

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

**WEDNESDAY, APRIL 3, 2002, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance  
Invocation - Rev. Michael Torphy  
Grand Junction Church of Religious Science

**PROCLAMATIONS / RECOGNITIONS**

PROCLAMATION DECLARING APRIL 18, 2002 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING THE MONTH OF APRIL, 2002 AS "NATIONAL CHILD ABUSE PREVENTION MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING APRIL 7-13, 2002 AS "WEEK OF THE YOUNG CHILD" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING APRIL 11, 2002 AS "ALTRUSA AWARENESS DAY" IN THE CITY OF GRAND JUNCTION

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

TO COMMISSION ON ARTS AND CULTURE MEMBERS

**CITIZEN COMMENTS**

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

1. **Minutes of Previous Meetings** [Attach 1](#)  
*Action: Approve the Summary of the March 18, 2002 Workshop and the Minutes of the March 20, 2002 Regular Meeting*
2. **Setting a Hearing on Approving a Loan from the Colorado Water Resources and Power Development Authority to Finance Sewer Improvements** [Attach 2](#)

City Council and County Commissioners have determined that in the best interest of the Joint Sewer Fund and its customers, the sewer system requires line replacement for the combined sewer elimination project. The cost estimate of approximately \$9,500,000, includes design, engineering, legal, financing and administrative costs. The second project funded through this borrowing and totaling \$4,600,000 is the Septic System Elimination Project. Approval of this ordinance would allow the joint system to obtain funding for these improvements through a loan agreement with the Colorado Water Resources and Power Development Authority (CWRPDA).

Proposed Ordinance Authorizing a Loan From the Colorado Water Resources and Power Development Authority to Finance Improvements to the Joint Sewer System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Ratifying Prior Determinations of the Council; and Prescribing Other Details in Connection Therewith

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002*

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

3. **Amending the 2002 Meeting Schedule** [Attach 3](#)

In January, the Council adopted a resolution setting the meeting schedule for 2002 as required by the City's Code of Ordinances, Sec. 2-26. This resolution amends that action by canceling the June 19<sup>th</sup> and July 3<sup>rd</sup> formal meetings and sets a meeting for June 26<sup>th</sup>. The accompanying workshops will also be rescheduled accordingly.

Resolution No. 22-02 - A Resolution of the City of Grand Junction Amending the City Council 2002 Meeting Schedule

*\*Action: Adopt Resolution No. 22-02.*

Staff presentation: Kelly Arnold, City Manager

4. **Ethical Standards for Members of City Boards and Commissions** [Attach 4](#)

The various City boards, committees, commissions and other groups are similar in that the members are typically appointed by the City Council. The power and legal responsibilities of several of such groups rise to the level that their decisions are in some cases legally equivalent to City Council decisions in many arenas. Other City entities and City Council appointed groups will also benefit from having guidance and conflict of interest rules.

Resolution No. 23-02 – A Resolution Clarifying the Ethical Standards for Members of the City's Boards, Commissions and Other Groups

*\*Action: Adopt Resolution No. 23-02*

Staff presentation: Dan Wilson, City Attorney

5. **Reappointment of Care' McInnis-Raum as Associate Municipal Court Judge** [Attach 5](#)

Judge Care' McInnis-Raum was first appointed as an Associate Municipal Court Judge in 1995. She has been on the bench since that time. Because there is not a current resolution confirming her appointment, it is requested that that City

Council adopt the resolution re-appointing Judge McInnis-Raaum and affirming her past service.

Resolution No. 24-02 – A Resolution Reappointing Care McInnis-Raaum as Associate Municipal Court Judge

*\*Action: Adopt Resolution No. 24-02*

Staff presentation: John Shaver, Assistant City Attorney

6. **Setting a Hearing for Zoning the Rinderle Annexation Located at the SE Corner of 28 Road and B ½ Road** [File #ANX-2002-027 ] [Attach 6](#)

The applicant proposes a zone of annexation of RSF-4 for the 11.575 acre Rinderle Annexation. A preliminary plan to subdivide the parcel into 39 single-family lots was approved by the Planning Commission at its March 26, 2002 hearing. The Planning Commission recommends approval of the zone of annexation.

Proposed Ordinance Zoning the Rinderle Annexation Residential Single Family-4 (RSF-4) Located at the Southeast Corner of 28 Road and B ½ Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002*

Staff presentation: Bill Nebeker, Senior Planner

7. **Vacation of Easement – Independence Ranch Filing 9 Located at the Northeast Corner of 20 ½ Road and F ¾ Road** [File # VE-2002-008] [Attach 7](#)

The applicant proposes to vacate a temporary stormwater retention easement in conjunction with a request to develop Independence Ranch Filing 9. The Planning Commission recommends approval.

Resolution No. 25-02 – A Resolution Vacating a Temporary Stormwater Retention Easement in Conjunction with Independence Ranch Subdivision Filing 9 Located at 20 ½ and F ¾ Roads

*\*Action: Adopt Resolution No. 25-02*

Staff presentation: Bill Nebeker, Senior Planner

8. **Setting a Hearing on the Vacation of Right-of-Way, Fountainhead Blvd. Located in the Fountain Greens Subdivision between 24 ¾ Road and 25 Road North of G Road** [File # FPP-2002-029] [Attach 8](#)

The applicant requests to vacate a portion of Fountainhead Blvd. right-of-way that was dedicated to provide curb returns to future public streets in Filing 3. These streets are now proposed to be private and the public right-of-way is no longer necessary. The Planning Commission recommends approval.

Proposed Ordinance Vacating a Portion of Fountainhead Blvd. in Conjunction with Fountain Greens Filing 3 Subdivision Located Between 24 <sup>3</sup>/<sub>4</sub> and 25 Roads, North of G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

Staff presentation: Bill Nebeker, Senior Planner

9. **Setting a Hearing on Vacating a Portion of 25 Road Right-of-Way, Located Adjacent to Fountain Greens Filing 3 Subdivision at the North Side of Fountainhead Blvd.** [File # FPP-2002-029] [Attach 9](#)

The applicant requests to vacate a 17-foot wide strip of 25 Road right-of-way adjacent to Fountain Greens Filing 3. The previous developer of this site (Fountainhead Subdivision) had tried to vacate this right-of-way by replat. Adoption of an ordinance is required to vacate the right-of-way correctly. The Planning Commission recommends approval.

Proposed Ordinance Vacating a Portion of 25 Road Adjacent to Fountain Greens Filing 3 Subdivision Located between 24 <sup>3</sup>/<sub>4</sub> and 25 Roads, North of G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

Staff presentation: Bill Nebeker, Senior Planner

10. **Setting a Hearing on the Zambrano Annexation Located at 657 20 <sup>1</sup>/<sub>2</sub> Road** [File #ANX-2002-053] [Attach 10](#)

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Zambrano Annexation located at the 657 20 <sup>1</sup>/<sub>2</sub> Road. The 11.282-acre Zambrano Annexation consists of one parcel of land.

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

Resolution No. 26-02 – A Resolution Referring Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control Zambrano Annexation Located at 657 20 <sup>1</sup>/<sub>2</sub> Road

\*Action: Adopt Resolution No. 26-02

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Zambrano Annexation Approximately 11.282-acres Located at 657 20 <sup>1</sup>/<sub>2</sub> Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002



Staff presentation: Bill Nebeker, Senior Planner

11. **Setting a Hearing on the Larson Annexation Located at 2919 B ½ Road** [File #ANX-2002-054] [Attach 11](#)

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Larson Annexation located at the 2919 B ½ Road and including portions of the 29 Road, B Road and B ½ Road Rights-of-Way. The 13.562-acre annexation consists of three parcels of land.

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

Resolution No. 27-02 – A Resolution Referring Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control Larson Annexation – A Serial Annexation Comprising of Larson Annexation No.'s 1, 2, and 3

*\*Action: Adopt Resolution No. 27-02*

**b. Set a Hearing on Proposed Ordinances**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 1 Approximately 0.015-acres Located in the B Road and 29 Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 2 Approximately 1.921-acres, a Portion of the 29 Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Larson Annexation No. 3 Approximately 11.626-acres Located at 2919 B ½ Road and Including a Portion of the B ½ Road Right-of-Way

*Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 15, 2002*

Staff presentation: Pat Cecil, Development Services Supervisor

12. **Setting a Hearing for Zoning the Traver Annexation No. 3 Located at Grand Valley Canal, Northeast of 30 and D Roads** [File # ANX-2001-011] [Attach 12](#)

This annexation area consists of 0.2407 acres (10,484.9 square feet) of land along the northeastern boundary of the Westland Subdivision. State law requires the City to zone newly annexed areas within 90 days of annexation.

An Ordinance Zoning the Traver Annexation No. 3 to Residential Single Family with the Maximum Density of 4 units per acre (RSF-4) located at the Grand Valley Canal, Northeast of 30 and D Roads

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

Staff presentation: Kristen Ashbeck, Senior Planner

13. **Setting a Hearing for Zoning the Dettmer Annexation Located at 2916 D ½ Road** [File # ANX-2002-013] [Attach 13](#)

This annexation area consists of annexing 0.861 acres (37,506.2 square feet) and is located at 2916 D ½ Road. The property owner has requested annexation into the City as the result of proposing to rezone the property so that the existing single family residence conforms to the zoning. Under the 1998 Persigo Agreement all such types of development require annexation and processing in the City.

State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning conforms to the Growth Plan's Future Land Use Map and recommendation for Residential Medium Low, with residential land uses between 2 and 4 units per acre for this area.

An Ordinance Zoning the Dettmer Annexation to Residential Single Family with a Maximum Density of 4 units per acre (RSF-4) Located at 2916 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002

Staff presentation: Kristen Ashbeck, Senior Planner

14. **Setting a Hearing on the ISRE Annexation Located at 2990 D ½ Road** [File #ANX-2002-049] [Attach 14](#)

Resolution for Referral of Petition to Annex/First Reading of the annexation ordinance/Exercising land use jurisdiction immediately for the ISRE Annexation, a parcel of land located at 2990 D-1/2 Road. This 14.149-acre annexation consists of a single parcel of land.

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

Resolution No. 28-02 – A Resolution Referring Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control ISRE Annexation Located at 2990 D ½ Road

\*Action: Adopt Resolution No. 28-02

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado ISRE Annexation Approximately 14.149 Acres Located at 2990 D ½ Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 15, 2002*

Staff presentation: Kristen Ashbeck, Senior Planner

15. **Setting a Hearing for Zoning the Staton Annexation Located at 2673 ½ B ½ Road** [File # ANX-2002-028] [Attach 15](#)

The 17.329-acre Staton Annexation area located at 2673 ½ B ½ Road consists of one parcel of land. Owners of the property have signed a petition for annexation as part of proposed development for construction of a telecommunications tower. State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning of (RSF-2) conforms to the Growth Plan Future Land Use map and is a lesser density than the existing Mesa County zoning of RSF-4. The Petitioner and Staff find that the land configuration would not support higher density.

Proposed Ordinance Zoning the Staton Annexation to Residential Single Family with a Density not to Exceed Two Units per Acre (RSF-2) Located at 2673 ½ B ½ Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 17, 2002*

Staff presentation: Ronnie Edwards, Associate Planner

16. **Purchase of Bucket Truck for the Traffic Division** [Attach 16](#)

This request is to replace one Aerial Bucket Truck per City of Grand Junction minimum specifications. The current unit will be surplus and will be sold by the City through a competitive bid disposal process. The City Equipment Manager and the City Purchasing Manager agree that the City will receive more value for the old unit than the trade-in price offered by the bidders.

Teague Equip. Phoenix, AZ	2003 Ford F-750 w/Versalift	\$101,225.00
Altec Equip. St. Joseph, MO	2003 International w/Altec	\$99,451.00

The International chassis and all warranty/service work will be provided through Hanson Equipment, Grand Junction, Colorado.

*Action: Authorize the City Purchasing Manager to Procure one International Chassis with Altec TA37M Aerial Lift Bucket for the Amount of \$99,451.00 from Altec Equipment, St. Joseph, Missouri*

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

17. **Purchase of 3 Service Trucks for Parks Department** [Attach 17](#)

This request is to replace 3 one-ton service trucks per City of Grand Junction minimum specifications. The current units will be surplus and will be sold by the City through a competitive bid disposal process. The City Equipment Manager and the City Purchasing Manager agree that the City will receive more value for the old units than the trade-in price offered by the bidders.

Hellman Motor Co., Delta, CO	Ford F-350 w/utility body	\$97,920.00
Western Slope Auto Co. Grand Junct.	Ford F-350 w/utility body	\$67,722.00
Fuoco Motor Co., Grand Junction	Non-responsive – Does not meet specifications	

*Action: Authorize the City Purchasing Manager to Procure Three 2002 Ford F-350 Trucks with T-6080 Rawson-Koenig Service Bodies for the Amount of \$67,722.00 from Western Slope Auto Co., Grand Junction, Colorado*

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

18. **Sole Source Purchase of a Paging Terminal for Fire Department** [Attach 18](#)

The Fire Department is seeking approval for the single source purchase of a Zetron Paging Terminal. The paging terminal will be used for numeric, alphanumeric and voice paging.

The single source procurement is required for compatibility issues with the Printrak CAD system. All paging systems in the Communications Center are Zetron brand. Legacy Communications is the local Zetron Distributor and is our local service center.

*Action: Authorize the City Purchasing Manager to Purchase the Zetron Paging Terminal from Legacy Communications for \$37,639*

Staff presentation: Michael Kelley, Fire Unit Supervisor

19. **FEMA Grant for Purchase of Thermal Imaging Cameras** [Attach 19](#)

The Fire Department has four older helmet mounted thermal imaging cameras. The technology of the cameras is dated. The vendor of the existing helmets no longer produces the helmet model and repair of current units is difficult and expensive. Current units are requiring an increasing amount of maintenance and repair with unit(s) out-of-service for prolonged periods of time. This technology provides fire fighters with the upper hand in low visibility conditions, which allows personnel to locate fire victims and identify hot spots.

*Action: Approve the Grant Submittal for the Purchase of New Thermal Imaging Cameras, City's Amount is \$14,400*

Staff presentation: James Bright, Operations Officer

20. **Award of Maintenance Contract with Colorado (CDOT) for Traffic Signals, Striping Department of Transportation and Markings within the City Limits**

[Attach 20](#)

The current maintenance contract with CDOT has been in effect since 1991. This contract updates the costs and adds signal locations and responsibilities to the existing contract.

Resolution No. 29-02 – A Resolution Authorizing an Agreement between the City of Grand Junction and the Colorado Department of Transportation for the City to Perform Maintenance Services on State Highways

*\*Action: Adopt Resolution No. 29-02*

Staff presentation: Tim Moore, Public Works Manager

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

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

21. **Public Hearing – Rezoning the Heinbaugh Property Located at 513 28 ¼ Road** [File # RZ-2002-024]

[Attach 21](#)

Petitioner is requesting to rezone a 12,500 square foot lot from PD (Planned Development) to RMF-8 (Residential Multi-Family not to exceed 8 units/acre).

Ordinance No. 3409 – An Ordinance Rezoning the Heinbaugh Property Located at 513 28 ¼ Road to RMF-8 (Residential Multi-Family)

*\*Action: Adopt Ordinance No. 3409 on Second Reading*

Staff presentation: Senta Costello, Associate Planner

22. **Public Hearing – Emergency Ordinance Amending Ordinance No. 3403; Prescribing Other Details in Connection Therewith; and Declaring a Special Emergency**

[Attach 23](#)

Previously adopted Ordinance 3403, approved by the City Council on March 6, 2002 needs to be amended to increase the principal amount of the Loan Agreement. The prior Ordinance provided that the maximum principal amount of the Loan would not exceed \$3,500,000. The City has been told that the City's share of the costs of issuance of the Colorado Water Resources and Power Development Authority's bonds, issued in part to finance the Loan, needs to be rolled into the Loan Agreement. The amended amount of the Loan Agreement would be \$3,566,521.69.

Proposed Emergency Ordinance Amending Ordinance No. 3403; Prescribing Other Details In Connection An Therewith; And Declaring A Special Emergency

*\*Action: Adopt Proposed Emergency Ordinance on First Reading*

\*Action: Adopt Emergency Ordinance No. 3410 on Second Reading

Staff presentation: Ron Lappi, Administrative Services Director

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

24. **OTHER BUSINESS**

25. **EXECUTIVE SESSION – PROPERTY NEGOTIATIONS**

**Attach 22**

To discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal or other Property Interest under C.R.S. Section 24-6-402(4)(a) on two separate properties.

- a. Click Property Conservation Easement
- b. Oil and Gas Leases on City Property on the Grand Mesa

26. **ADJOURNMENT**

**Minutes of March 18, 2002 Workshop and March 20, 2002 Regular Meeting**

**GRAND JUNCTION  
CITY COUNCIL WORKSHOP**

**March 18, 2002**

The City Council of the City of Grand Junction, Colorado, met on Monday, March 18, 2002 at 7:01 p.m. in the City Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Reford Theobold and President of the Council Pro Tem Janet Terry. President of the Council Cindy Enos-Martinez was absent.

**Summaries and action on the following topics:**

1. **DECISION MAKING MODEL:** The City Council will use this model to review the meeting request from the Mesa County Coalition for Economic Justice for a living wage ordinance. President of the Council Pro Tem Terry explained the method Council will use to decide their role in this issue.
  - 1 – Identify problem or opportunity – the Council identified the problem as being the wage scale.
  - 2 – History of problem - stated they have supported ways to help workers such as supporting GJEP (new industry incentives), Existing Business Incentives and GVT.
  - 3 – Who addresses this problem – Councilmember Theobold said such a regulation needs to be statewide or county-wide not just in the City in order to be successful. Councilmember Spehar thought otherwise stating an additional step regarding City contracts makes it the City's issue. Councilmember Kirtland said it is wrong for the Council to take a symbolic stance. Councilmember Butler noted small businesses can't afford such an regulation imposed and the City can't force businesses to comply. President Pro Tem Terry agreed with Councilmembers Theobold, Kirtland and Butler adding it is not appropriate for the City to address.

**Action summary:** Using the Decision-making model, the majority of Council decided that the issue is not the City Council's to solve and thanked those present for coming.
2. **DTA VENDORS FEE:** The City Council will discuss the vendor's fee proposal from the Downtown Association. Administrative Services Director Ron Lappi outlined the various options to respond to the request from the DTA. Ron Maupin representing the DTA expressed the desire to use T.I.F. money to market downtown.

**Action summary:** Council asked Mr. Maupin to take the options outlined back to the DTA board and decide on how they want to proceed. It was suggested that they target the best options and bring it back to Council. DDA does have staff and administrative services to offer the DTA.



3. **CITY COUNCIL WORK PROGRAM QUARTERLY REPORT:** Staff will present the quarterly report for the 2002 Work Plan. City Manager Arnold reviewed the quarterly report for the 2002 Work Plan.

**Action summary:** A detailed discussion took place on possible options for the Fire/EMS/Redlands issue. Discussions are taking place with the various players for fire protection in the Redlands. The rest of the report was left for Council to review. Councilmember Kirtland asked for a refresher of the Downtown Parking issue. In July there will be an update on revenue and parking availability.

**ADJOURNED AT 9:00 P.M.**

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

**MARCH 20, 2002**

The City Council of the City of Grand Junction convened into regular session the 20<sup>th</sup> day of March 2002, at 7:32 p.m. in the City Auditorium. Those present were Dennis Kirtland, Harry Butler, Bill McCurry, Jim Spehar, Janet Terry and Reford Theobald. President of the Council Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

Mayor Pro Tem Terry called the meeting to order and Councilmember Butler led in the pledge of allegiance. The audience remained standing for the Invocation by Pastor Noel Ravan, First Assembly of God.

**PROCLAMATIONS / RECOGNITIONS**

PROCLAMATION DECLARING APRIL AS "HOUSING AWARENESS MONTH" IN THE CITY OF GRAND JUNCTION

RECOGNITION OF VISITORS AND CONVENTION BUREAU – 3 INTERNATIONAL ADVERTISING AWARDS RECOGNIZING THE VCB'S 2001 MARKETING CAMPAIGN

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

PARKS AND RECREATION ADVISORY BOARD

Dale Hollingsworth was present and received his Certificate of Appointment.

HISTORIC PRESERVATION BOARD

Thomas Streff was present and received his Certificate of Appointment.

**APPOINTMENTS TO THE COMMISSION ON ARTS AND CULTURE**

Councilmember Butler moved to reappoint Doug Clary and Priscilla Mangnall and appoint Jack Delmore to the Commission of the Arts and Culture for three-year terms. Councilmember Kirtland seconded. Motion carried.

**PRESCHEDULED CITIZENS**

ANITA R. PISA, DIRECTOR, MESA STATE COLLEGE CORPORATE EDUCATION CENTER – RURAL NEW ECONOMY ELECTED OFFICIALS TRAINING

Ms. Pisa explained that the reason she was at the City Council meeting was to invite the elected officials to participate in the training being offered in Delta, on April 15<sup>th</sup>. Grand Junction's presence would serve to share ideas with Councilmembers from other counties whose technologies are not as advanced as Grand Junction's. Other uses of technologies will be introduced that may not have been considered previously.

**CITIZEN COMMENTS**

There were none.

## **CONSENT CALENDAR**

It was moved by Councilmember Spehar, seconded by Councilmember Theobold and carried by a roll call vote to approve the Consent Calendar items #1 through 6.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the March 4, 2002 Workshop, and the Minutes of the March 6, 2002 Regular Meeting*

2. **Purchase of Asphaltic Road Material (Road Oil or Emulsions) Required for the City Chip Seal Projects for the Year 2002**

Utilize the State of Colorado contract to purchase road oil for the City chip seal projects for the year 2002. The State allows for cooperative use of this state bid by local governments and political sub-divisions in the State of Colorado.

*Action: Authorize the Purchase of an Estimated 162,000 Gallons of Asphaltic Road Materials on an As-needed Basis in the Amount of \$147,551*

3. **Setting a Hearing on the Heinbaugh Rezoning Located at 513 28 ¼ Road**  
[File # RZ-2002-024]

Petitioner is requesting to rezone a 12,500 square foot lot from PD (Planned Development) to RMF-8 (Residential Multi-Family not to exceed 8 units/acre).

Proposed Ordinance Rezoning a Parcel of Land Located at 513 28 ¼ Road to RMF-8

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 3, 2002*

4. **Amending the Planning Commission By-Laws**

Planning Commission meetings are established in their by-laws, which are approved by City Council. Effective with the March meetings, meeting dates are now the second and fourth Tuesdays of each month.

Resolution No. 20-02 – A Resolution Amending the By-laws of the Planning Commission

*Action: Adopt Resolution No. 20-02*

5. **Sole Source Procurement Request for Professional, Technical and Expert Services for Completion of the Westside Downtown Redevelopment Feasibility Study**

The City of Grand Junction, in conjunction with Mesa County, the Downtown Development Authority and several landowners, is seeking a design professional to examine the potential redevelopment of the west side of downtown Grand Junction. Ciavonne was solicited without competition (sole source) due to their familiarity with the site.

*Action: Approval For 1) Sole Source Procurement of Professional, Technical and Expertise Services From Ciavonne and Associates to Complete the Westside Downtown Redevelopment Feasibility Study in the Amount of \$76,655; and 2) General Fund Contingency Transfer in the Amount of \$9,090.00*

6. **Application to Colorado Historical Society for State Historical Fund Grant for First United Methodist Church, 522 White Avenue**

A request for City Council approval of request for support and authorization for the Mayor to sign the Organization Summary page of a grant application by the First United Methodist Church to the Colorado Historical Society State Historical Fund. The grant is to fund rehabilitation and restoration of the windows in the church located at 522 White Avenue.

*Action: Approve Request for Support for Application to the Colorado Historical Society By the First United Methodist Church And Authorize The Mayor To Sign The Organization Summary Page Of The Application*

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

**Public Hearing - Gunn Annexations #1 & #2 Located at 2981 Gunnison Avenue**  
[File # ANX-2002-014]

Resolution for Acceptance of Petition to Annex/Second Reading of the Annexation Ordinance for the Gunn Annexations located at 2981 Gunnison Avenue. The 0.688-acre Gunn Annexation consists of a serial annexation of one parcel of land.

**a. Accepting Petition**

Resolution No. 21-02 – A Resolution Accepting Petitions For Annexation, Making Certain Findings, Determining that Property Known as Gunn Annexation, a Serial Annexation Comprising Gunn Annexation No. 1 and Gunn Annexation No. 2 is Eligible for Annexation Located At 2981 Gunnison Avenue

**b. Annexation Ordinances**

Ordinance No. 3404 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gunn Annexation #1 Approximately 0.344-acres Located at 2981 Gunnison Avenue

The public hearing was opened at 7:52 p.m.

Senta Costello, Associate Planner, reviewed this item. The petitioner was not present.

There were no public comments.

The public hearing was closed at 7:53 p.m.

Ordinance No. 3405 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Gunn Annexation #2 Approximately 0.344-acres Located at 2981 Gunnison Avenue

Upon motion made by Councilmember Kirtland, seconded by Councilmember McCurry, and carried by a roll call vote: a) Resolution No. 21-02 was adopted; b) Ordinances No. 3404 and No 3405 were adopted on Second Reading and ordered published.

**Public Hearing – Zoning Gunn Annexations #1 & #2 Located at 2981 Gunnison Avenue** [File # ANX-2002-014]

Second reading of the zoning ordinance for the Gunn Annexations located at 2981 Gunnison Ave. The 0.688-acre Gunn Annexation consists of one parcel of land.

The public hearing was opened at 7:54 p.m.

Senta Costello, Associate Planner, reviewed this item. The petitioner was not present.

There were no public comments.

The public hearing was closed at 7:55 p.m.

Ordinance No. 3406 – An Ordinance Zoning the Gunn Annexation #1 and #2 to I-1 (Light Industrial) Located at 2981 Gunnison Avenue

Upon motion made by Councilmember Spehar, seconded by Councilmember Kirtland, and carried by a roll call vote, Ordinance No. 3406 was adopted on Second Reading and ordered published.

**Public Hearing – Zoning the Cimarron Mesa Annexation Located at 225 Linden Avenue** [File # ANX-2001-161]

The applicant proposes a zone of annexation from county RSF-4 to city RSF-4 for the 32.567 acre Cimarron Mesa Annexation. A Preliminary Plan to subdivide the parcel into 109 single-family lots was approved by the Planning Commission at its February 19, 2002 hearing. The Planning Commission recommends approval of the zone of annexation.

The public hearing was opened at 7:56 p.m.

Bill Nebeker, Senior Planner, reviewed this item.

Jim Bell, 582 Starlight Drive, representing the petitioner who also was present, stated that the petitioner is asking for a zoning of city RSF-4. He and the petitioner concurred with Staff's presentation.

There were no public comments.

The public hearing was closed at 7:59 p.m.

Ordinance No. 3407 – An Ordinance Zoning the Cimarron Mesa Subdivision Annexation Residential Single Family – Four (RSF-4) Located at the Southwest Corner of Linden Avenue and B ½ Road

Upon motion made by Councilmember Butler, seconded by Councilmember McCurry, and carried by a roll call vote, Ordinance No. 3407 was adopted on Second Reading and ordered published.

**Public Hearing – Rezoning the Paul B. Boyd Subdivision Located at 838 26 ½ Road, 2660 Catalina Drive and 2662 Catalina Drive** [File # RZ-2002-015]

The Petitioner is requesting a rezoning from RMF-5 (Residential Multi-Family, not to exceed 5 dwelling units per acre) to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre). The rezone request is the result of a minor subdivision. Two lots were reconfigured into 3 lots, leaving a split zoning on the newly created lot. This proposal will rezone the new lot and the lot to the west to RSF-4. This request is in conformance with the Growth Plan, which suggests a density of residential medium, 4 to 8 units per acre.

