

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

February 1, 2010

The City Council of the City of Grand Junction convened into regular session on the 1st day of February 2010 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 President of the Council Pro Tem Teresa Coons. Council President Bruce Hill was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Coons called the meeting to order. Boy Scout Troop 333 presented the colors and led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations/Recognitions

Proclaiming February 7 – 13, 2010 as “Scouting Anniversary Week” in the City of Grand Junction

Certificates of Appointments

Jessica Stimmel and Glen Gallegos were present to receive their certificates of appointment to the Visitor and Convention Bureau Board of Directors.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Council President Pro Tem Coons announced that the public hearing on the Sign Code amendment will be continued to March 1, 2010.

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

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the January 20, 2010 Regular Meeting

2. **Setting a Hearing on the Noland Avenue Right-of-Way Vacations Located at Noland Avenue South of the Riverside Parkway** [File #VR-2009-225]

This is a request by the City of Grand Junction to vacate three surplus right-of-way areas totaling 0.78 acres. These remnants have been rendered impractical as right-of-way because of the alignment of the Riverside Parkway through the area.

Proposed Ordinance Vacating Alley Right-of-Way Located Within Block One of the South Fifth Street Subdivision North of Noland Avenue and South of the Riverside Parkway

Proposed Ordinance Vacating Right-of-Way Located within Lot 20 of the South Fifth Street Subdivision North of Noland Avenue Acquired for the Riverside Parkway in Book 3973, Pages 628-631

Proposed Ordinance Vacating a Portion of the Noland Avenue Right-of-Way Located between 5th Street and 7th Street South of the Riverside Parkway and an Alley Right-of-Way Located within Block 2 of the South Fifth Street Subdivision between Struthers and the Riverside Parkway

Action: Introduction of Proposed Ordinances and Set a Hearing for March 1, 2010

3. **Setting a Hearing Zoning the Sunlight Subdivision Planned Development and Approval of the Preliminary Development Plan, Located at 172 and 174 Sunlight Drive** [File #ANX-2006-348 and PP-2008-051]

A request to zone 11.21 acres to PD (Planned Development) with a default zone of R-4 (Residential – 4 units per acre) and consideration of a Preliminary Development Plan (PDP) for Sunlight Subdivision.

Proposed Ordinance Zoning the Sunlight Subdivision Annexation to PD (Planned Development) Zone, by Approving a Preliminary Development Plan with a Default Zoning of R-4 (Residential – 4 Units Per Acre), Located at 172 and 174 Sunlight Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2010

4. **Setting a Hearing for the TNG Rezone, Located at 29 Road and G Road** [File #RZ-2008-378]

Request to rezone 2.63 acres, from an R-5 (Residential 5 units/acre) to a C-1 (Light Commercial) zone district.

Proposed Ordinance Rezoning One Parcel of Land from R-5 (Residential 5 Units Per Acre) to C-1 (Light Commercial), Located at 29 Road and G Road (TNG Rezone)

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2010

5. **Setting a Hearing for the Grand Junction Comprehensive Plan Adoption to Include the Area Between the Fruita and Palisade Buffers (21 Road and 34 Road), North to the Bookcliffs and South to Include Whitewater** [File #PLN-2009-219]

The Comprehensive Plan replaces the City's Growth Plan, the Mesa County's Joint Urban Area Plan, Chapter 5 of the Mesa Countywide Land Use Plan, the 2000 Orchard Mesa Neighborhood Plan, and the 1998 North Central Valley Plan. The Comprehensive Plan establishes a vision for the community and through its goals and policies, that vision to become the most livable community west of the Rockies can be realized.

Proposed Ordinance Adopting the Grand Junction Comprehensive Plan, the Comprehensive Plan is for the Area Generally Located between the Fruita and Palisade Buffers (21 Road and 34 Road) and from the Bookcliffs to Whitewater

Action: Introduction of a Proposed Ordinance and Set a Hearing for February 17, 2010

6. **Mesa State Cannell Avenue Electrical Loop Revocable Permit** [File #RVP-2010-005]

A request for a revocable permit to allow an electrical loop to be installed within City right-of-way on the east side of Cannell Avenue between North and Texas Avenues.

Resolution No. 07-10—A Resolution Concerning the Issuance of a Revocable Permit to Mesa State College

Action: Adopt Resolution No. 07-10

7. **Autumn Place Growth Plan Amendment, Located at 1309 N. 16th Street** [File #GPA-2009-236] **[To be continued]**

Request approval of a Growth Plan Amendment to change the Future Land Use Map designation from Residential Medium, 4 to 8 units per acre to Residential High, 12 plus units per acre, on the subject parcel, as well as all lots located between N. 15th Street to N. 16th Street, between Glenwood Avenue to Elm Avenue. This request is to provide consistency between the Future Land Use Map and the existing zoning.

