

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

**SEPTEMBER 3, 2003**

The City Council of the City of Grand Junction convened into regular session on the 3rd day of September 2003, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer, and President of the Council Jim Spehar. Also present were City Manager Kelly Arnold, Assistant City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Spehar called the meeting to order. Councilmember Hill led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

**PROCLAMATIONS / RECOGNITIONS**

"HABITAT FOR HUMANITY IN MESA COUNTY" WEEK

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

TO REAPPOINTED MEMBER OF THE URBAN TRAILS COMMITTEE

Robert Traylor was present and received his certificate of appointment.

**SCHEDULED CITIZEN COMMENTS**

There were none.

**CONSENT CALENDAR**

It was moved by Councilmember Palmer, seconded by Councilmember Enos-Martinez, and carried by a roll call vote, to approve Consent Calendar Items #1 through #5.

**1. Minutes of Previous Meetings**

*Action: Approve the Summary of the August 18, 2003 Noon Workshop, the August 18, 2003 Workshop, and the Minutes of the August 20, 2003 Regular Meeting*

**2. Setting a Hearing on Zoning the Antietam Annexation Located at 260 & 262 26 ¼ Road [File #ANX-2003-122]**

The Antietam Annexation consists of 9.146 acres of land that is located at 260 &

262 26 ¼ Road and currently consists of two (2) parcels of unplatted land that each contains a single family home. The petitioner's intent is to annex and then develop the property as a 25 lot residential subdivision with a density of less than four (4) dwelling units per acre.

Proposed Ordinance Zoning the Antietam Annexation to Residential Single Family 4 (RSF-4) Located at 260 & 262 26 ¼ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for September 17, 2003*

**3. Setting a Hearing on Zoning the Elliott Annexation Located at 3082 D ½ Road**  
[File #ANX-2003-156]

Introduction of a proposed zoning ordinance to zone the Elliott Annexation, a parcel of 1.1551 acres, located at 3082 D ½ Road to RMF-5, Residential Multi-family not to exceed 5 du/ac.

Proposed Ordinance Zoning the Elliott Annexation to RMF-5 Located at 3082 D ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for September 17, 2003*

**4. Setting a Hearing on the Holton Annexation Located at 641 29 ½ Road** [File #ANX-2003-169]

The 6.2142 acre Holton Annexation is located at 641 29 ½ Road. The applicant is requesting annexation into the City and a zone district of RMF-5, Residential Multi-family not to exceed 5 units per acre.

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

Resolution No. 80-03 – 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, Holton Annexation Located at 641 29 ½ Road

*Action: Adopt Resolution No. 80-03*

**b. Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holton Annexation, Approximately 6.2142 Acres, Located at 641 29 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 15, 2003*

**5. Setting a Hearing on Vacating a Portion of the Right-of-Way for 24 ¾ Road**  
[File #VR-2003-162]

The petitioner is requesting approval of vacation of a portion of the dedicated right-of-way for 24 ¾ Road, located between River Road and the Blue Heron Trail. The Planning Commission reviewed the request on August 26, 2003, and recommended approval of the vacation to the City Council.

Proposed Ordinance Vacating a Portion of the 24 ¾ Road Right-of-Way Located Between River Road and the Blue Heron Trail

*Action: Introduction of Proposed Ordinance and Set a Hearing for September 17, 2003*

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

The Mayor announced that Council would be discussing the matter of Referendum A under "Other Business."

**Bid Approvals for the 2003 Curb, Gutter and Sidewalk Replacement and for the North Terrace Drive Sewer Improvement District** (Items a and b may be awarded under one motion.)

**a. 2003 Curb, Gutter and Sidewalk Replacement**

Bids were received and opened on August 19, 2003 for the 2003 Curb, Gutter and Sidewalk Replacement. The low bid was submitted by Vista Paving Corporation in the amount of \$136,104.50.

**b. North Terrace Drive Sewer Improvement District**

Award of a construction contract for North Terrace Drive Sewer Improvement District to MA Concrete Construction in the amount of \$104,596.00. Since this district is in the

unincorporated area, this award is contingent upon the County Commissioners forming the sewer improvement district on September 4, 2003.

Mark Relph, Public Works and Utilities Director, reviewed both of these items. He detailed the curb, gutter and sidewalk improvements and informed Council that the project was under budget. He then explained the process the City uses when awarding contracts and the County is forming the district. Mr. Relph noted that this project falls under the Septic System Elimination Project. He next gave an overview of the program and the number of septic systems that have been eliminated.

