

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

WEDNESDAY, JUNE 2, 2004, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance

Invocation – Howard Hays, First Church of the Nazarene

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO PARKS AND RECREATION ADVISORY BOARD

TO THE PLANNING COMMISSION

TO THE DDA BOARD OF DIRECTORS

***** PROCLAMATION**

PROCLAIMING SUPPORT FOR MESA STATE COLLEGE SERVICE LEARNING
PROJECT IN EL SALVADOR

CITIZEN COMMENTS

***** CONSENT CALENDAR ***[®]**

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summary of the May 17, 2004 Workshop and the Minutes of the May 19, 2004 Regular Meeting

2. **Setting a Hearing on Zoning Bretsel Annexation to C-1 Located at 3145 E ½ Road** [File #ANX-2004-065]

[Attach 2](#)

Introduction of a proposed ordinance to zone the Bretsel Annexation, C-1, Light Commercial, located at 3145 E ½ Road. The Annexation consists of 23.3 acres and 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 in the near future. 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.

Proposed Ordinance – An Ordinance Zoning the Bretsel Annexation to Light Commercial (C-1) Located at 3145 E ½ Road

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

Staff presentation: Scott D. Peterson, Associate Planner

3. **Setting a Hearing to Appeal a Planning Commission Decision – 2938 North Avenue – Palace Pointe Market Place** [File #VAR-2004-056] [Attach 3](#)

The applicant, North Avenue Center, LLC, wishes to set a hearing date to appeal the Planning Commission's decision regarding denial of their variance request of the Zoning & Development Code's requirement to provide a six foot (6') masonry wall between a C-1, Light Commercial and a RMF-8, Residential Multi-Family – 8 units/acre (County) Zoning District. Per Section 2.18 E. 4. g. of the Zoning & Development Code, the appeal shall be scheduled within forty-five (45) calendar days of receipt of the appeal.

Action: Set a Public Hearing for June 16, 2004

Staff presentation: Scott D. Peterson, Associate Planner

4. **Setting a Hearing on Zoning the SGH 27 Road Annexation to RSF-2 Located at 215 27 Road** [File #VE-2004-036] [Attach 4](#)

First reading of the ordinance to zone the SGH 27 Road Annexation Residential Single Family-2 (RSF-2), located at 215 27 Road.

Proposed Ordinance – An Ordinance Zoning the SGH 27 Road Annexation to Residential Single Family-2 (RSF-2), Located at 215 27 Road

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

Staff presentation: Lisa E. Cox, Senior Planner

5. **Setting a Hearing on Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road)** [Attach 5](#)

First Reading of a Proposed Ordinance for the assessment of apportionment of costs associated with Sanitary Sewer Improvement District No. SS-45-03.

Proposed Ordinance – An Ordinance approving the assessable cost of the improvements made in and for Sanitary Sewer Improvement District No. SS-45-03, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, adopted and approved the 11th Day of June, 1910, as amended; approving the apportionment of said cost to each lot or tract of land or other real estate in said district; assessing the share of said cost against each lot or tract of land or other real estate in said district; approving the apportionment of said cost and prescribing the manner for the collection and payment of said assessments

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

Staff presentation: Mark Relph, Public Works and Utilities Director

6. **Amendment #3 to ICON Engineering for Completion of the Conditional Letter of Map Revision (CLOMR)** [Attach 6](#)

Engineering contract amendment # 3 with ICON Engineering, Inc. in the amount of \$94,006 for the preparation and submittal of a Conditional Letter of Map Revision (CLOMR) to the Federal Emergency Management Agency (FEMA) for the Ranchman's Ditch and Leech Creek drainage areas. The preparation and submittal of the CLOMR is the formal step to gain FEMA approval for the City's plan (i.e. the "Big Pipe", Leach Creek and Ranchman's detention pond projects) to mitigate flooding problems along these two drainages.

Action: Authorization from Council for an Engineering Contract Amendment #3 with ICON Engineering Inc., in the Amount of \$96,006 for the Completion of CLOMR for Ranchman's Ditch and Leach Creek Drainages

Staff presentation: Mark Relph, Public Works and Utilities Director

7. **Pavement Management Data Collection** [Attach 7](#)

Contract for Pavement Data Collection and Analysis professional services.

Action: Authorize the Public Works Director to contract for Pavement Data Collection and Analysis by amendment to the City's contract agreement with GBA Master Series, Inc. not to exceed \$52,555

Staff presentation: Ron Watkins, Purchasing Manager
Mark Relph, Public Works and Utilities Director

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

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

8. **24 ½ Road Pedestrian and Median Improvements** [Attach 8](#)

Award of a construction contract for the 24 ½ Road Median and Pedestrian Improvements Project to Reyes Construction, Incorporated in the amount of \$62,587.10. The largest portion of the project will include construction of decorative concrete median cover in the existing medians on 24 ½ Road from I-70B to Patterson. In addition, some curb and gutter will be reconstructed to improve the safety and performance of the roadway. A section of new sidewalk will also be constructed on the east side of 24 ½ Road.

Action: Authorize the City Manager to Sign a Construction Contract for the 24 ½ Road Pedestrian and Median Improvements with Reyes Construction Inc., in the Amount of \$62,587.10

Staff presentation: Mark Relph, Public Works and Utilities Director

9. **Drainage (Stormwater) Authority Intergovernmental Agreement** [Attach 9](#)

Drainage (Stormwater) Authority Intergovernmental Agreement drafted by the Authority Charter Committee made up of representatives of the City of Grand Junction, Mesa County, Town of Palisade, City of Fruita, and the Grand Junction Drainage District.

Action: Adoption by City Council of the Drainage (Stormwater) Authority Intergovernmental Agreement (IGA) and Approval of the Budget and Appointment of the City's Representative to the Authority Board

Staff presentation: Kelly Arnold, City Manager
Dennis Kirtland, Councilmember
Mike Meininger, Mesa County Engineering Supervisors
Greg Trainor, Utilities Manager

10. **Economic Development Incentive Request** [Attach 10](#)

The City Council approval is hereby requested for an Economic Development Incentive in the amount of \$75,000 in support of 25 jobs over the next three years.

Action: Consideration and Approval of the Request from Grand Junction Economic Partnership

Staff presentation: Kelly Arnold, City Manager

11. **Public Hearing – Cameck Annexation Located at 3048 D ½ Road** [File #ANX-2004-049] [Attach 11](#)

A Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Cameck Annexation, located at 3048 D ½ Rd. The 2.5005 acre annexation consists of 1 parcel of land and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 51-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Cameck Annexation, Located at 3048 D ½ Road is Eligible for Annexation

®Action: Adopt Resolution No. 51-04

b. Annexation Ordinances

Ordinance No. 3635 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cameck Annexation #1, Approximately 0.6036 Acres, Located at 3048 D ½ Road

Ordinance No. 3636 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cameck Annexation #2, Approximately 1.8969 Acres, Located at 3048 D ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3635 and Ordinance No. 3636

Staff presentation: Senta L. Costello, Associate Planner

12. **Public Hearing – Zoning the Cameck Annexation to RMF-5 Located at 3048 D ½ Road** [File #ANX-2004-049] [Attach 12](#)

Hold a public hearing and consider final passage of the Ordinance to zone the Cameck Annexation RMF-5, located at 3048 D ½ Road. The 2.5005 acre annexation consists of 1 parcel of land.

Ordinance No. 3637 – An Ordinance Zoning the Cameck Annexation to RMF-5 (Residential Multi-Family 5 du/ac) Located at 3048 D ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3637*

Staff presentation: Senta L. Costello, Associate Planner

13. **Public Hearing – Holley Annexation Located at 2936 D ½ Road** [File #ANX-2004-059] [Attach 13](#)

A Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Holley Annexation, located at 2936 D ½ Road. The 0.8402 acre Holley Annexation consists of 1 parcel and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 52-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Holley Annexation, Located at 2936 D ½ Road is Eligible for Annexation

®Action: *Adopt Resolution No. 52-04*

b. Annexation Ordinances

Ordinance No. 3638 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holley Annexation #1, Approximately 0.1663 Acres, Located at 2936 D ½ Road

Ordinance No. 3639 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holley Annexation #2, Approximately 0.6739 Acres, Located at 2936 D ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3638 and Ordinance No. 3639*

Staff presentation: Senta L. Costello, Associate Planner

14. **Public Hearing – Zoning the Holley Annexation to RSF-4 Located at 2936 D ½ Road** [File #ANX-2004-059] [Attach 14](#)

Hold a public hearing and consider final passage of the Ordinance to zone the Holley Annexation RSF-4, located at 2936 D ½ Road. The 0.8402 acre Holley Annexation consists of 1 parcel.

