

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

September 3, 2008

The City Council of the City of Grand Junction convened into regular session on the 3rd day of September 2008 at 7:09 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin. City Manager Laurie Kadrich was absent.

Council President Palmer called the meeting to order. Councilmember Beckstein led in the Pledge of Allegiance.

Harry Butler, Minister for Certain Place of Seventh Day Handy Chapel, gave the invocation.

Proclamations

Proclaiming the Month of September, 2008 as “National Hunger Action Month” in the City of Grand Junction

Appointments

Councilmember Beckstein moved to ratify the appointment of Elizabeth Collins for the remainder of a three year term expiring June, 2009 and the reappointment of Paul Darr and Mark Williams for three year terms expiring June, 2011 to the Urban Trails Committee. Councilmember Hill seconded the motion. Motion carried.

Certificates of Appointment

Chuck Keller and Merv Heinecke were present to receive their Certificates of Appointment to the Horizon Drive Association Business Improvement District.

Yvette Carnine was present to receive her Certificate of Appointment to the Parks and Recreation Advisory Board.

Council Comments/Resolution of Support

Update on Medical Campus Proposal

Councilmember Todd gave an update on the Medical Campus Proposal. She serves on the committee and they are looking at bringing 48 students from the University of Colorado on their last two years of rotation in medical school to this community. The

hope is that those students may stay and help fill the need for medical practitioners in this community.

Report on Colorado Water Congress Conference

Councilmember Todd reported she was at the Conference in Vail a couple of weeks ago. The Colorado Water Congress (CWC) was created 50 years ago. A tribute was made to Wayne Aspinall, a legislator who battled for water in western Colorado. Current water issues were discussed. She also recognized Utilities and Streets Systems Director Greg Trainor who was one of the presenters and did a great job. Council President Palmer thanked Councilmember Todd for her time and effort on that board.

National League of Cities Resolution of Support – Resolution No. 124-08 – Endorsing Councilmember Bruce Hill for Chairmanship of the National League of Cities Community and Economic Development Steering Committee

Council President Palmer presented this item by reading the resolution endorsing Councilmember Hill's chairmanship on a NLC committee.

Councilmember Thomason moved to adopt Resolution No. 124-08. Councilmember Beckstein seconded the motion. Motion carried.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Hill recognized Housing Authority Director Jody Kole and her assistance to him on HUD housing in his capacity on the National League of Cities committee.

Councilmember Hill read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Coons and carried by roll call vote to approve Consent Items #1 through #10.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the August 18, 2008 and the August 20, 2008 Regular Meetings

2. **Setting a Hearing on Zoning the Green Leaf Annexation, Located at 3109 E Road** [File #ANX-2008-196]

Request to zone the 2.29 acre Green Leaf Annexation, located at 3109 E Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Green Leaf Annexation to R-8 (Residential 8 DU/Ac), Located at 3109 E Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

3. **Setting a Hearing on Zoning the Sunshine of Delta Annexation, Located at 377 and 379 29 Road** [File #GPA-2008-074]

Request to zone 4.30 acres, located at 377 and 379 29 Road to R-12 (Residential 12 du/ac).

Proposed Ordinance Zoning the Sunshine of Delta Annexation to R-12 (Residential 12 DU/Ac), Located at 377 and 379 29 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 17, 2008

4. **Setting a Hearing on Zoning the Martin R and S Annexation, Located at 2105 H Road** [File #ANX-2008-205]

Request to zone 1.54 acre Martin R and S Annexation, located at 2105 H Road to I-1 (Light Industrial).

Proposed Ordinance Zoning the Martin R and S Annexation to I-1 (Light Industrial), Located at 2105 H Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

5. **Setting a Hearing on Zoning the Park Mesa Annexation, Located at the Northwest Corner of Rosevale Road and Little Park Road** [File #ANX-2008-065]

Request to zone the 13.58 acre Park Mesa Annexation located at the northwest corner of Rosevale Road and Little Park Road in the Redlands to R-1, Residential – 1 unit/acre Zone District.

Proposed Ordinance Zoning the Park Mesa Annexation to R-1 (Residential - 1 unit/acre), Located at the Northwest Corner of Rosevale Road and Little Park Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 17, 2008

6. **Setting a Hearing on Zoning the Panorama Point Annexation, Located at 2122 and 2123 Sequoia Court** [File #ANX-2008-176]

Request to zone the 11.85 acre Panorama Point Annexation, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation).

