

**GRAND JUNCTION CITY COUNCIL
CITY AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, SEPTEMBER 6, 2000, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance

Invocation - Rocky Shrable, Sunrise Church of God

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING SEPTEMBER 3-9, 2000 AS "2000 WOMEN IN CONSTRUCTION WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING SEPTEMBER 17-23, 2000 AS "CONSTITUTION WEEK" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

REAPPOINT BRUCE BENGE TO THE DOWNTOWN DEVELOPMENT AUTHORITY

CITIZEN COMMENTS

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

1. **Minutes of Previous Meeting** [Attach 1](#)
Action: Approve the Minutes of the Regular Meeting August 16, 2000
2. **Setting a Hearing on Transferring the City's 2000 Private Activity Bond Allotment to CHFA** [Attach 2](#)

The City received a Private Activity Bond allocation from the State of Colorado Department of Local Affairs for the fourth time in 2000 as a result of the City reaching a 40,000 population level in 1997. The bond authority can be issued on a tax exempt basis for various private purposes. The City can reserve this authority for future housing benefits by ceding the authority to CHFA at this time.

Proposed Ordinance Authorizing Assignment to the Colorado Housing and Finance Authority of a Private Activity Bond Allocation of City of Grand Junction Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000

Staff presentation: Ron Lappi, Administrative Services Director
Dan Wilson, City Attorney

3. **Purchase of 10-Yard Dump Truck for Pipeline Maintenance** [Attach 3](#)

The following bids were received:

Hanson Equipment, Inc.	Grand Junction	\$102,514.00
Mesa Mack Sales & Service	Grand Junction	\$100,865.00
Mesa Mack Sales & Service (Alternate #1)	Grand Junction	\$ 85,365.00
Transwest Trucks, Inc.	Grand Junction	\$ 92,230.00

Action: Authorize Purchase of 10-Yard Dump Truck from Mesa Mack Sales and Service (Alternate #1) in the Amount of \$85,365

Staff presentation: Chuck Leyden, Fleet/Facilities Manager
Ron Watkins, Purchasing Manager

4. **Lease of Seven New City Hall Copiers** [Attach 4](#)

Competitive proposals were opened on August 9, 2000 to furnish copiers for various Division's use in City Hall. The term of the lease agreement is 5 years with an annual funding out clause as required by City Ordinance. The reliability and service of the equipment for the contract term is guaranteed by a performance bond to the City.

Action: Approve Agreement with Capital Business Systems, Inc., Grand Junction, to Lease Seven Copiers Including Maintenance for City Hall Users at an Estimated Annual Amount of \$14,561.04

Staff presentation: Ron Watkins, Purchasing Manager

5. **2000 New Sidewalk and Curb, Gutter and Sidewalk Repair Project** [Attach 5](#)

The following bids were received on August 22, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Reyes Construction	Grand Junction	\$182,949.90
Precision Paving	Grand Junction	\$170,290.75

G and G Paving	Grand Junction	\$156,147.50
Vista Paving	Grand Junction	\$147,758.75
BPS Concrete	Grand Junction	\$139,406.04

Engineer's Estimate \$148,296.65

Action: Award Contract for 2000 New Sidewalk and Curb, Gutter and Sidewalk Repair Project to BPS Concrete in the Amount of \$139,406.04

Staff presentation: Tim Moore, Public Works Manager

6. **Desert Hills Sewer Trunk Extension** [Attach 6](#)

The following bids were received on July 21, 2000:

<u>Contractor</u>	<u>From</u>	<u>Schedule C – on site imprvmts</u>	<u>Schedule D – off site</u>	<u>Total</u>
Ben Dowd Excavating	Clifton	\$39,512.10	\$138,062.30	\$177,574.40
Taylor Constructors	Grand Jct	\$50,900.00	\$147,009.50	\$197,909.50
Sorter Construction	Grand Jct	\$52,396.00	N/A	N/A
Mountain Valley	Grand Jct	N/A	\$152,300.40	N/A
Engineer's Estimate		\$28,844.00	\$90,400.00	\$119,244.00

Action: Award Contract for Desert Hills Sewer Trunk Extension to Ben Dowd Excavating in the Amount of \$177,574.40 and Authorize Additional Funding for the Project of \$96,000

Staff presentation: Trent Prall, Utilities Engineer

7. **Turn Lane Modification, I-70B at Grand Avenue** [Attach 7](#)

The following bids were received on August 29, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
G&G Paving, Inc.	Grand Junction	\$79,950.00
Vista Paving L.L.C.	Grand Junction	\$81,473.00
United Companies	Grand Junction	\$86,265.25
Mays Concrete, Inc.	Grand Junction	\$94,082.50
Engineer's Estimate		\$71,035.00

Action: Award Contract for Turn Lane Modification, I-70 B at Grand Avenue, to G&G Paving, Inc. in the Amount of \$79,950.00

Staff presentation: Tim Moore, Public Works Manager

8. **FY2001 Consolidated Planning Grant Intergovernmental Agreement** [Attach 8](#)

The CPG Intergovernmental Agreement is the document which outlines the federal funds and local match requirements between the Colorado Department of Transportation and the Grand Junction/Mesa County MPO for the FY 2001 Unified Planning Work Program.

Action: Authorize the Mayor to Sign the FY2001 Consolidated Planning Grant Intergovernmental Agreement and Authorize the MPO Administrator to Sign any Forthcoming Change Order Letters

Staff presentation: Jody Kliska, Transportation Engineer

9. **Utility Easement at the Northwest Corner of Columbine Park** [Attach 9](#)

The Public Service Company has been requested to provide a 3-Phase electric power to the National Healthcare Associates Assisted Living Facility being developed at 565 28¼ Road. The nearest source of 3-Phase electric power is located at the northwest corner of the Columbine Park property.

Resolution No. 81-00 – A Resolution Concerning the Granting of a Non-Exclusive Electric Utility Easement to the Public Service Company of Colorado

**Action: Adopt Resolution No. 81-00*

Staff presentation: Tim Woodmansee, Real Estate Manager

10. **Setting a Hearing on Assessments for Alley Improvement District 1999, Phase B** [Attach 10](#)

Reconstruction of the alley, 22nd Street to 23rd Street, Grand Avenue to Ouray Avenue, has been completed in accordance with Resolution No. 47-99 creating Alley Improvement District 1999, Phase B.

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-99, Phase B, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000

Staff presentation: Rick Marcus, Real Estate Technician

11. **Setting a Hearing on Assessments for Alley Improvement District 2000, Phase A** [Attach 11](#)

Reconstruction of the following alleys has been completed in accordance with Resolution No. 129-99 creating Alley Improvement District 2000, Phase A:

2nd Street to 3rd Street, Chipeta Avenue to Gunnison Avenue
10th Street to 11th Street, Rood Avenue to White Avenue
11th to 12th Street, Main Street to Colorado Avenue
16th Street to 17th Street, Grand Avenue to Ouray Avenue
18th Street to 19th Street, Grand Avenue to Ouray Avenue

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-00, Phase A, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000

Staff presentation: Rick Marcus, Real Estate Technician

12.*** **Contract for Excess Water from Green Mountain Reservoir between the City of Grand Junction and the Bureau of Reclamation** [Attach 18](#)

Due to dry conditions, the Bureau of Reclamation, on behalf of the Endangered Species Recovery Program and in concert with approved recovery actions, has proposed a short-term contract between the City and the Bureau for delivery of excess water from Green Mountain Reservoir. Deliveries would start immediately and cease on December 31, 2000. Water would be delivered to and coordinated with the City for municipal recreation purposes with a supplemental benefit to endangered fish species in the section of the Colorado River between Palisade and Grand Junction.

Action: Approve Contract for Excess Water from Green Mountain Reservoir between the City of Grand Junction and the Bureau of Reclamation

Staff presentation: Greg Trainor, Utilities Manager

13. **Setting a Hearing on Brutsche Annexation Located at 20 1/2 Road and F 3/4 Road** [File #ANX-2000-143] [Attach 12](#)

The 10-acre Brutsche Annexation consists of one parcel of land that is sandwiched between the Independence Ranch Subdivision in the City and the Country Meadows Subdivision in the County. The parcel will be encompassed within the Independence Ranch Filings 7-13 revised preliminary plan for low-density single family lots.

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

Resolution No. 82-00 – 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 – Brutsche Annexation Located at the Northwest Corner of 20½ Road and F¾ Road

**Action: Adopt Resolution No. 82-00 and Set a Hearing on October 18, 2000*

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Brutsche Annexation, Approximately 10 Acres Located at the Northwest Corner of 20½ Road and F¾ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 18, 2000

Staff presentation: Bill Nebeker, Senior Planner

14. **Setting a Hearing on Ephemeral Resources Annexation No. 1, No. 2 and No. 3, Located at the Southwest Corner of 29 5/8 Road and D Road** [File #ANX-2000-144] [Attach 13](#)

This is a serial annexation comprised of Ephemeral Resources Annexation No. 1, No. 2 and No. 3. This is the first reading of the annexation ordinance and exercises land use jurisdiction immediately for the Ephemeral Resources Annexation No. 1, No. 2 and No. 3, a 110.86-acre parcel located at the southwest corner of 29 5/8 Road and D Road and including portions of the 29 Road and D Road rights-of-way.

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

Resolution No. 83–00 – 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 – Ephemeral Resources Annexation No. 1, No. 2 and No. 3 Located at 29 5/8 Road and D Road, and Including Portions of 29 Road and D Road Rights-of-Way

**Action:* Adopt Resolution No. 83–00 and Set a Hearing on October 18, 2000

b. Set Hearings on Annexation Ordinances

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ephemeral Resources Annexation No. 1, Approximately 0.50 Acres Located in Portions of the 29 Road Right-of-Way
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ephemeral Resources Annexation No. 2, Approximately 0.49 Acres Located in Portions of the 29 Road and D Road Rights-of-Way
- (3) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ephemeral Resources Annexation No. 3, Approximately 109.87 Acres Located at 29 Road and D Road and Including Portions of the 29 Road and D Road Rights-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set Hearings for October 18, 2000

Staff presentation: Patricia Parish, Associate Planner

15. **Setting a Hearing on Vacating a Portion of the Right-of-Way for Flower Street Located South of Central Drive, Northwest of Beta Place** [File #VR-2000-083]
[Attach 14](#)

On August 15, 2000, the Planning Commission recommended approval of the vacation of right-of-way, subject to the creation of a 15-foot irrigation easement along the easterly portion of the vacated right-of-way, to dedicate to the Grand Valley Water Users Association upon completion of the right-of-way vacation.

Proposed Ordinance Vacating the Portion of Flower Street Located South of Central Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000

Staff presentation: Pat Cecil, Development Services Supervisor

16. **Defining Valid Development Applications** **Attach W-2**

Amendment 24, which will be on the November ballot, affects development applications. This resolution will define what constitutes a valid development application, as referenced in that amendment.

Resolution No. 84-00 - A Resolution Defining Valid Development Applications as Referenced in Amendment 24

Action: Adopt Resolution No. 84-00

Staff presentation: Dan Wilson, City Attorney

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

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

17. **Public Hearing – Appeal of Planning Commission Approval of Preliminary Plan and Zoning of the White Willows Annexation, Located at 2856 C 1/2 Road and 2851 and 2863 D Road** [File #PP-2000-106] [Attach 15](#)

An adjacent property owner has appealed the Planning Commission's recommendation to approve the requested RSF-4 zoning for the White Willows Annexation. The property has been annexed for several months but has not been given City zoning. County zoning is RSF-R (formerly AFT). An appeal has also been filed on the Planning Commission's decision to approve the White Willows Subdivision, a 122-lot subdivision on 39.56 acres. The appellant cites increased traffic on D Road as the major reason for the appeal. A revised traffic study submitted by the applicant shows a minimal traffic impact on the D Road and 9th Street and 30 Road intersections from this subdivision.

a. Appeal

Action: Decision on Appeal

b. Zoning Ordinance

Ordinance No. 3287 - An Ordinance Zoning the White Willows Annexation Located at 2856 C 1/2 Road, 2851 and 2863 D Road, from County AFT to City RSF-4

Action: Adopt Ordinance No. 3287 on Second Reading

Staff presentation: Bill Nebeker, Senior Planner

18. **Public Hearing – Growth Plan Amendment and Rezoning the Kollao Property from RSF-R to RSF-2, Located at 2570 G Road** [File #GPA-2000-109]

[Attach 16](#)

1) Consider a resolution to redesignate the Kollao Property from Residential Medium, 4-7.9 units/acre, to Residential Low, .5-1.9 units/acre, and 2) Rezone the Kollao property from Residential Single Family Rural (RSF-R), 5 acres/unit, to Residential Single Family-2 units/acre (RSF-2).

a. Growth Plan Amendment

Resolution No. 85-00 – A Resolution Amending the Growth Plan of the City of Grand Junction (Kollao Property)

**Action: Adopt Resolution No. 85-00*

b. Zoning Ordinance

Ordinance No. 3288 – An Ordinance Rezoning the Kollao Property to Residential Single Family-2 (RSF-2), Located at 2570 G Road

**Action: Adopt Ordinance No. 3288 on Second Reading*

Staff presentation: Lisa Gerstenberger, Senior Planner

19. **Public Hearing - Rezoning Reimer Minor Subdivision/Spanish Trails from PD to RSF-4, Located at 719 24 1/2 Road** [File #RZP-2000-107] [Attach 17](#)

A request to rezone a .34 acre parcel from PD (Planned Development) to RSF-4 (Residential Single Family, not to exceed 4 units per acre).

Ordinance No. 3289 – An Ordinance Rezoning Property at 719 24½ Road from PD to RSF-4 (Reimer Minor Subdivision/Spanish Trails)

**Action: Adopt Ordinance No. 3289 on Second Reading*

Staff presentation: Kathy Portner, Planning Manager

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

21. **OTHER BUSINESS**

22. **ADJOURNMENT**

Attach 1

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

August 16, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 16th day of August, 2000, at 7:27 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Janet Terry, and President of the Council Gene Kinsey. Jim Spehar and Reford Theobald were absent. Also present Interim City Manager David Varley, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Enos-Martinez led in the Pledge of Allegiance. The audience remained standing during the invocation by Scott Hogue, First Baptist Church.

APPOINTMENT TO THE RIVERFRONT COMMISSION

Upon motion by Councilmember Terry, seconded by Councilmember Payne and carried, Gabe DeGabrielle was appointed to a 3-year term on the Riverfront Commission.

CONSENT ITEMS

Upon motion by Councilmember Payne, seconded by Councilmember Enos-Martinez and carried by roll call vote, the following Consent Items #1 through #9 were approved with Item #9 being amended by adding to the action "if not with Shaw then with FCI Constructors":

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting of August 2, 2000

2. **Setting a Hearing on the Improvements Connected with Alley Improvement District 1999, Phase B**

Reconstruction of the alley, 22nd to 23rd Street, Grand Avenue and Ouray, has been completed in accordance with Resolution No. 47-99 creating Alley Improvement District 1999, Phase B.

Resolution No. 78-00 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-99, Phase B, and Giving Notice of a Hearing

Action: Adopt Resolution No. 78–00 and Set a Hearing for September 20, 2000

3. **Setting a Hearing on the Improvements Connected with Alley Improvement District 2000, Phase A**

Reconstruction of the following alleys has been completed in accordance with Resolution No. 129-99 creating Alley Improvement District 2000, Phase A:

2nd to 3rd Street, Chipeta to Gunnison Avenue
10th to 11th Street, Rood to White Avenue
11th to 12th Street, Main Street to Colorado Avenue
16th to 17th Street, Grand to Ouray Avenue
18th to 19th Street, Grand to Ouray Avenue

Resolution No. 79–00 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-00, Phase A, and Giving Notice of a Hearing

Action: Adopt Resolution No. 79–00 and Set a Hearing for September 20, 2000

4. **Signal Communications Design Contract, Phase 1A**

The design contract is the first step toward the signal communications system. Construction will begin in 2001.

The recommendations of last year's feasibility study resulted in programming funds over the next ten years to implement installation of fiber optic line to connect the traffic signals. This contract will result in a design package for the first construction project which will tie together two identified groups of signals in the feasibility study. Group 2 consists of signals around the mall on F Road and the Business Loop and Group 6 consists of signals on Broadway and First Street from Grand Avenue south.

Action: Award Contract for Signal Communications Design, Phase 1A, to Kimley-Horn Associates, Inc. in the Amount of \$45,000

5. **Change Order No. 2 for Additional Work on 24 and F Roads for the 24 Road and Bridge Widening Project**

Additional work was added to the 24 Road and Bridge Widening Contract awarded to United Companies on April 5, 2000. The revised contract total with the addition of Change Order No. 2 is \$1,368,036.11.

Action: Approve Change Order No. 2 for Additional Work on 24 and F Roads for the 24 Road and Bridge Widening Project with United Companies in the Amount of \$132,891.61

6. **Amend Engineering Contract with ICON Engineering, Inc. for Leech Creek and Horizon Drive Drainage Plans**

The original contract with ICON Engineering was for the investigation of alternatives and the preparation of a Letter of Map Revision (LOMR) for the Horizon Drive Channel (Ranchman's Ditch). The amended Engineering contract is for development of additional hydrology and flood plain delineation in the Leech Creek and Horizon Drive Channel basins as well as development of floodplain and detention basins locations in the West Leech Creek basin; and preparation of Conditional LOMR for these basins.

Action: Approve an Addendum to the Existing Base Contract with ICON Engineering, Inc. for an Amount of \$75,000

7. **Setting a Hearing on Rezoning the Kollao Property from RSF-R to RSF-2, Located at 2570 G Road** [File #GPA-2000-109]

Request to rezone the Kollao Property from Residential Single Family Rural, RSF-R, to Residential Single Family-2, RSF-2. A request for a Growth Plan Amendment will be heard at second reading.

Proposed Ordinance Rezoning the Kollao Property to Residential Single Family-2 (RSF-2), Located at 2570 G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 6, 2000

8. **Setting a Hearing on Rezoning Reimer Minor Subdivision/Spanish Trails from PD to RSF-4, Located at 719 24 1/2 Road** [File #RZP-2000-107]

A request to rezone a .34 acre parcel from PD (Planned Development) to RSF-4 (Residential Single Family, not to exceed 4 units per acre).

Proposed Ordinance Rezoning Property at 719 24 1/2 Road from PD to RSF-4 (Reimer Minor Subdivision/Spanish Trails)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 6, 2000

9. **Construction Management Services for the Two Rivers Convention Center Remodel**

Request for Qualifications were received and opened July 20, 2000 for providing professional Construction Management and General Construction Services for the remodel of the Two Rivers Convention Center. Four (4) firms were asked to participate in an oral interview process where the evaluation committee rated the prospective contractors according to predetermined criteria. The final cost for

services will be determined after detailed drawings and specifications are developed during the pre-construction process based on a percentage of guaranteed maximum construction price plus a pre-construction services fee.

Action: Authorization to Enter into Negotiations with Shaw Construction, LLC for the Two Rivers Remodel [added "if not with Shaw then with FCI Constructors"]

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

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

Mayor Kinsey announced the appellant of White Willows has requested this item be continued for two weeks. There were no objections.

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried, the White Willows item was continued to September 6, 2000.