Ordinance No. 3640 – An Ordinance Zoning the Holley Annexation to RSF-4 (Residential Single Family 4 du/ac) Located at 2936 D ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3640

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing – Modifying the Transportation Capacity Payment (TCP)**

[Attach 15](#)

Public Hearing for 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.

Ordinance No. 3641 – 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3641

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

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

17. **OTHER BUSINESS**

2003 Sales Tax Studies

[Attach 16](#)

Presentation to the City Council of two reports prepared by Jean Townsend, President of Coley/Forrest, Inc. on the City's 2 ¾% Sales Tax. The City hired Ms. Townsend to prepare an update to her previous reports from 1991 and 1997 to calculate with a great degree of confidence where our Sales Tax comes from

on an annual basis. Also, an additional report on estimated and projected impacts on our sales tax revenue streams from the major big box retailers adding new stores in the Western Slope Region that may compete with our local stores.

Staff presentation: Ron Lappi, Administrative Services and Finance Director

18. **ADJOURNMENT**

Attach 1

Minutes of the May 17, 2004 Workshop and the May 19, 2004 Regular Meeting

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

MAY 17, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, May 17, 2004 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Bruce Hill. Absent was Councilmember Jim Spehar.

Summaries and action on the following topics:

1. **UPCOMING VACANCIES TO BOARDS & COMMISSIONS:** In anticipation of upcoming vacancies to the Riverfront Commission, City Council will discuss specific issues relating to this board. City Clerk Stephanie Tuin briefed the City Council on the Riverfront Commission regarding the upcoming vacancies, their projects and how interviews can take place, asking for some possible dates from Council.

Action summary: City Council identified June 10th, 17th and 24th as possible interview dates.

2. **CITY 2004 PROJECT/PROGRAM UPDATES FROM MANAGEMENT TEAM**
 - City Manager's Office – Assistant City Manager David Varley reviewed the logo implementation, noting capital letters will be used for the “g” and the “j” and implementation will be at minimal cost, using the logo only when items need replaced. Minimally, the City will need a new diskette and a new Graphics Standards Manual for an estimated cost of \$1,000 to \$1,800. A local printer could do the work for \$1,200 to \$1,300. He spoke about the cost and time frame for changing over to the new logo over time on various items such as stationery, business cards, vehicles, uniforms and street signs. It was estimated that it will cost \$8,000 for the decals for the existing vehicles, non-public safety, enough decals for about 568 pieces of equipment/vehicles. Council President Hill suggested that Staff be authorized to implement the logo within a set price limit.

On other subjects, Mr. Varley said the Affordable Housing Forum is being worked on and the Chamber of Commerce is bringing back their leadership class, which will be one 6 hour class per month for six

months. The classes start in September. The City and County are allotted a two hour time slot in March, 2005 for a presentation.

Assistant City Manager Varley advised that Susan "Sam" Sumanski has been hired as the new Public Communications Coordinator. City Manager Kelly Arnold added that Cheryl Trent will start July 12th as the Assistant to the City Manager.

In conclusion, Council was reminded that the update to the next two year Strategic Plan is scheduled for June 2nd.

- City Attorney's Office – City Attorney John Shaver referred to a letter dated May 19, 2004, a letter to the external auditor that lists potential litigation issues, including pending cases, water court matters, development review issues and others. Mr. Shaver advised that the Precision Excavation case, i.e., the canal breach, is reaching conclusion and all claims have been resolved. Other standard day in and day out activities of the City Attorney's Office are that legal staff supports all departments, being very active with Community Development, Human Resources, and Public Works. In conjunction with the Police Department, a complete rewrite of the Police Department's directives manual has been completed. Mr. Shaver then referred to a draft of a booklet called Legal Precepts that includes frequently asked questions covering annexations, ADA, Campaign Issues, the City Charter, Conflicts of Interest, Home Rule, Open Meetings, Open Records Law, TABOR, and the Colorado Governmental Immunity Act. He encouraged Council to review the draft and offer feedback.

Regarding staffing, he is going to start with hiring a paralegal, and then recruit for the City Staff Attorney position. Jamie Kreiling has been appointed Assistant City Attorney. The department is looking at possibly hiring an intern, either paid or volunteer.

- Public Works – Public Works and Utilities Director Mark Relph ran through a list of issues: If Council approves there will be land exchanges along the Blue Heron trail, adjacent to the City Market and Innovative Textiles properties to allow for more logical lot lines in the area. The exchanges will be part of a development plan. The 29 Road project is moving ahead. This summer the 29 Road viaduct over the railroad tracks will begin. It is a \$16 million project being shared with the County; the City is taking the lead. Surveying will start in August or September, design will take place in December, and they will start the 1601 process early next year. They are trying to move up the time frame if possible. Mesa County is also looking to move up

the bridge construction from Orchard Mesa too in order to be complete prior to 5th Street construction with Riverside Parkway. The 25 ½ Road project is being constructed, and should be mostly finished by fall. A temporary access was constructed along Pinyon Avenue and the department would like to make it permanent to 25 Road for \$217,000. Ute Water supports a permanent connection. It can be accomplished through a change order with the current contractor. Mr. Relph then updated Council on the success of the SSEP program and of the CSEP program. City Manager Arnold lauded the success of the CSEP program and compared it to the magnitude of the Riverside Parkway project. City Council will be given a complete update on the 1601 process for the Riverside Parkway on June 14th. He reviewed the Riverside Parkway project calendar and pointed out a very important design meeting in the next couple of weeks. At the June 15th Open House, there will be 3 alternatives presented and through process be narrowed down to one. An RFP draft will be issued the first of July, there will be a selection process, and formal action in December by the Transportation Commission. He announced construction will begin in one year.

Mr. Relph told the City Council the conclusion of the F ½ Road transportation study. They now know the connection will be at 25 Road. The purpose of the new road is for traffic resulting from the development of the 24 Road area plan.

Spring cleanup was another success this year. Tonnage was up 13% over last year, but still less than 2001 peak year. Tires collected were up 12%. Costs were up 16% but still within budget.

Council President Hill called a recess at 9:06 p.m. The meeting was back in session at 9:14 p.m.

- Police – Chief Greg Morrison updated the Council on the neighborhood beat program and its success. It has helped identify patterns in crime that resulted in arrests. He has received tentative approval for a Citizen Corp grant which will be used to train officers to facilitate neighborhood meetings. Chief Morrison has been invited to present at the Innovations Conference in Reno on the neighborhood beat program. Regarding crime lab enhancements, he is still looking for a facility. They are still recruiting for new crime lab manager. They plan to modernize the crime lab.

Regarding the records management system, they tried to coordinate with the Sheriff's system but have determined it is not in the best interest to buy the same system as it is not compatible with the CADD

system. Therefore they are going to upgrade the current system (six versions). The upgrade will include digital imaging. In an effort to disperse officers throughout the City, the department is adding additional field work stations where officers can do their report writing. With the new manual in place as mentioned by City Attorney Shaver, the department will be looking to get certified by state associations.

Transients and theft from autos are two big issues. Turnover in the Communications Center has been a concern so they are trying to improve the psychological screening to reduce turnover by better determining suitability. Chief Morrison advised that officers are reassigned neighborhoods every January, but they can request the same neighborhood again.

- Visitors and Convention Bureau – Executive Director Debbie Kovalik reviewed the kick-off for the Grand Junction Loves Company program. They have two more sessions scheduled. In addition there are two other promotions – “Spring Blossoms Wine Train”, which sold out in 8 days and “Spring Give us Your Best Shot” golf package, in order to promote tourism in the shoulder season. The golf promotion will run through August. The VCB board had a retreat on April 13th and formulated the following goals: continue to update technology, to develop partnerships in the community, and look for more promotion opportunities in the shoulder season. The VCB received the “Making a Difference” award from the Downtown Partnership Association.
- Parks and Recreation – Joe Stevens, Director of Parks & Recreation, directed Council’s attention to the most recent activity guide and described their plan to have an Open House at Two Rivers on how the internet registration system works. May is one of their busiest months with both college and high school graduations. Also the State High School Regional Track Meet, Regional Girls Golf Tournament, and the opening of the pool and the start up of sport leagues and summer recreation programs. They are in the process of finalizing summer seasonal staff.

Regarding the Senior Recreation Center, the board has pledged \$40,000 for additional facilities and appreciated Council’s visit. Capital improvements planned for 2004 are the irrigation replacement program, sound system upgrade for the stadiums, upgrades to various neighborhood parks, construction of Wingate Park and Canyon View East. There will be various pool maintenance items, and they are installing three more art pieces. The xeriscape model at Quizno’s is near completion. They are ready to open the new green at Tiara Rado golf course. Other items include trail replacements, the display case

at Two Rivers, the Master Plan for Lincoln Park, and working with Bluffs West HOA to convert the old sewer plant to park area. Mr. Stevens advised that the upcoming Dive 'n Jive event for middle schoolers has had overwhelming success. The department is putting out RFP's advertising for the restaurant operations at the golf courses, as they do every three years. Also agreements for the concessions at the various facilities. Lastly, the department is in the finals for the National Recreation Award.