Proposed Ordinance Zoning the Panorama Point Annexation to CSR (Community Services and Recreation), Located at 2122 and 2123 Sequoia Court

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

7. **Setting a Hearing on Zoning the Krogh Annexation, Located at 2932 B ½ Road** [File #ANX-2008-164]

Request to zone the 9.34 acre Krogh Annexation, located at 2932 B ½ Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Krogh Annexation to R-4 (Residential 4 DU/Ac), Located at 2932 B ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

8. **Setting a Hearing and Reconsideration of Zoning for the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051]

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O).

Proposed an Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 17, 2008

9. **Revocable Permit for an Existing Driveway in Dedicated Right-of-Way, Located at 781 S. Sedona Court** [File #RVP-2008-026]

Request for a Revocable Permit to allow an existing driveway to remain in dedicated right-of-way in Amber Way.

Resolution No. 120-08—A Resolution Concerning the Issuance of a Revocable Permit to Randy and Natalie Gehl, Located at 781 South Sedona Court

Action: Adopt Resolution No. 120-08

10. **Construction Contract for the 23 ½ Road Extension from Redlands Parkway to River Road**

This project will construct a two lane road from River Road south along the 23 ½ Road ROW to the TRI Point Energy and Redlands Parkway Industrial Subdivision developments. When TRI Point Energy and Redlands Parkway Industrial Subdivision were constructed, they were to access the Redlands Parkway. It was determined that this access point was not in the safety interest of the Redlands Parkway motorists. The 23 ½ Road extension from the developments to the north was determined to be the safest alternative access.

Action: Authorize the City Manager to Sign a Construction Contract for the 23 ½ Road Extension from the Redlands Parkway to River Road to G and G Paving Construction, Inc. in the amount of \$288,130.75

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority**

Request approval to assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority (CHFA) for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families. The amount of this assignment would be "banked" towards a future partnership with CHFA for a multi-family rental housing project serving low and middle income families.

Jodi Romero, Financial Operations Manager, presented this item. She explained the assignment of the Private Activity Bonds, giving an example of their use. This year there were no private entities asking for the allocation of the funds. Therefore, the request is to assign the funds to CHFA and specifically to be banked with CHFA in case a project does come forward in the next two years.

Councilmember Coons asked for clarification of "banking"; is it actually partnering with a housing project with CHFA. Ms. Romero confirmed that to be true.

Resolution No. 121-08—A Resolution Authorizing Assignment to the Colorado Housing and Finance Authority of a Private Activity Bond Allocation of the City of Grand Junction Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Councilmember Todd moved to adopt Resolution No. 121-08. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B (Continued from August 20, 2008)

Phase II, Part B of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct side-by-side 90" and 96" storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road.

Tim Moore, Public Works and Planning Director, presented this item, noting it was continued from the last meeting. He reviewed the background of the project and of the bids. At the last meeting a letter from Grand Valley Irrigation Company (GVIC) was presented that stated they would not approve the construction to go forward without concrete pipe being used. The low bidder was able to substitute concrete pipe for steel pipe at the same price. Therefore, the recommendation is that the bid be awarded to the low bidder, Arapahoe Utilities and Infrastructure, Inc.

Councilmember Todd asked for confirmation that GVIC will sign off on this bid award. Mr. Moore confirmed that to be true.

Councilmember Coons asked if the City was aware of GVIC's concrete pipe requirements. Mr. Moore said the prior phase was bid out with both options (steel and concrete) but the low bidder had concrete pipe in their bid so it never came up as an issue.

Councilmember Hill moved to authorize the City Manager to enter into a Construction Contract with Arapahoe Utilities and Infrastructure, Inc., in the Amount of \$5,693,185. Councilmember Coons seconded the motion.

Councilmember Hill noted that at the last meeting there were five Councilmembers present. The letter from GVIC was presented and, in the City's contract, there is a provision for them to sign off on the construction. Evidently in the earlier phases GVIC had missed that either concrete or steel was acceptable by the City. If that issue had been brought to light earlier, the bid specification would have been changed. A second consideration is that the City is the recipient of a FEMA grant for partial funding of the project and without finishing the project this spring, the grant could be lost. Those two issues are how he made his decision.

Councilmember Thomason said he will support this action but he feels the last minute jockeying was unnecessary; he was satisfied with steel pipe.

Attorney Dan Wilson came forward to state that Scott Contracting, Inc. is present and wants to present information prior to the vote. That request was denied as the agenda item is not a public hearing.

Council President Palmer explained his issue with this situation. Bids are drafted to make the process fair; there is less labor when using steel so that bid is less. He has some discomfort even though he is sure the Staff had the citizens' best interest in mind. His concerns were relative to the playing field not being even.