Action: Continue the Public Hearing to April 5, 2010

8. **Public Hearing – Sign Code Amendment** [File #TAC-2009-251] **[To be continued]**

Proposed amendment to repeal Section 4.2B6 of the Zoning and Development Code regarding lighted, moving and changeable copy signs.

Ordinance No. 4403—An Ordinance Repealing Section 4.2B6 of the City of Grand Junction Zoning and Development Code Regarding Lighted, Moving and Changeable Copy Signs

Action: Continue Public Hearing to March 1, 2010

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Refuse Trucks/Compressed Natural Gas Project

These purchases will replace four refuse trucks currently in the City's fleet. These will be the first four CNG (Compressed Natural Gas) vehicles in the City's fleet and is the first stage in the City moving toward CNG (Compressed Natural Gas) vehicles and thus moving away from foreign oil dependency. Solid Waste will be converting its total fleet over the next 8 years. Garbage trucks will have the largest impact on this conversion as they are the largest user of diesel for the City.

These trucks have a 10 month delivery time, allowing the City to install a fueling and maintenance facility for CNG (Compressed Natural Gas) vehicles.

Laurie Kadrich, City Manager, introduced this item as being one of the first steps to have compressed natural gas available for others as well as using it in some of the City's fleet. The City may have the only CNG fueling station in the area.

Greg Trainor, Utilities, Streets Systems, and Facilities Director, presented this item. These action items are to replace four of the City's refuse trucks with trucks that use compressed natural gas (CNG). CNG is a great alternative to the current fuel, diesel. He deferred to Darren Starr, Streets Systems and Solid Waste Manager, for details.

Darren Starr, Streets Systems and Solid Waste Manager, advised that it was time to replace some of their older trucks so he and his staff looked at the possibility of using CNG from the wastewater treatment plant in the refuse trucks. The bidders on the trucks were asked to submit both diesel and CNG trucks so they could compare. A group of staffers compared the bids on a number of components, including maintenance and capacity. The trucks selected will actually reduce the number of trips to the landfill by 55 a year. He asked Council if anyone had any questions.

Councilmember Palmer asked about training and maintenance costs savings on the side loaders. Mr. Starr said for maintenance costs, the proposed trucks have a different packing mechanism, and in talking to other users, they have not had to replace those mechanisms, whereas the current trucks have those replaced twice in the life of the truck at \$18,000 each. Councilmember Palmer noted the bid being recommended was the highest bid. Mr. Starr advised it was the additional \$36,000 per truck maintenance cost that made the trucks from Faris a better choice. Another lower bid, Autocar, does not have a service facility locally.

Councilmember Pitts asked how these trucks will be fueled. Mr. Starr said a slow fill facility will be constructed at City shops. The trucks take ten months for delivery.

Councilmember Pitts asked if the Cummins engine is the only one that makes a CNG engine. He asked if these trucks will be able to run on either fuel. Mr. Starr said no, they will only run on CNG and Cummins is the only manufacturer.

Councilmember Kenyon stated it seems a policy decision is being made to go to CNG. On the one hand, use of the gas at the wastewater plant is being used but on the other hand, he hears a fueling station is being constructed. He also asked about the process of getting to a public /private partnership.

City Manager Kadrich said the City does have an agreement with XCEL Energy for the natural gas if needed. The original plan was to take the compressed natural gas directly from the Persigo Wastewater Treatment Plant. That is not finalized but they have had discussions to put the gas from the wastewater plant into the line and take it out at the City Shops.

Mr. Starr also addressed the need for a separate maintenance facility, the total cost being \$700,000 of which they have grants for a little more than half. They are also looking at a fast fill station which will more likely be the public fueling option.

Council President Pro Tem Coons asked how long it will take to replace the entire fleet. Mr. Starr said the trash trucks alone will take eight years. With the amount that can be taken from the wastewater plant, only half of the CNG available would be used by the solid waste division.

Councilmember Todd asked if the fuel would be purchased from the Persigo Plant. Mr. Starr answered yes.

A. Front Loader Refuse Truck

Councilmember Todd moved to authorize the purchasing division to award a contract to Faris Machinery Company of Grand Junction, Colorado in the amount of \$249,655 for the purchase of one front load refuse truck for the Grand Junction Solid Waste Division. Councilmember Pitts seconded the motion. Motion carried.

B. Side Load Refuse Trucks

Councilmember Beckstein moved to authorize the purchasing division to award a contract to Faris Machinery Company of Grand Junction, Colorado in the amount of \$796,333 for the purchase of three side load refuse trucks for the Grand Junction Solid Waste Division. Councilmember Pitts seconded the motion. Motion carried.