- Community Development – Community Development Director, Bob Blanchard, referred to his work program for 2004. He reviewed Code Enforcement and their activity. Code Enforcement officers have been attending neighborhood meetings with the police department. Development review is very busy, he presented a graph that included the number of applications maintained by the department. Next Mr. Blanchard reviewed the proposed zoning and development code amendments. In the long range planning arena, and specifically for the Pear Park area, they are planning to have the Neighborhood Plan ready for adoption by the end of the year. On the Jarvis Property, a consultant was hired to develop a Master Plan (Winters and Company), in July the consultant will start the south Downtown/EI Poso Plan to be finished next summer (2005). On the Historic Resources Survey, Phase 3, Reid Architects from Roaring Fork Valley is the consultant. The Riverside School Historic Assessment is going forward, the consultant is hired, has done two site visits, is working on the analysis, and will have a draft by end of July this year. They are proceeding with the Riverside School roof repair project; currently they are awaiting the contract, and preparing bid documents.

Lastly he addressed some proposed changes to the City Council staff reports and he invited discussion. His report included some ways to streamline the process and asked for the City Council to review and provide feedback.

- Administrative Services – Ron Lappi, Administrative Services and Finance Director, updated Council on activities in his department: the most recent sales tax report is that the last nine months has shown increased growth; the sales tax study report will be presented on June 2nd; he is working on a business plan for the parking system and the new proposed garage for downtown; Human Resources is completing the training curriculums for the various job positions in the City; Mr. Lappi is looking at payments in lieu of taxes or franchise fees for use of the city's right-of-way by utilities; reviewing budget impacts of the Strategic Plan; the outside auditors have finished; the City Clerk's

office is finalizing the Code update to incorporate all the ordinances into the Code.

- Fire – Fire Chief Beaty thanked Council for their participation at the recruit graduation. Chief Beaty stated the new Fire Station is close to being done. The contractor is trimming out the roof of the existing building so it will look like it fits. The dedication ceremony is tentatively scheduled for June 12th. In the fire investigations section, one individual returned back to shift, leaving a big void. An internal candidate was selected and he was sent to POST Academy in Delta. Regarding the emergency services consulting study, Chief Beaty said he is not sure if it will address the goal in the Strategic Plan as the study recommends a county-wide ordinance. The County is moving ahead with it, asking for special appropriation, and is ready to recruit and hire a coordinator. On the training center, there is wide support both City and County. The County has asked the City to take lead. A location has not yet been determined. Property is still being sought. The department has been approached about getting a fire science program going at Mesa State, which would make Mesa State a partner in the training center.

Action summary: Staff was directed to place a formal item on the Wednesday, May 19th agenda, regarding implementation of the logo. Council President Hill suggested the department updates take place more often at lunch sessions.

The meeting adjourned at 10:44 p.m.

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

May 19, 2004

The City Council of the City of Grand Junction convened into regular session on the 19th day of May 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Gregg Palmer, Bill McCurry, Jim Spehar and President of the Council Bruce Hill. Councilmember Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Dennis Kirtland led the pledge of allegiance. The audience remained standing for the invocation by Pastor Mark Quist, New Life Church.

PROCLAMATIONS / RECOGNITIONS

Presentation of Appreciation Plaque for Outgoing Mayor Jim Spehar

Council President Hill presented the plaque to Jim Spehar.

Annual Historic Preservation Award to DDA and Owners of the Reed Building by Bill Jones, Chair of the Historic Preservation Board

Mr. Bill Jones described the history of the Reed building and presented the awards.

Proclaiming the week of May 16th – 22nd “Emergency Medial Service Week” in the City of Grand Junction

Proclaiming Support for a “Welcome Home Vietnam Veteran’s Day” in the City of Grand Junction

Postponed until guests arrived.

APPOINTMENTS

Councilmember Kirtland moved to appoint Tom Dixon until June 2007 and re-appoint Dennis Derrieux and David Detwiler until June 2007 to the Parks and Recreation Advisory Board. Councilmember McCurry seconded the motion. Motion carried.

Councilmember Spehar moved to appoint Travis Cox to Planning Commission until October 2004 and Tom Lowrey as 1st Alternate to the Planning Commission

until October 2006. Councilmember Palmer seconded the motion. Motion carried.

Councilmember McCurry moved to appoint Mike Mast to the DDA unexpired seat until June 2006, appoint Bill Wagner to the DDA until June 2007 and re-appoint Harry Griff to the DDA until June 2007. Councilmember Kirtland seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Councilmember Spehar, and carried to approve Consent Calendar Items #1 through #6.

1. **Minutes of Previous Meetings**

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)**

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

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

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*

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

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*

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

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*

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

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 Street

®Action: *Adopt Resolution No. 48-04*

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

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

a. **New Sidewalk Construction 2004**

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the program that targets school walking routes, surrounding property owners are surveyed and this project is for about eleven blocks. At the same time, they repair any damaged curb and gutter adjacent and they also install handicapped ramps as needed.

Councilmember Palmer asked if there are any other criteria for selecting the area. Mr. Relph said school walking routes has been the policy but it is perhaps time for Council to revisit this criteria. There is no cost to the adjacent property owners.

Mr. Palmer noted that north of one section is totally lacking in sidewalks and questioned not continuing along that section. Mr. Relph said occasionally a property owner will object and they may skip over that area if possible. Councilmember Palmer inquired how many sidewalks are missing throughout the

City. Mr. Relph said this program targets areas where there is curb and gutter. Sidewalks in areas where there is no curb and gutter would be much more costly.

b. 25 ½ Road Reconstruction Phase II Street

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. Mr. Relph described the project, the bids and then stated the engineer's estimate. He noted that M.A. Concrete is currently working on the utilities in that same corridor. The City is aiming to complete the bulk of the project prior to the start of school in the fall. Also, as a result from the discussion at Monday's workshop, they are negotiating with M.A. Concrete for a change order to make the Pinyon Avenue section to 25 Road a permanent road. He noted that the road reconstruction includes a huge grade cut to eliminate a hill and poor sight distance along that corridor. The City has worked extensively with the adjacent residential neighborhood and as a result of discussion, changes the configuration of their street. They are also working with the trailer park on their access issues.

Councilmember Kirtland moved to 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 and to 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. Councilmember McCurry seconded the motion. Motion carried.

Memorandum of Understanding with United States Department of Agriculture Forest Service Grand Valley Ranger District

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.

Kelly Arnold, City Manager, reviewed this item. He noted that Connie Clementson and Linda Perkins from the Forest Service were present. The MOU is a result of the City Council's decision last year not to go forward with a watershed ordinance.

The MOU is for a period of five years. John Shaver, City Attorney, advised that the five-year term is a federal requirement.

Mr. Arnold identified the watershed area and pointed out the different property ownership in the area. He stated that the key staff person with this program is Terry Franklin.

Council President Hill referred Council to item E. 2 which states the core value of this agreement.

Councilmember Dennis Kirtland added that he agrees with Council President Hill and establishing this MOU sets the model to work with the other owners and entities.

Connie Clementson, Forest Service Ranger, thanked the Council and stated this formalizes a long standing relationship. She commended the Council for stepping forward and for them being involved in this vision. The Forest Service is studying the epps beetle situation; the watershed and doing several other data collections this summer.

Councilmember Palmer appreciated the work and effort to create this MOU.

Councilmember Kirtland moved to 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. Councilmember Palmer seconded the motion. Motion carried.

Proclaiming Support for a “Welcome Home Vietnam Veteran’s Day” in the City of Grand Junction

The individuals from Whittier, CA arrived and received the proclamation.

Wingate Park/School Intergovernmental Agreement

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.

Joe Stevens, Director of Parks and Recreation, reviewed this item. He described the purpose of the agreement. One of the goals of the capital improvement program is to develop a neighborhood park and further more to cooperate with the school on sharing facilities. He detailed what the cooperative agreement outlines as far as improvements and use of the facilities. There will be no monetary exchange.

The bulk of the construction will be completed during the summer. The agreement goes to the School District next week. The completion date is probably mid-November.

Councilmember Kirtland asked what the park hours will be. Mr. Stevens said the hours are 5:00 am until 10:30 pm and there will not be a lighted parking lot. The existing school lot is lit. They have worked closely with the neighborhood to address any needs.

Councilmember Kirtland asked if the tennis courts are built; will the school children will have access. Mr. Stevens said yes for tennis and other activities.

Councilmember Spehar confirmed with Mr. Stevens that the tennis courts will be located close to the front of the property.

