

**GRAND JUNCTION CITY COUNCIL
TWO RIVERS CONVENTION CENTER, 159 MAIN STREET
AGENDA**

WEDNESDAY, APRIL 19, 2000, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Rocky Shrable, Sonrise Church of God

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING APRIL 20, 2000 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE WEEK OF APRIL 30 TO MAY 6, 2000 AS "MUNICIPAL CLERKS WEEK" IN THE CITY OF GRAND JUNCTION

**PRESENTATION OF APPOINTMENT CERTIFICATE TO NEWLY APPOINTED
DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEMBER**

CITIZEN COMMENTS

*** * * CONSENT CALENDAR * * ***

1. **Minutes of Previous Meeting** [Attach 1](#)

Action: Approve the Minutes of the Regular Meeting April 5, 2000

2. **Mesa County Animal Control Agreement for 2000** [Attach 2](#)

The City has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the City limits. The City pays Mesa County a percentage of the Animal Control budget based upon the City's percent of total calls for service. The City's share of the budget for 2000 is 42.12% (\$173,059). Payments are made to the County on a quarterly basis. The amount requested for the 2000 contract includes an additional \$33,059 from contingency.

Action: Authorize the City Manager to Sign the Mesa County Animal Control Agreement for 2000 in the Amount of \$173,059 and \$33,059 in Contingency Funds be Authorized to Increase the 2000 Budget

Staff presentation: Lt. Robert Knight, Police Department

3. **Setting a Hearing on the First Supplemental Appropriation for 2000**

[Attach 3](#)

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 97% of the \$5.1 million in revisions are carry-forward requests. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (e.g. to complete the Zoning Code Revision).

Proposed Ordinance Making Supplemental Appropriations to the 2000 Budget of the City of Grand Junction

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 3, 2000

Staff presentation: Ron Lappi, Administrative Services Director

4. **Electronic Filing and Remittance of Taxes to the City**

[Attach 4](#)

After months of analysis by the Colorado Municipal League, they are recommend-ing the City's participation in an electronic tax filing program. This program will conveniently allow any vendor who is required to collect the City's taxes (sales, use, and lodging taxes) to file and pay electronically.

Action: Authorize the City Manager to Sign the Service Agreement with NationTax Online, Inc. to Provide Electronic Filing and Payment Services to Vendors who Collect the City of Grand Junction Taxes

Staff presentation: Ron Lappi, Administrative Services Director

5. **Common Area Furniture for New City Hall**

[Attach 5](#)

Staff is requesting authorization for the City Manager to sign a contract between the City and Office Outfitters & Planners, Inc. to purchase and install the common area furniture for the new City Hall. The amount of the contract is \$207,000, and was arrived at after completion of a competitive bid process.

Action: Authorize the City Manager to Sign a Contract between the City and Office Outfitters & Planners, Inc. in the Amount of \$207,000 for the Purchase and Installation of Common Area Furniture for New City Hall

Staff presentation: Ron Watkins, Purchasing Manager

6. **Aggregate Material for 2000 Street Maintenance** [Attach 6](#)

Request to purchase aggregate material (3/4" road base and 3/8" rock chips). White Water Building Materials provided aggregate material in 1999 and has offered to extend to the City the same competitive aggregate prices for last year. The total contract price, based on an estimate from the Public Works Street Department shall not exceed \$67,625.

Action: Authorize Contract Extension for Aggregate Materials for 2000 Street Maintenance to White Water Building Materials in an Amount Not to Exceed \$67,625

Staff presentation: Rex Sellers, Senior Buyer

7. **Road Oil for 2000** [Attach 7](#)

The CDOT contract was competitively bid for emulsions for the year 2000. The various emulsion products "Road Oil" purchased on this contract are used in special street maintenance and chip seal projects during the summer.

Action: Award Contract for Emulsion and Road Oil to Koch Performance Asphalt in an Amount Not to Exceed \$61,280 in Cooperation with CDOT

Staff presentation: Rex Sellers, Senior Buyer

8. **Kannah Creek Water System Improvements – Materials Procurement** [Attach 8](#)

The following bids were received on April 11, 2000:

| Contractor | City | Bid |
|---------------------|--------------------|--------------|
| Grand Junction Pipe | Grand Junction, CO | \$ 80,618.21 |
| Waterwork Sales | Grand Junction, CO | \$ 83,145.80 |
| Engineers Estimate | | \$ 83,119.00 |

Action: Award Contract for Kannah Creek Water System Improvements - Material Procurement - to Grand Junction Pipe in the Amount of \$80,618.21

Staff presentation: Greg Trainor, Utilities Manager

9. **Building Inspection Services** [Attach 9](#)

Since 1988, the City has contracted with Mesa County under the present arrangement where the County performs all building inspection functions within the City for the amount of fees that the County collects from building permit fees. The contract is for a 2-year term.

Action: Approve Contract with Mesa County for Building Inspection Services

Staff presentation: Mark Relph, Public Works & Utilities Director

10. **Establishing Development Fees** [Attach 10](#)

This resolution re-establishes the existing development impact fees and review fees that were previously contained in the Zoning and Development Code.

Resolution No. 26–00 – A Resolution Establishing Development Fees

**Action: Adopt Resolution No. 26–00*

Staff presentation: Kathy Portner, Planning Manager

11. **Setting a Hearing on Headstart Annexation Located at 3093 E 1/4 Road**
[File #ANX-2000-062] [Attach 11](#)

The 0.88-acre Headstart Annexation area consists of one parcel. There are no existing structures on the site. The applicant is proposing a day school for the children of migrant workers. The owners of the property have signed a petition for annexation.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 27–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Headstart Annexation Located at 3093 E ¼ Road

**Action: Adopt Resolution No. 27–00 and Set a Hearing on June 7, 2000*

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Headstart Annexation, Approximately 0.88 Acres Located at 3093 E ¼ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 7, 2000

Staff presentation: Joe Carter, Associate Planner

12. **Setting a Hearing on Zoning Miller Annexation I-1, Located at 2978 Gunnison Avenue** [File #ANX-2000-037] [Attach 12](#)

The 2.29-acre Miller Annexation area consists of one parcel of land. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

Proposed Ordinance Zoning the Miller Annexation to a Light Industrial (I-1) District

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 3, 2000

Staff presentation: Lori Bowers, Associate Planner

13. **New Restroom Facility at Stocker Stadium/Suplizio Field** [Attach 13](#)

The project consists of construction of a new restroom facility beneath the concrete stands at Stocker Stadium. The construction includes the required upgrade to the current electrical system. Bids were received and opened on April 13, 2000. The low bid is to be determined.

Action: Award Contract for New Restroom Facility at Stocker Stadium/Suplizio Field

Staff presentation: Don Hobbs, Assistant Parks & Recreation Director

14.*** **City Hall Employee Parking** [Attach 15](#)

Review of lease agreement with the First Assembly of God Church at 5th Street and Grand Avenue for City hall employee parking.

Resolution No. 35-00 Adopting the Agreement between Assembly of God Church and City of Grand Junction for Offsite Parking for City Hall Employees

**Action: Adopt Resolution No. 35-00*

Staff presentation: Mark Relph, Public Works & Utilities Director
Ron Lappi, Administrative Services Director

15.*** **Red Canyon Trunk Extension – Sole Source Request** [Attach 16](#)

RBI is the contractor currently constructing the golf course and public works infrastructure for the development of Redlands Mesa south of the Ridges. Staff is recommending a sole source contract in the amount of \$105,388 to RBI in order to minimize construction delays to the project and take advantage of bid prices that are consistent with other City sewer work.

Action: Award Contract for the Red Canyon Trunk Extension to RBI from Glenwood Springs, Colorado, in the Amount of \$105,388

Staff presentation: Trent Prall, Utilities Engineer

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

14. **Public Hearing - Rezoning Proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2, and Request to Modify Public Street Standard, Located East of High Ridge Drive at the East End of Hidden Valley Drive in The Ridges** [File #RZP-2000-007] [Attach 14](#)

The applicant has requested to rezone a portion of a 50.4-acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map. The applicant has also requested to reduce the public street standard by four feet to allow a sidewalk on only one side of the proposed street.

a. Rezoning Ordinance

Ordinance No. 3243 – An Ordinance Rezoning Property to be Known as Lot 16, Ridge Point Filing 2, Located at the Southeast Corner of High Ridge Drive and Hidden Valley Drive in the Ridges, from PR-4 to RSF-2

**Action: Adopt Ordinance No. 3243 on Second Reading*

b. Modification of Public Street Standard

Request to waive street standards to eliminate the sidewalk on one side of the street.

Action: Decision on Waiver of Street Standards

Staff presentation: Bill Nebeker, Senior Planner

15. **NON-SCHEDULED CITIZENS & VISITORS**

16. **OTHER BUSINESS**

17. **ADJOURNMENT**

Attach 1

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

April 5, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 5th day of April, 2000, at 7:32 p.m. at Two Rivers Convention Center. Those present were Earl Payne, Jack Scott, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Cindy Enos-Martinez and Jim Spehar were absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Steve Johnson, Living Hope Evangelical Free Church.

PROCLAMATION DECLARING APRIL 11, 2000 AS "ALTRUSA AWARENESS DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING APRIL 11, 2000 AS "BARBERSHOP QUARTET DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENT TO DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, PJ McGovern was appointed to the Downtown Development Authority to fill an unexpired term until June 30, 2002.

PRESENTATION OF APPOINTMENT CERTIFICATES TO NEWLY APPOINTED BOARD MEMBERS

GRAND JUNCTION HOUSING AUTHORITY – Corey Hunt and Erin Ginter were present to receive certificates.

BOARD OF APPEALS - J. Creighton Bricker was present to receive his certificate.

ALTERNATE TO GRAND JUNCTION PLANNING COMMISSION – Bill Putnam was present to receive his certificate.

RIDGES ARCHITECTURAL CONTROL COMMITTEE – Frank Rinaldi was present to receive his certificate.

Upon motion by Councilmember Theobold, seconded by Councilmember Scott, and carried by roll call vote, Consent Calendar item #8 was taken off the agenda and the remaining items #1 through 15 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Special Meetings March 7 and March 13, 2000 and the Regular Meeting March 15, 2000

2. **July 4th Fireworks Celebration Agreement**

In October, 1999 the Women's Chamber of Commerce notified the City that they were no longer going to conduct the annual fireworks display in Lincoln Park. Knowing the display was an important community event that needed to continue, City Council asked the Parks and Recreation staff to search for a primary sponsor.

Action: Authorize the City Manager to Enter into a 3-Year Agreement with 2-Year Renewal Option with KJCT to Sponsor the July 4th Fireworks in Lincoln Park and Suplizio Field

3. **Western Colorado Golf Foundation and Rocky Mountain Open**

The Western Colorado Golf Foundation addressed the Parks and Recreation Advisory Board on February 24, 2000 with an update on their 3-year effort to form a non-profit, tax exempt foundation to run the Rocky Mountain Open. The WCGF is an outgrowth of the 1999 Rocky Mountain Open Committee.

Action: Authorize the City Manager to Enter into an Agreement with the Western Colorado Golf Foundation to Run the Rocky Mountain Open Golf Tournament

4. **2000 U.S. Department of Justice Local Law Enforcement Block Grant**

The Police Department has been awarded a Federal Block Grant in the amount of \$54,815. An in-kind match of \$6,091 from existing or new funds will be required for the expenditure of these Federal funds.

Action: Authorize the City Manager to Accept the Federal Block Grant in the Amount of \$54,815

5. **24 Road and G Road Bridge Widening Project**

The following bids were received on March 21, 2000:

| | |
|--|----------------|
| United Companies, Grand Junction | \$1,236,595.50 |
| Elam Construction, Grand Junction | \$1,323,821.20 |
| M.A. Concrete Construction, Grand Junction | \$1,401,533.30 |
| Engineer's Estimate | \$1,187,150.00 |

Action: Award Contract for 24 Road and G Road Bridge Widening Project to United Companies in the Amount of \$1,236,595.50

6. **1999B and 2000 Alley Improvement Districts**

The following bids were received on March 28, 2000:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|-------------------------|-------------|-------------------|
| Mays Concrete | Grand Jct | \$292,830.00 |
| M.A. Concrete | Grand Jct | \$294,728.50 |
| Reyes Construction | Grand Jct | \$377,196.16 |
| G&G Paving | Grand Jct | \$400,150.25 |
| R.W. Jones Construction | Fruita | \$450,857.50 |
| Engineer's Estimate | | \$296,290.00 |

Action: Award Contract for 1999B and 2000 Alley Improvement Districts to Mays Concrete, Inc. in the Amount of \$292,830.00

7. **Concrete Repairs for Overlay Streets**

The following bids were received on March 28, 2000:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|---------------------------------|----------------|-------------------|
| Reyes Construction, Inc | Grand Junction | \$248,160.70 |
| G&G Paving Construction, Inc. | Grand Junction | \$249,000.00 |
| Precision Paving & Construction | Grand Junction | \$314,609.00 |
| Engineer's Estimate | | \$304,216.00 |

Action: Award Contract for Concrete Repairs for Overlay Streets to Reyes Construction, Inc. in the Amount of \$248,160.70

8. **Rules and Procedures for Pre-Qualification of Contractors**

In cooperation with the Western Colorado Contractor's Association and the Associated Builders and Contractors Association, Public Works staff has prepared and is proposing adoption of Rules and Procedures for Pre-qualification of Contractors, effective January 1, 2001.

Resolution No. 26-00 – A Resolution Adopting Rules and Procedures to Pre-Qualify Contractors to Bid on City Public Works and Utility Projects

Action: Removed from Consent Calendar and Agenda

9. **Setting a Hearing on Hart Annexation Located at 3015 E 1/2 Road**
[File #ANX-2000-010]

The 5.75-acre Hart Annexation area consists of land owned solely by the applicant, Shirley Hart, and a portion of 30 Road right-of-way. The applicant has signed a petition for annexation.

a. **Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 28–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Hart Annexation Located at 3015 E ½ Road and Including a Portion of 30 Road Right-of-Way

Action: Adopt Resolution No. 28–00 and Set a Hearing on May 17, 2000

b. **Set a Hearing on Annexation Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hart Annexation, Approximately 5.75 Acres, Located at 3015 E ½ Road and a Portion of 30 Road Right-of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

10. **Setting a Hearing on H.B.C.R.S. Annexation Located at 2620 G Road**
[File #ANX-2000-028]

The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. There are no existing structures on the site. The owners of the properties have signed a petition for annexation.

a. **Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 29–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – H.B.C.R.S. Annexation Located at 2620 G Road

Action: Adopt Resolution No. 29–00 and Set a Hearing on May 17, 2000

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, H.B.C.R.S. Annexation, Approximately 10.6 Acres, Located at 2620 G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

11. **Setting a Hearing on Reinking Annexations No. 1, No. 2 and No. 3 Located at 541 20 1/4 Road** [File #ANX-2000-030]

The 13-acre Reinking Annexation area consists of one parcel of land, approximately 7.71 acres in size. The remaining acreage is comprised of right-of-way along South Broadway and 20 ¼ Road. There are no existing structures on the site. Once additional right-of-way is dedicated and the required detention pond area is subtracted from the site, 6.81 acres remain for developing an 11 lot single family subdivision. The owner of the property has signed a petition for annexation.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 30–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Reinking Annexations No. 1, No. 2 and No. 3 Located at 541 20 ¼ Road

Action: Adopt Resolution No. 30–00 and Set a Hearing on May 17, 2000

b. Set Hearings on Annexation Ordinances

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 1, Approximately 0.96 Acres, Located at 541 20 ¼ Road
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 2, Approximately 7.66 Acres, Located at 541 20 ¼ Road
- (3) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 3, Approximately 4.38 Acres, Located at 541 20 ¼ Road

Action: Adopt Proposed Ordinances on First Reading and Set Hearings for May 17, 2000

12. **Setting a Hearing on Grand Junction Bible Missionary Church Annexation Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)** [File #ANX-2000-038]

The 1.45-acre Grand Junction Bible Missionary Church area consists of one parcel of land and portions of Cottonwood Drive and 26 ½ Road. A new church structure is proposed on the vacant site.

a. **Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction**

Resolution No. 31–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Grand Junction Bible Missionary Church Annexation Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)

Action: Adopt Resolution No. 31–00 and Set a Hearing on May 17, 2000

b. **Set a Hearing on Annexation Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Junction Bible Missionary Church Annexation, Approximately 1.45 Acres, Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

12. **Larchwood Inn Easements Vacations, Located at the Northwest Corner of 15th Street and Patterson Road and 2845 15th Street** [File #FPP-2000-023]

In conjunction with a request to expand the Larchwood Inns Nursing Home, the applicant requests to vacate a 20-foot wide multi-purpose irrigation and drainage easement and a 44' x 40' ingress/egress easement. At its March 14, 2000 hearing the City Planning Commission recommended approval of this request.

