

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

February 21, 2007

The City Council of the City of Grand Junction convened into regular session on the 21st day of February 2007, at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Also present were City Manager David Varley, 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 Pastor Galen Daly, Extended Arms Foursquare Church.

Presentation of Certificates of Appointment

To the Historic Preservation Board

Michael Menard, Zebulon Miracle, and Yvonne Piquette were present to receive their certificates for the Historic Preservation Board.

Proclamations / Recognitions

Proclaiming March 4, 2007 through March 10, 2007 as "Women in Construction Week" in the City of Grand Junction

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Coons read the list of items of the Consent Calendar.

It was moved by Councilmember Spehar, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #11.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the February 5, 2007 Workshop and the Minutes of the February 7, 2007 Regular Meeting

2. **Adoption of the Visitor and Convention Bureau By Laws**

Adopt By laws for the Grand Junction Visitor and Convention Bureau. The document has been revised to reflect that the tourism industry have representation on the Board.

Action: Approve the Visitor and Convention Bureau By Laws as Recommended by the VCB Board of Directors

3. **Purchase of a 2008 4300 4 x 2 Cab and Chassis with a 37' Hydraulic Telescopic Aerial Device (Bucket Truck)**

This purchase is for the replacement of one 1999 International Platform Truck for the Traffic Signals Department. After a review by the fleet replacement committee, this vehicle's replacement has been moved up from the original replacement year of 2009.

Action: Authorize the City Purchasing Division to Purchase One 2008 International/Terex 37' Hydraulic Telescopic Aerial Device Truck, from Terex Utilities, Commerce City, CO for the Amount of \$93,360.00

4. **Purchase of Four Mid Size Sedans for the Police Department**

This purchase is for the replacement of one 1999 Ford Taurus for Police Investigations, one 2000 Ford Taurus for Police Services, one Police Investigations Ford Taurus that was totaled in an accident on November 13, 2006 on the National Monument, and the addition of one 4-door sedan to the Police Investigations Department. Two of these vehicles are currently scheduled for replacement in 2007 as identified by the annual review of the Fleet Replacement Committee.

Action: Authorize the City Purchasing Division to Purchase Four 2007 Chevy Impalas from Daniels Chevrolet, Colorado Springs, CO for the Amount of \$63,048.00

5. **Setting a Hearing on Zoning and Development Code Text Amendments Regarding Sign Package Permits** [File #TAC-2007-006]

The City of Grand Junction proposes revisions to the Zoning and Development Code to allow any site or sites that function as one site through the sharing of access and/or parking to be considered for a sign package by receiving approval from the Planning Commission.

Proposed Ordinance Amending Sections 1.12 and 4.2, Tables 2.1 and 2.3, and Adding Section 2.21 of the Zoning and Development Code, Sign Regulations, to Allow for Sign Permits as a Separate Application

Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007

6. **Setting a Hearing on the Vacation of Public Rights-of-Way, El Poso Neighborhood – Portions of Peach Street, West Ouray Avenue, West Grand Avenue, and Various Alleys** [File #VR-2006-354]

Request to vacate 1.829 acres of various rights-of-way within the El Poso neighborhood.

Proposed Ordinance Vacating Rights-of-Way Within the El Poso Neighborhood Including Portions of Peach Street, West Ouray Avenue, West Grand Avenue, and Various Alleys

Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007

7. **Setting a Hearing on Zoning the Hall 22 Road Commercial Annexation Located at 778 22 Road** [File #GPA-2006-240]

Request to zone the 52.15 acre Hall 22 Road Commercial Annexation, located at 778 22 Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Hall 22 Road Commercial Annexation to I-1, Located at 778 22 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007

8. **Setting a Hearing on Zoning the Kelley Annexation Located at 849 21 ½ Road** [File #GPA-2006-249]

Request to zone the 14.27 acre Kelley Annexation, located at 849 21 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Kelley Annexation to I-1 Located at 849 21 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007

9. **Setting a Hearing on Rezoning Property Located at 641 Horizon Drive** [File #PFP-2006-296]

Request approval of a rezone of 7.47 acres from RSF-1 (Residential Single Family 1 du/ac) to RSF-4 (Residential Single Family 4 du/ac). If approved the applicant is proposing a 4 lot single-family subdivision on 1 acre of land. The remaining acreage will remain in its current use as a church. The applicant has submitted a preliminary/final plan in conjunction with the rezone application. The preliminary plan will be presented to the Planning Commission upon approval of the rezone.

