

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

WEDNESDAY, MAY 19, 2004, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Pastor Mark Quist, New Life Church

PROCLAMATIONS / RECOGNITIONS

PRESENTATION OF APPRECIATION PLAQUE FOR OUTGOING MAYOR JIM SPEHAR

ANNUAL HISTORIC PRESERVATION AWARD TO DDA AND OWNERS OF THE REED BUILDING BY BILL JONES, CHAIR OF THE HISTORIC PRESERVATION BOARD

PROCLAIMING THE WEEK OF MAY 16 – 22ND AS “EMERGENCY MEDICAL SERVICES WEEK” IN THE CITY OF GRAND JUNCTION

PROCLAIMING SUPPORT FOR A “WELCOME HOME VIETNAM VETERAN’S DAY” IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENTS TO PARKS AND RECREATION ADVISORY BOARD

APPOINTMENT TO PLANNING COMMISSION AND APPOINTMENT OF FIRST ALTERNATE TO PLANNING COMMISSION

***APPOINTMENTS TO THE DDA BOARD OF DIRECTORS

CITIZEN COMMENTS

*** CONSENT CALENDAR ***[®]

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

Action: Approve the Summary of the May 3, 2004 Noon Workshop, May 3, 2004, 2004 Workshop, Minutes of Special Meeting May 3, 2004 and the Minutes of the May 5, 2004 Regular Meeting

2. **Setting a Hearing on Modifying the Transportation Capacity Payment (TCP)** [Attach 2](#)

City Council consideration of an Ordinance that proposes modifications to the Transportation Capacity Payment (TCP) and half street policies. The Ordinance would increase the TCP from \$500 per single family unit to \$1500 per single family unit. The fee schedule for commercial industrial development would also increase by a similar proportion. The Ordinance also places the responsibility of construction half street, safety, and off-site improvements associated with new developments with the City.

Proposed Ordinance Amending Ordinance No. 2750 as Codified as Section 6.2 of the Grand Junction Zoning and Development Code Concerning Transportation Capacity Payments Including Calculations thereof, Credits and Approved Methodologies

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

Staff presentation: Mark Relph, Public Works and Utilities Director
Tim Moore, Public Works Manager

3. **Setting a Hearing on Zoning the Cameck Annexation to RMF-5 Located at 3048 D ½ Road** [File # ANX-2004-049] [Attach 3](#)

Introduction of a proposed zoning ordinance to zone the Cameck Annexation to RMF-5, located at 3048 D ½ Road.

Proposed Ordinance Zoning the Cameck Annexation to RMF-5 (Residential Multi-Family 5 du/ac) Located at 3048 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

Staff presentation: Senta L. Costello, Associate Planner

4. **Setting a Hearing on Zoning the Holley Annexation to RSF-4 Located at 2936 D ½ Road** [File # ANX-2004-059] [Attach 4](#)

Introduction of a proposed zoning ordinance to zone the Holley Annexation to RSF-4 (Residential Single Family 4 du/ac), located at 2936 D ½ Road.

Proposed Ordinance Zoning the Holley Annexation to RSF-4 (Residential Single Family 4 du/ac) Located at 2936 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 2, 2004

Staff presentation: Senta L. Costello, Associate Planner

5. **Setting a Hearing for the Peregrine Estates Annexation Located at 2157 S. Broadway** [File # ANX-2004-060] [Attach 5](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 18.585 acre Peregrine Estates Annexation consists of 1 parcel located at 2157 S. Broadway. The property currently has a development application in the review process for a new subdivision consisting of 25 single family lots.

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

Resolution No. 47-04 – 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, Peregrine Estates Annexation Located at 2157 S. Broadway

®Action: Adopt Resolution No. 47-04

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Peregrine Estates Annexation Approximately 18.548 Acres Located at 2157 S. Broadway

Action: Introduction of Proposed Ordinance and Set a Hearing for July 7, 2004

Staff presentation: Senta L. Costello, Associate Planner

6. **Setting a Hearing – Vacating a 40' Utility Easement at 311 Pinon Street in Riverglen Subdivision** [File # PP-2003-215] [Attach 6](#)

Request approval to vacate a 40' utility easement located at 311 Pinon Street. The property is being replatted for residential development and the existing 40' utility easement is not needed. All required utility easements shall be provided with the new development at the time of platting.

Resolution No. 48-04 – A Resolution Vacating a Utility Easement for the Riverglen Subdivision Site Located at 311 Pinon Steet

®Action: *Adopt Resolution No. 48-04*

Staff presentation: Lisa E. Cox, Senior Planner

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

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

7. **Construction Contracts** (Items a. and b. may be approved in one motion)

a. **New Sidewalk Construction 2004**

[Attach 7](#)

Award of a construction contract for the New Sidewalk Construction Project to BPS Concrete, Incorporated in the amount of \$155,862.91. The project consists of the construction of pedestrian facilities including concrete sidewalk and access ramps on streets that do not currently have sidewalk improvements.

Action: Authorize the City Manager to Sign a Construction Contract for the New Sidewalk Construction with BPS Concrete, Inc. in the Amount of \$155,862.91

Staff presentation: Mark Relph, Public Works and Utilities Director

b. **25 ½ Road Reconstruction Phase II Street**

[Attach 8](#)

Award a construction contract for the 25 ½ Road Reconstruction Phase II Street to M. A. Concrete Construction in the amount of \$1,053,885.11. This is the second phase of a project that will improve 25 ½ Road from the north side of Independent Avenue to the south side of Patterson Road. The proposed improvements include a center turn lane from Independent Avenue to Patterson Road, intersection improvements at West Orchard Avenue and Patterson Road, storm drainage system, underground utilities, street lighting, curb, gutter, sidewalk, and bike lanes on both sides.

Action: Authorize the City Manager to Sign a Construction Contract for the 25 ½ Road Reconstruction Phase II Street with M.A. Concrete Construction in the Amount of \$1,053,885.11.

Staff presentation: Mark Relph, Public Works and Utilities Director

8. **Memorandum of Understanding with United States Department of Agriculture Forest Service Grand Valley Ranger District** [Attach 9](#)

The City of Grand Junction and the United States Department of Agriculture Forest Service, Grand Valley Ranger District (Forest Service) are entering into a Memorandum of Understanding (MOU) for five (5) years towards a partnership that will ensure protection of the quality and quantity of the City's municipal water supply.

Action: Authorize the Mayor to Sign a Memorandum of Understanding with United States Department of Agriculture Forest Service Grand Valley Ranger District and Direct Staff to Begin Implementing the Steps Outlined in the MOU

Staff presentation: Kelly Arnold, City Manager
John Shaver, City Attorney
Dennis Kirtland, Councilmember
Bruce Hill, Mayor

9. **Wingate Park/School Intergovernmental Agreement** [Attach 10](#)

The City of Grand Junction has entered into a contract with American Civil Constructors (ACC) to design and build Wingate Park. The City and School District 51 wish to establish an arrangement for the shared use and operation, on School and City property, with the objective of maximizing public access consistent with School District and City goals.

Action: Authorize the City Manager to Enter into an Intergovernmental Agreement between the City of Grand Junction and Mesa County School District No. 51 for the Purpose of Constructing, Maintaining, and Jointly Utilizing Improvements on City and School Owned Property at Wingate Park and School

Staff presentation: Joe Stevens, Director of Parks and Recreation

10. **Public Hearing – Chipeta Glenn Annexation Located at 2975 and 2977 B ½ Road** [File # ANX-2004-032] [Attach 11](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Chipeta Glenn Annexation, located at 2975 and 2977 B ½ Road. The 13.641 acre annexation consists of 2 parcels of land.

a. Accepting Petition

Resolution No. 49-04 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Chipeta Glenn Annexations #1 & 2 Located at 2975 and 2977 B ½ Road are Eligible for Annexation

®Action: *Adopt Resolution No. 49-04*

b. Annexation Ordinances

Ordinance No. 3627 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado Chipeta Glenn Annexation #1, Approximately 7.055 Acres, Located at 2975 B ½ Road

Ordinance No. 3628 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado Chipeta Glenn Annexation #2, Approximately 6.586 Acres, Located at 2977 B ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3627 and Ordinance No. 3628*

Staff presentation: Senta L. Costello, Associate Planner

11. **Public Hearing - Zoning the Chipeta Glenn Annexation to RSF-4 Located at 2975 and 2977 B ½ Road** [File #ANX-2004-032] [Attach 12](#)

Hold a public hearing and consider final passage of the zoning ordinance to zone the Chipeta Glenn Annexation RSF-4 (Residential Single Family 4 du/ac), located at 2975 and 2977 B ½ Road. The 13.641 acre annexation area currently has a development application in process for a new single family subdivision consisting of 45 lots.

Ordinance 3629 – An Ordinance Zoning the Chipeta Glenn Annexation to RSF-4 Located at 2975 and 2977 B ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3629*

Staff presentation: Senta L. Costello, Associate Planner

12. **Public Hearing – Grand Valley Audubon Annexation Located at 605 and 608 Dike Road** [File # ANX-2004-052] [Attach 13](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Grand Valley Audubon Annexation, located at 605 and 608 Dike Road. The 55.272 acre Grand Valley Audubon Annexation consists of 2 parcel(s) of land and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 50-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Grand Valley Audubon Annexations #1 & 2 Located at 605 and 608 Dike Road is Eligible for Annexation

®Action: Adopt Resolution No. 50-04

b. Annexation Ordinances

Ordinance No. 3630 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Valley Audubon Annexation #1, Approximately 25.994 Acres Located at 605 Dike Road

Ordinance No. 3631 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Valley Audubon Annexation #2, Approximately 29.278 Acres Located at 608 Dike Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3630 and Ordinance No. 3631

Staff presentation: Senta L. Costello, Associate Planner

13. **Public Hearing - Zoning the Grand Valley Audubon Annexation to CRS Located at 605 and 608 Dike Road** [File #ANX-2004-052] [Attach 14](#)

Hold a public hearing and consider final passage of the zoning ordinance to zone the Grand Valley Audubon Annexation CSR (Community Services and Recreation), located at 605 and 608 Dike Road. The 55.272 acre Grand Valley Audubon Annexation consists of 2 parcel(s) of land.

Ordinance No. 3632 – An Ordinance Zoning the Grand Valley Audubon Annexation to CSR, Located at 605 and 608 Dike Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3632

Staff presentation: Senta L. Costello, Associate Planner

14. **Public Hearing – Amending the Legal Description for the G Road South Enclave Located Between 25 ½ Road and 26 ½ Road and North of Patterson and South of G Road** [Attach 15](#)

Amending Ordinance No. 3264 G Road South Enclave Annexation located between 25 ½ Road and 26 ½ Road and North of Patterson Road and South of G Road.

Ordinance No. 3633 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Amending the G Road South Enclave Annexation, Located in the NW ¼ NE ¼ of Section 3, Township 1 South, Range 1 West, Ute Meridian

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3633

Staff presentation: Dave Thornton, Principal Planner

15. **Public Hearing – 2004 CDGB Program Year Funding for the 2004 Action Plan, a Part of the 2001 Five-Year Consolidated Plan** [Attach 16](#)

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2004 Program Year.

Action: 1) Receive public input on the use of the City's 2004 CDBG funds; and 2) Consider the CDBG City Council subcommittee recommendation for funding thirteen projects for the City's 2004 CDBG Program Year Action Plan; and 3) Set a hearing for final adoption of the CDBG 2004 Action Plan for June 16, 2004

Staff presentation: Dave Varley, Assistant City Manager

16. **Public Hearing – Supplemental Budget Appropriation for 2004** [Attach 17](#)

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Ordinance No. 3634 – An Ordinance Making Supplemental Appropriations to the 2004 Budget of the City of Grand Junction

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3634

Staff presentation: Ron Lappi, Administrative Services and Finance Director

17.*** **Logo Adoption and Implementation**

[Attach 18](#)

At the Monday night workshop, Assistant City Manager David Varley provided a proposal to implement the new City logo at minimal cost.

Action: Adopt and Implement the New City Logo

Staff presentation: David Varley, Assistant City Manager

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

19. **OTHER BUSINESS**

20. **ADJOURNMENT**

Attach 1
Minutes of Previous Meetings

**GRAND JUNCTION
CITY COUNCIL ADDITIONAL WORKSHOP
SUMMARY**

May 3, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, May 3, 2004 at 11:44 a.m. at the Senior Recreation Center, 550 Ouray to discuss workshop items. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar.

Summaries and action on the following topics:

1. **WELCOME AND OVERVIEW OF SENIOR RECREATION CENTER FACILITY & PROGRAMS BY THE SENIOR RECREATION CENTER BOARD:** Parks and Recreation Director Joe Stevens, Recreation Supervisor Traci Altergott and Recreation Planner Stacy Pike presented an overview of the Senior Recreation Center, the history of the facility and highlighted some of the activities at the Center. The Board President of the Senior Recreation center, Don Opp, and other members of the board added to Staff's presentation and outlined some of their needs and desires for the Center. They also emphasized some important reasons for the existence of the Center.

Action summary: The City Council appreciated the information provided and said they would look into ways of helping the board find ways to meet some of the needs. Community Development Block Grant money and the local contractors association were two ideas mentioned.

2. **DISCUSSION OF LINCOLN PARK MASTER PLAN:** Parks and Recreation Director Joe Stevens introduced two members of the consulting team, Paul Kuhn of Winston and Associates, and Ted Ciavonne of Ciavonne and Associates. Mr. Stevens opened by saying that without a Master Plan, the Parks Department won't be ready when funding does become available. He gave Council several examples of that.

Paul Kuhn, Winston and Associates, advised that he worked on the 2001 Parks Master Plan and although that included Lincoln Park it was a very broad brush approach. Sink Combs Dehtlefs did the Stadium Master Plan

and it is a good plan but did not look at the Park as a whole. Blythe Design & Company did the Facilities Master Plan but again did not look at the overall picture. The Lincoln Park Master Plan will incorporate all of these elements and look at the overall property.

Ted Ciavonne noted that he is a local and he knows personally of many of the problems at Lincoln Park including access and parking. A Master Plan will allow identification of phases and put cost estimates to different projects within the Plan. It will also allow the neighborhood to know what is coming. The development of a Master Plan will also be instrumental in securing grants.

Councilmembers voiced various concerns including not having the money secured to act on the Stadium Plan much less on any Master Plan for the entire park. Other concerns were the definite need for improvements at the Park, the high use and the community's affinity for this central park, the uncertainty in spending money on planned projects that may not be right or in the right place long term, including the tennis courts and the need for a new irrigation system. If changes are made to the golf course, the irrigation system will need to be redone.

Action summary: Council agreed that the final decision along with further discussion will take place at the meeting on Wednesday. Council President Spehar said he could support the contract to develop the Plan and then send the Plan to the Parks and Recreation Advisory Board for prioritization.

The meeting adjourned at 1:24 p.m.

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

MAY 3, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, May 3, 2004 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar. Immediately following workshop, the Council convened into Special Session.

CONVENE INTO SPECIAL SESSION

Councilmember Kirtland moved to go into executive session to confer with and receive legal advice from the City Attorney regarding pending litigation with the Grand Junction Rural Fire Protection District, under Section 402 (4) (b) of the Open Meetings Law. Councilmember Enos-Martinez seconded. Motion carried.

The City Council adjourned into Executive Session at 9:25 p.m. and moved to the Administration Conference Room.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION
CITY COUNCIL WORKSHOP SUMMARY**

MAY 3, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, May 3, 2004 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar.

Summaries and action on the following topics:

1. **TRANSPORTATION CAPACITY PAYMENT AND ONE-HALF STREET IMPROVEMENTS POLICY:** Review of a draft ordinance that proposes modifications to the Transportation Capacity Payment and Half Street Policies.

Mark Relph, Public Works & Utilities Director introduced the update and noted the areas that need direction from the City Council. He summarized the work that has been done on this issue. A considerable amount of time has been spent on how to implement the ordinance. The Staff is still looking at how they will address unique circumstances when they arise. They want to insure the intent is clearly stated in the policy, including making sure that Staff is aware of the intent. One member on the review committee has expressed concern that the ordinance is not explicit enough. Mr. Relph also wants to make sure the document is reviewed on an annual basis to make sure it is being implemented in the way it is intended. He then turned the presentation over to Tim Moore, Public Works Manager.

Mr. Moore reviewed current policies and fees, and the proposal which includes a rate increase and a new definition for "Minimum Access Street Improvements" which is how the development will connect to the existing street system. He described the benefits of the new policy and also identified the challenges. One of the main challenges will be timing for the City as it will be responsible for having the improvements on the ground for the development. Although there has been a team working on the City's policy specifically, there have been lots of group discussions with Mesa County and the two other municipalities because the goal is to have a uniform policy valley-wide. The goal is to have the ordinance effective by July 1. They have been communicating the change to all development applicants coming to the City.

Mr. Moore said they are looking for feedback from the City Council and if Council is ready to go forward, the first reading of the ordinance will be May 19, 2004.

Councilmember Palmer asked if the TCP fund will be an enterprise fund. Mr. Moore responded that it is hoped that the fund will be cash-flowed. He distributed a spread sheet that showed 2002 developments, and under the new proposal, a balance for the cash flow would be close.

Council President Spehar asked if there will be provisions to delay construction if the funds are not available. Mr. Moore replied that is the purpose for such tools as reimbursement agreements. The working group is aware of that possibility. In communicating the new proposal to the rest of the interests, i.e, the development community, they would have to understand that possibility.

Councilmember Hill noted that the spreadsheet indicated a million dollar deficit. Mr. Relph explained that the amount of improvements constructed is credited toward their TCP, so that amount is not collected under the current scenario.

Councilmember Kirtland noted that will still be the case under the new scenario if the developer decides to build. Mr. Relph concurred. Council President Spehar voiced concern about out-of-town developers not understanding the intent. Mr. Relph agreed that it will have to be made very clear to those developers. They will attempt to negotiate with the development design team to get it done; the new proposal will build in predictability.

Council President Spehar asked if the fees will cover the additional staff time needed for the new policy. Mr. Relph said the traffic engineer is covered and the role of the development engineer will change so that he is involved in the design of the improvements.

Councilmember Palmer asked if negotiating with the developer to do the work will cost the taxpayers more. Mr. Moore said they will be looking at the numbers to make sure they are in the right price range. Mr. Relph said if the numbers are not, they plan to have consultants brought in.

City Attorney John Shaver said there will be stipulations in the contract so that the developer will know what the City will pay and it will be the developer's option and obligation to pick up any additional increment.

Councilmember Kirtland inquired if the contract will be negotiated administratively. City Attorney Shaver said yes, administered by the City Manager, unless there is some unusual circumstance.

Public Works and Utilities Director Relph advised that through the budget process, significant projects will be identified. The City will need to have some fund balance available in order to react to a big project that comes through the door.

Council President Spehar voiced concern that the City may have to use general fund money and thus delay another public project.

Mr. Relph noted there may be a high demand initially as much of the development community has been awaiting the enactment of this new policy. It will eventually level out.

Larry Rasmussen, a member of the review group, said he is not speaking for the entire development community. His outstanding concern was the definition of minimum access and was concerned that the ordinance was not ready for Council although conceptually the proposal was heading in the right direction.

Don Pettygrove, also on the review committee, supported the proposal as it will allow the City to address loss of capacity and impact to the overall road system which is the real reason for the TCP, there is more flexibility with the City making those decisions, whereas the development community doesn't have those options. It will allow a full section of improvements to be built instead of piecemeal and it will be more economical due to economies of scale. He was confident the group can refine the definition of minimum access and the proposal will be an improvement.

Councilmember Hill expressed concerned about perceptions of homeowners and developers. Mr. Pettygrove responded that developers will have the option to "dress up the approach", voluntarily. The possibility of credits has not been discussed. The '95 ordinance was for the purpose of equalizing the improvements, but the result is that frontage developments have been taking the hit (first-in pays).

Councilmember Enos-Martinez asked if the review group needs more time. Mr. Pettygrove replied that they can have two more meetings before the first reading and could get it done. The public hearing won't be until June 2. Mr. Larry Rasmussen concurred.

Tom Rolland, Rolland Engineering, also a member of the review team, supported the direction of the proposal. He felt it will work with the majority of projects that come forth although it is easy to find an example that won't work. He agreed with no more credits. He agreed with a formal review process to update the proposal and modifying it to address any flaws that they find.

City Manager Kelly Arnold was supportive of a simple system and not in favor of any credit system. In working with the County, the County will be negotiating with the developer for credits. Staff will come back to Council at a later date if credits become a need. Certainly there is some risk with the new system, but the disadvantage of the old system is the developers felt like the City was designing their project with their checkbook. He supported giving this new proposal a try. There is a \$672,000 fund balance to start with.

Councilmember Kirtland asked if there are any more changes to be made. Mr. Relph replied the version presented is not the final draft, the review group will at least address the definition of minimum access.

City Attorney Shaver advised that definition is the source of primary concern but they have added an appeal process.

City Manager Arnold added that there may emerge a problem with growth outpacing the fee and being affected by TABOR.

Action summary: The City Council directed Staff to go forward with the proposed schedule for first reading.

Council President Spehar called a recess at 9:00 p.m. The meeting was back in session at 9:07 p.m.

2. **STRATEGIC PLAN UPDATE:** City Manager Kelly Arnold directed the Council to their Strategic Plan Update. Under the solution Balance of Character, Economy and Environment, there is an update from the Police Chief on community policing. That action step has been completed. Also under that solution, there is an air quality report. The Air Quality Committee would like a City presence on their Air Quality Planning Committee. City Manager Arnold suggested Staff could represent the City on that committee and recommended Eileen List. City Council concurred. Under solution Efficient Transportation, the build-out report is attached. Under the solution Open and Beautiful Spaces, Horizon Drive Business Improvement District has asked to have a representative on the

Gateway Committee. Councilmember Hill agreed with that request and noted that Dale Reece has volunteered. For the solutions Shelter and Housing and Vital Neighborhoods, there are two progress reports provided. City Manager Arnold suggested that next month Council develop a full plan for the next two years and asked if Council wanted to work with the same consultants. Council did.

Councilmember Kirtland said he would be bringing an update to Council in May from the GVT workshop (the bus situation).

Action summary: The City Council accepted the update, agreed with Eileen List being their representative on the Air Quality Planning Committee, agreed to have Dale Reece represent Horizon Drive BID on the Gateway Committee and confirmed the retention of Kezziah Watkins for continuing work on the Strategic Plan.

3. **COUNCILMEMBER APPOINTMENTS TO BOARDS & COMMISSIONS:**

Annually City Council discusses and assigns Councilmembers to represent them on various boards and outside organizations. The City Council discussed the level of representation on boards for outside organizations. The Economic Partners were added to the list.

Action summary: No changes were made to the assignments with the exception of the addition of Economic Partners. The City Clerk was directed to put the resolution on the agenda as well as the selection of Mayor.

The City Council convened into Special Session at 9:24 p.m.

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

May 5, 2004

The City Council of the City of Grand Junction convened into regular session on the 5th day of May 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Gregg Palmer, Bill McCurry, and President of the Council Jim Spehar. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Spehar called the meeting to order. Councilmember McCurry led the pledge of allegiance. The audience remained standing for the invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

Council President Spehar recognized members of Boy Scout Troop 357 who were attending the meeting as part of earning their badges.

PRESENTATION

Presentation by the Friendship Force of Colorado to Mayor Jim Spehar from the Mayor in Kapiti Coast, New Zealand.

Verna Bunn, Joann Roemer, and Donna Wort thanked the City Council for its support. They told of their overseas trip and presented Council President Spehar with a book from the Mayor of Kapiti, New Zealand.

PROCLAMATIONS / RECOGNITIONS

Proclaiming May 8, 2004 as "Grand Junction Letter Carriers Stamp Out Hunger Day" in the City of Grand Junction

Proclaiming May as "Mental Health Month" in the City of Grand Junction

Rob Wallace addressed the City Council stating urgent action is needed so that all people with mental health problems can receive treatment.

APPOINTMENTS

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Councilmember Bruce Hill was elected as President of the Council/Ex Officio Mayor.

Councilmember Gregg Palmer was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem

Stephanie Tuin, City Clerk, administered the Oath of Office to incoming Council President Hill and Council President Pro Tem Palmer.

Council President Bruce Hill presided over the remainder of the meeting.

Council Assignments for 2004-2005

Resolution No. 46-04 – A Resolution Appointing and Assigning City Councilmembers to represent the City on Various Boards and Organizations

Councilmember Enos-Martinez moved to adopt Resolution No. 46-04. Councilmember McCurry seconded the motion.

City Clerk Stephanie Tuin read the list of assignments for the benefit of the audience. The question was called and the motion carried.

Reappointment of Judge McInnis Raaum as a Municipal Court Judge

Resolution No. 40-04 – A Resolution Regarding the Reappointment of Care' McInnis-Raum as a Municipal Court Judge.

Councilmember McCurry moved to adopt Resolution No. 46-04. Councilmember Kirtland seconded the motion. Motion carried.

CITIZEN COMMENTS

Minister for the Spirit of Life Christian Fellowship Jim Hale invited everyone to the National Day of Prayer on Thursday, May 6, 2004.

CONSENT CALENDAR

It was moved by Councilmember Palmer, seconded by Councilmember Enos-Martinez, and carried to approve Consent Calendar Items #1 through #10.

1. Minutes of Previous Meetings

Action: Approve the Summary of the April 19, 2004 Noon Workshop, the April 19, 2004 Workshop, and the Minutes of the April 21, 2004 Regular Meeting

2. Setting a Hearing on Supplemental Budget Appropriations for 2004

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 2004 Budget of the City of Grand Junction

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 19, 2004

3. **Setting a Hearing on Amending Ordinance No. 3264 Annexing the G Road South Enclave Located Between 25 ½ Road and 26 ½ Road and North of Patterson and South of G Road**

Amending Ordinance No. 3264 G Road South Enclave Annexation located between 25 ½ Road and 26 ½ Road and North of Patterson Road and South of G Road.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Amending the G Road South Enclave Annexation Located in the NW ¼ NE ¼ of Section 3, Township 1 South, Range 1 West, Ute Meridian

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

4. **Setting a Hearing on the SGH 27 Road Annexation Located at 215 27 Road**
[File #ANX-2004-036]

The 160.003-acre SGH 27 Road Annexation consists of three parcels and is located at 215 27 Road. A petition for annexation has been signed by the property owner.

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

Resolution No. 41-04 - 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 SGH 27 Road Annexation Located at 215 27 Road

Action: Adopt Resolution No. 41-04

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado,
SGH 27 Road Annexation, Approximately 160.003 Acres Located at 215 27
Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 16, 2004*

5. **Setting a Hearing on the Bretsel Annexation Located at 3145 E ½ Road**
[File #ANX-2004-065]

The 23.3 acre Bretsel Annexation currently consists of three (3) parcels of vacant land and adjoining right-of-ways that will become two (2) parcels through a Simple Subdivision Plat process, located at 3145 E ½ Road. The petitioner's intent is to annex and then develop the properties in anticipation of future commercial development. A portion of the proposed annexation lies within the Persigo 201 sewer district.

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

Resolution No. 42-04 - 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, Bretsel Annexation Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70 B and the 31 ¼ Road (Warrior Way) Rights-of-Ways

Action: Adopt Resolution No. 42-04

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bretsel Annexation, Approximately 23.382 Acres Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70 B and 31 ¼ Road (Warrior Way) Rights-of-Ways

Action: Introduction of Proposed Ordinance and Set a Hearing for June 16, 2004

6. **Setting a Hearing on Zoning the Chipeta Glenn Annexation Located at 2975 and 2977 B ½ Road** [File #ANX-2004-032]

Introduction of a proposed zoning ordinance to zone the Chipeta Glenn Annexation to RSF-4 (Residential Single Family 4 du/ac), located at 2975 and 2977 B ½ Road.

Proposed Ordinance – An Ordinance Zoning the Chipeta Glenn Annexation to RSF-4 Located at 2975 and 2977 B ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

7. **Setting a Hearing on Zoning the Grand Valley Audubon Annexation Located at 605 and 608 Dike Road** [File #ANX-2004-052]

Introduction of a proposed zoning ordinance to zone the Grand Valley Audubon Annexation to the CSR (Community Services and Recreation) zone district, located at 605 and 608 Dike Road.

Proposed Ordinance – An Ordinance Zoning the Grand Valley Audubon Annexation to CSR Located at 605 and 608 Dike Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

8. **Purchase of Paint Striper Truck**

This purchase is for the replacement of a truck mounted paint striper. The paint striper is currently scheduled for replacement in 2004 as identified by the annual review of the fleet replacement committee. There has been an inordinate increase of 43% in purchase price since the last purchase of the existing unit during 1993. The current life of the old paint striper has been extended and now needs to be replaced.

Action: Authorize the City Purchasing Manager to Purchase One (1) Paint Striper from M-B Company in the Amount of \$174,020

9. **Purchase of 7 Utility Carts**

This purchase is for the replacement of six (6) 4x2 utility carts and one (1) 4x4 utility cart. Five of these units are currently scheduled for replacement in 2004 as identified by the annual review of the fleet replacement committee. One (1) 4x2, Parks Operations and one (1) 4x4, Parks Cemetery are CIP additions to the Fleet approved during the 2004 - 2005 budget process.

Action: Authorize the City Purchasing Manager to Purchase Seven (7) Utility Carts from Delta Implement of Grand Junction in the Amount of \$58,605

10. **Accepting Improvements Connected with Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road) and Setting a Hearing on the Assessments**

The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners located east and west of 26 ½ Road, south of Dahlia Drive and north of F ½ Road. The proposed resolution is the required first step in the formal process of levying assessments against properties located in the improvement district. The first reading of a proposed assessing ordinance

will be scheduled for the June 2, 2004 Council meeting. A public hearing and second reading of the proposed assessing ordinance will be scheduled for the June 16, 2004 Council meeting.

Resolution No. 43-04 – A Resolution Approving and Accepting the Improvements Connected with Sanitary Sewer Improvement District No. SS-45-03 and Giving Notice of a Public Hearing

Action: Adopt Resolution No. 43-04 and Set a Hearing for June 16, 2004

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

Contracts

a. Lincoln Park Master Plan

Contract with the professional planning firm, Winston and Associates, to conduct a study of Lincoln Park and prepare a short and long term master plan. This item was tabled at the April 21, 2004 Council meeting and will be formally considered at the May 5 Council meeting pending further discussion at the noon Council workshop on May 3, 2004.

Joe Stevens, Parks and Recreation Director, presented this item. He noted the City Council did table this item at the last City Council Meeting and had discussed the matter further at the Monday, May 3rd noon workshop.

Councilmember Kirtland noted that City Council discussed having the Parks Board prioritize parks projects to determine where Lincoln Park projects should be.

Mr. Stevens said the Parks and Recreation Advisory Board (PRAB) unanimously support the development of a Lincoln Park Master Plan. They feel that support, particularly financial, is better solicited if there is a Master Plan in place and they would support placing Lincoln Park Improvements in Tier One of the Park's Master Plan.

Councilmember Enos-Martinez echoed that statement and said the Board is anxious to locate grants for such improvements.

Councilmember Palmer expressed his concern that any currently prepared Master Plan may become outdated before any funding for the improvements is available.

Mr. Stevens advised that the Master Plan for Stocker Stadium will be included into an overall Master Plan and will be of value.

Councilmember Spehar expressed that a Master Plan will allow the City to go forward updating many of the facilities that need updating. He felt a Master Plan is needed to prioritize.

Councilmember Palmer said that Lincoln Park is not on the priority list at this time. Councilmember Spehar countered that it cannot be prioritized without having a Master Plan.

Councilmember Butler agreed with the previous comments and that a plan needs to be implemented. He stated Lincoln Park is widely used by the nearly 120,000 valley residents.

Councilmember Enos-Martinez said she could support a study as long as it stays as a park in its entirety.

Councilmember Kirtland noted the discussions City Council has had have been valuable.

Council President Hill pointed out that the Stadium Plan is not being implemented because of lack of funding. He asked if the Stadium were to be rebuilt, would that not trigger other possible improvement requirements, i.e.: landscaping etc.: and then that might require facility improvements to the maintenance building. He said if the study is done now the Plan may sit a while, and he questioned if awarding this contract with Winston and Associates could wait.

Mr. Stevens said he cannot predict the future, but a Master Plan may be a catalyst to partnerships and funding opportunities. He said he does not know when grants may become available but, if no Master Plan is in place, the application would even be considered.

Councilmember Palmer felt if going forward with a Master Plan would make it a priority, then it is fine, if that is the case.

Councilmember Spehar said a Master Plan gives City Council the information needed to decide if a project is a priority. Mr. Stevens said priorities are sometimes determined when funds become available.

Councilmember Kirtland moved to authorize the City Manager to sign a contract with Winston and Associates to conduct a study and complete the Lincoln Park Master Plan. Councilmember Spehar seconded the motion. Motion carried with Councilmember Palmer voting **NO**.

City Manager Kelly Arnold advised that he met with Mesa State College representatives today and told them of Council's position on the Lincoln Park issue. He said because of that meeting the College desires going forward with their Master Plan.

b. Jarvis Property Master Plan

Contract with the Professional Planning Firm, Winter & Company to complete a Master Plan for the Jarvis Property

Kathy Portner, Planning Manager, presented this item. She reviewed the Request for Qualification (RFQ) process and the purpose of the Master Plan. She noted a resource panel is an option the Planning Commission would like the City Council to consider. The cost for such a panel would be between \$7,500 and \$12,000.

Councilmember Spehar asked where the funding would come from. City Manager Kelly Arnold said he does not know where the funds would come from. Councilmember Spehar felt a resource panel would be valuable.

Councilmember Kirtland asked if the panel could be phased in. Ms. Portner said it could be. City Manager Arnold noted the goal was to finish the Plan this year.

Councilmember Palmer asked what the purpose of the resource panel is. Ms. Portner said the panel would conduct focus groups both locally and throughout the state to determine what needs to be added or subtracted from the Plan in order to make it feasible.

Councilmember Spehar's concern was without such input the Plan may be completed and then will not be viable, thus wasting the cost of developing the Plan.

Council President Hill noted that a piece of this is marketing.

Councilmember Spehar suggested using contingency funds for the resource panel.

When asked, Mr. Lappi, the City's Finance Director, responded that there is a sizeable amount in contingency.

Councilmember Kirtland asked if the panel cost could be kept closer to the \$7,000 estimate. Ms. Portner said much of the difference in cost would be because of travel costs. City Manager Arnold said he suggests Option Two.

It was moved by Councilmember Spehar to authorize the City Manager a) to sign a contract with Winter & Company to complete a Master Plan for the Jarvis Property not to exceed \$31,172 and a maximum of \$12,000 for the Resource Panel, b) have the resource panel on site, and c) have Staff keep Council apprised of expenditures. Councilmember Enos-Martinez seconded the motion. Motion carried.

City Manager Arnold noted the consultants would like to meet with City Council around July 7th to 9th.

c. 29 Road Improvements, Phase III Streets

Award a construction contract for the 29 Road Improvements, Phase III Streets, between Pinyon Street and Patterson Road, to Elam Construction in the amount of \$698,837.05

Mark Relph, Public Works and Utilities Director, presented this item. He reviewed the bids, the scope of the work, and how the project of 29 Road is in conjunction with the County.

It was moved by Councilmember Kirtland to authorize the City Manager to sign a construction contract for the 29 Road Improvements, Phase III Streets, with Elam Construction for \$698,837.05. Councilmember McCurry seconded the motion. Motion carried.

City Manager Kelly Arnold said he will be asking City Council if the City Council is interested in improving Pinyon Street, perhaps as part of this contract. Public Works and Utility Director Mark Relph clarified that it is part of the 25 ½ Road contract not the 29 Road contract.

Councilmember Spehar asked if after completion of this part of the 29 Road project, is the project moving south. Mr. Relph said yes the viaduct over the railroad and the bridge over the Colorado River would be next.

Property Purchase for Riverside Parkway - 1005 South 5th Street

The City has entered a contract to purchase the property at 1005 South 5th Street from Mary Resendiz for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, presented this item. He identified the property in question and said an offer has been made contingent on City Council's decision. He noted it is not known exactly where the Highway 50 crossing will be at this time but it is likely this property will be needed either for the road or the adjacent structures.

He explained that for residential acquisitions, the City would typically find equivalent housing for the resident. Since the owner has the property currently up for sale, which would not be the case in this situation, if the property were to be purchased by the City now.

City Attorney John Shaver said the closing date could be extended so the owner could continue occupying the home.

Resolution No. 44-04 - A Resolution Authorizing the Purchase of Real Property at 1005 South 5th Street from Mary Resendiz

Councilmember Palmer moved to adopt Resolution 44-04. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

2004 Mesa County Animal Control Agreement

The City of Grand Junction has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the city limits. The City pays the county a percentage of the Animal Control budget based upon the City's percentage of total calls for service. The City's share of the budget for 2004 is 41.4% or \$249,687. Payments are made to the County on a quarterly basis.

Greg Morrison, Chief of Police, presented this item. He briefed City Council on the history of animal control in Grand Junction.

Councilmember Palmer asked if the participation percentage changes every year. Chief Morrison said the previous calls for service are reviewed and the amount is extrapolated from previous year's data.

Chief Morrison mentioned the City might be asked to participate in future capital improvements.

Councilmember Kirtland moved to authorize the Mayor to sign the 2004 Agreement for Animal Control Services for \$249,687. Councilmember Palmer seconded the motion. Motion carried.

Council President Hill called for a recess at 8:55 p.m.

The meeting was back in session at 9:02 p.m.

Public Hearing – Reduction of Distance Restriction for Hotel and Restaurant Liquor Licenses to College Campuses

CONTINUED FROM APRIL 21, 2004

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.

The public hearing was opened at 9:03 p.m.

Stephanie Tuin, City Clerk, reviewed this item. She reviewed the law governing liquor licenses, the regulation regarding how the measurement of distance is done, and the history of the previous reduction. She displayed a map of the area showing the restaurants affected and identified the options available to City Council.

Councilmember Enos-Martinez questioned why the liquor license applicant is not making the request. City Clerk Tuin advised that any change will not automatically grant a liquor license. The applicant will still need to go through that process. However, the property owner is present and could perhaps explain why he is making the request.

John Bellio, the property owner on North Avenue who initiated the request, explained the reason for the request. He expressed that it is unfair that this property does not qualify under the current requirements for a liquor license when property next door does. In response to Councilmember Enos-Martinez's questions, he explained his tenant has very limited knowledge of the English language and he is trying to help him out.

Councilmember Palmer asked how long El Tapatio has been his tenant. Mr. Bellio replied all of 2003, and the business is really struggling.

There were no other public comments.

The public hearing was closed at 9:14 p.m.

Councilmember Kirtland noted it was ironic that Chef's Restaurant is exempt from the regulation because its license was issued prior to Mesa State College purchasing the adjacent property. He felt as the College continues to grow it may affect others too. He said given the nature of the hotel/restaurant license, he would support a reduction or elimination of the distance restriction since Mesa State College is identified as a principal college campus.

Councilmember Palmer said since he now is familiar with the requirements for hotel/restaurant liquor licenses, he is more supportive of the request.

Councilmember Butler said he has a problem with the request since he felt there already is a problem with alcohol consumption and is therefore against the request.

Councilmember Enos-Martinez stated she'd rather have the students go to a restaurant than have a party at a house.

Councilmember Spehar noted that no input or requests were received from the community, and he would like to receive the request for a change from the licensee instead of the property owner. He felt if City Council begins to do requests by piecemeal; it would only open up additional requests. Before making any changes to the existing ordinance, he would like to see a broader demand for change requested by the community. He felt comfortable the way the distance is measured and therefore cannot support the request.

Councilmember McCurry noted most people enjoy a cocktail with their meal and he is generally supportive of the request.

Council President Hill stated the inconsistency of measuring the distance is a concern to him. He suggested reducing the distance to 100 feet, and reminded all Councilmembers that the request is not granting a license, which is another process altogether. He said if the distance requirement were reduced to 100 feet, he would support the request.

Councilmember Kirtland asked if City Council would approve a zero distance requirement and that elimination only would apply to the College.

Councilmember Butler asked if the 300-foot distance would be eliminated, could a liquor store do business in that location or would the change only be applicable when applying for a hotel/restaurant license. City Clerk Tuin replied the restriction change only applies to a hotel/restaurant license.

Ordinance No. 3620 – 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

Councilmember Kirtland moved to adopted Ordinance No. 3620 on Second Reading and ordered it published. Councilmember McCurry seconded the motion. Motion carried by roll call vote with Councilmembers Butler and Spehar voting **NO**.

Public Hearing – Rezoning the Old Orchard Estates Property Located at 774 Old Orchard Road [File #RZ-2004-023]

Holding a public hearing and consideration of a proposed ordinance to rezone the Old Orchard Estates property, located at 774 Old Orchard Road, from the RSF-R, Residential Single Family Rural to RSF-2, Residential Single Family-2.

The public hearing was opened at 9:25 p.m.

Tom Dixon, representing the applicant presented this item. He reviewed the surrounding zoning and the request. He identified the location of the site and the surrounding land use. He showed the property is adjacent to the Saccomanno Park Property. He reviewed the history of the property and addressed the rezone criteria. He explained the area is no longer rural but is now suburban.

Mr. Dixon displayed photos of the site and properties surrounding the property in question. He noted the property's proximity to the Interstate. He also showed a picture of the existing pond and assured City Council that the pond would remain with any kind of development.

Mr. Dixon concluded saying the rezone request has Staff's support and the Planning Commission recommends approval.

Lisa Cox, Senior Planner, presented this item. She noted the request of the property is at the higher end of the zoning range as allowed under the Future Land Use Plan. She said the current zoning designation is not consistent with the Future Land Use Plan. She next reviewed the rezone criteria and her findings. She informed City Council that the Planning Commission found the request met the rezone criteria. She showed a map indicating the size of the surrounding properties and Ms. Cox noted that there are properties in the area that could be redeveloped.

Richard Stenmark, 2633 Clarkdell Court, said he owns the property immediately south of the property and has been there for 11 plus years. He said when showing pictures earlier none showed their property. He felt any road improvements would affect their utilities. He preferred keeping larger lots, seeing the Bookcliffs from their property, and encourages City Council to keep larger lots.

Charles Roy, 2635 H Road, said he is directly north of the site and their parcel is a 2.38-acre parcel and he agrees with Mr. Stenmark's comments.

Tom Dixon said he read the Stenmark's letters and is aware of their concerns. He explained he did not include the picture of their property in order to shorten his PowerPoint presentation. He agreed that any activity on Clarkdell Court might compromise the utilities but would be the responsibility of the developer. He said if that does occur the owner would be notified ahead of time. Besides, when utility companies go in they usually make improvements and those may benefit the Stenmarks also.

Another issue for the Planning Commission was trying to decide if RSF-2 or RSF-1 was more appropriate for the site. He said all RSF-1 properties are built with septic tanks and septic tanks would not really work on this property. He noted the build out would

not be at maximum capacity, the design would be accommodating to the surrounding neighborhood.

Tom Rolland, Rolland Engineering, added the slides did not accurately depict the neighborhood, and from 1st Street to 12th Street, many types of residential uses and densities are in place. He said on this property, zoned as RSF-2, the minimum lot is 17,000-square feet, which is a sizeable lot, and this density is needed to support the infrastructure. He noted a large employer was nearby and this would be the proper zoning for the parcel.

The public hearing was closed at 10:00 p.m.

Ordinance No. 3624 – An Ordinance Rezoning the Old Orchard Estates Property Located at 774 Old Orchard Road, from Residential Single Family Rural (RSF-R) to Residential Single Family-2 (RSF-2)

Councilmember Enos-Martinez moved to adopted Ordinance No. 3624 on Second Reading and ordered it published. Councilmember McCurry seconded the motion.

Councilmember Kirtland said it is very difficult to build the maximum number of lots on a site such as this, and it is important to understand that while it is an urbanizing area, it is an area with mostly larger lots. He felt having the future park availability supports the densities being proposed.

Councilmember Palmer said he visited the site today and access off of 26 ½ Road makes some sense. He felt the property lends itself to a minimum density.

Motion carried by roll call vote with Councilmember Butler voting **NO**.

Public Hearing – Amendments to Section 6.5 of the Zoning and Development Code, Landscaping, Buffering and Screening Standards [File #TAC-2004-040]

Hold a Public Hearing and Consider Final Passage of an ordinance amending Section 6.5 of the Zoning and Development Code, including landscape standards in Industrial zone districts, modifying the required perimeter enclosure landscape requirement, clarifying requirements and credits, and allowing the use of hardscape, xeriscape and public art as a part of the landscape requirement.

The public hearing was opened at 10:05 p.m.

Kathy Portner, Planning Manager, presented this item. She noted tonight's presentation was the same presentation, which was given at a workshop a couple of

weeks ago. She described the review process, the outreach efforts, and the comparisons made to other landscaping code requirements.

Ms. Portner described the proposed changes to the Code. She pointed out one of the main recommendations for change is landscaping on industrial sites. She said the percentage of the property to be landscaped required in Grand Junction is a huge burden for the property owner. The recommendation is for a new calculation based on street frontage, fifty feet back on both sides of the property, and the parking areas. She said the new proposal suggests a huge reduction in plantings but will have the same visual impact.

Ms. Portner said the change is to increase the strip outside the perimeter fencing from five feet to 14 feet with a tree required every forty feet plus ground cover. She explained that in an area with detached sidewalks, a landscaped strip with trees would be required. The change also encourages xeriscape, including a clear definition of xeriscape. True xeriscape is a whole different design concept for the grouping of plants. She said the new Code would also allow discretion by the Community Development Director for more desert landscape. Ms. Portner noted a consideration for an incentive for using xeriscape such as reducing the number of plantings were considered since xeriscape will cost more to design. However, there will be long-term savings to the owner. Allowing fewer plants is counter to goals and policies so such incentives are not recommended.

Ms. Portner said other options are:

1. Landscaping orchard style islands, which retain space for parking, yet still provide tree canopy for shade;
2. Provisions for public art to count up to ten percent toward landscaping;
3. Increase tree size at planting;
4. Two types of trees were identified, shade and ornamental (conifers);
5. Other trades and credits should make sense;
6. All plans should be reviewed by a landscape professional. She wanted City Council to know that this is not being recommended — although there is no professional landscaper or landscape architect on staff in the Community Development Department now. She said the Department felt it has the expertise and if needed can rely on the parks personnel and their expertise. She said regarding the exception process, there are already enough variance options in the Code, so they are not recommending any change. Lastly,

7. Water taps for landscaping when the property is on Ute Water and the owner cannot get a water tap. She said these are rare instances but frustrating for the developer because they cannot meet the City's requirements.

In conclusion, Ms. Portner advised City Council that the Planning Commission looked closely at the 14-foot landscaping strip and an addendum was provided to City Council clarifying provisions in the amendment.

Councilmember Enos-Martinez recommended the Planning Department add some landscape experts to its staff.

Councilmember Spehar suggested parks' staff be utilized for that expertise. Ms. Portner responded that additional expertise might be required on occasion.

Council President Hill asked about encouraging the use of xeriscape. Ms. Portner replied that the suggestion was made to reduce the number of plantings required when using xeriscape, but it was decided not to be included as an incentive. She identified ways other jurisdictions encourage xeriscape.

Councilmember Butler expressed his observation of areas where it seems there are too many trees. Ms. Portner answered the number of plantings is based on the size of the parcel. Sometimes this requirement is not considered until the end of the planning of the development and the required trees and shrubs are then crammed into a small area.

Don Haines, 610 Foresight, said he could speak from experience. He felt the requirement of the number of plantings is too high. He said he was told up front about the requirements and that his property has an unusual configuration. He noted Ted Ciavonne did the landscape design for his business. He thought City Council was legislating people's taste.

Councilmember Kirtland reminded Mr. Haines that the example given in the presentation is the reason City Council is trying to modify the requirements.

Ms. Portner advised City Council that the proposed changes would not affect Mr. Haines' property and besides the Foresight Subdivision has its own covenants, which may be more restrictive than the City's requirements. Mr. Haines said he has a problem with the landscaping requirements for this desert area. He wished the Code were more reasonable.

Councilmember Kirtland noted the large contributed amount of public input on this proposal and he felt the recommended changes are a positive move.

Council President Hill asked Ms. Portner if xeriscape would be encouraged and if another way for review would be having a landscape professional on staff. Ms. Portner said that was just one suggestion, as was hiring a consultant when needed.

City Manager Kelly Arnold noted the City might want to fill such a position in the future.

The public hearing was closed at 10:42 p.m.

Council President Hill noted the provisions for fences, walls, and berms did not change. Ms. Portner said those issues would be brought back later.

Mr. Arnold said an acknowledgement of cross-references would be done if there were conflicts in the Codes until that section is changed.

Councilmember Kirtland said the changes are for the better, but may still need some work.

Councilmember Palmer explained the purpose is trying not to create an undue burden for the property owner and balancing the community's desire not to have acres of parking lots. He said these changes probably would not be the final solution.

Ordinance No. 3625 – An Ordinance Amending Section 6.5 of the Zoning and Development Code, Landscaping, Buffering and Screening Standards to be Published in Pamphlet Form

Councilmember Spehar moved to adopted Ordinance No. 3625 on Second Reading and ordered it published. With the amendments amending Section 6.5.B.18.e to read:

“If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.”

