GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA

MONDAY, APRIL 17, 2000, 7:00 P.M.
TWO RIVERS CONVENTION CENTER, 159 MAIN STREET

7:00 **MAYOR'S INTRODUCTION AND WELCOME**

7:05 **COUNCILMEMBER REPORTS AND COMMENTS**

7:15 **REVIEW WEDNESDAY COUNCIL AGENDA**

PRESENTATIONS

7:25 **REQUEST FOR AWARD OF INCENTIVE FUNDS:** Diane Schwenke, representing the Existing Industry Incentive Committee, will request a $60,000 incentive from the City for West Star Aviation. Attach W-1

7:40 **AMERICAN MEDICAL RESPONSE:** John Deister, Operations Manager for AMR, will brief Council on AMR's services and activities. Attach W-2

8:00 **SPEED ENFORCEMENT IN SCHOOL ZONES:** Traffic Engineer Jody Kliska will present recommendations for new standards in school zones. Attach W-3

8;25 **CANYON VIEW HOMEOWNERS ASSOCIATION TRAFFIC CALMING REQUEST:** Traffic Engineer Jody Kliska will present a plan for a pilot project in this area. Attach W-4

8:50 **OLD MILL BRIDGE UPDATE:** Public Works Director Mark Relph will update City Council on the slope stability next to this bridge. Attach W-5

9:10 **DISCUSSION OF SENATE BILL 215:** City Attorney Dan Wilson will brief City Council on the possible implications of Senate Bill 215. Attach W-6

9:25 **EXECUTIVE SESSION:** To discuss personnel issues.

9:45 **ADJOURNMENT**

Attach W-1

Memo to: Grand Junction City Council

From: Existing Industry Incentive Committee
Date: April 3, 2000
Subject: Request for award of incentive funds

The Existing Business Expansion Incentive Committee requests the following item be considered by the Council at workshop on April 17th and possible action be taken at the Council Meeting on April 19th. This company needs to start construction soon.

Project Description

West Star Aviation, Inc. intends to:

- construct an aircraft painting hangar that would double capacity
- build a new aircraft maintenance hangar that would relieve a severe space shortage due to increased demand
- acquire tooling for current and new airframe maintenance.

The company will be investing approximately $3.5 million dollars and creating 60 jobs over the next three years that will pay average wages of between $13.47 and $15.97 per hour. Over 90 % of West Star's business is from outside Colorado and the company has met the guidelines established by the City Council for business expansion incentives.

Incentive Committee Recommendation:

The Committee is recommending that the Company receive $60,000 in incentive funds from the City and has also factored in a request to the County for approximately $58,000 in property tax relief over the next five years.

Attach W-2

David Varley,
Assistant City Manager 4-04-2000

As you requested here is a brief outline of the presentation we would like to present to the city counsel on April 17th. Our purpose is to present to the counsel the opportunity to become aware of the services available and offer our selves as a resource for information.

Not Just an Ambulance Company
- Staffing Model &Training Requirements
- Levels of Care
- Services Provided

Performance
- Compliance to Requirements
- Clinical Performance & Reporting

Working with the Community
- Interaction with Community Organizations
- Non-Transport Services Provided

The Future
- Opportunities to Improve Services
- Public-Private Partnerships

We will need approximately 15 minutes for our presentation with possibly a few additional minutes for questions.

Please call me at 242-2920 if there is any additional information you need and or to confirm our date.

Thank you,

John Deister
Operations Manager
American Medical Response

Attach W-3

CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

CITY COUNCIL			
Subject:	**Traffic in School Zones**		
Meeting Date:	**April 17, 2000**		
Date Prepared:	**February 16, 2000**		
Author:	**Jody Kliska**	**Transportation Engineer**	
Presenter Name:	**Jody Kliska**	**Transportation Engineer**	
x	**Workshop**		**Formal Agenda**

Subject: Traffic in School Zones

Summary:
The Transportation Engineer and her staff have been researching the City's designation of school zones. Based on that research, the Transportation Engineer is proposing the following:

1. Post all school zone speed limits at 20 mph when flashing. This limit would apply in all school zones in the urban core area. Two exceptions proposed are the existing school zone on South Camp Road and a proposed new zone on Redlands Parkway. These zones would be posted at 25 mph due to the higher approach speeds on the roads.
2. Installation of in-pavement flashers at a school crossing. The test location to evaluate the effectiveness has not yet been determined.
3. Establishment of a new school zone on the Redlands Parkway at the existing school signal at Greenbelt Drive.
4. Funding to hire a traffic engineering consultant to review and update walking route maps for all schools within the city limits. The consultant shall minimally establish consistent written policies for all school-related traffic control.

