently clear so that the bond holders may be assured that the Sewer Funds cannot be diverted for other than Sewer purposes. I understand from Amy Kennedy (bond counsel) that under the City's Charter the City can't use the Sewer money for purposes other than the Sewer System. This is the normal situation for a utility. We need the County's similar position to realize the \$1.3 million savings for rate payers."

City Manager Mark Achen suspected that the County's public statements have tremendously damaged the market confidence in the security that the City is providing them for this loan. It would also substantially damage the existing bond holders' confidence in the security they have today and might substantially reduce the marketability and the flexibility the existing bond holders have even if the refinancing did not take place. Finance Director Ron Lappi concurred.

A hearing was held after proper notice. There were no public comments. Upon motion by Councilman Shepherd, seconded by Councilman Bessinger and carried by roll call vote, Ordinance No. 2626 was passed and adopted as amended.

City Attorney Dan Wilson requested permission to draft the letter from the Mayor to the Chairman of the Board of County Commissioners that more formally addresses the concerns that have just been discussed about the negotiability of the bonds so that the County is fully aware of the City's concerns, and can evaluate that.

RESOLUTION NO. 99-92 - DEFENDING AND AGREEING TO PAY OR SETTLE ALLEGED PUNITIVE DAMAGE CLAIMS AGAINST A FORMER CITY EMPLOYEE AND TWO CURRENT CITY EMPLOYEES

The City of Grand Junction, Officers Ray Fox, Steven Cowgill and retired Police Chief Robert Evers have been named in a lawsuit filed by Peter Clyde Cheney, based upon an alleged excessive use of force incident which took place when Evers was Chief of Police.

Upon motion by Councilman Bessinger, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 99-92 was passed and adopted.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 86-92

RESOLUTION ACCEPTING COMMUNITY DEVELOPMENT GRANT FUNDS FROM THE STATE OF COLORADO, DEPARTMENT OF LOCAL AFFAIRS

WHEREAS, the City of Grand Junction, on behalf of the Energy Office, has submitted an application to the State of Colorado, Department of Local Affairs for Community Development Block Grant Funding for the Low/Moderate Income Housing Rehabilitation Program; and

WHEREAS, the State of Colorado has approved \$46,500 in Community Development Block Grant ("CDBG") funds for the Housing Rehabilitation Program; and

WHEREAS, the City of Grand Junction, as the governmental sponsor, will act as a pass through agent for these funds from the State of Colorado to the Energy Office.

NOW, THEREFORE, BE IT RESOLVED, that the City of Grand Junction

hereby accepts the grant funds for the Housing Rehabilitation Program on behalf of the Energy Office and hereby authorizes the Mayor to accept on behalf of the City of Grand Junction.

PASSED and ADOPTED this 16th day of December, 1992.

APPROVED:

President of the Council

APPROVED:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 87-92

RESOLUTION ACCEPTING HOME INVESTMENT PARTNERSHIP (HOME) FUNDS FROM THE STATE OF COLORADO, DEPARTMENT OF LOCAL AFFAIRS

WHEREAS, the City of Grand Junction, on behalf of the Energy Office, has submitted an application to the State of Colorado, Department of Local Affairs for HOME Funding for the Low/Moderate Income Housing Rehabilitation Program; and

WHEREAS, the State of Colorado has approved \$178,500 in HOME funds for the Housing Rehabilitation Program; and

WHEREAS, the City of Grand Junction, as the governmental sponsor, will act as a pass through agent for these funds from the State of Colorado to the Energy Office.

NOW, THEREFORE, BE IT RESOLVED, that the City of Grand Junction hereby accepts the grant funds for the Housing Rehabilitation Program on behalf of the Energy Office and hereby authorizes the Mayor to accept on behalf of the City of Grand Junction.

PASSED and ADOPTED this 16th day of December, 1992.

APPROVED:

President of the Council

APPROVED:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 88-92

RESOLUTION AUTHORIZING A CONTRACT WITH THE ENERGY OFFICE FOR THE ADMINISTRATION OF CERTAIN COMMUNITY DEVELOPMENT GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIP (HOME) FUNDS

WHEREAS, the City of Grand Junction, has applied for \$225,000 in Community Development Block Grant ("CDBG") funds from the State of Colorado Office of Local Affairs to be used by The Energy Office in their Low/Moderate Income Housing Rehabilitation Program; and

WHEREAS, the State of Colorado has approved \$46,500 in CDBG Funds and \$178,500 in HOME Funds for this program; and

WHEREAS, the City of Grand Junction, as the governmental sponsor, will act as a pass through agent for these funds from the State of Colorado to the Energy Office; and

WHEREAS, the attached contract with The Energy Office incorporates the agreements between the Energy Office and the City.

NOW, THEREFORE, BE IT RESOLVED, that the City of Grand Junction hereby authorizes the City Manager to execute the contract on behalf of the City of Grand Junction.

PASSED and ADOPTED this 16th day of December, 1992.

APPROVED:

President of the Council

APPROVED:

Neva B. Lockhart, CMC

City Clerk

CONTRACT

This Contract is made and entered into this _____ day of _____, 1992 by and between THE CITY OF GRAND JUNCTION, CO ("City"), and The Energy Office, a Colorado non-profit corporation, ("Sub-Grantee").

WHEREAS, City has applied, on behalf of Sub-Grantee, to the State of Colorado for Community Development Block Grant fund a continuation of its low/moderate income housing rehabilitation loan program; and

WHEREAS, the State of Colorado has approved the City's application with an award of \$46,500 in CDBG Funds and \$178,500 in HOME Funds; and

WHEREAS, Sub-Grantee has the full resources to act as contractor in the administration and operation of the program and City wishes to have Sub-Grantee assume all obligations related thereto;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Scope of Services

Sub-Grantee shall be the contractor for the CDBG and HOME Contracts. Sub-Grantee shall, in a satisfactory and proper manner, carry out all of the work elements and all of the obligations and responsibilities imposed upon the City in the Contracts, which contracts are attached hereto as Exhibit "A" and "B", and the contents of which are specifically incorporated herein by this reference.