- (1) Resolution No. 32–00 – A Resolution Vacating a Multi-Purpose Irrigation and Drainage Easement within Hilltop Subdivision No. 2 Located at the Northwest Corner of 15th Street and Patterson Road

- (2) Resolution No. 33-00 – A Resolution Vacating an Ingress-Egress Easement within Hilltop Subdivision No. 2 Located at the Northwest Corner of 15th Street and Patterson Road

Action: Adopt Resolutions No. 32-00 and No. 33-00

14. **Setting a Hearing on Rezoning Proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2, Located East of High Ridge Drive at the East End of Hidden Valley Drive in The Ridges** [File #RZP-2000-007]

The applicant has requested to rezone a portion of a 50.4-acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. This proposed zoning is in accordance with the Growth Plan Future Land Use Map and the recently adopted zoning map. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map.

Proposed Ordinance Rezoning Property to be Known as Lot 16, Ridge Point Filing 2, Located at the Southeast Corner of High Ridge Drive and Hidden Valley Drive in the Ridges, from PR-4 to RSF-2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 19, 2000

15. **Lamm v GNT Development and City Settlement Agreement**

Once it is annexed, the City agrees to process a two-lot subdivision application for the part of the Lamm property lying west of Leach Creek, and to consider a minor street plan connecting the rest of the Lamm property via G ½ Road with G Road.

Action: Approve Lamm v GNT Development and City Settlement Agreement

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

APPEAL OF FINAL PLAT/PLAN FOR SKYLER SUBDIVISION LOCATED AT 2871 D ROAD [FILE #FPP-2000-019]

The surrounding property owners are requesting an appeal of the approval for Skyler Subdivision's Final Plat/Plan, consisting of 35 single family residential lots,

located at 2871 D Road. The Planning Commission recommended approval of the Final Plat/Plan, subject to conditions, at the March 14, 2000 meeting.

The public hearing opened at 7:45 p.m.

Patricia Parish, Associate Planner, Community Development Department, reviewed this item. She explained the appeal and who appealed. Staff has verified that the final plat meets the requirements of the Zoning & Development Code. The petitioner has addressed the concerns brought up at preliminary plat and complied with all conditions. There was no objection at the Planning Commission meeting where the final plat was approved.

Dan Wilson, City Attorney, explained that this is a technical appeal and the situation has been addressed in the new code. He explained what the review includes at the final plat stage. He acknowledged that this is not clear in the current code. He said the Council has very little discretion at this point if the applicant has met all the requirements. He said his advice is that Council must approve but they can certainly hear the concerns of the appellants as they relate to other developments.

In contrast, the next item (White Willows Annexation) is at the beginning of the process. In order for the City Council to have any authority over the next item, the area must first be annexed.

City Manager Mark Achen then outlined the steps that will take place for the White Willows property. He said the zoning action goes before Council and the preliminary plan process goes before the Planning Commission.

Councilmember Theobald said State Statutes also affect the processes before Council.

President of the Council Kinsey asked if Council's preference is to hear the testimony. Councilmember Theobald said Council must listen to the testimony, but cannot express what technical requirements might properly be addressed.

City Attorney Wilson said unless the technical requirements are not met, there is no basis for denial, and the Council must approve.

Councilmember Terry agreed with Councilmember Theobald that those present might have questions or desire to express concerns, even knowing the Council cannot change the approval.

Ray Rickard, 673 LaSalle Court, developer, said the property had a zoning of 8 units per acre and they have complied with all city requirements.

Jack Buford, 386 Evergreen, thanked City Attorney Wilson for the phone call so they knew what to expect. He understood the time to protest has passed but questioned why it took three weeks for him to get a phone call from City staff.

President of the Council Kinsey explained that Council only meets every two weeks and only saw the appeal Monday night. Councilmember Terry added that some of the issues are policy issues and Staff is not inclined to make those decisions until they get direction from Council. Councilmember Payne further explained that Council, at its Monday night workshop, directed Staff to contact Mr. Buford and others regarding the appeal.

Mr. Buford said, regarding notification, 500 feet is insufficient in areas where property is measured in acres. He said only 4 or 5 people were notified by mail. Signs were also posted, but people don't always pay attention to the signs. The D Road traffic problem gets worse daily. Grove Creek, The Peaks, Riverbend, Mountain Shadows, Summit View Ranch, etc. all use D Road. He called Pete Baier, Mesa County Public Works Director, last September about a traffic study. The study showed 7,362 were counted over a 24-hour period. The City did a traffic study last week with a count of 7,690 for an addition of 328 in one day. City Traffic Engineer Jody Kliska said D Road is considered a minor arterial road. Mr. Buford said the traffic creates a gridlock. The 30 Road underpass will start next year. There will be delays during construction of the 29 Road Bridge in 2003. D Road and 30 Road are definite problems. The City and County agree there are problems, but no resolution takes place, just more houses. He asked for a delay in some of the construction until roads can handle the traffic. Twelve people in the audience stood in agreement with Mr. Buford's comments.

Councilmember Theobald thanked Mr. Buford for his comments and cohesive analysis of the problem in the area.

Rene Fugere, 382 Evergreen Road, adjacent to White Willows, said she was not notified. She agreed with Mr. Buford. She felt the area is not ready for any more subdivisions. She asked Council to consider traffic impacts before annexing any more properties with streets that cannot handle it.

Dick Buzzell, 2893 Florida Street, said he didn't think Florida Street was included in this development but now it's included. It is currently a dead-end road and won't be safe for the State Home residents. Patricia Parish said Florida Street will connect to the existing right-of-way but the alignment is to change.

Senior Planner Bill Nebeker said yes Florida Street will connect through Skyler, into White Willows Subdivision, and eventually, all the way out to the east at 29 Road. Skyler is not building Florida Street for this development because the alignment is changing. With the White Willows Subdivision, they are vacating Florida Street and moving the street. The transition occurs between White Willows and Skyler.

Dick Buzzell said that would be a tragic mistake. He asked how the traffic will get off of 29 Road.

Bill Nebeker said a section of Florida Street will be improved over time with Skyler and White Willows subdivisions.

There were no other public comments. The public hearing closed at 8:25 p.m.

Councilmember Terry expressed appreciation for the public bringing the issue to Council. She addressed the request to stop annexation to stop the development. She explained that the development will occur regardless of the annexation but per the Persigo Agreement with Mesa County, the City must annex when plans for development take place. Actually, the zoning is what determines the traffic impact.

Councilmember Scott said he didn't realize the traffic problem on D Road.

Councilmember Theobald said the City needs to find out what the plans are for D Road.

Councilmember Terry asked Public Works Staff to gather information regarding this issue and report back to Council.

Councilmember Payne thanked those that spoke. He also did not realize how bad the situation was on D Road. This area is a new area for the City.

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, the appeal was denied.

PUBLIC HEARING - WHITE WILLOWS ANNEXATION LOCATED AT 2856 C 1/2 ROAD, 2851 AND 2863 D ROAD [FILE #ANX-2000-018]

The 40.41-acre White Willows Annexation area consists of three parcels of land. The owners of the property have signed a petition for annexation as part of a request for preliminary plat approval.

A public hearing was opened at 8:29 p.m.

President of the Council Kinsey explained what is being considered tonight.

Bill Nebeker, Senior Planner, Community Development Department, reviewed this item. He gave some background. This request for annexation was tracking along with the zoning request. The Preliminary Plan was pulled from that agenda at the March 15, 2000 Planning Commission meeting. The plan is for a 126-lot subdivision on 40 acres at 3.27 units per acre. The zoning was continued to the

April 11, 2000 Planning Commission hearing along with the Preliminary Plan. The zoning will be brought to Council at a later date.

Mr. Nebeker said the property is eligible for annexation and meets statutory requirements. Staff recommends approval of the annexation.

David Hartman, an engineer with Banner Associates, 2777 Crossroads Boulevard, was present and stated they want to be annexed. It is the first step to development. It allows Planning Staff to review the application. He acknowledged the present traffic issues in the area.

Jack Buford, 386 Evergreen, asked how the annexation will impact the agricultural interests in the area. Mayor Kinsey said the rules on animals are the same as the County. Even if a property is in the City, a certain number of animals are allowed.

Councilmember Theobold asked Mr. Buford for the size of his property. Mr. Buford said just under one acre. Councilmember Theobold said one-half acre is the minimum size to be allowed an animal such as a horse.

There were no other public comments. The public hearing was closed at 8:35 p.m.

a. Resolution Accepting Petition

Resolution No. 34-00 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as White Willows Annexation is Eligible for Annexation, Located at 2856 C ½ Road, 2851 and 2863 D Road and Including Portions of the D Road and Florida Street Rights-of-Way

b. Annexation Ordinance

Ordinance No. 3242 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, White Willows Annexation, Approximately 40.41 Acres, Located at 2856 C ½ Road, 2851 and 2863 D Road and Including Portions of the D Road and Florida Street Rights-of-Way

Upon motion by Councilmember Terry, seconded by Councilmember Payne and carried by roll call vote, Resolution No. 34-00 was adopted and Ordinance No. 3242 was adopted on second reading and ordered published.

The meeting adjourned at 8:38 p.m.

Stephanie Nye, CMC
City Clerk

Attach 2

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---------------------------------|-----------------------------|
| Subject: | Animal Control Agreement | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 11, 2000 | |
| Author: | Robert Knight | Lieutenant |
| Presenter Name: | Robert Knight | Lieutenant |
| | Workshop | X Formal Agenda |

Subject: Approval of 2000 Mesa County Animal Control agreement requesting funding of \$173,059.00

Summary: We have had an ongoing, annually renewable agreement, with Mesa County for the control of dogs with the city limits. The City pays Mesa County a percentage of the Animal Control budget based upon the City's percent of total calls for service. The City's share of the budget for 2000 is 42.12% or \$173,059.00. Payments are made to the County on a quarterly basis.

Background Information: The amount requested for the 2000 budget is an increase of \$33,059 over the amount budgeted in the 2000 budget. The increase is a result of

- 1) Salary market increases for county personnel
- 2) Unfunded legislative mandates related to the care and housing of animals
- 3) An additional animal control officer
- 4) One time capital outlay repair projects for the animal control building
- 5) An increase in the fees for animal disposal
- 6) A shift in the percentage of calls for service occurring within the city limits
- ** These shifts happen annually 1998 - 44.7% 1999 - 40.77% and 2000 42.12
- 7) An increase in revenues for year 1999 resulted in a refund of \$11,602.89 which was applied against the amount charged for 1999 services.

Budget: The amount for this contract is housed under the police department budget. We anticipated this contract being no greater than \$140,000.00. The difference between the expected amount and actual amount is a result of an unexpected increase for capital repair projects being planned for the animal control building, the addition of an animal control officer, an increase in state imposed unfunded mandates and a market increase for animal control personnel.

Action Requested/Recommendation: It is recommended that the 2000 agreement for Animal Control services be approved in the amount of \$173,059.00 and the City Manager be authorized to sign the agreement on behalf of the City of Grand Junction and that contingency funds in the amount of \$33,059.00 be authorized to increase the 2000 budget.

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| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

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| Report results back to Council: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | <input type="checkbox"/> |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

M E M O R A N D U M

DATE: April 11, 2000
TO: City Council
FROM: Martyn Currie, Interim Chief of Police
RE: Mesa County Animal Control Contract for 2000

This memorandum is to inform City Council of the budget process and review of the Mesa County Animal Control Contract for 2000. The net result of the following information is that I recommend the contract be approved and request contingency funds in the amount of \$33,059 to augment the 2000 budgeted amount.

Background information

In August 1999, we received preliminary contract figures of \$155,382 for the 2000 budget. We queried what some of the figures represented, such as \$21,500 for capital outlay. Animal Control Administrator Sally Porter advised us that she was not fully aware of the capital plans for Animal Control. The direction she received from Mesa County Facilities Management had been to include that amount in the budget. At that time, it was her opinion the capital amount would be reduced.

In our biennial budget process the contract amount was identified as a significant issue due to the amount of change in cost from 1999 to 2000. It was also noted that negotiation phase was still in progress and the cost was expected to be reduced. During the budget review on September 16, 1999, the amount entered into our budget process was reduced to \$140,000 for 2000 and \$150,000 for 2001.

The intended process for the Animal Control contract is for us to give preliminary acceptance for the following year's contract in September and have the contract presented to City Council before the end of the year. This year there was a delay in County Administration presenting the final contract due to their obtaining salary figures, the cost for unfunded mandates, a decision from the County regarding whether they would approve the hiring of an additional Animal Control Officer, and an explanation as to what capital projects were being planned.

On December 30, 1999, we received the final Mesa County Animal Control Contract for 2000. The City's contract amount was \$173,059. That amount is \$18,000 more than the \$155,382 specified in a preliminary report in September 1999. It is almost \$43,000 more than the 1999 contract amount of \$130,164.

According to the Animal Control worksheets the increases are primarily attributable to:

| | |
|--------------------------|----------|
| Salary Market increase | \$20,000 |
| Unfunded Mandates | \$ 9,500 |
| Capital Outlay | \$30,500 |
| New Position | \$28,000 |
| Animal Disposal increase | \$ 5,200 |

for a total increase of \$93,200, of which we pay 42.12% as our share of the total calls for service occurring in the City from May 1998 to April 1999.

Before entertaining the consideration of presenting the contract to City Council, I needed to ensure we had a full and comprehensive understanding of what the costs are that we are being asked to share. Secondly, if the contract cost is to remain at \$173,000 it seemed prudent to prepare a cost analysis of providing the animal control service directly to the citizens by a department within the city structure.

I directed Lieutenant Robert Knight to investigate these issues and prepare a written report. The following is his analysis and findings:

Report Written by Lieutenant Knight

I completed the research regarding the proposed pending animal control agreement which has been set for City Council review on April 17, 2000. My research for this project focused on three areas:

- 1) to determine if our costs for the service being provided were reasonable
- 2) to determine if there was a more cost effective method of obtaining the same or better level of service
- 3) to identify any potential animal control issues not currently being addressed by Mesa County Animal Control

To answer the first two areas of concern, I examined the possibility and the costs of the City assuming the responsibility for animal control issues. In regards to the third area of concern I met with local veterinarians to verify cost estimates and to gain some insight into any pending community health issues relating to the control of stray animals in our community.