Council President Hill asked for clarification on the exhibits. Mr. Shaver advised that it identifies the delineation of property ownership.

Councilmember Spehar moved to 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. Councilmember McCurry seconded. Motion carried.

Public Hearing – Chipeta Glenn Annexation and Zoning Located at 2975 and 2977 B ½ Road [File # ANX-2004-032]

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.

The public hearing was opened at 8:31 p.m.

Senta L. Costello, Associate Planner, reviewed this item, combining it with the zoning review. She identified the surrounding zoning and uses. She stated the Planning Commission recommends approval.

Councilmember Kirtland asked about the actual density of the area south of the site. Ms. Costello said the build out in that area is probably closer to five units per acre.

Fred Favre, the petitioners, stated that the modular on the north parcel has been removed. The home on the south parcel will be relocated to one of the lots and stuccoed.

There were no public comments.

The public hearing was closed at 8:36 p.m.

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

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

c. Zoning Ordinance

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

Councilmember Spehar moved to adopt Resolution No. 49-04, Ordinances No. 3627, Ordinance No. 3628 and Ordinance No. 3629 on Second Reading and ordered them published. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

Public Hearing – Grand Valley Audubon Annexation and Zoning Located at 605 and 608 Dike Road [File # ANX-2004-052]

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.

The public hearing was opened at 8:37 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the use of the site and the location. She identified the existing zoning and the

surrounding zoning. She said the request meets the intent of the Code and both staff and the Planning Commission recommends approval.

Robert Wilson, nature center chair for the Grand Valley Audubon Society, said the property will be developed into an educational center that it will be open to the public. There is good fishing, but the fish are not good to eat due to water quality issues. He presented the Community Development Department with a complimentary copy of their new book.

Councilmember Kirtland asked about the time frame for the center. Mr. Wilson said they are moving slowly but they have a contract to reclaim the property secured by a bond for five years.

There were no public comments.

The public hearing was closed at 8:44 p.m.

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

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

c. Zoning Ordinance

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

Councilmember Kirtland moved to adopt Resolution No. 50-04, Ordinance No's. 3630, 3631 and 3632 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

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

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.

The public hearing was opened at 8:45 p.m.

Dave Thornton, Principal Planner, reviewed this item. He advised that a sliver of land was inadvertently omitted during the annexation that took place a couple of years ago. City Attorney John Shaver added that the perimeter description was correct but in order to correct the internal description, this correction is brought forth.

There were no public comments.

The public hearing was closed at 8:46 p.m.

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

Councilmember Palmer moved to adopt Ordinance No. 3633 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Council President Hill called a recess at 8:46 p.m. The meeting reconvened at 8:55 p.m.

Public Hearing – 2004 CDGB Program Year Funding for the 2004 Action Plan, a Part of the 2001 Five-Year Consolidated Plan

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.

The public hearing was opened at 8:55 p.m.

Dave Varley, Assistant City Manager, reviewed this item and the actions being proposed. In reviewing the background, this will be the first public hearing; the second public hearing will be June 16th. The Civic Action Plan lays out the process. The program year run from September 1st until August 31st. The City anticipates it will receive \$407,000 for the upcoming program. A list of the requests and recommendations was displayed. There is a thirty day comment period before the plan can be adopted. Once adopted, it will be available to the public. After that review period, it will be submitted to the Federal Government. Each organization recommended to receive funds has been invited and is present at the meeting.

Council President Hill asked if Council had any questions. There were none.

There were no public comments.

The public hearing was closed at 9:02 p.m.

Councilmember Kirtland stated this is his third year going through the process and it is an opportunity for the organizations to speak to Council but since they have gone through the program and the public process, he is comfortable with the request. He congratulated the organizations and thanked them for coming.

Councilmember Spehar said he was not involved this year but the subcommittee has done a good job with the recommendations. It is difficult when so many more requests are received than can be funded.

Council President Hill concurred that it is a difficult decision. He recognized other projects previously funded by CDBG funds.

Councilmember Kirtland moved to accept the CDBG City Council subcommittee recommendation for funding thirteen projects for the City's 2004 CDBG Program Year Action Plan. Councilmember McCurry seconded the motion. Motion carried.

Public Hearing – Supplemental Budget Appropriation for 2004

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

The public hearing was opened at 9:10 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. The bulk of the supplemental appropriation is for the Riverside Parkway project. The rest is mostly carryovers for projects that were not completed in 2003.

Councilmember Kirtland asked what portion of the supplemental appropriation is Riverside Parkway. Mr. Lappi said that \$11 million is for construction plus for the debt service and then several million for the carry forward of projects.

Councilmember Palmer asked about the appropriation for Fire Station #5. Mr. Lappi said yes about \$200,000 is for completion for the Fire Station.

There were no public comments.

The public hearing was closed at 9:12 p.m.

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

Councilmember Butler moved to adopt Ordinance No. 3634 on Second Reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Logo Implementation

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

David Varley, Assistant City Manager, reviewed this item. He reviewed the new plan which included capitalizing the g and the j and dropping the tag line. The implementation plan is the same as Monday night for items #1 through #3, item #4 is vehicle decals, excluding police and fire vehicles. In order to switch over the City's fleet, with the exception of emergency vehicles, the cost will be \$16,000 to \$17,000. The design for the logo will not have the white background oval. There are about 568 vehicles and pieces of equipment and it will take 6 to 9 months to cycle all the vehicles through, doing it as the vehicles are serviced. Regarding the uniforms, each department orders annually so the new logo will only be on the newly ordered and there will be no cost. Street name signs will not have any logo, which will make the signs easier to read and actually save \$7.50 per sign so as signs are replaced money will be saved. The logo on other signs will only be implemented on a replacement basis. The police and fire uniforms and vehicles will not be changed.

Council President Hill asked if item #4 (vehicle decals) will provide an additional supply of decals for future purchases. Assistant City Manager Varley said it will only cover the current fleet, no additional stock. Cost for new vehicle decals would be that cost anyway. There is a cost break for the quantity proposed. Another quantity will be ordered in the fall for next year's replacement vehicles.

Items that are not being considered are things like trash cans. Signs will take the longest to turn over. It may take four to six years to change everything but the majority of the switch will take place over the next year.

Council President Hill summarized that it will take \$18,000 tops to get this logo started and the rest of implementation will take care of itself with existing monies in place.

Councilmember Spehar said that unless the patches on the police and fire uniforms are replaced, the different logos will be perpetuated. He favored changing their uniforms to the new logo as they are replaced and to change the lettering on the police cars to the same lettering of the new logo as the vehicles are

replaced. It would be his preference to have the change take place on the vehicles that are most visible.

Councilmember Kirtland said Councilmember Spehar's comments is the same as the original intent of the committee. It is his hope that as the new logo gets in place, it will be blended in those other areas. Today they are looking at implementing it in a conservative manner.

Councilmember Butler agreed that putting it on equipment that won't be seen is a good point and the police and fire are more visible. He supported it if the department favored it. Chief Morrison said the cars are good looking but can easily change the font to be consistent with the logo. It could be accomplished over three years.

Council President Hill stated this is a starting point to get it going.

Councilmember Palmer emphasized the need for a single identifier and yet this will not accomplish that goal. He supports staying with the original logo.

Councilmember McCurry agreed, he supported the new logo on letterhead but he wanted one logo.

Council President Hill said there are two issues, capitalization and the other issue was a fiscally conservative approach. The report prepared by Mr. Varley gets to that. It reduces expenditures from the \$100,000 budgeted and moves toward the single logo. Everything takes time, even spending the budgeted amount would take time. Councilmember Spehar agreed any changeover takes time, but not to do it because it takes some time is not a good reason to not go forward.

Councilmember Kirtland moved to adopt the new City Logo with the capital G and J. Councilmember Spehar seconded the motion. Motion carried by a roll call vote with Councilmember Palmer voting NO.

Councilmember Spehar moved to adopt the implementation plan for the new City Logo as outlined by David Varley. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

A motion was made and subsequently rescinded to exclude lawnmowers and other non-visible equipment. The City Manager stated that is the one identifier for the City's rolling stock.

NON-SCHEDULED CITIZENS & VISITORS

Milton "Tony" Long, 302 Pitkin, grateful he does not have a substance abuse problem. He said making people miserable is not going to help. He said encouraging people to be good citizens, including at the parks, makes Grand Junction viewed as a friendly town.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 10:02 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing on Zoning Brestel Annexation Located at 3145 E ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a Hearing for Zoning the Bretsel Annexation, located at 3145 E ½ Road.						
Meeting Date	June 2, 2004						
Date Prepared	May 24, 2004				File #ANX-2004-065		
Author	Scott D. Peterson		Associate Planner				
Presenter Name	Scott D. Peterson		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 Bretsel Annexation, C-1, Light Commercial, located at 3145 E ½ Road. The Annexation consists of 23.3 acres and 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 in the near future. 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.