2. Time of Performance

The time of performance of this contract shall be identical to the time of performance of the CDBG and HOME Contracts for the purposes of the grants. Specifically, this contract shall be deemed to have been executed and shall become effective at the same time as the execution of the CDBG and HOME Contracts.

3. Operational Funding and Compensation

A. Initial Project. The Sub-Grantee shall receive as compensation those eligible program administrative cost reimbursements from various sources in accordance with the Contracts. The local funding of \$15,000 will be made available to the Sub-Grantee by the Downtown Housing Effort upon execution of this agreement.

B. Program Income. Program Income shall be utilized in accordance with the scope of services outlined in Exhibit "A" and "B" of the Contracts between the City and the State. In addition, program income and interest earned on such income after completion of the projects shall be repaid to the City, unless the City then agrees that Sub-Grantee may retain such funds pursuant to a new agreement as may be entered into by City and Sub-Grantee.

4. Budget

All expenditures of CDBG and HOME Funds by Sub-Grantee shall be in accordance with the Project Budget included in the Contracts.

5. Personnel

Sub-Grantee represents that it has, or will secure, sufficient personnel to perform its obligation(s) under this contract. Such personnel shall be fully qualified and shall be authorized or permitted under Federal, State and Local law to perform such services.

Sub-Grantee is an independent contractor, and no officer, agent or employee of Sub-Grantee shall be deemed to be an employee or agent of the City.

6. Audit

Sub-Grantee shall have at least identical audit obligations and responsibilities, including discretionary audit obligations, as City, as specified in the CDBG and HOME Contracts. If Sub-Grantee fails to perform its audit obligations, the City may conduct audits as City deems necessary to comply with CDBG and HOME Contracts. Sub-Grantee shall pay for the performance of such, including all audit fees and charges incurred by the City arising from audit obligations. In addition, Sub-Grantee shall:

A. Provide all workpapers and schedules relating to compliance with the grants to the City by March 31 of the year subsequent to receipt of any CDBG and/or HOME monies; and

B. Designate an agent of Sub-Grantee who shall be responsible to handle all paperwork associated with the CDBG and HOME Contracts in order to keep the time requirements by City personnel to a minimum. Grant applications for payment shall be submitted by the designated individual and submitted to the City for review and signature as necessary and required.

City, through any of its authorized representatives, including an independent Certified Public Accountant, shall have the right to inspect, examine, and audit Grantee's records, books, accounts and other relevant documents from the date of signing of this contract until five years after the date final payment is received by Sub-Grantee. Such discretionary audit(s) may be requested at any time.

7. Modifications and Amendment

A. Modification by Operation of the Law: This contract is subject to such modification as may be required by changes in Federal, State or Local law or regulations. Any such required modification shall be incorporated into this contract as if fully set forth herein.

B. Programmatic or Budgetary Modifications: Sub-Grantee shall follow the revision procedures set forth in the CDBG Financial Management Manual if programmatic or budgetary modifications are desired. Any such modifications shall require City and State approval, accomplished through a corresponding modification in the CDBG and HOME Contracts.

C. Other Modifications: If either the City or Sub-Grantee desires to modify the terms of this contract, other than as set forth in Paragraphs 7-A or 7-B above, written notice of the proposed modifications shall be given to the other party. No modifications shall take effect unless and until agreed to in writing by both parties in an amendment to this contract properly executed and

approved in accordance with applicable law.

8. Termination

A. Termination Due to Loss of Funding: The parties hereto expressly recognized that Sub-Grantee is only to be paid with CDBG and HOME funds provided by the State to the City for the CDBG and HOME project, and the additional \$15,000 local match from previously recycled CDBG Funds held by Downtown Development Authority and the Grand Junction Housing Authority, and therefore, Sub-Grantee expressly understands and agrees that all its rights, demands, and claims to the compensation arising under this contract are contingent upon receipt of such funds from the State by the City. In the event that such funds or any part thereof are not received by the City, either party may immediately terminate or amend this contract and upon termination all obligations of the parties hereunder shall be suspended forthwith, except loan servicing and the provisions of paragraph 11.

B. Termination for Causes: If Sub-Grantee shall fail to fulfill in timely and proper manner any of its obligations under this contract, or if Sub-Grantee shall violate any of the covenants, agreements, or stipulations of this contract, the City shall thereupon have the right to terminate this contract for cause by giving notice to Sub-Grantee of such termination and specifying the reasons for and effective date thereof at least five (5) days before the effective date of such terminations.

C. In the event of termination under B above, Sub-Grantee shall be entitled to receive all monies the City receives under the CDBG and HOME contracts, according to the same standard set forth in the City's contracts with the State of Colorado Department of Local Affairs.

9. Conflict of Interest:

Sub-Grantee shall comply with the conflict of interest provisions of the CDBG and HOME Contracts and shall insure that no member of its Board of staff, or of the governing body of the City, or any other officer, employee or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the project, shall have any personal or financial interest, direct or indirect, in this contract.

10. Compliance with Applicable Laws

At all times during the performance of this contract, Sub-Grantee shall strictly adhere to all applicable Federal, State and Local laws, orders, standards, regulations, interpretations, or guidelines issues pursuant thereto.

Sub-Grantee shall keep itself fully informed of all Federal and State laws and all Municipal Ordinances and Regulations in any manner affecting the work or performance of its contract or any

extra work and shall at all times observe and comply with such laws, ordinances or regulations, whether or not such laws, ordinances or regulations, are mentioned herein, and shall indemnify the City, its officers, agents and employees against any claim or liability arising from or based on the violation of, or alleged violation of, any such laws, ordinances or regulations.