And adding to Section 6.5.H.2.b to read:

“A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material at maturity.”

Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Amending the Grand Junction City Code Regarding Sales and Use Tax and Adopting a Policy on Enforcement

The Ordinance amends the City's Code of Ordinances relative to Sales and Use Tax to provide for the Levy or Garnishment of accounts and money, as part of the enforcement procedures on delinquent taxes in a similar manner as the State of Colorado.

The public hearing was opened at 10:50 p.m.

Ron Lappi, Administrative Services and Finance Director, presented this item. He noted that Jodi Romero, Customer Service Manager and Supervisor of the Sales Tax Collection Department were also present. He explained the changes and noted the change; will move up the time frame when collections will be pursued. He mentioned the idea to hire an enforcement officer. He said several cities have field enforcement officers. He recommended using the new policy for a while and perhaps request an officer later.

Councilmember Spehar asked how many businesses are past due. Mr. Lappi replied one to five accounts were past due. Councilmember Spehar asked if those accounts were collectable. Mr. Lappi said it depends if the businesses are still open. Ms. Romero said only one is still open. Mr. Lappi explained with these new tools, the City could have delinquent customer's bank accounts attached.

Councilmember Butler asked if there are any businesses operating without licenses. Mr. Lappi said that does happen, and an enforcement officer might uncover others. City Manager Kelly Arnold said the competitors will many times report any unlicensed businesses to the authorities.

Councilmember Palmer said this is aimed at the chronically late customers and there are not a big number of offenders. However, the money owed is public money and needs to be paid.

There were no public comments.

The public hearing was closed at 11:00 p.m.

Ordinance No. 3626 – An Ordinance Amending Section 154 of Chapter 34 of the City of Grand Junction Code of Ordinances Concerning Sales and Use Tax

Resolution No. 45-04 – A Resolution Adopting a Sales Tax Enforcement, Collection and Delinquency Policy for the City of Grand Junction

Councilmember Kirtland moved to adopted Ordinance No. 3626 on Second Reading and ordered it published and to adopt Resolution No. 45-04. Councilmember Palmer seconded the motion.

Councilmember Butler asked about when having a vending machine license with zero income, does the holder still need to file a zero return. Mr. Lappi said yes.

Motion carried by a roll call vote.

Intergovernmental Agreement with Mesa County for Mosquito Control

Council will consider an Intergovernmental Agreement (IGA) with Mesa County that outlines efforts each agency will undertake to implement a mosquito control program to reduce the risk of West Nile Virus (WNV).

Tim Moore, Public Works Manager, presented this item. He explained the purpose of the program and the agreement. He said it is anticipated that the West Nile situation will be worse this year. One area the City will be attacking will be the catch basins for the storm sewers. The City will provide the labor and half the materials for the project. He said larvicide briquettes will be dropped in the storm sewers once a month and other activities are planned too.

Councilmember Palmer advised those who have ponds that size does not really matter, the water being stagnant will attract the mosquitoes.

Mr. Moore informed City Council that the backyard kits would be given away by the Health Department starting next month.

Councilmember Palmer moved to authorize the Mayor to sign an Intergovernmental Agreement with Mesa County regarding Mosquito Control. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 11:09 p.m.

Stephanie Tuin, MMC

City Clerk

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

MAY 3, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, May 3, 2004 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar. Immediately following workshop, the Council convened into Special Session.

CONVENE INTO SPECIAL SESSION

Councilmember Kirtland moved to go into executive session to confer with and receive legal advice from the City Attorney regarding pending litigation with the Grand Junction Rural Fire Protection District, under Section 402 (4) (b) of the Open Meetings Law. Councilmember Enos-Martinez seconded. Motion carried.

The City Council adjourned into Executive Session at 9:25 p.m. and moved to the Administration Conference Room.

Stephanie Tuin, MMC
City Clerk

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

May 5, 2004

The City Council of the City of Grand Junction convened into regular session on the 5th day of May 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Gregg Palmer, Bill McCurry, and President of the Council Jim Spehar. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Spehar called the meeting to order. Councilmember McCurry led the pledge of allegiance. The audience remained standing for the invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

Council President Spehar recognized members of Boy Scout Troop 357 who were attending the meeting as part of earning their badges.

PRESENTATION

Presentation by the Friendship Force of Colorado to Mayor Jim Spehar from the Mayor in Kapiti Coast, New Zealand.

Verna Bunn, Joann Roemer, and Donna Wort thanked the City Council for its support. They told of their overseas trip and presented Council President Spehar with a book from the Mayor of Kapiti, New Zealand.

PROCLAMATIONS / RECOGNITIONS

Proclaiming May 8, 2004 as "Grand Junction Letter Carriers Stamp Out Hunger Day" in the City of Grand Junction

Proclaiming May as "Mental Health Month" in the City of Grand Junction

Rob Wallace addressed the City Council stating urgent action is needed so that all people with mental health problems can receive treatment.

APPOINTMENTS

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Councilmember Bruce Hill was elected as President of the Council/Ex Officio Mayor.

Councilmember Gregg Palmer was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem

Stephanie Tuin, City Clerk, administered the Oath of Office to incoming Council President Hill and Council President Pro Tem Palmer.

Council President Bruce Hill presided over the remainder of the meeting.

Council Assignments for 2004-2005

Resolution No. 46-04 – A Resolution Appointing and Assigning City Councilmembers to represent the City on Various Boards and Organizations

Councilmember Enos-Martinez moved to adopt Resolution No. 46-04. Councilmember McCurry seconded the motion.

City Clerk Stephanie Tuin read the list of assignments for the benefit of the audience. The question was called and the motion carried.

Reappointment of Judge McInnis Raam as a Municipal Court Judge

Resolution No. 40-04 – A Resolution Regarding the Reappointment of Care' McInnis-Raum as a Municipal Court Judge.

Councilmember McCurry moved to adopt Resolution No. 46-04. Councilmember Kirtland seconded the motion. Motion carried.

CITIZEN COMMENTS

Minister for the Spirit of Life Christian Fellowship Jim Hale invited everyone to the National Day of Prayer on Thursday, May 6, 2004.

CONSENT CALENDAR

It was moved by Councilmember Palmer, seconded by Councilmember Enos-Martinez, and carried to approve Consent Calendar Items #1 through #10.

1. Minutes of Previous Meetings

Action: Approve the Summary of the April 19, 2004 Noon Workshop, the April 19, 2004 Workshop, and the Minutes of the April 21, 2004 Regular Meeting

2. Setting a Hearing on Supplemental Budget Appropriations for 2004

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 2004 Budget of the City of Grand Junction

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 19, 2004

3. **Setting a Hearing on Amending Ordinance No. 3264 Annexing the G Road South Enclave Located Between 25 ½ Road and 26 ½ Road and North of Patterson and South of G Road**

Amending Ordinance No. 3264 G Road South Enclave Annexation located between 25 ½ Road and 26 ½ Road and North of Patterson Road and South of G Road.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Amending the G Road South Enclave Annexation Located in the NW ¼ NE ¼ of Section 3, Township 1 South, Range 1 West, Ute Meridian

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

4. **Setting a Hearing on the SGH 27 Road Annexation Located at 215 27 Road**
[File #ANX-2004-036]

The 160.003-acre SGH 27 Road Annexation consists of three parcels and is located at 215 27 Road. A petition for annexation has been signed by the property owner.

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

Resolution No. 41-04 - 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 SGH 27 Road Annexation Located at 215 27 Road

Action: Adopt Resolution No. 41-04

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, SGH 27 Road Annexation, Approximately 160.003 Acres Located at 215 27 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 16, 2004

5. Setting a Hearing on the Bretsel Annexation Located at 3145 E ½ Road
[File #ANX-2004-065]

The 23.3 acre Bretsel Annexation currently consists of three (3) parcels of vacant land and adjoining right-of-ways that will become two (2) parcels through a Simple Subdivision Plat process, located at 3145 E ½ Road. The petitioner's intent is to annex and then develop the properties in anticipation of future commercial development. A portion of the proposed annexation lies within the Persigo 201 sewer district.

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

Resolution No. 42-04 - 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, Bretsel Annexation Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70 B and the 31 ¼ Road (Warrior Way) Rights-of-Ways

Action: Adopt Resolution No. 42-04

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bretsel Annexation, Approximately 23.382 Acres Located at 3145 E ½ Road and Including a Portion of E ½ Road, a Portion of I-70 B and 31 ¼ Road (Warrior Way) Rights-of-Ways

Action: Introduction of Proposed Ordinance and Set a Hearing for June 16, 2004

6. Setting a Hearing on Zoning the Chipeta Glenn Annexation Located at 2975 and 2977 B ½ Road [File #ANX-2004-032]

Introduction of a proposed zoning ordinance to zone the Chipeta Glenn Annexation to RSF-4 (Residential Single Family 4 du/ac), located at 2975 and 2977 B ½ Road.

Proposed Ordinance – An Ordinance Zoning the Chipeta Glenn Annexation to RSF-4 Located at 2975 and 2977 B ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

7. **Setting a Hearing on Zoning the Grand Valley Audubon Annexation Located at 605 and 608 Dike Road** [File #ANX-2004-052]

Introduction of a proposed zoning ordinance to zone the Grand Valley Audubon Annexation to the CSR (Community Services and Recreation) zone district, located at 605 and 608 Dike Road.

Proposed Ordinance – An Ordinance Zoning the Grand Valley Audubon Annexation to CSR Located at 605 and 608 Dike Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 19, 2004

8. **Purchase of Paint Striper Truck**

This purchase is for the replacement of a truck mounted paint striper. The paint striper is currently scheduled for replacement in 2004 as identified by the annual review of the fleet replacement committee. There has been an inordinate increase of 43% in purchase price since the last purchase of the existing unit during 1993. The current life of the old paint striper has been extended and now needs to be replaced.

Action: Authorize the City Purchasing Manager to Purchase One (1) Paint Striper from M-B Company in the Amount of \$174,020

9. **Purchase of 7 Utility Carts**

This purchase is for the replacement of six (6) 4x2 utility carts and one (1) 4x4 utility cart. Five of these units are currently scheduled for replacement in 2004 as identified by the annual review of the fleet replacement committee. One (1) 4x2, Parks Operations and one (1) 4x4, Parks Cemetery are CIP additions to the Fleet approved during the 2004 - 2005 budget process.

Action: Authorize the City Purchasing Manager to Purchase Seven (7) Utility Carts from Delta Implement of Grand Junction in the Amount of \$58,605

10. **Accepting Improvements Connected with Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road) and Setting a Hearing on the Assessments**

The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners located east and west of 26 ½ Road, south of Dahlia Drive and north of F ½ Road. The proposed resolution is the required first step in the formal process of levying assessments against properties located in the improvement district. The first reading of a proposed assessing ordinance will be scheduled for the June 2, 2004 Council meeting. A public hearing and second reading of the proposed assessing ordinance will be scheduled for the June 16, 2004 Council meeting.

Resolution No. 43-04 – A Resolution Approving and Accepting the Improvements Connected with Sanitary Sewer Improvement District No. SS-45-03 and Giving Notice of a Public Hearing

Action: Adopt Resolution No. 43-04 and Set a Hearing for June 16, 2004

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

Contracts

a. Lincoln Park Master Plan

Contract with the professional planning firm, Winston and Associates, to conduct a study of Lincoln Park and prepare a short and long term master plan. This item was tabled at the April 21, 2004 Council meeting and will be formally considered at the May 5 Council meeting pending further discussion at the noon Council workshop on May 3, 2004.

Joe Stevens, Parks and Recreation Director, presented this item. He noted the City Council did table this item at the last City Council Meeting and had discussed the matter further at the Monday, May 3rd noon workshop.

Councilmember Kirtland noted that City Council discussed having the Parks Board prioritize parks projects to determine where Lincoln Park projects should be.

Mr. Stevens said the Parks and Recreation Advisory Board (PRAB) unanimously support the development of a Lincoln Park Master Plan. They feel that support, particularly financial, is better solicited if there is a Master Plan in place and they would support placing Lincoln Park Improvements in Tier One of the Park's Master Plan.

Councilmember Enos-Martinez echoed that statement and said the Board is anxious to locate grants for such improvements.

Councilmember Palmer expressed his concern that any currently prepared Master Plan may become outdated before any funding for the improvements is available.

Mr. Stevens advised that the Master Plan for Stocker Stadium will be included into an overall Master Plan and will be of value.

Councilmember Spehar expressed that a Master Plan will allow the City to go forward updating many of the facilities that need updating. He felt a Master Plan is needed to prioritize.

Councilmember Palmer said that Lincoln Park is not on the priority list at this time. Councilmember Spehar countered that it cannot be prioritized without having a Master Plan.

Councilmember Butler agreed with the previous comments and that a plan needs to be implemented. He stated Lincoln Park is widely used by the nearly 120,000 valley residents.

Councilmember Enos-Martinez said she could support a study as long as it stays as a park in its entirety.

Councilmember Kirtland noted the discussions City Council has had have been valuable.

Council President Hill pointed out that the Stadium Plan is not being implemented because of lack of funding. He asked if the Stadium were to be rebuilt, would that not trigger other possible improvement requirements, i.e.: landscaping etc.: and then that might require facility improvements to the maintenance building. He said if the study is done now the Plan may sit a while, and he questioned if awarding this contract with Winston and Associates could wait.

Mr. Stevens said he cannot predict the future, but a Master Plan may be a catalyst to partnerships and funding opportunities. He said he does not know when grants may become available but, if no Master Plan is in place, the application would even be considered.

Councilmember Palmer felt if going forward with a Master Plan would make it a priority, then it is fine, if that is the case.

Councilmember Spehar said a Master Plan gives City Council the information needed to decide if a project is a priority. Mr. Stevens said priorities are sometimes determined when funds become available.

Councilmember Kirtland moved to authorize the City Manager to sign a contract with Winston and Associates to conduct a study and complete the Lincoln Park Master Plan. Councilmember Spehar seconded the motion. Motion carried with Councilmember Palmer voting **NO**.

City Manager Kelly Arnold advised that he met with Mesa State College representatives today and told them of Council's position on the Lincoln Park issue. He said because of that meeting the College desires going forward with their Master Plan.

b. Jarvis Property Master Plan

Contract with the Professional Planning Firm, Winter & Company to complete a Master Plan for the Jarvis Property

Kathy Portner, Planning Manager, presented this item. She reviewed the Request for Qualification (RFQ) process and the purpose of the Master Plan. She noted a resource

panel is an option the Planning Commission would like the City Council to consider. The cost for such a panel would be between \$7,500 and \$12,000.

Councilmember Spehar asked where the funding would come from. City Manager Kelly Arnold said he does not know where the funds would come from. Councilmember Spehar felt a resource panel would be valuable.

Councilmember Kirtland asked if the panel could be phased in. Ms. Portner said it could be. City Manager Arnold noted the goal was to finish the Plan this year.

Councilmember Palmer asked what the purpose of the resource panel is. Ms. Portner said the panel would conduct focus groups both locally and throughout the state to determine what needs to be added or subtracted from the Plan in order to make it feasible.

Councilmember Spehar's concern was without such input the Plan may be completed and then will not be viable, thus wasting the cost of developing the Plan.

Council President Hill noted that a piece of this is marketing.

Councilmember Spehar suggested using contingency funds for the resource panel.

When asked, Mr. Lappi, the City's Finance Director, responded that there is a sizeable amount in contingency.

Councilmember Kirtland asked if the panel cost could be kept closer to the \$7,000 estimate. Ms. Portner said much of the difference in cost would be because of travel costs. City Manager Arnold said he suggests Option Two.

It was moved by Councilmember Spehar to authorize the City Manager a) to sign a contract with Winter & Company to complete a Master Plan for the Jarvis Property not to exceed \$31,172 and a maximum of \$12,000 for the Resource Panel, b) have the resource panel on site, and c) have Staff keep Council apprised of expenditures. Councilmember Enos-Martinez seconded the motion. Motion carried.

City Manager Arnold noted the consultants would like to meet with City Council around July 7th to 9th.

c. 29 Road Improvements, Phase III Streets

Award a construction contract for the 29 Road Improvements, Phase III Streets, between Pinyon Street and Patterson Road, to Elam Construction in the amount of \$698,837.05

Mark Relph, Public Works and Utilities Director, presented this item. He reviewed the bids, the scope of the work, and how the project of 29 Road is in conjunction with the County.

It was moved by Councilmember Kirtland to authorize the City Manager to sign a construction contract for the 29 Road Improvements, Phase III Streets, with Elam Construction for \$698,837.05. Councilmember McCurry seconded the motion. Motion carried.

City Manager Kelly Arnold said he will be asking City Council if the City Council is interested in improving Pinyon Street, perhaps as part of this contract. Public Works and Utility Director Mark Relph clarified that it is part of the 25 ½ Road contract not the 29 Road contract.

Councilmember Spehar asked if after completion of this part of the 29 Road project, is the project moving south. Mr. Relph said yes the viaduct over the railroad and the bridge over the Colorado River would be next.

Property Purchase for Riverside Parkway - 1005 South 5th Street

The City has entered a contract to purchase the property at 1005 South 5th Street from Mary Resendiz for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, presented this item. He identified the property in question and said an offer has been made contingent on City Council's decision. He noted it is not known exactly where the Highway 50 crossing will be at this time but it is likely this property will be needed either for the road or the adjacent structures.

He explained that for residential acquisitions, the City would typically find equivalent housing for the resident. Since the owner has the property currently up for sale, which would not be the case in this situation, if the property were to be purchased by the City now.

City Attorney John Shaver said the closing date could be extended so the owner could continue occupying the home.

Resolution No. 44-04 - A Resolution Authorizing the Purchase of Real Property at 1005 South 5th Street from Mary Resendiz

Councilmember Palmer moved to adopt Resolution 44-04. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

2004 Mesa County Animal Control Agreement

The City of Grand Junction has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the city limits. The City pays the county a percentage of the Animal Control budget based upon the City's percentage of total calls for service. The City's share of the budget for 2004 is 41.4% or \$249,687. Payments are made to the County on a quarterly basis.

Greg Morrison, Chief of Police, presented this item. He briefed City Council on the history of animal control in Grand Junction.

Councilmember Palmer asked if the participation percentage changes every year. Chief Morrison said the previous calls for service are reviewed and the amount is extrapolated from previous year's data.

Chief Morrison mentioned the City might be asked to participate in future capital improvements.

Councilmember Kirtland moved to authorize the Mayor to sign the 2004 Agreement for Animal Control Services for \$249,687. Councilmember Palmer seconded the motion. Motion carried.

Council President Hill called for a recess at 8:55 p.m.

The meeting was back in session at 9:02 p.m.

Public Hearing – Reduction of Distance Restriction for Hotel and Restaurant Liquor Licenses to College Campuses

CONTINUED FROM APRIL 21, 2004

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.

The public hearing was opened at 9:03 p.m.

Stephanie Tuin, City Clerk, reviewed this item. She reviewed the law governing liquor licenses, the regulation regarding how the measurement of distance is done, and the history of the previous reduction. She displayed a map of the area showing the restaurants affected and identified the options available to City Council.

Councilmember Enos-Martinez questioned why the liquor license applicant is not making the request. City Clerk Tuin advised that any change will not automatically grant a liquor license. The applicant will still need to go through that process. However, the property owner is present and could perhaps explain why he is making the request.

John Bellio, the property owner on North Avenue who initiated the request, explained the reason for the request. He expressed that it is unfair that this property does not qualify under the current requirements for a liquor license when property next door does. In response to Councilmember Enos-Martinez's questions, he explained his tenant has very limited knowledge of the English language and he is trying to help him out.

Councilmember Palmer asked how long El Tapatio has been his tenant. Mr. Bellio replied all of 2003, and the business is really struggling.

There were no other public comments.

The public hearing was closed at 9:14 p.m.

Councilmember Kirtland noted it was ironic that Chef's Restaurant is exempt from the regulation because its license was issued prior to Mesa State College purchasing the adjacent property. He felt as the College continues to grow it may affect others too. He said given the nature of the hotel/restaurant license, he would support a reduction or elimination of the distance restriction since Mesa State College is identified as a principal college campus.

Councilmember Palmer said since he now is familiar with the requirements for hotel/restaurant liquor licenses, he is more supportive of the request.

Councilmember Butler said he has a problem with the request since he felt there already is a problem with alcohol consumption and is therefore against the request.

Councilmember Enos-Martinez stated she'd rather have the students go to a restaurant than have a party at a house.

Councilmember Spehar noted that no input or requests were received from the community, and he would like to receive the request for a change from the licensee instead of the property owner. He felt if City Council begins to do requests by piecemeal; it would only open up additional requests. Before making any changes to the existing ordinance, he would like to see a broader demand for change requested by the community. He felt comfortable the way the distance is measured and therefore cannot support the request.

Councilmember McCurry noted most people enjoy a cocktail with their meal and he is generally supportive of the request.

Council President Hill stated the inconsistency of measuring the distance is a concern to him. He suggested reducing the distance to 100 feet, and reminded all Councilmembers that the request is not granting a license, which is another process altogether. He said if the distance requirement were reduced to 100 feet, he would support the request.

Councilmember Kirtland asked if City Council would approve a zero distance requirement and that elimination only would apply to the College.

Councilmember Butler asked if the 300-foot distance would be eliminated, could a liquor store do business in that location or would the change only be applicable when applying for a hotel/restaurant license. City Clerk Tuin replied the restriction change only applies to a hotel/restaurant license.

Ordinance No. 3620 – 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

Councilmember Kirtland moved to adopted Ordinance No. 3620 on Second Reading and ordered it published. Councilmember McCurry seconded the motion. Motion carried by roll call vote with Councilmembers Butler and Spehar voting **NO**.

Public Hearing – Rezoning the Old Orchard Estates Property Located at 774 Old Orchard Road [File #RZ-2004-023]

Holding a public hearing and consideration of a proposed ordinance to rezone the Old Orchard Estates property, located at 774 Old Orchard Road, from the RSF-R, Residential Single Family Rural to RSF-2, Residential Single Family-2.

The public hearing was opened at 9:25 p.m.

Tom Dixon, representing the applicant presented this item. He reviewed the surrounding zoning and the request. He identified the location of the site and the surrounding land use. He showed the property is adjacent to the Saccomanno Park Property. He reviewed the history of the property and addressed the rezone criteria. He explained the area is no longer rural but is now suburban.

Mr. Dixon displayed photos of the site and properties surrounding the property in question. He noted the property's proximity to the Interstate. He also showed a picture of the existing pond and assured City Council that the pond would remain with any kind of development.

Mr. Dixon concluded saying the rezone request has Staff's support and the Planning Commission recommends approval.

Lisa Cox, Senior Planner, presented this item. She noted the request of the property is at the higher end of the zoning range as allowed under the Future Land Use Plan. She said the current zoning designation is not consistent with the Future Land Use Plan. She next reviewed the rezone criteria and her findings. She informed City Council that the Planning Commission found the request met the rezone criteria. She showed a map indicating the size of the surrounding properties and Ms. Cox noted that there are properties in the area that could be redeveloped.

Richard Stenmark, 2633 Clarkdell Court, said he owns the property immediately south of the property and has been there for 11 plus years. He said when showing pictures earlier none showed their property. He felt any road improvements would affect their utilities. He preferred keeping larger lots, seeing the Bookcliffs from their property, and encourages City Council to keep larger lots.

Charles Roy, 2635 H Road, said he is directly north of the site and their parcel is a 2.38-acre parcel and he agrees with Mr. Stenmark's comments.

Tom Dixon said he read the Stenmark's letters and is aware of their concerns. He explained he did not include the picture of their property in order to shorten his PowerPoint presentation. He agreed that any activity on Clarkdell Court might compromise the utilities but would be the responsibility of the developer. He said if that does occur the owner would be notified ahead of time. Besides, when utility companies go in they usually make improvements and those may benefit the Stenmarks also.

Another issue for the Planning Commission was trying to decide if RSF-2 or RSF-1 was more appropriate for the site. He said all RSF-1 properties are built with septic tanks and septic tanks would not really work on this property. He noted the build out would not be at maximum capacity, the design would be accommodating to the surrounding neighborhood.

Tom Rolland, Rolland Engineering, added the slides did not accurately depict the neighborhood, and from 1st Street to 12th Street, many types of residential uses and densities are in place. He said on this property, zoned as RSF-2, the minimum lot is 17,000-square feet, which is a sizeable lot, and this density is needed to support the infrastructure. He noted a large employer was nearby and this would be the proper zoning for the parcel.

The public hearing was closed at 10:00 p.m.

Ordinance No. 3624 – An Ordinance Rezoning the Old Orchard Estates Property Located at 774 Old Orchard Road, from Residential Single Family Rural (RSF-R) to Residential Single Family-2 (RSF-2)

Councilmember Enos-Martinez moved to adopted Ordinance No. 3624 on Second Reading and ordered it published. Councilmember McCurry seconded the motion.

Councilmember Kirtland said it is very difficult to build the maximum number of lots on a site such as this, and it is important to understand that while it is an urbanizing area, it is an area with mostly larger lots. He felt having the future park availability supports the densities being proposed.

Councilmember Palmer said he visited the site today and access off of 26 ½ Road makes some sense. He felt the property lends itself to a minimum density.

Motion carried by roll call vote with Councilmember Butler voting **NO**.

Public Hearing – Amendments to Section 6.5 of the Zoning and Development Code, Landscaping, Buffering and Screening Standards [File #TAC-2004-040]

Hold a Public Hearing and Consider Final Passage of an ordinance amending Section 6.5 of the Zoning and Development Code, including landscape standards in Industrial zone districts, modifying the required perimeter enclosure landscape requirement, clarifying requirements and credits, and allowing the use of hardscape, xeriscape and public art as a part of the landscape requirement.

The public hearing was opened at 10:05 p.m.

Kathy Portner, Planning Manager, presented this item. She noted tonight's presentation was the same presentation, which was given at a workshop a couple of weeks ago. She described the review process, the outreach efforts, and the comparisons made to other landscaping code requirements.

Ms. Portner described the proposed changes to the Code. She pointed out one of the main recommendations for change is landscaping on industrial sites. She said the percentage of the property to be landscaped required in Grand Junction is a huge burden for the property owner. The recommendation is for a new calculation based on street frontage, fifty feet back on both sides of the property, and the parking areas. She said the new proposal suggests a huge reduction in plantings but will have the same visual impact.

Ms. Portner said the change is to increase the strip outside the perimeter fencing from five feet to 14 feet with a tree required every forty feet plus ground cover. She explained that in an area with detached sidewalks, a landscaped strip with trees would be required. The change also encourages xeriscape, including a clear definition of xeriscape. True xeriscape is a whole different design concept for the grouping of plants. She said the new Code would also allow discretion by the Community Development Director for more desert landscape. Ms. Portner noted a consideration for an incentive for using xeriscape such as reducing the number of plantings were considered since xeriscape will cost more to design. However, there will be long-term savings to the owner. Allowing fewer plants is counter to goals and policies so such incentives are not recommended.

Ms. Portner said other options are:

8. Landscaping orchard style islands, which retain space for parking, yet still provide tree canopy for shade;
9. Provisions for public art to count up to ten percent toward landscaping;
10. Increase tree size at planting;
11. Two types of trees were identified, shade and ornamental (conifers);
12. Other trades and credits should make sense;
13. All plans should be reviewed by a landscape professional. She wanted City Council to know that this is not being recommended — although there is no professional landscaper or landscape architect on staff in the Community Development Department now. She said the Department felt it has the expertise and if needed can rely on the parks personnel and their expertise. She said regarding the exception process, there are already enough variance options in the Code, so they are not recommending any change. Lastly,
14. Water taps for landscaping when the property is on Ute Water and the owner cannot get a water tap. She said these are rare instances but frustrating for the developer because they cannot meet the City's requirements.

In conclusion, Ms. Portner advised City Council that the Planning Commission looked closely at the 14-foot landscaping strip and an addendum was provided to City Council clarifying provisions in the amendment.

Councilmember Enos-Martinez recommended the Planning Department add some landscape experts to its staff.

Councilmember Spehar suggested parks' staff be utilized for that expertise. Ms. Portner responded that additional expertise might be required on occasion.

Council President Hill asked about encouraging the use of xeriscape. Ms. Portner replied that the suggestion was made to reduce the number of plantings required when using xeriscape, but it was decided not to be included as an incentive. She identified ways other jurisdictions encourage xeriscape.

Councilmember Butler expressed his observation of areas where it seems there are too many trees. Ms. Portner answered the number of plantings is based on the size of the parcel. Sometimes this requirement is not considered until the end of the planning of the development and the required trees and shrubs are then crammed into a small area.

Don Haines, 610 Foresight, said he could speak from experience. He felt the requirement of the number of plantings is too high. He said he was told up front about the requirements and that his property has an unusual configuration. He noted Ted Ciavonne did the landscape design for his business. He thought City Council was legislating people's taste.

Councilmember Kirtland reminded Mr. Haines that the example given in the presentation is the reason City Council is trying to modify the requirements.

Ms. Portner advised City Council that the proposed changes would not affect Mr. Haines' property and besides the Foresight Subdivision has its own covenants, which may be more restrictive than the City's requirements. Mr. Haines said he has a problem with the landscaping requirements for this desert area. He wished the Code were more reasonable.

Councilmember Kirtland noted the large contributed amount of public input on this proposal and he felt the recommended changes are a positive move.

Council President Hill asked Ms. Portner if xeriscape would be encouraged and if another way for review would be having a landscape professional on staff. Ms. Portner said that was just one suggestion, as was hiring a consultant when needed.

City Manager Kelly Arnold noted the City might want to fill such a position in the future.

The public hearing was closed at 10:42 p.m.

Council President Hill noted the provisions for fences, walls, and berms did not change. Ms. Portner said those issues would be brought back later.

Mr. Arnold said an acknowledgement of cross-references would be done if there were conflicts in the Codes until that section is changed.

Councilmember Kirtland said the changes are for the better, but may still need some work.

Councilmember Palmer explained the purpose is trying not to create an undue burden for the property owner and balancing the community's desire not to have acres of parking lots. He said these changes probably would not be the final solution.

Ordinance No. 3625 – An Ordinance Amending Section 6.5 of the Zoning and Development Code, Landscaping, Buffering and Screening Standards to be Published in Pamphlet Form

Councilmember Spehar moved to adopted Ordinance No. 3625 on Second Reading and ordered it published. With the amendments amending Section 6.5.B.18.e to read:

“If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.”

And adding to Section 6.5.H.2.b to read:

“A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material at maturity.”

Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Amending the Grand Junction City Code Regarding Sales and Use Tax and Adopting a Policy on Enforcement

The Ordinance amends the City’s Code of Ordinances relative to Sales and Use Tax to provide for the Levy or Garnishment of accounts and money, as part of the enforcement procedures on delinquent taxes in a similar manner as the State of Colorado.

The public hearing was opened at 10:50 p.m.

Ron Lappi, Administrative Services and Finance Director, presented this item. He noted that Jodi Romero, Customer Service Manager and Supervisor of the Sales Tax Collection Department were also present. He explained the changes and noted the change; will move up the time frame when collections will be pursued. He mentioned the idea to hire an enforcement officer. He said several cities have field enforcement officers. He recommended using the new policy for a while and perhaps request an officer later.

Councilmember Spehar asked how many businesses are past due. Mr. Lappi replied one to five accounts were past due. Councilmember Spehar asked if those accounts were collectable. Mr. Lappi said it depends if the businesses are still open. Ms. Romero said only one is still open. Mr. Lappi explained with these new tools, the City could have delinquent customer’s bank accounts attached.

Councilmember Butler asked if there are any businesses operating without licenses. Mr. Lappi said that does happen, and an enforcement officer might uncover others. City Manager Kelly Arnold said the competitors will many times report any unlicensed businesses to the authorities.

Councilmember Palmer said this is aimed at the chronically late customers and there are not a big number of offenders. However, the money owed is public money and needs to be paid.

There were no public comments.

The public hearing was closed at 11:00 p.m.

Ordinance No. 3626 – An Ordinance Amending Section 154 of Chapter 34 of the City of Grand Junction Code of Ordinances Concerning Sales and Use Tax

Resolution No. 45-04 – A Resolution Adopting a Sales Tax Enforcement, Collection and Delinquency Policy for the City of Grand Junction

Councilmember Kirtland moved to adopted Ordinance No. 3626 on Second Reading and ordered it published and to adopt Resolution No. 45-04. Councilmember Palmer seconded the motion.

Councilmember Butler asked about when having a vending machine license with zero income, does the holder still need to file a zero return. Mr. Lappi said yes.

Motion carried by a roll call vote.

Intergovernmental Agreement with Mesa County for Mosquito Control

Council will consider an Intergovernmental Agreement (IGA) with Mesa County that outlines efforts each agency will undertake to implement a mosquito control program to reduce the risk of West Nile Virus (WNV).

Tim Moore, Public Works Manager, presented this item. He explained the purpose of the program and the agreement. He said it is anticipated that the West Nile situation will be worse this year. One area the City will be attacking will be the catch basins for the storm sewers. The City will provide the labor and half the materials for the project. He said larvicide briquettes will be dropped in the storm sewers once a month and other activities are planned too.

Councilmember Palmer advised those who have ponds that size does not really matter, the water being stagnant will attract the mosquitoes.

Mr. Moore informed City Council that the backyard kits would be given away by the Health Department starting next month.

Councilmember Palmer moved to authorize the Mayor to sign an Intergovernmental Agreement with Mesa County regarding Mosquito Control. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 11:09 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing on Modifying the Transportation Capacity Payment (TCP)

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Transportation Capacity Payment Ordinance						
Meeting Date	May 19, 2004						
Date Prepared	May 12, 2004				File #		
Author	Tim Moore		Public Works Manager				
Presenter Name	Mark Relph Tim Moore		Public Works and Utilities Director Public Works Manager				
Report results back to Council		No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: City Council consideration of an Ordinance that proposes modifications to the Transportation Capacity Payment (TCP) and half street policies. The Ordinance would increase the TCP from \$500 per single family unit to \$1500 per single family unit. The fee schedule for commercial-industrial development would also increase by a similar proportion. The Ordinance also places the responsibility of constructing half street, safety and off-site improvements associated with new developments with the City.

Budget: Current revenues average approximately \$450,000 per year. The proposed ordinance could increase the annual amount by approximately three (3) times the current amount.

Action Requested/Recommendation: Introduce the Ordinance on first reading and schedule public hearing for June 2, 2004.

Attachments: Proposed Ordinance

Background Information: Council met on May 3, 2004 regarding increasing the TCP and modifying the half street improvements policy. The direction from that meeting was to develop an ordinance that would increase the TCP to \$1500 and develop a policy that would not require development to construct half street, safety or perimeter improvements as part of new development. The City would collect the TCP fees and construct the necessary capacity and safety improvements associated with new development.

This draft ordinance is very similar to ordinances under consideration in Mesa County, Fruita, and Palisade.

Implementation issues:

Growth and Development Related Street Policies

The last several pages of the Ordinance include a section intended to outline how the Ordinance will be implemented. The Growth and Development Related Street Policy can be amended from time to time by Council Resolution to address specific issues within the framework of the Ordinance. Three exhibits have been developed and attached to the ordinance to provide examples of what Minimum Street Access Improvements may be required of the developer and what improvements would now be the responsibility of the City.

Effective Date

Council has expressed a desire to have this new Ordinance and associated policies in place by July 4, 2004. Staff would recommend the Ordinance be made applicable to all lots for which a planning clearance has not been issued prior to July 1. For developments currently in the review process, staff will identify specific projects currently under review that have had either a Pre-application meeting with Community Development or could be developed under the provisions of the new Ordinance.

TCP Fund

Council has discussed that over time, the TCP fund balance will likely have high and low points depending on development activity and the public improvements necessary to support this activity. Staff has evaluated the development activity for 2002 and determined that, in that year, it appeared the new TCP would support the construction costs of public improvements needed to support the development activity. In the event the TCP fund balance drops below the level necessary to support development activity, the Ordinance provides some options for Council to consider including:

- ◆ Reimbursement Agreement - the City and developer enter into an agreement that would provide for the reimbursement of the costs of public improvements associated with the project.
- ◆ Council could choose to dedicate other funds to construct public improvements associated with new development.
- ◆ Council could choose to delay or deny a specific development project.

Public Input:

Staff has met one additional time with the working group of affected interests. From that meeting there were several suggested changes that have been incorporated into

the attached ordinance. Additionally, the Associated Growth and Development (AMGD) met and have retained the services of a local attorney (Rich Livingston) to provide a review of this ordinance.

CITY OF GRAND JUNCTION

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 2750 AS CODIFIED AS SECTION 6.2 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE CONCERNING TRANSPORTATION CAPACITY PAYMENTS INCLUDING CALCULATIONS THEREOF, CREDITS AND APPROVED METHODOLOGIES

April Recitals:

The existing City ordinances require that a developer of land adjacent to a right-of-way which is unimproved or does not meet current standards ("under-improved") either improve the abutting half of the right-of-way for the frontage of the development or pay a sum of money determined by an assumption of additional traffic that will be created from the development. Also, current City policy allows the City to require additional improvements to the existing roadway system when it is determined that the proposed development has negative impacts to the capacity and/or safety of the existing system.

While this method assures that a development pays its fair share of the cost of the associated impact to the transportation system, there has been concern raised that this method of addressing traffic impacts is not always fair. This method has the disadvantage of requiring the first development in an area of under-improved public infrastructure to complete these improvements but allows others, who follow later, to develop without similar costs.

Another disadvantage is that a developer of land immediately adjacent to one or more unimproved or under-improved streets may be required to pay for the improvement of all adjacent street improvements, yet another development, due to location or the configuration of the parcels such that it does not abut an unimproved street, may not be required to make the same improvements to the street system, even though each development may add the same amount of traffic.

Because safe and efficient streets are one of the most important services provided by the City, the Council does hereby amend the Code to provide a specific financing mechanism, which will continue to allow safe and functional streets while refining the calculation of payment for and costs attributable to development.

The Council determines that the resources of the City are properly allocated to maintaining and improving, including capital additions to, the existing 370 miles of streets and roads and that, as resources permit, additional improvements to the system should be made near and around developing areas of the City as growth occurs. The citizens and users of the street system pay for the upkeep and general improvement to

the system nearly exclusively by the payment of sales and use taxes. Sales and use taxes are not sufficient, however, to pay for all the road needs and there are limited resources available to the City, from other sources, to add to the system or to make improvements in the rapidly developing areas of the City.

Therefore, the Council finds and affirms that it is in the public interest to continue the practice of collecting Transportation Capacity Payments (TCP) and appropriately increase the amount of that fee to more accurately reflect the cost of improvements that are reasonably attributable to new development, new residents and new business activities (collectively "Growth").

The Council further finds that the TCP shall be set at a level that a substantial portion of the cost to build new transportation facilities caused by Growth is paid for by the Growth that has caused the need.

The Council is well aware that Growth and new development creates additional vehicular traffic that consumes a portion of the existing transportation infrastructure capacity. In support of the TCP methodology, the City has adopted the data, assumptions and conclusions of the Institute of Transportation Engineer's Trip Generation Manual ("ITE") for purposes of projecting the number of trips created by development. The ITE is a valid, nationally recognized basis to estimate traffic generated by a development and shall continue to be used by the City. The most recent version of the ITE is incorporated herein by this reference as if fully set forth.

The Council has found and affirms that a fair method of imposing a portion of the costs of paying for additional or improved capacity, necessitated because of Growth, is a fee based on a formula that considers among other things the number of trips generated by different types of development (based on ITE), the average trip length, and the percentage of new trips as variables. The specific formula for the TCP provided for herein has been studied and found to be valid by the 2002 Transportation Impact Fee Study prepared by Duncan Associates. That study is incorporated herein by this reference as if fully set forth.

Because the traffic impacts of new trips are not always easily ascertained or allocated to a particular intersection or street, and because the City is not so large that there are distinct areas of the City which are wholly unrelated to the others, the Council finds that it is not reasonable to define discrete time and distance limits for the spending of TCP funds in relation to each development. Nevertheless, expenditure and the prioritization of projects for expenditure shall, to the extent reasonable, be as near in time and distance as is possible to the location from which the payment was derived.

The Council has considered, but rejected as impracticable, a proposal whereby the City would be divided into quadrants or other sub-areas, in which quadrant or sub-area funds attributable to a particular subdivision or development must be spent within certain specified time limits. Such a method, while attractive to a developer, ignores the professional judgments which traffic engineers must make and ignores the reality that

sub-funds, which track TCP funds from particular areas or neighborhoods, may never have enough money to pay for needed improvements.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT SECTION 6.2 B1& B2 OF THE ZONING AND DEVELOPMENT CODE ARE AMENDED AS SHOWN:

Additions are shown in ALL CAPS, except for the entire section entitled "Growth and Development Related Street Policy" which is new, even though it is not capitalized. Adoption of this ordinance shall constitute a repeal of inconsistent terms and provisions of the existing ordinance and/or the codification including the analytical and other justification and descriptive materials which were adopted by reference in Ordinance No. 2750.6.2B1(f) Dedications required by subparagraph shall be at no cost to the City. Dedications shall not be eligible for, or require a refund or TCP credit.

6.2B1(f) Dedications required by subparagraph 6.2B1c shall be at no cost to the City. Dedications shall not be eligible for or require a refund or TCP credit.

6.2B2 Transportation Capacity Payment (TCP) and Right-of-Way Improvements.

6.2B2 a. The developer shall pay to the City a Transportation Capacity Payment (TCP) and Right-of-Way Improvements as required by the Public Works Director (DIRECTOR.)

a. The developer shall pay to the City a Transportation Capacity Payment (TCP) as required by the Public Works Director (DIRECTOR).

b. THE DIRECTOR MAY REQUIRE THAT THE DEVELOPER PAY FOR AND/OR CONSTRUCT IMPROVEMENTS necessary for the safe ingress and/or egress of traffic to the development. THOSE IMPROVEMENTS ARE DEFINED AS MINIMUM STREET ACCESS IMPROVEMENTS. MINIMUM STREET ACCESS IMPROVEMENTS SHALL BE DEFINED BY THE MOST RECENT VERSION OF THE CITY'S GROWTH AND DEVELOPMENT RELATED STREET POLICY AND/OR TEDS. THE GROWTH AND DEVELOPMENT RELATED STREET POLICY SHALL BE REVIEWED BY CITY STAFF AND ADOPTED ANNUALLY BY COUNCIL RESOLUTION.

c. No PLANNING CLEARANCE FOR A building permit for any use or activity requiring payment of the TCP pursuant to this Ordinance shall be issued until the TCP HAS BEEN PAID AND MINIMUM STREET ACCESS IMPROVEMENTS HAVE BEEN CONSTRUCTED, PAID FOR OR ADEQUATELY SECURED AS DETERMINED BY THE DIRECTOR.

d. The amount of the TCP shall be as set forth ANNUALLY BY THE CITY COUNCIL in ITS adopted fee RESOLUTION. THE TCP IS MINIMALLY SUBJECT TO ANNUAL ADJUSTMENT FOR INFLATION BASED ON THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), WESTERN REGION,

SIZE B/C, PUBLISHED MONTHLY BY THE UNITED STATES DEPARTMENT OF LABOR. (THIS INFORMATION CAN BE FOUND AT THE INTERNET SITE OF <http://data.bls.gov/labjava/outside.jsp?survey=cu>)

e. THE TCP shall be used BY THE DIRECTOR TO MAKE capital improvements to the transportation facilities in the City IN ACCORDANCE WITH THE CITY'S GROWTH AND DEVELOPMENT RELATED STREET POLICY, THIS ORDINANCE, AND OTHER APPLICABLE PROVISIONS OF THE ZONING AND DEVELOPMENT CODE.

(1) TO PAY DEBT SERVICE ON ANY PORTION OF ANY CURRENT OR FUTURE GENERAL OBLIGATION BOND OR REVENUE BOND ISSUED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE AND USED TO FINANCE MAJOR ROAD SYSTEM IMPROVEMENTS;

(2) FOR THE RECONSTRUCTION AND REPLACEMENT OF EXISTING ROADS, THE CONSTRUCTION OF NEW MAJOR ROAD SYSTEMS, AND IMPROVEMENTS AND/OR FOR THE PAYMENT OF REIMBURSABLE STREET EXPENSES (AS THAT TERM IS DEFINED FROM TIME TO TIME BY THE CITY'S GROWTH AND DEVELOPMENT RELATED STREET POLICY) THAT ARE INTEGRAL TO AND THAT ADD CAPACITY TO THE STREET SYSTEM;

(3) TRAFFIC CAPACITY IMPROVEMENTS DO NOT INCLUDE ONGOING OPERATIONAL COSTS OR DEBT SERVICE FOR ANY PAST GENERAL OBLIGATION BOND OR REVENUE BOND ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION OR ANY PORTION OF ANY CURRENT OR FUTURE BOND ISSUED AFTER THE EFFECTIVE DATE OF THIS SECTION AND NOT USED TO FINANCE MAJOR ROAD SYSTEM IMPROVEMENTS.

(4) Capital spending decisions shall be guided by the principles, among others, that TCP funds shall be used to make capacity AND SAFETY improvements but not used to upgrade existing deficiencies except incidentally in the course of making improvements; TCP fund expenditures which provide improvements which are near in time and/or distance TO the development FROM WHICH THE FUNDS ARE COLLECTED are preferred over expenditures for improvements which are more distant in time and/or distance.

(5) No TCP funds shall be used for maintenance.

(6) TCP funds will be ACCOUNTED FOR SEPARATELY BUT may be commingled with other funds of the City.

(7) The DIRECTOR shall determine when and where TCP funds shall be spent.

- (i) AS PART OF THE TWO-YEAR BUDGET PROCESS
- (ii) AS REQUIRED TO KEEP PACE WITH DEVELOPMENT

(8) The TCP shall not be payable if THE DIRECTOR IS SHOWN by clear and convincing evidence, that at least one of the following applies:

- (i) alteration or expansion of an existing structure will not create additional trips;
- (ii) the construction of an accessory structure will not create additional trips produced by the principal building or use of the land. A garage is an example of an accessory structure which does not create additional trips;
- (iii) the replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use that does not create additional trips;
- (iv) a structure is constructed in a development for which a TCP fee has been paid within the prior EIGHTY FOUR (84) months or the structure is in a development with respect to which the developer constructed Street Access Improvements and the City accepted such improvements and the warranties have been satisfied.

f. IF THE TYPE OF IMPACT-GENERATING DEVELOPMENT FOR WHICH A BUILDING PERMIT IS REQUESTED IS FOR A CHANGE OF LAND USE OR FOR THE EXPANSION, REDEVELOPMENT OR MODIFICATION OF AN EXISTING DEVELOPMENT, THE FEE SHALL BE BASED ON THE NET INCREASE IN THE FEE FOR THE NEW LAND USE TYPE AS COMPARED TO THE PREVIOUS LAND USE TYPE.

g. IN THE EVENT THAT THE PROPOSED CHANGE OF LAND USE, REDEVELOPMENT OR MODIFICATION RESULTS IN A NET DECREASE IN THE FEE FOR THE NEW USE OR DEVELOPMENT AS COMPARED TO THE PREVIOUS USE OR DEVELOPMENT, THE DEVELOPER MAY APPLY FOR A REFUND OF FEES PREVIOUSLY PAID WITH THE CONSENT OF THE PREVIOUS PERSON HAVING MADE THE PAYMENT AND OR CONSTRUCTED THE IMPROVEMENTS.

h. FOR FEES EXPRESSED PER 1,000 SQUARE FEET, THE SQUARE FOOTAGE SHALL BE DETERMINED ACCORDING TO GROSS FLOOR AREA, MEASURED FROM THE OUTSIDE SURFACE OF EXTERIOR WALLS AND EXCLUDING UNFINISHED BASEMENTS AND ENCLOSED PARKING AREAS. THE FEES SHALL BE PRORATED AND ASSESSED BASED ON ACTUAL FLOOR AREA, NOT ON THE FLOOR AREA ROUNDED TO THE NEAREST 1,000 SQUARE FEET.

- i. Any claim for credit shall be made not later than the time of application or request for a planning clearance. Any claim not so made shall be deemed waived. Credits shall not be transferable from one project or development to another nor otherwise assignable or transferable.

MINIMUM STREET ACCESS IMPROVEMENTS INCLUDE street and road improvements required to PROVIDE FOR THE SAFE ingress and egress needs of the development AS DETERMINED BY THE DIRECTOR.

- a. Quality of service FOR ANY NEW DEVELOPMENT AND/OR FOR TRAFFIC CAPACITY IMPROVEMENTS shall be DETERMINED BY THE DIRECTOR. THE DIRECTOR SHALL DETERMINE THE ACCEPTABLE QUALITY OF SERVICE TAKING INTO CONSIDERATION EXISTING TRAFFIC, STREETS, AND PROPOSED DEVELOPMENT.
- b. REQUIRED RIGHT-OF-WAY DEDICATIONS SHALL BE AT NO COST TO THE CITY.