The veterinarians I spoke with are the primary animal health providers in our community and are listed below.

Dr. Heideman – All Pets Center, 424 S 5th Street

Dr. Joufflas and Dr. Wiseman – Amigo Animal Clinic, 586 25
Road

Dr. Anderson – Columbine Animal Hospital, 1165 Bookcliff
Ave

Office Mgr. A. Waller – Orchard Mesa Veterinarian Clinic, 2668 U.S. Hwy
50

Assumptions

The following assumptions were considered for the cost estimates for a City of Grand Junction maintained and operated animal control program.

1. The City would need to contract with a local boarding facility to provide a place to house stray or surrendered animals.
 - No local provider currently has the space to accommodate the approximate 1300 city animals captured or surrendered to Animal Control on an annual basis.
 - Because of the health risk to the owned pet population and the needs to provide quarantined areas, an additional or new facility would have to be obtained to keep stray animals separated from attended pets.
 - The start up cost for this housing need is estimated at a commercial building fee per square foot of \$30.00, not including land.
2. The City of Grand Junction would need to provide an enforcement component for this program as well as administrative support for the maintenance of the licensing and enforcement portion of this service.
 - I assumed two animal control officers would be necessary for the enforcement component recognizing our staffing levels would be reduced from those currently provided by Animal Control.

Cost Considerations

With the assistance of Animal Control and local veterinarians I calculated the costs associated with the care and handling of impounded animals. A 20% profit margin was used to estimate the cost of contractual services.

City Employee and Operating Costs

| | |
|--|-----------|
| Two City Animal Control Officers – Salary and Benefits | \$102,494 |
| Equipment and uniforms for two officers | \$1,200 |
| Two equipped animal control vehicles | \$40,000 |
| Fuel | \$3,000 |

| | |
|----------------------------------|------------------|
| Vehicle Accrual | \$3,000 |
| ½ Time Records Technician | \$18,994 |
| Animal Tracking Program | \$25,000 |
| Miscellaneous operating supplies | \$1,500 |
| <i>Sub Total</i> | \$195,188 |

Contractual Services

| | |
|---|------------------|
| ½ Time Administrative Assistant | \$7,280 |
| ½ Time Euthanasia Technician | \$12,500 |
| Two Kennel Technicians | \$40,000 |
| Operating Supplies | \$30,000 |
| Veterinarian Services | \$1,500 |
| Boarding Fees (5 day Hold Average @ \$7.00 per day) | \$45,500 |
| Animal Disposal Fees | \$2,500 |
| Profit Margin (20%) | \$27,856 |
| Sub Total | \$167,136 |

Offsetting Revenue

There would be some offsetting revenue from the sale of licenses and fines. Currently our portion of license sales would amount to \$21,420.00. This would help reduce the impact of overtime and other costs associated with this project that was not included in this analysis. Therefore, this revenue will not be applied against the expenses estimated above.

Additional Considerations

Only one veterinarian contacted would even consider bidding on providing animal control housing services should the opportunity arise. This is assuming of course that the facility would somehow be provided. The other veterinarians contacted related we couldn't pay them enough to take over this service because of all the emotional and political headaches associated with animal control services.

All veterinarians contacted are ardent supporters of Sally Porter's work at Animal Control. They all felt she was doing an excellent job with limited resources and would urge us to consider providing even more funding for additional animal control officers.

Veterinarians currently provide spay and neuter services at no charge for all animals adopted out of the animal control facility. This practice would end should a contract be awarded to a private provider.

All veterinarians extolled the virtue of the Project Pups program established by Sally Porter and its success in keeping down the number of unwanted and stray pets in our community.

No veterinarian believed there is any abnormal health risk posed to our community by stray and unwanted animals based largely in part on their cooperation with animal control. Any rise in distemper or rabies is immediately dealt with by animal control with the support and free services of local veterinarians.

Animal Control and local veterinarians currently send out yearly reminders to pet owners regarding the vaccination and licensing of pets. This results in some duplication of effort which is credited with the larger percentage of license renewals and rabies vaccinations occurring in our city.

Conclusions

A conservative estimate for providing our own animal control service amounts to \$362,324 per year as compared against our current fees of \$173,000.00. This comparison reveals the current method of providing animal control services is cost effective.

The current budget for animal control was compared against private provider estimates and reveals that not only is the budget reasonable, it appears to be quite a bargain when considering all the private donations of time and services given by our local veterinarians. It is unlikely we can improve upon the level of service and citizen satisfaction currently met by Animal Control. In all likelihood, our level of service would be diminished which answer the second prong of this analysis.

The interviews of local veterinarians, who would most likely be the first to encounter any community animal health issues, revealed no concerns. In fact, they were impressed with the minimal amount of issues they encounter as a result of stray animals and credit Animal Control for this benefit. This answers the last prong of this inquiry.

Attach 3

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|---|---|----------------------|
| Subject: | Supplemental Appropriation Ordinance | | |
| Meeting Date: | April 17, 2000 | | |
| Date Prepared: | April 12, 2000 | | |
| Author: | Lanny Paulson | Budget & Accounting Manager | |
| Presenter Name: | Ron Lappi | Administrative Services Director | |
| | Workshop | X | Formal Agenda |

Subject: Supplemental Appropriation Ordinance for the budget year 2000.

Summary: The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 97% of the \$5.1 million in revisions are carry-forward requests (the re-appropriation of amounts budgeted in the prior year but unexpended at year-end). A composite listing of the new appropriation requests is attached. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (e.g. to complete the Zoning Code Revision).

Background Information: Attached is a summary of changes by fund and an overview of the budget requests for the City's two primary general government funds, the General and Sales Tax CIP funds. Factoring in the actual results from the prior year and the requested carry-forwards; the projected fund balance, for both funds, at the end of the year 2000 will be slightly higher than originally projected.

Budget: The total appropriation adjustment for all funds is \$5,145,314.

Action Requested/Recommendation: Adoption of the appropriation ordinance with final passage on May 3, 2000.

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| Citizen Presentation: | X | No | Yes | If Yes, |
| Name: | | | | |
| Purpose: | | | | |

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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
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ORDINANCE NO. _____
AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS
TO THE 2000 BUDGET OF THE CITY OF GRAND JUNCTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION: That the following sums of money be appropriated from the sources indicated to the funds within the City of Grand Junction budgets for the year **2000** for expenditure from such funds as follows:

| | | |
|---|--------------|--------------|
| 100 General Fund | \$ 472,390 | |
| Source of funds: | | \$ 472,390 |
| From unappropriated fund balance and additional revenue | | |
| 101 Enhanced 911 Fund | \$ 278,314 | |
| Source of funds: | | \$ 278,314 |
| From unappropriated fund balance and additional revenue | | |
| 102 Visitor and Convention Bureau Fund | \$ 16,297 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 16,297 |
| 201 Sales Tax Capital Improvements Fund | \$ 2,981,739 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 2,981,739 |
| 202 Storm Drainage Improvements Fund | \$ 17,119 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 17,119 |
| 203 DDA/TIF Capital Improvements Fund | \$ 264,145 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 264,145 |
| 301 Water Fund | \$ 366,104 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 366,104 |
| 303 Two Rivers Convention | \$ 96,400 | |

| | | |
|---|------------|------------|
| Center Fund | | |
| Source of funds: | | |
| From unappropriated fund balance in Funds #100 & #201 | | \$ 96,400 |
| 304 Swimming pools Fund | \$ 27,000 | |
| Source of funds: | | |
| From unappropriated fund balance in Fund #201 | | \$ 27,000 |
| 306 Tiara Rado Golf Course Fund | \$ 2,400 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 2,400 |
| 308 Parking Fund | \$ 71,553 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 71,553 |
| 900 Joint Sewer Systems Fund | \$ 228,254 | |
| Source of funds: | | |
| From unappropriated fund balance and additional revenue | | \$ 228,254 |

The following sum shall be appropriated to the Administrative Services Department, said sum to be derived from charges to various departments and customers of the City for data processing activity:

| | | |
|--|-----------|-----------|
| For Data Processing Fund #401 | \$ 21,750 | |
| Revenue from Data Processing Fund #401 | | \$ 21,750 |

The following sum shall be appropriated to the Equipment Fund, said sum to be derived from charges to the various departments of the City for use of said services from the appropriations of their respective departments and budgets:

| | | |
|----------------------------------|-----------|-----------|
| For Equipment Fund #402 | \$ 23,535 | |
| Revenue from Equipment Fund #402 | | \$ 23,535 |

The following sum shall be appropriated to the Communications Center Fund, said sum to be derived from telephone surcharges accumulated in the E-911 Special Revenue Fund #101.

| | | |
|--|------------|------------|
| For Communications Center Fund #405 | \$ 278,314 | |
| Revenue from Communications Center Fund #405 | | \$ 278,314 |

Introduced on first reading this _____ day of _____, 2000

Passed and adopted this _____ day of _____, 2000

President of the Council

Attest:

City Clerk

| | 2000 Current Budget | Requested Change | 2000 Adjusted Budget | |
|----------------------------------|------------------------------------|-----------------------------|-------------------------------------|---|
| <u>GENERAL</u> | | | | |
| <u>FUND</u> | | | | |
| City Administration | \$1,323,580 | \$- | \$1,323,580 | |
| Administrative Services | \$2,707,737 | \$12,801 | \$2,720,538 | <i>Election Mail Ballot, Furniture Code</i> |
| Community Development | \$1,737,395 | \$96,892 | \$1,834,287 | <i>Revision, 24 Road Plan</i> |
| Police | \$9,282,450 | \$176,192 | \$9,458,642 | <i>MDC's, Records Mgmt., LLEBG</i> |
| Fire | \$5,936,227 | \$23,991 | \$5,960,218 | <i>Communications Equipment</i> |
| Public Works & Utilities | \$6,733,530 | \$38,495 | \$6,772,025 | <i>Relocation, Police Bldg. A/C</i> |
| Parks & Recreation | \$4,347,577 | \$28,619 | \$4,376,196 | <i>Matchett Park Plan, Surveys</i> |
| Contingency | \$600,000 | \$85,000 | \$685,000 | <i>Contingency Balance</i> |
| Budget Savings | \$(365,000) | \$- | \$(365,000) | |
| Transfers-Out To Other Funds | \$2,756,843 | \$10,400 | \$2,767,243 | <i>Two Rivers Subsidy</i> |
| TOTAL | \$35,060,336 | \$472,390 | \$35,532,726 | |
| <u>SALES TAX CIP FUND</u> | | | | |
| City Administration | \$50,000 | \$- | \$50,000 | |
| Fire | \$163,000 | \$24,000 | \$187,000 | <i>Station #1 Apron Replacement</i> |
| Public Works & Utilities | \$10,741,500 | \$1,855,996 | \$12,597,496 | <i>Numerous Projects, see detail</i> |

| | | | | |
|-------------------------------|---------------------|--------------------|---------------------|----------------------------------|
| Parks & Recreation | \$1,765,396 | \$988,743 | \$2,754,139 | Numerous Projects, see detail |
| Transfers-Out To Other Funds | \$1,414,850 | \$113,000 | \$1,527,850 | Two Rivers and LP Pool Subsidies |
| TOTAL | \$14,134,746 | \$2,981,739 | \$17,116,485 | |
| <i>VCB FUND</i> | \$1,161,701 | \$16,297 | \$1,177,998 | Furniture, Landscaping, Equip. |
| <i>STORM DRAINAGE FUND</i> | \$1,082,010 | \$17,119 | \$1,099,129 | Drainage improvements |
| <i>DDA/TIF/CIP FUND</i> | \$913,000 | \$264,145 | \$1,177,145 | Unexpended capital budget |
| <i>WATER FUND</i> | \$4,334,145 | \$366,104 | \$4,700,249 | Water line replacements |
| <i>TWO RIVERS C.C. FUND</i> | \$1,873,161 | \$96,400 | \$1,969,561 | Furniture and equipment |
| <i>SWIMMING POOLS</i> | \$759,171 | \$27,000 | \$786,171 | Lincoln Park diving board |
| <i>TIARA RADO GOLF COURSE</i> | \$1,025,906 | \$2,400 | \$1,028,306 | Driving range, tree planting |
| <i>PARKING FUND</i> | \$131,296 | \$71,553 | \$202,849 | Landscaping, 600 Colo., Depot |
| <i>DATA PROCESSING FUND</i> | \$1,418,180 | \$21,750 | \$1,439,930 | Early PC replcmnt., phones |
| <i>EQUIPMENT FUND</i> | \$2,616,611 | \$23,535 | \$2,640,146 | Bomb Trailer |
| <i>COMM. CENTER FUND</i> | \$2,159,070 | \$278,314 | \$2,437,384 | CAD System Interface |

| | | | | |
|----------------------------------|-------------|-------------|-------------|--|
| <i>E-911 FUND</i> | \$567,517 | \$278,314 | \$845,831 | Transfer for CAD System |
| <i>JOINT SEWER FUNDS</i> | \$7,566,580 | \$228,254 | \$7,794,834 | Line Replaceme nt, 27 Rd. SID |
| TOTAL ALL FUNDS | | \$5,145,314 | | |

Attach 4

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|--|---|----------------------|
| Subject: | Agreement to authorize electronic filing and remittance of taxes to the City. | | |
| Meeting Date: | April 19th, 2000 | | |
| Date Prepared: | April 12th, 2000 | | |
| Author: | Ron Lappi | Administrative Services Director | |
| Presenter Name: | Ron Lappi | Administrative Services Director | |
| | Workshop | X | Formal Agenda |

Subject: Agreement to authorize electronic filing and payment of taxes to the City via the internet.

Summary: After months of analysis by the Colorado Municipal League, they are recommending the City's participation in an electronic tax filing program. This program will conveniently allow any vendor who is required to collect the City's taxes (sales, use, and lodging taxes) to file and pay electronically.

Background Information: Electronic filing permits a vendor to remit taxes for multiple jurisdictions through a single site on the Internet. Funds are transmitted automatically, and the vendor no longer has to complete and send a separate paper form with a separate check to each jurisdiction. Colorado's multi-jurisdictional vendors for years have complained about this obligation.

NationTax Online (NTO) provides electronic filing services for vendors. NTO currently facilitates electronic filing for some 80 municipalities in Alabama (who like Colorado gives cities the right to local tax collection), as well as other states and the IRS. Also the State is currently in negotiations with NTO for provision of electronic filing to the state of it's own sales and use taxes, as well as the sales taxes that it collects on behalf of 49 counties, 159 municipalities and other special districts. In brief, under NTO's system, vendors would file their taxes by logging onto NTO's website and completing a spreadsheet in the form of a sales/use tax return. Then the vendor would instruct the tax to be paid and remittance information would be transmitted to the municipality's bank, which would make a demand on the vendor's bank. There is no cost to the municipality for the service; the cost is paid by the vendor. Information provided by the vendor would be available to the municipality for audit or other purposes.

CML is recommending that all of the 49 locally collecting home rule municipalities participate in the electronic filing program. This step in making electronic filing available for the City's vendors is critical in positioning the City and State, with its peculiarly complex state-local sales tax system, to not be effectively "dealt out" of any national resolution of the challenge posed to the sales tax as a viable revenue stream with the explosion of e-commerce. This is tax simplification that is helpful to the businesses that collect our principal tax revenue without doing violence to the City's home rule prerogative of local control of collection, tax rate and tax base.

Budget: No Impact

Action Requested/Recommendation: Authorize the City Manager to sign the service agreement with NationTax Online, Inc. to provide electronic filing and payment services to vendors who collect the City of Grand Junction taxes.