Budget: N/A

Action Requested/Recommendation: Introduce and approve a proposed zoning ordinance on First Reading to zone the Bretsel Annexation, C-1, Light Commercial and set a public hearing for June 16, 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:		3145 E ½ Road		
Applicant:		Stanley L. Seligman, Owner		
Existing Land Use:		Vacant land		
Proposed Land Use:		New automobile dealership & Commercial development		
Surrounding Land Use:	North	Central High School & Residential		
	South	I-70B, Railroad right-of-way & Vacant land		
	East	Vacant land, I-70B, Railroad right-of-way		
	West	Jimmy’s Roadhouse & Residential		
Existing Zoning:		RSF-4, Residential Single Family – 4 units/acre (County)		
Proposed Zoning:		C-1, Light Commercial		
Surrounding Zoning:	North	RSF-4, Residential Single Family – 4 units/acre (County) & PUD, Planned Unit Development (County – Residential)		
	South	PC, Planned Commercial (County) & I-1, Light Industrial (City)		
	East	PC, Planned Commercial (County)		
	West	RSF-4, Residential Single Family – 4 units/acre (County)		
Growth Plan Designation:		Commercial		
Zoning within density range?		N/A	Yes	No

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan Future Land Use Map. The proposed zone district of C-1 would be in keeping with the Persigo Agreement and the Growth Plan Future Land Use Map.

I-1 ZONE DISTRICT

- The proposed Light Commercial (C-1) zoning is consistent with the Growth Plan Future Land Use Map for this area. Currently, the Growth Plan Future Land Use Map indicates this area of I-70B and E ½ Road to be Commercial in character.
- Zoning this annexation as Light Commercial (C-1), meets the criteria found in Sections 2.14 F. and 2.6 A. of the Grand Junction Zoning and Development Code.
- The property is located adjacent to County RSF-4 and County PUD to the north and I-1, Light Industrial (City) which is the Railroad right-of-way and County PC, Planned Commercial to the south. The proposed annexation is consistent with recent annexations in the area along I-70B of light commercial (C-1).

ZONING AND DEVELOPMENT CODE CRITERIA:

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

Section 2.6 A. Approval Criteria:

- 1. The existing zoning was in error at the time of adoption.**

The existing Mesa County zoning of RSF-4 is currently not consistent with the Growth Plan as this area is identified as Commercial in character, not residential on the Future Land Use Map. Zoning this annexation C-1 is consistent with former annexations along the I-70B corridor and also the Growth Plan Future Land Use Map.

- 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 transition, etc.**

The properties are located in an area along the I-70B corridor that is becoming commercial in character and is also identified on the Land Use Map as Commercial. All public utilities are located adjacent to the property.

- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.**

The proposed commercial development would not create adverse impacts to the adjacent existing single-family areas as all development applications will be required to meet or exceed all City standards regarding street access, parking, landscaping, drainage, lighting, buffering and screening and other infrastructure and design items. In the C-1 District, a Conditional Use Permit is required for any general retail sales with outdoor operations or storage. Staff has determined that public infrastructure can address the impacts of any development consistent with commercial zoning.

- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, the policies and requirements of this Code and other City regulations and guidelines.**

The Planning Commission's recommendation of the C-1, Light Commercial Zoning District will conform with and further the goals and policies of the Growth Plan and other City Codes and policies by providing compatible land uses adjacent to existing single-family residential neighborhoods.

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

Adequate public facilities are currently available and can address the impacts of development consistent with commercial zoning.

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

Not applicable. This proposal is to zone property to be in conformance with the current Growth Plan Land Use Map and existing land uses along the I-70B corridor.

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

The Planning Commission's recommendation of the C-1 Zoning District will benefit the area as the C-1 District has the Conditional Use Permit requirement for any retail development that has outdoor operations, display or storage, which would allow the adjacent single-family residential neighborhood to have input through a Public Hearing process.

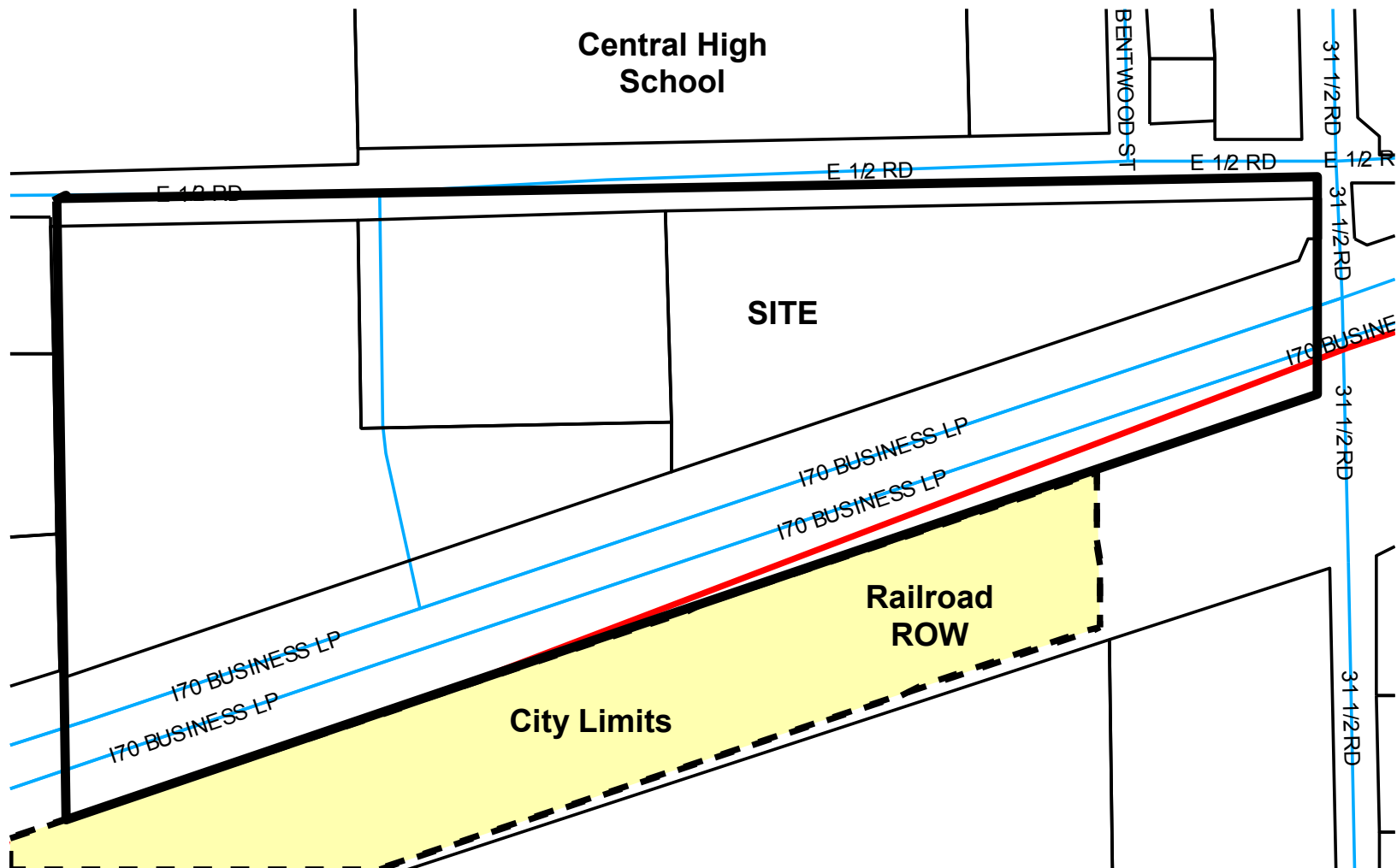
FINDINGS AND CONCLUSIONS:

1. The zone of annexation is consistent with the Growth Plan Future Land Use Map as allowed under the Persigo Agreement.
2. The zone of annexation is consistent with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the requested zone of annexation to the City Council, finding the zoning to the C-1, Light Commercial district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