Air Quality Memorandum of Agreement

The City of Grand Junction has been requested by the Colorado Department of Health and Environment Air Quality Division (CDPHE) to sign an Air Quality Memorandum of Agreement (MOA) with Mesa County and CDPHE. The purpose of the MOA is to address elevated air dust levels of concern in the Grand Valley that exceed the federal particulate matter standard (PM10, or dust) and to determine if the elevated dust levels are regional or not.

Eileen List, Industrial Pretreatment Supervisor, introduced Mike Brygger, Mesa County Health Department Air Quality Specialist, who is presenting a memorandum of agreement with the CDHPE regarding dust levels. She noted that contrary to the summary on the Staff Report, the valley has not exceeded the federal levels. Mr. Brygger agreed saying that if the valley had exceeded the levels then additional controls would have to be put into place. Mr. Brygger said the area is still doing all the requirements but the Environmental Protection Agency (EPA) wants to see that in writing. The levels aren't all caused by dust from the valley, much of it comes from other areas, so there is the potential of exceeding levels. Those times would be considered an "exceptional event" and that data is pulled out of the levels data. The

Health Department is the reason the public is notified if the levels go up and they advise that children, elderly, and those at-risk stay inside.

Councilmember Kenyon thanked Mr. Brygger, analogizing this to significant flood events where water and silt comes off of federal lands. It is a problem that has been happening forever. It affects the air quality. He asked how those events are recorded. Mr. Brygger said the State takes the lead on identifying those regional events; they look at where the dust comes from, studying the dust using satellite photos, and report that to the EPA.

Councilmember Kenyon noted the importance of this agreement for the City's future.

Council President Pro Tem Coons thanked Mr. Brygger noting that, as a member of the Air Quality Control Commission, she is aware of the importance of this monitoring and this partnership as she has seen the control measures placed upon other communities that have exceeded the EPA levels.

Mr. Brygger advised that Mesa County signed the agreement on January 25, 2010.

Councilmember Kenyon moved to authorize the Mayor to sign the memorandum of agreement, titled "A Cooperative Approach Towards Reducing PM10 (dust levels) in the Grand Valley in Mesa County, Colorado." Councilmember Pitts seconded the motion. Motion carried 5 to 1 with Councilmember Beckstein voting NO.

Grant Award for Auto Theft Task Force

The Grand Junction Police Department has been awarded a grant from the Colorado Department of Public Safety for \$245,039. This grant award will support the formation of a joint auto theft task force for the Grand Valley. Participating agencies include: the Grand Junction Police Department, the Mesa County Sheriff's Office, the Fruita Police Department, and the Colorado State Patrol. The award is for the purchase of equipment vital to the mission of the task force, as well as overtime for participants. If approved, the City of Grand Junction will serve as the fiscal agent for the grant.

Troy Smith, Deputy Chief of Police, presented this item. This task force entity would be created through the Mesa County Sheriff's Office along with other agencies to reduce the incidents of auto theft and fraud. The grant will put investigators in the field and purchase some supplies for prevention. The funds are through the State and came from insurance companies. Acceptance of the grant will require a budget amendment.

Councilmember Palmer asked the length of the grant. Mr. Smith said there are two years to spend it. The task force will not continue after that without additional funding.

Councilmember Palmer moved to authorize the City Manager to amend the budget to receive and spend these grant funds in the amount of \$245,039. Councilmember Kenyon seconded the motion. Motion carried.

Contract for the Parkway Sanitary Sewer Interceptor Parallel Line

This project is the second of four projects aimed at replacing, rehabilitating, or increasing capacity of aging sewer lines in the Persigo collection system. The City of Grand Junction as manager of the Persigo System will utilize Build America Bonds to fund the estimated \$4.6 million in projects.

The project begins east of 5th Street just north of the Colorado River and will conclude at the intersection of 15th St. and Winters Avenue where it ties into the existing 24" interceptor.

These projects were included with the City's unsuccessful application for ARRA Funds earlier this year. The City has continued to move forward with the projects utilizing the Build America Bonds in an effort to provide stimulus to the construction community.

Trent Prall, Engineering Manager, presented this item. This is a continuing effort to push out as many construction projects as possible to stimulate the local economy and take advantage of the favorable construction environment. Build America Bonds will be utilized for this project. The project goes along the south side of the Riverside Parkway and ties into a previous project of Central Grand Valley Sanitation. It will double the capacity in the system. On January 12, 2010, six bids were received with M.A. Concrete Construction being the apparent low bid.

Councilmember Palmer asked why there is not an engineer's estimate in the Staff Report. Mr. Prall said he is sure there is one and he is not aware why that is not in the report.

Council President Pro Tem Coons asked about the time frame for the project. Mr. Prall said the open trench portion will take 2 to 3 months. They plan to bore under the Parkway for that section.