Background Information:

Introduction

Section 23-9 of the Model Traffic Code describes the duties and powers of the traffic engineer. The engineer's responsibilities include installation, timing and maintenance of official traffic control devices and planning the operation of traffic on the streets. This includes conducting speed zoning studies and posting speed limits as permitted by law, as well as establishing safety zones at such places necessary for pedestrian protection. Section 23-11 of the Model Traffic Code further charges the engineer with the duty to see that all traffic control devices are uniform as to type and location.

The Manual on Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Administration and adopted by law, describes the need for standards in school areas. Chapter 7 of the new MUTCD stresses the importance of uniform application of realistic policies, practices and standards to achieve safe and effective traffic control for school area traffic. The MUTCD

provides guidance that a school route plan for each school serving elementary to high school students should be prepared in order to develop uniformity in the use of school area traffic controls and to serve as the basis for a school traffic control plan for each school. Additionally, the school route plan should be developed in a systematic manner by the both school and traffic officials responsible for school pedestrian safety.

School zone speed limits presently vary throughout the city. Some are posted at 25 mph, others are posted at 20 mph. No documentation exists supporting the speeds in the current zones. Additionally, the police department has indicated the desire for consistency. Staff surveyed other cities in Colorado and found that other cities are posting 20 mph speeds in school zones. All those surveyed believe that consistency in school zones is vital. In the Grand Valley, Mesa County posts all of their school zones at 25 mph; CDOT has most of theirs posted at 25 mph, with some higher than that.

Studies have shown that children do not fully develop the necessary abilities to interact with traffic until about age 11 or 12. Children have difficulty detecting traffic because of their smaller size and a narrower field of vision. They have difficulty judging safe gaps in traffic and safe places to cross, and tend to judge noisy cars as going faster than quiet cars. Children do not understand the driver's point of view and believe that others see what they see, not realizing drivers may be unaware of their presence. School zones are established where children will be crossing the street, normally near the school, understanding the children's limited capability to interact with traffic.

On streets where the posted speed limit is 35 mph or higher, posting school zone speeds at 25 mph appears to be more effective in reducing speeds in school zones. A study of school zones in Nebraska concluded that school speed limits lower than 25 mph should probably not be used on streets with posted speed limits of 35 mph or higher in order to achieve reasonable levels of compliance. The findings of the Nebraska study appear valid.

The fine schedule for municipal speed violations was amended on September 20, 1999 to double the fines for speed violations in school zones and construction zones. The amended fines are as follows:

Offense	*Fine***	*Points*
5-9 mph over	$96.00	3
5-9 w/accident	$120.00+MAA*	3
10-19 mph over	$120	4
10-19 w/accident	$144+MAA	4
20+mph over	Summons to Court	6

*MAA-Municipal Accident Assessment of $22
**The court will allow a violator to show that a special hazard did not exist. If shown, the double fine will not be imposed.

Implementation

1. School zone changes will be made during the summer of 2000. The new signs will contain the information about fines doubled for speeding. Staff intends to notify the media, the school district, principals and the police department of the changes.
2. In-pavement flashers were researched and chosen for installation at selected unsignalized, marked crosswalks. A test installation with push-button actuation is proposed in order to evaluate the effectiveness of the flashers on driver behavior and to answer some questions about visibility of the flashers by second or third vehicles in a queue. Two potential locations have been identified for the test: the crosswalk on Unaweep Avenue at 27 3/8 Road, where the principal has contacted the city in the past with concerns about the visibility of the existing crosswalk and the crosswalk on Grand Avenue at 9th Street where traffic volumes are increasing and adequate gaps for crossing have become fewer for crossing pedestrians.
3. The existing signal on Redlands Parkway at the Greenbelt Drive intersection was installed by Mesa County in the 1980's as a school crossing signal for Broadway Elementary School. There is currently no established school zone. The posted speed limit on the Parkway is 45 mph, and the 85th percentile speed has been measured at 51 mph. Because the signal is on green unless the pedestrian button is pushed, regular drivers of the Parkway see a green light more than 95% of the time. Staff has observed a high frequency of red light running at the intersection. While there is no accident history, there is a high potential for a serious accident, given the visibility and prevailing speed. Staff proposes the installation of flashers and a school zone speed limit of 25 mph when flashing. The estimated cost of installation is $4,000, and will be completed by City Traffic Services personnel this summer.
4. The new MUTCD includes a recommendation for establishing school walking routes for all schools, including middle schools and high schools. The existing school walking routes for elementary schools were done in 1990. The maps have not been updated and do not include existing traffic controls or traffic volumes. There is no walking route map for Grand Junction High School or the middle schools, and through annexation there are more schools within the city limits now, as well as new schools. New walking route maps need to be done for each school in the city and these need to be reviewed and implemented with the aid of the schools and accountability committees.

