

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

June 19, 2006

The City Council of the City of Grand Junction convened into regular session on the 19th day of June 2006, at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, and President of the Council Jim Doody. Absent was Councilmember Doug Thomason. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Coons led in the pledge of allegiance. The audience remained standing for the invocation by Reverend Michael Torphy, Religious Science Spiritual Center.

Presentations

Kids Day America/International to Present a Check to the D.A.R.E. Program

Dr. Wayne Sheader was present and gave the Grand Junction Police Department a check for \$1,103 for the D.A.R.E. program. The money was raised at the Kids Day America event.

Public Works and Utilities Department presented Council with the 2006 Innovations Award from the Innovation Group for the Persigo Grease Treatment Facility

Public Works and Utilities Director Mark Relph invited managers and supervisors from the Persigo facility to the podium. He explained what the Innovations Group is and how the facility was entered into consideration. He asked the Wastewater Superintendent Dan Tonello to explain the project. Mr. Tonello explained the problem and how the crew solved it with the development of the Persigo Grease facility and said that it saved the City hundreds of thousands of dollars. He also said that they have applied for a U.S. patent for the device. The crew was congratulated and applauded by the City Council and the audience.

Appointments

Appointments to the Avalon Theatre Advisory Committee were postponed until the July 5, 2006 meeting.

To the Parks and Recreation Advisory Board

Councilmember Spehar moved to appoint William Findlay and Lenna Watson for three year terms until June 2009 to the Parks and Recreation Advisory Board. Councilmember Coons seconded the motion. Motion carried.

Citizen Comments

Mr. Jim Shults, 1670 Ptarmigan Ridge Circle, asked to address the City Council regarding the fire ban. He was opposed to the ban of private legal fireworks and felt there is no special fire threat in the City due to the irrigation and green areas. He agreed that Mesa County does have a reasonable fire threat due to the vastness and the many dry areas. A fire ban in the City will create a city of lawbreakers. He suggested that the ban be kept in place and then suspended from July 1st through July 6th.

CONSENT CALENDAR

Councilmember Hill read the list of items on the Consent Calendar.

It was moved by Councilmember Hill, seconded by Councilmember Palmer and carried by roll call vote to approve Consent Calendar items #1 through #10 with Councilmember Spehar voting NO on item #5.

1. Minutes of Previous Meetings

Action: Approve the Summary of the June 5, 2006 Additional Workshop, the Minutes of the June 7, 2006 Regular Meeting, and the June 12, 2006 Special Session

2. Purchase of Road Oil for Chip Seal Program

Purchase of approximately 107,000 gallons of road oil for the annual Streets Division chip seal program.

Action: Authorize the City Purchasing Division to Purchase 107,000 Gallons of Road Oil from Cobitco, Inc., Denver, Colorado in the Amount of \$160,500

3. Construction Contract for F ½ Road from 24 Road to Market Street and a Right Turn Lane on 24 Road

Award a construction contract to Sorter Construction Company in the amount of \$1,217,396 for the construction of a northbound right turn on 24 Road and a section of the F ½ Road Parkway from 24 Road east to Market Street. This is a Transportation Capacity Payment (TCP) project constructed in conjunction with the Canyon View Marketplace development project which includes a movie theater currently under construction.

Action: Authorize the City Manager to Sign a Construction Contract for the F ½ Road Improvements, 24 Road to Market Street with Sorter Construction, Inc., in the Amount of \$1,217,396

4. **Amending the Development Fee Schedule to include a \$50.00 fee for General, Counter and Pre-application Meetings**

Staff spends a considerable amount of time preparing paperwork for general, counter and pre-application meetings. Pre-meeting preparation may also require a site visit by the engineer and/or planner. A \$50.00 fee for all general, counter and pre-application meetings is recommended to offset some of these pre-meeting preparation costs that are currently absorbed by the City.

Resolution No. 62-06 – A Resolution Amending the Development Fee Schedule, Adding a Fee for General, Counter, and Pre-application Meetings

Action: Adopt Resolution No. 62-06

5. **Ratifying the Amended 24 Road Corridor Guidelines** [File #GPA-2005-148]

The Ordinance amending the 24 Road Corridor Subarea Plan and the Mixed Use Zoning implementing the decision of the City Council on June 7, 2006.