Councilmember Todd said every bidder had the opportunity to bid with steel. She is concerned that not all the information was provided but Staff has reached out to rectify.

Council President Palmer stated that, nevertheless, he still felt there should not have been two different materials optioned.

The vote was called and the motion carried by roll call vote.

Vacation of a Utility Easement, Located at 2846 Grand Falls Drive [File #VE-2008-094]

Request to vacate .28 acre area of a utility easement in Tract B of the Falls 2004 Subdivision.

Ronnie Edwards, Associate Planner, presented this item. She reviewed the history of the property. She described the location and advised that the request meets all the review criteria and the request is consistent with the Growth Plan.

Council President Palmer asked if it needs to be vacated or if the matter could be handled through a revocable permit.

Ms. Edwards deferred to the City Attorney who said for developability purposes a vacation would be the better option.

The applicant was present but did not wish to speak.

There was no one present who wanted to speak.

Resolution No. 122-08—A Resolution Vacating an Easement Located at 2846 Grand Falls Drive

Councilmember Todd moved to adopt Resolution No. 122-08. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning the Fournier Annexation, Located at 2132 Rainbow Ranch Drive [File #ANX-2008-111]

A request to zone the 3.27 acre Fournier Annexation, located at 2132 Rainbow Ranch Drive, to R-4 (Residential 4 du/ac).

The public hearing was opened at 7:56 p.m.

Senta L. Costello, Senior Planner, presented this item. She described the request, the site, and asked that the Staff Report and attachments be entered into the record. Planning Commission and Staff both recommend approval. The annexation was approved two weeks ago. The applicant is present, is not needing to speak, but can answer questions.

There were no public comments.

The public hearing was closed at 7:58 p.m.

Ordinance No. 4281—An Ordinance Zoning the Fournier Annexation to R-4 (Residential 4 DU/Ac), Located at 2132 Rainbow Ranch Drive

Councilmember Coons moved to adopt Ordinance No. 4281 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning the Schuckman Annexation, Located at 231 28 ½ Road
[File #ANX-2008-018]

Request to zone the 0.87 acre Schuckman Annexation, located at 231 28 ½ Road, to R-4 (Residential 4 du/ac).

The public hearing was opened at 7:59 p.m.

Senta L. Costello, Senior Planner, presented this item. She described the request, the site, and asked that the Staff Report and attachments be entered into the record. The Planning Commission and Staff recommend approval.

Russ Schuckman, the applicant, was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 8:00 p.m.

Councilmember Hill asked about the process and how the request came back as R-4. He asked why it did not have to go back to Planning Commission. Ms. Costello said it was because the applicant changed their request and it was within the range of options.

Ordinance No. 4282—An Ordinance Zoning the Schuckman Annexation to R-4 (Residential 4 DU/Ac), Located at 231 28 ½ Road

Councilmember Coons moved to adopt Ordinance No. 4282 and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Mesa View Elementary Growth Plan Amendment, Located at 2967 B Road [File #GPA-2008-206]

A request to amend the Growth Plan, changing the Future Land Use designation from Public to Residential Medium-Low (2-4 du/ac) for 9.497 acres of property south of Mesa View Elementary, located at 2967 B Road.

The public hearing was opened at 8:02 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request and the site. He asked that the Staff Report and attachments be entered into the record. The request meets the review criteria. The applicant is present but does not need to make a presentation. However, they are available for questions.

Council President Palmer asked how the property will have access. Mr. Rusche explained the School District plans to divest itself of the property to a developer. It will ultimately be included in a larger development.

There were no public comments.

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

Resolution No. 123-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 9.497 Acres Located at 2967 B Road, Known as the Mesa View Elementary Growth Plan Amendment, from Public to Residential Medium-Low (2-4 DU/Ac)

Councilmember Thomason moved to adopt Resolution No. 123-08. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Max Baldwin, Contact Construction Products, was displeased with the decision on the Ranchman Ditch bid award. His company manufactures the steel smooth core pipe and the qualified engineers with the City made the decision to include that pipe as an option in the bid documents. The decision was made on preference of the Irrigation Company that did not allow any discussion of the steel pipe option. His company put a lot of time and effort to support the cause and the best value for the citizens. The decision to change to concrete was not evaluated but the Irrigation Company was able to dictate the materials. He supported the selection of Arapahoe Utilities as the contractor as they are a fine contractor, but what happened discourages participation in the bid process.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:09 p.m.

Stephanie Tuin, MMC
City Clerk