

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA**

**MONDAY, APRIL 19, 2004, 7:00 P.M.
CITY HALL AUDITORIUM, 250 N. 5TH STREET**

MAYOR'S INTRODUCTION AND WELCOME

7:00 COUNCILMEMBER REPORTS

7:10 CITY MANAGER'S REPORT

7:15 REVIEW FUTURE WORKSHOP AGENDAS

[*Attach W-1*](#)

7:25 REVIEW WEDNESDAY COUNCIL AGENDA

7:30 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS: In anticipation of upcoming appointments to the Planning Commission Board of Appeals, Downtown Development Authority, Urban Trails Committee and Parks & Recreation Advisory Board, City Council will discuss specific issues relating to each board.

[*Attach W-2*](#)

7:45 CITY LOGO DISCUSSION

8:45 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.

CITY COUNCIL WORKSHOP AGENDAS

**** May 3, MONDAY 11:30 AM at CITY'S SENIOR CENTER***

11:30 DISCUSSION OF LINCOLN PARK MASTER PLAN

MAY 3, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 TRANSPORTATION CAPACITY PAYMENT AND ONE-HALF STREET IMPROVEMENTS POLICY
- 8:10 STRATEGIC PLAN UPDATE
- 8:25 COUNCIL MEMBERS APPOINTMENTS TO BOARDS & COMMISSIONS

**** MAY 17, MONDAY 11:30 AM at TWO RIVERS CONVENTION CENTER***

11:30 MEET WITH SCHOOL DISTRICT 51 BOARD

MAY 17, 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

MAY 31, MONDAY: Memorial Day, No Meetings

JUNE 14, MONDAY 7:00PM

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 UPDATE ON THE RIVERSIDE PARKWAY 1601 PROCESS
- 8:15 STRATEGIC PLAN UPDATE
- 8:30 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS

JULY 5, MONDAY: July 4th Holiday, No Meetings

**** JULY 19, MONDAY 11:30 AM***

11:30 OPEN

JULY 19, 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
- 7:45 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS

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

1. Utilities in right-of-way ordinance
2. Ridges Architectural Control Committee Letter
3. Annual Persigo joint meeting

Attach W-2

Upcoming Boards and Commissions

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Upcoming Appointments to Boards & Commissions – Planning Commission Board of Appeals, Downtown Development Authority, Urban Trails Committee, and Parks & Recreation Advisory Board					
Meeting Date		April 19, 2004					
Date Prepared		December 16, 2011			File # NA		
Author		Stephanie Tuin		City Clerk			
Presenter Name		Stephanie Tuin		City Clerk			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
X	Workshop		Formal Agenda			Consent	Individual Consideration

Summary: The City Council will be conducting interviews for the Downtown Development Authority, Planning Commission Board of Appeals and Parks & Recreation Advisory Board. The Riverfront Commission will be making appointments to the Urban Trails Committee for the City Council’s ratification. Interview dates have not been set nor have the interview committees been selected. Applications closed for Planning Commission Board of Appeals on April 20 and the other three close on April 30.

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:

Planning Commission Board of Appeals

This one vacancy occurred due to John Paulson being appointed to the Planning Commission and is only a partial term until October, 2004. This a five-member board with two members serving as alternates for Planning Commission. Members must be City residents and must be selected from the fields of: engineering, architecture, construction trades and citizens-at-large. Terms are for three years.

The Board of Appeals hears and decides appeals of administrative decisions, appeals for variances of the bulk requirements and non-conforming uses, and requests for exceptions to the side or rear setback requirements pursuant to the Zoning and Development Code. The Board also makes recommendations to the Planning Commission for amendments to the Zoning and Development Code. The Board meets on the 2nd Wednesday of the month at noon as needed.

The time commitment for this board runs around four hours per year unless the member serves as an alternate to the Planning Commission. Then the time commitment is much more as they should attend all Planning Commission meetings.

The board has not provided any information regarding the expertise needed but they currently have two attorneys on the board. Since the requirements other than citizens at-large are those in engineering, architecture, or construction trades, applicants in those areas of expertise should be considered.

As of this writing there has been one application received. This is the second time we have advertised.

Downtown Development Authority

There are three seats to fill. Two are full terms, one incumbent has requested reappointment (Harry Griff), and the other is not eligible due to term limits. The other vacancy is a partial term until June, 2006, that occurred due to a resignation. This is a nine-member board; members must be a resident, business lessee or own real property within the boundaries of the DDA except for the one member appointed from the City Council. Terms are for four years.

The DDA's primary purpose is to facilitate the reinvestment in and the redevelopment of downtown Grand Junction. The function of the Board of Directors is to establish policy and direct the Authority in its efforts. The meetings are held the 1st and 3rd Thursday of each month, at 7:30 a.m.

The time commitment for this board is about 10 to 12 hours per month, which includes two 1.5 hour meetings per month.

The City did receive a letter from the board chair, as requested, regarding skills and expertise needed and suggests Council consider individuals with extensive business experience, persons that are at ease with business negotiations and interpersonal relationships.

Other than the one request for reappointment, the City has received no new applications.

