

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

September 4, 2002

The City Council of the City of Grand Junction convened into regular session on the 4th, day of September 2002, at 7:34 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Janet Terry, Reford Theobold and President of the Council Cindy Enos-Martinez. Councilmember Jim Spehar was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING SEPTEMBER 17 THROUGH 24, 2002 AS "CONSTITUTION WEEK" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENT TO THE PLANNING COMMISSION BOARD OF APPEALS AND 2ND ALTERNATE TO PLANNING COMMISSION

Councilmember Theobold moved to appoint Travis Cox to the Planning Commission Board of Appeals for a term that expires October 2004, and as 2nd Alternate to the Planning Commission. Councilmember McCurry seconded the motion. Motion carried.

RATIFY APPOINTMENTS TO THE URBAN TRAILS COMMITTEE

Councilmember Terry moved to ratify the reappointments of Birgit Bostelman, Diana Cort and Timothy Fry and to appoint Walid Bou-Matar to the Urban Trails Committee for three-year terms. Councilmember Kirtland seconded the motion. Motion carried.

PRESENTATION OF CERTIFICATES OF APPOINTMENTS

TO RIVERFRONT COMMISSION MEMBERS

The Mayor presented Certificates of Appointment to William Findlay and John Gormley.

SCHEDULED CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember McCurry, seconded by Councilmember Terry, and carried, to approve Consent Items #1 through #11.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the August 19, 2002 Workshop and the Minutes of the August 21, 2002 Regular Meeting

2. **Contract for Persigo Waterline Replacement**

Bids were received and opened on August 20, 2002 for the Persigo Waterline Replacement. The low bid was submitted by M.A. Concrete Construction, Inc. in the amount of \$352,449.00.

The bids were as follows:

Contractor	From	Schedule 1	Schedule 2	Total
Precision Excavation	Hayden, CO	\$497,874.35	\$ 91,203.10	\$589,077.45
Precision Paving	Grand Junction	\$460,633.50	\$114,203.10	\$574,836.60
Sorter Construction	Grand Junction	\$402,526.00	\$ 91,921.00	\$494,447.00
Schmueser & Assoc.	Rifle, CO	\$367,418.10	\$ 79,086.00	\$446,504.10
M.A. Concrete	Grand Junction	\$297,702.00	\$ 54,747.00	\$352,449.00
Engineer's Estimate		\$308,249.00	\$ 69,501.00	\$377,750.00

Action: Authorize the City Manager to Execute a Construction Contract for the Persigo Waterline Replacement with M.A. Concrete Construction, Inc. in the Amount of \$352,449.00

3. **Alley Improvement District 2002, and Giving Notice of a Hearing**

Improvements to the following Alleys have been completed as petitioned by a majority of the adjoining owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th and 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- "T" shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

Resolution No. 80-02 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-02

Action: Adopt Resolution No. 80-02 and Set a Hearing for October 16, 2002

4. **Setting a Hearing on Zoning the Gerick Annexation Located at 324 Quail Drive** [File #ANX-2002-136]

The Gerick Annexation is one parcel of land located at 324 Quail Drive. The petitioner is requesting a zone of Residential Single Family with a density not to exceed one unit per acre (RSF-1), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its August 13, 2002 meeting.

Proposed Ordinance Zoning the Gerick Annexation to Residential Single Family with a Density Not to Exceed One Unit Per Acre (RSF-1), Located at 324 Quail Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 18, 2002

5. **Setting a Hearing on the DM South Annexations #1 & #2 Located at 511 30 Road** [File #ANX-2002-138]

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the DM South Annexations #1 & #2 located at 511 30 Rd. The 1.7327-acre DM South Annexation is a serial annexation consisting of one parcel of land and a portion of the 30 Road right-of-way.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 81-02 - A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control for the DM South Annexation, a Serial Annexation Comprising DM South Annex #1 and DM South Annex #2 and Including a Portion of the 30 Road Right-Of-Way, Located at 511 30 Road

Action: Adopt Resolution No. 81-02

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, DM South Annexation #1, Approximately 0.0207 Acres, Located Near 511 30 Road Within 30 Road R.O.W.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, DM South Annexation #2, Approximately 1.712 Acres, Located at 511 30 Road and Includes a Portion of 30 Road R.O.W.