The public hearing was opened at 7:59 p.m.

Bob Blanchard, Community Development Director, reviewed this item on behalf of Lori Bowers, Associate Planner. The petitioner had nothing to add.

There were no public comments.

The public hearing was closed at 8:01 p.m.

Ordinance No. 3408 – An Ordinance Zoning 3 parcels of Land Located in the Paul B. Boyd Subdivision, 838 26 ½ Road, 2660 Catalina Drive and 2662 Catalina Drive

Upon motion made by Councilmember Spehar, seconded by Councilmember Kirtland, and carried by a roll call vote, Ordinance No. 3408 was adopted on Second Reading and ordered published.

**NON-SCHEDULED CITIZENS & VISITORS**

There were none.

**OTHER BUSINESS**

Councilmember Theobald moved to authorize the Mayor, or the Mayor Pro Tem, in the Mayor's absence, to sign letters guaranteeing three months of utility payments on behalf of the Riverview Technology Corporation to Public Service Company or Xcel Energy. Councilmember McCurry seconded. Motion carried.

**ADJOURNMENT**

The meeting adjourned at 8:02 p.m.

Stephanie Tuin, CMC  
City Clerk



**Setting a Hearing – Approving Loan from Colorado Resources and Power**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
<b>Subject:</b>	An Ordinance Authorizing a Loan from the Colorado Water Resources and Power Development Authority to Finance Improvements to the Joint Sewer System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Ratifying Prior Determinations of the Council; and Prescribing Other Details in Connection Therewith.	
<b>Meeting Date:</b>	April 3, 2002 / April 17, 2002	
<b>Date Prepared:</b>	March 27, 2002	
<b>Author:</b>	Ron Lappi	Director of Admin Svcs
<b>Presenter Name:</b>	Ron Lappi Mark Relph	Director of Admin Svcs Director of Public Works & Utilities
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** An Ordinance Authorizing a Loan from the Colorado Water Resources and Power Development Authority to Finance Improvements to the Joint Sewer System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Ratifying Prior Determinations of the Council; and Prescribing Other Details in Connection Therewith.

**Summary:** City Council and County Commissioners have determined that in the best interest of the Joint Sewer Fund and it's customers, the sewer system requires line replacement for the combined sewer elimination project. The cost estimate of approximately \$9,500,000, includes design, engineering, legal, financing and administrative costs. The second project funded through this borrowing and totaling \$4,600,000 is the Septic System Elimination Project. Approval of this ordinance would allow the joint system to obtain funding for these improvements through a loan agreement with the Colorado Water Resources and Power Development Authority (CWRPDA).

**Background Information:** Based on previous City Council approval, the City and County will be entering into a loan agreement with the CWRPDA for much needed improvements to the sewer system. The \$14.1 million dollar loan has qualified for the lowest possible interest rate based on the health related nature of the project. The repayment obligations under the loan agreement will be evidenced by a governmental

agency bond to be issued by the City as manager to CWRPDA. The Joint Sewer System loan will be part of a larger Authority Bond issue expected to be closed on or after May 19, 2002.

**Budget:** \$14,100,000 will be drawn down from the Authority as needed over the three years beginning in 2002, with a repayment over 20 years. The estimated true interest cost of this loan is approximately 4% annually.

**Action Requested/Recommendation:** Approval of the ordinance on first reading on April 3, 2002 with a public hearing and final passage on April 17, 2002.

<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 checked="" type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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ORDINANCE NO. \_\_\_\_

AN ORDINANCE AUTHORIZING A LOAN FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY TO FINANCE IMPROVEMENTS TO THE JOINT SEWER SYSTEM; AUTHORIZING THE FORM AND EXECUTION OF THE LOAN AGREEMENT AND A GOVERNMENTAL AGENCY BOND TO EVIDENCE SUCH LOAN; RATIFYING PRIOR DETERMINATIONS OF THE COUNCIL; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the City of Grand Junction, Mesa County, Colorado (the "City"), is a municipal corporation duly organized and existing as a home-rule city pursuant to Article XX of the Constitution of the State of Colorado (the "State") and the Charter of the City; and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the County of Mesa, Colorado (the "County") is a county duly organized and existing under the laws of the State; and

WHEREAS, the County and the City have entered into a joint sewerage service agreement dated May 1, 1980 ("Service Agreement") relating to the scope and operation of the joint sewerage system of the City and County (the "Joint System"); and

WHEREAS, the County has previously issued its "Mesa County, Colorado, Sewer Refunding Revenue Bonds Series 1992", payable from the revenues of the Joint System; and

WHEREAS, the County and the City have entered into an intergovernmental agreement dated as of October 13, 1998, as amended, relating to City growth and joint policy making for the Joint System; and

WHEREAS, the City and the County have determine that the Joint System is an enterprise within the meaning of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, the City and County have determined that the interest of the City and the County and the public interest and necessity demand and require the

acquisition, construction, and completion of certain improvements to the Joint System, at an estimated cost of \$15,500,000, including design, engineering, legal, financing and administrative costs relating thereto, and any other costs incidental thereto (the "Project"); and

WHEREAS, the City and the County have determined that in order to finance a portion of the cost of the Project, it is necessary and advisable and in the best interests of the City and the County to enter into a loan agreement (the "Loan Agreement") with the Colorado Water Resources and Power Development Authority ("CWRPDA"), a body corporate and political subdivision of the State, pursuant to which CWRPDA shall loan the County an amount of not to exceed \$15,500,000 (the "Loan") for such purposes; and

WHEREAS, CWRPDA will obtain moneys to fund the Loan through the issuance of its bonds (the "CWRPDA Bonds"); and

WHEREAS, the repayment obligations under the Loan Agreement shall be evidenced by a governmental agency bond (the "Bond") to be issued by the County (with the approval of the City) to CWRPDA; and

WHEREAS, Such Loan shall be a revenue obligation of the County, payable from the Pledged Property (as defined in the Loan Agreement); and

WHEREAS, there have been presented to the Council the forms of the Loan Agreement and the Bond (collectively, the "Financing Documents"); and

WHEREAS, The Council desires to approve the forms of the Financing Documents and authorize the execution thereof by the County and the appropriate City officers.

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

Section 1. Approvals, Authorizations, and Amendments. The forms of the Financing Documents presented at this meeting are incorporated herein by reference and are hereby approved. The City and the County shall enter into and perform their respective obligations under the Financing Documents in the forms of such documents, with such changes as are not inconsistent herewith and as are hereafter approved by the Chairman of the Board of County Commissioners of the County (the "Chairman")

and the President of the Council (the "President"). The President is hereby authorized to execute the Loan Agreement and the Bond on behalf of the City. The Financing Documents shall be executed in substantially the forms approved at this meeting.

The execution of any instrument or certificate or other document in connection with the matters referred to herein by the President or by other appropriate officers of the City, shall be conclusive evidence of the approval by the City of such instrument.

Section 2. Election to Apply the Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, C.R.S. (the "Supplemental Act") provides that a public entity, including the City and the County, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The City hereby elects to apply all of the Supplemental Act to this ordinance and the Financing Documents.

Section 3. Delegation.

(a) Pursuant to Section 11-57-205 of the Supplemental Act, the City hereby delegates to the President (upon the approval of the Chairman) the authority to make the following determinations relating to and contained in the Financing Documents, subject to the restrictions contained in paragraph (b) of this Section 3:

- (i) The interest rate on the Loan;
- (ii) The principal amount of the Loan;
- (iii) The amount of principal of the Loan maturing in any given year and the final maturity of the Loan;
- (iv) The dates on which the principal of and interest on the Loan are paid; and
- (v) The existence and amount of reserve funds for the Loan, if any.

(b) The delegation in paragraph (a) of this Section 3 shall be subject to the following parameters and restrictions: (i) the interest rate on the Loan shall not exceed 4.75%; (ii) the principal amount of the Loan shall not exceed \$15,500,000; and (iii) the final maturity of the Loan shall not be later than 2025.

Section 4. Conclusive Recital. Pursuant to Section 11-57-210 of the Supplemental Act, the Bond and the Loan Agreement shall contain a recital that the Bond is issued pursuant to certain provisions of the Supplemental Act. Such recital shall

be conclusive evidence of the validity and the regularity of the issuance of the Bond after its delivery for value.

Section 5. Ratification and Approval of Prior Actions. All actions heretofore taken by the officers of the City and the County and members of the Council, not inconsistent with the provisions of this Ordinance, relating to the Financing Documents, or actions to be taken in respect thereof, are hereby ratified, approved, and confirmed.

Section 6. Pledge of Revenues. The creation, perfection, enforcement, and priority of the pledge of revenues to secure or pay the Bond and the Loan Agreement provided herein shall be governed by Section 11-57-208 of the Supplemental Act, this Ordinance and the resolution to be adopted by the Board approving the Financing Documents. The amounts pledged to the payment of the Bond and the Loan Agreement shall immediately be subject to the lien of such pledge without any physical delivery, filing, or further act. The lien of such pledge shall have the priority described in the Loan Agreement. The lien of such pledge shall be valid, binding, and enforceable as against all persons having claims of any kind in tort, contract, or otherwise against the City and the County irrespective of whether such persons have notice of such liens.

Section 7. Limitation of Actions. Pursuant to Section 11-57-212 of the Supplemental Act, no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the Financing Documents shall be commenced more than thirty days after the issuance of the Bond.

Section 8. Disposition and Investment of Loan Proceeds. The proceeds of the Loan shall be applied only to pay the costs and expenses of acquiring, constructing and equipping the Project, including costs related thereto and, to the extent permitted under federal tax laws, reimbursement to the City and the County for capital expenditures heretofore incurred and paid from City or County funds in anticipation of the incurrence of long-term financing therefor, and all other costs and expenses incident thereto, including without limitation the costs of obtaining the Loan. Neither CWRPDA nor any subsequent owner(s) of the Loan Agreement shall be responsible for the application or disposal by the City or the County or any of its officers of the funds derived from the Loan. In the event that all of the proceeds of the Loan are not required to pay such

costs and expenses, any remaining amount shall be used for the purpose of paying the principal amount of the Loan and the interest thereon.

Section 9. City Representative. Pursuant to Exhibit B of the Loan Agreement, Ron Lappi is hereby designated as the Authorized Officer (as defined in the Loan Agreement) for the purpose of performing any act or executing any document relating to the Loan, the City, the County, the Bond or the Loan Agreement. A copy of this Ordinance shall be furnished to CWRPDA as evidence of such designation.

Section 10. Estimated Life of Improvements. It is hereby determined that the estimated life of the Project to be financed with the proceeds of the Loan is not less than the maximum maturity of the Loan set forth in Section 3 hereof.

Section 11. Direction to Take Authorizing Action. The appropriate officers of the City and members of the Council are hereby authorized and directed to take all other actions necessary or appropriate to effectuate the provisions of this Ordinance, including but not limited to such certificates and affidavits as may reasonably be required by CWRPDA.

Section 12. Ratification and Approval of Prior Actions. All actions heretofore taken by the officers of the City, members of the Council and officers of the County, not inconsistent with the provisions of this Ordinance, relating to the Financing Documents, or actions to be taken in respect thereof, are hereby ratified, approved, and confirmed.

Section 13. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 14. Repealer. All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this Ordinance are hereby repealed to the extent only of such inconsistency.

Section 15. Ordinance Irrepealable. After the Bond is issued, this Ordinance shall constitute an irrevocable contract between the City and CWRPDA, and shall be and remain irrepealable until the Bond and the interest thereon shall have been fully paid, satisfied, and discharged. No provisions of any constitution, statute, charter,



ordinance, resolution or other measure enacted after the issuance of the Bond shall in any manner be construed as impairing the obligations of the City to keep and perform the covenants contained in this Ordinance.

Section 16. Effective Date, Recording and Authentication. This ordinance shall be in full force and effect 30 days after publication following final passage. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM, WITH NOTICE OF PUBLIC HEARING, this 3rd day of April, 2002.

CITY OF GRAND JUNCTION, COLORADO

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President of the Council

Attest:

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City Clerk

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 17th day of April, 2002

CITY OF GRAND JUNCTION, COLORADO

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President of the Council

Attest:

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City Clerk

(SEAL)

STATE OF COLORADO )

)

COUNTY OF MESA ) SS.

)

CITY OF GRAND JUNCTION )

I, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado (the "City") do hereby certify:

1. The foregoing pages are a true, correct and complete copy of an ordinance (the "Ordinance") which was introduced, passed on first reading and ordered published in full by the Council at a regular meeting thereof held on April 3, 2002, and was duly adopted and ordered published in full by the City Council at a regular meeting thereof held on April 17, 2002, which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The Ordinance was duly moved and seconded and the Ordinance was passed on first reading at the meeting of April 3, 2002, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Voting Nay: \_\_\_\_\_

Those Absent:  
\_\_\_\_\_

3. The Ordinance was duly moved and seconded and the Ordinance was finally passed, after a public hearing, at the meeting of April 17, 2002, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Voting Nay: \_\_\_\_\_

Those Absent:  
\_\_\_\_\_

4. The members of the Council were present at such meetings and voted on the passage of such Ordinance as set forth above.

5. The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

6. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance.

7. Notices of the meetings of April 3, 2002, and April 17, 2002, in the forms attached hereto as Exhibit A were posted at City Hall in accordance with law.

8. The Ordinance was published in pamphlet form in The Daily Sentinel, a

daily newspaper of general circulation in the City, on April \_\_, 2002 and on April \_\_, 2002 as required by the City Charter. Notice of a public hearing was published once in The Daily Sentinel, a daily newspaper of general circulation in the City, on April \_\_, 2002. True and correct copies of the affidavits of publication are attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of  
said

City this \_\_\_\_\_ day of April, 2002.

(SEAL)

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City Clerk

EXHIBIT A  
(Attach Notices of Meetings)

EXHIBIT B  
(Attach Affidavits of Publication)

Attach3  
Amending 2002 Meeting Schedule

**CITY COUNCIL AGENDA  
 CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Amending the 2002 Meeting Schedule</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>December 16, 2011</b>		
<b>Author:</b>	<b>Stephanie Tuin</b>	<b>City Clerk</b>	
<b>Presenter Name:</b>	<b>Kelly Arnold</b>	<b>City Manager</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Due to conflicts in June and July, Council has asked that the meeting schedule be amended.

**Summary:** In January, the Council adopted a resolution setting the meeting schedule for 2002 as required by the City's Code of Ordinances, Sec. 2-26. This resolution amends that action by canceling the June 19<sup>th</sup> and July 3<sup>rd</sup> formal meetings and sets a meeting for June 26<sup>th</sup>. The accompanying workshops will also be rescheduled accordingly.

**Background Information:** Since 1994, the City Code of Ordinances has included a provision whereby the City Council determines annually by resolution the City Council meeting schedule and the procedure for calling a special meeting. If the meeting dates are changed during the year, the schedule should be amended by resolution.

**Budget:** NA

**Action Requested/Recommendation:** Adopt the resolution

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

CITY OF GRAND JUNCTION

RESOLUTION NO. \_\_\_\_-02

A RESOLUTION OF THE CITY OF GRAND JUNCTION  
AMENDING THE CITY COUNCIL 2002 MEETING SCHEDULE

Recitals.

The Grand Junction Code of Ordinances, Section 2-26, provides that the meeting schedule and the procedure for calling of special meetings of the City Council shall be established by resolution annually.

On January 2, 2002, the City Council adopted Resolution No. 01-02 that set the meeting schedule for the year 2002.

The City Council desires to amend that schedule due to some conflicts in June and July.

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

1. The meeting schedule for the regular meetings of the City Council is hereby amended to delete June 19<sup>th</sup> and July 3<sup>rd</sup> and add Wednesday, June 26<sup>th</sup>, at the hour of 7:30 p.m.

Read and approved this \_\_\_\_ day of April, 2002.

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

ATTEST:

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



**Ethical Standards for Members of City Boards & Commissions**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Resolution Adopting Legal and Ethical Standards for Members Serving on City Boards and Commissions</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Dan Wilson</b>	<b>City Attorney</b>	
<b>Presenter Name:</b>	<b>Dan Wilson</b>	<b>City Attorney</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Resolution adopting standards for advisory board and City groups, as well as for the members of City Boards and Commissions that have final administrative decision-making duties.

**Background Information:** The various City boards, committees, commissions and other groups are similar in that the members are typically appointed by the City Council. The power and legal responsibilities of several of such groups rise to the level that their decisions are in some cases legally equivalent to City Council decisions in many arenas. Other City entities and City Council appointed groups will also benefit from having guidance and conflict of interest rules.

**Budget:** None

**Action Requested/Recommendation:** Adopt a resolution acknowledging that there should be standards and rules for the City advisory and similar groups, and more rigorous rules and standards (equivalent to those that apply to the City Council members) for City groups with decision-making duties.

<b>Citizen Presentation:</b>	<input 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 type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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City of Grand Junction, Colorado

RESOLUTION NO. \_\_-02

A RESOLUTION CLARIFYING THE ETHICAL STANDARDS FOR MEMBERS OF THE CITY'S BOARDS, COMMISSIONS AND OTHER GROUPS

Recitals. The various City boards, committees, commissions and other groups are similar in that: the members are typically appointed by the City Council; the mission of each is somehow supportive of the City; and from the perspective of the citizen, the actions and pronouncements of each board or commission may be viewed as being the act or pronouncement of the City.

The power and legal responsibilities of several of such City groups rise to the level that the City Council should provide additional guidance and rules, pursuant to the City charter, state and other law.

Members of entities/boards who have one or more of the following powers, duties or opportunities, should be subject to higher scrutiny and care, and will be termed "Authoritative":

- spend money,
- adopt a budget,
- buy or sell property,
- act for or bind the City,
- sue and be sued,
- hire/fire and supervise employee(s),
- make land use decisions, including zoning and/or variances;
- licensing, including the power to suspend or revoke a right or privilege to do business with or within the City.

The following are Authoritative:

- Grand Junction Downtown Development Authority
- Walker Field Public Airport Authority
- Grand Junction Housing Authority
- Grand Junction Planning Commission
- Grand Junction Planning Commission Board of Appeals
- Building & Fire Code Board of Appeals
- Contractor's Licensing Board
- Parks Improvement Advisory Board
- Visitor & Convention Bureau Board of Directors
- Public Finance Corporation
- Riverview Technology Corporation
- Grand Junction Forestry Board
- Ridges Architectural Control Committee

A member of a body with advisory powers and duties only could normally not create an actual conflict of interest, although a question of appearance of impropriety might arise. Such groups that are normally acting through an employee or another City group will be termed "Advisory" for this resolution.

The following groups and boards are Advisory:

- Commission on Arts and Culture
- Parks and Recreation Advisory Board
- Urban Trails Committee
- Riverfront Commission
- Historic Preservation Board
- Growth Plan members
- Study groups
- Transit Committees/groups
- Other Ad Hoc Committees

**Members are encouraged to discuss such matters with the City Attorney or the Mayor as soon as the member determines that a situation or circumstances has arisen or is likely to.**

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

1. These rules supplement state and other applicable law, including the City Charter, especially § 101.
2. The recitals are a substantive part of these rules.
3. Authoritative boards and the members, including *ex officio* members, are subject to the same rules as is the City Council and its members.
4. Some basic Authoritative rules, even with disclosure, are:
  - (a) Members are not allowed to contract with the City. The same constraints apply to a member's immediate family and business associates, and even a friend, if the member's judgment would be affected.
  - (b) Members cannot be involved when their personal and/or financial interests (direct and/or indirect) could (or be reasonably perceived to) influence their decision-making.
  - (c) Disclose the conflict or appearance of impropriety (including the potential) as soon as possible; absent oneself from the process; avoid exercise of any attempt to influence any decision-maker.

5. Advisory boards and members are not subject to those same rules, except that they must: disclose the conflict or appearance of impropriety as soon as possible; absent oneself from participation or influence regarding the matter.
6. There is no conflict, nor impropriety, for any member of any City board/entity if the matter does not involve the board/entity on which the member serves.
  - For example, membership on an Advisory board would not disqualify one's child from bidding on a City Public Works Department contract authorized by the City Council.
  - Another example could involve one of seven members of the Arts Commission recommending to the Parks Director that the Director authorize purchase of a piece of art, if the artist was the member's best friend. The member should disclose the relationship and avoid further involvement with the process of acquiring the artwork.
  - A third application of these rules would allow a citizen to bid on a city contract even though a family member served on a City Council appointed board unrelated to the bidding process or the involved city department.
7. Disclosure under this resolution is to the Mayor, with a copy to the City Attorney. The City Attorney shall deliver a copy, along with any legal opinion available to the public, the City Clerk who keep a public record of all such disclosures.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2002.

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

ATTEST:

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Stephanie Tuin  
City Clerk

Attach5

**Reappointment of Care McInnis-Raum**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Reappointment of Care McInnis-Raum as Associate Municipal Court Judge</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 20, 2002</b>		
<b>Author:</b>	<b>John Shaver</b>	<b>Assistant City Attorney</b>	
<b>Presenter Name:</b>	<b>John Shaver</b>	<b>Assistant City Attorney</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Reappointment of Care McInnis-Raum as Associate Municipal Court Judge.

**Background and Summary:** Judge Care McInnis-Raum was first appointed as an Associate Municipal Court Judge in 1995. She has been on the bench since that time. Because there is not a current resolution confirming her appointment, it is requested that that City Council adopt the resolution re-appointing Judge McInnis-Raum and affirming her past service.

**Budget:** No impact as a result of this action. Judge McInnis-Raum's compensations budgeted in the Municipal Court budget.

**Action Requested/Recommendation:** Approval of the Resolution.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</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>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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CITY OF GRAND JUNCTION  
Resolution No.

A RESOLUTION REAPPOINTING CARE McINNIS-RAAUM AS ASSOCIATE  
MUNICIPAL COURT JUDGE

RECITALS:

The City of Grand Junction has by Charter and Ordinance established a Municipal Court. The Charter provides that the City Council shall appoint a Judge of the Municipal Court and the Code of Ordinances allows for additional or associate judges to transact the business of the Court.

Judge Care McInnis-Raaum has been an Associate Municipal Court Judge since 1995. Judge McInnis-Raaum has capably served the community during her years on the bench. Records show that formal reappointment is overdue. Therefore, with the advice and consent of the Office of the City Attorney and the recommendation of Municipal Court Judge David Palmer, by this Resolution, Care McInnis-Raaum is re-appointed as an Associate Municipal Court Judge.

Furthermore, the Council affirms Judge McInnis-Raaum's prior service with its thanks.

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

That Care McInnis-Raaum is appointed as Associate Municipal Court Judge, Grand Junction Municipal Court, with all rights, obligations and privileges that pertain.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

ATTEST:

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

\_\_\_\_\_  
President of City Council

Attach6

**Setting a Hearing – Zoning Rinderle Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Rinderle Annexation</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 26, 2002</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Zoning the Rinderle Annexation for development of the Durango Acres Subdivision, #ANX-2002-027.

**Summary:** The applicant proposes a zone of annexation of RSF-4 for the 11.575 acre Rinderle Annexation. A preliminary plan to subdivide the parcel into 39 single-family lots was approved by the Planning Commission at its March 26, 2002 hearing. The Planning Commission recommends approval of the zone of annexation.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and schedule a hearing for April 17, 2002.

<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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BACKGROUND INFORMATION					
<b>Location:</b>		SE corner of 28 Road and B ½ Road			
<b>Applicants:</b>		<b>A.C. Rinderle Trust – owner Jerry Slaugh – representative</b>			
<b>Existing Land Use:</b>		Vacant			
<b>Proposed Land Use:</b>		Single family residential (39 lots)			
<b>Surrounding Land Use:</b>	<b>North</b>	Residential			
	<b>South</b>	<b>Vacant</b>			
	<b>East</b>	<b>Residential</b>			
	<b>West</b>	<b>Vacant</b>			
<b>Existing Zoning:</b>		<b>County RSF-4</b>			
<b>Proposed Zoning:</b>		<b>RSF-4</b>			
<b>Surrounding Zoning:</b>	<b>North</b>	<b>County PUD</b>			
	<b>South</b>	<b>County RSF-4</b>			
	<b>East</b>	<b>City RMF-5</b>			
	<b>West</b>	<b>City C-1</b>			
<b>Growth Plan Designation:</b>		<b>Residential Medium Low (2 to 4 du/acre)</b>			
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>		<b>No</b>

### Zone of Annexation

The applicant is requesting a zone of annexation from County RSF-4 to City RSF-4. This zoning is consistent with the Future Land Use Map of 2 to 4 dwellings per acre on this parcel and developed subdivisions to the north and east. At its hearing of March 26, 2002 the Planning Commission found that the proposed rezone is in compliance with Section 2.6.A of the Zoning and Development Code as follows. The Planning Commission's findings are in italicized text.

1. The existing zoning was **not** in error at the time of adoption. *This criterion is not applicable since the only change is from county to city zoning.*
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. *No increase in density is proposed with this rezone. However, there has been a change in character in the area due to the construction of Arrowhead Acres subdivision to the east and development to urban densities in the county, north of this site.*

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. *The proposed rezone does not constitute an increase in density over the zoning allowed in the county, hence the zone change in and of itself will have no impact on adjacent properties. The proposed plat will have an impact on the neighborhood simply due to the change in land use from vacant to an urbanized use, particularly since this property abuts lower density rural parcels to the south. However these parcels have the potential for redevelopment to urban densities.*
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines. *Yes, the plan is in conformance with the Future Land Use plan and several goals and policies of the Growth Plan.*
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. *All utilities are available to serve the development. B ½ Road is a two-lane street that has been determined to be adequate in size to accommodate the increased traffic generated by this development.*
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. *Not applicable.*
7. The community or neighborhood will benefit from the proposed zone. *The applicant is providing new housing for a growing Grand Junction population.*

**Action Requested/Recommendation:** Adopt ordinance on first reading and schedule a hearing for April 17, 2002.

**Attachments:**

- Aerial Photo
- Vicinity Map
- Growth Plan – Future Land Use Map
- Annexation Map

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**ZONING THE RINDERLE ANNEXATION  
RESIDENTIAL SINGLE FAMILY – FOUR (RSF-4),  
LOCATED AT THE SOUTHEAST CORNER  
OF 28 ROAD AND B ½ ROAD**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Residential Single Family - Four (RSF-4) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

**The following property shall be zoned Residential Single Family - Four (RSF-4) zone district**

Includes the following tax parcel 2943-303-00-269.

**A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian and being more particularly described as follows:**

COMMENCING at the West Quarter (W ¼) Corner of said Section 30, and considering the North line of the NW ¼ SW ¼ of said Section 30 to bear S 89°54'00" E with all bearings contained herein being relative thereto; thence S 89°54'00" E, along the North line of the NW ¼ SW ¼ of said Section 30, a distance of 2.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°54'00" E along the North line of the NW ¼ SW ¼ of said Section 30, a distance of 1260.45 feet to a point being the Northwest corner of Arrowhead Acres II, a subdivision within the City of Grand

Junction, Colorado, as same is recorded in Plat Book 17, Pages 192 and 193, Public Records of Mesa County, Colorado; thence leaving said North line and traversing Southerly along the West line of said Arrowhead Acres II by the following five (5) numbered courses:

- 1.) S 00°04'00" W a distance of 61.67 feet to a point being the beginning of a 870.00 foot radius curve, concave to the West; thence...
- 2.) Southerly 75.21 feet along said curve, through a central angle of 04°57'13"; thence...
- 3.) S 05°01'13" W a distance of 125.89 feet to a point being the beginning of a 930.00 foot radius curve, concave to the East; thence...
- 4.) Southerly 80.41 feet along said curve, through a central angle of 04°57'13"; thence...
- 5.) S 00°04'00" W a distance of 60.48 feet, more or less, to a point 403.00 South of, as measured a right angle thereto, from the North line of the NW ¼ SW ¼ of said Section 30;

thence leaving the West line of said Arrowhead Acres II, N 89°54'00" W along a line parallel with and 403.00 feet South of the North line of the NW ¼ SW ¼ of said Section 30, a distance of 1242.03 feet; thence N 00°03'05" W along a line 2.00 feet East of and parallel with the West line of the NW ¼ SW ¼ of said Section 30, a distance of 403.00 feet, more or less, to the Point of Beginning.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2002.