Resolution No. 65-06 – A Resolution Amending the 24 Road Corridor Subarea Plan and the Growth Plan Specific to the Mixed Use Land Use Designation

Ordinance No. 3904 – An Ordinance Amending Section 3.4.J of the Zoning and Development Code, Mixed Use

Action: Adopt Resolution No. 65-06 and Consider Final Passage and Final Publication of Ordinance No. 3904

6. **Setting a Hearing on Vacating Portions of Hoesch Street and West Grand Avenue, East of River Road and Designation of the Remainder of Hoesch Street as an Alley** [File #VR-2006-114]

Introduction of a proposed ordinance to vacate portions of Hoesch Street and West Grand Avenue east of River Road. The vacation request is in conjunction with the design of the Riverside Parkway with these sections of right-of-way no longer being necessary or usable. The applicant is also requesting that the remainder of Hoesch Street be designated an alley.

Proposed Ordinance Vacating Rights-of-Way for Portions of Hoesch Street and West Grand Avenue

Action: Introduction of Proposed Ordinances and Set a Hearing for July 5, 2006

7. **Setting a Hearing on Zoning the Charlesworth Annexation Located at 248 28 Road** [File #GPA-2006-062]

Request to zone the 10.85 acre Charlesworth Annexation, located at 248 28 Road, to RMF-5 (Residential Multi-family with a maximum of five units per acre) zone district.

Proposed Ordinance Zoning the Charlesworth Annexation to RMF-5 (Residential Multi-Family – 5 Units per Acre), Located at 248 28 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for July 5, 2006

8. **Setting a Hearing on the Merkel Annexation, Located at the Northwest Corner of I-70 and 24 ½ Road** [File #GPA-2006-126]

Request to annex 27.11 acres, located at the northwest corner of I-70 and 24 ½ Road. The Merkel Annexation consists of 2 parcels.

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

Resolution No. 70-06 – 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, Merkel Annexation, Located at the Northwest Corner of I-70 and 24 ½ Road Including a Portion of the 24 ½ Road Right-of-Way

Action: Adopt Resolution No. 70-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Merkel Annexation , Approximately 27.11 Acres Located at the Northwest Corner of I-70 and 24 ½ Road Including a Portion of the 24 ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006

9. **Setting a Hearing on the Pine Industrial No. 1 Annexation, Located at 2769 D Road** [File #ANX-2006-124]

Request to annex 5.08 acres, located at 2769 D Road. The Pine Industrial No.1 Annexation consists of one parcel and is a two part serial annexation.

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

Resolution No. 71-06 – 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, Pine Industrial No.1 Annexation #1 & #2, Located At 2769 D Road

Action: Adopt Resolution No. 71-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pine Industrial No.1 Annexation #1, Approximately .30 Acres, Located at 2769 D Road Including a Portion of the D Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pine Industrial No.1 Annexation #2, Approximately 4.78 Acres, Located at 2769 D Road

Action: Introduction of Proposed Ordinances and Set a Hearing for August 2, 2006

10. **Setting a Hearing on the Harris Annexation, Located at 2730 B Road** [File #ANX-2006-125]

Request to annex 9.38 acres, located at 2730 B Road. The Harris Annexation consists of one parcel and is a two part serial annexation.

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

Resolution No. 72-06 – 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, Harris Annexation #1 and #2,

Located at 2730 B Road Including a Portion of the B Road and 27 Road Rights-of-Way

Action: Adopt Resolution No. 72-06

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Harris Annexation #1, Approximately 2.73 Acres, Located at 2730 B Road Including a Portion of the B Road and 27 Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Harris Annexation #2, Approximately 6.65 Acres, Located at 2730 B Road Including a Portion of the B Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for August 2, 2006

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Contract for Ambulance Billing Services

Approval to contract for Professional Ambulance Billing Services for the City of Grand Junction Fire Department.

Jim Bright, Interim Fire Chief, and Ron Lappi, Administrative Services and Finance Director, reviewed this item. Interim Chief Bright noted that the annual expenditure for the billing services should be \$155,000 rather than \$310,000. Administrative Services Director Lappi said the collection fee is at 6.5% of collections.

Councilmember Spehar stated that the collection time periods were discussed in detail. He said Pridemark EMS Billing Services expedited collections and hopefully it will increase collections. Chief Bright agreed and stated that hopefully they will get a better rate of return.

Councilmember Coons noted that no local firms bid out for the ambulance billing services. Chief Bright replied that the service is very specialized but a firm from Montrose did respond to the solicitation. However, the three being considered stood out as the best possibilities.

Councilmember Spehar moved to authorize the City Purchasing Manager to enter into a contract with Pridemark EMS Billing Services, 6385 W. 52nd Ave, Arvada, Colorado in the amount of 6.5% of billing. Councilmember Coons seconded the motion. Motion carried.