2.6 Definitions. The following terms and words shall have the meanings set forth for this section.

- a. Average trip length: The average length of a vehicle trip as determined by the limits of the City, the distance between principle trip generators and as modeled by the CITY'S, THE COUNTY'S, THE STATE'S OR THE MPO'S COMPUTER program(S). IN THE EVENT THAT THE MODELS ARE INCONSISTENT, THE MOST ADVANTAGEOUS TO THE CITY SHALL BE USED.
- b. "Convenience store," "hotel/motel," "retail," and other terms contained and with the meaning set forth in the Trip Generation Manual.
- c. Lane-mile: Means one paved lane of a right-of-way mile in length fourteen (14) feet in width, including curb and gutter, sidewalk, storm sewers, traffic control devices, earthwork, engineering, and construction management including inspections. The value of right-of-way is not included.
- d. Percentage of new trips: Based on THE MOST CURRENT VERSION of ITE Transportation and Land Development Manual, and of the ITE Trip Generation Manual.
- e. Unimproved/under-improved floor area: Has the meaning as defined in the adopted building codes.

2.7 CALCULATION OF FEE.

- a. ANY PERSON WHO APPLIES FOR A BUILDING PERMIT FOR AN IMPACT-GENERATING DEVELOPMENT SHALL PAY A TRANSPORTATION IMPACT FEE

IN ACCORDANCE WITH THE MOST RECENT FEE SCHEDULE PRIOR TO ISSUANCE OF A BUILDING PERMIT. IF ANY CREDIT IS DUE PURSUANT TO SECTION i ABOVE, THE AMOUNT OF SUCH CREDIT SHALL BE DEDUCTED FROM THE AMOUNT OF THE FEE TO BE PAID.

Land Use Type	ITE Code	Unit	Fee	Factor
Residential				
Single Family	210	Dwelling	\$1,500	1.00
Multi-Family	220	Dwelling	\$1,039	0.69
Mobile Home/RV Park	240	Pad	\$ 754	0.50
Hotel/Motel	310/320	Room	\$1,414	0.94
Retail/Commercial				
Shopping Center (0-99KSF)	820	1000 SF	\$2,461	1.64
Shopping Center (100-249KSF)	820	1000 SF	\$2,311	1.54
Shopping Center (250-499KSF)	820	1000 SF	\$2,241	1.49
Shopping Center (500+KSF)	820	1000 SF	\$2,068	1.38
Auto Sales/Service	841	1000 SF	\$2,223	1.48
Bank	911	1000 SF	\$3,738	2.49
Convenience Store w/Gas Sales	851	1000 SF	\$5,373	3.58
Golf Course	430	Hole	\$3,497	2.33
Health Club	493	1000 SF	\$2,003	1.34
Movie Theater	443	1000 SF	\$6,216	4.14
Restaurant, Sit Down	831	1000 SF	\$3,024	2.02
Restaurant, Fast Food	834	1000 SF	\$6,773	4.52
Office/Institutional				
Office, General (0-99KSF)	710	1000 SF	\$1,845	1.23
Office, General >100KSF	710	1000 SF	\$1,571	1.05
Office, Medical	720	1000 SF	\$5,206	3.47
Hospital	610	1000 SF	\$2,418	1.61
Nursing Home	620	1000 SF	\$ 677	0.45
Church	560	1000 SF	\$1,152	0.77
Day Care Center	565	1000 SF	\$2,404	1.60
Elementary/Sec. School	520/522/530	1000 SF	\$ 376	0.25
Industrial				
Industrial Park	130	1000 SF	\$1,091	0.73
Warehouse	150	1000 SF	\$ 777	0.52
Mini-Warehouse	151	1000 SF	\$ 272	0.18

b. IF THE TYPE OF IMPACT-GENERATING DEVELOPMENT FOR WHICH A BUILDING PERMIT IS REQUESTED IS NOT SPECIFIED ON THE FEE SCHEDULE, THEN THE DIRECTOR SHALL DETERMINE THE FEE ON THE BASIS OF THE FEE APPLICABLE TO THE MOST NEARLY COMPARABLE LAND USE ON THE FEE SCHEDULE. THE DIRECTOR SHALL DETERMINE COMPARABLE LAND USE BY TRIP GENERATION RATES CONTAINED IN THE MOST CURRENT EDITION OF ITE *TRIP GENERATION MANUAL*.

c. IN MANY INSTANCES, A BUILDING MAY INCLUDE SECONDARY OR ACCESSORY USES TO THE PRINCIPAL USE. FOR EXAMPLE, IN ADDITION TO

THE PRODUCTION OF GOODS, MANUFACTURING FACILITIES USUALLY ALSO HAS OFFICE, WAREHOUSE, RESEARCH AND OTHER ASSOCIATED FUNCTIONS. THE TCP FEE SHALL GENERALLY BE ASSESSED BASED ON THE PRINCIPAL USE. IF THE APPLICANT CAN SHOW THE DIRECTOR IN WRITING BY CLEAR AND CONVINCING EVIDENCE THAT A SECONDARY LAND USE ACCOUNTS FOR OVER 25% OF THE GROSS FLOOR AREA OF THE BUILDING AND THAT THE SECONDARY USE IS NOT ASSUMED IN THE TRIP GENERATION FOR THE PRINCIPAL USE, THEN THE TCP MAY BE CALCULATED ON THE SEPARATE USES.

d. TCP FEE CALCULATION STUDY -- AT THE ELECTION OF THE APPLICANT OR UPON THE REQUEST OF THE DIRECTOR, FOR ANY PROPOSED DEVELOPMENT ACTIVITY, FOR A USE THAT IS NOT ON THE FEE SCHEDULE OR FOR WHICH NO COMPARABLE USE CAN BE DETERMINED AND AGREED BY THE APPLICANT AND THE DIRECTOR OR FOR ANY PROPOSED DEVELOPMENT FOR WHICH THE DIRECTOR CONCLUDES THE NATURE, TIMING OR LOCATION OF THE PROPOSED DEVELOPMENT MAKES IT LIKELY TO GENERATE IMPACTS COSTING SUBSTANTIALLY MORE TO MITIGATE THAN THE AMOUNT OF THE FEE THAT WOULD BE GENERATED BY THE USE OF THE FEE SCHEDULE, A TCP FEE CALCULATION STUDY MAY BE PERFORMED.

e. THE COST AND RESPONSIBILITY FOR PREPARATION OF A FEE CALCULATION STUDY SHALL BE DETERMINED IN ADVANCE BY THE APPLICANT AND THE DIRECTOR.

f. THE DIRECTOR MAY CHARGE A REVIEW FEE AND/OR COLLECT THE COST FOR RENDERING A DECISION ON SUCH STUDY. THE DIRECTOR'S DECISION ON A FEE OR A FEE CALCULATION STUDY MAY BE APPEALED TO THE ZONING BOARD OF APPEALS IN ACCORDANCE WITH 2.18B OF THIS CODE.

g. THE TCP FEE CALCULATION STUDY SHALL BE BASED ON THE SAME FORMULA, QUALITY OF SERVICE STANDARDS AND UNIT COSTS USED IN THE IMPACT FEE STUDY. THE FEE STUDY REPORT SHALL DOCUMENT THE METHODOLOGIES AND ALL ASSUMPTIONS.

h. THE TCP FEE CALCULATION STUDY SHALL BE CALCULATED ACCORDING TO THE FOLLOWING FORMULA.

FEE	=	VMT X NET COST/VMT X RF
WHERE:		
VMT	=	TRIPS X % NEW X LENGTH ÷ 2
TRIPS	=	DAILY TRIP ENDS GENERATED BY THE DEVELOPMENT DURING THE WORK WEEK
% NEW	=	PERCENT OF TRIPS THAT ARE PRIMARY, AS OPPOSED TO PASSBY OR DIVERTED-LINK TRIPS
LENGTH	=	AVERAGE LENGTH OF A TRIP ON THE MAJOR ROAD SYSTEM
÷ 2	=	AVOIDS DOUBLE-COUNTING TRIPS FOR ORIGIN AND DESTINATION
NET COST/VMT	=	COST/VMT - CREDIT/VMT
COST/VMT	=	COST/VMC X VMC/VMT
COST/VMC	=	AVERAGE COST TO CREATE A NEW VMC BASED ON HISTORICAL OR PLANNED PROJECTS (\$306 EXCLUDING MAJOR STRUCTURES)
VMC/VMT	=	THE SYSTEM-WIDE RATIO OF CAPACITY TO DEMAND IN THE MAJOR ROAD SYSTEM (1.0 ASSUMED)
CREDIT/VMT	=	CREDIT PER VMT, BASED ON REVENUES TO BE GENERATED BY NEW DEVELOPMENT (\$82)
RF	=	REDUCTION FACTOR ADOPTED BY POLICY AT 52.6%

i. A TCP FEE CALCULATION STUDY SUBMITTED FOR THE PURPOSE OF CALCULATING A TRANSPORTATION IMPACT FEE MAY BE BASED ON DATA, INFORMATION AND ASSUMPTIONS THAT ARE FROM:

- (1) AN ACCEPTED STANDARD SOURCE OF TRANSPORTATION ENGINEERING OR PLANNING DATA; OR
- (2) (2) A LOCAL STUDY ON TRIP CHARACTERISTICS PERFORMED BY A QUALIFIED TRANSPORTATION PLANNER OR ENGINEER PURSUANT TO AN ACCEPTED METHODOLOGY OF TRANSPORTATION PLANNING OR ENGINEERING THAT HAS BEEN APPROVED BY THE DIRECTOR.

Growth and Development Related Street Policy

The City of Grand Junction requires that new development pay a Transportation Capacity Payment to help defray the cost to the City for the impact of development on

City streets. The City has experienced steady growth for over a decade and during that time has struggled with how to fairly collect and administer impact fees assessed against development, how to credit some or all of those fees against taxes otherwise paid and what, if any, role the City should have in funding/contributing to the cost of providing additional traffic/street capacity and/or traffic/street capacity in accordance with community expectations.

The City has determined that there are three key components to a meaningful growth and development related street/traffic policy. They are:

1. Collection of a realistic TCP for all new development projects. The TCP shall be annually reviewed and adjusted in accordance with 6.2B2d of the ZDC.
2. A clear articulation of what minimum requirements (in addition to the TCP) each development must construct; and
3. City funding and/or other means of participation in construction of street improvements.

Because the City has determined that traffic is a community problem, the TCP shall be uniform throughout the City and subject to criteria stated below; funding may be provided to street improvements anywhere within the City.

The principles of this policy are:

1. All development projects that create a traffic impact, as defined by the City ZDC, shall pay a TCP as established by and in accordance with the ZDC. The fundamental precept of the City's TCP policy is that new development must pay its fair share for the added traffic that development creates.
2. The TCP fee has been set to ensure that trips from each new development are calculated and that the developer contributes to the value of capacity consumption of City streets in proportion to the traffic that the development is reasonably anticipated to generate. The fee also recognizes as a credit the value of taxes generated from development.

TCP funds are intended to be used for improvements to the major roadway system as identified on the most current version of the Grand Valley Circulation Plan functional classification map (Minor Collector or above). Improvements to the local roadway system will continue to be the responsibility of the property owners abutting the local roadway. The TCP fee is not intended to be used for debt service for the Riverside Parkway project.

Minimum Street Access Improvements -- . Construction of these improvements will be the responsibility of the developer and shall be constructed or guaranteed at the time of development. These improvements are needed to provide safe ingress/egress

and shall meet the minimum standards in Section 5 of the TEDS Manual – Fire Department Access. off-site, Half Street or perimeter improvements necessary to increase the capacity or improve the safety of adjacent or perimeter streets.

- Absent unique needs or characteristics of the development, Minimum Street Access Improvements shall mean construction of full asphalt radii, and necessary drainage improvements in accordance with the City standard detail for each intersection with a perimeter street and/or improvements necessitated if the proposed development creates lots with direct access to the perimeter street(s) as determined by the Director. An owner or developer may appeal a determination of Minimum Street Access Improvements to the Transportation Engineering Design Standards (TEDS) Exception Committee. That Committee consists of the PW&U Director, the Fire Chief and the Community Development Director.
- Curb, gutter and sidewalk improvements shall be constructed as part of minimum access improvements when connecting directly to a street with like improvements.
- and bus stops and transit shall be incorporated into determining what improvements are required associated with a connection to the adjacent street system.
- Right of Way - The development shall dedicate necessary ROW (per Code and TEDS) to provide safe ingress/egress to the proposed development.
- Drainage Structures including Bridges - The development shall construct drainage structures and/or bridges associated with the connection of the development to the street system.

Curb, gutter a

- Traffic Studies - Preparation of Traffic Studies shall be the responsibility of new development as currently defined by the Code.

The City's multi-modal plan, including bike lanes, trails, paths, alternate pedestrian connections

- Utilities – The extension of utilities including water, sewer, storm water improvements gas, electric, cable and telephone, etc will continue to be the responsibility of new development.

5. In addition to the TCP and Minimum Street Access Improvements, the developer must fully construct (or if current needs do not require construction, then the developer must guarantee for future construction) all internal streets, roads, alleys, and future connections in accordance with the development's approved plan.

6. The developer is responsible for the cost of the design of all features of the Minimum Street Access Improvements as required by TEDS, the GVCP, and other applicable City code(s), ordinance(s), policy(ies) or resolution(s).

Reimbursable Street Expenses – In the event a development triggers the need for public improvements beyond available City funding from the TCP, the City and the developer may enter into an agreement that would provide for the reimbursement of a portion of the costs of the public improvements.

Safe and adequate streets are a priority for the City. To help meet that need, a fund will be established to allow the City to fund and/or partner with developers or other governments. City funding or participation in street improvements shall be used for three purposes:

1. Construction of larger scale improvements along corridors which are deficient in street improvements (i.e., capacity, safety or physical improvements including pavement, curbs, gutters, and sidewalks).

2. Specific street or intersection improvements either adjacent or off-site from a new development where the existing condition is deficient as defined by City code.

3. Participation in a larger regional project in cooperation with the participating agencies of the Grand Valley MPO.

4. City funding and/or other means of participation in street improvements is conditioned on:

- Construction will improve traffic safety;
- Construction will improve traffic flow;
- Construction will improve pedestrian safety;
- Construction will improve capacity.

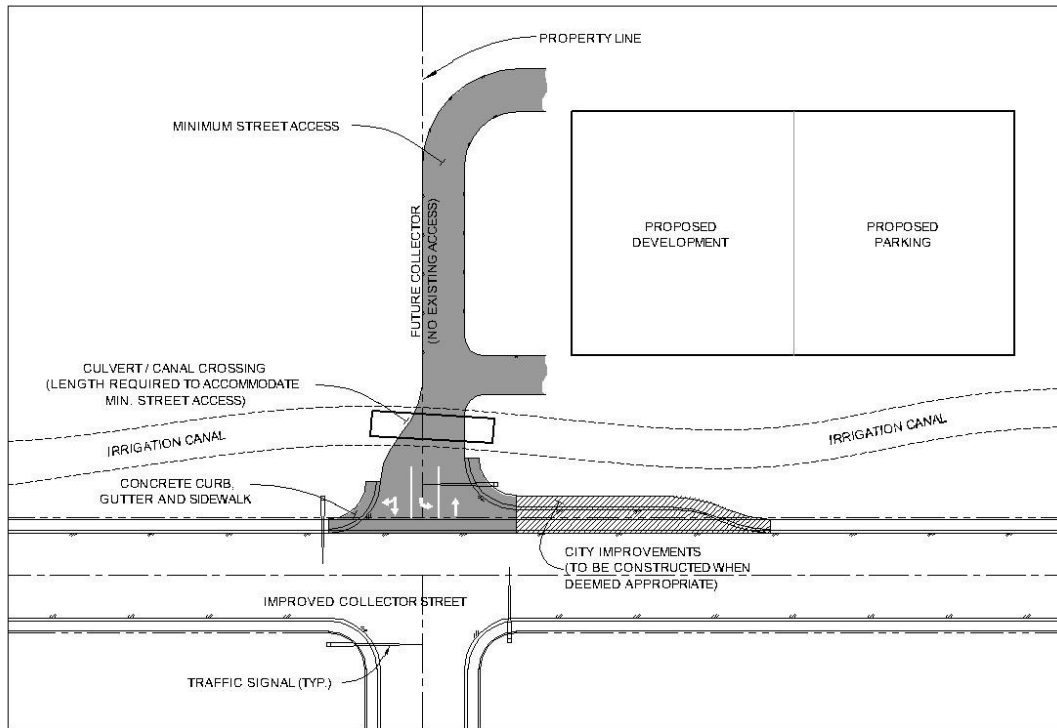
Introduced on First Reading this ____ day of _____ 2004.

PASSED and ADOPTED on second reading this _____ day of _____ 2004.

President of the Council

Attest:

City Clerk



MINIMUM STREET ACCESS INCLUDES

- ◆ CULVERT/CANAL CROSSING TO ACCOMMODATE DEVELOPMENT NEEDS (TRAFFIC STUDY). IF LESS THAN LENGTH REQUIRED FOR ULTIMATE STREET SECTION, CITY MAY CONTRIBUTE TO COMPLETE THE LENGTH.
- ◆ FIRE ACCESS IMPROVEMENTS BETWEEN COLLECTOR AND STORE ACCESS (MIN. 20' OF PAVEMENT WIDTH, OR GREATER AS REQUIRED BY THE TRAFFIC STUDY. DOES NOT INCLUDE CURB, GUTTER OR SIDEWALK, UNLESS NECESSARY FOR TRANSITION WITH EXISTING).
- ◆ DEDICATION OF R.O.W. PER DEVELOPMENT NEEDS OR PER MAJOR STREET PLAN, WHICH EVER IS GREATER.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.

CITY OF GRAND JUNCTION BUILDS

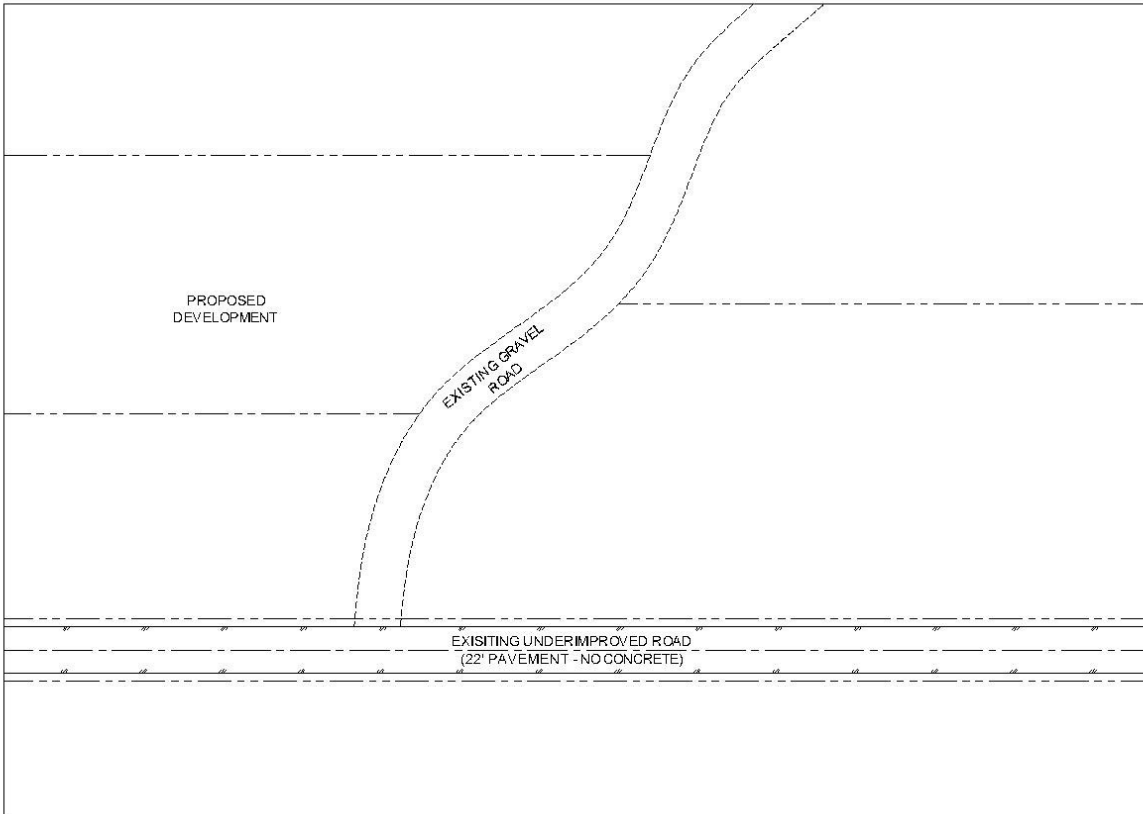
- ◆ TRAFFIC SIGNAL
- ◆ DECELERATION LANE

DRAWN BY: JAH
 DATE: 5-10-2004
 SCALE: N.T.S.
 APPR. BY: T.M.
 FILE NO. EXAMPLE.DWG

*PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION*

EXAMPLE 1





MINIMUM STREET ACCESS INCLUDES

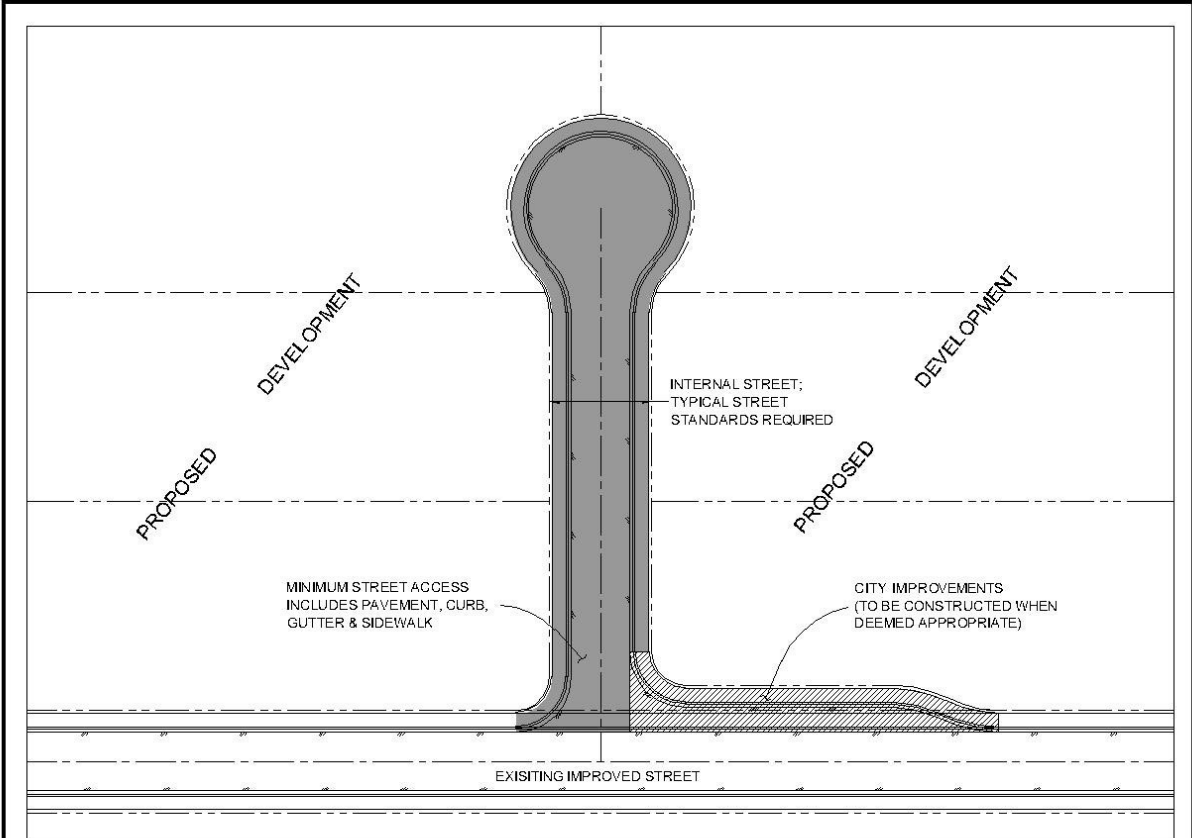
- ◆ IMPROVE GRAVEL ROAD PER FIRE STANDARDS.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.
- ◆ R.O.W. DEDICATION TO ACCOMODATE DEVELOPMENT NEEDS.

DRAWN BY: JAH
DATE: 5-10-2004
SCALE: N.T.S.
APPR. BY: T.M.
FILE NO. EXAMPLE.DWG

*PUBLIC WORKS & UTILITIES
ENGINEERING DIVISION*

EXAMPLE 2





MINIMUM STREET ACCESS INCLUDES

- ◆ CONNECTION OF CURBS, GUTTERS AND SIDEWALKS TO EXISTING IMPROVEMENTS.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.

CITY OF GRAND JUNCTION BUILDS

- ◆ DECELERATION LANE

DRAWN BY: JAH
 DATE: 5-10-2004
 SCALE: N.T.S.
 APPR. BY: T.M.
 FILE NO. EXAMPLE.DWG

*PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION*
 EXAMPLE 3



Attach 3

Setting a Hearing on Zoning the Cameck Annexion

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Cameck Annexation to RMF-5 located at 3048 D ½ Road.						
Meeting Date	May 19, 2004						
Date Prepared	May 10, 2004				File #ANX-2004-049		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Introduction of a proposed zoning ordinance to zone the Cameck Annexation, located at 3048 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for June 2, 2004.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Annexation map
7. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		3048 D ½ Rd		
Applicants:		Christopher & Cynthia Morse – DBA Cameck LLC		
Existing Land Use:		Agricultural / Horse Property / Single Family Home		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Single Family Residential @ 4.4 du/ac		
	South	Agricultural / Single Family homes		
	East	Single Family Residential @ 3.9 du/ac		
	West	Agricultural / Single Family homes		
Existing Zoning:		County RSF-R		
Proposed Zoning:		City RMF-5		
Surrounding Zoning:	North	County RMF-5		
	South	County PUD (Undeveloped w/o a plan)		
	East	County RMF-5		
	West	County RSF-R		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RMF-5 district is consistent with the Growth Plan density of Residential Medium 4-8 du/ac. The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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;

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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.;

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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;

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

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;

Response: The proposed zoning is consistent with the Goals and policies of the Growth Plan, the requirements of the Zoning and Development 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;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

7. The community or neighborhood will benefit from the proposed zone.

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

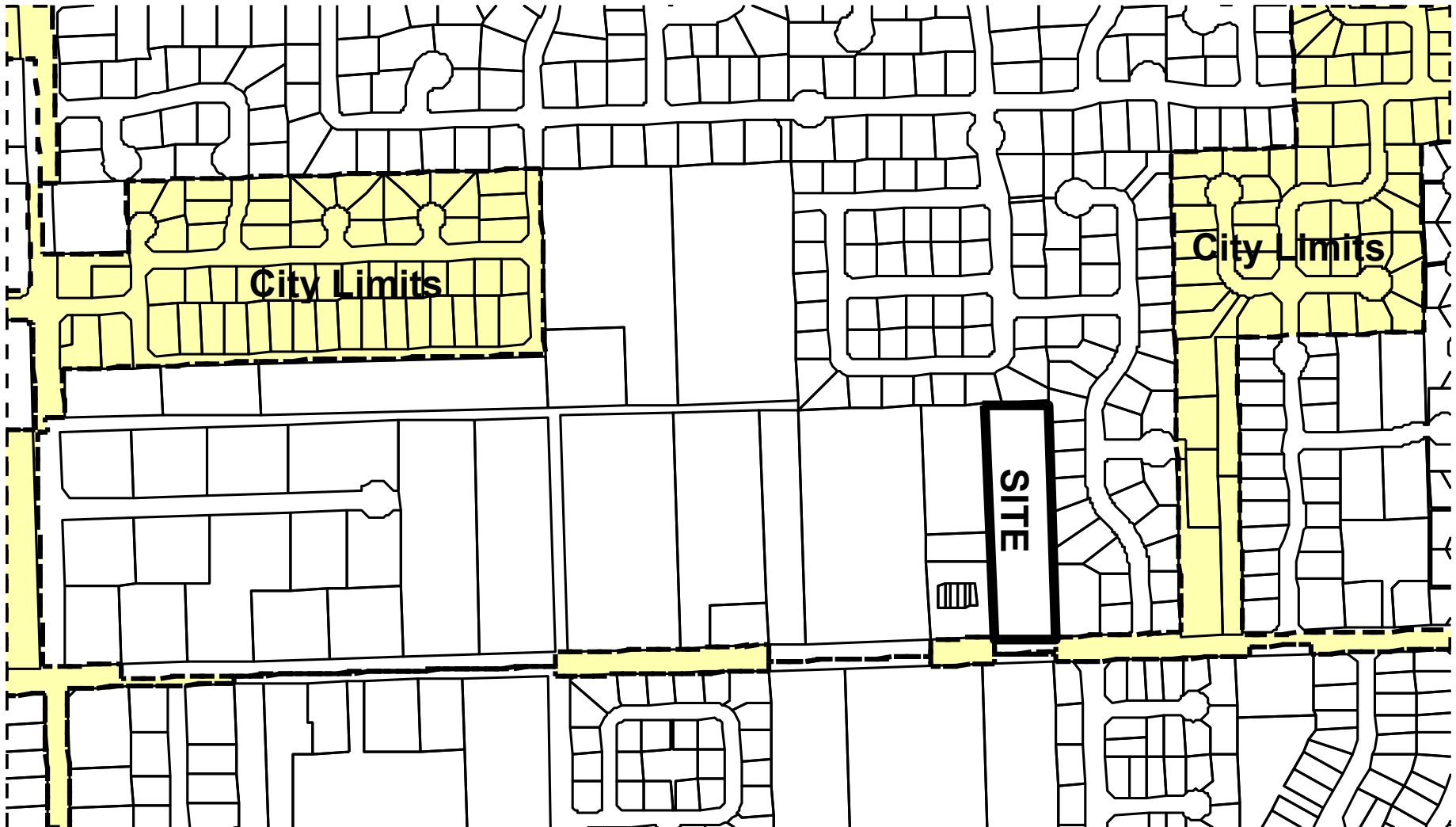
STAFF RECOMMENDATION

Staff recommends approval of the RMF-5 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-5 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



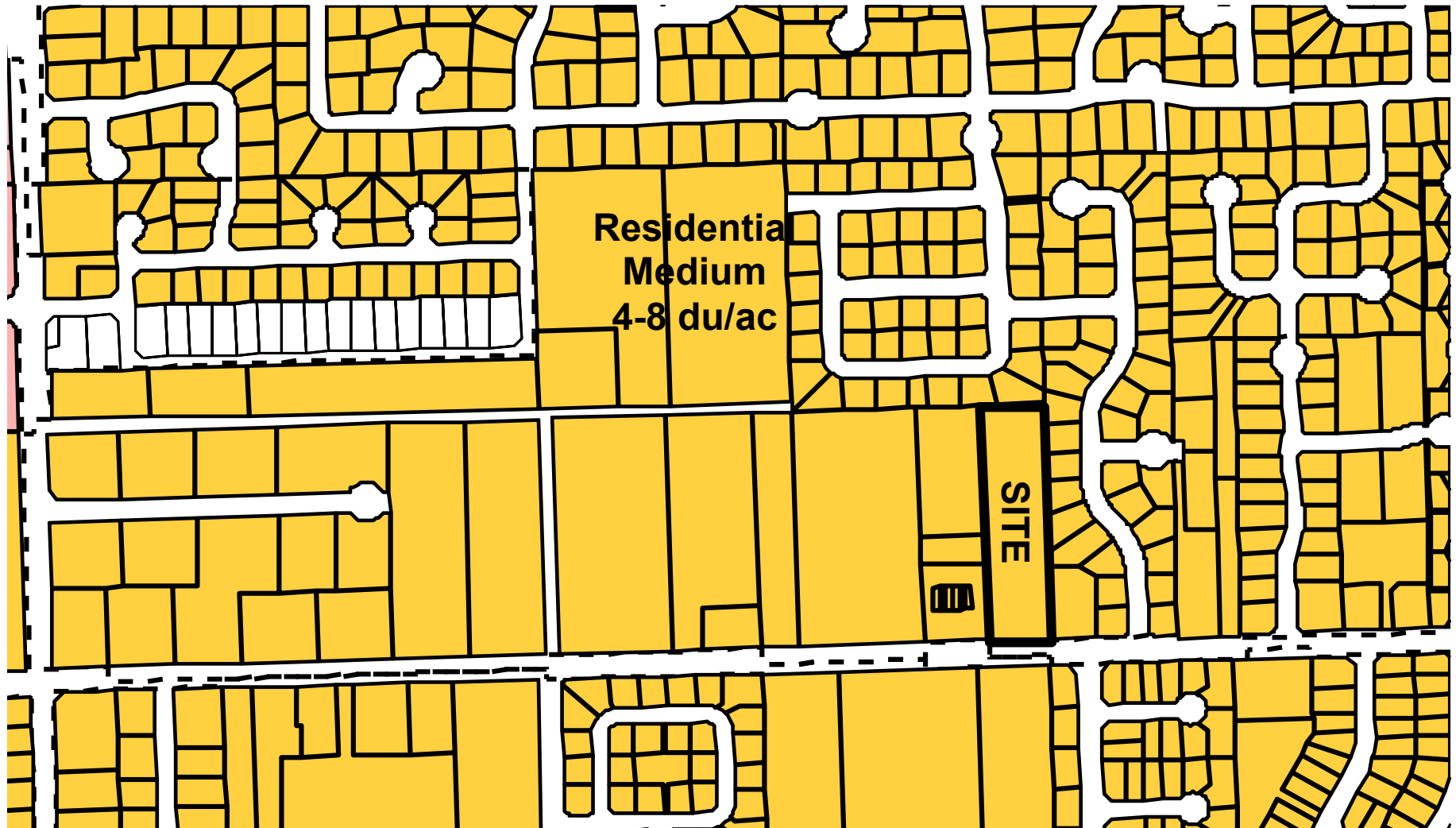
Aerial Photo Map

Figure 2



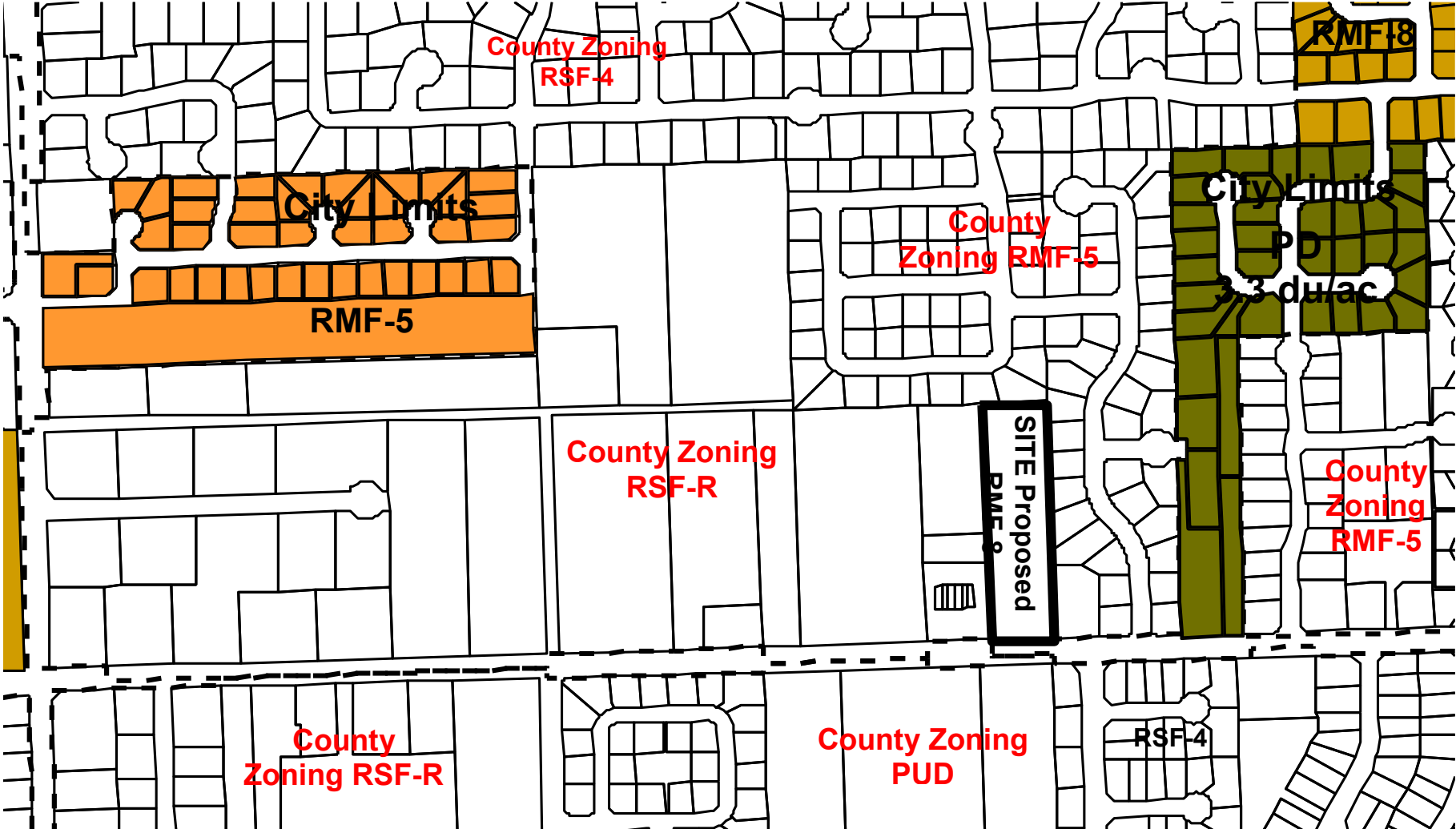
Future Land Use Map

Figure 3



Existing City and County Zoning

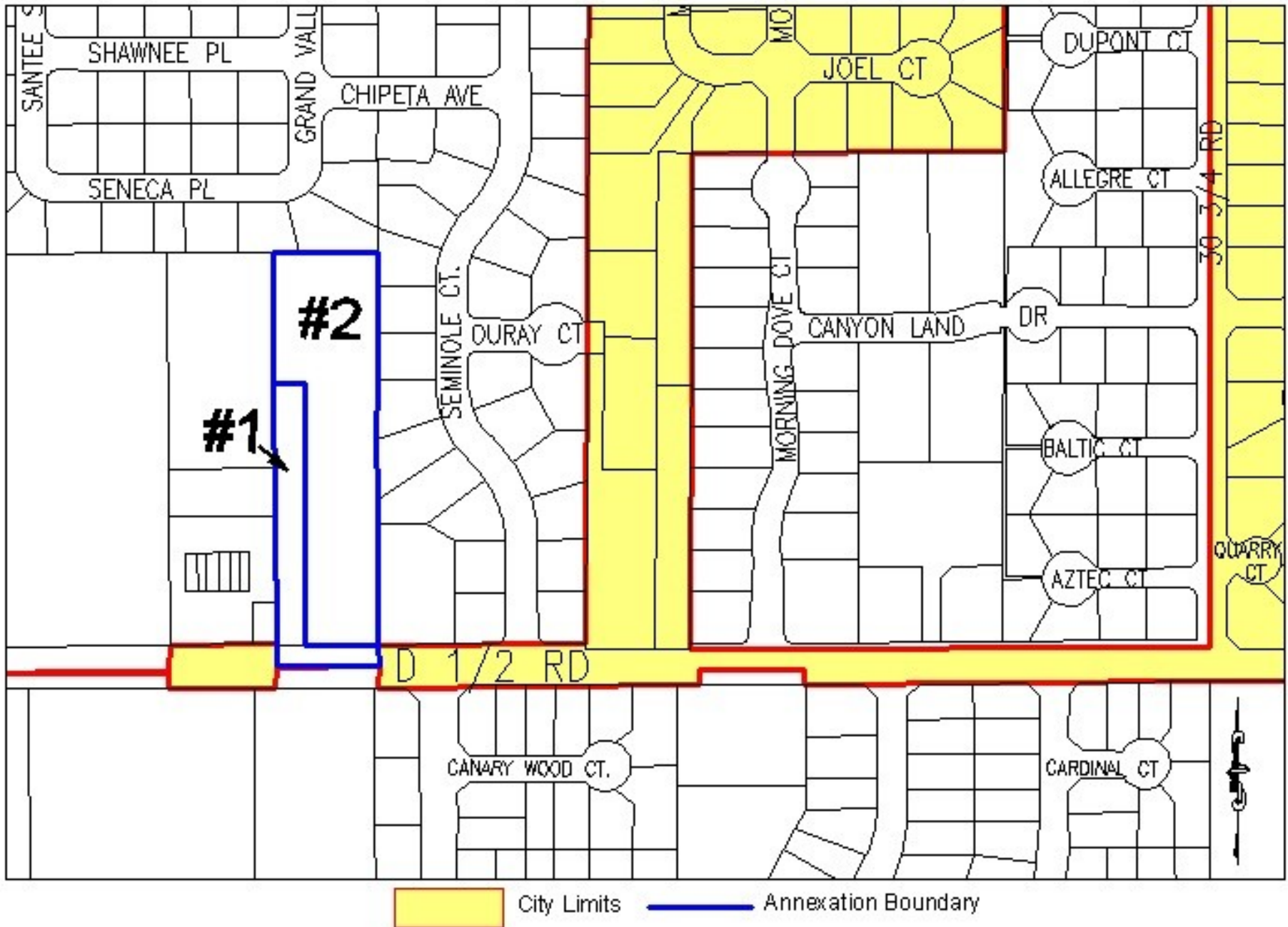
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Cameck Annexation #1 & #2

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CAMECK ANNEXATION TO
RMF-5 (Residential Multi-Family 5 du/ac)**

LOCATED AT 3048 D ½ RD

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 zoning the Cameck Annexation to the RMF-5 zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-5 zone district be established.

The Planning Commission and City Council find that the RMF-5 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned RMF-5 with a density not to exceed 5 units per acre.

CAMECK ANNEXATION

The E1/4SE1/4SE1/4NW1/4 of Section 16, Township 1 South, Range 1 East of the Ute Meridian

Introduced on first reading this 19th day of May, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 4

Setting a Hearing on Zoning the Holley Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Holley Annexation to RSF-4, located at 2936 D ½ Road.						
Meeting Date	May 19, 2004						
Date Prepared	May 10, 2004				File #ANX-2004-059		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Introduction of a proposed zoning ordinance to zone the Holley Annexation, located at 2936 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for June 2, 2004.

Background Information: See attached Staff Report/Background Information

Attachments:

- 8. Staff report/Background information
- 9. General Location Map
- 10. Aerial Photo
- 11. Growth Plan Map
- 12. Zoning Map
- 13. Annexation map
- 14. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2936 D ½ Road	
Applicants:		Tom Holley	
Existing Land Use:		Single Family Home	
Proposed Land Use:		Single Family Home	
Surrounding Land Use:	North	Agricultural / Single Family Homes	
	South	Agricultural / Single Family Homes	
	East	Agricultural / Single Family Homes	
	West	Agricultural / Single Family Homes	
Existing Zoning:		County RSF-R	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County I-2	
	South	County RSF-E / RSF-R; City RMF-8	
	East	County RSF-R	
	West	County RSF-R	
Growth Plan Designation:		Residential Medium Low 2-4 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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:

2. The existing zoning was in error at the time of adoption;

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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.;

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

6. 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;

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

7. 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;

Response: The proposed zoning is consistent with the Goals and polices of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

8. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

8. The community or neighborhood will benefit from the proposed zone.

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

STAFF RECOMMENDATION

Staff recommends approval of the RSF-4 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-4 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



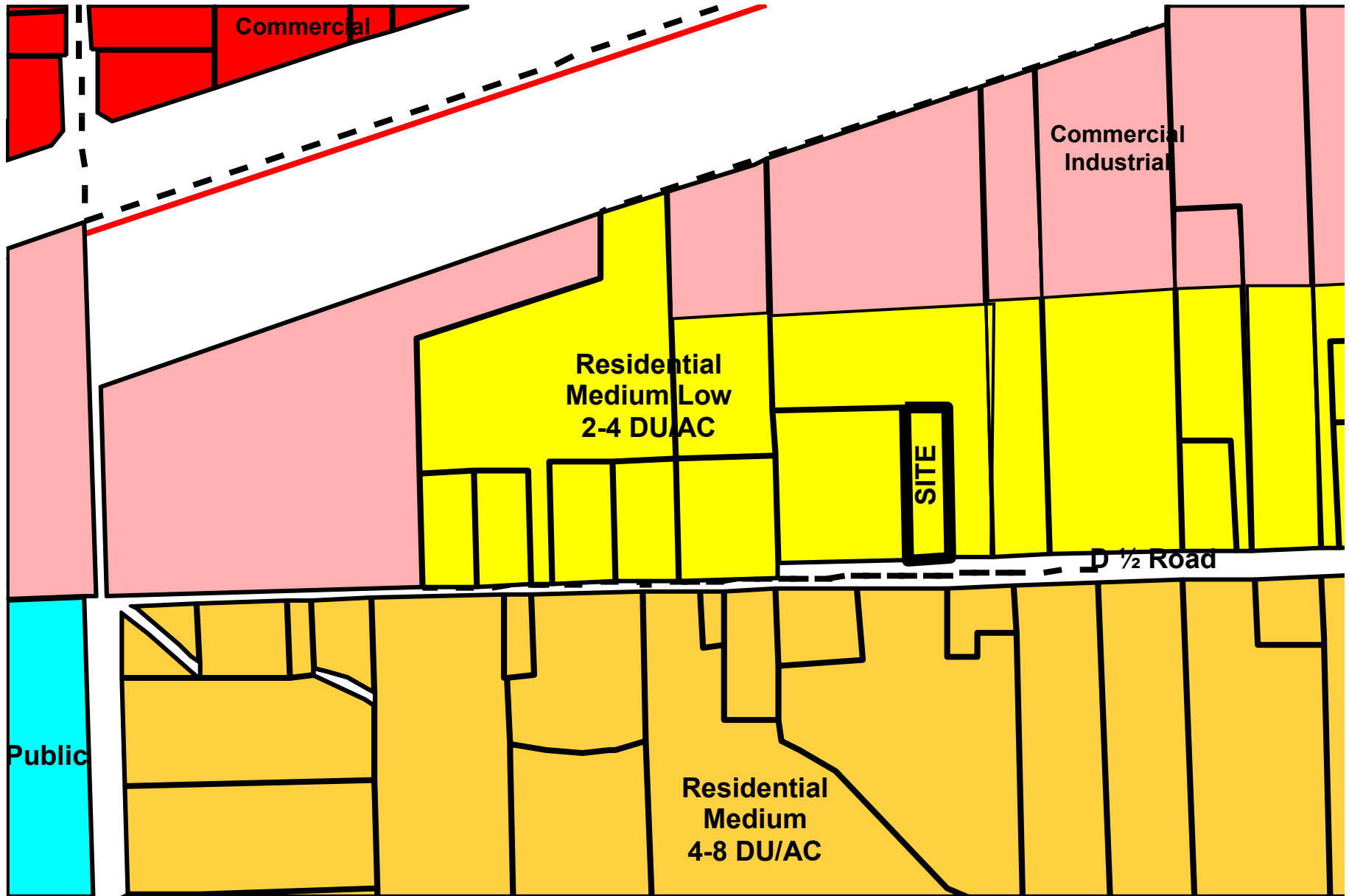
Aerial Photo Map

Figure 2



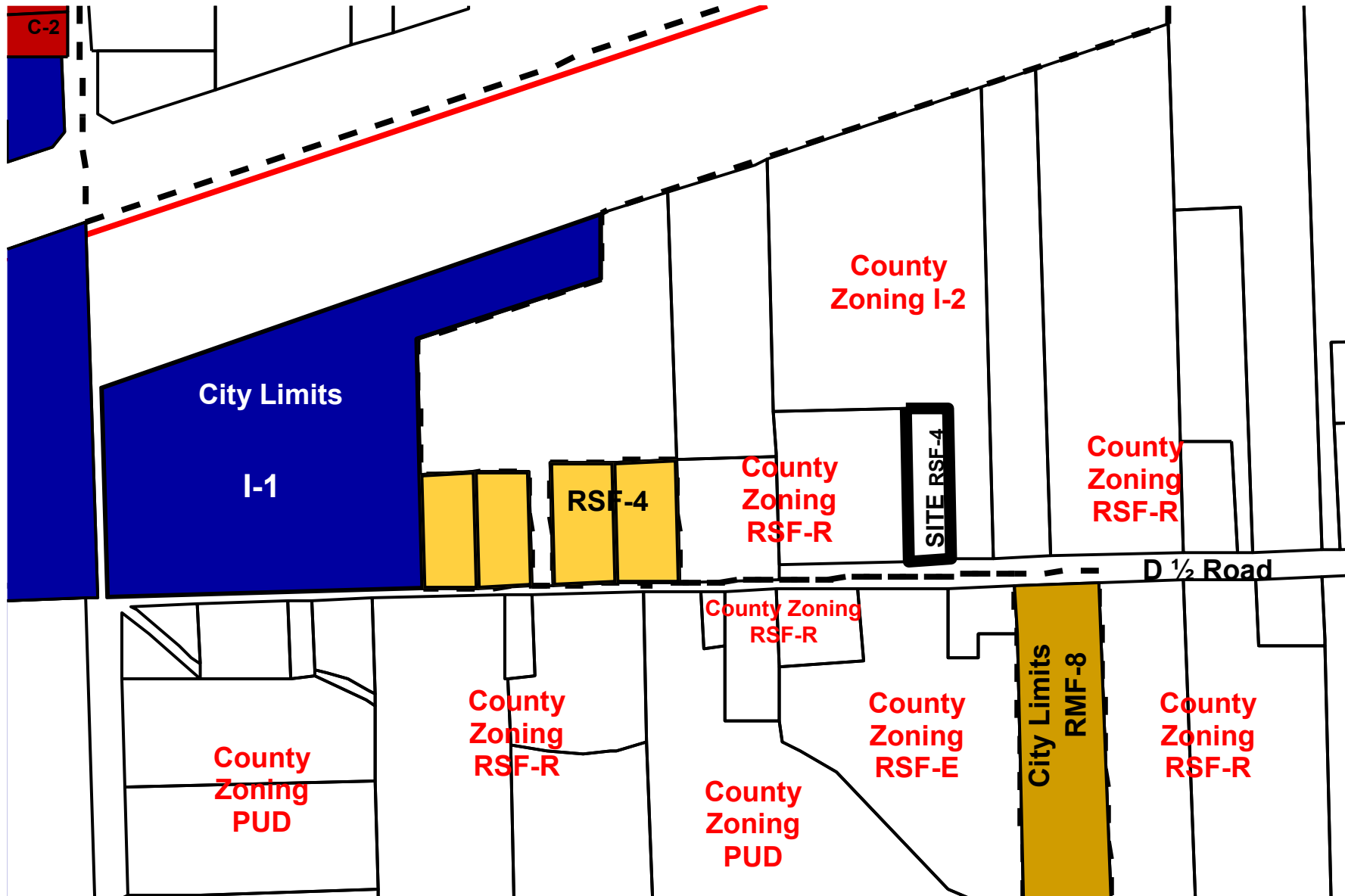
Future Land Use Map

Figure 3



Existing City and County Zoning

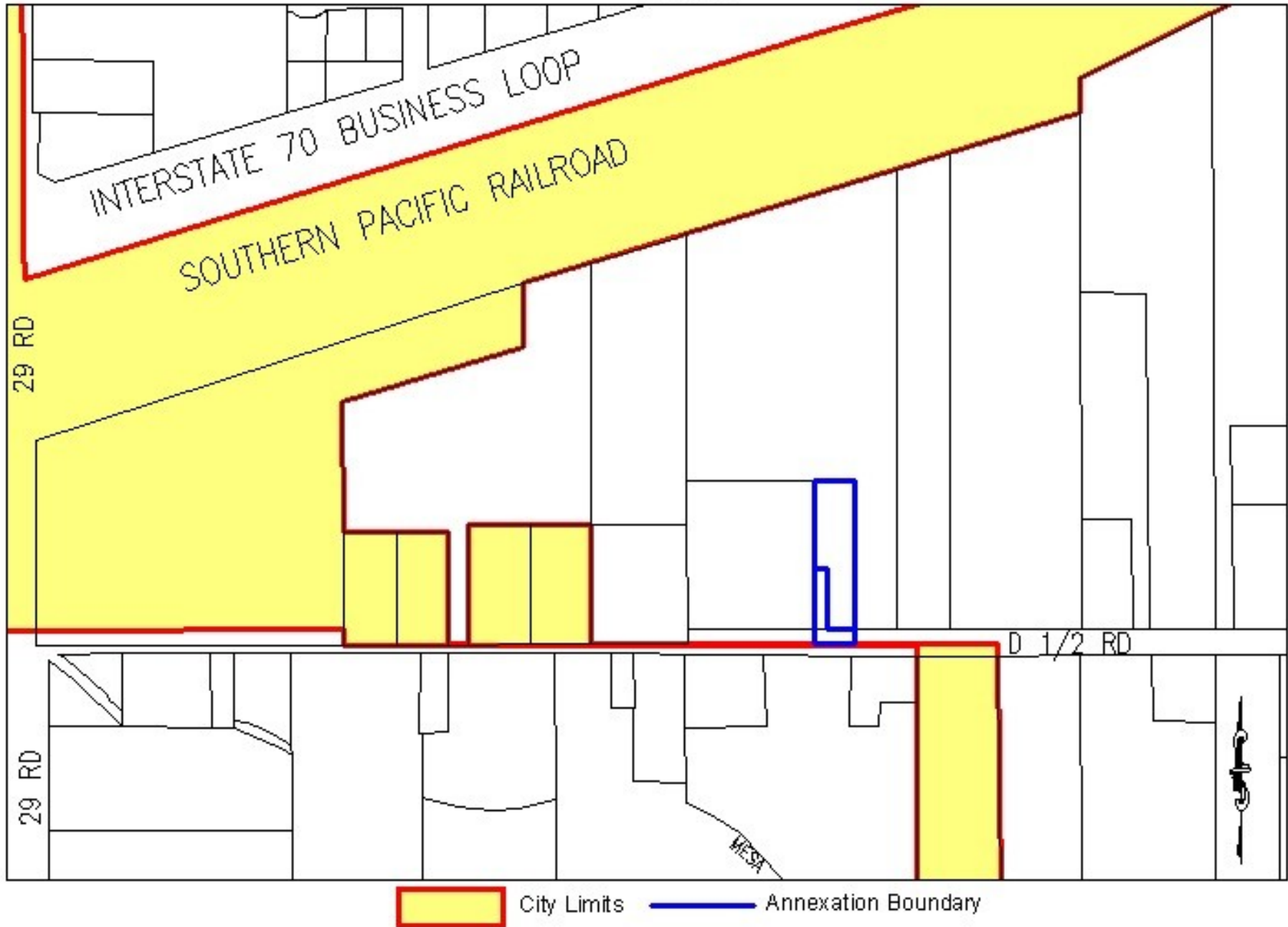
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Holley Annexations #1 & #2

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HOLLEY ANNEXATION TO
RSF-4 (Residential Single Family 4 du/ac)**

LOCATED AT 2936 D 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 zoning the Holley Annexation to the RSF-4 zone district for the following reasons:

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

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

The Planning Commission and City Council find that the RSF-4 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned RSF-4 with a density not to exceed 4 units per acre.