   The maps present an opportunity to establish written policies for installation of all school-related traffic control devices, and to work with the school district, parent organizations and police department to foster understanding of the purpose, use and limitations of signs, markings and signals.

   Staff is currently working with Mesa County through the MPO to develop policies and procedures to address school zones county-wide. It is anticipated that one of the issues to be addressed in this study will be the appropriateness of school zones on arterial corridors where a signalized school crossing/intersection exists. One of example of this is 7th Street at Tope Elementary.

Budget:

1. The speed zone changes can be accommodated within the approved sign budget.

2. The in-pavement flasher installation is estimated to cost $13,000 for one location. Staff will request inclusion of this in the revised budget for 2001.
3. The installation of flashers on the Redlands Parkway is estimated to cost $4,000. This cost includes the purchase of new clocks to operate the flashers, as well as the cost of trenching for conduit. The flashers will be built using recycled poles and indications.
4. The cost of a consultant to review, update and create new walking routes and written policies is estimated at $30,000. Staff will request this be included in the revised budget for 2001.

Action Requested/Recommendation:

Council approval of funds as listed in items 1-4 above.

Citizen Presentation:	x	**No**		**Yes**	**If Yes,**		
Name:							
Purpose:							

Report results back to Council:		**No**		**Yes**	**When:**	

Placement on Agenda:		**Consent**		**Indiv. Consideration**	x	**Workshop**

Attach W-4

CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

CITY COUNCIL			
Subject:	**Traffic Calming Project in Canyon View Subdivision**		
Meeting Date:	**April 17, 2000**		
Date Prepared:	**April 4, 2000**		
Author:	**Jody Kliska**	**Transportation Engineer**	
Presenter Name:	**Jody Kliska**	**Transportation Engineer**	
x	**Workshop**		**Formal Agenda**

Subject:
Traffic Calming project in Canyon View Subdivision.

Summary:
Members of the Canyon View Homeowners Association have been working with city staff for the past year and are seeking approval and funds to install four speed humps within the subdivision to reduce speeding on the streets.

Background Information:

City staff has been working with a small group of residents appointed by the homeowners' association to understand and resolve traffic issues within the subdivision for more than a year. Both Transportation Engineering staff and Police Department staff attended a homeowners association meeting and several subsequent meetings. As a result of these meetings, the residents' group decided to pursue traffic calming devices. In accordance with the city's traffic calming process, the residents have approached this with the three E's – education, enforcement, and engineering.

Process for Initiating Traffic Calming Projects

Step 1: City receives notification from neighborhood of problem. City does basic data collection - volumes, speeds, accidents, geometrics. The problem is scored and assigned a priority.
Step 2: Hold neighborhood information session. Identify, quantify problems. Solicit volunteers for project traffic committee.
Step 3: Staff/project traffic committee develop plan for traffic calming of the project area.
Step 4: Public information meeting to present plan to neighborhood.
Step 5: Circulate neighborhood petition. 60% approval required to continue.
Step 6: Petition brought to Council along with Public Works staff report. Council action on temporary installation of traffic calming in accordance with the plan developed by staff/project traffic committee.
Step 7: Installation and monitoring of test project. City collection of appropriate traffic data.
Step 8: Survey neighborhood for acceptance and present results of data collection.

Step 9: Request council action for installation of permanent improvements.
Step 10: Design and construction.

Data Collection

The Police radar trailers were set up on both North and South Canyon View for nearly a week. The trailers have the capability of recording the speeds and volumes of traffic. The standard road tubes were also used to collect speed and volume data on N. Canyon View Drive. The data is summarized below.