PUBLIC HEARING - AMENDMENTS TO THE 1995 ORCHARD MESA NEIGHBORHOOD PLAN [File #PLN-2000-111]

Adoption of amendments to the 1995 Orchard Mesa Neighborhood Plan. The maps and text amendments are as follows:

1. Update future land use map:
 - a. **Revisions to the future land use map to reflect current use and zoning in the Unawep Business Area and other inconsistencies between the recently adopted City Zoning Map and the Future Land Use Map**
 - b. An addition of two land use classifications (RMF-12 and Commercial/Industrial) to reestablish previous zoning that was not reflected in the 1995 plan.
 - c. Revisions of the future land use designations to match the City of Grand Junction Growth Plan and the Countywide Land Use Plan
 - d. Revisions of the Orchard Mesa Neighborhood Plan future land use map to designate the "Area under Study" as Rural and to extend the Open Land Overlay District
2. Replace the existing mineral resource map with a revised mineral resource map.
3. Add an addendum to the end of the Orchard Mesa Neighborhood Plan that shows the accomplishments of the plan.

The hearing was opened at 7:40 p.m.

Principal Planner Dave Thornton reviewed the history of the Orchard Mesa Plan. He noted two open houses were conducted with the residents in the area, two notices were mailed (approximately 4300 notices). Two newsletters were also mailed giving residents an update on the procedures over the past five years regarding the Orchard Mesa Plan.

Amendment #1 – Future Land Use Map – An attempt has been made to bring the Orchard Mesa Plan into conformance with the Growth Plan regarding various categories of use. There were two categories that were not included in the original 1995 Plan. One was density greater than 8 units/acre, and a commercial/industrial land use category.

There was an oversight in the 1995 plan, particularly the UnawEEP business area at 27 Road and UnawEEP. Under the new zoning map, the City reestablished a commercial/business zoning for that area. Under the 1995 plan it was shown as residential 8 units/acre. It was strictly an oversight on the map. It was never an objective to change that area from commercial to residential. Another area was the 5th Street hill, the area on the west side of 5th Street was designated as open space. Under the new zoning map it has been reestablished as a commercial land use category. An area that had some multi-family densities was also reestablished as part of the zoning hearings (includes Southgate Commons) at 16 units/acre. The zonings have been reestablished and they now conform with the Future Land Use Map and the Orchard Mesa Plan.

There was an area on the original map that was south of E½ Road and designated as 4 units/acre. It included the Valle Vista Subdivision. The majority of the public input is that it should remain all rural, and the 4 units/acre should be reduced to rural which would be a 5-acre lot size. Mesa County has an overlay district in place for much of Orchard Mesa in this area. It allows for doubling the density and is called the Orchard Mesa Open Land Overlay District. If the landowner chooses to dedicate 50% of their land into permanent open space they get twice as many units.

Amendment #2 – Mineral Resource Map – Dave Thornton distributed copies of the original text with changes. Michael Warren, Mesa County Long Range Planning Division, then detailed the process for gathering data for the resource map. They met with the gravel industry and prepared a map of all the existing gravel pits in the Orchard Mesa Neighborhood Planning area. He said a model was provided to give direction for the decision-makers. It is not a definitive answer on what should or should not be mined. They went through absolute constraints and relative constraints. Schools, city property, parks and small parcels are absolute constraints. Both constraints were added and came up with an intermediate or composite map called “absolute restraints.” They did the same with relative constraints such as County, BLM, floodplain properties. Those properties will allow gravel extraction with some degree of regulation. Those were combined to form an intermediate map composite of relative constraints. This resulted in the final resource map.

Dave Thornton noted the text amendments under “Implementation Strategy Short Term”: Item (1) Place a period after gravel deposits and eliminate the rest of the sentence. Under Item (3) change to “Encourage gravel extraction as shown on the Orchard Mesa Mineral Resource Map.”

Amendment #3 – Regarding Attachment 8 in the Council packet. It is a report showing Staff’s goal to go back into the neighborhood and determine what had been accomplished. It will be an addendum to the Orchard Mesa Neighborhood Plan. It is strictly informational and does not change anything.

Tom Logue, Western Colorado Contractors Association, spoke in support of the amendment to the Mineral Resource Map component and the Master Plan. He encouraged Council to accept the amended resource map.

There were no other comments. The hearing was closed at 8:05 p.m.

Councilmember Terry assumed the 201 boundary discussion needs to be finalized. She suggested this item be placed on the agenda for the annual meeting that is yet to be scheduled. Councilmember Payne agreed.

Resolution No. 80–00 – A Resolution Adopting Amendments to the Orchard Mesa Neighborhood Plan

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote, Resolution No. 80-00 was adopted.

PUBLIC HEARING - ANNEXING G ROAD NORTH ENCLAVE, LOCATED AT 25 1/2 ROAD AND 26 1/2 ROAD , NORTH OF G ROAD AND SOUTH OF H ROAD

[FILE #ANX-2000-114]

The 274-acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The hearing opened at 8:06 p.m.

This item was reviewed by Dave Thornton, Community Development Department. He clarified the boundaries of this enclave. Staff met with the Mesa View Retirement Center residents on May 25, 2000. Notices were also mailed to the neighborhood residents. Staff recommends annexation of this enclave.

Councilmember Scott asked if H Road goes to 1st Street. Mr. Thornton said everything west of 1st Street at H Road is out of the city limits.

Councilmember Terry asked for clarification on the area to the west. Mr. Thornton said a strip of right-of-way on I-70 is the boundary (10-20 feet). The property west of Wilson Ranch is not within the enclave and is not being annexed.

John Stevens, 2631 Cottonwood Drive, said he moved to the Grand Junction area approximately ten years ago and has enjoyed living here. About four years ago, he was notified there was a possibility he was going to be annexed at that time. He called City Manager Mark Achen and discussed the pros and cons of being within the City. They discussed the increased taxes and the fact that they would be able to hook up to the sewer. The City Manager told him they would have an opportunity, if they were within 400 yards of the main sewerline, to hook up to the line. Mr. Stevens asked if the City would bring the line down Cottonwood Drive and charge him a tap fee to hook up. The City Manager told him no, that with the Agreement that was in place, the City would engineer for an improvement district and estimate the costs to run the line to Cottonwood Drive. The estimated cost came to \$175,000. There are seven residents on Cottonwood, with five being retired and on a fixed income. Based on the agreement at that time, they were told the City would finance the costs at 10% interest over a ten-year period. With 73 new dwellings in this area, Mr. Stevens asked what his increased valuation might be as a result of this annexation, and if Council would consider lowering taxes because of this large annexation. He was opposed to the annexation and asked Council to deny the petition for annexation.

Councilmember Payne clarified that the distance required is 400 feet rather than 400 yards from the sewerline. He asked Mr. Stevens how large is the area on Cottonwood Drive, as he questioned the estimated \$175,000 cost of improvements. Mr. Stevens said the street distance is approximately one-quarter mile from the sewerline. Assistant City Attorney John Shaver said the cost may come down if additional development takes place in the area.

Mayor Kinsey explained to Mr. Stevens the reasons for annexing enclaves.

Councilmember Terry said the City and Mesa County recognizes that failed septic systems can occur and could become a public health hazard. Sewer funds have been pledged to replace failed systems. She knew forced annexation does not feel good, but it is a prudent use of tax money. The cost of leaving enclaves in the County is not justified. She urged the annexation of enclaved areas.

There were no other comments. The hearing was closed at 8:32 p.m.

Ordinance No. 3282 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, the G Road North Enclave Annexation, Located Generally between 25½ Road and 26½ Road, North of G Road and South of H Road but including one property north of H Road, and including but not limited to all or a portion of the following Rights-of-way: 25 1/2 Road, 26 Road, G Road 26½ Road, G½ Road, Elvira Drive, Partridge

Court, Kelly Drive, Clarkdell Court, Cottonwood Drive, Lujan Circle and Interstate 70, Consisting of Approximately 274 Acres

Councilmember Scott asked Mr. Stevens to come to Council if he has problems after annexation. Mr. Scott said he has found it is great to be in the City.

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3282 was adopted on second reading and ordered published.

PUBLIC HEARING - ZONING THE G ROAD NORTH ENCLAVE TO RSF-R, LOCATED AT 25 1/2 ROAD AND 26 1/2 ROAD, NORTH OF G ROAD AND SOUTH OF H ROAD
[FILE #ANX-2000-114]

The 274-acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction city limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for enclaves.

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

Dave Thornton, Principal Planner, reviewed this item. The proposed zones are RSF-R, RSF-2 and PD. He stated there are no changes in zone districts.

There were no public comments. The hearing was closed at 8:38 p.m.

Ordinance No. 3283 - An Ordinance Zoning the G Road North Enclave Annexation to RSF-R, RSF-2 and PD, Located Generally between 25 1/2 Road and 26 1/2 Road, North of G Road and South of H Road but including one property north of H Road

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3283 was adopted on second reading and ordered published.

PUBLIC HEARING - ANNEXING THE CHAMBLEE/BOYSTUN ENCLAVE, LOCATED AT 714 AND 720 24 1/2 ROAD [FILE #ANX-2000-115]

The 9.60-acre Chamblee/Boydston Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within five years.

A hearing opened at 8:38 p.m.

This item was reviewed by Dave Thornton, Community Development Department. The enclave is a square parcel surrounded by the City.

Carl Boydston, owner of the 7.6-acre parcel. Mr. Chamblee owns the 2-acre parcel north of Mr. Boydston. The new Vineyard Church is located just north of Mr. Chamblee's property. He thought the church was allowed by the City to use a septic system because the sewer had not been extended down 24½ Road. Senior Planner Bill Nebeker said he understood the church is hooked up to sewer. He said a conditional use permit and site plan review was done on the Vineyard Church. The Fellowship Church is also on septic.

Mr. Boydston could see no benefit to being annexed. He was opposed to the annexation of this enclave area.

Mayor Kinsey advised Mr. Boydston that annexation will have no affect on the way he lives his life or how he uses his property.

Mr. Boydston was concerned with the assessed valuation and increased taxes, also zoning changes to his property without his request.

Mayor Kinsey assured Mr. Boydston there will be no zoning changes to his property without his request.

Mr. Thornton said the Growth Plan will support the higher density so Mr. Boydston could subdivide his property. Councilmember Terry told Mr. Boydston what he is allowed to do with his property when annexed will not change.

There were no other comments. The hearing was closed at 8:43 p.m.

Ordinance No. 3284 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado - Chamblee/Boydston Enclave Annexation, Located at 714 and 720 24 ½ Road, Consisting of Approximately 9.60 Acres

Upon motion by Councilmember Enos-Martinez, seconded by Councilmember Terry and carried by roll call vote, Ordinance No. 3284 was adopted on second reading and ordered published.

PUBLIC HEARING - ZONING THE CHAMBLEE/BOYSTUN ENCLAVE TO RSF-R, LOCATED AT 714 AND 720 24 1/2 ROAD [FILE #ANX-2000-115]

The 9.60-acre Chamblee/Boydston Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction city limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for these enclaves.

The hearing was opened at 8:49 p.m.

Dave Thornton, Principal Planner, reviewed this item. The proposed zoning is identical to the Mesa County zoning which is RSF-R. Mr. Boydston's property is 7 acres. The Chamblee property is less. The Growth Plan does support a higher density for this area.

Mr. Boydston asked if there will be any changes in subdivision procedure if this property is rezoned from County to City RSF-R. He would like to subdivide the property in future years. City Attorney Dan Wilson said yes. He invited Mr. Boydston to come to City Hall and visit with him regarding the City's subdivision procedure.

Councilmember Terry said this Council strives to allow development that is in keeping with the zoning of the Master Plan. That would be another option for Mr. Boydston.

Mr. Boydston said it was nice growing up in the area with the wide open spaces. When the houses started moving in, it was difficult to accept all the development.

Mayor Kinsey said it is not City government that has caused the development; it is all the people moving into the area. He noted the development of surrounding subdivisions will enhance the value of Mr. Boydston's property.

There were no other comments. The hearing closed at 8:32 p.m.

Ordinance No. 3285 – An Ordinance Zoning the Chamblee/Boydston Enclave Annexation to RSF-R, Located at 714 and 720 24 ½ Road

Upon motion by Councilmember Scott, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3285 was adopted on second reading and ordered published.

PUBLIC HEARING – GROWTH PLAN AMENDMENT AND REZONING THE KNOLLS FILINGS 4-7 TO PD, LOCATED AT THE SOUTHEAST CORNER OF 27 1/2 ROAD AND CORTLAND ROAD [FILE #GPA-2000-103]

The previously approved preliminary plan for the Knolls has expired and the new plan requires a Growth Plan Amendment and Rezone. A Growth Plan Amendment from Residential Medium (4 to 8 du/ac) to Residential Medium Low (2 to 4 du/ac) is requested, as well as a rezone from PD (Planned Development) with a density of 2.7 dwellings per acre to PD with a density of 2.5 dwellings per acre. A mixed-use development with 16 patio homes and 64 single-family homes is proposed.

The public hearing opened at 8:53 p.m.

David Chase, Banner Associates, 2777 Crossroads Boulevard, representing the developer, spoke on this item. He identified the location of the project. The Knolls Subdivision began in 1996. The original preliminary plan was approved in April, 1997,

which included the area they are requesting the rezone on. The first three filings are complete with homesites almost built out. Filing 1 is a straight zone of RSF-4; Filings 2 and 3 are zoned and part of the current PR-2.7. The rezone and Growth Plan Amendment are being requested as part of the new preliminary plan. Some changes have taken place since the original preliminary plan with the hopes the traffic flow will make a better development plan. An additional parcel of land has been acquired (Davis parcel, 2.5 acres) and has helped combine with the Knolls Subdivision to make a better development for the entire area.

Senior Planner Bill Nebeker said Mr. Chase has explained the proposal quite well. The Growth Plan map goes back five years when they were assigning densities to areas. This area might have been an area where they made broad density assignments, not having all the detailed background. The Residential Medium Low in this area is because of the airport critical zone. Lines were cut through existing subdivisions with different densities. Spring Valley was zoned RSF-5 because it allows more flexibility in the setback requirements, not because of the density. When the Growth Plan density was applied, they put it in the 4-8 units/acre when it was actually much lower than that. The Knolls Subdivision is similar to Spring Valley, but a bit lower density. When The Knolls first came in, they were rezoned to a planned development of 2.7 dwellings/acre. Mr. Nebeker thought it might have been a mistake on Staff's part, not realizing the property was split half and half, half at 3-4 units/acre and the other half 4-8 units/acre. Since the plan has expired and the applicant had to come back in, Staff determined the Growth Plan map should be changed to indicate the actual density. He felt a Growth Plan Amendment could be done for all of Spring Valley at the 2-4 units/acre density. Staff recommends approval of the Growth Plan Amendment as it meets the criteria in Section 2.5(c) of the Zoning & Development Code.

There were no other comments. The hearing was closed at 9:02 p.m.

a. Growth Plan Amendment

b. Zoning Ordinance

Ordinance No. 3286 - An Ordinance Zoning the Knolls Filings 4-7, Located South of the SE Corner of 27 1/2 and Cortland Roads Including 640 and 652 27 1/2 Road, to City PD

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried by roll call vote, the Growth Plan Amendment was approved and Ordinance No. 3286 was adopted on second reading and ordered published.

PUBLIC HEARING – APPEAL OF PLANNING COMMISSION APPROVAL OF PRELIMINARY PLAN AND ZONING THE WHITE WILLOWS ANNEXATION, LOCATED AT 2856 C 1/2 ROAD AND 2851 AND 2863 D ROAD [FILE #PP-2000-106] - CONTINUED TO SEPTEMBER 6, 2000 MEETING

An adjacent property owner has appealed the Planning Commission's recommendation to approve the requested RSF-4 zoning for the White Willows Annexation. The property has been annexed for several months but has not been given City zoning. County zoning is RSF-R (formerly AFT). An appeal has also been filed on the Planning Commission's decision to approve the White Willows Subdivision, a 122-lot subdivision on 39.56 acres. The appellant cites increased traffic on D Road as the major reason for the appeal. A revised traffic study submitted by the applicant shows a minimal traffic impact on the D Road and 9th Street and 30 Road intersections from this subdivision.

a. Appeal

b. Zoning Ordinance

Ordinance No. ___ - An Ordinance Zoning the White Willows Annexation Located at 2856 C 1/2 Road, 2851 and 2863 D Road, from County AFT to City RSF-4

Mayor Kinsey announced the appellant has requested this item be continued for two weeks.

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried, this item was continued to September 6, 2000.

NON-SCHEDULED CITIZENS & VISITORS

Benefits of Annexation

Bill Nebeker, 2289 Olive Court, said when he bought his home five years ago it was in the County. By the time they closed on their home, they were inside the City of Grand Junction through forced annexation via a Power of Attorney for sewer. He said he and his family are happy with their reduced pool fees. Their road was recently chip-sealed and they appreciate that. They love the City Fire and Police services, and those agencies have had occasion to visit their cul-de-sac. They saw great benefits in annexation.

OTHER BUSINESS

Move to New City Auditorium

Councilmember Earl Payne noted this is the last meeting to take place at Two Rivers Convention Center. Council will move to the auditorium at the new City Hall building for the September 6, 2000 meeting. Interim City Manager David Varley noted Staff training on the audio/video equipment in the new auditorium is scheduled for Wednesday, August 23, 2000.

ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Stephanie Nye, CMC
City Clerk

Attach 2

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	An Ordinance to Transfer the City's 2000 PAB Allotment		
Meeting Date:	September 6, 2000		
Date Prepared:	August 24, 2000		
Author:	Ron Lappi	Admin Svcs Director	
Presenter Name:	Ron Lappi & Dan Wilson	Admin Svcs Director & City Attorney	
	Workshop	X	Formal Agenda

Subject: An Ordinance Authorizing the City Manager to Sign an Assignment Agreement with the Colorado Housing and Finance Authority to Transfer the City's \$1,072,525 in 2000 Private Activity Bond Allotment from the City to CHFA.

Summary: The City of Grand Junction received a Private Activity Bond allocation from the State of Colorado Department of Local Affairs for the fourth time in 2000 as a result of the City reaching a 40,000 population level in 1997. The bond authority can be issued on a tax exempt basis for various private purposes. We can reserve this authority for future housing benefits by ceding the authority to CHFA at this time.

Background Information: The City has until September 15, 2000 to commit our tax exempt PAB allotment to a project or it will automatically go to the State for utilization state wide. This year we have a manufacturing firm interested in using these funds for expansion but has not yet materialized. This authority can be used for small issue manufacturing, single family mortgage revenue bonds, redevelopment bonds, residential rental projects, student loans, exempt facility bonds, and qualified 501 (c) (3) bonds for non-profit hospitals and private universities. CHFA approached us, as well as Mesa County and other local governments, relative to a process to bank our allocation for future housing needs. The Grand Junction Housing Authority Executive Director, Jody Kole, supports this reserving process at this time.

Budget:

Action Requested/Recommendation: Pass the ordinance on the first reading with adoption on September 20, 2000 after a public hearing and second reading.