11. Indemnification

Sub-Grantee shall indemnify, save, hold harmless and defend the City and all of its officials, employees, agents and officers from:

A. Any and all claims, lawsuits, damages, or liabilities, including reasonable attorney's fees (or the reasonable value of an attorney's time) and court costs, which at any time may be or are stated, asserted, or made against the City, its officers, employees or agents, by the State of Colorado, the Federal Government or any agency thereof or any other third party whomsoever, in any way arising out of, or related to, the CDBG and HOME Contracts or representations, covenants, or obligations of Sub-Grantee under the CDBG and HOME Contracts or the prosecution of the Project contemplated by the CDBG and HOME Contracts regardless of whether said claims are frivolous or groundless; and

B. The failure of any of Sub-Grantee officers, agents, employees, or contractors, to comply in any respect with any of the requirements, obligations or duties imposed on the City by the CDBG and HOME Contracts, or reasonably related to or inferred therefrom; and

C. Any and all liability, claims demands, actions, debts, and attorney fees arising out of, claimed on account of, or in any manner predicated upon loss or damage to the property of, injuries to, or death of all persons whatsoever which may occur or be sustained in connection with the performance of this contract.

12. Materials

Sub-Grantee, and its Executive Director agree that s(he) has carefully read the CDBG and HOME Contracts and all materials referenced in the Contracts and all other materials sent to the State of Colorado in order to procure the CDBG and HOME Contracts. Sub-Grantee hereby covenants and agrees that it understands each and every document and will abide by each and every document and will abide by each and every provision thereof.

13. Assignment

Sub-Grantee shall not sublet any part of the work under this contract nor assign any monies due it hereunder without first obtaining the written consent of the City. However, upon termination or expiration of this Sub-Contract, or termination or expiration of the CDBG and HOME Contracts, if consented to by the

City, Sub-Grantee may assign its interest in all loans to households assisted under the Program, including, but not limited to, all loan agreements, promissory notes, deeds of trust, mortgages, judgments, lien rights, contract rights, claims and causes of action, to the City or its authorized designee. Sub-Grantee obligations, if any, to serve, administrate, and/or collect such loan, shall terminate as of the date of assignment to the City or its authorized designee.

14 Binding on Successors

This contract shall inure to the benefit of and be binding upon the parties and their respective successors or assigns.

IN WITNESS WHEREOF, the parties have executed this contract on the day first written.

CITY OF GRAND JUNCTION

BY:

City Manager

ATTEST:

City Clerk

DATED _____

THE ENERGY OFFICE

BY: _____

ATTEST: _____

DATED _____

RESOLUTION NO. 89-92

CONFIRMING THAT THE NAME OF F 1/2 ROAD IS AND SHALL BE ROUNDHILL DRIVE

Recitals

Upon annexation of the Roundhill Subdivision into the City of Grand Junction, City staff was made aware that the annexation, subdivision and County Assessor's maps all indicate that the primary access to that subdivision is a road named F 1/2 Road.

When the City placed City street signs in the area, residents

informed the City staff that the name was actually Roundhill Drive.

City staff then verified with the County Assessor's office and its data base that the addresses to which tax notices were being sent is Roundhill Drive.

In addition, the United States Postal Service delivers mail to Roundhill Drive.

And, existing street signs identify the access as Roundhill Drive.

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

That the roadway which is existing and serves as the primary access to the Roundhill Subdivision, which has historically been known both as F 1/2 Road and Roundhill Drive is now confirmed to be and shall hereafter be known as Roundhill Drive.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 90-92

CHANGING THE BOUNDARIES OF ELECTION DISTRICTS WITHIN THE CITY OF GRAND JUNCTION, COLORADO

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

That the boundaries of the election districts within the City of Grand Junction be changed so that:

DISTRICT A: shall contain and include all that portion of the City of Grand Junction contained within the city limits south of a line described as follows:

Beginning at the intersection of the Colorado River and the west City limits line; thence east along the south bank of the Colorado River to the intersection of the Colorado River and Highway 340; thence northeast along Highway 340 to the intersection of Highway 340 and the Denver & Rio Grand railroad tracks; thence south and east along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande railroad tracks and Colorado Avenue; thence east along Colorado Avenue to the

intersection of Colorado Avenue and First Street; thence south along First Street to the intersection of First Street and South Avenue; thence east along South Avenue to the intersection of South Avenue and Fifth Street; thence south along Fifth Street to the intersection of Fifth Street and Fourth Avenue; thence east along Fourth Avenue to the intersection of Fourth Avenue and Seventh Street; thence north along Seventh Street to the intersection of Seventh Street and the Denver & Rio Grande railroad tracks; thence northeast along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande railroad tracks and the east City limits line.

DISTRICT B: shall contain and include all that portion of the City of Grand Junction contained within the City limits north and west of a line described as follows:

Beginning at the intersection of the Colorado River and the west City limits line; thence east along the north bank of the Colorado River to the intersection of the Colorado River and Highway 340; thence northeast along Highway 340 to the intersection of Highway 340 and the Denver & Rio Grande railroad tracks; thence south and east along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande railroad tracks and Colorado Avenue; thence east along Colorado Avenue to the intersection of Colorado Avenue and First Street; thence north along First Street to the intersection of First Street and Orchard Avenue; thence east along Orchard Avenue to the intersection of Orchard Avenue and Twelfth Street; thence north on Twelfth Street to the intersection of Twelfth Street and H Road; thence east on H Road to the intersection of H Road and 27 1/4 Road; thence north on 27 1/4 Road to the intersection of 27 1/4 Road and the north City limits line.

DISTRICT C: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the center of the intersection of Twelfth Street and Patterson Road; thence east on Patterson Road to the intersection of Patterson Road and Mountview Drive; thence south on Mountview Drive to the intersection of Mountview Drive and Santa Fe Drive; thence southeast on Santa Fe Drive to the intersection of Santa Fe Drive and Mantey Heights Drive; thence south on Mantey Heights Drive to the north bank of the Grand Valley Canal; thence west along the north bank of the Grand Valley Canal to the intersection of the Grand Valley Canal and Fifteenth Street; thence south on Fifteenth Street to the intersection of Fifteenth Street and Orchard Avenue; thence east on Orchard Avenue to the intersection of Orchard Avenue and 28 1/4 Road; thence south on 28 1/4 Road to the intersection of 28 1/4 Road and North Avenue; thence east on North Avenue to the intersection of North Avenue and 28 1/2 Road; thence south on 28 1/2 Road to the Denver & Rio Grande railroad tracks; thence west along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande railroad tracks and Grand Avenue; thence east along Grand Avenue to the intersection

of Grand Avenue and Nineteenth Street; thence north along Nineteenth Street to the intersection of Nineteenth Street and Gunnison Avenue; thence west along Gunnison Avenue to the intersection of Gunnison Avenue and Twelfth Street; thence north on Twelfth Street ending at the intersection of Twelfth Street and Patterson Road.

