

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

**June 1, 2009**

The City Council of the City of Grand Junction convened into regular session on the 1<sup>st</sup> day of June 2009 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Tom Kenyon, Gregg Palmer, Bill Pitts, Linda Romer Todd, and Council President Bruce Hill. Councilmember Teresa Coons was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Pitts led in the Pledge of Allegiance followed by a moment of silence.

**Citizen Comments**

There were none.

**Council Comments**

There were none.

**City Manager's Report**

City Manager Laurie Kadrich addressed the City Council. She first spoke to the idea of providing a fuel rebate to the City's utilities customers. The rebate could be done in the form of a credit to customers on their July bill.

The next item was moving up capital projects, especially in the water and sewer systems. The City is relatively confident that the loans approved at the last meeting for water are possible. The City is less sure on the sewer loans. Work will continue on both.

A local preference bidding option was previously discussed. Local bidders are primarily the recipients of recent contracts. A letter from a local contractors association is expected asking for a formal policy.

Regarding the development process, a delay in the payment of fees and other developer friendly changes are being considered in order to help locals.

The Visitor Convention Bureau (VCB) is working on some new tourism programs that will benefit the community.

The prescription discount card addressed earlier will duplicate what the County is already doing so a communication plan getting the word out will be the City's focus.

On the subject of Business Personal Property Tax, the State bill was not passed, so Staff is ready to discuss local options with the Council when Council is able to schedule it in.

Lastly, relative to the American Recovery and Reinvestment Act (ARRA) program. City Manager Kadrach listed the status of the various grant processes.

Council President Hill noted the scheduling for the discussion of the Business Personal Property Tax was discussed earlier.

Councilmember Todd was pleased about the development fee delays.

Councilmember Beckstein asked about the City still being covered when delaying the fees. Public Works and Planning Director Tim Moore advised that the fee delay will mostly be applied to single family homes; those fees like Transportation Capacity Payment (TCP), etc. that are usually due at the time the building permit is issued. The City will require those fees at certificate of occupancy instead. The City is working with the County Building Department and there may be a small chance that problems would arise from a delay in fees, but for the most part, there would be a worked-through process in place.

Councilmember Beckstein voiced her reasoning for needing clarification on this matter.

Councilmember Palmer asked if, by delaying Transportation Capacity Payment (TCP) fees, is the City increasing its financial obligation? Mr. Moore said there may be an issue with the larger commercial developments. Primarily, this new process would apply to single family homes. There are not as many commercial developments where this would be an issue.

Councilmember Kenyon expressed that he thought the City would have the authority to place a lien on any property where the fees are not paid.

City Attorney Shaver concurred, failure to issue the certificate of occupancy creates a first and foremost lien.

Councilmember Todd said the delay may put the developer more at risk.

Council President Hill noted the intent is for the City to help people in a down economy. He asked exactly which fees they are, and for confirmation that Mr. Moore can make that decision without Council action.

Mr. Moore confirmed that the former policy has been to collect these fees upfront, and the changes being brought to Council are to gain approval for the change in collection of the

fees, and for the City Manager and the Public Works and Planning Director to have some discretion in making decisions on these fee processes.

Council President Hill asked Council if there is any objection to this change in policy by the Public Works and Planning Department. There was none.

Council President Hill asked if there were any more questions regarding the fuel rebate.

Councilmember Kenyon was in favor of the fuel rebate to customers.

Council President Hill inquired if more formal action is needed. City Manager Kadrich advised this is not a permanent rate change.

The consensus of Council was to go forward with the fuel rebates.

Councilmember Todd returned the conversation to the Business Personal Property Tax topic. She asked if the City can move forward without the County Commissioners. City Manager Kadrich advised it is assessed through the County property tax, so it will need to be done in partnership with the County.

## **CONSENT CALENDAR**

Councilmember Kenyon read the Consent Calendar and then moved to approve items #1 through #3. Councilmember Todd seconded the motion. Motion carried by roll call vote.

### **1. Minutes of Previous Meetings**

*Action: Approve the Minutes of the May 18, 2009 and the May 20, 2009 Regular Meetings*

### **2. Setting a Hearing Zoning the Lang Industrial Park Annexation, Located at 2764 C ¾ Road, 2765 and 2767 Riverside Parkway [File #ANX-2009-072]**

A request to zone 4.86 acres, Lang Industrial Park Annexation, consisting of three (3) parcels located at 2765 and 2767 Riverside Parkway and 2764 C ¾ Road to I-1 (Light Industrial) zone district.

Proposed Ordinance Zoning the Lang Industrial Park Annexation to I-1 (Light Industrial), Located at 2765 and 2767 Riverside Parkway and 2764 C ¾ Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for June 15, 2009*

3. **Setting a Hearing for Inclusion into Downtown Development Authority from Mesa County Public Library**

In preparation for an eventual redevelopment as part of the City Center Catalyst Project, the Mesa County Public Library District (MCPLD) has requested inclusion into the DDA for all of their downtown Grand Junction properties. A portion of the MCPLD properties in the vicinity are already included in the DDA; several are not: 520 N. 5<sup>th</sup> Street, 517 Chipeta Avenue, 525 Chipeta Avenue, and 529 Chipeta Avenue. The request has been considered and approved by the DDA Board of Directors.