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:	
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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 AUTHORIZING ASSIGNMENT TO THE
COLORADO HOUSING AND FINANCE AUTHORITY OF A
PRIVATE ACTIVITY BOND ALLOCATION OF CITY OF GRAND
JUNCTION PURSUANT TO THE COLORADO PRIVATE
ACTIVITY BOND CEILING ALLOCATION ACT**

WHEREAS, the City of Grand Junction is authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes; and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Colorado Housing and Finance Authority (the "Authority") and other governmental units in the State, and further providing for the assignment of such allocations from such other governmental units to the Authority; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the City has an allocation of the 2000 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2000 (the "2000 Allocation"); and

WHEREAS, the City has determined that, in order to increase the availability of adequate affordable housing for low- and moderate-income persons and families within the City and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2000 Allocation; and

WHEREAS, the City has determined that the 2000 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the City Council of the City has determined to assign \$1,072,525 of its 2000 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority attached hereto as Exhibit A (the "Assignment of Allocation").

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Grand Junction as follows:

1. The assignment to the Authority of \$1,072,525 of the City's 2000 Allocation be and hereby is approved.
2. The form and substance of the Assignment of Allocation be and hereby are approved; provided, however, that the City Manager be and hereby is authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as he shall deem necessary or appropriate and not inconsistent with the approval thereof by this ordinance.
3. The City Manager of the City be and hereby is authorized to execute and deliver the Assignment of Allocation on behalf of the City and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the terms and intent of this ordinance.
4. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.
5. This ordinance shall be in full force and effect upon its passage and approval or as otherwise required by home rule charter.

INTRODUCED ON FIRST READING this 6th day of September, 2000.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2000.

ATTEST:

City Clerk

President of the Council

EXHIBIT A
ASSIGNMENT OF ALLOCATION

This Assignment of Allocation (the "Assignment"), dated this 20th day of September 2000, is between the City of Grand Junction (the "Assignor") and the Colorado Housing and Finance Authority (the "Assignee").

WITNESSETH:

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes (the "State Ceiling"); and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 1999 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2000 (the "2000 Allocation"); and

WHEREAS, the Assignor has determined that, in order to increase the availability of adequate affordable housing for low and moderate income persons and families within the City of Grand Junction and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2000 Allocation; and

WHEREAS, the Assignor has determined that the 1999 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Assignee to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families ("Revenue Bonds") and the Assignee has expressed its willingness to attempt to issue Revenue Bonds with respect to the 2000 Allocation; and

WHEREAS; the City Council of the Assignor has determined to assign to the Assignee \$1,072,525 of its 2000 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. The Assignor hereby assigns to the Assignee \$1,072,525 of its 2000 Allocation, subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.
2. The Assignee hereby accepts the Assignment to it by the Assignor of \$1,072,525 of Assignor's 2000 Allocation, subject to the terms and conditions contained herein. The Assignee agrees to use its best efforts to issue and sell Revenue Bonds, in one or more series, and to provide mortgage loans in at least the amount of \$1,072,525 to finance single-family housing facilities located in the City of Grand Junction. (The mortgage loans will be subject to all applicable current requirements of Assignee's mortgage revenue bond program, including Assignee's income and purchase price limit.)
3. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the assignment set forth herein as an allocation for a project with a carry forward purpose.
4. The Assignor and Assignee each agree that it will take such further action and adopt such further proceedings as may be required to implement the terms of this Assignment.
5. Nothing contained in this Assignment shall obligate the Assignee to finance mortgage loans in any particular amount or at any particular interest rate or to use any particular percentage of the proceeds of its Revenue Bonds to provide mortgage loans to finance single-family housing facilities located in City of Grand Junction.
6. This Assignment is effective upon execution and is irrevocable.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment on the date first written above.

CITY OF GRAND JUNCTION

By: _____
City Manager

ATTESTS:

By: _____
City Clerk

COLORADO HOUSING AND FINANCE
AUTHORITY

By: _____
Assistant Secretary

By: _____
Executive Director

September 7, 2000

Colorado Housing and Finance Authority
1981 Blake Street
Denver, CO 80202-1272

Gentlemen:

I am an attorney duly admitted to practice in the State of Colorado (the "State"). I have acted as counsel for the City of Grand Junction ("City") in connection with the assignment by the City to the Colorado Housing and Finance Authority (the "Authority") of the City's allocation of the ceiling on private activity bonds which may be issued in the State during the period from January 1, to December 21, 2000 (the "2000 Allocation"), under Part 17 of Article 32 of Title 24 of the Colorado Revised Statutes (the "Allocation Act"). This assignment is being affected pursuant to an Ordinance adopted by City Council on first reading on September 6, 2000 (the "Ordinance"), and an Assignment of Allocation dated September 6, 2000 (the "Assignment of Allocation"), between the City and the Authority.

I have examined, among other things, a copy of the Ordinance. I have also examined the Constitution of the State and such statutes and regulations as I deemed appropriate, including, without limitation, the charter of the City, certificates of public officials and of officers and representatives of the City, and such other documents as I have deemed necessary as a basis for the opinions hereinafter expressed. In the course of such examinations I have assumed the genuineness of all signatures and the authenticity of all documents submitted to me as copies.

Based upon the foregoing, it is my opinion that:

1. The City of Grand Junction is a City, validly existing under the Constitution and the laws of the state.
2. The City of Grand Junction has full legal right, power and authority: (a) to assign its 2000 Allocation, or a portion thereof, in accordance with the Ordinance and the Assignment of Allocation; (b) to adopt the Ordinance; (c) to execute and deliver the Assignment of Allocation; and (d) to perform its obligations under the Ordinance.
3. The adoption or the execution and delivery and the performance of the City of the Ordinance, and the Assignment of Allocation and the performance of obligations thereunder, have been duly authorized by the City. Each have been duly adopted

or executed and delivered by the City and each of them constitute valid and binding obligations of the City enforceable in accordance with the respective terms.

4. The adoption of the Ordinance and the execution and delivery of the Assignment of Allocation, and compliance with the terms, conditions and provisions of each thereof by the City, will not conflict with or result in a breach or violation of any of the terms, conditions or provisions of the Constitution or the laws of the State, local ordinances, resolutions, charter, bylaws, or other regulations, or any other governmental authority of any nature whatsoever as now existing or, to the best of my knowledge, any agreement or instrument to which the City is now a party or by which it is bound, or which could constitute a default thereunder.
5. With respect to the 2000 allocation, or a portion thereof, being assigned to the Authority pursuant to the Ordinance and the Assignment of Allocation, the City has not: (a) issued private activity bonds; (b) assigned the allocation to another "issuing authority" as such term is defined in the Allocation Act; (c) made a mortgage credit certificate election; or (d) treated the allocation as an allocation for a project with a carry-forward purpose.
6. No approval, permit, consent or authorization applicable to the City and not already obtained by the City of any government or public agency, authority or person is required in connection with the adoption, the execution and delivery by the City of, and the performance by it of its obligations under, the Ordinance and the Assignment of Allocation.

This opinion may be relied upon by: (i) the Authority's Bond Counsel in rendering its opinion in connection with the issuance by the Authority of revenue bonds; (ii) each institution which may act as an underwriter of any such revenue bonds; no one else without the written approval of the City.

Regards,

Dan Wilson
City Attorney

Attach 3

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Purchase 10 Yard Dump Truck	
Meeting Date:	September 6, 2000	
Date Prepared:	August 31, 2000	
Author:	Ron Watkins	Title: Purchasing Manager
Presenter Name:	Chuck Leyden Ron Watkins	Title: Fleet/Facilities Manager Title: Purchasing Manager
	Workshop	X Formal Agenda

Subject: Purchase 10 Yard Dump Truck

Summary: Replacement of one dump truck for Public Works Pipeline Maintenance as per City minimum specifications. This unit is being purchased outright with no trade-in. The replaced unit will be sold according to City Policies and Procedures and the proceeds credited to Equipment Replacement Fund (estimated value \$15,000).

Background Information: The following responsive/responsible bids were received for the Truck:

- **Hanson Equipment, Inc. Grand Junction, CO** **\$102,514.00**
- **Mesa Mack Sales & Service, Grand Junction, CO** **\$100,865.00**
- **Mesa Mack Sales & Service, Grand Junction, CO(Alternate #1)** **\$ 85,365.00**
- **Transwest Trucks, Inc., Grand Junction, CO** **\$ 92,230.00**

Budget: Sufficient 2000 FY Equipment Replacement funds have been budgeted and approved for the purchase of this equipment.

Action Requested/Recommendation: Authorization for the Purchasing Manager to issue a Purchase Order to the recommended low responsive/responsible bidder, Mesa Mack Sales and Service, Grand Junction, Colorado in behalf of the City in the amount of \$85,365.

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

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 4

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Award of Performance Contract for seven (7) new City Hall copiers		
Meeting Date:	September 6, 2000		
Date Prepared:	August 31, 2000		
Author:	Susan J. Hyatt	Title: Senior Buyer	
Presenter Name:	Ron Watkins	Title: Purchasing Manager	
	Workshop	X	Formal Agenda

Subject: Lease of seven (7) new copiers for City Hall Departments.

Summary: Competitive proposals were opened on August 9, 2000 to furnish copiers for various Division's use in City Hall. Public Works, City Manager's Office, Accounting, City Clerk, Customer Services, Human Resources and Community Development will be provided the units, based on City Minimum Requirements. The term of the lease agreement is 5 years (60 month) with an annual funding out clause as required by City Ordinance. The reliability and service of the equipment for the contract term is guaranteed by a performance bond to the City of Grand Junction.

Background Information: Historically the City's copiers were obtained by use of the State of Colorado Rental Contracts on an individual basis. It was determined when City Departments moved into the new City Hall that additional copier units would be required because of the location of various divisions on two floors which had previously been in close proximity and shared copiers. After a survey and analysis by the Evaluation Committee, it was determined that possibly the City could obtain the needed additional units, and reduce per copy costs by soliciting competitive proposals for a combined requirements lease. Competitive proposals were solicited which included evaluation criteria to insure performance. The criteria included: Company Profile and Qualifications, Program Design (recommendations), Implementation Approach, Responsiveness to RFP, and per copy price. All supplies and service with the exception of staples and paper are included in the pricing (toner, developer, repair and maintenance). References were required of all companies, which were confirmed by the Purchasing Senior Buyer.

The following proposals were received for this project:

Company Name/Location

IKON Office Solutions, Grand Junction, CO

Xerox Document Services, Grand Junction, CO
Capital Business Systems, Inc., Grand Junction, CO

The actual monthly amount charged depends on volume at each machine location and the final negotiated machine configuration. The estimated annual expenditure is \$14,561.04 X 60months, = \$72,805 over the term of the lease.

Budget: Sufficient FY 2000 funds have been budgeted and approved for copy services. Subsequent year funds are conditional on operating fund approvals. The proposal documents included a Governmental Annual “funding out” clause.

Action Requested/Recommendation: Recommend the City Manager be allowed to enter into an agreement with Capital Business Systems, Inc., Grand Junction, CO, that provides the most cost effect and efficient solution for City Hall users. The solution provides for the lease of seven (7) copiers with maintenance and services for an estimated annual expenditure of \$14,561.04.

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
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Attach 5

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Award of Construction Contract for the 2000 New Sidewalk, and Curb, Gutter, and Sidewalk Repair Project	
Meeting Date:	September 6, 2000	
Date Prepared:	August 28, 2000	
Author:	Mike Best	Sr. Engineering Technician
Presenter Name:	Tim Moore	Public Works Manager
	Workshop	X
		Formal Agenda

Subject: Award of a Construction Contract for the **2000 New Sidewalk and Curb, Gutter and, Sidewalk Repair Project** to **BPS Concrete** in the amount of **\$139,406.04**.

Summary: Bids were received and opened on August 22, 2000 for the **2000 New Sidewalk and Curb, Gutter and, Sidewalk Repair Project**. **BPS Concrete** submitted the low bid for **\$139,406.04**.

Background Information: This project constructs new sidewalk along existing curb and gutter within the city. It also includes the replacement of broken sidewalks, curbs, and gutters within the city. A large portion of the sidewalk replaced will be along Horizon Drive north of the G Road intersection. Handicap curb ramps will be installed with this work at several intersections.

Work is scheduled to begin on or about September 11, 2000 and continue for 11 weeks with an anticipated completion date of November 15, 2000.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Reyes Construction	Grand Junction	\$182,949.90
Precision Paving	Grand Junction	\$170,290.75
G and G Paving	Grand Junction	\$156,147.50
Vista Paving	Grand Junction	\$147,758.75
BPS Concrete	Grand Junction	\$139,406.04
Engineer's Estimate		\$148,296.65

Budget:

<u>Project Costs:</u>	
Construction	\$139,406.04

Engineering and Construction Costs to Date	\$18,393.82
City Inspection and Administration (Estimate)	<u>\$18,000.00</u>
Total Project Costs	\$175,799.86

Funding:

F02000 Accessibility Fund – 2011 budget	\$5,939.90
F00400 Curb, Gutter and Sidewalk Fund – 2011 budget	\$12,000.00
F01300 New Sidewalk Fund – 2011 budget	\$156,000.00
Water Department	\$978.98
Ute Water	<u>\$1,588.13</u>
Total Project Funding	\$176,507.01

Balance remaining: New Sidewalk F01300 **\$707.15**

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **2000 New Sidewalk and Curb, Gutter and, Sidewalk Repair Project** to **BPS Concrete** in the amount of **\$139,406.04**.

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
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Attach 6

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Award of Construction Contract for Desert Hills Sewer Trunk Extension		
Meeting Date:	September 6, 2000		
Date Prepared:	August 29, 2000		
Author:	Trent Prall	Utility Engineer	
Presenter Name:	Trent Prall	Utilities Engineer	
	Workshop	X	Formal Agenda

Subject: Award of a Construction Contract for the **Desert Hills Sewer Trunk Extension** to **Ben Dowd Excavating** in the amount of **\$177,574.40**.

Summary: Bids were received and opened on July 21, 2000, for the Desert Hills Estates Subdivision and Desert Hills Trunk Line Extension. The low bid was submitted by Ben Dowd Excavating of Clifton in the amount of **\$177,574.40** for the trunk extension sewer work.

Background Information: As part of the Desert Hills Estates development northwest of Riggs Hill on the Redlands, staff proposed for the sewer fund to invest in a trunk extension in Desert Hills Rd. Council authorized staff to proceed on February 16, 2000 and then authorized a scope revision on June 15, 2000 to also include a sewer extension south of the development to eventually serve the Wildwood Drive area.

Work is scheduled to begin in October and should be complete in April.

The following bids (trunk extension only) were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Schedule C – on site</u>	<u>Schedule D – off site</u>	<u>Total</u>
Ben Dowd	Clifton	\$39,512.10	\$138,062.3	\$177,574.4
Taylor Constructors	Grand Jct	\$50,900.00	\$147,009.5	\$197,909.5
Sorter Construction	Grand Jct	\$52,396.00	N/A	N/A
Mountain Valley	Grand Jct	N/A	\$152,300.4	N/A
Engineer's Estimate		\$28,844.00	\$90,400.00	\$119,244.00

Budget:

The project is being paid for out of the Trunk Extension Fund (903 – F09823) of the 201 sewer system fund. All future development outside of Desert Hills Estates will be required to pay trunk extension fees in accordance with Resolution No 47-93.

Assuming development at growth plan recommended densities, the fees from this basin will generate approximately \$242,000 in revenue. The additional benefit to the 201 sewer system is the eventual elimination of the Season’s lift station. The operations and maintenance on this lift station has a 50 year present value of \$156,000.

Project Costs:

Construction	\$177,574.40
Lift Station upsize	\$30,510.00
Back-up generator	\$23,100.00
Design	\$14,000.00
Total Project Costs	<u>\$245,184.40</u>

The budget for the project was revised on June 15, 2000 to \$150,000 to accommodate the scope revision described above. This is approximately \$96,000 short of the current project cost estimate of \$246,000. Part of the additional cost (\$23,100) is a generator that was recently added to provide power during electrical outages. While the generator is not critical to install at this point, staff recommends this installation to alleviate neighborhood concerns.

To date the Trunk Extension Fund has approximately \$1,280,000 taking into account the \$125,000 already invested this year on the Red Canyon Sewer Trunk Extension (part of Redlands Mesa golf course development).

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the Desert Hills Estates Trunk Line Extension with **Ben Dowd Excavating** in the amount of **\$177,574.40** as well as appropriate an additional \$96,000 from fund 903 to this project.

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
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Attach 7

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Award of Construction Contract for Turn Lane Modification – I 70B @ Grand Avenue	
Meeting Date:	September 6, 2000	
Date Prepared:	August 29, 2000	
Author:	James H. Taylor	Project Engineer
Presenter Name:	Tim Moore	Public Works Manager
	Workshop	X
		Formal Agenda

Subject: Award of a Construction Contract for **Turn Lane Modification – I 70B @ Grand Avenue** to **G&G Paving, Inc.** in the amount of **\$79,950.00**.

Summary: Bids were received and opened on August 29, 2000 for **Turn Lane Modification – I 70B @ Grand Avenue**. The low bid was submitted by **G&G Paving, Inc.** in the amount of **\$79,950.00**.

Background Information: This project consists of modifying the existing median by adding another left turn lane for south bound traffic on Highway 6 & 50 turning east bound onto Grand Avenue. During peak hours south bound vehicles turning left onto Grand Avenue block the through lane. This addition will eliminate this occurrence.

Also, the existing broken concrete median cover material will be removed and replaced with exposed aggregate colored concrete as has been used on Grand Avenue, 5th Street and around City Hall.

Work is scheduled to begin on or about September 18th and continue for 20 working days with an anticipated completion date of October 13, 2000.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
G&G Paving, Inc.	Grand	\$79,950.00
Vista Paving L.L.C.	Grand	\$81,473.00
United Companies	Grand	\$86,265.25
Mays Concrete, Inc.	Grand	\$94,082.50
Engineer's Estimate		\$71,035.00

Budget:

Project Costs:

Construction	\$79,950.00
Traffic Signal Modifications	\$2,972.94
Design	\$7,848.88
City Inspection and Administration (Estimate)	\$3,900.00
Total Project Costs	<u>\$94,671.82</u>

Funding:

Fund 2011 – F35000: 2000 budget **\$100,000.00**

Balance remaining: **\$5,328.18**

The Contractor is required to furnish 100% Performance and Payment Bonds.

Two local companies will provide subcontracting services for this Project: Reyes Construction will form, pour and finish the concrete and Superior Traffic Control will provide the traffic control for the Project.

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **Turn Lane Modification – I 70B @ Grand Avenue** with **G&G Paving, Inc.** in the amount of **\$79,950.00**.

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
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Attach 8

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Consolidated Planning Grant Intergovernmental Agreement		
Meeting Date:	September 6, 2000		
Date Prepared:	August 14, 2000		
Author:	Cliff Davidson	RTPO Director	
Presenter Name:	Jody Kliska	Transportation Engineer	
	Workshop	x	Formal Agenda

Subject: FY2001 Consolidated Planning Grant (CPG) Intergovernmental Agreement

Summary: The CPG Intergovernmental Agreement is the document which outlines the federal funds and local match requirements between the Colorado Department of Transportation and the Grand Junction/Mesa County MPO for the FY 2001 Unified Planning Work Program (UPWP.)