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| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
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Attach 5

**You will be provided
an updated report
before Wednesday's meeting.**

Attach 6

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|--|---------------------|----------------------|
| Subject: | Award of Contract for Aggregate | | |
| Meeting Date: | April 19, 2000 | | |
| Date Prepared: | April 6, 2000 | | |
| Author: | Rex Sellers | Senior Buyer | |
| Presenter Name: | Rex Sellers | Senior Buyer | |
| | Workshop | X | Formal Agenda |

Subject: Award of a Contract for **aggregate material (3/4" road base, 3/8" rock chips) to White Water Materials** in an amount not to exceed \$61,280.00.

Summary: White Water Materials provided aggregate material in 1999 and has offered to extend to the City of Grand Junction the same competitive aggregate prices for last year. The total contract price, based on an estimate from the Public Works Street Department shall not exceed \$67,625.00.

Background Information: The aggregate items were bid competitively in 1999. The aggregates purchased on this contract are used in special street maintenance and chip seal projects during the summer of 2000.

Budget: \$75,974.00 for the purchase of this material was approved in the 2000FY Budget.

Action Requested/Recommendation: Authorize the Senior Buyer to extend the 1999 aggregate contract and purchase the material for the City of Grand Junction to White Water Building Materials.

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| Citizen Presentation: | X | No | Yes |
|------------------------------|----------|-----------|------------|

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| Report results back to Council: | X | No | Yes | When: | |
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| Placement on Agenda: | X | Consent | Indiv. Consideration | Workshop |
|-----------------------------|----------|----------------|-----------------------------|-----------------|

Attach 7

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|--------------------------|---------------------------------------|--|
| Subject: | Award of Contract for Road Oil | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 6, 2000 | |
| Author: | Rex Sellers | Senior Buyer |
| Presenter Name: | Rex Sellers | Senior Buyer |
| <input type="checkbox"/> | Workshop | <input checked="" type="checkbox"/> Formal Agenda |

Subject: Award of a Contract for **Road Oil** to **Koch Performance Asphalt** in the amount not to exceed \$61,280.00.

Summary: The City of Grand Junction in a cooperative agreement with the Colorado Department of Transportation utilized the competitive **CDOT bid No. 7083-H for Road Oil** with **Koch Performance Asphalt**.

Background Information: The CDOT contract was competitively bid for Emulsions for the year 2000. The various emulsion products "Road Oil" purchased on this contract are used in special street maintenance and chip seal projects during the summer.

Budget: \$61,280.00 for the purchase of this material was approved in the 2000FY Budget.

Action Requested/Recommendation: Authorize the Senior Buyer to purchase the required emulsion and road oil as required for the City of Grand Junction Streets Department from Koch Performance Asphalt.

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| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes |
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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 8

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|----------------------|
| Subject: | Bid Award for Kannah Creek Water System Improvements – Materials Procurement | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 11, 2000 | |
| Author: | Trent Prall | |
| Presenter Name: | Greg Trainor | |
| | Workshop | X |
| | | Formal Agenda |

Subject: Award of a materials procurement contract for the **Kannah Creek Water Systems Improvements** to Grand Junction Pipe from Grand Junction Colorado in the amount of **\$80,618.21**.

Summary: Two bids were received and opened on April 11, 2000 for **Kannah Creek Water System Improvements – Materials Procurement**. The low bid was submitted by Grand Junction Pipe of Grand Junction Colorado in the amount of **\$80,618.21**.

Background Information:

With the City’s recent agreement to purchase the Purdy Mesa Livestock Water Company, the City plans to abandon the company’s existing plant off of Kannah Creek Road and construct a new plant below Purdy Mesa Reservoir. This equipment procurement will provide materials to accomplish primarily the following: 1) Replace the existing Purdy Mesa Reservoir Bypass line with 3,000 feet of 16 inch PVC line, 2) Connect the proposed Kannah Creek Water Treatment Plant to the existing Purdy Mesa Livestock Water Company Treatment Plant with 4500 feet of 4 inch PVC. This pipe will be installed by City crews.

The following bids were received for this project:

| Contractor | City | Bid |
|---------------------|--------------------|--------------|
| Grand Junction Pipe | Grand Junction, CO | \$ 80,618.21 |
| Waterwork Sales | Grand Junction, CO | \$ 83,145.80 |
| Engineers Estimate | | \$83,119.00 |

The project schedule calls for pipe to be delivered the second week in May for installation by City crews. The Kannah Creek Water Treatment Plant is planned to be operational by July 5, 2000.

Budget:

The project will be funded out of two separate accounts under Fund 301. The replacement of the Purdy Mesa Bypass line will be funded out of Water Line Replacement budget (Activity code F04800). In 2000, \$657,232 is budgeted for water line replacements. Out of the \$80,618.21 bid amount, \$61,239.95 will be funded out of Water Line Replacement budget.

The remaining \$19,378.26 will be funded out of the PMLWC Purchase, plant, and piping improvements (Activity code F44000) \$500,000 was budgeted under Fund 301 / Activity F44000 for purchase of the PMLWC and plant/piping upgrades. \$339,000 was the final purchase, \$57,075 was approved by Council on March 15 for the package water treatment plant, leaving amount leaving \$161,000 for plant / piping upgrades.

In Summary; the funding is as follows:

| | | |
|---------------------------|-----------------------------------|--------------------|
| Water Line Replacements | Fund 301 / Activity F04800 | \$61,239.95 |
| PMLWC Purchase | Fund 301 / Activity F44000 | \$19,378.26 |
| Total Project Investment. | | |
| | \$80,618.21 | |

Action Requested/Recommendation: Public Works staff recommends that the City Council authorize the City Manager to enter into a contract with **Grand Junction Pipe** in the amount of **\$80,618.21** for the **Kannah Creek Water System Improvements – Materials Procurement**.

| | | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|

| | | | | | | |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 9

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|--|
| Subject: | Contract with Mesa County for Building Inspection Services | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 12, 2000 | |
| Author: | Mark Relph | Public Works & Utilities Director |
| Presenter Name: | Mark Relph | Public Works & Utilities Director |
| | Workshop | Formal Agenda X |

Subject: Approve a contract with Mesa County for building inspection services.

Summary: Since 1988, the City has contracted with Mesa County under the present arrangement where the County performs all building inspection functions within the City for the amount of fees that the County collects from building permit fees. The contract is for a 2-year term. Either party may terminate the contract by providing 90 days notice.

Background Information: Instead of having its own building inspection department, the City contracts with Mesa County to provide building inspection and contractor's licensing services under the same building code used by the County. The current version of the building code is the 1994 Uniform Building Code.

Budget: Mesa County collects all building inspection fees for building permits. Also, for administering the City's contractor's licensing requirement, the County retains 95% of the contractor's licensing fees which are paid by contractors.

Action Requested/Recommendation: Approve the contract with Mesa County for building inspection services.

| | | | | | |
|------------------------------|--------------------------|-----------|--------------------------|------------|----------------|
| Citizen Presentation: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|--------------------------|-----------|--------------------------|------------|--------------|--|
| Report results back to Council: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|--------------------------|-----------|--------------------------|------------|--------------|--|

| | | | | | | |
|----------------------|---|---------|--|----------------------|--|----------|
| Placement on Agenda: | X | Consent | | Indiv. Consideration | | Workshop |
|----------------------|---|---------|--|----------------------|--|----------|

#MCA _____

CONTRACT FOR PROFESSIONAL SERVICES

THIS CONTRACT made and entered into as of the _____ of _____, 2000, by and between the County of Mesa, Colorado, a governmental entity (hereinafter referred to as "Contractor") and the City of Grand Junction, a governmental entity (hereinafter referred to as "City").

WITNESSETH

WHEREAS, The City desires to engage the services of the Contractor to perform certain work for the benefit of the City; and

WHEREAS, The Contractor desires to perform the work for the City in accordance with the terms and conditions set forth herein;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE PROMISES HEREAFTER SET FORTH, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The services to be provided by the Contractor and the City respectively are as follows:

SEE Exhibit A attached hereto and made a part hereof by this reference. As if fully set forth. Services to be provided shall hereinafter be referred to as "Work" or "the Work."

2. Any other work, materials, equipment or machinery not specifically described or expressly covered herein, but which is required or reasonably necessary to perform or complete the Work, shall be deemed to be, and is, covered by this Contract and shall be provided by the Contractor.

3. The Contractor shall perform work hereunder in accordance with sound and acceptable industry practices and standards, all in accordance with any and all codes, standards, regulations and laws applicable to the Work.

4. The Contractor shall proceed with and accomplish the Work contracted hereunder upon receipt of a written notice to proceed from the City. Such written notice shall be issued by the City Manager. The Contract Administrator for the Contractor is the Chief Building Official for Mesa County, unless otherwise designated in writing. The Contract Administrator for the City shall be a City appointed Building Official who shall have all of the powers as authorized by Section 104.2 of the Uniform Building Code. The Contractor shall act as the Building Official's Deputy, as described in Section 104.2 of the Uniform Building Code.

5. For the performance by the Contractor under this Contract, the City shall compensate and reimburse the Contractor in accordance with the provisions set forth in Exhibit B attached hereto and made a part hereof by this reference as if fully set forth.

6. At its own expense, the City will provide the following to assist the Contractor in performing under this Contract:

SEE, City provided services in Exhibit A.

7. In the performance of the Work under this Contract, the Contractor shall be deemed to be, and is, an independent contractor with the authority to control and direct the performance and detail of its work; the City being generally interested only in the results obtained.

8. Precautions shall be exercised at all times for the protection of persons and property. The safety provisions of all applicable laws, regulation and codes shall be strictly observed. Hazards arising from the use of vehicles, machinery and equipment shall be guarded and eliminated in accordance with the highest accepted standards of safety practice. The Contractor shall comply fully with all pertinent Federal, State or Local Statutes, rules or regulations.

9. This is a personal services' contract on the part of the Contractor. This contract may not be assigned without the prior, express written consent of both parties. Any attempt to assign this Contract without the prior, express written consent of both parties shall render the Contract null and void with respect to the attempted assignee.

10. No part of this Contract shall be sublet without the prior, express written approval of the City. If the Contractor shall sublet any portion of this Contract, the Contractor shall be fully responsible to the City for acts and omissions of a subcontractor, and/or persons either directly or indirectly employed by the Contractor and for the acts and omissions of persons employed directly or indirectly by the Contractor.

11. The Contractor shall retain in confidence, in accordance with the Colorado Open Records Act, all information furnished to the Contractor by the City and the results of the Contractor's Work hereunder. The Contractor shall not disclose such information or results to anyone except the City without the prior consultation with the City. Those documents and information considered to be public information and/or documents and information found on or which are a part of the building permit shall may be disclosed without City direction or consultation.

12. This Contract may be terminated at any time during the term of the Contract by either party upon 90-days written notice of intent to terminate it.

13. Upon termination or expiration of this Contract, the Contractor shall immediately cease work and prepare a final report on all Work accomplished to that time. The Contractor shall deliver to the City the final report and all other documents, papers, calculations, notes, designs, drawings, maps, reports or other technical papers, reports or information which have been prepared by the Contractor under the terms of this Contract and/or which belong to the City.

14. This is not an exclusive Contract. The Contractor may, at its sole discretion, contract with other entities for work similar to that to be performed by the Contractor.

15. The term of this Contract shall be for two (2) years from the date it is signed by the last party.

16. Contractor shall indemnify and hold harmless the City, its officers, officials, employees and agents, for any claims or damages, including attorneys' fees, arising from Contractor's negligent performance of its duties hereunder. The City shall indemnify and hold harmless Contractor, its officers, officials, employees and agents, for any claims or damages, including attorneys' fees, arising from the performance of this Contract other than Contractor's negligent performance of its duties hereunder.

17. This Contract is and shall be deemed to be performable in the County of Mesa, Colorado, and venue for any disputes hereunder shall be in the District Court of the County of Mesa, Colorado.

IN WITNESS WHEREOF, the parties have executed this Contract as of the day and year first above written.

THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF MESA, COLORADO

BY: _____
Chair, Doralyn B. Genova

Attest:

Monika Todd, Clerk & Recorder

Chief Building Official
Mesa County

City of Grand Junction , COLORADO

By: _____

Address

Title

Attest:

Stephanie Nye, City Clerk

EXHIBIT A

1. a) Contractor Provided Services: The Contractor shall review permit and license applications and all required documents in support thereof. The Contractor shall review the same for content and accuracy. The Contractor shall review building plans and specifications for compliance with the most currently adopted building code. The Contractor shall issue the building permit, provide the required inspections and issue the Certificate of Occupancy after the final inspection is approved, all in compliance with applicable codes, ordinances and regulations.

b) City Provided Services: The City shall provide to the Contractor the following items: Stationery, forms, envelopes and postage for conducting City related business and the use of a copy machine for City related correspondence. If the City does not adopt by ordinance all of the building related codes as are currently adopted and amended by Mesa County or as currently adopted by the State of Colorado, then Contractor may terminate this agreement. The Building Codes to be enforced in the City will be the Codes presently adopted by Mesa County and any such code hereinafter adopted or amended by Mesa County.

The City shall provide a planning clearance approval for each building permit to be given to each permit applicant. Contractor shall not issue any permit until the permit applicant delivers the planning clearance approved to the Contractor. The planning clearance shall state that the City has reviewed the project for compliance with all City zoning and setback requirements, utility taps and driveway locations and found the same to be in compliance and shall grant approval to release a building permit. The City shall be responsible to inspect the project site prior to the issuance of a Certificate of Occupancy by the Contractor to ensure compliance with the planning clearance approval mentioned above.

EXHIBIT B

The Contractor shall be reimbursed for services provided under this Contract as follows:

a. The Contractor shall charge permit fees for all work that requires the issuance of a building permit. Those fees shall be payable by the permit applicant at the time of permit issuance. Said fees shall be in accordance with the Contractor's current standard fee schedule as from time to time adopted or amended by the Contractor in its sole discretion.

b. With prior approval the City Building Official, services may be provided by the Contractor that are not covered by the fees described in (a) above and shall be charged to the City according to the following schedules.

City Council Meeting \$20.00 per hour per person

Ordinance Drafting \$20.00 per hour per person

Public Nuisance inspections and abatement proceedings \$20.00 per hour per person

Courtesy inspections not requiring a building permit \$15.00 per inspection

Contractor's Licensing 95% of Fees collected

REVISED 4-7-2000

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|---|-------------------------|----------------------|
| Subject: | Resolution Establishing Development Fees | | |
| Meeting Date: | April 19, 2000 | | |
| Date Prepared: | April 13, 2000 | | |
| Author: | Kathy Portner | Planning Manager | |
| Presenter Name: | Kathy Portner | Planning Manager | |
| | Workshop | X | Formal Agenda |

Subject: Resolution Establishing Development Fees

Summary: This resolution re-establishes the existing development impact fees and review fees that were previously contained in the Zoning and Development Code.

Background Information: Impact fees for parks, open space, schools, drainage and transportation capacity were previously listed in the Zoning and Development Code. The new Code includes the requirement for the fees, but the actual amounts are to be adopted by the City Council by resolution. Review fees are also required in the Code, but the amounts are established by resolution. There are no changes being proposed to the fees listed at this time.