Contract for Non-Emergent Medical Ambulance Dispatch Services

Approval to contract for Professional Non-emergent Medical Ambulance Dispatch Services for the City of Grand Junction Fire Department.

Jim Bright, Interim Fire Chief, reviewed this item. He advised that Pridemark did not bid initially but the City approached them. He said they had some internal issues that kept them from bidding but was interested in the contract. Mr. Bright said awarding the bid to them couples the services with the billing contract just awarded so there will be better efficiencies.

Council President Doody questioned how they dispatch when they are out of Denver. Chief Bright stated that a local number will be called which will call forward to the company's 800 number. They will see the call is from Grand Junction and they will verify it is a non-emergent transport. If it is an emergency call it will automatically go back to 9-1-1 dispatch.

Councilmember Palmer asked if it is equivalent to having it out of the City's dispatch. Mr. Bright stated that the Communication Center is already at capacity and they did not feel they could handle the additional calls. Councilmember Palmer asked what the length of the contract is. Mr. Bright replied that the contract is for two years.

Councilmember Coons asked if there are any response time guidelines. Mr. Bright stated that there are no guidelines as it is for non-emergent transport only but the Fire Department will try to accommodate and be on time.

Councilmember Palmer inquired if the fee for the dispatch service can be recovered. Chief Bright responded that such fee cannot be added on as a fee to patient but the patient will be charged for the transport.

Councilmember Beckstein asked if there will be a different phone number for dispatch. Mr. Bright stated that there will be a local seven digit number that will be provided to nursing homes because there will be a time delay if it is a 9-1-1 call; however it will immediately be transferred back.

Councilmember Hill asked if dispatch can transfer non 9-1-1 calls that come into the Communications Center. Mr. Bright stated that has been discussed but the logistics have not been finalized.

Councilmember Spehar moved to authorize the City Purchasing Manager to enter into a contract with Pridemark Paramedic Services, 6425 W. 52nd Ave, Arvada, Colorado for an estimated annual expenditure of \$50,000. Councilmember Palmer seconded the motion. Motion carried.

Ambulance Fee Schedule

On February 13, 2006, City Council recommended that the GJFD expand services to include ambulance service for the Grand Junction Ambulance Service Area. The Mesa County Commission subsequently approved that recommendation at their February 27, 2006 meeting.

An integral component of this expansion of services is setting the ambulance fee schedule with the objective of balancing system revenues to meet incremental costs of providing the ambulance transport services and to do so within the requirements of the Mesa County EMS Resolution. This includes the ability to negotiate contractual arrangements in specific situations in the non-emergent segment of the business.

Jim Bright, Interim Fire Chief, reviewed this item. He noted that the fee schedule was the basis of the budget that has been proposed. There is a different fee schedule for emergent versus non-emergent transport. The rates proposed are the bundled rate. Medicare is moving toward only paying a bundled rate.

Councilmember Coons asked if the City will attempt to collect the difference over and above what Medicare pays. Mr. Bright replied that the payer mix is factored into the budget, there are stringent guidelines regarding what can be collected over Medicare, so the City probably has to accept an assignment fee.

Councilmember Palmer asked if the service is set up as an enterprise fund. Chief Bright answered yes.

Administrative Services and Finance Director Ron Lappi stated that the start-up costs were budgeted in the first supplemental appropriation. The fund will try to work toward breaking even but this one is heavily subsidized at first; it may break even in the future, especially with the grant anticipated in the fall.

Councilmember Doody asked how the 41% collection was determined. Chief Bright stated that it is an experience rate of return.

Councilmember Coons stated that Medicare pays about half of what the fee schedule is. Those with insurance will subsidize those that can't pay; that is a reflection of the health care system today.

Councilmember Palmer noted that the County will review rates again in February 2007.

Councilmember Spehar stated that he is occasionally confused with the enterprise fund distinction. He asked if it is a legal definition or can it be called an enterprise model. Administrative Services and Finance Director Lappi stated that the City is using the term enterprise in the financial statements under its definition under governmental financial guidelines.

Councilmember Beckstein asked what the recovery rate will be. Mr. Lappi explained what the City expects to recover. The 41% is all blended percentage; Medicare recovery rate is more like 34%. Councilmember Beckstein asked if there is a report that tells what the shortfall for this whole program is going to be. Mr. Lappi replied that there is a report.

Councilmember Beckstein asked if that has changed. Mr. Lappi stated that the grant will help and hopefully the County will consider an increase in rates next year.

