

**GRAND JUNCTION CITY COUNCIL  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
AGENDA**

**WEDNESDAY, JANUARY 3, 2001, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance  
Invocation - Harriet Torphy  
Minister at Large (Children's Ministry)  
Grand Junction Church of Religious Science

**APPOINTMENTS**

\*\*\* APPOINTMENTS TO THE GRAND JUNCTION PUBLIC FINANCE CORPORATION

**CITIZEN COMMENTS**

**\* \* \* CONSENT CALENDAR \* \* \***

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

*Action: Approve the Minutes of the Regular Meeting December 20, 2000*

2. **Employee Long Term Disability, Group Life and Supplemental Insurance** [Attach 2](#)

The recommended insurance company agreed to provide firm rates for a period of 3 years on all requested coverage. The following insurance companies participated in an oral interview process:

The Standard Insurance Company	Portland, Oregon
National Insurance Services	Brookfield, Wisconsin
Rocky Mountain Life/Anthem Life	Denver, Colorado

*Action: Award Contract for Employee Long Term Disability, Group Life and Supplemental Insurance to Standard Insurance Company in the Amount of \$240,000 (Estimated Premiums) Annually for the Period of February 1, 2001 through January 31, 2004, Subject Annual Appropriation Extension Terms and Conditions*

Staff presentation: Dave Roper, Risk Manager  
Ron Watkins, Purchasing Manager

3. **VCB Special Events Funding**

[Attach 3](#)

Eight applications for Special Events funding were received by the November 7, 2000 deadline. The VCB Board recommends funding the following events:

Kokopelli Adventure Race	\$3,000
Rocky Mountain Open Golf Tournament	\$5,000 (with stipulations)
Chet Peach Ride, Race & Roast	\$1,750 (with stipulations)

*Action: Approve VCB Funding of Three Special Events to a Maximum of \$9,750*

Staff presentation: Debbie Kovalik, VCB Executive Director

4. **Horizon Drive Bike and Pedestrian Trail, 7<sup>th</sup> to 12<sup>th</sup> Street**

[Attach 4](#)

The following bids were received on November 28, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Skyline Contracting, Inc.	Grand Jct.	\$302,139.50
R.W. Jones	Fruita	\$313,845.00
Precision Paving	Grand Jct.	\$331,040.45
Sorter Construction	Grand Jct.	\$354,344.50
Bogue Construction	Fruita	\$355,947.46
Colorado West Leasing	Grand Jct.	\$389,998.62
General Concrete Contractors	Brighton, CO	\$411,480.14
Engineer's Estimate		\$297,241.50

*Action: Award Contract for Horizon Drive Bike and Pedestrian Trail, 7<sup>th</sup> to 12<sup>th</sup> Street, to Skyline Contracting, Inc. in the Amount of \$302,139.50 and Authorize the Transfer of \$91,000 from the South Camp Road Trail Project*

Staff presentation: Tim Moore, Public Works Manager

5. **Transportation Study for State Highway 340**

[Attach 5](#)

The purpose of the transportation study is to specifically identify needed improvements to State Highway 340 and the local road system in the Redlands area. Because the area of study spans several jurisdictional boundaries, the Regional Transportation Planning Office is taking the lead in overseeing the study.

Resolution No. 1-01 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning the “Contract for Project C 340A-008, SH 340 Transportation Study”

\*Action: Adopt Resolution No. 1-01

Staff presentation: Tim Moore, Public Works Manager

6. **MPO FY 2001 Consolidated Planning Grant Certification and Assurances**

[Attach 6](#)

The FY 2001 Annual CPG Certifications and Assurances for the MPO are required to be adopted by joint resolution with Mesa County for each annual contract. The contract allows the Grand Junction/Mesa County Metropolitan Planning Organization to accept federal funds to carry out urban transportation and programming responsibilities mandated by the U.S. Department of Transportation.

Resolution No. 2-01 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning the Signing of the Fiscal Year 2001 Consolidated Planning Grant Certifications and Assurances

\*Action: Adopt Resolution No. 2-01

Staff presentation: Tim Moore, Public Works Manager

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

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

7. **Setting a Ballot Title for the April 3, 2001 Election Regarding Retaining Revenues as Defined by Article X, Section 20 of the Colorado Constitution**

[Attach 7](#)

After two months of Council workshops, a resolution for setting a ballot question on April 3, 2001 for retaining revenues under the TABOR refunding mechanisms is proposed. Councilmembers Terry and Spehar developed the ballot question.

Resolution No. 3-01 – A Resolution Setting a Title and Submitting to the Electorate on April 3, 2001 a Measure to Retain and Spend Revenues as Defined by Article X, Section 20 of the Colorado Constitution

\*Action: Adopt Resolution No. 3-01

Staff presentation: Kelly Arnold, City Manager

8. **Public Hearing - Rezoning Colonial Heights Property, Located at the Southeast Corner of 25 Road and G Road, from PD-4.4 to RMF-8**

[File #RZ-2000-179] - Continue to January 17, 2001 Meeting [Attach 8](#)

The petitioner is requesting approval of a rezone of a 46.8-acre parcel located on the southeast corner of 25 Road and G Road. The current zoning is PD 4.4 units per acre. The petitioner is requesting a zoning of RMF-8, Residential Multi-family 8 units per acre. The Planning Commission recommended denial of the zoning request. The petitioner is requesting a continuance of the hearing in order for staff and the applicant to discuss zoning options for the proposed plan.

Proposed Ordinance Rezoning a Parcel of Land Located at the Southeast Corner of 25 Road and G Road from PD-4.4 to RMF-8

Action: Continue to January 17, 2001

Staff presentation: Joe Carter, Associate Planner

9. **Public Hearing - Amending the Zoning Ordinance for Redlands Mesa**  
[File #FP-2000-219] [Attach 9](#)

A request to revise the zoning ordinance for Redlands Mesa to increase the maximum size of the golf clubhouse from 6,000 square feet to 9,000 square feet.

Ordinance No. 3323 – An Ordinance Amending the Zoning Ordinance for Redlands Mesa

\*Action: Adopt Ordinance No. 3323 on Second Reading

Staff presentation: Kathy Portner, Planning Manager

10. **Public Hearing - Rezoning Property Adjacent to Mesa State College from RMF-8 and B-1 to CSR** [File #RZ-2000-209] [Attach 10](#)

The petitioner is requesting rezoning 6 parcels adjacent to Mesa State College from RMF-8 and B-1 to CSR. Mesa State College or the Mesa State Foundation owns all parcels.

Ordinance No. 3324 – An Ordinance Zoning 1315 College Place, 1405 College Place, 1435 College Place, 1450 N. 12<sup>th</sup> Street, 1460 N. 12<sup>th</sup> Street and 1235 Kennedy Avenue to CSR

\*Action: Adopt Ordinance No. 3324 on Second Reading

Staff presentation: Joe Carter, Associate Planner

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

12. **OTHER BUSINESS**

13. **EXECUTIVE SESSION**

a. Real Estate Acquisition

b. Personnel

14. **ADJOURNMENT**

**Attach 1  
Minutes of Previous Meeting**

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

**December 20, 2000**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 20th day of December, 2000, at 7:30 p.m. at the City Hall Auditorium, 250 N. 5<sup>th</sup> Street. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Jim Spehar was absent. Also present were City Manager Kelly Arnold, Assistant City Attorney John Shaver, 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.

**CONSENT ITEMS**

Upon motion by Councilmember Scott, seconded by Councilmember Terry and carried by roll call vote with Councilmember **THEOBOLD** voting **NO** on #3, the following Consent items #1 through 10 were approved:

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the December 4, 2000 Workshop and the Minutes of the Regular Meeting December 6, 2000*

2. **Authorize Regular Municipal Election to be Held by Mail Ballot**

The City has adopted the Municipal Election Code. In order to conduct the election by mail ballot, the Council must authorize it pursuant to 1-7.5-104 C.R.S. Timelines for a mail ballot election differ from polling place elections. In order to go forward on January 2 with making nomination petitions available, as per the mail ballot timeline, Council needs to formally authorize the April, 2001 election to be conducted by mail ballot.

Resolution No. 130-00 – A Resolution Authorizing a Mail Ballot Election in the City of Grand Junction for the April 3, 2001 Regular Municipal Election

*Action: Adopt Resolution No. 130-00*

3. **New Boundaries for Council Districts**

Every two years a new voting district boundary resolution has been adopted, as allowed by City Charter, just prior to the regular election. This resolution helps to ensure the inclusion of all newly annexed areas into City voting districts. The interior boundaries of the districts have not been changed since 1993. Tremendous growth has occurred in and around the City limits in the last seven years. The result has been that some voting districts have grown disproportionately. The boundaries for the districts as established in the resolution rebalance Council district representation.

Resolution No. 134-00 – A Resolution Designating the Voting District Boundaries in the City of Grand Junction

*Action: Adopt Resolution No. 134-00*

4. **Grant from the Colorado Council on the Arts to the Grand Junction Commission on Arts and Culture**

The Commission would like approval to accept a \$3,200 grant from the Colorado Council on the Arts in 2001. This funding will be added to the existing \$20,000 annual Commission support for local arts and cultural events, projects and programs.

*Action: Authorize the City Manager to Sign a Contract with the Colorado Council on the Arts for a Grant to the Arts Commission in the Amount of \$3,200*

5. **Authorizing the Exchange of Real Property Located at 2980 F Road with Gerald D. DuCray and Ted J. DuCray**

The proposed resolution will authorize the conveyance of City property located on Purdy Mesa in exchange for property located adjacent to the Burkey Park property on Patterson Road.

Resolution No. 135-00 – A Resolution Authorizing the Exchange of Real Estate with Gerald D. DuCray and Ted J. DuCray

*Action: Adopt Resolution No. 135-00*

6. **Lease of City Property Located at 545 Noland Avenue to Donald Fugate, Jr. dba Don's Automotive**

The proposed resolution will extend the term of the existing lease through December 31, 2002. The proposed action will also amend the existing lease by increasing the rent from \$3,000 per year (\$250/month) to \$4,650 per year (\$387.50/month)

Resolution No. 136–00 – A Resolution Amending and Extending the Lease of City Property at 545 Noland Avenue to Donald Fugate, Jr., Doing Business as Don's Automotive

*Action: Adopt Resolution No. 136–00*

7. **Grazing Leases for City Properties South of Whitewater**

The proposed resolutions will extend the terms of these two existing leases through December 31, 2003. All other terms and conditions will remain unchanged.

a. **Lease with William Arthur Mertz for 240 Acres**

Resolution No. 137–00 – A Resolution Extending the Dry Grazing Lease of City Property with William Arthur Mertz

b. **Lease with Sally Marie Smith for 191 Acres**

Resolution No. 138–00 – A Resolution Extending the Dry Grazing Lease of City Property with Sally Marie Smith

*Action: Adopt Resolutions No. 137–00 and No. 138–00*

8. **Setting a Hearing on Rezoning Property Adjacent to Mesa State College from RMF-8 and B-1 to CSR** [File #RZ-2000-209]

The petitioner is requesting rezoning 6 parcels adjacent to Mesa State College from RMF-8 and B-1 to CSR. Mesa State College or the Mesa State Foundation owns all parcels.