DISTRICT D: shall contain and include all that portion of the City of Grand Junction contained within the City limits north and east of a line described as follows:

Beginning at the intersection of 27 1/4 Road and the north City limits line; thence south on 27 1/4 Road to the intersection of 27 1/4 Road and H Road; thence west on H Road to the intersection of H Road and Twelfth Street; thence south on Twelfth Street to the intersection of Twelfth Street and Patterson Road; thence east on Patterson Road to the intersection of Patterson Road and Mountview Drive; thence south on Mountview Drive to the intersection of Mountview Drive and Santa Fe Drive; thence southeast on Santa Fe Drive to the intersection of Santa Fe Drive and Mantey Heights Drive; thence south on Mantey Heights drive to the north bank of the Grand Valley Canal; thence west along the north bank of the Grand Valley Canal to the intersection of the Grand Valley Canal and Fifteenth Street; thence south on Fifteenth Street to the intersection of Fifteenth Street and Orchard Avenue; thence east on Orchard Avenue to the intersection of Orchard Avenue and 28 1/4 Road; thence south on 28 1/4 Road to the intersection of 28 1/4 Road and North Avenue; thence east on North Avenue to the intersection of North Avenue and 28 1/2 Road; thence south on 28 1/2 Road to the Denver & Rio Grande railroad tracks; thence east along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande railroad tracks and the east City Limits Line.

DISTRICT E: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of Orchard Avenue and First Street; thence east along Orchard Avenue to the intersection of Orchard Avenue and Twelfth Street; thence south along Twelfth Street to the intersection of Twelfth Street and Gunnison Avenue; thence east along Gunnison Avenue to the intersection of Gunnison Avenue and Nineteenth Street; thence south along Nineteenth Street to the intersection of Nineteenth Street and Grand Avenue; thence east along Grand Avenue and the intersection of Grand Avenue and the Denver & Rio Grande railroad tracks; thence southwest along the Denver & Rio Grande railroad tracks to the intersection of the Denver & Rio Grande Railroad tracks and Seventh Street; thence south along Seventh Street to the intersection of SEventh Street and Fourth Avenue; thence west on Fourth Avenue to the intersection of Fourth Avenue and Fifth Street; thence north along Fifth Street to the intersection of Fifth Street and South Avenue; thence west along South Avenue to the intersection of South Avenue and First Street; thence west and north along First Street ending

at the intersection of First Street and Orchard Avenue.

Annexations lying within the boundaries as extended will be considered as being included within a particular district.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 91-92

ADOPTING THE PARKS, RECREATION, OPEN SPACE MASTER PLAN AND FOR THE CITY OF GRAND JUNCTION, PARKS AND RECREATION DEPARTMENT. INCLUDED IN THE PLAN ARE THE FOLLOWING PRIORITIES: 1. ACQUISITION OF REGIONAL PARK ACREAGE; 2. DESIGN RECREATION CENTER; 3. CONSTRUCTION OF RECREATION CENTER; 4. PARK DEVELOPMENT.

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

That the documents prepared by Design Workshop, Hammer/Siler/George, and Barker/Rinker/Seacat be adopted and approved as establishing a plan for parks and recreation in the City of Grand Junction until further order of the Council.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 92-92

WHEREAS, the City Council of the City of Grand Junction created the Grand Junction Arts Commission for the purposes of evaluating the needs of local artisans and the needs of the patrons of art and cultural activities, and

WHEREAS, the Commission in 1991 completed a strategic cultural plan, which plan among other things, identified the need for facilities for art and cultural activities, and

WHEREAS, the City retained Hammer, Siler, George Associates for the purposes of developing a parks and recreation master plan and included as a phase of that planning process a cultural facility assessment, and

WHEREAS, the cultural arts center analysis has been completed and introduced to the Council for its review and adoption,

NOW, THEREFORE, BE IT RESOLVED THAT,

The City Council, sitting in public session this 16th day of December 1992, hereby accepts and adopts the Grand Junction Cultural Arts Center feasibility study prepared by Hammer, Siler, George Associates which study is further recommended and endorsed by the Grand Junction Arts Commission.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 93-92

WHEREAS, on the 4th day of November, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A tract of land located in Section 32 Township 1 North Range 1 West Ute Meridian more specifically described as follows:

The N 1/2 NW 1/4 SE 1/4 said section 32 except beginning 2574.83 ft. West and 1980 ft. North of the SE Corner said section 32; thence east 174.24 ft.; thence North 250 ft.; thence West 174.24 ft.; thence South to the Point of Beginning; and, that part of the S 1/2 SW 1/4 NE 1/4 Section 32 T1S R1W lying South of Interstate 70.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of December, 1992; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the

City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in single ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

City Clerk

RESOLUTION NO. 94-92

WHEREAS, on the 4th day of November, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

WESTERN HILLS ANNEXATION NO. 1

A TRACT OF LAND LYING IN THE NE1/4 SE1/4 OF SECTION 26 AND IN THE NW1/4 SW1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NE1/4 SE1/4 OF SAID SECTION 26; THENCE S 89 DEG. 53 MIN. E ALONG THE NORTH LINE OF THE NE1/4 SE1/4 OF SAID SECTION 26 A DISTANCE OF 1317.93 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 26; THENCE EAST ALONG THE NORTH LINE OF THE NW1/4 SW1/4 OF SAID SECTION 25 A DISTANCE OF 1320.0 FEET TO THE NORTHEAST CORNER OF THE NW1/4 SW1/4 OF SAID SECTION 25; THENCE SOUTH ALONG THE EAST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 25 A DISTANCE OF 25.0 FEET; THENCE WEST A DISTANCE OF 1320.0 FEET TO THE WEST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 25; THENCE N 89 DEG. 53 MIN. W A DISTANCE OF 1317.93 FEET TO A POINT WHICH IS SOUTH A DISTANCE OF 25.0 FEET FROM THE POINT OF BEGINNING; THENCE NORTH A DISTANCE OF 25.0 FEET TO THE POINT OF BEGINNING.

