

**GRAND JUNCTION CITY COUNCIL  
WORKSHOP AGENDA**

**MONDAY, JANUARY 19, 2004, 7:00 P.M.  
CITY HALL AUDITORIUM, 250 N. 5<sup>TH</sup> STREET**

**MAYOR'S INTRODUCTION AND WELCOME**

- 7:00 **COUNCILMEMBER REPORTS**
- 7:10 **REVIEW FUTURE WORKSHOP AGENDAS** [Attach W-1](#)
- 7:15 **REVIEW WEDNESDAY COUNCIL AGENDA**
- 7:20 **LOGO DISCUSSION**
- 7:30 **PRESENTATION OF DESIGNS FOR ART AT TWO CITY PARKS:** The Commission on Arts and Culture will present the five finalists' proposals and the two winning designs for sculptures to be placed in Canyon View and Westlake Parks. [Attach 3](#)
- 7:45 **CHIPETA AVENUE TRAFFIC CALMING:** Public Works staff will update the City Council on the temporary traffic circles and present options for a permanent traffic calming installation. [Attach W-2](#)
- 8:30 **TRANSIENTS ISSUE UPDATE:** Police Chief Greg Morrison will update Council on measures taken to address the transient issue. [Attach W-3](#)
- 9:00 **UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS:** In anticipation of upcoming appointments to the Arts Commission, Parks & Recreation Advisory Board and Airport Authority, City Council will discuss specific issues relating to each board. [Attach W-4](#)
- 9:30 **ADJOURN**

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

**Attach W-1  
Future Workshop Agenda**

# ***CITY COUNCIL WORKSHOP AGENDAS***

**▶ JANUARY 21, WEDNESDAY 3:00 PM (City Hall Break Room)**  
STRATEGIC PLAN UPDATE WORKSHOP WITH KEZZIAH/WATKINS

***\* FEBRUARY 2, MONDAY 11:30 AM***

*11:30 UPDATE ON TEMPORARY MODIFICATION TO PERSIGO  
DISCHARGE PERMIT (County Commissioners have been invited)*

**FEBRUARY 2, MONDAY 7:00PM**

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW  
FUTURE WORKSHOP AGENDAS  
7:25 CITY MANAGER'S REPORT  
7:30 CONTINUED DISCUSSION OF A POSSIBLE CABLE TV FRANCHISE  
8:10 DISCUSSION OF A RESOLUTION DEDICATING A PORTION OF  
PROPERTY TAX REVENUES FOR NEIGHBORHOOD PROGRAMS  
8:40 STRATEGIC PLAN UPDATE

**FEBRUARY 16, MONDAY (Presidents' Day City Offices Closed)**

***\* MARCH 1, MONDAY 11:30 AM***

*11:30 OPEN*

**MARCH 1, MONDAY 7:00PM**

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW  
FUTURE WORKSHOP AGENDAS  
7:25 CITY MANAGER'S REPORT  
7:30 STRATEGIC PLAN UPDATE

***\* MARCH 15, MONDAY 11:30 AM***

*11:30 OPEN*

**MARCH 15, MONDAY 7:00PM**

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW  
FUTURE WORKSHOP AGENDAS  
7:25 CITY MANAGER'S REPORT  
7:30 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS

**BIN LIST FROM CITY COUNCIL RETREAT (June 2003)  
(and other reminders)**

1. Utilities in right-of-way ordinance
2. TCP/One-half Street Improvements, March?
3. Wingate Park Master Plan
4. Reduction of distance restriction for hotel and restaurant liquor licenses to college campuses.

## CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
<b>Subject</b>	Reduction of Distance Restriction for Hotel and Restaurant Liquor Licenses to College Campuses					
<b>Meeting Date</b>	Not Scheduled Yet					
<b>Date Prepared</b>	January 8, 2004				File # <b>NA</b>	
<b>Author</b>	Stephanie Tuin		<b>City Clerk</b>			
<b>Presenter Name</b>	Stephanie Tuin John Shaver		<b>City Clerk</b> <b>Acting City Attorney</b>			
<b>Report results back to Council</b>	X	No	Yes	When		
<b>Citizen Presentation</b>	Yes	<b>No</b>		Name		
Workshop	X	<b>Formal Agenda</b>		X	Consent	<b>Individual Consideration</b>

**Summary:** State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet. A property owner near Mesa State College has requested that City Council consider further reducing or eliminating the distance restriction for hotel/restaurant liquor licenses for principal college campuses.

**Budget:** There is no cost other than that of processing an ordinance. A change to the ordinance may result in additional liquor licenses in the vicinity of Mesa State College.

**Action Requested/Recommendation:** Set a public hearing for ???? to consider the request.

**Attachments:**

1. Map of the area affected
2. Proposed Ordinance

**Background Information:** Mr. John Bellio, a property owner on North Avenue, has contacted the City Clerk's office a number of times concerning the distance restriction. At present, due to the proximity of his property to Mesa State College, the business is only allowed a 3.2 percent beer license. His lessee would like to serve mixed drinks, in particular margaritas, and imported and domestic beer, which is greater than 3.2 percent.

State law, 12-47-313(1)(d)(II), C.R.S., provides that the distance is measured “by direct measurement from the nearest property line of the land used for school purposes to the nearest portion of the building in which liquor is to be sold, using a route of direct pedestrian access.” State Liquor Code Regulation 47-326 further clarifies that it is “measured as a person would walk safely and properly, without trespassing with right angles at crossings and with the observance of traffic regulations and lights.”

Using the City’s GIS system, other establishments in the area are removed from the college campus as approximated below. No requests have been made from these other businesses but if the distance restrictions were to be reduced or removed that may spark some interest. Also, if any of these businesses change hands, that too might generate a request for a hotel/restaurant liquor license.