Councilmember Spehar asked if the budgeting is based on the collected monies and not billed monies. Mr. Lappi stated that is right; a deficit is factored in to be subsidized by the general fund.

Councilmember Hill pointed out that American Medical Response said they never reached a 41% collection rate. Mr. Lappi responded that the 41% is the City's best estimate based on Fire Department and accounting working together. He offered to provide a copy of the report.

Resolution No. 79-06 – A Resolution Authorizing the 2006 Ambulance Transport Fees

Councilmember Spehar moved to adopt Resolution No. 79-06. Councilmember Palmer seconded the motion.

Councilmember Hill stated that he is voting no on this noting the proposal is to increase the cost by \$200. Although the City should want to maximize revenue, from a service provider standpoint, he is against the increased fees.

Motion failed with Hill, Coons and Beckstein voting NO.

City Manager Arnold suggested that this be brought back to Council when Councilmember Thomason is present. This affects the budget and the failure to pass the new schedule keeps the same rates in effect. Interim Chief Bright could report back at the next meeting with additional information. Mr. Lappi noted the failure to adopt the new rates will make a huge difference.

City Attorney Shaver advised that a motion could be made to reconsider this matter to a date certain.

Councilmember Spehar asked how this impacts the presentation for the licensing. Mr. Shaver stated that the fee is being set in anticipation of receiving the license next week in front of the Mesa County Commissioners and won't necessarily impact the issuance of the license. City Manager Arnold advised that the impact will be on the general fund, a greater subsidy will result.

Councilmember Spehar moved to reconsider the item on July 5, 2006. Council President Doody seconded. Motion carried 4 to 2 with Councilmembers Hill and Beckstein voting NO.

Public Hearing – 2006 CDBG Program Year Action Plan, 2006 Five-year Consolidated Plan, and the 2006 Analysis of Impediments to Fair Housing Study

The two plans and the one study (the City's CDBG 2006 Five-year Consolidated Plan; the 2006 Program Year Action Plan and the 2006 Analysis of Impediments to Fair Housing Choice Study) are required by the Department of Housing and Urban Development (HUD) for the use of CDBG funds. The 2006 Action Plan includes the CDBG projects for the 2006 Program Year City Council approved for funding on May 17, 2006.

The public hearing was opened at 8:05 p.m.

David Thornton, Principal Planner, reviewed this item. He noted the number of partnerships in this community. The Consolidated Plan is required by HUD every three to five years. The City does it every five years. There are seven elements included in the Plan. Since the City has been in entitlement, since 1996, the program and the community as a whole have done a number of elements in the plan. For each new program year, a one-year Action Plan is adopted. The 2006 entitlement is \$348,286. He reviewed the 2006 Plan. The third requirement is the Study on Impediments to Affordable Housing. A consultant from Denver, D. J. Consulting, was hired for the Study. Five impediments were identified and some recommendations were made on how to remove the impediments. The impediments were fairly obvious: #1 Land development costs. Some ways to alleviate the impediment were to develop land banking and land trusts, establish an affordable housing fund, and develop joint venture projects.

Councilmember Spehar recommended that the wording in the 2006 Action Plan does not limit the City to just buying land but includes other options. Mr. Thornton agreed that it would be a good idea to clarify that in the Plan.

Mr. Thornton continued with impediment #2: Not In My Back Yard (NIMBY) mindset and mitigation of that. The City and housing providers should continue the good efforts to promote awareness of the need for affordable and fair housing through seminars, fair housing forums and public awareness campaigns and the solicitation of neighborhood input to housing development should be part of the City's Zoning and Development Code.

Impediment # 3: A lack of affordable housing units, one-bedroom or larger, particularly for very-low and low-income households, large families with children, seniors and persons with disabilities continues to be an impediment to fair housing choice. Efforts need to be expanded for tenant/landlord mediation and for foreclosure prevention.

The consultant recommendations for mitigation were that the City should continue the usage of CDBG funding to support affordable housing projects, the City should encourage usage of the City's local matching funds for affordable housing development and revisit the evaluation of goals, objectives, policies, regulations, and fees as to their impact on affordable housing and implement the objectives determined from that evaluation, particularly number 22 goal of Grand Junction's Strategic Plan to implement the results of the Affordable Housing Forum. Also the City should have a staff person who is involved exclusively in housing projects whose job would consist of being a liaison with public and private housing providers, serve as a member of the Affordable Housing Partnership, a contact for people with fair housing complaints, and a resource for funding of housing projects. This person could also look into additional funding for security deposits and utility costs.