WESTERN HILLS ANNEXATION NO. 2

PARCEL NO. 1:

A TRACT OF LAND CONSISTING OF THE NORTH 1/2 OF THE NW1/4 SW1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 25 FROM WHENCE THE NORTHWEST CORNER OF SAID NW1/4 SW1/4 BEARS NORTH A DISTANCE OF 25.0 FEET; THENCE EAST A DISTANCE OF 1320.0 FEET TO THE EAST LINE OF SAID NW1/4 SW1/4 A DISTANCE OF 645.0 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NW1/4 SW1/4 OF SAID SECTION 25; THENCE WEST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NW1/4 SW1/4 OF SAID SECTION 25 A DISTANCE OF 1320.0 FEET TO THE WEST LINE OF SAID NW1/4 SW1/4; THENCE NORTH ALONG THE WEST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 25 A DISTANCE OF 635.0 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

A TRACT OF LAND IN THE SW1/4 NW1/4 SW1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 11 OF JENKINS SUBDIVISION AS RECORDED IN PLAT BOOK 9 AT PAGE 78 IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER; THENCE NORTH A DISTANCE OF 25.0 FEET TO A POINT ON THE NORTH LINE OF THE SW1/4 NW1/4 SW1/4 OF SAID SECTION 25; THENCE EAST ALONG THE NORTH LINE OF SAID SW1/4 NW1/4 SW1/4 A DISTANCE OF 151.4 FEET TO A POINT; THENCE SOUTH A DISTANCE OF 25.0 FEET TO THE NORTHEAST CORNER OF LOT 11 OF SAID JENKINS SUBDIVISION; THENCE ALONG THE EASTERN BOUNDARY OF SAID LOT 11 THE FOLLOWING TWO COURSES AND DISTANCES:

1. 71.13 FEET ALONG THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 50.0 FEET AND A LONG CHORD WHICH BEARS S 19 DEG. 19 MIN. 23 SEC. E A DISTANCE OF 65.28 FEET;

2. SOUTH A DISTANCE OF 8.4 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID JENKINS SUBDIVISION;

THENCE SOUTH ALONG THE EASTERN BOUNDARY OF SAID LOT 10 A DISTANCE OF 70.0 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE WEST ALONG THE SOUTHERN BOUNDARY OF SAID LOT 10 A DISTANCE OF 173.0 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH ALONG THE WESTERN BOUNDARIES OF LOTS 10 AND 11 OF SAID JENKINS SUBDIVISION A DISTANCE OF 140.0 FEET TO THE POINT OF BEGINNING.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of December, 1992; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in single ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

City Clerk

RESOLUTION NO. 95-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION ROLLING ACRES ANNEXATION - APPROXIMATELY 30.0 ACRES LOCATED WEST OF 7TH STREET, NORTH OF HICKORY DRIVE

WHEREAS, on the sixteenth day of December, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ROLLING ACRES ANNEXATION

A tract of land located in a part of the NE1/4 of the SW1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, said tract being more particularly described as follows:

Beginning at the Northeast corner of the NE1/4 SW1/4 of said Section 35; thence East a distance of 30.0 feet to the East Right-of-Way of North 7th Street (26-1/2 Road); thence S 00 deg. 01 min.

E along the East Right-of-Way of North 7th Street a distance of 635.14 feet; thence West a distance of 30.0 feet to the East line of said NE1/4 SW1/4 of said Section 35; thence S 00 deg. 01 min. W along the East line of said NE1/4 SW1/4 a distance of 684.6 feet to the Southeast corner of said NE1/4 SW1/4; thence West along the South line of said NE1/4 SW1/4 a distance of 1319 feet to the Southwest corner of said NE1/4 SW1/4; thence N 00 deg. 02 min. 01 sec. W along the West line of said NE1/4 SW1/4 a distance of 826.04 feet to the centerline of the drain ditch; thence along the centerline of the drain ditch the following four (4) courses and distances:

1. N 80 deg. 35 min. E 193.33 feet;
2. N 61 deg. 03 min. E 445.0 feet;
3. N 73 deg. 07 min. E 170.0 feet;
4. N 76 deg. 03 min. E 135.2 feet;

thence leaving said drain ditch N 05 deg. 49 min. 21 sec. E a distance of 165.56 feet to the North line of the NE1/4 SW1/4 of said Section 35; thence East along the North line of said NE1/4 SW1/4 a distance of 428.70 feet to the Point of Beginning.

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

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

That a hearing will be held on the 20th day of January, 1993, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres, which together with the buildings and improvements thereon, has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

City Clerk

RESOLUTION NO. 96-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION TERRA DEL VISTA ANNEXATION - APPROXIMATELY 9.0 ACRES LOCATED EAST OF 7TH STREET, SOUTH OF I-70

WHEREAS, on the sixteenth day of December, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

TERRA DEL VISTA ANNEXATION

A tract of land located in a part of the SW1/4 of the NE1/4 of the SE1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, said tract being more particularly described as follows:

Beginning at the Center 1/4 Corner of said Section 35; thence East along the centerline of G-1/2 Road a distance of 30.0 feet; thence South a distance of 25.0 feet to the South Right-of-Way of G-1/2 Road; thence East along the South Right-of-Way of G-1/2 Road a distance of 627.9 feet; thence North a distance of 50.0 feet to the Southeast corner of lot 1, block 3, Terra Del Vista Subdivision as recorded in plat Book 8 at Page 76 in the office of the Mesa County Clerk and Recorder; thence North along the East boundary of Terra Del Vista Subdivision a distance of 631.4 feet to the Northeast corner of lot 6, block 3, of said Terra Del Vista Subdivision; thence North a distance of 39.93 feet to the Southerly Right-of-Way of Interstate-70; thence along the Southerly Right-of-Way of Interstate-70 the following six (6) courses and distances:

1. S 87 deg. 48 min. 30 sec. W 127.38 feet;
2. along the arc of a curve to the left whose radius is 1527.1 feet and whose long chord bears S 83 deg. 13 min. 00 sec. W 214.38 feet;
3. S 83 deg. 11 min. 30 sec. W 81.5 feet;
4. S 71 deg. 36 min. W 171.9 feet;
5. S 11 deg. 30 min. 30 sec. W 209.0 feet;

6. N 89 deg. 40 min. W 32.0 feet to the West line of the SW1/4 NE1/4 of said Section 35;

thence South along the West line of the SW1/4 NE1/4 of said Section 35 a distance of 397.6 feet to the Point of Beginning.