Councilmember Palmer asked if all the curb, gutter and sidewalks are replacements. Mr. Relph answered affirmatively.

Councilmember Kirtland asked if the Septic System Elimination Project pays for a part of this project. Mr. Relph replied that the City pays for 30 percent of the project out of the Persigo fund.

Councilmember Kirtland moved to authorize the City Manager to execute a construction contract for the 2003 Curb, Gutter and Sidewalk Replacement to Vista Paving Corporation in the amount of \$136,104.50; and to authorize the City Manager to execute a construction contract for the North Terrace Drive Sewer Improvement District to M.A. Concrete Construction in the amount of \$104,596.00 contingent on the formation of the District by the Mesa County Board of County Commissioners. Councilmember Hill seconded the motion. Motion carried.

### **Setting a Bond Election for the Riverside Parkway**

The Public Works staff, consultants, and a citizens' advisory group have worked on this project for several years. The project is needed to reduce current and projected traffic congestion along the I-70 business loop and other through-town corridors. The bonds are to be repaid from the City's General Fund Revenues and are expected to be repaid from Sales and Use Taxes of the City's General Fund and Sales Tax Capital Improvement Fund.

Mark Relph, Public Works and Utilities Director, explained the project, the reason for the project, and then reviewed the possible construction strategies. He noted that the Citizen Survey indicated that traffic and congestion were two very important issues with the citizens. He said the Chamber of Commerce recently performed another survey specifically targeting this project and received favorable responses.

Mr. Relph stated the goals for the project were: System flexibility, reduced traffic congestion, safe and efficient alternate routes, free flowing traffic movements at critical

connections, safety and efficiency, and eliminating at-grade railroad crossings. He explained that many of the specific recommendations resulted from the West Metro Study that had been performed.

Mr. Relph said to complete the entire loop the City of Grand Junction would need to forge partnerships with the GVRTC, Mesa County, CDOT and the Railroad. He stressed the issue at hand is to bond now rather than later, the timing is good for construction and bond rates are at a 40-year low.

Councilmember Palmer inquired about the 1601 Process currently in process for the interchange at 5<sup>th</sup> Street. Mr. Relph replied that the City is working with the State to determine the location for the connection, but Staff is confident that a location for the connection would be identified, and that the estimated costs would be sufficient to cover that part of the route.

Ron Lappi, Finance and Administrative Services Director, reviewed the proposed resolution that sets the election and sets the ballot title. He pointed out that the second sentence in the question says that there would be no increase in or any new taxes to repay the debt on the bonds. He said the question clearly states that the bond issuance would accelerate the construction of the Riverside Parkway from 24 Road to 29 Road. He explained the City would not be able to issue the bonds all at once, 85 percent of the bond amount must be issued within three years, and that the project would not be completed in that time frame. A second bond issue would be done about three years later. He said the entire cost of the project was included in the question as presented. When asked, Mr. Lappi discussed the option of bonding for the construction versus paying for the project as a "cash as-it-is built". He said the total cost would be about the same in both cases, but it would take about twenty years to complete the project when build as "cash as-it-is-built", where as the project and roadway would be completed within eight years, when financed by bonds.

Councilmember Hill asked Mr. Lappi to clarify and confirm that the City would not be spending all of its capital funds on this project. Mr. Lappi confirmed to Council that only about 25 percent of the capital funds would be spent to repay the debt. He said the two financing options were pretty much a wash. He stated that all other capital projects in the ten year Capital Plan would still be completed.

Councilmember Kirtland commented that these funds were already budgeted for this project and all the other Capital Improvement Projects would be completed.

Councilmember Hill pointed out that people could enjoy the Riverside Parkway 14 years sooner when financed by bonds.

Mr. Lappi continued explaining that when the analysis of the construction costs were performed, it revealed that the interest rate in effect when the bonds are issued would most likely be lower than the construction inflation rate would be for the duration of the project. He said it was rare that a project like this could be accomplished at such a low interest expense.

Councilmember Hill asked Mr. Lappi if there were any general fund debts. Mr. Lappi replied that the City has been debt free for a number of years; the City only had a small debt when purchasing the Jarvis property a few years ago and that has been repaid.

Council President Spehar asked Mr. Lappi to read the entire ballot question for the audience's benefit. Mr. Lappi proceeded to read it.

Mayor Spehar next opened the floor for public comments.