Impediment #4: The lack of transitional housing units, particularly for homeless families and the mentally ill is still an impediment to fair housing choice. The housing providers are to be commended on all their efforts to supply transitional housing in the community. The same effort needs to be continued to meet future needs.

Recommendations to eliminate were that the City should continue its support of area housing agencies in the pursuit of additional funding, from public and private sources, for the provision of additional transitional housing units. The staff person recommended in recommendation 3E could be the City contact person to assist in additional funding as well as a resource person on how other cities are handling homelessness. One reviewer of this study disagrees with this recommendation because that person thinks that it is not the job of the City to perform this function. Also the area agencies should continue to provide services such as transitional housing, homeless prevention training, health care referrals, and housing counseling to homeless person and families, to assist in the prevention of homelessness.

Impediment #5: Low income or wage levels are still an impediment to fair housing choice. While this is an impediment that involves private enterprise even more than the

City or public agencies, it is one that will need all the effort from the City and public agencies that can be given.

Recommendations for mitigation include that the City needs to continue to work with the Grand Junction Economic Partnership and the Business Incubator to promote opportunities to develop new businesses or expand existing ones and to improve wage levels for Grand Junction's residents and the City and the Grand Junction Economic Partnership should continue to work with area job training agencies to determine if additional training needs exist in the community and can be met through any potential local, state, or federal funding sources.

Council President Doody asked for specifics on hiring the additional person. Mr. Thornton advised that HUD has developed more requirements for entities receiving funds and staff wants to make sure the City meets all these requirements. An additional person would also allow Planners Thornton and Ashbeck to work more on planning activities instead of the CDBG requirements.

Councilmember Hill noted that he went back to national committee meeting upon which he serves to bring up the matter of the costs of administering these funds. He felt the requirements were wasting money on paperwork in order to justify the program, to the tune of \$800 million. His committee is leading the charge to try to reduce those requirements. He applauded the City's efforts to be below the maximum administrative fees allowed in previous years.

Terri Clements, 2204 N. 1st Street, director of the Tree House Program, thanked the City Council for the opportunity to comment. She expressed her disappointment that not one dime of the City's CDBG funding is going to youth programs this year.

Jody Kole, Grand Junction Housing Authority Director, 229 Pine Terrace Court, thanked Council for its commitment to affordable housing. She pointed out that Grand Junction has the fastest growing group of homeless, especially homeless families with children. She feared that there will be a reorganization of the program that will eliminate Grand Junction's annual entitlement.

There were no other comments.

The public hearing was closed at 8:25 p.m.

Councilmember Coons stated that there are always more deserving needs than there is money for. She felt the affordable housing funding is a good choice for this year.

Councilmember Spehar supported the proposal to put the whole lump toward housing which was suggested by Councilmember Palmer. The City's annual allocation has

decreased and this is an opportunity to have a major impact using the entire sum. He also supports the move to increase administrative fee in order to hire a person to administer the fund.

Resolution No. 73-06 – A Resolution Adopting the 2006 Five-Year Consolidated Plan as a Part of the City of Grand Junction’s Community Development Block Grant (CDBG) Program

Resolution No. 74-06 – A Resolution Adopting the 2006 Program Year Action Plan as a Part of the City of Grand Junction’s 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Resolution No. 75-06 – A Resolution Adopting the 2006 Analysis of Impediments to Fair Housing Choice Study for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Coons moved to adopt Resolution Nos. 73-06, 74-06, and 75-06 with the amendment in the 2006 Program Year Action Plan, item #2 being changed to “Funding for the creation of affordable housing”. Councilmember Spehar seconded the item. Motion carried by roll call vote.

Council President Doody called a recess at 8:33 p.m. and excused Councilmember Palmer from the remainder of the meeting as he was ill.

The meeting reconvened at 8:40 p.m.

Public Hearing – Repealing the Telephone Exchange Provider Occupation Tax

The City by and through the Director of Finance and Administrative Services and the City Attorney recommend that the City Council repeal Ordinance No. 1725 concerning the imposition of an occupation tax on telephone exchange providers in the City.

The public hearing was opened at 8:41 p.m.

John Shaver, City Attorney, reviewed this item. He explained the reason for the request to repeal the telephone exchange tax. The tax was adopted in 1978. With the changing in technology in telephone services, a question arose from Qwest that other providers were not paying the exchange tax so the tax was discriminatory. After discussions with Administrative Services and Finance Director Ron Lappi, as to the pros and cons of trying to tax the other providers, they determined that due to the advent of other types of providers providing phone service it is hard to pin down who would be subject to the tax. Therefore it is recommended that the tax be repealed.