Budget: N/A

Action Requested/Recommendation: Council approval of the Resolution

| | | | | |
|------------------------------|----------|-----------|--|---------------------------|
| Citizen Presentation: | X | No | | Yes If Yes, |
| Name: | | | | |
| Purpose: | | | | |

| | | | | | | |
|--|----------|-----------|--|------------|--------------|--|
| Report results back to Council: | X | No | | Yes | When: | |
|--|----------|-----------|--|------------|--------------|--|

| | | | | |
|-----------------------------|----------|----------------|-----------------------------|-----------------|
| Placement on Agenda: | X | Consent | Indiv. Consideration | Workshop |
|-----------------------------|----------|----------------|-----------------------------|-----------------|

CITY COUNCIL, CITY OF GRAND JUNCTION
RESOLUTION #_____ ESTABLISHING DEVELOPMENT FEES

WHEREAS, the rapid rate of development and growth within the City of Grand Junction has caused significant demands on the City and its Community Development Department; and

WHEREAS, trends predict that the growth of the City will continue for the foreseeable future; and

WHEREAS, new development and the processing of development applications places significant demands on the City to provide services, facilities, infrastructure and other governmental support; and

WHEREAS, the City Council has determined that development in the City should bear a portion of the costs and help to defray the impact that is associated with development; and

WHEREAS, the City has recently adopted a new Zoning and Development Code, which Code coupled with the Growth plan adopted in 1996, establishes a vision for the community. That vision anticipates that growth will occur in certain areas in certain ways and that it is reasonable and appropriate to require growth “pay its own way.” Part of paying its own way includes not allowing existing conditions to deteriorate as a result of growth; and

WHEREAS, the capacity of streets and other public facilities is at or exceeds the designed capacity and development is projected to create even more burden on those facilities; and

WHEREAS, in order to promote and protect the public health, safety and welfare and accommodate the needs of development, the Council does hereby establish the fees and charges that are applicable to development; and

WHEREAS, the subdivision regulations include, where deemed reasonably necessary that development provide for streets, roads, opens space, park sites and other requirements for the dedication of land to the to the public or, in lieu thereof, payment of money as determined by the market value of such sites and land areas as provided by the Code; and

WHEREAS, the City has a legitimate governmental interest in assuring that development does not cause the public problem of inadequate, unsafe and inefficient public facilities and to that end has determined that there is a reasonable, demonstrable connection between the fees, charges and dedications and the public

benefit and protection of the public health safety and welfare that is had by imposing the same on new growth and development; and

WHEREAS, the community, in which the growth and development is occurring, is benefited as a whole by the receipt and expenditure of such revenues and/or dedication of land;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

- A. The City does impose and shall charge, collect and receive in accordance with the terms of this Resolution, development fees as provided and/or established by the Zoning and Development Code of the City of Grand Junction, all as established by the authority of the City Manager or his designee in accordance with the Charter and ordinances of the City and as otherwise allowed or authorized by law.
- B. The fees, dedications and other requirements stated and described herein are found to be in an amount bearing a reasonable relationship to the cost of providing services, protecting the public and their facilities from degradation and/or exacerbation of public problems due to growth.
- C. Specifically the Council finds and determines that school land fee in lieu of dedication, the parks and open space fee, the open space dedication and other fees and dedications that are not uniformly applied to all development (fees other than development processing fees that are applicable to residential applications only) are or will be used to mitigate/alleviate the public problem that is created by development.
- D. In support of the conclusions, findings and determinations of this resolution the Council adopts by this reference as if fully set forth the reports, analyses, investigations, studies and summaries of the City staff, consultants and other experts hired by the City, detailing the public problems that development creates, the inferences that show that development will create or exacerbate the identified public problems, the data that shows that the fees and/or dedications established herein mitigate or alleviate the identified public problems and that the fees and/or dedications are roughly proportional to that part of the problem created or exacerbated by development.
- E. If any section, paragraph, subparagraph, clause or provision establishing or creating any fee and/or dedication requirement or the fee and/or dedication requirement itself contained or provided for by this resolution shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction, or by operation of any applicable law, such invalid or unenforceable fee, dedication or section, paragraph, subparagraph, clause, or provision establishing that fee and/or dedication shall not affect the validity of this resolution as a whole, and all

other sections, paragraphs, subparagraphs, clauses and provisions establishing, creating or providing for fees and/or dedications shall be given full force and effect.

F. Parks Impact Fee

\$225.00 per dwelling unit

G. Open Space Fee or Dedication

10% of the gross acreage or 10% of the gross value of the property

H. School Impact Fee

Set in accordance with the following formula:

Cost per acre of Suitable School Lands within the School District X Student Generation Fee Factor of .023 = Fee Per Dwelling Unit

- I. Drainage Fee
 Drainage Fee (\$) = 10,000 (C_{100d} - C_{100h})A⁷
- Where C₁₀₀ = 100 year Rational Method composite runoff coefficient per the City Stormwater Management Manual, with subscripts “d” and “h” pertaining to the proposed development and current existing or historic conditions, respectively; and
- A = Area to be developed in acres.

J. Transportation Capacity Payment shall be determined by the following schedule:

| <u>Use</u> | <u>Trips</u> | <u>Trip Length</u> | <u>% New</u> | <u>Payment</u> |
|---|--------------|--------------------|--------------|----------------|
| RESIDENTIAL | | | | |
| Detached Single Family \$500/Unit | 10 | 6 | 100 | |
| Multi-family (<4-Plex) \$400/Unit | 8 | 6 | 100 | |
| Multi-family (>4-Plex) \$300/Unit | 6 | 6 | 100 | |
| RV Park \$269/Space | 5.4 | 6 | 100 | |
| COMMERCIAL (per 1000 square feet of floor area, or portion thereof, unless noted otherwise); | | | | |
| Convenience Store | 330 | 2 | 45 | \$2475 |
| Retail | 70 | 2 | 30 | \$ 700 |
| Hotel/Motel 334/Room | 10 | 4 | 100 | \$ |
| Restaurant | 165 | 2 | 45 | \$1238 |
| Drive-through restaurant | 500 | 2 | 45 | \$3712 |
| OTHER (per 1000 square feet of floor area, or portion thereof); | | | | |
| Office | 12 | 4 | 100 | \$400 |
| Hospital | 16 | 4 | 100 | \$533 |
| Church \$155 | 7 | 4 | 100 | |

If the use is less than 1000 square feet, the 1000 square foot payment shall be paid. For uses above 1000, the payment shall be pro rated: for example, a use of 1500 would pay 1.5 times the 1000 square foot payment.

Industrial uses are not listed because of the large variability in the traffic impacts which may result from a particular industrial use. The Director of Public Works (hereinafter "Director") shall require that the developer of such a use submit such information as the Director may require in order that the Director may ascertain the capacity impacts of the proposed use.

The following formula shall apply for uses other than the above categories: The Director shall determine if a use is properly classified in one of the listed categories. The Director shall, based on available traffic engineering data, or based on data and studies supplied by an applicant if required by the Director, assign a different value for a particular development:

$$\infty \times (\text{vehicle trips/day}/10) \times (\text{trip length}/6) \times (\% \text{ new trips})$$

Where ∞ = the TCP calculated for a single family residence. The present ∞ is as set forth and is calculated as shown on Appendix 3.

If a building permit or other development approval is requested for a mixed use, the Director shall determine the payment, using the applicable schedule portioning the space committed to uses specified on the subsection (iii) schedule. The Director shall determine questions concerning mixed use and proper apportionment.

In the case of a change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a building permit, the Director shall calculate the TCP based upon the additional trip(s) generated. No refunds nor credit shall be given for changes to uses or to lands or structures which reduce trips generated.

K. Development Application Fees

Development Applications

| | |
|--|------------------------------|
| Change of Use Review | \$50 |
| Rezone | \$330 |
| Conditional Use Permit | \$350 + Acreage Fees + Final |
| Inspection Fee | |
| C.U.P. (animals & fences) | \$50 |
| Special Use Permit | \$270 + Acreage Fees |
| Minor Subdivision (5 lots or less) | \$400 + Acreage Fees |
| Planned Development and/or | |
| Major Subdivision – Preliminary | \$630 + Acreage Fees |
| Planned Development and/or | |
| Major Subdivision – Final Plan | \$740 + Acreage Fees |
| Easement Vacation | \$360 |
| ROW Vacation | \$450 |
| Floodplain Permit | \$125 (over 2 hr. review |
| time - \$25 / hour) | |
| Variance | \$180 |
| Boundary Line Adjustment/Replat | \$160 |
| Historic Site/Structure/District Designation | \$60 |
| Minor Change | \$50 |
| Rezone & Outline Development Plan | \$400 |
| Rezone/Preliminary Plan | \$710 + Acreage Fees |
| Rezone/Final Plan | \$820 + Acreage Fees |

Outline Development Plan \$310
Site Plan Review \$100 + Acreage Fees + \$40
Inspection Fee (associated Public
Work Fees may apply, see below)

Acreage Fees:

Less than one acre – no additional fee

One acre and greater - \$15/acre (Round to whole number)

Development Application fees are due at the time the application is submitted. The fees are designed to cover the cost of processing the application.

In the event that an applicant is requesting review of two or more applications listed, the higher of the fees is the applicable fee. The Public Works review fees are in addition to the required Planning review fees for all Site Plan Reviews.

Public Works Fees – Fees required for review of engineering reports and drawings. The following may apply for ALL Site Plan Review Applications:

| | |
|-----------------------------|------|
| Grading and Drainage Plan | \$35 |
| Drainage Reports/Agreements | \$40 |
| Utilities Composite | \$25 |
| Traffic Impact Study | \$40 |
| Best Management Practices | \$35 |
| Off-Site Improvements Plans | \$40 |

Recording Fees – The applicant is responsible for any recording fees required to file a subdivision plat or other documents with the Mesa County Clerk and Recorder.

PASSED AND ADOPTED this ____ day of April, 2000, by the City Council of the City of Grand Junction.

Attach 11

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|--------------------------|-----------------------------|--|
| Subject: | Headstart Annexation | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 12, 2000 | |
| Author: | Joe Carter | Associate Planner |
| Presenter Name: | Joe Carter | Associate Planner |
| <input type="checkbox"/> | Workshop | <input checked="" type="checkbox"/> Formal Agenda |

Subject: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Headstart Annexation located at 3093 E ¼ Road.

Summary: The 0.88-acre Headstart Annexation area consists of 1 parcel. There are no existing structures on the site. The applicant is proposing a day school for the children of migrant workers. The owners of the properties have signed a petition for annexation.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Headstart Annexation and set a hearing for June 7th, 2000.

| | | | | | |
|------------------------------|-------------------------------------|-----------|--------------------------|------------|----------------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|-------------------------------------|-----------|--------------------------|------------|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|-------------------------------------|-----------|--------------------------|------------|--------------|--|

| | | | | | | |
|-----------------------------|-------------------------------------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|

CITY OF GRAND JUNCTION

DATE: April 19, 2000

CITY COUNCIL

STAFF PRESENTATION: Joe Carter

AGENDA TOPIC: Resolution for Referral of Petition to Annex/**First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the **Headstart Annexation located at 3093 E ¼ Road.**

SUMMARY: The 0.88-acre Headstart Annexation area consists of 1 parcel. There are no existing structures on the site. The applicant is proposing a day school for the children of migrant workers. The owners of the properties have signed a petition for annexation.

| BACKGROUND INFORMATION | | | |
|-------------------------------------|---|--|-----------|
| Location: | 3093 E ¼ Road | | |
| Applicants: | Merritt Construction, Petitioner David Smuin, Representative | | |
| Existing Land Use: | Vacant | | |
| Proposed Land Use: | Commercial | | |
| Surrounding Land Use: | North | Commercial | |
| | South | Commercial | |
| | East | Commercial | |
| | West | Commercial | |
| Existing Zoning: | ILCB – Limited Industrial (County) | | |
| Proposed Zoning: | C-1 | | |
| Surrounding Zoning: | North | Planned Commercial – (City) | |
| | South | ILCB – Limited Industrial (Mesa County) | |
| | East | C-1 – (City) | |
| | West | C-1 – (City) | |
| Growth Plan Designation: | Commercial | | |
| Zoning within density range? | X | Yes | No |

ACTION REQUESTED: It is recommended that City Council **approve** the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the **Headstart Annexation and set a hearing for June 7th, 2000**

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing [0.88 acres of land](#). The property is now being annexed into the City of Grand Junction.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the [Headstart. Annexation](#) is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation schedule is being proposed.

| ANNEXATION SCHEDULE | |
|------------------------------|--|
| April 19th | Referral of Petition to Annex & 1 st Read (30 Day Notice) |
| May 9th | Planning Commission considers Zone of Annexation |
| May 17th | First Reading on Zoning by City Council |
| June 7th | Public hearing on Annexation and Zoning by City Council |
| July 9th | Effective date of Annexation and Zoning |

RECOMMENDATION:

[Approval](#)

HEADSTART ANNEXATION SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2000-062 |
| Location: | 3093 E ¼ Road |
| Tax ID Number: | 2943-094-77-002 |
| Parcels: | 1 |
| Estimated Population: | 0 |
| # of Parcels (owner occupied): | 0 |
| # of Dwelling Units: | 0 |
| Acres land annexed: | 0.88 acres for annexation area |
| Developable Acres Remaining: | 0.88 acres |
| Right-of-way in Annexation: | No right-of-way annexed |
| Previous County Zoning: | ILBC – Limited Industrial |
| Proposed City Zoning: | C-1 |
| Current Land Use: | Vacant |
| Future Land Use: | Commercial |
| Values: | Assessed: = \$ 21,120 |
| | Actual: = \$ 72,830 |
| Census Tract: | 11 |
| Address Ranges: | 3093 E ¼ Road |
| Special Districts: | Water: Clifton Water |
| | Sewer: Central Grand Valley |
| | Fire: Clifton Fire |
| | Drainage: Grand Junction Drainage District |
| | School: District 51 |
| | Pest: |

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the [19th day of April, 2000](#), the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

HEADSTART ANNEXATION

LOCATED at 3093 E 1/4 Road

WHEREAS, on the 19^h day of April, 2000, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Lot 2, 31 Road Business Park, (Plat Book 12, Page 353) NE ¼ SE ¼, Section 9, T1S, R1E, U.M. Mesa County, Colorado

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That a hearing will be held on the 7th day of June, 2000, in Two Rivers Convention Center, 159 Main Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's

consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

| <i>PUBLISHED</i> |
|----------------------------------|
| April 21, 2000 |
| April 28, 2000 |
| May 5th, 2000 |
| May 12th, 2000 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

HEADSTART ANNEXATION

APPROXIMATELY 0.88 ACRES

LOCATED AT 3093 E ¼ROAD

WHEREAS, on the 19th day of April, 2000 the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 7th day of June, 2000; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF GRAND JUNCTION, COLORADO:**

That the property situate in Mesa County, Colorado, and described to wit:

Lot 2, 31 Road Business Park, (Plat Book 12, Page 353) NE ¼ SE ¼, Section 9,
T1S, R1E, U.M. Mesa County, Colorado

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 19th day April, 2000.

ADOPTED and ordered published this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

PERIMETER BOUNDARY LEGAL DESCRIPTION
HEADSTART ANNEXATION

Lot 2, 31 Road Business Park, (Plat Book 12, Page 353) NE ¼ SE ¼, Section 9,
T1S, R1E, U.M. Mesa County, Colorado

Attach 12

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|--------------------------|--------------------------|----------------------|
| Subject: | Miller Annexation | | |
| Meeting Date: | April 19, 2000 | | |
| Date Prepared: | April 12, 2000 | | |
| Author: | Lori V. Bowers | Associate Planner | |
| Presenter Name: | Lori V. Bowers | Associate Planner | |
| | Workshop | X | Formal Agenda |

Subject: ANX-2000-037 / 1st Reading for the Zone of Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park. The requested zoning is I-1 (Light Industrial).

