

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

November 2, 2011

The City Council of the City of Grand Junction convened into regular session on the 2nd day of November, 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. Councilmember Luke led the Pledge of Allegiance, followed by an invocation by David Eisner, Ohr Shalom Jewish Community Center.

Council President Kenyon welcomed students from an American Government Class from Colorado Mesa University.

Proclamations

Proclaiming November 11, 2011 as “A Salute to all Veterans 2011” in the City of Grand Junction

Proclaiming November 2011 as “Hospice and Palliative Care Month” in the City of Grand Junction

Proclaiming the Month of November 2011 as “Random Acts of Kindness Month” in the City of Grand Junction

Certificate of Appointment

Les Miller was present to receive his Certificate of Appointment to the DDA/DGJBID Board. He thanked the City Council for the opportunity to serve noting that the downtown is important to the community.

Council Comments

Councilmember Doody announced that at 11:11 a.m. on November 11, 2011 there will be a commemoration to Veterans at the Vietnam Veterans Memorial Park in Fruita with the key note speaker being Police Chief John Camper.

Councilmember Coons noted that a lot of people in the community have made the St. Martins Homeless Veterans Housing mentioned by Rick Peterson, Chairman of the Veterans Committee, possible.

Councilmember Boeschstein said he attended the two neighborhood meetings for Lincoln Park and he commended the plan to freshen the park.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Susuras moved to approve the Consent Calendar and then read Items #1 through #4. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the October 17, 2011, Regular Meeting

2. **CDBG Subrecipient Contract for Funds and Projects within the Community Development Block Grant (CDBG) 2011 Program Year** [File #CDBG-2011-06]

The Subrecipient Contract formalizes the City's award of \$30,000 to HomewardBound of Western Colorado, Inc. allocated from the City's 2011 CDBG Program as previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contract with HomewardBound of the Grand Valley, Inc. for the City's 2011 Program Year Funds

3. **Horizon Drive Association Business Improvement District 2012 Operating Plan and Budget**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Horizon Drive Association Business Improvement District filed their 2012 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Horizon Drive Association Business Improvement District's 2012 Operating Plan and Budget

4. **Downtown Grand Junction Business Improvement District 2012 Operating Plan and Budget**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Downtown Grand Junction Business Improvement District filed their 2012 Operation Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Downtown Grand Junction Business Improvement District's 2012 Operating Plan and Budget

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Amending the Comprehensive Plan by Adopting the North Avenue West Corridor Plan, Located between I-70B (west side) to 12th Street (east side including both sides of North Avenue) [File #CPA-2011-966]

The Corridor Plan establishes four guiding principles, multiple plan elements, and a future street cross section for North Avenue to further revitalize and plan for the future growth of North Avenue. It also recommends that a future overlay district be created and established as the Plan is implemented. The Grand Junction Planning Commission and City Staff recommend the adoption of the North Avenue West Corridor Plan as an element of the Grand Junction Comprehensive Plan.

The public hearing was opened at 7:32 p.m.

David Thornton, Principal Planner, presented this item. The consideration of the North Avenue West Corridor Plan is an amendment to the Comprehensive Plan. The Plan is to shape the corridor for the future. The Plan boundary for the west corridor area includes the southside of Belford Avenue and cuts through Colorado Mesa University (CMU) campus towards the Sherwood Park area west through to the I-70 Business Loop. The vision of the Comprehensive Plan is to be the most livable community west of the Rockies. The four guiding principles established through various focus groups are safety, aesthetics, placemaking, and neighborhood impacts.

Mr. Thornton noted there has been a lot of attention towards revitalizing North Avenue. The Planning Division looks for vacancies along North Avenue and then they contact the owners and get details on availability. The vacancy rate was at 11.4% along North Avenue whereas the City overall is at 6.4%. It has gone up recently to 11.65% whereas the City overall vacancy rate has stayed pretty steady at 6.6%. In their analysis, there are some unique areas, or subareas, throughout the corridor. It is easier to break it up into

subareas. This section lent itself into three subareas. Around the First Street intersection both directions, is considered an Automotive Sales and Service District. The next district to the east is designated as the Sherwood Park Mixed Use District and extends to around 5th Street. This area is already a mixed use area. The third district is around the University and is being dubbed as the Educational/Student Commercial and Entertainment District and extends from 7th Street to 12th Street. Students from the High School on 5th Street also impact this area.