Street	*85th%ile Speed*	*Highest Speed*	*Volume*
N. Canyon View	29.2	7 over 40 MPH	357
S. Canyon View	26.0*	39 MPH	468

*Data was collected by the radar trailers over a three day period. The trailer display was turned off for the first 24 hours to measure if there is a perceptible difference in speeds. There was not, but the 85th%ile speed remained lower than was measured with the standard road tube, indicating the presence of the trailers has somewhat of an effect on travel speed.

Residents' Efforts

The residents' group composed a petition and passed out the traffic calming brochures designed by city staff to all residents of the Canyon View subdivision. The group decided with the aid of staff that they wanted to pursuing installation of speed humps. By going door-to-door, the committee members were able to get to know their neighbors and explain the problems they see with speeding in their subdivision, as well as the potential consequences. These educational efforts have increased awareness of the problems associated with speeding. There were several residents who were not able to be contacted by the door-to-door method so letters were sent.

The results of the petition are as follows. There are 122 possible families to be polled:

Yes	82
No	11
Letters Returned	7
Couldn't be Reached	22

This represents 67% of the residents of Canyon View in favor of installation of speed humps. The proposal is for four speed humps, two each on North and South Canyon View Drive.

Potential Drainage Problem

James V. and Eva S. Sidwell, residing at 2194 Canyon View Drive, submitted a letter to the city stating opposition to the proposed location of one of the speed humps near their home because of the potential for flooding of their home. The Sidwell home is located below the grade of the street, and a field visit to the site confirmed that the potential for water to overflow the sidewalk does exist. Both the City Engineer and a project engineer visited the site with the Transportation Engineer and suggested relocating the proposed speed hump to the west end of Mr. Sidwell's property. Any overflowing of the

sidewalk would occur upstream of the speed hump and while it would flood the lawns of the properties to the west, the houses would not be affected.

Another potential traffic calming design could be investigated as an alternative to speed humps on Canyon View. The possibility of using recycled rubber bumper blocks to form chicanes (a series of narrowings or curb extensions that alternate from one side of the street to the other forming S-shaped curves). No costs have been estimated for this alternative.

Recommended Speed Hump Placement

Budget:
The CIP contains project F25600, where $25,000 is budgeted for traffic calming projects. Staff proposes construction of three of the speed humps by city streets forces at an estimated cost of $1200 each, or $3600, and installation of a temporary speed hump made of recycled rubber at an estimated cost of $4000. The total project costs are estimated at $7600. Staff anticipates more requests for traffic calming from other neighborhoods in the city.

Action Requested/Recommendation:
Approval of the expenditure of approximately $7600 for speed humps in the Canyon View Subdivision. Staff intends to look at drainage calculations for the affected portion of Canyon View Drive prior to the installation of any device at or near 2194 Canyon View Drive.

Citizen Presentation:		**No**	X	**Yes**	**If Yes,**
Name:	**Lauri Nitz**				
Purpose:	**Detail residents' efforts, present petition**				

Report results back to Council:		**No**	x	**Yes**	**When:**	**1 Year**	

Placement on Agenda:		**Consent**		**Indiv. Consideration**	x	**Workshop**	

Attach W-5

CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

CITY COUNCIL			
Subject:	**Old Mill Bridge and Trail Stabilization**		
Meeting Date:	**April 17, 2000**		
Date Prepared:	**April 13, 2000**		
Author:	**Don Newton**	**City Engineer**	
Presenter Name:	**Tim Moore**	**Public Works Manager**	
X	**Workshop**		**Formal Agenda**

Subject: Update of Geotechnical Evaluation of Old Mill Bridge and Trail

Summary: CTL Thompson has completed there preliminary investigation and report titled "Preliminary Evaluation of Damages, Colorado River Pedestrian Bridge (AKA Old Mill Bridge), Grand Junction, Colorado" The report identifies probable causes of damage to the trail and recommends procedures necessary to stabilize the slope, anchor the bridge abutment and repair the trail.

Background Information: CTL Thompson, Inc. Consulting Engineers was selected in 1999 to evaluate damages to the ped/bike trail and bridge abutment located on the south slope of the Colorado River. The geotechnical report identified three mechanisms that may have contrubuted to the trail damage. These include

a) consolidation of the south embankment fill on which the trail was constructed
b) the base of the embankment fill is likely sliding downhill along the original ground surface
c) the slope debris material on which the fill and trail were built is slowly creeping down hill along a weathered bedrock surface. This landslide condition existed before the trail and bridge were constructed.

