

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

November 17, 2008

The City Council of the City of Grand Junction convened into regular session on the 17th day of November 2008 at 7:05 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 City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

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

The invited pastor was not present to give the invocation, so a moment of silence was observed.

Certificates of Appointment

Timothy Hudner was present to receive his Certificate of Appointment to the Grand Junction Housing Authority.

Council Comments

There were none.

City Council/City Manager Meeting Schedule Review

City Manager Kadrich reviewed the upcoming meeting schedule with City Council. It was discussed in the pre-meeting to use December 1st and 15th workshops for the 2009 Work Plan and the workshops in January to review all of the Boards and Commissions. All of these workshops begin at 11:30 a.m.

City Manager Kadrich stated that January 19, 2009 is Martin Luther King Junior Day and there would not be a regular City Council Meeting that evening, but Council would still have the 11:30 a.m. workshop.

City Manager Kadrich highlighted the Holiday Parking, which, is on the agenda this evening. Council for the last eight years has approved Holiday Parking which included approximately 1,100 spaces downtown. There will still be metered parking around the Government buildings. The free parking will be from Thanksgiving through New Year's Day.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Doody read the Consent Calendar and moved to approve the Consent Calendar items #1 through #8. Councilmember Hill seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the November 3, 2008 and the November 5, 2008, Regular Meetings

2. Contract for the Monument Road Bridge Replacement Project

Two bids were received on November 4, 2008 for replacement of the Monument Road Bridge over the Redlands Power Canal. G.A. Western Construction Company submitted the low bid of \$821,389.00. The bridge replacement project is scheduled to begin on January 5, 2009 with a final completion date of April 30, 2009

Action: Authorize the City Manager to Sign a Construction Contract with G.A. Western Construction Company, in the Amount of \$821,389.00 for the Monument Road Bridge Replacement

3. Accepting a Grant of Federal Funds for Roundabout Construction at 23 Road and G Road

Federal aid funds have been awarded to the City from the Federal Hazard Elimination Program for reconstruction of the intersection of 23 Road and G Road. The project shall consist of right-of-way acquisition and incidentals, design and construction of a roundabout and associated intersection improvements at 23 Road and G Road.

Resolution No. 141-08—A Resolution Accepting Federal Aid Funds for Construction Work at the Intersection of 23 Road and G Road, Authorizing City Matching Funds and Authorizing the City Manager to Sign the Intergovernmental Agreement with the Colorado Department of Transportation

Action: Adopt Resolution No. 141-08

4. **Accepting an Energy and Mineral Impact Grant for Design of the Emergency Services Training Facility**

A request to accept an Energy and Mineral Impact Grant, in the amount of \$180,000, as partial funding for the design of the Emergency Services Training Facility, to be located with the National Guard facility on D Road in Pear Park.

Action: Authorize the City Manager to Sign the Energy and Mineral Impact Grant Contract, in the Amount of \$180,000

5. **Setting a Hearing on the Tall Pines Investments Rezone, Located at 2101 Patterson Road** [File #GPA-2008-199]

Request to rezone 10.44 acres located at 2101 Patterson Road, from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac).

Proposed Ordinance Rezoning the Tall Pines Investments Property from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac), Located at 2101 Paterson Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for December 1, 2008

6. **Setting a Hearing on the Supplemental Budget Appropriation Ordinance for 2008**

The request is to appropriate additional sums of money for the City's accounting funds that require supplemental funds based on the 2008 revised budget. This request also includes the Downtown Development Authority Funds.

Proposed Ordinance Making Supplemental Appropriations to the 2008 Budget of the City of Grand Junction

Action: Introduction of a Proposed Ordinance and Set a Hearing for December 3, 2008

7. **Setting a Hearing on the 2009 Budget Appropriation Ordinance**

The request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2009 proposed budget.

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, and the Ridges Metropolitan District for the Year Beginning January 1, 2009, and Ending December 31, 2009

Action: Introduction of a Proposed Ordinance and Set a Hearing for December 3, 2008

8. **Downtown Holiday Parking**

The Downtown Partnership and Development Authority have requested free parking in the downtown area again this year during the holiday shopping season. City Staff recommends Free Holiday Parking in all of downtown, including the first floor of the Rood Avenue parking structure, with the exception of government offices, illegal parking areas, and shared-revenue lots.

Action: Vacate Parking Enforcement at all Designated Downtown Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, Except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices. Metered Spaces will be Designated by Covering the Meter with the well-known "Seasons Greetings-Free Parking" Red Plastic Bag

ITEMS NEEDING INDIVIDUAL CONSIDERATION

5-2-1 Drainage Authority Update, Fee Assessment Proposal and IGA for the Provision of Stormwater Services

The Drainage Authority Manager will be presenting a proposed IGA for the purpose of the Authority to provide stormwater contract services that are currently required under Grand Junction's Colorado Discharge Permit System (CDPS) Stormwater Discharge Permit. Eric Mende, Authority Manager, will present a briefing on the IGA.