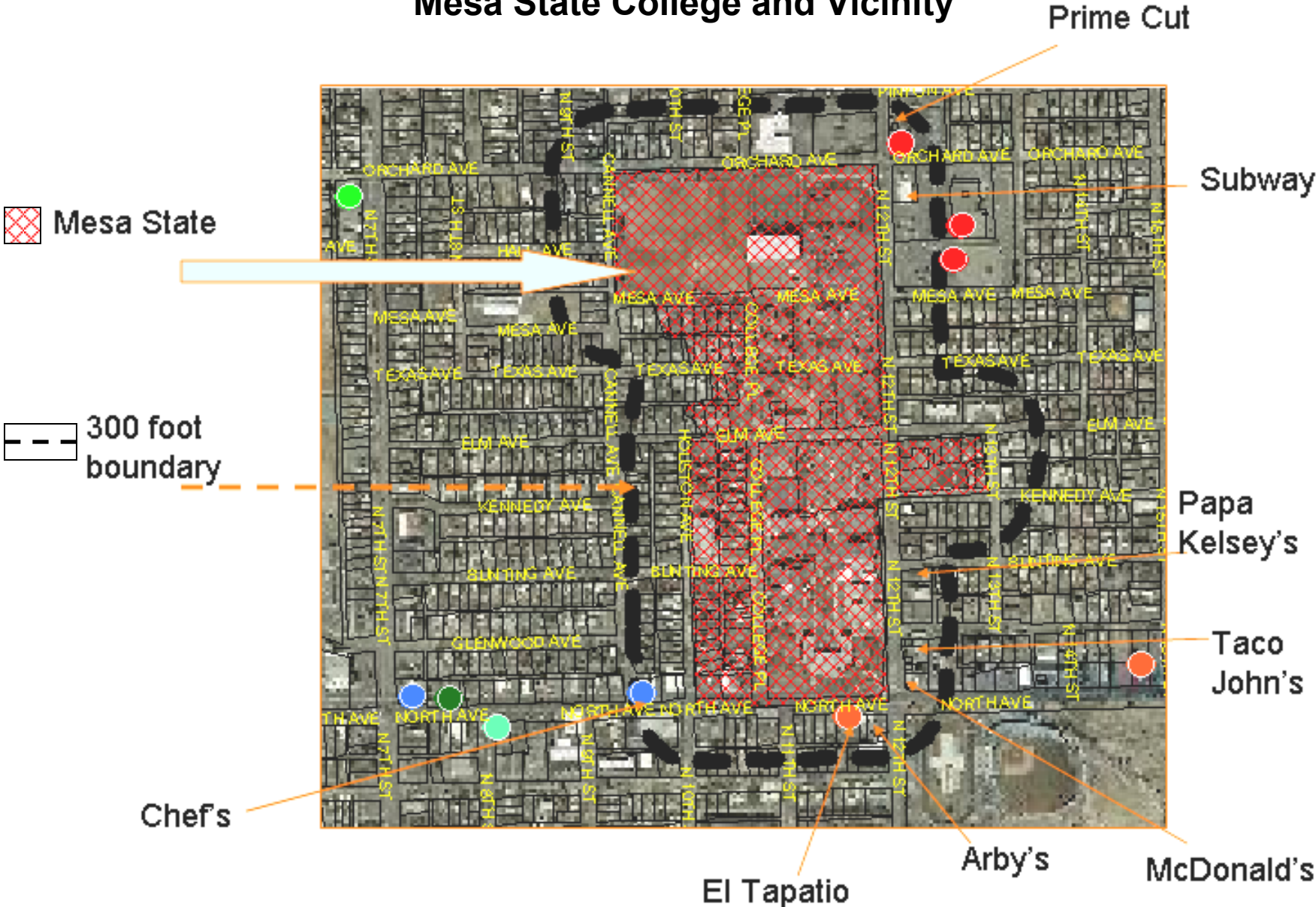
Any change to the distance will affect all locations in the City where a principal campus of a college, university or seminary exist. At present, there are no other principal college campuses.

Existing food establishments currently within 300 feet are all listed. Those that would be restricted under the current law are bolded (remember measurement is how a pedestrian would legally walk, using crosswalks). The measurements are approximate using the GIS system; only an on ground survey could determine the exact distance.

1. Chopstix Chinese Restaurant, 1029 North Ave - 342 feet
2. Blackjack Pizza, 1059 North Ave – 468 feet
3. Steaming Bean Coffee House, 1059 North Ave – 468 feet
4. Kentucky Fried Chicken, 1111 North Ave – 535 feet
5. Diorios Pizza, 1125 North Ave – 457 feet
- 6. El Tapatio, 1145 North Ave – 281 feet**
- 7. Arby’s, 1155 North Ave – 226 feet**
- 8. McDonalds, 1212 North Ave – 196 feet**
- 9. Taco John’s, 1122 N. 12 St - 241 feet**
10. Higher Grounds Coffee Shop, 1230 N. 12<sup>th</sup> St. – 332 feet
- 11. Papa Kelsey’s & Fred, 1234 N. 12<sup>th</sup> St - 133 feet**
- 12. Subway, 1840 N. 12<sup>th</sup> St – 200 feet**
- 13. Prime Cut, 1960 N. 12<sup>th</sup> St – 270 feet**
14. Chef’s, 936 North Ave – 297 feet (this restaurant was licensed prior to Mesa State buying the St. Matthews Episcopal Church property at 10<sup>th</sup> and North).

A map showing the locations of the bolded properties is attached.

# Mesa State College and Vicinity



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

**An Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances  
Reducing the Distance a Hotel and Restaurant  
Liquor Licensed Premise Must Be from the Principal Campus of a  
College or University in the City of Grand Junction**

**Recitals.**

12-47-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary.

12-47-313 (1)(d)(III) C.R.S. provides that "The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (d)".

In 1987, the City Council of the City of Grand Junction, after a properly noticed public hearing, adopted Ordinance No. 2367 which reduced the distance a hotel and restaurant liquor licensed establishment must be from the principal campus of a college or university to 300 feet.