Proposed Ordinance Rezoning the Logan Creek Subdivision from RSF-1 to RSF-4 Located at 641 Horizon Drive

Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007

10. **Setting a Hearing on the Dyer/Green/Ottenberg Annexation Located at 2981, 2991, 2993 and 2995 B Road** [File #ANX-2007-008]

Request to annex 18.68 acres, located at 2981, 2991, 2993 and 2995 B Road. The Dyer/Green/Ottenburg Annexation consists of four parcels and is a two part serial annexation.

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

Resolution No. 27-07 – 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, Dyer/Green/Ottenberg Annexation Located at 2981, 2991, 2993, and 2995 B Road

Action: Adopt Resolution No. 27-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dyer/Green/Ottenberg Annexation No. 1, Approximately 4.21 Acres Located at 2981 B Road and a Portion of 2991 B Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dyer/Green/Ottenberg Annexation No. 2, Approximately 14.47 Acres Located at 2993, and 2995, and the Majority of 2991 B Road

Action: Introduction of Proposed Ordinances and Set a Hearing for April 4, 2007

11. **Setting a Hearing on the Home Lumber Annexation Located at 2771, 2773, and 2779 D Road** [File #ANX-2006-360]

Request to annex 15.79 acres, located at 2771, 2773, and 2779 D Road. The Home Lumber Annexation consists of three parcels.

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

Resolution No. 28-07 – 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, Home Lumber Annexation Located at 2771, 2773, and 2779 D Road, and a Portion of the D Road Right-of-Way

®Action: Adopt Resolution No. 28-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Home Lumber Annexation, Approximately 15.79 Acres Located at 2771, 2773, and 2779 D Road, and a Portion of the D Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for April 4, 2007

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Two Rivers Convention Center HVAC Remodel

This approval request is for the award of a construction contract for the remodel of the HVAC (Heating, Ventilation, and Air Conditioning) system at Two Rivers Convention Center.

Joe Stevens, Parks and Recreation Director, reviewed this item. He explained the request and the extent of the area affected by the proposed additional remodel, specifically the HVAC system. The remodel six years ago did not include the HVAC system due to budgetary concerns and it was thought the existing system could last another seven years; it didn't quite make it. The HVAC system replacement was originally estimated at \$834,000. There will be a short closure for a portion of the building during the slower time of year for approximately 14 days. The proposed contract for

consideration is for \$1,063,600. The budget shortfall will be made up from two other projects that will not go forward in this budget cycle.

Councilmember Hill agreed with prioritizing the HVAC system replacement but thought the dividing door being put off is also important. With Two Rivers Convention Center having such a banner year in 2006, he asked if there are revenues that could be tapped to fund that project. Mr. Stevens said that will be brought forward again, along with other projects, in the budget cycle that will begin later this year.

Councilmember Coons asked if a new sound system is also on that list. Mr. Stevens said that will be looked at, there is an older system with newer system integrated into it and that will be prioritized along with the other needs.

Councilmember Hill moved to authorize the City Purchasing Division to enter into a contract in the amount of \$1,063,600 with Cookey's Mechanical, Inc. for the completion of the remodel. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Construction Contract for Ranchmen's Ditch Flood Control Project, Phase I

Phase I of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct the Airport Detention Basins (two), the Bookcliff Country Club detention basin, triple 78" stormwater culverts from Barnes and Noble to Leach Creek, and channel improvements to Leach Creek (including wetlands mitigation) from I-70B to the Colorado River.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained the various elements of the project and described the location of the pipeline.

Mr. Moore then reviewed the low bid and the additional funding needed. It is the biggest drainage project undertaken by the City. If the 5-2-1 Drainage Authority was collecting user fees, this would be just the type of project those fees would fund but, as it is not, the City thought it important enough to go forward.

Mr. Moore detailed one element of the project that would affect the price, which would be the stabilization fill material needed as the quantity is unknown. Negotiations have made that price at a more reasonable level. He pointed out that the other contractors are in attendance.

Trent Prall, Engineering Manager, advised that grants obtained from FEMA will be used along Patterson Road, in another phase, and that portion of the project will have some federal requirements.