Council President Pro Tem Coons asked about the ongoing replacements of older lines. Mr. Prall said where additional capacity is not needed, they tend to line the existing pipes. Replacements are done as needed. This project is a parallel line to add capacity.

City Manager Kadrich clarified the budgeted dollars is now the Engineer's Estimate and that is the wording used in the Staff Report.

Councilmember Kenyon asked about the funding. City Manager Kadrach said all the sewer projects will be borrowed money through bonds at 2.64% interest rate. Councilmember Kenyon said that is a good reason to go forward.

Councilmember Palmer asked if there are no engineer estimates. City Manager Kadrach replied the budget is developed from the engineer's estimate.

Councilmember Beckstein moved to authorize the City Manager to sign a construction contract with M.A. Concrete Construction, Inc. Grand Junction, Colorado for the Parkway Sanitary Sewer Interceptor Parallel Line Project in the amount of \$918,013.18. Councilmember Todd seconded the motion. Motion carried.

Public Hearing – James Annexation and Zoning, Located at 514 30 Road [File #ANX-2009-241]

A request to annex 1.29 acres, consisting of one parcel located at 514 30 Road, and zoning the property to a C-1 (Light Commercial) zone district.

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

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He asked that the Staff Report and attachments be entered into the record. The annexation meets the criteria for annexation. The Planning Commission recommended approval at their January 12, 2010 meeting. The representatives were in the audience but did not wish to speak.

There were no public comments.

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

a. Accepting Petition

Resolution No. 08-10—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the James Annexation, Located at 514 30 Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4404—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, James Annexation, Approximately 1.29 Acres, Located at 514 30 Road

c. Zoning Ordinance

Ordinance No. 4405—An Ordinance Zoning the James Annexation to C-1 (Light Commercial), Located At 514 30 Road

Councilmember Kenyon moved to adopt Resolution No. 08-10 and Ordinance Nos. 4404 and 4405 and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Rimrock Landing Apartment Community Growth Plan Amendment, Located at 665 and 667 24 ½ Road [File #GPA-2009-232]

Request approval of a Growth Plan Amendment for 14.6 +/- acres of land located at 665 and 667 24 ½ Road from Residential Medium High (8 – 12 du/ac) to Residential High (12+ du/ac) in anticipation of future multi-family residential development.

The public hearing was opened at 8:06 p.m.

Councilmember Todd recused herself from this item. She left the dais.

Scott D. Peterson, Senior Planner, presented this item. He described the request, the site, and the location. The applicants are aware that the proposed Comprehensive Plan is scheduled to be approved this year and their request would comply with the proposed Comprehensive Plan. They are asking for consideration earlier than the Comprehensive Plan adoption. He asked that the Staff Report and attachments be entered into the record. The request does meet the criteria of the Zoning and Development Code. The Planning Commission did recommend approval at their January 26, 2010 meeting.

The applicant was present and stated he accepted the Staff Report as written.

There were no public comments.

The public hearing was closed at 8:09 p.m.

Resolution No. 09-10—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 14.6 +/- Acres Located at 665 and 667 24 ½ Road

Known as the Rimrock Landing Apartment Community from Residential Medium High (8 – 12 Du/Ac) to Residential High (12+ Du/Ac)

Councilmember Kenyon moved to adopt Resolution No. 09-10. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Todd asked another member of Council to read a letter she had submitted. Council President Pro Tem Coons read Councilmember Todd's letter of resignation saying she will serve until replaced but not past March 1, 2010 (attached).

Councilmember Palmer said he respects Councilmember Todd's decision and it has been a pleasure to serve with her. Councilmember Kenyon seconded that.

Council President Pro Tem Coons offered her compliments and gratitude noting Councilmember Todd will not be absent from community activities.

Adjournment

The meeting adjourned at 8:10 p.m.

Stephanie Tuin, MMC
City Clerk

Linda Romer Todd

685 Crestridge Drive

Grand Junction, Colorado 81506

(970) 241-0685

February 1, 2010

Mayor Hill, Mayor Pro Tem Coons, Council Members Beckstein, Palmer, Pitts, and Kenyon:

I am tendering my resignation as a Council Member for the City of Grand Junction tonight, February 1, 2010. If it is the wish of the Council, I will serve until replaced but not beyond March 1, 2010.

The past three years have been rewarding, educational, and challenging. I have served with the most passionate, intelligent, articulate, and committed group of people I know. It has been my pleasure.

I have also been fortunate to serve the City of Grand Junction with an administration that has offered this community phenomenal leadership reflected in the morale of the city employees and the partnerships in the community.

I thank the citizens of the City of Grand Junction for giving me the opportunity to serve them.

Sincerely,

A handwritten signature in blue ink that reads "Linda Romer Todd". The signature is written in a cursive style with a large initial "L".

Linda Romer Todd

CC: Laurie Kadrich, Rich Englehart, John Shaver