Proposed Ordinance Zoning 1315 College Place, 1405 College Place, 1435 College Place, 1450 N. 12<sup>th</sup> Street, 1460 N. 12<sup>th</sup> Street and 1235 Kennedy Avenue to CSR

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 3, 2001*

9. **Setting a Hearing on Rezoning Colonial Heights Property, Located at the Southeast Corner of 25 Road and G Road, from PD-4.4 to RMF-8** [File #RZ-2000-179]

The petitioner is requesting approval of a rezone of a 46.8-acre parcel located on the southeast corner of 25 Road and G Road. The current zoning is PD 4.4 units per acre. The petitioner is requesting a zoning of RMF-8, Residential Multi-family 8 units per acre. The Planning Commission recommended denial of the zoning

request. The applicant's appeal will be heard at the time of second reading of the zoning ordinance.

Proposed Ordinance Rezoning Property Located at the Southeast Corner of 25 Road and G Road from PD-4.4 to RMF-8

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 3, 2001*

10. **Setting a Hearing on Amending Zoning Ordinance for Redlands Mesa**  
[File #FP-2000-219]

A request to revise the zoning ordinance for Redlands Mesa to increase the maximum size of the golf clubhouse from 6,000 square feet to 9,000 square feet.

Proposed Ordinance Amending the Zoning Ordinance for Redlands Mesa

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 3, 2001*

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

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

**PUBLIC HEARING – CREATING AND ESTABLISHING SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-44-00 AND AWARD CONSTRUCTION CONTRACT FOR AREA SOUTH OF G ROAD, NORTH OF THE GRAND VALLEY CANAL, EAST OF 1<sup>ST</sup> STREET AND WEST OF 7<sup>TH</sup> STREET (GLEN CARO AND NORTHFIELD ESTATES NO. 2)**

The owners of real estate located in the vicinity south of G Road, north of the Grand Valley Canal, east of 1<sup>st</sup> Street and west of 7<sup>th</sup> Street, have petitioned the City Council to create an improvement district for the installation of sanitary sewer facilities for the Glen Caro and Northfield Estates No. 2 sewer project. The public hearing, proposed resolution and contract award are the final steps in the formal process required to create the proposed improvement district.

The public hearing opened at 7:34 p.m.

Rick Marcus, Real Estate Technician, reviewed this item. He said the district is a 50-property district with 34 property owners signing the petition (68%).

Councilmember Terry asked if this is the first improvement district under the Septic System Elimination Program. Rick Marcus said it is. Councilmember Terry asked that he

detail how that has played into the cost per unit for these property owners. He said about 50% of the cost is paid for by that Program.

There were no public comments. The hearing was closed at 7:35 p.m.

**a. Resolution Creating Improvement District**

Resolution No. 139-00 – A Resolution Creating and Establishing Sanitary Sewer Improvement District No. SS-44-00 within the Corporate Limits of the City of Grand Junction, Colorado; Authorizing the Installation of Sanitary Sewer Facilities and Adopting Details, Plans and Specifications for the Same

**b. Award Contract**

This project consists of two components: 1) Trunk Line Extension, and 2) Installation of facilities within the limits of the proposed district. The following bids were received for both components:

Mountain Valley Contracting	Grand Junction	\$ 391,979.35
MA Concrete Construction	Grand Junction	\$ 403,250.05
Skyline Contracting	Grand Junction	\$ 477,907.05
Sorter Construction	Grand Junction	\$ 534,948.65
Continental Pipeline Construction	Mesa	\$ 612,674.50
Engineer's Estimate		\$452,530.50

*Action: Award Contract for the Construction of Sanitary Sewer Improvement District No. SS-44-00 to Mountain Valley Contracting in the Amount of \$391,979.35*

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez and carried by roll call vote, Resolution No. 139-00 was adopted, and the contract for construction of Sanitary Sewer Improvement District No. SS-44-00 was awarded to Mountain Valley Contracting in the amount of \$391,979.35.

**PUBLIC HEARING - AMENDING CHAPTER 4 OF THE ZONING AND DEVELOPMENT CODE REGARDING GROUP LIVING FACILITIES**

This ordinance makes major changes to Section 4.Q of the Zoning and Development Code, Group Living Facilities. The City has been requested to revisit this section of the Code as several issues were not addressed or considered in the original adoption. Various groups which met with City staff included representatives from Hilltop, Colorado West Mental Health, Mesa Developmental Services, Salvation Army, Community Corrections Board, and others.

The public hearing opened at 7:36 p.m.

Staff City Attorney Stephanie Rubinstein briefly reviewed this item. She thanked those involved in drafting the Code change. She highlighted the changes that were included in the proposal which were not detailed in the staff report. The first change is a new section #7 regarding density, i.e. the same density would not require a Conditional Use Permit. It is an attempt to align more closely with other multi-use buildings that would be in that area. The second addition is Section #16.d. There were concerns about the statement "The director shall not be required to research comments which are made at the neighborhood meetings." The concern voiced was without the say from persons from group living facilities or other persons, a decision may be made. A section was added that said "The director shall not be required to research those comments unless the director relies on that comment when making a decision." Not all comments need to be addressed.

She noted the courts have three basic principals when reviewing regulations: 1) there can be no discriminatory intent behind the ordinance; 2) the ordinance does not just apply to group homes with disabled persons; and 3) the regulations do not create an adverse impact on disabled persons. The Code was written not to create an adverse impact but can be reviewed later to ensure that it doesn't. If the regulations prevent disabled persons from residing in the community, there must be some reasonable accommodations. For example, with the separation requirement of 750 feet, a reduction to 700 feet might be a reasonable accommodation.

Mayor Kinsey asked for the effective date of the ordinance. Ms. Rubinstein said 30 days from final publication.

Mayor Kinsey said he liked the sunset provisions for review, but felt one year is too short; two or three years would be adequate. He suggested a quick review every three years.

Councilmember Theobald suggested two years initially, then every three years thereafter.

Joe Higgins, Mesa County Partners Director and Community Corrections Board member, oversees the operations of the Community Corrections and Work Release Programs. He felt the ordinance creates another review process of his clients and they are already doing that. He offered their review expertise. He said #20 in the ordinance addresses the work of the Community Corrections Board becoming responsible for reviewing those housing facilities. Their existing standards are made up of over 50 pages and are quite thorough. They support the amendments in the ordinance and are willing to take on the responsibilities outlined.

Mike Stahl, Vice President of Hilltop, said the ordinance has made a huge stride. Now there is a need for community oversight. They have multiple residential programs, most are not affected as they are already covered under other permits. They do have concerns: 1) the domestic violence safehouses for which the locations are to remain secret, 2) duplication in reviews for juvenile offenders; and the biggest concern is 3) the Hilltop residential campus. His understanding is that existing group facilities will be

"grandfathered" in as an existing use as long as it stays the same. They must register with the City. They appreciate and support the changes in the ordinance.

Dr. Tom Updike, Colorado West Regional Health Center, said the ordinance is a substantial improvement, although he requested a few changes. The objective is to make sure the community is safe, but care must be given to not allow concerns to create stigmas for those disabled. The language could be construed as discriminating against those with physical and mental illnesses. He suggested a slight modification dealing with the definition of a small group home: adding a description for felons and for those from the criminal justice system; thereby not defining those physically or mentally handicapped or mentally ill, or physically disabled; i.e. specifically excluding the disabled.

Mayor Kinsey asked for clarification on the suggested definitions for small group living facilities.

Dr. Updike said the ordinance needs to refer to specific persons. It does not mention clearly the physically disabled and elderly. Mayor Kinsey did not understand why Dr. Updike would exclude that group. Dr. Updike said it would be a violation of the Fair Housing Act and the Americans with Disabilities Act (ADA) not to exclude them. Anything that is construed as separation or isolation of the mentally or physically handicapped is immediately suspect under the ADA. Dr. Updike said this refers to Section Q 1.3. He said it is not specific so it thereby includes the mentally disabled. The ADA does not cover felons and sex offenders but it does cover mentally handicapped and the aged. Dr. Updike clarified that when there are 8 persons or less in a group living home, they do not want to include the mentally ill or the mentally retarded into that definition because it causes a segregation of those persons.

Councilmember Terry said the definition merely refers to unrelated persons, exclusive of staff when it speaks of 4 to 8 persons. It does not target a specific group.

Sally Shaffer of Hilltop, 1331 Hermosa, felt it was very important that this process has taken place and no matter what is adopted it will still be subject to interpretation. She appreciated the process and it gave her great hope that the process can be continued in a positive manner.

Joan Levy, Residential Director of Mesa Developmental Services, shared concerns during the process and how it interfaces with State and Federal law. She encouraged adoption of the Code amendment as the current Code is unworkable for anyone.

Chris Mueller, Colorado Department of Human Services, Grand Junction Regional Center, submitted a letter from their departmental attorney. Mr. Mueller said his agency was not involved in the process. He said City Staff Attorney Stephanie Rubinstein met with him individually and brought him up to speed. He reviewed and commented on the CDHS letter and issues (see letter attached).

Mr. Mueller was not opposed to registration. He concluded that the regulations should be applied to all homes regardless of the residents.

Mayor Kinsey took exception as these group homes are businesses, not families and homes, and it is the City's responsibility to monitor such group homes. The statement that the City treats every family the same as it treats every group home is not a reasonable statement.

Mr. Mueller said many of these physically or mentally disabled persons would die without the various support services.

Councilmember Terry said Grand Junction is a Home Rule city. Council has the opportunity and responsibility to create its own law to protect its citizens. Council goes to great lengths to ensure its ordinances are in compliance with State and Federal law. The reason this has taken so long is to make sure the City is in compliance with such regulations and requirements. She appreciated Mr. Mueller's comments but begged to differ with some of his position statements. She felt the proposal is fairly sound. If challenged, Council will look at it. Council does not need permission from the State to enact an ordinance.

Councilmember Payne said an ordinance can be changed and corrected. Council needs a good starting place which it now has.

Mr. Mueller said he appreciated that. Regulations such as these are becoming a nationwide trend.

Mayor Kinsey said some communities may write regulations to keep out such homes. That is not Council's intention. Council is trying to achieve a balance between neighborhood compatibility and having minimal oversight to make sure programs are effective.

Mr. Mueller appreciated the methodology used, and the sunset review.

Janice Curtis, 2840 North Forest Court, a volunteer on the Colorado West Mental Health board and other organizations, said she was proud to live in Grand Junction. If they can grandfather in Hilltop, she wondered if more can be created, or will they be stopped by this ordinance. There are many changes in the disability field. There is a big drive for homesteading in Denver so the disabled can live in a home in the community rather than institutions. Institutions don't always work for the mentally ill. The stigma for the mentally ill is pervasive. They don't want to complicate the lives of those that are disabled. Many of the families of the disabled are not able to provide their needs at home.