**Attest:**

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

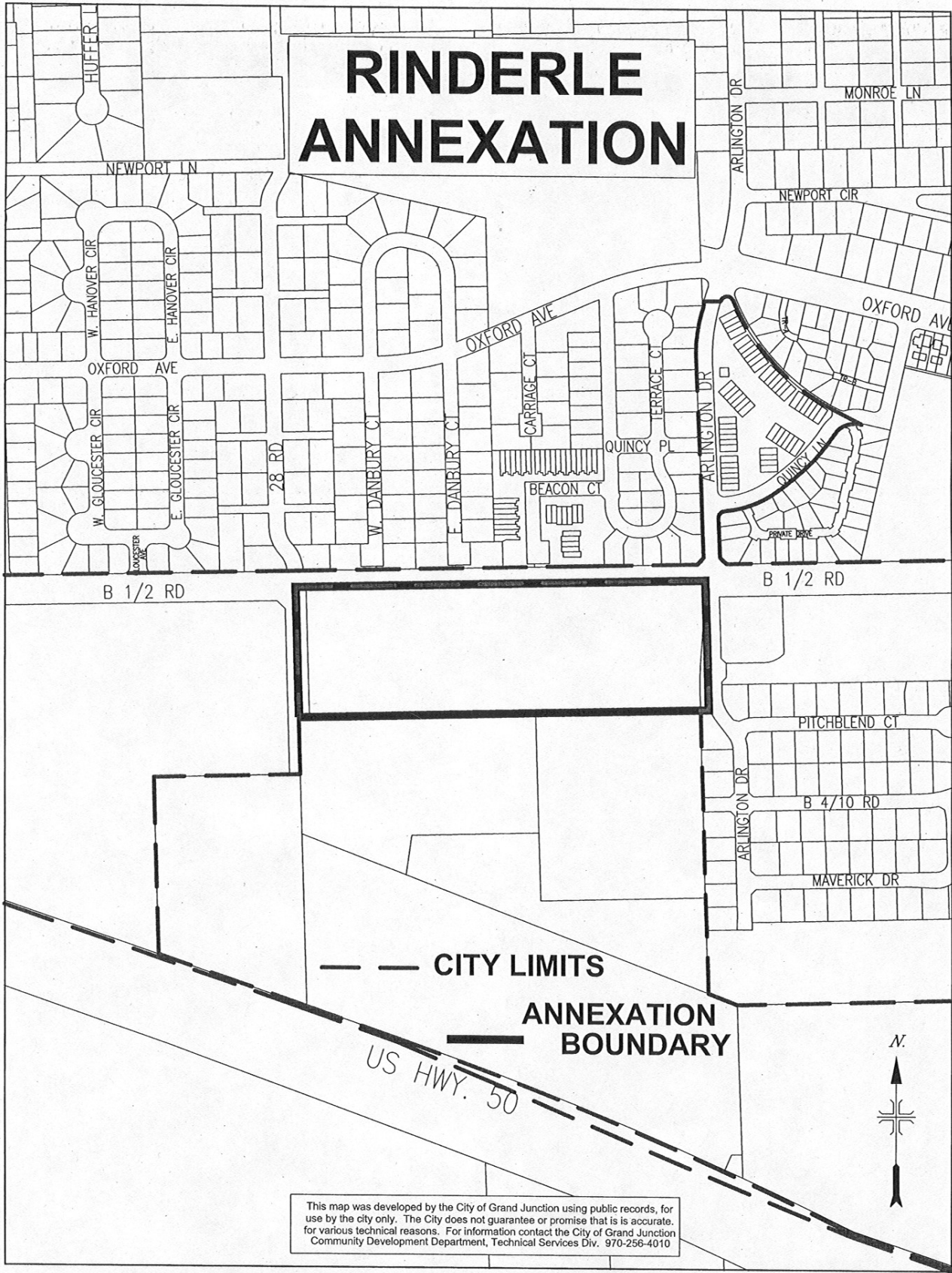
\_\_\_\_\_  
City Clerk

# Aerial Photo

## Rinderle Annexation



# RINDERLE ANNEXATION



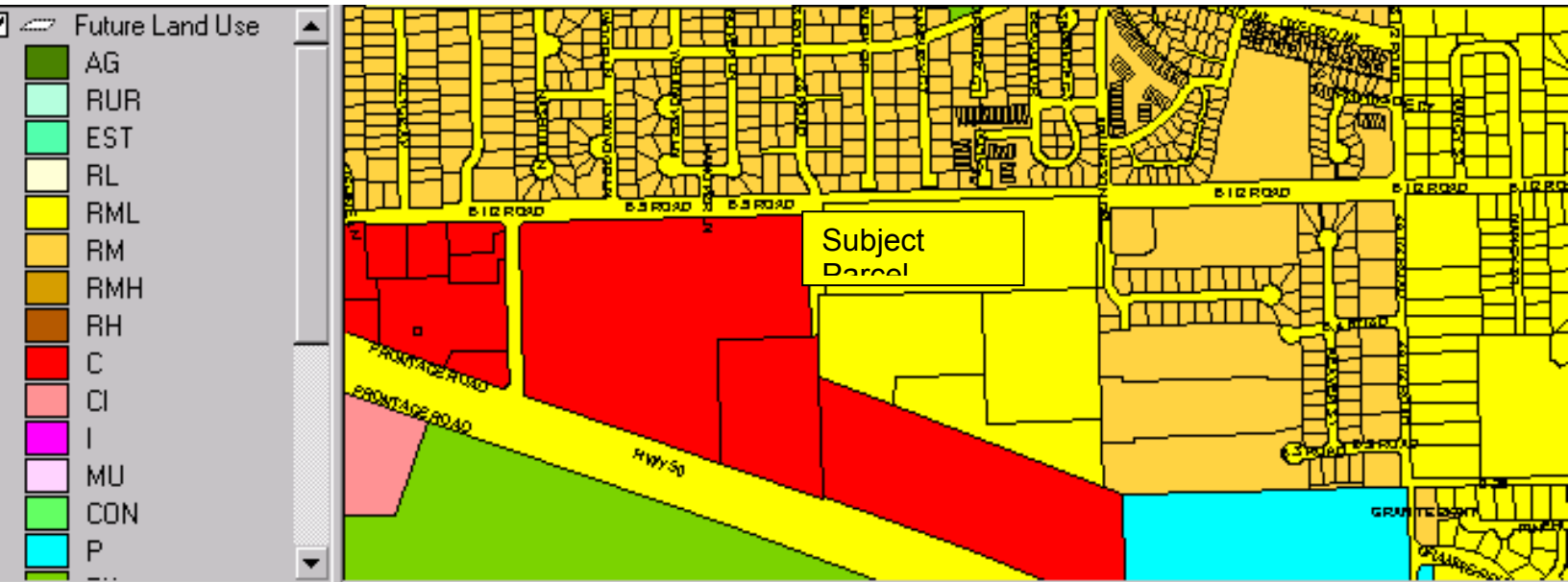
--- CITY LIMITS  
— ANNEXATION BOUNDARY

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that is is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010



# Growth Plan - Future Land Use Map

Subject parcel is designated for Residential Medium Low 2-4 Dwellings per acre.







Attach7

**Vacation of Easement Independence Ranch Filing 9**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>		
<b>Subject:</b>	<b>Easement Vacation – Independence Ranch Filing 9</b>	
<b>Meeting Date:</b>	<b>April 3, 2002</b>	
<b>Date Prepared:</b>	<b>March 27, 2002</b>	
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** Vacation of Easement – Independence Ranch Filing 9, located at the northeast corner of 20 ½ Road and F ¾ Road; File #VE-2002-008.

**Summary:** The applicant proposes to vacate a temporary stormwater retention easement in conjunction with a request to develop Independence Ranch Filing 9. The Planning Commission recommends approval.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt resolution.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	No		Yes	When:	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	Consent		Indiv. Consideration		Workshop
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BACKGROUND INFORMATION			
<b>Location:</b>		<b>NEC 20 ½ &amp; F ¾ Roads</b>	
<b>Applicant:</b>		<b>Hans Brutsche</b>	
<b>Existing Land Use:</b>		<b>Vacant</b>	
<b>Proposed Land Use:</b>		<b>Single family homes (17)</b>	
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Colorado River &amp; open space</b>	
	<b>South</b>	<b>Forrest Hills Subdivision (Single Family)</b>	
	<b>East</b>	<b>Panorama Subdivision (Single Family)</b>	
	<b>West</b>	<b>Country Meadows Sub (Single Family)</b>	
<b>Existing Zoning:</b>		<b>PD (PR 1.7)</b>	
<b>Proposed Zoning:</b>		<b>No change proposed</b>	
<b>Surrounding Zoning:</b>	<b>North</b>	<b>County RSF-4</b>	
	<b>South</b>	<b>County RSF-4</b>	
	<b>East</b>	<b>County RSF-4</b>	
	<b>West</b>	<b>County RSF-4</b>	
<b>Growth Plan Designation:</b>		<b>Res Medium Low: 2 to 4 units per acre</b>	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**STAFF ANALYSIS**

In conjunction a the request to develop Independence Ranch Filing 9 Subdivision the applicant requests to vacate any interest the City may have in a temporary stormwater detention easement that was to be conveyed to the homeowner’s association by separate instrument. This easement is no longer necessary in this location. Stormwater from this and other filings will be detained in other temporary on-site facilities or discharged into a draw that drains into the Colorado River.

Review Criteria: At its hearing of March 26, 2002 the Planning Commission found that the proposed easement vacation conforms to the review criteria set forth in Section 2.11C of the Zoning and Development Code as follows:

1. Granting the easement vacation does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City.

2. No parcel becomes landlocked as a result of the vacation.
3. Access to any parcel is not restricted.
4. There are no adverse impacts on health, safety or welfare of the general community. The quality of public facilities and services provided to any parcel is not reduced due to this vacation.
5. The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of this Code.
6. The proposal provides benefits to the City by allowing further development of this multi-phased subdivision.

**PLANNING COMMISSION RECOMMENDATION:** Approval.

**Attachments** to this report include the following:

1. Aerial photo/Vicinity Map
2. Easement vacation exhibit
3. Filing 9 plat map

**CITY OF GRAND JUNCTION**

**RESOLUTION NO. \_\_\_\_\_**

**VACATING A TEMPORARY STORMWATER RETENTION EASEMENT IN  
CONJUNCTION WITH INDEPENDENCE RANCH SUBDIVISION FILING 9  
LOCATED AT 20 1/2 AND F 3/4 ROADS**

Recitals.

In conjunction with a request to develop Independence Ranch Filing 9 Subdivision the applicant has requested to vacate any interest the City may have in a temporary stormwater detention easement that was to be conveyed to the homeowner's association by separate instrument. This easement is no longer necessary in this location

At its March 26, 2002 hearing the City Planning Commission found that the request to vacate the easement conforms to the review criteria as set forth in Section 2.11C and recommended approval.

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

City Council finds that the vacation meets the criteria set forth in Section 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described temporary stormwater retention easement is hereby vacated:

An easement across Lot 2, Block 6 of Independence Ranch Filing 7, as shown and described on the plat thereof recorded at Reception No. 2006386 of the Mesa County records, County of Mesa, State of Colorado; said easement being more particularly described as follows:

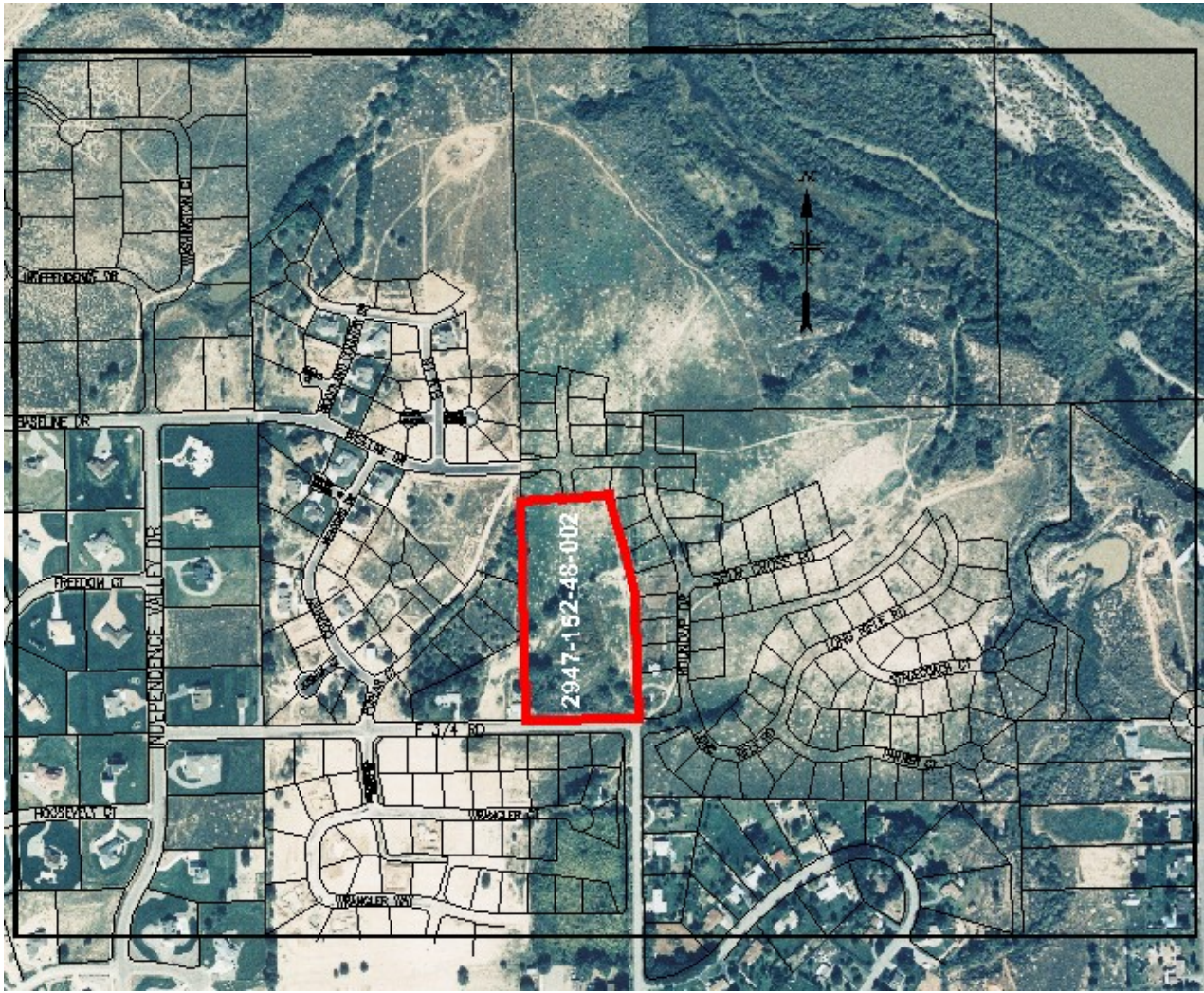
Beginning at the Northwest corner of said Lot 2;  
Thence along the North line of said Lot 2, North 84°45'02" East, a distance of 145.98 feet to the West right-of-way line of Tranquil Trail;  
Thence along said right-of-way line, South 05°14'58" East, a distance of 8.55 feet;  
Thence along the South right-of-way line of Tranquil Trail, North 84°47'36" East, a distance of 44.00 feet;  
Thence along the North line of said Lot 2, North 84°50'10" East, a distance of 126.89 feet to the Northeast corner of said Lot 2;  
Thence along the East line of said Lot 2, South 05°17'07" East, a distance of 48.39 feet;  
Thence along the East line of said Lot 2, South 20°07'24" East, a distance of 15.14 feet;  
Thence South 84°45'02" West, a distance of 326.28 feet to the West line of said Lot 2;  
Thence North 00°52'18" West, a distance of 72.00 feet to the Point of Beginning.

PASSED and ADOPTED this     day of     , 2002.

ATTEST:

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

\_\_\_\_\_  
President of City Council







# INDEPENDENCE RANCH SUBDIVISION



Approximate location of temporary stormwater retention



Attach8

**Vacation of Right-of-Way Fountainhead Blvd**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Vacation of Right-of-Way – Fountainhead Blvd.</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 28, 2002</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Vacation of right-of-way – Fountainhead Blvd. located in the Fountain Greens Subdivision between 24 ¾ Road and 25 Road, north of G Road. #FPP-2002-029

**Summary:** The applicant requests to vacate a portion of Fountainhead Blvd. right-of-way that was dedicated to provide curb returns to future public streets in Filing 3. These streets are now proposed to be private and the public right-of-way is no longer necessary. The Planning Commission recommends approval.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and schedule a public hearing for April 17, 2002.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>	<b>Various</b>			
<b>Purpose:</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>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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BACKGROUND INFORMATION					
<b>Location:</b>		East side of 24 ¾ Rd, 1100' north of G Road			
<b>Applicants:</b>		Fountain Greens LLC			
<b>Existing Land Use:</b>		Vacant			
<b>Proposed Land Use:</b>		67 single family attached and detached dwellings			
<b>Surrounding Land Use (to PD):</b>	<b>North</b>	Grand Valley Canal & low density SF residential			
	<b>South</b>	Single family residential			
	<b>East</b>	Vacant			
	<b>West</b>	Single family residential			
<b>Existing Zoning:</b>		PD			
<b>Proposed Zoning:</b>		No change proposed			
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R			
	<b>South</b>	PD & RMF-5			
	<b>East</b>	RSF-4			
	<b>West</b>	RMF-5			
<b>Growth Plan Designation:</b>		Residential Medium High: 8 to 12 units per acre			
<b>Zoning within density range?</b>		X	Yes		No

**STAFF ANALYSIS**

When Fountain Greens Filing 2 was platted it included the curb and right-of-way returns for future streets that would access the area included in Filing 3. With the new design that includes private streets these public street entrances and the 14-foot multi-purposes easements adjoining them are no longer necessary. The applicant requests to vacate these rights-of-way and easements. Filing 3 will rededicate the needed multi-purpose easements in the required locations to fit the new layout.

The vacation of the multi-purpose easement will be added to this staff report upon second reading of the ordinance to vacate the right-of-way.

Review Criteria: At its hearing of March 26, 2002 the Planning Commission found that the proposed rights-of-way vacation conforms to the review criteria set forth in Section 2.11C of the Zoning and Development Code as follows:

7. Granting the easement and rights-of-way vacation does not conflict with applicable Sections of the Growth Plan and other adopted plans and policies of the City.
8. No parcel becomes landlocked as a result of the vacation.
9. Access to any parcel is not restricted.
10. There are no adverse impacts on health, safety or welfare of the general community. The quality of public facilities and services provided to any parcel is not reduced due to this vacation.
11. The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of this Code.
12. The proposal provides benefits to the City by eliminating excess right-of-way not needed for the foreseeable future and by allowing development of Fountain Greens Filing 3 with private streets.

**PLANNING COMMISSION RECOMMENDATION:** Approval.

**Attachments** to this report include the following:

1. Aerial photo/Vicinity map
2. Right-of-Way vacation exhibit
3. Fountain Greens Filing 3 - Final Plan (showing location of vacations)

**CITY OF GRAND JUNCTION**

Ordinance No. \_\_\_\_\_

**VACATING A PORTION OF FOUNTAINHEAD BLVD. IN CONJUNCTION  
WITH FOUNTAIN GREENS FILING 3 SUBDIVISION LOCATED  
BETWEEN 24 <sup>3</sup>/<sub>4</sub> AND 25 ROADS, NORTH OF G ROAD**

Recitals.

When Fountain Greens Filing 2 was platted it included the right-of-way returns on Fountainhead Blvd. for future public streets that would access the area included in Filing 3. With the new design of Filing 3 that includes private streets these public street entrances and the 14-foot multi-purposes easements adjoining them are no longer necessary. The applicant requests to vacate these rights-of-way. The multi-purpose easements will be vacated by resolution.

At its March 26, 2002 hearing the City Planning Commission found that the request to vacate this portion of Fountainhead Blvd. conforms to the review criteria as set forth in Section 2.11C and recommended approval.

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

City Council finds that the vacation meets the criteria set forth in Section 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described portion of Fountainhead Blvd. is hereby vacated:

Parcel 1

THAT PART OF Fountain Head Boulevard, located in, Fountain Greens Subdivision, Filing No. Two, as recorded in Plat Book 17, at Pages 237 - 239, Mesa County, Colorado records, being more particularly described as follows:

Commencing at the Northwest Corner of the Southeast <sup>1</sup>/<sub>4</sub> of the Southeast <sup>1</sup>/<sub>4</sub> of Section 33, Township 1 North, Range 1 West of the Ute Meridian; whence the Southwest Corner of the Southeast Quarter, of the Southeast Quarter of Section 33 bears South 00 degrees 07 minutes 59 seconds East, a distance of 1317.69 feet, for a basis of bearing, with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 59 seconds West, a distance of 286.05 feet; thence North 89 degrees 52 minutes 28 seconds East, a distance of 26.00 feet, to the Southwest Corner of Block 5, said Fountain Greens Subdivision Filing no. two; thence, along the Northerly Right-of-Way line of said Fountainhead Boulevard, South 45 degrees 07 minutes 46 seconds East, a distance of 35.35 feet; thence, continuing along said Right-of-Way line, North 89 degrees 52 minutes 28 seconds East, a distance of 35.88 feet to the POINT OF BEGINNING; thence North 89 degrees 52 minutes 28 seconds East, a distance of 94.00 feet; thence the following three courses along said right-of-Way line;

- 1) North 45 degrees 07 minutes 32 seconds West, a distance of 35.36 feet;
  - 2) South 89 degrees 52 minutes 28 seconds West, a distance of 44.00 feet;
  - 3) South 44 degrees 52 minutes 28 seconds West, a distance of 35.36 feet ;
- to the POINT OF BEGINNING.





2701-334-36-001







# EXHIBIT B

## Road Right-of-Way Vacation and Fourteen Foot Multi-Purpose Easement Vacation

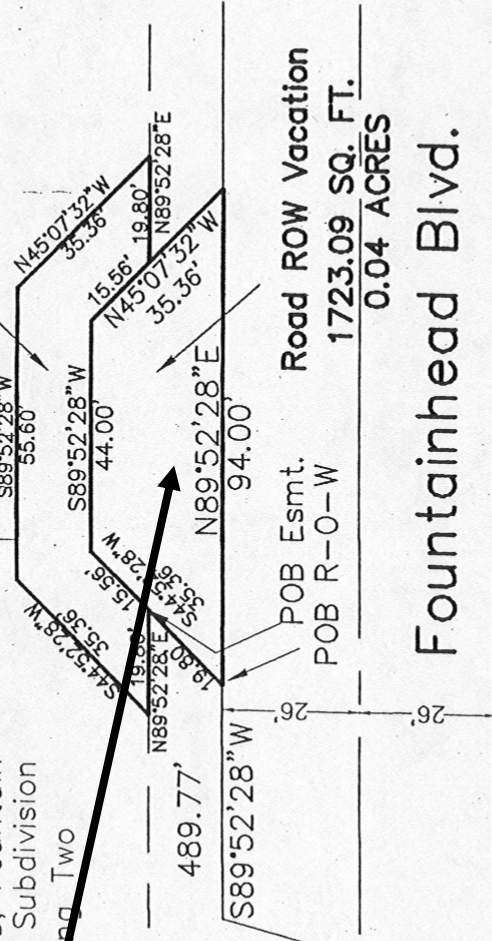
14 Foot Multipurpose Easement Vacation  
1407.04 SQ. FT.  
0.03 ACRES

Block 5

Southwest Corner  
of Block 5, Fountain  
Greens Subdivision

Tracing Two

Area vacated with this ordinance



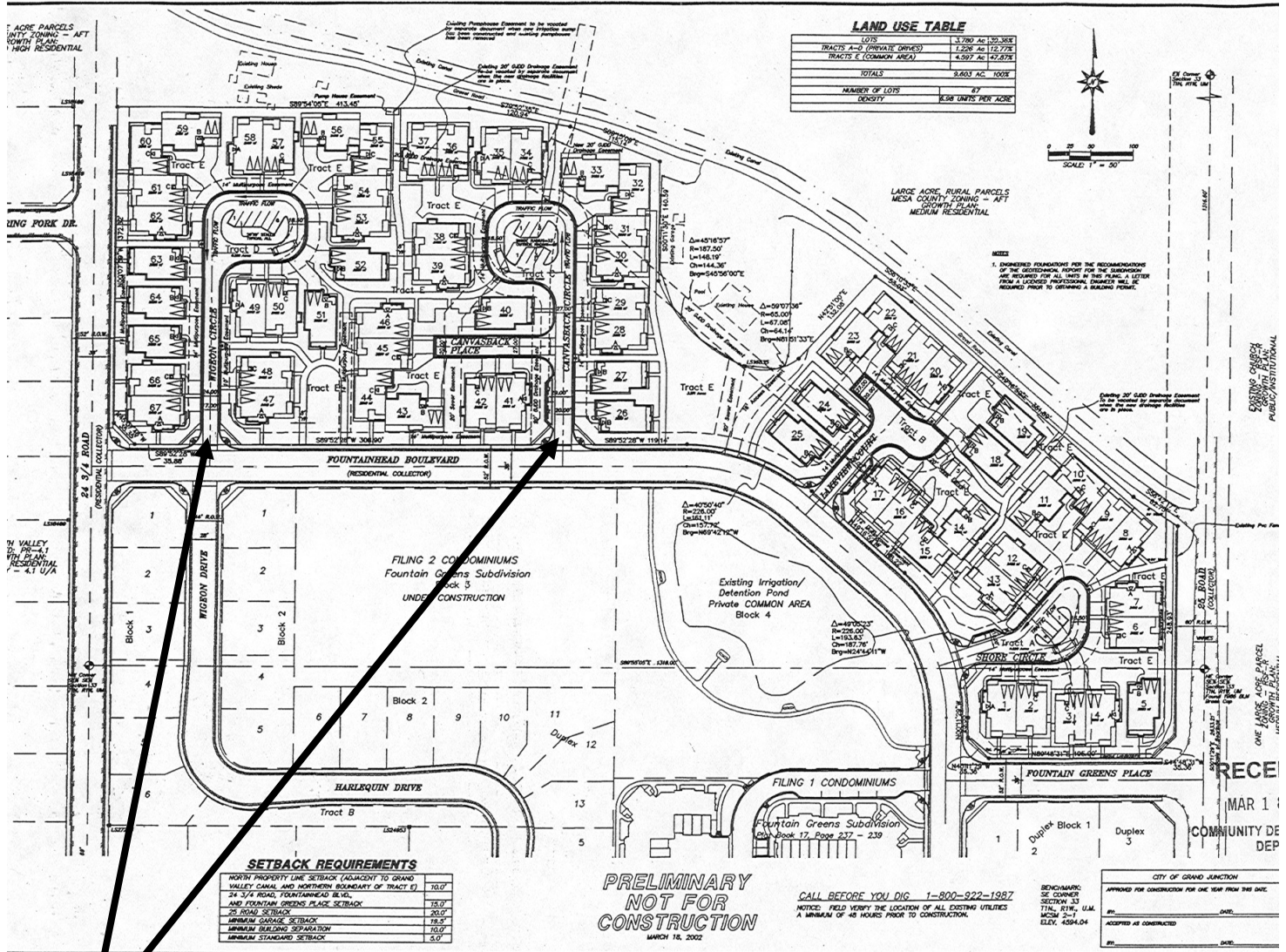
POB Esmt. Road ROW Vacation  
1723.09 SQ. FT.  
0.04 ACRES

Fountainhead Blvd.