HOLLEY ANNEXATION

Beginning at a point 660' E of the SW cor of the SE1/4NW1/4 of Section 17, T1S, R1E of the Ute Meridian, thence N 400', thence E 91.5', thence S 400', thence W 91.5' to the Point of Beginning, Mesa Co, Colorado

Introduced on first reading this 19th day of May, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 5

Setting a Hearing for the Peregrine Estates Annexation Located at 2157 S. Broadway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Peregrine Estates Annexation located at 2157 S. Broadway						
Meeting Date	May 19, 2004						
Date Prepared	May 10, 2004					File #ANX-2004-060	
Author	Senta L. Costello			Associate Planner			
Presenter Name	Senta L. Costello			Associate Planner			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 18.585 acre Peregrine Estates Annexation consists of 1 parcel located at 2157 S. Broadway. The property currently has a development application in the review process for a new subdivision consisting of 25 single family lots.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Peregrine Estates Annexation petition and introduce the proposed Peregrine Estates Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for July 7, 2004.

Background Information: See attached Staff Report/Background Information

Attachments:

15. Staff report/Background information
16. General Location Map
17. Aerial Photo
18. Growth Plan Map
19. Zoning Map
20. Annexation map
21. Resolution Referring Petition
22. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2157 S Broadway		
Applicants: < Prop owner, developer, representative>		Owner: Guy & Martha Stephens Developer/Representative: Ray Rickard – Perigrine Estates		
Existing Land Use:		1 Single Family Home		
Proposed Land Use:		Single Family Home subdivision		
Surrounding Land Use:	North	Riggs Hill		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Wetlands		
Existing Zoning:		County RSF-2		
Proposed Zoning:		City RSF-2		
Surrounding Zoning:	North	City RSF-R & CSR		
	South	County RSF-2		
	East	County RSF-2		
	West	County RSF-2		
Growth Plan Designation:		Residential Low ½ -2 ac/du		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 18.548 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City as the result of wishing to develop a residential subdivision. Under the 1998 Persigo Agreement all Major Subdivisions require annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Peregrine Estates 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.

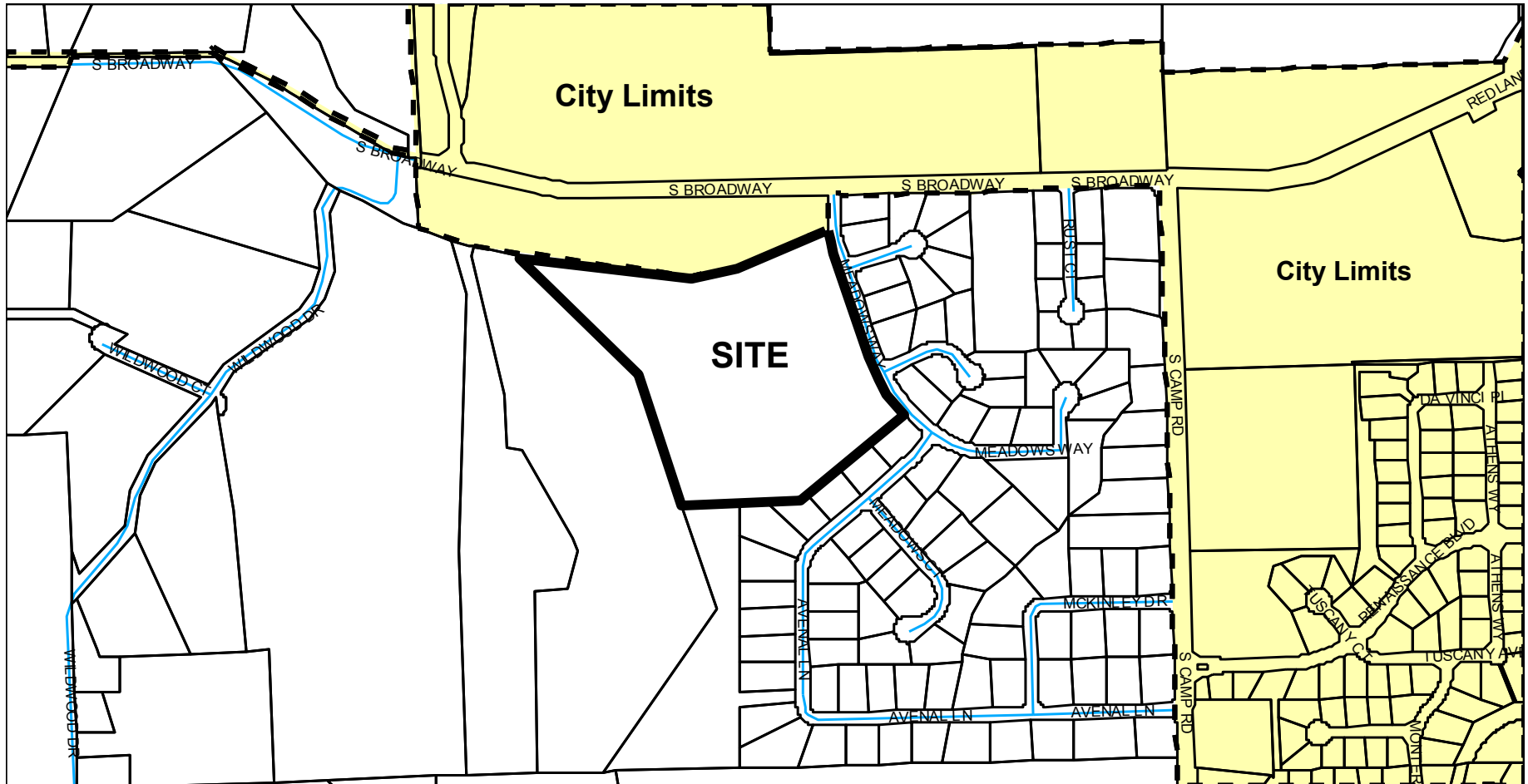
<u>ANNEXATION SCHEDULE</u>	
May 19, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 8, 2004	Planning Commission considers Zone of Annexation
June 16, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council
July 7, 2004	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 8, 2004	Effective date of Annexation and Zoning

<NAME> ANNEXATION SUMMARY

File Number:	ANX-2004-060	
Location:	2157 S Broadway	
Tax ID Number:	2947-262-00-038	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	18.548	
Developable Acres Remaining:	17.87	
Right-of-way in Annexation:	Approximately 720' of Meadows Way	
Previous County Zoning:	RSF-2	
Proposed City Zoning:	RSF-2	
Current Land Use:	Single Family Home	
Future Land Use:	Single Family Residential Subdivison	
Values:	Assessed: = \$11,450	
	Actual: = \$138,290	
Address Ranges:	2157 S Broadway, 449 – 465 Meadows Way – Odd only	
Special Districts:	Water: Ute Water	
	Sewer:	
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage :	Redlands Water & Power
	School:	Mesa Co School District #51
	Pest:	Redlands Mosquito District

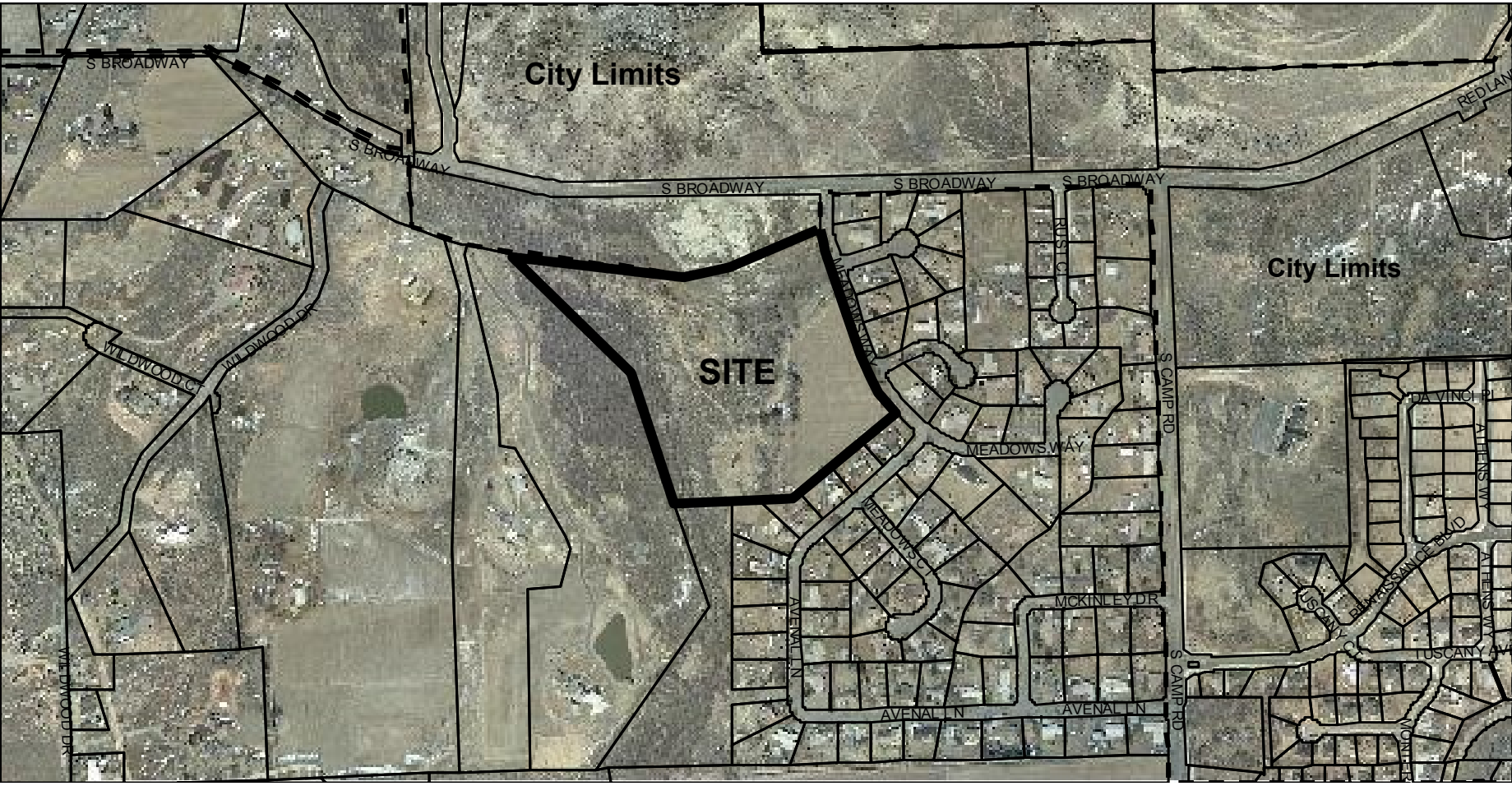
Site Location Map

Figure 1



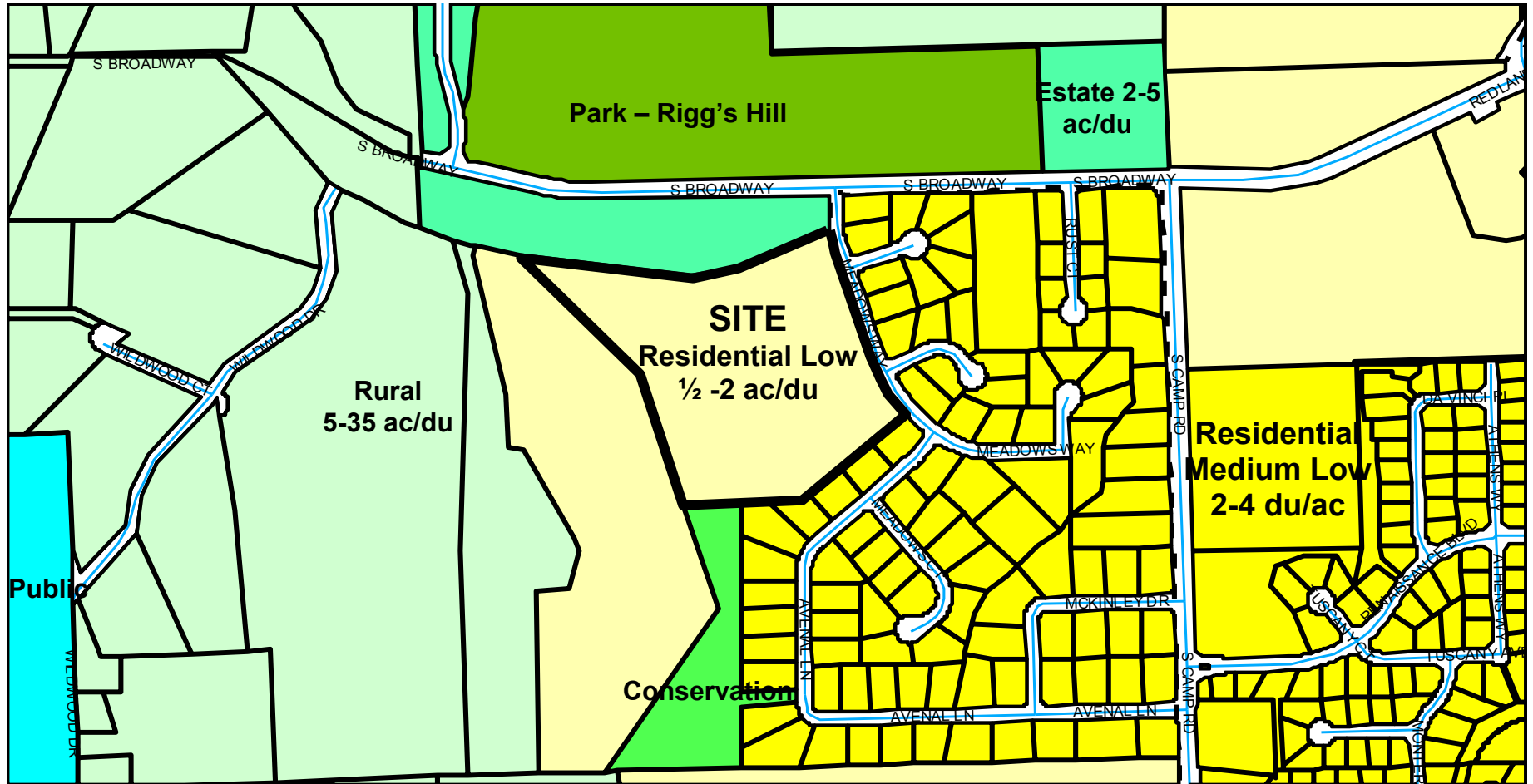
Aerial Photo Map

Figure 2



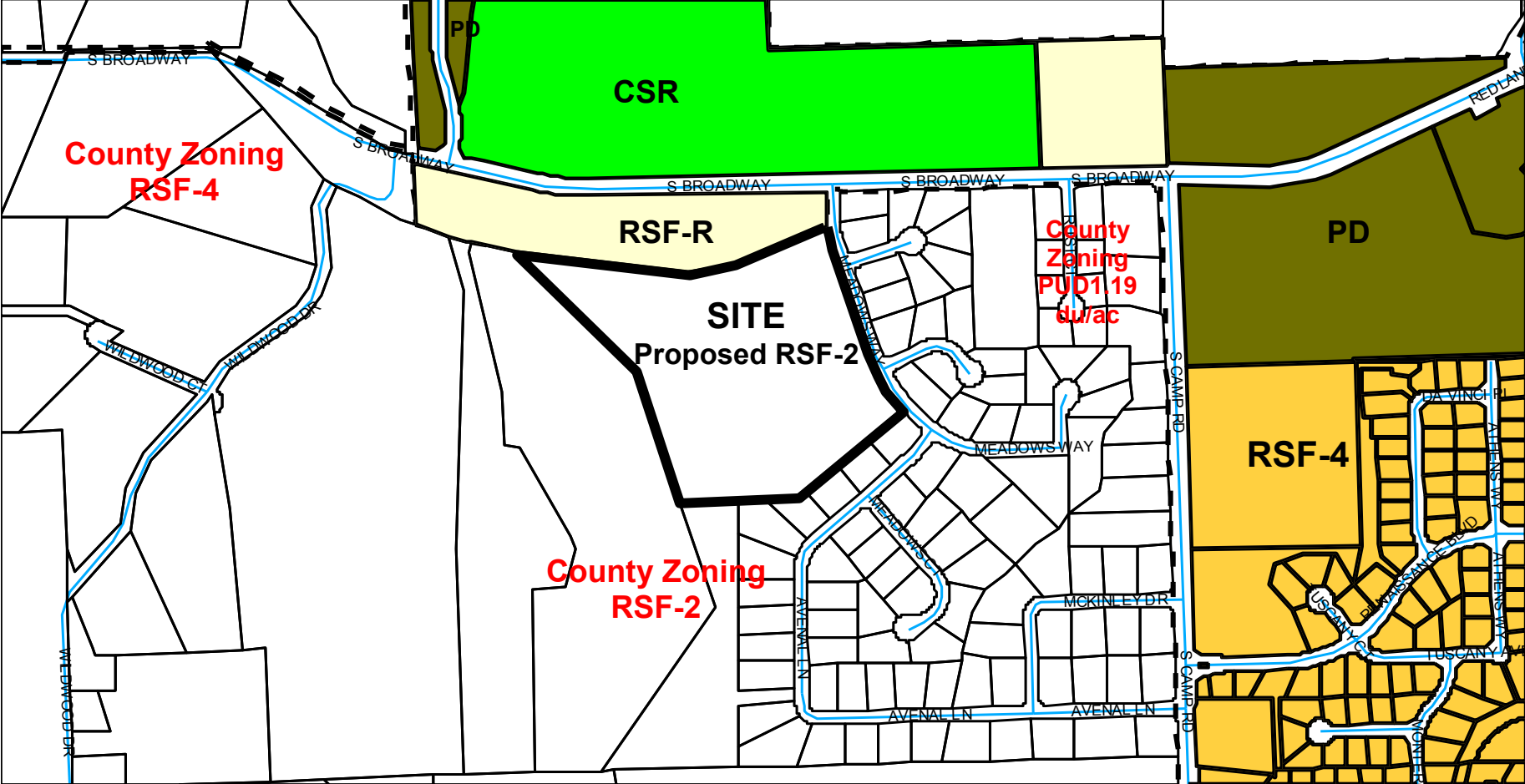
Future Land Use Map

Figure 3



Existing City and County Zoning

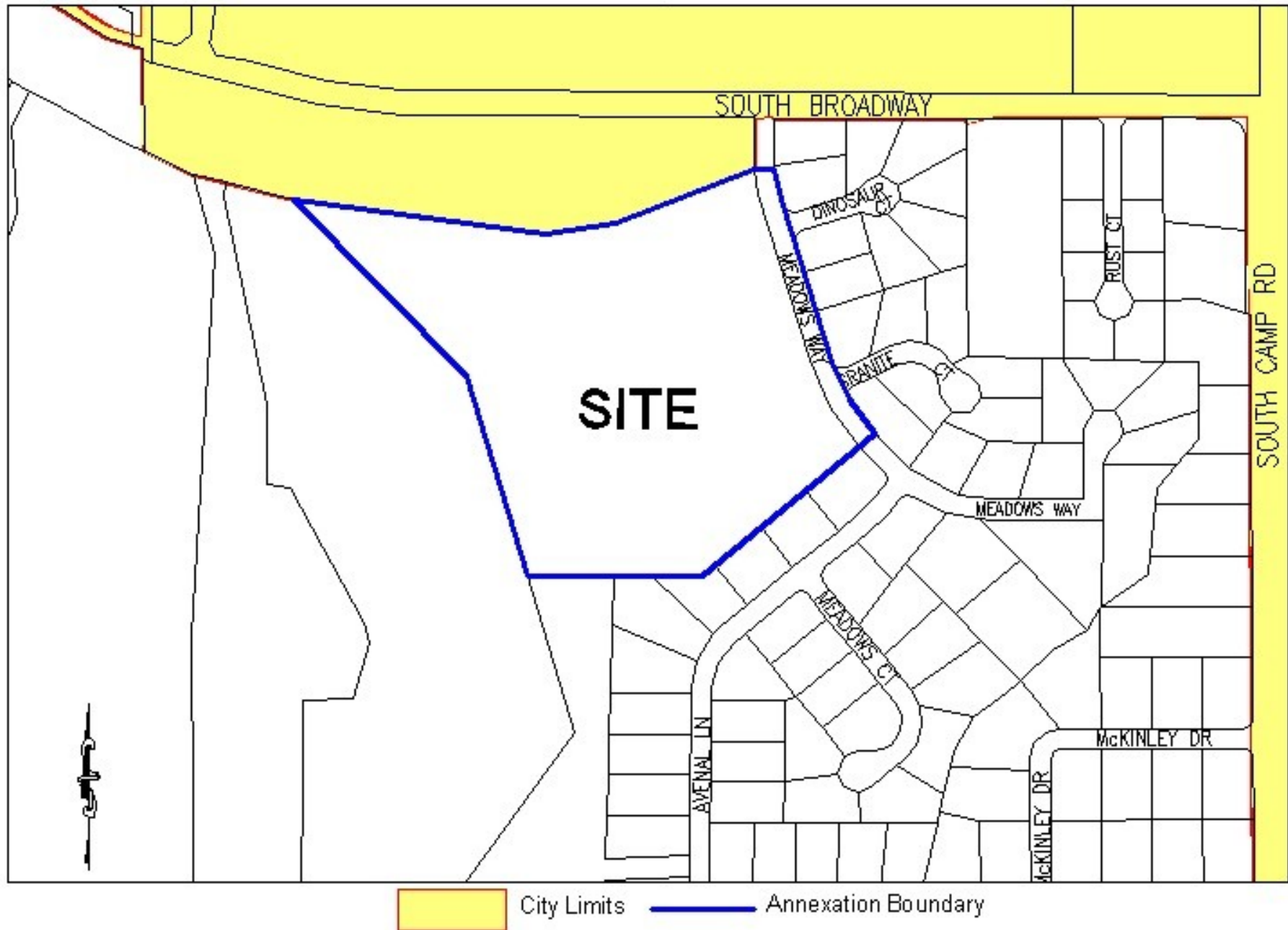
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Peregrine Estates Annexation

Figure 5



**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 19th of May, 2004, 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**

PEREGRINE ESTATES ANNEXATION

LOCATED at 2157 S BROADWAY.

WHEREAS, on the 19th day of May, 2004, 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:

PEREGRINE ESTATES ANNEXATION

A certain parcel of land lying in Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, lying West of the East right of way for Meadows Way, as same is shown on the Replat of Lots 2 through 6, Block 4, 1st Addition to Monument Meadows, as same is recorded in Plat Book 11, Page 74, Public Records of Mesa County, Colorado, North of Lots 12 through 16, Block 5 and Tract "A", all as shown on the 1st Addition to Monument Meadows, as same is recorded in Plat Book 11, Page 18, Public Records of Mesa County, Colorado, South of the South line of Lot 3, Rump Subdivision, as same is recorded in Plat Book 18, pages 140 through 142, Public Records of Mesa County, Colorado and East of that certain parcel of land with Mesa County Parcel Control Number 2947-263-00-067 and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 3, Rump Subdivision and assuming the bearings of the following described parcel to be in the meridian of said Rump Subdivision with the East line of said Lot 3 bearing S 00°13'53" W; thence from said Point of Beginning, S 89°46'07" E a distance of 50.00 feet to a point on the East right of way for Meadows Way; thence along the East right of way for said Meadows Way, S 00°13'53" W a distance of 2.96 feet; thence Southeasterly 46.85 feet along the arc of a 152.10 foot radius curve, concave East, through a central angle of 17°39'00", whose long chord bears S 08°32'27" E with a long chord length of 46.67 feet; thence continuing along said East right of way, S 17°21'57" E a distance of 428.30 feet to a point being the beginning of a 525.00 foot radius curve, concave Northeast, whose long chord bears S 29°51'25" E with a long chord length of 227.10 feet; thence Southeasterly 228.91 feet along the arc of said curve, through a central angle of 24°58'56" to a point; thence S 50°54'03" W along the North line of said Block 5, a distance of 549.97 feet; thence N 89°51'57" W along the North line of said Block 5, a distance of 433.51 feet to a point being the Northwest corner of Tract "A" of said 1st

Addition to Monument Meadows; thence N 16°48'42" W a distance of 511.49 feet; thence N 44°01'44" W a distance of 613.39 feet, more or less, to a point on the South line of said Lot 3, Rump Subdivision; thence S 82°04'17" E along the South line of said Lot 3, a distance of 627.50 feet; thence N 81°43'43" E along said South line, a distance of 177.90 feet; thence N 68°48'43" E a distance of 363.13 feet, more or less, to the Point of Beginning.

CONTAINING 18.548 Acres (807,934 Sq. Ft.), 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 7th day of July, 2004, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM 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 19th day of May, 2004.

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>DATES PUBLISHED</i>
May 21, 2004
May 28, 2004
June 4, 2004
June 11, 2004

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PEREGRINE ESTATES ANNEXATION

APPROXIMATELY 18.548 ACRES

LOCATED AT 2157 S BROADWAY

WHEREAS, on the 19th day of May, 2004, 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 7th day of July, 2004; 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:

PEREGRINE ESTATES ANNEXATION

A certain parcel of land lying in Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, lying West of the East right of way for Meadows Way, as same is shown on the Replat of Lots 2 through 6, Block 4, 1st Addition to Monument Meadows, as same is recorded in Plat Book 11, Page 74, Public Records of Mesa County, Colorado, North of Lots 12 through 16, Block 5 and Tract "A", all as shown on the 1st Addition to Monument Meadows, as same is recorded in Plat Book 11, Page 18, Public Records of Mesa County, Colorado, South of the South line of Lot 3, Rump Subdivision, as same is recorded in Plat Book 18, pages 140 through 142, Public Records of Mesa County, Colorado and East of that certain parcel of land with Mesa County Parcel Control Number 2947-263-00-067 and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 3, Rump Subdivision and assuming the bearings of the following described parcel to be in the meridian of said Rump

Subdivision with the East line of said Lot 3 bearing S 00°13'53" W; thence from said Point of Beginning, S 89°46'07" E a distance of 50.00 feet to a point on the East right of way for Meadows Way; thence along the East right of way for said Meadows Way, S 00°13'53" W a distance of 2.96 feet; thence Southeasterly 46.85 feet along the arc of a 152.10 foot radius curve, concave East, through a central angle of 17°39'00", whose long chord bears S 08°32'27" E with a long chord length of 46.67 feet; thence continuing along said East right of way, S 17°21'57" E a distance of 428.30 feet to a point being the beginning of a 525.00 foot radius curve, concave Northeast, whose long chord bears S 29°51'25" E with a long chord length of 227.10 feet; thence Southeasterly 228.91 feet along the arc of said curve, through a central angle of 24°58'56" to a point; thence S 50°54'03" W along the North line of said Block 5, a distance of 549.97 feet; thence N 89°51'57" W along the North line of said Block 5, a distance of 433.51 feet to a point being the Northwest corner of Tract "A" of said 1st Addition to Monument Meadows; thence N 16°48'42" W a distance of 511.49 feet; thence N 44°01'44" W a distance of 613.39 feet, more or less, to a point on the South line of said Lot 3, Rump Subdivision; thence S 82°04'17" E along the South line of said Lot 3, a distance of 627.50 feet; thence N 81°43'43" E along said South line, a distance of 177.90 feet; thence N 68°48'43" E a distance of 363.13 feet, more or less, to the Point of Beginning.

CONTAINING 18.548 Acres (807,934 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 19th day of May, 2004 and ordered published.

ADOPTED on second reading this 7th day of July, 2004.

Attest:

President of the Council

City Clerk

Attach 6

Setting a Hearing – Vacation of a 40’ Utility Easement at 311 Pinon Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Consideration of a Resolution to Vacate a 40’ Utility Easement located at 311 Pinon Street						
Meeting Date	May 19, 2004						
Date Prepared	May 12, 2004					File #PP-2003-215	
Author	Lisa E. Cox, AICP			Senior Planner			
Presenter Name	same			same			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request approval to vacate a 40’ utility easement located at 311 Pinon Street.

Budget: N/A

Action Requested: Approval of Resolution to vacate a 40’ utility right-of-way.

Background Information: See attached staff report

Attachments:

1. Staff Report
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Vacation Resolution

BACKGROUND INFORMATION					
Location:		311 Pinon Street			
Applicants:		Grace Homes/Darter LLC			
Existing Land Use:		Residential/Agricultural			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Colorado River			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RMF-8			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	CSR			
	South	RMF-8			
	East	RMF-8			
	West	CSR and RMF-8			
Growth Plan Designation:		Residential Medium, 4-8 du/ac			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request approval to vacate a 40' utility easement located at 311 Pinon Street. The property is being replatted for residential development and the existing 40' utility easement is not needed. All required utility easements shall be provided with the new development at the time of platting.

ANALYSIS

1. Background

The subject property was annexed into the City on December 19, 1973 as a part of the Central Orchard Mesa Annexation. The current zoning is RMF-8, Residential Multi-Family-8 (maximum density of 8 dwelling units per acre).

The applicant is proposing a Preliminary Plan for 11 single family detached dwelling units and 32 single family attached dwelling units. Access for the proposed development is provided from Pinon Street. The applicant is requesting approval to vacate an existing 40' utility easement, located on the eastern property line at the end of the Pinon Street. The easement is no longer necessary because the property is being developed for residential purposes and will have all necessary utility easements dedicated with the final plat.

2. Consistency with the Growth Plan

The request to vacate the 40' utility easement consistent with the goals and policies of the Growth Plan and other adopted plans.

3. Section 2.11.c of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. The Growth Plan, major street plan and other adopted plans and policies of the City. *The request to vacate the 40' utility easement is not in conflict with the provisions of the Growth Plan, major street plan or other adopted plans.*
- b. No parcel shall be landlocked as a result of the vacation. *No parcel shall be landlocked.*
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation. *Access shall not be restricted.*
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services). *There will be no adverse impacts as a result of the request to vacate the 40' utility easement. All required easements have been provided in the proposed Preliminary Plan.*

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code. *Adequate public facilities and services have been anticipated and provided as a part of the proposed Preliminary Plan.*
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc. *There is no maintenance requirement involved in the vacation request.*

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Riverglen Subdivision application, PP-2003-215, for recommendation of approval to vacate a 40' utility easement, the Planning Commission made the following findings of fact and conclusions:

1. The proposed preliminary plan is consistent with the goals and policies of the Growth Plan and Future Land Use Map.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

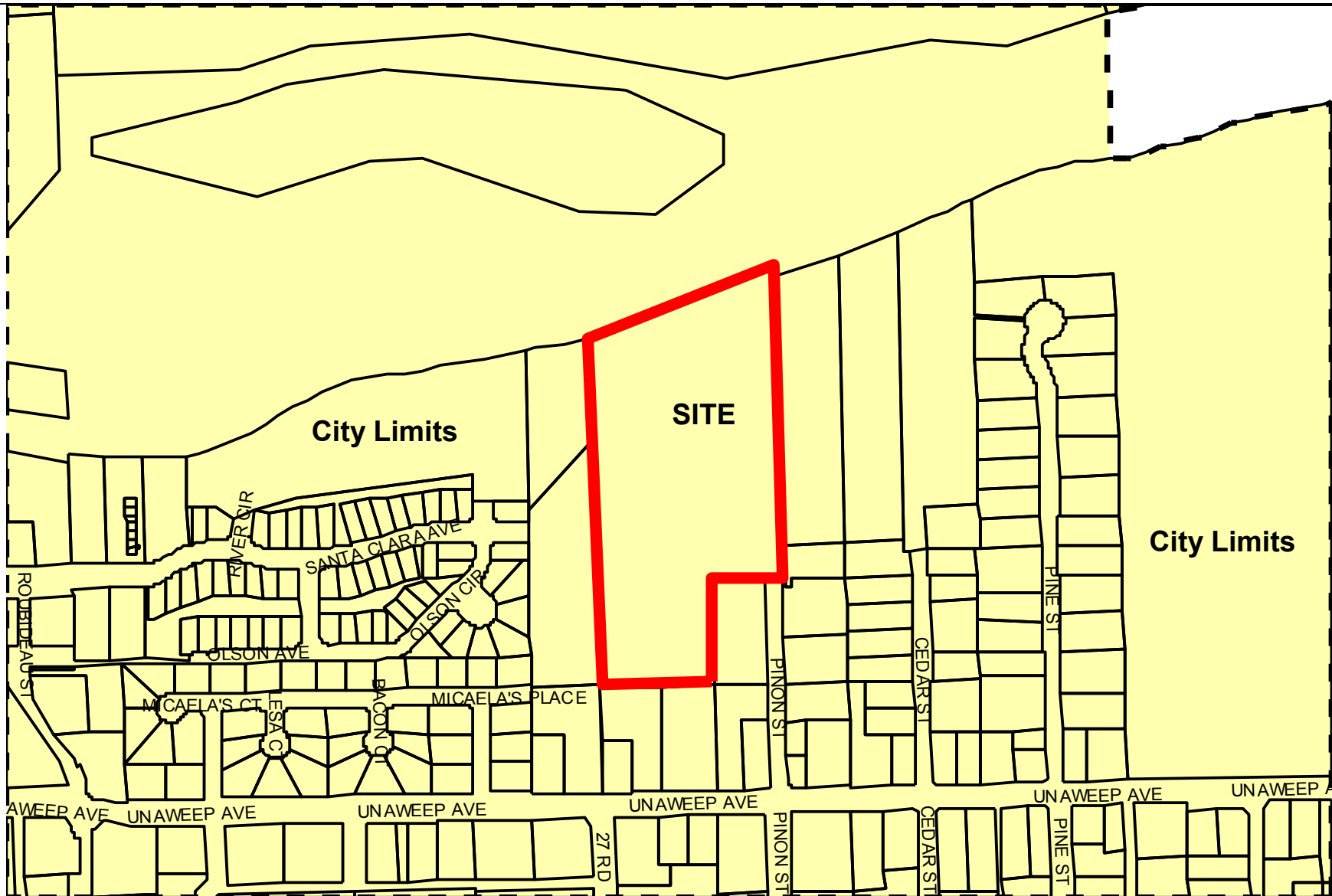
The Planning Commission made a recommendation of approval to vacate the 40' utility easement with the findings and conclusions as noted above.

Attachments:

1. Vicinity Map (Figure 1)
2. Aerial Photo (Figure 2)
3. Growth Plan Map (Figure 3)
4. Zoning Map (Figure 4)
5. Vacation Resolution

Site Location Map

Figure 1



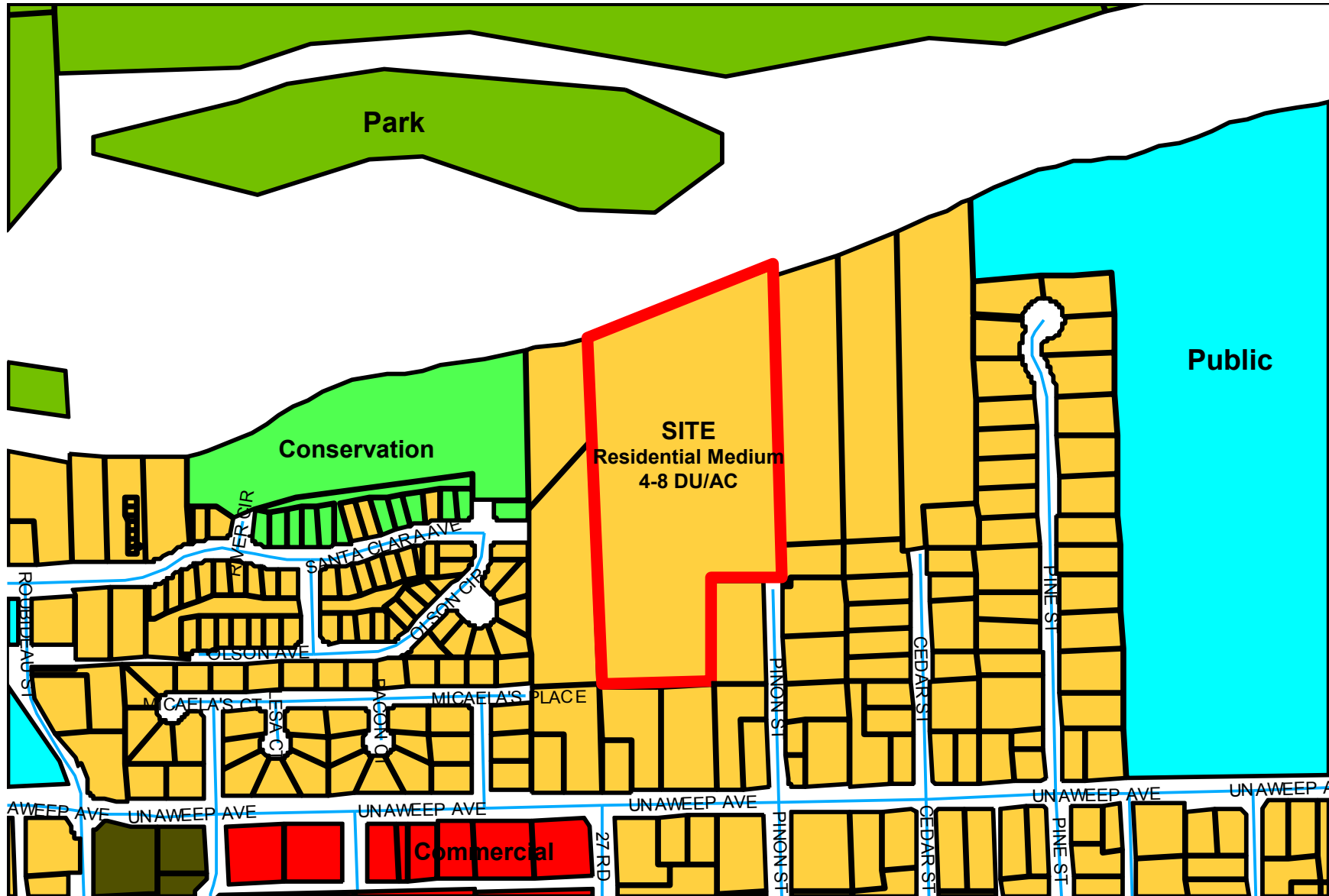
Aerial Photo Map

Figure 2



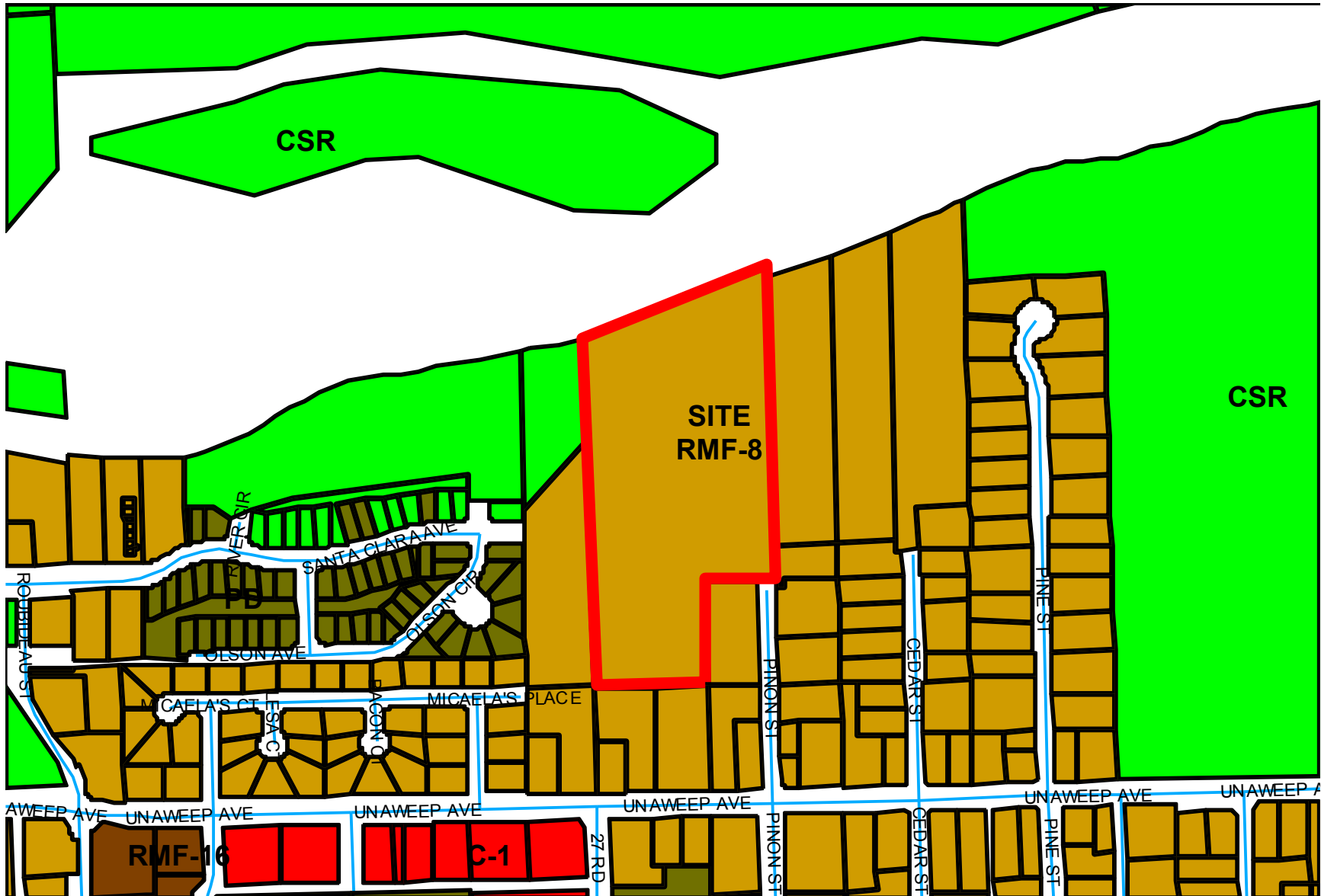
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

CITY OF GRAND JUNCTION

Resolution No. _____

A RESOLUTION VACATING A UTILITY EASEMENT FOR THE RIVERGLEN
SUBDIVISION SITE LOCATED AT 311 PINON STREET

RECITALS:

This resolution vacates the 40' utility easement located at 311 Pinon Street and as depicted on the plat of the Valley View Minor Subdivision, in Book 13, at Page 228, Reception #1344121 of the Mesa County records. Approximately 9.2 acres is being replatted as a subdivision that will dedicate new utility easements as required. The utility easement is not located in the correct location and is no longer necessary due to the replatting of the property.

The Planning Commission, having heard and considered the request and found the criteria of Section 2.11.C of the Zoning Code to have been met, recommend that the vacation be approved.

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

The following described easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentation fees for the Vacation Resolution, any easement documents and dedication documents.
2. Any required utility easement(s) be dedicated concurrently with the recordation of the final plat for the Riverglen Subdivision.