There were no other comments. The hearing was closed at 8:28 p.m.

Councilmember Theobald gave staff credit for all their work and applauded City Staff Attorney Stephanie Rubinstein and Assistant City Attorney John Shaver.

Upon motion by Councilmember Theobald, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3314 with the amendment of the first review after two years, then the sunset review every three years thereafter, was adopted on second reading and ordered published.

Mayor Kinsey thanked all those that participated. It is the second attempt at having a group assist in the writing of an ordinance. Councilmember Payne concurred, saying it is a better ordinance for it.

**PUBLIC HEARING - ANNEXING DAVIDSON/WILCOX ENCLAVE, LOCATED EAST OF SOUTH CAMP ROAD AND NORTH OF THE UTE WATER TANKS ON THE REDLANDS** [FILE #ANX-2000-208]

Public hearing for second reading of the annexation ordinance to annex the Davidson/Wilcox Enclave Annexation located east of South Camp Road and north of the Ute Water Tanks on the Redlands. The 5.11-acre enclave consists of one vacant parcel of land.

The public hearing opened at 8:30 p.m.

David Thornton, Principal Planner, Community Development Department, reviewed this item. It is vacant land and is landlocked and must wait for properties surrounding it to develop for access.

Mayor Kinsey asked if the property owner was present. Mr. Thornton said he didn't believe so.

There were no public comments. The hearing was closed at 8:31 p.m.

Ordinance No. 3315 – An Ordinance Annexing the Territory to the City of Grand Junction, Colorado, Davidson/Wilcox Enclave Annexation, Located East of South Camp Road and North of Ute Water's Water Tanks on the Redlands, Consisting of Approximately 5.11 Acres

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote, Ordinance No. 3315 was adopted on second reading and ordered published.

**PUBLIC HEARING - ZONING THE DAVIDSON/WILCOX ENCLAVE ANNEXATION TO RSF-E, LOCATED EAST OF SOUTH CAMP ROAD AND NORTH OF THE UTE WATER TANKS ON THE REDLANDS** [FILE #ANX-2000-208] CONTINUED FROM DECEMBER 6, 2000 MEETING

Second reading of the zoning ordinance to Residential Single Family Estate with a maximum density of one unit per 2 acres (RSF-E) for the Davidson/Wilcox Enclave

Annexation located east of South Camp Road and north of the Ute Water Tanks on the Redlands. The 5.11-acre enclave consists of one vacant parcel of land.

The public hearing opened at 8:32 p.m.

David Thornton, Principal Planner, reviewed this item. The zoning proposed is the same as it was in the County. The surrounding zoning is RSF-4 and PD.

There were no public comments. The hearing was closed at 8:34 p.m.

Ordinance No. 3316 – An Ordinance Zoning the Davidson/Wilcox Enclave Annexation to Residential Single Family Estate (RSF-E), Located East of South Camp Road and North of the Ute Water Tanks

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3316 was adopted on second reading and ordered published.

### **OTHER BUSINESS**

Upon motion by Mayor Kinsey, seconded by Councilmember Payne and carried, the salary of the Municipal Judge was raised 3% for the year 2001, the same salary increase as other City employees.

Upon motion by Councilmember Payne, seconded by Councilmember Enos-Martinez and carried, Council adjourned into executive session at 8:37 p.m. to discuss personnel.

### **ADJOURNMENT**

The meeting adjourned at 8:37 p.m.

Stephanie Nye, CMC  
City Clerk



**Action Requested/Recommendation:** Authorize the City Manager to sign a contract with the Standard Insurance Company to provide **Employee Long Term Disability, Life and Supplemental Life Insurance** for the period of February 1, 2001 through January 31, 2004 subject to annual appropriations and extension terms/conditions in the Request for Proposal # 61P-00-RW.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Consent	<input type="checkbox"/> Indiv. Consideration	<input type="checkbox"/> Workshop
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**Attach 3  
VCB Special Event Funding**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Special Events Funding</b>		
<b>Meeting Date:</b>	<b>January 3, 2001</b>		
<b>Date Prepared:</b>	<b>December 13, 2000</b>		
<b>Author:</b>	<b>Debbie Kovalik</b>	<b>Title</b>	<b>Executive Director</b>
<b>Presenter Name:</b>	<b>Debbie Kovalik</b>	<b>Title</b>	<b>Executive Director</b>
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Approve recommendations for Special Event funding awards.

**Summary:** Eight applications for Special Events funding were received by the November 7 deadline. After review and discussion of the applications, the VCB Board recommends funding the following events:

Kokopelli Adventure Race	\$3,000
Rocky Mountain Open Golf Tournament	\$5,000 (with stipulations)
Chet Peach Ride, Race & Roast	\$1,750 (with stipulations)

**Background Information:** This is the 10<sup>th</sup> year the VCB Board has incorporated Special Event funding in the marketing plan. Funding recommendations are based on an event's economic return on investment; ability to encourage overnight stays by out of town visitors; uniqueness; ability to promote tourism in Grand Junction; and sponsorship by a non-profit organization.

**Stipulations:** Funding for the Rocky Mountain Open is specifically for an ad to be placed in a golf publication to be selected by the VCB staff and advertising agency. The VCB will place the ad and pay the publication directly instead of disbursing funds to the event organizer; \$5,000 is the maximum amount authorized. The VCB will fund the Chet Peach Ride, Race & Roast on a dollar-for-dollar match with the City of Fruita, up to a maximum of \$1,750.

**Budget:** \$37,000 total budget for fiscal year 2001. Applications will be accepted again in June.

**Action Requested/Recommendation:** Approve recommendations to fund three special events to a maximum of \$9,750.

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

**Attach 4  
Horizon Drive Bike Trail Contract**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i><b>CITY COUNCIL</b></i>		
<b>Subject:</b>	<b>Award of Construction Contract for Horizon Drive Bike and Pedestrian Trail (7<sup>th</sup> Street – 12<sup>th</sup> Street)</b>	
<b>Meeting Date:</b>	<b>January 3, 2001</b>	
<b>Date Prepared:</b>	<b>December 27, 2000</b>	
<b>Author:</b>	<b>Jim Shanks</b>	<b>Project Engineer</b>
<b>Presenter Name:</b>	<b>Tim Moore</b>	<b>Public Works Manager</b>
	<b>Workshop</b>	<b>X</b>
		<b>Formal Agenda</b>

**Subject:** Award of a Construction Contract for **Horizon Drive Bike and Pedestrian Trail** to **Skyline Contracting, Inc.** in the amount of **\$302,139.50** and authorize the transfer of \$91,000 from the South Camp Road Trail project.

**Summary:** Bids were received and opened on November 28 for **Horizon Drive Bike and Pedestrian Trail** . The low bid was submitted by **Skyline Contracting, Inc.** in the amount of **\$302,139.50**.

**Background Information:** This project consists of 2,937 feet of 10' wide concrete trail and a pedestrian bridge over the Grand Valley Highline Canal. The bridge was purchased separately.

Work is scheduled to begin on or about March 1, 2001 and continue for 9 weeks with an anticipated completion date of May 2, 2001. The pedestrian bridge over the canal is required to be completed by March 30, 2001.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Skyline Contracting, Inc.	Grand Jct.	\$302,139.50
R.W. Jones	Fruita	\$313,845.00
Precision Paving	Grand Jct.	\$331,040.45
Sorter Construction	Grand Jct.	\$354,344.50
Bogue Construction	Fruita	\$355,947.46
Colorado West Leasing	Grand Jct.	\$389,998.62
General Concrete Contractors	Brighton, CO	\$411,480.14
Engineer's Estimate		\$297,241.50

**Budget:**

Project Costs:

Construction (includes \$18,445 for bridge)	\$320,584.50
Right-of-way/easement acquisition	250.00
Design	\$17,284.00
City Inspection and Administration (Estimate)	<u>11,881.50</u>
Total Project Costs	<b>\$350,000.00</b>

Funding:

2011 Fund – 2000 budget \$259,000	<b>\$259,000.00</b>
Transfer from South Camp Road Trail	<b>\$91,000.00</b>
Total	<b><u>\$350,000.00</u></b>
<u>Balance remaining:</u>	<b><u>\$0</u></b>

The current budget for the project is \$259,000 including \$204,000 Federal and \$55,000 City funds.

Staff recommends that the shortfall of \$91,000 be transferred from the South Camp Road Trail project to the Horizon Drive Trail project.

The budget for the South Camp Road Trail project is \$220,000 (\$176,000 Federal, \$44,000 City funds). A transfer of \$91,000 will leave a balance of \$129,000. This amount is enough to complete the trail between Buffalo Drive and Canyon View Drive adjacent to Wingate School. This is the only section of South Camp Road in the City where right-of-way for the trail has been acquired. The remaining sections of the South Camp Road Trail are budgeted for construction in 2002.

**Action Requested/Recommendation:** City Council motion authorizing the City Manager to execute a Construction Contract for the **Horizon Drive Bike and Pedestrian Trail** with **Skyline Contracting, Inc.** in the amount of **\$302,139.50** and authorize the transfer of \$91,000 from the South Camp Road Trail project.

Citizen Presentation:	X	No		Yes
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Report results back to Council:	X	No		Yes	When:	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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**Attach 5  
Joint Resolution for Transportation Study**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i><b>CITY COUNCIL</b></i>		
<b>Subject:</b>	<b>Joint Resolution concerning C 340A-008 Transportation Study</b>	
<b>Meeting Date:</b>	<b>January 3, 2001</b>	
<b>Date Prepared:</b>	<b>12/26/00</b>	
<b>Author:</b>	<b>Cliff Davidson</b>	<b>RTPO Director</b>
<b>Presenter Name:</b>	<b>Tim Moore</b>	<b>Public Works Manager</b>
	<b>Workshop</b>	<b>X</b>
		<b>Formal Agenda</b>

**Subject:** Contract approval for a joint transportation study (Project C 340A-008) with the City, County and CDOT along State Highway 340.

**Summary:** Approval of a joint resolution by the City and County to enter into a contract with the CDOT for the purpose of conducting a joint transportation study (project C 340A-008) along State Highway 340 in the Redlands area.

**Background Information:** Improvements to State Highway 340 were identified as a priority in the Regional 2020 Transportation Plan. The purpose of the transportation study is to specifically identify needed improvements to State Highway 340 and the local road system in the Redlands area. Because the area of study spans several jurisdictional boundaries, the Regional Transportation Planning Office is taking the lead in overseeing the study. Funding for the study is as follows:

Colorado Department of Transportation (CDOT)	\$50,000	
Mesa County	\$50,000	
City of Grand Junction	<u>\$50,000</u>	
Total Study Cost:		\$150,000

The contract presented is needed to accept CDOT's share of the money for the study. Mesa County is a co-signer to this agreement.

**Budget:** The city's \$50,000 share of the study has been included in the 2001 CIP and is funded from the 2011 fund, project F48500.

**Action Requested/Recommendation:** It is recommended that City Council adopt the joint Resolution No. –00 authorizing the RTPO to accept the CDOT funds in the amount of \$50,000.