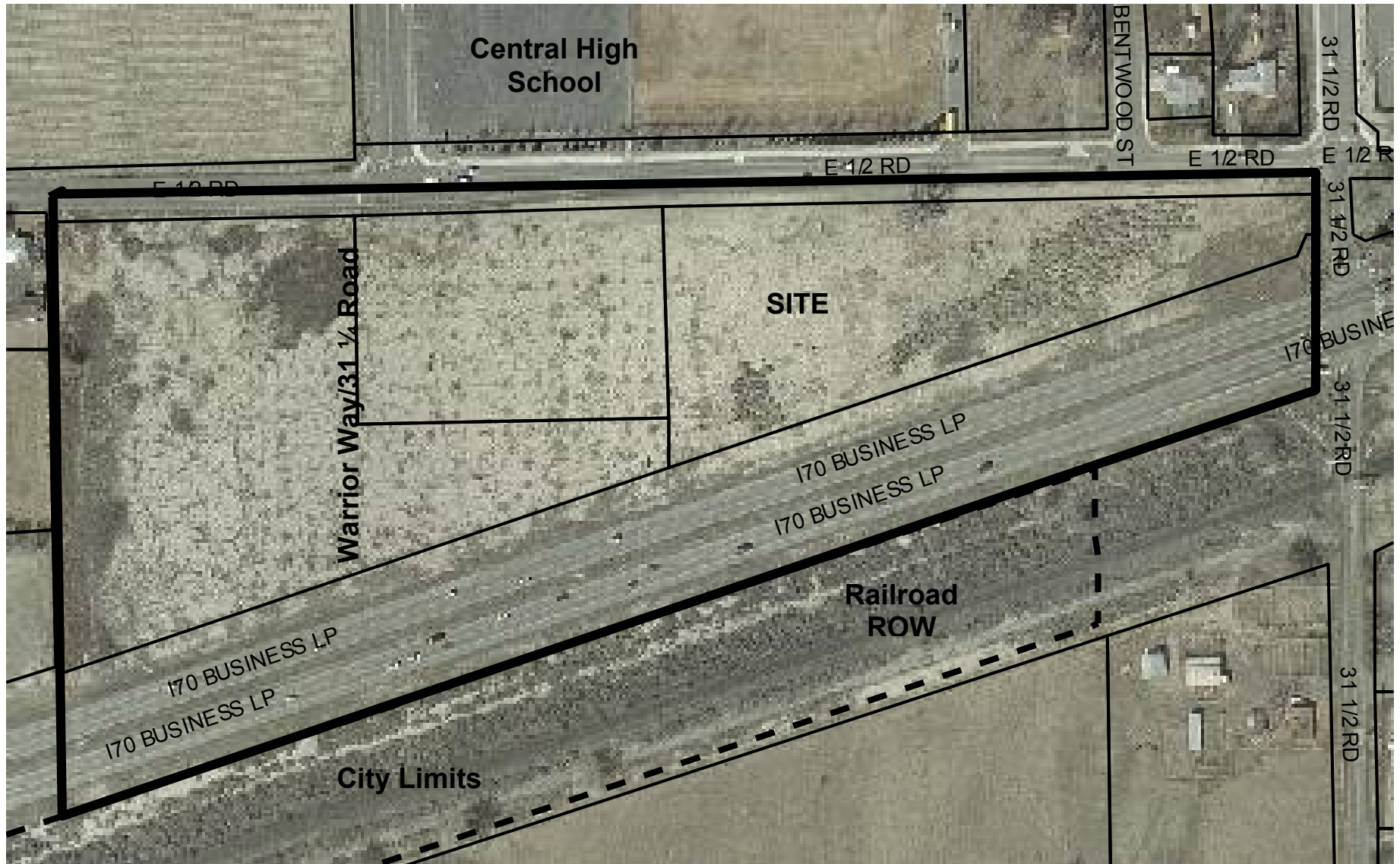
Site Location Map – Bretsel Annexation

Figure 1



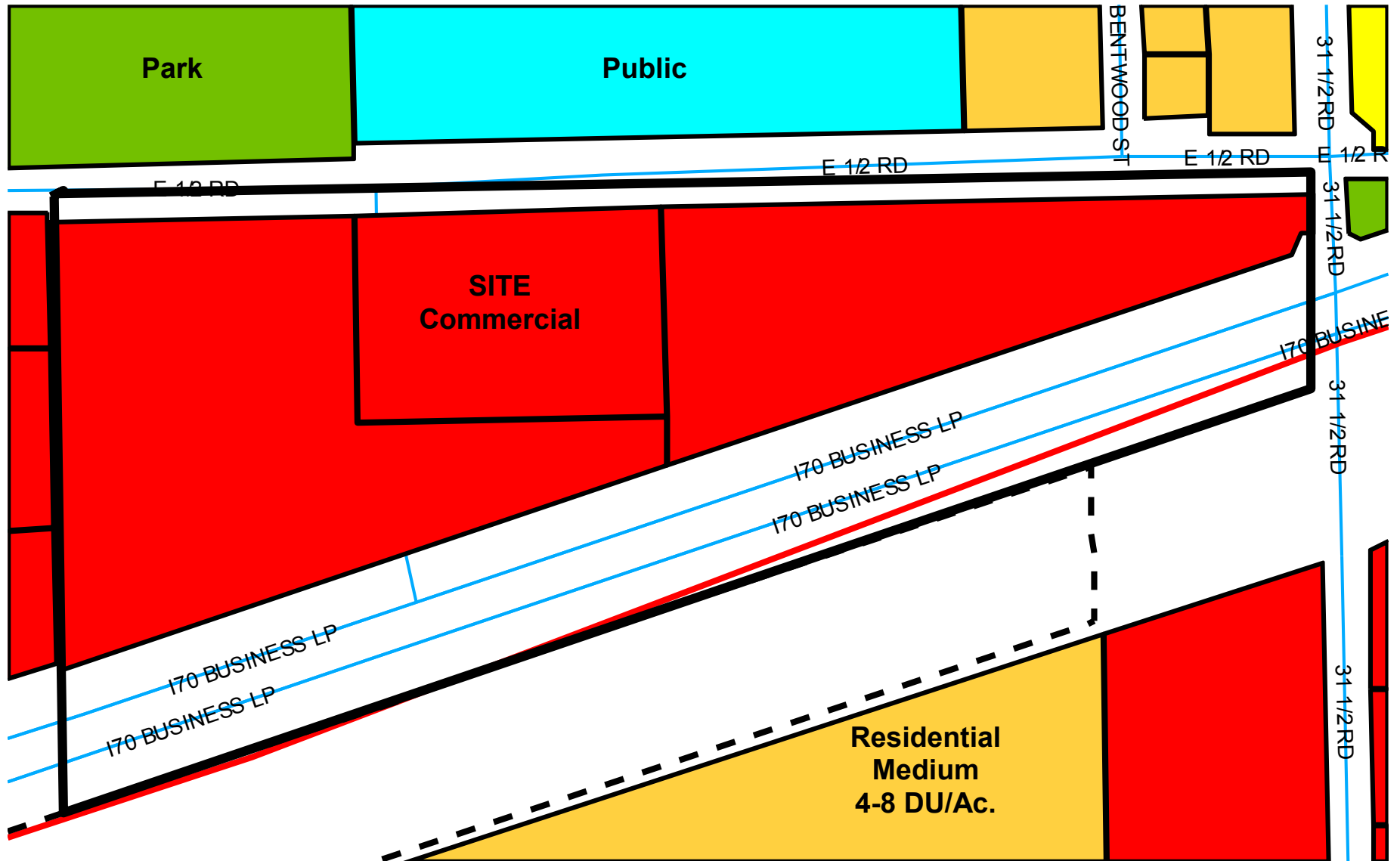
Aerial Photo Map – Bretsel Annexation

Figure 2



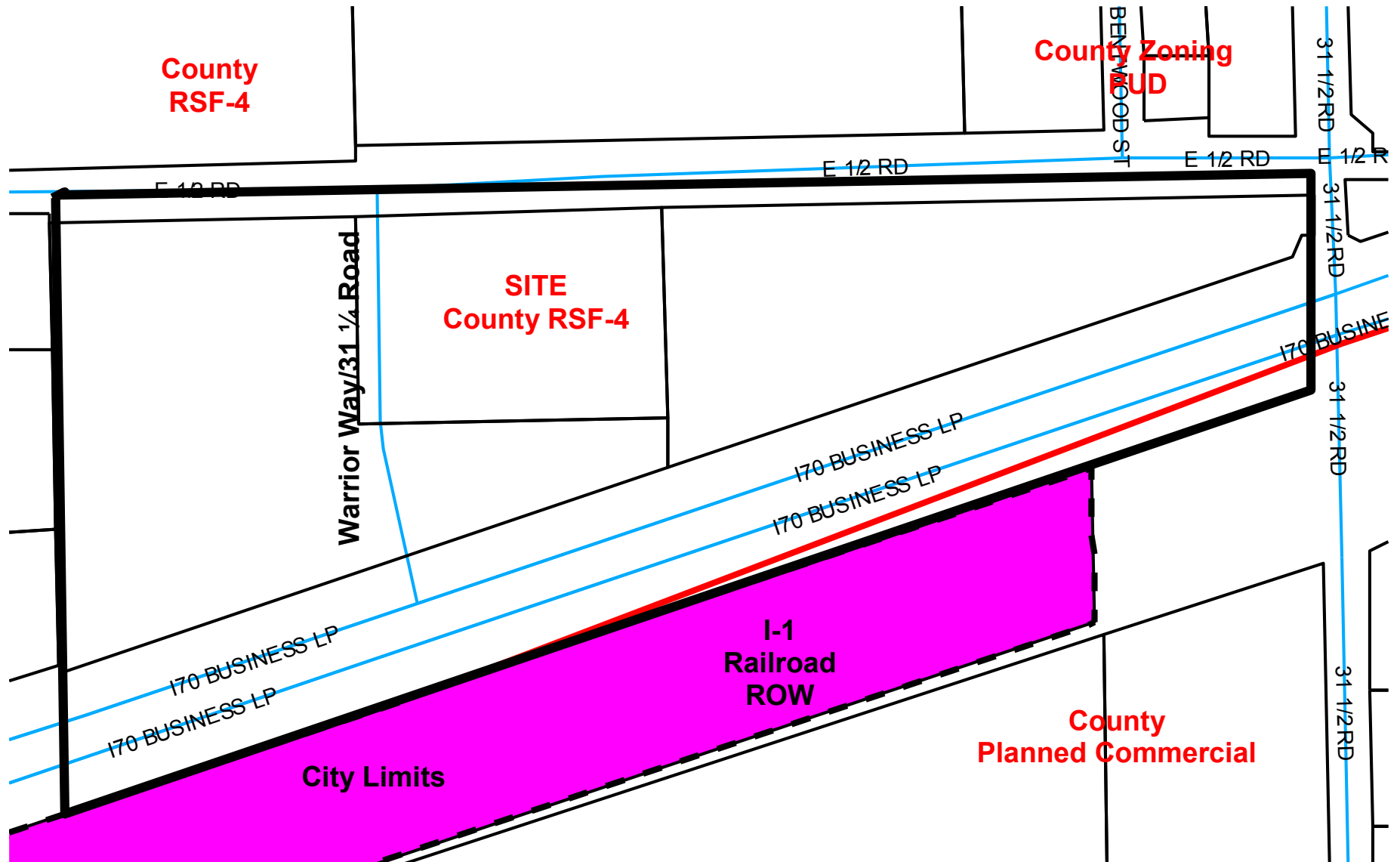
Future Land Use Map – Bretsel Annexation

Figure 3



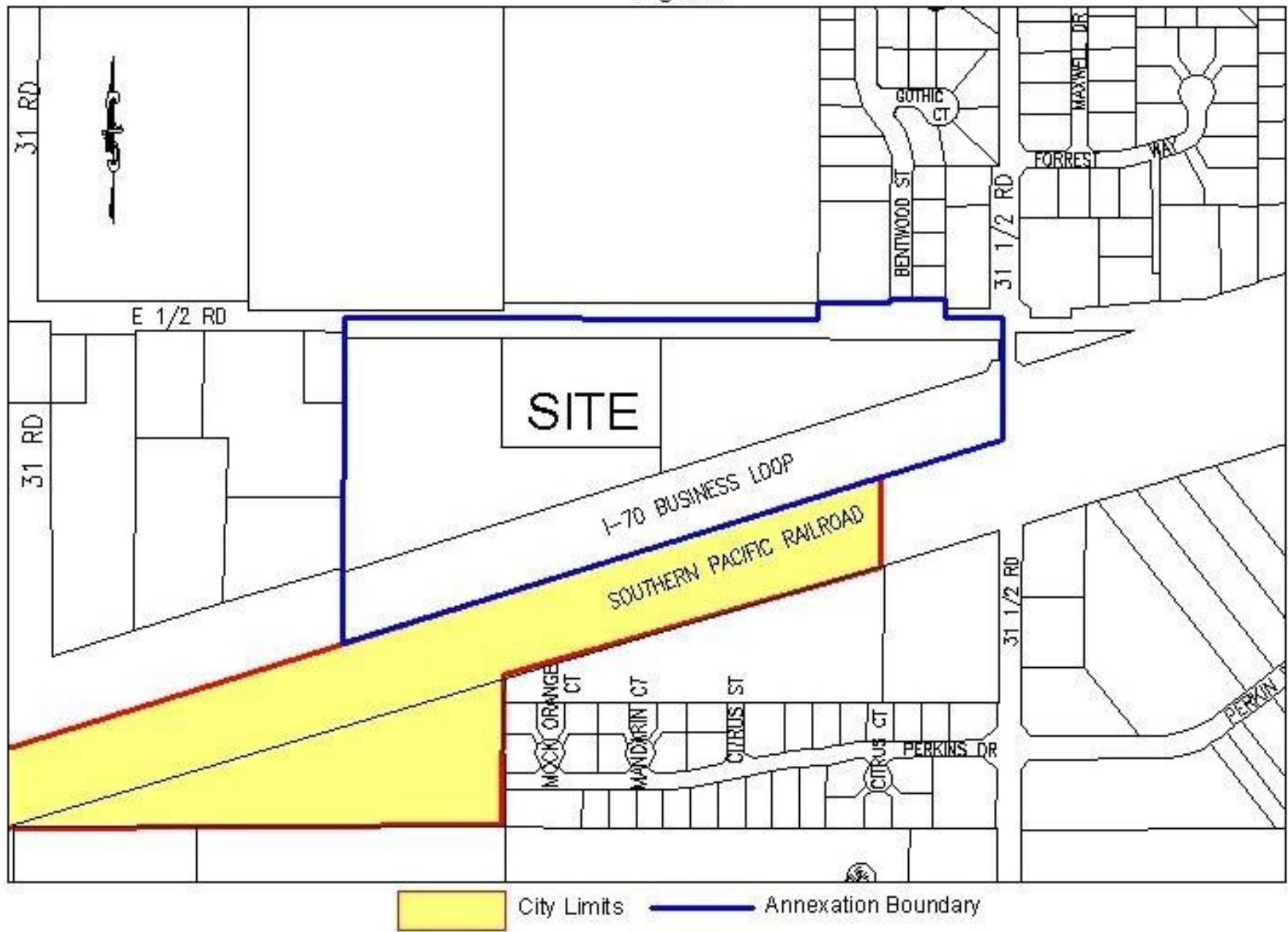
Existing City and County Zoning – Bretsel Annexation

Figure 4



Bretsel Annexation

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE BRETSEL ANNEXATION
TO LIGHT COMMERCIAL (C-1)**

LOCATED AT 3145 E ½ Road

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a C-1, Light Commercial 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 C-1, Light Commercial zone district be established.

The Planning Commission and City Council find that the C-1, Light Commercial 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 rezoned Light Commercial (C-1).

PERIMETER BOUNDARY LEGAL DESCRIPTION

BRETSEL ANNEXATION

A certain parcel of land lying in the Southwest Quarter (SW 1/4) and the Northwest Quarter (NW 1/4) of Section 10, 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 Northeast corner of the SW 1/4 of said Section 10 and assuming the North line of the SW 1/4 of said Section 10 bears N 89°59'33" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'33" W along the North line of the SW 1/4 of said Section 10 a distance of 20.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°59'33" W along the North line of the SW 1/4 of said Section 10, a distance of 145.00 feet to its intersection with the Southerly extension of the East line of Heritage-East Subdivision, as same is recorded in Plat Book 12, Page 160, Public Records of Mesa County, Colorado; thence N 00°05'24" W along said projected East line, a distance of 50.