Easement Vacation Description:

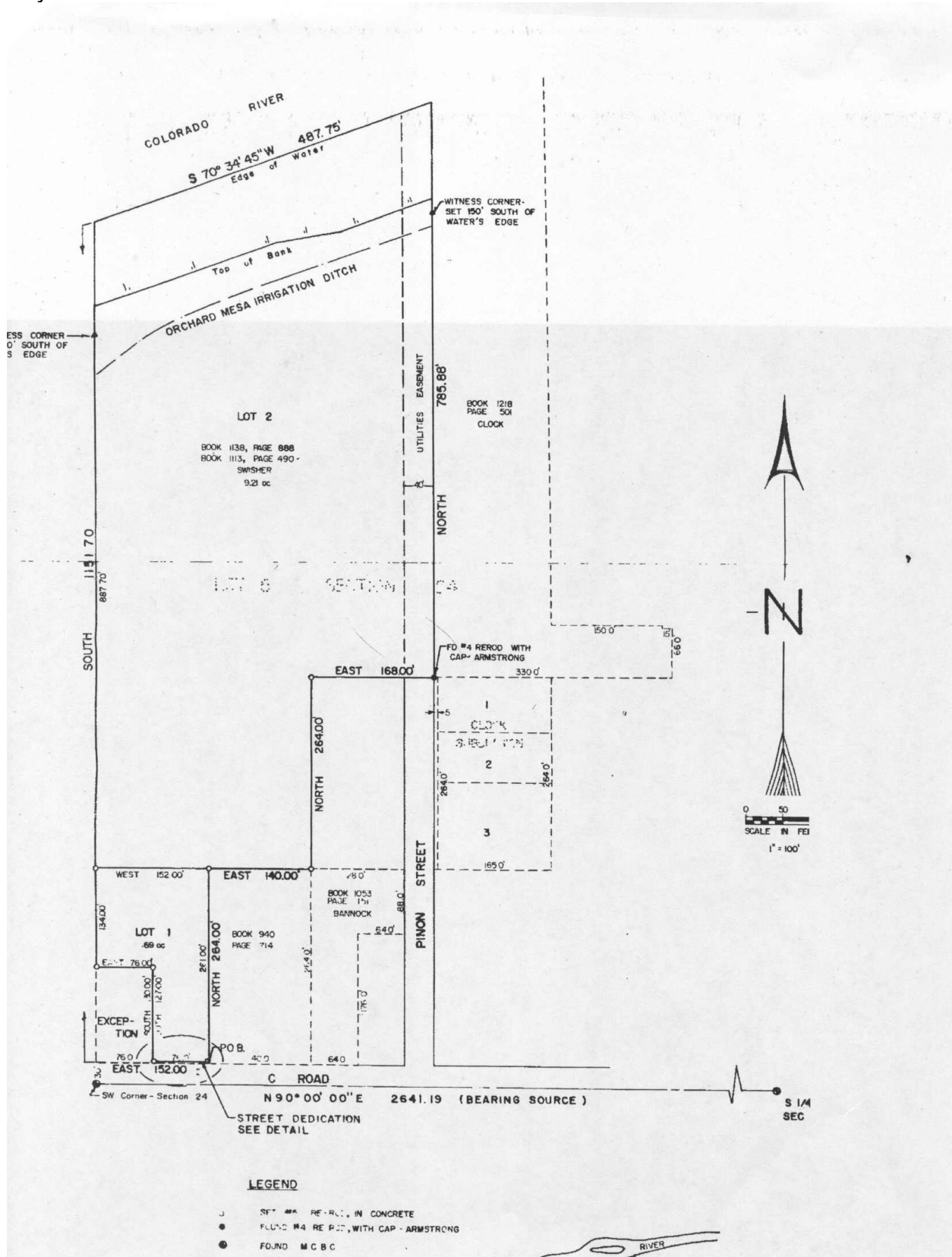
The 40' utility easement as depicted on the plat of the Valley View Minor Subdivision in Book 13, at Page 228, dated November 02, 1983 with Reception #1344121 of the Mesa County records.

PASSED and ADOPTED this _____ day of _____, 2004.

ATTEST:

President of City Council

City Clerk



Attach 7

New Sidewalk Construction 2004

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Construction Contract for New Sidewalk Construction 2004					
Meeting Date	May 19, 2004					
Date Prepared	May 12, 2004			File # - N/A		
Author	D. Paul Jagim			Project Engineer		
Presenter Name	Mark Relph			Public Works and Utilities Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Award of a construction contract for the New Sidewalk Construction Project to BPS Concrete, Incorporated in the amount of \$155,862.91. The project consists of the construction of pedestrian facilities including concrete sidewalk and access ramps on streets that do not currently have sidewalk improvements.

Budget: Remaining Allocation of

<u>Costs for Capital Fund</u>	<u>Budget after 2004 Budget</u>	<u>this Contract</u>	<u>Contract</u>
Fund 2011 / F01300			
New Sidewalk	\$ 150,000.00	\$ 108,117.72	
Engineering & Admin.		\$ 38,000.00	
Subtotal:		\$ 146,117.72	
	\$ 3,882.28		
Fund 2011 / F00900			
Curb, Gutter, & Walk	\$ 300,000.00	\$ 13,893.82	
\$ 286,106.18			
Fund 2011 / F01300			
Accessibility Improve.	\$ 50,000.00	\$ 33,851.37	
\$ 16,148.63			

Attach 8

25 ½ Road Reconstruction Phase II Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Construction Contract for 25 ½ Road Reconstruction Phase II Street (Independent Avenue to Patterson Road)					
Meeting Date	May 19, 2004					
Date Prepared	May 11, 2004			File # - N/A		
Author	Mike Curtis			Project Engineer		
Presenter Name	Mark Relph			Public Works and Utilities Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Award a construction contract for the 25 ½ Road Reconstruction Phase II Street to M. A. Concrete Construction in the amount of \$1,053,885.11. This is the second phase of a project that will improve 25 ½ Road from the north side of Independent Avenue to the south side of Patterson Road. The proposed improvements include a center turn lane from Independent Avenue to Patterson Road, intersection improvements at West Orchard Avenue and Patterson Road, storm drainage system, underground utilities, street lighting, curb, gutter, sidewalk, and bike lanes on both sides.

Budget: The project costs and funding are summarized below:

Phase I Utilities Construction Contract	\$785,551
Phase II Street Construction Contract	\$1,053,885
Design and ROW	\$55,433
Street Lighting	\$46,000
Electric Service Conversions (estimate)	\$5,000
Traffic Signals and Controls (estimate)	\$10,000
West Pinyon Temporary Detour Extension	\$10,000
Construction Inspection & Administration (estimate)	\$50,000
Proposed reduction in Phase II Construction Contract ¹	(\$62,773)
Total Project Costs	\$1,953,096

¹ Change order to reduce the quantity of subgrade stabilization “geogrid” which is anticipated to be less than originally estimated, saving approximately \$18,000. Also includes a \$45,000 reduction of the project force account that was included in the contract for minor contract revisions.

Funding:

Fund 2011 Budget	\$1,734,310
Grand Junction Drainage District Revenue	\$10,000
Funds 904 and 905 Sewer Replacement	\$88,294
Fund 301 Water Line Replacement	\$20,492
Fund 2011 Project Transfer ²	\$100,000
Total Funding	\$1,953,096

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **25 ½ Road Reconstruction Phase II Street** with M. A. Concrete Construction in the amount of \$1,053,885.11.

Attachments: None.

Background Information:

Phase I Utility Construction CompletedMay 28, 2004
 Phase II Street Reconstruction Start..... June 7, 2004
 Phase II Street Reconstruction Completed October 29, 2004

Bids for the project were opened on April 27 2004. The low bid was submitted by M. A. Concrete Construction in the amount of \$1,053,885.11. The following bids were received:

Bidder	From	Bid Amount
M.A. Concrete Construction	Grand Junction	\$1,053,885.11
United Companies	Grand Junction	\$1,164,680.00
Elam Construction, Inc.	Grand Junction	\$1,225,528.50
Engineer's Estimate		\$1,122,272.32

The scope of work for this project increased during the design phase as a result of property owner’s request to maintain access to 25 ½ Road from West Orchard. The original plan was to close the West Orchard access in order to lower 25 ½ Road approximately 8 feet to provide the required sight distance at the crest of the hill. Instead of closing the intersection, West Orchard and Minnow Drive were reconstructed to match the new elevation of 25 ½ Road.

A decision was also made to open West Pinyon from 25 Road to South Westgate Drive in order to improve access between 25 and 25 ½ Roads during construction. The cost of improvements on West Orchard, Minnow Drive and West Pinyon is approximately \$100,000.

² 29 Road Project near completion with excess balance of over \$100,000.

Attach 9

Memorandum of Understanding with US Dept of Agriculture Forest Service

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Watershed Memorandum of Understanding with United States Forest Service					
Meeting Date	May 19, 2004					
Date Prepared	May 11, 2004				File #	
Author	Kelly Arnold			City Manager		
Presenter Name	Kelly Arnold John Shaver Dennis Kirtland Bruce Hill			City Manager City Attorney City Councilmember Mayor		
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Connie Clementson
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The City of Grand Junction and the United States Department of Agriculture Forest Service, Grand Valley Ranger District (Forest Service) are entering into a Memorandum of Understanding (MOU) for five (5) years towards a partnership that will ensure protection of the quality and quantity of the City’s municipal water supply.

Budget: There will be some costs associated with participating in this MOU. It will include staff time and the costs of working together in developing/implementing a watershed assessment (see item E.6). It is difficult to assess the total five year budget of the Water Fund at this time.

Action Requested/Recommendation: It is recommended that the MOU be approved and direct staff to begin implementing the steps outlined in the MOU.

Attachments: The attachments are the MOU with the four appendices of the MOU.

Background Information: This is the culmination of an effort that stems from the watershed ordinance discussion in late 2002. From that discussion, Council made a commitment to enter into watershed MOU’s with the three governmental agencies (Forest Service, Mesa County, and BLM) that have interests in and around the City’s watershed in the Kannah Creek and Whitewater Creek basins. This watershed is the primary source of municipal water for the City of Grand Junction. This MOU with the Forest Service is the first MOU to be considered. It is anticipated that the MOU’s with Mesa County and BLM will be considered in the next three to six months.

As shown on the map attachment titled "Area of Interest", the watershed area is approximately 58,940 acres. Under the Forest Service control is 52,540 acres. The MOU contemplates that both parties will work together on efforts that include:

Forest Service MOU Memo – Page 2

- ✓ The Forest Service's current development of the GMUG forest plan revision;
- ✓ Assisting each other in developing further information or communicating formally on the watershed area through maps, data collection, and semi-annual meetings;
- ✓ Cooperate together on land-use decisions or use of City-owned facilities in the Forest Service area;
- ✓ Work together and other agencies in developing a comprehensive watershed assessment and work program that will improve the overall health of the watershed.

A team of City staff and Council members met a several times with representatives of the Forest Service, Grand Valley Ranger District. Both teams now recommend the MOU to both of the respective agencies for approval.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF GRAND JUNCTION
AND
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
GRAND VALLEY RANGER DISTRICT**

This MEMORANDUM OF UNDERSTANDING is hereby made and entered into by and between the City of Grand Junction, hereinafter referred to as the City, and the United States Department of Agriculture Forest Service, Grand Valley Ranger District, hereinafter referred to as Forest Service. Collectively, the City and the Forest Service may be referred to as the Parties or Cooperators.

A. PURPOSE:

Continue and formalize the well-established, existing partnership between the City and Forest Service to ensure protection of the quality and quantity of the City's municipal water supply; and

Develop and implement a mechanism for continued communication and consultation between the Parties in the processes and practices of the making and implementing of land use actions; and

Ensure an appropriate level of involvement by each party in new and existing projects' planning and development within the "Area of Interest" (see map, Appendix A, 2004).

B. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

The Parties are committed to working as partners in order to protect the integrity of the municipal watershed, as established by agreements between the Parties dating back to 1915. Appendix B to this memorandum of understanding lists the laws, regulations, policies and historical documents that are pertinent to this course of action.

The Parties recognize that policy, land use, or development decisions by one party affect similar decisions by the other.

The Parties further recognize the need to notify and involve each other in actions pertinent to the "Area of Interest."

C. FOREST SERVICE SHALL:

1. Provide the City the opportunity to review and comment on proposed actions under consideration by the Forest Service (see "Projects of Mutual Interest," Appendix C)

that are within the “Area of Interest” (Appendix A). This includes new projects, as well as operating plans for existing permits. Advance notice will be given to the City for projects proposed in the “Area of Interest” in addition to the public notice given during scoping periods under NEPA.

2. Provide the City an opportunity for meaningful involvement in the development and implementation of land-use plans, programs, and decisions for National Forest System (NFS) lands and consider those views, opinions and analyses in the decision process. Specifically, the Forest Service will ensure that the City has a meaningful role and opportunity for input in the GMUG forest plan revision and implementation of the Pathfinder “toolbox” so that the Forest Service can ensure resource protection for the City’s water supply as allowed under law, regulation and policy as it now exists or may be amended;
3. When and where possible, assist the City in the collection of additional information on use (including dispersed recreation sites) within the Area of Interest, as is required by the City, so long as such collection is consistent with the Privacy Act of 1974, as amended. This will include notifying the City of observed conditions that appear to threaten water quality and describing the condition(s) as soon as practicable in writing.
4. When and where possible, assist in installation of signs, as proposed by the City, for educating the public on efforts to protect the City’s water quality. The Forest Service will approve the wording and location of those municipal watershed boundary signs to be located on National Forest System (NFS) lands.
5. Make available to the City, upon request, nonproprietary information and resources concerning NFS lands located in and above gradient of the City’s watersheds, including, but not limited to, data obtained through NFS land inventories maintained under the Forest Service’s laws and regulations;
6. Prepare a comparison of the existing 5A and 6B management prescriptions in the 1983 Forest Plan designated for the City’s municipal watershed with the 10E management prescription that is the level of protection desired by the City. This comparison has been done and is included as Appendix D to this MOU.

D. CITY SHALL:

1. Provide the Forest Service the opportunity to review and comment on specific proposals under consideration by the City that may affect National Forest System lands, as shown in Appendix C.
2. Participate in the GMUG’s Forest Plan Revision process by submitting information, views, opinions or analyses gathered by the City that may be beneficial to the Forest Plan Revision. This would include, but not be limited to, information concerning the

Grand Mesa Slopes Special Management Area and the Lands End Weed Management Area.

3. Consider, establish and/or maintain stewardship practices, including grazing plan(s), erosion control and noxious weed control, on those parcels owned by the City within the Area of Interest.
4. Update and keep current special use authorizations for City-owned facilities located on NFS lands. The City will continue to consult with the Forest Service on the preparation and revision of operation and maintenance plans for City facilities located on NFS lands when required by law and/or good stewardship practices. In those instances when it is determined by the Forest Service pursuant to law that additional authorizations are required, the City will obtain those authorizations.
5. Impose additional requirements on their contractors, lessees, agents, etc., performing work on behalf of the City on NFS lands if the requirements are more stringent than those imposed by the Forest Service.
6. Work with the Forest Service to grant easements on City land for trails and trailheads used by the public to access NFS lands.

E. BOTH PARTIES SHALL:

1. Cooperate in land-use decision making especially when the decision has or may have a direct impact on water quality. That cooperation shall be made and/or given in a manner consistent with the responsibilities and authorities assigned by this agreement or other applicable law or policy.
2. 2. Work together to achieve maximum benefits from available resources while safeguarding the City's water quantity and quality. Efficiency and effectiveness toward attaining that goal can be made by a reduction in the duplication of effort and working to attain better overall coordination of land and ecosystem management.
- 3.
4. 4. Establish semi-annual meetings to review projects and activities and to share information and data collected (monitoring data, analyses, site inspection reports, traffic counts/data, trail logs, inspections reports, etc.). These meetings shall be in addition to any meeting(s) held for purposes of formal review or action such as the Forest Plan Revision.
- 5.
6. 5. Make available, upon request, digital spatial data including supporting documentation (Metadata) with the following information: data sources, data steward, description of the data, source vintage, source scale reliability and attributing scheme;

a. Under the terms of this agreement, only non-classified data will be shared. If automated resource data is shared, it must be verified to the standards of the producing agency. It will be the responsibility of the Parties to request updates to the data. Data updates/information requests or exchanges made under or pursuant to this agreement shall not require a Freedom of Information or Open Records Act request.

b. The data provided under or pursuant to this agreement is not warranted for a particular purpose. Neither is it warranted for a purpose(s) other than the purpose(s) for which it was collected or generated by the producer, whether that is the City or the Forest Service.

6. Provide monetary or in-kind resources to conduct a comprehensive watershed assessment. This comprehensive watershed assessment is planned in cooperation with the City, Forest Service, Bureau of Land Management and other landowners, permittees, licensees, lessees, etc., owning land or conducting activities within the City's watershed. It is anticipated that when the watershed assessment is completed, it will result in the identification of various projects that, when accomplished, will improve the overall watershed health.

F. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES TO:

1. **FREEDOM OF INFORMATION ACT (FOIA)**. Any information furnished to the Forest Service under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).
2. **PARTICIPATION IN SIMILAR ACTIVITIES**. This instrument in no way restricts the Forest Service or the Cooperator(s) from participating in similar activities with other public or private agencies, organizations, and individuals.
3. **COMMENCEMENT/EXPIRATION/TERMINATION**. This MOU takes effect upon the signature of the Forest Service and City and shall remain in effect for five (5) years from the date of execution. This MOU may be extended or amended upon written request of either the Forest Service or the City and the subsequent written concurrence of the other Party. Either the Forest Service or City may terminate this MOU with a 60-day written notice to the other Party.
4. **RESPONSIBILITIES OF PARTIES**. The Forest Service and City and their respective agencies and office will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.
5. **PRINCIPAL CONTACTS**. The principal contacts for this instrument are:

Forest Service Project Contact

District Ranger
Grand Valley Ranger District
2777 Crossroads Blvd, Unit A
Grand Junction CO 81506

Phone:970-242-8211
FAX: 970-263-5819
E-Mail: cclementson@fs.fed.us

Cooperator Project Contact

City Manager
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Phone: 970-244-1508
FAX: 970-244-1456
E-Mail: Kellya@ci.grandjct.co.us

SECONDARY CONTACTS:

Forest Service:

Linda Perkins, Realty Specialist
Grand Valley Ranger District
2777 Crossroads Blvd, Unit A
Grand Junction CO 81506

Phone: 970-243-5802
FAX: 970-263-5819
E-Mail: lperkins@fs.fed.us

City of Grand Junction:

Terry Franklin, Water Services Superintendent
City of Grand Junction
2553 River Road
Grand Junction, CO 81505

Phone: 970-244-1495
FAX: 970-244-1426
E-Mail: Terryf@ci.grandjct.co.us

- 6. **NON-FUND OBLIGATING DOCUMENT.** Nothing in this MOU shall obligate either the Forest Service or City to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Forest Service and Town will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.
- 7. **ESTABLISHMENT OF RESPONSIBILITY.** This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.
- 8. **AUTHORIZED REPRESENTATIVES.** By signature below, the cooperator certifies that the individuals listed in the document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

THE PARTIES HERETO have executed this instrument.

CITY OF GRAND JUNCTION

USDA FOREST SERVICE

Mayor **DATE**
City of Grand Junction

Connie Clementson **DATE**
District Ranger

The authority and format of this instrument has been reviewed and approved for signature.

DATE
FS Agreements Coordinator

Appendices:

Appendix A: "Area of Interest" Map, 2004 – City of Grand Junction Municipal Watershed Map(s)

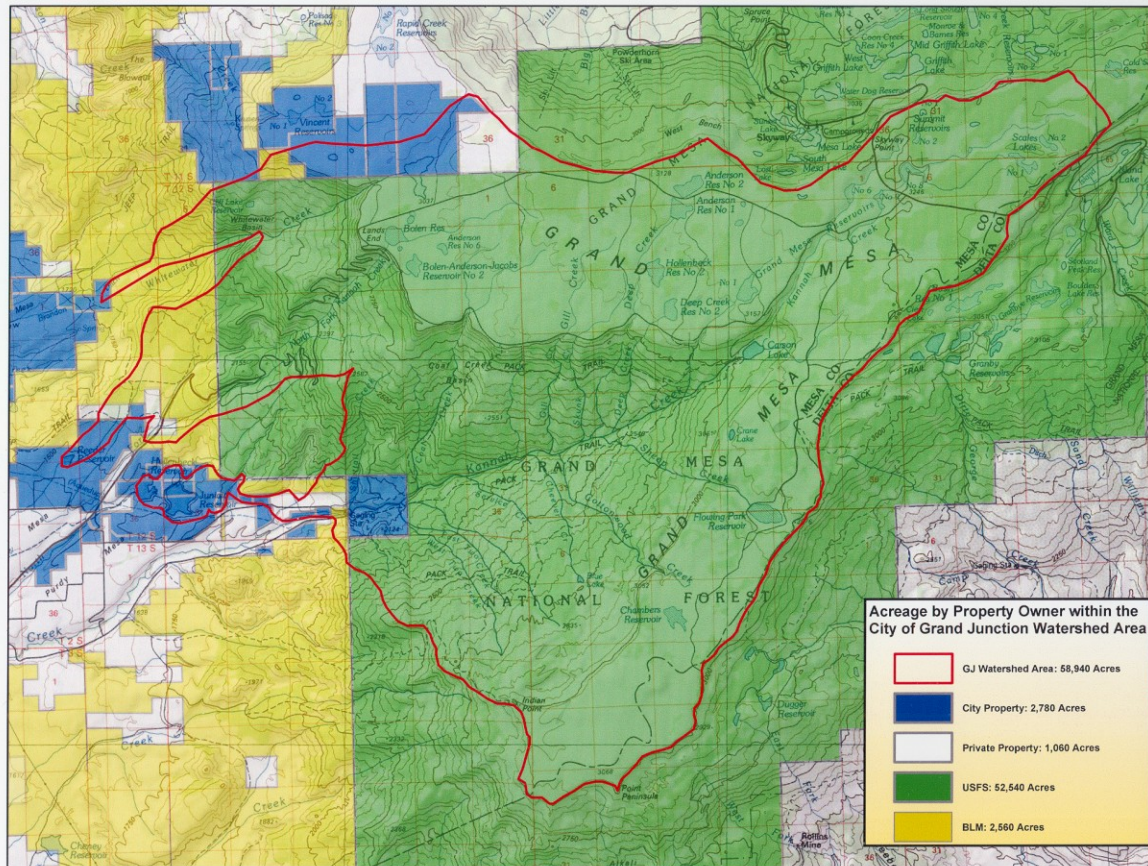
Appendix B: Laws, Regulations, Policies and Historical Documents

Appendix C: Projects of Mutual Interest

Appendix D: Comparison of Existing Management Prescriptions for the City of Grand Junction Municipal Watershed Area and Management Prescription 10E in The GMUG Forest Plan

Appendix A Area of Interest

City of Grand Junction Watershed Area



**Appendix B
Laws, Regulations, Policies and
Historical Documents**

For the Forest Service:

- **Article IV (Property Clause) of the Constitution of the United States**
- **The National Environmental Policy Act of 1969, (42 U.S.C. 4321 et seq., as amended)**
- **Multiple Use-Sustained Yield Act of 1960**
- **National Forest Management Act of 1976**
- **Clean Water Act (33 U.S.C. 1251, et seq., as amended)**
- **1991 Grand Mesa, Uncompahgre and Gunnison National Forests Land Management Plan, as amended**
- **1993 Grand Mesa, Uncompahgre and Gunnison National Forests Oil and Gas Leasing EIS**
- **Grand Mesa National Forest Travel Plan, as amended**
- **Forest Service Manual 2542, Municipal Supply Watersheds (stating, in part, “Do not rely on management practices to provide pure drinking water. Use only proven techniques in management prescriptions for municipal supply watersheds.”)**

For the City of Grand Junction:

- **Clean Water Act (33 U.S.C. 1251, et seq., as amended)**
- **Article XIV, Section 18 of the Colorado Constitution and legislation pursuant thereto; namely, C.R.S. §29-1-201, et seq.**
- **Article XX, Section 10 of the Colorado Constitution to providing for Home Rule and the City’s Charter**
- **Local Government Land Use Enabling Act, C.R.S. §29-20-105, et seq.**
- **Title 31 of the Colorado Revised Statutes**

This memorandum of understanding is subsequent to the following documents:

- **Agreement between the City and the Secretary of Agriculture dated June 16, 1915, providing for the cooperative supervision of the Kannah Creek watershed for the purpose of preventing contamination of the water of that basin.**
- **Memorandum of understanding between the City and Forest Service dated August 1994 for the purpose of protecting the Kannah Creek, Whitewater Creek and North Fork of Kannah Creek watersheds.**

Appendix C Projects of Mutual Interest

The City will work collaboratively with the Forest Service on the following types of applications or proposals that may be filed with the Forest Service and which may impact the “Area of Interest”, including but not limited to:

1. Sales, exchanges, leases or other conveyances of lands and any changes in designation of parcels for exchange into or out of private ownership on the Grand Valley Ranger District.
2. Mineral withdrawals and revocations.
3. Issuance of authorizations for roads, power lines, pipelines, telephone lines and other projects.
4. Forest planning information, resource information and resource management plans.
5. Schedule of Proposed Actions, Environmental assessments and environmental impact statements.
6. Forest Service designations of special use areas; i.e., community rock sources, communication site complexes.
7. Oil, gas and mineral exploration, development, production and reclamation plans including sand and mineral material contracts and plans of operation.
8. Proposed timber sales and timber management.
9. Water diversion projects.
10. Recreation plans.
11. Revisions of grazing allotment management plans.

The Forest Service will be afforded review and comment on the following types of applications or proposals that may be filed with the City and which may impact National Forest System lands, including but not limited to:

1. Residential subdivisions, mobile home parks and commercial or industrial development; sand and gravel contracts; solid waste disposal sites and sewage treatment sites within three miles of National Forest System lands.
2. Roads, power lines, pipelines, telephone lines and similar rights-of-way.
3. Building or special use permits that may affect National Forest System lands.
4. Zoning or subdivision regulations, amendments and changes.
5. Pesticide spraying areas (pesticide use proposals).
6. Dust prevention plans.
7. Plowing snow on roads associated within or crossing over National Forest System lands.
8. Multi-use (motorized and non-motorized) trail construction.
9. Actions affecting existing or potential access to National Forest System lands.

APPENDIX D

COMPARISON OF EXISTING MANAGEMENT PRESCRIPTIONS FOR THE CITY OF GRAND JUNCTION MUNICIPAL WATERSHED AREA AND MANAGEMENT PRESCRIPTION 10E IN THE GMUG FOREST PLAN

1983

Management Prescription 5A

Management emphasis is on winter range for deer, elk, pronghorns, bighorn sheep, and mountain goats. Treatments are applied to increase forage production of existing grass forb and browse species or to alter plant species composition. Prescribed burning, seeding, spraying, planting, and mechanical treatments may occur. Browse stands are regenerated to maintain a variety of age classes and species. Investments in compatible resource activities occur. Livestock grazing is compatible but is managed to favor wildlife habitat. Structural range improvements benefit wildlife. Management activities are not evident, remain visually subordinate, or are dominant in the foreground or middleground but harmonize or blend with the natural setting. New roads other than short-term (temporary) roads are located outside of the management area. Short-term roads are obliterated within one season after intended use. Existing local roads are closed and new motorized recreation use is managed to prevent unacceptable stress on big game animals during the primary big game use season.

Visual Resource Management:

- 01) Design and implement management activities to blend with the natural landscape;
- 02) Manage for adopted VRO;
- 03) Implement visual resource management, as outlined in the Forest Management Requirements.

Management of Developed Recreation Sites:

1983

Management Prescription 6B

The area is managed for livestock grazing. Range condition is currently at or above the satisfactory level. Intensive grazing management systems are favored over extensive systems. Range condition is maintained through use of forage improvement practices, livestock management, and regulation of other resource activities. Periodic heavy forage utilization occurs. Investment in structural and nonstructural restoration and forage improvement practices available are seeding, planting, burning, fertilizing, pitting, furrowing, spraying, crushing, and plowing. Cutting of encroaching trees may also occur. Investments are made in compatible resource activities. Dispersed recreational opportunities vary between semi-primitive non-motorized and roaded natural. Management activities are evident but harmonize and blend with the natural setting.

Visual Resource Management:

- 01) Design and implement management activities to blend with the natural landscape;
- 02) Manage for adopted VRO;
- 03) Implement visual resource management, as outlined in the Forest Management Requirements.

Desired

Management Prescription 10E

Management emphasis is to protect or improve the quality and quantity of municipal supplies. Management practices vary from use restrictions to water resource improvement practices, with the primary objective of meeting water quality standards established for the the individual watershed. A secondary objective is to manage the watersheds to improve the yield and timing of water flows consistent with water requirements.

Visual Resource Management:

- 01) Management activities in foreground and middleground dominate but harmonize and blend with the natural setting. Management activities may also dominate but appear natural when seen as background.
- 02) Manage for adopted VRO.
- 03) Implement visual resource management, as outlined in the Forest Management Requirements.

01) Design, construct and operate only those developed sites which are needed to meet summer season management objectives and are appropriate for the established ROS designation. Close all developed sites during the winter management season.

COMPARISON OF EXISTING MANAGEMENT PRESCRIPTIONS FOR THE CITY OF GRAND JUNCTION MUNICIPAL WATERSHED AREA AND MANAGEMENT PRESCRIPTION 10E IN THE GMUG FOREST PLAN

1983

Management Prescription 5A

Dispersed Recreation Management:

01) Manage summer use-season for appropriate ROS opportunities. Provide roaded natural recreation opportunities within ½ mile of Forest arterial, collector and local roads with better than primitive surfaces which are open to public motorized travel. Provide semi-primitive motorized recreation opportunities with a low to moderate incidence of contact with other groups and individuals within ½ mile of designated local roads with primitive surfaces and trails open to motorized recreation use. Where local roads are closed to public motorized recreation travel, provide for dispersed non-motorized recreation opportunities. Manage recreation use to provide for the incidence of contact with other groups and individuals appropriate for the established ROS class. Provide semi-primitive non-motorized recreation opportunities in all areas more than ½ mile away from roads and trails open to motorized recreation use.

02) Manage winter use for very low or low densities. Close areas to human use to the degree necessary in winter to prevent disturbance of wildlife.

1983

Management Prescription 6B

Dispersed Recreation Management:

01) Semi-primitive non-motorized, semi-primitive motorized, roaded natural and rural recreation opportunities can be provided.

02) Provide roaded natural recreation opportunities within ½ mile of Forest arterial, collector and local roads with better than primitive surfaces which are open to public travel. Provide semi-primitive motorized with a low to moderate incidence of contact with other groups and individuals within ½ mile of designated local roads with primitive surfaces and trails open to motorized recreation use. Where local roads are closed to public motorized recreation travel, provide for dispersed non-motorized recreation opportunities. Manage recreation use to provide for the incidence of contact with other groups and individuals appropriate for the established ROS class. Provide semi-primitive non-motorized recreation opportunities in all areas more than ½ mile away from roads and trails open to motorized recreation use.

03) Permit undesignated sites in Frissell condition class 1 through 3 where unrestricted camping is permitted.

04) Manage site use and occupancy to maintain sites within Frissell condition class 3 except for designated sites which may be class 4. Close and restore class 5 sites.

05) Prohibit motorized vehicle use (including snowmobiles) off Forest System roads and trails in alpine shrub and Krummholz ecosystems.

Desired

Management Prescription 10E

Dispersed Recreation Management:

01) Allow motorized travel only on established roads and trails. Close watershed to all travel when the road or trail surfaces could be damaged to the degree that water quality would be degraded.

Prohibit motorized vehicle use off Forest System roads and trails (except snowmobiles operating on snow) in other alpine, and other ecosystems, where needed to protect soils, vegetation, or special wildlife habitat.

COMPARISON OF EXISTING MANAGEMENT PRESCRIPTIONS FOR THE CITY OF GRAND JUNCTION MUNICIPAL WATERSHED AREA AND MANAGEMENT PRESCRIPTION 10E IN THE GMUG FOREST PLAN

1983 <u>Management Prescription 5A</u>	1983 <u>Management Prescription 6B</u>	Desired <u>Management Prescription 10E</u>
<p>Wildlife and Fish Resource Management:</p> <p>01) Provide big-game forage and cover and habitat.</p>	<p>Wildlife and Fish Resource Management:</p> <p>01) Manage for habitat needs of indicator species. 02) Provide adequate forage to sustain big-game population levels agreed to in the Statewide Comprehensive Wildlife Management Plan on NFS lands.</p>	
<p>Range Resource Management:</p> <p>01) Manage grazing to favor big-game and to achieve the wildlife populations identified in state-wide comprehensive wildlife plans.</p>	<p>Range Resource Management:</p> <p>01) Use only intensive grazing systems or remove livestock when recovery of range condition cannot be accomplished by an intensive grazing system. 02) Improve range condition to fair or better or forage value rating to moderately high or better. 03) Invest in cost-effective allotment management and associated range improvements. 04) Invest in cost-effective grazing management and rangeland productivity improvements. Where improvements include water developments, a water right in the name of the United States must be obtained.</p>	<p>Range Resource Management:</p> <p>01) Confine livestock trailing to established driveways and historic trailing routes. 02) Reduce or remove livestock if municipal use water quality is endangered. 03) Use only intensive grazing systems or remove livestock when recovery of range condition cannot be accomplished by an intensive grazing system. 04) Improve range condition to fair or better or forage value rating to moderately high or better. 05) Invest in cost-effective allotment management and associated range improvements. 06) Invest in cost-effective grazing management and rangeland productivity improvements. Where improvements include water developments, a water right in the name of the United States must be obtained.</p>
	<p>Silvicultural Prescriptions:</p> <p>01) Maintain and manage forested inclusions to provide a high level of forage production, wildlife habitat, and diversity. 02) Manage Forest Cover types using the following harvest methods:</p>	<p>Silvicultural Prescriptions:</p> <p>01) Manage Forest Cover Types using the following harvest methods: -- Clearcut in lodgepole and aspen. -- Shelterwood in interior ponderosa pine and mixed conifer, and</p>

- Clearcut in aspen
- Shelterwood in lodgepole pine and ponderosa pine
- Selection in Engelmann spruce and mixed conifers

- Selection (group or single tree) in Engelmann spruce-subalpine fir.
- 02) Apply intermediate treatments to maintain

COMPARISON OF EXISTING MANAGEMENT PRESCRIPTIONS FOR THE CITY OF GRAND JUNCTION MUNICIPAL WATERSHED AREA AND MANAGEMENT PRESCRIPTION 10E IN THE GMUG FOREST PLAN

**1983
Management Prescription 5A**

**1983
Management Prescription 6B**

**Desired
Management Prescription 10E**

Silvicultural Prescriptions (cont.):

- 03) Utilize firewood material using both commercial and noncommercial methods.
- 04) For management purposes, a cut-over area is considered an opening until such time as:
 - Increased water yield drops below 50 percent of the potential increase.
 - Forage and/or browse production drops below 40 percent of potential production;
 - Deer and elk hiding cover reaches 60 percent of potential;
 - Minimum stocking standards by forest cover type and site productivity are met; and
 - The area appears as a young forest rather than a restocked opening and takes on the appearance of the adjoining characteristic landscape.

Silvicultural Prescriptions (cont.):

- growing stock level standards.
- 03) Utilize firewood material using both commercial and noncommercial methods.
- 04) For management purposes, a cut-over area is considered an opening until such time as:
 - Increased water yield drops below 50 percent of the potential increase;
 - Forage and/or browse production drops below 40 percent of potential production;
 - Deer and elk hiding cover reaches 60 percent of potential;
 - Minimum stocking standards by forest cover type and site productivity are met; and
 - The area appears as a young forest rather than a restocked opening, and takes on the appearance of the adjoining characteristic landscape.

Water Resource Improvement and Maintenance:

- 01) Prevent or reduce debris accumulation in riparian areas that reduce stream channel stability and capacity.
- 02) Prevent soil surface compaction and disturbance in riparian ecosystems. Allow use of heavy construction equipment for construction, residue removal, etc., during periods when the soil is least susceptible to compaction or rutting.
- 03) Prevent stream channel instability, loss of channel cross-sectional area, and loss of water quality resulting from activities that alter vegetative cover.
- 04) Manage non-forested areas to improve streamflow through increased on-site water

yields and meet State water quality standards. Use available snowdrift technology, such as snow fences, windrowed brush piles, linear conversion of unbroken brush to grass, low earthen ridges, etc., to capture and stabilize blowing snow.

COMPARISON OF EXISTING MANAGEMENT PRESCRIPTIONS FOR THE CITY OF GRAND JUNCTION MUNICIPAL WATERSHED AREA AND MANAGEMENT PRESCRIPTION 10E IN THE GMUG FOREST PLAN

1983 Management Prescription 5A

1983 Management Prescription 6B

Desired Management Prescription 10E

Soil Resource Management:

01) Immediately rehabilitate man-caused disturbances and restore burned areas. Inspect rehabilitated areas annually and provide maintenance necessary to protect the watershed.

Special Use Management (Non-Recreation):

01) Eliminate special uses that conflict with wintering animals.

Rights-of-Way and Land Adjustments:

Acquire private lands needed for big-game winter range.

Transportation System Management:

01) Road traffic and road cut or fill slopes must not block big game movement in delineated migration routes or corridors.

02) Allow new roads in the management area only if needed to meet priority goals outside the management area or to meet big game goals on the management area. Obliterate temporary roads within one season after planned use ends.

03) Close existing roads, prohibit off-road vehicle use and

manage non-motorized use to prevent stress on big game animals.

Fire Planning and Suppression:

01) Provide a level of protection from wildfire that is cost efficient and that will meet management objectives for the area.

Fire Planning and Suppression:

01) Provide a level of protection from wildfire that is cost efficient and that will meet management objectives for the area.

Fire Planning and Suppression:

01) Provide a level of protection from wildfire that is cost efficient and that will meet management objectives for the area.

Attach 10

Wingate Park/School Intergovernmental Agreement

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Park/School Intergovernmental Agreement					
Meeting Date	May 19, 2004					
Date Prepared	May 10, 2004				File #	
Author	Joe Stevens			Director of Parks and Recreation		
Presenter Name	Joe Stevens			Director of Parks and Recreation		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The City of Grand Junction has entered into a contract with American Civil Constructors (ACC) to design and build Wingate Park. The City and School District 51 wish to establish an arrangement for the shared use and operation, on School and City property, with the objective of maximizing public access consistent with School District and City goals.

Budget: The City has budgeted \$625,000 in fiscal 2004 for the design and construction of Wingate Park.

Action Requested/Recommendation: It is recommended that the City Council authorize the City Manager to enter into an intergovernmental agreement between the City of Grand Junction and Mesa County School District No.51 for the purpose of constructing, maintaining, and jointly utilizing improvements on City and School owned property at Wingate Park and School.

Attachments: Copy of the proposed intergovernmental agreement.

Background Information: The City and School District 51 wish to establish an arrangement for the shared use and operation, on School and City property, with the objective of maximizing public access consistent with School District 51 and City of Grand Junction goals. This intergovernmental agreement provides the framework for

meeting this objective at Wingate Park and School on the Redlands. Highlights of the agreement include:

- The term of the agreement shall be for 99 years subject to terms and conditions of the agreement.
- The school and park grounds will be uniformly maintained by the City.
- The City will be permitted to utilize the School District's existing irrigation system.
- The School District agrees to make the existing irrigation system serviceable and compatible with park maintenance standards for existing School improvements prior to the City accepting grounds maintenance responsibility.
- With City approval, the School District will have use of the park and park facilities for its educational, extracurricular and co-curricular activities.
- With School District approval, the City will have use of Wingate School and school facilities for recreational programs, activities and special events.
- The School District and The City will not charge a rental fee for the respective use of school or park facilities at Wingate School or Wingate Park.

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT, made and entered into this _____ day of _____, 2004, by and between THE CITY OF GRAND JUNCTION, a Colorado Home Rule City, hereinafter called "City," and MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, hereinafter called "District;" collectively the "Parties."

R E C I T A L S

The District is the owner of real property situated in Mesa County, Colorado, known as Wingate Elementary School. The school land is more fully described on Exhibit A attached hereto. Certain portions of the Wingate Property are unimproved or improved only to the extent that they have irrigation facilities situated thereon.

In 1995 the City received a donation of real property for open space and park purposes. The City's land is adjacent to the District's Wingate Elementary School property (Wingate Property) and is more fully described on Exhibit B attached hereto. At the time of the donation the City also obtained from the District an easement to access the donated land over and across the Wingate Property. The City's land is presently unimproved.

In 2002, the City adopted a ten year Strategic Plan with a goal of supporting the Comprehensive Parks and Recreation Master Plan. Strategic Plan objectives support the development of neighborhood parks and specifically school /park development when deemed in the best interest of the City and the District. The development of Wingate Park and the execution of this instrument are consistent with the Parks Master Plan and the City's Strategic Plan.

The Parties wish to utilize the City's land and part of the Wingate Property for the purpose of constructing and maintaining a park (herein "Park"), the legal description for that part of the Wingate Property to be used for the Park is attached hereto as Exhibit C. The land comprising Exhibits B and C will be referred to herein as the "Park Property." The City is willing to construct certain improvements on the Park Property inuring to the benefit of the District, Wingate School and the general public, according to a Park Development Plan as described herein.

The City and the School District wish to establish an arrangement for the shared use and operation of the Park Property with the objective of maximizing public access consistent with its primary function as a public educational facility.

An intergovernmental agreement for such purpose is authorized pursuant to Section 18, Article XIV of the Colorado Constitution, Section 29-1-203, C.R.S., Section 22-32-110(1)(f), C.R.S., and other applicable laws.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other valuable consideration the sufficiency of which is acknowledged, the Parties agree as follows:

1. This Intergovernmental Agreement (herein "IGA") shall be for a term of 99 years, subject to termination as provided in paragraphs 7 and 8, and contingent upon agreement by the Parties on a Park Development Plan (herein "Plan") which, at a minimum will include a site design for shelters, restrooms, traffic and pedestrian access, security lighting, pathways, playground areas and equipment location, irrigation, trees, shrubbery and grass. It is understood that the District will be allowed to participate in the formulation of the Plan, but that approval thereof, as required by the City and the District, in the form necessary by each respectively, will be a condition precedent to this IGA. Upon such approval the Parties will cooperate in the preparation and execution of such documentation as may be required to place their respective interests of record.

2. On or prior to November 30, 2004, the City shall, at its expense, construct the Park improvements, to include but not be limited to grass, shrubbery, irrigation facilities (which may incorporate/utilize the existing system on the Park site), roads and walkways, restrooms, necessary water taps, and playground equipment, all of which shall be set forth more specifically in the Plan. The City will be allowed to use the existing irrigation facilities located on Exhibit C. The District shall make repairs as necessary to make the irrigation facilities serviceable for existing school improvements and compatible with the park.

3. During the term of this IGA the City will, at its own expense and except as otherwise provided herein, maintain and operate the Park and Park amenities to standards observed by the City in maintenance and operation of its other park facilities;

4. During the school year on days when school is in session the District shall be responsible for snow removal from the parking lots and school sidewalks; on other days the City will be responsible for snow removal;

5. With City approval, which shall not be unreasonably withheld, the District will have priority use of the Park and Park facilities for its educational, extracurricular and co-curricular activities. The School District's priority for use shall include school days from 7:00 a.m. until 6:00 p.m. and at other times for which the City is given at least 48 hours notification in advance and in accordance with City park use policies. The District will undertake responsibility for cleanup and repair necessitated by such usage. The City will have a priority of use of the Park and Park facilities and the right to schedule activities at the Park at all other times. With District approval, which shall not be unreasonably withheld, the District will allow the City priority use of the Wingate School facilities, without charge on at least 48 hours notice and in accordance with existing District Building Use Policies. The City will undertake responsibility for cleanup and repair necessitated by such usage. The City's use shall include days when school is not in session and after school on days when school is in session.

6. Except as expressly provided herein, neither party shall charge the other for the services/use of Wingate School or the Park under this Agreement.

7. The City may notify the District of its intention to abandon the Park. Such notice shall be in writing and shall set a date for abandonment no less than 12 months from the date of the notice. Abandonment shall free the City from its obligation to maintain the park and shall terminate the City's rights of usage hereunder. All Park improvements and equipment located on Exhibit B shall then become the property of the City. All Park improvements and equipment located on Exhibit C shall then become the property of the District.

8. Should either party fail to substantially perform its obligations hereunder, the other party may give written notice of the exact nature of the default. The party in default shall correct the default or provide written schedule of when and how the default will be corrected within 45 days from receiving such notice. Failure to perform shall entitle the nondefaulting party to terminate this agreement or to pursue any other remedy in law or equity to enforce the terms hereof. All Park improvements and equipment located on Exhibit B shall then become the

property of the City. All Park improvements and equipment located on Exhibit C shall then become the property of the District.

9. Nothing contained herein shall be construed as a limitation upon the District's right to construct, maintain or continue the use of the Wingate Elementary School site as an educational facility, nor shall anything herein be construed as a limitation upon the District's right to utilize any portion of the Park site for school purposes subject to the limitations set forth in paragraph 5; provided, however, that any such change in use which materially alters or interferes with City's maintenance and repair functions as set forth in Paragraph 3 shall free the City from any such functions as applies to that portion of property subjected to any such change in use; and provided further that a 12 month notice shall be given to the City in the event the District wishes to modify or expand the Wingate School site. Should the District determine that the Wingate School site is no longer suitable for school purposes it may abandon the Park site and dispose of the Wingate School property, provided that the City shall have the first option of purchasing the Park site by meeting a bona fide, acceptable offer of purchase or as may be agreed upon between the City and the District.

10. This Agreement shall be binding upon and inure to the benefit of the successors in interest of the respective parties.

11. The City's rights and obligation hereunder may not be assigned without the District's written consent, and any attempt to do so will be deemed a default by the City for failure to substantially perform a material covenant and obligation hereunder.

12. The District's rights and obligations hereunder may not be assigned without the City's written consent, and any attempt to do so will be deemed a default by the District for failure to substantially perform a material covenant and obligation hereunder.

9. General provisions

a. Entire Agreement – Merger – Modifications – No Waiver.

This Agreement contains the entire understanding of the Parties and is intended as a complete and final expression of their Agreement and of the terms thereof. All prior statements and representations, including those which may have been negligently made, and all prior understandings and agreements are merged herein. The Parties specifically waive any claims they may have for negligent misrepresentations in the formation of this Agreement. This

Agreement shall not be modified except by a writing signed by the Parties hereto or their duly authorized representatives. No waiver by either Party of any default shall be deemed a waiver of any subsequent default.

b. Time of the Essence. Time is of the essence of this Agreement, and in the event of the failure of either Party to perform any term or condition hereof, including but not limited to terms pertaining to delivery and payment, such party shall be in default and the other party shall be entitled to all remedies provided by law and the terms of this Agreement.

c. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the City of Grand Junction, State of Colorado. Venue for all actions connected herewith shall be in Mesa County, State of Colorado.

d. Invalidity. If any clause or provision of this Agreement be determined to be illegal, invalid or unenforceable under present or future laws, then it is the intention of the parties that the other terms and provisions of this Agreement shall not be affected thereby.

e. Captions. Article titles and paragraph titles or captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend or describe the scope of this Agreement or the intent of any provisions thereof.

f. Pronouns. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine or neuter, singular or plural, as the identity of the person, persons, entity or entities may require.

g. Attorney's fees. If, on account of any breach or default by a Party hereto under the terms and conditions hereof, it shall become necessary or appropriate for the other Party to employ or consult with an attorney concerning the enforcement of defense of its rights or remedies hereunder, the Party breaching or in default hereunder shall pay all reasonable attorney's fees so incurred by the other Party.

CITY OF GRAND JUNCTION, COLORADO

BY _____
City Manager

ATTEST:

City Clerk

MESA COUNTY VALLEY SCHOOL DISTRICT
NO. 51

By _____

ATTEST:

Attach 11

Public Hearing – Chipeta Glenn Annexation Located at 2975 and 2977 B ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Chipeta Glenn Annexation located at 2975 and 2977 B ½ Road					
Meeting Date	May 19, 2004					
Date Prepared	May 10, 2004				File #ANX-2004-032	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Chipeta Glenn Annexation, located at 2975 and 2977 B ½ Road. The 13.641 acre annexation consists of 2 parcels of land.

Budget: N/A

Action Requested/Recommendation: Public hearing on the annexation and acceptance of the petition. Approve resolution accepting a petition for annexation and approve second reading of the annexation ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 23. Staff report/Background information
- 24. General Location Map
- 25. Aerial Photo
- 26. Growth Plan Map
- 27. Zoning Map
- 28. Annexation map
- 29. Acceptance Resolution
- 30. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:	2975 and 2977 B ½ Road		
Applicants:	Owner: Chipeta Glenn LLC – Fred Fodrea, Scott Schultz Representative: Thompson-Langford – Jim Langford		
Existing Land Use:	Single Family Residential / Agricultural		
Proposed Land Use:	Single Family Residential		
Surrounding Land Use:	North	Single Family Residential / Agricultural	
	South	Single Family Residential	
	East	Single Family Residential / Agricultural	
	West	Single Family Residential / Golf Course	
Existing Zoning:	County RSF-R		
Proposed Zoning:	City RSF-4		
Surrounding Zoning:	North	County RSF-R (AFT)	
	South	City PD 3.9 du/ac	
	East	County RSF-R (AFT)	
	West	County PUD – Chipeta Pines Golf Course	
Growth Plan Designation:	Residential Medium Low 2-4 du/ac		
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 13.641 acres of land and is comprised of 2 parcels. 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 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 Chipeta Glenn 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.