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

<b>Report results back to Council:</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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MCC# \_\_\_\_\_  
GJCC# \_\_\_\_\_

**RESOLUTION**

**A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING THE “CONTRACT FOR PROJECT C 340A-008, SH 340 TRANSPORTATION STUDY”**

WHEREAS, The City and County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and

WHEREAS, Part 2 of Article 1 of Title 29, Colorado Revised Statutes authorizes the parties to contract with one another to make the most efficient and effective use of their powers and responsibilities; and

WHEREAS, The City and County realize the importance of both short and long range planning in the development of an efficient transportation system, and are both aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and

WHEREAS, The City and County, in their performance of those planning functions for the Urbanized Area, wish to use Federal Highway Administration and Federal Transit Administration transportation planning funds in coordination with the Colorado Department of Transportation; and

WHEREAS, The City and County have estimated the total cost of the work to be \$150,000 to be funded as follows: Colorado Department of Transportation (CDOT), \$50,000; Mesa County, \$50,000; and the City of Grand Junction, \$50,000 and are prepared to accept the State funding for the work.

**NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:**

That the City and County are expressly authorized to enter into this Contract and to complete the work under the Contract.

That the “CONTRACT FOR PROJECT C 340A-008, SH 340 TRANSPORTATION STUDY”, hereunto attached, was approved by the Board of County Commissioners of the County of Mesa, Colorado on \_\_\_\_\_, and by the City Council of the City of Grand Junction, Colorado on \_\_\_\_\_.

CITY OF GRAND JUNCTION

COUNTY OF MESA

\_\_\_\_\_  
Mayor  
Grand Junction City Council  
Commissioners

\_\_\_\_\_  
Chairman of the Board  
Mesa County Board of

\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_ day of \_\_\_\_\_, 2000

Attest:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
County Clerk

**Attach 6  
MPO Consolidated Planning Grant Certification**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i><b>CITY COUNCIL</b></i>		
<b>Subject:</b>	<b>Joint Resolution concerning the MPO's FY 2001 Consolidated Planning Grant Certification and Assurances</b>	
<b>Meeting Date:</b>	<b>January 3, 2001</b>	
<b>Date Prepared:</b>	<b>12/26/00</b>	
<b>Author:</b>	<b>Cliff Davidson</b>	<b>RTPO Director</b>
<b>Presenter Name:</b>	<b>Tim Moore</b>	<b>Public Works Manager</b>
	<b>Workshop</b>	<b>X      Formal Agenda</b>

**Subject:** Fiscal year (FY) 2001 Consolidated Planning Grant Annual Certifications and Assurances Joint Resolution

**Summary:** The FY 2001 Annual Consolidated Planning Grant (CPG) Certifications and Assurances for the Metropolitan Planning Organization (MPO) are required to be adopted by joint resolution with Mesa County for each annual contract. The contract allows the Grand Junction/Mesa County Metropolitan Planning Organization to accept federal funds to carry out urban transportation and programming responsibilities mandated by the U.S. Department of Transportation.

**Background:** The first certification titled "STATEMENT CERTIFYING the Urban Transportation Planning Process in the Grand Junction Urbanized Area by the Grand Junction/Mesa County Metropolitan Planning Organization and the State of Colorado" establishes certification of the urban transportation planning process in the Grand Junction Urbanized Area. The second certification titled "CERTIFICATION OF RESTRICTIONS ON LOBBYING" established that the MPO has not used Federal funds to pay for lobbying services. The final certification titled "GRAND JUNCTION/MESA COUNTY METROPOLITAN PLANNING ORGANIZATION ANNUAL TITLE VI ASSURANCES" establishes that the MPO is working within the constraints of Title VI (Civil Rights/service equity) regulations.

Mesa County is a co-signer to this agreement.

**Budget:** none requested

**Action Requested/Recommendation:** It is recommended that City Council adopt the joint Resolution No. -00 accepting the FY 2001 Consolidated Planning Grant (CPG)

Annual Certifications and Assurances Joint Resolution and authorize the MPO Administrator to sign the FY 2001 Annual CPG Certifications and Assurances.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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MCC# \_\_\_\_\_  
GJCC# \_\_\_\_\_

## RESOLUTION

### **A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING THE SIGNING OF THE FISCAL YEAR 2001 CONSOLIDATED PLANNING GRANT CERTIFICATIONS AND ASSURANCES**

WHEREAS, The City and County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and

WHEREAS, Part 2 of Article 1 of Title 29, Colorado Revised Statutes authorizes the parties to contract with one another to make the most efficient and effective use of their powers and responsibilities; and

WHEREAS, The City and County realize the importance of both short and long range planning in the development of an efficient transportation system, and are both aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and

WHEREAS, The City and County, in their performance of those planning functions for the Urbanized Area, wish to use Federal Highway Administration and Federal Transit Administration transportation planning funds in coordination with the Colorado Department of Transportation;

### **NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:**

That the Fiscal Year 2001 Consolidated Planning Grant Certifications and Assurances, hereunto attached, was approved for signature by the Board of County Commissioners of the County of Mesa, Colorado on \_\_\_\_\_, and by the City Council of the City of Grand Junction, Colorado on \_\_\_\_\_.

CITY OF GRAND JUNCTION

COUNTY OF MESA

\_\_\_\_\_  
Mayor  
Grand Junction City Council

\_\_\_\_\_  
Chair of the Board  
Mesa County Board of Commissioners

\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_ day of \_\_\_\_\_, 2000

Attest:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
County Clerk

## CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Cliff Davidson, Administrator, hereby certify on behalf of the Grand Junction/Mesa County Metropolitan Planning Organization that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_

Cliff Davidson, Administrator  
Grand Junction/Mesa County Metropolitan Planning Organization

STATEMENT CERTIFYING  
The Urban Transportation Planning Process  
In the Grand Junction Urbanized Area  
By the

Grand Junction/Mesa County Metropolitan Planning Organization  
and the  
State of Colorado

This statement establishes certification of the Urban Transportation Planning Process in the Grand Junction Urbanized Area by the Grand Junction/Mesa County Metropolitan Planning Organization, as the designated Metropolitan Planning Organization, and the State of Colorado as required under Title 23, Section 450.334 United States Code of Federal Regulations (US CFR). The planning process addresses the major issues facing the region, includes all federally required activities, and is being conducted in accordance with all applicable federal laws and regulations.

Section 134 of Title 23 and Section 5303 of Title 49, US CFR, address the continuing, cooperative, and comprehensive metropolitan transportation planning process. MPO responsibilities under the metropolitan transportation planning process include development of a long-range transportation plan, a transportation improvement program (TIP), a Unified Planning Work Program (UPWP), and a congestion management system (for TMAs) in cooperation with the State and in accordance with applicable requirements of:

- (1) Section 134 of 23 U.S.C., Sections 5303-5306 and 5323(k) of the Federal Transit Act (Title 49 U.S.C.) and Subpart C of 23 CFR 450, Metropolitan Transportation Planning and Programming;
- (2) Sections 174 and 176(c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506(c) and (d));
- (3) Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by the State of Colorado under 23 U.S.C. 324 and 29 U.S.C. 794;
- (4) Section 1101 of the Transportation Equity Act for the 21<sup>st</sup> Century (Public Law 105-178) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded planning projects (Sec. 105(f), Public Law 97-242, 96 Stat. 2100; 49 CFR Part 23);
- (5) Americans with Disabilities Act of 1990 (Public Law 101-336, 42 U.S.C. 12101 et. seq., as amended) and U.S. DOT regulations "Transportation for Individuals with Disabilities" (49 CFR parts 27, 37 and 38);
- (6) Older Americans Act, as amended (42 U.S.C. 6101); and
- (7) The provisions of 49 CFR part 20 regarding restrictions on influencing certain Federal activities.

The Grand Junction/Mesa County Metropolitan Planning Organization has been designated by the Governor of the State of Colorado to carry out urban transportation

planning and programming responsibilities mandated by the U.S. Department of Transportation (USDOT). These responsibilities include preparation of a long-range (20 to 25 years) transportation plan and transportation improvement program (TIP) and accomplishing other planning activities as required of urban areas by Federal legislation. The organization formally designated to serve as the Metropolitan Planning Organization (MPO) is the Mesa County Regional Transportation Planning Office (RTPO) and the Transportation Policy Advisory Committee (TPAC) whose membership includes elected officials from Mesa County, the City of Grand Junction; and representatives of the Colorado Department of Transportation (CDOT), Federal Highway Administration, and the Colorado Department of Health and Environment. The geographic area addressed by the MPO's Urban Transportation Planning Program includes the City of Grand Junction and portions of Mesa County surrounding the City of Grand Junction's city boundaries.

The MPO provides citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties with reasonable notice and provides them an opportunity to comment on the proposed plans and programs. The GJ/MC MPO has prepared a Public Involvement Plan for the Regional Transportation Planning Process that addresses these requirements. The Public Involvement Plan explicitly considers the requirements of the Civil Rights Act of 1964 in addressing the involvement of minorities in the transportation planning and programming processes.

The Grand Junction/Mesa County Metropolitan Planning Organization (GJ/MC MPO) maintains a Memorandum of Agreement with the Mesa County and the City of Grand Junction. This agreement specifies planning tasks with regard to transportation planning activities and service provision to be carried out by the respective parties. This MOA, dated 1984, is in the process of being revised and is expected to be signed by the parties by the end of fiscal year 2001.

Mesa County, in cooperation with the Grand Junction/Mesa County Metropolitan Planning Organization, has prepared Americans with Disabilities Act (ADA) and Disadvantaged Business Enterprise (DBE) Plans. The City of Grand Junction, Mesa County, Fruita, and Palisade adopted a Transit Development Plan in 1998. These plans address the requirements of federal DBE regulations and the provision of fixed-route transit service, ADA paratransit, and transportation services by human service providers in the Grand Junction Urbanizing area.

Ongoing GJ/MC MPO activities consistent with Title VI of the Civil Rights Act, citizen involvement, and coordination of transportation services for elderly persons and persons with disabilities are:

1. Periodic meetings of the Paratransit Coordination Committee (PCC), a citizens group consisting of persons representing a variety of disabled citizens' interests;
2. Weekly meetings of the RTPO staff and Grand Valley Transit (GVT) personnel;

3. Monthly Transportation Policy Advisory Committee (TPAC) and Transportation Technical Advisory Committee (TTAC) meetings open to the public; and
4. Annual review and update of the Public Involvement Plan for transportation planning activities.

The Grand Junction Urbanizing Area has not been designated a maintenance area for carbon monoxide. As such, the RTPO, the Federal Highway Administration, the Federal Transit Administration and the U.S. Environmental Protection Agency have determined the region's long-range transportation plans and transportation improvement programs are in conformity with the Clean Air Act Amendments of 1990 and does not require a Carbon Monoxide Maintenance Plan for the Grand Junction Urbanizing Area.