Background Information: The Metropolitan Planning Organization's (MPO) activities, specifically the FY2001 UPWP, is funded by this agreement. The FY2001 UPWP was previously approved by the Grand Junction City Council on July 5, 2000 (GJCC# 67-00.) Planning activities in the FY2001 UPWP include include the creation of an update to the 1984 Memorandum of Understanding for the MPO between Mesa County and the City of Grand Junction; the completion of feasibility study for an intermodal facility; continued planning for the Valleywide Circulation Plan, the Urban Trails Plan, and the 2020 Regional Transportation Plan; CDOT grant administration and management; and continued work with the Grand Valley Transit Steering Committee and Regional Transportation Policy Advisory Committee.

Budget: The agreement provides the MPO with a total of \$126,921 on an 82/18 match with federal funds comprising \$104,075 and local match comprising \$22,846, split equally between the City of Grand Junction and Mesa County (\$11,423 each.)

Action Requested/Recommendation: Approve and authorize the chair to sign the FY2001 Consolidated Planning Grant Intergovernmental Agreement and authorize the MPO Administrator to sign any forthcoming change order letters.

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:	
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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 9

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Request for an electric utility easement at the northwest corner of Columbine Park		
Meeting Date:	September 6, 2000		
Date Prepared:	August 29, 2000		
Author:	Tim Woodmansee	Real Estate Manager	
Presenter Name:	Tim Woodmansee	Real Estate Manager	
	Workshop	X	Formal Agenda

Subject: Resolution authorizing the conveyance of an electric utility easement at the northwest corner of the Columbine Park property to the Public Service Company of Colorado.

Summary: The Public Service Company has been requested to provide 3-Phase electric power to the National Healthcare Associates Assisted Living Facility being developed at 565 28 ¼ Road. The nearest source of 3-Phase electric power is located at the northwest corner of the Columbine Park property.

Background Information: The proposed easement is located at the extreme northwest corner of Columbine Park and contains 760 square feet. The Assisted Living Facility to be served by the extended power has been authorized by a Special Use Permit issued in April of this year. The proposed easement has been reviewed and approved by Parks and Recreation staff.

Compensation for the easement has not been requested. In the event Council deems it appropriate to require compensation, staff has estimated the fair market value of the easement to be \$500.

Action Requested/Recommendation: Pass and Adopt proposed Resolution

Citizen Presentation:	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If Yes,		
Name:	Any interested citizen or property owner.				
Purpose:	To speak in favor of or opposition to the proposed assessments.				
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		

RESOLUTION NO. _____

**CONCERNING THE GRANTING OF A NON-EXCLUSIVE
ELECTRIC UTILITY EASEMENT
TO THE PUBLIC SERVICE COMPANY OF COLORADO**

WHEREAS, the City of Grand Junction believes it is the owner of certain real property described as the North twelve and one-half (12 ½) acres of the West ½ of the Northeast ¼ of the Southwest ¼ of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, commonly known as "Columbine Park"; and

WHEREAS, the Public Service Company of Colorado has requested an easement across the above-described City property for the purposes of installing, operating, maintaining, repairing and replacing electric power lines and facilities and appurtenances related thereto.

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

That the City Manager is hereby authorized to execute the attached Grant of Easement conveying to the Public Service Company of Colorado a non-exclusive electric utility easement over and across the limits of the City property described therein.

PASSED and ADOPTED this 6th day of September, 2000.

Attest:

President of the Council

City Clerk

GRANT OF EASEMENT

The City of Grand Junction, a Colorado home rule municipality, Grantor, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has given and granted, and by these presents does hereby give and grant unto the PUBLIC SERVICE COMPANY OF COLORADO, a Colorado corporation, Grantee, whose address is Seventeenth Street Plaza, 1225 17th Street, Denver, Colorado 80202-5533, a non-exclusive easements to install, operate, maintain, repair and replace electric lines and related facilities where the same may cross real property owned by Grantor within the limits of the following described premises, to wit:

The North 38.0 feet of the West 20.0 feet of the West ½ of the Northeast ¼ of the Southwest ¼ of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado.

TO HAVE AND TO HOLD unto said Grantee, its successors and assigns, together with the right to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Easement, subject to the terms and conditions contained herein.

1. Grantor reserves the right to use and occupy the aforescribed the real property of Grantor which is burdened by the Easement hereby conveyed for any purpose which is not inconsistent with the rights herein granted. In the event of permanent abandonment of the Easement by Grantee, all rights, privileges and interests herein granted shall automatically terminate. Permanent abandonment shall have occurred if Grantee shall fail to use the Easement for any twelve (12) consecutive months.
2. The work and act of installing and maintaining said electric and telecommunications lines and related facilities shall be performed with the highest standard of care; the surface and condition of the ground along the Easements shall not be disturbed without the prior written consent of Grantor or Grantor's successors and assigns; in the event Grantee disturbs the surface and condition of the ground Grantee shall, at Grantee's sole cost and expense, substantially restore the surface and condition of the ground to its original level and condition immediately upon the completion of installation, maintenance and repair work; all damages to persons or property resulting from the failure to exercise due care, or other higher standard of care as may be applicable, shall be paid for and repaired at the expense of Grantee.
3. Grantee shall indemnify Grantor, its officers, employees and agents, and hold Grantor, its officers, employees and agents, harmless from any and all damages or claims for damages to persons or property alleged to be caused by or arising from the negligence or willful misconduct of Grantee.

Executed and delivered this _____ day of _____, 2000.

The City of Grand Junction,
a Colorado home rule municipality

Attest:

City Manager

City Clerk

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this _____ day of _____
_____ 2000, by _____
_____ as _____ City Manager and attested to by _____
_____ as _____
City Clerk of the City of Grand Junction, a Colorado home rule municipality.

My commission expires: _____

Witness my hand and official seal

Notary Public

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Proposed Assessments for AID 1999, Phase B	
Meeting Date:	September 6th, 2000	
Date Prepared:	August 29th, 2000	
Author:	Rick Marcus	Real Estate Technician
Presenter Name:	Rick Marcus	Real Estate Technician
Workshop	X	Formal Agenda

Subject: First Reading of a Proposed Ordinance for the apportionment of costs connected with Alley Improvement District 1999, Phase B.

Summary: Reconstruction of the following alley has been completed in accordance with Resolution No. 47-99 creating Alley Improvement District 1999, Phase B:

- 22nd to 23rd, Grand to Ouray

Background Information: People's Ordinance No. 33 gives the City Council authority to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. This alley was petitioned for construction by more than 50% of the property owners. The proposed assessments are based on the rates stated in the petition, as follows: \$6 per abutting foot for residential single-family properties, \$12 per abutting foot for residential multi-family properties, and \$22.50 per abutting foot for non-residential uses.

Budget:	2000 Budget	\$320,000
	Estimated Cost 1999 Phase B Alley (constructed in 2000)	\$ 57,213
	Estimated Cost 2000 Phase A Alleys	<u>\$203,688</u>
	Total Estimated Cost	\$260,901
	Total Cost to Property Owner	\$ 37,599 (14%)
	Total Cost to City	\$223,302 (86%)
	Anticipated Balance	\$ 59,099

Action Requested/Recommendation: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000.

Citizen Presentation:	<input checked="" 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:	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT
22TH STREET TO 23TH STREET
GRAND AVENUE TO OURAY AVENUE

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
COLLEEN & JOSEPH CAIN	60.00	\$ 6.00	\$ 360.00
TAE SUN SHELLEMAN	60.00	\$ 6.00	\$ 360.00
• CLAUDETTE EULER (trustee)	60.00	\$ 6.00	\$ 360.00
• KAREN MARQUETTE	60.00	\$ 6.00	\$ 360.00
• KEVIN REUST	115.00	\$ 6.00	\$ 690.00
• MMH PROPERTY JOINT VENTURE	125.00	\$12.00	\$1,500.00
• MMH PROPERTY JOINT VENTURE	135.70	\$12.00	\$1,628.40
• GARY & DIANE DERUSH	150.00	\$12.00	\$1,800.00
• MESA DEVELOPMENTAL SERVICES	75.00	\$12.00	\$ 900.00
• DARRYL GROSJEAN	<u>75.00</u>	\$12.00	<u>\$ 900.00</u>
			\$8,858.40
ASSESSABLE FOOTAGE		915.70	
Estimated Cost to Construct		\$ 57,213.00	
Absolute Cost to Owners		<u>\$ 8,858.40</u>	
Estimated Cost to City		\$ 48,354.60	

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates Property Owners Signing Petition = 8/10 = 80% of Owners & 87% of Abutting Footage

ORDINANCE NO. ____

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-99, PHASE B, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement District No. ST-99, Phase B, in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement District No. ST-99, Phase B, and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement District No. ST-99, Phase B, in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on August 18th, 2000, and the last publication thereof appearing on August 20th, 2000); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable

cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Alley Improvement District No. ST-99, Phase B, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement District No. ST-99, Phase B, be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$9,389.90; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

22ND TO 23RD , GRAND TO OURAY :

TAX SCHEDULE NO.: 2945-131-17-002 LEGAL DESCRIPTION: Lot 12, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-131-17-004 LEGAL DESCRIPTION: Lot 11, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-131-17-006 LEGAL DESCRIPTION: Lot 10, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-131-17-008 LEGAL DESCRIPTION: Lot 9, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-131-17-010 LEGAL DESCRIPTION: Lot 8, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 731.40

TAX SCHEDULE NO.: 2945-131-17-011 LEGAL DESCRIPTION: Lot 1, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,590.00

TAX SCHEDULE NO.: 2945-131-17-012 LEGAL DESCRIPTION: Lot 7, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,726.10

TAX SCHEDULE NO.: 2945-131-17-014 LEGAL DESCRIPTION: Lots 2 & 3 and the south ½ of Lot 4, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,908.00

TAX SCHEDULE NO.: 2945-131-17-977 LEGAL DESCRIPTION: North ½ of Lot 4 & all except the north 15 ft. of Lot 5, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 954.00

TAX SCHEDULE NO.: 2945-131-17-015 LEGAL DESCRIPTION: Lot 6, & the north 15 ft. of Lot 5, Block 1, Mesa Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 954.00

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all the real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance, constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of 8 percent per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at 8 percent per annum as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty days after the final publication of this Ordinance, and an allowance of the six percent added for cost of collection and other incidentals shall be made on all payments made during said period of thirty days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement District No. ST-99, Phase B, shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement District No. ST-99 Phase B, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced on First Reading this 6th day of September, 2000.

Passed and Adopted this _____ day of _____, 2000.

Attest:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Proposed Assessments for AID 2000, Phase A	
Meeting Date:	September 6th, 2000	
Date Prepared:	August 29th, 2000	
Author:	Rick Marcus	Real Estate Technician
Presenter Name:	Rick Marcus	Real Estate Technician
Workshop	X	Formal Agenda

Subject: First reading of a Proposed Assessing Ordinance for the apportionment of costs connected with Alley Improvement District 2000, Phase A.

Summary: Reconstruction of the following alleys has been completed in accordance with Resolution No. 129-99 creating Alley Improvement District 2000, Phase A:

- 2nd to 3rd, Chipeta to Gunnison
- 10th to 11th, Rood Avenue to White Avenue
- 11th to 12th, Main Street to Colorado Avenue
- 16th to 17th, Grand Avenue to Ouray Avenue
- 18th to 19th, Grand Avenue to Ouray Avenue

Background Information: People's Ordinance No. 33 gives the City Council authority to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. This alley was petitioned for construction by more than 50% of the property owners. The proposed assessments are based on the rates stated in the petition, as follows: \$8 per abutting foot for residential single-family properties, \$15 per abutting foot for residential multi-family properties, and \$31.50 per abutting foot for non-residential uses.

Budget:	2000 Budget	\$ 320,000
	Estimated Cost 1999 Phase B Alley (constructed in 2000)	\$ 57,213
	Estimated Cost 2000 Phase A Alleys	<u>\$ 203,688</u>
	Total Estimated Cost	\$ 260,901
	Total Cost to Property Owners	\$
37,599 (14%)	Total Cost to City	\$223,302 (86%)

Anticipated Balance

\$ 59,099

Action Requested/Recommendation: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 20, 2000.

Citizen Presentation:	<input checked="" 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:	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT
2nd STREET TO 3rd STREET
CHIPETA AVENUE TO GUNNISON AVENUE

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
• Joe & Doris Mansur	62.50	\$ 8.00	\$ 500.00
• Terry & Christie Ruckman	37.50	\$15.00	\$ 562.50
• Dallas & Donna Nowlin	37.50	\$ 8.00	\$ 300.00
Magoffin Trust	41.50	\$ 8.00	\$ 332.00
• Conrad Cole	46.00	\$ 8.00	\$ 368.00
Dora Saddoris	50.00	\$ 8.00	\$ 400.00
Patrick Hunt	50.00	\$ 8.00	\$ 400.00
• Martin & Martha Smith	75.00	\$ 8.00	\$ 600.00
• Joyce Wittwer	50.00	\$ 8.00	\$ 400.00
Robin Adcock	25.00	\$ 8.00	\$ 200.00
• Jacoba Lambert	25.00	\$ 8.00	\$ 200.00
Meindert & Lisa Lambert	50.00	\$ 8.00	\$ 400.00
Peter & Cecile Brennan	50.00	\$ 8.00	\$ 400.00
• Vinton Estate	50.00	\$ 8.00	\$ 400.00
• James & Steven Thayer	50.00	\$ 8.00	\$ 400.00
• David Miller	50.00	\$ 8.00	\$ 400.00
Steven & Julie Lee	50.00	\$ 8.00	<u>\$ 400.00</u>
ASSESSABLE FOOTAGE	800.00		\$ 6,662.50

Estimated Cost to Construct	\$ 40,500.00
Absolute Cost to Owners	<u>\$ 6,662.50</u>
Estimated Cost to City	\$ 33,837.50

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates property owners signing petition = 10/17 or 59% of owners and 60% of abutting footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT
10th STREET TO 11th STREET
WHITE AVENUE TO ROOD AVENUE

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
Ann & Corinne Halpin	50.00	\$15.00	\$ 750.00
Genevieve Kruckrnberg	50.00	\$ 8.00	\$ 400.00
Jose & Mary Gallegos	50.00	\$ 8.00	\$ 400.00
• Etrl Enterprises, Ltd	50.00	\$ 8.00	\$ 400.00
Alexander & Sina Krasnow	50.00	\$ 8.00	\$ 400.00
• Lee & Lanette Hunt	50.00	\$ 8.00	\$ 400.00
• George & Carrie Euler	50.00	\$ 8.00	\$ 400.00
• John Mazzuca	50.00	\$ 8.00	\$ 400.00
Steve & Timothy Frame	50.00	\$ 8.00	\$ 400.00
• CNB & E. H. Kruger	50.00	\$ 8.00	\$ 400.00
Stephen Kessberger	50.00	\$15.00	\$ 750.00
• Larry & Linda Ratton	50.00	\$ 8.00	\$ 400.00
• Larry & Linda Ratton	50.00	\$15.00	\$ 750.00
• Sven & Riley Osolin	50.00	\$15.00	\$ 750.00
Marcus & Sabrina Bebb-Jones, et.al	50.00	\$ 8.00	\$ 400.00
• Daniel Neifert	50.00	\$ 8.00	<u>\$ 400.00</u>
			\$ 7,800.00
ASSESSABLE FOOTAGE		800.00	
Estimated Cost to Construct		\$ 40,500.00	
Absolute Cost to Owners		<u>\$ 7,800.00</u>	

Estimated Cost to City

\$ 32,700.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates property owners signing petition = 9/16 or 56% of owners and 56% of abutting footage.

SUMMARY SHEET

**PROPOSED ALLEY IMPROVEMENT DISTRICT
11th STREET TO 12th STREET
MAIN STREET TO COLORADO AVENUE**

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
Theodore & Linda Koeman	75.00	\$15.00	\$1,125.00
• Frank & Christina DeHerrera	50.00	\$15.00	\$ 750.00
• Cynthia Webb	50.00	\$ 8.00	\$ 400.00
• Kern Copeland	75.00	\$ 8.00	\$ 600.00
• Helen Spehar	50.00	\$ 8.00	\$ 400.00
• Helen Spehar	50.00	\$ 8.00	\$ 400.00
• George Spehar	99.20	\$15.00	\$1,488.00
• Saul Tompkins	49.20	\$31.50	\$1,549.80
• Linda Foster	50.00	\$ 8.00	\$ 400.00
• Helen Spehar	50.00	\$ 8.00	\$ 400.00
• Mary Baker	50.00	\$ 8.00	\$ 400.00
• Anthony Pollack & Hillary Day	50.00	\$ 8.00	\$ 400.00
• Richard & Mary Jones	50.00	\$15.00	\$ 750.00
• Jerry & Kathleen Harris	75.00	\$15.00	\$1,125.00
• Jerry & Kathleen Harris	75.00	\$15.00	<u>\$1,125.00</u>
			\$11,312.80
ASSESSABLE FOOTAGE		898.40	
Estimated Cost to Construct		\$ 44,928.00	

Absolute Cost to Owners \$ 11,312.80

Estimated Cost to City \$ 33,615.20

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates property owners signing petition = 14/15 or 93% of owners and 92% of abutting footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 16th STREET TO 17th STREET GRAND AVENUE TO OURAY AVENUE

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
• Stanley & Peggy Conrad	50.00	\$ 8.00	\$ 400.00
Suzanne Carson	50.00	\$ 8.00	\$ 400.00
• Kenneth & Linda Edwards	62.50	\$ 8.00	\$ 500.00
Lee Dyer & Christine Squassoni	55.00	\$ 8.00	\$ 440.00
• Ila Mae Booles	55.00	\$ 8.00	\$ 440.00
• Richard & Lynn Phegley	45.00	\$ 8.00	\$ 360.00
M. & E. Kronkright	50.00	\$ 8.00	\$ 400.00
• Stanley & Peggy Conrad	135.00	\$ 8.00	\$1,080.00
• Steven & Charity States	127.00	\$ 8.00	\$1,016.00
• Laura Holbrook	50.00	\$ 8.00	\$400.00
• Dennis Finnessey	84.50	\$ 8.00	<u>\$ 676.00</u>
			\$ 6,112.00
 ASSESSABLE FOOTAGE		 764.00	
 Estimated Cost to Construct		 \$ 38,880.00	
Absolute Cost to Owners		<u>\$ 6,112.00</u>	
Estimated Cost to City		\$ 32,768.00	

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates property owners signing petition = 8/11 or 73% of owners and 80% of abutting footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT
18th STREET TO 19th STREET
GRAND AVENUE TO OURAY AVENUE

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT</u>	<u>ASSESS</u>
• Douglas & Cynthia Lowell	62.50	\$ 8.00	\$ 500.00
• Maxine Hoey	75.00	\$ 8.00	\$ 600.00
• Sharon Felt	50.00	\$ 8.00	\$ 400.00
• Clayton & Tammie Binkley	62.50	\$ 8.00	\$ 500.00
• Harold & Minnie Hutchison	50.00	\$ 8.00	\$ 400.00
• James Ives	62.50	\$ 8.00	\$ 500.00
• Charles & Carol Lopas	50.00	\$ 8.00	\$ 400.00
• David & Jean Marquardt	62.50	\$ 8.00	\$ 500.00
• Oral Cheedle	50.00	\$ 8.00	\$ 400.00
• Louis & S M Petrafeso	62.50	\$ 8.00	\$ 500.00
• Monte Riggle	50.00	\$ 8.00	\$ 400.00
• Beth Cisco	57.00	\$ 8.00	\$ 456.00
• Michael & L Ann Levan	69.50	\$ 8.00	<u>\$ 556.00</u>
			\$ 6,112.00

ASSESSABLE FOOTAGE 764.00

Estimated Cost to Construct \$ 38,880.00
Absolute Cost to Owners \$ 6,112.00
Estimated Cost to City \$ 32,768.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates property owners signing petition = 13/13 or 100% of owners and 100% of abutting footage.