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°59'33" W along said North right of way, a distance of 140.01 feet to a point on the East line of Deb's Place Minor Subdivision, as same is recorded in Plat Book 19, Page 204, Public Records of Mesa County, Colorado; thence S 00°05'47" E along said East line, a distance of 10.00 feet to a point on the North right of way for said E-1/2 Road; thence S 89°59'33" W along said North right of way, a distance of 186.75 feet to a point being the Southwest corner of said Deb's Place Minor Subdivision; thence S 00°05'47" E along the Southerly extension of the West line of said Deb's Place Minor Subdivision, a distance of 40.00 feet to a point on the North line of the SW 1/4 of said Section 10; thence S 89°59'33" W along the North line of the SW 1/4 of said Section 10, a distance of 1240.24 feet; thence S 00°01'04" E a distance of 847.72 feet to a point on the North right of way for the South Pacific Transportation Company; thence N 73°01'17" E along said North right of way, being the North line of the Southern Pacific Railroad Annexation No. 2, Ordinance No. 3159, City of Grand Junction, a distance of 1789.69 feet; thence N 00°00'03" E along a line 20.00 feet West of and parallel with, the East line of the SW 1/4 of said Section 10, a distance of 325.33 feet, more or less, to the Point of Beginning.

CONTAINING 23.382 Acres (1,018,535.2 Sq. Ft.) more or less, as described.