The GJ/MC MPO adopted its fiscally constrained, conforming 2020 Regional Transportation Plan (RTP) in November, 1999, and approved the latest fiscally constrained, conforming Transportation Improvement Program on May 10, 2000. Amendments to the TIP are considered on a regular basis and are reviewed by GJ/MC MPO, Colorado Department of Transportation (CDOT), Federal Highway Administration (FhWA), and Federal Transit Administration (FTA) staffs. Both the 2020 RTP and the TIP address the provision of multi-modal transportation facilities and services. The 2020 RTP contains a Congestion Management System Plan. Plans and programs prepared by GJ/MC MPO are developed through an extensive, interactive public review process.

The GJ/MC MPO as the Metropolitan Planning Organization for the Grand Junction Urbanizing Area, and the State of Colorado certify that the urban transportation planning process is conducted in accordance with the metropolitan transportation planning process set forth in Section 134, Title 23 and Section 5303, Title 49, U.S.C. The GJ/MC MPO and the State of Colorado certify that the metropolitan transportation planning process complies with Title VI of the Civil Rights Act, is consistent with applicable provisions of the Americans With Disabilities Act, and meets conformity with the requirements of the Clean Air Act Amendments of 1990.

\_\_\_\_\_  
Cliff Davidson, Administrator  
Grand Junction/Mesa County Metropolitan Planning Organization

\_\_\_\_\_  
Date

Thomas E. Norton, Executive Director  
Colorado Department of Transportation

Date

**GRAND JUNCTION/MESA COUNTY**

**METROPOLITAN PLANNING ORGANIZATION  
ANNUAL TITLE VI ASSURANCES**

1. There have been no lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the Grand Junction/Mesa County Metropolitan Planning Organization (GJ/MC MPO) within the last year, July 1, 1999, through June 30, 2000.
2. There are no pending applications to any federal agency by the GJ/MC MPO other than to the FTA.
3. There were no civil rights compliance reviews performed on the GJ/MC MPO by any local, state, or federal agency during the period July 1, 1999, through June 30, 2000.
4. Title VI will be enforced by the GJ/MC MPO for all contractors. All contracts with the GJ/MC MPO include compliance measures that, in effect, state that failure to comply with Title VI requirements will result in termination of the contract. A copy of the standard contract language regarding Title VI is attached.

Dated: \_\_\_\_\_

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Cliff Davidson, Administrator  
Grand Junction/Mesa County Metropolitan Planning Organization

## COMPLIANCE WITH TITLE VI REQUIREMENT LAWS

Contractor shall comply with all applicable laws, rules, regulations, and ordinances of federal, state and local government authorities having jurisdiction over Contractor or any of the contract work, or activities carried out in the name of or on behalf of the Mesa County Metropolitan Planning Organization (GJ/MC MPO). Contractor shall obtain, at its own expense, all permits, licenses and equipment required of it by such authorities to enable Contractor to engage in the contract work. Without limiting the foregoing, Contractor, for itself, its permitted assignees and successors, agrees as follows:

- a. Compliance with Regulations - Contract will comply with the Regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations Part 21, hereinafter referred to as the Regulation, which are herein incorporated by reference and made a part of this Agreement.)
- b. Nondiscrimination – contractor, with regard to the work and services performed by it after award and prior to completion of the contract work, will not discriminate on the grounds of race, color, national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.
- c. Solicitations of Subcontractors Including Procurement of Materials and Equipment – in all solicitations, either by competitive bidding or negotiation, made by Contractor for work or services to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Contract and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.
- d. Information and Reports – Contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities to the authorized representative of GJ/MC MPO as may be determined by GJ/MC MPO to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the same, Contractor shall so certify to GJ/MC MPO and shall set forth what efforts it has made to obtain the information.

- e. Incorporation of Provisions – Contractor will include the provisions this Section 19a through 19f in every permitted subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations order, or instructions issued pursuant thereto. Contractor will take such action with respect to any subcontract procurement as GJ/MC MPO may direct as a means of enforcing such provisions including sanctions for noncompliance provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, Contractor may request the GJ/MC MPO to enter into such litigation to protect the interests of the GJ/MC MPO, and in addition, Contractor may request the United States to enter into such litigation to protect the interests of the United States. Sanctions for Noncompliance – in the event of the Contractor’s noncompliance with the nondiscrimination provisions of the Contract, the GJ/MC MPO shall use such Contract sanctions as it may determine to be appropriate, including but not limited to:
1. withholding of payments to the Contractor under the Contract, until the Contractor complies, and/or
  2. Cancellation, termination, or suspension of the Contract, in whole or part.
- f. Contractor agrees to indemnify and save harmless the GJ/MC MPO, its officers, directors, employees, agents and representatives from and against any and all liability, penalties, costs and expenses due to Contractor’s failure to comply with any of the requirements of this Section 19, and to defend, at its expense, against all lawsuits and actions or proceedings resulting from any such failure to which the above agreement to indemnify pertains.

**Attach 7  
Tabor Ballot Title**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>		<b>TABOR Ballot Consideration</b>	
<b>Meeting Date:</b>		<b>January 3, 2001</b>	
<b>Date Prepared:</b>		<b>December 27, 2000</b>	
<b>Author:</b>		<b>Kelly Arnold</b>	<b>City Manager</b>
<b>Presenter Name:</b>		<b>Kelly Arnold</b>	<b>City Manager</b>
<b>X</b>	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Setting a Ballot Title for April 3, 2001 Election Regarding Retaining Revenues as Defined by Article X, Section 20 of the Colorado Constitution.

**Summary:** After two months of Council workshops, attached is a resolution for setting a ballot question on April 3, 2001 for retaining revenues under the TABOR refunding mechanisms. Council members Terry and Spehar developed the ballot question.

**Background Information:** The Council has been discussing the possibility of asking voters whether it is appropriate to “De-Bruce” or not. Based upon workshops to discuss this issue, the Council has come to the following conclusions:

- A) It is appropriate to ask the voters whether the TABOR Amendment should be repealed for Grand Junction for all revenue resources except for property tax.
- B) That property tax is not part of the issue and will continue to fall under the TABOR provisions.
- C) There should be a sunset provision of 15 years.
- D) That a campaign commitment to use the revenues from repealing the TABOR provisions will be used to construct and operate significant capital expenditures that otherwise could not be constructed under the TABOR provisions. Such capital improvements include the 29 Road viaduct, Riverside bypass, a new fire station, public safety training facility, and parks/recreation development.

Based upon these conclusions, Council is set to consider the resolution and ballot question for the April 3<sup>rd</sup> mail-in ballot election. A copy of this resolution is attached for Council consideration.

In addition, the Chamber of Commerce has taken a position of support for this effort. Attached is a letter from the chamber of Commerce outlining their formal position.

**Budget:** Over the next 15 years the approval of this ballot question will mean millions of dollars of much needed capital improvements will be budgeted and expended.

**Action Requested/Recommendation:** Approve the resolution setting forth the ballot question.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input type="checkbox"/>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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**RESOLUTION NO. \_\_\_\_\_ -01**

**A RESOLUTION SETTING A TITLE AND SUBMITTING TO THE ELECTORATE ON  
APRIL 3, 2001 A MEASURE TO RETAIN AND SPEND REVENUES AS DEFINED BY  
ARTICLE X, SECTION 20 OF THE  
COLORADO CONSTITUTION**

**RECITALS.**

In 1992, the Colorado electorate amended the Colorado Constitution by the passage of the "Taxpayer's Bill of Rights" (TABOR Amendment). The Amendment requires, among other things, that any time fiscal year revenues exceed the limitation imposed by the Amendment for the same fiscal year, then the local government must refund the excess revenues unless the voters approve otherwise.

It has been shown in recent studies that a significant portion of the City's general government revenue is derived from sales tax paid by visitors, shoppers and tourists. Because the City is principally funded by sales tax, the tax burden on City residents is reduced. Sales tax funding of municipal services provides a means of sharing the cost of services among all users. Sales tax will be the primary source of excess revenues under those revenue limits imposed by the TABOR Amendment. As a result, approval of the ballot question would allow the City of Grand Junction to retain this important tax revenue.

In addition, other revenue sources such as grants and interest earnings will not be limited if the ballot question is approved.

The ballot measure does not affect TABOR restrictions on property taxes.

The ballot measure will not increase taxes or tax rates.

Passage of the ballot measure would allow the City to construct and operate capital improvements. These capital improvements will help address transportation, public safety, and parks/recreation deficiencies that are much needed for our community to continue to grow and prosper.

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

1. Removing the TABOR Amendment limitations on revenues such as sales tax and grants so that capital improvements and associated operational expenses can be addressed is an important question worthy of Grand Junction citizen's consideration.
2. The following question be submitted to the registered electors on Tuesday, April 3, 2001:

Ballot Title Number 1

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF GRAND JUNCTION, COLORADO BE PERMITTED TO, IN THE YEARS 2000 AND EACH SUBSEQUENT YEAR THEREAFTER UNTIL THE YEAR 2016, RETAIN AND SPEND ALL REVENUES EXCEPT FOR PROPERTY TAXES WHICH ARE IN EXCESS OF THE SPENDING, REVENUE RAISING OR OTHER LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, WITH SALES AND USE TAX REVENUE TO BE UTILIZED FOR GROWTH RELATED, CAPITAL IMPROVEMENT PROJECTS AND THE RELATED OPERATIONAL COSTS WITH ALL OTHER REVENUE TO BE UTILIZED FOR ANY OTHER LAWFUL PUBLIC PURPOSES?

YES

NO

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Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 8  
Colonial Heights Rezone**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Colonial Heights Rezone</b>		
<b>Meeting Date:</b>	<b>January 3, 2001</b>		
<b>Date Prepared:</b>	<b>December 28, 2000</b>		
<b>Author:</b>	<b>Joe Carter</b>	<b>Associate Planner</b>	
<b>Presenter Name:</b>	<b>Joe Carter</b>	<b>Associate Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Colonial Heights Rezone

**Summary:** The petitioner is requesting approval of a Rezone of 46.8 acres parcel located on the southeast corner of 25 Road and G Road. The current zoning is PD 4.4. The petitioner is requesting a zoning of RMF-8, Residential Multi-family 8 units per acre. The Planning Commission recommended denial of the zoning request. The petitioner is requesting a continuance of the hearing in order for staff and the applicant to discuss zoning options for the proposed plan.

**Background Information:** See Attached Staff Report.

**Budget:** N/A

**Action Requested/Recommendation:** Continue Second Reading of the Ordinance for Colonial Heights to January 17, 2001 meeting.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input type="checkbox"/>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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**CITY OF GRAND JUNCTION**

**MEETING DATE:** January 3, 2001

**CITY COUNCIL**

**STAFF PRESENTATION:** Joe Carter

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**AGENDA TOPIC:** Rezone, File # RZ-2000-179, Colonial Heights Subdivision.