ORDINANCE NO. ____

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-00, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement District No. ST-00, Phase A, in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement District No. ST-00, Phase A, and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement District No. ST-00, Phase A, in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on August 18th, 2000, and the last publication thereof appearing on August 20th, 2000); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable

cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Alley Improvement District No. ST-00, Phase A, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement District No. ST-00, Phase A, be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$40,278.74; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

2ND TO 3RD, CHIPETA TO GUNNISON:

TAX SCHEDULE NO.: 2945-142-26-001 LEGAL DESCRIPTION: Lots 1 & 2 and the west ½ of Lot 3, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-142-26-002 LEGAL DESCRIPTION: East ½ of Lot 3 and all of Lot 4, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 596.25

TAX SCHEDULE NO.: 2945-142-26-003 LEGAL DESCRIPTION: Lot 5 and the west ½ of Lot 6, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 318.00

TAX SCHEDULE NO.: 2945-142-26-004 LEGAL DESCRIPTION: East ½ of Lot 6 and all of Lot 7, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 351.92

TAX SCHEDULE NO.: 2945-142-26-005 LEGAL DESCRIPTION: East 21 ft. of Lot 8 and all of Lot 9, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 390.08

TAX SCHEDULE NO.: 2945-142-26-006 LEGAL DESCRIPTION: Lots 10 & 11, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-007 LEGAL DESCRIPTION: Lots 12 & 13, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-010 LEGAL DESCRIPTION: South 50 ft. of Lots 14, 15 & 16, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 636.00

TAX SCHEDULE NO.: 2945-142-26-011 LEGAL DESCRIPTION: Lots 17 & 18, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-012 LEGAL DESCRIPTION: Lot 19, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 212.00

TAX SCHEDULE NO.: 2945-142-26-013 LEGAL DESCRIPTION: Lot 20, Block 54, City of Grand Junction.
ASSESSMENT..... \$ 212.00

TAX SCHEDULE NO.: 2945-142-26-014 LEGAL DESCRIPTION: Lots 21 & 22, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-015 LEGAL DESCRIPTION: Lots 23 & 24, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-016 LEGAL DESCRIPTION: Lots 25 & 26, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-017 LEGAL DESCRIPTION: Lots 27 & 28, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-018 LEGAL DESCRIPTION: Lots 27 & 28, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-26-019 LEGAL DESCRIPTION: Lots 31 & 32, Block 54, City of Grand Junction.

ASSESSMENT..... \$ 424.00

10TH TO 11TH, WHITE TO ROOD:

TAX SCHEDULE NO.: 2945-144-11-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 90, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-11-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 90, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 90, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 90, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-006 LEGAL DESCRIPTION: Lots 11 & 12, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-007 LEGAL DESCRIPTION: Lots 13 & 14, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-008 LEGAL DESCRIPTION: Lots 15 & 16, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-009 LEGAL DESCRIPTION: North ½ of Lots 31 & 32, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-010 LEGAL DESCRIPTION: Lots 17 & 18, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-012 LEGAL DESCRIPTION: Lots 29 & 30, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-11-013 LEGAL DESCRIPTION: Lots 27 & 28, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-014 LEGAL DESCRIPTION: Lots 25 & 26, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-11-015 LEGAL DESCRIPTION: Lots 23 & 24, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-11-016 LEGAL DESCRIPTION: Lots 21 & 22, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-11-017 LEGAL DESCRIPTION: Lots 19 & 20, Block 90, City of Grand Junction.
ASSESSMENT..... \$ 424.00

11TH TO 12TH, MAIN TO COLORADO:

TAX SCHEDULE NO.: 2945-144-24-001 LEGAL DESCRIPTION: Lots 1, 2 & 3, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 1,192.50

TAX SCHEDULE NO.: 2945-144-24-017 LEGAL DESCRIPTION: Lots 4 & 5, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-24-003 LEGAL DESCRIPTION: Lots 6 & 7, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-004 LEGAL DESCRIPTION: Lots 8, 9 & 10, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 636.00

TAX SCHEDULE NO.: 2945-144-24-005 LEGAL DESCRIPTION: Lots 11 & 12, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-006 LEGAL DESCRIPTION: Lots 13 & 14, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-007 LEGAL DESCRIPTION: Lots 15, 16 & 17, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 1,577.28

TAX SCHEDULE NO.: 2945-144-24-018 LEGAL DESCRIPTION: Lot 18, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 1,642.79

TAX SCHEDULE NO.: 2945-144-24-013 LEGAL DESCRIPTION: Lots 19 & 20, Block 111, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-012 LEGAL DESCRIPTION: Lots 21 & 22, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-011 LEGAL DESCRIPTION: Lots 23 & 24, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-010 LEGAL DESCRIPTION: Lot 25 & 26, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-144-24-009 LEGAL DESCRIPTION: Lots 27 & 28, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-144-24-015 LEGAL DESCRIPTION: Lots 29, 30 & 31, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 1,192.50

TAX SCHEDULE NO.: 2945-144-24-016 LEGAL DESCRIPTION: Lots 32, 33 & 34, Block 111, City of Grand Junction.

ASSESSMENT..... \$ 1,192.50

16TH TO 17TH, GRAND TO OURAY:

TAX SCHEDULE NO.: 2945-132-18-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 2, Slocomb Addition, plus beginning at the SW corner of Lot 2 to the NW corner of Lot 1; thence west 15 ft.; thence south to a point 15 ft. west of the point of beginning; thence to the point of beginning, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-18-002 LEGAL DESCRIPTION: Lots 29 & 30, Block 2, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-18-003 LEGAL DESCRIPTION: Lots 5 & 6, & the north 1/2 of Lot 7, Block 2, Slocomb Addition, plus beginning 12.5 ft. north the SW corner of Lot 7; thence north to the NW corner of Lot 5; thence west 15 ft.; thence south to a point 15 ft. west of the point of Beginning; thence east to the point of beginning, City of Grand Junction.

ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-18-004 LEGAL DESCRIPTION: Lots 25 & 26 and the south 1/2 of Lot 27, Block 2, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-132-18-005 LEGAL DESCRIPTION: North 5 ft. of Lot 22 and all of Lots 23 & 24, Block 2, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-132-18-006 LEGAL DESCRIPTION: North 20 ft. of Lot 27 and all of Lot 28, Block 2, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-132-18-007 LEGAL DESCRIPTION: North 5 ft. of Lot 20, all of Lot 21 and the south 20 ft. of Lot 22, Block 2, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-18-009 LEGAL DESCRIPTION: East 50 ft. of Lots 10 through 15, inclusive, Block 2, Slocomb Addition, except the north 22 ft. of the east 50 ft. of Lot 10, City of Grand Junction.
ASSESSMENT..... \$ 1,144.80

TAX SCHEDULE NO.: 2945-132-18-010 LEGAL DESCRIPTION: West 42 ft. of Lots 16 through 19, inclusive, plus the south 20 ft. of Lot 20, Block 2, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 1,076.96

TAX SCHEDULE NO.: 2945-132-18-012 LEGAL DESCRIPTION: Lots 3 & 4, Block 2, Slocomb Addition, plus 15 ft adjusted to the lot on the west side, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-18-013 LEGAL DESCRIPTION: South ½ of Lot 7 and all of Lots 8 through 10, inclusive, plus the west 70 ft of the north 5 ft. of Lot 11, Block 2, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 716.56

18TH TO 19TH, GRAND TO OURAY:

TAX SCHEDULE NO.: 2945-132-16-001 LEGAL DESCRIPTION: North ½ of Lot 28 and all of Lots 29 & 30, Block 4, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-16-004 LEGAL DESCRIPTION: Lots 26 & 27 and the south ½ of Lot 28, Block 4, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-16-006 LEGAL DESCRIPTION: North ½ of Lot 23 and all of Lots 24 & 25, Block 4, Slocomb Addition, City of Grand Junction.
ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-16-008 LEGAL DESCRIPTION: Lots 21 & 22 and the south ½ of Lot 23, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-16-010 LEGAL DESCRIPTION: North ½ of Lot 18 and all of Lots 19 & 20, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 530.00

TAX SCHEDULE NO.: 2945-132-16-013 LEGAL DESCRIPTION: Lots 16 & 17 and the south ½ of Lot 18, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 589.36

TAX SCHEDULE NO.: 2945-132-16-002 LEGAL DESCRIPTION: Lots 1, 2 & 3, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 636.00

TAX SCHEDULE NO.: 2945-132-16-003 LEGAL DESCRIPTION: Lots 4 & 5, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-16-005 LEGAL DESCRIPTION: Lots 6 & 7, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-16-007 LEGAL DESCRIPTION: Lots 8 & 9, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-16-009 LEGAL DESCRIPTION: Lots 10 & 11, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-16-011 LEGAL DESCRIPTION: Lots 12 & 13, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-132-16-012 LEGAL DESCRIPTION: Lots 14 & 15, Block 4, Slocomb Addition, City of Grand Junction.

ASSESSMENT..... \$ 483.36

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all the real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance, constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of 8 percent per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at 8 percent per annum as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty days after the final publication of this Ordinance, and an allowance of

the six percent added for cost of collection and other incidentals shall be made on all payments made during said period of thirty days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement District No. ST-00, Phase A, shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement District No. ST-00 Phase A, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced on First Reading this 6th day of September, 2000.

Passed and Adopted on the _____ day of _____, 2000

Attest:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	<u>Contract for Excess Water from Green Mountain Reservoir between the City of Grand Junction and the Bureau of Reclamation. Municipal Recreational Uses</u>		
Meeting Date:	September 6, 2000		
Date Prepared:	September 6, 2000		
Author:	Greg Trainor, Utility Manager		
Presenter Name:	Greg Trainor		
	Workshop	X	Formal Agenda

Subject:

Contract for Excess Water from Green Mountain Reservoir between the City of Grand Junction and the Bureau of Reclamation. Municipal Recreational Uses

Summary:

Due to dry conditions, the Bureau of Reclamation, on behalf of the Endangered Species Recovery Program and in concert with approved recovery actions, has proposed a short-term contract between the City of Grand Junction and the Bureau for delivery of excess water from Green Mountain Reservoir. Deliveries would start immediately and cease on December 31, 2000. Water would be delivered to and coordinated with the City of Grand Junction for municipal recreation purposes with a supplemental benefit to endangered fish species in the section of the Colorado River between Palisade and Grand Junction.

Background Information:

For over a year the City of Grand Junction and the Bureau of Reclamation, along with the Executive Committee of the Endangered Species Recovery Program, have been discussing a contract to have excess water delivered out of Green Mountain Reservoir to the Grand Valley. This would be for municipal recreational purposes and, as an ancillary use, benefit the endangered fish species in the section of the Colorado River between Palisade and Grand Junction (15-mile Reach).

The concept of delivery of excess water has been discussed by City Council, approved by all the water users on both side of the Divide, and supported by CDOW, the United States Fish and Wildlife Service, and the River Front Commission.

With the drought and the extremely dry conditions, flows in the Colorado River are down. Water for the fish, during the summer, has come from Ruedi Reservoir and Williams Fork. These allocations of water are depleted.

The Bureau of Reclamation has called the City asking for us to approve a short-term contract, terminating on December 31, 2000, for excess water from Green Mountain Reservoir. This is on an emergency basis to get more water to the 15-Mile Reach this Fall. The "municipal recreational use" is the effort and planning to get a boat passage and kayak water course constructed at the Price-Stubb Diversion when the Bureau removes a portion of the dam and builds a fish ladder there. Construction money for the ladder and the watercourse will have to come from future sources, including Recovery Program funds and Great Outdoors Colorado. For the purposes of the short-term contract, the River Front Commission's 1999 design and feasibility study to construct a watercourse in the Grand Valley will suffice.

"Excess water" is calculated on an annual basis, and is defined as water that remains in Green Mountain after ALL other uses have been filled and taken into account. Green Mountain was constructed between 1937 and 1941 to provide water for Grand Valley irrigators and other beneficiaries (including Grand Junction) when the Northern Colorado Water Conservancy District is taking water, out of priority, from the Colo. River basin to the East Slope.

Budget:

No budgetary impact. There will no charge for this water.

Action Requested/Recommendation:

Authorize the acting City Manager to sign the short-term contract.

Citizen Presentation:	<input checked="" 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:	<input type="checkbox"/>
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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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City of Grand Junction, Colorado

Resolution No. 86-00

A RESOLUTION ADOPTING THE TEMPORARY AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE BUREAU OF RECLAMATION

Recitals:

The City of Grand Junction, in cooperation with the Bureau of Reclamation, have negotiated a temporary agreement to furnish surplus Historic Users Pool water from Green Mountain Reservoir for non-consumptive recreational uses in and adjacent to the reach of the Colorado River extending from the present site of the Palisade Gage to the confluence of the Colorado River with the Gunnison River.

Whereas, the City of Grand Junction and the Bureau of Reclamation have cooperated to develop an temporary agreement, terminating on December 31, 2000, to furnish water in the Colorado River for non-consumptive recreational uses, and

Whereas, the City of Grand Junction has the authority to enter into such temporary agreements, and

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

That the City Council approves this resolution adopting the temporary Agreement with the Bureau of Reclamation for delivery of surplus Historic User Pool water from Green Mountain Reservoir and authorizes the Acting City Manager to sign the Agreement.

PASSED and ADOPTED this 6th day of September, 2000.

/s/ Gene Kinsey
President of the Council

Attest:

/s/ Stephanie Nye
City Clerk

Attach 12

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Brutsche Annexation		
Meeting Date:	September 6, 2000		
Date Prepared:	August 29, 2000		
Author:	Bill Nebeker	Senior Planner	
Presenter Name:	Bill Nebeker	Senior Planner	
	Workshop	X	Formal Agenda

Subject: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Brutsche Annexation located at the northwest corner of 20 ½ & F ¾ Road; File ANX-2000-143.

Summary: The 10-acre Brutsche Annexation consists of one parcel of land that is sandwiched between the Independence Ranch subdivision in the City and the Country Meadows Subdivision in the County. The parcel will be encompassed within the Independence Ranch Filings 7-13 revised preliminary plan for low-density single family lots.

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 Brutsche Annexation and set a hearing for October 18, 2000.

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

Report results back to Council:	<input checked="" type="checkbox"/>	No		Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	Consent		Indiv. Consideration		Workshop
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BACKGROUND INFORMATION					
Location:		NW corner of 20 1/2 & F 3/4 Road			
Applicants:		Hans Brutsche			
Existing Land Use:		Vacant			
Proposed Land Use:		Single family residential			
Surrounding Land Use:	North	Vacant			
	South	Single family residential			
	East	Vacant			
	West	Single family residential			
Existing Zoning:		RSF-4 (County) (formerly R-2)			
Proposed Zoning:		PD (1.7 dwellings per acre)			
Surrounding Zoning:	North	PD (1.7 dwellings per acre)			
	South	PD (1.7 dwellings per acre)			
	East	PD (1.7 dwellings per acre)			
	West	RSF-4 (County) (formerly R-2)			
Growth Plan Designation:		Residential Med. Low: 2 to 4 units per acre			
Zoning within density range?		X	Yes – See Note		No

Growth Plan Note: The overall gross density within the Independence Ranch Filing 4-10 subdivision is 1.7 dwellings per acre, however this includes 38.67 acres of open space. Density of the proposal less developable open space, i.e. open space not included in the floodplain (16.89 acres) or slopes exceeding 30 percent (4.7 acres) is 2.04 dwellings per acre. The density less all open space areas is 2.62 dwellings per acre.

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 Brutsche [Annexation and set a hearing for October 18, 2000](#).

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing **10 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 **BRUTSCHE 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	
Sept 6th	Referral of Petition to Annex & 1 st Read (30 Day Notice)
Sept 19th	Planning Commission considers Zone of Annexation
Oct 4th	First Reading on Zoning by City Council
Oct 18th	Public hearing on Annexation and Zoning by City Council
Nov 19th	Effective date of Annexation and Zoning

RECOMMENDATION:

Approval

ATTACHMENTS:

1. Annexation Summary
2. Vicinity Map
3. Annexation Map
4. Resolution Referring Petition
5. Annexation Ordinance

BRUTSCHE ANNEXATION SUMMARY

File Number:	ANX-2000-038	
Location:	NW corner of 20 ½ & F ¾ Road	
Tax ID Number:	2947-152-00-129	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	10 for annexation area	
Developable Acres Remaining:	10 acres	
Right-of-way in Annexation:	0	
Previous County Zoning:	County RSF-4 (4 units per acre)	
Proposed City Zoning:	PD (Residential Single-family not to exceed 1.7 units per acre)	
Current Land Use:	Vacant	
Future Land Use:	Single family residential	
Values:	Assessed:	\$27,550
	Actual:	\$95,000
Census Tract:	1402	
Address Ranges:	Between 675 & 693 (new north/south street) even & odd addresses	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire
	Drainage:	
	School:	District 51
	Pest:	

INSERT ATTACHMENTS HERE (2) – Vicinity Map first, Annexation map second

**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 6th day of September, 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**

BRUTSCHE ANNEXATION

LOCATED at NW corner of 20 ½ & F ¾ Road

WHEREAS, on the 6th day of September, 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:

A parcel of land situate in Government Lots 2 and 3 of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the southwest corner of Government Lot 3 (NW 1/16 corner) of said Section 15; thence S 89°32'00" E along the south line of said Government Lot 3 a distance of 937.50 feet to a point; thence leaving said south line N 00°00'00" W a distance of 25.00 feet to the True Point of Beginning of the parcel described herein; thence N 00°00'00" W a distance of 1081.40 feet to a point on the north line of said Section 15; thence N 89°59'46" E along the north line of said Section 15 a distance of 402.21 feet to a point; thence leaving said north line S 00°00'00" E a distance of 1084.70 feet to a point; thence N 89°32'00" W along the north right of way line for F ¾ Road a distance of 402.21 feet to the point of beginning.