Proposed Ordinance of the City Council of Grand Junction, Colorado Approving Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority

*Action: Introduction of a Proposed Ordinance and Set a Hearing for June 15, 2009*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Public Hearing—Amending the Code Relating to DDA Permit Applications and Special Rules Regarding Mobile Vending Carts**

DDA and City Staff have become aware of some inconsistent language in the Code regarding the permit application process, especially as it pertains to sidewalk vendors. Staff has prepared amendments to sections of Chapter 32 of the Code to reconcile any conflicting language and make the application process clearer for DDA and City Staff to administer.

The public hearing was opened at 7:30 p.m.

John Shaver, City Attorney, presented this item. He outlined the two areas where the Code was not consistent, so the Code change is a requested housekeeping change to make it consistent and to clarify some areas.

There were no public comments.

The public hearing was closed at 7:31 p.m.

Ordinance No. 4357—An Ordinance Amending Portions of Article III of Chapter 32 Regarding the Downtown Development Authority (DDA's) Permit Application and Section 32-68 Pertaining to Mobile Vending Carts

Councilmember Todd moved to adopt Ordinance No. 4357 and ordered it published. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

**Application for Justice Assistance Grant for the County-wide Computer Aided Dispatch and Records Management System**

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice, to apply for an annual grant in the amount of \$61,965. These funds are allocated evenly between Grand Junction Police Department and Mesa County Sheriff's Office and will be used in combination with other funding sources to purchase a new county-wide Computer Aided Dispatch and Records Management Systems (CAD/RMS). These systems will provide the ability to have fully shared, integrated criminal justice records across all law enforcement agencies in Mesa County. They will also greatly improve communications and eliminate operational inefficiencies that currently exist. The Bureau of Justice Assistance requires City Council review and to provide an opportunity for public comment, as part of the application process.

Troy Smith, Deputy Chief of Police, presented this item. He described the request and the purpose of the request. He noted that these funds are part of the State's regular allocation and not part of the Recovery Act funds. The application does require an opportunity for public comments.

Councilmember Palmer asked Deputy Chief Smith to describe the current CAD system. Deputy Chief Smith advised that the system is obsolete and is difficult to maintain. The new system will allow communication across the State.

There were no public comments as there was no public present in the audience.

Councilmember Palmer moved to authorize the City Manager to apply for these funds, and, if awarded, to manage/disperse \$61,965 in grant funds. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Agreement with AMEC Earth and Environment Inc. for Phase II of the Water and Energy Study**

The Colorado Water Conservation Board has approved grant funding for an Energy Development Water Needs Assessment: analyzing water demands for various energy development scenarios in northwest Colorado. The City will act as a pass-through entity to contract for Phase II engineering services with AMEC Earth and Environment, Inc.

Terry Franklin, Utility and Street Systems Deputy Director, presented this item. He reviewed the history of this study. The study is to determine where the water will come from for the energy industry needs. This is the second phase of the study.

Councilmember Kenyon asked if the funds are grant monies. Mr. Franklin said yes, but the roundtable group cannot accept the money as they are not a legal entity, so the City will accept the funds and pass them through. Councilmember Kenyon supported moving forward.

Councilmember Kenyon moved to authorize the City Manager to sign an engineering services agreement with AMEC Earth and Environmental, Inc., in the amount of \$200,020. Councilmember Todd seconded the motion. Motion carried by roll call vote.

### **Melrose Park Restroom Shelter Construction**

This approval request is for the award of a construction contract to PNCI Construction, Inc., for a new restroom shelter at Melrose Park.

Jay Valentine, Assistant Financial Operations Manager, presented this item. He described the request and advised only one bid was received. It was under budget and is partially funded by CDBG.

Councilmember Kenyon asked for specifics on the project. Mr. Valentine described the building which will have a shelter. He then deferred to Rob Schoeber, Parks and Recreation Director, who said the existing facility is a restroom only. The other shelters in the park will remain but the other restroom facility will come down.

When pressed for specifics on the building itself, Mr. Schoeber advised the shelter measures 24' X 15', it will have picnic tables, and will be rented as other shelters are.

Councilmember Pitts asked if this item was included in this year's budget. Mr. Valentine said yes and the difference in the budget versus the bid will be recaptured into the budget.

Mr. Schoeber advised that there will be some concrete work that needs to be completed that is not included in this bid.

Councilmember Beckstein moved to authorize the City Purchasing Division to enter into a contract, in the amount of \$154,528 with PNCI Construction, Inc., for the completion of the Restroom Shelter at MelrosePark. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Council Assignments for 2009-2010**

Council President Hill referred to the copy provided and asked that Councilmembers review the list and advise of any corrections. There were none except that Councilmember Palmer inquired if there are any future changes, will a new resolution will need to be adopted?

City Attorney Shaver said technically that should be the case or an alternate could be named now. Councilmember Palmer advised that the County is not sure about his EMS appointment as the County may have to take applications. He wanted that known.

Council President Hill advised, should that happen, the assignment can be adjusted.

Resolution No. 49-09—A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions and Organizations

Councilmember Palmer moved to adopt Resolution No. 49-09. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting was adjourned at 7:55 p.m.

Stephanie Tuin, MMC  
City Clerk