Block 3



# Fountain Greens Filing 3 – Final Plan



Approximate location of right-of-way vacations.

Attach9

**Setting a Hearing – Vacating a Portion of 25 Rd Right-of-Way**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>		
<b>Subject:</b>	<b>Vacating a Portion of 25 Road Right-of-Way, Located Adjacent to Fountain Greens Filing 3 Subdivision at the North Side of Fountainhead Blvd.</b>	
<b>Meeting Date:</b>	<b>April 3, 2002</b>	
<b>Date Prepared:</b>	<b>March 28, 2002</b>	
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>
<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Vacation of right-of-way – 25 Road located adjacent to Fountain Greens Filing 3 Subdivision at the north side of Fountainhead Blvd. #FPP-2002-029

**Summary:** The applicant requests to vacate a 17-foot wide strip of 25 Road right-of-way adjacent to Fountain Greens Filing 3. The previous developer of this site (Fountainhead Subdivision) had tried to vacate this right-of-way by replat. Adoption of an ordinance is required to vacate the right-of-way correctly. The Planning Commission recommends approval.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and schedule a public hearing for April 17, 2002.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>	<b>Various</b>			
<b>Purpose:</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>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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BACKGROUND INFORMATION					
<b>Location:</b>		East side of 24 ¾ Rd, 1100' north of G Road			
<b>Applicants:</b>		Fountain Greens LLC			
<b>Existing Land Use:</b>		Vacant			
<b>Proposed Land Use:</b>		67 single family attached and detached dwellings			
<b>Surrounding Land Use (to PD):</b>	<b>North</b>	Grand Valley Canal & low density SF residential			
	<b>South</b>	Single family residential			
	<b>East</b>	Vacant			
	<b>West</b>	Single family residential			
<b>Existing Zoning:</b>		PD			
<b>Proposed Zoning:</b>		No change proposed			
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R			
	<b>South</b>	PD & RMF-5			
	<b>East</b>	RSF-4			
	<b>West</b>	RMF-5			
<b>Growth Plan Designation:</b>		Residential Medium High: 8 to 12 units per acre			
<b>Zoning within density range?</b>		X	Yes		No

**STAFF ANALYSIS**

Prior to Fountain Greens, the previous developer of the Fountainhead Subdivision caused a plat to be recorded that dedicated to the public an additional 20 feet for 25 Road right-of-way. Later with the Replat of Fountainhead Subdivision, the developer attempted to vacate this 20 feet by replat and rededicate an additional 3 feet for right-of-way. Only recently did the City become aware of this platting error. According to city regulations and state law, right-of-way cannot be vacated by replat. The applicant now requests to formally vacate the 17 feet that was previously replatted.

At the time of preliminary plan approval for the Fountain Greens Subdivision, 25 Road was designated as a collector street on the Major Street Plan, requiring only a 30 foot half street. Currently there is 33-foot half street for 25 Road between G Road and the north side of this subdivision. The updated Major Street Plan changed the designation of 25 Road from a collector to a minor arterial, requiring a 40-foot half street.

This change was based on the prospect of a 25 Road interchange at I-70 at some time in the future. Public Works staff has determined that when 25 Road is widened from its two-lane section it will be constructed as a three-lane collector rather than a five lane minor arterial. Unless an interchange is constructed, traffic counts in this area do not warrant a wider street. Since additional right-of-way (for a 40-foot half street) was not acquired through previous filings and there is no immediate need for the additional right-of-way, staff supports the vacation of the 17-foot which conforms with the Major Street Plan at the time of preliminary plan adoption.

Review Criteria: Staff finds that the proposed right-of-way vacation conforms to the review criteria set forth in Section 2.11C of the Zoning and Development Code as follows:

13. Granting the right-of-way vacation does not conflict with applicable Sections of the Growth Plan and other adopted plans and policies of the City. The vacation of right-of-way on 25 Road conflicts with the major street plan but due to outstanding circumstances including approvals granted under the prior major street plan designation, buildout of the majority of the subdivision under the prior designation, low traffic counts on 25 Road and the potential for a wider roadway on the lower density east side of the road, staff does not foresee a conflict with approving this vacation.
14. No parcel becomes landlocked as a result of the vacation.
15. Access to any parcel is not restricted.
16. There are no adverse impacts on health, safety or welfare of the general community. The quality of public facilities and services provided to any parcel is not reduced due to this vacation. There is sufficient right-of-way along 25 Road to accommodate future widening to a three-lane section.
17. The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of this Code.
18. The proposal provides benefits to the City by eliminating excess right-of-way not needed for the foreseeable future and by allowing development of Fountain Greens Filing 3 at it's planned density.

**PLANNING COMMISSION RECOMMENDATION:** Approval.

**Attachments** to this report include the following:

4. Aerial photo/Vicinity map

5. Right-of-Way vacation exhibit
6. Fountain Greens Filing 3 - Final Plan (showing location of vacation)

bn\fp\02029-FG#3-ccr&ord.doc\reportprepared032802

**CITY OF GRAND JUNCTION**

Ordinance No. \_\_\_\_\_

**VACATING A PORTION OF 25 ROAD ADJACENT TO FOUNTAIN GREENS  
FILING 3 SUBDIVISION LOCATED BETWEEN  
24 ¾ AND 25 ROADS, NORTH OF G ROAD**

Recitals.

Prior to Fountain Greens, the previous developer of the Fountainhead Subdivision caused a plat to be recorded that dedicated to the public an additional 20 feet for 25 Road right-of-way. Later with the Replat of Fountainhead Subdivision, the developer attempted to vacate this 20 feet by replat and rededicate an additional 3 feet for right-of-way. Only recently did the City become aware of this platting error. According to city regulations and state law, right-of-way cannot be vacated by replat. The applicant now requests to vacate by ordinance the 17 feet that was previously replatted.

At its March 26, 2002 hearing the City Planning Commission found that the request to vacate this portion of 25 Road conforms to the review criteria as set forth in Section 2.11C and recommended approval.

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

City Council finds that the vacation meets the criteria as set forth in Section 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described portion of 25 Road is hereby vacated:

A parcel of land located in Block 5, Fountain Greens Subdivision Filing No. Two, as recorded in Plat Book 17, at Pages 237 through 239, Mesa County, Colorado records, being more particularly described as follows:

Commencing at the Southeast corner of Section 33, T.1N., R1W., of the Ute Meridian; Thence along the East line of said Section 33, N00°11'29"W, a distance of 709.40 ft, to the intersection of the centerlines of 25 Road and Fountain Greens Place; Thence along the centerline of Fountain Greens Place S89°48'31" W, a distance of 58.00 ft, Thence N00°11'29"W, a distance of 26.00 ft to a point on the South line of Block 5, Fountain Greens Subdivision Filing No. Two, as recorded in Plat Book 17, at Pages 237 through 239, Mesa County, Colorado records; Thence along said South line N44°48'31"E, a distance of 11.32 ft to the POINT OF BEGINNING; Thence N00°11'29"W a distance of 277.18 ft; Thence S56°42'17"E, a distance of 20.38 ft to the East line of said Block 5; Thence along said East line S00°11'29"E, a distance of 248.93 ft; Thence S44°48'31"W, a distance of 24.04 ft to the POINT OF BEGINNING.

INTRODUCED for FIRST READING and PUBLICATION this    day of        2002.

PASSED on SECOND READING this    day of        , 2002.

ATTEST:

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

\_\_\_\_\_  
President of City Council







# EXHIBIT B

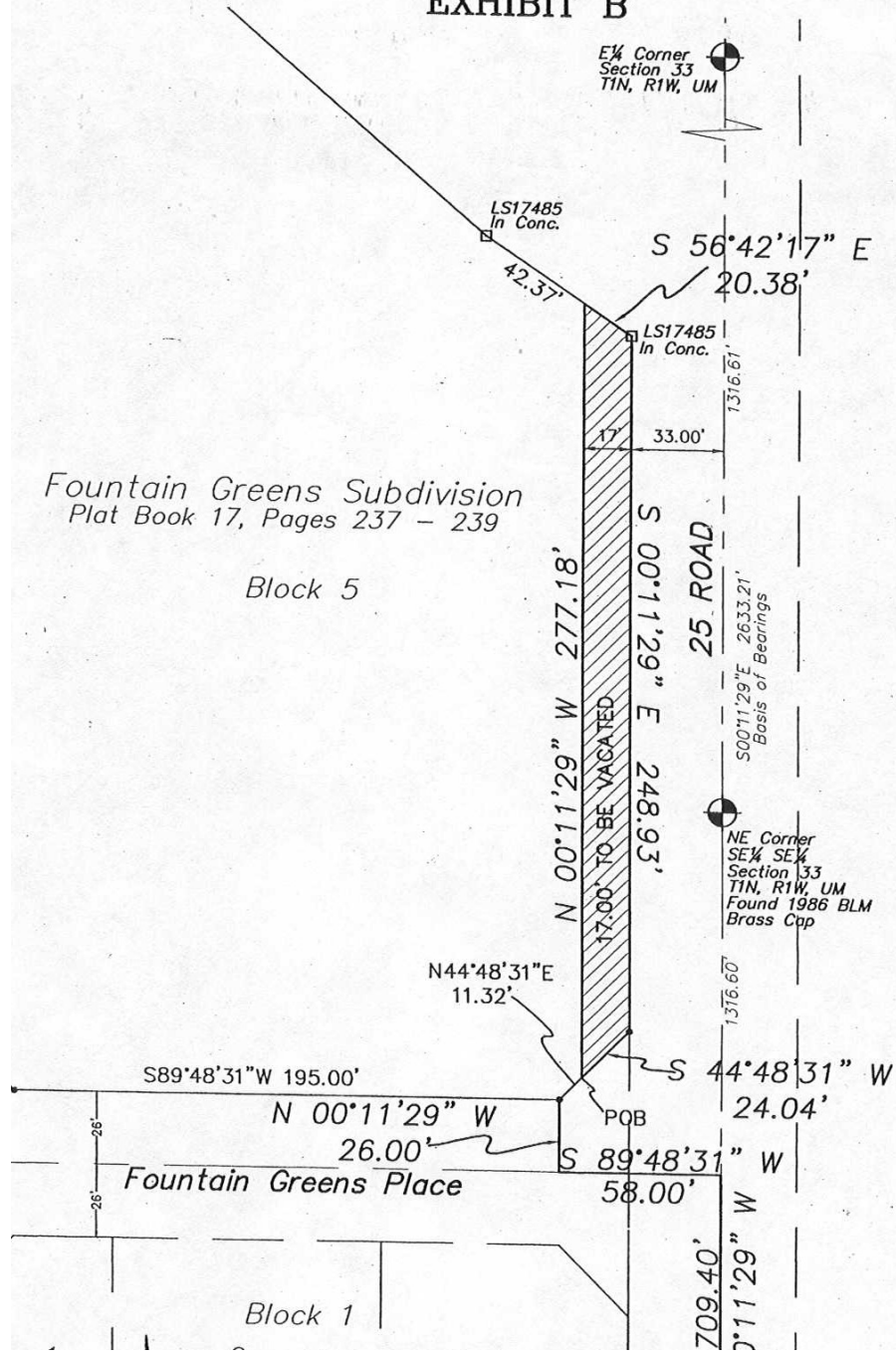
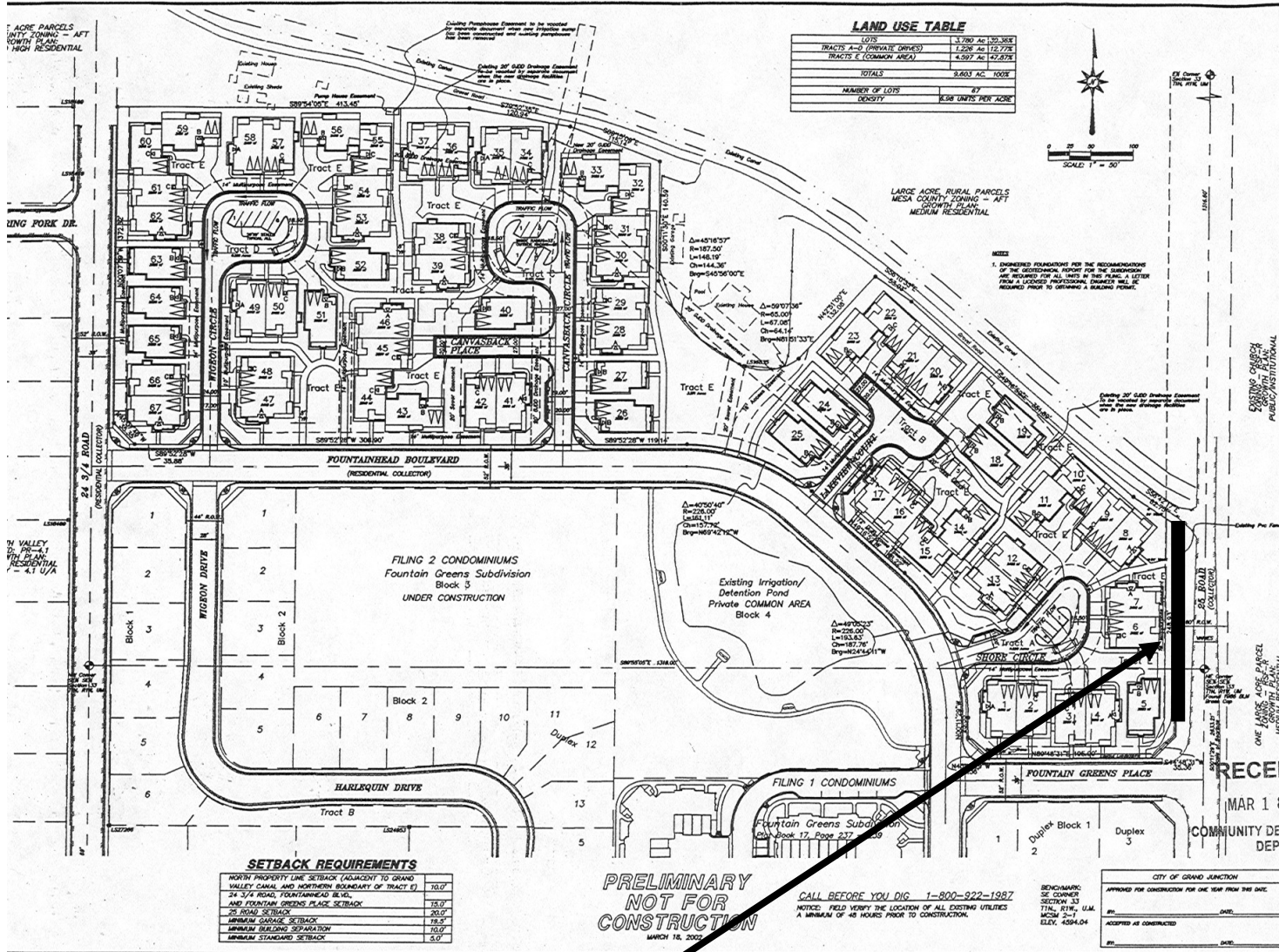


Exhibit b

# Fountain Greens Filing 3 – Final Plan



Approximate location of right-of-way vacation.

Attach10

**Setting a Hearing –Zambrano Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Zambrano Annexation</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Zambrano Annexation located at 657 20 ½ Road, #ANX-2002-053.

**Summary:** Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Zambrano Annexation located at the 657 20 ½ Road (#ANX-2002-053). The 11.282-acre Zambrano Annexation consists of one parcel of land.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adoption of resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Zambrano Annexation and set a hearing for May 15, 2002.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</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>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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BACKGROUND INFORMATION			
<b>Location:</b>		657 20 ½ Road	
<b>Applicants:</b>		<b>John &amp; Janice Zambrano</b>	
<b>Existing Land Use:</b>		Single family home & vacant	
<b>Proposed Land Use:</b>		Single family residential (22 lots)	
<b>Surrounding Land Use:</b>	<b>North</b>	Single family residential	
	<b>South</b>	<b>Single family residential</b>	
	<b>East</b>	<b>Single family residential &amp; vacant</b>	
	<b>West</b>	<b>Single family residential</b>	
<b>Existing Zoning:</b>		<b>County RSF-4</b>	
<b>Proposed Zoning:</b>		<b>RSF-4</b>	
<b>Surrounding Zoning:</b>	<b>North</b>	<b>City PD (Independence Ranch)</b>	
	<b>South</b>	<b>County RSF-4</b>	
	<b>East</b>	<b>County RSF-4</b>	
	<b>West</b>	<b>County PD (Independence Valley)</b>	
<b>Growth Plan Designation:</b>		<b>Residential Medium Low (2 to 4 du/acre)</b>	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:****ANNEXATION:**

This annexation area consists of annexing 11.282 acres of land. A portion of 20 ½ Road adjacent to this parcel is also being annexed. Owners of the property have signed a petition for annexation as part of their request to develop the Zambrano Subdivision, pursuant to the 1998 Persigo agreement with Mesa County.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a

single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

d) The area is or will be urbanized in the near future;

e) The area is capable of being integrated with the City;

The following annexation and zoning schedule is being proposed.

<b>ANNEXATION SCHEDULE</b>	
<b>April 3, 2002</b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
<b>April 23, 2002</b>	Planning Commission considers Zone of Annexation
<b>May 1, 2002</b>	First Reading on Zoning by City Council
<b>May 15, 2002</b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>June 16, 2002</b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** It is recommended that City Council approve the Zambrano Annexation.

Attachments:

- Aerial Photo
- Vicinity Map
- Annexation Map
- Resolution of Referral of Petition/Exercising Land Use Immediately
- Annexation Ordinance

**ZAMBRANO ANNEXATION SUMMARY**

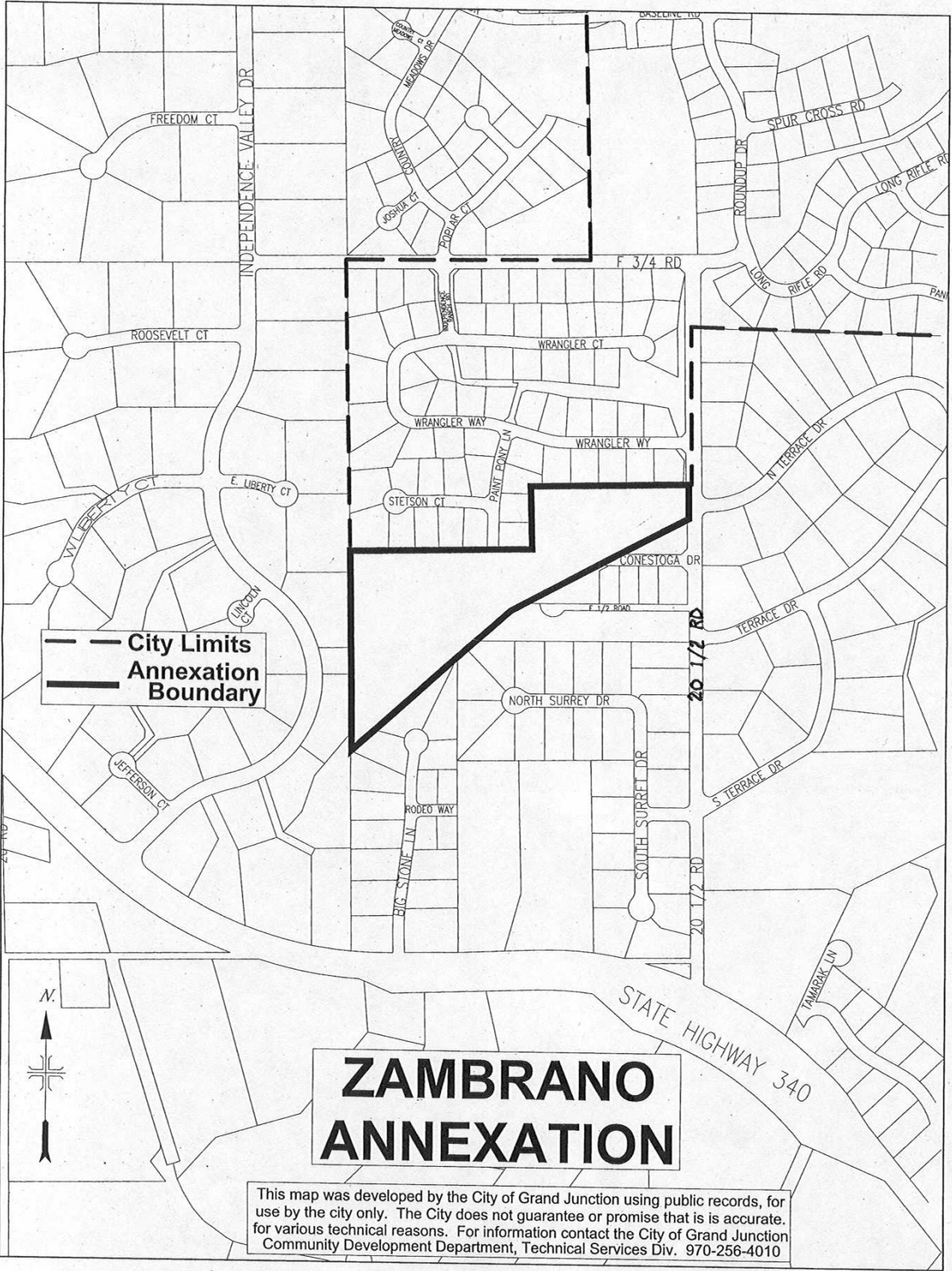
<b>File Number:</b>	<b>ANX-2002-053</b>
<b>Location:</b>	<b>657 20 ½ Road</b>
<b>Tax ID Number:</b>	<b>2947-153-00-015</b>
<b>Parcels:</b>	<b>1</b>
<b>Estimated Population:</b>	<b>2</b>
<b># of Parcels (owner occupied):</b>	<b>1</b>
<b># of Dwelling Units:</b>	<b>1</b>
<b>Acres land annexed:</b>	<b>11.282 acres for annexation area</b>
<b>Developable Acres Remaining:</b>	<b>11.194 acres</b>
<b>Right-of-way in Annexation:</b>	<b>3827 square feet (0.087 acres)</b>
<b>Previous County Zoning:</b>	<b>RSF-4</b>
<b>Proposed City Zoning:</b>	<b>(RSF-4) Residential Single Family 4 dwellings per acre</b>
<b>Current Land Use:</b>	<b>Single family home and Vacant</b>
<b>Future Land Use:</b>	<b>SF residential (22 lots)</b>
<b>Values:</b>	<b>Assessed:</b> = \$ 224,010
	<b>Actual:</b> = \$ 20,500
<b>Census Tract:</b>	<b>1402</b>
<b>Address Ranges:</b>	<b>657 20 ½ Road</b>
<b>Special Districts:</b>	<b>Water:</b> Ute Water
	<b>Sewer:</b> City of Grand Junction
	<b>Fire:</b> Grand Junction Rural Fire
	<b>Drainage:</b> none
	<b>School:</b> District 51
<b>Pest:</b> Redlands Mosquito	

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd day of April 2002, the following Resolution was adopted:







- - - City Limits  
 ——— Annexation Boundary

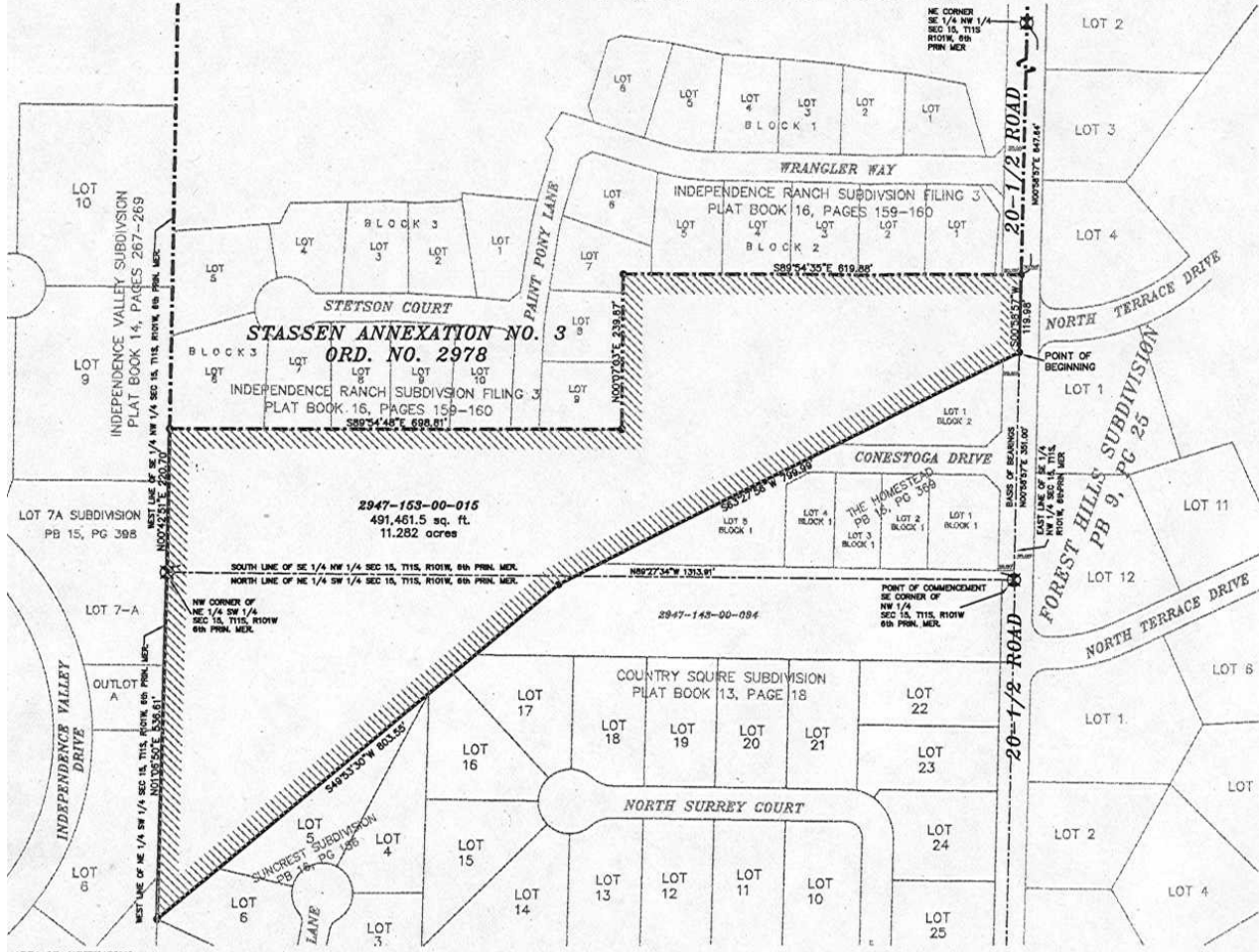
# ZAMBRANO ANNEXATION

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that is is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010



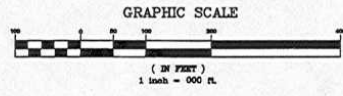
# ZAMBRANO ANNEXATION

SITUATE IN THE WEST-HALF OF SECTION 15, T11S, R101W, 6th PRIN. MER.  
 COUNTY OF MESA, STATE OF COLORADO



**AREA OF ANNEXATION**

1 PERMETER	4039.39 FT
5 PERMETER	1558.96 FE
SQUARE FEET	491,461.5
ACRES	11.282



**LEGEND**

OWN BOUNDARY ————

CITY LIMITS - - - - -

ORDINANCE NO.  
 ???

EFFECTIVE DATE  
 ???