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 18th day of October, 2000, at the City Auditorium, 250 North 5th 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>
September 8, 2000
September 15, 2000
September 22, 2000
September 29, 2000

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BRUTSCHE ANNEXATION

APPROXIMATELY 10 ACRES

LOCATED at NW corner of 20 ½ & F ¾ Road

WHEREAS, on the 6th day of September, 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 18th day of October, 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:

A parcel of land situate in Government Lots 2 and 3 of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the southwest corner of Government Lot 3 (NW 1/16 corner) of said Section 15; thence S 89°32'00" E along the south line of said Government Lot 3 a distance of 937.50 feet to a point; thence leaving said south line N 00°00'00" W a distance of 25.00 feet to the True Point of Beginning of the parcel described herein; thence N 00°00'00" W a distance of 1081.40 feet to a point on the north line of said Section 15; thence N 89°59'46" E along the north line of said Section 15 a distance of 402.21 feet to a point; thence leaving said north line S 00°00'00" E a distance of 1084.70 feet to a point; thence N 89°32'00" W along the north right of way line for F 3/4 Road a distance of 402.21 feet to the point of beginning.

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

INTRODUCED on first reading on the 6th day September, 2000.

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

Attest:

President of the Council

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Ephemeral Resources Annexation		
Meeting Date:	September 6, 2000		
Date Prepared:	August 23, 2000		
Author:	Patricia Parish	Associate Planner	
Presenter Name:	Patricia Parish	Associate Planner	
	Workshop	X	Formal Agenda

Subject: Annexation of the Ephemeral Resources property, #ANX-2000-144. This is a serial Annexation comprised of Ephemeral Resources Annexation No. 1, Ephemeral Resources Annexation No. 2, and Ephemeral Resources Annexation No. 3.

Summary: Resolution for the Referral of Petition to Annex/First reading of the Annexation Ordinance /Exercising land use jurisdiction immediately for the Ephemeral Resources Annexation located at 29 5/8 Road and D Road and including portions of the 29 Road and D Road rights-of-way. (#ANX-2000-144)

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 Ephemeral Resources Annexation No. 1, 2 and 3, and set a hearing for October 18, 2000.

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

Report results back to Council:	X	No		Yes	When:	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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BACKGROUND INFORMATION			
Location:		29 5/8 Road and D Road	
Applicants:		Ephemeral Resources, LLC, Owner Ben Kilgore, Developer Thomas Logue, Representative	
Existing Land Use:		Vacant Farmland	
Proposed Land Use:		Gravel Mine	
Surrounding Land Use:	North	Vacant Farmland, Single Family Residential	
	South		
	East	Vacant Farmland, Single Family Residential	
	West	Vacant Farmland, Single Family Residential	
Existing Zoning:		RSF-R (1 unit/5 acres)	
Proposed Zoning:		RSF-R (1 unit/5 acres) Effective Annexation Date: 11/19/00	
Surrounding Zoning:	North	RSF-R (Residential Single Family Rural-County)	
	South	RSF-R (Residential Single Family Rural-County)	
	East	RSF-R (Residential Single Family Rural-County)	
	West	RSF-R (Residential Single Family Rural-County)	
Growth Plan Designation:		Estate (2-5 units/acre)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 110.86 acres of land. The property owner would like to operate a gravel mine with accessory uses which, under the 1998 Persigo Intergovernmental Agreement, requires development in this area to be annexed. The property is now being annexed into the City of Grand Junction.

It is Staff's 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 Ephemeral Resources 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.

Sept. 6	Referral of Petition to Annex & 1 st Read (30 Day Notice)
Sept. 12th	Planning Commission considers Zone of Annexation
Oct. 4th	First Reading on Zoning by City Council
Oct. 18th	Public hearing on Annexation and Zoning by City Council
Nov. 19th	Annexation and Zoning Effective

RECOMMENDATION:

Approval

Attachments:

1. Annexation Boundary Map
2. Summary Sheet
3. Resolution for the Referral of Petition to Annex
4. Three (3) Ordinances of Annexation

EPHEMERAL RESOURCES ANNEXATION SUMMARY

File Number:	ANX-2000-144
Location:	29 5/8 ROAD AND D ROAD
Tax ID Number:	2943-202-00-037, 2943-202-00-039, 2943-202-00-045, 2943-202-00-006, 2943-202-00-074, 2943-203-00-097 2943-203-00-098
Parcels:	7
Estimated Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres:	110.86 acres in annexation area
Developable Acres Remaining:	0
Right-of-way in Annexation:	◆ D Road – 15’ strip along for a distance of of 3,002’ of right-of-way ◆ 29 Road – 15’ strip along centerline of right-of-way for a distance of 2,565’.
Previous County Zoning:	AFT
Proposed City Zoning:	RSF-R
Current Land Use:	VACANT LAND
Future Land Use:	GRAVEL PIT
Assessed Values:	Land = \$44,550 Improvements = \$0 TOTAL VALUE = \$44,550
Census Tract:	13
Address Ranges:	
Special Districts:	• 2917 to 2949 D ROAD
Water:	Ute Water
Sewer:	Central Grand Valley Sanitation District
Fire:	Grand Junction Rural Fire

Drainage:
School:
Pest:
(EPHEM5.doc)

Grand Junction Drainage District
District 51
None

**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 6th day of September, 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**

EPHEMERAL RESOURCES ANNEXATION NO. 1, 2 AND 3

**LOCATED AT 29 5/8 ROAD AND D ROAD
AND INCLUDING PORTIONS OF 29 ROAD AND D ROAD RIGHTS-OF-WAY.**

WHEREAS, on the 6th day of September, 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:

A serial annexation comprising Ephemeral Resources Annexation No. 1, Ephemeral Resources Annexation No. 2 and Ephemeral Resources Annexation No. 3.

EPHEMERAL RESOURCES ANNEXATION NO.1

A parcel of land situate in Section 19 and Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the northwest corner of Section 20; thence S 00°07'18" W along the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1265.00 feet to the True Point of Beginning of the parcel described herein; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 64.37 feet to a point on the north line of the SW 1/4 NW 1/4 of said Section 20; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of said SW 1/4 NW 1/4 a distance of 1320.13 feet to a point on the north line of the NW 1/4 SW 1/4 of said Section 20; thence S 00°07'00" W along a line 5.00 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.02 feet to a point; thence N 89°38'24" W a distance of 35.00 feet to a point on the west right of way line for 29 Road; thence N 00°07'18" E along the west right of way line for said 29 Road a distance of 487.30 feet to a point; thence leaving said west right of way line S 89°52'42" E a distance of 30.00 feet to a point on the east line of the SE 1/4 NE 1/4 of Section 19; thence N 00°07'18" E along the east line of said SE 1/4 NE 1/4 a distance of 872.71 feet to the N 1/16 corner on the east line of said Section 19; thence N 00°07'18" E

along the east line of the NE 1/4 NE 1/4 of said Section 19 a distance of 64.37 feet to the point of beginning.

EPHEMERAL RESOURCES ANNEXATION NO.2

A parcel of land situate in Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the northwest corner of Section 20; thence N 90°00'00" E along the north line of the NW 1/4 of said Section 20 a distance of 1588.56 feet to a point; thence S 00°04'35" W a distance of 5.00 feet to a point; thence S 90°00'00" W along a line 5.00 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1255.01 feet to a point; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 10.00' east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 69.37 feet to a point on the south line of the NW 1/4 NW 1/4 of said Section 20; thence S 00°07'18" W along a line 10.00 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the south line of said SW 1/4 NW 1/4; thence S 00°07'00" W along a line 10.00 feet east of and parallel with the west line of the NW 1/4 SW 1/4 of said Section 20 a distance of 40.04 feet to a point; thence N 89°38'24" W a distance of 5.00 feet to a point; thence N 00°07'00" E along a line 5.00 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.02 feet to a point on the north line of said NW 1/4 SW 1/4; thence N 00°07'18" E along a line 5.00 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the north line of said SW 1/4 NW 1/4; thence N 00°07'18" E along a line 5.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 64.37 feet to a point; thence N 89°52'42" W a distance of 5.00 feet to a point on the west line of said NW 1/4 NW 1/4; thence N 00°07'18" E along the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1265.00 feet to the point of beginning.

EPHEMERAL RESOURCES ANNEXATION NO. 3

A parcel of land situate in Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the North 1/4 corner of Section 20; thence S 00°01'52" W along the east line of the NE 1/4 NW 1/4 of said Section 20 a distance of 1324.46 feet to the CN 1/16 corner of said Section 20; thence S 00°00'25" W along the east line of the SE 1/4 NW 1/4 of said Section 20 a distance of 1325.57 feet to the C 1/4 corner of said Section 20; thence S 00°00'25" W along the east line of the NE 1/4 SW 1/4 of said Section 20 a distance of

569.60 feet to a point; thence S 89°57'49" W a distance of 673.54 feet to a point; thence S 43°05'57" W a distance of 950.26 feet to a point on the west line of said NE 1/4 SW 1/4; thence N 00°08'02" E along the west line of the NE 1/4 SW 1/4 of said Section 20 a distance of 1264.15 feet to the CW 1/16 corner of said Section 20; thence N 00°03'51" E along the west line of the SE 1/4 NW 1/4 of said Section 20 a distance of 1322.85 feet to the NW 1/16 corner of said Section 20; thence S 89°53'36" W along the south line of the NW 1/4 NW 1/4 of said Section 20 a distance of 791.67 feet to a point; thence N 22°51'01" E a distance of 1004.19 feet to a point; thence N 90°00'00" E a distance of 1050.95 feet to a point; thence N 00°04'35" E a distance of 398.00 feet to a point 5 feet south of the north line of the NW 1/4 of said Section 20; thence S 90°00'00" W along a line 5 feet south of and parallel with the north line of said NW 1/4 a distance of 372.00 feet to a point; thence S 00°04'35" W a distance of 5.00 feet to a point; thence S 90°00'00" W along a line 10 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence S 00°07'18" W along a line 10 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1245.02 feet to a point; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 15 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 74.37 feet to a point on the south line of said NW 1/4 NW 1/4; thence S 00°07'18" W along a line 15 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the south line of said SW 1/4 NW 1/4; thence S 00°07'00" W along a line 15 feet east of and parallel with the west line of the NW 1/4 SW 1/4 of said Section 20 a distance of 40.06 feet to a point; thence N 89°38'24" W a distance of 5.00 feet to a point; thence N 00°07'00" E along a line 10 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.04 feet to a point on the north line of the NW 1/4 SW 1/4 of said Section 20; thence N 00°07'18" E along a line 10 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the north line of said SW 1/4 NW 1/4; thence N 00°07'18" E along a line 10 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 69.37 feet to a point; thence N 89°52'42" W a distance of 5.00 feet to a point; thence N 00°07'18" E along a line 5 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 1255.01 feet to a point; thence N 90°00'00" E along a line 5 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence N 00°04'35" E a distance of 5.00 feet to a point on the north line of the NW 1/4 of said Section 20; thence N 90°00'00" E along the north line of said NW 1/4 a distance of 1046.56 feet to the point of beginning.

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 18th day of October, 2000, in the Auditorium of the Grand Junction City Hall located at 250 N. 5th 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 6th day of September, 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

Published:

September 8, 2000

September 15, 2000

September 22, 2000

September 29, 2000

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**EPHEMERAL RESOURCES ANNEXATION NO. 1
APPROXIMATELY 0.50 ACRES
LOCATED IN PORTIONS OF THE 29 ROAD RIGHT-OF-WAY**

WHEREAS, on the 6th day of September, 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 18th day of October, 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:

EPHEMERAL RESOURCES ANNEXATION NO.1

A parcel of land situate in Section 19 and Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the northwest corner of Section 20; thence S 00°07'18" W along the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1265.00 feet to the True Point of Beginning of the parcel described herein; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 64.37 feet to a point on the north line of the SW 1/4 NW 1/4 of said Section 20; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of said SW 1/4 NW 1/4 a distance of 1320.13 feet to a point on the north line of the NW 1/4 SW 1/4 of said Section 20; thence S 00°07'00" W along a line 5.00 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.02 feet to a point; thence N 89°38'24" W a distance of 35.00 feet to a point on the west right of way line for 29 Road; thence N 00°07'18" E along the west right of way line for said 29 Road a distance of 487.30 feet to a point; thence leaving said west right of way line S

89°52'42" E a distance of 30.00 feet to a point on the east line of the SE 1/4 NE 1/4 of Section 19; thence N 00°07'18" E along the east line of said SE 1/4 NE 1/4 a distance of 872.71 feet to the N 1/16 corner on the east line of said Section 19; thence N 00°07'18" E along the east line of the NE 1/4 NE 1/4 of said Section 19 a distance of 64.37 feet to the point of beginning.

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

INTRODUCED on first reading on the 6th day of September, 2000.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**EPHEMERAL RESOURCES ANNEXATION NO. 2
APPROXIMATELY 0.49 ACRES
LOCATED IN PORTIONS OF THE 29 ROAD AND D ROAD RIGHTS-OF-WAY**

WHEREAS, on the 6th day of September, 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 18th day of October, 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:

EPHEMERAL RESOURCES ANNEXATION NO.2

A parcel of land situate in Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the northwest corner of Section 20; thence N 90°00'00" E along the north line of the NW 1/4 of said Section 20 a distance of 1588.56 feet to a point; thence S 00°04'35" W a distance of 5.00 feet to a point; thence S 90°00'00" W along a line 5.00 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence S 00°07'18" W along a line 5.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1255.01 feet to a point; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 10.00' east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 69.37 feet to a point on the south line of the NW 1/4 NW 1/4 of said Section 20; thence S 00°07'18" W along a line 10.00 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the south line of said SW 1/4 NW 1/4; thence S 00°07'00" W along a line 10.00 feet east of and parallel with the west line of the NW 1/4 SW 1/4 of said Section 20 a

distance of 40.04 feet to a point; thence N 89°38'24" W a distance of 5.00 feet to a point; thence N 00°07'00" E along a line 5.00 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.02 feet to a point on the north line of said NW 1/4 SW 1/4; thence N 00°07'18" E along a line 5.00 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the north line of said SW 1/4 NW 1/4; thence N 00°07'18" E along a line 5.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 64.37 feet to a point; thence N 89°52'42" W a distance of 5.00 feet to a point on the west line of said NW 1/4 NW 1/4; thence N 00°07'18" E along the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1265.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 6th day of September, 2000.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**EPHEMERAL RESOURCES ANNEXATION NO. 3
APPROXIMATELY 109.87 ACRES
LOCATED AT 29 5/8 ROAD AND D ROAD
AND INCLUDING PORTIONS OF THE
29 ROAD AND D ROAD RIGHTS-OF-WAY**

WHEREAS, on the 6th day of September, 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 18th day of October, 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:

EPHEMERAL RESOURCES ANNEXATION NO. 3

A parcel of land situate in Section 20, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the North 1/4 corner of Section 20; thence S 00°01'52" W along the east line of the NE 1/4 NW 1/4 of said Section 20 a distance of 1324.46 feet to the CN 1/16 corner of said Section 20; thence S 00°00'25" W along the east line of the SE 1/4 NW 1/4 of said Section 20 a distance of 1325.57 feet to the C 1/4 corner of said Section 20; thence S 00°00'25" W along the east line of the NE 1/4 SW 1/4 of said Section 20 a distance of 569.60 feet to a point; thence S 89°57'49" W a distance of 673.54 feet to a point; thence S 43°05'57" W a distance of 950.26 feet to a point on the west line of said NE 1/4 SW 1/4; thence N 00°08'02" E along the west line of the NE 1/4 SW 1/4 of said Section 20 a

distance of 1264.15 feet to the CW 1/16 corner of said Section 20; thence N 00°03'51" E along the west line of the SE 1/4 NW 1/4 of said Section 20 a distance of 1322.85 feet to the NW 1/16 corner of said Section 20; thence S 89°53'36" W along the south line of the NW 1/4 NW 1/4 of said Section 20 a distance of 791.67 feet to a point; thence N 22°51'01" E a distance of 1004.19 feet to a point; thence N 90°00'00" E a distance of 1050.95 feet to a point; thence N 00°04'35" E a distance of 398.00 feet to a point 5 feet south of the north line of the NW 1/4 of said Section 20; thence S 90°00'00" W along a line 5 feet south of and parallel with the north line of said NW 1/4 a distance of 372.00 feet to a point; thence S 00°04'35" W a distance of 5.00 feet to a point; thence S 90°00'00" W along a line 10 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence S 00°07'18" W along a line 10 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 1245.02 feet to a point; thence S 89°52'42" E a distance of 5.00 feet to a point; thence S 00°07'18" W along a line 15 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 74.37 feet to a point on the south line of said NW 1/4 NW 1/4; thence S 00°07'18" W along a line 15 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the south line of said SW 1/4 NW 1/4; thence S 00°07'00" W along a line 15 feet east of and parallel with the west line of the NW 1/4 SW 1/4 of said Section 20 a distance of 40.06 feet to a point; thence N 89°38'24" W a distance of 5.00 feet to a point; thence N 00°07'00" E along a line 10 feet east of and parallel with the west line of said NW 1/4 SW 1/4 a distance of 40.04 feet to a point on the north line of the NW 1/4 SW 1/4 of said Section 20; thence N 00°07'18" E along a line 10 feet east of and parallel with the west line of the SW 1/4 NW 1/4 of said Section 20 a distance of 1320.13 feet to a point on the north line of said SW 1/4 NW 1/4; thence N 00°07'18" E along a line 10 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of said Section 20 a distance of 69.37 feet to a point; thence N 89°52'42" W a distance of 5.00 feet to a point; thence N 00°07'18" E along a line 5 feet east of and parallel with the west line of said NW 1/4 NW 1/4 a distance of 1255.01 feet to a point; thence N 90°00'00" E along a line 5 feet south of and parallel with the north line of the NW 1/4 of said Section 20 a distance of 1583.56 feet to a point; thence N 00°04'35" E a distance of 5.00 feet to a point on the north line of the NW 1/4 of said Section 20; thence N 90°00'00" E along the north line of said NW 1/4 a distance of 1046.56 feet to the point of beginning.

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

INTRODUCED on first reading on the 6th day of September, 2000.

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

Attest:

President of the Council

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	VR-2000-083 – Vacation of a Portion of Flower Street Right-of-Way		
Meeting Date:	September 6, 2000		
Date Prepared:	August 28, 2000		
Author:	Pat Cecil	Development Services Supervisor	
Presenter Name:	Pat Cecil	Development Services Supervisor	
	Workshop	X	Consent Agenda

Subject: VR-2000-083, first reading of the ordinance for approval of the vacation of a portion of the dedicated Flower Street right-of-way, located south of Central Drive, northwest of Beta Place.

Summary: The Planning Commission at the hearing of August 15, 2000, recommended that the City Council approve the vacation of right-of way, subject to the creation of a fifteen (15) foot irrigation easement along the easterly portion of the vacated right-of-way, to dedicated to the Grand Valley Water Users Association upon completion of the right-of-way vacation.

Background Information: See attached.

Budget: N/A

Action Requested/Recommendation:, That the City Council approve the vacation subject to the recommended condition.

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

Report results back to Council:	X	No		Yes	When:	
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AGENDA TOPIC: Vacation of Right-of-Way, VR-2000-083.

SUMMARY: The Petitioner is requesting the City Council approve a vacation of a portion of Flower Street located south of Central Drive.

ACTION REQUESTED: City Council approval of the first reading of the ordinance for right-of-way vacation of the portion of Flower Street located south of Central Drive.