There were no public comments.

The public hearing was closed at 8:45 p.m.

Ordinance No. 3915 – An Ordinance Repealing Ordinance No. 1725, Regarding Revenue and Imposition of a Business and Occupation Tax on all Telephone Exchange Providers Operating within the City of Grand Junction

Councilmember Hill moved to adopt Ordinance No. 3915 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Intergovernmental Agreement Between Mesa County and City of Grand Junction for Scheduling and Management of all Organized, Recreational Activities at Long Family Memorial Park

City Council authorized the City Manager to work with the County Administrator in preparing a cooperative agreement for the scheduling and management of all organized, recreational activities at Long Family Memorial Park. This park is located at 3117 F Road in Mesa County and was gifted to Mesa County with the understanding that within ten years from the date of acceptance (1998), it would become a developed park and used in perpetuity for park purposes. The County is currently developing the park in accordance with the Long Family's wishes and anticipates a mid-summer opening of Long Family Memorial Park, phase I. In order to maximize the public use and benefit, the City and the County have agreed that collaboration on the management and operation of the park is necessary and desirable.

Joe Stevens, Parks and Recreation Director, reviewed this item. He advised the agreement was drafted in conjunction with the City Manager and has been reviewed by the City Attorney. Staff members Don Hobbs and Traci Altergott are present to answer any questions on the agreement. He reviewed the history of the new park, Long Park. It was given to the County in 1998 with the provision that it be developed within ten years. The County has developed the Park and has asked the City to consider taking over the management of the Park.

Councilmember Hill asked if there is a provision for the management fee to increase from year to year. Mr. Stevens stated that it was discussed to include a percentage, but the way the agreement is put together for an annual review, staff will recommend any adjustments. The \$15,000 fee was developed from experience at Canyon View Park. There is language about the net being \$15,000. The County has agreed to keep the standard of maintenance comparable to Canyon View Park. The two entities will work closely together on scheduling.

Mr. Stevens pointed out that this is a new step in partnerships; there are other examples with the School District and with the County at Orchard Mesa Pool. This is a new level of those efforts.

Council President Doody pointed out a number of other areas of opportunity for the two entities to work together.

Councilmember Coons moved to authorize the City Manager to sign an Intergovernmental Agreement with Mesa County that will lay out the terms and conditions for the scheduling and management of organized, recreational activities at Long Family Memorial Park by the City of Grand Junction and spells out Mesa County's responsibility for maintenance and upkeep of Long Family Memorial Park. Councilmember Hill seconded the motion. Motion carried.

Public Hearing – Vacating Public Rights-of-Way, Southwest Corner of 29 ½ Road and Ronda Lee Road, Both Sides of Jon Hall Road at 29 ½ Road and an Unnamed Right-of-Way South of Jon Hall Road at 29 ½ Road [File #PP-2006-042]

Request to vacate three feet of right-of-way on the south side of Ronda Lee Road, three feet on the north and south side of Jon Hall Road, and twenty feet of unnamed right-of-way along the southern boundary of the project site.

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

Pat Cecil, Planning Services Supervisor, reviewed this item. He described the request and the location of the vacation requests. The portion of Jon Hall Road to be vacated is not built and not being used, the unnamed right-of-way is not built and not being used and 6 feet of Ronda Lee Road is not needed and not being used. The Planning Commission recommended approval.

There was a representative of the applicant in attendance but had nothing to add to the presentation.

There were no public comments.

The public hearing was closed at 9:00 p.m.

Ordinance No. 3916 – An Ordinance Vacating Portions of the Public Rights-of-Way Located on Ronda Lee Road, Jon Hall Road and a Twenty Foot Unnamed Right-of-Way to the South of Jon Hall Road, all being Immediately West of 29 ½ Road Extending Approximately 658 Feet West

Councilmember Hill moved to adopt Ordinance No. 3916 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Fox Growth Plan Amendment, Located at 3000 F Road [File #GPA-006-087]

Request to amend the Growth Plan, changing the Future Land Use Designation from Residential Medium Low (2-4 units per acre) to Residential Medium (4-8 units per acre) on 1.6 acres, located at 3000 F Road.

The public hearing was opened at 9:00 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. She identified the Future Land Use designation and the surrounding properties. She advised that all the surrounding residential properties are zoned RSF-4. There is a PD zone adjacent to the site which is the Rite Aid property. The current request is for a Growth Plan Amendment. The applicant will still need to come back before the City Council for a zoning change.