<p><small>commence any legal action within three years after you and may any action based upon said more than ten years from such.</small></p>	<p>DRAWN BY E.T.M. DATE 3-13-2002</p> <p>DESIGNED BY _____ DATE _____</p> <p>CHECKED BY T.W. DATE _____</p> <p>APPROVED BY _____ DATE _____</p>	<p><b>SCALE</b></p> <p>1" = 100'</p>
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DEPARTMENT OF PUBLIC WORKS AND UTILITIES  
 ENGINEERING AND TECHNICAL SERVICES DIVISIONS  
 CITY OF GRAND JUNCTION, COLORADO

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_\_**

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

**ZAMBRANO ANNEXATION**

**LOCATED AT 657 20 ½ ROAD**

**WHEREAS**, on the 3rd day of April, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land lying in the West Half (W ½) of Section 15, Township 11 South, Range 101 West of the 6<sup>th</sup> Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW ¼) of said Section 15, and considering the East line of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 15 to bear N 00°58'57" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°58'57" E along the East line of the SE ¼ NW ¼ of said Section 15 a distance of 351.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, leaving said East line, S 63°27'56" W a distance of 799.99 feet; thence S 49°53'30" W a distance of 803.55 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of said Section 15; thence N 01°06'50" E, along the West line of the NE ¼ SW ¼ of said Section 15, a distance of 536.61 feet to a point being the Northwest corner of the NE ¼ SW ¼ of said Section 15; thence N 00°42'51" E along the West line of the SE ¼ NW ¼ of said Section 15 a distance of 220.70 feet; thence leaving said West line, S 89°54'48" E a distance of 698.81 feet; thence N 00°07'03" E a distance of 239.87 feet; thence S 89°54'35" E a distance of 619.88 to a point on the East line of the SE ¼ NW ¼ of said Section 15; thence S 00°58'57" W, along the East line of the SE ¼ NW ¼ of said Section 15, a distance of 119.98 feet, more or less, to the Point of Beginning.

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

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

1. That a hearing will be held on the 15<sup>th</sup> day of May, 2002, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

**ADOPTED** this 3rd day of April, 2002.

Attest:

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

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

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

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

<i><b>PUBLISHED</b></i>
<b>April 5, 2002</b>
<b>April 12, 2002</b>
<b>April 19, 2002</b>
<b>April 26, 2002</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**ZAMBRANO ANNEXATION**

**APPROXIMATELY 11.282 ACRES**

**LOCATED AT 657 20 ½ ROAD**

**WHEREAS**, on the 3rd day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 17th day of April, 2002; and

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

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

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

A certain parcel of land lying in the West Half (W ½) of Section 15, Township 11 South, Range 101 West of the 6<sup>th</sup> Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW ¼) of said Section 15, and considering the East line of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of said Section 15 to bear N 00°58'57" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°58'57" E along the East line of the SE ¼ NW ¼ of said Section 15 a distance of 351.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, leaving said East line, S 63°27'56" W a distance of 799.99 feet; thence S 49°53'30" W a distance of 803.55 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of said Section 15; thence N 01°06'50"

E, along the West line of the NE ¼ SW ¼ of said Section 15, a distance of 536.61 feet to a point being the Northwest corner of the NE ¼ SW ¼ of said Section 15; thence N 00°42'51" E along the West line of the SE ¼ NW ¼ of said Section 15 a distance of 220.70 feet; thence leaving said West line, S 89°54'48" E a distance of 698.81 feet; thence N 00°07'03" E a distance of 239.87 feet; thence S 89°54'35" E a distance of 619.88 to a point on the East line of the SE ¼ NW ¼ of said Section 15; thence S 00°58'57" W, along the East line of the SE ¼ NW ¼ of said Section 15, a distance of 119.98 feet, more or less, to the Point of Beginning.

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

**INTRODUCED** on first reading on the 3rd day April, 2002.

**ADOPTED** and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2002.

Attest:

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

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



Attach11

**Setting a Hearing – Larson Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Larson Annexation (ANX-2002-054)</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Pat Cecil</b>	<b>Development Service Supervisor</b>	
<b>Presenter Name:</b>	<b>Pat Cecil</b>	<b>Development Services Supervisor</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Annexation of the Larson property, located at 2919 B ½ Road.

**Summary:** Resolution for Referral of Petition to Annex, First Reading of the annexation ordinance and exercising land use authority immediately for the Larson Annexation located at 2919 B ½ Road and including portions of the 29 Road, B Road and B ½ Road Rights-of-way. (#ANX-2002-054). This 13.562 acre annexation consists of three parcels of land.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve the Referral of Petition to Annex, First Reading of the annexation ordinances and exercising land use authority immediately for the Larson Annexation and set a hearing for May 15, 2002.

<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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BACKGROUND INFORMATION						
<b>Location:</b>		2919 B ½ Road				
<b>Applicants:</b>		<b>Rochelle and Daryl Mitchel Larson</b>				
<b>Existing Land Use:</b>		Residential				
<b>Proposed Land Use:</b>		Residential subdivision				
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Agricultural				
	<b>South</b>	<b>Residential</b>				
	<b>East</b>	<b>Residential/Agricultural</b>				
	<b>West</b>	<b>Residential /Agricultural</b>				
<b>Existing Zoning:</b>		<b>RSF-R (AFT) in County</b>				
<b>Proposed Zoning:</b>		<b>RSF-4</b>				
<b>Surrounding Zoning:</b>	<b>North</b>	AFT (County)				
	<b>South</b>	<b>RSF-4 (County)</b>				
	<b>East</b>	<b>RSF-R (County)</b>				
	<b>West</b>	RSF-4 (County)				
<b>Growth Plan Designation:</b>		<b>Residential Medium 4-8 (Orchard Mesa Plan)</b>				
<b>Zoning within density range?</b>		<input checked="" type="checkbox"/>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing 13.562 acres of land including portions of the 29 Road and B 1/2 Road Rights-of-way. The property owners have requested annexation into the City as the result of needing a rezone in the County to subdivide. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

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

The following annexation and zoning schedule is being proposed.

<b>ANNEXATION SCHEDULE</b>	
<b>April 3<sup>rd</sup></b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
<b>April 9<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>May 1<sup>st</sup></b>	First Reading on Zoning by City Council
<b>May 15<sup>th</sup></b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>June 16<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** It is recommended that City Council approve the Larson Annexation.

Attachments:

1. Larson Annexation Summary
2. Resolution of Referral of Petition
3. Annexation Ordinances (3)
4. Annexation Maps (4)

**LARSON ANNEXATION SUMMARY**

<b>File Number:</b>	<b>ANX-2002-054</b>
<b>Location:</b>	<b>2919 B ½ Road</b>
<b>Tax ID Number:</b>	<b>2943-293-00-130, 140 &amp; 142</b>
<b>Parcels:</b>	<b>3</b>
<b>Estimated Population:</b>	<b>2</b>
<b># of Parcels (owner occupied):</b>	<b>1</b>
<b># of Dwelling Units:</b>	<b>1</b>
<b>Acres land annexed:</b>	<b>13.562 Acres for annexation area</b>
<b>Developable Acres Remaining:</b>	<b>7.78 Acres</b>
<b>Right-of-way in Annexation:</b>	<b>See Map</b>
<b>Previous County Zoning:</b>	<b>RSF-R (County)</b>
<b>Proposed City Zoning:</b>	<b>RSF-4</b>
<b>Current Land Use:</b>	<b>One family residence</b>
<b>Future Land Use:</b>	<b>Residential subdivision</b>
<b>Values:</b>	<b>Assessed:</b> = \$125540
	<b>Actual:</b> = \$12240
<b>Census Tract:</b>	<b>12</b>
<b>Address Ranges:</b>	<b>2917 through 2929, odd numbers only</b>
<b>Special Districts:</b>	<b>Water:</b> Ute
	<b>Sewer:</b> Orchard Mesa Sanitation
	<b>Fire:</b> GJ Rural Fire District
	<b>Drainage:</b> Orchard Mesa
	<b>School:</b> District 51
	<b>Pest:</b> N/A

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd day of April, 2002, the following Resolution was adopted:

RESOLUTION NO. \_\_\_\_

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

**LARSON ANNEXATION**

**(A serial Annexation comprising of  
Larson Annexation No's 1, 2 and 3)**

LOCATED at 2919 B ½ Road and containing portions of the B ½ Road, B Road and 29 Road rights-of-way.

**WHEREAS**, on the 3<sup>rd</sup> day of April, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**LARSON ANNEXATION NO. 1  
DESCRIPTION**

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

**COMMENCING** at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 30.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1.00 feet; thence S 89°55'00" E along a line 31.00 feet North of and parallel with the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E, along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence leaving said West line, N 90°00'00" East a distance of 1.00 feet; thence S 00°00'00" E along a line 1.00 East of and parallel with the West line of the SW ¼ of said Section 29,

a distance of 194.94 feet; thence S 89°58'00" E along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast, said curve being a line 1.00 Southwest west of and parallel with the existing right of way for 29 Road as shown on the Plat of Chipeta Golf Course, Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence 148.70 feet Northwesterly along the arc of said curve, through a central angle of 49°49'21" and having a long chord bearing of N 56°17'02" W with a long chord length of 144.06 feet; thence N 00°00'00" E along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet; thence N 90°00'00" E a distance of 1.00 feet to a point on the East right of way for 29 Road, as same is shown on said Plat of Chipeta Golf Course; thence S 00°00'00" E, along said East right of way, a distance of 114.80 feet to a point being the beginning of a 170.00 foot radius non-tangent curve, concave Northeast, as same is shown on said Plat of Chipeta Golf Course; thence 173.57 feet Southeasterly along the arc of said curve, through a central angle of 58°29'59" and having a long chord bearing of S 60°43'01" E with a long chord length of 166.13 feet to a point on the Northerly right of way for B Road, as shown on said Plat of Chipeta Golf Course; thence N 89°58'00" W along a line 30.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 199.90 feet, more or less, to the Point of Beginning.

**CONTAINING 1377.76 Square Feet or 0.015 Acres, more or less, as described.**

**LARSON ANNEXATION NO. 2  
DESCRIPTION**

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

**COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 31.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N**

89°55'00" W along a line 31.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1280.95 feet to a point on the Easterly extension of the South line of Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado; thence N 89°47'15" W along the South line of said Vista Rado Filing No. 1, a distance of 10.00 feet to a point being the Southwest corner of Lot 30 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Section 29 and the West line of said Lot 30, a distance of 100.00 feet; thence S 89°47'15" E a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 211.97 feet; thence N 89°47'15" W a distance of 10.00 feet to a point being the Southwest corner of Lot 29 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Vista Rado Filing No. 1, a distance of 348.85 feet, more or less, to a point on the North line of said Vista Rado Filing No. 1; thence S 89°34'38" E along the Easterly extension of the North line of said Vista Rado Filing No. 1, a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 230.22 feet; thence N 90°00'00" E a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along said West line, a distance of 1965.06 feet; thence N 90°00'00" E a distance of 55.00 feet to a point on the East right of way for 29 Road, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence S 00°00'00" E, along said East right of way, a distance of 10.00 feet; thence N 90°00'00" W a distance of 1.00 feet; thence S 00°00'00" E, along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast; thence 148.70 feet Southeasterly along the arc of said curve, through a central angle of 49°49'21", having a long chord bearing of S 56°17'02" E with a long chord length of 144.06 feet; thence N 89°58'00" W along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet; thence N 00°00'00" E along a line 1.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence N 90°00'00" W a distance of 1.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet, more or less, to the Point of Beginning.



**CONTAINING 83,694.29 Square Feet or 1.921 Acres, more or less, as described.**

**LARSON ANNEXATION NO. 3  
DESCRIPTION**

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

**COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 235.94 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 1965.06 feet; thence leaving said West line, N 90°00'00" W a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E along said West right of way a distance of 400.51 feet; thence S 89°53'00" E along a line 30.00 feet South of and parallel with the North line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence N 00°00'00" E along said West line a distance of 30.00 feet to a point being the Northwest corner of the SW ¼ of said Section 29; thence leaving said North line, N 90°00'00" E along the North line of the SW ¼ of said Section 29 a distance of 1406.58 feet; thence S 00°00'12" W a distance of 165.00 feet; thence N 90°00'00" E a distance of 79.78 feet; thence S 00°00'12" W a distance of 494.01 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W along said North line a distance of 166.63 feet; thence S 00°00'51" W a distance of 10.58 feet; thence N 90°00'00" W along the North line of said Loma Linda Subdivision First Addition and the North line of Loma Linda Subdivision, as same is recorded in Plat Book 11, Page 195, Public Records of Mesa County, Colorado, a distance of 389.61 feet; thence N 00°01'24" W a distance of 639.70 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 260.12 feet; thence S 00°00'00" E a distance of 10.00 feet; thence N**

90°00'00" W along a line 40.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 291.36 feet; thence N 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW ¼ of said Section 29, a distance of 348.34 feet to a point on the East right of way for 29 Road; thence S 00°00'00" E along said East right of way and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 234.00 feet; thence S 90° 00'00" E along the Westerly extension of the North line of Lot 1, Plat of Four Corners Subdivision, as same is recorded in Plat Book 12, Page 53, Public Records of Mesa County, Colorado, a distance of 20.00 feet; thence S 00°00'00" E along the West line of said Four Corners Subdivision, a distance of 405.70 feet to a point on the South line of said Four Corners Subdivision; thence N 90°00'00" W along the Westerly extension of the South line of said Four Corners Subdivision, a distance of 20.00 feet; thence S 00°00'00" E along the East right of way for 29 Road and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 650.26 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of said Section 29, as same is shown on said Loma Linda Subdivision; thence N 89°55'26" E, along said South line, a distance of 25.00 feet; thence S 00°00'00" E along the East right of way for 29 Road, being a line 55.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado, a distance of 1075.58 feet; thence N 90°00'00" W a distance of 55.00 feet, more or less, to the Point of Beginning.

**CONTAINING 506,469.85 square feet or 11.626 acres, more or less, as described.**

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

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

1. That a hearing will be held on the 15th day of May, 2002, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists

between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

**ADOPTED** this 3rd day of April, 2002.

Attest:

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

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

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

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

<i>PUBLISHED</i>
<b>April 5, 2002</b>
<b>April 12, 2002</b>
<b>April 19, 2002</b>
<b>April 26, 2002</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**LARSON ANNEXATION No. 1**

**APPROXIMATELY 0.015 ACRES**

**LOCATED in the B Road and 29 Road rights-of-way**

**WHEREAS**, on the 3<sup>rd</sup> day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 15<sup>th</sup> day of May, 2002; and

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

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

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

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

**COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 30.00 feet North of and parallel with, the South line**

of the SE  $\frac{1}{4}$  of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1.00 feet; thence S 89°55'00" E along a line 31.00 feet North of and parallel with the South line of the SE  $\frac{1}{4}$  of said Section 30, a distance of 30.00 feet to a point on the West line of the SW  $\frac{1}{4}$  of said Section 29; thence N 00°00'00" E, along the West line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 194.94 feet; thence leaving said West line, N 90°00'00" East a distance of 1.00 feet; thence S 00°00'00" E along a line 1.00 East of and parallel with the West line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 194.94 feet; thence S 89°58'00" E along a line 31.00 feet North of and parallel with the South line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 172.82 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast, said curve being a line 1.00 Southwest west of and parallel with the existing right of way for 29 Road as shown on the Plat of Chipeta Golf Course, Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence 148.70 feet Northwesterly along the arc of said curve, through a central angle of 49°49'21" and having a long chord bearing of N 56°17'02" W with a long chord length of 144.06 feet; thence N 00°00'00" E along a line 54.00 feet East of and parallel with the West line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 115.08 feet; thence N 90°00'00" E a distance of 1.00 feet to a point on the East right of way for 29 Road, as same is shown on said Plat of Chipeta Golf Course; thence S 00°00'00" E, along said East right of way, a distance of 114.80 feet to a point being the beginning of a 170.00 foot radius non-tangent curve, concave Northeast, as same is shown on said Plat of Chipeta Golf Course; thence 173.57 feet Southeasterly along the arc of said curve, through a central angle of 58°29'59" and having a long chord bearing of S 60°43'01" E with a long chord length of 166.13 feet to a point on the Northerly right of way for B Road, as shown on said Plat of Chipeta Golf Course; thence N 89°58'00" W along a line 30.00 feet North of and parallel with the South line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 199.90 feet, more or less, to the Point of Beginning.

**CONTAINING 1377.76 square feet or 0.015 acres, more or less, as described,**

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

**INTRODUCED** on first reading on the 3rd day April, 2002.

**ADOPTED** and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2002.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**LARSON ANNEXATION No. 2**

**APPROXIMATELY 1.921 ACRES**

**A portion of the 29 Road Right-of-way**

**WHEREAS**, on the 3<sup>rd</sup> day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 15<sup>th</sup> day of May, 2002; and

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

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

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

**LARSON ANNEXATION NO. 2  
DESCRIPTION**

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

**COMMENCING at the Southwest corner of said Section 29, and considering the West line of the SW ¼ of said Section 29 to bear N 00°00'00" E with all**



bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW ¼ of said Section 29 a distance of 31.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 89°55'00" W along a line 31.00 feet North of and parallel with, the South line of the SE ¼ of said Section 30, a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E, along said West right of way, a distance of 1280.95 feet to a point on the Easterly extension of the South line of Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado; thence N 89°47'15" W along the South line of said Vista Rado Filing No. 1, a distance of 10.00 feet to a point being the Southwest corner of Lot 30 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Section 29 and the West line of said Lot 30, a distance of 100.00 feet; thence S 89°47'15" E a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 211.97 feet; thence N 89°47'15" W a distance of 10.00 feet to a point being the Southwest corner of Lot 29 of said Vista Rado Filing No. 1; thence N 00°00'00" E along a line 40.00 feet West of and parallel with the West line of the SW ¼ of said Vista Rado Filing No. 1, a distance of 348.85 feet, more or less, to a point on the North line of said Vista Rado Filing No. 1; thence S 89°34'38" E along the Easterly extension of the North line of said Vista Rado Filing No. 1, a distance of 10.00 feet; thence N 00°00'00" E along a line 30.00 feet West of and parallel with the West line of the SW ¼ of said Section 29, a distance of 230.22 feet; thence N 90°00'00" E a distance of 30.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along said West line, a distance of 1965.06 feet; thence N 90°00'00" E a distance of 55.00 feet to a point on the East right of way for 29 Road, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado; thence S 00°00'00" E, along said East right of way, a distance of 10.00 feet; thence N 90°00'00" W a distance of 1.00 feet; thence S 00°00'00" E, along a line 54.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 115.08 feet to a point being the beginning of a 171.00 foot radius non-tangent curve, concave Northeast; thence 148.70 feet Southeasterly along the arc of said curve, through a central angle of 49°49'21", having a long chord bearing of S 56°17'02" E with a long chord length of 144.06 feet; thence N 89°58'00" W along a line 31.00 feet North of and parallel with the South line of the SW ¼ of said Section 29, a distance of 172.82 feet; thence N 00°00'00" E along a line 1.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 194.94 feet; thence N 90°00'00" W a distance of 1.00 feet to a point on the West line of the SW ¼ of said Section 29; thence S 00°00'00" E along the West line of the SW ¼ of said Section 29, a distance of 194.94 feet, more or less, to the Point of Beginning.

**CONTAINING 83,694.29 square feet or 1.921 acres, more or less, as described,**  
be and is hereby annexed to the City of Grand Junction, Colorado.

**INTRODUCED** on first reading on the 3<sup>RD</sup> day April, 2002.

**ADOPTED** and ordered published this \_\_\_ day of \_\_\_\_\_, 2002.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**LARSON ANNEXATION No. 3**

**APPROXIMATELY 11.626 ACRES**

**LOCATED at 2919 B ½ Road and including a portion of the B ½ Road Right-of-way**

**WHEREAS**, on the 3<sup>rd</sup> day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 15<sup>th</sup> day of May, 2002; and

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

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

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

**LARSON ANNEXATION NO. 3  
DESCRIPTION**

**A certain parcel of land lying in the Southwest Quarter (SW ¼) of Section 29 and the Southeast Quarter (SE ¼) of Section 30, Township 1 South, Range 1 East of**

the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

**COMMENCING** at the Southwest corner of said Section 29, and considering the West line of the SW  $\frac{1}{4}$  of said Section 29 to bear N 00°00'00" E with all bearings contained herein being relative thereto, thence N 00°00'00" E along the West line of the SW  $\frac{1}{4}$  of said Section 29 a distance of 235.94 feet to the **TRUE POINT OF BEGINNING**; thence from said Point of Beginning, continue N 00°00'00" E along the West line of the SW  $\frac{1}{4}$  of said Section 29 a distance of 1965.06 feet; thence leaving said West line, N 90°00'00" W a distance of 30.00 feet to a point on the West right of way for 29 Road; thence N 00°00'00" E along said West right of way a distance of 400.51 feet; thence S 89°53'00" E along a line 30.00 feet South of and parallel with the North line of the SE  $\frac{1}{4}$  of said Section 30, a distance of 30.00 feet to a point on the West line of the SW  $\frac{1}{4}$  of said Section 29; thence N 00°00'00" E along said West line a distance of 30.00 feet to a point being the Northwest corner of the SW  $\frac{1}{4}$  of said Section 29; thence leaving said North line, N 90°00'00" E along the North line of the SW  $\frac{1}{4}$  of said Section 29 a distance of 1406.58 feet; thence S 00°00'12" W a distance of 165.00 feet; thence N 90°00'00" E a distance of 79.78 feet; thence S 00°00'12" W a distance of 494.01 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W along said North line a distance of 166.63 feet; thence S 00°00'51" W a distance of 10.58 feet; thence N 90°00'00" W along the North line of said Loma Linda Subdivision First Addition and the North line of Loma Linda Subdivision, as same is recorded in Plat Book 11, Page 195, Public Records of Mesa County, Colorado, a distance of 389.61 feet; thence N 00°01'24" W a distance of 639.70 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 260.12 feet; thence S 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 40.00 feet South of and parallel with the North line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 291.36 feet; thence N 00°00'00" E a distance of 10.00 feet; thence N 90°00'00" W along a line 30.00 feet South of and parallel with the North line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 348.34 feet to a point on the East right of way for 29 Road; thence S 00°00'00" E along said East right of way and being a line 30.00 feet East of and parallel with the West line of the SW  $\frac{1}{4}$  of said Section 29, a distance of 234.00 feet; thence S 90° 00'00" E along the Westerly extension of the North line of Lot 1, Plat of Four Corners Subdivision, as same is recorded in Plat Book 12, Page 53, Public Records of Mesa County, Colorado, a distance of 20.00 feet; thence S 00°00'00" E along the West line of said Four Corners Subdivision, a distance of 405.70

feet to a point on the South line of said Four Corners Subdivision; thence N 90°00'00" W along the Westerly extension of the South line of said Four Corners Subdivision, a distance of 20.00 feet; thence S 00°00'00" E along the East right of way for 29 Road and being a line 30.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, a distance of 650.26 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of said Section 29, as same is shown on said Loma Linda Subdivision; thence N 89°55'26" E, along said South line, a distance of 25.00 feet; thence S 00°00'00" E along the East right of way for 29 Road, being a line 55.00 feet East of and parallel with the West line of the SW ¼ of said Section 29, as same is shown on the Plat of Chipeta Golf Course, as same is recorded in Plat Book 15, Pages 197 and 198, Public Records of Mesa County, Colorado, a distance of 1075.58 feet; thence N 90°00'00" W a distance of 55.00 feet, more or less, to the Point of Beginning.

**CONTAINING 506,469.85 square feet or 11.626 acres, more or less, as described,**

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

**INTRODUCED** on first reading on the 3<sup>rd</sup> day April, 2002.

**ADOPTED** and ordered published this \_\_\_ day of \_\_\_\_\_, 2002.

Attest:

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

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

# LARSON ANNEXATIONS No. 1-3

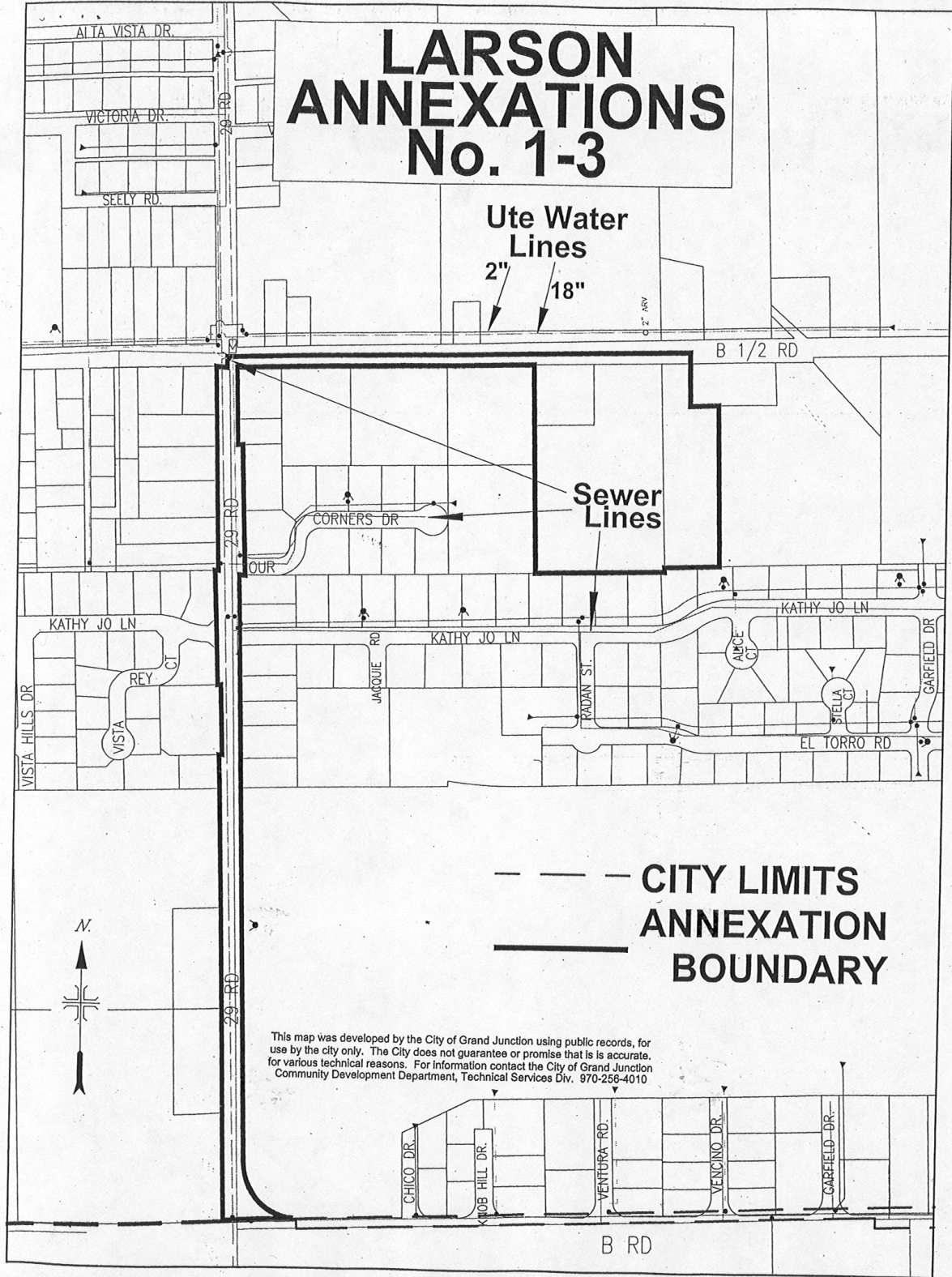
Ute Water Lines

2" 18"

Sewer Lines

--- CITY LIMITS  
— ANNEXATION  
BOUNDARY

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-258-4010













**Setting a Hearing – Zoning Traver Annexation No. 3**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL		
<b>Subject</b>	ANX-2001-011 Traver Annexation No. 3 Zoning	
<b>Meeting Date</b>	April 3, 2002	
<b>Date Prepared</b>	March 27, 2002	
<b>Author</b>	Kristen Ashbeck	Senior Planner
<b>Presenter Name</b>	Same	
<input checked="" type="checkbox"/>	<b>Consent Agenda</b>	<b>Formal Agenda</b>

**Subject.** Consideration of the zone of annexation to Residential Single Family with a maximum of four units per acre (RSF-4) for the Traver Annexation No. 3.