John Elmer, Chair of the Design Action Committee for Riverside Parkway, said he'd met with Council and other parties for over a year and felt he was very well informed. He said he polled over half the members, and they all supported bonding overwhelmingly. He said he just wanted to voice two of his concerns:

- 1) He felt the picture as presented would lead people to believe the location of the alignment was determined, but actually no decision had been made as of yet, and the alignment would not be as far south as shown on the graphic.
- 2) The publication issued led people to believe funds could be used for other projects as well, and he asked Council to make that message clearer.

He said he personally supports the project and felt it would solve a lot of problems. He appreciated that the City was not asking developers to pay for the project. He said many residents outside the city limit often wonder how the sales tax they pay to the City was used, this project shows the use of those funds and that the project does not only benefit city residents but the whole community.

Mike Stahl, Chair-elect to the Chamber of Commerce, told Council that this issue was also discussed at their past board meeting and the board unanimously supports the bonding process and that it is a top priority for the Chamber. He said the project was a good public value and it made sense to go forward with the bonding.

Ann Driggers, President of the Grand Junction Economic Partnership, agreed with Mr. Stahl and said at their board meeting the board members also unanimously supported the issuance of bonds. She felt this project would enhance the area and would open up new areas for development.

Linda Smith, Western Colorado Contractors' Association, said she wanted to comment regarding the competitive bids. She wanted to know how much of the work would be done by local contractors. She said she represents more people that are for the project than are against it but was wondering who was going to do the work and what the impact would be on the local contractors. She felt the way the project was presented that it was a win-win situation, but wanted to know what the catch was. She felt more education was needed, that the project looked great, but that it needed to be more defined.

Council President Spehar said he felt the City had demonstrated, like with the recent storm sewer project, to do bid segments that are within the capabilities of the local contractors, and the City would take the same approach with this project.

Mr. Relph agreed with Council President Spehar and felt that the City had demonstrated the desire to make projects within the scope of the local contractors. He said some major structures might draw national contractors' attention, but there would be plenty of work for local contractors for several years.

Councilmember Palmer didn't feel the wording as being misleading and read the first part again. He said it was crystal clear that there wouldn't be any increases or additional taxes to repay the bonds.

Councilmember Kirtland repeated that the cash flow would be the same either way, and felt there would be some savings and cost benefits by doing the project in a shorter time.

Councilmember Hill asked how would Council know where and if the road would be built, how the money would be spent, and if the project could even be done in six to eight years. Mr. Relph assured Mr. Hill that the City knew the location of the parkway, except for the Highway 50 connection, that the City was working with the State, and it would involve River Road, D Road, and 29 Road, and that all was set to go forward as soon as financing was in place.

Council President Spehar said about 8,000 to 10,000 cars per day already cut through the Riverside neighborhood. Mr. Relph said he would like to do that neighborhood piece of the project first. He said he received lots of questions from area residents why the bypass hasn't been done sooner. He said regarding the time frame, the City has a consultant helping with the 1601 Process and they agree that the project can be done in six to eight years. He said the piece of road that would be the interchange connecting 29 Road to I-70 would take the longest; and that portion of the project was the reason why there was an eight-year time frame. He reiterated that the amount of the bonds would also provide funding the City's share of that piece of the project.

Councilmember Kirtland noted that this project had received a lot of public involvement, like a number of meetings, etc.

Mr. Relph agreed and said one thing the City does very well was to reach out and involve and inform the public about these types of projects, and the City was trying to engage the affected parties to carve out the solution. He said there had been dozens and dozens of meetings over the years, that the project was well supported by the community, and it would protect the quality of life in the valley.

Council President Spehar said as a final piece of due diligence, in the last week a telephone survey was conducted and the results were clear. He said out of 213 people 59 percent responded that traffic issues were severe or moderately severe, 85 percent felt another cross town connection was needed, 71 percent favored bonding, and 87 percent preferred to have the project finished in six to eight years instead of 20 years.

Council President Spehar referred to some discussion on the part of the underwriters about putting a TABOR related question on the ballot, but felt there was no need for that, since the project was financed by existing revenues and not by new taxes.

Resolution No. 81-03 – A Resolution Calling a Special Election in the City of Grand Junction, Colorado Concerning the Issuance of Bonds to Finance the Riverside Parkway; and Providing Other Details Relating Thereto

Councilmember Enos-Martinez moved to adopt Resolution No. 81-03, calling a special election and setting the ballot title to build the Riverside Parkway. Councilmember McCurry seconded the motion. Motion carried by a unanimous roll call vote.