The City Council considered a further reduction of distance required between hotel and restaurant liquor licenses and the principal campus of colleges and universities and has established the required distance as provided with this ordinance.

**NOW, THEREFORE, BE IT ORDAINED THAT:**

Under the provisions of 12-47-313 (1)(d)(III) C.R.S., the distance that a hotel and restaurant liquor licensed premises must be separated from the principal campus of a college or university in the City of Grand Junction is reduced from 300 feet to \_\_\_\_\_ feet. The distance shall be determined in accordance with 12-47-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326.

Introduced on first reading and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading and order published this \_\_\_\_\_ day of \_\_\_\_\_, 2004

ATTEST:

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President of the Council

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City Clerk



**Attach 3  
Sculptures for Parks**

**CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>								
<b>Subject:</b>		<b>Purchase of 1% for the Arts Sculpture for Canyon View and Westlake Skate Parks.</b>						
<b>Meeting Date:</b>		<b>January 21, 2004</b>						
<b>Date Prepared:</b>		<b>January 9, 2004</b>			<b>File #</b>			
<b>Author:</b>		<b>Allison Sarmo</b>		<b>Cultural Arts Coordinator</b>				
<b>Presenter Name:</b>		<b>Allison Sarmo</b>		<b>Cultural Arts Coordinator</b>				
Report results back to Council:		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When		
<b>Citizen Presentation</b>		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<b>Name</b>	<b>Doug Clary, Arts Commission Vice-Chair</b>	
<input checked="" type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>			<input checked="" type="checkbox"/>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The Commission on Arts and Culture recommends that the City Council approve the commission of two sculptures, one for Canyon View Park and one for Westlake Skate Park, through the 1% for the Arts Program. (Artists and sculpture titles will be included for this form Jan. 15 following the finalists' presentations on Jan. 14)

**Budget:** Canyon View Park budget = \$27,000 (includes \$17,000 from the capital construction budget which is 1% of the Phase II construction currently being completed, plus \$10,000 from the Commission's budget reserved for artwork purchase.)

Westlake Park budget = \$15,000 (which is 1% of the total spent on construction of Westlake Park over the last eight years and is part of the budget for the last phase of construction currently being completed.)

**Action Requested/Recommendation:** Authorize the City Manager, City Attorney, and the Commission on Arts and Culture to negotiate contracts with the two selected artists to create and install sculptures for Canyon View Park and Westlake Park.

**Attachments:**  
(Artists proposals and drawings will be supplied Jan. 15)

**Background Information:** The 1% for the Arts program was established by City Council 1997. In December, 2003 the Arts Commission, plus representatives from the Parks Department and the chair of the Mesa State College Art Dept. reviewed slides and proposals from 30 Colorado artists (including four from Grand Junction) and selected five finalists who had submitted five very diverse ideas for artwork. The finalists each made presentations of their proposals January 14 and two artists were selected.

**Attach W-2**

**Chipeta Ave Traffic Calming**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>		Chipeta Traffic Circles and Traffic Calming Policy Updates				
<b>Meeting Date</b>		January 19, 2004				
<b>Date Prepared</b>		January 14, 2004			File #	
<b>Author</b>		Jody Kliska		Transportation Engineer		
<b>Presenter Name</b>		Jody Kliska		Transportation Engineer		
<b>Report results back to Council</b>		X	No		Yes	When
<b>Citizen Presentation</b>			Yes	X	No	Name
X	Workshop		Formal Agenda			Consent
						Individual Consideration

**Summary:** Report on the temporary traffic circles installed for traffic calming on Chipeta Avenue at 13<sup>th</sup> and 14<sup>th</sup> Streets; request for permanent installation.

**Budget:** \$8,300.00. Funds are budgeted and available in the 2011 Fund, Activity F25600, Traffic Calming.

**Action Requested/Recommendation:** City Council approval for a permanent installation of the traffic circles.

**Attachments:** (1) Summary of data from Chipeta Avenue traffic calming; (2) drawing of proposed permanent circle 3) Map of survey area.

**Background Information:** City Council first heard from the residents in the area of Chipeta Avenue and 13<sup>th</sup> and 14<sup>th</sup> Streets on November 4, 2002 when the request to install traffic circles at the two intersections was proposed by the neighborhood. Approval for a temporary installation was granted. The circles were installed in March, 2003 and the neighborhood was surveyed for acceptance in September, 2003. Data was collected twice during the six-month period and was sent to the neighborhood along with a vote card. The results of the neighborhood vote on acceptance of the circles was as follows:

- Yes 17
- No 10
- No Opinion 2
- No Response 14

The proposed permanent circles would be constructed of concrete and be taller than the temporary curbing to increase visibility of the circles. The sewer manholes would also be raised to provide a slope for the landscape material to increase the visibility as well. Landscaping is envisioned as bark material and boulders. Preliminary discussions with Parks personnel indicate there would be minimal maintenance required, such as spraying for weeds. Parks indicated this could be incorporated in their maintenance schedule.

### Summary of data from Chipeta Avenue Traffic Calming

In March of 2003 traffic circles were installed on Chipeta Avenue at 13<sup>th</sup> Street and 14<sup>th</sup> Street as part of a traffic calming effort organized by your neighborhood to address concerns with speeding and pedestrian safety. As part of the adopted Traffic Calming Policy, the city surveys the neighborhood for acceptance and presents the results of data collected. Below is the before and after data. Please review this data, consider the results and fill out the enclosed self addressed/stamped survey card. Please mail the survey card by September 19, 2003. The results of the survey will be mailed out and posted on the city web site at [www.gjcity.org](http://www.gjcity.org) (go to Transportation Engineering Page).