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

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

That a hearing will be held on the 20th day of January, 1993, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres, which together with the buildings and improvements thereon, has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 16th day of December, 1992.

President of the Council

Attest:

City Clerk

RESOLUTION NO. 97-92

A RESOLUTION ADOPTING A BUDGET (INCLUDING SALARY SCHEDULE AND POSITION CLASSIFICATIONS) FOR THE PURPOSE OF DEFRAYING THE EXPENSES AND LIABILITIES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1993

WHEREAS, in accordance with the provisions of Article VI, Section 50 of the Charter of the City of Grand Junction, the City Manager of said City has submitted to the City Council, a budget estimate of the revenues and expenses for conducting the affairs thereof

for the fiscal year ending December 31, 1993; and

WHEREAS, on November 3, 1992 the citizens of Colorado did approve an amendment to the Constitution of the State of Colorado, (Article X, Section 20), which imposes certain restraints on the growth of governments, effective January 1, 1993; and

WHEREAS, based on the best available information the allowable growth percentage of the City of Grand Junction for 1993 is between 4.2% and 12.8%, while the applicable budgeted growth percentage for 1993 is 3.6% which is normally close to the actual, and

WHEREAS, after full and final consideration of the budget estimates, the City Council is of the opinion that the budget should be approved and adopted:

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

That the budget estimate of the revenues and expenses of conducting the affairs of said City for the fiscal year ending December 31, 1993, as submitted by the City Manager, be and the same is hereby adopted and approved as the budget for defraying the expenses of and liabilities against the City of Grand Junction, Colorado for the fiscal year ending December 31, 1993.

PASSED and ADOPTED this 16th day of December, 1992.

APPROVED:

President of the Council

APPROVED:

Neva B. Lockhart, CMC

City Clerk

CITY OF GRAND JUNCTION 1993 CLASSIFICATION & COMPENSATION SCHEDULE

		BUDG ETED POSI TION S	CLAS SIFI CATI ON	RANG E	ENTR Y	INTE R 1	INTE R II	INTE R III	PROF ICIE NT
91	92	93							

1	1	1	Administrative Clerk I	3	\$1,303				\$1,498
3	3	4	Administrative Clerk II	7	\$1,437				\$1,653
2	2	2	Convention Center Worker	9	\$1,510				\$1,736
12	12	13	Accounting Clerk	11	\$1,586				\$1,824
9	10	11	Administrative Secretary	11	\$1,586				\$1,824
8	8	8	Police Records Technician	11	\$1,586				\$1,824
1	1	1	Stores Clerk	11	\$1,586				\$1,824
0	1	1	VCB Services Clerk	12	\$1,626				\$1,870

1	1	1	Budg et Aide	15	\$1,7 51				\$2,0 14
2	2	2	Ceme tery Grou ndsk eepe r	15	\$1,7 51				\$2,0 14
1	1	1	Depu ty City Cler k	15	\$1,7 51				\$2,0 14

7	7	7	S e n i o r A d m i n i s t r a t i v e	0	0	0	W a s t e w a t e r T r e a t m e n t P l a n t O p e r a t o r I	1 5	\$ 1 , 7 5 1				\$ 2 , 0 1 4
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12	15	15	Disp	18	\$1,8 86	\$1,9 80			\$2,1 68
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			atcher						
1	0	0	Planning Technician I	18	\$1,886				\$2,168
1	1	1	Cemetery Maintenance Worker	19	\$1,933				\$2,223
1	1	1	Evidence Custodian	19	\$1,933				\$2,223
1	1	1	Executive Secretary	19	\$1,933				\$2,223
2	2	2	Golf Course Maintenance Worker	19	\$1,933				\$2,223
1	1	1	Parking Control Officer	19	\$1,895				\$2,223
1	1	1	Parking Meter Service Technician	19	\$1,933				\$2,223

			an					
4	4	4	Park Main tena nce Work er	19	\$1,9 33			\$2,2 23
21	22	23	Publ ic Work s Main tena nce Work er	19	\$1,9 33			\$2,2 23
10	10	10	Sani tati on Equi pmen t Oper ator	19	\$1,9 33			\$2,2 23
2	2	2	Comp uter Oper ator	20	\$1,9 81			\$2,2 78
0	1	1	Plan ning Tech nici an II	20	\$1,9 81			\$2,2 78
1	1	1	Prin t Shop Oper ator	20	\$1,9 81	\$2,0 71		\$2,2 78
4	4	4	Fore stry Main tena nce Work er	21	\$2,0 31			\$2,3 35

1	1	1	Senior Meter Reader	21	\$2,031				\$2,335
3	3	3	Senior Sanitation Equipment Operator	21	\$2,031				\$2,335
2	2	2	Stationary Equipment Operator	21	\$2,031				\$2,335
2	2	2	Street Sweeper Operator	21	\$2,031				\$2,335
1	1	1	Utility Locator	21	\$2,031				\$2,335
0	1	1	Code Enforcement Officer	22	\$2,081				\$2,394
0	1	1	Community Services Officer (Des	22	\$2,081				\$2,394

			k Offi cer)						
1	1	1	PC Main tena nce Tech nici an	22	\$2,0 81				\$2,3 94
1	1	1	Poli ce Tech nici an (Des k Offi cer)	22	\$2,0 81				\$2,3 94
4	4	5	Mech anic II	23	\$2,1 33				\$2,4 53
2	2	2	Park s Equi pmen t Mech anic	23	\$2,1 33				\$2,4 53
5	5	5	Plan t Mech anic	23	\$2,1 33				\$2,4 53
2	2	2	Seni or Golf Cour se Main tena nce Work er	23	\$2,1 33				\$2,4 53
5	6	6	Seni or Park s	23	\$2,1 33				\$2,4 53