**Intergovernmental Agreement with Mesa County for Participating in the November 4, 2003 Coordinated Election**

Approve an Intergovernmental Agreement with the Mesa County Clerk and Recorder for the City to participate in the Coordinated Election scheduled for November 4, 2003. The City is placing a bond question for the construction of the Riverside Parkway from 24 Road to 29 Road on the ballot.

Stephanie Tuin, City Clerk, presented this request. She explained the reason for the agreement was to place the question just approved on the November 4, 2003 ballot. The cost of the contract with the County is estimated at \$30,000.

Councilmember Kirtland moved to authorize the City Clerk, as the designated election official, to sign the Intergovernmental Agreement with the Mesa County Clerk and Re-

order to allow participation in the 2003 Coordinated Election. Councilmember Hill seconded the motion. Motion carried.

**Public Hearing – Lutheran Church Rezone, Located at 628 26 ½ Road and a Portion of 632 26 ½ Road** [File #RZ-2003-096]

Petitioner is requesting to rezone approximately 2.37 acres from PD (Planned Development) (.59 acres) and RSF-1 (Residential Single Family not to exceed 1 du/ac) (1.78 acres) to R-O (Residential Office).

The public hearing was opened at 8:33 p.m.

Senta Costello, Associate Planner, reviewed this item. She discussed the plans for the property, and stated that the rezone request met the rezone criteria for the surrounding zoning.

Councilmember Hill asked what R-O stood for. Ms. Costello explained R-O was the code designation for Residential Office, and that designation wouldn't allow retail businesses. She said there are specific standards for landscaping, parking, etc. Councilmember Hill asked her if a PD designation would also work. Ms. Costello replied it would but the site didn't warrant that designation. Councilmember Hill asked if the request must meet all criteria, but felt it didn't meet the first criteria, and asked why the zoning designation was not in error as outlined in the Staff Report.

Ms. Costello explained said the property was zoned as a PD-12 with no particular plan on the books. Councilmember Hill asked her why then the designation was not in error. Ms. Costello replied there only was a change in character.

Bob Blanchard, Community Development Director, explained the PD Zone was not in error but had evolved since the 1980's, and that the PD District didn't mean anything without a plan.

Councilmember Hill asked if the developer could have done a plan. Mr. Blanchard said yes, but the plan then would have had to be amended.

John Shaver, Assistant City Attorney, explained that the criterion was very subjective and problematic in this case. He said it was appropriate to rezone the site.

Councilmember Hill asked what the change in character was. Ms. Costello said the designation would still be residential, but at a higher density to provide a buffer zone. She said R-O districts are along Patterson Road and are already developed. She said the applicant wanted to build medical offices at the site.

Councilmember Kirtland asked what some of the restrictions in R-O were. Ms. Costello said the building cannot exceed 10,000 square feet, the maximum height was 35 feet, the building must be two-and-a-half stories or less, must be compatible with the surrounding neighborhoods, have the same roof pitch, and the same character.

Council President Spehar asked if the applicant was present.

Mike Joyce, Development Concepts, 2764 Compass Drive, said he represents the applicant and Section 3.4 states the purpose of an R-O district, and that they understood the intent of the Code, that it must be compatible with surrounding residential neighborhoods. He said the requirements for an R-O zone are pretty much the same as for a PD zone designation. He then detailed their thought process for requesting an R-O zoning. He next introduced the developer, Jim West, and the engineer. Mr. West said the reason they selected the R-O zone designation was because of the restrictions, and that they wanted the building to be a single story with a residential look, and for the exterior to match the adjacent residential areas. He said the plan was to share the parking area with the church.

Mike Joyce said a neighborhood meeting was held, with 20 neighbors attending. He said the attendees were more interested in traffic patterns and access issues, and the neighbors were satisfied that they took their comments to heart.

Councilmember Hill wanted to know why a transition was wanted.

Mr. Joyce explained that the area to the south was developed as a high-density residential area, where to the north there were low-density one-acre lots. He felt this designation would be a transition between those two areas and the high-density use designation of the church.

Councilmember Kirtland pointed out that the canal was a natural barrier and that there was also a substantial change in grade.

There were no public comments.

The public hearing was closed at 8:55 p.m.