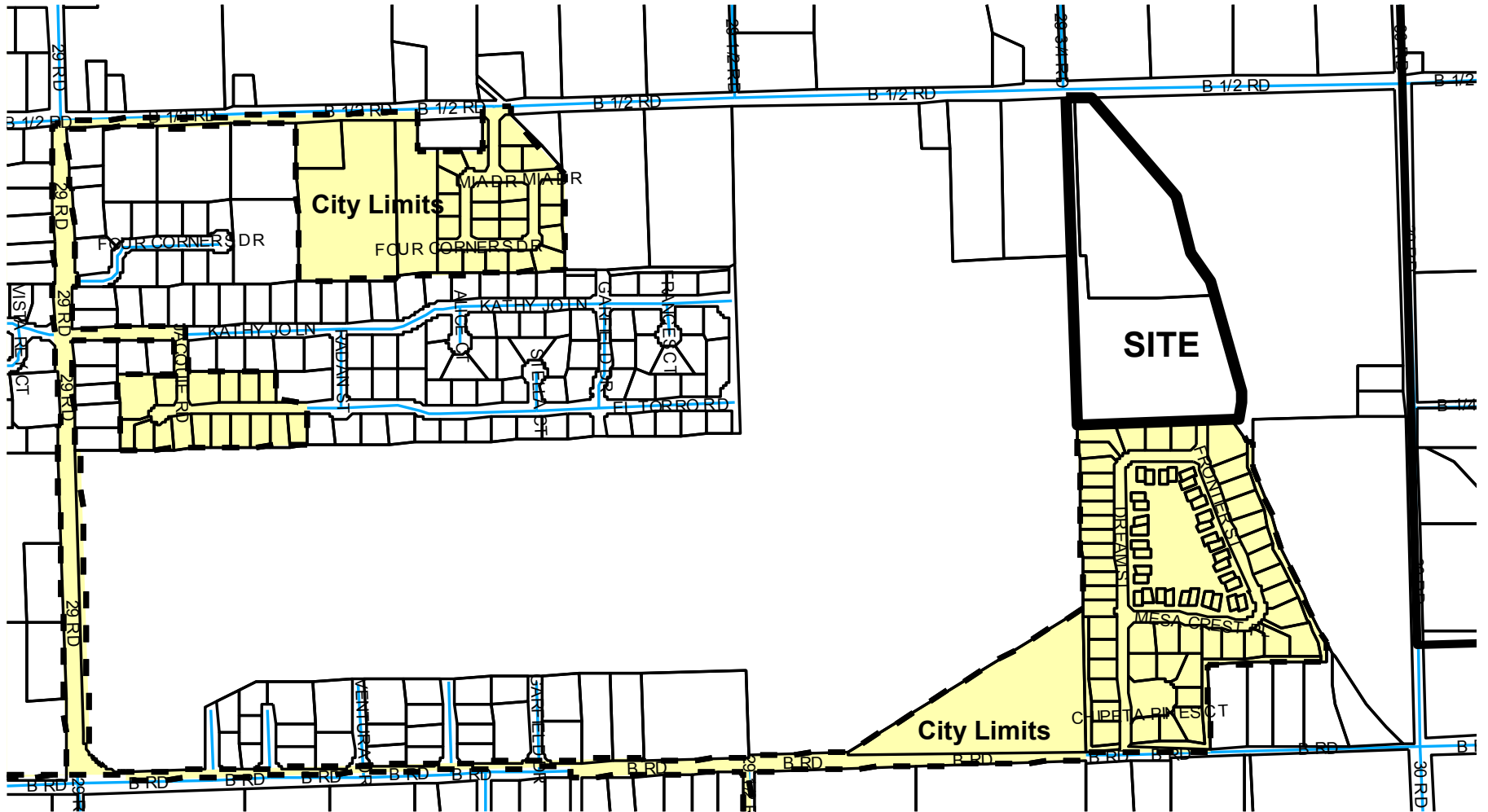
<i>ANNEXATION SCHEDULE</i>	
April 7, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
April 20, 2004	Planning Commission considers Zone of Annexation
May 5, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
May 19, 2004	Zoning by City Council
June 20, 2004	Effective date of Annexation and Zoning

CHIPETA GLENN ANNEXATION SUMMARY

File Number:		ANX-2004-032	
Location:		2975 and 2977 B ½ Road	
Tax ID Number:		2943-294-00-147, 2943-294-00-148	
Parcels:		2	
Estimated Population:		5	
# of Parcels (owner occupied):		1	
# of Dwelling Units:		2	
Acres land annexed:		13.641	
Developable Acres Remaining:		Approximately 13	
Right-of-way in Annexation:		92' the full width of B ½ Road	
Previous County Zoning:		RSF-R	
Proposed City Zoning:		RSF-4	
Current Land Use:		Single Family Residential / Agricultural	
Future Land Use:		Single Family Residential	
Values:	#1	Assessed:	= \$3450
		Actual:	= \$138,040
	#2	Assessed:	= \$2770
		Actual:	= \$59,600
Address Ranges:		2975 and 2977 B ½ Road	
Special Districts:	Water:	Ute Water	
	Sewer:	Orchard Mesa Sanitation	
	Fire:	Grand Junction Rural Fire District	
	Irrigation/Drainage:	Orchard Mesa Irrigation	
	School:	Mesa County School District #51	
	Pest:	None	

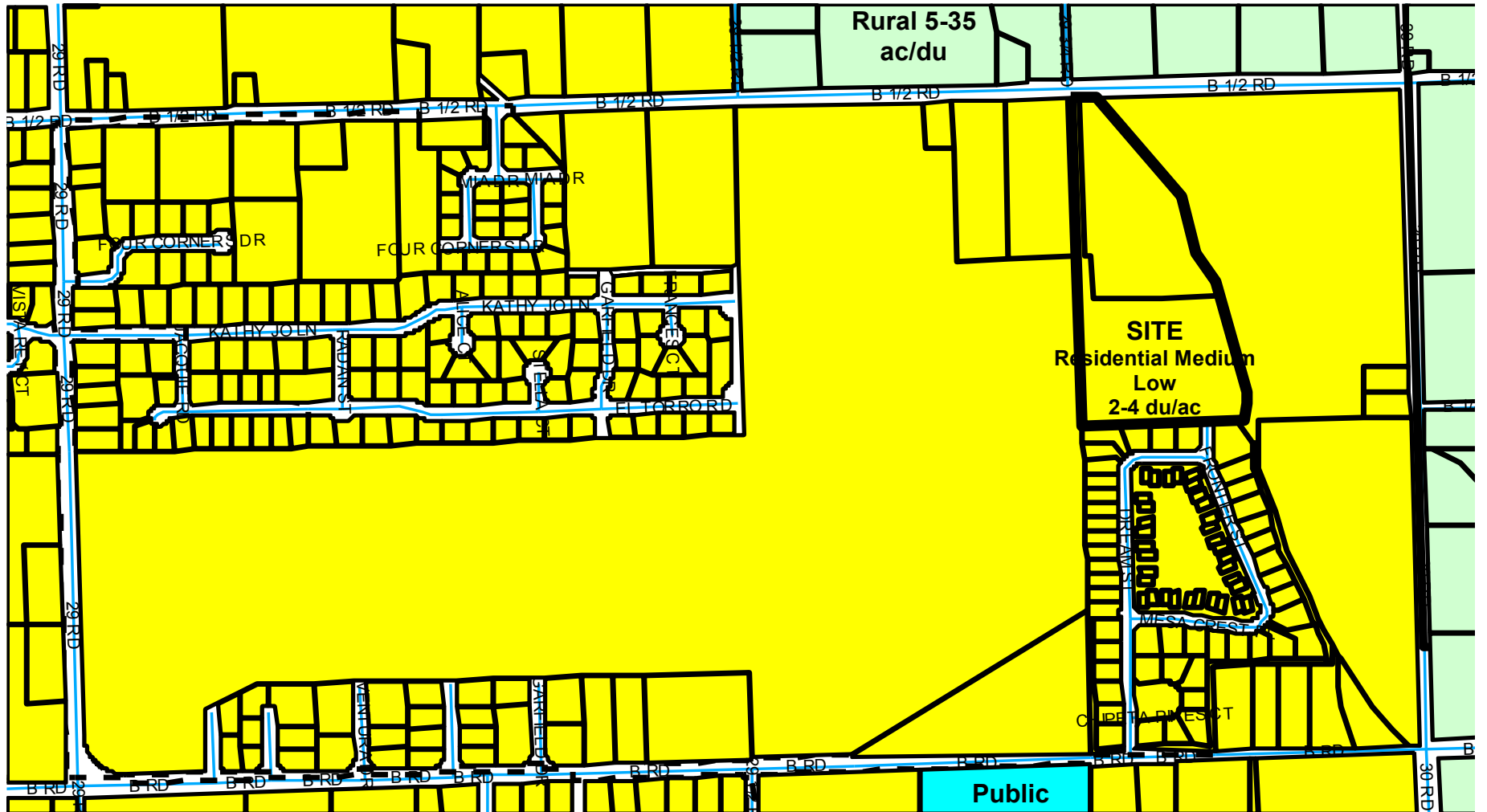
Site Location Map

Figure 1



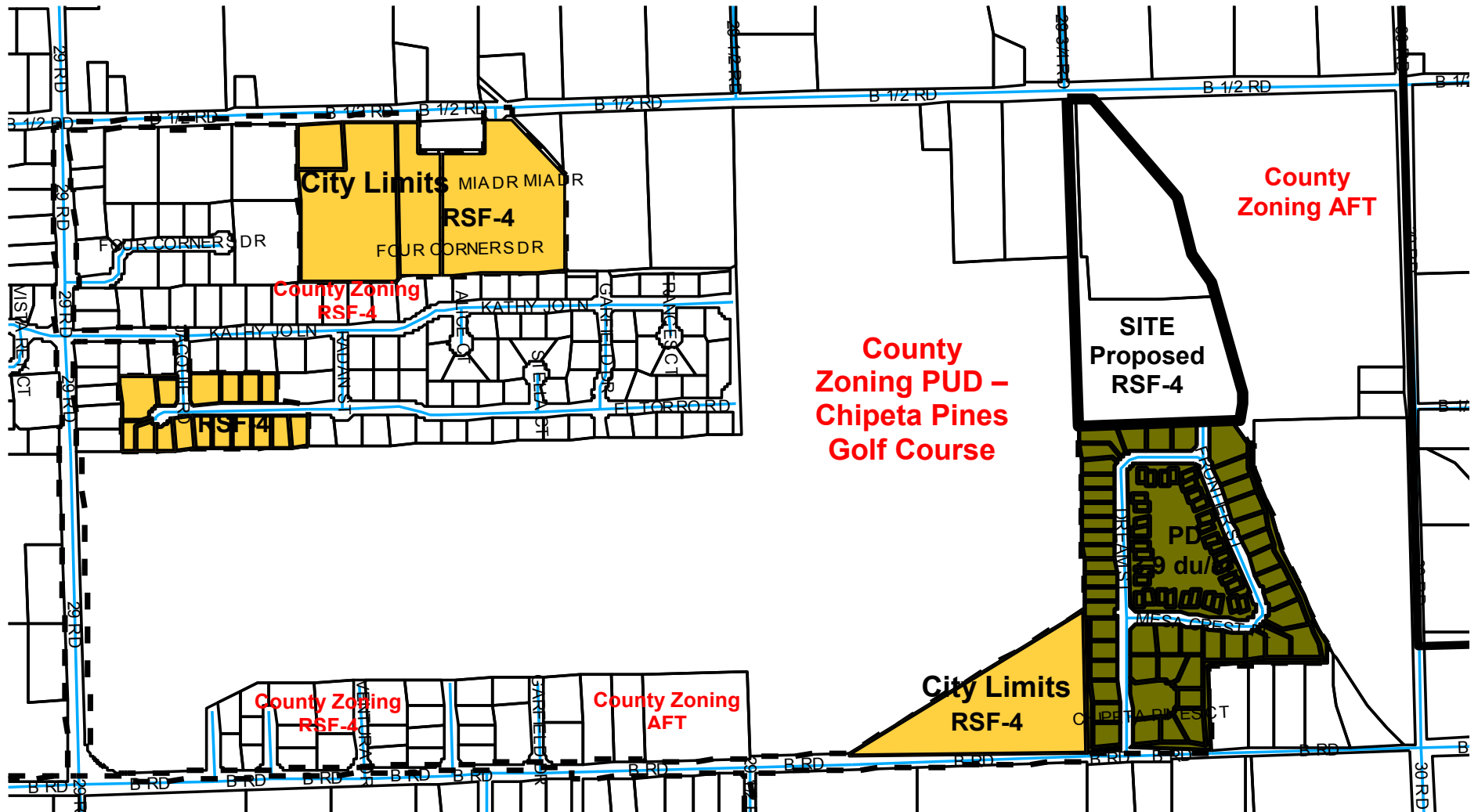
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RESOLUTION NO. ____

A RESOLUTION ACCEPTING A

**PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
CHIPETA GLENN ANNEXATIONS #1 & 2**

LOCATED at 2975 and 2977 B ½ Road

ARE ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of April, 2004, a petition was submitted 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:

CHIPETA GLENN ANNEXATION

CHIPETA GLENN ANNEXATION NO. 1

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet; thence N 89°51'44" E a distance of 52.00 feet; thence S 00°06'50" E a distance of 172.86 feet; thence N 89°51'44" E a distance of 504.51 feet; thence S 15°29'16" E a distance of 365.75 feet; thence S 38°17'44" W a distance of 23.00 feet; thence S 12°37'16" E a distance of 19.00 feet; thence S 05°28'44" W a distance of 96.46 feet, more or less, to a point on the South line of the NW 1/4 SE 1/4 of said Section 29; thence S 89°50'00" W along the South line of the NW 1/4 SE 1/4 of said Section 29, a distance of 633.90 feet, more or less, to the Point of Beginning. CONTAINING 7.055 Acres (307,317.9 Sq. Ft.) more or less, as described.

CHIPETA GLENN ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) and the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 29, 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 Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.43 feet, more or less, to a point being the Northwest corner of the NW 1/4 SE 1/4 of said Section 29; thence N 00°06'06" W along the West line of the SW 1/4 NE 1/4 of said Section 29, a distance of 40.00 feet to a point on the North right of way for B-1/2 Road, as same is recorded in Book 1425, Page 290, Public Records of Mesa County, Colorado; thence N 89°51'45" E along said North right of way, a distance of 91.99 feet; thence S 00°08'15" E a distance 70.00 feet; thence S 38°03'16"E a distance of 522.01 feet; thence S 13°38'16" E a distance of 214.00 feet; thence S36°00'16"E a distance of 120.00 feet; thence S 15°29'16" E a distance of 87.25 feet; thence S 89°51'44" W a distance of 504.51 feet; thence N 00°06'50" W a distance of 172.86 feet; thence S 89°51'44" W a distance of 52.00 feet, more or less, to the Point of Beginning. CONTAINING 6.586 Acres (286,882.6 Sq. Ft.) more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of May, 2004; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 19th day of May, 2004.

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*

CHIPETA GLENN ANNEXATION #1

APPROXIMATELY 7.055 ACRES

LOCATED AT 2975 B ½ ROAD

WHEREAS, on the 7th day of April, 2004, 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 19th day of April, 2004; 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:

CHIPETA GLENN ANNEXATION NO. 1

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet; thence N 89°51'44" E a distance of 52.00 feet; thence S 00°06'50" E a distance of 172.86 feet; thence N 89°51'44" E a distance of 504.51 feet;

thence S 15°29'16" E a distance of 365.75 feet; thence S 38°17'44" W a distance of 23.00 feet; thence S 12°37'16" E a distance of 19.00 feet; thence S 05°28'44" W a distance of 96.46 feet, more or less, to a point on the South line of the NW 1/4 SE 1/4 of said Section 29; thence S 89°50'00" W along the South line of the NW 1/4 SE 1/4 of said Section 29, a distance of 633.90 feet, more or less, to the Point of Beginning.

CONTAINING 7.055 Acres (307,317.9 Sq. Ft.) more or less, as described.

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

INTRODUCED on first reading on the 7th day of April, 2004 and ordered published.

ADOPTED on second reading this 19th day of May, 2004.

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*

CHIPETA GLENN ANNEXATION #2

APPROXIMATELY 6.586 ACRES

LOCATED AT 2977 B ½ ROAD

WHEREAS, on the 7th day of April, 2004, 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 19th day of April, 2004; 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:

CHIPETA GLENN ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) and the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 29, 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 Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.43 feet, more or less, to a point being the Northwest corner of the NW 1/4 SE 1/4 of said Section 29; thence N 00°06'06" W along the West line of the SW 1/4 NE 1/4 of said Section 29, a distance of 40.00 feet to a

point on the North right of way for B-1/2 Road, as same is recorded in Book 1425, Page 290, Public Records of Mesa County, Colorado; thence N 89°51'45" E along said North right of way, a distance of 91.99 feet; thence S 00°08'15" E a distance 70.00 feet; thence S 38°03'16"E a distance of 522.01 feet; thence S 13°38'16" E a distance of 214.00 feet; thence S36°00'16"E a distance of 120.00 feet; thence S 15°29'16" E a distance of 87.25 feet; thence S 89°51'44" W a distance of 504.51 feet; thence N 00°06'50" W a distance of 172.86 feet; thence S 89°51'44" W a distance of 52.00 feet, more or less, to the Point of Beginning.

CONTAINING 6.586 Acres (286,882.6 Sq. Ft.) more or less, as described.

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

INTRODUCED on first reading on the 7th day of April, 2004 and ordered published.

ADOPTED on second reading this 19th day of May, 2004.

Attest:

President of the Council

City Clerk

Attach 12

Public Hearing – Zoning the Chipeta Glenn Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Chipeta Glenn Annexation to RSF-4 located at 2975 and 2977 B ½ Road.					
Meeting Date	May 19, 2004					
Date Prepared	May 10, 2004				File #ANX-2004-032	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Chipeta Glenn Annexation RSF-4 (Residential Single Family 4 du/ac), located at 2975 and 2977 B ½ Road. The 13.641 acre annexation area currently has a development application in process for a new single family subdivision consisting of 45 lots.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 31. Staff report/Background information
- 32. General Location Map
- 33. Aerial Photo
- 34. Growth Plan Map
- 35. Zoning Map
- 36. Annexation map
- 37. Zoning Ordinance

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
Location:		2975 and 2977 B ½ Road		
Applicants:		Owner: Chipeta Glenn LLC – Fred Fodrea, Scott Schultz Representative: Thompson-Langford – Jim Langford		
Existing Land Use:		Single Family Residential / Agricultural		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Single Family Residential / Agricultural		
	South	Single Family Residential		
	East	Single Family Residential / Agricultural		
	West	Single Family Residential / Golf Course		
Existing Zoning:		County RSF-R		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	County RSF-R (AFT)		
	South	City PD 3.9 du/ac		
	East	County RSF-R (AFT)		
	West	County PUD – Chipeta Pines Golf Course		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning 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:

- 3. The existing zoning was in error at the time of adoption;**

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

- 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.;**

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

- 9. 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;**

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

- 10. 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;**

Response: The proposed zoning is consistent with the Goals and polices of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

- 11. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and**

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

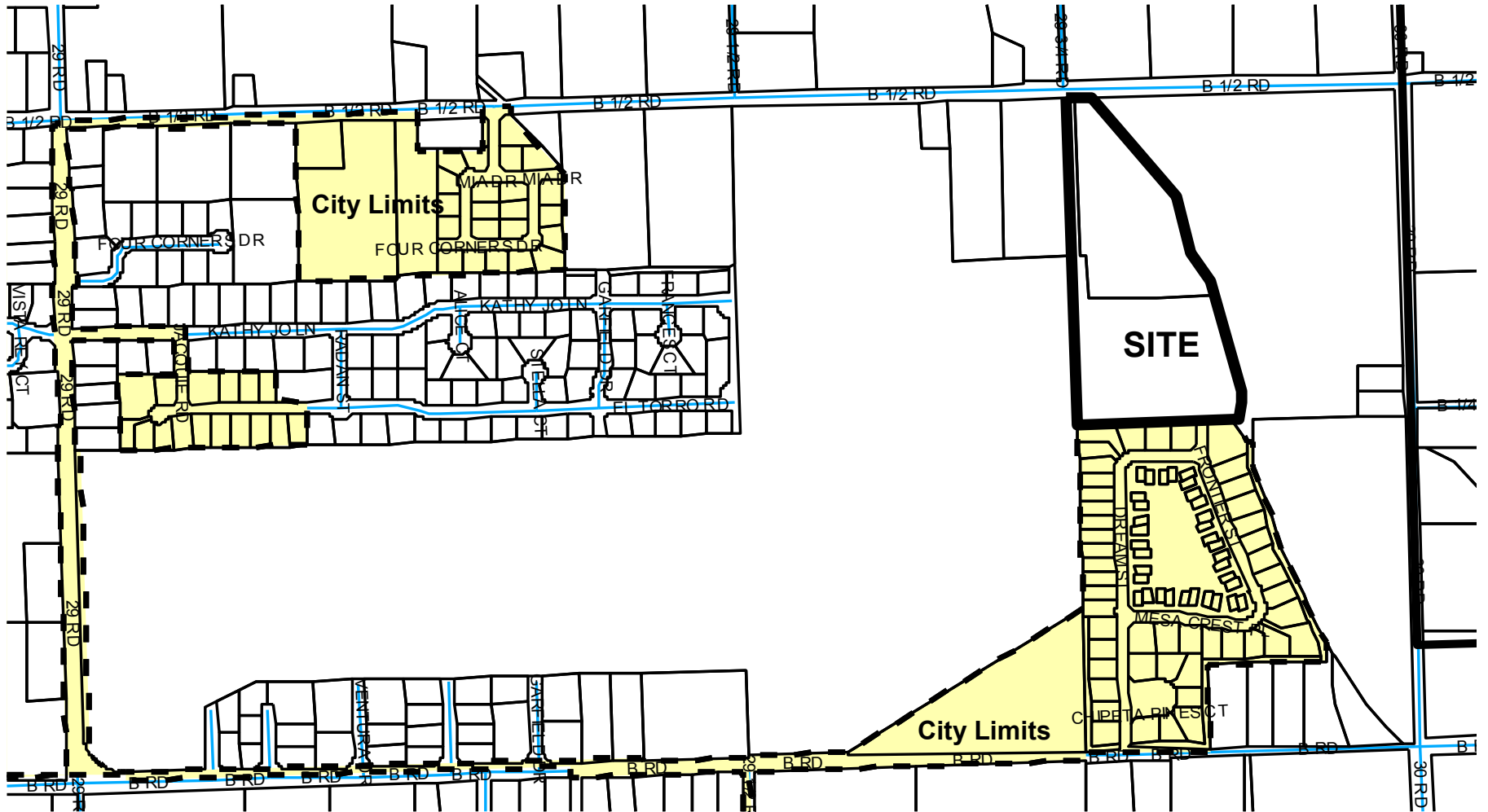
9. The community or neighborhood will benefit from the proposed zone.

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-4 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



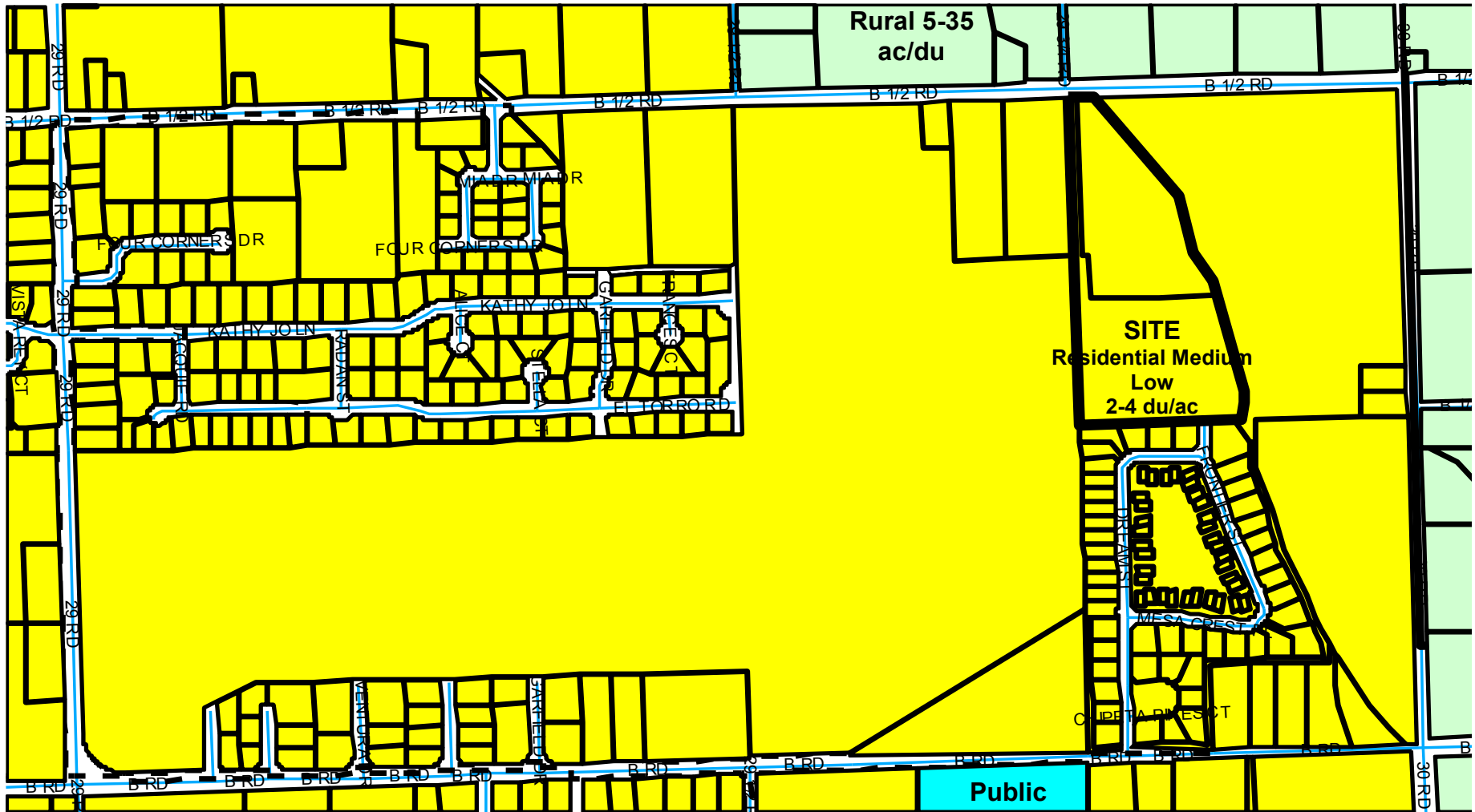
Aerial Photo Map

Figure 2



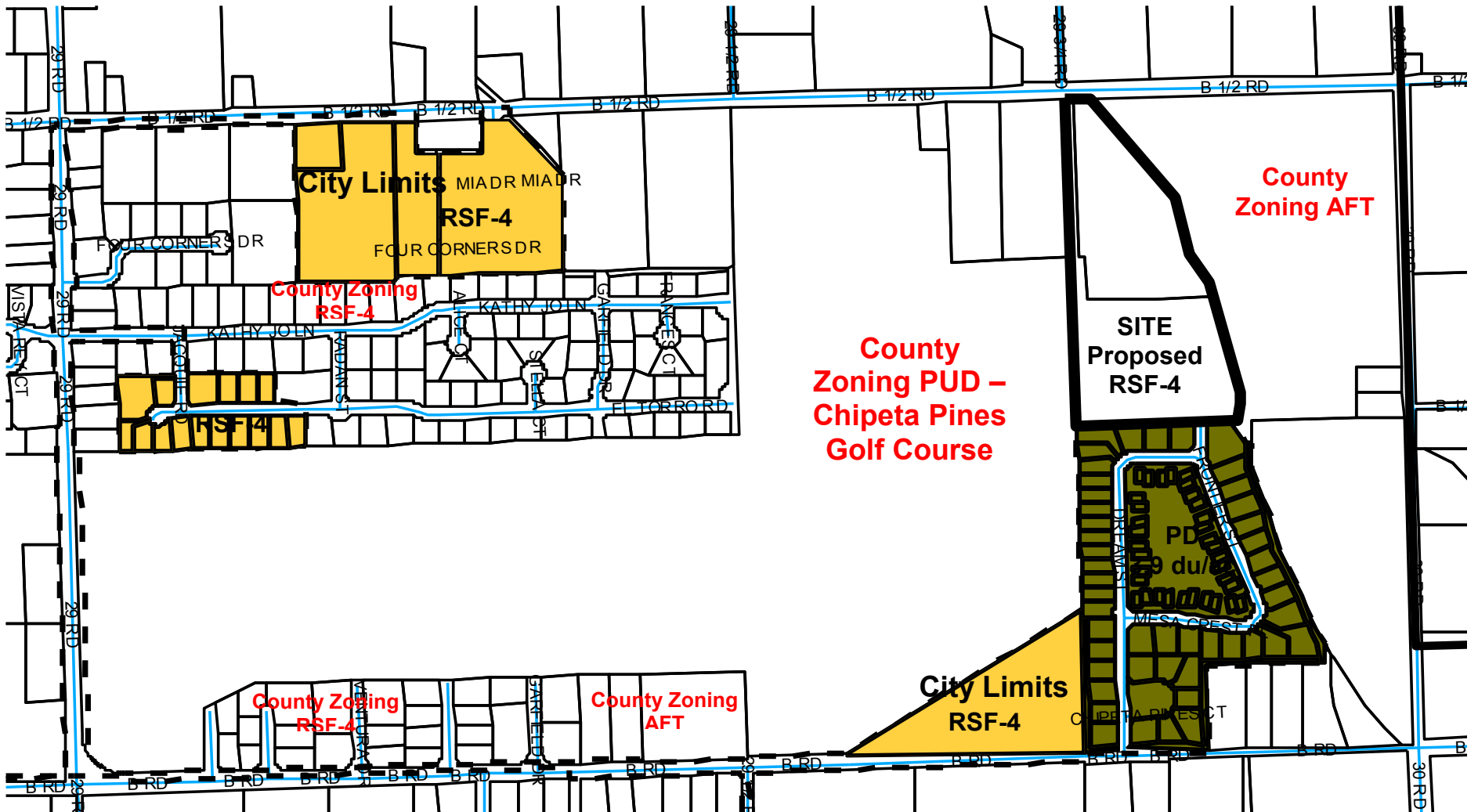
Future Land Use Map

Figure 3



Existing City and County Zoning

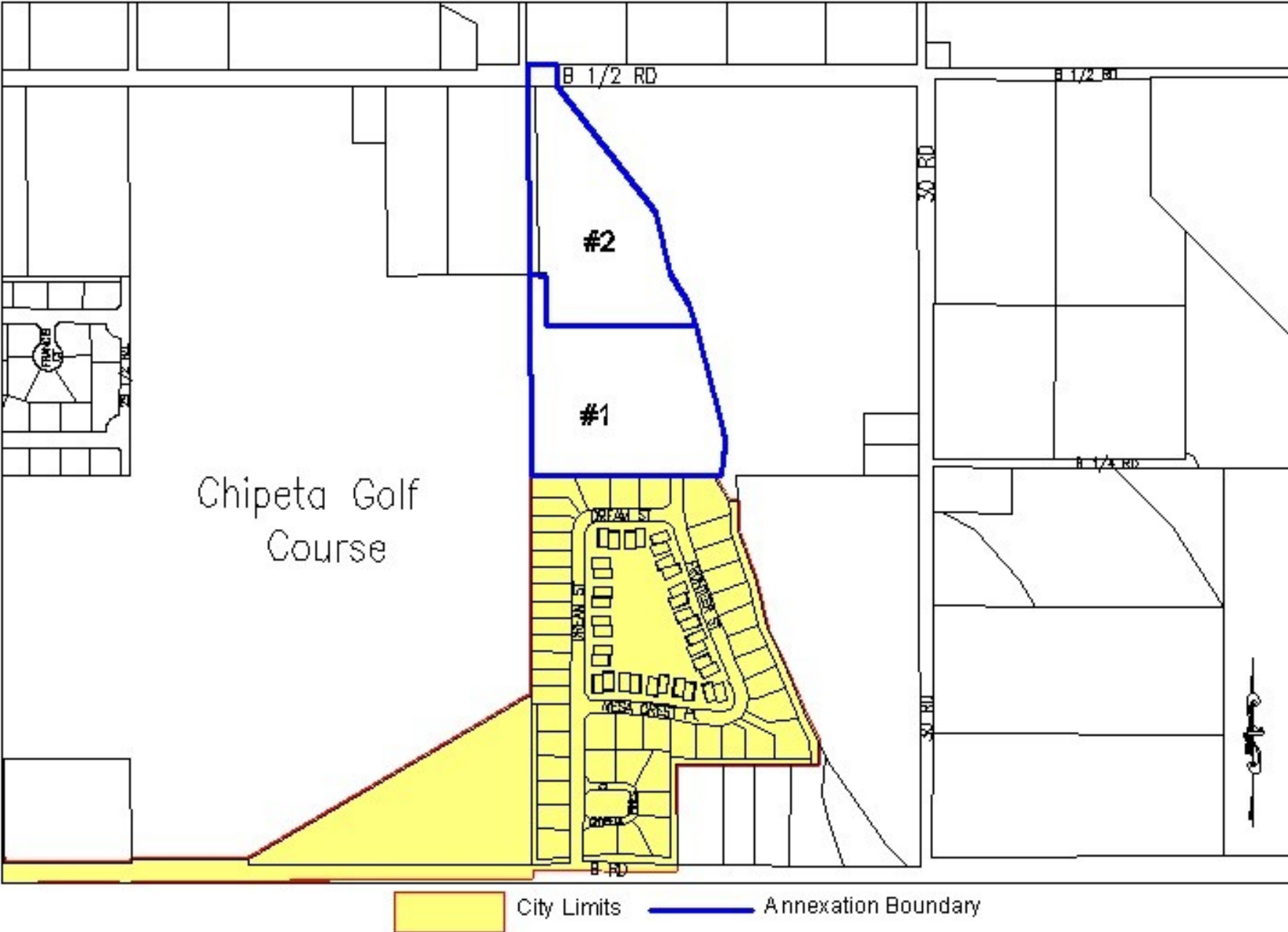
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Chipeta Glenn Annexations #1 & #2

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CHIPETA GLENN ANNEXATION TO
RSF-4**

LOCATED AT 2975 and 2977 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 zoning the Chipeta Glenn Annexation to the RSF-4 zone district for the following reasons:

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

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

The Planning Commission and City Council find that the RSF-4 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned RSF-4 with a density not to exceed 4 units per acre.

CHIPETA GLENN ANNEXATION NO. 1

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet; thence N 89°51'44" E a distance of 52.00 feet; thence S

00°06'50" E a distance of 172.86 feet; thence N 89°51'44" E a distance of 504.51 feet; thence S 15°29'16" E a distance of 365.75 feet; thence S 38°17'44" W a distance of 23.00 feet; thence S 12°37'16" E a distance of 19.00 feet; thence S 05°28'44" W a distance of 96.46 feet, more or less, to a point on the South line of the NW 1/4 SE 1/4 of said Section 29; thence S 89°50'00" W along the South line of the NW 1/4 SE 1/4 of said Section 29, a distance of 633.90 feet, more or less, to the Point of Beginning.

CONTAINING 7.055 Acres (307,317.9 Sq. Ft.) more or less, as described.

CHIPETA GLENN ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) and the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 29, 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 Southwest corner of the NW 1/4 SE 1/4 of said Section 29 and assuming the West line of the NW 1/4 SE 1/4 of said Section 29 bears N 00°06'50" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.45 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°06'50" W along the West line of the NW 1/4 SE 1/4 of said Section 29, a distance of 658.43 feet, more or less, to a point being the Northwest corner of the NW 1/4 SE 1/4 of said Section 29; thence N 00°06'06" W along the West line of the SW 1/4 NE 1/4 of said Section 29, a distance of 40.00 feet to a point on the North right of way for B-1/2 Road, as same is recorded in Book 1425, Page 290, Public Records of Mesa County, Colorado; thence N 89°51'45" E along said North right of way, a distance of 91.99 feet; thence S 00°08'15" E a distance 70.00 feet; thence S 38°03'16"E a distance of 522.01 feet; thence S 13°38'16" E a distance of 214.00 feet; thence S36°00'16" E a distance of 120.00 feet; thence S 15°29'16" E a distance of 87.25 feet; thence S 89°51'44" W a distance of 504.51 feet; thence N 00°06'50" W a distance of 172.86 feet; thence S 89°51'44" W a distance of 52.00 feet, more or less, to the Point of Beginning.

CONTAINING 6.586 Acres (286,882.6 Sq. Ft.) more or less, as described.

Introduced on first reading this 5th day of May, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 13

Public Hearing – Grand Valley Audubon Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Grand Valley Audubon Annexation located at 605 and 608 Dike Road					
Meeting Date	May 19, 2004					
Date Prepared	May 10, 2004				File #ANX-2004-052	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Grand Valley Audubon Annexation, located at 605 and 608 Dike Road. The 55.272 acre Grand Valley Audubon Annexation consists of 2 parcel(s) of land and is a 2 part Serial annexation.

Budget: N/A

Action Requested/Recommendation: Public hearing on the annexation and acceptance of the petition. Approve resolution accepting a petition for annexation and approve second reading of the annexation ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 38. Staff report/Background information
- 39. General Location Map
- 40. Aerial Photo
- 41. Growth Plan Map
- 42. Zoning Map
- 43. Annexation map
- 44. Acceptance Resolution
- 45. Annexation Ordinance

<i>STAFF REPORT/BACKGROUND INFORMATION</i>			
Location:		605 & 608 Dike Road	
Applicants: <Prop owner, developer, representative>		Owner: Grand Valley Audubon Society – Steve Watson Representative: Bob Wilson	
Existing Land Use:		Vacant	
Proposed Land Use:		Audubon – Bird Watching	
Surrounding Land Use:	North	Colorado River	
	South	Single Family Residential / Whitewater Gravel Pit	
	East	Connected Lakes	
	West	Colorado River / Single Family Residential	
Existing Zoning:		County AFT	
Proposed Zoning:		City CSR	
Surrounding Zoning:	North	City CSR	
	South	County RSF-4	
	East	County AFT	
	West	County RSF-4	
Growth Plan Designation:		Conservation	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 55.272 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Grand Valley Audubon 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.

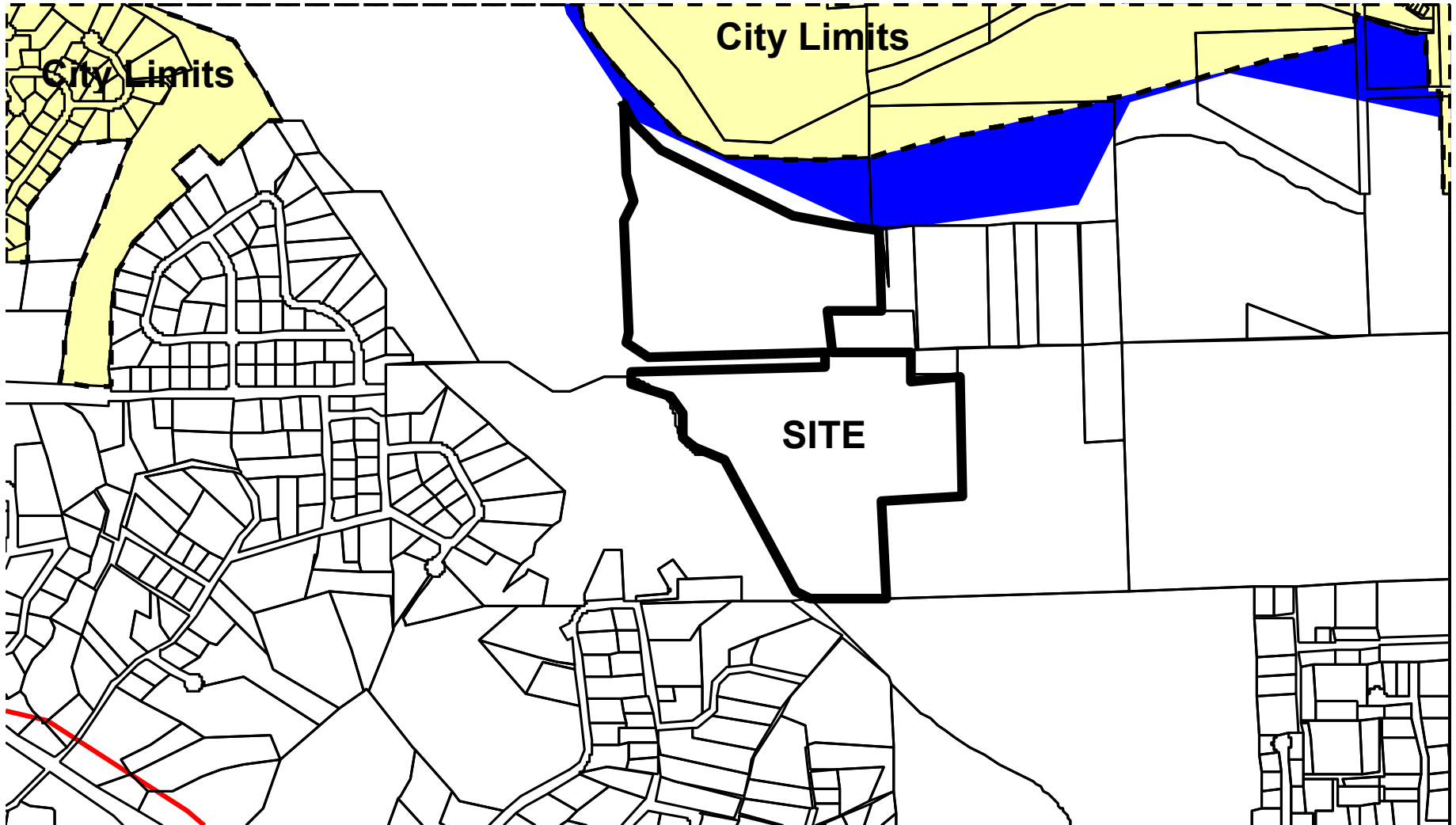
<i>ANNEXATION SCHEDULE</i>	
April 7, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
April 20, 2004	Planning Commission considers Zone of Annexation
May 5, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
May 19, 2004	Zoning by City Council
June 20, 2004	Effective date of Annexation and Zoning

GRAND VALLEY AUDUBON ANNEXATION SUMMARY

File Number:		ANX-2004-052	
Location:		605 and 608 Dike Rd	
Tax ID Number:		2945-162-00-298 / 2945-093-00-172	
Parcels:		2	
Estimated Population:		0	
# of Parcels (owner occupied):		0	
# of Dwelling Units:		0	
Acres land annexed:		55.272	
Developable Acres Remaining:		Approximately 55	
Right-of-way in Annexation:		Approximately 460' of Dike Rd	
Previous County Zoning:		AFT	
Proposed City Zoning:		CSR	
Current Land Use:		Vacant	
Future Land Use:		Audubon – Bird Watching	
Values:	#1	Assessed:	= \$59,710
		Actual:	= \$205,900
Values:	#2	Assessed:	= \$70,920
		Actual:	= \$244,550
Address Ranges:		605, 607, 608, 610 Dike Rd	
Special Districts:		Water:	Ute Water
		Sewer:	City of Grand Junction
		Fire:	Grand Junction Rural Fire District
		Irrigation/Drainage :	Redlands Water
		School:	Mesa County School Dist #51
		Pest:	Redlands Mosquito Control District