Councilmember Hill asked when the funding must be used. Mr. Prall replied the grant must be used by April, 2009 and the project schedule will be ahead of that. He explained the reason this project has come forward, the extent of the project, and the result that will come from the completion of this project. If the City does not go forward with this project, FEMA would revise the floodplain map which would place hundreds of properties in the floodplain.

Councilmember Palmer asked for more clarification on how the negotiation took place with the low bidder for that stabilization fill material. Mr. Prall explained noting that negotiation took place and was put into writing with the low bidder. He assured Council that the quantity of fill in the contract will probably suffice for the project.

Councilmember Coons clarified that Scott Contracting lowered their price of the stabilization material to the price that other contractors had used. Mr. Prall said yes, but the price of the overall bid stayed the same.

Council President Doody asked if overruns, which result in a change order, are negotiable. Mr. Prall explained how that would work.

Councilmember Palmer asked if negotiating with a low bidder is common. Mr. Prall said when he was involved in the bids, he can recall two specific instances but it is not common.

Council President Doody asked if there is a chance that the 5-2-1 Authority would be involved in funding any part of the project. Mr. Prall said if the Authority gets up and running next year, it could be.

William Kane, attorney for Mendez, Inc., the second lowest bidder for this project, stated he believes that Mendez is the lowest responsive bidder for this project, responsive being the bidder who submitted a bid in compliance with the bid documents and the instructions to the bidder outlined by the City in advance of the bid. He pointed out that in the bid instructions, there is a paragraph which talks about irregular bids and rejection of bids. He also pointed out that the instructions state that bids can be modified or withdrawn prior to the bid opening, and pointed out that the adjustments spoken about have taken place after the bid opening. Mr. Kane feels there is not sufficient stabilization material in the low bidder's bid and the contractor will need to have some say when the trench is open.

Mr. Kane noted that the high cost in the original bid of the material made the bid unbalanced and therefore unresponsive. He stated that this was acknowledged by Mr. Prall and noted that the difference in cost, \$357,000, was taken from the cost of the rock and put it into another section of the bid. Mr. Kane said this negotiation was not in the best interest of the City; this deflates the confidence the bidders would have in the City treating all contractors fairly. He concluded by saying that Mendez was the low

responsive bidder. He asked the award be postponed two weeks so that these issues can be investigated and reviewed.

Charlie Bower, estimator with Scott Contracting, objected to the characterization of the bid being an unbalanced bid. He is a geological engineer not just a construction estimator. He explained how the project was estimated. The amount of material required in the bid covered the entire section of the project. Mr. Bower thought the amount of material would actually be much less. They included the cost of digging in the cost of the material so the bid was balanced. Regarding mobilization costs, Scott Contracting's bid includes the administration and other incidental costs, which is how they estimate a job. All of Scott Contracting's subcontractors are local. He said they demonstrated the balance of their bid with City staff and agreed to make adjustments as that it was the way the City preferred it.

Council President Doody asked if two feet is required for the bedding material. Mr. Bower said it is not, it is an optional item to be determined in the field by the engineers of the City. There were other bidders who had different unit prices for the fill. It depends on what other elements are included with it such as fabric, trench grids, and pumping ground water.

City Attorney John Shaver reviewed the purpose of the City's procurement rules, primarily to get the best value for the City. After discussions among Staff, the decision was to allow Scott Contracting to clarify the bid and what else was included in that unit cost. The City Manager decides whether or not the bid is unbalanced. Once that decision was made, Mr. Prall approached the contractor to get clarification. Obtaining the clarification did not undermine the bid as the bottom line of the bid did not change. The City Council has the authority to award the bid.

Councilmember Coons asked how common it is for different companies to take different approaches to the allocation of the various elements in a bid. Mr. Prall said usually not to this extent, recently it has happened in the area of mobilization costs, specifically with SEMA and the Riverside Parkway project.

Councilmember Hill asked if there are other pieces of the bid that could be affected such as the fill. Mr. Prall responded that the tamarisk removal and the cost at the landfill may be variable. The use of the fabric to be used in the trench might also vary depending on how much is needed.

City Attorney Shaver advised that the City had asked Scott Contracting to cap the amount of fill, and then if additional fill was needed, it would be at the lower price. Scott Contracting did not choose that option but instead wanted to change the cost of the fill at the unit cost and make up the other incorporated costs in other areas.