<i>BACKGROUND INFORMATION</i>			
Location:		South of Central Drive, northwest of Beta Place	
Applicants:		Holger and Anne Albrethsen LANDesign, Representative	
Existing Land Use:		Currently undeveloped	
Proposed Land Use:		Combining the unused right-of-way with the adjacent lot.	
Surrounding Land Use:	North	Single family residential	
	South	Single family residential	
	East	Single family residential	
	West		
Existing Zoning:		Residential Single Family- 2 dwelling units per acre (RSF-2)	
Proposed Zoning:		Same	
Surrounding Zoning:	North	RSF-2	
	South	RSF-2	
	East	RSF-2 & CSR (Future park)	
	West	RSF-2	
Growth Plan Designation:		Residential Medium Low (2-4 dwelling units per acre)	
Zoning within density range?		X	Yes
			No

Project Analysis:

Right-of-Way Vacation: The applicants for the vacation are requesting approval of the vacation of the portion of Flower Street located south of Central Drive. The applicants

for the vacation have consented to the creation of a fifteen foot irrigation easement along the easterly portion of the vacated right-of-way, to dedicated to the Grand Valley Water Users Association upon completion of the right-of-way vacation. The vacation of the right-of-way will relieve the petitioners for the future Windemere Heights subdivision of the responsibility of constructing or paying for the construction of Flower Street in this location.

Vacation of Right-of-Way Criteria:

The vacation of the right-of-way must be reviewed for conformance with the criteria established by Section 2.11 of the Zoning and Development Code, as follows:

1. The Growth Plan, major street plan and other adopted plans and policies of the City;
The proposed vacation has no impact on the Growth Plan, major street plan or other adopted plans and policies of the City.
2. No parcel shall be landlocked as a result of the vacation;
The vacation does not affect access to any of the properties involved or adjacent properties.
3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation:
The vacation will not affect access to any properties or devalue any property.
4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services);
There will not be an impact to health, safety and/or welfare.
5. The provisions of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and
The proposed vacation will not prevent adequate services to adjacent properties as required by the Code.
6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, ect.
The proposed vacation will have no affect on maintenance requirements or traffic circulation.

PLANNING COMMISSION RECOMMENDATION:

- 1) That the City Council approve the right-of-way vacation for that portion of Flower Street located south of Central Drive, subject to the condition that a 15 foot irrigation easement be created in favor of the Grand Valley Water Users Association along the

new easterly boundary of the Albrethsen lot upon completion of the vacation process.

RECOMMENDED CITY COUNCIL MOTION:

Mr. Chairman, on the vacation of the southerly portion of the Flower Street right-of-way, I move that we approve the first reading of the ordinance for right-of-way vacation, finding that the proposed vacation is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code, with a condition that requires that a 15 foot irrigation easement be created on the easterly boundary of the vacation area in favor of the Grand Valley Water Users Association prior to completion of the vacation process.

- Attachments:**
- a. **Resolution of approval**
 - b. **General location map**
 - c. Right-of-way vacation map

CITY OF GRAND JUNCTION

Ordinance No. ___-00

**VACATING THE PORTION OF FLOWER STREET
LOCATED SOUTH OF CENTRAL DRIVE**

RECITALS:

A vacation of a portion of the dedicated right-of-way for Flower Street located south of Central Drive, northwest of Beta Place has been requested by the adjoining property owner. The existing dedicated right-of-way is presently undeveloped.

The City Council finds that the request is consistent with the Growth Plan, the adopted Major Street Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way is hereby vacated subject to the condition that a fifteen (15) foot irrigation easement be created on the easterly boundary of the vacation area in favor of the Grand Valley Water Users Association prior to completion of the vacation process.

The following right-of-way is shown on Exhibit A as part of this vacation of right-of-way description.

Dedicated right-of-way to be vacated:

That portion of Flower Street, a fifty (50) foot wide right-of-way, lying East of Block 3, and South of the fifty (50) foot wide right-of-way for Central Drive, as shown on the Replat of Block 3, Melody Park Subdivision, recorded in Plat Book 9, Page 168, Mesa County Records.

PASSED and ADOPTED this day of , 2000.

ATTEST:

City Clerk

President of City Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	White Willows Zone of Annexation		
Meeting Date:	September 6, 2000		
Date Prepared:	August 10, 2000		
Author:	Bill Nebeker	Senior Planner	
Presenter Name:	Bill Nebeker	Senior Planner	
	Workshop	X	Formal Agenda

Subject: Appeal of Planning Commission’s Approval – White Willows Zone of Annexation and Preliminary Plan, located at 2856 C ½ Road and 2851 and 2863 D Road; File #PP-2000-106.

Summary: An adjacent property owner has appealed the Planning Commission’s recommendation to approve the requested RSF-4 zoning for the White Willows Annexation. The property has been annexed for several months but has not been given City zoning. County zoning is RSF-R (formerly AFT). An appeal has also been filed on the Commission’s decision to approve the White Willows Subdivision, a 122-lot subdivision on 39.56 acres. The appellant cites increased traffic on D Road as the major reason for the appeal. A revised traffic study submitted by the applicant shows a minimal traffic impact on the D and 9th Street and 30 Road intersections from this subdivision.

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: Public hearing on Appeals, Adopt ordinance on second reading.

Citizen Presentation:	<input type="checkbox"/>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> If Yes,
Name:				
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
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BACKGROUND INFORMATION					
Location:		2856 C ½ Road, 2851 and 2863 D Road			
Applicants:		Robert J. & Marvella F. Smith; Patricia B. McBride; & The Patnode Family Trust, Owners Gene Patnode, Applicant			
Existing Land Use:		Agricultural/Vacant/Single Family			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Vacant & agricultural			
	South	Residential, agricultural & vacant			
	East	Agricultural & vacant (Skyler Subdivision)			
	West	Single family residential			
Existing Zoning:		AFT (County) – 5 acre lot minimum			
Proposed Zoning:		RSF-4 – 4 units per acre			
Surrounding Zoning:	North	PE (Mesa County) – Planned Education			
	South	AFT (Mesa County) – 5 acre lot minimum			
	East	PR-4 (City) – 4 units per acre			
	West	R1-B (Mesa County) – 2 units per acre			
Growth Plan Designation:		Residential Med Low: 2 to 4 units per acre			
Zoning within density range?		X	Yes		No

ACTION REQUESTED: Public hearing on appeals, Adopt ordinance on second reading.

Staff Analysis:

Zone of Annexation: The applicant is requesting a zone of annexation of RSF-4. At the time of annexation the Planning Commission had recommended a zone of annexation at half this density (RSF-2) based upon the applicant's failure to provide sufficient information to show the traffic impact of this subdivision on D Road and the 9th Street and 30 Road intersections. The City Council allowed the applicant to withdraw the zone of annexation request, with the understanding that a new request would be submitted after the expanded traffic study was completed. The applicant has submitted a new application which includes a slightly modified preliminary plan and the expanded traffic study information requested by staff. The traffic study shows that the impact of this subdivision's traffic is not as significant as previously thought. The cumulative impact of

traffic from this subdivision and others developing along the D Road corridor is still at issue.

The requested RSF-4 zone allows a density no greater than 4 dwellings per acre. The actual density of the White Willows preliminary plan is 3.1 dwellings per acre. Zoning of the Pine Estates Subdivision in the county to the west is R1-B, which allows two dwellings per acre. Lot sizes in Pine Estates vary in size with the smallest lot being about 35,000 square feet. The actual density of Pine Estates is about 1.15 dwellings per acre. The RSF-4 zone provides a transition between the lower density Pine Estates Subdivision to the west and the slightly higher density Skyler Subdivision (4 du/ac) to the east.

The Growth Plan Future Land Use Map recommends Residential Medium Low Density between 2 and 4 dwellings per acre for this area

At its July 18, 2000 hearing the Planning Commission found that the proposed RSF-4 zoning meets the criteria established in Section 4-11 and 4-4-4 of the Grand Junction Zoning and Development Code as noted below:

Section 4-11

- A. Adverse impacts to the developed density of established neighborhoods shall be considered.** See response to D below.
- B. The relationship of the property to the urban core area or to established subcores shall be considered.** The property is located within the Urban Growth Boundary and is expected to develop at urban densities.

Section 4-4-4

- A. Was the existing zone an error at the time of adoption?** No. Existing County zoning of RSF-R (formerly AFT) is appropriate for the historical agricultural nature of these parcels
- B. Has there been a change in character in the area due to the installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** Yes. The City has approved higher densities to the east in the Skyler Subdivision and other properties in the area have developed at urban densities. Increased commercialization and industrialization of the areas to the west of this site prompt higher density on these parcels.
- C. Is there an area of community need for the proposed rezone?** The project is a response to an anticipated market demand for the proposed residential uses.
- D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** There is always some conflict when new development is constructed adjacent to existing subdivisions, especially if no development has

occurred in the area for awhile. The conflict is intensified as predominantly rural areas develop or redevelop with urban densities. These impacts occur whether the property is zoned RSF-2, the low end of the Growth Plan range or RSF-4, the higher end. The proposed subdivision is mid-range. The impacts from this subdivision – increased traffic, loss of views, noise, etc. must be balanced with the goals of the Growth Plan to concentrate urban growth.

- D. Will there be benefits derived by the community, or area, by granting the proposed rezone?** In addition to criteria previously responded to, D Road will be widened adjacent to this development per the Major Street Plan.
- E. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** Yes. The rezone is in conformance with the Growth Plan Future Land Use Map. It is also in conformance with the goal to concentrate urban growth. Per page V.12 of the Growth Plan, “a key objective of this growth pattern is to use infrastructure (existing and planned) most efficiently and cost-effectively.” Low-density development does not use infrastructure efficiently or cost-effectively.
- G. Are adequate public facilities available to serve development for the type and scope suggested by the proposed zone?** According to the traffic study submitted by the developer, immediate traffic impacts of White Willows Subdivision on surrounding roadways and intersections will be relatively minor. The greater impact is the cumulative effect of traffic from many subdivisions on D Road. Other utilities are available to serve this development.

Preliminary Plan: The attached materials show the proposed layout of the White Willows Subdivision. The subdivision proposes 122 lots on 39.56 acres at an overall density of 3.1 dwellings per acre.

Traffic Impact: Immediate traffic impacts of the subdivision on surrounding roadways and intersections will be relatively minor, according to a Traffic Impact Study (TIS) submitted to the City of Grand Junction by Transportation Initiatives, Inc. This study investigated the level of service along the D Road corridor from 9th Street to 30 Road, prior to development of White Willows Subdivision, immediately following development and 20 years into the future. Levels of service were calculated for D Road and the following intersections: 9th Street and D Road, and 30 and D Road. Level of Service (LOS) is a definition of the delay time encountered by each vehicle when traveling through an intersection or along a roadway.

Current traffic volumes along the D Road corridor are 5,700 ADT (average daily traffic) and do not significantly impact the LOS at any of the above-mentioned intersections (all LOS calculations indicate LOS B or higher). See attached page 4, Method of Analysis, from traffic study for more information. However, the traffic study indicates D Road currently operates at a LOS D. This may be due in part to the narrow shoulder width

and percentage of trucks along the corridor. Some improvement to the service flow rate along D Road may be accomplished by widening the road and including a center turn lane/striped median. Widening D Road to accommodate the above-mentioned improvements has been proposed by the applicant along their D Road frontage. Further shoulder widening, pedestrian and capacity improvements along D Road from 29 Road to 30 Road are scheduled to begin in 2005.

Traffic impacts on the surrounding road system due to development of White Willows Subdivision also appear to be relatively minor. D Road will remain at LOS D, while only one of the previously mentioned intersections (9th Street and D Road) will notice any decrease in LOS. The LOS at the 9th Street intersection will drop from LOS B to LOS C due to development of White Willows. Traffic from the proposed subdivision pushes the 9th Street intersection into LOS C by 0.9 seconds.

The applicants traffic consultant also evaluated future levels of service and traffic impacts along the D Road corridor. Year 2020 traffic impacts show a significant decrease in the level of service at both the 9th Street and 30 Road intersections. Without signaling each intersection, the LOS at 9th Street will drop from LOS C to LOS F, while the LOS at 30 Road will drop from LOS B to LOS D (signaling the 9th Street intersection will increase the LOS from F to C, while the LOS at 30 Road will remain at LOS D). It should be noted that the drop in LOS at the unsignalized intersection anticipated by the traffic study would occur with or without development of White Willows Subdivision at the density proposed by the developer. The decrease in LOS is due to general growth of traffic from within the D Road traffic basin over the next 20 years.

Year 2005 traffic impacts associated with construction of the 29 Road Bridge over the Colorado River to D Road were also evaluated. The applicants traffic consultant assumed the overpass to Interstate 70 Business would not be completed, and that eighty percent of the 29 Road traffic would turn west on D Road towards the downtown area. The resulting LOS on D Road is E, while the LOS for all intersections along D Road will immediately drop to LOS F. The most feasible solution to avoid this LOS decrease would be to construct the bridge and overpass at the same time.

In summary, traffic solely from this subdivision will have a minor impact on D Road and at the 9th Street and 30 Road intersections. Instead, the cumulative effect of increased development that accesses the D Road corridor eventually creates a Level of Service that will be unacceptable per City policy.

Access: Only one entrance is allowed on D Road to provide sufficient spacing between other intersections on the road. The Fire Department requires a second access to the subdivision before the 30th lot is platted. The phasing plan includes a connection to Skyler Subdivision to the east via Mason Street in the second phase for this purpose. The subdivision will also provide street stubs to the east, west and south for future street connections as adjacent areas develops.

Florida Street is proposed to be relocated about 100 feet to the south to align with the existing sewer and water line. Florida Street stubs are provided at the east and west property lines. The existing Florida Street right-of-way will be vacated during final plat approval that contains that portion of the street.

Thyme Street is provided as a street stub to the south for future development. The developer has chosen to only construct the street 140 feet past the Chamomile Drive intersection to avoid having to construct a temporary turnaround at the south property line. The developer will be required to escrow funds now to pay the costs of future extension when the property to the south develops.

Bulk Standards: The bulk standards of the RSF-4 zone district of the new code apply to this subdivision. Minimum lot size within this zone is 8000-sq. ft. Lot sizes in this subdivision vary between 8504 sq. ft. to 89,377-sq. ft. (2.05 acres). The larger lot is designed for future subdivision into several smaller parcels. The developer has increased the size of the lots along the west property line adjacent to the Pine Estates Subdivision to approximately 12,500 square feet (per lot) to provide a more appropriate transition between the two subdivisions. Typical setbacks shown on the preliminary plan are incorrect.

Irrigation & Drainage: The site drains to the south where a combination pond catches runoff and provides storage for irrigation water.

Fencing: No special fencing requirements have been proposed by the applicant except for a six-foot privacy fence along the D Road. Fencing along the backside of double-frontage lots (lots with front and rear property lines on a street) is required to be approved at the time of subdivision approval. A five-foot wide landscaped setback is required between the street right-of-way and the fence, to be installed by the developer and maintained by the homeowner's association.

PLANNING COMMISSION RECOMMENDATION: At its July 18, 2000 hearing, the Planning Commission approved the preliminary plan with the following conditions:

1. A six-foot high solid fence shall be constructed by the developer along the D Road frontage behind a five-foot wide irrigated and landscaped setback with trees and shrubs provided by the developer in a tract or easement. The tract or easement shall be conveyed to the Homeowner's Association for maintenance.
2. Provide road width transition tapers per Table 10, Page 31 of the TEDS manual, east and west of the proposed improvements along the D Road frontage.

Attachments to this report include the following:

1. Page 4 of Traffic Study showing Method of Analysis. (Particularly shows delays associated with Level of Service (LOS))
2. Page 10 & 11, Traffic Study showing conclusions and recommendations of traffic study
3. Pages 1 & 2, Addendum to Traffic Study showing additional traffic recommendations
4. Vicinity map
5. Aerial photo
6. White Willows preliminary plat (3 pages)
7. White Willows Subdivision General Project Report (2 pages)
8. Letter of appeal and letters from citizens opposed to this proposal (4 pages)
9. Zone of Annexation Ordinance (2 pages)

Insert attachments here

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

**ZONE OF ANNEXATION FOR THE
WHITE WILLOWS ANNEXATION LOCATED AT
2856 C ½ ROAD, 2851 AND 2863 D ROAD, FROM COUNTY AFT TO CITY RSF-4**

Recitals.

The following property has been annexed to the City of Grand Junction as the White Willows Annexation and requires a zone of annexation.

The petitioner has requested that the property be zoned from County AFT to RSF-4 (Residential single family with a density not to exceed four dwellings per acre). With this zoning the applicant proposes to develop White Willows Subdivision, a 122-lot residential development on 39.56 acres. The density of the subdivision is approximately 3.1 dwellings per acre.

The City of Grand Junction Growth Plan Future Land Use Map designates this area for Residential Medium Low-Density 2-4 dwelling units per acre. This rezone is in conformance with the density proposed in the Future Land Use Map.

After public notice and public hearing, the City Planning Commission found that the proposed zoning is in conformance with Section 4-11 and 4-4-4 of Grand Junction Zoning and Development Code and recommended approval of this zone change to RSF-4 at its July 18, 2000 hearing.

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

Council finds that the proposed Zone of Annexation meets the criteria as set forth in Section 4-11 and 4-4-4 of the Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from County AFT to City RSF-4:

The following description from Warranty deed located at Bk 2629, Pg 878 Mesa County Records: 2943-191-00-043: Lots 7 & 8 lying N of the Drain, Bevier's Subdivision; EXCEPT beginning at the SW cor of the N2 of Lot 8; N 137'; E 22.5'; S 137'; W 22.5' to the beginning; Also described as follows: A tract of land located in the SW4NE4 Sec 19, T1S R1E of the UM Mesa County CO. Beginning at the SWLY cor of a tract of land, which is identical with the NWLY cor of Lot 8 Bevier Subdivision as recorded in Bk 2, Pg 9 of Mesa County Clerk and Records; 1) E 660' to the NELY cor Lot 7, Bevier Subdivision; 2) N 40' to the N line of the SW4NE4 Sec 19; 3) W 660' to the C-N 1/16 cor of Sec 19; 4) S 40' along the W line of the SW4NE4 Sec 19 to POB. 2943-191-00-006: The W4 NW4NE4

Sec 19, T1S R1E of the UM Mesa County CO. Also the following description from Warranty deed in Bk 1763, Pg 489 of Mesa County Records: 2943-191-00-136: The E 3/4 of NW4NE4 Sec 19, T1S R1E of the UM, Except the following described property to wit: That part of the N2NE4 Sec 19, T1S, R1E of the UM, beginning at a point on the N boundary of Sec 19, whence the NE cor of Sep 19 bears S89°45'E, 1320'; S 1326.83' to S boundary of the N2NE4 Sec 19; N 89°39'W 330' along S boundary; N 1326.26' to the N boundary of Sec 19; S 89°45'E 330' along N boundary to POB. All in Mesa County CO.

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

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	GPA-2000-109, KOLLAO GPA and REZONE		
Meeting Date:	September 6, 2000		
Date Prepared:	September 6, 2000		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	As above	As above	
	Workshop	X	Formal Agenda

Subject: 1) Resolution to Amend the Growth Plan to redesignate the Kollao Property, located at 2570 G Road, from Residential Medium, 4-7.9 units per acre, to Residential Low, .5- 1.9 acres per unit; 2) and second reading of an Ordinance to rezone the Kollao Property from Residential Single Family-Rural (RSF-R), 5 acres per unit, to Residential Single Family-2 units per acre (RSF-2).