Eileen List, Environmental Services Manager, introduced Mr. Eric Mende, 5-2-1 Drainage Authority Manager. Mr. Mende presented this item and gave the background and history of the Drainage Authority which went back to 2000 up until where they are today. Mr. Mende gave a description of what the Authority will be looking at and their future. The Authority serves as contractor to Grand Junction and other Authority parties. There will be a public hearing on the proposed fee Wednesday, November 19, 2008 at the 5-2-1 Drainage Authority board meeting. That fee is \$100 per acre for new developments.

Councilmember Todd asked about the costs Mr. Mende referenced, if that was an annual cost for operation and maintenance. Mr. Mende said yes.

Councilmember Coons asked about the IGA which does not cover Fruita. Mr. Mende explained that Fruita has been a contributor to the Authority but they are not included as of yet. He believes in 2009 he will be able to give more service to them and they will eventually be included in the IGA; probably after the next census.

Councilmember Coons asked about the process. Mr. Mende explained that the 5-2-1 will just be another review phase through the City's current planning process.

Councilmember Doody sits on the Board and believes this partnership is good. The Authority has a great opportunity coming forward.

Councilmember Coons moved to authorize the Mayor to sign the Intergovernmental Agreement for the Provision of Stormwater Services on behalf of the City of Grand Junction. Councilmember Todd seconded the motion. Motion carried.

Public Hearing - Allen Annexation and Zoning, Located at 811 22 Road [File #ANX-2008-258]

Request to annex 6.00 acres, located at 811 22 Road to I-1 (Light Industrial). The Allen Annexation consists of one (1) parcel and includes a portion of the 22 Road Right-of-Way.

The public hearing was opened at 7:37 p.m.

Judith Rice, Associate Planner, presented this item. She described the request, the site and the location. She asked that the Staff Report and attachments be entered into the record. The Planning Commission recommended approval on October 14, 2008.

Council President Palmer asked about how long this area has been Commercial/Industrial and not Residential. Planning Manager Lisa Cox answered that this area was part of the H Road study area and it has been evolving from Residential to Commercial.

Councilmember Todd said houses on the west side of the road are looking at selling due to the zoning.

The representative, Mandy Rush, was present and added that they have had lots of interest in this area.

There were no public comments.

The public hearing was closed at 7:41 p.m.

a. Accepting Petition

Resolution No. 142-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Allen Annexation, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4303—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Allen Annexation, Approximately 6.00 Acres, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4304—An Ordinance Zoning the Allen Annexation to I-1 (Light Industrial) Located at 811 22 Road

Councilmember Todd moved to adopt Resolution No. 142-08 and Ordinance Nos. 4303 and 4304 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing - Inclusion of Grand Valley Catholic Outreach Property Located at 217 White Avenue into Downtown Development Authority Boundaries

The Grand Valley Catholic Outreach has requested inclusion into the Downtown Development Authority in order to consolidate their holdings under the requirements of Mesa County into one property. The DDA Board of Directors has approved this request, which is now submitted for consideration by the City Council.

The public hearing was opened 7:42 p.m.

Heidi Hoffman Ham, DDA Executive Director, presented this item. The request has been approved by the DDA Board for inclusion. In order to consolidate ownership of all of these various holdings into one property, Mesa County stipulates that all parcels be uniform in their taxing requirements and Grand Valley Catholic Outreach (GVCO) is requesting to consolidate all the property within the DDA recognizable boundaries. GVCO is a nonprofit organization and therefore is exempt. The DDA Board feels they are a valued entity in the downtown area and approved the request on October 9, 2008.

Councilmember Hill said that Grand Valley Catholic Outreach had a choice and asked for the inclusion.

Councilmember Doody noted that St. Benedict Place has won an award since being developed.

There were no public comments.

The public hearing closed at 7:43 p.m.

Ordinance No. 4305—An Ordinance of the City Council of Grand Junction, Colorado Approving Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Property at 217 White Avenue owned by the Grand Valley Catholic Outreach

Councilmember Hill moved to adopt Ordinance No. 4305 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing - Proposed Amendments to the Submittal Standards for Improvements and Development (SSID) [File #TAC-2008-295]

The City of Grand Junction proposes to amend the Submittal Standards for Improvements and Development (SSID) to reflect the statutory requirement for landscape plans to be stamped by a Landscape Architect licensed by the State of Colorado, pursuant to C.R.S. §12-45-101 *et seq.*

The public hearing opened at 7:46 p.m.

Lisa E. Cox, Planning Manager, presented this item. An amendment is proposed to the Submittal Standards for Improvements and Development (SSID) to reflect the statutory requirement for landscape plans to be stamped by a Landscape Architect licensed by the State. There is an exemption for landscape plans for residential properties consisting of four or fewer lots or units. The proposed amendments are consistent with the goals and policies of the Growth Plan. The Planning Commission forwarded a recommendation of approval.

