

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

June 2, 2010

The City Council of the City of Grand Junction convened into regular session on the 2nd day of June 2010 at 7:01 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras, and Council President Teresa Coons. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Appointments

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District

Councilmember Beckstein moved to reappoint Bill Keith and Steve Thoms for four year terms expiring June 2014, and appoint Scott Aker for a two year term to expire June 2012, all to the Downtown Development Authority/Downtown Grand Junction Business Improvement District. Councilmember Hill seconded the motion. Motion carried.

Council Comments

Councilmember Kenyon said he met with Mr. Ben Burkey and he wants to talk about a plan for Burkey Park. The plan has been passed on to the City Manager's office and the Parks and Recreation Director. Mr. Burkey still wants to see something done with the park.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Susuras read the Consent Calendar and moved that the Consent Calendar Items #1 through #2 be adopted. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the May 17, 2010 Regular Meeting

2. **Contract with Mesa County for Building Inspection and Contractor Licensing Services**

Requesting approval of a contract for building inspection and contractor licensing services with Mesa County. The agreement has served both the City and County well in the past and the recommended action will provide for the continuation of those services. The contract term is for two years.

Resolution No. 29-10—A Resolution Authorizing a Contract with Mesa County for Building Inspection and Contractor Licensing Services

Action: Adopt Resolution No. 29-10

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—R and A Subdivision Vacation, Located Adjacent to 545 Grand Mesa Avenue [File #VR-2009-231]

Request to vacate an unused portion of the Grand Mesa Avenue Right-of-Way to make the front setback of the existing residence more conforming.

The public hearing was opened at 7:06 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. She asked that the Staff Report and attachments be entered into the record. The request complies with the review criteria in Section 21.02.100 of the Zoning and Development Code. The Planning Commission forwarded a recommendation of approval from their May 11, 2010 meeting. Ms. Bowers said approval is recommended of the excess right-of-way. The applicant was not present.

Councilmember Palmer noted the summary says it will make the front setback “more” conforming. Ms. Bowers said the Staff Report should have been amended to state that it will make it conforming as opposed to the original request which was for vacation of a lesser amount.

There were no public comments.

The public hearing was closed at 7:08 p.m.

Ordinance No. 4427—An Ordinance Vacating a Portion of the Grand Mesa Avenue Right-of-Way Located Adjacent to 545 Grand Mesa Avenue for R and A Subdivision

Councilmember Palmer moved to adopt Ordinance No. 4427 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Amendment to Action Plan for 2009 Community Development Block Grant (CDBG) Program Year and Amended Subrecipient Contract for Project within the 2009 CDBG Program Year [File #CDBG 2009-05 and 2009-07]

Amend the City's Action Plan for CDBG Program Year 2009 to reallocate a portion of funds not expended from the Riverside Task Force Property Acquisition project to be used towards the Garden Village Learning Center project and amend the existing Subrecipient Contract between the City and Housing Resources of Western Colorado to reflect the additional funds.

Kristen Ashbeck, Senior Planner for Neighborhood Services, Public Works and Planning, reviewed this item. She explained the reason for the reallocation. Two projects will be affected by the reallocation. The first is the expansion of the Community Center in Riverside. The project is nearing completion and will have funds remaining. The second project is the Garden Village Apartment's Community Center. Funding toward that project included some funding from the 2010 ARRA (stimulus) funding and also from 2009 allocation. The bids for the project were nearly double what were anticipated. The contract has been renegotiated and the request is for an additional \$20,000 from the 2009 allocation leftover from the previous aforementioned project.

Council President Coons asked why the Riverside project came in so much under the budget. Ms. Ashbeck replied they had to scale back their project to two lots as the original three lots were not affordable.

Councilmember Hill moved to 1) approve the amendment to the City's CDBG Consolidated Plan 2009 Action Plan to reflect the reallocation of funds from Project 2009-05 (Riverside Task Force) to Project CDBG 2009-07 to construct the Garden Village Learning Center; and 2) authorize the City Manager to sign the amended Subrecipient Contract with Housing Resources of Western Colorado for the City's 2009 CDBG Program Year. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Water Treatment Facility Solar Project Proposal

Staff will present a proposal from Sunsense, Inc. to install a 100.815 kilowatt photovoltaic solar system at the Water Treatment Facility.

Terry Franklin, Deputy Director, Utilities, Streets and Facilities, introduced this item. He deferred to Jay Valentine to explain the procurement process.

Jay Valentine, Assistant Financial Operations Manager, said it was a unique request for qualifications with Xcel Energy being a partner with the City in providing energy credits. If the contractor is not selected as recommended, SunSense, who did the design, the City would have to reapply for the energy credits through Xcel Energy. The City has used SunSense at Two Rivers and at the Visitor Center. It is a good project fiscally and from a conservation standpoint.

Council President Coons asked for explanation of REC (Renewable Energy Credits). Mr. Valentine deferred the question to Mr. Franklin.

Mr. Franklin explained that the City was awarded ten cents for every energy credit plus the City will use the energy rather than having to pay for the energy.