**SUMMARY:** The petitioner is requesting approval of a Rezone of 46.8 acres parcel located on the southeast corner of 25 Road and G Road. The current zoning is PD 4.4 units per acre. The petitioner is requesting a zoning of RMF-8. The Planning Commission forwarded a recommendation of denial to the City Council. The applicant's appeal of the Planning Commission's decision will be heard at the time of Second Reading of the Zoning Ordinance. **NOTE: The petitioner is requesting a continuance of the hearing for 30 days.**

**ACTION REQUESTED:** Second Reading of the Zoning Ordinance

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		<b>Southeast Corner of 25 Road and G Road</b>			
<b>Applicants:</b>		<b>Alan Parkerson, Petitioner Rich Livingston, Representative</b>			
<b>Existing Land Use:</b>		<b>Vacant</b>			
<b>Proposed Land Use:</b>		<b>Residential Subdivision</b>			
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Residential, large lot residential</b>			
	<b>South</b>	<b>Residential, 4.52 units per acre</b>			
	<b>East</b>	<b>Residential, 2.3 units per acre</b>			
	<b>West</b>	<b>Residential, large lot residential</b>			
<b>Existing Zoning:</b>		<b>PD 4.4, Planned Development 4.4 du/acre</b>			
<b>Proposed Zoning:</b>		<b>RMF-8, Residential Multi-family, 8 du/acre</b>			
<b>Surrounding Zoning:</b>	<b>North</b>	<b>RSF-4 (City)</b>			
	<b>South</b>	<b>RMF-8, (City) Garrett Estates</b>			
	<b>East</b>	<b>PD-2.3(City) Moon Ridge Falls</b>			
	<b>West</b>	<b>RMF-8 (City)</b>			
<b>Growth Plan Designation:</b>		<b>Residential Medium, 4 to 8 du/acre</b>			
<b>Zoning within density range?</b>		<b>x</b>	<b>Yes</b>		<b>No</b>

## **PROJECT ANALYSIS**

### **The petitioner is requesting a continuance of the hearing for 30 days.**

The petitioners are requesting a Rezone of 46.8 acres located on the southeast corner of 25 Road and G Road. The parcel is currently zoned Planned Development, 4.4 dwelling units per acre. The applicants are requesting an RMF-8 designation, Residential Multi-family 8 dwelling units per acre.

The Growth Plan designates this parcel as Residential Medium 4 to 8 units per acre. This proposal meets the intent of the Growth Plan.

The parcel was originally proposed as the Country Crossing development. Under the Country Crossing Development, the prior applicants successfully rezoned the property from PR-3.8 to PR-4.4. Staff does not know the reasons for the Country Crossing proposal abandonment. The Planned Development designation remained with the adoption of the new zoning map in April 2000.

As stated above, the applicant is requesting a rezone from PD to RMF-8. The applicant proposes a density of 4.6 dwelling units per acre or 184 units on 39.81 acres. The remaining 7.03 acres will be dedicated to the HOA as open space.

The 7.03 acres is not suitable for development and can be eliminated from the 'Net Developable Area' calculation. As proposed, the subdivision would consist of 140 single-family residential lots and 22 duplex lots.

The Parks and Recreation Department has requested an additional 10% gross land area dedication to the City of Grand Junction for a neighborhood park as per the Parks Master Plan. With the neighborhood park dedication, the number of lots will be reduced. The density might fluctuate slightly with the neighborhood park designation but will not exceed 8 units per acre or go below the 4 dwelling unit per acre density. The applicant is requesting the RMF-8 designation in order to reduce the lot size and minimize setbacks. The applicant has stated that there is no market demand for an 8 unit per acre development at this time.

The applicant sent notices to all adjacent property owners within 500 feet requesting their attendance at a required neighborhood meeting. The meeting was held on July 12, 2000 at 7:00 PM. Eight people were listed as attendees on the sign-in sheet. The density was discussed and the conceptual plan was shown to the attendees. The minutes for this neighborhood meeting, sign-in sheet and list of notified property owners are attached to this staff report.

The applicant is requesting only a rezone for the property under this application. Traffic, streets, access, drainage, lot configuration, irrigation and utilities will be reviewed at the time the Preliminary Plan is submitted for review. Attached to this staff report are Agency Review Comments that pertain more to a Preliminary Plan review. While these comments are valid, most were not considered for this rezoning request.

This rezone must be evaluated using the criteria noted in Sections 2.6 of the Zoning and Development Code, as follows:

- 1. Was the existing zone an error at the time of adoption?** No., The underlying zone for this parcel is PD and was adopted with the new zoning map in April 2000.
- 2. Has there been a change in character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** The parcels directly to the south and west of this parcel are zoned RMF-8, as adopted by the City Council in April 2000.
- 3. Is the proposed rezone 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?** The proposed rezone is compatible with the surrounding zoning and densities. The applicant for this project is the same applicant that is now constructing Garrett Estates subdivision, directly south of this parcel. The Growth Plan designation for this parcel is Residential Medium 4 to 8 units per acre and the zoning is RMF-8. Although the zoning for this parcel is RMF-8, the developer was approved with a density of 4.52 units per acre.

There is a Traffic Impact Study required for the Preliminary Plan submittal. The applicant is aware of the site improvement requirements for storm water and drainage. While water, air, noise and light pollution are very real concerns, the proposed development is consistent with the developed area on the east and south sides, which were approved by the Community Development Department. These items will be addressed at time of Preliminary Plan review.

- 4. Is the proposal in conformance with the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Zoning and Development Code and other City regulations and guidelines?** Yes, the proposed development has been designed to be compliant with the Growth Plan. The Growth Plan designates this parcel as Residential Medium 4 to 8 units per acre.
- 5. Are adequate public facilities and services available or will be made available concurrent with the projected impacts of the proposed development?** Adequate facilities are available in the area and could reasonably be extended.
- 6. Is there an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs?** There is adequate supply of land in the area. The Growth Plan designates this property for residential development at densities of 4 to 8 units per acre that indicates a community need.

**7. Will the community or neighborhood benefit from the proposed zone? Yes.**

The proposed development can be considered in-fill due to the extent of surrounding development and the proposed zone is consistent with the surrounding zoning and densities. The parcel of land is in close proximity to the regional shopping mall and a regional park. The close proximity to these amenities would be beneficial to the community by reducing trip length to these destination areas.

**STAFF RECOMMENDATION:**

Approval

**PLANNING COMMISSION ACTION:**

The Planning Commission unanimously denied the request in a 0 – 6 vote. The Planning Commission agreed that, in this instance, a specific plan should have been submitted along with the rezone request.

The applicant has submitted an appeal to the Planning Commission's recommendation to City Council. This appeal will be heard at time of Second Reading of the Zoning Ordinance.

**Attachments:**

- a. Ordinance
- b. General location map (aerial)
- c. Site Plan
- d. Neighborhood Meeting Minutes

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE No. \_\_\_\_\_**

**ORDINANCE ZONING A PARCEL OF LAND LOCATED ON THE  
SOUTHEAST CORNER OF 25 ROAD AND G ROAD  
FROM PD 4.4 TO RMF-8**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying Residential Multi-family 8 units per acre (RMF-8) zone district to these parcels for the following reasons:

- RMF-8 zone district meets the recommended land use categories as shown on the future land use map of the Growth Plan, and the Growth Plan's goals and policies.
- RMF-8 zone district meets the criteria found in Sections 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 RMF-8 zone district be established.

The City Council finds that the RMF-8 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 parcels shall be zoned Residential Multi-family 8 units per acre (RMF-8) zone district:

LEGAL DESCRIPTIONS

PARCEL 1

Beginning at the Northwest Corner of the SW ¼ NW1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian,  
thence South 89d31' East 1319.00 feet to the Northeast Corner of said SW1/4 NW1/4  
thence South 00d01' East 147.3 feet,  
thence South 74d27' West 1084.6 feet,  
thence South 64d16' West 141.0 feet,  
thence West 147.2 feet to the West line of said SW ¼ NW1/4,  
thence North 510.4 feet to the Point of Beginning,  
Tax Schedule # 2945-032-00-199

## PARCEL 2

That part of the NW ¼ NW¼ and the W½ NE¼ NW¼ of Section 3, Township 1 South, Range 1 West of the Ute Meridian, lying Westerly and Southerly of the centerline of the Grand Valley Canal,

EXCEPT Beginning at the Northwest Corner of Section 3, Township 1 South, Range 1 West of the Ute Meridian,

thence East along the North line of said Section 3 a distance of the 220.0 feet,

thence South parallel to the West line of said Section 3 a distance of 180.0 feet,

thence West parallel to the North line of said Section 3 a distance of 220.0 feet,

thence North along the West line of said Section 3 a distance of 180.0 feet to the Point of Beginning,

## PARCEL 3:

That part of the NW¼ NW¼ and the W½ NE¼ NW¼ of Section 3, Township 1 South, Range 1 West of the Ute Meridian lying Westerly and Southerly of the Easterly and Northerly right of way line of the Grand Junction and Grand River Railway, AND lying Northerly and easterly of the centerline of the Grand Valley Canal,

EXCEPTING THEREFROM that portion conveyed in Deed recorded May 13, 1997, in Book 2325 at Page 110, said portion being described as follows:

All that part of the following described property lying East of the centerline of the Grand Valley Canal:

A parcel of land located in the NE¼ NW¼ of Section 3, Township 1 South Range 1 West of the Ute Meridian further described as the following:

Beginning at the Southwest Corner of said NE¼ NW¼ of Section 3, whence the

Northwest Corner of said NE¼ NW¼ of Section 3 bears North 00d02'09" West, a

distance of 1332.54 feet for a basis of bearing with all bearings contained herein relative

thereto; thence along the West line of said NE¼ NW¼ of Section 3 North 00d02'09"

West, a distance of 371.96 feet, thence along the Easterly right-of-way line of a 40.00 foot

wide right of way for the Grand Junction and Grand River Valley Railway as recorded in

Book 125, Pages 286 through 288 of the Mesa County Records the following three (3)

courses: (1) South 13d59'29" East, a distance of 3.11 feet, (2) along a curve to the left,

having a delta angle of 76d33'20", with a radius of 454.62 feet, an arc length of 607.44

feet, a chord bearing of South 52d16'09" East, and a chord distance of 563.25 feet, (3)

North 89d27'11" East, a distance of 213.18 feet, thence South 00d03'24" East, a distance

of 20.00 feet to a point on the South line of said NE¼ NW¼ of Section 3, thence South

89d27'11" West, a distance of 659.21 feet along said South line to the Point of Beginning,

ALL IN MESA COUNTY, COLORADO.

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Introduced on first reading this 20<sup>th</sup> day of December, 2000.

PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk



**AGENDA TOPIC:** FP-2000-219 Amending the Zoning Ordinance for Redlands Mesa

**SUMMARY:** A request to revise the zoning ordinance for Redlands Mesa to increase the maximum size of the golf clubhouse from 6,000 s.f. to 9,000 s.f.