**Summary.** This annexation area consists of 0.2407 acres (10,484.9 square feet) of land along the northeastern boundary of the Westland Subdivision. The property owner has requested annexation into the City as the result of proposing to include the property, a strip of land within the Grand Valley Irrigation Canal, in the Westland Estates Filing 1 Final Plat. Under the 1998 Persigo Agreement all such types of development require annexation and processing in the City.

State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning conforms to the Growth Plan’s Future Land Use Map and recommendation for Residential Medium with residential land uses between 4 and 8 units per acre for this area. The remainder of the Westland Estates subdivision was zoned RSF-4 when it was annexed in 2001.

**Action Requested/Recommendation.** It is recommended that City Council approve the proposed zoning ordinance for the Dettmer Annexation and set a hearing for April 17, 2002.

**STAFF ANALYSIS**

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan’s Future Land Use Map. This proposed zoning of RSF-4 conforms to the City’s Growth Plan’s Future Land Use Map.

**RSF-4 ZONE DISTRICT**

- This property is currently zoned Residential Single Family Rural (RSF-R) in Mesa County which does not conform to the Future Land Use Map.

<b>BACKGROUND INFORMATION</b>					
<b>Location</b>		<b>Grand Valley Canal, Northeast of 30 and D Roads</b>			
<b>Applicants</b>		Richard and Marianne Traver			
<b>Existing Land Use</b>		<b>Grand Valley Canal</b>			
<b>Proposed Land Use</b>		<b>Same</b>			
<b>Surrounding Land Use</b>	<b>North</b>	<b>Vacant and Large Lot Single Family Residential</b>			
	<b>South</b>	Vacant			
	<b>East</b>	Large Lot Single family Residential			
	<b>West</b>	Vacant			
<b>Existing Zoning</b>		RSF-R (Mesa County)			
<b>Proposed Zoning</b>		RSF-4			
<b>Surrounding Zoning</b>	<b>North</b>	<b>PUD &amp; RSF-R (Mesa County)</b>			
	<b>South</b>	RSF-4 (City)			
	<b>East</b>	RSF-R (Mesa County)			
	<b>West</b>	<b>RSF-4 (City)</b>			
<b>Growth Plan Designation</b>		Residential Medium - 4 to 8 units per acre			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

- The proposed RSF-4 zone district does conform to the recommended densities found on the Growth Plans Future Land Use map currently designated as Residential Medium Low: 2 to 4 units per acre.
- Zoning this annexation with the RSF-4 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.

**Zoning and Development Code Criteria.**

Section 2.14.F: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

Section 2.6: Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

1. The existing zoning was in error at the time of adoption;
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
7. The community or neighborhood will benefit from the proposed zone.

**Planning Commission Action (3/12/02 – 6-0):** Planning Commission recommended approval of the zone of annexation of the Traver Annexation No. 3 to RSF-4.

<b>ANNEXATION SCHEDULE</b>	
<b>Mar 6<sup>th</sup></b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
<b>Mar 12<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>April 3<sup>rd</sup></b>	First Reading on Zoning by City Council
<b>April 17<sup>th</sup></b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>May 19<sup>th</sup></b>	Effective date of Annexation and Zoning

**Attachments:**

1. Annexation Summary
2. Proposed Zoning Ordinance
3. Annexation Map
4. Future Land Use Map

**TRAVER ANNEXATION NO. 3 SUMMARY**

<b>File Number</b>		ANX-2001-011
<b>Location</b>		Grand Valley Canal, Northeast of D and 30 Roads
<b>Tax ID Number</b>		NA
<b>Parcels</b>		1
<b>Estimated Population</b>		0
<b># of Parcels (owner occupied)</b>		0
<b># of Dwelling Units</b>		0
<b>Acres land annexed</b>		0.2407 (10,484.9 square feet)
<b>Developable Acres Remaining</b>		NA
<b>Right-of-way in Annexation</b>		NA
<b>Previous County Zoning</b>		RSF-R
<b>Proposed City Zoning</b>		Residential Single Family with a maximum density of 4 units per acre (RSF-4)
<b>Current Land Use</b>		Grand Valley Irrigation Canal
<b>Future Land Use</b>		Same
<b>Values</b>	<b>Assessed</b>	NA
	<b>Actual</b>	NA
<b>Census Tract</b>		8
<b>Address Ranges</b>		NA
<b>Special Districts</b>	<b>Water</b>	Ute Water
	<b>Sewer</b>	Central Grand Valley
	<b>Fire</b>	Grand Junction Rural
	<b>Drainage</b>	Grand Junction Drainage District
	<b>School</b>	Mesa County Valley District 51
	<b>Pest</b>	N/A

**CITY OF GRAND JUNCTION, COLORADO**  
**ORDINANCE No. \_\_\_\_**

**Zoning the Traver Annexation No. 3 to Residential Single Family  
with a Maximum Density of 4 units per acre (RSF-4)  
Located at the Grand Valley Canal, Northeast of 30 and D Roads**

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 an RSF-4 zone district to this annexation.**

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by conforming to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED THE RESIDENTIAL SINGLE FAMILY 4 UNITS PER ACRE (RSF-4) ZONE DISTRICT:

**A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:**

**COMMENCING at the Southeast corner of said Section 17, and considering the South line of the SE ¼ SE ¼ of said Section 17 to bear S 89°57'32" W with all bearings contained herein being relative thereto; thence S 89°57'32" W, along the South line of the SE ¼ SE ¼ of said Section 17, a distance of 327.49 feet to a point on the East line of the West 990.00 feet of the SE ¼ SE ¼ of said Section 17; thence N 00°01'40" W, along the East line of the West 990.00 feet of the SE ¼ SE ¼ of said Section 17, a distance of 1059.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, N 84°09'52" W a distance of 67.43 feet; thence S 78°48'05" W a distance of 252.79 feet; thence S 79°21'59" W a distance of 138.86 feet; thence S 77°55'42" W a distance of 89.00 feet; thence S 81°10'14" W a distance of 57.58 feet; thence S 83°35'49" W a distance of 64.97 feet to its intersection with the Southerly extension of the East line of Lot 2, Brown's Minor Subdivision, as same is recorded in Plat Book 16, Page 36 of the Public**

**Records of Mesa County, Colorado; thence N 00°03'36" W, along the Southerly extension of the East line of said Lot 2, a distance of 17.79 feet; thence leaving said East line, N 83°16'55" E a distance of 93.87 feet; thence N 79°29'58" E a distance of 314.67 feet; thence N 78°44'09" E a distance of 172.93 feet; thence N 85°23'06" E a distance of 61.27 feet; thence N 88°52'02" E a distance of 26.74 feet to a point on the East line of the West 990.00 feet of the SE ¼ SE ¼ of said Section 17; thence S 00°01'40" E, along said East line, a distance of 22.80 feet, more or less, to the Point of Beginning.**

**SUBJECT TO any easement, restrictions, reservations or rights-of-way of record, if any shall exist.**

**CONTAINING 0.2407 Acres, more or less, as described.**

Introduced on first reading this 3<sup>rd</sup> day of April 2002.

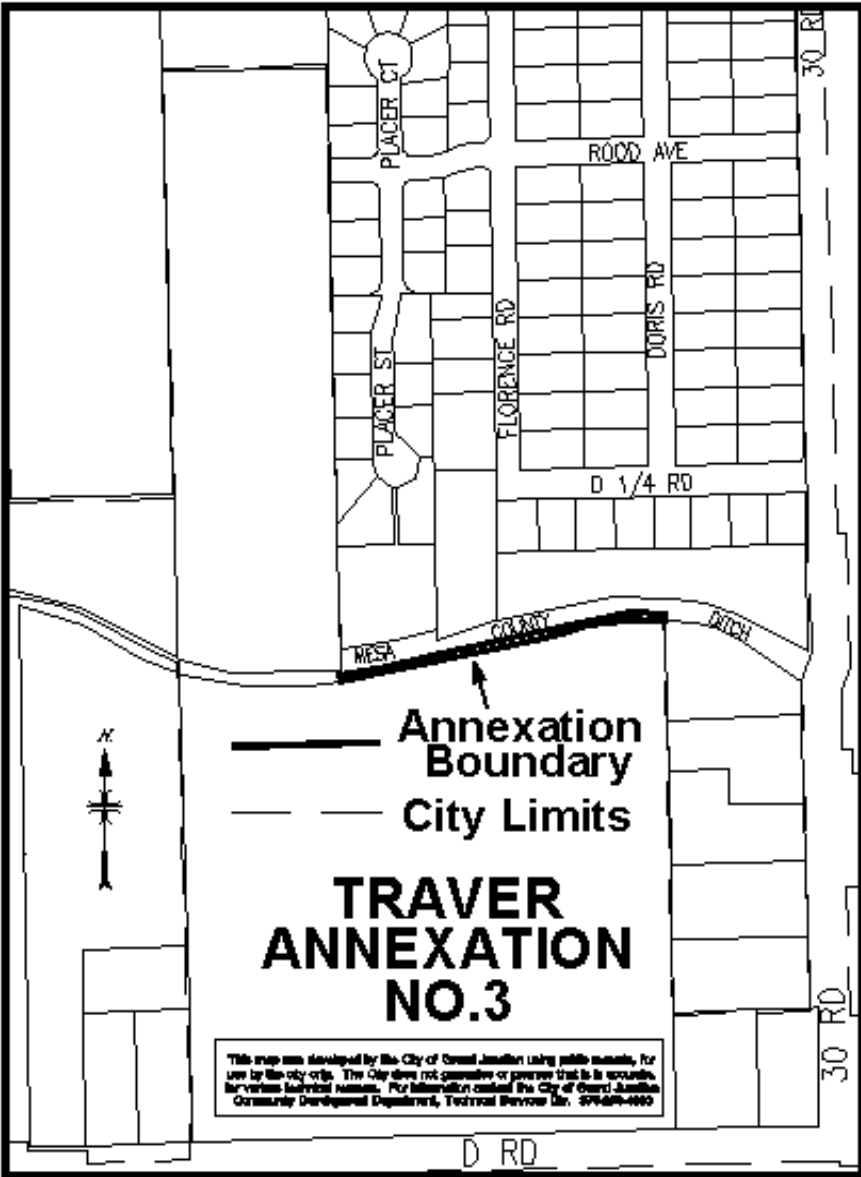
PASSED and ADOPTED on second reading this 17<sup>th</sup> day of April, 2002.

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Mayor

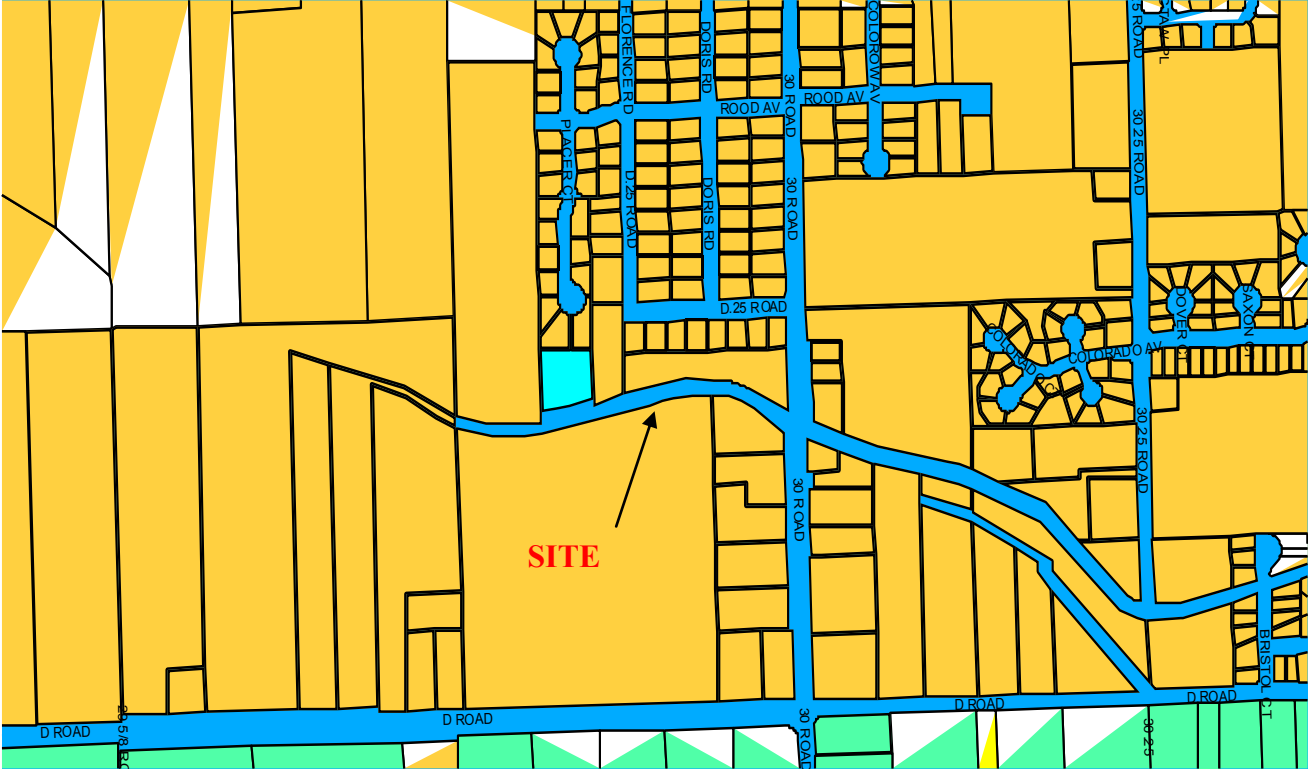
ATTEST:

City Clerk





# FUTURE LAND USE MAP



Gold = Residential Medium 4-8 units per acre

**Setting a Hearing – Zoning Dettmer Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL		
<b>Subject</b>	ANX-2002-013 Dettmer Annexation Zoning	
<b>Meeting Date</b>	April 3, 2002	
<b>Date Prepared</b>	March 27, 2002	
<b>Author</b>	Kristen Ashbeck	Senior Planner
<b>Presenter Name</b>	Same	
<input checked="" type="checkbox"/>	<b>Consent Agenda</b>	<b>Formal Agenda</b>

**Subject.** Consideration of the zone of annexation to Residential Single Family with a maximum of four units per acre (RSF-4) for the Dettmer Annexation.

**Summary.** This annexation area consists of annexing 0.861 acres (37,506.2 square feet) located at 2916 D ½ Road. The property owner has requested annexation into the City as the result of proposing to rezone the property so that the existing single family residence conforms to the zoning. Under the 1998 Persigo Agreement all such types of development require annexation and processing in the City.

State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning conforms to the Growth Plan’s Future Land Use Map and recommendation for Residential Medium Low, with residential land uses between 2 and 4 units per acre for this area.

**Action Requested/Recommendation.** It is recommended that City Council approve the proposed zoning ordinance for the Dettmer Annexation and set a hearing for April 17, 2002.

BACKGROUND INFORMATION		
<b>Location</b>	<b>2916 D-1/2 Road</b>	
<b>Applicants</b>	Warren Dettmer	
<b>Existing Land Use</b>	<b>Single Family Residence</b>	
<b>Proposed Land Use</b>	<b>Same</b>	
<b>Surrounding Land Use</b>	<b>North</b>	<b>Vacant</b>
	<b>South</b>	Large Lot Single Family Residential
	<b>East</b>	Vacant
	<b>West</b>	Vacant

<b>Existing Zoning</b>		Industrial (I-2) in County			
<b>Proposed Zoning</b>		RSF-4			
<b>Surrounding Zoning</b>	<b>North</b>	<b>I-2 (Mesa County)</b>			
	<b>South</b>	RSF-R (Mesa County)			
	<b>East</b>	I-2 (Mesa County)			
	<b>West</b>	<b>Light Industrial (I-1 - City)</b>			
<b>Growth Plan Designation</b>		Residential Medium Low with 2 to 4 units per acre			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**STAFF ANALYSIS**

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan’s Future Land Use Map. This proposed zoning of RSF-4 conforms to the City’s Growth Plan’s Future Land Use Map.

**RSF-4 ZONE DISTRICT**

- This property is currently zoned Industrial (I) in Mesa County which does not conform to the Future Land Use Map.
- The proposed RSF-4 zone district does conform to the recommended densities found on the Growth Plans Future Land Use Map. Currently the Map designates the site as Residential Medium Low, 2 to 4 units per acre.
- Zoning this annexation with the RSF-4 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.

**Zoning and Development Code Criteria.**

Section 2.14.F: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

Section 2.6: Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

8. The existing zoning was in error at the time of adoption;
9. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
10. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
11. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;

- 12. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
- 13. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
- 14. The community or neighborhood will benefit from the proposed zone.

**Planning Commission Action (3/12/02 - 6-0):** Planning Commission recommended approval of the zone of annexation to RSF-4 for the Dettmer Annexation.

<b>ANNEXATION SCHEDULE</b>	
<b>Mar 6<sup>th</sup></b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
<b>Mar 12<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>April 3<sup>rd</sup></b>	First Reading on Zoning by City Council
<b>April 17<sup>th</sup></b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>May 19<sup>th</sup></b>	Effective date of Annexation and Zoning

**Attachments:**

- 5. Annexation Summary
- 6. Proposed Zoning Ordinance
- 7. Annexation Map
- 8. Future Land Use Map

<b>DETTMER ANNEXATION SUMMARY</b>		
<b>File Number</b>	ANX-2002-013	
<b>Location</b>	2916 D-1/2 Road	
<b>Tax ID Number</b>	2943-172-00-058	
<b>Parcels</b>	1	
<b>Estimated Population</b>	2	
<b># of Parcels (owner occupied)</b>	0	
<b># of Dwelling Units</b>	1	
<b>Acres Land Annexed</b>	0.861 (37,506.2 square feet)	
<b>Developable Acres Remaining</b>	NA	
<b>Right-of-way in Annexation</b>	D-1/2 Road: North half of existing roadway (right-of-way not dedicated)	
<b>Previous County Zoning</b>	Industrial – (I-2)	
<b>Proposed City Zoning</b>	Residential Single Family with a maximum density of 4 units per acre (RSF-4)	
<b>Current Land Use</b>	1 Single Family Residence	
<b>Future Land Use</b>	Same	
<b>Values</b>	<b>Assessed</b>	= \$ 71,340.00
	<b>Actual</b>	= \$ 6,530.00
<b>Census Tract</b>	8	
<b>Address Ranges</b>	2916 D-1/2 Road	
<b>Special Districts</b>	<b>Water</b>	Ute Water
	<b>Sewer</b>	Central Grand Valley
	<b>Fire</b>	Grand Junction Rural
	<b>Drainage</b>	Grand Junction Drainage District
	<b>School</b>	Mesa County Valley District 51
	<b>Pest</b>	N/A

**CITY OF GRAND JUNCTION, COLORADO**  
**ORDINANCE No. \_\_\_\_**

**Zoning the Dettmer Annexation to Residential Single Family  
with a Maximum Density of 4 units per acre (RSF-4)  
Located at 2916 D-1/2 Road**

Recitals.

**After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to this annexation.**

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by conforming to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED THE RESIDENTIAL SINGLE FAMILY 4 UNITS PER ACRE (RSF-4) ZONE DISTRICT:

**A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 17, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

COMMENCING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of said Section 17, and considering the South line of the SW ¼ NW ¼ of said Section 17 to bear S 89°50'21" W with all bearings contained herein being relative thereto; thence S 89°50'21" W along said South line, a distance of 395.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°50'21" W a distance of 133.00 feet; thence leaving said South line, N 00°00'00" E along the Easterly line of the Southern Pacific Transportation Company right-of-way, a distance of 282.00 feet; thence N 89°50'21" E a distance of 133.00 feet; thence S 00°00'00" W a distance of 282.00 feet, more or less, to the Point of Beginning.

SUBJECT TO any easements, restrictions, reservations or rights-of-way of record, if any shall exist.

CONTAINING 0.861 Acres (37,506.2 square feet), more or less, as described.

Introduced on first reading this 3<sup>rd</sup> day of April 2002.

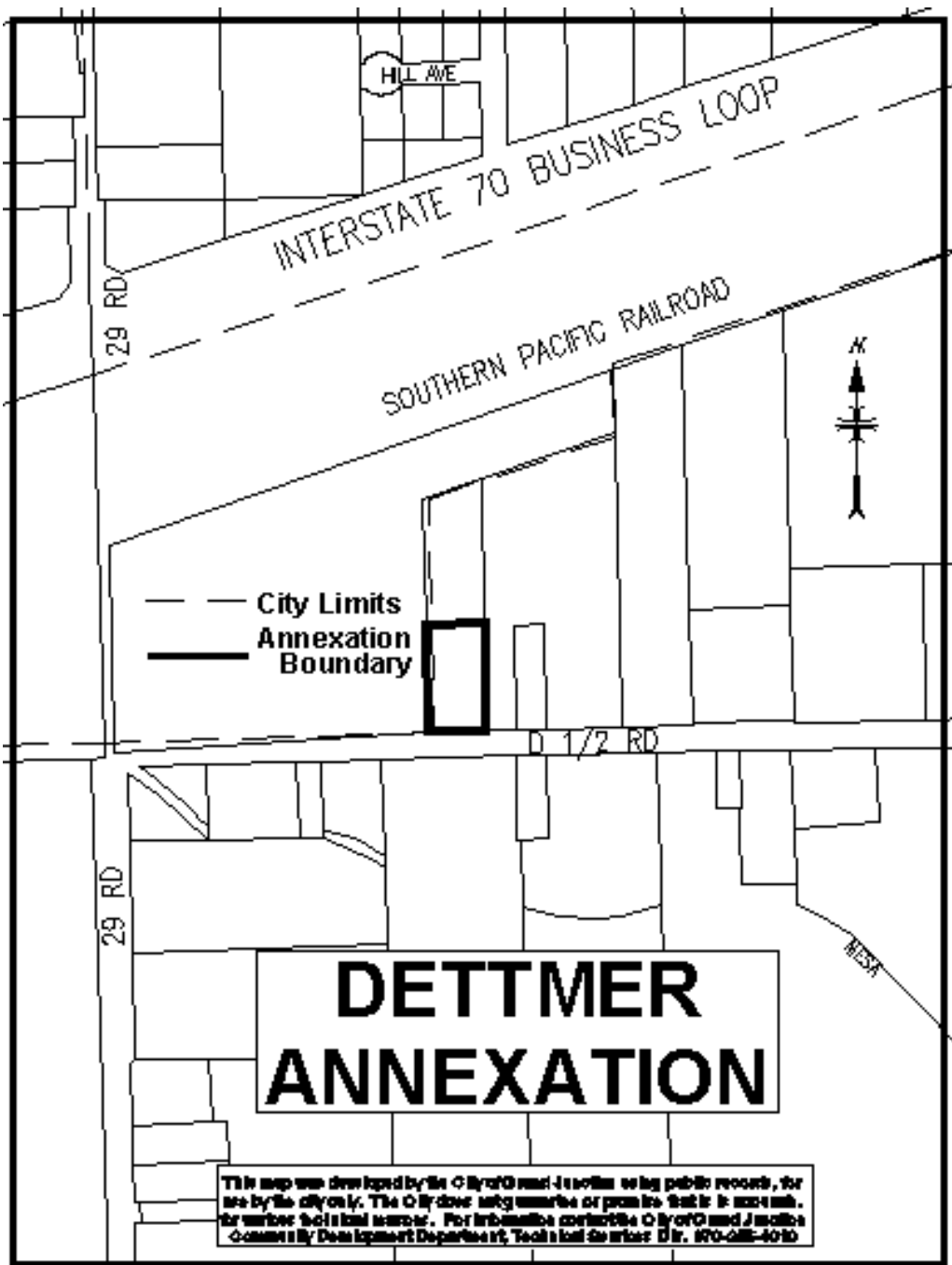
PASSED and ADOPTED on second reading this 17<sup>th</sup> day of April, 2002.

---

Mayor

ATTEST:

City Clerk



# DETTMER ANNEXATION

This map was developed by the City of Orem and Justice using public records, for use by the city only. The City does not guarantee or promise that it is accurate, for neither the actual nor any other use. For information contact the City of Orem and Justice Community Development Department, Technical Services Division, 870-688-4010.



# FUTURE LAND USE MAP

Salmon = Commercial/Industrial  
Yellow = Residential Medium Low  
Gold = Residential Medium



**Setting a Hearing – ISRE Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL		
<b>Subject</b>	ISRE Annexation	
<b>Meeting Date</b>	April 3, 2002	
<b>Date Prepared</b>	March 27, 2002	
<b>Author</b>	Kristen Ashbeck	Senior Planner
<b>Presenter Name</b>	Kristen Ashbeck	Senior Planner
<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>

**Subject.** Annexation of the ISRE Annexation - ANX-2002-049

**Summary.** Resolution for Referral of Petition to Annex/First Reading of the annexation ordinance/Exercising land use jurisdiction immediately for the ISRE Annexation, a parcel of land located at 2990 D-1/2 Road (ANX-2002-049). This 14.149-acre annexation consists of a single parcel of land.

**Background Information.** See Attached

**Budget.** N/A

**Action Requested/Recommendation.** It is recommended that City Council approve the Referral of Petition to Annex/First Reading of the annexation ordinance/Exercising land use jurisdiction immediately for the ISRE Annexation and set a hearing for May 15, 2002.

<b>Citizen Presentation:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Consent	Indiv. Consideration	Workshop	

<b>BACKGROUND INFORMATION</b>					
<b>Location</b>		<b>2990 D-1/2 Road</b>			
<b>Applicant</b>		ISRE, LLC			
<b>Existing Land Use</b>		<b>Large Lot Single Family Residential</b>			
<b>Proposed Land Use</b>		<b>Single or Multifamily Residential</b>			
<b>Surrounding Land Use</b>	<b>North</b>	<b>Commercial/Industrial and Large Lot Single Family Residential</b>			
	<b>South</b>	Single Family Residential			
	<b>East</b>	Large Lot Single Family Residential			
	<b>West</b>	Single Family Residential			
<b>Existing Zoning (Mesa County)</b>		RSF-R and I (Industrial)			
<b>Proposed Zoning</b>		RSF-4			
<b>Surrounding Zoning (Mesa Co)</b>	<b>North</b>	<b>RSF-R and I</b>			
	<b>South</b>	RSF-R and PUD			
	<b>East</b>	RSF-R			
	<b>West</b>	<b>RSF-R and I</b>			
<b>Growth Plan Designation</b>		Residential Medium Low – 2 to 4 units per acre			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

## **STAFF ANALYSIS**

**Annexation.** This annexation area consists of annexing 14.149 acres. The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

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

The following annexation and zoning schedule is being proposed.

<b>ANNEXATION SCHEDULE</b>	
<b>April 3<sup>rd</sup></b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
<b>April 9<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>May 1<sup>st</sup></b>	First Reading on Zoning by City Council
<b>May 15<sup>th</sup></b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>June 16<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation.** It is recommended that City Council approve the ISRE Annexation.