*(a majority vote will decide if the circles are to remain in place or be removed)*

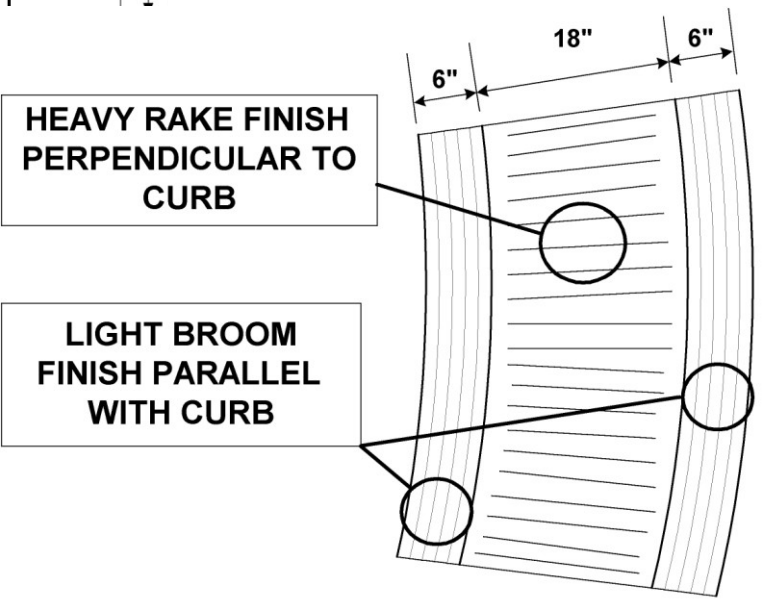
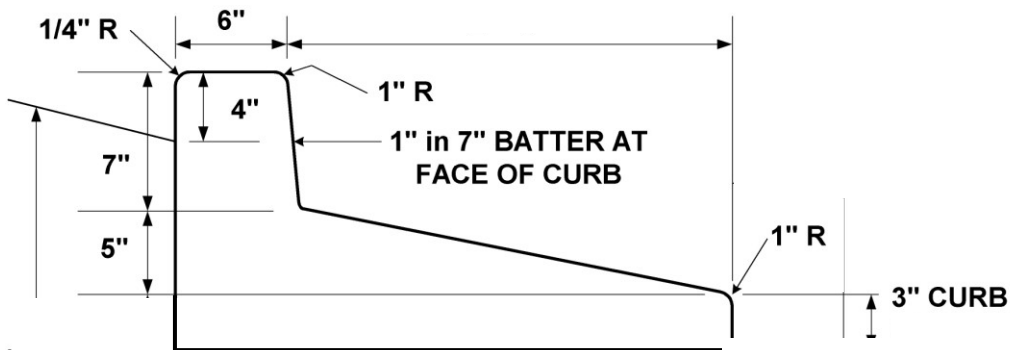
Location	*85% speed Before	*85% speed one month After	*85% speed six months After	Avg. Daily Traffic Before	Avg. Daily Traffic one month After	Avg. Daily Traffic six months After
Chipeta Av east of 13 <sup>th</sup> St EB & WB	30 MPH	29 (-1) MPH	26 (-4) MPH	300	316 (+16)	279 (-21)
Chipeta Av west of 13 <sup>th</sup> St EB App	30 MPH	30 MPH	27 (-3) MPH	193	193	178 (-15)
Chipeta Av west of 14 <sup>th</sup> St WB App	26 MPH	28 (+2) MPH	27 (+1) MPH	202	145 (-57)	150 (-52)
13 <sup>th</sup> St north of Chipeta Av SB App	25 MPH	22 (-3) MPH	Recorder malfunction	69	80 (+11)	61 (-8)
13 <sup>th</sup> St south of Chipeta Av NB App	25 MPH	20 (-5) MPH	22 (-3) MPH	91	91	80 (-11)
14 <sup>th</sup> St north of Chipeta Av SB App	26 MPH	24 (-2) MPH	24 (-2) MPH	180	212 (+32)	150 (-30)
14 <sup>th</sup> St south of Chipeta Av NB App	29 MPH	24 (-5) MPH	Recorder malfunction	223	244 (+21)	152 (-71)
* 85% speed = 85 out of every 100 vehicles recorded are traveling at or below this speed.						
Before volumes & speeds were recorded in March, 2001. After volumes & speeds were recorded August 26 - September 2, 2003						

There were no recorded accidents prior to the installations and there have been no recorded accidents since the installation. There was an average 2 MPH drop in the 85% speed. There was also a drop in the overall traffic volume of 208 vehicles. In general

the traffic circles have achieved the desired effect of reducing the over all speed of the drivers traveling on Chipeta Avenue and may have attributed to the diversion of non resident drivers.

**PLEASE MAIL ENCLOSED SURVEY CARD BY SEPTEMBER 19, 2003**

### Drawing of Proposed Permanent Circle



**HEAVY RAKE FINISH  
PERPENDICULAR TO  
CURB**

**LIGHT BROOM  
FINISH PARALLEL  
WITH CURB**

Cost Per Circle	
ITEM	COST
MH Riser (including labor)	\$200.00
Landscaping	\$200.00
Miscellaneous	\$100.00
Labor	\$300.00
<b>TOTAL</b>	<b>\$800.00</b>