Summary: Request to: 1) Consider a resolution to redesignate the Kollao Property from Residential Medium, 4-7.9 units per acre, to Residential Low, .5 - 1.9 acres per unit, and; 2) Rezone the Kollao Property from Residential Single Family Rural (RSF-R), 5 acres per unit, to Residential Single Family-2 units per acre (RSF-2).

Background Information: [See attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: Consideration of resolution to amend the Growth Plan from Residential Medium to Residential Low, and second reading of an Ordinance to rezone the Kollao Property from RSF-R to RSF-2.

Citizen Presentation:		No	X	Yes	If Yes,
Name:	Mike Joyce, AICP				
Purpose:	Presentation of applicant's requests				

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	Consent	X	Indiv. Consideration	Workshop
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AGENDA TOPIC: GPA-2000-109, Kollao Growth Plan Amendment and Rezone request.

SUMMARY: Request to: 1) Consider a resolution to redesignate the Kollao Property from Residential Medium, 4-7.9 units per acre, to Residential Low, .5 - 1.9 acres per unit, and; 2) Rezone the Kollao Property from Residential Single Family Rural (RSF-R), 5 acres per unit, to Residential Single Family-2 units per acre (RSF-2).

<i>BACKGROUND INFORMATION</i>			
Location:		2570 G Road	
Applicants:		Cheryl E. Roberts, Owner Mike Joyce, Representative	
Existing Land Use:		Residential/Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Vacant	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-R	
Proposed Zoning:		RSF-2	
Surrounding Zoning:	North	City PR 4.4, County RSF-2 (4 du/ac)	
	South	City RSF-2, County R1A	
	East	County RSF-2 (4 du/ac)	
	West	City RSF-4, County AFT	
Growth Plan Designation:		Residential Medium, 4 to 7.9 units per acre; GPA requested for Residential Low, .5 to 1.9 acres per unit	
Zoning within density range?		Yes	<input checked="" type="checkbox"/> No

ACTION REQUESTED: Consideration of resolution to amend the Growth Plan from Residential Medium to Residential Low, and second reading of an Ordinance to rezone the Kollao Property from RSF-R to RSF-2.

Relationship to Comprehensive Plan: The Growth Plan Future Land Use Map designates this area as Residential Medium, 4 – 7.9 units per acre. The applicant has requested a Growth Plan Amendment to redesignate this property as Residential Low,

.5 - 1.9 acres per unit. There are several goals and policies that must be taken into account in considering this request, which include the following:

Goal 4: To coordinate the timing, location and intensity of growth with the provision of adequate public facilities.

Policy 4.4: The City and County will ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve proposed development.

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City will encourage development that uses existing facilities and is compatible with existing development.

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

Policy 11.1: The City and County will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques.

Goal 21: To minimize the loss of life and property by avoiding inappropriate development in natural hazard areas.

Policy 21.2: The City will prohibit development in or near natural hazard areas, unless measures are undertaken to mitigate the risk of injury to persons and the loss of property.

Policy 21.3: The City will encourage the preservation of natural hazard areas for use as habitat and open space areas.

Goal 22: To preserve agricultural lands.

Policy 22.1: The City and County will encourage the location of new development on land that is least suitable for agricultural production.

Goal 26: To develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban areas.

Policy 26.3: The City will encourage the retention of lands that are not environmentally suitable for construction for open space areas and, where appropriate, development of recreational uses.

Staff Analysis:

GROWTH PLAN AMENDMENT

The property located at 2570 G Road consists of two parcels totaling 31.55 acres. The northern parcel is being annexed into the City with a zoning designation of Residential Single Family-2, (RSF-2), because that zone district is consistent with the current County zoning of R-1-B. The zoning, however, is not consistent with the Growth Plan. The southern parcel is being annexed into the City with a zoning designation of Residential Single Family-Rural, (RSF-R) because that zone district is consistent with the current County zoning of AFT. The zoning, however, is not consistent with the Growth Plan. The two parcels have varied topography which is bordered on the west by Leach Creek, and on the east by the Highline Canal. Other topographical features include areas of wetlands and floodplain, knoll areas with moderate slopes and gently rolling terrain. The Future Land Use Map of the Growth Plan designated this property as Residential Medium, 4-7.9 units per acre. The property to the north and west are designated as Residential Medium, 4-7.9 units per acre; property to the south and east are designated as Residential Low, .5-1.9 acres per unit. The owner is requesting a Growth Plan Amendment to redesignate the property as Residential Low, .5-1.9 acres per unit.

The recently adopted Plan Amendment Process agreement outlines the procedure and requirements for Plan amendments. For properties within the City limits, the City Planning Commission will make a recommendation to the City Council, with City Council making the final decision. This property is included in an enclave area which has been annexed into the City.

As per the agreement, the following criteria must be considered in reviewing the request for a Plan amendment:

1. Was there an error in the original Plan such that then existing facts, projects, or trends (that were reasonably foreseeable) were not accounted for?

The property is crossed by a creek and canal and has areas with moderately steep slopes. There are areas of the property with floodplain and wetland considerations that limit or prohibit development. These physical constraint do not appear to have been accounted for when the Growth Plan designations were originally assigned. No field inspection of the property was made to assess or account for physical constraints or limitations when the Residential Medium land use designation was assigned.

2. Have events subsequent to the adoption of the Plan invalidated the original premises and findings? The original premises and findings of the Plan do not appear to have considered the physical constraints of the property sufficiently. The original findings have not been invalidated, however, the applicant contends that they were in error due to the insufficiency of information about the property.

3. Has the character and/or condition of the area changed enough that the amendment is acceptable? The character and/or condition has not changed

substantially, however, there are site specific physical constraints which impact this property and which were not accounted for.

4. Is the change consistent with the goals and policies of the Plan, including applicable special area, neighborhood and corridor plans? Many of the Goals and Policies of the Growth Plan would support the change from Residential Medium to Residential Low. Goals 4 and 5 and Policies 4.4, and 5.2 support utilizing existing

infrastructure for development and providing extensions of infrastructure to connect areas that are already developed or can be expected to develop in the near future. Goals 21 and 26, and Policies 21.2, 21.3 and 26.3 support the preservation of environmentally sensitive areas and hazard areas.

5. Are public and community facilities adequate to serve the type and scope of land use proposed? Water and sewer are available to serve the properties and have sufficient capacities.

6. Is there an inadequate supply of suitably designated land available in the community, as defined by the presiding body, to accommodate the proposed land use? An adequate supply of land does exist, however, the basis for the Growth Plan request is based partially on the physical constraints of the property. The requested Plan amendment is based also in part to allow a development that will preserve open space and provide a buffer between surrounding development.

7. Will the community or area, as defined by the presiding body, derive benefits from the proposed amendment? The neighborhood and community would derive benefits from the proposed amendment. The proposed development would provide open space, pedestrian access and access to adjacent property for future development. The proposed land use designation is consistent with several of the goals and policies of the Growth Plan.

REZONE

The Kollao property is located within an enclave area which was recently annexed by the City. The zone of annexation approved for the Kollao property at the time of annexation was Residential Single Family-Rural, 1 unit per 5 acres, (RSF-R). Due to the physical constraints of the property which include areas of wetlands and flood plain, knoll areas with moderate slopes and two property lines bordered by Leach Creek and the Highline Canal, there is a significant portion of this property which is not developable.

The applicant has requested a Growth Plan Amendment to redesignate the property Residential Low, .5 to 1.9 acres per unit. The proposed rezone for the southern parcel of the Kollao property is Residential Single Family-2, (RSF-2), with a density not to

exceed 2 units per acre. The proposed density would be in keeping with the goals of the Growth Plan if the amendment is approved.

REZONING CRITERIA:

The rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

1. **The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. **Development has occurred in the surrounding areas adjacent to this property recently, however, densities vary. Given the physical constraints of the property and the development densities of the area south of G Road, the requested zone appears to be appropriate for consideration.**

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. **Given the physical constraints of the property and the lower density of development on the southern side of G Road, the rezone would be compatible with existing development and would provide a buffer between the neighborhoods.**

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. **The proposal is in conformance with the Growth Plan, and the policies and requirements of the Code and other City regulations and guidelines.**

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. **Adequate public facilities and services are available at this time.**

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. **An adequate supply of land is available in the community, however, the basis for the requested rezone is made given the physical constraints of the property and the desire to provide a buffer between the proposed development and existing subdivisions.**

7. The community or neighborhood will benefit from the proposed zone. **The surrounding neighborhood and community would benefit from the proposed**

rezone by providing a development which meets the goals and policies of the Growth Plan, and provides a buffer between developments.

STAFF RECOMMENDATION:

Staff makes the following recommendations:

1) Growth Plan Amendment: Based on staff analysis, staff recommends approval of the request to redesignate the property from Residential Medium, 4-7.9 units per acre, to Residential Low, .5-1.9 acres per unit, with the finding that the Growth Plan amendment is consistent with the goals and policies of the Growth Plan, and is consistent with adjacent land use designations.

2) Rezone to RSF-2: Staff recommends approval of the Residential Single Family-2, (RSF-2) zone district, with the finding that the rezoning is consistent with the Growth Plan land use designation as amended, and with Section 2.6 of the Zoning and Development Code and adjacent property zoning.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission voted to forward the request to amend the Growth Plan to redesignate the property from Residential Medium, 4-7.9 units per acre, to Residential Low, .5 - 1.9 acres per unit, with the finding that the Growth Plan amendment is consistent with the goals and policies of the Growth Plan, and is consistent with adjacent land use designations.

The Planning Commission also voted to forward the rezone request with a recommendation of approval with the findings that the rezone request would be consistent with the Growth Plan, as amended, and with Section 2.6 of the Zoning and Development Code and adjacent property zoning.

Attachments: Tax Assessor's site map
Site constraints map
Applicant's General Narrative Report

CITY OF GRAND JUNCTION, COLORADO

Resolution No.

**AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION
(Kollao Property)**

Recitals:

After using the Growth Plan for over two years, it is recognized that it may be appropriate to amend the Growth Plan from time to time.

A request for the Growth Plan amendment has been submitted in accordance with the "Agreement between Mesa County and the City of Grand Junction Providing for an Interim Joint Plan Consistency Review and Plan Amendment Process for the Joint Urban Area Plan." Kollao Development, LLC, as the applicant, has requested that 31.55 acres be redesignated from Residential Medium, 4-7.9 units per acre, to Residential Low, .5 - 1.9 acres per unit, for the Kollao property, located at 2570 G Road.

The Grand Junction Planning Commission has reviewed the request for the proposed Growth Plan amendment and determined that it has satisfied the criteria as set forth in the "Agreement between Mesa County and the City of Grand Junction Providing for an Interim Joint Plan Consistency Review and Plan Amendment Process for the Joint Urban Area Plan" for Plan Amendments. The Planning Commission has recommended approval of the Growth Plan amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED IN THE FOLLOWING WAY:

Redesignate 31.55 acres located at 2570 G Road from Residential Medium, 4-7.9 units per acre, to Residential Low, .5 - 1.9 acres per unit.

PASSED on this 6th day of September, 2000.

ATTEST:

City Clerk

President of Council

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. _____

**Ordinance Rezoning the Kollao Property to Residential Single Family-2 (RSF-2),
Located at 2570 G Road**

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 rezoning the Kollao property to the RSF-2 zone district for the following reasons:

- The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and/or are generally compatible with appropriate lands uses located in the surrounding area.
- The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the **RSF-2** zone district be established.

The Planning Commission and City Council find that the **RSF-2** zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND
JUNCTION THAT:**

The following property shall be rezoned Residential Single Family, RSF-2, with a density not to exceed 2 units per acre, zone district:

A parcel of land situated in the SE ¼ of Section 34, Township 1 North, Range 1 West of the Ute Meridian, more particularly described as follows:

Beginning at a point 363 feet East of the South Quarter corner of said Section 34;

Thence along the South bank of Leach Creek North 35°19' East 320 feet;

Thence North 1°51' East 119.87 feet;

Thence North 14°48' East 152.52 feet;

Thence North 23°01' East 173.58 feet to the East line of the W 1/2SW1/4SE1/4 of said Section 34;

Thence North 23°01' East 114.82 feet;

Thence North 73°38' East 174.67 feet;

Thence North 47°25' East 271.65 feet;

Thence North 37°29' East 370.07 feet to the North line of the SW1/4SE1/4;

Thence East 21 feet to the West line of the SE1/4SE1/4;
Thence South 128 feet;
Thence East 782.1 feet to the West line of the Grand Valley Canal;
Thence South 27°19' West 149.50 feet;
Thence South 68°11' West 344.1 feet;
Thence South 98.79 feet;
Thence West 50.0 feet;
Thence along the arc of a 50 foot radius curve to the left a distance of 157.08 feet;
Thence South 34°25' West 29.72 feet;
Thence South 63°00' West 91.41 feet;
Thence South 52°33' West 56.31 feet;
Thence South 38°40' West 59.87 feet;
Thence South 17°04' East 28.76 feet;
Thence South 1°44' West 133.9 feet;
Thence South 23°51' West 209 feet;
Thence South 40°36' West 135.84 feet;
Thence South 77°17' West 37.52 feet;
Thence South 39°14' West 55.39 feet;
Thence South 22°55' East 53.42 feet;
Thence South 30 feet to the South line of Section 34;
Thence West 899.54 feet more or less to the point of beginning.

Housing type, density and bulk standards shall be for the **RSF-2** zone district.

Introduced on first reading this 16th day of August, 2000.

PASSED and ADOPTED on second reading this ____ day of September, 2000.

Attest:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Rezone—Reimer Minor Subdivision/Spanish Trails		
Meeting Date:	September 6, 2000		
Date Prepared:	July 21, 2000		
Author:	Kathy Portner	Planning Manager	
Presenter Name:	Kathy Portner	Planning Manager	
	Workshop	X	Formal Agenda

Subject: [RZP-2000-107 Rezone—Reimer Minor Subdivision/Spanish Trails](#)

Summary: [A request to rezone .34 acres from PD to RSF-4 \(Single Family Residential not to exceed 4 units per acre\).](#)

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: It is recommended that City Council [approve](#) the second reading of the ordinance [for the rezone to RSF-4.](#)

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

Report results back to Council:	<input checked="" type="checkbox"/>	No		Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	Consent		Indiv. Consideration		Workshop
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AGENDA TOPIC: RZP-2000-107 Rezone—Reimer Minor Subdivision/Spanish Trails
SUMMARY: Request to rezone .34 acres from PD to RSF-4 (Single Family Residential not to exceed 4 units per acre).

<i>BACKGROUND INFORMATION</i>			
Location:		719 24 ½ Road	
Applicants:		Reimer Development—Steve and Kevin Reimer	
Existing Land Use:		Single Family home and undeveloped	
Proposed Land Use:		Residential subdivision	
Surrounding Land Use:	North	Canyon View Park	
	South	Large lot residential	
	East	Proposed Church	
	West	Residential and Canyon View Park	
Existing Zoning:		PD (Planned Development, 6 to 7.2 units per acre)	
Proposed Zoning:		PD and RSF-4	
Surrounding Zoning:	North	CSR (Community Services and Recreation	
	South	RSF-R	
	East	RSF-2	
	West	RSF-2	
Growth Plan Designation:		Residential Medium, 4 to 7.9 units per acre	
Zoning within density range?		X	Yes
			No

ACTION REQUESTED: Council approval of the ordinance rezoning lot 2 of the proposed Reimer Minor Subdivision from PD to RSF-4.

Staff Analysis:

The proposed Spanish Trails development was annexed and received approval of a Planned Development (PD) zoning and Outline Development Plan (ODP) on July 21, 1999. The ODP included 212 residential units on approximately 30 acres, including an existing house along 24 ½ Road. The applicant is now requesting to remove the existing house from the Planned Development through a minor subdivision and to rezone the proposed .34 acre lot with the house to RSF-4. The developer had also submitted a Preliminary Plan for the remainder of the property, Spanish Trails, but will be bringing that forward to Planning Commission at a future hearing.

Rezoning Criteria

Since this project is being reviewed under the *old Zoning and Development Code*, the rezone must be evaluated using the criteria noted in Section 4-4-4 of the Zoning and Development Code. The criteria are as follows for Section 4-4-4:

- A. Was the existing zone an error at the time of adoption?** The existing zoning of PD was not an error, but was requested by the developer as a part of the Spanish Trails ODP. They have since decided to eliminate the lot and existing home from the overall development.
- B. Has there been a change in character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** The area around this parcel has been changing with the development of Canyon View Park and a proposed church. At the time the property was annexed to the City, the County zoning was a PUD for 20 units per acre.
- C. Is there an area of community need for the proposed rezone?** The proposed rezone to RSF-4 will accommodate the existing house.
- D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** The proposed rezone is compatible with the surrounding area.
- E. Will there be benefits derived by the community, or area, by granting the proposed rezone?** The proposed rezone will allow the existing house to remain.
- F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** The proposed rezone to RSF-4 is in conformance with the Growth Plan land use designation of 4 to 7.9 units per acre.
- G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended?** Adequate facilities are available in the area and could reasonably be extended.

STAFF RECOMMENDATION:

Staff recommends [approval of the rezone of the proposed lot 2 from PD to RSF-4.](#)

PLANNING COMMISSION RECOMMENDATION:

At their July 18th hearing, the Planning Commission recommended approval of the rezone to RSF-4.

CITY OF GRAND JUNCTION

Ordinance No.

**REZONING PROPERTY AT 719 24 1/2 ROAD FROM PD TO RSF-4
(Reimer Minor Subdivision/Spanish Trails)**

Recitals:

The proposed Spanish Trails development was annexed and received approval of a Planned Development (PD) zoning and Outline Development Plan (ODP) on July 21, 1999. The ODP included 212 residential units on approximately 30 acres, including an existing house along 24 1/2 Road. The applicant is now requesting to remove the existing house from the Planned Development through a minor subdivision and to rezone the proposed .34 acre lot with the house to RSF-4.

The Planning Commission found that the requested rezone meets the criteria of section 4-4-4 of the Zoning and Development Code and recommended approval.

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

That the land described below is hereby rezoned to RSF-4.

A parcel of land situated in Lot 52 of Pomona Park, County of Mesa, State of Colorado, being more particularly described as follows:
Commencing at the C-S 1/16 corner of Section 33, Township 1 North, Range 1 West of the Ute Meridian;
Thence along the East line of the SE1/4 SW1/4 of said Section 33, South 00°03'21" East, a distance of 457.25 feet;
Thence North 89°54'31" West, a distance of 30.00 feet to the Point of Beginning;
Thence North 89°54'31" West, a distance of 169.79 feet;
Thence South 00°05'29" West, a distance of 87.90 feet;
Thence South 89°54'31" East, a distance of 170.02 feet;
Thence North 00°03'21" West, a distance of 87.90 feet to the Point of Beginning.
Containing 0.343 Acres, more or less.

INTRODUCED for FIRST READING and PUBLICATION this 16th day of August, 2000.

PASSED on SECOND READING this ____ day of _____, 2000.

ATTEST:

City Clerk

President of City Council