Summary: The 2.29-acre Miller Annexation area consists of one parcel of land; (Lot 8, Banner Industrial Park Subdivision) 0.16 acres of right-of-way from 30 Road; (for a distance of 100 feet) to Gunnison Avenue; then 0.58 acres of the right-of-way of Gunnison Avenue to the subject parcel, (approximately 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

Background Information: See attached Staff Report dated April 12, 2000.

Budget: N/A

Action Requested/Recommendation:

| | | | | |
|------------------------------|----------|-----------|------------|----------------|
| Citizen Presentation: | X | No | Yes | If Yes, |
| Name: | | | | |
| Purpose: | | | | |

| | | | | | |
|--|----------|-----------|------------|--------------|--|
| Report results back to Council: | X | No | Yes | When: | |
|--|----------|-----------|------------|--------------|--|

| | | | | | | |
|----------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|----------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

CITY OF GRAND JUNCTION

DATE: April 12, 2000

CITY COUNCIL

STAFF PRESENTATION: Lori V. Bowers

AGENDA TOPIC: ANX-2000-037 / 1st Reading for the Zone of Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park. The requested zoning is I-1 (Light Industrial).

SUMMARY: The 2.29-acre Miller Annexation area consists of one parcel of land; (Lot 8, Banner Industrial Park Subdivision) 0.16 acres of right-of-way from 30 Road; (for a distance of 100 feet) to Gunnison Avenue; then 0.58 acres of the right-of-way of Gunnison Avenue to the subject parcel, (approximately 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

| BACKGROUND INFORMATION | | |
|---------------------------------|--|-----------------------------------|
| Location: | 2978 Gunnison Avenue | |
| Applicants: | Kimberly D. and David E. Miller, owners | |
| Existing Land Use: | Vacant lot | |
| Proposed Land Use: | Gymnastics Building | |
| Surrounding Land Use: | North | Commercial |
| | South | Vacant |
| | East | Vacant |
| | West | Storage/junk |
| Existing Zoning: | Industrial – Mesa County | |
| Proposed Zoning: | Applicants proposed C-2 / Staff recommends I-1. | |
| Surrounding Zoning: | North | (Mesa County) - Industrial |
| | South | (Mesa County) – Industrial |
| | East | (Mesa County) – Industrial |
| | West | (Mesa County) – Industrial |
| Growth Plan Designation: | Commercial / Industrial | |

| | | | | |
|------------------------------|---|-----|--|----|
| Zoning within density range? | X | Yes | | No |
|------------------------------|---|-----|--|----|

RELATIONSHIP TO COMPREHENSIVE PLAN: The City of Grand Junction Growth Plan identifies the subject parcel in the Commercial/Industrial (Heavy Commercial and Light Industrial) category. The petitioner’s request for C-2 zoning is within the range recommended in the Growth Plan, but staff feels a zoning designation of I-1 would be a better match for the existing industrial uses in this subdivision.

STAFF ANALYSIS:

Zoning. A site plan for a gymnastics building is currently under review by the Community Development Department, for this lot. The applicants were requesting a zoning of C-2 (Heavy Commercial), which provides for the establishment of general retail sales and services. The C-2 zoning district is to provide for commercial activities with limited outdoor operations. The I-1 zoning district is to provide for manufacturing, light fabrication and industrial uses that are compatible with the existing adjacent land uses. Either zoning designation would be in compliance with the Growth Plan for this area, but considering the existing uses in this subdivision, Staff feels that the zone of I-1 is more appropriate. I-1 zoning allows for health and athletic clubs under a “Special Use Permit”. In the new Code, these uses would require a “Conditional Use Permit”. Neither the current Code nor the new Code provides for “gymnastics studios”. Staff feels the category of Health and Athletic Clubs best fit this use. The bulk standards for an I-1 zoning district are very generous in that side and rear setbacks are 0. The front setback for this area would be 25 feet from the centerline of the right-of-way. This zoning district allows for light manufacturing uses as well as heavy warehousing and high impact uses. It is anticipated that most uses in this zone will be oriented towards heavy truck or rail traffic. While a gymnastics building does not require heavy truck traffic, it does require a lot of square footage per student. It also requires buildings with higher ceilings than those found in more commercial or retail type areas. Industrial type buildings help facilitate this type of use.

Staff feels the proposal is in compliance with Chapter Four, Section 4-1-1, of the Zoning and Development Code, by encouraging the most appropriate use of land throughout the City and to ensure the logical and orderly growth and development of the physical elements of the City. This proposal also protects and maintains the integrity and character of this established industrial area and meets the intent of Section 4-1-1 entitled “Purpose”.

This proposed zoning complies with Section 4-4-4, of the Zoning and Development Code in the following ways:

- The I-1 zoning is consistent with the current County Zoning of Industrial.
- The I-1 zoning is consistent with the surrounding industrial development.

- Adequate facilities are available.

Section 4-11 of the Zoning and Development Code, Zoning of Annexations states: The zoning request shall be evaluated by the following special criteria in addition to the general criteria for rezoning.

- A. adverse impacts to the developed density of established neighborhoods shall be considered: and
- B. the relationship of the property to the urban core area or to established subcores shall be considered.

The proposed I-1 zone complies with this criteria and is consistent with the Growth Plan. Growth Plan Goals and Policies are met in Policy 1.7 "The City and County will use zoning to establish the appropriate scale, type, location and intensity for development..." and Goal 11: To promote stable neighborhood and land use compatibility throughout the community." This property is currently in the County zone district of Industrial. Mesa County does not designate between light and heavy industrial uses. I-1 zoning is compatible with the existing industrial uses surrounding it.

PLANNING COMMISSION: At their regularly scheduled meeting of April 11, 2000, the Planning Commission held a public hearing on the proposed zoning of this property. After public testimony was presented, the Planning Commission recommends the zoning designation of I-1, for the Miller Annexation.

RECOMMENDATION: Staff and Planning Commission recommend the zone of I-1, for the Miller Annexation, located at 2978 Gunnison Avenue.

Attachments:

- a) Zoning ordinance
- b) General location map

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

**ORDINANCE ZONING THE MILLER ANNEXATION
TO A LIGHT INDUSTRIAL (I-1) DISTRICT**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Light Industrial (I-1) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 zone district be established.

The City Council hereby finds that the rezone meets the criteria set forth in Section 4-4-4 of the Zoning and Development Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

The following parcel shall be zoned light industrial (I-1):

Lot 8, of the Banner Industrial Park Subdivision, Mesa County, Colorado.

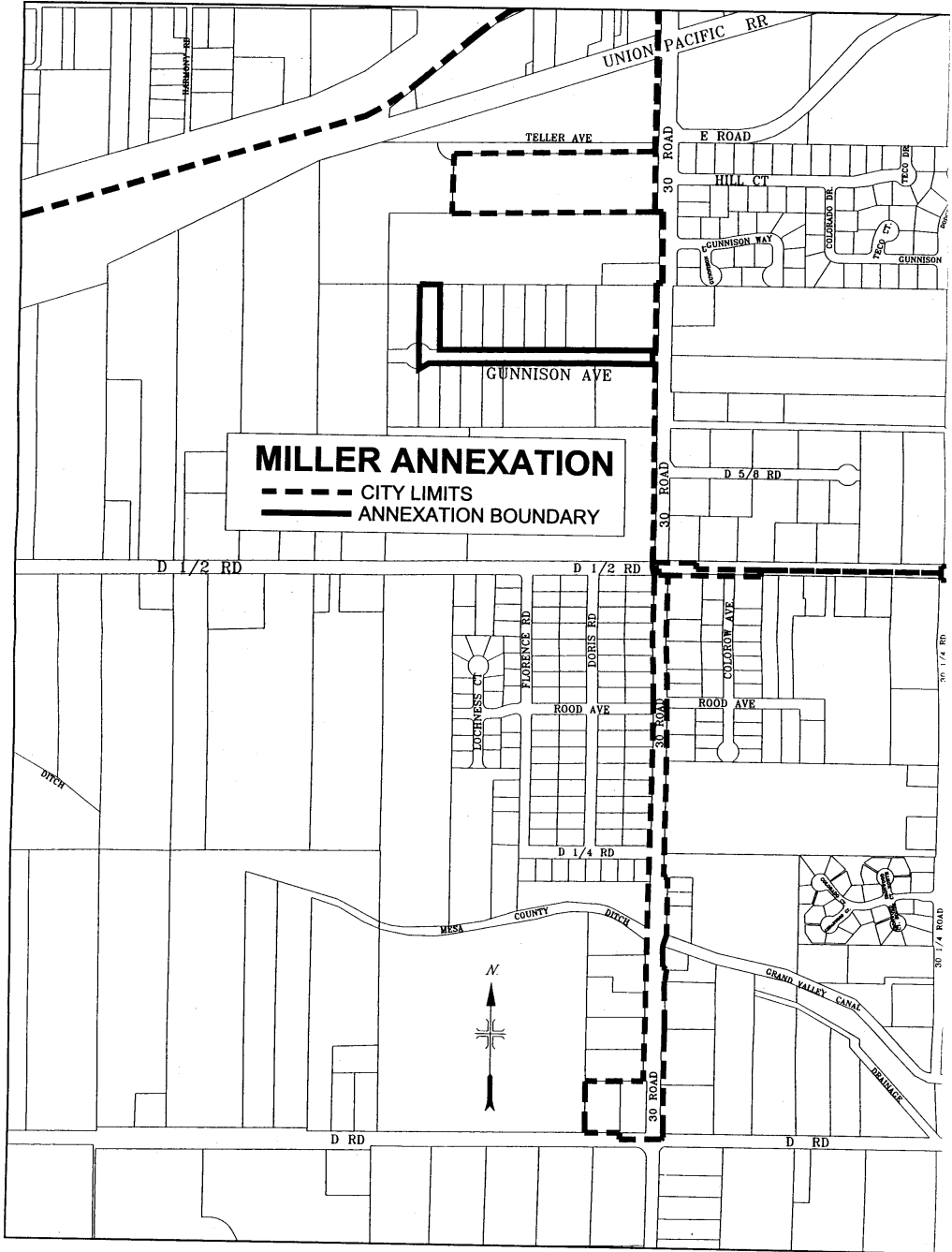
INTRODUCED for FIRST READING this 19th day of April, 2000.

PASSED and ADOPTED on SECOND READING this _____ day of _____, 2000.

ATTEST:

City Clerk

President of City Council



Attach 13

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|-------------------------|---|------------------------------------|
| Subject: | Award of Contract for New Rest Room Facility | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 13, 2000 | |
| Author : | Rex Sellers | Senior Buyer |
| Presenter Name : | Don Hobbs | Assistant Director of Parks |
| | Workshop | X Formal Agenda |

Subject: Award of Contract for **New Restroom Facility at Stocker Stadium/Suplizio Field** to Just Companies, Inc. in the amount of \$ **95,582.00**.

Summary: Bids were received and opened on April 13, 2000 for **IFB-20B-00RS**. The low bid was submitted by **Just Companies Inc. \$ 95,582.00**.

Background Information: This project consists of construction of a new restroom facility beneath the concrete stands at Stocker Stadium/Suplizio Field. The construction includes the required up grade to the current electrical system.

Work is scheduled to begin on or about April 20, 2000 and continue for nine weeks, this includes suspending work for one week May 27 through June 3, 2000 with an anticipated completion date of June 21, 2000.

The following bids were received for this project:

| <u>Contractor</u> | <u>From</u> | Base Bid plus Alternate and Electrical upgrade |
|---------------------------------|----------------|---|
| Delbert McClure Const. | Grand Junction | \$100,012.00 |
| Tusca II | Grand Junction | \$126,400.00 |
| RW Jones | Fruita | \$102,800.00 |
| K&G Enterprise | Grand Junction | \$117,240.00 |
| Just Companies | Grand Junction | \$ 95,582.00 |
| Vostatek Const. | Clifton | \$120,791.00 |
| Comet Const. | Grand Junction | \$113,450.00 |
| Estimated Cost \$ 84,550.00* | | |
| *without electrical upgrade | | |

Budget: \$84,550.00

Project Costs:

| | |
|--------------|-------------|
| Construction | \$95,582.00 |
| Design | 8,412.00 |

| | |
|---------------------|-------------------|
| 5% contingency | 5,199.70 |
| Total Project Costs | <u>109,193.70</u> |

Funding:

| | |
|---------------|---------------------|
| 2011 CIP Fund | \$42,000.00 |
| PIAB | <u>\$67,193.70</u> |
| Total Funding | <u>\$109,193.70</u> |

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **New Restroom Facility at Stocker Stadium/Suplizio Field** with **Just Companies Inc.** in the amount of **\$95,582.00**.

| | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes |
|------------------------------|-------------------------------------|----|--------------------------|-----|

| | | | | | | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|

| | | | | | | |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 15

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|-----------------------------------|--------------------------------------|
| Subject: | City Hall Employee Parking | |
| Meeting Date: | April 19, 2000 | |
| Date Prepared: | April 17, 2000 | |
| Author: | Mark Relph | Public Works & Util. Dir. |
| Presenter Name: | Mark & Ron Lappi | |
| | Workshop | X Formal Agenda |

Subject: Offsite parking for City Hall employees.

Summary: Review of a lease agreement with the First Assembly of God Church at 5th and Grand Ave. for City Hall employee parking.

Background Information: The City recognizes the need to provide employee parking when the new City Hall is opened in July 2000. As a result, staff has discussed options with several property owners in the downtown area including the school district. Most recently, favorable discussions with the First Assembly of God Church located at 5th and Grand Ave. have resulted in a proposed lease agreement with the following terms:

1. A three and one-half (3&1/2) year lease with option to extend for 3&1/2 years at a time at the sole option of the City, as long as the Church owns the property. Also, the Church congregation will vote in February, 2001 to give us an unlimited number of renewal options.
2. The City designs a 60 space parking lot at the corner of 5th and Grand and the Church builds at their cost. (City's cost estimate +/- \$140K). Church pays for utilities (i.e. water and electricity).
3. The City's cost payable in advance every three and one-half years starts at \$25.00 per space and has a minimum floor for the renewals of 3% inflation. The payment in advance assists the Church with the cost of the required improvements. Staff believes the lease rate is reasonable and in the City's best interest based on the current market and the value of this prime location to the City.
4. The City would have a first right of refusal, until July 27, 2005, on the entire property, if an when the Church puts the property on the market and they receive a legitimate offer. In the mean time the City will work diligently with other potential users to evaluate the feasibility of purchasing the entire site during the first term and any subsequent terms of this lease.
5. The City pays the cost of maintenance of the parking facility during the lease agreement.

The proposed lease agreement will be presented for your review at the Monday workshop.

Budget: The 2000 CIP Budget includes \$200K for offsite City Hall employee parking improvements.

Action Requested/Recommendation: Approve the lease agreement with the First Assembly of God Church.

| | | | | | | | |
|------------------------------|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|----------------|
| Citizen Presentation: | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | X | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | | | |
| Purpose: | | | | | | | |

| | | | | | | | | |
|--|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|--------------|--------------------------|
| Report results back to Council: | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | X | <input type="checkbox"/> | Yes | When: | <input type="checkbox"/> |
|--|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|--------------|--------------------------|

| | | | | | | | |
|-----------------------------|-------------------------------------|----------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | X | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|----------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION ADOPTING THE
LEASE AGREEMENT BETWEEN
ASSEMBLY OF GOD CHURCH
AND
CITY OF GRAND JUNCTION
FOR OFFSITE PARKING FOR CITY HALL EMPLOYEES**

RECITALS:

The City of Grand Junction, in cooperation with the First Assembly of God Church at 5th and Grand Avenue, have agreed upon a lease agreement for offsite parking for City Hall employees.