### PLAN VIEW

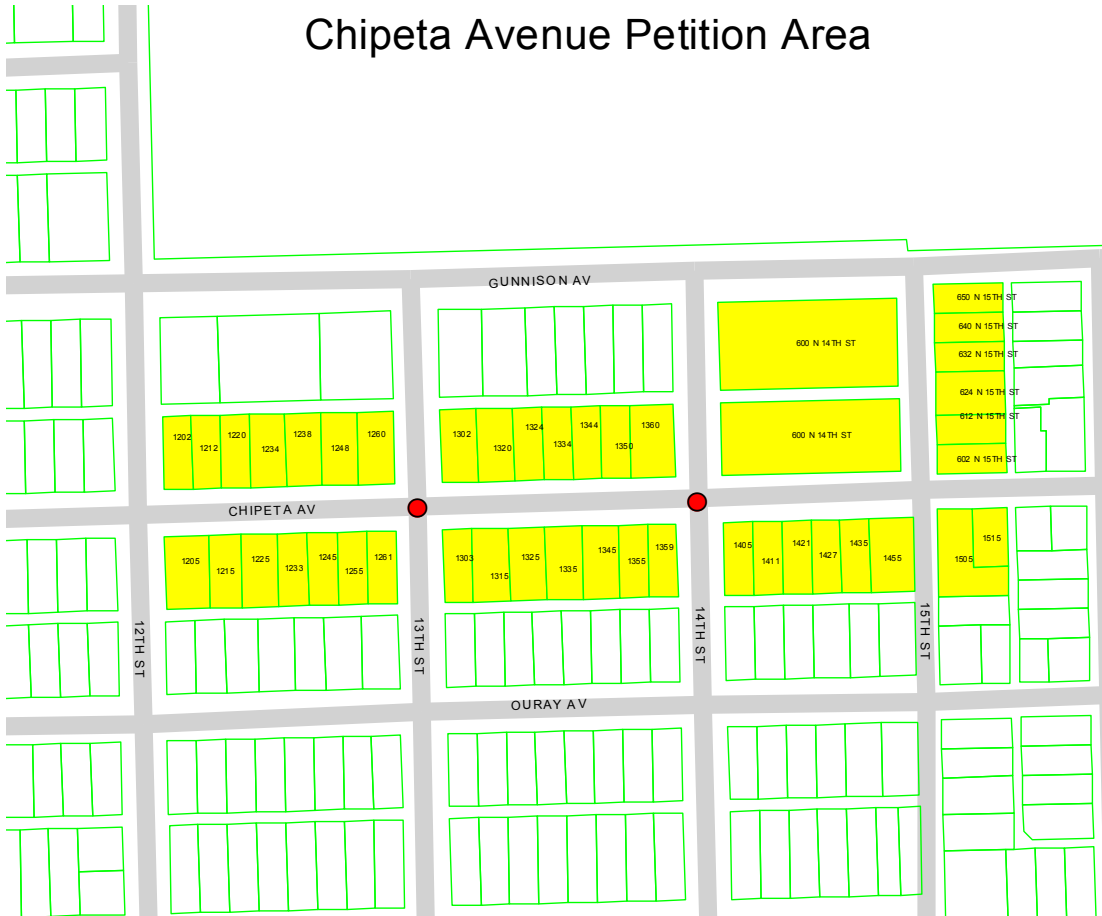
ITEM	COST
Form	\$3500.00
Casting	\$1600.00
<b>TOTAL</b>	<b>\$5100.00</b>



*Cost may vary depending upon concrete color & design.*

Cost for form is one time only. Additional circles will be charged for casting only.

# Chipeta Avenue Petition Area





**Attach W-3**

**Transients Issue Update**



***MEMO***

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**TO:** Kelly Arnold, City Manager  
**FROM:** David Varley, Assistant City Manager;  
Seth Hoffman, Administration Intern  
**DATE:** January 15, 2004  
**SUBJECT:** Whitman Park

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This summer, the Assistant City Manager and Administration Intern were asked to investigate the use of Whitman Park. This memo is intended to provide an update on those efforts.

The park – for a variety of reasons, including lack of playground equipment and parking – is not a destination for most of the citizens of Grand Junction. Instead it is largely used by transients as a place to pass time, most likely because of its proximity to services available to them. These services include the Catholic Outreach Day Center, the Soup Kitchen and Rescue Mission. The continuous stream of cars that pass the park makes it a lucrative panhandling site. Its proximity to the Colorado River – where many transient camps are located – is also a factor in determining the population that principally uses the park.

We met on several occasions with representatives from several City departments regarding Whitman Park, and while our focus was Whitman Park, the high cost of providing City services to transients emerged as a City-wide problem with no easy answers. It is clear that removing transients from Whitman Park will only move the problems their lifestyle brings to another part of the City. In fact, it is clear that transients and panhandling have spread throughout the City – along North Avenue, 1<sup>st</sup> and Grand and at the new intersection at the Rimrock Marketplace. For that reason, we have discussed City-wide strategies.

We also met with representatives from the DDA and the Museum of Western Colorado, who feel that moving the Greyhound Bus Station should be a major priority and that doing so will decrease the amount of criminal activity that takes place in Whitman Park. The police officers responsible for patrolling the area disagreed, stating that whatever crime occurred among bus patrons rarely spilled over into the park.

**Parks and Recreation Department:**

Since making Whitman Park a priority, the Parks and Recreation Department has implemented two changes intended to discourage dilatory visitors in the park. First, the Department altered its

watering schedule to discourage sleeping, and also experimented with moving and eliminating picnic tables. It is difficult to gauge the effectiveness of these measures.

Other suggestions by the Parks Department would require greater policy direction, budget allocation or both. These include the removal of the restroom facilities in the park to discourage long visits, installing playground equipment to encourage family visits, or a more complete recharacterization of the park by installing an amphitheater, a dog park, or by completely fencing off the park and making it into a purely visual attraction.

### **Law Enforcement:**

Staff in the City Manager's office has met on several occasions with the Police Department and Acting City Attorney John Shaver to coordinate our efforts and to identify and enhance PD's tools for dealing with transient related issues.

The PD has implemented a "zero tolerance" policy on transient-related crimes taking place in and around City parks by increasing enforcement of littering, trespassing, alcohol offenses and right-of-way violations. The officers we met with expressed concern that there was a group of about 40 transients they dealt with most often and that though these individuals were repeat offenders, they were receiving only short sentences when found guilty in Municipal Court. As a result, the City Attorney's Office and PD worked out a system in which criminal histories are provided and passed on to the City Prosecutor to request longer jail sentences. With longer sentences the deterrent value of incarceration may increase. The PD and the City Attorney's office have reported that the municipal judges have increased sentences of repeat offenders with this new process.

The City Attorney's Office and the Police Department stress that they can only enforce laws that relate to behavior, not appearances.