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for October 16, 2002

6. **Setting a Hearing on Summit View Meadows Annexation Located at 3146 D ½ Road** [File #ANX-2002-153]

The 12.568-acre Summit View Meadows Annexation area consists of two parcels equal to 9.71 acres and 2.858 acres of right-of-way along D ½ Road. There is a single-family residence on one of the parcels being annexed, and the owner of the property has signed a petition for annexation.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 82-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control for Summit View Meadows Annexation Located at 3146 D ½ Road

Action: Adopt Resolution No. 82-02

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit View Meadows Annexation No. 1, Approximately 0.1699 Acres, Right-Of-Way Located Along D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 2, Approximately 0.5770 Acres, Right-Of-Way Located Along D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 3, Approximately 11.8211 Acres, Located at 3146 D ½ Road

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for October 16, 2002

7. **Setting a Hearing on the Iles Annexation Located at 3080 D ½ Road** [File #ANX-2002-171]

The 5.854-acre Iles Annexation area consists of one parcel of land. There is a single-family residence on this lot, and the owner of the property has signed a petition for annexation.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 83-02- A resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control for the Iles Annexation Located at 3080 D ½ Road

Action: Adopt Resolution No. 83-02

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Iles Annexation, Approximately 5.854 Acres, Located at 3080 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 16, 2002

8. **Two Rivers Convention Center Carpet**

This request is for the purchase and installation of Carpet Tiles, complete with coving and finish trim at Two Rivers Convention Center exhibition hall. Only one responsive, responsible bid was received.

Office Outfitters	Grand Junction	\$61,750.00
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Action: Authorize the City Purchasing Manager to Contract for Carpet and Installation at Two Rivers Convention Center from Office Outfitters, Grand Junction, Colorado in the Amount of \$61,750.00

9. **FAA Grant Agreement & Supplemental Co-Sponsorship for AIP-23 (Aircraft Rescue and Fire Fighting Vehicle)**

The Walker Field Public Airport Authority is requesting a grant from the FAA for the acquisition of an Aircraft Rescue and Firefighting Vehicle.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-23 with the Federal Aviation Administration

10. **FAA Grant Agreement & Supplemental Co-Sponsorship for AIP-24 (Terminal Renovations)**

The Walker Field Public Airport Authority is requesting a grant from the FAA for Terminal Boarding Area Renovations (in conjunction with Transportation Security Administration (TSA) passenger screening point modifications), General Aviation Site Development and Taxiway Extension, and for the acquisition of Electronic Fingerprinting System.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-24 with the Federal Aviation Administration

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

Grant Application for Enforcement of Underage Drinking

The Colorado Department of Transportation and the Department of Public Safety are offering grant funding for projects aimed at reducing the availability and consumption of alcohol by minors. This grant is actually funded by the Department of Justice, Office of Juvenile Delinquency Prevention in Washington, D.C.

Greg Morrison, Chief of Police, reviewed this item. He pointed out that the grant will have no TABOR implications since it will be federal money. He identified the three components that will be included in the use of the money, if the grant is awarded.

Councilmember Terry asked about the difference between DARE and the new Alcohol Awareness Program. Chief Morrison stated that DARE targets 5th & 6th graders. The new program targets 8th, 9th & 10th graders.

Councilmember Terry asked Chief Morrison to speak about the program's successes. Chief Morrison said it is hard to measure prevention, but in going to the DARE graduations the kids and the parents support the program. Councilmember Terry said she was concerned that the kids that need to be reached are not being reached for education and prevention programs and wanted to know if enforcement is the only alternative. Chief Morrison said it is not known if the School District will mandate the student participation.

Councilmember Terry asked about educating parents. Chief Morrison said there is a component to educate those that might provide alcohol to underage persons.

Upon motion made by Councilmember Terry, seconded by Councilmember Butler, and carried by a roll call vote, Council authorized the City Manager to sign the Grant Application for an Underage Drinking Grant in the amount of \$107,219.

Intergovernmental Agreement with Grand Junction Rural Fire Protection District for the Fire Protection in the Redlands

A new intergovernmental agreement with the District to address fire protection in the existing District boundaries and in any overlay district formed as a result of the November ballot issue.