Councilmember Beckstein asked how common it is to open a bid, find out a bid has a situation such as this and alter the bid before making a decision. Mr. Shaver stated that there are many times irregularities are found in the bidding process as contractors look at different elements differently.

Councilmember Hill disagreed that the bid was clarified, it was changed and therefore the process was tainted even though the outcome may be the best value for the City. Mr. Shaver agreed that the situation is difficult.

Councilmember Beckstein stated that if there is an error on a sealed bid, it should be rejected. The appearance is that the bid was manipulated.

Councilmember Hill restated the situation but did not feel the City Council is at a point where it can make a decision.

Councilmember Spehar explained his perspective. If he thought it was an unbalanced bid, he would have rejected it, but hearing the explanation it is understandable that the costs can be allocated differently. The judgment was that the potential reward to the City justified the clarification. The lowest bid is still the lowest bid.

City Manager David Varley stated that looking back at bids is not out of line; the history is to do that and get the best possible value for the City. Staff knew that this would be controversial as the next lowest bidder is local and the lowest bidder is from out-of-town. The City Council still has the discretion; Staff just wanted to explain why things happened as they did.

Councilmember Coons did not think the bid was unbalanced after the explanation. She would have rather have seen the bid presented as it was when opened and then explained.

Councilmember Hill agreed with Councilmember Coons, that it would be better to bring the issue to Council and explain the difference. He was concerned about the process and suggested it be redone.

Mr. Varley advised that in that case there may need to be some adjustments in the procurement policy. Councilmember Palmer disagreed as it has been stated that this situation is unusual.

Councilmembers continued to express their concerns on the process and felt it would be best to rebid the project. City Manager Varley noted it will be an awkward situation.

Councilmember Hill moved to authorize the City Manager to rebid the construction contract for the Ranchmen's Ditch Flood Control Project. Councilmember Spehar

seconded the motion. Motion Carried by roll call vote with Councilmember Beckstein voting NO.

Council President Doody called a recess at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Memorandum of Understanding with Mesa County for the 29 Road Interchange at I-70B

The proposed Memorandum of Understanding with Mesa County supersedes and replaces a January 31, 2005 MOU covering the funding and project management of the design and construction of the 29 Rd Interchange at I-70B.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained the purpose for the agreement and how it will work with the two entities co-managing. He informed Council that Jim Shanks will be the Project Manager for the City.

Councilmember Hill moved to authorize the Mayor to sign a Memorandum of Understanding with Mesa County for the 29 Road/I-70B Interchange. Councilmember Palmer seconded the motion. Motion carried.

Amendment No. 2 of Engineering Services Contract with Carter and Burgess for 29 Road and I-70B Interchange

This amendment is the 2nd of three planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of final design of the 29 Road and I-70B Interchange.

Tim Moore, Public Works and Planning Director, reviewed this item. He stated that now that the MOU has been approved, the next step is to get Carter and Burgess to design the project. The amendment of their current contract brings this specific design project into the current contract. The final amendment to the contract is anticipated to be the final design.

Councilmember Hill asked if the costs can be allocated to the 1601 process. Mr. Moore said that process is complete. Councilmember Hill asked if any of the comments made by the City to CDOT saved the City any money with regard to changes to the 1601 process. Mr. Moore said the cost saving was only \$10,000 but there were changes made that streamlined the process.

Councilmember Spehar moved to authorize the City Manager to amend the existing contract with Carter and Burgess for a total fee of \$2,240,312. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Infill and Redevelopment Request, Big Tree Subdivision

The developer of The Big Tree Subdivision, located at 2256 North 17th Street, is requesting assistance from the Infill and Redevelopment Program in an amount not to exceed \$10,000. Those funds will be used specifically for the construction of half-street improvements on North 17th Street.

Tim Moore, Public Works and Planning Director, reviewed this item. He pointed out the location and how the surrounding area is already developed. He advised that the development requires half-street improvements and the TCP payment does not cover those improvements.

Councilmember Spehar noted that the infill/redevelopment process is not clearly defined but his request clearly meets the goals of the policy and there is a public benefit.

Councilmember Palmer agreed with Councilmember Spehar.

Councilmember Palmer moved to approve the request to reimburse Half-Street Improvements on North 17th Street for the Big Tree Subdivision in an amount not to exceed \$10,000. Councilmember Hill seconded the motion. Motion carried.

Public Hearing – Vacating a Right-of-Way Adjacent to 2953 Highway 50 in Buena Vista Drive [File #VR-2006-307]

A request to vacate the cul-de-sac bulb located in Buena Vista Drive adjacent to 2953 Highway 50.

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

Ronnie Edwards, Associate Planner, reviewed this item. She described the request, the location and surrounding area, and the original purpose of the cul-de-sac bulb. The benefit to the City is that the property will go to the adjacent owners and will no longer be the City's responsibility. She stated that in essence there is a trade taking place as a multi-purpose easement will be retained. Ms. Edwards credited Tim Moore with bringing this item to a close.

The property owner was present but had nothing to add.

There were no public comments.

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

Ordinance No. 4025 – An Ordinance Vacating Right-of-Way Located Adjacent to 2953 Highway 50 in Buena Vista Drive

Councilmember Hill moved to adopt Ordinance No. 4025 on Second Reading and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – The Sunlight Annexation Located at 172 and 174 Sunlight Drive
[File #ANX-2006-348]

Request to annex 11.29 acres, located at 172 and 174 Sunlight Drive. The Sunlight Annexation consists of two parcels, including a portion of 28 1/2 Road, and is a four part serial annexation. No zoning designation is requested at this time.

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

Ronnie Edwards, Associate Planner, reviewed this item. She described the request which does not include zoning at this time. She described the Future Land Use Designation and the surrounding zoning.

Councilmember Hill pointed out that only the annexation criteria should be reviewed.

Ms. Edwards showed the method of contiguity and advised that the criteria for annexation has been met. She stated that a letter was received which advised that there is a large lateral irrigation line through the property which should be kept in mind when the property is developed.

Krista Munkres, 121 Chipeta Avenue, representing the developer, was present to answer questions. There were none.

Clint Peterson, representing the Alpine Acres water users group that uses the irrigation ditch that crosses the property was present. His concern was if the annexation is approved, will they still have rights to maintain the ditch. City Attorney Shaver said their rights will not change with annexation.

There were no additional public comments.

The public hearing closed at 9:26 p.m.

a. Accepting Petition

Resolution No. 29-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sunlight Annexation, Located at 172 and 174 Sunlight Drive, Including a Portion of 28 ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4026 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 1, Approximately 0.01 Acres, Located at 174 Sunlight Drive

Ordinance No. 4027 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 2, Approximately 0.07 Acres, Located at 174 Sunlight Drive

Ordinance No. 4028 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 3, Approximately 5.69 Acres, Located at 174 Sunlight Drive

Ordinance No. 4029 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 4, Approximately 5.52 Acres, Located at 172 and 174 Sunlight Drive, Including a Portion of the 28 ½ Road Right-of-Way

Councilmember Spehar moved to adopt Resolution No. 29-07 and Ordinance Nos. 4026, 4027, 4028, and 4029 on Second Reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – The Shetland Meadows Annexation and Zoning Located at 3022 and 3024 D ½ Road [File #ANX-2006-344]

Request to annex and zone 5.99 acres, located at 3022 and 3024 D ½ Road, to RMF-5 (Residential Multi Family 5 du/ac). The Shetland Meadows Annexation consists of two parcels.

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

Adam Olsen, Associate Planner, reviewed this item. He described the site, the Future Land Use Designation, and the surrounding designation and zoning and stated that the requested zoning is RMF-5. He advised that the Planning Commission recommended

approval and found the request consistent with the zoning criteria of the Zoning and Development Code.

Councilmember Beckstein disclosed that Ciavonne, Roberts, and Associates is a client of the CPA firm that she's employed by. Mr. Shaver asked if there is any difference in their relationship than any of the prior disclosures. She said there was not.

Craig Roberts, Ciavaonne, Roberts, and Associates, who are representing the owners and are partners in the project, was present but he has nothing to add.

There were no public comments.

The public hearing closed at 9:31 p.m.

a. Accepting Petition

Resolution No. 30-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Shetland Meadows Annexation, Located at 3022 and 3024 D ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4030 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shetland Meadows Annexation, Approximately 5.99 Acres, Located at 3022 and 3024 D ½ Road

c. Zoning Ordinance

Ordinance No. 4031 – An Ordinance Zoning the Shetland Meadows Annexation to RMF-5 Located at 3022 and 3024 D ½ Road

Councilmember Coons moved to adopt Resolution No. 30-07 and Ordinance Nos. 4030 and 4031 on Second Reading and ordered them published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – The Costopoulos Annexation and Zoning Located at 2966, 2968, and 2970 D Road [File #ANX-2006-328]

Request to annex and zone 10.67 acres, located at 2966, 2968 and 2970 D Road, to RMF-8 (Residential Multi-Family 8 units per acre). The Costopoulos Annexation consists of three parcels.