			Main tena nce Work er											
20	22	22	Seni or Publ ic Work s Main tena nce Work er	23	\$2,1 33					\$2,4 53				
3	3	3	Comm unic atio ns Shif t Supe rvis or	24	\$2,2 86					\$2,5 15				
0	1	1	Engi neer ing Aide	24	\$2,1 87					\$2,5 15				
1	1	1	W a s t e w a t e r T r e a t m e n t P l	1	0	0	A c c o u n t a n t	2 6	\$ 2 , 2 9 7					\$ 2 , 6 4 2

			a n t h r o p r e t o r									
2	1	1	Plan ner I	26	\$2,2 97					\$2,6 42		
0	1	1	Ass' t. Indu st Pre- Trea tmen t Coor dina tor	27	\$2,3 55					\$2,7 08		
1	1	1	Ceme tery Main tena nce Crew Chie f	27	\$2,3 55					\$2,7 08		
21	15	15	Fire figh ter	27	\$2,1 66	\$2,2 75	\$2,4 10			\$2,7 08		
			Fire figh ter/ EMT	27	EMT- B	\$27. 08						
1	1	1	Golf Cour se Main tena nce	27	\$2,3 55					\$2,7 08		

			Crew Chie f						
1	1	1	Poli ce Crim e Lab Tech nici an	27	\$2,3 55				\$2,7 08
2	2	2	Qual ity Cont rol Labo rato ry Anal yst	27	\$2,3 55				\$2,7 08
1	1	1	Seni or Mech anic	27	\$2,3 55				\$2,7 08
6	5	5	Wast ewat er Trea tmen t Plan t Oper ator IV	27	\$2,3 55				\$2,7 08
4	4	4	Wate r Trea tmen t Plan t Oper ator IV	27	\$2,3 55				\$2,7 08
1	1	1	Chef	28	\$2,4 14				\$2,7 76

2	2	3	Engineering Technician	28	\$2,414				\$2,776
1	1	1	Eng. Tech/Realty Specialist	28	\$2,414				\$2,776
1	0	0	Administrative Analyst	30	\$2,536				\$2,916
1	1	1	City Auditor	30	\$2,536				\$2,916
1	1	2	Personnel Analyst	30	\$2,536				\$2,916
1	2	2	Planner II	30	\$2,536				\$2,916
46	51	53	Police Officer	30	\$2,405	\$2,525	\$2,651		\$2,916
1	1	1	Senior Engineering Technician	30	\$2,536				\$2,916
1	1	1	Survey Technician	30	\$2,536				\$2,916

			an						
12	12	12	Fire Engineer	31	\$2,717	\$2,921			\$2,989
			Fire Engineer / Paramedic	31	Paramedic	\$281			
5	12	12	Firefighter / Paramedic	31	\$2,391	\$2,542	\$2,690		\$2,989
2	2	2	Quality Control Laboratory Chemist	31	\$2,599				\$2,989
2	3	3	Construction Inspector	32	\$2,664				\$3,064
2	2	2	PC Programmer Specialist	32	\$2,664				\$3,064
2	2	2	Fire Prevention Officer	33	\$2,855	\$2,998			\$3,140
1	1	1	Industri	33	\$2,731				\$3,140

			al Pre- Trea- tmen- t Coor- dina- tor						
1	1	1	Ass' t Two Rive- rs Conv- . Ctr Mana- ger	34	\$2,7 99				\$3,2 19
0	1	1	Budg- et Coor- dina- tor	34	\$2,7 99				\$3,2 19
1	1	1	Code Enfo- rcem- ent Supe- rvis- or	34	\$2,7 99				\$3,2 19
1	1	1	Equi- pment Main- tena- nce Supe- rvis- or	34	\$2,7 99				\$3,2 19
1	1	1	Grou- p Sale- s Mana- ger, VCB	34	\$2,7 99				\$3,2 19
2	2	2	Park s	34	\$2,7 99				\$3,2 19

			Main tena nce Supe rvis or						
1	1	1	Poli ce Reco rds Admi nist rator	34	\$2,7 99				\$3,2 19
5	5	5	Publ ic Work s Main tena nce Supe rvis or	34	\$2,7 99				\$3,2 19
1	1	1	Seni or Surv ey Tech nici an	34	\$2,7 99				\$3,2 19
1	1	1	Sr. Buye r	34	\$2,7 99				\$3,2 19
1	1	1	Wast wat er Main tena nce Supe rvis or	34	\$2,7 99				\$3,2 19
1	1	1	Wate r Supp ly Supe	34	\$2,7 99				\$3,2 19

			rvis or										
0	1	1	Envi ronm enta l Spec iali st	35	\$2,8 69				\$3,2 99				
12	12	12	Fire Unit Supe rvis or	35	\$3,1 42	\$3,1 94	\$3,2 46		\$3,2 99				
			Fire Unit	1	1	1	C r i m i n a l i s t	3 4	\$ 2 , 9 4 1				\$ 3 , 3 8 2
1	1	1	Prop erty Agen t	36	\$2,9 41				\$3,3 82				
1	2	2	Seni or Acco unta nt	36	\$3,0 75				\$3,3 82				
1	1	1	Seni or Cons truc tion Insp ecto r	36	\$2,9 41				\$3,3 82				
1	1	1	Tech nica l Serv	36	\$2,9 41				\$3,3 82				