Mr. Thornton reviewed the Plan Elements which are: creating a more unified street edge, designing street intersections with safety in mind, establishing appropriate locations for pedestrian crossings, creating a North Avenue streetscape - a look, functionality, and vitality of the corridor, constructing buildings adjacent to the street, consolidating existing curb cuts, creating opportunities for residential land uses, defining the street edge for commercial/retail land uses, transit and the use of bus pullouts and shelters, and signage including how to improve it.

Mr. Thornton highlighted the elements relative to pedestrians and transit users and presented some possible improvements relative to these elements.

Mr. Thornton advised that a number of focus groups were held. One such group included students and the University President. One of the main comments heard by this group was the need for more services near the school. There were public open houses and there was a survey where 351 surveys were returned. The respondents were in favor of bike lanes. 92% said it was a bad idea to allow parallel parking on North Avenue. Aesthetics were important to the respondents.

Several options were presented and the public was mostly in support of Option 3 which did not require new paving but rather only required restriping. Therefore, Option 3 is the option being recommended.

The Planning Commission recommended approval of this Plan and the next step would be to create an overlay district for the two sections of North Avenue. The section in the West Corridor Plan and the section included in the 2007 North Avenue Corridor Plan, which is the east section.

Councilmember Coons asked about the Village Center around Sherwood Park. Mr. Thornton said it would serve the Sherwood Park neighborhood and also be an area of employment for small businesses.

Councilmember Susuras asked for confirmation that there are no changes to the Future Land Use Map as a result of the Plan. Mr. Thornton said this Plan would not change any zoning or land use designation.

Councilmember Susuras asked for a clarification on what an Overlay Plan would look like. Mr. Thornton said most of the property along North Avenue is zoned C-1. If a property along the corridor would be redeveloped, an overlay would provide the developer with a menu of choices for elements to include in their plan. It would not change the zoning, it would provide incentives for the plan to include the elements desired. The dedication of right-of-way is already part of the Code so that would not change, it is how that right-of-way is used. That would meet the goal of making the area more of an urban and pedestrian environment.

Councilmember Susuras asked about Colorado Department of Transportation's (CDOT's) involvement since it is a State Highway. Mr. Thornton said a CDOT representative served on the committee. CDOT really only cares about what happens between the curbs, so when restriping occurs they would be involved. Beyond the curb is within the City's jurisdiction.

Councilmember Boeschstein thanked Mr. Thornton for this long range view and said he supports bicycling. He does have concerns with the bike lanes along North Avenue with all the driveways; it is extremely dangerous. He would like to see the bike lanes delayed until many of the curb cuts are eliminated. There are alternative routes to North Avenue; one is Gunnison and another is Elm Avenue. He then asked about the funding for this project.

Mr. Thornton said that is still to be determined, this plan just lays out the options. The chances of a Special Improvement District could be difficult for the entire corridor, it may have to be done in small areas. The purpose is to set the stage for future opportunity.

Councilmember Boeschstein said funding could come from the capital fund or through Community Development Block Grant (CDBG) funds but nevertheless, it will probably be done in bits and pieces. Regarding the bike lane, that will be some time out and the questions of when to stripe the roadway could be analyzed at that time. He said it is understood that this will be a patchwork project, but without a plan, the patchwork of improvements will end up being long term.

Councilmember Boeschstein noted the businesses that have left North Avenue left big vacant stores. He asked if anything can be done to attract new businesses and have them locate on North Avenue. Mr. Thornton said that is part of the purpose of this plan, to have the vision to show any companies that inquire about North Avenue.

City Manager Kadrich said that North Avenue is one of the first places that the Economic Development Task Force takes businesses who are considering moving since the infrastructure is there. Most of that work has been futile since the business model shows the most traffic in the west end of town.

Councilmember Pitts complimented the Planning Division for the development of the Plan. He supported having a vision.

There were no public comments.

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

Council President Kenyon noted the importance of appearance along North Avenue. He agreed with Councilmember Boeschstein about the bicycling situation; it is dangerous. His other concern is the jaywalkers crossing North Avenue between 10th and 12th Streets. He agreed with the bus pullouts as those are imperative. He supports the Plan. He hopes some of the serious issues can be addressed. The restaurants and their parking along North Avenue were not designed for the traffic that is in the area so that will need to be considered.