Councilmember Palmer asked if the value of REC credits are diminishing. Mr. Franklin said they are down to 5.5 cents so the City would lose \$180,000 right off the top by rebidding the project and having to reapply for the credits.

Councilmember Kenyon asked Mr. Valentine to explain why the City is spending this money and where the money is coming from.

Mr. Valentine explained that the water fund is an enterprise fund which is supported by user rates not paid for by the general fund. The water fund has accumulated enough resources to take advantage of this project and benefit from the energy savings.

Mr. Franklin explained that no projects were sacrificed for this project, as all the other projects were moved up with the borrowing of the Build America Bonds, with the exception of the waterlines in Main Street for next year. There will be no maintenance for the next twenty years on the solar system. Xcel Energy will give the City a \$200,000 rebate once the system is set up. The bottom line is the project will make \$160,000 for the water customers over the next twenty years.

Councilmember Palmer lauded the project as being a smart project.

Council President Coons says she is frequently asked when the City is going to do something toward sustainability. This is just one example.

Councilmember Susuras applauded the work of Staff noting that a half a million dollar project is only costing the City \$7,000.

Councilmember Palmer moved to authorize the City Purchasing Division to enter into a contract with Sunsense, Inc. in the amount of \$503,034 for the completion of the Water Treatment Facility Solar Project. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Contract Amendment #5 for Engineering Services for the 29 Road and I-70B Interchange Project

This amendment will add scope of work to the original engineering services contract for the 29 Road and I-70B Interchange Project to include part-time construction inspection services during the upcoming Interchange Phase.

Tim Moore, Public Works and Planning Director, presented this item. This item will allow the City to hire the Jacob Carter Burgess team to conduct the technical inspections on the current 29 Road Project. The contract is for part-time work. Jacob Engineering is the current name of the company.

Councilmember Palmer asked why the City spent money on the final design and now another amendment is needed. Mr. Moore said this amendment will be to ensure the construction is done according to the final design. Mr. Moore said the final design was the conceptual design and now this is to make sure it is constructed in accordance with the design, especially the structures that cross the railroad and other large structures.

Councilmember Beckstein inquired why this wasn't part of the last amendment. Mr. Moore said the same process was used in the construction of the Riverside Parkway. At the time of final design, there was a thought that there may be enough in-house expertise to cover this part of the project. At this time, however, they believe that they should have the additional expertise of Jacobs Engineering on a part-time basis.

Councilmember Susuras asked if the County will be paying for half of the contract. Mr. Moore said they will. He further added that they have been bidding all the steps of the project piece by piece in like manner.

Councilmember Pitts asked if there will be other additional charges. Mr. Moore advised that on the staff level this was anticipated, in fact a full-time inspector was anticipated. He didn't think there will be any more changes. He gave previous examples where redesign occurred due to a request from the railroad thus requiring contract amendments.

Councilmember Susuras moved to authorize the City Purchasing Division to amend the engineering services contract for the 29 Road and I-70B Interchange Project with Jacobs Engineering (formerly Carter and Burgess) for a total fee of \$3,107,378 thereby increasing the contract by \$131,400. Councilmember Hill seconded the motion.

Councilmember Kenyon said he would vote in favor of the motion due to Staff's attempt to save money with in-house expertise and this is a small change.

Motion carried by roll call vote with Councilmember Palmer voting NO.

Contract for Construction Materials Testing Services for the 29 Road and I-70B Interchange Project

This technical services contract with Ground Engineering Consultants, Inc. will provide Quality Assurance Materials Testing Services for the 29 Road and I-70B Interchange Phase Project. The total cost of this contract is \$103,864, which will be split by the City and County. The City's share of the cost is \$51,932.

Tim Moore, Public Works and Planning Director, presented this item. This request is for quality assurance testing. There are some Staff members who perform quality assurance but they are busy on other projects. Part of the contract for the construction is that the materials, including the asphalt, will be tested and all those test results will be logged. The purpose of the hiring Ground Engineering Consultants, Inc. is to have a third party on call for quality control.

Councilmember Kenyon asked if that includes soil and strength of the asphalt and will that become a record to protect the City's interest. Mr. Moore said that is correct.

Council President Coons asked Mr. Valentine to present the bid information.

Jay Valentine, Assistant Financial Operations Manager, explained how the bids were solicited as an RFQ (request for qualifications) and the range of bids. The bids ranged from \$38 per hour to \$58 per hour. The County was more comfortable with Ground Engineering's qualifications.

Council President Coons asked if this is a not to exceed contract. Mr. Valentine said yes.

Councilmember Kenyon moved to authorize the City Purchasing Division to sign a technical services contract in the amount of \$103,864, with Ground Engineering Consultants, Inc. for QA Materials Testing Services for the 29 Road and I-70B Interchange Phase Project. Councilmember Susuras seconded the motion.

Councilmember Beckstein asked what the City's actual obligation is since the action lists the full amount instead of half (split with the County) as in the previous agenda item. Mr. Valentine advised that the City will sign the contract and the County will reimburse the City in accordance to the Memorandum that was approved previously.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:45 p.m.

Stephanie Tuin, MMC
City Clerk