The report concludes that the amount of movement contributed by each of the above mechanisms is difficult to define.

In order the stabilize the slope, anchor the bridge abutment and repair the path, the consultant recommends that the existing fill below the path be removed and replaced on a flat stabilized subgrade surface and that the slope be stabilized to prevent the embankment from moving downhill with slope movement. The most practical method of slope stabilization appears to be the installation of soil nails or soil anchors and horizontal drains. The anchors would be installed through the overburden soils and bonded to the bedrock. The installation of soil nails or anchors and horizontal drains to protect the south bridge abutment is also recommended as a precautionary measure to guard against abutment and wing wall movement.

The report states that without slope stabilization, failure of the slopes above or below the path could result in the lose of a section of the path or damage to the bridge structure.

At staffs request, CTL Thompson has prepared a proposal to perform additional investigative drilling and sampling of the slope materials and to design and prepare plans for stabilization of the slope and repair of the path. The estimated fee for this work is $12,416.

Budget:

Amount currently budgeted for engineering and trail repair	$134,368
Preliminary Engineering and Evaluation and Report (completed 12/17/99)	$6,855
Consultant fee for investigative drilling and design services	$12,416
Remaining Balance	$115,097

The balance of $115,097 will be needed for slope stabilization and path repair work. CTL Thompson has estimated the cost of this work to be between $150,000 and $200,000.

Action Requested/Recommendation: Staff requests Council approval of CTL Thompson, Inc. proposal and authorize the consultant to proceed with investigative drilling, soils testing and design of slope stabilization and trail repairs for a lump sum fee of $12,416.

Citizen Presentation:		**No**		**Yes**	**If Yes,**		
Name:							
Purpose:							

Report results back to Council:		**No**	**X**	**Yes**	**When:**	**June, 2000**	

Placement on Agenda:		**Consent**		**Indiv. Consideration**		**Workshop**	

Attach W-6

Second Regular Session

Sixty-second General Assembly

LLS NO. 00-1064.01 Bart Miller SENATE BILL 00-215

STATE OF COLORADO

BY SENATORS Evans and Powers;
also REPRESENTATIVE McElhany.

A BILL FOR AN ACT

101 CONCERNING STATE PLANNING FOR INFRASTRUCTURE NEEDS RELATED TO

102 POPULATION GROWTH, AND, IN CONNECTION THEREWITH,

103 DIRECTING THE COLORADO WATER CONSERVATION BOARD TO

104 STUDY INTEGRATED WATER INFRASTRUCTURE FACILITIES AND

105 ORGANIZATIONAL REQUIREMENTS NECESSARY TO ACCOMPLISH

106 SUCH PLANNING.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently

adopted.)

Declares that, in order to plan for the growth in water supply demands caused by Colorado's population growth, in addition to alternatives already studied by the Colorado water conservation board, other infrastructure possibilities should be considered. Under the current authority of the Colorado water conservation board, requires the board to solicit proposals and recommend to the general assembly by December 15, 2002, the development of a water supply project consisting of integrated water infrastructure facilities that will result in the delivery of water to the eastern and western slopes. Sets forth parameters for the project.

Specifies that the board's recommendation to the general assembly shall take the form of a feasibility study containing certain information.

Specifies that the general assembly, if it accepts the project recommended by the board, shall approve a funding plan for the project that may involve funding from the Colorado water conservation board construction fund.

[ ] denotes HOUSE amendment. { } denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate material to be deleted from existing statute.

Requires the board to carry out development of the project if approved by the general assembly. Authorizes the board to contract out operation of the project with the board exercising ultimate oversight.

Authorizes the board to issue water supply contracts for water from the project, but grants first priority to a proponent whose project is accepted

by the board in whole, or in part, under this act. Grants the board rule-making authority concerning the project.

Requires that the board study its current membership and permits it to recommend to the general assembly the reorganization of the board and changes in its organizational structure in order to carry out the integrated water infrastructure facilities contemplated under this bill.