Ms. Portner then reviewed the Growth Plan Amendment criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for; or the existing designation of Residential Medium Low is in error because the specific constraints of the property, such as access and shape were not considered. The property has approximately 200 feet of frontage on F Road and 500 feet of frontage on 30 Road. F Road is classified as a Principal Arterial and 30 Road as a Major Collector. Additional street access will not be allowed onto F Road, and individual driveway access will not be allowed onto 30 Road. Because of the configuration of the lots already developed to the east of the property, the site could not develop out at an RSF-4 density.
- b. Subsequent events have invalidated the original premises and findings; traffic volumes on F Road and 30 Road continue to increase, especially with the construction of the 30 Road railroad underpass, making it a major north-south corridor.
- c. The character and/or condition of the area have changed enough that the amendment is acceptable; traffic volumes continue to increase on both adjacent corridors and the property at the northwest corner of 30 Road and F Road has been developed as retail store with a drive through window.

d. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans; the proposed amendment is consistent with the following goals and policies of the Growth Plan:

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

e. Public and community facilities are adequate to serve the type and scope of the land use proposed;

All services are available to the site for residential use.

f. An inadequate supply of suitably designated land is available in the proposed land use.; and changing the 1.6 acres to residential medium will allow for infill development in the neighborhood.

g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Assistant to the Community Development Director Portner advised that changing the designation from Residential Medium Low to Residential Medium would allow for the following zone districts to be considered: RSF-4, RMF-5, RMF-8 and RO (Residential-Office).

Tom Rolland, 405 Ridges Blvd, representing Pam Fox, the developer, advised that they held a neighborhood meeting and those in attendance were mainly concerned about annexation. There was some discussion on the plans for the property. The only plan right now is to rezone, under the options allowed. The size and shape of the property would make a single home development difficult on this piece of property.

There were no public comments.

The public hearing was closed at 9:10 p.m.

Resolution No. 76-06 - A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 1.6 Acres, Located at 3000 F Road, from Residential Medium Low to Residential Medium, Fox Growth Plan Amendment

Councilmember Beckstein moved to adopt Resolution No. 76-06. Councilmember Coons seconded the motion.

Councilmember Hill questioned the change in Land Use designation from Low to Medium when RO is allowed in both. Assistant Director of Community Development Kathy Portner advised that RO is not allowed in residential medium low designated areas. Councilmember Hill asked about commercial designation. Ms. Portner replied that the request would then be for a commercial designation and that would be a more intense commercial designation.

Motion carried by roll call vote.

Public Hearing – Walcher Rezone, Located Adjacent to 2483 River Road [File #GPA-2006-059]

Request to rezone .44 acres, located adjacent to 2483 River Road, from CSR (Community Services and Recreation) to I-1 (Light Industrial).

The public hearing was opened at 9:11 p.m.

Councilmember Beckstein revealed that the property owner is a client of her employer. City Attorney Shaver verified with her that the relationship was such as to create no conflict or bias. The Council was satisfied with Councilmember Beckstein's disclosure.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. She identified the Future Land Use designation and the surrounding properties.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:15 p.m.

Ordinance No. 3917 – An Ordinance Rezoning Approximately .44 Acres, Located Adjacent to 2483 River Road from CSR to I-1, Walcher Rezone

Councilmember Hill moved to adopt Ordinance No. 3917 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Niblic Drive Rezone, Located at 718 Horizon Drive [File #GPA-2006-061]

Request to rezone .53 acres, located at 718 Horizon Drive, adjacent to Niblic Drive, from C-1 (Light Commercial) to RMF-5 (Residential Multifamily, 5 units per acre).

The public hearing was opened at 9:16 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. The property is at a higher elevation than its Horizon Drive portion and is more a part of the Partee Heights subdivision. The property was recently a party to a Growth Plan Amendment. The plan is to separate it from the remainder of the property and have it be developed as residential. At the Planning Commission there were concerns with the RMF-5 zoning. The RMF-5 zoning would allow for a duplex.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:20 p.m.

Ordinance No. 3918 – An Ordinance Rezoning Approximately .53 Acres, Located at 718 Horizon Drive, Adjacent to Niblic Drive, From C-1 to RMF-5, Niblic Drive Rezone

Councilmember Spehar moved to adopt Ordinance No. 3918 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – Graff Dairy Rezone, Located at 581 29 Road [File #GPA-2006-060]

Request approval to rezone .67 acres, located adjacent to 581 29 Road, from RMF-5 (Residential Multifamily, 5 units per acre) to C-1 (Light Commercial).