Dan Wilson, City Attorney, said he delivered the draft to Staff only today, and therefore a draft will be provided to Council prior to the Rural Fire District Board's next meeting, which is scheduled for September 10th. Then, by the time the voters are at the polls, they will know who will be responsible for what if the sub district is formed. The District will certify the ballot question to the County Clerk and Recorder on the 10th of September.

City Manager Kelly Arnold said this is the last opportunity for Council to voice concerns on the item being placed on the ballot. To his knowledge, the District has not yet coordinated with the County but City Staff will work with them to ensure the deadline is met.

Mr. Arnold advised Council that Fire Chief Beaty will respond to Councilmember Theobold's question on percentages. City Attorney Dan Wilson explained the memo he provided Council covering the Fair Campaign Practices Act, and he reviewed what Council can and cannot do under the law.

Mr. Wilson said a \$50 spending limit is imposed, Council can take a position, and can direct Staff to develop factual pro and con statements. He said the issue happens (the clocks starts), when the language of the ballot issue is approved by the board and sent to the County Clerk and Recorder, which is September 10th. He stated that non-managerial fire department employees are free to do what ever they want on their off time, but are naturally required to work for the City during their shift.

Fire Chief Rick Beaty addressed Councilmember Theobold's earlier question regarding the percentages of calls for the proposed new district in the Redlands. The results are 75% of the calls are in the District, 25% in the City. The assessed values for the area are 76% in the District, 24% in the City. Population distribution is 80% in the District, 20% in the City. Councilmember Theobold next asked about the cost sharing.

Ron Lappi, Administrative Services Director, stated that the cost sharing is 46% for the District and 54% for the City. Mr. Lappi said that the total operating cost for the full fire station would come to \$1,053,705, which will result in a cost share of \$488,297 for the District and \$565,408 for the City.

Councilmember Theobold noted that meant a \$200,000 a year difference in the cost sharing. Fire Chief Beaty said \$1.4 million would be the Rural District's new contract. Mr. Theobold noted that the District should be asking for a 19-mill levy in order for them to pay their fair share, and he wanted to know if that was discussed. Chief Beaty replied yes, and the Task Force decided against it since it could not sell that kind of in-

crease to the voters. Councilmember Theobold pointed out that now City residents are subsidizing the fire station for use outside the City limits. Mr. Theobold then wanted to know who of the Councilmembers already knew about the subsidy. City Council President Cindy Enos-Martinez replied that two Councilmembers were on the Task Force.

City Manager Kelly Arnold informed Council that they had the discussion at a workshop where they discussed voter salability. He said 3/4 million dollars was already allocated for a downsized station that also will provide service to other areas.

Councilmember Terry said she knew about it and the Subdistrict proposal actually lowers the subsidy and therefore Council should support it.

Councilmember Kirtland commented that the City's subsidy might help show voters the City's commitment.

City Manager Kelly Arnold informed Council that the Rural Fire Board has also pledged to use their reserves for paying the contract for the balance of the District fire protection. He said Staff would get the Intergovernmental Agreement draft to Council as soon as possible.

There was no motion made.

Legal and Ethical Standards for Members Serving on City Boards and Commissions

Resolution adopting standards for advisory boards and City groups, as well as for the members of City Boards and Commissions that have final administrative decision-making duties.

Resolution No. 84-02 - A Resolution Clarifying the Ethical Standards for Members of the City's Boards, Commissions and Similar Groups

Dan Wilson, City Attorney, reviewed this item and recommended the adoption of the Resolution Alternative #2.

Councilmember Terry inquired about appointments like to the Riverview Technology Corporation and other jointly appointed boards and questioned if the standards for all members are the same.

Mr. Wilson supported an effort to get consensus from the other appointing bodies.

Councilmember Terry asked what happens if the other bodies do not agree. Mr. Wilson suggested removing those jointly appointed boards from the list. Council adopted Mr. Wilson's suggestion. Councilmember Butler said he would like the City appointees to be held to the higher standards. Those jointly appointed boards would be flagged for reconsideration if the other entities do not concur.

Upon motion made by Councilmember Terry, seconded by Councilmember Theobold, and carried by a roll call vote, Resolution No. 84-02 was adopted with the condition that the resolution would be forwarded to the other appointing bodies.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The City Council meeting adjourned at 8:35 p.m.

Stephanie Tuin, CMC
City Clerk