### **Conclusion/Recommendation:**

The bottom line is that short of fencing the park, it would be difficult to eliminate transients from Whitman Park. If Whitman Park was fenced, they would simply move to other parks. For that reason, it is recommended that transient and panhandling issues should be dealt with on a City-wide level, and whatever gains are made there will be felt in Whitman Park.

**Attach W-4  
Upcoming Appointments**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>		Upcoming Appointments to Boards & Commissions – Commission on Arts & Culture, Parks & Recreation Advisory Board, Walker Field Public Airport Authority Board of Directors					
<b>Meeting Date</b>		January 21, 2004					
<b>Date Prepared</b>		December 16, 2011			File # NA		
<b>Author</b>		Stephanie Tuin		<b>City Clerk</b>			
<b>Presenter Name</b>		Stephanie Tuin		<b>City Clerk</b>			
<b>Report results back to Council</b>		X	No		Yes	When	
<b>Citizen Presentation</b>			Yes	X	No	Name	
X	Workshop		<b>Formal Agenda</b>			Consent	<b>Individual Consideration</b>

**Summary:** The City Council will be conducting interviews for the Commission on Arts and Culture, and considering how to fill two vacancies due to resignations, one on the Parks and Recreation Advisory Board and one on the Walker Field Airport Authority Board of Directors. Interview dates have not been set nor has the interview committee been selected. Applications closed for Arts Commission on January 9, for Parks & Recreation on January 12 and for Walker Field on January 16.

**Budget:** NA

**Action Requested/Recommendation:** An opportunity for City Council to discuss the issues the boards are facing and/or any particular expertise needed on the boards.

**Attachments:**

1. The current membership roster for each board being discussed
2. Ethical Standards Resolution No. 84-02, adopted on 9-4-02

**Background Information:**

**Commission on Arts and Culture**

This is a nine-member board where at least 5 members must have acknowledged accomplishment as either an amateur or professional in architecture, art criticism, art education, art history, choreography, dance, communicative arts, crafts, folk and ethnic arts, literature, media arts, music, opera, painting, photography, sculpture, theater or urban design. Terms are for three years.

The mission of the Commission on Arts and Culture is to enhance local arts and cultural opportunities and development, encourage cooperation and collaboration among arts organizations, provide information to area artists and arts agencies and establish community arts priorities. The Commission meets the 4th Wednesday of each month at 4:00 p.m. Commission members (or their spouse) cannot serve on the governing board or be an employee of any other local arts or cultural organization.

The time commitment for this board runs around two hours per month plus committee meetings and cultural events which amount to about another 2 to 4 hours per month. The Arts Commission has by-laws in place and does address attendance issues if they arise.

The board has indicated additional expertise in the visual arts arena would be a helpful addition to the board, especially in light of the number of public arts projects with which they are involved. Someone with a business background would also be beneficial. The Arts Commission currently has the required amount of expertise but due to the nature of the board and the functions they perform, including making recommendations to the City Council on grant funding to cultural events, it is really important that anyone appointed have a true commitment to the arts.

There are three openings coming up on the board in February and only two incumbents are requesting reappointment.

### **Parks and Recreation Advisory Board**

This is a seven-member board; all members must be city residents. Terms are for three years. The Board assists in the planning of recreation activities, and it helps to promote a long-range program for the development of the City's park system.

The Board meets the 3rd Thursday of each month at 12:00 noon at Two Rivers Convention Center for about 1½ hours. In addition, there may be a subcommittee that requires an extra hour or two occasionally.

The Board is currently working on the development of Wingate Park and will be involved in the Lincoln Park Master Plan coming up later this year. The Board will also be focusing on neighborhood parks, funding and implementation options for the Lincoln Park Stadium Plan, partnerships with the School District, the County and private entities, dedication of the next phase of Canyon View Park, evaluating golf and trends within the Grand Valley, assessing community needs and recreation trends and on-going evaluation/implementation of the Parks Comprehensive Master Plan.

There is currently one vacancy on this Board due to Tom Fisher's resignation. The opening is until June, 2005. There will be three positions expiring later this year (in June). All three incumbents will be eligible for reappointment.

### **Walker Field Public Airport Authority Board of Directors**

The Airport Authority Board is a seven-member board, with three members appointed by Mesa County Commissioners (which may include a Commissioner but at present does not) and three members appointed by the Grand Junction City Council including one Councilmember (currently Gregg Palmer). The seventh member is appointed by the other Board members with the concurrence of the County Commissioners and City Council. Terms are for four years. The appointees shall be residents and tax paying electors of Mesa County and Grand Junction as defined by Colorado Law.

The Airport Authority is charged with setting policy and overseeing the operations of the Airport ensuring compliance with its By-Laws, with the State of Colorado Public Airport Authority Law and with FAA Regulations.

The formal Board meeting is at 5:15 p.m. on the third Tuesday of each month with the workshop held the prior Tuesday, also at 5:15 p.m. The time commitment for this Board is about four hours per month for meetings (an average of two hours for both the formal and workshop meetings). Occasionally a subcommittee is formed to address specific issues which may require up to 10 hours annually.

Increased security is a continuing issue with the airport as well as improvements funded through FAA grants and the requirements for using those grants. Maintaining service and working with regulatory governmental agencies to ensure the safety and security of passengers is an important issue but the Board must also work with a variety of users besides just the commercial airlines and their customers including private enterprise, cargo companies, BLM and other governmental agencies. The Board sets the user fees and is responsible for ensuring the financial viability of the airport. Lastly, there has been a growing interest in leasing property at the airport.

There is one vacancy due to the resignation of Jim Gardner. The term is until May, 2005. Other than Council representation or an unforeseen resignation, there will be no other city appointed positions open on this Board until 2007.