The public hearing was opened at 9:21 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. She noted that there had previously been a Growth Plan Amendment approved for the property.

Judy Graff, owner of 581 29 Road, addressed the City Council. She first lauded the City Council on their time and their involvement.

The public hearing was closed at 9:25 p.m.

Ordinance No. 3919 – An Ordinance Rezoning Approximately .67 Acres, Located at 581 29 Road from RMF-5 to C-1, Graff Dairy Rezone

Councilmember Hill moved to adopt Ordinance No. 3919 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Zoning the GPD Global/Woomer Annexation, Located at I-70 Frontage Road, Between 23 and 23 ½ Road [File #GPA-2006-065]

Request to zone the 25 acre GPD Global/Woomer Annexation, located at I-70 Frontage Road, between 23 and 23 ½ Road, to I-1 (Light Industrial).

The public hearing was opened at 9:27 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. Two of the parcels are developed and one parcel is undeveloped. These properties recently went through a Growth Plan Amendment. The request meets the rezone criteria and Staff and Planning Commission recommend approval.

There were no public comments.

The public hearing was closed at 9:28 p.m.

Ordinance No. 3920 – An Ordinance Zoning the GPD Global/Woomer Annexation, Located at I-70 Frontage Road between 23 and 23 ½ Road to I-1 (Light Industrial)

Councilmember Spehar moved to adopt Ordinance No. 3920 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – Carpenter Annexation and Zoning, Located at 3137 D ½ Road [File #ANX-2006-094]

Acceptance of a petition to annex and consider the annexation and zoning for the Carpenter Annexation. The Carpenter Annexation is located at 3137 D ½ Road, consists of 1 parcel on 5.05 acres and is a 2 part serial annexation. The zoning being requested is RMF-5.

The public hearing was opened at 9:29 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. She described the surrounding Land Use Designation and the surrounding zoning designations, of which there are a variety. The request meets the criteria for annexation and the criteria for zoning. The Staff and the Planning Commission both recommend approval.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:30 p.m.

a. Accepting Petition

Resolution No. 77-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Carpenter Annexation, Located at 3137 D ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3921 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Carpenter Annexation #1, Approximately 0.05 Acres Located at 3137 D ½ Road

Ordinance No. 3922 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Carpenter Annexation #2, Approximately 5.00 Acres Located at 3137 D ½ Road

c. Zoning Ordinance

Ordinance No. 3923 – An Ordinance Zoning the Carpenter Annexation to RMF-5 Located at 3137 D ½ Road

Councilmember Beckstein moved to adopt Resolution No. 77-06 and Ordinance Nos. 3921, 3922, and 3923 on Second Reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Pumpkin Ridge Annexation and Zoning, Located at 2887 UnawEEP Avenue [File #ANX-2005-189]

Acceptance of a petition to annex and consider the annexation and zoning for the Pumpkin Ridge Annexation. The Pumpkin Ridge Annexation is located at 2887 UnawEEP Avenue and consists of 2 parcels on 8.47 acres. The zoning being requested is RSF-4.

The public hearing was opened at 9:32 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She described the request and the location of the property. She described the surrounding Land Use Designations and the surrounding zoning. The request meets the criteria for both annexation and zoning. The Staff and the Planning Commission both recommend approval.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:35 p.m.

a. Accepting Petition

Resolution No. 78-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Pumpkin Ridge Annexation, Located at 2887 UnawEEP Avenue is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3924 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pumpkin Ridge Annexation, Approximately 8.47 Acres, Located at 2887 UnawEEP Avenue Including a Portion of UnawEEP Avenue, Alta Vista Court, and Alta Vista Drive Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3925 – An Ordinance Zoning the Pumpkin Ridge Annexation to RSF-4 Located at 2887 UnawEEP Avenue

Councilmember Spehar moved to adopt Resolution No. 78-06 and Ordinance Nos. 3924 and 3925 on Second Reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Council President Doody asked the new Management Intern Angela Harness to introduce herself which she did.

He then asked City Manager Kelly Arnold to come forward. He then acknowledged Mr. Arnold's 5 ½ years of service.

City Manager Arnold thanked the City Council for his experience.

Councilmember Spehar lauded Mr. Arnold for all of his work and accomplishments.

Councilmember Hill complimented Mr. Arnold for bringing his values of community to this community.

Councilmember Beckstein thanked Mr. Arnold for helping the four new Councilmembers.

Adjournment

The meeting adjourned at 9:40 p.m.

Stephanie Tuin, MMC
City Clerk