			ices Supe rvis or						
1	1	1	Traf fic Engi neer	36	\$2,9 41				\$3,3 82
10	10	10	Poli ce Serg eant	38	\$3,3 84				\$3,5 53
1	1	1	Volu ntee r Coor dina tor	38	\$3,0 90				\$3,5 53
1	1	1	City Cler k	39	\$3,1 67				\$3,6 42
1	1	1	Risk Mana ger	39	\$3,1 67				\$3,6 42
1	1	1	Assi stan t City Atto rney	40	\$3,2 46				\$3,7 33
1	1	1	Coll ecti ons Supe rvis or	40	\$3,2 46				\$3,7 33
1	1	1	Comm unic atio ns Cent er Mana ger	40	\$3,2 46				\$3,7 33
1	1	1	Conv enti	40	\$3,2				\$3,7 33

			on Cent er Mana ger		46				
0	0	0	Deve lop ment Engi neer	40	\$3,2 46				\$3,7 33
1	1	1	Faci lity Supe rint ende nt	40	\$3,2 46				\$3,7 33
1	1	1	Golf Cour se Supe rint ende nt	40	\$3,2 46				\$3,7 33
3	3	3	Proj ect Engi neer	40	\$3,2 46				\$3,7 33
3	3	3	Publ ic Work s Supe rint ende nt	40	\$3,2 46				\$3,7 33
1	1	1	Purc hasi ng Agen t	40	\$3,2 46				\$3,7 33
1	1	1	Qual ity Cont rol Labo rato ry	40	\$3,2 46				\$3,7 33

			Supt .						
2	2	2	Recreation Superintendent	40	\$3,246			3	\$3,733
1	1	1	Wastewater Services Superintendent	40	\$3,246				\$3,733
1	1	1	Water Supply/Treatment Superintendent	40	\$3,246				\$3,733
7	7	7	Administrative Fire Officer	43	\$3,829				\$4,020
0	0	0	Public Works Operations Manager	43	\$3,496				\$4,020
1	1	1	Parks Manager	44	\$3,583				\$4,121

1	1	1	Utility Engineer	44	\$3,583				\$4,121
1	1	1	City Engineer	46	\$3,765				\$4,329
1	1	1	Comptroller	46	\$3,765				\$4,329
1	1	1	Information Services Manager	46	\$3,765				\$4,329
6	6	5	Police Lieutenant	46	\$4,123				\$4,329
1	1	1	Personnel Manager	48	\$3,955				\$4,548
2	2	2	Police Captain	48	\$4,332				\$4,548
1	1	1	Public Works Manager	48	\$3,955				\$4,548
1	1	1	Utility Manager	48	\$3,955				\$4,548
1	1	1	Visitors and	N/C					

			Conv enti on Bure au						
1	1	1	Assi stan t City Mana ger	N/C					
1	1	1	Admi nist rati ve Serv ices Dire ctor	N/C					
1	1	1	Comm unit y Deve lop ment Dire ctor	N/C					
1	1	1	Park s and Recr eati on Dire ctor	N/C					
1	1	1	Fire Chie f	N/C					
1	1	1	City Atto rney	N/C					
1	1	1	Poli ce Chie f	N/C					
1	1	1	Publ	N/C					

			ic Work s and Util itie s Dire ctor						
1	1	1	City Mana ger	N/C					
384	404	412							

RESOLUTION NO. 98-92 OF THE CITY OF GRAND JUNCTION

A resolution designating certain Fund Balances for RESERVES in the Joint Sewer Fund and FOR FUTURE CAPITAL IMPROVEMENTS in keeping with the ten-year Capital Improvements Program and Budget for 1993.

WHEREAS: The City as co-owner and manager of the Joint Sewer Fund has developed and approved a budget for 1993 together with a ten-year financial plan; and

WHEREAS: The budget and plan have also been approved by the County as co-owners of the Joint sewer system; and

WHEREAS: The plan provides for minimum working capital to be retained in the Joint Sewer Fund at all times of 10% of the annual operating cost and debt service; and keeping minimum working capital is critical to the long term health and reliability of the system and the City; and

WHEREAS: Required reserves for debt services and operation and maintenance reserves are required by bond ordinance and resolutions, and are designated in the Fund; and

WHEREAS: The remaining Fund balances have been reserved for long term capital improvements including collection sewers, interceptor sewers and plant expansion and replacement.

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

1. That all fund balances of the Joint Sewer Fund, after all required designations and reserves, are hereby reserved for future capital improvements to, and replacements required in, the Joint Sewer System.

2. That all funds derived in the future from user charges, fees, etc., of the Joint Sewer Fund and after, all reserves requirements, required O&M expenses, and debt service are met, be dedicated to future capital improvements and replacements of the system even though those improvements are not yet specifically identified.

BE IT FURTHER RESOLVED:

After one (1) and two (2) above are met, all funds and resources of the Joint Sewer Fund on hand now or generated in the future and not needed for capital improvements be used, as determined by the manager, for user fee rate reductions for all users of the Joint System.

PASSED AND APPROVED THIS 16TH DAY OF DECEMBER, 1992.

;sigl
\President of the Council

ATTEST:

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 99-92

Recitals:

A Federal District Court action has been filed alleging violation of a citizen's civil rights and other misconduct by then Police Chief Robert Evers and two employees of the City of Grand Junction's Police Department, Raymond Fox and Steven Cowgill. The factual basis of the lawsuit involves alleged misconduct on the part of a Denver Police Department employee who was riding along with one of the Grand Junction officers. The lawsuit alleges that present and former City's employees were guilty of misconduct and allegedly conduct for which punitive damages are owed. However, the Grand Junction Police Department has a superior training program and adequately supervises its employees.

Under the provisions of the Colorado Governmental Immunity Act, specifically section 24-10-118, the City Council may, if it determines by resolution adopted at an open public meeting that it is in the public interest to do so, defend a public employee against a claim for punitive damages or pay or settle any punitive damage claim against a public employee.

Both because the City Council finds that the police officers and the Police Chief were acting appropriately and within the scope of their employment, and also because to do otherwise would send a wrong message to the employees of the City (that the City may be unwilling to stand behind them when such employees were being sued

for the lawful performance of their duties,) the City Council adopts this resolution.

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

1. The City Council hereby finds and determines at an open public meeting that it is in the public interest to defend these City employees against claims for punitive damages or to pay or to settle any punitive damage claims against said City employees.

PASSED and ADOPTED this 16th day of December, 1992.

;sigl
\President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk