

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

April 4, 2007

The City Council of the City of Grand Junction convened into regular session on the 4th day of April 2007, at 7:07 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason and President of the Council Jim Doody. Absent was Councilmember Jim Spehar. Also present were City Manager David Varley, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

Council President Doody called the meeting to order. Councilmember Hill led in the pledge of allegiance. The audience remained standing for the invocation by Rich Emerson.

Proclamations / Recognitions

Proclaiming April 5, 2007 as "Entrepreneurship Day" in the City of Grand Junction

Proclaiming April 19, 2007 as "Arbor Day" in the City of Grand Junction

Appointments

To the Commission on Arts and Culture

Councilmember Beckstein moved to reappoint Lora Quesenberry and appoint Donald Meyers and Jeanne Killgore to the Commission on Arts and Culture for three year terms expiring February, 2010. Councilmember Hill seconded the motion. Motion carried.

Citizen Comments

There were none.

Canvass Results of Downtown Development Authority Special Election

Stephanie Tuin, City Clerk, presented the Certificate of Election so that the Council could review and canvass the election returns. She advised that 239 ballots were cast, for a 32.6% turnout.

After review of the election returns, the canvassing board executed the Certificates of Election (Attached).

Canvass Results of City of Grand Junction Regular Election

Stephanie Tuin, City Clerk, requested that Councilmembers Hill and Palmer step down and be replaced by Deputy City Clerks Debbie Kemp and Juanita Peterson on the canvassing board in compliance with the City Charter.

City Clerk Tuin then presented the Certificate of Election so that the Council could review and canvass the election returns. She advised that 8,756 ballots were cast, for a 40.39% turnout.

After review of the election returns, the canvassing board executed the Certificates of Election (Attached).

City Clerk Stephanie Tuin presented Councilmembers Hill and Palmer with a Certificate of Election as well as newly elected Linda Romer Todd.

Councilmembers Hill and Palmer returned to their seats.

CONSENT CALENDAR

Councilmember Coons read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Coons and carried by roll call vote to approve the Consent Items #1 through #8 with the exception of #2 which was moved to first on Individual Consideration.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the March 19, 2007 Workshop and the Minutes of the March 21, 2007 Regular Meeting

2. **Purchase of Three ½ Ton and One ¾ Ton Pickups for Parks and Recreation – moved to first under Items Needing Individual Consideration**

3. **Setting a Hearing on Zoning the Morning View Annexation, Located at 2961, 2967, and 2973 D Road** [File #ANX-2007-018]

Request to zone the 34.37 acre Morning View Annexation, located at 2961, 2967, and 2973 D Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Morning View Annexation to R-8 Located at 2961, 2967, and 2973 D Road

Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 18, 2007

4. **Setting a Hearing on Zoning the Knight and Durmas Annexation, Located at 842 21 ½ Road** [File #ANX-2007-023]

Request to zone the 2.84 acre Knight and Durmas Annexation, located at 842 21 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Knight and Durmas Annexation to I-1 Located at 842 21 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 18, 2007

5. **Setting a Hearing on Zoning the Promontory Annexation, Located at the End of Sierra Vista Road** [File #ANX-2006-280]

Request to zone the 5.88 acre The Promontory Annexation, located at the end of Sierra Vista Road, to R-4 (Residential, 4 du/ac). This is a serial annexation consisting of The Promontory Annexation No. 1, The Promontory Annexation No. 2, The Promontory Annexation No. 3 and The Promontory Annexation No. 4 and includes a portion of B Road, Clymer Drive and Sierra Vista Road rights-of-way.

Proposed Ordinance Zoning the Promontory Annexation to R-4 (Residential, 4 Du/Ac) Located at the End of Sierra Vista Road

Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 18, 2007

6. **Setting a Hearing on the Miller Annexation, Located at 450 Wildwood Drive** [File #GPA-2006-239]

Request to annex 35.7 acres, located at 450 Wildwood Drive. The Miller Annexation consists of 1 parcel and is a five part serial annexation.

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

Resolution No. 48-07 – 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, Miller Annexation, Located at

450 Wildwood Drive and Including Portions of the South Broadway and Wildwood Drive Rights-of-Way

Action: Adopt Resolution No. 48-07

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.002 Acres, Located in Portions of the South Broadway and Wildwood Drive Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.01 Acres, Located in Portions of the South Broadway and Wildwood Drive Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 3, Approximately 0.73 Acres, Located in a Portion of the Wildwood Drive Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 4, Approximately 2.10 Acres, Located at 450 Wildwood Drive and Including a Portion of the Wildwood Drive Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 5, Approximately 32.86 Acres, Located at 450 Wildwood Drive

Action: Introduction of Proposed Ordinances and Set a Hearing for May 16, 2007

7. **Setting a Hearing on H Road/Northwest Plan Policies and Performance Standards** [File #GPA-2007-025]

Request adoption of the H Road/Northwest Area Plan Policies and Performance Standards. These policies and performance standards are a part of the H Road/Northwest Plan the City and County Planning Commissions approved jointly on March 27, 2007. The Plan area comprises an area bounded by H Road to H ½ Road, from approximately 21 ¼ Road to 22 Road and also includes five properties located on the Southeast corner of H Road and 22 Road.

Proposed Ordinance Amending the Zoning and Development Code to Add Section 7.6 H Road/Northwest Area Plan Policies and Performance Standards

Action: Introduction of Proposed Ordinances and Set a Hearing for April 18, 2007

8. **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 February 21, 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.

Action: Continue to July 18, 2007

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Purchase of Three ½ Ton and One ¾ Ton Pickups for Parks and Recreation

This purchase is for the replacement of one 1994 pickup and one 1996 pickup for Parks and Recreation Forestry Division, and one 1997 pickup for Parks and Recreation Canyon View Park Division. The purchase also includes the addition to the fleet of one ¾ ton pickup for Parks and Recreation. Three of these vehicles are currently scheduled for replacement in 2007 as identified by the annual review of the Fleet Replacement Committee. The four new pickups will be E85 OEM Bi Fuel (flex fuel) compatible.

Jay Valentine, Purchasing Manager, presented this item and discussed the flex fuel compatible option.

Councilmember Coons asked the advantage of this fuel. Mr. Valentine stated it burns much cleaner and it is made with corn which is turned into ethanol. The corn can be grown locally and with the cleaner burning fuel, it is much better. With the purchase of these four it will give the current fleet a total of 36 flex fuel vehicles.

It was moved by Councilmember Hill and seconded by Councilmember Beckstein to Authorize the City Purchasing Division to Purchase Three 2007 Ford F-150 4 x 2 Pickups and One 2008 F-250 4 x 2 Pickup from Western Slope Auto Company, Grand Junction, CO, for the Amount of \$66,112.

Open Burning Ban Policy

The City of Grand Junction does not have a formal policy regarding enactment of a fire ban. A formal policy would establish clear guidelines to eliminate ad hoc decisions regarding enactment of a fire ban.

Jim Bright, Interim Fire Chief, reviewed this item. This item was brought forward from Monday's night workshop. A proposed resolution was presented to the City Council. The City does not have a formal policy regarding enactment of a fire ban. A formal policy would establish clear guidelines to eliminate ad hoc decisions regarding enactment of a fire ban.

Councilmember Hill asked if the paragraph in the resolution that relates to "arbitrariness and capriciousness" by the Sheriff gives the latitude the City needs to not follow suit for the determination.

Interim Chief Bright said historically the federal agencies will initiate a burn ban; they are the ones with technical expertise. The Sheriff would then issue the fire ban as the fire warden, and then the City would initiate that ban in the City limits.

Councilmember Coons asked if the decision is based on weather, wind, etc. The decision is based on whether fire danger is high. The resolution takes the confusion out of the issue.

Councilmember Beckstein likes the decision based on the City being able to evaluate the information but to have the City be able to make its own decision.

Councilmember Palmer stated, with this resolution, it gives the ability to make the decision clear, more precise and just makes great sense.

Councilmember Coons stated the reality is this area is drier and whether the City wants a ban on fireworks or not it has to do what is best for the community.

Council President Doody said the City is a bit different and he believes the Fire Chief should be making the decision whether the City should have a fire ban or not.

Councilmember Hill said he is in agreement with the Council President Doody's comments. The collaboration piece is missing. He does not, as a policy maker, want to enter into that and he believes that is the Fire Chief's job. The resolution doesn't give the Fire Chief the authority to say or think differently than the Sheriff, if needed.

Councilmember Palmer asked City Attorney Shaver if he thinks that flexibility is in the resolution.

City Attorney Shaver said currently the Fire Chief has that latitude now under the International Fire Code; he can do that at anytime now. This resolution would give certainty and will not have flexibility.

Councilmember Coons liked having a policy in place in the heat of the moment for an emergency situation for emergency preparedness that everyone can understand and act on. Councilmember Coons believed that part of what the City is trying to do is deal with these crises situations.

City Attorney Shaver said a good policy doesn't second guess on who makes a decision.

Councilmember Beckstein said currently the Fire Chief has that authority to make this decision and this Council would have to respect this decision. Council should respect the policy that is in place and have a relationship of trust between Council and Staff.

Councilmember Hill mentioned these were all good points made tonight and that he is comfortable with the status quo where the Fire Chief makes the decisions.

Councilmember Palmer said he agrees with Councilmember Hill in the middle ground, to get the City working together in emergency preparedness.

City Attorney Shaver stated with the procedure now, the City follows suit if the Sheriff declares a fire ban. If the resolution is not adopted, the City would simply continue to do what it has done in the past.

Councilmember Beckstein, speaking directly to Interim Chief Bright, said the City Council allowed emotions to run high last year when the fire ban was enacted and she apologized. She said she should not have undermined his authority and it was a learning experience. She realizes things are done for a purpose and they should respect this.

Councilmember Palmer made note of the confusion when the County has a ban and the City doesn't; he's not sure if this serves the public very well.

Councilmember Coons asked when the Sheriff declares a ban in the County, does he ever create an exclusion for the urban area.

Interim Chief Bright said the Sheriff has the authority of the unincorporated areas. There have been, for example, bans on the Grand Mesa but not in the valley; it is elevation dependent, so this has happened. But for the valley, it should be uniformly applied across the valley floor.

Resolution No. 53-07 – A Resolution Setting a Policy Regarding Banning of Open Burning In the City of Grand Junction

Councilmember Beckstein moved to NOT accept Resolution No. 53-07. Councilmember Hill seconded the motion. Motion carried by roll call vote with Councilmembers Coons and Palmer voting NO.

Purchase of an Uninterruptible Power Supply for City Hall Data Center

This purchase is for the replacement of the Uninterruptible Power Supply (UPS) for the City Hall Data Center. The replacement system interfaces with existing Information Systems equipment.

Jim Finlayson, Information Systems Manager, reviewed this item. Mr. Finlayson explained that the UPS is a device which maintains a continuous, filtered supply of electric power to connected equipment by supplying power from a battery source when utility power is not available. This is asking to be replaced earlier than expected.

Councilmember Palmer asked if, by sole source, this is the only manufacturer that meets the requirements. Mr. Finlayson said these are the requirements the City sets. This manufacturer provides to 2/3 of the data centers. Mr. Finlayson explained the reasoning behind using this supplier. This is the largest single investment in most data centers. After considerable research and comparison, the Information System Division has determined that the APC InfraStruXure Symmetra UPS is the only solution that meets mandatory specifications.

Councilmember Palmer moved to authorize the City Purchasing Division to purchase the APC InfraStruXure Symmetra Solution from Information Systems Consulting, Inc., Centennial, CO for a total price of \$52,850.31. Councilmember Thomason seconded the motion. Motion carried.

Purchase of an Uninterruptible Power Supply for 911 Communications Center/Police Department

This purchase is for the replacement of the Uninterruptible Power Supply (UPS) for the 911 Communications Center/Police Department. The replacement system interfaces with existing Information Systems equipment.

Jim Finlayson, Information Systems Manager, reviewed this item. This is part of a collaborative effort for the Police Department and Communications Center. Again it is similar to the UPS for the City Hall Data Center and the same reasoning for wanting to use this supplier.

Council President Doody asked Chief Bill Gardner how this UPS will fit into the new police building. Chief Gardner said there is currently a task force from many departments reviewing the Communications Center for its needs. Chief Gardner indicated that the space to operate in the current Communications Center is very limited. The plan is to get a double-wide to remodel and add additional consoles and expand the current Communications Center. Chief Gardner stated that they actually are at catastrophic risk right now in the current Communication Center.

Councilmember Thomason said that when he was there he was amazed how the Communications Center operated at the existing site and it is nothing short of extraordinary.

Mr. Finlayson said the current UPS is 15 years old and the longest expected usage is 10 years. If the Communications Center were to have a catastrophic event, it could take several hours, if not days, to get back on line.

Chief Gardner reported yesterday there was an expenditure of the 911 Center board, a unanimous vote, to use the 911 funds for the installation of the additional modular unit and additional equipment. If this is done, the Communications Center will have 5 years to find another facility. That is the extent of time that the additional technology will last. About \$1.2 million of the funds will be coming from the 911 fund.

Councilmember Palmer will follow-up on this, by listening to the communication on the existing Communications Center, this should be on the bin list to see what is going on, what the future outlook is for emergency service.

Councilmember Coons moved to authorize the City Purchasing Division to purchase the APC InfraStruXure Symmetra Solution from Information Systems Consulting, Inc. Centennial, CO for a total price of \$66,345.46. Councilmember Hill seconded the motion. Motion carried.

Council President Doody called for a recess at 8:40 p.m.

The meeting reconvened at 8:50 p.m.

Purchase One Swat Tactical Vehicle for Police

This purchase is for the replacement of one 1990 Chevy delivery van for the Police Department. This vehicle was currently scheduled for replacement in 2006 as identified by the annual review of the Fleet Replacement Committee.

Jay Valentine, Purchasing Manager, reviewed this item. This van was originally to be purchased in 2006 out of a \$130,000 budget. The lowest bid received back was \$169,000 so all bids were rejected. After Police personnel who researched SWAT vehicles prior to this, they learned that several Denver area agencies purchased their SWAT vehicle through Five-R Trucks. The Purchasing Department received pricing for a SWAT vehicle from them.

Councilmember Palmer stated that he understands it is a replacement of a 1990 delivery van.

Council President Doody asked if this vehicle requires special housing or can it sit out in the open conditions. Chief Gardner said it does not but did indicate that the bomb truck, SWAT vehicle, and the Communication Center van should be sheltered and kept at a constant temperature.

City Attorney Shaver wanted to reflect for the record, that the staff report referenced “ceased” funds instead of “seized” funds.

Councilmember Palmer moved to authorize the City Purchasing Division to purchase one 2007 Renegade 28’ Swat Tactical Vehicle with a 2006 Freightliner M2 Chassis from Five-R Trucks & Trailers, Golden, CO in the Amount of \$129,825. Councilmember Coons seconded the motion. Motion carried.

Construction Contract for the 2007 Alley Improvement District

Award of a construction contract for the 2007 Alley Improvement District to B.P.S. Concrete, Inc. in the amount of \$627,301.44.

Tim Moore, Public Works and Planning Director, reviewed this item. Mr. Moore said there were three bidders, all from Grand Junction for the proposed 6 alleyways. Mr. Moore said this project will consist of construction of concrete pavement and removal and replacement of five deteriorated sewer lines. In conjunction with the sewer and concrete pavement construction, Xcel Energy will be replacing gas lines in five of those alleys.

Councilmember Thomason asked Mr. Moore to explain why the engineer’s estimate is under the bid amount. Mr. Moore responded that materials cost, asphalt and concrete costs have continued to rise.

Councilmember Coons moved to authorize the City Manager to sign a Construction Contract for the 2007 Alley Improvement District with B.P.S. Concrete, Inc., in the amount of \$627,301.44. Councilmember Hill seconded the motion. Motion carried.

Construction Contract for 2007 Asphalt Overlays

The 2007 Asphalt Overlay project consists of asphalt resurfacing on 13 streets located throughout the City.

Tim Moore, Public Works and Planning Director, reviewed this item. Work items associated with the paving include: milling of existing asphalt pavement where needed, adjusting manhole lids and valve covers to grade, and placing shoulder gravel on roads that do not have curb and gutter. The curb and gutter repairs and crack sealing will be completed ahead of the street overlay project. There were two bidders for the thirteen

roadways that will be in the overlay project. The project is scheduled to begin in June and be completed in September.

Councilmember Thomason moved to authorize the City Manager to sign a Construction Contract for the 2007 Asphalt Overlay Project to Elam Construction, Inc. in the amount of \$993,945. Councilmember Beckstein seconded the motion. Motion carried.

Support of Stormwater Regulation

Consideration of a resolution supporting the Colorado Water Quality Commission's regulation of stormwater discharges from oil and gas operations that affect one acre or more.

Eileen List, Environmental Services Manager, reviewed this item. In January 2006 the City supported applying the state-wide exemptions. At the 2006 Water Quality Control Commission (WQCC) Rulemaking Hearing, the WQCC directed Staff to consider if any exemptions were warranted for the oil and gas industry. The WQCC is holding an information hearing on May 14 to consider if the current Stormwater Regulations should be modified for the oil and gas industry. The State Water Quality Control Division is proposing to keep the existing State Stormwater Regulations intact with few changes. The Resolution being presented to Council is very similar to the one passed by the Town of Palisade.

Councilmember Hill voiced concern on the verbiage to include all construction sites over one acre, regardless of what industry it is.

Councilmember Coons stated that the oil and gas is the only industry subject to federal exemptions and the States of Colorado and Wyoming are the only ones regulating sites over one acre in size. Councilmember Coons asked Ms. List if there were any other industries asking for exemption. Ms. List stated no.

Council President Doody agrees with the air quality resolution that is being proposed and agrees with Councilmember Coons targeting the oil and gas.

Councilmember Palmer stated that there are too many "whereas" phases in the resolution without mentioning the number of oil and gas wells.

City Attorney Shaver wanted Council to know that if the resolution is not adopted this evening, he would not bring the Resolution back in this format.

Councilmember Hill moved to table this item and continue it to the May 2nd City Council meeting, with more specific wording to include the oil and gas industry. Councilmember Beckstein seconded the motion. Motion carried.

Subrecipient Contract for Project within the City's 2006 Program Year Community Development Block Grant (CDBG) Program and Allocation of City's Affordable Housing Initiative Funds for Land Acquisition – Village Park Property [File #CDBG 2006]

The Subrecipient Contracts formalize the City's award of a total of \$178,630 to the Grand Junction Housing Authority as allocated from the City's 2006 CDBG Program as previously approved by Council and a request for \$181,370 of the City's Affordable Housing Initiative funds. The funding will be used towards the purchase of 6.6 acres located at Block 2 of Village Park Subdivision at 28 ¼ and Patterson Road for the future development of an affordable housing project.

Kathy Portner, Neighborhood Services Manager, reviewed this item. In 2006, the Grand Junction Housing Authority was approved to purchase the electronics building. The Grand Junction Housing Authority was not able to complete that purchase but was able to purchase the property known as the Village Park Property. This is larger and also lower in purchase price.

Councilmember Coons thanked Ms. Portner and Staff due to the short time frame to pull this together as the City's representative on this board.

Councilmember Hill asked about the project size and zoning. Ms. Portner stated they will go through the full review process and a project this size will take about 9 months to a year to proceed with actual construction. This property already has some architectural standards attached to it.

Councilmember Palmer moved to authorize the City Manager to sign the Subrecipient Contract with the Grand Junction Housing Authority for the City's 2006 Program Year, Community Development Block Grant Program and approve the Allocation of Affordable Housing Initiative Funds. Councilmember Coons seconded the motion. Motion carried.

Public Hearing – Amendment to Action Plan for 2005 Program Year Community Development Block Grant (CDBG) Program; and Subrecipient Contract with the Grand Junction Housing Authority for Land Acquisition – Bookcliff Property [File #CDBG-2005-04]

Amending the City's 2005 Action Plan for the Community Development Block Grant (CDBG) Program Year 2005 to utilize the funds earmarked for the neighborhood program (\$120,000) for acquisition of property located at 1262 and 1282 Bookcliff Avenue by the Grand Junction Housing Authority (GJHA) to construct an affordable housing project and authorizing the City Manager to sign the Subrecipient Contract between the City and GJHA for acquisition of this property.

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

Kathy Portner, Neighborhood Services Manager, reviewed this item. This project is to purchase properties on Bookcliff Avenue. There is a multi-family structure and a single family home on the property. The intent is to demolish the single family home and replace it with additional multi-family affordable housing units for low and moderate income levels. In exchange for CDBG funding for the Bookcliff properties acquisition, the Grand Junction Housing Authority will put funds into a feasibility study for a daycare in Orchard Mesa. It has been identified that a daycare center is needed and possibly could be tied to a neighborhood project.

Don Hartman, Director of Grand Junction Housing Authority spoke, to Council about the excitement for this project. It is his belief it is a win, win situation.

The public hearing was closed at 9:33 p.m.

Councilmember Coons moved to approve the amendment to the City's CDBG Consolidated Plan 2005 Action Plan to reflect the revision to use grant dollars earmarked for the Neighborhood Program for acquisition of the property at 1262 and 1282 Bookcliff Avenue and authorize the City Manager to sign the Subrecipient Contract between the City and the Grand Junction Housing Authority. Councilmember Hill seconded the motion. Motion carried.

Public Hearing – Dyer/Green/Ottenberg Annexation and Zoning Located at 2981, 2991, 2993 and 2995 B Road [File #ANX-2007-008]

Request to annex and zone 18.68 acres, located at 2981, 2991, 2993 and 2995 B Road, to RSF-4 (Residential Single Family, 4 units per acre). The Dyer/Green/Ottenberg Annexation consists of four parcels and is a two part serial annexation located east of the Mesa View Elementary School with a current county zoning of RSF-R.

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

Faye Hall, Associate Planner, reviewed this item. She described the request and the locations of the four parcels. The property owners have requested annexation to allow for development of the property. She reviewed the Land Use Designations and the proposed zoning. She identified the State Statutory cite that allows for annexation.

Kathy Horin, 1982 J Road, Fruita, was present representing the applicant. She concurred with Staff and just reiterated that utilizing the acreage will be consistent with the surrounding land uses.

There were no public comments.

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

a. Accepting Petition

Resolution No. 50-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Dyer/Green/Ottenberg Annexation Located at 2981, 2991, 2993, and 2995 B Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4056 – An 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

Ordinance No. 4057 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dyer/Green/Ottenberg Annexation No. 2, Approximately 14.47 Acres Located at 2993, 2995, and the majority of 2991 B Road

c. Zoning Ordinance

Ordinance No. 4058 – An Ordinance Zoning the Dyer/Green/Ottenberg Annexation to RSF-4 Located at 2981, 2991, 2993, and 2995 B Road

Councilmember Hill moved to adopt Resolution No. 50-07 and adopt Ordinance Nos. 4056, 4057, and 4058 and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Home Lumber Annexation and Zoning Located at 2771, 2773, and 2779 D Road [File #ANX-2006-360]

Request to annex and zone 15.79 acres, located at 2771, 2773 and 2779 D Road, to I-1 (Light Industrial). The Home Lumber Annexation consists of three parcels and is located east of Indian Road and west of 28 Road.

The public hearing was opened at 9:41 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the request and the locations of the three parcels. The property owners have requested annexation to allow for development of the property. She reviewed the Land Use Designations and the proposed zoning. She identified the State Statutory cite that allows for annexation. This annexation inadvertently completes an enclave of unincorporated land. Ms. Hall described the enclaves and what they are. Ms. Hall noted there is one property located at 2775 D Road that is within this enclave and is owned by Sturgeon Electric Company. No

dates have been established for annexing this property, but in accordance with the Persigo Agreement it shall occur within 5 years.

Councilmember Palmer asked if the electric company is advised that within 5 years they will be annexed. Ms. Hall stated yes.

There were no public comments.

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

a. Accepting Petition

Resolution No. 51-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Home Lumber Annexation Located at 2771, 2773, and 2779 D Road, and a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4059 – An 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

c. Zoning Ordinance

Ordinance No. 4060 – An Ordinance Zoning the Home Lumber Annexation to I-1 Located at 2771, 2773, and 2779 D Road

Councilmember Palmer moved to adopt Resolution No. 51-07 and adopt Ordinance Nos. 4059 and 4060 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – West Ouray Growth Plan Amendment, Located at 302 W. Ouray Avenue [File #RZ-2007-034]

Request to amend the Growth Plan, to change the Future Land Use Designation from Residential Medium and Commercial to Commercial for one parcel consisting of approximately .723 acres. The parcel is located to the south of Bassett Furniture.

The public hearing was opened at 9:46 p.m.

Faye Hall, Associate Planner, reviewed this item. It was annexed in 1890 as part of the Mobley's addition annexation. In 1970 it was rezoned from vacant to C-1 (Light

Commercial). The property has remained vacant. The Growth Plan was implemented in 1996. Currently the Growth Plan shows this property to have two Future Land Use Designations, Residential Medium and Commercial. There may have been an error, especially since there was never a structure on this site. The applicant needs to have the Growth Plan Designation of Commercial on the entire property. The proposed would be to change the designation from Residential Medium to Commercial.

There were no public comments.

The public hearing was closed at 9:48 p.m.

Councilmember Palmer asked about the difference in egress for commercial versus residential.

Ms. Hall responded that this is only to change the Growth Plan so this has not been looked at but if it is Commercial it will access off one of those other roads, not the residential area.

Resolution No. 52-07 – A Resolution Amending the Growth Plan of the City of Grand Junction to Designate West Ouray, Approximately .723 Acres Located at 302 W. Ouray Avenue, from "Residential Medium" and "Commercial" to "Commercial"

Councilmember Thomason moved to adopt Resolution No. 52-07. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:50 p.m.

Juanita Peterson, CMC
Deputy City Clerk

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

APRIL 3, 2007

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the unofficial results of the Special Municipal Election held in the City on Tuesday, April 3, 2007, were as follows:

TOTAL BALLOTS CAST 239

DOWNTOWN DEVELOPMENT AUTHORITY, CITY OF GRAND JUNCTION F

SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000 WITH A REPAYMENT COST OF \$20,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW; AND IF THIS QUESTION IS APPROVED, THE AUTHORITY TO ISSUE DEBT PURSUANT TO BALLOT ISSUE 5T AT THE CITY'S NOVEMBER 2, 2004 ELECTION SHALL BE OF NO FURTHER EFFECT?

Yes	163
No	76
Over Votes	0
Under Votes	0

We, the undersigned Canvassing Board, have reviewed the results of the Special Municipal Election for the Downtown Development Authority held April 3, 2007, and do hereby conclude:

That Ballot Issue F passed by the greater number of votes.

Certified this 4th day of April, 2007.

/s/ Stephanie Tuin
Stephanie Tuin, MMC
City Clerk

Dated this 4th day of April, 2007.

/s/ Bonnie Beckstein
Bonnie Beckstein
Councilmember, District D

/s/ Teresa Coons
Teresa Coons
Councilmember, District E

/s/ Jim Doody
Jim Doody
Councilmember, District A

/s/ Bruce Hill
Bruce Hill
Councilmember, At-Large

/s/ Gregg Palmer
Gregg Palmer
Councilmember, District C

N/A
Jim Spehar
Councilmember, District B

/s/ Doug Thomason
Doug Thomason
Councilmember, At-Large

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

APRIL 3, 2007

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 3, 2007, were as follows:

Total Ballots Cast in District A	1,872
Total Ballots Cast in District B	2,469
Total Ballots Cast in District C	992
Total Ballots Cast in District D	2,414
Total Ballots Cast in District E	1,009
TOTAL BALLOTS CAST	8,756

FOR COUNCILPERSON - DISTRICT "B" - FOUR-YEAR TERM

Candidate	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Kent Baughman	855	1,099	479	1,042	485	3,960
Linda Romer Todd	810	1,178	422	1,161	414	3,985

FOR COUNCILPERSON - DISTRICT "C" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Joe Gardner	459	611	294	562	341	2,267
Gregg Palmer	1,137	1,479	593	1,563	542	5,314

FOR COUNCILPERSON – “CITY AT LARGE” – FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Bruce Hill	1,502	1,982	786	2,021	792	7,083

CITY OF GRAND JUNCTION A

SHALL THE CITY OF GRAND JUNCTION, COLORADO, WITHOUT ANY INCREASE IN TAXES, BE AUTHORIZED TO RETAIN ALL REVENUES IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO SPEND UNDER ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO CONSTITUTION FOR 2006 AND SUBSEQUENT YEARS UNTIL THE RIVERSIDE PARKWAY BONDED DEBT IS PAID IN FULL, WITH ALL AMOUNTS RETAINED TO BE USED FOR PAYMENT OF THE RIVERSIDE PARKWAY BONDED DEBT?

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Yes	1,117	1,491	547	1,515	524	5,194
No	739	948	435	872	477	3,471

CHARTER AMENDMENTS

CITY OF GRAND JUNCTION B

Shall there be amendments to the Grand Junction City Charter, Sections 36, 38, 45, 48, 54, 57, 70, 72, 88, 93, 101, 103, 105, 107, 108, 121, 123, 143, 148, 149, 152, and 153 and the repeal of Sections 63, 66, 76, 85, 86, 87, 96, 104, 112, 114, 122, 140, 150, 154, 155, and 156 concerning the elimination of obsolete and conflicting provisions?

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the Amendments	1,282	1,726	621	1,633	600	5,862
Against the Amendments	481	599	329	646	344	2,399

CITY OF GRAND JUNCTION C

Shall there be an amendment to the Grand Junction City Charter Section 28, Petition for Recall, to the number of registered electors required to sign a recall petition?

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the amendment	662	907	374	894	361	3,198
Against the amendment	1,023	1,297	563	1,302	570	4,755

CITY OF GRAND JUNCTION D

Shall there be an amendment to the Grand Junction City Charter Section 51, Publication of Ordinances, to allow for the publication of ordinances by title only?

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the amendment	515	705	273	713	260	2,466
Against the amendment	1,192	1,539	662	1,502	680	5,575

CITY OF GRAND JUNCTION E

Shall there be an amendment to the Grand Junction City Charter Section 125, City May Purchase, Operate or Sell—Procedure, relative to franchises, to change the number of signatures required on a petition to ascertain whether or not the City shall acquire said property?

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the amendment	499	700	282	696	264	2,441
Against the amendment	1,140	1,453	641	1,445	662	5,341

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 3, 2007, and do hereby conclude:

That Linda Romer Todd has been duly elected as Councilperson for District "B" by the greater number of votes.

That Gregg Palmer has been duly elected as Councilperson for District "C" by the greater number of votes.

That Bruce Hill has been duly elected as Councilperson for "City at Large" by the greater number of votes.

Further we, the undersigned Canvassing Board, do hereby conclude that City of Grand Junction A passed by the greater number of votes; that City of Grand Junction B passed by the greater number of votes; that City of Grand Junction C failed by the greater number of votes; that City of Grand Junction D failed by the greater number of votes; and finally that that City of Grand Junction E failed by the greater number of votes.

Certified this 4th day of April, 2007.

/s/ Stephanie Tuin
Stephanie Tuin, MMC
City Clerk

Dated this 4th day of April, 2007.

/s/: Bonnie Beckstein
Bonnie Beckstein
Councilmember, District D

/s/: Teresa Coons
Teresa Coons
Councilmember, District E

/s/: Jim Doody
Jim Doody
Councilmember, District A

/s/: Debra Kemp
Debra Kemp
Notary Public

/s/: Juanita Peterson
Juanita Peterson
Notary Public

 N/A
Jim Spehar
Councilmember, District B

/s/: Doug Thomason
Doug Thomason
Councilmember, At-Large