**ACTION REQUESTED:** City Council approval of the ordinance

<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		<b>South of West Ridges Blvd in the Ridges</b>	
<b>Applicants:</b>		<b>Red Junction, LLC</b>	
<b>Existing Land Use:</b>		<b>Undeveloped</b>	
<b>Proposed Land Use:</b>		<b>Golf clubhouse and maintenance facility</b>	
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Single family residential and golf course</b>	
	<b>South</b>	<b>Undeveloped and golf course</b>	
	<b>East</b>	<b>Residential</b>	
	<b>West</b>	<b>Golf course</b>	
<b>Existing Zoning:</b>		<b>Planned Development (PD)</b>	
<b>Proposed Zoning:</b>		<b>Same</b>	
<b>Surrounding Zoning:</b>	<b>North</b>	<b>PD</b>	
	<b>South</b>	<b>PD</b>	
	<b>East</b>	<b>PD</b>	
	<b>West</b>	<b>PD</b>	
<b>Growth Plan Designation:</b>		<b>Residential Medium Low (2-4 dwelling units per acre)</b>	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Project Analysis:**

**Background:** The Redlands Mesa proposal, consisting of 526 residential units and 20,000 s.f. of office on 175.69 acres, 145.25 acres of open space and 160.89 acres for the golf course and club house, received ODP (Outline Development Plan) and design density approval. The total acreage for the development is 494.08. A Preliminary Plan and zoning for Phase I of the development has also been approved. Phase I consists of 188 single family homes, the golf course, clubhouse and maintenance facility. Filing I of Phase I was approved by Planning Commission in the Fall of 1999 and recorded in July of 2000. Filing I included 79 single family lots, as well as the golf course and created and dedicated 85 acres of open space to the City of

Grand Junction. Filing II of Phase I was recently approved by the Planning Commission and consists of 36 single family lots.

#### Proposed Clubhouse and Maintenance Facility

The approved ODP for Redlands Mesa included the clubhouse on the south side of West Ridges Boulevard, as is proposed, but showed the maintenance facility to be located on the north side of West Ridges Boulevard, directly across from the clubhouse. The developer is now proposing to incorporate the maintenance facility onto the same site as the clubhouse, which allows for better efficiency and design.

The zoning ordinance for Phase I of Redlands Mesa established a maximum square footage for the clubhouse of 6,000 s.f., to include a golf shop and related facilities, a restaurant and bar. The clubhouse as proposed has a total of 8,706 s.f., including an unfinished basement. The maintenance facility is a total of 8,159 s.f. which is within the approved 12,000 s.f.

The clubhouse facility will include a bar/dining area with a seating capacity of 75, a pro shop, snack bar and common areas. It also includes a 4,216 s.f. unfinished basement. The applicant has calculated the parking needs as follows:

- 75 seats in top level; 3:1 = 25 vehicles
- 18 hole course with four-some on each hole = 72 golfers = 72 cars max.
- Staff of 10, 10 on driving range, and three four-somes waiting = 32
- Total needed = 141

The above assumptions and calculations are maximums and do not account for ride sharing, residents golfing and shared use of facilities, so the demand would likely be somewhat less. There are 142 spaces provided on site, which are adequate for the uses as described. However, the above assumptions do not account for the future use of the unfinished basement. Possible uses of the unfinished basement are lockers for golfers or a banquet facility. If it is used as a banquet facility, the parking demand might be quite high and additional parking would likely be required. At the time a use is proposed for the basement, it will have to be determined if adequate parking exists, or if additional parking would be required.

The landscaping, lighting and signage as proposed are acceptable.

The City Fire Department has conducted a hydrant flow test near the clubhouse and found the available flow to be 1,168 GPM. The Fire Code requires a flow of 1,500. Therefore, until the Fire Department is satisfied there is adequate fire flow, a Planning Clearance cannot be issued.

**COUNCIL CONSIDERATION: The Planning Commission approved the Final Plan for the Clubhouse at Redlands Mesa at their December 12, 2000 hearing and recommended approval to amend the zoning ordinance, increasing the maximum size for the clubhouse. The City Council is considering only the revised zoning ordinance, not the details of the final plan.**

Attachments:

- a. General Location Map
- b. General Project Report
- c. Approved ODP/Preliminary Plan
- d. Site Plan

## **CITY OF GRAND JUNCTION**

### **Ordinance No. 3323**

#### **AMENDING THE ZONING ORDINANCE FOR REDLANDS MESA**

##### Recitals:

In April of 1999, a zoning ordinance for Phase I of Redlands Mesa was approved by the City Council. The ordinance allowed for 118 single family homes, an 18 hole golf course, a clubhouse not to exceed 6,000 s.f. and a maintenance facility not to exceed 12,000 s.f. The proposed final plans for the clubhouse include a basement, bringing the total square footage to just under 9,000 square feet. The Planning Commission has approved the final plan for the clubhouse. The Planning Commission and City Council hereby find that the request is in compliance with the Zoning and Development Code.

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

That the Planned Development (PD) zoning ordinance for the land described below is hereby revised with the allowed uses being as follows:

- Residential uses not to exceed 118 single family units.
- A golf clubhouse not to exceed 9,000 s.f. and to include a golf shop and related facilities, a restaurant and a bar.
- A golf maintenance facility not to exceed 12,000 s.f.

**LEGAL DESCRIPTION:** A parcel of land situated in portions of Sec 17, 19 and 20, T1S, R1W of the U.M., Mesa County, Colorado, described in Bk 1843 at Pgs 692 thru 698, said parcel being more particularly described by survey as follows: Beg at a pt on the E line of the NE1/4 SE1/4 of Sec 20, whence the E1/4 cor of Sec 20, a standard 3 1/2" aluminum cap set by PLS 18480 on an aluminum pipe, bears N01°14'38"E 130.74'; thence S01°14'38"W 1162.17' to the S1/16 cor on the E boundary of Sec 20, a Mesa County survey monument; thence along the E line of the SE1/4 SE1/4 of Sec 20, S01°16'22"W 1267.75' to a pt whence the SE cor of Sec 20, a BLM brass cap, bears S01°16'22"W 24.59'; thence S89°07'30"W 1224.69' to the E1/16 cor on the N boundary of Sec 29, T1S, R1W, a Mesa County survey monument; thence N89°06'43"W 95.80' to the E1/16 cor on the S boundary of Sec 20, a BLM Cadastral survey brass cap; thence N89°46'17"W 1318.92' to the S1/4 cor of Sec 20, a BLM Cadastral survey brass cap; thence N89°36'43"W 1320.84' to the W1/16 cor on the S boundary of Sec 20, a BLM Cadastral survey brass cap; thence N89°44'02"W 1320.20' to the SW cor of Sec 20, a

BLM Cadastral survey brass cap; thence along the W line of the SW1/4 of Sec 20, N00°11'02"E 897.11' to a metal disk marker stamped LS5933 set in a stone; thence N89°49'40"W 500.09' to a rebar/cap LS5933; thence N30°11'54"E 470.92' to the 1/4 cor common to Sec 19 and 20, a Mesa County survey monument; thence S89°46'44"W 1300.13' to the center E1/16 cor of Sec 19, a Mesa County survey monument; thence N01°44'46"E 1291.50' to the NE1/16 cor of Sec 19, a Mesa County survey monument; thence N89°53'22"E 613.13' to a #5 rebar set in concrete; thence N65°17'32"E 535.96' to a #5 rebar set in concrete; thence N41°55'06"E 592.54' to a #5 rebar set in concrete; thence N58°16'03"E 495.53' to a #5 rebar set in concrete; N78°07'01"E 666.98' to a #5 rebar set in concrete; thence N33°06'25"E 350.67'; thence S68°41'19"E 588.44' to the westerly line of a parcel described in a title commitment prepared by Meridian Land Title, Inc., as an exception to said Parcel 1; thence along westerly line S23°37'49"W 430.49'; thence along the southerly line of said exception, N89°41'49"E 72.15'; to the westerly boundary of The Ridges Filing #6; thence along the westerly and southerly boundary of The Ridges Filing #6 the following courses: S00°00'00"E 122.33'; S44°10'50"E 244.94'; S69°22'18"E 54.27'; S48°35'48"E 55.79'; N85°06'40"E 92.27'; N17°21'30"E 92.69'; S82°14'50"E 30.14' to the southerly line of that parcel described in said title commitment as an exception to said Parcel 1; thence along southerly line S25°33'11"E 117.30'; thence along southerly line S66°34'51"E 133.09' to the westerly line of a parcel described in Bk 1843 at Pg 698; thence along westerly line S10°16'01"E 95.31'; thence along westerly line S68°50'18"E 72.62' to a #5 rebar with cap LS12770; thence departing said westerly line, 104.65' along the arc of a 50.00' rad non-tangent curve to the left, through a central angle of 119°55'32" with a chord bearing S25°03'53"E 86.57'; thence 283.58' along the arc of a 444.99' rad non-tangent curve to the right, through a central angle of 36°30'48", with a chord bearing S56°03'20"W 278.81'; thence 130.87' along the arc of a 150.00' rad curve to the left, through a central angle of 49°59'24", with a chord bearing S49°19'02"W 126.76'; thence S24°19'20"W 97.00' to a #5 rebar with cap LS 12770; thence N65°40'40"W 50.00' to a #5 rebar with cap LS 12770; thence 31.41' along the arc of a 20.00' rad non-tangent curve to the right, through a central angle of 90°00'00", with a chord bearing S69°19'20"W 28.28' to a #5 rebar; thence N65°40'40"W 49.00' to a #5 rebar set in concrete; thence S24°19'20"W 139.60' to a #5 rebar; thence N65°40'40"W 35.82' to a #5 rebar with cap LS 9960; thence S00°00'00"E 95.00' to a #5 rebar with cap LS 9960; thence S61°02'00"W 328.41' to a #5 rebar with cap LS 12770, the southerly and westerly boundary line of The Ridges Fil #5; thence along the southerly and westerly boundary line of The Ridges Fil #5 the following courses: S28°58'00"E 43.03'; 148.29' along the arc of a 260.00' rad curve to the right, through a central angle of 32°40'46", with a chord bearing S12°37'37"E 146.29'; 437.10' along the arc of a 290.00' rad curve to the left, through a central angle of 86°21'34" with a chord bearing S39°28'03"E 396.89'; S30°57'24"E 145.53' to a #5 rebar with cap LS 9960; S39°51'00"E 121.67'; S36°13'27"E 244.71' to a #5 rebar with cap LS 9960; S73°52'00"E 335.71'; N50°31'05"E 317.42'; N14°29'37"W 381.25' to a #5 rebar with cap LS 9960 on the southerly boundary line of The Ridges Fil #4; thence along the southerly boundary line of The Ridges Fil #4 the following courses: S81°52'12"E 71.57'; 482.20' along the arc of a 1040.00' rad curve to the left, through a central angle of 26°33'55", with a chord bearing N84°50'51"E 477.89'; N71°33'54"E 360.00'; 111.41' along the arc of a 540.00' rad curve to the left, through a

central angle of 11°49'15", with a chord bearing N65°39'17"E 111.21' to the westerly boundary line of the Gardner Lake parcel; thence along the westerly and southerly boundary of the Gardner Lake parcel the following courses: S18°35'50"W 335.00' to a #5 rebar with cap LS 12770; S34°39'50"E 150.00'; S84°28'10"E 272.64'; N55°13'20"E 220.00'; N38°34'30"E 120.00' to the southerly boundary line of The Ridges Fil #3; thence along the southerly boundary line of The Ridges Fil #3 the following Courses: S90°00'00"E 143.35'; 103.76' along the arc of a 800.00' rad curve to the left, through a central angle of 07°25'54" with a chord bearing N86°17'03"E 103.69' to a #5 rebar with cap LS 9960; S07°25'54"E 110.00' to a #5 rebar with cap LS 9960; N82°34'06"E 240.00' to a #5 rebar with cap LS 9960; S89°18'55"E 87.26' to a #5 rebar with cap LS 9960; S53°14'24"E 119.27' to a #5 rebar with cap LS 9960; S26°05'44"E 251.58'; N63°56'00"E 110.00'; S26°04'00"E 160.00' to POB. EXCEPT a parcel conveyed to the County of Mesa by instrument recd at Bk 964 Pg 653.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of December, 2000.