The City recognizes the need to provide employee parking when the new City Hall is opened in July 2000.

The lease would be a three and one-half year lease between the City and First Assembly of God Church with renewal at the City's option.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION.

That the City Council authorizes the City Manager to sign a Lease Agreement with First Assembly of God Church at 5th and Grand Avenue for City Hall employee parking in the form to be attached.

PASSED AND ADOPTED this _____ day of _____, 2000.

President of the Council

Attest:

City Clerk

THIS LEASE AGREEMENT is made and entered into as of the 25th day of April, 2000, by and between FIRST ASSEMBLY OF GOD CHURCH, by and through the Board of Directors, hereinafter referred to as "the Lessor" or "the Church", and the CITY OF GRAND JUNCTION, a Colorado home rule municipality and hereinafter referred to as "the City" collectively referred to as the Parties.

In consideration of the mutual covenants contained herein, the Parties agree as follows:

Section One

Description of Premises

1.1 Lessor leases to the City and the City leases from Lessor, under the terms and conditions of this Lease, the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 17, 18, 19 and 20 in Block 74 of the City of Grand Junction, also known as the south east corner of 402 Grand Avenue, hereinafter referred to as "the Property". It is the intent of the parties to provide the City no less than 60 parking spaces at this location, and approximate vicinity.

Section Two

Term

2.1 The term of this Lease shall be for three and one-half (3&1/2) years (First Term), commencing on midnight July 27, 2000 and expiring on midnight January 27, 2004. If the City performs as required pursuant to this Lease and as part of the consideration for this agreement, Lessor hereby gives and grants to the City an option to extend this Lease for an additional three and one-half (3&1/2) years, (Extended Term) commencing upon the expiration of the prior term, upon the terms and conditions as herein set forth. In order to exercise an option for an Extended Term, the City shall give written notice to Lessor of its intention to exercise the option not less than thirty (30) days prior to the expiration of the First Term and any Extended Term of this Lease.

2.2 The Extended Terms of this Lease are at the option of the City, as long as the property is still owned by the Church. It is the intent of the parties to pursue the sale of the entire block to the City during the First Term or any Extended Terms of the Lease as more fully spelled out in Section Ten. The Church Board of Directors is currently restricted from entering into any lease longer than seven (7) years at this time. The Board of Directors agrees to recommend to the full congregation at their next annual meeting in February, 2001, to approve the extension of this current lease with the City of Grand Junction for multiple three and one-half year periods as long as the Church owns the property, at the City's option, under the same terms and conditions as herein set forth.

2.3 The City agrees that during the initial term of this agreement or any extended terms of this agreement, that the Church has a right to move the location of the City parking area

to the closest available area to the current site, if the Church needs this initial location for additional Church building or rebuilding.

Section Three Consideration

3.1 The Lessor agrees to lease the Property to the City, during the First Term and any Extended Term or Terms, for the sole and exclusive consideration of \$25.00 per space per month for the first three and one-half years or \$63,000, payable in advance at the time of the execution of this lease, to assist the Church with the cost of necessary improvements to the Property.

3.2 The cost to the City for the renewal for subsequent three and one-half year periods shall be no less than \$25.00 per space inflated at the annual rate of 3%, i.e. \$27.73 per space per month for the second three and one-half year period. If the Church believes the market value of the leased spaces exceeds the calculated rate for any renewal period, they may present information to the City that indicates a different value for the spaces, as determined by a survey of available rental spaces within a two block radius of the Property. The City will verify the market survey results, and the Church and City will negotiate a fair and equitable rate for the renewal period.

Section Four Use of the Property

4.1 The City agrees to use the Property for a parking lot and the Church agrees to construct and maintain a parking lot in accordance with the City's design and specifications for the site. The parking lot shall be exclusively for City use during the hours of 0700 to 1800 Monday through Friday. The Lessor may use the parking lot for its purposes at all other times; however, the Lessor may not lease, rent or otherwise charge for or receive compensation for parking.

4.2 The City may enforce applicable parking laws, rules and regulations Monday through Friday, exclusive of legal holidays recognized by the City. The City shall use its own forces and the cost of enforcement shall be exclusive borne by the City. The City shall receive and keep any and all revenue derived from enforcement. The Lessor is authorized to enforce only those laws, rules or regulations that are incident to ownership.

4.3 The City shall not use nor permit the Property to be used in any other fashion or in any manner contrary to the laws, ordinances or regulations of any governmental unit or agency exercising jurisdiction over the property if other than the City. With the approval of the Lessor, which approval shall not be unreasonably withheld and so long as the signs conform to ordinances and zoning laws imposed by the City, the City and/or the Lessor may install and maintain appropriate signs on the Property associated with the operation that it conducts thereon.

Section Five

Improvements, Repairs and Maintenance

5.1 The City shall design and prepare necessary construction specifications to improve that portion of the Property necessary to accommodate 60 parking spaces. The improvements shall be to City standards in existence at the time of this Lease. The improvements shall include but not be limited to design, engineering, construction, paving, lighting and landscaping (hereinafter referred to as "Improvements" or "the Improvements").

5.2 The City shall conduct the design and engineering work and obtain any and all required development permits at no cost to the Lessor. If the City is not able to obtain a permit and/or the Church is unable to construct the 60 spaces in accordance with the design on the Property, this Lease shall be deemed null, void and of no effect. Any monies previously paid by the City to the Church shall be refunded to the City.

5.3 The City shall maintain during the First Term and any Extended Term or Terms all aspects of the Property, including but not limited to the appearance and integrity of the Improvements; specifically the landscaping, irrigation systems and signs shall be maintained in good order, good appearance and condition similar to that of other City property. As a part of its maintenance of the Property the City shall keep the Property clean and in a safe condition in accordance with all applicable laws, ordinances and regulations of the City.

5.4 The Church and its successor(s) shall pay the cost of utilities used on and for the benefit of the Property, which include but are not limited to water and electricity.

5.5 If the City refuses or neglects to perform maintenance work required under the terms hereof within forty-five (45) days after written demand or the City fails to complete such repairs or perform maintenance within a reasonable time thereafter, Lessor may, without any obligation or requirement to do so, enter on the Property and make such repairs or perform maintenance without liability to the City's operations by reason thereof and if the Lessor makes such repairs or performs such maintenance, the City shall pay to Lessor, on demand, the cost thereof with interest at the rate of fifteen percent (15%) per annum from the date of payment by the Lessor for such repairs until paid by the City.

Section Six Lessor Liability

6.1 The Lessor shall not be liable for liability or damage claims for injury to persons or property from any cause relating to the occupancy of the Property by the City, including those arising out of damages or losses occurring on sidewalks and other areas adjacent to the Property during the term of this Lease or any extension thereof nor for any injury or damage to any property of the City from any cause.

6.2 The City shall indemnify, to the extent authorized of provided by law, the Lessor from premises liability, loss or damage claims or obligations resulting from any injuries or losses of any nature described in paragraph 6.1.

Section Seven Insurance

7.1 The City is self-insured up to \$150,000 per claim with excess coverage through Lloyd's of London. It is a member in the Colorado Intergovernmental Risk Sharing Agency (CIRSA) pool. In addition to these protections the City will avail itself of the protections of the Colorado Governmental Immunity Act (C.R.S. 24-10-101 *et.seq.*). The law limits liability to up to \$150,000 per person and up to \$600,000 per occurrence, based on current statutory limits. So long as the City is insured through CIRSA or an equivalent organization, the City shall have no obligation to purchase public liability insurance and other coverage for protection against liability for damage claims through public use of, or arising out of accidents occurring in and around the Property.

7.2 The City shall designate the Lessor as an additional insured under the terms of the City's insurance for the purpose of this Lease.

Section Eight **Pledges and Assignments**

8.1 The City shall not pledge or attempt to pledge or grant or attempt to grant as collateral or security its interest in any of the Property without the prior written consent of the Lessor.

8.2 The Lessor shall not assign the terms, benefits or obligations, of this lease without the prior written consent of the City which consent shall not be unreasonably withheld.

Section Nine **Improvements**

9.1 Unless otherwise agreed by the parties, all Improvements placed on or attached to the Property by the City shall be and become part of the Property and shall be the sole and separate property of the Lessor.

9.2 The Improvements shall (other than by exercise of the first right of refusal to purchase) of this Lease as set forth in paragraph 10.1 below, belong to the Church or its successor(s) only as provided for herein.

Section Ten **First Right of Refusal**

10.1 During the First Term of this Lease or any Extended Terms hereof, the City (or group of entities of which the City is a part) shall be entitled to a first right of refusal,

until July 27, 2005, to purchase the entire block from 4th to 5th streets and from Ouray to Grand, under the same terms and conditions contained in any bona fide offer to purchase, which is acceptable to the Lessor. The Lessor shall notify the City in writing of the terms and conditions of any such bona fide offer and the City shall have thirty (30) days from the Lessor's mailing of such notice to exercise its first right of refusal as described in this Lease.

10.2 The City's first right of refusal to purchase the entire block as described in 10.1 is not intended to, and shall in no way, preclude the Lessor from actively marketing the entire block for sale, whether through the efforts of the Lessor, a real estate broker, or any other person; nor shall such provision and first right of refusal prevent the Lessor from selling the entire block to any other party in the event the City determines to not exercise its first right of refusal as set forth under the terms and conditions of Section 10.1 above.

Section Eleven

Destruction of the Property

11.1 In the event the improvements on the Property become destroyed or substantially injured by any means, the Church shall either promptly rebuild and restore the improvements or such portion as may have been injured or destroyed, or clear the damaged or destroyed improvements from the Property. If the improvements on the Property become damaged to the extent where they are no longer functional for the purposes of the City, the Lessor shall have no obligation to repair the improvements nor otherwise make the Property useable or occupiable; damages shall be at the City's own risk. If the Lessor or the City determine not to perform repairs or to otherwise make the premises useable or occupiable, the City may terminate this Lease by giving its notice to the Lessor that this Lease is terminated.

Section Twelve

Sublease and Assignment

12.1 The City shall not assign or sublease the Property without first obtaining the written consent of the Lessor, which consent shall not be unreasonably withheld. Any consent to assign or sublease by the Lessor shall not be consent to a subsequent assignment or sublease. The Lessor reserves the right to reject sublessees or assignees, depending on whether the proposed sublessee or assignee is an entity of a type similar to the City.

Section Thirteen

Total Agreement; Applicable to Successors

13.1 This Lease contains the entire agreement between the parties and cannot be changed or terminated except by a written instrument subsequently executed by the parties hereto. This Lease and the terms and conditions hereof apply to and are binding upon the heirs, successors and authorized assigns of both parties.

Section Fourteen

Applicable Law

14.1 This Agreement shall be governed by and construed in accordance with the laws of the City of Grand Junction, State of Colorado.

DATED: April 25, 2000

LESSOR:

FIRST ASSEMBLY OF GOD CHURCH

LESSEE:

The City of Grand Junction, a
Colorado home rule municipality

City Manager

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|-------------------------|---|----------|----------------------|
| Subject: | Red Canyon Trunk Extension – Sole Source Request | | |
| Meeting Date: | April 19, 2000 | | |
| Date Prepared: | April 17, 2000 | | |
| Author : | Trent Prall | | |
| Presenter Name : | Trent Prall | | |
| | Workshop | X | Formal Agenda |

Subject: Request for a sole source contract for the **Red Canyon Trunk Extension to RBI** from Glenwood Springs Colorado in the amount of **\$105,388.00**

Summary: RBI is the contractor currently constructing the golf course and public works infrastructure for the development Redlands Mesa south of the Ridges. Staff is recommending a sole source contract in the amount of \$105,388 to RBI in order to minimize construction delays to the project and take advantage of bid prices that are consistent with other City sewer work.

Background Information:

As part of the Redlands Mesa Golf Course Development in the Ridges, a trunk extension to the southern end of the Red Canyon is proposed that will eliminate the need for additional lift stations in the canyon. The existing Monument Valley Filing #6 lift station will be eliminated once Monument Valley Filing #8 is constructed and sewer lines are constructed that tie the lift station to the proposed trunk extension. Furthermore, upon completion of MV8, the outlet, or force main, for the Redlands Mesa lift station will be rerouted to South Camp Road rather than through the Ridges. This reroute will reduce the demand on the Ridges #1 lift station. City Council and County Commissioners approved the project last year as part of the 2000-2001 Budget.

Staff is recommending the sole source procurement based on the following information that is intended to justify that the vendor is the only source practicably available to provide the construction AND that the selection of the vendor is in the best interest of the City:

- * The golf course developer will not allow the City to interfere with the development of the golf course and residential development.
- * The contractor is already mobilized on the site doing all of the earthwork for the golf course and all of the utility work for the first two filings of the subdivision. The city will spend less using this contractor then if another has to wait until after the current construction is complete and then remobilize.
- * Timeline and coordination is a huge concern of the developer. Coordinating yet another contractor into the project as well as cutting across 6 of the back 9 holes on the golf course would make the project overly burdensome.
- * Having the golf course contractor responsible for the sewer means that the City would NOT have any liability due to settlement of trenches or delays in finishing the golf course.

- * Submitted prices, \$28/LF for 2996 LF of 8 inch PVC AND 6 inch C-900 6 inch / 10 manholes at \$2,150 per manhole for a total of \$105,388.00, are consistent or better than other current bid prices given the depths of the sewer (6 to 20 feet deep) and the amount of rock to be handled on the job. These numbers also include all rock excavation and disposal of all unsuitable material and import of suitable material.

Budget: The project was budgeted under Fund 903 / Activity F09800 for \$110,300 during the 2000-2001 budget process.

Action Requested/Recommendation: Public Works staff recommends that the City Council authorize the City Manager to enter into a sole source contract with **RBI** in the amount of **\$105,388.00** for the **Red Canyon Trunk Extension**.

| | | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|-------------------------------------|----|--------------------------|-----|--------------|--|

| | | | | | | |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 14

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|------------------------------------|-----------------------|----------------------|
| Subject: | Ridge Point Filing 2 Rezone | | |
| Meeting Date: | April 19, 2000 | | |
| Date Prepared: | April 12, 2000 | | |
| Author: | Bill Nebeker | Senior Planner | |
| Presenter Name: | Bill Nebeker | Senior Planner | |
| | Workshop | X | Formal Agenda |

Subject: Rezone from PR-4 to RSF-2 on proposed Lot 16, Ridge Point Filing 2 and request to modify public street standard, located east of High Ridge Drive at the east end of Hidden Valley Drive in The Ridges; File # RZP-2000-007.

Summary: The applicant has requested to rezone a portion of a 50.4 acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map. The applicant has also requested to reduce the public street standard by four feet to allow a sidewalk on only one side of the proposed street.