Councilmember Todd asked if this was mandatory. Ms. Cox directed the question to City Attorney Shaver who responded that it is the view of the City that the City does have to adopt it as it is a statewide licensing requirement and be consistent with State Statute.

Councilmember Todd asked about costs and if they are not licensed now, would they have to partner with someone who was. Ms. Cox stated that depending on the project, the costs would vary. Adoption of this should use more appropriate planning in the long run.

Councilmember Hill inquired about the use of xeriscape in the future and asked Mr. Ted Ciavonne in the audience if he would be able to help with the definition.

Mr. Ciavonne with Ciavonne, Roberts, and Associates came forward. Mr. Ciavonne said he was just in the audience to listen but would be more than happy to address this issue. Mr. Ciavonne gave a history of how landscape architects have not had to be licensed since the mid 70's. There is a committee which Mr. Ciavonne served on which has worked at the State level to set criteria.

Mr. Ciavonne's partner, Craig Roberts, gave a definition of xeriscape for the benefit of the audience. The concept of xeriscape is based on seven principles: planning & design, limiting turf areas, selecting and zoning plants appropriately, improving the soil, using mulches, irrigating efficiently, and doing appropriate maintenance. The word "xeriscape," was coined by the Denver Water Department in 1981 to help make water conserving landscaping an easily recognized concept. The word is a combination of "landscape" and the Greek word "xeros," which means "dry".

Councilmember Todd thanked Mr. Ciavonne for the information and said that she called his office today and they were very helpful.

Councilmember Hill hopes this will help to move forward with xeriscape in the community. Councilmember Beckstein concurred.

There were no public comments.

The public hearing closed at 8:16 p.m.

Ordinance No. 4306—An Ordinance Amending the Submittal Standards for Improvements and Development (SSID) to Require Landscape Plans to be Stamped by a Licensed Landscape Architect

Councilmember Coons moved to adopt Ordinance No. 4306 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Provisions Regarding Growth Plan Amendments to be Reviewed Concurrently with Zoning Requests [File #TAC-2007-307]

The City of Grand Junction adopted Ordinance No. 4140 on November 19, 2007 which provided that a Growth Plan Amendment could be reviewed more than twice a year. Previously, the Code only allowed Growth Plan Amendments to come forward twice per year. In Ordinance No. 4140, the City Council included a sunset clause to allow the City Council to review the change and reconsider the provisions of the ordinance twelve (12) months from its adoption.

The public hearing was opened at 8:20 p.m.

Lisa E. Cox, Planning Manager, presented this item. Ms. Cox noted the agenda title “to be Reviewed with Zoning Request” was incorrect and should be “to be Reviewed More Than Twice a Year”. Adoption of this ordinance will allow Growth Plan Amendments to be reviewed more than twice a year. Currently under Ordinance No. 4140 review of Growth Plan Amendments are allowed more than twice per year but the ordinance included a sunset clause to allow the City Council to review the change and reconsider the provisions of the ordinance twelve months from adoption. Ms. Cox said once the Comprehensive Plan is adopted in early 2009, it may be necessary for Council to revisit the criteria for the new Plan.

Councilmember Coons clarified that adoption of this ordinance would remove the sunset provision but they might need to revisit this again after the new Comprehensive Plan is adopted.

City Manager Kadrich explained that at the time of adoption of the Comprehensive Plan, if adopted, then the Council may choose to suspend this provision or place a moratorium on Growth Plan Amendments until the Comprehensive Plan has been allowed to take effect. Then, unless repealed, this provision would go back into effect.

City Attorney Shaver added that the ordinance being proposed at this time does not contain a sunset provision.

Council President Palmer stated his concern is that in adopting a plan where there was so much community input and involvement, having a process in place that will immediately allow for changes makes him uncomfortable so a moratorium is more in line with his preference. He asked why a sunset clause was not included in this ordinance.

City Manager Kadrich said the question was asked if it would work better as a community review process if the Growth Plan Amendments occurred at the same time the development review occurred. That is why it is presented without a sunset as it appears to work better for the developer and City Staff and for the City Council to hear these more than twice a year.

Councilmember Hill noted several renditions have been considered and commented that it matches a Council focus to whatever can be done to make the process quicker, easier, and faster, however he is torn on how to deal with the Growth Plan. With the current state of the economy and the uncertainty, he feels it needs to be comprehensive, not micromanaged, and allow for flexibility.

There were no public comments.

The public hearing closed at 8:26 p.m.

Ordinance No. 4307—An Ordinance Readopting the Provisions of Ordinance No. 4140 which Amended Section 2.5 of the Zoning and Development Code to Allow Amendments to the Growth Plan and/or the Future Land Use Map More than Twice each Calendar Year

Councilmember Doody moved to adopt Ordinance No. 4307 and ordered it published. Councilmember Beckstein seconded the motion.

Council President Palmer asked if this is passed, can the Council still discuss a moratorium if they adopt the Comprehensive Plan. City Attorney Shaver said yes and listed a variety of options.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:30 p.m.

Juanita Peterson, CMC
Deputy City Clerk