Provides that any such recommendations shall be communicated in writing to the general assembly with possible legislative changes to implement such recommendations.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 60 of title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

37-60-122.3. Development of Colorado river water supply - legislative declaration - rules. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT, TAKING INTO CONSIDERATION THE UNRELIABILITY OF NONRENEWABLE GROUNDWATER, IN ORDER TO PLAN FOR THE GROWTH IN WATER SUPPLY DEMANDS CAUSED BY POPULATION GROWTH ACROSS THE STATE, WATER INFRASTRUCTURE, IN ADDITION TO THE ALTERNATIVES STUDIED UNDER THE COLORADO WATER CONSERVATION BOARD'S METROPOLITAN WATER SUPPLY INVESTIGATION,

MUST BE EVALUATED. THEREFORE, IN ORDER TO MEET THE DEMANDS OF THE STATE'S NEW POPULATION GROWTH, THE COLORADO WATER CONSERVATION BOARD, UNDER ITS GENERAL WATER PLANNING AUTHORITY, SHALL SOLICIT PROPOSALS FOR AND RECOMMEND TO THE GENERAL ASSEMBLY BY DECEMBER 15, 2002, THE DEVELOPMENT OF A

PROJECT OR PROJECTS DESIGNED TO ASSIST IN MEETING GROWTH-RELATED INCREASES IN DEMAND. THE PROJECT OR PROJECTS SHALL COMPRISE THE INTEGRATED WATER INFRASTRUCTURE FACILITIES. THE RECOMMENDATION SHALL:

(a) ENCOURAGE A COOPERATIVE APPROACH TO WATER SUPPLY PLANNING;

(b) FOSTER A SYSTEM INTEGRATION APPROACH TO WATER SUPPLY PLANNING;

(c) REASONABLY PROTECT THE ENVIRONMENT OF THE BASIN OF ORIGIN AND BASIN OF USE;

(d) PROMOTE A COST-EFFECTIVE APPROACH TO THE PROVISION OF WATER SUPPLIES;

(e) PROVIDE THAT NO CURRENT IRRIGATED AGRICULTURE WILL BE

TAKEN OUT OF PRODUCTION IN EITHER THE BASIN OF ORIGIN OR THE BASIN

OF USE TO ACHIEVE THE DELIVERY GOALS;

(f) COMMENCING IN 2020, MAKE AVAILABLE FOR DELIVERY TO THE

BASIN OF USE WATER FOR POSSIBLE ENDANGERED SPECIES REQUIREMENTS,

IF ANY, IN ADDITION TO WATER FOR TRADITIONAL RECOGNIZED

CONSUMPTIVE USES;

(g) COMMENCING IN 2020, MAKE AVAILABLE FOR DELIVERY FROM

WATER DIVISION 4 OR 5, ON AN AVERAGE ANNUAL BASIS A MINIMUM OF

ONE HUNDRED TWENTY THOUSAND ACRE-FEET OF WATER FOR BENEFICIAL

USE IN WATER DIVISIONS 1 AND 2;

(h) COMMENCING IN 2020, MAKE AVAILABLE ON AN AVERAGE

ANNUAL BASIS FOR BENEFICIAL USE IN WATER DIVISIONS 4 AND 5 AN

AMOUNT OF WATER THAT REFLECTS EXISTING OR REASONABLY

FORESEEABLE FUTURE NEEDS, BUT WHICH IN NO EVENT EXCEEDS

THIRTY-THREE PERCENT OF THE WATER THAT IS DELIVERED ON AN

AVERAGE ANNUAL BASIS TO WATER DIVISIONS 1 AND 2;

(i) COMPLY WITH THE PROVISIONS OF SECTION 37-60-122.2.

(2) THE BOARD'S RECOMMENDATION TO THE GENERAL ASSEMBLY

OF THE INTEGRATED WATER INFRASTRUCTURE FACILITIES UNDER THIS

SECTION SHALL TAKE THE FORM OF A FEASIBILITY STUDY PURSUANT TO

SECTION 37-60-122 (1) (c). THE RECOMMENDATION SHALL CONTAIN BUT

NOT BE LIMITED TO A TIMELINE FOR THE COMPLETION OF THE INTEGRATED

WATER INFRASTRUCTURE FACILITIES INCLUDING AN ANALYSIS OF ANY

POTENTIAL IMPEDIMENTS ASSOCIATED WITH OBTAINING ANY NECESSARY

FEDERAL PERMITS.

(3) IF THE GENERAL ASSEMBLY APPROVES THE INTEGRATED WATER

INFRASTRUCTURE FACILITIES RECOMMENDED PURSUANT TO THIS SECTION,

IT SHALL ALSO APPROVE STATE FUNDING PLANS THAT MAY OR MAY NOT

REQUIRE FUNDING FROM THE COLORADO WATER CONSERVATION BOARD

CONSTRUCTION FUND.