Ordinance No. 3570 – An Ordinance Rezoning the Property Known as Lutheran Church Located at 628 26 ½ Road and a Portion of 632 26 ½ Road to R-O

Councilmember Enos-Martinez moved to adopt Ordinance No. 3570 on Second Reading and order it published. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote with Councilmember Hill voting NO.

**Public Hearing – Grand Valley Circulation Plan B  $\frac{3}{4}$  Road Revision (Formerly the Major Street Plan)** [File #PLN-2003-129]

District Map or an Amendment to the adopted Grand Valley Circulation Plan (Formerly the Major Street Plan) changing the classification of B  $\frac{3}{4}$  Road (from 28  $\frac{1}{2}$  Road to 29 Road) from Residential Collector to Local Road. This proposed amendment to the Grand Valley Circulation Plan reflects a downgrade in street classification due to a reduction in projected traffic volumes with the realignment of Unawep Avenue and the reconfiguration of a number of local streets with the proposed Unawep Heights Subdivision. The applicant for the Unawep Heights Subdivision requests and supports this change in roadway classification. The City of Grand Junction Planning Commission recommends approval of this amendment. The Mesa County Planning Commission approved this amendment.

The public hearing was opened at 8:56 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the change of the roadway and the reason for the change in classification of the roadway from a residential collector road to a local road. He said Staff supports the change.

Councilmember Kirtland asked what the names of the streets were. Mr. Relph said he didn't know, that the names would be up to the Mesa County Public Works Department. He then was asked what the dotted line on the map meant. Mr. Relph was not sure what it meant.

There were no public comments.

The public hearing was closed at 9:01 p.m.

Resolution No. 82-03 – A Resolution Amending the Grand Valley Circulation Plan by Changing the Classification of B  $\frac{3}{4}$  Road (From 28  $\frac{1}{2}$  Road to 29 Road) from Residential Collector to Local Road

Councilmember Palmer moved to adopt Resolution No. 82-03. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

**Public Hearing – Amendments to Wastewater Regulations**

Amendments to Section 4, System Expansion, as discussed by the City Council and Board of County Commissioners at their Joint Persigo meeting of July 10, 2003. (This is the "variance" section.) The text incorporate the items agreed to between the Council and the Commissioners. There are also several minor housekeeping amendments.

The public hearing was opened at 9:02 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He told Council the amendments were discussed with the County Commissioners in July and earlier. He said the amendments were housekeeping items. He explained the change to the variance criteria. He said the changes would allow for a variance to residential properties when sewer installation may be impractical. He said another change to the text was to decrease the notice timeline from 30 days to 10 days for amendment to the 201 boundary. He said Mesa County has had the proposed changes for a month and Staff anticipates that the County will adopt the changes.

Councilmember Palmer wanted Mr. Relph to confirm that no one would be required to connect to the sewer system when the septic system was working. Mr. Relph assured Council that the County Health Department would be a part of that process.

There were no public comments.

The public hearing was closed at 9:08 p.m.

Resolution No. 83-03 – A Joint Resolution of the City Council of the City of Grand Junction and the Board of County Commissioners of Mesa County Amending the Wastewater Regulations, Section 4, System Expansion

Councilmember Kirtland moved to adopt Resolution No. 83-03. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

**Intergovernmental Agreement with Mesa County for a Parking Garage in the 500 Block of White Avenue**

City Council's consideration of an agreement between the City and Mesa County for the joint ownership and construction of an employee-parking garage located in the 500 block of White Avenue.

Councilmember Kirtland recused himself from the discussion as it was anticipated that the company he works for would be constructing the garage.

Mark Relph, Public Works and Utilities Director, reviewed this item including the costs and the percentage of the City's ownership in the project. He described the structure as a five story building on White Avenue. He explained that Mesa County would be responsible for the day-to-day operation and the City and the County would be partners in ownership and operation.

Mr. Relph said providing parking for city employees and for the County Building would free up more on the street parking for the public. He said the project has not yet been through the development review, but they are looking to prepare an operation agreement within the next six months. He said Staff recommends execution of the agreement.

Councilmember Hill asked if the church to the west uses the surface parking now. Mr. Relph said yes, but the agreement would allow for discussion with the Church for parking.

Councilmember Hill asked if the parking structure would be higher than City Hall and the old Courthouse. Mr. Relph said the structure would be in scale with the surrounding buildings, but taller than the churches on either side. He said the City received some concerns from adjacent property owners about the design. He said the building would have openings on the front and back; the exposed areas would be colored aggregate with some relief design on the sides. Other materials to be used would be brick veneer, and it would have an elevator with glass in a tower and would be decorated on the street side with aluminum trim (in an attempt to add architectural features), plus it would have graffiti guard on the walls.