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

Faye Hall, Associate Planner, reviewed this item. She described the request and the location and stated that the property has an existing house. The Future Land Use Designation is residential medium and the property is zoned RSF-R in the County. She described the surrounding zoning and Land Use Designation. She advised that the Planning Commission recommended approval and found the request of RMF-8 to be consistent with the Zoning and Development Code.

Tom Logue, representing the applicants, Ben Hill and Dan Davis, who are also present, stated that he or the owners would be glad to answer any questions.

There were none.

There were no public comments.

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

Councilmember Hill stated that he appreciated the proposal to maximize the density under the Future Land Use Map.

a. Accepting Petition

Resolution No. 31-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Costopoulos Annexation, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4032 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Costopoulos Annexation, Approximately 10.67 Acres, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4033 – An Ordinance Zoning the Costopoulos Annexation to RMF-8 Located at 2966, 2968, and 2970 D Road

Councilmember Hill moved to adopt Resolution No. 31-07 and Ordinance Nos. 4032 and 4033 on Second Reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – The Gummin Annexation Located at 2215 Magnus Court [File #ANX-2006-100]

Request to annex 6.60 acres, located at 2215 Magnus Court. The Gummin Annexation consists of one parcel.

The public hearing was opened at 9:37 p.m.

Faye Hall, Associate Planner, reviewed this item. She stated that this is a request for annexation only, the zoning will be brought forward later. She described the property and its location. She advised the requests meets the annexation criteria.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:38 p.m.

a. Accepting Petition

Resolution No. 32-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Gummin Annexation, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4034 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gummin Annexation, Approximately 6.60 Acres, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way

Councilmember Thomason moved to adopt Resolution No. 32-07 and Ordinance No. 4034 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – The Jobsite Annexation and Zoning Located at 839 and 841 21 ½ Road [File #ANX-2006-347]

Request to annex and zone 25.23 acres, located at 839 and 841 21 ½ Road, to I-1 (Light Industrial). The Jobsite Annexation consists of 2 parcels.

The public hearing was opened at 9:40 p.m.

David Thornton, Principal Planner, reviewed this item. He described the property and the location. He reviewed how this property was brought into the 201 Persigo boundary and has been primarily industrial/commercial in the County. Now that sewer service is available, they are annexing into the City. They recently received approval from the County for the development of an additional 16 lots.

Mr. Thornton advised the annexation meets all annexation requirements in the State Statutes. The Planning Commission reviewed the zoning request and found that it meets all criteria of the Zoning and Development Code and therefore recommends approval.

Robert Jones, Vortex Engineering, 255 Vista Valley Drive, Fruita, representing the applicant, concurred with the Staff's presentation and was available for questions.

There were no public comments.

The public hearing was closed at 9:44 p.m.

a. Accepting Petition

Resolution No. 33-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Jobsite Annexation, Located at 839 and 841 21 ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4035 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Jobsite Annexation, Approximately 25.23 Acres, Located at 839 and 841 21 ½ Road

c. Zoning Ordinance

Ordinance No. 4036 – An Ordinance Zoning the Jobsite Annexation to I-1 Located at 839 and 841 21 ½ Road

Councilmember Palmer moved to adopt Resolution No. 33-07 and Ordinance Nos. 4035 and 4036 on Second Reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Conduct a Hearing on an Appeal of a Planning Commission Decision to Deny the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive [File #PP-2005-226] – Continued from January 3, 2007

Appeal of the Planning Commission denial of the Pinnacle Ridge Preliminary Plan, consisting of 72 single family lots on 45.33 acres in a RSF-2 (Residential Single Family, 2 du/ac) zone district.

Councilmember Hill moved to continue this item to the April 4, 2007 City Council Meeting. Councilmember Coons seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Spehar congratulated the two Council candidates in the audience for staying the whole meeting.

Adjournment

The meeting adjourned at 9:46 p.m.

Stephanie Tuin, MMC
City Clerk