**COMMISSION ON ARTS & CULTURE**

**9 Member - Three-Year Terms**

<b><u>NAME</u></b>	<b><u>APPTED</u></b>	<b><u>REAPPT'D</u></b>	<b><u>EXP</u></b>	<b><u>OCCUP'N</u></b>
Bill Whaley <b>E</b>	07-07-99	03-07-01	02-01 02-04	Musician/ CO Dept. of Housing
Pamela Blythe <b>E</b>	06-21-00	02-19-03	02-03 02-06	Architect/ Designer
Doug Clary <b>E</b>	09-05-01	03-20-02	02-02 02-05	Publisher/ Flower grower
Lee Borden <b>E</b>	04-16-03		02-06	Producer/ Theatre Company Manager
Priscilla Mangnall <b>E</b>	02-19-97	03-03-99 03-20-02	02-99 02-05	Visual Artist/ MS Society of Mesa Co.
Janet Prell <b>L</b>	06-07-00	02-19-03	02-03 02-06	Homemaker
Jack Delmore <b>E</b>	03-20-02		02-05	Associate Professor- Mesa State Music & Theater
Joan Meyers <b>L</b>	03-07-01		02-04	Retired District 51 teacher
Karen Kiefer <b>E</b>	11-21-01		02-04	Artist/ Business Owner

All nine members are appointed by the Grand Junction City Council. At least five members must have acknowledged accomplishment as either an amateur or professional in architecture, art criticism, art education, art history, choreography, dance, communicative arts, crafts, folk and ethnic arts, literature, media arts, music, opera, painting, photography, sculpture, theater or urban design.

Created: September, 1989, By-Laws: 1991, Amendment that City Council member is a voting member on 10-5-94, Amendment that one appointment may be a councilmember but doesn't need to be on 6-5-96.

Meetings: Fourth Wednesday, 4:00 p.m., Parks Conference Room, 1340 Gunnison Avenue

E – expertise  
L - layperson

**PARKS AND RECREATION ADVISORY BOARD**

Three-Year Terms  
Seven Member Board

Tom Fisher resigned  
11/20/03, National  
Guard Unit was  
mobilized.

<b>NAME</b>	<b>APPT</b>	<b>REAPPT</b>	<b>EXP</b>	<b>OCCUPATION</b>
Bob Cron	06-02-99	06-26-02	06-30-02 06-30-05	Retired-Outdoor Recreation
Bernie Goss (Chair)	07-19-00	07-02-03	06-30-03 06-30-06	Athletic Trainer/ Counselor-St. Mary's
Vacant			06-30-05	
Dennis Derrieux	08-01-01		06-30-04	Home Loan & Investment
Reford Theobald	07-02-03		06-30-06	Owner – TNT Promotions
David Detwiler	10-02-02		06-30-04	Director of Pre- Construction Services
Dale J. Hollingsworth	03-20-02 (filled unexpired term)		06-03-04	Former City Council '79, Plan.Comm.
Cindy Enos- Martinez	07-02-03		05-2004	Ex-officio Member

Seven members are appointed by the Grand Junction City Council. Members must be a citizen of the City.

Created: December, 1984, By-Laws: February, 1985

Meetings: Third Thursday, 12 noon, Two Rivers Convention Center

**WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY**

Jim Gardner  
resigned 12/16/03.

**7 Member - Four-Year Terms**

<b>NAME</b>	<b>APPTED</b>	<b>REAPPTED</b>	<b>EXP</b>	<b>Occupation</b>
Karen Berryman (county)	03-05-01		3-5-05	
Miles McCormack (at large)	03-05-97	01-16-01	01-01 01-05	
Craig Springer (county)	01-15-99 01-01-03		01-03 01-07	
Frank Roger Little (city)	07-02-03		05-07	retired
Robert McCormick (Chair) (county)	04-96	10-07-96 02-08-00 12-23-03	10-96 01-04 01-08	
Vacant (city)			05-05	
Gregg Palmer (Council Rep)	05-07-03		05-04	

Three members are appointed by Mesa County Commissioners including one Commissioner. Three members are appointed by Grand Junction City Council including one Council Member. The seventh member is appointed by the other Board Members with the concurrence of the County Commissioners and City Council.

Created: 1971

Meetings: Third Tuesday, 5:15 p.m., Walker Field (workshops are held on the Second Tuesday)



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 84-02**

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

Recitals.

- A. 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 the members of such boards and commissions may be viewed as being the act or pronouncement of the City.
- B. 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.
- C. 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;
  - issue and regulate City licenses, including the power to suspend or revoke a right or privilege to do business with or within the City.
- D. The following are Authoritative:
- Grand Junction Downtown Development Authority  
Walker Field Public Airport Authority (only for the three City appointees)  
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 (only for the City's appointee)  
Public Finance Corporation  
Riverview Technology Corporation  
Grand Junction Forestry Board  
Ridges Architectural Control Committee

E. A member of a body with advisory powers and duties only could normally not make a decision that is an actual conflict of interest, although a question of appearance of impropriety might arise. Such groups that are normally acting through a City 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  
Visitor & Convention Bureau Board of Directors  
Other *Ad Hoc* Committees

F. All members City’s boards and groups 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.

G. Some court cases from other jurisdictions have suggested that the ethical and conflict rules for Authoritative groups should be the same as the rules for the City Council. Based on those cases, initial drafts of these rules treated all members of Authoritative groups as being equivalent as members of the City Council.

While having one rule for the Council and all Authoritative groups has the benefit of simplicity, there are quite real and significant limitations. Namely such a rule would mean, for example, that the spouse of an appointee to a City board would be prohibited from bidding on a City job, even though the particular board has no other connection with the bid.

H. Having considered the benefits and practical impacts of the earlier draft, the Council determines that the earlier draft rule should apply to the members of the Council. For authoritative boards, the rule should be to view each such board on its own, and not act as though totally unrelated boards and groups are the same for these purposes.

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

1. These rules supplement state and other applicable law, especially including §101 of the City charter.
2. The recitals are a substantive part of these rules.