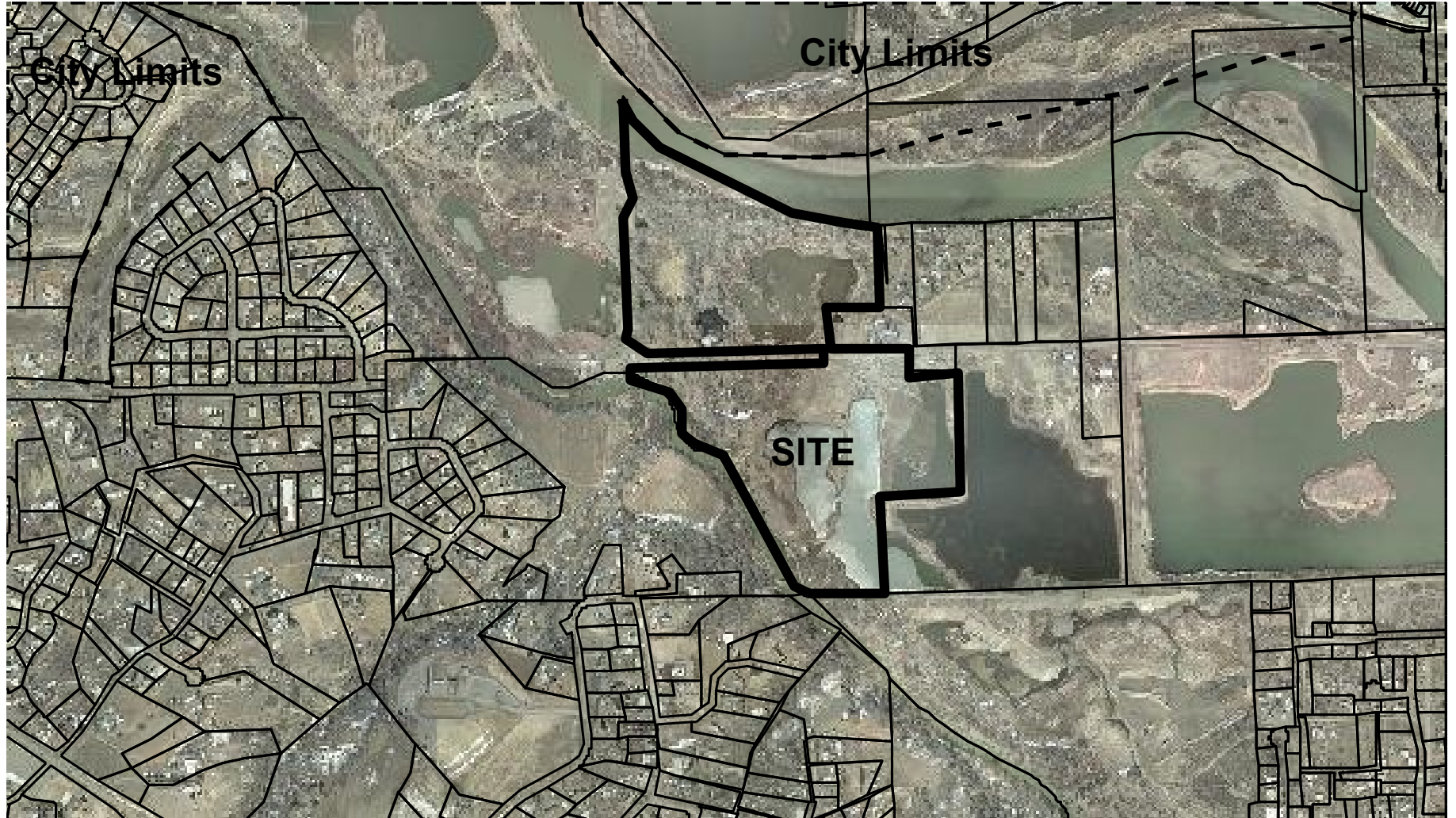
Site Location Map

Figure 1



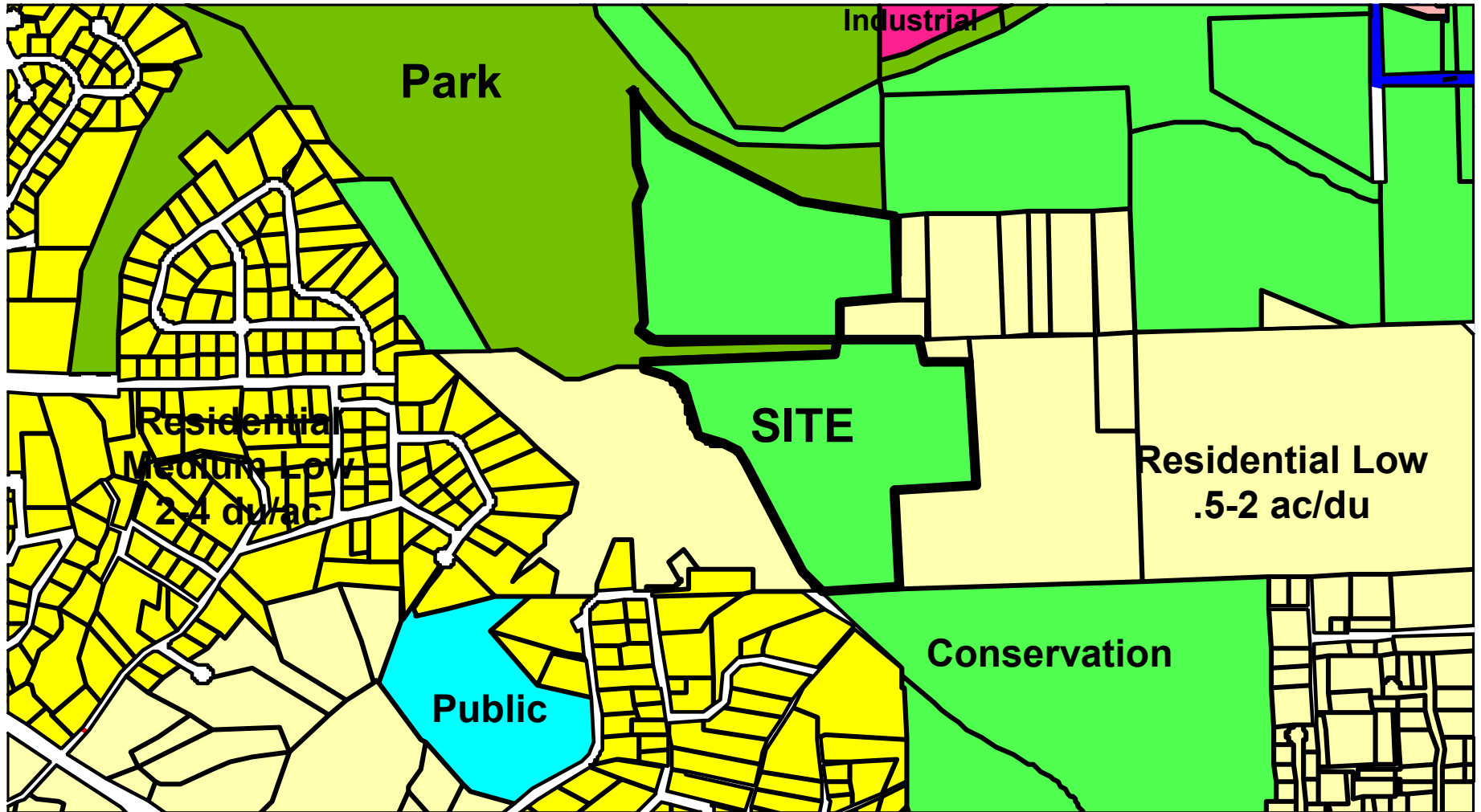
Aerial Photo Map

Figure 2



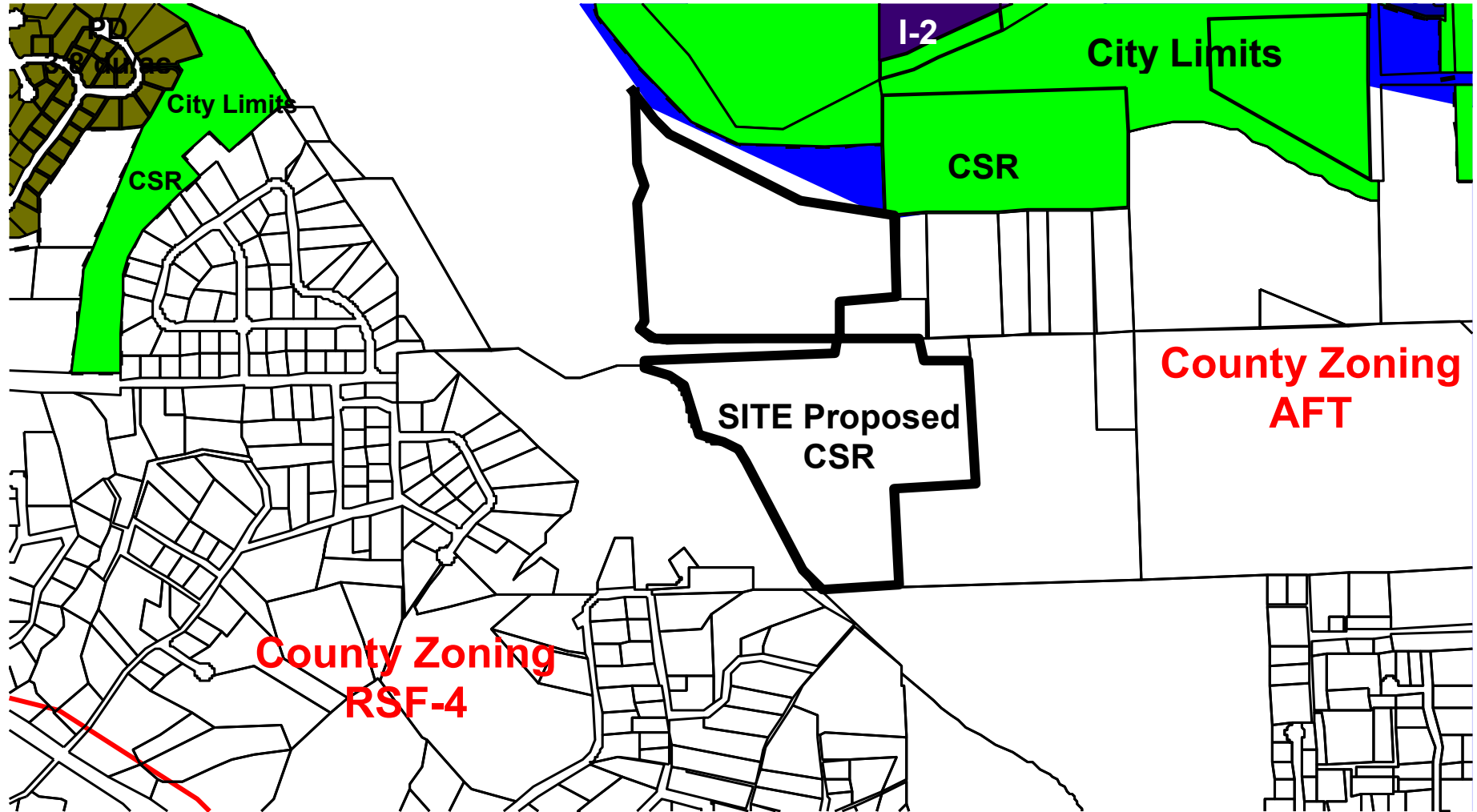
Future Land Use Map

Figure 3



Existing City and County Zoning

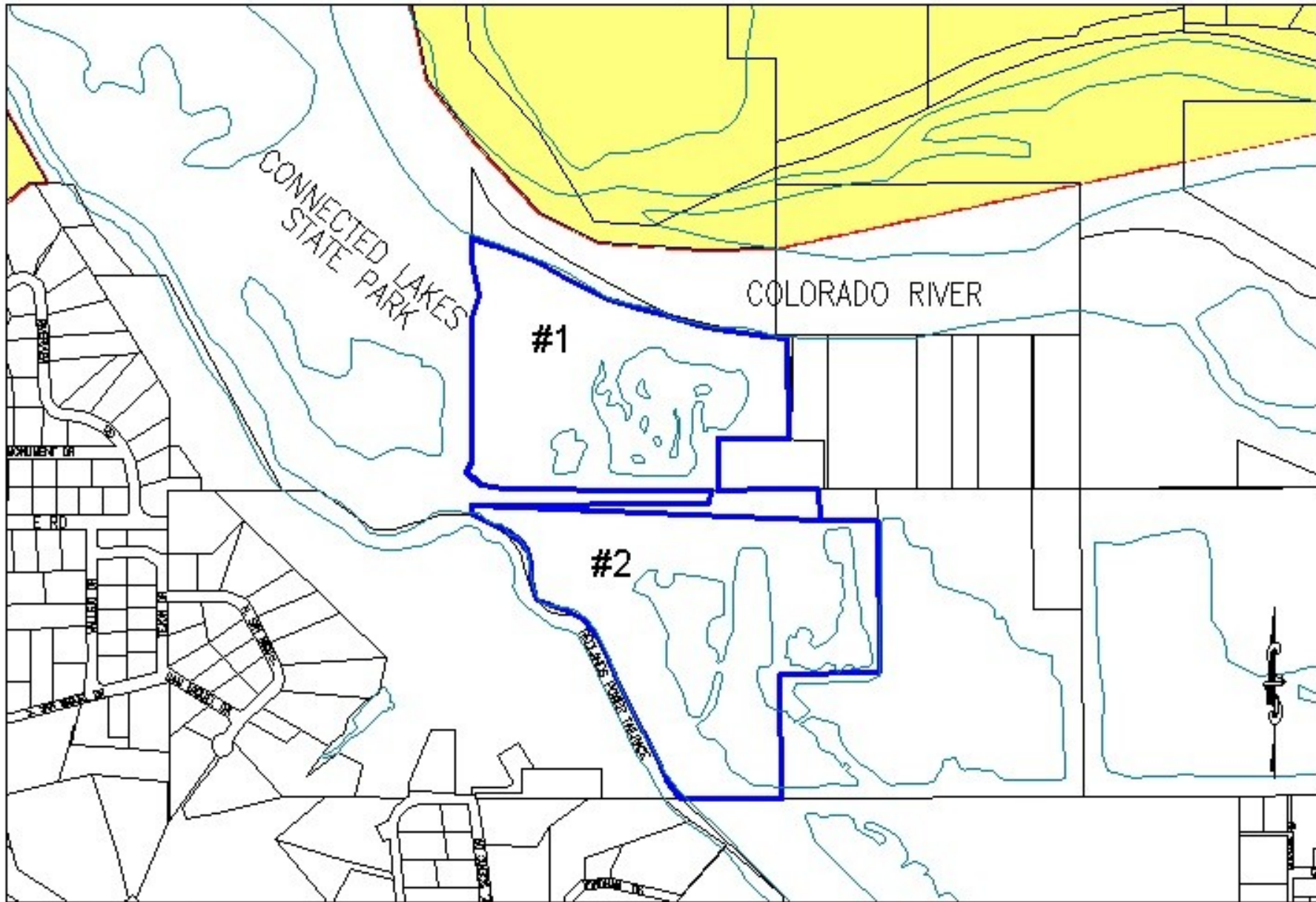
Figure 4





NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."


Grand Valley Audubon Annexations #1 and #2

Figure 5



 City Limits

 Annexation Boundary

 Water Boundary

RESOLUTION NO. ____

A RESOLUTION ACCEPTING A

PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
GRAND VALLEY AUDUBON ANNEXATIONS #1 & 2

LOCATED at 605 and 608 DIKE ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of April, 2004, a petition was submitted 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:

GRAND VALLEY AUDUBON ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 9, the Northwest Quarter (NW 1/4) of Section 16, the Southeast Quarter (SE 1/4) of Section 8 and any portion thereof of any Government Lots within said Sections, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying Southerly of the South bank of the Colorado River and being more particularly described as follows: BEGINNING at the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the South line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 9 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'12" E along the North line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, a distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet; thence N 87°25'29" W a distance of 1495.65 feet to a point on the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16, said point lying 60.00 feet South of, as measured along said line, the Northwest corner of said Section 16; thence N 89°49'21" E a distance of 1021.39 feet; thence N 03°32'39" E a distance of 60.13 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence S 89°49'21" W along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 263.79 feet; thence N 89°11'58" W a distance of 630.69 feet; thence N 79°55'33" W a distance of 95.00 feet; thence N 49°11'37" W a distance of 81.01 feet; thence N 31°28'14" E a distance of 44.45 feet to a point on the West line of said Section 9; thence N 00°09'30" W along the West line of said Section 9, a distance of 508.66 feet; thence N 02°03'27" E a distance of 101.69 feet; thence N 11°19'09" W a distance of 113.47 feet; thence N 19°43'26" W a distance of 39.35 feet to a point on the West line of said Section 9; thence N 00°09'30" W a distance of 220.07 feet, more or less, to a point on the South bank of the Colorado River, as depicted on a Boundary

Survey prepared by Mr. Steven L. Hagedorn of DH Surveys, Inc.; thence Southeasterly meandering the South bank of the Colorado River the following numbered courses:

- 1.) S 62°07'13" E a distance of 45.74 feet, thence...
- 2.) S 72°50'28" E a distance of 82.68 feet; thence...
- 3.) S 70°13'55" E a distance of 162.69 feet; thence...
- 4.) S 59°42'24" E a distance of 193.13 feet; thence...
- 5.) S 65°10'07" E a distance of 163.07 feet; thence...
- 6.) S 72°27'38" E a distance of 170.70 feet; thence...
- 7.) S 76°08'23" E a distance of 98.50 feet; thence...
- 8.) S 73°31'59" E a distance of 170.71 feet; thence...
- 9.) S 80°58'25" E a distance of 263.68 feet; thence ...
- 10.) S 87°58'03" E a distance of 108.96 feet; thence leaving said South bank;

S 01°20'54" W a distance of 434.40 feet; thence N 89°45'26" W a distance of 306.71 feet; thence S 00°03'25" W a distance of 219.58 feet, more or less, to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence N 89°49'21" E along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 250.00 feet, more or less, to the Point of Beginning. CONTAINING 25.994 Acres (1,132,282 Sq. Ft.), more or less, as described.

GRAND VALLEY AUDUBON ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 16 and any portion thereof of any Government Lot within said NW 1/4, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows: COMMENCING at the Northwest Corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the North line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'12" W along the North line of the NE 1/4 NW 1/4 of said Section 16, a distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°51'50" E a distance of 247.63 feet; thence S 00°49'10" E a distance of 662.09 feet; thence S 89°50'12" W a distance of 431.95 feet, more or less, to a point on the East line of the NW 1/4 NW 1/4 of said Section 16; thence S 00°49'22" E along the East line of the NW 1/4 NW 1/4 of said Section 16, a distance of 530.85 feet, more or less, to the Southeast corner of the NW 1/4 NW 1/4 of said Section 16; thence S 89°50'04" W along the South line of the NW 1/4 NW 1/4 of said Section 16 a distance of 433.17 feet to its intersection with the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace; thence Northwesterly and Westerly along the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace the following numbered courses; thence...

- 1.) N 47°31'23" W a distance of 22.12 feet; thence...
- 2.) N 32°53'29" W a distance of 80.04 feet; thence...
- 3.) N 25°43'13" W a distance of 135.11 feet; thence...
- 4.) N 27°47'14" W a distance of 183.95 feet; thence...
- 5.) N 27°18'14" W a distance of 120.14 feet; thence...

- 6.) N 23°04'57" W a distance of 190.63 feet; thence...
- 7.) N 27°25'01" W a distance of 62.45 feet; thence...
- 8.) N 38°07'47" W a distance of 73.39 feet; thence...
- 9.) N 61°37'17" W a distance of 112.70 feet; thence...
- 10.) N 69°13'06" W a distance of 115.86 feet; thence...
- 11.) N 15°08'00" W a distance of 91.22 feet; thence...
- 12.) N 03°52'00" W a distance of 61.88 feet; thence...
- 13.) N 09°03'16" W a distance of 64.81 feet; thence...
- 14.) N 40°18'49" W a distance of 50.23 feet; thence...
- 15.) N 53°06'00" W a distance of 80.43 feet; thence...
- 16.) N 68°47'55" W a distance of 87.98 feet; thence...
- 17.) N 66°10'28" W a distance of 66.29 feet to its intersection with the West line of the NW 1/4 NW 1/4 of said Section 16; thence N 00°36'14" W along the West line of the NW 1/4 NW 1/4 of said Section 16, a distance of 46.34 feet to a point 60.00 feet South of as measured along said line; thence S 87°25'29" E a distance of 1495.65 feet, more or less, to the Point of Beginning. CONTAINING 29.278 Acres (1,275,352 Sq. Ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of May, 2004; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 19th day of May, 2004.

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*

GRAND VALLEY AUDUBON ANNEXATION #1

APPROXIMATELY 25.994 ACRES

LOCATED AT 605 DIKE ROAD

WHEREAS, on the 7th day of April, 2004, 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 19th day of May, 2004; 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:

GRAND VALLEY AUDUBON ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 9, the Northwest Quarter (NW 1/4) of Section 16, the Southeast Quarter (SE 1/4) of Section 8 and any portion thereof of any Government Lots within said Sections, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying Southerly of the South bank of the Colorado River and being more particularly described as follows: BEGINNING at the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the South line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW1/4) of said Section 9 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'12" E along the North line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, a distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet; thence N 87°25'29" W a distance of 1495.65 feet to a point on the West line of the Northwest

Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16, said point lying 60.00 feet South of, as measured along said line, the Northwest corner of said Section 16; thence N 89°49'21" E a distance of 1021.39 feet; thence N 03°32'39" E a distance of 60.13 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence S 89°49'21" W along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 263.79 feet; thence N 89°11'58" W a distance of 630.69 feet; thence N 79°55'33" W a distance of 95.00 feet; thence N 49°11'37" W a distance of 81.01 feet; thence N 31°28'14" E a distance of 44.45 feet to a point on the West line of said Section 9; thence N 00°09'30" W along the West line of said Section 9, a distance of 508.66 feet; thence N 02°03'27" E a distance of 101.69 feet; thence N 11°19'09" W a distance of 113.47 feet; thence N 19°43'26" W a distance of 39.35 feet to a point on the West line of said Section 9; thence N 00°09'30" W a distance of 220.07 feet, more or less, to a point on the South bank of the Colorado River, as depicted on a Boundary Survey prepared by Mr. Steven L. Hagedorn of DH Surveys, Inc.; thence Southeasterly meandering the South bank of the Colorado River the following numbered courses:

- 1.) S 62°07'13" E a distance of 45.74 feet, thence...
- 2.) S 72°50'28" E a distance of 82.68 feet; thence...
- 3.) S 70°13'55" E a distance of 162.69 feet; thence...
- 4.) S 59°42'24" E a distance of 193.13 feet; thence...
- 5.) S 65°10'07" E a distance of 163.07 feet; thence...
- 6.) S 72°27'38" E a distance of 170.70 feet; thence...
- 7.) S 76°08'23" E a distance of 98.50 feet; thence...
- 8.) S 73°31'59" E a distance of 170.71 feet; thence...
- 9.) S 80°58'25" E a distance of 263.68 feet; thence ...
- 10.) S 87°58'03" E a distance of 108.96 feet; thence leaving said South bank;

S 01°20'54" W a distance of 434.40 feet; thence N 89°45'26" W a distance of 306.71 feet; thence S 00°03'25" W a distance of 219.58 feet, more or less, to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence N 89°49'21" E along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 250.00 feet, more or less, to the Point of Beginning. CONTAINING 25.994 Acres (1,132,282 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 7th day of April, 2004 and ordered published.

ADOPTED on second reading this 19th day of May, 2004.

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*

GRAND VALLEY AUDUBON ANNEXATION #2

APPROXIMATELY 29.278 ACRES

LOCATED AT 608 DIKE ROAD

WHEREAS, on the 7th day of April, 2004, 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 19th day of May, 2004; 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:

GRAND VALLEY AUDUBON ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 16 and any portion thereof of any Government Lot within said NW 1/4, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the North line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'12" W along the North line of the NE 1/4 NW 1/4 of said Section 16, a distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N

89°51'50" E a distance of 247.63 feet; thence S 00°49'10" E a distance of 662.09 feet; thence S 89°50'12" W a distance of 431.95 feet, more or less, to a point on the East line of the NW 1/4 NW 1/4 of said Section 16; thence S 00°49'22" E along the East line of the NW 1/4 NW 1/4 of said Section 16, a distance of 530.85 feet, more or less, to the Southeast corner of the NW 1/4 NW 1/4 of said Section 16; thence S 89°50'04" W along the South line of the NW 1/4 NW 1/4 of said Section 16 a distance of 433.17 feet to its intersection with the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace; thence Northwesterly and Westerly along the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace the following numbered courses; thence...

- 1.) N 47°31'23" W a distance of 22.12 feet; thence...
- 2.) N 32°53'29" W a distance of 80.04 feet; thence...
- 3.) N 25°43'13" W a distance of 135.11 feet; thence...
- 4.) N 27°47'14" W a distance of 183.95 feet; thence...
- 5.) N 27°18'14" W a distance of 120.14 feet; thence...
- 6.) N 23°04'57" W a distance of 190.63 feet; thence...
- 7.) N 27°25'01" W a distance of 62.45 feet; thence...
- 8.) N 38°07'47" W a distance of 73.39 feet; thence...
- 9.) N 61°37'17" W a distance of 112.70 feet; thence...
- 10.) N 69°13'06" W a distance of 115.86 feet; thence...
- 11.) N 15°08'00" W a distance of 91.22 feet; thence...
- 12.) N 03°52'00" W a distance of 61.88 feet; thence...
- 13.) N 09°03'16" W a distance of 64.81 feet; thence...
- 14.) N 40°18'49" W a distance of 50.23 feet; thence...
- 15.) N 53°06'00" W a distance of 80.43 feet; thence...
- 16.) N 68°47'55" W a distance of 87.98 feet; thence...
- 17.) N 66°10'28" W a distance of 66.29 feet to its intersection with the West line of the NW 1/4 NW 1/4 of said Section 16; thence N 00°36'14" W along the West line of the NW 1/4 NW 1/4 of said Section 16, a distance of 46.34 feet to a point 60.00 feet South of as measured along said line; thence S 87°25'29" E a distance of 1495.65 feet, more or less, to the Point of Beginning.

CONTAINING 29.278 Acres (1,275,352 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 7th day of April, 2004 and ordered published.

ADOPTED on second reading this 19th day of May, 2004.

Attest:

President of the Council

City Clerk

Attach 14

Public Hearing – Zoning the Grand Valley Audubon Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Grand Valley Audubon Annexation to CSR located at 605 and 608 Dike Road.					
Meeting Date	May 19, 2004					
Date Prepared	May 10, 2004				File #ANX-2004-052	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Grand Valley Audubon Annexation CSR (Community Services and Recreation), located at 605 and 608 Dike Road. The 55.272 acre Grand Valley Audubon Annexation consists of 2 parcel(s) of land.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 46. Staff report/Background information
- 47. General Location Map
- 48. Aerial Photo
- 49. Growth Plan Map
- 50. Zoning Map
- 51. Annexation map
- 52. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:	605 & 608 Dike Road			
Applicants:	Owner: Grand Valley Audubon Society – Steve Watson Representative: Bob Wilson			
Existing Land Use:	Vacant			
Proposed Land Use:	Audubon – Bird Watching			
Surrounding Land Use:	North	Colorado River		
	South	Single Family Residential / Whitewater Gravel Pit		
	East	Connected Lakes		
	West	Colorado River / Single Family Residential		
Existing Zoning:	County AFT			
Proposed Zoning:	City CSR			
Surrounding Zoning:	North	City CSR		
	South	County RSF-4		
	East	County AFT		
	West	County RSF-4		
Growth Plan Designation:	Conservation			
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan designation of Conservation. The existing County zoning is CSR. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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:

4. The existing zoning was in error at the time of adoption;

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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.;

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

12. 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;

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

13. 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;

Response: The proposed zoning is consistent with the Goals and policies of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

14. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

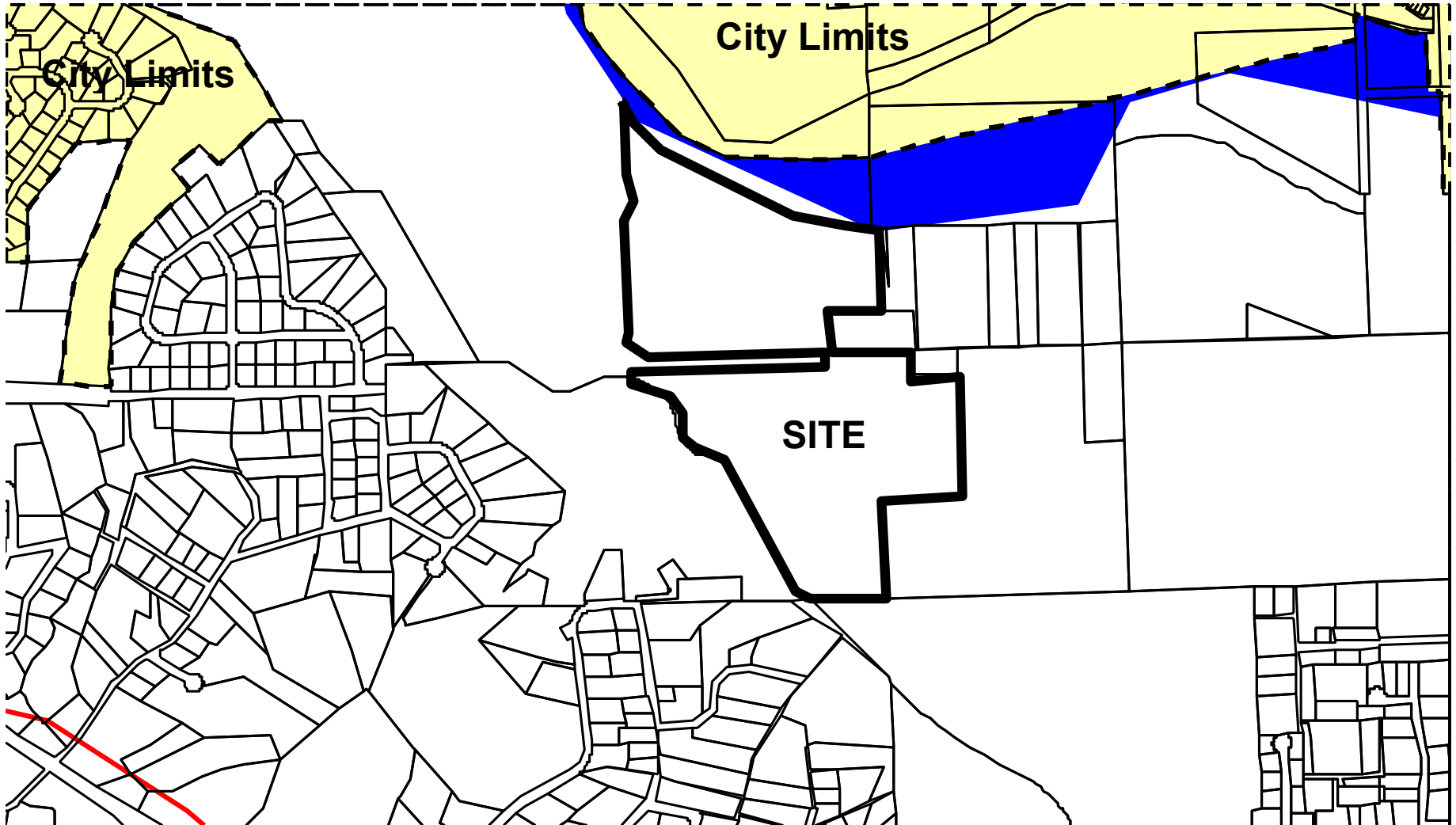
10. The community or neighborhood will benefit from the proposed zone.

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

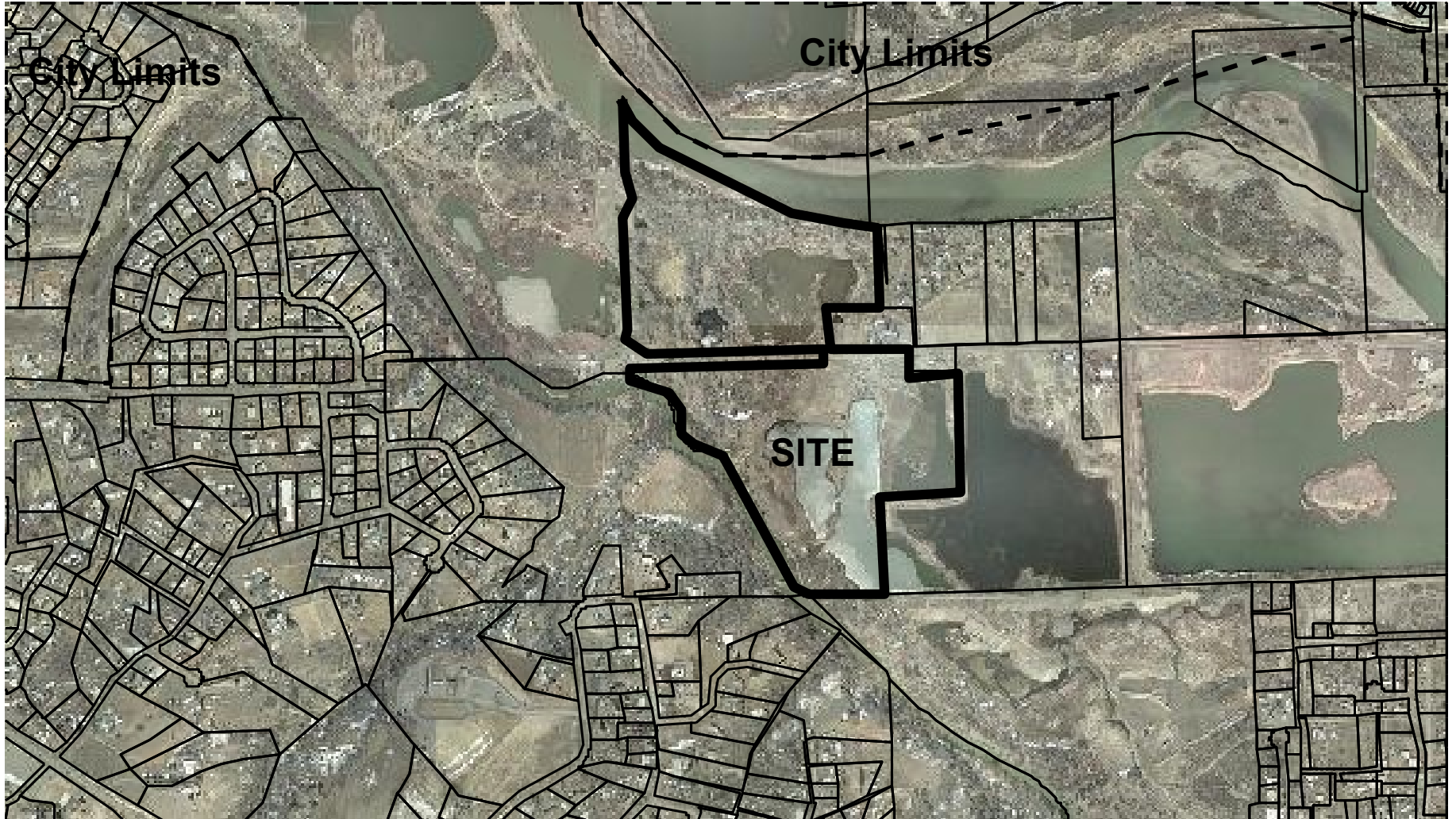
Site Location Map

Figure 1



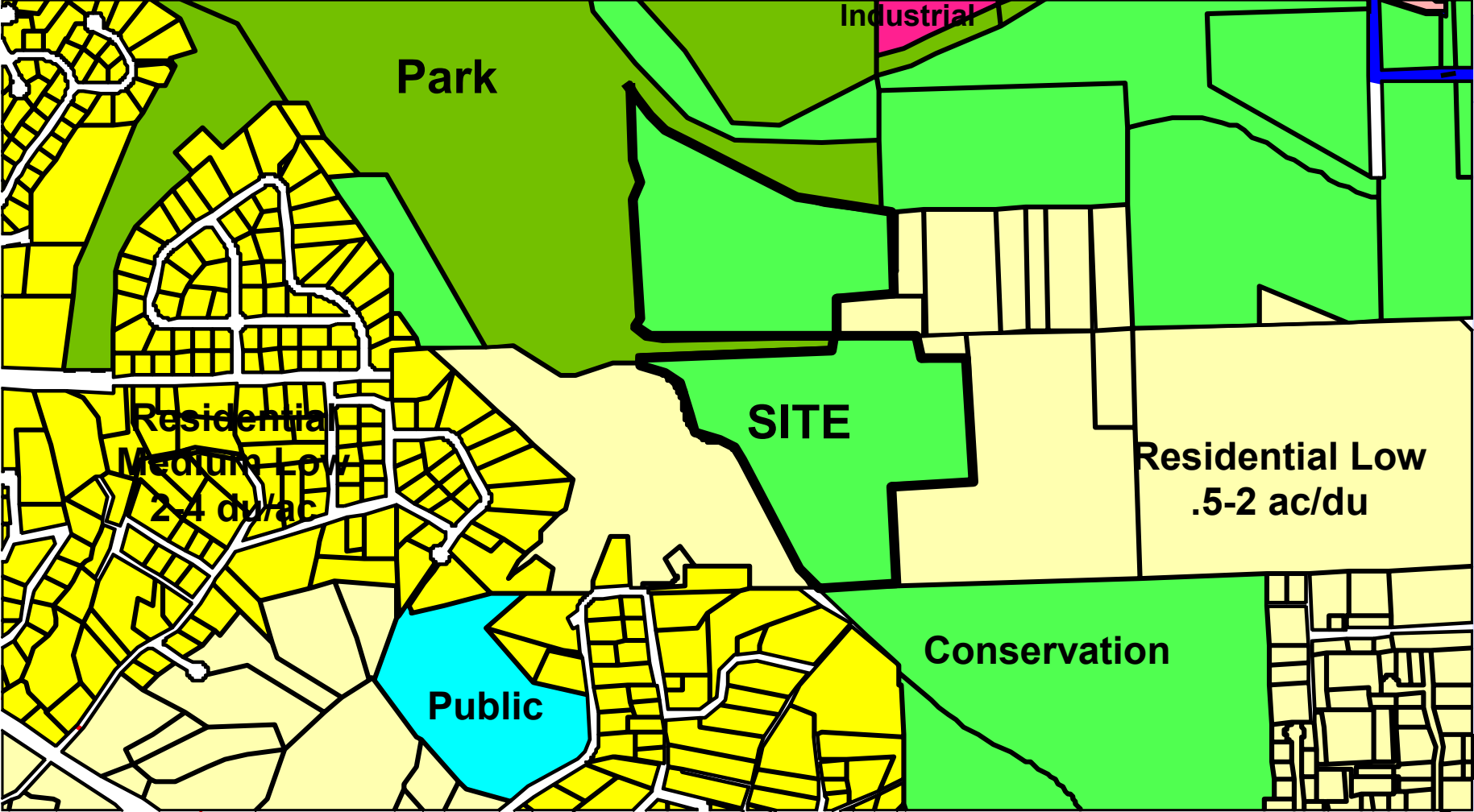
Aerial Photo Map

Figure 2



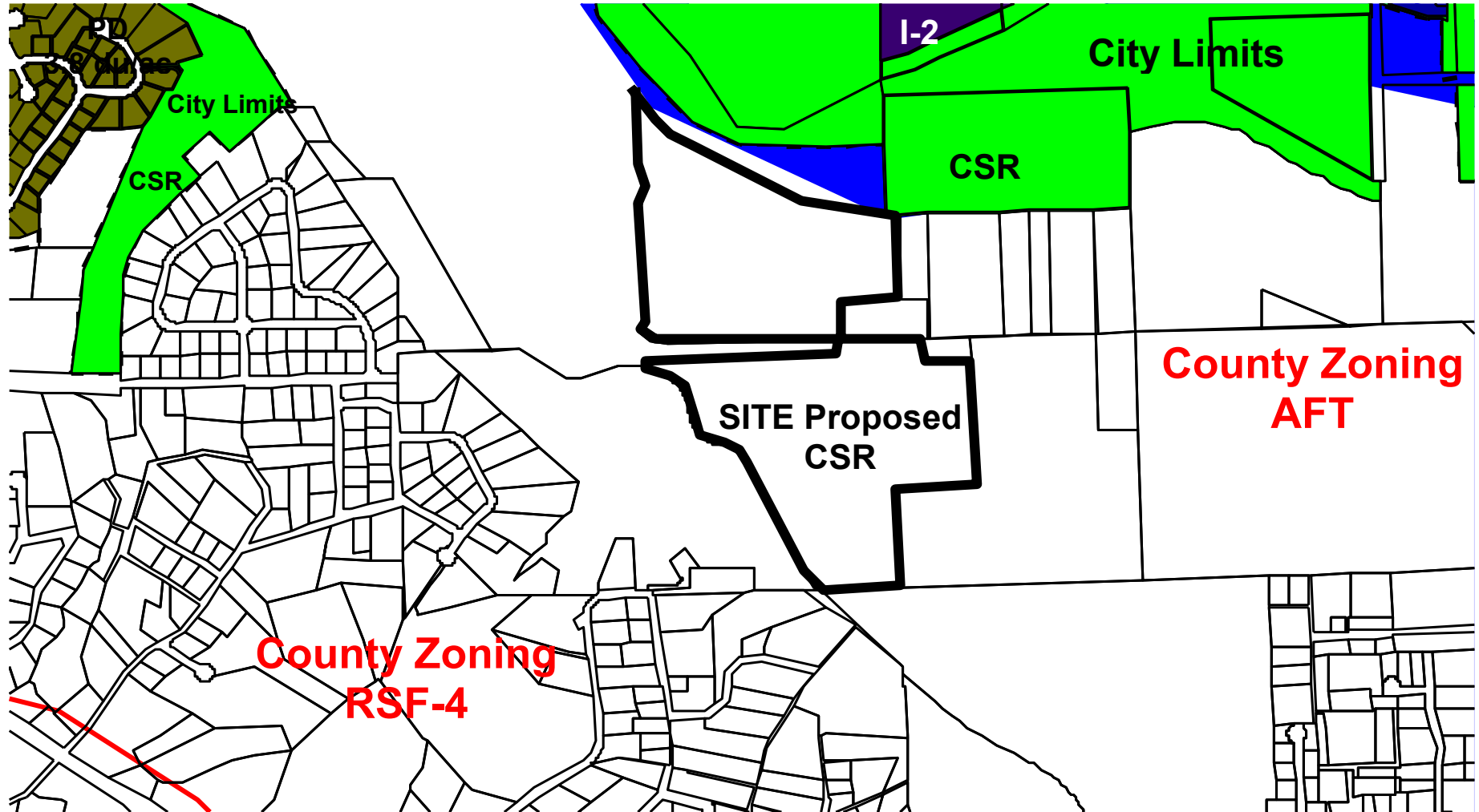
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE GRAND VALLEY AUDUBON ANNEXATION TO
CSR**

LOCATED AT 605 & 608 Dike 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 zoning the Grand Valley Audubon Annexation to the CSR zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the CSR zone district be established.

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

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

The following property shall be zoned CSR (Community Services and Recreation).

GRAND VALLEY AUDUBON ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 9, the Northwest Quarter (NW 1/4) of Section 16, the Southeast Quarter (SE 1/4) of Section 8 and any portion thereof of any Government Lots within said Sections, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying Southerly of the South bank of the Colorado River and being more particularly described as follows: BEGINNING at the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the South line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 9 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'12" E along the North line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, a

distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet; thence N 87°25'29" W a distance of 1495.65 feet to a point on the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16, said point lying 60.00 feet South of, as measured along said line, the Northwest corner of said Section 16; thence N 89°49'21" E a distance of 1021.39 feet; thence N 03°32'39" E a distance of 60.13 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence S 89°49'21" W along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 263.79 feet; thence N 89°11'58" W a distance of 630.69 feet; thence N 79°55'33" W a distance of 95.00 feet; thence N 49°11'37" W a distance of 81.01 feet; thence N 31°28'14" E a distance of 44.45 feet to a point on the West line of said Section 9; thence N 00°09'30" W along the West line of said Section 9, a distance of 508.66 feet; thence N 02°03'27" E a distance of 101.69 feet; thence N 11°19'09" W a distance of 113.47 feet; thence N 19°43'26" W a distance of 39.35 feet to a point on the West line of said Section 9; thence N 00°09'30" W a distance of 220.07 feet, more or less, to a point on the South bank of the Colorado River, as depicted on a Boundary Survey prepared by Mr. Steven L. Hagedorn of DH Surveys, Inc.; thence Southeasterly meandering the South bank of the Colorado River the following numbered courses:

- 1.) S 62°07'13" E a distance of 45.74 feet, thence...
- 2.) S 72°50'28" E a distance of 82.68 feet; thence...
- 3.) S 70°13'55" E a distance of 162.69 feet; thence...
- 4.) S 59°42'24" E a distance of 193.13 feet; thence...
- 5.) S 65°10'07" E a distance of 163.07 feet; thence...
- 6.) S 72°27'38" E a distance of 170.70 feet; thence...
- 7.) S 76°08'23" E a distance of 98.50 feet; thence...
- 8.) S 73°31'59" E a distance of 170.71 feet; thence...
- 9.) S 80°58'25" E a distance of 263.68 feet; thence ...
- 10.) S 87°58'03" E a distance of 108.96 feet; thence leaving said South bank; S 01°20'54" W a distance of 434.40 feet; thence N 89°45'26" W a distance of 306.71 feet; thence S 00°03'25" W a distance of 219.58 feet, more or less, to a point on the South line of the SW 1/4 SW 1/4 of said Section 9; thence N 89°49'21" E along the South line of the SW 1/4 SW 1/4 of said Section 9, a distance of 250.00 feet, more or less, to the Point of Beginning. CONTAINING 25.994 Acres (1,132,282 Sq. Ft.), more or less, as described.

GRAND VALLEY AUDUBON ANNEXATION NO. 2

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 16 and any portion thereof of any Government Lot within said NW 1/4, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows: COMMENCING at the Northwest Corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 16, and assuming the North line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 16 bears S 89°49'21" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'12" W along the North line of the NE 1/4 NW 1/4 of said Section 16, a distance of 181.11 feet; thence S 02°14'04" E a distance of 131.87 feet to the POINT OF BEGINNING; thence

from said Point of Beginning, N 89°51'50" E a distance of 247.63 feet; thence S 00°49'10" E a distance of 662.09 feet; thence S 89°50'12" W a distance of 431.95 feet, more or less, to a point on the East line of the NW 1/4 NW 1/4 of said Section 16; thence S 00°49'22" E along the East line of the NW 1/4 NW 1/4 of said Section 16, a distance of 530.85 feet, more or less, to the Southeast corner of the NW 1/4 NW 1/4 of said Section 16; thence S 89°50'04" W along the South line of the NW 1/4 NW 1/4 of said Section 16 a distance of 433.17 feet to its intersection with the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace; thence Northwesterly and Westerly along the Easterly and Northeasterly bank of the Redlands Power Plant Tailrace the following numbered courses; thence...

- 1.) N 47°31'23" W a distance of 22.12 feet; thence...
- 2.) N 32°53'29" W a distance of 80.04 feet; thence...
- 3.) N 25°43'13" W a distance of 135.11 feet; thence...
- 4.) N 27°47'14" W a distance of 183.95 feet; thence...
- 5.) N 27°18'14" W a distance of 120.14 feet; thence...
- 6.) N 23°04'57" W a distance of 190.63 feet; thence...
- 7.) N 27°25'01" W a distance of 62.45 feet; thence...
- 8.) N 38°07'47" W a distance of 73.39 feet; thence...
- 9.) N 61°37'17" W a distance of 112.70 feet; thence...
- 10.) N 69°13'06" W a distance of 115.86 feet; thence...
- 11.) N 15°08'00" W a distance of 91.22 feet; thence...
- 12.) N 03°52'00" W a distance of 61.88 feet; thence...
- 13.) N 09°03'16" W a distance of 64.81 feet; thence...
- 14.) N 40°18'49" W a distance of 50.23 feet; thence...
- 15.) N 53°06'00" W a distance of 80.43 feet; thence...
- 16.) N 68°47'55" W a distance of 87.98 feet; thence...
- 17.) N 66°10'28" W a distance of 66.29 feet to its intersection with the West line of the NW 1/4 NW 1/4 of said Section 16; thence N 00°36'14" W along the West line of the NW 1/4 NW 1/4 of said Section 16, a distance of 46.34 feet to a point 60.00 feet South of as measured along said line; thence S 87°25'29" E a distance of 1495.65 feet, more or less, to the Point of Beginning. CONTAINING 29.278 Acres (1,275,352 Sq. Ft.), more or less, as described.

Introduced on first reading this 5th day of May, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 15

Public Hearing – Amending Legal Description for the G Road South Enclave

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Amending the July 5, 2000 G Road South Enclave Annexation Legal Description					
Meeting Date	May 19, 2004					
Date Prepared	May 12, 2004				File # NA	
Author	David Thornton		Principal Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary:

Amending Ordinance No. 3264 G Road South Enclave Annexation located between 25 ½ Road and 26 ½ Road and North of Patterson Road and South of G Road.

Budget: N/A

Action Requested/Recommendation: Pass on final reading the proposed ordinance amending the G Road South Enclave Annexation. Staff recommends approval.

Background Information:

On May 17, 2000 the City Council of the City of Grand Junction provided Notice of Intent to Annex territory to the City of Grand Junction known as the G Road South Enclave Annexation. A hearing on the annexation was held after proper notice on July 5, 2000. The City Council determined at that hearing that the territory was eligible for annexation as an enclave. The annexation was adopted with Ordinance #3264 and became effective August 6, 2000.

It was recently determined that the legal description in Ordinance #3264 was incorrect by the omission of a small area of land. The omitted land was included within the perimeter of the enclave as described at the hearing. It was also included as part of the G Road South Enclave territory to be annexed as presented in all official City notice sent and/or presented to affected property owners within the enclave boundary. As part of the public involvement and notification process, a letter announcing the City’s intent to annex the G Road South Enclave area was sent to each property owner on March 10, 2000, a neighborhood meeting was held and attended by many people on April 27, 2000. City Council passed a resolution of intent to annex the G Road South Enclave on May 17, 2000 which was followed by a legal ad (30 days notice) in the Daily Sentinel, all prior to the July 5, 2000 public hearing approving the enclave annexation.

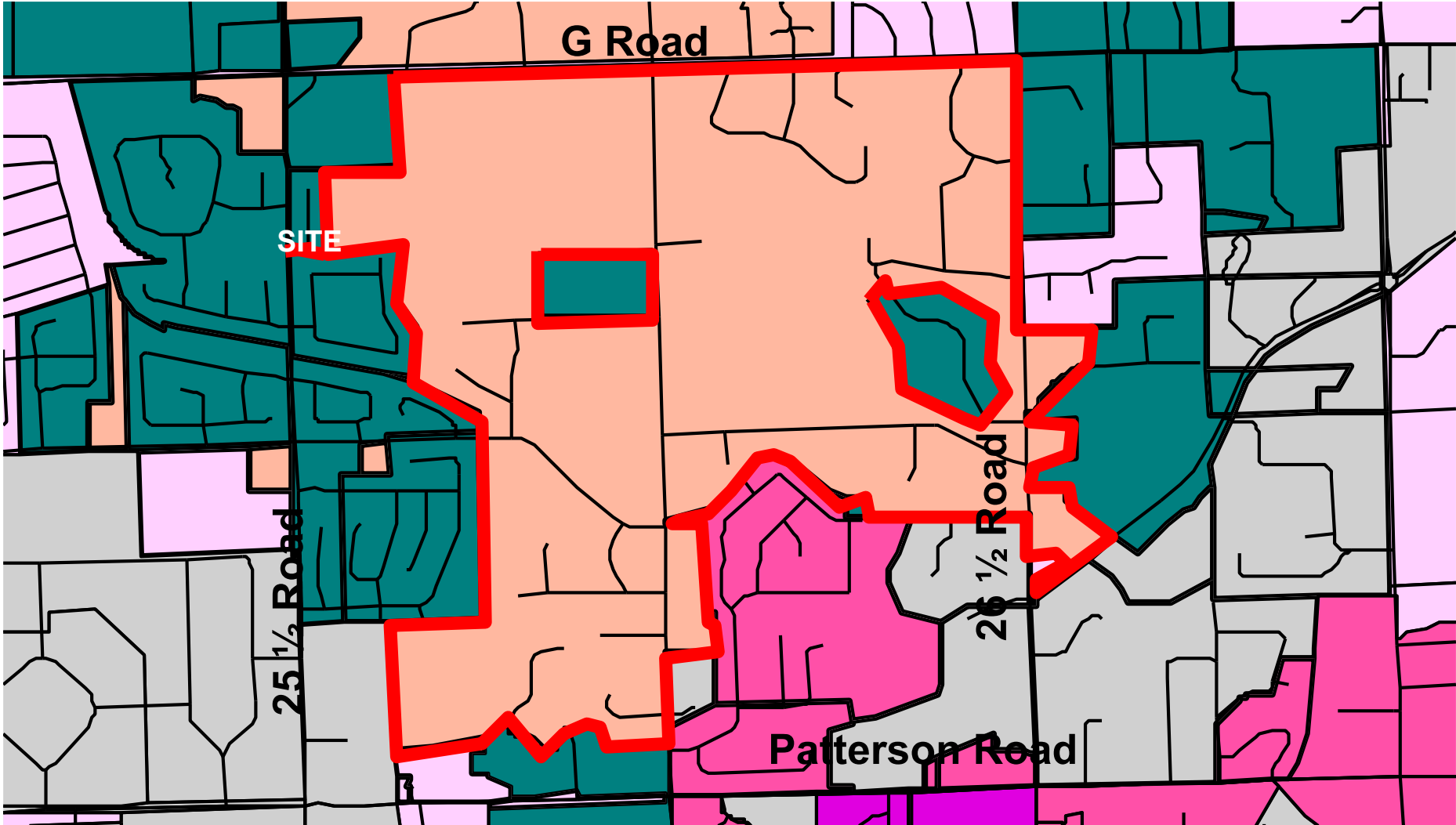
Notice for correction of the legal description was provided to the parcel owner and was published in the Daily Sentinel.