PASSED on SECOND READING this 3rd day of January, 2001.

ATTEST:

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City Clerk

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President of City Council

**Attach 10  
Mesa State College Rezone**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Mesa State College Rezone</b>		
<b>Meeting Date:</b>	<b>January 3, 2001</b>		
<b>Date Prepared:</b>	<b>December 28, 2000</b>		
<b>Author:</b>	<b>Joe Carter</b>	<b>Associate Planner</b>	
<b>Presenter Name:</b>	<b>Joe Carter</b>	<b>Associate Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Mesa State College Rezone

**Summary:** The Petitioner is requesting rezoning 6 parcels adjacent to Mesa State College from RMF-8 and B-1 to CSR. Mesa State College or the Mesa State Foundation owns all parcels.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Second Reading of the Ordinance rezoning 6 parcels of land from RMF-8 and B-1 to CSR. Mesa State College or the Mesa State Foundation owns all the parcels.

<b>Citizen Presentation:</b>		<b>No</b>	<b>X</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>					
<b>Purpose:</b>	<b>Representative</b>				

<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>		<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>		<b>Consent</b>	<b>X</b>	<b>Indiv. Consideration</b>		<b>Workshop</b>
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**CITY OF GRAND JUNCTION**

**MEETING DATE:** January 3, 2001

**CITY COUNCIL**

**STAFF PRESENTATION:** Joe Carter

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**AGENDA TOPIC:** Rezone, File # RZ-2000-209, Mesa State College.

**SUMMARY:** The petitioner is requesting approval of a Rezone of 6 residential parcels located adjacent to Mesa State College

**ACTION REQUESTED:** Second Reading of the Zoning Ordinance.

<b>BACKGROUND INFORMATION</b>		
<b>Location:</b>		1315 College Place 1405 College Place 1435 College Place 1460 North 12 <sup>th</sup> Street 1450 North 12 <sup>th</sup> Street 1235 Kennedy Avenue
<b>Applicants:</b>		Mesa State College, Petitioner Ron Gray, Representative
<b>Existing Land Use:</b>		Rezone
<b>Proposed Land Use:</b>		Associated College Uses
<b>Surrounding Land Use:</b>	North	College
	South	College
	East	College
	West	College
<b>Existing Zoning:</b>		RMF-16 (parcels along College Place & B-1 (parcels along 12 <sup>th</sup> Street and Kennedy Ave.)
<b>Proposed Zoning:</b>		CSR, Community Services and Recreation
<b>Surrounding Zoning:</b>	North	RSF-16, (City)
	South	RMF-16 (City)
	East	RMF-16, (City)
	West	RMF-16, (City)
<b>Growth Plan Designation:</b>		Public

Zoning within density range?	N/A	Yes		No
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## PROJECT ANALYSIS

The petitioners are requesting the rezoning of 6 parcels under the ownership of the Mesa State Foundation and/or Mesa State College.

1315, 1405 and 1435 College Place are currently zoned RMF-16, Residential Multi-family 16 dwelling units per acre. 1450 and 1460 12<sup>th</sup> Street and 1235 Kennedy Avenue are currently zoned B-1.

The parcels along College Place are proposed for green space. The parcels along 12<sup>th</sup> Street and Kennedy Avenue are currently used as parking. The applicant has met with staff on the expansion of the parking lot of Kennedy and a Site Plan Review is forth coming.

At the time of the recent adoption of the zoning map for the City of Grand Junction, it was agreed upon by the City Council that Mesa State College would have a zoning designation of CSR (Community Services and Recreation). At the time of the zoning map adoption, all properties under the ownership of Mesa State were rezoned to CSR. The properties included in this rezone request were acquired after the adoption of the new zoning map. Additionally, it was agreed upon that Mesa State College would be allowed to apply for bulk rezones of property on an annual basis.

This rezone must be evaluated using the criteria noted in Sections 2.6 of the Zoning and Development Code as follows:

1. **Was the existing zone an error at the time of adoption?** No., The subject properties were not under the ownership of Mesa State College or the Mesa State College Foundation. The rezone request comes from the recent purchase of these 6 properties.
2. **Has there been a change in character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** The school is slowly acquiring the area to the east of Mesa State. With the acquisitions of property, Mesa State is expanding towards conformity with the Master Plan for the campus. There is a residential character to the neighborhood, but the trend in this area is to eventually complete the Mesa State Campus Master Plan. Mesa State owns much of the adjacent property along College Place. The 12<sup>th</sup> Street and Kennedy Avenue parcels are currently used for parking.
3. **Is the proposed rezone 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?** Yes the rezones are compatible with the neighborhood future expansion plans for Mesa State College. The green space proposal for these lots should not create adverse impacts because of its low intensity use. The parcels along 12<sup>th</sup> Street and Kennedy Ave are proposed for a parking lot expansion. The proposal will provide needed parking spaces for Mesa State. The capacity, storm water and lighting of these lots will be reviewed under a Site Plan Review application.

**4. Is the proposal in conformance with the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Zoning and Development Code and other City regulations and guidelines?** The parcels along College Place are designated as Public and were specifically designated as such for Mesa State College. The parcels along Kennedy are designated as commercial on the Growth Plan. The commercial designation allows for parking lots.

**5. Are adequate public facilities and services available or will be made available concurrent with the projected impacts of the proposed development?** Adequate facilities are available in the area and could reasonably be extended.

**6. Is there not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs?** No, the property surrounding Mesa State College is at full build out. With the proposed expansion of the college, parcels will be purchased and rezoned on an annual basis.

**7. Will the community or neighborhood benefit from the proposed zone?** Yes. The rezoning will benefit the community through the future expansion of Mesa State College.

**Staff Recommendation:**

Approval of the rezoning as requested.

**Planning Commission Recommendation:**

Approval of the rezoning as requested.

**Attachments:**

- a. Ordinance
- b. General location map
- c. Letter from petitioner

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE No. 3324**

**Ordinance Zoning 1315 College Place, 1405 College Place, 1435 College Place, 1450 North 12<sup>th</sup> Street, 1460 North 12<sup>th</sup> Street and 1235 Kennedy Avenue**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Community Service and Recreation (CSR) zone district to these parcels for the following reasons:

- CSR zone district meets the recommended land use categories as shown on the future land use map of the Growth Plan, and the Growth Plan's goals and policies.
- CSR zone district meets the criteria found in Sections 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 CSR zone district be established.

The Planning Commission and City Council find that the CSR 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 parcels shall be zoned Community Service and Recreation (CSR) zone district:

**LEGAL DESCRIPTIONS**

1315 College Place  
South ½ lot 19 + Lots 20 & 21 in Block 1, McMullin and Gormley subdivision  
Tax Parcel 2945-114-21-010

1405 College Place  
Lots 11& 12 in Block 1, McMullin and Gormley Subdivision  
Tax Parcel 2945-114-21-006

1435 College Place  
Lots 5 & 6 in Block 1, McMullin and Gormley Subdivision  
Tax Parcel 2945-114-21-003

1450 North 12<sup>th</sup> & 1235 Kennedy

All of Lots 1,2,3,4,5,6,7 in block 2 of AMENDED PLAT OF HENDERSON HEIGHTS EXCEPT The North 10 feet thereof; and all of Lots 26, 27, 28, 29, 30, 32, 33, and 34 in Block 2 of AMENDED PLAT OF HENDERSON HEIGHTS, TOGETHER WITH vacated alley as shown by Ordinance 1899 recorded July 11, 1980 in Book 1265 at Page 800 and as shown by Ordinance 2050 recorded May 13, 1982 at Page 253,

EXCEPT all of the following:

The North 110 feet of Lots 1,2,and 3, Block 2, the North 75 feet of Lots 4 and 5, Block 2, and the North 75 feet of the West 17.96 feet of Lot 6, Block 2, the North 97 feet of the east 7.21 feet of Lot 6, Block 2, and the North 97 feet of Lot 7, Block 2, the North 7.3 feet of the West 9.55 feet of Lot 26, Block 2, the North 7.3 feet of Lot 27,Block 2, AND EXCEPT all of that part of the vacated alley between the above described portion of Lots 26 and 27 of Block 2, all in the AMENDED PLAT OF HENDERSON HEIGHTS,AND TOGETHER WITH: LOTS 22, 23, 24, and 25 in Block 2 of AMMENDED PLAT OF HENDERSON HEIGHTS, TOGETHER WITH vacated alley as shown by Ordinance 2050 recorded May 13, 1982 in book 1372 at Page 253,Mesa County, Colorado

Tax Parcel 2945-123-15-021 and 2945-123-15-014

1460 North 12<sup>th</sup>

The North 110 feet of Lots 1,2 and 3, inclusive , Block 2, EXCEPT the North 10 feet thereof; The North 75 feet of Lots 4 and 5 inclusive Block 2, Except the North 10 feet thereof; The North 75 feet of the West 17.96 feet of Lot 6, Block 2, Except the North 10 feet thereof; The North 97 feet of the East 7.21 feet of Lot 6, Block 2, Except the North 10 feet thereof; The North 97 feet of Lot 7, Block 2, Except the North 10 feet thereof; All of Lot 8, Block 2, EXCEPT the North 10 feet thereof; The West 9.55 feet of Lot 9, Block 2, Except the North 10 feet thereof; The North 7.3 feet of the West 9.55 feet of Lot 26, Block 2, The North 7.3 feet of Lot 27, Block 2: All that part of the vacated alley lying between the above described portions of Lots 8, 9, 26 and 27 of Block 2; All in HENDERSON HEIGHTS AMENDED, EXCEPTING THEREFROM that portion thereof conveyed to The City of Grand Junction by instrument recorded February 1, 1993 in book 1953 at Page 841,Mesa County Colorado  
Tax Parcel 2945-123-15-013

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Introduced on first reading this 20<sup>th</sup> day of December, 2000.

PASSED and ADOPTED on second reading this 3rd day of January, 2001.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