Councilmember Hill asked if the stall sizes would be sufficient for large vehicles. Mr. Relph explained there would be several sizes available, some would accommodate pickups, others smaller cars. The City would try to accommodate the different kinds of vehicles used by employees.

Councilmember Hill questioned the security and lighting of the structure. Mr. Relph said both items were certainly an issue. He said a passkey would be required when entering the garage and the elevator would open into the structure, which would be well lit.

Councilmember Hill asked how the funding of this project compared to what the City pays now. Mr. Relph said the City was currently paying \$25 per month per space and was leasing 65 spaces. He said it would take a while to break even, but this was a permanent solution to the parking problem. He said if the church would sell the property, the City has first right of refusal. He said the value of the church property to the City was the property without the building, but the church places the value of the property on the buildings, with three times the amount.

Councilmember Hill asked how the City was going to pay for the project. Mr. Relph replied the funds were available within the capital improvement fund.

Councilmember Palmer moved to authorize the City Manager to sign an agreement with Mesa County to purchase a portion of the land, share in the construction costs (40%) in

return for 40% of the parking spaces (80), and joint ownership and operation of the parking structure. Councilmember McCurry seconded the motion. Motion carried.

Councilmember Kirtland returned to his seat on the dais.

### **OTHER BUSINESS**

Council President Spehar referred Council to the packet of information on Referendum A that included a proposed resolution opposing Referendum A. He asked Council how they would like to proceed.

Councilmember McCurry said he supports the opposition, as do most of the Western Slope legislators.

Council President Spehar explained the proposal and to inform the TV audience he read the question that will appear on the ballot. He noted that the legislators opposed the measure, as there are no provisions for mitigation of any adverse economic, social or environmental impacts of financed water storage projects.

Councilmember Hill said at the Colorado Municipal League, the position was neutral.

Council President Spehar explained that both sides were represented at the CML level, so the board elected not to take a position.

Councilmember Palmer explained that the discussion was not a symbolic stance; that this was a local issue since the City is a water provider.

Councilmember Kirtland thanked Mayor Spehar for his time spent on water issues.

Council President Spehar read the proposed resolution (see attached Exhibit A)

Councilmember Hill moved to adopt Resolution No. 84-03 opposing Referendum A. Councilmember Enos-Martinez seconded the motion. Motion carried by a roll call vote.

### **NON-SCHEDULED CITIZENS & VISITORS**

There were none.

### **ADJOURNMENT**

Councilmember McCurry moved to adjourn. Councilmember Hill seconded the motion. Motion carried.

The meeting adjourned at 9:35 p.m.

Stephanie Tuin, MMC  
City Clerk

## EXHIBIT A

### *Proposed Resolution No. 84-03*

Whereas, the Colorado legislature has referred to voters in the November, 2003, general election a ballot measure (Referendum A) which, if passed, will authorize bonding of up to \$2B with repayment of \$4B for the purpose financing and constructing water projects, and

Whereas, Referendum A fails to specify which water projects bond proceeds would be used for, and

Whereas, the legislature's legal office has determined that Referendum A does not require mitigation of any adverse economic, social or environmental impacts caused by the construction and operation of water storage projects to be financed, and

Whereas, Referendum A and SB 236, which referred the measure to Colorado voters, do not provide for legislative oversight or approval by local governments for water projects to be financed by bond proceeds, and

Whereas, counties, municipalities, special districts and private water providers currently have available to them a variety of funding mechanisms, including revenue bonding, which are being utilized to finance and build water projects, and

Whereas, providing an additional source of revenue bonds will not increase the affordability of water projects for agricultural users and others who do not have the ability to repay those bonds, and

Whereas, proceeds of bond sold under the provisions of Referendum A would be available only to finance projects costing at least \$5M and would not assist more cost efficient smaller projects, and

Whereas, only \$100M (5%) of bond proceeds would be available to finance projects or portions of projects that would augment or improve existing facilities or conserve existing water supplies without constructing new storage facilities, and

Whereas, Referendum A has proven to be divisive at a time when all of Colorado should be working together to resolve drought and water supply issues,

Now, therefore, be it resolved that the Grand Junction City Council opposes Referendum A (Bonding Authority for Water Projects), which will appear on the general election ballot in November 2003, and urges citizens to join in that opposition.