3. A member of an Authoritative board is subject to the same rules as is a Council person, but only with regard to the particular board or group on which the member serves.
4. Rules for members of an Authoritative board are:
  - (a) With regard to the board or group on which the member serves, it is not allowed for the member, or immediate family or business associates of the member, to contract with or have a business relationship with such member's board or group.
  - (b) It is not allowed for a member to act or be involved in a decision or situation in which it could reasonably be perceived that the member's personal or financial interests could influence the decision-making.
  - (c) Regarding the board or group on which a member serves, such member shall not act, influence or be involved in a decision or situation in which the member's immediate family or business associate is involved.
  - (d) Regarding the board or group on which the member serves, it is not allowed for a member's immediate family or business associate to do business with the board or group.
  - (e) Each member must disclose the conflict or appearance of impropriety (including the potential of either) as soon as possible.
  - (f) If a conflict exists, the member must remove him or herself from further involvement in the decision or the process. If an appearance of impropriety exists, the member may remove him/herself or may seek the guidance of the other members of the board or group. In addition, if either a conflict or the appearance thereof reasonably exists, the member must avoid exercise of any attempt to influence any decision-maker.
5. Advisory boards and members are not subject to the rules that apply to Authoritative boards or groups, except that:
  - (a) A member of an advisory board or group must: as soon as possible disclose the conflict, appearance of impropriety, or potential thereof; and such member must absent him/herself from participation or influence regarding the matter.
6. There is no conflict, nor impropriety, for any member of any City Authoritative or Advisory board or group if the matter does not involve the board or group on which the member serves.
7. Some explanatory situations are described on the attached "Ethical Situations and Recommended Actions."

For this resolution:

- (a) "disclosure" or "disclose" means to write or email each member of the respective board or group, and to send a copy to the Mayor and to the City Attorney. The City Attorney shall deliver a copy of all such disclosures, along with any legal

opinion that is made available to the public, to the City Clerk who will keep a public record of all such disclosures;

- (b) “immediate family” means a person’s spouse/partner and the person’s children, siblings and others living together as a family unit. Cousins, aunts, uncles, and parents would not be deemed “immediate family” unless living with the person as a part of the same family unit;
- (c) “business associate(s)” means a person who is:
  - (i) an owner of ten percent (10%) or more of a firm, corporation, limited liability company, partnership or other legal entity; and/or
  - (ii) an officer or director of a corporation; a manager or general manager of a member of a limited liability company; a partner of a partnership or a similar position of authority in another entity.

PASSED and ADOPTED this 4<sup>th</sup> day of September, 2002.

/s/ Cindy Enos-Martinez  
President of the Council

ATTEST:

/s/ Stephanie Tuin  
City Clerk

# Memo

**To:** City Council  
**From:** Dan Wilson, City Attorney  
**CC:** Law, Kelly Arnold, David Varley  
**Date:** July, 2002  
**Re:** Ethical Rules Scenarios

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**Scenario #1:** An applicant for an authoritative board is the owner of a firm and routinely does business for the City, but not for the board for which he is applying. The historical sales to the City by the applicant have all been pursuant to public bid process.

**Answer:** The applicant would be able to do business with the City and with any board other than the authoritative board to which appointed.

**Scenario #2:** An applicant for an authoritative board is not the owner, but is the number three person in a ten person firm that routinely does business with the City, but not for the board for which he is applying. The sales to the City by the applicant's firm are pursuant to public bid process.

**Answer:** If the #3 person is not an owner of the firm nor an officer, manager or member of the firm but is in a support role to the CEO/owner, then there is no conflict of interest.

Does this second scenario involve an appearance of impropriety? Stated another way, would a member of the public view the connection of the applicant to the firm as being identical as that of the owner? If so, the #3 person should disclose his/her relationship with the firm during the application process.

**Scenario #3** – If the applicant for the authoritative board was one of the primary workers for the ten person firm, but not in a management or supervisory role, would the result change?

**Answer:** The resolution would allow the arrangement. The person can serve because the person is not exercising decision making authority for the firm.

**Scenario #4:** – If an applicant for an authoritative board is the owner of a firm that provides services to another City authoritative board (rather than directly to the City), should the result change?

**Answer:** Because each authoritative board is viewed separately from other City authoritative boards, the applicant would be able to do business with the City and with any authoritative board except the one to which the person was appointed.

**Scenario #5:** If an applicant for an authoritative board is the husband of an owner of a firm that provides services to another City authoritative board, should the result change?

**Answer:** The owner/wife would only be barred from doing business with the particular authoritative board on which the husband served.

**Scenario #6** – If an applicant for an authoritative board is the sibling of an owner of a firm that provides services to another City authoritative board, should the result change?

**Answer:** This depends on the relationship between the siblings. Unless the sibling was living in the same house as the owner of the firm, there is no conflict.

An individual applicant or board member might still recuse in a particular instance regarding other members of one's extended family if the relationship is such that it would be difficult to make an independent and objective decision.

**Scenario #7:** If an applicant's best friend does business with the City, but does not do business with the authoritative board itself, is that a problem?

**Answer:** No conflict exists. Nevertheless, because the public could reasonably perceive that the close personal relationship would influence decision-making, recusal is appropriate.

**Scenario #8:** If an applicant's ex-spouse is one of the prime contractors for the City from time to time, but not at the time that the applicant would be appointed, would the applicant's appointment bar another contract during his or her term?

**Answer:** No, because the "ex-spouse" does not fit within the definition of family or close business associate.

**Scenario #9:** May the child of a member of an advisory board bid on a City Public Works Department contract authorized by the City Council?

**Answer:** Because the requirement for members of advisory boards is disclosure, once that has been completed, there is no other bar to such a bid.

**Scenario #10:** Assume that the Arts Commission was expected to recommend to the Parks Director regarding the Director's purchase of a piece of art. If one of the members of the Commission was close friends with the creator of one of the pieces of art, the member should disclose the relationship and avoid further involvement with the process of making recommendations and acquiring the artwork.

-end-