(4) (a) UPON APPROVAL BY THE GENERAL ASSEMBLY PURSUANT TO

THIS SECTION, THE BOARD SHALL DEVELOP, OPERATE, AND MAINTAIN THE

INTEGRATED WATER INFRASTRUCTURE FACILITIES IN ACCORDANCE WITH

ITS POWERS CONTAINED WITHIN THIS ARTICLE, INCLUDING BUT NOT LIMITED TO SECTIONS 37-60-106, 37-60-115 (1) (b), 37-60-119 (1) AND (2), 37-60-120, AND AS AUTHORIZED IN THIS SUBSECTION (4).

(b) TO THE EXTENT REASONABLY POSSIBLE AND CONSISTENT WITH THE OWNERSHIP INTERESTS IDENTIFIED IN THIS SECTION, THE BOARD SHALL DEVELOP THE INTEGRATED WATER INFRASTRUCTURE FACILITIES IN

ACCORDANCE WITH THE TIMELINE CONTAINED IN THE BOARD'S RECOMMENDATION TO THE GENERAL ASSEMBLY.

(c) THE BOARD MAY ENTER INTO CONTRACTS FOR THE DEVELOPMENT, OPERATION, AND MAINTENANCE OF THE INTEGRATED WATER INFRASTRUCTURE FACILITIES, BUT THE BOARD SHALL RETAIN ULTIMATE RESPONSIBILITY FOR SUCH DEVELOPMENT, OPERATION, AND MAINTENANCE. THE BOARD SHALL EITHER ACQUIRE AND MAINTAIN OWNERSHIP OF THE INTEGRATED WATER INFRASTRUCTURE FACILITIES, INCLUDING ALL ASSOCIATED INTERESTS IN LAND, RIGHTS-OF-WAY, AND

WATER RIGHTS DETERMINED TO BE NECESSARY TO MEET THE

REQUIREMENTS OF PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (4), OR

ENTER INTO CONTRACTS WITH THE OWNERS OF SUCH LANDS, WATER

RIGHTS, OR FACILITIES FOR THE PURPOSE OF MEETING SUCH

REQUIREMENTS.

(d) THE BOARD OR ITS CONTRACTORS SHALL EXECUTE WATER

SUPPLY CONTRACTS WITH WATER USERS IN WATER DIVISIONS 1, 2, 4, AND

5 TO ENABLE WATER FROM THE INTEGRATED WATER INFRASTRUCTURE

FACILITIES TO BE APPLIED TO BENEFICIAL USE. THE OWNER OF ANY

FACILITY WATER RIGHTS OR PROPOSED FACILITY THAT IS, IN WHOLE OR IN

PART, INCLUDED BY THE BOARD IN THE INTEGRATED WATER

INFRASTRUCTURE FACILITIES SHALL RECEIVE FIRST PRIORITY TO WATER

SUPPLY CONTRACTS TO MEET THE REASONABLY ANTICIPATED NEEDS OF

SUCH INDIVIDUAL OR ENTITY WITHIN ITS EXISTING OR PLANNED SERVICE

AREA AS DETERMINED BY THE BOARD IN ITS REASONABLE DISCRETION.

(e) ANY WATER COURT PROCEEDINGS NECESSARY TO MEET THE

PURPOSES OF AN APPROVED PROJECT, INCLUDING ANY CHANGE OR

EXCHANGE OF WATER RIGHTS, SHALL BE THE RESPONSIBILITY OF THE BOARD WORKING IN COOPERATION WITH ANY OWNER OF SUCH WATER RIGHTS, OR FACILITIES THAT ARE TO BE INTEGRATED INTO THE PROJECT.

ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITTING REQUIREMENTS SHALL BE THE RESPONSIBILITY OF THE BOARD.

(5) THE BOARD SHALL STUDY ITS CURRENT MEMBERSHIP AND MAY RECOMMEND THE REORGANIZATION OF THE BOARD AND CHANGES TO ITS ORGANIZATIONAL STRUCTURE IN ORDER TO CARRY OUT THE INTEGRATED WATER INFRASTRUCTURE FACILITIES CONTEMPLATED UNDER THIS SECTION.

ANY SUCH RECOMMENDATIONS SHALL BE COMMUNICATED IN WRITING TO THE GENERAL ASSEMBLY WITH POSSIBLE LEGISLATIVE CHANGES TO IMPLEMENT SUCH RECOMMENDATIONS.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.