Councilmember Luke asked about 7th Street being ten feet wide and North Avenue is proposed to be 11 feet, she asked if history demonstrates that drivers incrementally slow down when lanes widths are narrow. Mr. Thornton said he could not reference a specific report but noted that transportation engineers around the world concur that people do not feel comfortable driving fast in a narrow lane.

Councilmember Luke then noted that the newer buses will be longer so that should be accommodated in the plan. Mr. Thornton said any bus pullout would have to meet Grand Valley Transit (GVT) specifications.

Councilmember Doody asked if there would be opportunities to close the alleys. Mr. Thornton said that would be a Council decision, the Plan does not propose that.

Councilmember Doody asked if the City maintains North Avenue on behalf of CDOT through an agreement.

Public Works and Planning Director Tim Moore said the City does works closely with GVT and funding for construction of the bus pull outs has been through federal money. As far as maintenance, the City takes care of the striping, traffic lights, and signals. There was a trade proposed with CDOT, but the City decided not to go through with that proposal (North Avenue in exchange for Riverside Parkway bridges).

Councilmember Coons agreed with Councilmember Pitts; it is about time to have a vision. She has heard some discussion on the creation of a district or association. It was her understanding that the City would do some of the striping for the bike lanes, but the property owner would be responsible for landscaping.

Councilmember Susuras commented that the Plan envisions North Avenue as a destination and he thought that was a great comment.

Ordinance No. 4486—An Ordinance Adopting the Grand Junction North Avenue West Corridor Plan as an Element of the Comprehensive Plan for the Area Generally Located Along North Avenue West of 12th Street

Councilmember Susuras moved to adopt Ordinance No. 4486 and ordered it published in pamphlet form. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Ordinance Authorizing the Substitution of Collateral for the Sam Suplizio Field/Ralph Stocker Stadium Lease Purchase

In November 2010, the City Council approved an ordinance authorizing the lease of Sam Suplizio Field and Ralph Stocker Stadium in order to issue Certificates of Participation to provide funding for improvements to the Field and Stadium. Those improvements are currently under construction. In October, 2011, the City Council determined that it is in the best interest of the City to substitute the collateral for that lease with the City Hall building. This ordinance will authorize the execution of the appropriate documents to allow for that substitution.

The public hearing was opened at 8:35 p.m.

John Shaver, City Attorney, presented this item. He explained the purpose of the request is to replace the collateral for the Certificates of Participation (COP's) that were issued about a year ago for the improvements at the stadium. The COP's basically provided a lease/lease back agreement in order to provide funding for the improvements with the stadium as collateral. Now that minor league baseball will be a tenant at the stadium, it violates the tax exempt financing criteria. The collateral guarantees the bank that the City will make the annual payment on the financing.

Council President Kenyon further clarified that when the City entered into the financing agreement, JUCO, another non-profit, was the only tenant. Now that a for-profit entity will be using the stadium, a change had to be made to meet Internal Revenue Service (IRS) requirements.

Councilmember Luke noted that if it had been known this was to happen, the City would have likely used City Hall as collateral. City Attorney Shaver said the possibility was anticipated so a provision was included in the initial financing to allow for such a change.

Councilmember Susuras recalled that the City Attorney did offer that City Hall could be used as collateral when the City issued the COP's last year.

Councilmember Doody asked how much City Hall appraised for. City Attorney Shaver said one appraisal came in at \$7.5 million. The City's appraiser included use value and appraised the building at \$8.1 million. \$7.7 million is the amount of collateral needed, so the City will make its annual payment and then hold some cash for the difference.

Councilmember Susuras asked for confirmation that the City Council has the authority by the Charter to do this. City Attorney Shaver responded affirmatively.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Ordinance No. 4487—An Ordinance Authorizing the Execution and Delivery of a First Amendment to Ground and Improvement Lease Agreement, a First Amendment to Lease Purchase Agreement, an Escrow Agreement, and Related Documents by the City; and Providing for Other Matters Relating Thereto

Councilmember Susuras moved to adopt Ordinance No. 4487 and ordered it published in pamphlet form. Councilmember Luke 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 8:45 p.m.

Stephanie Tuin, MMC
City Clerk