Attachments:

1. General Location Map (Figures 1 & 2)
2. Aerial Photo (Figure 3)
3. Ordinance

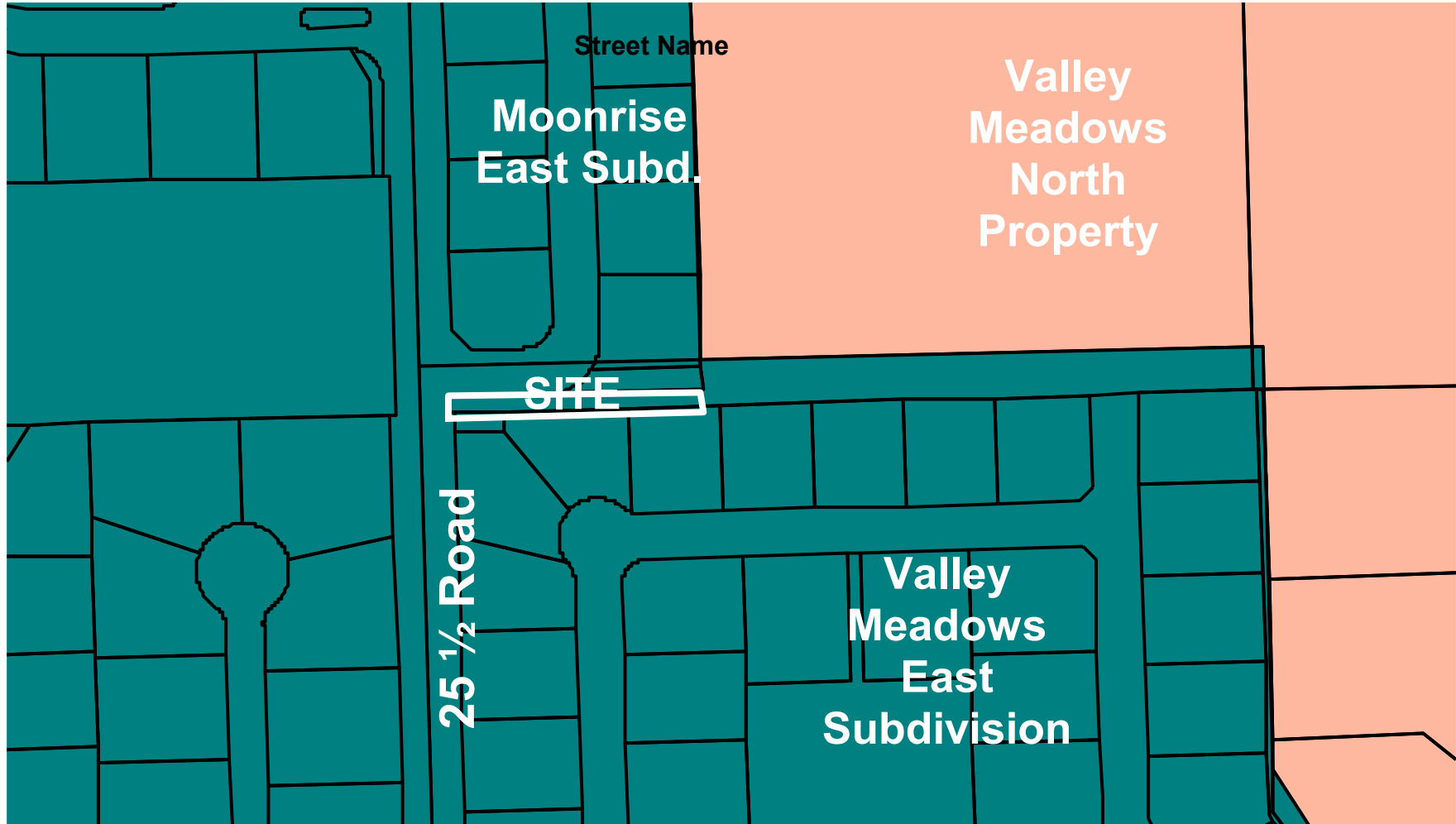
Site Location Map – G Road South Enclave Annexation

Figure 1



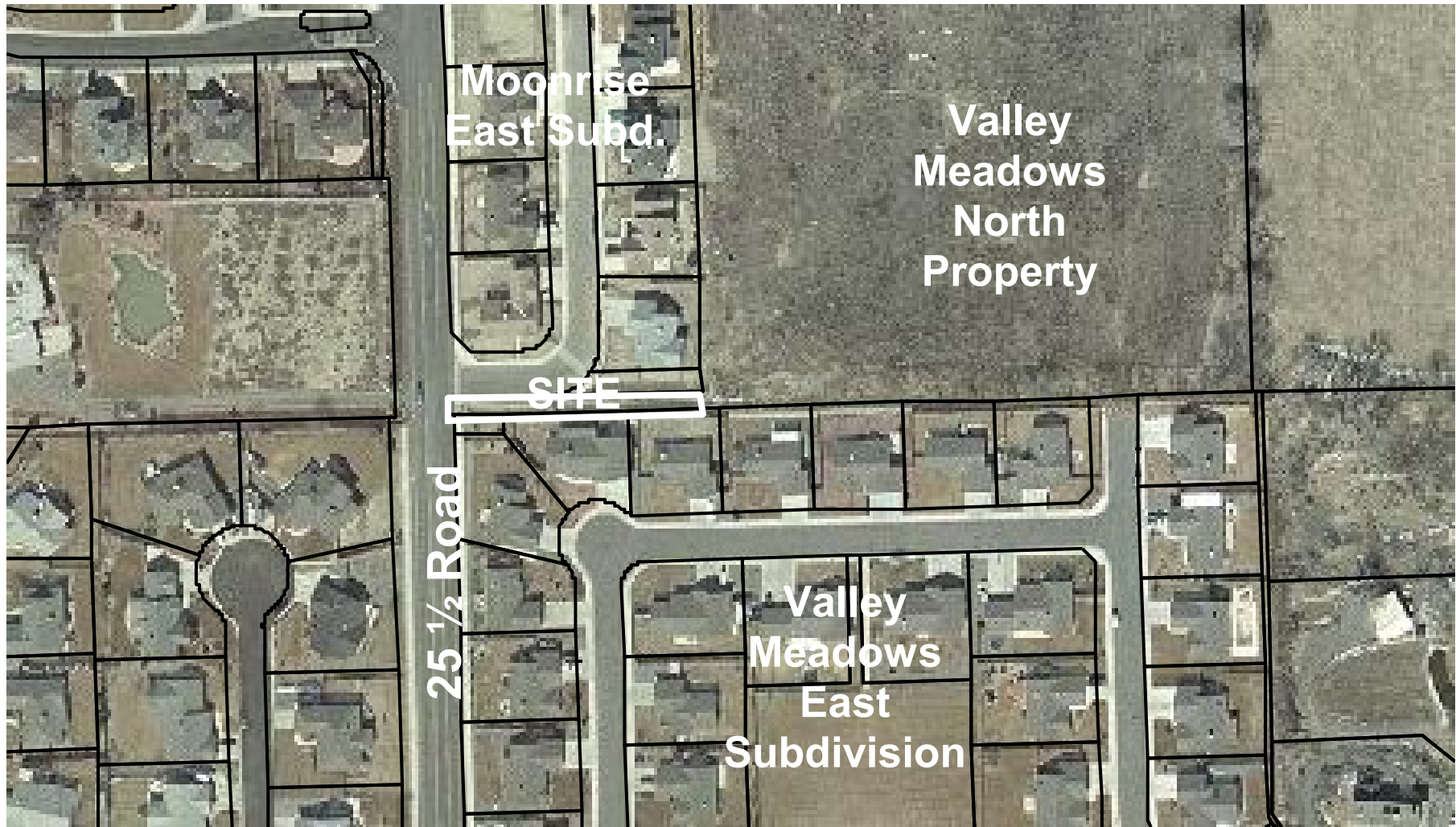
Site Location Map – G Road South Enclave Annexation Amendment Area

Figure 2



Aerial Photo Map – G Road South Enclave Annexation Amendment Area

Figure 3



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TERRITORY TO THE

CITY OF GRAND JUNCTION, COLORADO

AMENDING THE G ROAD SOUTH ENCLAVE ANNEXATION

LOCATED IN THE NW 1/4NE1/4SEC. 3, TWP1S, RGE 1 W, UTE MERIDIAN

Recitals:

On May 17, 2000 the City Council of the City of Grand Junction provided Notice of Intent to Annex territory to the City of Grand Junction known as the G Road South Enclave annexation.

A hearing on the annexation was duly held after proper notice on the 5TH day of July 2000. The City Council determined at that hearing that the territory was eligible for annexation as an enclave.

The annexation was adopted with Ordinance #3264.

It was recently determined that the legal description in Ordinance #3264 was incorrect by the omission of a small area of land. The land was included within the perimeter of the enclave as described.

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:

G ROAD SOUTH AMENDED

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 3, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

All the portion of said NW ¼ NE1/4 of said Section 3 bounded as follows: on the North by the South line of Moonrise East Subdivision as same is recorded in Plat Book 16, Page 324, Public Records of Mesa County, Colorado; On the East by the Southerly prolongation of the East line of said Moonrise East Subdivision; On the South by the

South line of the NW1/4 NE1/4 of said Section 3 and On the West line of NW ¼ NE1/4 of said Section 3.

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

INTRODUCED on first reading on the ___ day of May 2004 and ordered published.

ADOPTED on second reading this ____ day of May 2004.

Attest:

President of the Council

Stephanie Tuin
City Clerk

Attach 16

Public Hearing – 2004 CDGB Program Year Funding for 2004 Action Plan

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Public Hearing – 2004 CDBG Program Year Funding for the 2004 Action Plan, a part of the 2001 Five-Year Consolidated Plan							
Meeting Date		May 19, 2004							
Date Prepared		May 13, 2004			File # N/A				
Author		David Thornton		Principal Planner					
Presenter Name		David Varley		Assistant City Manager					
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2004 Program Year.

Budget: CDBG 2004 budget of \$407,000

Action Requested/Recommendation:

1. Receive public input on the use of the City’s 2004 CDBG funds.
2. Consider the CDBG City Council subcommittee recommendation for funding thirteen projects for the City’s 2004 CDBG Program Year Action Plan.
3. Set a hearing for final adoption of the CDBG 2004 Action Plan for June 16 2004.

Background Information: This is a public hearing to receive input regarding use of the City’s annual CDBG Entitlement funds. A second public hearing will be held on June 16, 2004 to adopt the City’s 2004 Action Plan as a part of the City’s 2001 Five-Year Consolidated Plan.

The City of Grand Junction has received twenty applications/proposals for CDBG projects requesting 2004 CDBG funds. These requests total \$1,102,773 and the City expects to receive \$407,000 for the 2004 Program Year. A summary list of all requested projects follows, along with a brief description of each project requesting funding and information on the remaining CDBG schedule.

On May 10, 2004 a committee of five Council Members met to discuss the funding requests. This committee recommends that Council fund the thirteen projects as

recommended on the following page for the 2004 Program Year which begins September 1, 2004.

2004 CDBG Program Year Summary of Requests and Recommended Funding

WHO	WHAT	Funds Requested	Minimum Requested	CC Subcommittee Recommendation
City of Grand Junction	CDBG Program Administration and Neighborhood Program Admin dollars (20% cap)	20,000	20,000	20,000
City of Grand Junction	Planning Study - Analysis of Impediments to Fair Housing (AI) (20% cap)	15,000	15,000	15,000
Gray Gourmet	Funding for food (15% cap)	19,875	any amount	10,000
Foster Grand Parents	Funding for Transportation (15% cap)	10,000	7,000	7,000
Senior Companions	Funding for Transportation (15% cap)	10,000	8,000	8,000
Radio Reading Services of the Rockies	Funding for radio/headsets for hearing impaired and program expenses (15% cap)	4,500	4,500	4,500
Mesa County Health Department	Clinical equipment for special needs children (15% cap)	11,000	9,000	5,000
City of Grand Junction	Budget for Neighborhood Program	250,000	150,000	120,000
Hilltop Community Resources, Inc.	Window replacement at Resource Center	83,743	50,000	50,000
Housing Resources of Western Colorado	Acquisition of housing for homeless veterans	50,000	40,000	50,000
Hope Haven	Window replacement at Hope Haven	18,800	500	7,500
City of Grand Junction	Riverside Neighborhood Sidewalk Improvements	50,000	NA	50,000
City of Grand Junction	Grand Avenue Sidewalk and Street Improvements	60,000	NA	60,000
The Treehouse (Part I)	Fund Executive Director Salary and Americorp volunteer (15% cap)	12,000	any amount	-
Hilltop Community Resources, Inc.	Young Dad's Program (15% cap)	5,380	2,600	-
Grand Junction Housing Authority	Security Deposit Revolving Loan Fund (15% cap)	20,000	20,000	-
Colorado West Mental Health	Equipment purchase for new proposed facility at 2868 North Avenue (15% cap)	200,000	50,000	-
Grand Valley Catholic Outreach	Rehabilitation of Emergency Housing (15% cap)	4,475	4,000	-
Colorado West Mental Health	Infrastructure construction at proposed new facility at 2868 North Avenue	200,000	72,270	-
The Treehouse (Part II)	Fund Teen Bistro building renovations	58,000	50,000	-

TOTALS	1,102,773	502,870	407,000
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SUMMARY OF REQUESTED CDBG PROJECTS

City of Grand Junction 2004 Program Year

SECTION 1 – Projects that qualify under “Administration”

City of Grand Junction CDBG Program Administration and Neighborhood Program Administration

For Program Year 2002, the City allocated \$50,000 for administration of the CDBG Program of which enough is left over from that allocation plus a \$10,000 request to continue administration of the CDBG program through the 2004 Program year. These dollars pay for the annual costs to administer the CDBG program. In addition, the City is requesting \$10,000 for administration of the neighborhood program. HUD guidelines allow up to 20% for Administration.

Funds being requested are \$20,000

City of Grand Junction CDBG Planning Budget

HUD requires all CDBG entitlement communities to conduct an Analysis of Impediments to Fair Housing Study (AI) every five years. The current AI for the City was completed by a consultant in 1999. Staff is proposing that the City use a consultant again for the new AI. These dollars would also fall under HUD's 20% for Administration category.

Funds being requested are \$15,000

BUDGET NOTE: Proposed projects under Section 1 are eligible for CDBG funding under Administration and Planning and HUD allows the City to spend up to 20% of its total CDBG funds within these categories. For 2004, the City can spend up to \$81,800 and we are recommending \$35,000

SECTION 2 – Projects that qualify under “Public Services”

The Treehouse (Part I) – The Treehouse is requesting money this year to fund an Americorp volunteer (\$4,000) to supervise the Youth Board of Directors in implementing the program development of recreational and fundraising activities; along with funding for a portion of the Executive Director's salary (\$8,000).

Funds being requested are

\$12,000

St. Mary's Foundation – Gray Gourmet Meals for Elderly Program – Funds to be used to purchase food only. The purpose of this project is to meet the nutritional needs of a growing elderly population. Purchased food will be delivered five days per week to low and moderate income (LMI), frail elderly who live in the Grand Junction City limits. Last year 226 LMI City residents were served. The requested funds would purchase food for 50 LMI City residents being served with at least one meal, five days per week. Meals are prepared by staff at their central kitchen at 551 Chipeta Avenue and volunteers pick up meals and deliver them to the homes of designated participants.

Total funds requested are \$19,875

St. Mary's Foundation – Foster Grandparent Program – Funds requested would be used to pay mileage reimbursement to low-income senior citizens to assist them in getting to and from their volunteer placements. Foster Grandparents help nurture, tutor and mentor 1,400 to 1,500 children with special needs.

requested are \$10,000

Total funds

St. Mary's Foundation – Senior Companion Program – Funds requested would be used for mileage reimbursement for low income senior volunteers. The Senior Companion Program is in its 14th year of service to the community. CDBG funds will help them serve an increased number of the frail elderly senior citizens. Because their clients are isolated, frail and unable to use local transit, Senior Companions fill a unique niche in serving those elderly who need assistance. According to satisfaction surveys, 87% of their clients attribute their ability to continue living independently to the ongoing help of Senior Companions. The program typically has a waiting list of 30 people at any given time. In 2005, 50 volunteers will serve 185 elderly seniors.

are \$10,000

Funds being requested

Radio Reading Services of the Rockies – Funds would support audio information services that provide access to ink print materials not otherwise available to Grand Junction's blind, visually impaired, and print handicapped citizens. In 2003, 14 new listeners in Grand Junction benefited from this program. It is estimated that there are 458 children and working aged adults in Grand Junction that are either blind or visually impaired. CDBG funds will be used to add 12 new registered listeners to the program. CDBG dollars will be spent on underwriting Grand Junction news programming, embossing/distribution of Braille program schedules, printing/distribution of large print programs, recording/distribution of cassette tape program schedules, purchasing RRSR radios and headsets for Grand Junction residents, on-site installation and instruction, and community outreach to register new listeners and recruit local volunteer readers.

requested are \$4,500

Funds being

Mesa County Health Department – Clinical Equipment Purchase – Funding would be used to purchase equipment to enhance services to children with special needs. Equipment includes a wheel chair scale, blood pressure & pulse monitor, a computer, and cabinet storage. The wheel chair scale will ensure safety, accuracy and efficiency when prescribing medication. The blood pressure & pulse monitor will permit monitoring with accuracy and efficiency while patients are being evaluated or when they are sedated for echocardiograms. Sixty-five percent of the 550 Mesa County clients live within the City limits and 80% of them are low or moderate income. City CDBG funds can only cover the equipment costs, since 35% of their patients live outside of the City limits. Since 65% of their clientele live within the City limits, then according to HUD regulations, CDBG funding can only pay for up to 65% of the cost of equipment.

CDBG funds would be used to help purchase the following:

Budget:

• Wheel Chair scale		\$2500
• Blood Pressure and Pulse Monitor	\$3000	
• Laptop Computer		\$2100
• Cabinet/Secure Storage		\$3400
<hr/>		
TOTAL		\$11,000

requested are \$11,000

NOTE: The CDBG Council Subcommittee recommends not funding the purchase of the laptop computer.

Funds being

Hilltop Community Resources, inc. – Young Dad’s Program - CDBG funds would be used for programs costs such as food for group sessions, transportation, incentive gift certificates, emergency funds and holiday events. The Young Dad’s Program promotes self sufficiency of young fathers ages 14-30 through assistance in learning problem solving skills and promoting healthy parent-child relationships. The program approaches child abuse and neglect prevention by addressing the needs of the whole person, while providing support to at-risk families before a crisis emerges. Currently there are 17 participants and Hilltop expects to serve 80 dads over the next 2 years. Ninety percent of participants are low and moderate income residents. Staff has spoken with HUD representatives on the eligibility of spending CDBG funds on food, incentive gift certificates, emergency funds and holiday events and all these activities are not eligible using CDBG funds. Transportation costs are eligible. Since this agency serves residents who live outside of the City limits, CDBG funds can only pay transportation cost for those clients living within the City limits.

Funds being

requested are \$5,380

Grand Junction Housing Authority – Security Deposit Assistance Program –

Funding would be used to provide security deposit loans to non-disabled Section 8 Housing Choice Voucher recipients who require assistance with security deposits in order to lease an affordable housing unit. These funds would help create a Revolving Loan Fund which the Housing Authority should be able to perpetuate, less 3,840 annual administration fees. According to HUD, a Revolving Loan Fund is not an eligible activity with CDBG funding.

Funds being

requested are \$20,000

Colorado West Mental Health – Equipment Purchase – Funds would be used for fixtures, furniture and equipment to include emergency response systems and security systems for the new mental health center at 2868 North Avenue. Colorado West served 1501 unduplicated clients in fiscal 2002 and 1674 clients so far in fiscal 2003 (ending June 30, 2004). Ninety-one percent of clients served are low or moderate income residents.

CDBG Funds would be used to help purchase the following:

Budget:

• Fixtures, Furniture and Equipment		\$134,939
• Office Equipment & Furniture		\$309,674
• Emergency Response System		\$ 8,223
• Telephone Systems		\$
54,599		
• Security Systems		\$
11,723		
• Kitchen Small Equipment (Dishes, Utensils)	\$ 14,092	
• Unit Linens		
\$ 2,418		
• Housekeeping Equipment		\$ 3,144
• Laundry Equipment		\$
7,500		

TOTAL \$546,312

Funds being

requested are \$200,000

Grand Valley Catholic Outreach – Renovation of 240 White Avenue building for a residential use – Funds would be used specifically to remodel the existing structure at 240 White Avenue and return it back to a residential use. Catholic Outreach has been using the building for offices and a clothing bank. Now that those services are moving and expanding to the new Catholic Outreach facility at 245 South First Street, the 240 White Avenue building will be remodeled back to a residential use.

Catholic Outreach will be required to obtain a Conditional Use Permit from the City of Grand Junction to use the building at 240 White Avenue as a residence, a requirement under the City’s Downtown B-2 zoning district.

CDBG Funds would only be used to purchase equipment and materials:

Budget:

- Stove \$400
- Plaster Compound \$100
- Shower fixtures \$800
- Toilet \$175
- Refrigerator/Freezer \$500
- Paint Supplies \$500
- Carpeting/Tile \$2,000

TOTAL \$4,475

Funds requested are \$4,475

BUDGET NOTE: Proposed projects under Section 2 above are eligible for CDBG funding under “Public Services” and HUD allows the City to spend up to 15% of its total CDBG funds within this category. For 2004, the City can spend up to \$62,550 and the requests total \$297,230.

SECTION 3 – Projects that qualify under “Capital Projects”

City of Grand Junction Neighborhood Program

City Council’s Strategic Plan identifies “Vital Neighborhoods” as one of six Solutions with a specific objective of identifying potential funding sources, including CDBG funds. Last year Council set aside \$83,400 in CDBG funding to spend on a neighborhood based CDBG program. All funds have either been expended (\$19,000 for Riverside School) or transferred to another CDBG project (\$64,400 for Linden Pointe).

If money is set aside for this program, projects can be identified in the future. A plan amendment to the 2004 CDBG Action Plan and an environmental review will need to be completed prior to expending any of these funds.

Funds being requested are \$150,000 to \$250,000

Colorado West Mental Health – Infrastructure Construction – Funds will be used specifically for street improvements, site concrete, curb and gutter, fencing, asphalt paving and sidewalks at their new facility at 2868 North Av.

CDBG will be used to help fund the following:

Budget:

• 28 ¾ Road Improvements		
Basic site work		\$ 9,000
Earthwork		23,394
Domestic Water/move Fire hydrants	1,800	
Sanitary Sewer		4,800
Water Meter/waterline		7,700
Site Concrete		19,701
Asphalt Paving		5,625
Site Furnishings-stop signs	250	
	<hr/>	
		TOTAL\$ 72,270
• North Avenue Improvements		
Basic site work		\$
7,850	Demolition	
14,440	Earthwork	
7,780	Site Concrete	5,700
600	Asphalt paving	
	<hr/>	
		TOTAL\$
23,370		
• On Site Improvements		
Site Concrete		\$ 68,720
Asphalt paving		82,605
Site Furnishings		67,490
Fencing		
200,306	<hr/>	
		TOTAL\$419,121

GRAND TOTAL = \$ 514,761.35

requested are \$200,000

Funds being

The Treehouse (Part II) – The Treehouse is requesting additional funds this year to complete their Treehouse Teen Bistro (\$58,000) for high school aged youth. Funds for the Teen Bistro would be used for remodeling of a stage area, repair exterior trim and paint, landscaping, construction of a covered patio, crawl-space renovation,

plumbing upgrades, electrical upgrades, roof repairs to windows/flooring and the renovation of two bathrooms for code requirements and handicap accessibility.

CDBG Funds would be used to help pay for the following construction costs:

Budget:

• Remodel Stage area	\$ 8,500
• Repair Exterior Trim and Paint	5,400
• Patio Construction	7,000
• Crawl-space Renovation	3,800
• Landscaping	3,800
• Repair Roof	9,500
• Plumbing Upgrade	4,000
• Electrical Upgrade	6,000
• Bathroom Renovations	7,000
• Development Fees	3,000
• Window/Floor Replacement	5,000

	TOTAL
\$63,000	

Funds being requested are

\$58,000

Hilltop Community Resources, inc. – Energy Conservation Project –

Rehabilitation – CDBG funds would be used to replace existing windows at the Resource Center building located at 11th Street and Colorado Avenue and install programmable thermostats. Hilltop’s programs at the Resource Center facility provide human services and educational services to over 5,000 individuals annually. Over 80% of these individuals live within the City limits and 90% are low and moderate income.

**Funds being
requested are \$83,743**

Housing Resources of Western Colorado – Acquisition of Emergency

(Transitional) Housing – Funds would be used to acquire eight residential dwelling units, each one bedroom units, for emergency housing/permanent supportive housing for homeless veterans. The specific location of the property is as yet undetermined, but it will be in the proximity of the Veterans Administration Hospital. Housing Resources of Western Colorado will partner with a local case management provider and the Veterans Administration to accomplish this project.

This project will provide stable, supportive housing to veterans in our community; provide additional space in emergency shelters by moving homeless veterans to permanent housing; provide a model for building community partnerships that meet the needs of those who are homeless; and provide the “missing link” of housing to homeless veterans.

CDBG funds would be used to leverage other grant dollars. Already \$321,000 in grants has been secured for the project with an additional \$180,000 in funds still pending.

HUD in a Notice published December 29, 2003 on Federal coordination of ending Chronic Homelessness stated, “The Community Development Block Grant

(CDBG) is an important resource for local governments in their efforts to provide both transitional and permanent housing, as well as supportive services, to families and/or individuals experiencing homelessness.”

Funds being requested are

\$50,000

Hope Haven – Exterior Window Project – CDBG funds would be used to purchase and install 43 energy efficient vinyl windows at the Hope Haven facility located at 811 Ouray Avenue. Hope Haven provides shelter, support and education to pregnant and parenting adolescents (typically 16-23 years of age) so that they receive the necessary support to become self-sufficient and to make healthy choices for themselves and their babies. The young women are able to live at Hope Haven for up to 18 months.

Funds requested are \$18,800

City of Grand Junction – Riverside Neighborhood sidewalk and street improvements – funding would be used to construct new sidewalk and replace existing deteriorated sidewalk on several blocks in the Riverside neighborhood.

Funds requested are \$50,000

City of Grand Junction – Grand Avenue sidewalk and street improvements – funding would be used to construct sidewalk and street improvements to Grand Avenue between 24th Street and 28 Road.

Funds requested are \$60,000

<p>Grand Total Requested = \$1,102,773 Minimum Requested = \$ 502,870</p>

2004 CDBG FUNDS TO BE RECEIVED

\$407,000

Remainder of 2004 CDBG Program Year Schedule

May 19, 2004

PUBLIC HEARING BEFORE CITY COUNCIL

- City Council reviews Council Committee recommendations and makes decision on which projects to fund for 2004 program year budget as part of 2004 Action plan.

June 8, 2004

PUBLIC REVIEW PERIOD FOR THE 2004 ANNUAL

to
July 8, 2004

PLAN (30 day review period required.)

June 16, 2004

PUBLIC HEARING BEFORE CITY COUNCIL - final acceptance of 2004 Action Plan. City Council reviews the 2004 Action Plan, an update to the Consolidated Plan. The Plan includes the 2004 CDBG budget approved by City Council on May 19, 2004.

July 9, 2004

SUBMIT 2004 ANNUAL CONSOLIDATED PLAN TO HUD (45 day review required.)

September 2004

RECEIVE HUD APPROVAL

Begin contracts with subrecipients and complete environmental review records for each funded project. Begin the 2004 Program Year.

Attachments:

1. Grand Junction's use of CDBG Funds 1996-2003
2. Summary spreadsheet of requested 2004 CDBG projects

GRAND JUNCTION'S USE OF CDBG FUNDS 1996 – 2003

Non-Housing Community Development Infrastructure (City) Projects

- South Avenue Reconstruction - 5th to 7th Street \$330,000
 - Elm Avenue - 15th St to 28 Rd \$151,855
 - Riverside Neighborhood Drainage Project \$400,000
 - Bass Street Drainage Improvement Project \$231,000
- TOTAL = \$1,112,855 or 29.2%**

Affordable Housing Projects

- Habitat for Humanity \$119,000
 - GJHA Lincoln Apartments \$330,000
 - Mesa Developmental Services Group Homes \$240,000
 - Energy Office Linden Building Rehab (12 units) \$55,000
 - Energy Office Garden Village Apts. (91 units) \$200,000
 - GJHA Predevelopment design of Affordable Housing project \$41,720
 - GJHA Linden Avenue Apartments Infrastructure \$271,050
- TOTAL = \$ 1,256,770 or 33.0%**

Homeless Projects

- Homeless Day Center \$203,131
 - Salvation Army Hope House Shelter (transitional housing) \$50,000
 - GJHA Community Homeless Shelter \$205,000
 - Catholic Outreach Transitional Housing services \$10,000
 - Catholic Outreach Soup Kitchen \$50,000
 - Homeward Bound of the Grand Valley, Inc. \$10,000
- TOTAL = \$ 528,131 or 13.9%**

Special-Needs Population and Other Human Service Needs Projects

- Marillac Clinic \$290,000
 - Colorado West Mental Health \$25,000
 - Headstart Classroom/Family Center \$104,000
 - Mesa Youth Services, Inc., Partners \$15,000
 - Western Region Alternative to Placement (WRAP) \$17,500
 - Western Slope Center for Children \$101,280
 - St Mary's Foundation Programs \$15,050
 - The Tree House \$20,000
 - Center For Independence \$20,000
- TOTAL = \$ 607,830 or 16.0%**

City of Grand Junction Neighborhood Program

TOTAL = \$ 83,400 or 2.2%

CDBG Administration Costs

TOTAL = \$217,014 or 5.7%

TOTAL 1996 – 2003 CDBG DOLLARS ALLOCATED = \$3,806,000

Project #

AGENCY	PROJECT / REQUEST	FUNDS REQUEST	MINIMUM REQUEST
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2004 FUNDS AVAILABLE FROM HUD FOR CDBG PROGRAM = \$

1	City of Grand Junction CDBG Administration Budget	Administration Costs to manage and administer the City's CDBG Entitlement Program. There is existing money in the CDBG Administration budget, but it will not be enough to carry the program through the end of the 2004 Program Year. Staff is requesting \$10,000 in additional funds for that reason. In addition, \$10,000 is earmarked for the Neighborhood Program Administration.	\$ 20,000	\$ 20,000
2	City of Grand Junction CDBG Planning Budget for an Analysis of Impediments Study	A consultant will be hired to complete a new five year Analysis of Impediments to Fair Housing Study (AI) for Grand Junction. The Five year study is required by HUD. The last AI study was conducted in 1999	\$ 15,000	\$ 15,000
	Projects listed above are under 20% "Planning" Cap.	Maximum that can be spent in this category = \$81,800 SUBTOTAL	\$ 35,000	\$ 35,000
3	The Treehouse - Part I	CDBG funds would pay for Americorps volunteer and partial (25%) Executive Director Salary. The Treehouse is located at 1505 Chipeta Av.	\$ 12,000	any amount
4	St. Mary's Foundation for Gray Gourmet	Gray Gourmet: Home Delivered Meals. CDBG funds will be used for the purchase of food only.	\$ 19,875	any amount
5	St Mary's Foundation Foster Grandparent Program	Foster Grand Parent Program. CDBG funds will pay for transportation cost for volunteer mileage reimbursement.	\$ 10,000	\$ 7,000
6	St Mary's Foundation Senior Companion Program	Senior Companion Program. CDBG funds will pay transportation costs (mileage reimbursement for volunteers).	\$ 10,000	\$ 8,000
7	Radio Reading Services of the Rockies	CDBG Funding will be used for radio/headset telephones for listeners, program schedules, outreach and Grand Junction specific programming.	\$ 4,500	\$ 4,500
8	Mesa County Health Dept.	CDBG funds will purchase Clinical Equipment for Special Needs Children.	\$ 11,000	\$ 9,000
9	Hilltop Community Resources, Inc. - Young Dad's Program	CDBG funds would be used for programs costs such as group sessions food, transportation, incentive gift certificates, emergency funds and holiday events.	\$ 5,380	\$ 2,600
10	GJ Housing Authority - Security Deposit Assistance Program - Revolving Loan Fund	CDBG funds would be used to provide security deposit loans to non-disabled Section 8 Housing Choice Voucher recipients	\$ 20,000	\$ 20,000

11	Colorado West Mental Health - Equipment Purchase	CDBG funds would be used to purchase equipment for CWMH's new location at 2868 North Avenue. Equipment includes fixtures, furniture and equipment, emergency response system and security systems.	\$	200,000	\$	50,000
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Project #	AGENCY	PROJECT / REQUEST	FUNDS REQUEST	MINIMUM REQUEST
12	Grand Valley Catholic Outreach - Emergency Housing for the Homeless	Rehabilitation of 240 White Avenue would be used as Emergency Housing for the Homeless. CDBG funds will be used for materials and equipment.	\$ 4,475	\$ 4,000
	Projects listed above are under 15% "Public Services" Cap	Maximum that can be spent in this category = \$61,350 SUBTOTAL	\$ 297,230	\$ 105,100
13	City of Grand Junction Neighborhood Program Funds	Budget for the neighborhood based CDBG program	\$ 250,000	\$ 150,000
14	Colorado West Mental Health - Infrastructure Construction	Public Infrastructure improvements at the new CWMH location at 2868 North Avenue. CDBG funds would be used infrastructure along 28 3/4 Road, North Avenue and/or internal site improvements.	\$ 200,000	\$ 72,270
15	The Treehouse - Part II	CDBG funds would pay for continued renovations of the Teen Bistro Building including remodeling the stage area, repair exterior trim and paint, landscaping improvements, construction of a covered patio, crawlspace renovation, plumbing upgrades, electrical upgrades, roof repairs, repairs to windows/flooring and the renovations of two bathrooms to ensure code requirements and accessibility. The treehouse is located at 1505 Chipeta Avenue.	\$ 58,000	\$ 50,000
16	Hilltop Community Resources, Inc. - Energy Conservation Project - Rehabilitation	CDBG funds would be used to replace existing windows at the Resource Center Building and install programmable thermostats.	\$ 83,743	\$ 50,000
17	Housing Resources of Western Colorado Permanent Supportive Housing for Homeless Veterans - Acquisition	CDBG funds will be used to acquire 8 dwelling units, each a one-bedroom unit to house homeless veterans.	\$ 50,000	\$ 40,000

18

Hope Haven Exterior Windows Project	CDBG funds will be used to purchase and install 43 vinyl windows at the Hope Haven facility located at 811 Ouray Avenue	\$ 18,800	\$ 500
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19

City of Grand Junction - Riverside Neighborhood Sidewalk Improvements	CDBG funds will construct curb, gutter, sidewalk and drainage improvements along a six block section of Chuluota Avenue in the Riverside Neighborhood.	\$ 50,000	NA
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20

City of Grand Junction - Grand Avenue Sidewalk Improvements	CDBG funds will construct curb, gutter, sidewalk and street improvements along Grand Avenue between 24th Street and 28 Road.	\$ 60,000	NA
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Capital Projects - No funding % limitations, however a minimum of \$263,850 must be spent under this category.	TOTAL	\$ 770,543	\$ 362,770
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2004 FUNDS REQUESTED = \$ 1,102,773
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Attach 17

Public Hearing – Supplemental Budget Appropriation for 2004

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	1st Supplemental Appropriation Ordinance for 2004					
Meeting Date	May 19, 2004					
Date Prepared	May 11, 2004				File #	
Author	Lanny Paulson			Budget & Accounting Manager		
Presenter Name	Ron Lappi			Admin. Svcs. and Finance Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: The request is to appropriate specific amounts for several of the City’s accounting funds as specified in the ordinance.

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance. The total appropriation adjustment for all funds combined is \$20,680,123, of which approximately \$12.62 million represents new requests. The new requests consist of the following:

	<u>Millions</u>	
Riverside Parkway Project Fund #204:	\$11.37	R.O.W., Engineering and Design
Sales Tax CIP Fund # 201:	\$ 1.34	Transfer to Debt Service
Sales Tax CIP Fund # 201:	(\$ 2.00)	Riverside Parkway project
Sales Tax CIP Fund # 201:	\$ 0.20	Fire Station #5
Sales Tax CIP Fund # 201:	\$ 0.30	29 Rd./ reimbursed by CGVSD
General Debt Service Fund #610	\$ 1.34	Parkway bond issue debt payment
General Fund #100	\$ 0.02	Mosquito/West Nile Control
All Other	\$ 0.05	
Total New Requests	\$12.62	
Carry-forward from Prior Year	\$ 8.06	
Total Budget Request	\$20.68	

The following provides a summary of the requests by fund.

General Fund #100, \$698,878:

- Council Contributions account: \$108K carryover of unexpended budget for the purchase of development rights in the buffer-zone.

- Community Development: \$129K carryover to complete various development plans.

Page 2

- Police: \$52K carryover for various operating equipment items including \$30K for SWAT Team weapons.
- Fire: \$190K carryover for specialty equipment including diesel exhaust extraction systems and equipment for Station #5.
- Public Works: \$192K requested for the infrastructure management computer system, clear cutting service contracts for Indian Wash and Leach Creek, mosquito control, and the impact of the reassignment of the Public Communications Coordinator position.
- Parks & Rec.: \$32K requested as follows; \$21K for Gateway and Canyon View Park artwork, \$7K for pump replacement at Canyon View Park and \$4K for light replacements at Suplizio Field.
- Transfers-Out to Other Funds: \$1.3 million is being budgeted to transfer funds to the General Debt Service Fund for the first of the annual debt service payments for the Riverside Parkway bond issue.

E-911 Special Revenue Fund #101, \$503,643: Transfer to the Communications Center Fund for equipment purchases.

Sales TAX CIP Fund #201, \$2,664,260:

- \$239K carryover plus \$200K additional request to complete Fire Station #5.
- \$73K for various street improvement projects net of the \$2M reduction resulting from moving the Riverside Parkway Project to its own separate accounting fund.
- \$814K for various park improvement projects including Canyon View Park, West Lake Park, the seal coating of existing trails, and resurfacing the tennis court in the Ridges.

Storm Drainage Improvements Fund #202, \$1,505,014: Appropriation carryover for the “Big Pipe”, Leach Creek, Bunting Avenue, and the 28 Road storm drain projects.

Riverside Parkway Capital Improvement Fund #204, \$11,367,475: To appropriate planned expenditures for the first year of the Riverside Bypass project.

Water Fund #301, \$370,920: Various water system improvement projects and the fund’s share of the infrastructure management computer system and the reallocation of the Public Communications Coordinator position.

Solid Waste Fund #302, \$1,145: Reallocation of the Public Communications Coordinator position.

Parking Fund #308, \$7,683: Parking lot improvements.

Page 3

Data Processing #401, \$40,473: To complete the fiber optic project to connect city facilities and to upgrade the telephone system.

Equipment Fund #402, \$234,624: Scheduled replacement of vehicles and equipment that were not completed by the end of the prior year.

Communications Center Fund #405, \$503,643: Carryover for equipment purchases.

General Debt Service Fund #610, \$1,338,194 Debt service payment for the Riverside Parkway bond Issue.

Joint Sewer System Fund #900, \$1,444,171: Sewer system improvements including SSEP, CSEP, trunk line extensions, and interceptor repair and replacements.

Action Requested/Recommendation: First Reading of the appropriation ordinance on May 5th and adoption of the ordinance following the public hearing on May 19th, 2004.

Attachments: General Fund Overview, Sales Tax CIP Fund Overview

Background Information: The first supplemental appropriation ordinance is adopted every year at this time to carry-forward unexpended appropriations for capital project and equipment purchases not completed in the prior year.

GENERAL FUND OVERVIEW

	<u>2003 BUDGET</u>	<u>2003 ACTUAL</u>	<u>VARIANCE FROM BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 7,547,055	\$ 7,547,055	\$ -	
REVENUE				
Taxes	\$ 34,608,438	\$ 35,285,592	\$ 677,154	-
Licenses & Permits	111,657	118,616	6,959	-
Intergovernmental	244,696	137,606	(107,090)	156,066
Charges for Services	3,308,901	3,385,485	76,584	-
Interfund Charges	892,500	886,017	(6,483)	-
Interest & Investments	241,400	251,718	10,318	-
Other Operating Revenue	646,478	567,535	(78,943)	-
Capital Proceeds	-	-	-	-
Transfers-In from Other Funds	99,682	96,685	(2,998)	10,532
TOTAL REVENUE	\$ 40,153,752	\$ 40,729,253	\$ 575,501	\$ 166,598
EXPENSE				
City Administration	\$ 1,761,701	\$ 1,580,672	\$ 181,029	\$ 101,800
Administrative Services	3,315,708	3,212,110	103,598	2,700
Community Development	2,046,516	1,819,557	226,959	129,107
Police	11,619,419	11,217,478	401,941	51,588
Fire	8,235,555	7,730,516	505,039	189,659
Public Works	7,974,124	7,561,635	412,489	191,959
Parks & Recreation	4,804,664	4,731,828	72,836	32,065
Subtotal: Departmental	\$ 39,757,687	\$ 37,853,796	\$ 1,903,891	\$ 698,878
Non-Departmental				
Contingency	398,900	-	398,900	-
Budget Savings	(500,000)	-	(500,000)	-
Transfers-Out to Other Funds	1,698,813	1,811,353	(112,540)	-
Subtotal: Non-Departmental	\$ 1,597,713	\$ 1,811,353	\$ (213,640)	\$ -
TOTAL EXPENDITURES	\$ 41,355,400	\$ 39,665,149	\$ 1,690,251	\$ 698,878
NET SOURCE (USE) OF FUNDS	\$ (1,201,648)	\$ 1,064,104	\$ 2,265,752	
ENDING FUNDS AVAILABLE	\$ 6,345,407	\$ 8,611,160	\$ 2,265,752	
Plus: Revenue Adjustments			\$ 166,598	
Minus: Expense Adjustments			\$ (698,878)	
NET IMPACT ON 2003 ENDING BALANCE			\$ 1,733,472	

SALES TAX CIP FUND OVERVIEW

	2003 <u>BUDGET</u>	2003 <u>ACTUAL</u>	VARIANCE FROM <u>BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 3,399,949	\$ 3,399,949	\$ -	
REVENUE				
Sales & Use Taxes	\$ 8,324,548	\$ 8,541,074	\$ 216,526	-
Other Income	2,955,805	1,477,633	(1,478,172)	1,429,519
Transfers-In from Other Funds	2,212,000	2,212,000	-	-
TOTAL REVENUE	\$ 13,492,353	\$ 12,230,706	\$ (1,261,647)	\$ 1,429,519
EXPENSE				
City Administration	\$ -	\$ -	\$ -	\$ -
Administrative Services	-	900	(900)	-
Community Development	-	-	-	-
Police	74,105	75,846	(1,741)	-
Fire	1,032,400	793,539	238,861	438,861
Public Works	9,019,222	6,763,143	2,256,079	73,342
Parks & Recreation	2,768,171	1,952,940	815,231	813,863
Subtotal: Projects	\$ 12,893,898	\$ 9,586,368	\$ 3,307,530	\$ 1,326,066
Transfers-Out to Other Funds				
Economic Development	\$ 300,000	\$ 300,000	-	
DDA TIF Revenue	37,000	35,446	1,554	
Storm Drainage	700,000	700,000	-	
Two Rivers	42,000	24,983	17,017	
Debt Service	42,000	42,000	-	1,338,194
Swimming Pools	38,000	20,000	18,000	
Subtotal: Transfers-Out	\$ 1,159,000	\$ 1,122,429.35	\$ 36,571	\$ 1,338,194
TOTAL EXPENDITURES	\$ 14,052,898	\$ 10,708,797	\$ 3,307,530	\$ 2,664,260
NET SOURCE (USE) OF FUNDS	\$ (560,545)	\$ 1,521,909	\$ 2,082,454	
ENDING FUNDS AVAILABLE	\$ 2,839,404	\$ 4,921,858	\$ 2,082,454	
Plus: Revenue Adjustments			\$ 1,429,519	
Minus: Expense Adjustments			\$ (2,664,260)	
NET IMPACT ON 2003 ENDING BALANCE			\$ 847,713	

City Clerk

Attach 18
City Logo



CITY OF GRAND JUNCTION, COLORADO
ADOPTING/IMPLEMENTING A NEW CITY LOGO
(19 MAY 2004)

BACKGROUND

Several years ago employee teams were working on various items such as communications and identity. A result of their work was a City mission statement and set of values. Another result was a desire by the employees to have the various departments and divisions use a common look throughout the organization.

Around this same time a Communications Audit was conducted by an outside company and the final report was received in July 2001. The audit firm gathered data by conducting an opinion poll, sending a survey to all City employees, interviewing City Council, City employees, news staff from local newspapers, radio stations and television stations, representatives of the business community, other local government agencies and community groups. They also evaluated the communications tools that were being used by the City such as brochures, publications and the City's website.

Among other things, the Communications Audit found a general lack of consistency for use of the City's logo. It also found that several different logo versions were being used and this tended to confuse the City's constituents. One of the Audit's recommendations was that the City should redesign its symbol/logo and develop standards to ensure that the new logo would be used regularly and uniformly throughout the City.

In early 2003 a logo committee interviewed several firms and chose one company to design a new logo and develop graphics standards for the City. During the year this firm and the committee worked together to develop the new logo. Background work for this project included interviews and focus group sessions to understand the City organization and what it represents.

In late 2003 a final logo design was introduced. After much discussion and debate the City Council reviewed this design and made changes to the logo. These changes included using capital letters for the G and J in Grand Junction and removing the tagline.

INTENT

The City Council wants the City to have a common look and consistency so it can be readily identified by the citizens. The Council's intent is to adopt the new logo which is found at the beginning of this report. However, it is understood that emergency services vehicles and uniforms (Police and Fire) will continue to use their present design.

It is also the Council's intent to incur minimal costs while implementing the new City logo. While some initial upfront costs will be necessary, there are several ways the City will actually incur some savings over the years. Some reasons for this include not putting a City logo on street signs, printing in two-color instead of four-color and centralizing and aggregating our printing of stationery and business cards.

IMPLEMENTATION

The new City logo will generally be implemented on a replacement basis except for the City's vehicles. This means that most items will receive the new logo as they are replaced or as additional supplies are ordered when needed. The City's vehicle fleet, with the exception of Police and Fire vehicles, will begin using the new logo immediately. Also, use of the new logo will be coordinated through the Purchasing Division and the City Manager's office in order to get the best prices and ensure consistency throughout the organization. The following plan outlines how the new City logo will be implemented.

-1. Logo Graphics Disks and new Graphics Standards Manual

Time to change over: 2-3 weeks

Cost: \$1,000 - \$1,800

We need a new graphics disk because we need a logo that can work in a variety of arrangements (two color, one color, black and white) and a variety of file formats. These formats include files for Windows applications (jpeg, tif) Macintosh and Quark applications (eps files), signage (rasterized formats). We need high resolution graphics for printing, low resolution for websites and electronic printing of forms and stationery, and yet a third type for sign companies. We do not have the capability in-house to produce the quality we need for the various uses of the logo. This is why it is important to have a professional produce these files. It would also help to have standardized templates for certain forms (fax, etc.) and letterhead for each department prepared to maintain consistency across the organization. The Graphics Standards Manual shows how the logo is to be used and identifies the specific fonts and color codes. Cost estimates to produce the disks with the numerous formats, the templates and the Graphics Standards Manual range from \$1,000 to \$1,800.

-2. Stationery and business cards

Time to change over: 6 months to 1 year

Cost: no additional costs because of the new logo

The logo can be phased in as new cards and stationery are purchased. This should be a seamless transition as a process for ordering these materials is already in place. We went through a bid process and selected a local printer who submitted the low bid. We have worked with this printer to order supplies in a form and quantity that gives us the lowest price. There would be no additional cost because of a new logo.

-3. Memos and other forms

Time to change over: immediately to 1 year

Cost: no additional costs because of the new logo

Many of these forms are produced electronically and only require the correct template. Once the departments have a disk with the new logo they can begin to use it immediately. Standardized templates will be used for items such as fax and memo forms. Other forms that are printed will take longer and will be replaced when existing stock is depleted and new forms are ordered.

-4. Vehicle decals (except Police and Fire vehicles)

Time to change over: 6-8 months for the City's rolling stock

Cost: \$15,000 - \$16,000

For greater visibility and identification the new logo can be applied as a decal to the City's "rolling stock" within the next 6 to 8 months. This includes both on and off road vehicles such as pickup trucks, cars, large mowers, utility carts and other "rolling" equipment. The price listed above does not include decals for Police and Fire vehicles.

-5. Uniforms (except Police and Fire)

Time to change over: 4-5 years, longer for some positions

Cost: no additional costs because of the new logo

Employee uniforms would receive the new logo as they are replaced and new ones are ordered. Some employees, such as Police Officers, have numerous uniforms so it will be many years before they are all replaced. Other uniforms, such as those used in some of our recreation programs, will receive the new logo as new ones are ordered each year.

-6. Street name signs

Time to change over: as replaced due to wear and tear

Cost: savings of \$15 for each residential street sign

The new logo will not be put on street signs. This is contrary to current practice but Grand Junction City limits are identified by the type and color of the signs we use. Street signs are replaced on an as needed basis. This occurs during our annual sign inventory or during the year as signs are broken and replaced or new ones are added. This approach will save the City \$15 for each residential street sign.

-7. Other signs such as park, directional, downtown crosswalk signs, etc.

Time to change over: 10+ years

Cost: no new costs if only replaced as needed

These signs will receive the new logo only when they are replaced or updated. This would incur no additional cost.

-8. Police and Fire vehicles

Time to change over: None. These vehicles will not use a decal with the City logo. They will continue to use their current markings.

Cost: \$-0-

-9. Police and Fire uniforms

Time to change over: None. These uniforms will not use the new logo.

Cost: \$-0-