Attachments:

- 5. ISRE Annexation Summary
- 6. Resolution of Referral of Petition
- 7. Annexation Ordinance
- 8. Annexation Map

<b>ISRE ANNEXATION SUMMARY</b>		
<b>File Number</b>	ANX-2002-049	
<b>Location</b>	2990 D-1/2 Road	
<b>Tax ID Number</b>	2943-171-00-144	
<b>Parcels</b>	1	
<b>Estimated Population</b>	2	
<b># of Parcels (owner occupied)</b>	0	
<b># of Dwelling Units</b>	1	
<b>Acres land annexed</b>	14.149	
<b>Developable Acres Remaining</b>	12.92	
<b>Right-of-way in Annexation</b>	893.28 feet of 60-foot right-of-way for D-1/2 Road	
<b>Previous County Zoning</b>	RSF-R and I	
<b>Proposed City Zoning</b>	Residential Single Family with a maximum density of 4 units per acre (RSF-4)	
<b>Current Land Use</b>	Large Lot Single Family Residential	
<b>Future Land Use</b>	Single or Multifamily Residential	
<b>Values</b>	<b>Assessed</b>	\$ 10,580
	<b>Actual</b>	\$115,560
<b>Census Tract</b>	8	
<b>Address Ranges</b>	2982-2998 D-1/2 Road, even only 451-461 30 Road, odd only	
<b>Special Districts</b>	<b>Water</b>	Ute Water
	<b>Sewer</b>	Central Grand Valley
	<b>Fire</b>	Grand Junction Rural
	<b>Drainage</b>	Grand Junction Drainage District
	<b>School</b>	Mesa County Valley District 51
	<b>Pest</b>	N/A

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3<sup>rd</sup> day of April, 2002, the following Resolution was adopted:

**CITY OF GRAND JUNCTION, COLORADO  
RESOLUTION NO. \_\_\_\_-02**

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

**ISRE ANNEXATION  
LOCATED at 2990 D-1/2 Road**

WHEREAS, on the 3<sup>rd</sup> day of April, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**ISRE ANNEXATION**

**A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

COMMENCING at the East Quarter (E ¼) corner of said Section 17 and considering the South line of the South half of the Southeast Quarter of the Northeast Quarter (S ½ SE ¼ NE ¼) of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence N 89°59'59" W along the South line of the S ½ SE ¼ NE ¼ of said Section 17 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, S 00°00'33" W along a line 30.00 feet West of and parallel with the East line of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 17, a distance of 30.00 feet to a point on the South right of way for D ½ Road; thence N 89°59'59" W, along the South right of way for D ½ Road, said line being 30.00 feet South of and parallel with the South line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 893.22 feet; thence N 00°05'59" W along the East line of the West 6.0 acres of the S ½ SE ¼ NE ¼, and its Southerly extension, a distance of 689.66 feet, more or less, to a point on the South line of Banner Industrial Park, as same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along said Southerly line and the Easterly extension thereof, a distance of 894.24 feet, more or less, to a point on the West right of way for 30 Road; thence S 00°00'59" E, along said West right of way for 30 Road and its Southerly extension thereof, said line being 30.00 feet West of and parallel with the East line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 659.57 feet, more or less, to the Point of Beginning.

Containing 616,336.1 Square Feet or 14.149 Acres, more or less, as described.

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

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

1. That a hearing will be held on the 15<sup>th</sup> day of May, 2002, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
  
2. **Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.**

ADOPTED this 3<sup>rd</sup> day of April, 2002.

Attest:

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

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



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

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

<b><i>PUBLISHED</i></b>
April 5, 2002
April 12, 2002
April 19, 2002
April 26, 2002

**CITY OF GRAND JUNCTION, COLORADO  
ORDINANCE NO. \_\_\_\_\_**

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

**ISRE ANNEXATION  
APPROXIMATELY 14.149 ACRES  
LOCATED at 2990 D-1/2 Road**

WHEREAS, on the 3<sup>rd</sup> day of April, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15<sup>th</sup> day of May, 2002; and

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

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

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

**ISRE ANNEXATION**

**A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

COMMENCING at the East Quarter (E ¼) corner of said Section 17 and considering the South line of the South half of the Southeast Quarter of the Northeast Quarter (S ½ SE ¼ NE ¼) of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence N 89°59'59" W along the South line of the S ½ SE ¼ NE ¼ of said Section 17 a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, S 00°00'33" W along a line 30.00 feet West of and parallel with the East line of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 17, a distance of 30.00 feet to a point on the South right of way for D ½ Road; thence N 89°59'59" W, along the South right of way for D ½ Road, said line being 30.00 feet South of and parallel with the South line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 893.22 feet; thence N 00°05'59" W along the East line of the West 6.0 acres of the S ½ SE ¼ NE ¼, and its Southerly extension, a distance of 689.66 feet, more or less, to a point on the South line of Banner Industrial Park, as

same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along said Southerly line and the Easterly extension thereof, a distance of 894.24 feet, more or less, to a point on the West right of way for 30 Road; thence S 00°00'59" E, along said West right of way for 30 Road and its Southerly extension thereof, said line being 30.00 feet West of and parallel with the East line of the S ½ SE ¼ NE ¼ of said Section 17, a distance of 659.57 feet, more or less, to the Point of Beginning.

Containing 616,336.1 Square Feet or 14.149 Acres, more or less, as described.

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

INTRODUCED on first reading on the 3<sup>rd</sup> day of April, 2002.

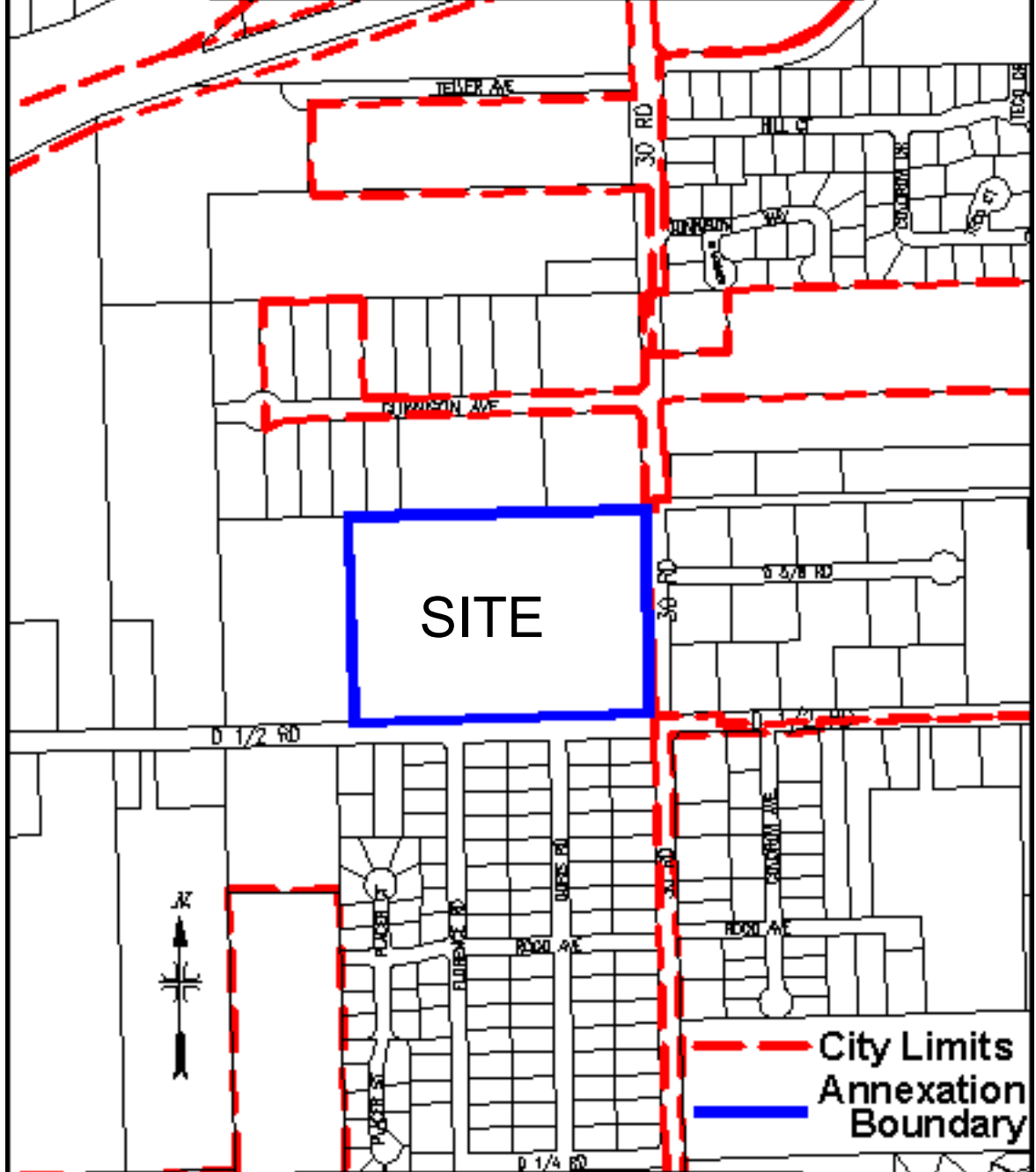
ADOPTED and ordered published this 15<sup>th</sup> day of May, 2002.

Attest:

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

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

# ISRE ANNEXATION



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 870-020-4040



Attach15

**Setting a hearing – Zoning Staton Annexation**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>		
<b>Subject:</b>	<b>Staton Annexation</b>	
<b>Meeting Date:</b>	<b>April 3, 2002</b>	
<b>Date Prepared:</b>	<b>December 16, 2011</b>	
<b>Author:</b>	<b>Ronnie Edwards</b>	<b>Associate Planner</b>
<b>Presenter Name:</b>	<b>Ronnie Edwards</b>	<b>Associate Planner</b>
<b>X</b>	<b>Consent Agenda</b>	<b>Formal Agenda</b>

**Subject:** Consideration of the zone of annexation to Residential Single Family with a density not to exceed two units per acre (RSF-2) for the Staton Annexation, #ANX-2002-028

**Summary:** The 17.329-acre Staton Annexation area located at 2673 ½ B ½ Road consists of one parcel of land. Owners of the property have signed a petition for annexation as part of proposed development for construction of a telecommunications tower. State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning of (RSF-2) conforms to the Growth Plan Future Land Use map and is a lesser density than the existing Mesa County zoning of RSF-4. The Petitioner and Staff find that the land configuration would not support higher density.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Approval of first reading of the zone of annexation of Residential Single Family with a density not to exceed two units per acre (RSF-2) for the Staton Annexation and set a hearing for April 17, 2002.

<b>BACKGROUND INFORMATION</b>	
<b>Location:</b>	<b>2673 ½ B ½ Road</b>
<b>Applicants:</b>	<b>Kenneth &amp; Sandra Staton</b>

<b>Existing Land Use:</b>		Single Family Residence	
<b>Proposed Land Use:</b>		Single Family Residence and Cell Tower	
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant	
	<b>South</b>	Vacant	
	<b>East</b>	Single Family Residences	
	<b>West</b>	Vacant	
<b>Existing Zoning:</b>		County RSF-4	
<b>Proposed Zoning:</b>		City RSF-2	
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4	
	<b>South</b>	County RSF-4	
	<b>East</b>	City RMF-16	
	<b>West</b>	County RSF-R	
<b>Growth Plan Designation:</b>		Residential Medium-Low (2-4 du/ac)	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:**

**ZONE OF ANNEXATION:**

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan Future Land Use Map. This proposed zoning RSF-2 conforms to the City’s Growth Plan Future Land Use Map.

**RSF-2 ZONE DISTRICT**

- This property is currently zoned RSF-4 in Mesa County which does conform to the Future Land Use Map.
- The RSF-2 does conform to the recommended densities found on the Growth Plan Future Land Use map currently designated as Residential Medium Low: 2 to 4 units per acre.
- Zoning this annexation with the RSF-2 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is surrounded by other residential uses with equivalent density.

**ZONING AND DEVELOPMENT CODE CRITERIA:**

**Section 2.14.F:** “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

**Section 2.6.A. Approval Criteria.** In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

1. *The existing zoning was in error at the time of adoption;*  
The existing zoning is RSF-4 in the County and the rezone to City RSF-2 supports the Future Land Use Map. The applicant has chosen a lesser density due to the character of the land.
2. *There as been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;*  
There has been no change of character in the neighborhood. The zone change is being required to give a City zoning designation to the subject property.
3. *The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;*  
The proposed zoning is compatible with the neighborhood and will not create adverse impacts.
4. *The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines.*  
The proposal conforms with the Growth Plan as it supports residential use with a density of two to four units per acre in this particular area. The proposed zoning also adheres to the Orchard Mesa Plan, as it states “rezones must demonstrate compatibility with adjacent uses and the neighborhood”.
5. *Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;*  
Public facilities and services are available for residential use.
6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and*  
Not applicable. This proposal is to allow a County residential designation to be changed to a City residential designation.
7. ***The community or neighborhood will benefit from the proposed zone.***  
**The proposed zone will benefit the neighborhood as it is keeping in place a residential zone district equivalent to the adjacent neighborhoods.**

<b>ANNEXATION SCHEDULE</b>	
<b>March 6, 2002</b>	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use

<b>March 26, 2002</b>	Planning Commission considers Zone of Annexation
<b>April 3, 2002</b>	First Reading on Zoning by City Council
<b>April 17, 2002</b>	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
<b>May 19, 2002</b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** Planning Commission recommended that City Council approve the zone of annexation to Residential Single Family with a density not to exceed two units per acre (RSF-2) for the Staton Annexation as it meets the criteria of Section 2.6 of the Zoning and Development Code.

Attachments:

1. Zoning Ordinance
2. Annexation Summary
3. Annexation Map



**STATON ANNEXATION SUMMARY**

<b>File Number:</b>	<b>ANX-2002-028</b>
<b>Location:</b>	<b>2673 ½ B ½ Road</b>
<b>Tax ID Number:</b>	<b>2945-264-00-053</b>
<b>Parcels:</b>	<b>1</b>
<b>Estimated Population:</b>	<b>7</b>
<b># of Parcels (owner occupied):</b>	<b>1</b>
<b># of Dwelling Units:</b>	<b>3</b>
<b>Acres land annexed:</b>	<b>17.329 acres for annexation area</b>
<b>Developable Acres Remaining:</b>	<b>17.329 acres</b>
<b>Right-of-way in Annexation:</b>	<b>184' of 30' ROW of Linden Avenue, See Map</b>
<b>Previous County Zoning:</b>	<b>RSF-4</b>
<b>Proposed City Zoning:</b>	<b>RSF-2</b>
<b>Current Land Use:</b>	<b>Single Family Residence</b>
<b>Future Land Use:</b>	<b>Single Family Residence</b>
<b>Values:</b>	<b>Assessed:</b> = \$ 20,670
	<b>Actual:</b> = \$ 200,500
<b>Census Tract:</b>	<b>13</b>
<b>Address Ranges:</b>	<b>2673 ½ B ½ Road</b>
<b>Special Districts:</b>	<b>Water:</b> Ute Water District
	<b>Sewer:</b> Orchard Mesa Sanitation District
	<b>Fire:</b> Grand Junction Fire District
	<b>Drainage:</b> Orchard Mesa Drainage District
	<b>School:</b> District 51

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**ZONING THE STATON ANNEXATION TO RESIDENTIAL SINGLE FAMILY WITH A DENSITY NOT TO EXCEED TWO UNITS PER ACRE (RSF-2)**

**LOCATED AT 2673 1/2 B 1/2 ROAD**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-2 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

**The following property shall be zoned the Residential Single Family with a density not to exceed two units per acre (RSF-2) zone district**

**Includes the following tax parcel 2945-264-00-053**

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

A certain parcel of land being the East Three-Quarters (E 3/4) of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 26, Township 1 South, Range 1 West of the Ute Principal Meridian, lying South of the South right of way line of Canal No. 1 of Orchard Mesa Irrigation District as conveyed in Book 156, Page 510, Public Records of Mesa County, Colorado, all said lands lying in Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the NW 1/4 SE 1/4 of said Section 26, and considering the East line of the NW 1/4 SE 1/4 of said Section 26 to bear S 00°06'59" E

with all bearings contained herein being relative thereto; thence S 00°06'59" E along the East line of the NW ¼ SE ¼ of said Section 26, a distance of 627.94 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°06'59" E along the East line of the NW ¼ SE ¼ of said Section 26, a distance of 692.84 feet to a point being the Southeast corner of the NW ¼ SE ¼ of said Section 26; thence N 89°36'24" W along the South line of the NW ¼ SE ¼ of said Section 26, a distance of 983.04 feet to a point being the Southwest corner of the E ¾ of the NW ¼ SE ¼ of said Section 26; thence N 00°21'11" W, along the West line of the E ¾ of the NW ¼ SE ¼ of said Section 26, a distance of 840.79 feet to a point on the South right of way line of Canal No. 1 of the Orchard Mesa Irrigation District as conveyed in Book 156, Page 510, Public Records of Mesa County, Colorado; thence along said Southerly canal right of way the following fourteen (14) courses:

- 1.) S 69°04'45" E a distance of 255.10 feet to a point; thence...
- 2.) N 75°48'30" E a distance of 25.28 feet to a point; thence...
- 3.) N 39°40'06" E a distance of 123.24 feet to a point being the beginning of a 64.50 foot radius curve, concave Southerly; thence...
- 4.) 87.07 feet along the arc of said curve, through a central angle of 77°20'28", having a chord bearing of N 78°20'20" E with a chord length of 80.60 feet; thence...
- 5.) S 62°59'26" E a distance of 32.63 feet to a point being the beginning of a 72.50 foot radius curve, concave Southeast; thence...
- 6.) 41.04 feet along the arc of said curve, through a central angle of 32°25'57", having a chord bearing of N 46°46'27" E with a chord length of 40.49 feet; thence...
- 7.) S 30°33'29" E a distance of 32.69 feet to a point being the beginning of a 60.50 foot radius curve, concave Northeast; thence...
- 8.) 30.22 feet along the arc of said curve, through a central angle of 28°37'21", having a chord bearing of S 44°52'09" E with a chord length of 29.91 feet; thence...
- 9.) S 59°10'50" E a distance of 198.64 feet to a point being the beginning of a 37.50 foot radius curve, concave North; thence...
- 10.) 49.98 feet along the arc of said curve, through a central angle of 76°21'39", having a chord bearing of N 82°38'21" E with a chord length of 46.36 feet; thence...
- 11.) N 44°27'32" E a distance of 55.14 feet to a point being the beginning of a 66.50 foot radius curve, concave South; thence...
- 12.) 91.13 feet along the arc of said curve, through a central angle of 78°31'01", having a chord bearing of N 83°43'02" E with a chord length of 84.17 feet; thence...
- 13.) S 57°01'27" E a distance of 110.28 feet; thence...
- 14.) S 69°19'32" E a distance of 9.38 feet to a point on the West right of way for 26 ¾ Road (Linden Avenue) as described in Quit Claim Deeds recorded in Book 2207, page 110 and Book 2215, Page 241, Public Records of Mesa County, Colorado; thence N 00°06'59" W, along said West right of way, said line being 30.00 feet West of and parallel to the East line of the NW ¼ SE ¼ of said Section 26, a distance of 21.49 feet; thence N 89°53'01" E a distance of 30.00 feet, more or less, to the Point of Beginning.

SUBJECT TO any easements, restrictions, reservations or rights of way of record, if any shall exist.

CONTAINING 17.329 Acres, more or less, as described.

Introduced on first reading this 3rd day of April, 2002.

PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

**Attest:**

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

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

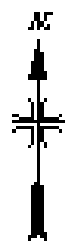
# STATON ANNEXATION

— City Limits  
— Annexation Boundary

STATE HIGHWAY 50

18"  
Ute Water Lines

Sewer Lines



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that it is accurate for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services (Ur. 970-295-4010)

Attach16  
Purchase Bucket Truck

**CITY COUNCIL AGENDA  
 CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>		
<b>Subject:</b>	<b>Purchase of Aerial Bucket Truck</b>	
<b>Meeting Date:</b>	<b>April 3, 2002</b>	
<b>Date Prepared:</b>	<b>March 27, 2002</b>	
<b>Author:</b>	<b>Ron Watkins</b>	<b>Purchasing Manager</b>
<b>Presenter Name:</b>	<b>Ron Watkins Chuck Leyden</b>	<b>Purchasing Manager Fleet/Facility Manager</b>
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** Purchase Aerial Bucket Truck for Public Works Department, Traffic Division.

**Summary:** This request is to replace one Aerial Bucket Truck per City of Grand Junction minimum specifications. The current unit will be surplus and will be sold by the City through a competitive bid disposal process. The City Equipment Manager and the City Purchasing Manager agree that the City will receive more value for the old unit than the trade-in price offered by the bidders.

**Background Information:** The City of Grand Junction Purchasing Division solicited 6 bids from our active bidders list and advertised in the Daily Sentinel per promulgated purchasing policy. Two responsive and responsible bids were received. They are:

Teague Equipment, Phoenix, AZ	2003 Ford F-750 w/Versalift	
\$101,225.00		
Altec Equipment, St. Joseph, MO	2003 International w/Altec	\$ 99,451.00

The International chassis and all warranty/service work will be provided through Hanson Equipment, Grand Junction, Colorado

**Budget:** Funds are approved in the 2002 FY Equipment Replacement budget to make this purchase.

**Action Requested/Recommendation:** Authorize the City Purchasing Manager to procure one International chassis with Altec TA37M aerial lift bucket for the amount of \$99,451.00 from Altec Equipment, St. Joseph, Missouri.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Purchase 3 Service Trucks for Parks Department**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Purchase of Service Trucks</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Ron Watkins</b>	<b>Purchasing Manager</b>	
<b>Presenter Name:</b>	<b>Ron Watkins Chuck Leyden</b>	<b>Purchasing Manager Equipment Manager</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Purchase 3 each service trucks for Parks Department, Forestry Division.

**Summary:** This request is to replace 3 one-ton service trucks per City of Grand Junction minimum specifications. The current units will be surplus and will be sold by the city through a competitive bid disposal process. The City Equipment Manager and the City Purchasing Manager agree that the City will receive more value for the old units than the trade-in price offered by the bidders.

**Background Information:** The City of Grand Junction Purchasing Division solicited 11 bids from the current active City Bidders List and advertised in the Daily Sentinel per promulgated purchasing policy. Three bids were received and two were found to be responsive. One bid was found non-responsive because the units offered did not meet the minimum specifications. The responsive bids received are as follows:

Hellman Motor Co., Delta, CO	Ford F-350 w/utility body	
\$97,920.00		
Western Slope Auto Co. Grand Junction	Ford F-350 w/utility body	\$67,722.00
Fuoco Motor Co., Grand Junction	Non-responsive – Does not meet specifications	

**Budget:** Funds are approved in the FY 2002 Equipment Replacement Budget for this purchase.

**Action Requested/Recommendation:** Authorize the City Purchasing Manager to procure Three 2002 Ford F-350 Trucks with T-6080 Rawson-Koenig Service Bodies for the amount of \$67,722.00 from Western Slope Auto Co., Grand Junction, Colorado.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<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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**Sole Source Purchase of Paging Terminal for Fire Department**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Fire Act Grant - FEMA</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Rick Beaty</b>	<b>Fire Chief</b>	
<b>Presenter Name:</b>	<b>James Bright</b>	<b>Operations Officer</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Fire Department requests City Council approval to submit a grant request for thermal imaging cameras

**Summary:** The Fire Department has four older helmet mounted thermal imaging cameras. The technology of the cameras is dated. The vendor of the existing helmets no longer produces the helmet model and repair of current units is difficult and expensive. Current units are requiring an increasing amount of maintenance and repair with unit(s) out-of-service for prolonged periods of time. This technology provides fire fighters with the upper hand in low visibility conditions, which allows personnel to locate fire victims and identify hot spots.

**Background Information:** The Fire Act Grant program is a federal grant program administered through the Federal Emergency Management Agency (FEMA). This is the second year of the program and was approved by the federal government to assist emergency response agencies in better meeting their mission.

**Budget:** The total amount of the request is \$48,000. The Department would be obligated to match 30% of the request. If approved, remaining funds would be made available via the Fire Act program. The required matching funds are available in the Department's current budget. As a federal grant program, there is no impact with TABOR.

**Action Requested/Recommendation:** City Council Approval

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

**CITY COUNCIL AGENDA  
 CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Single Source Purchase Request Zetron Paging Terminal</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 22, 2002</b>		
<b>Author:</b>	<b>Michael Kelley</b>	<b>Fire Unit Supervisor</b>	
<b>Presenter Name:</b>	<b>Michael Kelley</b>	<b>Fire Unit Supervisor</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Single Source Purchase request.

**Summary:** The Fire Department is seeking approval for the single source purchase of a Zetron Paging Terminal. The paging terminal will be used for numeric, alphanumeric and voice paging.

The single source procurement is required for compatibility issues with the Printrak CAD system. All paging systems in the Communications Center are Zetron brand. Legacy Communications is the local Zetron Distributor and is our local service center.

**Budget:** The cost of this product and service is \$37,639. Money has been allocated in the 2002 capital budget for the Fire Department for this product.

**Action Requested/Recommendation:** The Fire Department recommends Council grant approval to purchase the Zetron Paging Terminal.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<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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**Award Maintenance Contract with CDOT**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>CDOT Maintenance Contract</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>March 27, 2002</b>		
<b>Author:</b>	<b>Jody Kliska</b>	<b>Transportation 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:** Approval of a Resolution authorizing the City Manager to sign a contract with the Colorado Department of Transportation (CDOT) for highway maintenance services.

**Summary:** The current maintenance contract with CDOT has been in effect since 1991. This contract updates the costs and adds signal locations and responsibilities to the existing contract.

**Background Information:** The last contract negotiated with CDOT was signed in July, 1991. The City of Grand Junction has contracted with CDOT for decades for maintenance of state highways within the city limits. Since 1991, city limits have changed due to annexations and this has added miles of state highways within those limits. Activities covered under the contract include the maintenance and operation of traffic signals and striping and markings.

The change in the contract reflects the City's actual costs in 2001 for providing the specified services.

**Budget:** The table below shows the current and anticipated contract amounts for the various activities.

<b>Activity</b>	<b>Current Contract Amount</b>	<b>New Contract Amount</b>
Signal Maintenance & Operations	\$44,092.56	\$92,474.76
Striping & Markings	\$ 7,386.00	\$24,333.55

**Action Requested/Recommendation:** Approve and sign the Resolution to authorize the City Manager to sign the contract with CDOT.

<b>Citizen Presentation:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>If Yes,</b>	
<b>Report results back to Council:</b>	<input checked="" 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>

RESOLUTION NO. -02

A Resolution Authorizing an Agreement between the City of Grand Junction and the Colorado Department of Transportation for the City to Perform Maintenance Services on State Highways

Recitals:

The State has certain legal obligations to maintain State highways in and through the City. To maximize its efficiency and effectiveness, the State has proposed a contract whereby the City will provide some or all of the maintenance services on 8.57 miles of State highways. The State will pay the City a reasonable, negotiated fixed rate of \$116,808.31 annually for these services.

The City is ready, willing and able to proceed with the work and the City Council has authorized the City Manager to sign the agreement so that the City staff may deliver the work.

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

- 1. The City Council hereby authorizes the City Manager to sign the Highway Maintenance Contract for signals, striping and markings with the Colorado Department of Transportation.**
2. The City Council hereby authorizes the expenditure of funds and the commitment of resources, as necessary to meet the terms and obligations of the agreement.
3. This resolution shall be in full force and effect from the date on which it is signed.

PASSED AND APPROVED this \_\_\_\_\_, 2002.