Urban Trails Committee

This board can operate with seven to eleven members. There are two seats expiring in June and three seats that have been left vacant for nearly a year. Of the two seats expiring, both are eligible for reappointment but we have not heard from either incumbent as of this date. Members are appointed by the Riverfront Commission with the concurrence of City Council. Terms are for three years.

The purpose of this board is to promote and facilitate trail design and construction within the City of Grand Junction, and to plan for integration with trails in areas which will be annexed. The Committee meets the 2nd Tuesday of each month at 7:30 p.m.

The time commitment for this board is about 10-15 hours a month, which includes a two hour monthly meeting and special projects outside the regular meeting.

A letter requesting input as to skills and expertise was sent with a return response of April 20. Nothing has been received so far. Since Riverfront Commission makes appointment to this board, those comments will be passed along.

One new application has been received.

Parks and Recreation Advisory Board

Three terms are expiring in June. So far two incumbents have requested reappointment. No new applications have been received. 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.

To fill a recent opening, input on skills and expertise was solicited from the board. I sent another letter at the end of March to the board chair providing the opportunity for any additional input. I have not received a response as of this date.

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.

Since City Council has recently interviewed for this position there are current applicants to be considered. No new applications have been received as of this date.

PLANNING COMMISSION
BOARD OF APPEALS

Three Year Terms

Five Member Board

John Paulson moved to Planning Commission 2/17/04

NAME	APPTED	REAPPT'D	EXP	OCCUPATION
Paul Dibble Chair	01-02		10-04	Theolo- gist/Business Owner
Mark Williams	07-19-00	11-05-03	10-03 10-06	Attorney
Vacant			10-04	
Travis Cox (1 st alt)	09-04-02		10-04	Realtor
Tom Lowrey (2nd Alt)	11-05-03		10-06	Attorney

Five voting members are appointed by City Council. Members must be city residents and voting members must be selected from the fields of engineering, architecture, construction trades and citizens-at-large. The chair of the Planning Commission also serves on the Board of Appeals.

Meetings: Second Wednesday, noon, City Hall Auditorium

DOWNTOWN DEVELOPMENT AUTHORITY

Four-Year Term
Nine-Member Board

NAME	APPTED	REAPPT'D	EXP	OCC'PN
Doug Simons	08-04-99	07-02-03	06-30-03 06-30-07	Enstrom Candies - owner
P.J. McGovern	04-05-00	07-17-02	06-30-02 06-30-06	Pizza hut owner, owns other property downtown
Larry Botkin	07-17-02		06-30-06	Business Owner – Sports Page
Scott Howard	07-02-03		06-30-05	Part Owner, Rockslide Brew Pub
Bruce Benge	06-19-96	09-06-00	06-30-00 06-30-04	Benge's Shoes, owner
Karen Vogel	07-02-03		06-30-07	Chief Fin. Officer/Treas.
Harry Griff	05-01-02		06-30-04	Attorney, Partner in law firm
Becky Brehmer	07-02-97	07-11-01	06-30-01 06-30-05	Restaurant owner
Harry Butler	05-07-03		05-04	

Nine member board appointed by the Grand Junction City Council. Each of the eight members must be a resident, business lessee or own real property within the boundaries of the DDA. One member shall be appointed from the City Council and is exempt from the above qualifications.

Created: 1976

Meetings: First and Third Thursdays starting August, 2001, 7:30 a.m., Whitman Education Center, 248 S. 4th Street

URBAN TRAILS COMMITTEE

Three Year Terms

Seven to Eleven Members

Birgit resigned,
moved to Germany,
Ken Scissors
resigned, Walid
resigned along with
the end of his

NAME	APPTED	REAPPTED	EXP	OCCUPATION
Vacant			06-30-05	
Craig Parker	08-06-03		06-30-06	Civil engineer
Robert Traylor	11-12-98	10-18-00 08-06-03	06-30-00 06-30-03 06-30-06	Attorney
Janet Hollingsworth	10-18-00	08-06-03	06-30-03 06-30-06	Hilltop Community Resources
Clark Rieves	11-03-99	09-05-01	06-30-01 06-30-04	CPA
Vacant			06-30-04	
Judy Craddock	10-18-00	09-05-01	06-30-01 06-30-04	Researcher & Teaching Asst-MSc
Diana Cort	11-03-99	06-30-02	06-30-02 06-30-05	
Timothy Fry	10-18-00	06-30-02	06-30-02 06-30-05	Business Owner
Vacant			06-30-05	
Kent Leinbach	08-06-03		06-30-06	Computer system administrator for the BLM

Created: 6-15-94, first appointments made January, 1995

Appointed by Riverfront Commission with the concurrence of the City Council

Meetings: 2nd Tuesday of month at the Public Meeting Room in the old courthouse at 544 Rood, 5:30 pm

Staff contact: Michele Rohrbach

PARKS AND RECREATION ADVISORY BOARD

Three-Year Terms

Seven Member Board

NAME	APPT	REAPPT	EXP	OCCUPATION
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
Lenna Watson	04-07-04		06-30-05	Events Coordinator - Hospice
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

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/her self 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 4th 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

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.

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