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: Adopt ordinance on second reading; decision on public street modification.

| | | | | | |
|------------------------------|--------------------------|-----------|-------------------------------------|------------|----------------|
| Citizen Presentation: | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | Yes | If Yes, |
| Name: | Various | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|-------------------------------------|-----------|--------------------------|------------|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
|--|-------------------------------------|-----------|--------------------------|------------|--------------|--|

| | | | | | | |
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| Placement on Agenda: | <input type="checkbox"/> | Consent | <input checked="" type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|--------------------------|----------------|-------------------------------------|-----------------------------|--------------------------|-----------------|

CITY OF GRAND JUNCTION

DATE: April 12, 2000

CITY COUNCIL

STAFF PRESENTATION: Bill Nebeker

| BACKGROUND INFORMATION | | | |
|-------------------------------------|--------------|---|------------|
| Location: | | East of High Ridge Drive and east end of Hidden Valley Drive | |
| Applicants: | | Ted Munkres, Owner & Applicant | |
| Existing Land Use: | | Vacant | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Vacant & single family residential | |
| | South | single family residential | |
| | East | single family residential | |
| | West | single family residential | |
| Existing Zoning: | | PR-4 | |
| Proposed Zoning: | | RSF-2 (on proposed lot 16) | |
| Surrounding Zoning: | North | County R-2 & City RSF-2 | |
| | South | County R-2 | |
| | East | City RSF-2 | |
| | West | City PR-4 | |
| Growth Plan Designation: | | Residential Low: ½ to 2 acres per lot | |
| Zoning within density range? | | X | Yes |
| | | | No |

Staff Analysis

Rezone: The applicant is proposing to rezone a portion of a 50.4-acre parcel in the Ridges from PR-4 to RSF-2. The entire parcel was zoned PR-4 upon annexation into the City as part of the Ridges. The parcel, which is legally described as Lot 7 Ridge Point Filing 1, will be resubdivided into Lots 1-16, Ridge Point Filing 2. This ordinance rezones proposed Lot 16, which is 44.05-acres in size, from PR-4 to RSF-2. Lot 16 is proposed for future development at a later date. On March 14, 2000 the Planning Commission approved a preliminary plan for development on proposed Lots 1-15 which will remain zoned PR-4.

The new zoning map adopted on March 7, 2000 and effective on April 22, 2000, will rezone the entire parcel including lots 1-15 to RSF-2. By this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map to retain the PR-4 zoning on Lots 1-15 and public open space tract of the proposed subdivision. This zoning request was discussed at the joint City Council/Planning Commission hearing of January 25, 2000 regarding the proposed zoning map. Minutes from the meeting state the following regarding zoning in the Redlands Area:

2. The Ridge Point area, along Bella Pago Road, between the Ridges and Country Club Park – shown as RSF-2. The owner has submitted a development proposal to retain the PR zoning on a portion of the property. If approved the proposed map will be changed accordingly.

The applicant has relied on the City's retention of the PR-4 zoning on lots 1-15 and the public open space tract. Because the preliminary plan has already been approved, staff is unclear what the ramifications will be to the developer if the Council does not adopt the attached ordinance or at a minimum, direct staff to change to zoning map to reflect the existing PR-4 zoning.

The City Planning Commission found that the zoning conforms with Section 4-4-4 of the Grand Junction Zoning and Development Code and recommended approval of this rezone request at its March 14, 2000 hearing.

Modification of Public Street Standard: As part of the approved preliminary plan the applicant is requesting to modify the residential public street standard to reduce the right-of-way from 44 feet to 40 feet and eliminate the sidewalk from one side of the street. This modification allows additional space on the top of a narrow ridge for building areas. Historically the Ridges has developed with off street trails rather than on-street sidewalks. However new development in the Ridges are required to have sidewalks on both sides of the street unless City Council authorizes a waiver of such. Hidden Valley Drive within this subdivision is less than 500 feet long and staff does not oppose the elimination of the sidewalk on one side.

Preliminary Plan: The preliminary plan was approved by the Planning Commission and no appeal filed within the three days required by code. **The following is provided for informational purposes only.**

The applicant is proposing a 16-lot subdivision with lot sizes ranging between 8,036 square feet and 44.05 acres. The larger lot is retained for future development and may be rezoned in the future to a planned zone to accommodate its development while not increasing the density allowed under the RSF-2 zoning. Single family detached homes are planned for the lots that are perched on top of a narrow ridge with steep slopes on all but one side.

The Amended Final Plan for Ridges, adopted in 1994 requires the following General Development Standards that affect this site.

- M1. Site planning and design shall preserve, to the maximum extent possible, the existing natural features which enhance the attractiveness of the area and shall blend harmoniously with all uses and structures contained within the surrounding area.
- M2. Land which is unsuitable for development because of geologic constraints shall be preserved in its natural state. This shall include drainage ways, *steep terrain (slopes in excess of 30%)*, and rock outcroppings to be identified and mapped by the developer. Areas of “no disturbance” shall be identified around all proposed building sites, as applicable.
- M3. Existing trails, whether or not improved or legally dedicated, within the platted and unplatted Ridges shall be preserved, improved and enhanced with future development. For the portion of the Ridges not already platted, each development shall integrate with an overall plan that serves to link existing trails with both new trails and trails which serve other areas.
- M4. All structures shall be setback a minimum of 20 feet from all bluff lines (to be identified and mapped by the developer) to maintain visual corridors within the Ridges. For ravines, drainage’s and washes which are defined by a distinct “rim” or “rimrock”, structures shall be set back for enough that a person 6 feet tall cannot see any portion of a structure while standing in the thread of the stream bed.
- M5. All development in the Ridges, notwithstanding zoning potential or other approvals, will be limited by geologic and transportation system constraints, as well as infrastructure constraints.

M2 – Land Unsuitable for Development: The applicant’s development is located on a narrow ridge about 460 feet long with varying widths but no more than 240 feet between slopes exceeding 30 percent on each side. The top of the ridge is relatively flat where the street is proposed, but the lots rapidly fall off to slopes greater than 40 percent. Currently the site has been staked by the applicant showing the location of the 30 and 40 percent slope areas. The plat shows a “No Build Zone” on slopes greater than 40 percent. However the applicant has stated in writing that he is willing to not construct any homes in areas with 30 percent or greater slopes, but wishes to petition the commission to allow patios outside of walk out basements in the 30 to 40 percent slope area.

Staff is not supportive of any disturbance beyond the 30 percent slope area as indicated in the Amended Final Plan for Ridges standards. Even without the 30 percent slope area, the homes proposed for the site have practically no useable yard area (which may be a benefit considering the desire to avoid a perched

water table on the site). The geotechnical report recommends that drainage, grading and slope construction (cut and/or fill) be more specifically addressed on the site before construction proceeds, but does not preclude the site from development.

The topographical information on the plat showing the extent of the 30 and 40 percent slope areas was supplied by the applicant. Variations in the actual location of the 30 percent slope area may render some of the lots unbuildable per the Ridges Standards. The narrow width of the lots further limits the flexibility of placing a home on the lot outside the 30 percent slope area. Staff is particularly concerned with the building envelopes on lots 4-6 due to the slope and awkward configuration of the lots.

Staff recommends that if the preliminary plan is considered for approval, that a Licensed Professional Surveyor determine the location of the 30 percent slope area and that a "No Disturbance Area" be designated on the final plat. This area must be left in its natural state and contain no structures, patios, concrete slabs, landscaping, walls, etc. The incorporation of these requirements will assist in satisfying the requirements of the standard listed above in M2. The drainage ways on-site are being preserved in an open space tract to be deeded to the City. A rock ledge identified along the south portion of the ridge by the applicant is shown beyond the 30 percent slope line.

M3 – Trails: A single trail extends along the top of the ridge in a northeasterly direction, down the slope to the drainage at the bottom. This trail, which can be seen from the aerial photo, is causing erosion on the slope to the north, particularly in the areas that exceed 30 percent. The applicant has provided an alternate route for this trail in the drainage to the northwest of the site between this subdivision and Ridge Point Filing 1. A twenty-foot access connects open space in Tract A Open Space to Hidden Valley Drive. It is proposed that Tract A will be dedicated to the City for public open space use upon plat recordation. All other trails worthy of preservation are located on lot 16 that is held for future development. As this lot develops further additional trails in easements and tracts can be retained/developed.

M4 – Setbacks from Bluff Lines: According to staff's understanding of this standard, it does not apply to this site. This provision applies to major ridges and bluffs rather than every particular ridge and hill in the Ridges.

M5 – Development Limitations: According to the applicant's Geotechnical Report, this site is not limited by geological constraints if the necessary precautions are taken as explained in the report. Staff recommends that development not be allowed on slopes greater than 30 percent that may limit the development capability of some of the lots in this subdivision. Engineered foundations will also be required.

The applicant's traffic study has determined that Hidden Valley Drive, a street that is wide enough to be classified as a residential collector street able to carry at least 3000 ADT can accommodate 52 more dwellings before an additional access is needed. Fifteen lots are proposed in this subdivision. A copy of the Traffic Study stamped by a professional engineer is required for City files prior to submittal of the final plat. Sewer is proposed to be gravity fed into the existing system in Hidden Valley Drive.

Shared Driveway: To provide more buildable area on the ridge, a shared driveway has been proposed to serve the four lots at the end of the cul-de-sac. Some modifications to this design are required for it to comply with the Fire Code, including the realignment of the lot lines for lot 5 and 10 so that no portion of these lots abut or touch any portion of the shared driveway. The Fire Department must approve the final design before plat recordation.

Lot 16 Future Development: Future access to lot 16 will be via a street stub to the south adjacent to lot 15.

Bulk Standards: The following bulk standards are proposed for this subdivision:

| | |
|--|--|
| Front Setback | 15 feet (with no encroachment of eaves or overhangs into 14 foot multi-purpose easement) |
| Garage Setback | 20 feet |
| Side Setback | 5 feet |
| Rear Setback | 20 feet |
| 35% lot coverage | |
| 25 foot height restriction (per Ridges definition) | |

Fencing: No special fencing standards have been proposed by the applicant. Since this subdivision has no double frontage lots and fences are not allowed in the No Disturbance Zone, staff does not foresee a need for special fence regulations beyond typical requirements.

PLANNING COMMISSION DECISION: Approval with the following conditions. Condition number 1 was modified to allow limited construction in the 30 to 40 percent slope area.

1. The No Disturbance Zone on the final plat shall be left it in its natural state and contain no structures, patios, concrete slabs, walls, etc. Building in the 30 to 40-percent slope area will be restricted to the lots defined by the developer and only piers or columns would be allowed to support a deck or patio. Decks or patios may be enclosed with a railing. (No living space allowed in the 30-40 percent slope area.) Structures shall be limited to a single story home as viewed from the street. The 30-percent slope line shall be determined by a Colorado Professional Licensed Surveyor. Lots

found to contain buildable areas too small to match the character of other lots in the subdivision shall be platted as open space or incorporated into adjacent lots.

2. The applicant shall provide a site specific grading, drainage and slope analysis plan at the time of submittal of the final plat to show how proposed construction complies with the Amended Standards for Ridges and recommendations in the geotechnical report.
3. All foundations and retaining structures, regardless of height, must be engineered by a Colorado Licensed Professional Engineer.
4. A copy of the Traffic Study stamped by a Colorado Licensed Professional Engineer is required prior to submittal of the final plat. (This condition has been satisfied.)
5. The shared driveway shall comply with all requirements of the Fire Code. Lots 5 and 10 shall be redrawn so that no portion of these lots abut or touch any portion of the shared driveway.

PLANNING COMMISSION RECOMMENDATION: Approval of rezone and modification of street standard.

bn\rzp\00007ccr\report prepared 041200

CITY OF GRAND JUNCTION

Ordinance No. _____

**REZONING PROPERTY
TO BE KNOWN AS LOT 16, RIDGE POINT FILING 2
LOCATED AT THE SOUTHEAST CORNER OF HIGH RIDGE DRIVE
AND HIDDEN VALLEY DRIVE IN THE RIDGES FROM PR 4 TO RSF-2**

Recitals.

The applicant is proposing to rezone a portion of a 50.4-acre parcel in the Ridges from PR-4 to RSF-2. The entire parcel was zoned PR-4 upon annexation into the City as part of the Ridges. The parcel, which is legally described as Lot 7 Ridge Point Filing 1, will be resubdivided into Lots 1-16, Ridge Point Filing 2. This ordinance rezones proposed Lot 16, which is 44.05-acres in size, from PR-4 to RSF-2. Lot 16 is proposed for future development at a later date. On March 14, 2000 the Planning Commission approved a preliminary plan for development on proposed Lots 1-15 which will remain zoned PR-4.

The new zoning map adopted on March 7, 2000 and effective on April 22, 2000, will rezone the entire parcel including lots 1-15 to RSF-2. By this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map to retain the PR-4 zoning on Lots 1-15 of the proposed subdivision.

The City Planning Commission found that the zoning conforms with Section 4-4-4 of the Grand Junction Zoning and Development Code and recommended approval of this rezone request at its March 14, 2000 hearing. Community Development Department File #RZP-2000-007 outlines the specific findings of the Commission.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF GRAND JUNCTION, COLORADO:**

City Council finds that the requested rezone meets the criteria as set forth in Section 4-4-4 of the Grand Junction Zoning and Development Code and in accordance therewith the following described parcels are hereby rezoned from PR 4 to RSF-2:

A parcel of land in the State of Colorado, County of Mesa described as follows:

Commencing at the West 1/16 corner of Sections 16 and 24 from whence the ¼ corner of Sections 16 and 21 Bears S89°31'51"E, 1297.55 feet for a Basis of Bearing all Bearings hereon related thereto. Thence S89°31'51"E, 518.55 feet

to the POINT OF BEGINNING. Thence S89°31'51"E, 549.01 feet: thence S19°56'12"E., 1260.80 feet: thence N75°59'13"W, 181.07 feet: thence S17°28'04"W, 190.91 feet; thence S11°34'38E, 116.24 feet: thence S27°48'16"E, 81.73 feet: thence S32°59'15"W, 121.31 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 332.96 feet and a length of 137.53 feet, whose chord bears S44°49'15"E, 136.56 feet: thence S56°39'15"W, 249.63 feet to the beginning of a horizontal curve: thence along said curve to the right with a radius of 590.02 feet and a length of 142.67 feet, whose chord bears S63°34'54"E, 142.33 feet; thence S70°30'32"W, 210.30 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 135.71 feet and a length of 118.44 feet, whose chord bears N84°29'17"W, 114.72 feet; thence N59°29'07"W, 149.89 feet to the beginning of a horizontal curve: thence along said curve to right with a radius of 128.78 feet and a length of 116.87 feet, whose chord bears N33°29'09"W, 112.90 feet to the beginning a non radial horizontal curve; thence along said curve to the left with a radius of 50.1 feet and a length of 127.82 feet, whose chord bears N20°43'12"W, 95.75 feet; thence N66°03'01"W, 322.02 feet: thence N00°23'38"E, 243.34 feet to the Northwest 1/16 corner of Section 21; thence N00°30'35"E, 660.78 feet; thence S89°29'25"E, 3.41 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 125.00 feet and a length of 14.77 feet, whose chord bears S88°27'12"E, 14.76 feet to the beginning of reverse curve; thence along said curve to the left with a radius of 300.00 feet and a length of 85.30 feet, whose chord bears N86°47'11"E, 85.1 feet to the beginning of a reverse curve: thence along said curve to the right with a radius of 20.00 feet and a length of 29.71 feet, whose chord bears S58°48'16"E, 27.05 feet; thence N73°44'42"E, 44.1 feet; thence S16°15'18"E, 81.44 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 222.00 feet and a length of 76.15 feet, whose chord bears S06°25'43"E, 75.77 feet; thence N48°10'27"E, 573.67 feet; thence N21°27'55"E, 152.74 feet; thence N31°53"W, 346.76 feet to the POINT OF BEGINNING.

INTRODUCED for FIRST READING and PUBLICATION this day of 2000.

PASSED on SECOND READING this day of 2000.

ATTEST:

City Clerk

President of City Council