\_\_\_\_\_  
Cindy Enos-Martinez  
President of the Council

ATTEST:

\_\_\_\_\_



Stephanie Tuin  
City Clerk

**CONTRACT**

THIS CONTRACT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the STATE OF COLORADO for the use and benefit of THE DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the State, and CITY OF GRAND JUNCTION, STATE OF COLORADO, FEIN: 846000592, hereinafter referred to as the Contractor,

WHEREAS, authority exists in the Law and Funds have been budgeted, appropriated and otherwise made available and a sufficient unencumbered balance thereof remains available for payment in Fund Number 400, Organization No. 3200, Appropriation Code No. 010, Program 3000, Function 2903, Object No. 5410 2 (N), (Annual Contract encumbrance amount \$116,808.31 ); and

WHEREAS, required approval, clearance and coordination has been accomplished from and with appropriate agencies; and

WHEREAS, 43-2-102 and 103, C.R.S require the State to maintain state highways (including where such highways extend through a city or an incorporated town), and 43-2-135 describes certain specific responsibilities of the State and affected local entities (respectively) with respect to state highways that are also part of a local street system;

WHEREAS, the parties desire to enter this Contract for the Contractor to provide some or all of the certain maintenance services on state highways that are the responsibility of the State under applicable law, and for the State to pay the Contractor a reasonable negotiated fixed rate for such services;

WHEREAS, the parties also intend that the Contractor shall remain responsible to perform any services and duties on state highways that are the responsibility of the Contractor under applicable law, at its own cost;

WHEREAS, the State and the Contractor have the authority, as provided in Sections 29-1-203, 43-1-106, 43-2-103, 43-2-104, and 43-2-144 C.R.S., as amended, and in applicable ordinance or resolution duly passed and adopted by the Contractor, to enter into contract with the Contractor for the purpose of maintenance on the state highway system as hereinafter set forth; and

WHEREAS, the Contractor has adequate facilities to perform the desired maintenance services on State highways within its jurisdiction.

NOW, THEREFORE, it is hereby agreed that:

1. The Contractor shall perform all "traffic signal maintenance, striping, pavement marking application (arrows, "only"s, crosswalks) and related maintenance services" for the certain State Highway System segments described herein, located within the Contractor's jurisdiction, for a total length of 8.57 miles and a total of 42 signals along ("the Highways"), as follows:

1. I -70B from Grand Avenue/SH 340 (MP 4.95) to 28.5 Road (MP 7.9), including both Pitkin and Ute Avenues = (2.95 miles)
2. US 6 (North Avenue) from 1<sup>st</sup> Street (MP 30.59) to 29 Road (MP 33.56) = (2.97 miles)
3. US 50 from Ute Avenue (MP 32) to Grand Mesa Avenue (MP 33.56) = (1.56 miles)
4. SH 340 from Redlands Canal (MP 12.25) to Junction I-70B (MP 13.34) = (1.09 miles)
5. Signal maintenance only on I 70B from 24-1/8 Road (MP 2.893) to 1<sup>st</sup> Street (MP 4.952) = (2.059 miles)
6. Signal maintenance only on US 50 from Grand Mesa Avenue (MP 33.56) to 27 Road (MP 33.785) = (0.225 miles)

2. As used herein the term "maintenance services" shall mean only those maintenance services normally performed by the State to comply with its responsibility under 43-2-102 and 43-2-135, C.R.S., as described in the State's then current "Maintenance Management Information Manual", as amended, which is incorporated herein by this reference. The Contractor shall obtain a copy of that Manual from the State before it performs any maintenance services under this Contract. ("Maintenance services" do not include reconstruction of portions of the highways destroyed by major disasters, fires, floods, or Acts of God. Provided, however, that the Contractor shall give the State immediate notice of the existence of any such conditions on the Highways.)

A. Maintenance services to be performed by the Contractor, at State expense, for the Highways under this Contract shall include (without limitation) the following services:

- 1) Signal Operation and Maintenance
- 2) Striping
- 3) Crosswalks
- 4) Arrow's and Only's
- 5) All work shall be according to the most recently adopted revision of the Manual on Uniform Traffic Devices

B. Contractor shall also continue to perform, at its own expense, all activities/duties on the Highways that Contractor is required to perform by 43-2-135 (1) (a) and (e), C.R.S., as amended, including, but not limited to:

3. The Contractor shall perform all maintenance services on an annual basis. The Contractor's performance of such services shall comply with the same standards that are currently used by the State for the State's performance of such services, for similar type highways with similar use, in that year, as determined by the State. The State's Regional Transportation Director, or his representative, shall determine the then current applicable maintenance standards for the maintenance services. Any

standards/directions provided by the State's representative to the Contractor concerning the maintenance services shall be in writing. The Contractor shall contact the State Region office and obtain those standards before the Contractor performs such services.

4. The Contractor shall perform the maintenance services in a satisfactory manner, and in accordance with the terms of this Contract. The State reserves the right to determine the proper quantity and quality of the maintenance services performed by the Contractor, as well as the adequacy of such services, of the under this Contract. The State may withhold payment, if necessary, until Contractor performs the maintenance services to the State's satisfaction. The State will notify the Contractor in writing of any deficiency in the maintenance services. The Contractor shall commence corrective action within 24 hours of receiving actual or constructive notice of such deficiency: a) from the State; b) of its own observation; or c) by any other means. In the event the Contractor, for any reason, does not or cannot correct the deficiency within 24 hours, the State reserves the right to correct the deficiency and to deduct the actual cost of such work from the subsequent payments to the Contractor, or to bill the Contractor for such work.

5. Subject to the terms of this Contract, for the satisfactory performance of the maintenance services on the Highways, as described in paragraphs 1 thru 4 above, the State shall pay the Contractor on a lump sum basis, payable in monthly installments, upon receipt of the Contractor's statements, as provided herein.

A. The lump sum payments shall be based solely on the rate negotiated by the parties per signal along the Highways, times the number of signals along the Highways - per fiscal year of the Contract term. Provided, however, that the total of such payments during the term of the Contract shall not exceed the particular maximum amount determined by that formula of "rate X years", unless the Contract is amended or extended accordingly.

The rate negotiated by the parties per signal for this Contract is \$2201.78 per year, and the number of signals on the Highways for which the Contractor will provide maintenance services is 42 each, for a total maximum amount of \$92,474.76 per fiscal year. That rate per signal shall remain fixed for the full term of the Contract. The total payments to the Contractor during the term of this Contract shall not exceed that maximum amount of \$462,373.80 ("rate X years"), unless this Contract is amended or extended accordingly.

**B. The lump sum payments shall be based solely on the annual rate negotiated by the parties per year of striping maintenance, - per fiscal year of the Contract term. Provided, however, that the total of such payments during the term of the Contract shall not exceed the particular maximum amount determined by that formula of "rate X years", unless the Contract is amended or extended accordingly.**

The rate negotiated by the parties for striping for this Contract is \$10,976.12 per fiscal year of striping maintenance. That rate per fiscal year shall remain fixed for the full term of the Contract. The total payments to the Contractor during the term of this Contract shall not exceed that maximum amount of \$54,880.60 ("rate X years"), unless this Contract is amended or extended accordingly.

**C. The lump sum payments shall be based solely on the annual rate negotiated by the parties per year of striping maintenance, - per fiscal year of the Contract term. Provided, however, that the total of such payments during the term of the Contract shall not exceed the particular maximum amount determined by that formula of "rate X years", unless the Contract is amended or extended accordingly.**

The rate negotiated by the parties for pavement markings (other than striping) for this Contract is \$13,357.43 per fiscal year of pavement marking application and maintenance. That rate per fiscal year shall remain fixed for the full term of the Contract. The total payments to the Contractor during the term of this Contract shall not exceed that maximum amount of \$66,787.15 ("rate X years"), unless this Contract is amended or extended accordingly.

D. The statements submitted by the Contractor for which payment is requested shall contain an adequate description of the type(s) and the quantity(ies) of the maintenance services performed, the date(s) of that performance, and on which specific sections of the Highways such services were performed, in accord with standard Contractor billing standards.

E. If the Contractor fails to satisfactorily perform the maintenance for a segment of the Highways (or portion thereof), or if the statement submitted by the Contractor do not adequately document the payment requested, after notice thereof from the State, the State may deduct and retain a proportionate amount from the monthly payment, based on the above rate, for that segment or portion.

6. This Contract shall be for a term of five years. Provided, however, that the State's obligation for each subsequent, consecutive fiscal year of that term after the first fiscal year shall be subject to and contingent upon funds for each subsequent year being appropriated, budgeted, and otherwise made available therefor.

7. The Contract shall be effective on the date it is approved by the State Controller. Upon execution of this Contract, all previous contracts between the State and the Contractor for maintenance of the Highways shall become null and void.

8. This Contract may be terminated by either party, but only at the end of a fiscal year (June 30), and only upon written notice thereof sent by registered, prepaid mail and received by the non-terminating party not later than 30 calendar days before the end of that fiscal year. In that event, the State shall be responsible to pay the Contractor only for that portion of the maintenance services actually and satisfactorily performed up to the effective date of that termination, and the Contractor shall be responsible to provide such services up to that date, and the parties shall have no other obligations or liabilities resulting from that termination.

9. Either party may suggest renegotiation of the terms of this Contract, provided that the Contract shall not be subject to renegotiation more often than annually, and that neither party shall be required to renegotiate. If the parties agree to change the provisions of this Contract, the renegotiated terms shall not be effective until this Contract is amended/modified accordingly in writing. Provided, however, that the rates will be modified only if the party requesting the rate change documents, in accord with then applicable cost accounting principles and standards (including sections 24-107-101, et seq., C.R.S. and implementing regulations), that the requested increase/decrease is based on and results from (and is proportionate to) an increase/decrease in the "allowable costs" of performing the Work.

10. All of the covenants and provisions shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns.

11. The Special Provisions attached hereto are hereby made a part hereof.

12. The Contractor will maintain adequate cost records for the Work in accordance with acceptable accounting practices to determine the quality and adequacy of the maintenance services. Said records shall be available for review and audit by the State during normal working hours during the contract period and for 3 years from the date of payment to the Contractor. Upon notice, and upon mutual consent, the parties hereto may change this record requirement.

13. The Contractor represents and warrants that it has taken all actions that are necessary or that are required by its procedures, bylaws, or applicable law, to legally authorize the undersigned signatory to execute this contract on behalf of the Contractor and to bind the Contractor to its terms.



14. Bilateral changes within the general scope of the contract, as defined above, may be executed using the simplified change order letter process described in this paragraph and the sample letter attached for any of the following reasons:

A. Where the agreed changes result in no adjustment to the price, delivery schedule, or other terms and conditions of the contract. The change letter will contain a mutual release of claims for adjustment of price, cost, time for performance, or other terms and conditions, whether based on costs of changed work or direct or indirect impacts on unchanged work, as a result of the change; or

B. Where the changes to the contract are priced based on the unit prices to be paid for the goods or services of the contract; or

C. Where the changes to the contract are priced based on established catalog prices generally extended to the public;

The written change letter will be substantially in the form at Exhibit A, must bear the signature of the authorized agency official, the contractor, and--except where the parties agree on the face of the change order that no price/cost, schedule, or other contract adjustments are due the contractor--the State Controller or his designee. The change order letter shall refer to the basic contract and include a detailed description of the changes to the contract, the price or cost ceiling adjustment, the effective date, and (where applicable) the time within which the changed work must be done.

15. Under this Contract, the contractor has agreed to provide the services/supplies and at the rates and on the terms as described herein as needed to satisfactorily perform and complete the Contract work, subject to the availability of funding.

Funds are currently available and encumbered for the work in the amount specified above. However, the total quantity(ies) of the services/supplies to be provided by the

Contractor to complete the work, and the resulting total funding amount(s) to be provided by the State in exchange therefor, as described in this Contract or otherwise made known to the Contractor, are only estimated.

If the State determines, unilaterally, that it has underestimated/overestimated these total quantity(ies)/amounts, it has the right to take the following action(s):

A. to increase/decrease the amount of available funds under this Contract;  
and/or

B. to order more/less of the same services/supplies on the same rates and terms during the term of this contract, in accordance with the ordering provisions of this contract. Provided that the Contractor shall not accept any orders which create a financial obligation of the State exceeding the specified amount of available funds (as may be increased under this section), and the Contractor shall notify the State when State commitments, paid and unpaid, are within 10% of that amount. The State shall not be liable beyond that amount.

In the event of either action, the State will notify the Contractor thereof by Funding Letter. The Funding Letter will be in a form substantially equivalent to that in Exhibit B, and it shall not be deemed valid until it shall have been approved by the State Controller or such assistant as he may designate.

IN WITNESS WHEREOF, the parties hereto have executed this contract on the day and year first above written.

ATTEST:

STATE OF COLORADO  
BILL OWENS, GOVERNOR

By \_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
Executive Director  
DEPARTMENT OF

TRANSPORTATION

APPROVED:

ARTHUR L. BARNHART  
State Controller

KEN SALAZAR  
Attorney General

By \_\_\_\_\_

By \_\_\_\_\_  
BARRY B. RYAN  
Assistant Attorney General  
Civil Litigation Resources Section

ATTEST:

CITY OF GRAND JUNCTION

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

FEIN: 846000592

**Exhibit \_\_\_\_ OPTION FORM LETTER:**

Date: \_\_\_\_\_

TO: [Contractor]  
[Address]

SUBJ: Option Exercise Letter

In accordance with Paragraph \_\_\_\_\_ of contract routing number \_\_\_\_\_, \_\_\_\_\_,  
between the State of Colorado Department of Transportation and

[Contractor]

covering the period of July 1, 200 through June 30, 200 the state hereby exercises the  
option for

[maintenance services for \_\_\_\_\_ at the prices specified in Exhibit \_\_\_\_]; or

[an additional one year's performance period at the (cost) (price) specified in paragraph  
\_\_\_\_.]

The maximum amount payable by the State in Paragraph \_\_\_\_ is (increased/decreased)  
by (\$ amount of change) to a new total of (\$\_\_\_\_\_). The first sentence in Paragraph  
\_\_\_\_ is hereby modified accordingly.

State of Colorado:  
Bill Owens, Governor

For the Executive Director  
Colorado Department of Transportation

\_\_\_\_\_  
Title

APPROVALS:  
FOR THE STATE CONTROLLER  
Arthur L. Barnhart

By: \_\_\_\_\_  
State Controller or Designee

**Exhibit A: Bilateral Change Order Letter**

Date: \_\_\_\_\_

State Fiscal Year 200 -0

Bilateral Change Order Letter No. \_\_\_\_\_

In accordance with Paragraph \_\_\_\_\_ of contract routing number \_\_\_\_\_, between the State of Colorado Department of Transportation and

[Contractor]

covering the period of July 1, 200 through June 30, 200 the undersigned agree that the supplies/services affected by this change letter are modified as follows:

Services/Supplies

The services to be provided is amended by \_\_\_\_\_.

Price/Cost

The maximum amount payable by the State for \_\_\_\_\_ [service] [supply] \_\_\_\_\_ in Paragraph \_\_\_\_\_ is (increased/decreased) by (\$ amount of change) to a new total of (\$ \_\_\_\_\_), based on the unit pricing schedule at Exhibit \_\_\_\_\_. The first sentence in Paragraph \_\_\_\_\_ is hereby modified accordingly;  
OR

The parties agree that the changes made herein are "no cost" changes and shall not be the basis for claims for adjustment to [price] [cost ceiling], delivery schedule, or other terms or conditions of the contract. The parties waive and release each other from any claims or demands for adjustment to the contract, including but not limited to price, cost, and schedule, whether based on costs of changed work or direct or indirect impacts on unchanged work. Controller approval of this "no cost" change is not required. \_\_\_\_\_ Contractor initials. \_\_\_\_\_ Agency initials.

This change to the contract is intended to be effective as of \_\_\_\_\_, but, except with respect to "no cost" changes identified above, in no event shall it be deemed valid until it shall have been approved by the State Controller or such assistant as he may designate.

Please sign, date, and return all copies of this letter on or before \_\_\_\_\_  
19\_\_\_\_.

Contractor Name:

State of Colorado:  
Bill Owens, Governor

By: \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

By: \_\_\_\_\_  
For the Executive Director  
Colorado Department of  
Transportation

APPROVALS:  
FOR THE STATE CONTROLLER  
Arthur L. Barnhart

By: \_\_\_\_\_  
State Controller or Designee

**Exhibit B:**

[Contract Funding Letter]

Date: \_\_\_\_\_

TO: [Contractor]

SUBJ: Contract Funding Letter No. \_\_\_\_\_

In accordance with Paragraph \_\_\_\_\_ of contract routing number \_\_\_\_\_, between the State of Colorado Department of Transportation (CDOT) and

[Contractor]

covering the period of \_\_\_\_\_ through \_\_\_\_\_ the undersigned commits the following funds to the contract:

The amount of funds available and specified in paragraph \_\_\_\_\_ is (increased/decreased) by (\$ amount of change) to a new total funds available of (\$\_\_\_\_\_) to satisfy orders, or to complete the performance of the work, under the contract. Paragraph \_\_\_\_\_ is hereby modified accordingly.

This funding letter does not constitute an order for services under this contract.

This funding letter is effective upon approval by the State Controller or such assistant as he may designate.

State of Colorado:  
Bill Owens, Governor

By: \_\_\_\_\_  
For the Executive Director  
CDOT

**APPROVALS:**

**FOR THE STATE CONTROLLER**  
Arthur L. Barnhart

By: \_\_\_\_\_  
State Controller or Designee

Attach 21

**Public Hearing Rezoning Heinbaugh Property**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Heinbaugh Property Rezone</b>		
<b>Meeting Date:</b>	<b>April 3, 2002</b>		
<b>Date Prepared:</b>	<b>December 16, 2011</b>		
<b>Author:</b>	<b>Senta Costello</b>	<b>Associate Planner</b>	
<b>Presenter Name:</b>	<b>Senta Costello</b>	<b>Associate Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Rezone of 513 28 ¼ Road, #RZ-2002-024

**Summary:** Petitioner is requesting to rezone a 12,500 square foot lot from PD (Planned Development) to RMF-8 (Residential Multi-Family not to exceed 8 units/acre).

**Action Requested/Recommendation:** Public hearing and second reading of the ordinance.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				
<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>When:</b>

<b>Placement on Agenda:</b>		<b>Consent</b>	<b>X</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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BACKGROUND INFORMATION			
Location:		513 28 ¼ Rd	
Applicants:		Ron Heinbaugh	
Existing Land Use:		Vacant	
Proposed Land Use:		Single Family Residential	
Surrounding Land Use:	North	Single Family Residential	
	South	Commercial	
	East	Vacant Commercial	
	West	Multi-Family Residential	
Existing Zoning:		PD (Planned Development)	
Proposed Zoning:		RMF-8 (Residential Multi-Family 8 units/acre)	
Surrounding Zoning:	North	RMF-8 (Residential Multi-Family 8 units/acre)	
	South	C-1 (Light Commercial)	
	East	RO (Residential Office)	
	West	PD (Planned Development)	
Growth Plan Designation:		Residential Medium 4-8 units/acre	
Zoning within density range?		X	Yes
			No

**Staff Analysis:**

**Project Analysis:**

The property located at 513 28 ¼ Road is currently zoned PD (Planned Development). The property was zoned at the same time the townhouses located to the west were zoned but the project site was not a part of that development. The property is in a Planned Development zone district without having a plan in place for the property. The applicant wishes to develop the property consistent with other residential properties in the area.

**Rezoning Criteria:**

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

1. The existing zoning was in error at the time of adoption;

**Applicant's Response:** There is no known plan for the parcel at this time.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;

**Applicant's Response:** There has been no change of character in the neighborhood, parcel would be rezoned to comply with the neighborhood.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;

**Applicant's Response:** Rezoning this parcel would not create adverse impacts, such as those listed above.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;

**Applicant's Response:** I believe the rezoning of this parcel would comply with everything in this statement.

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

**Applicant's Response:** Streets are paved, water and sewer are in place.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

**Applicant's Response:** N/A

7. The community or neighborhood will benefit from the proposed zone.

**Applicant's Response:** The community and neighborhood will benefit because a vacant lot will be filled with a nice structure and will help fill in the neighborhood.

Staff agrees with the applicant's responses to the rezone criteria.

**Findings and Conclusions:**

- The zoning is consistent with the Growth Plan
- Proposed zoning is consistent with adjacent zoning.
- Findings required by Section 2.6 of the Zoning and Development Code can be made.

**PLANNING COMMISSION RECOMMENDATION:**

**The Planning Commission recommended approval of the requested rezoning to the City Council.**

**Action Requested/Recommendation:** It is recommended that City Council approve the zone amendment from PD (Planned Development) zone district to the RMF-8 (Residential Multi-Family 8 units/acre) zone district.

**Attachments:**

- a. Vicinity Map
- b. Zoning Ordinance

Staff Report 2nd CC.doc



CITY OF GRAND JUNCTION, COLORADO  
Ordinance No. \_\_\_\_\_  
REZONING THE HEINBAUGH PROPERTY LOCATED AT  
513 28 ¼ RD TO RMF-8

Recitals.

The Grand Junction Planning Commission, at its March 12, 2002 hearing, recommended approval of the rezone request from the PD district to the RMF-8 district.

A rezone from the PD (Planned Development) district to the RMF-8 (Residential Multi-Family not to exceed 8 units/acre) district has been requested for the properties located at 513 28 ¼ Rd. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Medium 4-8 units/acre). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL (S) DESCRIBED BELOW IS HEREBY ZONED TO THE RMF-8 (RESIDENTIAL MULTI-FAMILY NOT TO EXCEED 8 UNITS/ACRE) DISTRICT:

Commencing at the Southeast Quarter of said NE1/4SW1/4SW1/4, thence North 89°57'48" West 30.00 feet, thence North 00°06'33" East 27.50 feet to the Point of Beginning, thence North 00°06'33" East 62.50 feet, thence North 89°57'48" West 203.00 feet, thence South 00°06'33" West 62.50 feet, thence South 89°57'18" East 203.00 feet, more or less, to the Point of Beginning, EXCEPTING THEREFROM that portion thereof conveyed to the City of Grand Junction, a Colorado home rule municipality, by instrument recorded February 13, 1995 in Book 2127 at Page 434.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of March, 2002.

PASSED on SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

ATTEST:

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

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

**Emergency Ordinance Amending Ordinance no. 3503**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
<b>Subject:</b>	<b>An Emergency Ordinance Amending Ordinance Number 3403; Prescribing Other Details in Connection Therewith; and Declaring a Special Emergency</b>	
<b>Meeting Date:</b>	<b>April 3, 2002</b>	
<b>Date Prepared:</b>	<b>April 3, 2002</b>	
<b>Author:</b>	<b>Ron Lappi</b>	<b>Director of Admin Svcs</b>
<b>Presenter Name:</b>	<b>Ron Lappi</b>	<b>Director of Admin Svcs</b>
<input type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/> <b>Formal Agenda</b>

**Subject:** An emergency ordinance amending ordinance number 3403; prescribing other details in connection therewith; and declaring a special emergency.

**Summary:** Previously adopted Ordinance 3403, approved by the City Council on March 6, 2002 needs to be amended to increase the principal amount of the Loan Agreement.

**Background Information:** City Council previously adopted Ordinance Number 3403 authorizing the execution and delivery of a Loan Agreement. The prior Ordinance provided that the maximum principal amount of the Loan would not exceed \$3,500,000. The City has been told that the City's share of the costs of issuance of the Colorado Water Resources and Power Development Authority's bonds, issued in part to finance the Loan, needs to be rolled into the Loan Agreement. The amended amount of the Loan Agreement would be \$3,566,521.69.

**Budget:** \$66,521.69 would be added to the Loan Agreement which is a very favorable result for us at the final rate of 4.02% interest for 22 years.

**Action Requested/Recommendation:** Approve and adopt the emergency ordinance as of April 3, 2002.

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

**ORDINANCE NO. \_\_\_\_**

**EMERGENCY ORDINANCE AMENDING ORDINANCE NO.  
3403; PRESCRIBING OTHER DETAILS IN CONNECTION  
AN THEREWITH; AND DECLARING A SPECIAL EMERGENCY.**

WHEREAS, the City of Grand Junction, in the County of Mesa and State of Colorado (the "City"), is a home rule City duly existing under the Constitution and laws of the State of Colorado and its City Charter (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the Council has previously passed and adopted Ordinance No. 3403 on March 6, 2002 (the "Prior Ordinance"), authorizing the execution and delivery of a Loan Agreement (as defined in the Prior Ordinance); and

WHEREAS, Section 3 of the Prior Ordinance provided that the maximum principal amount of the Loan (as defined in the Prior Ordinance) would not exceed \$3,500,000; and

WHEREAS, it is necessary to amend Section 3 of the Prior Ordinance with the effect of increasing the principal amount of the Loan to \$3,566, 521.69, in order to finance the City's share of the costs of issuance of the Colorado Water Resources and Power Development Authority's ("CWRPDA") bonds issued in part to finance the Loan; and

WHEREAS, Section 50 of the City Charter provides that an ordinance may be passed as an emergency measure in cases of a special emergency for the preservation of the public peace, health or safety, upon the unanimous vote of all members of the City Council.

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

Section 1. Amendment of Prior Ordinance. Section 3 of the Prior Ordinance is hereby amended to read as follows:

Section 3. Loan Details. The Loan shall be in the principal amount of not to exceed \$3,566,521.69, shall bear interest at a net effective interest rate not to exceed 5.00% per annum, and shall mature and bear annual interest over a term not to exceed 23 years, and shall be payable in the time and manner, and shall be subject to prepayment, as set forth in the Financing Documents. The City Council, pursuant to Article I, Section 2(f) and the Supplemental Act, delegates to the City Manager or the Finance Director the power to determine the principal amount, interest rate, maximum maturity, and amortization schedule, subject to



the provisions of this ordinance. The City shall execute and deliver to CWRPDA the Bond pursuant to the Loan Agreement as evidence of the City's obligation to make Loan Repayments (as defined in the Loan Agreement).

Section 2. Effect of Amendment. Except as specifically amended in this ordinance, all provisions of the Prior Ordinance remain in full force and effect.

Section 3. Severability. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance, the intent being that the same are severable.

Section 4. Repealer. All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this ordinance are hereby repealed to the extent only of such inconsistency.

Section 5. Declaration of Special Emergency. Due to the immediate need by the City and CWRPDA to close the Loan under current market conditions, a special emergency exists which requires the immediate passage of this ordinance as an emergency measure, and it is hereby declared that this ordinance is immediately necessary for the preservation of the public peace, health or safety.

Section 6. Effective Date, Recording and Authentication. Pursuant to Sections 50(c) and 51 of the City Charter, this ordinance shall be finally passed on the date hereof and shall be effective upon passage and adoption. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication. This ordinance shall be published within three days of the date hereof.

INTRODUCED AND FINALLY PASSED AS AN EMERGENCY MEASURE,  
APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 3rd day of  
April, 2002, CITY OF GRAND JUNCTION, COLORADO

Attest:

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

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

(SEAL)

STATE OF COLORADO )  
)  
COUNTY OF MESA ) SS.  
)  
CITY OF GRAND JUNCTION )

I, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado (the "City") do hereby certify:

1. The foregoing pages are a true, correct and complete copy of an ordinance (the "Ordinance") which was introduced, passed and duly adopted as an emergency ordinance and ordered published in full by the City Council at a regular meeting thereof held on April 3, 2002, which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.
2. The Ordinance was duly moved and seconded and the Ordinance was passed and adopted as an emergency ordinance at the meeting of April 3, 2002, by an unanimous vote of the members of the Council as follows:

Those Voting Aye: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

4. The members of the Council were present at such meeting and voted on the passage of such Ordinance as set forth above.
5. The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.
6. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance.
7. Notice of the meeting of April 3, 2002, in the form attached hereto as Exhibit A, was posted at City Hall in accordance with law.
8. The Ordinance was published in pamphlet form in The Daily Sentinel, a daily newspaper of general circulation in the City, on April \_\_, 2002 as required by the City Charter. The affidavit of publication is attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal  
of said City this \_\_\_\_\_ day of April, 2002.

(SEAL)

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

EXHIBIT A  
(Attach Notice of Meeting)

EXHIBIT B

(Attach affidavits of Publication)