Introduced on first reading this 2nd day of June, 2004 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 3

Setting a Hearing to Appeal a Planning Commission Decision – 2938 North Avenue – Palace Pointe Market Place

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Setting a Hearing to appeal a Planning Commission decision regarding the denial of a variance request – 2938 North Avenue – Palace Pointe Market Place							
Meeting Date	June 2, 2004							
Date Prepared	May 26, 2004				File #VAR-2004-056			
Author	Scott D. Peterson		Associate Planner					
Presenter Name	Scott D. Peterson		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: The applicant, North Avenue Center, LLC, wishes to set a hearing date to appeal the Planning Commission’s decision regarding denial of their variance request of the Zoning & Development Code’s requirement to provide a six foot (6’) masonry wall between a C-1, Light Commercial and a RMF-8, Residential Multi-Family – 8 units/acre (County) Zoning District. Per Section 2.18 E. 4. g. of the Zoning & Development Code, the appeal shall be scheduled within forty-five (45) calendar days of receipt of the appeal.

Budget: N/A

Action Requested/Recommendation: Set a hearing date of June 16, 2004.

Attachments:

Applicants appeal letter

**Planning
Solutions, Inc.**

JO MASON

674 26 Road
Grand Junction, CO 81506
Phone: 970-242-7999
Fax: 970-255-6434

E-mail: plansolutns@aol.com

Professional Land Development Consulting Services

May 20, 2004

Scott Peterson
City of Grand Junction
Community Development Department
250 5th Street
Grand Junction, CO 81501

RE: Palace Pointe Market Place

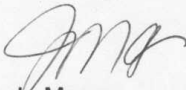
Dear Mr. Peterson:

On behalf of my clients, Mr. Tom Bolger and Alco Building Company, Inc., please except this letter as a request to be heard before the City Council on a decision that was made by the City Planning Commission on May 11, 2004, for a variance on the Palace Point Market Place property.

After speaking with staff in your Department this is the direction we were given. Please notify me of the date of the hearing and the procedures for submittal.

If you have questions or wish to discuss this matter, please do not hesitate to contact me at 242-7999.

Sincerely,



Jo Mason
PLANNING SOLUTIONS, INC.

xc: Mr. Tom Bolger
Mr. William Oswald, Alco Building Company, Inc.

RECEIVED
MAY 21 2004
COMMUNITY DEVELOPMENT
DEPT.

Attach 4

Setting a Hearing on Zoning the SGH 27 Road Annexation Located at 215 27 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the SGH 27 Road Annexation, located at 215 27 Road					
Meeting Date	June 2, 2004					
Date Prepared	May 27, 2004				File # VE-2004-036	
Author	Lisa E. Cox, AICP			Senior Planner		
Presenter Name	As above			As above		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: First reading of the Zoning ordinance to zone the SGH 27 Road Annexation Residential Single Family-2 (RSF-2), located at 215 27 Road.

Budget: N/A

Action Requested/Recommendation: Approve first reading of the zoning ordinance and set a public hearing for June 16, 2004.

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 (Figure 4)
6. Annexation Map (Figure 5)
7. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		215 27 Road			
Applicant:		SGH Company, LLC (David Behrhorst, Managing Partner)			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Mining-Gravel Pit			
	East	Residential			
	West	Water Treatment Plant			
Existing Zoning:		RSF-4 and PUD (Mesa County)			
Proposed Zoning:		RSF-2 (Residential Single-Family, not to exceed 2 units/acre)			
Surrounding Zoning:	North	RSF-2 (City); RSF-4 (Mesa County)			
	South	RSF-4 (Mesa County)			
	East	RSF-4 (Mesa County)			
	West	CSR (City)			
Growth Plan Designation:		Residential Medium-Low, 2-4 units/acre			
Zoning within density range?		X	Yes		No

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the SGH 27 Road Annexation is the Residential Single-family, 2 dwelling units per acre (RSF-2) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RSF-2 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

The annexed property or rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

- 1. The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. The property is located in an area with developing residential uses. The request for Residential Single-family, 2 units/acre (RSF-2) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The requested rezone to RSF-2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. The proposal is in conformance with the Growth Plan, and the policies and 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. Adequate public facilities and services are currently available and can address the impacts consistent with the RSF-2 zone district.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium-Low, 2-4 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Single-family, 2 units/acre (RSF-2) zone district is appropriate for this property when it develops.

7. The community or neighborhood will benefit from the proposed zone. The surrounding neighborhood and community would benefit from the proposed rezone by providing a development which meets the goals and policies of the Growth Plan.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission made a recommendation of approval of the Residential Single-Family-2 (RSF-2) zone district for the following reasons:

- RSF-2 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RSF-2 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

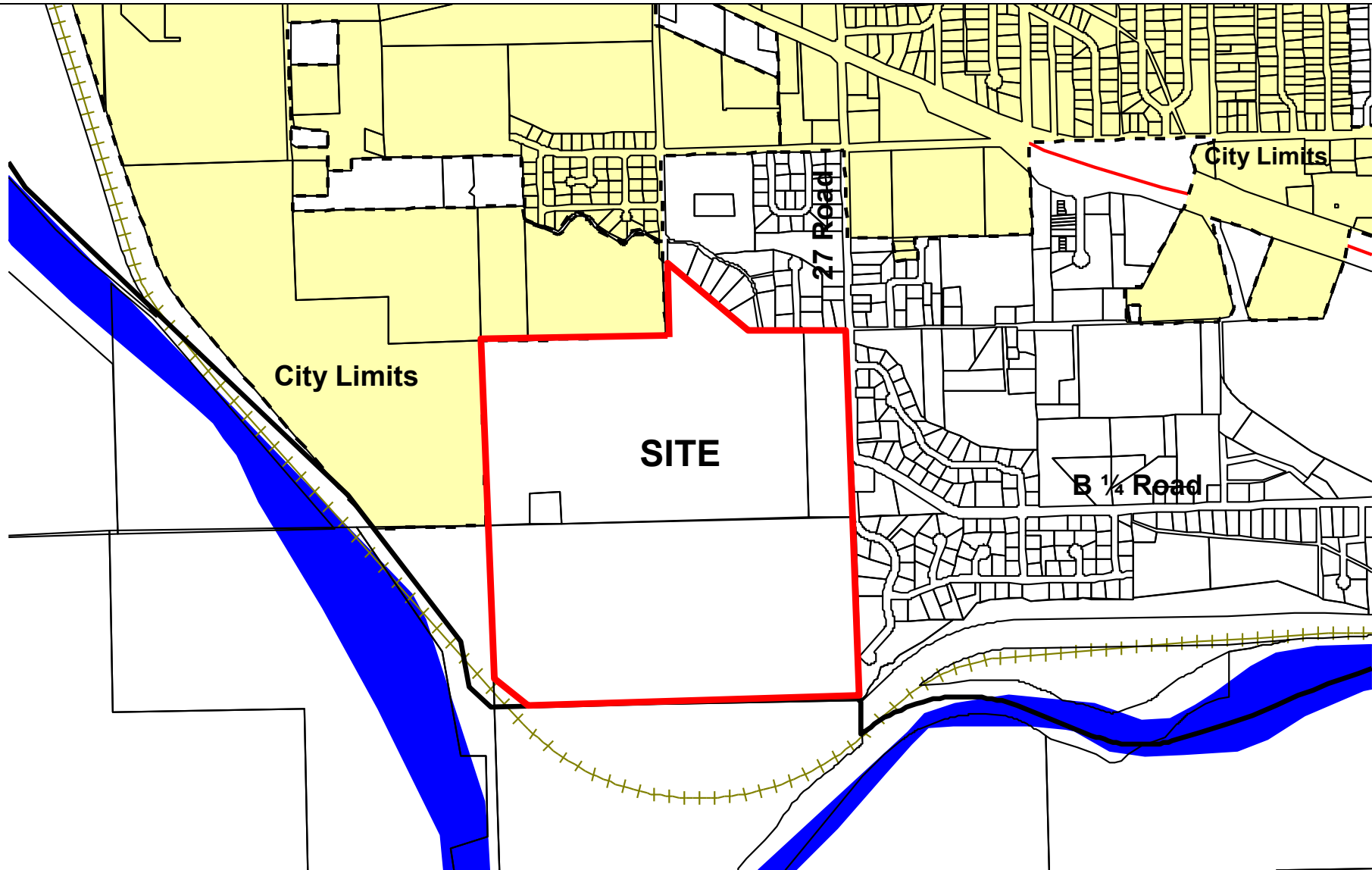
Attachments:

1. Site Location Map (Figure 1)
2. Aerial Photo Map (Figure 2)
3. Future Land Use Map (Figure 3)
4. Existing City and County Zoning Map (Figure 4)
5. Annexation Map (Figure 5)
6. Zoning Ordinance

H:Projects2004/VE-2004-036/SGHCityZord1

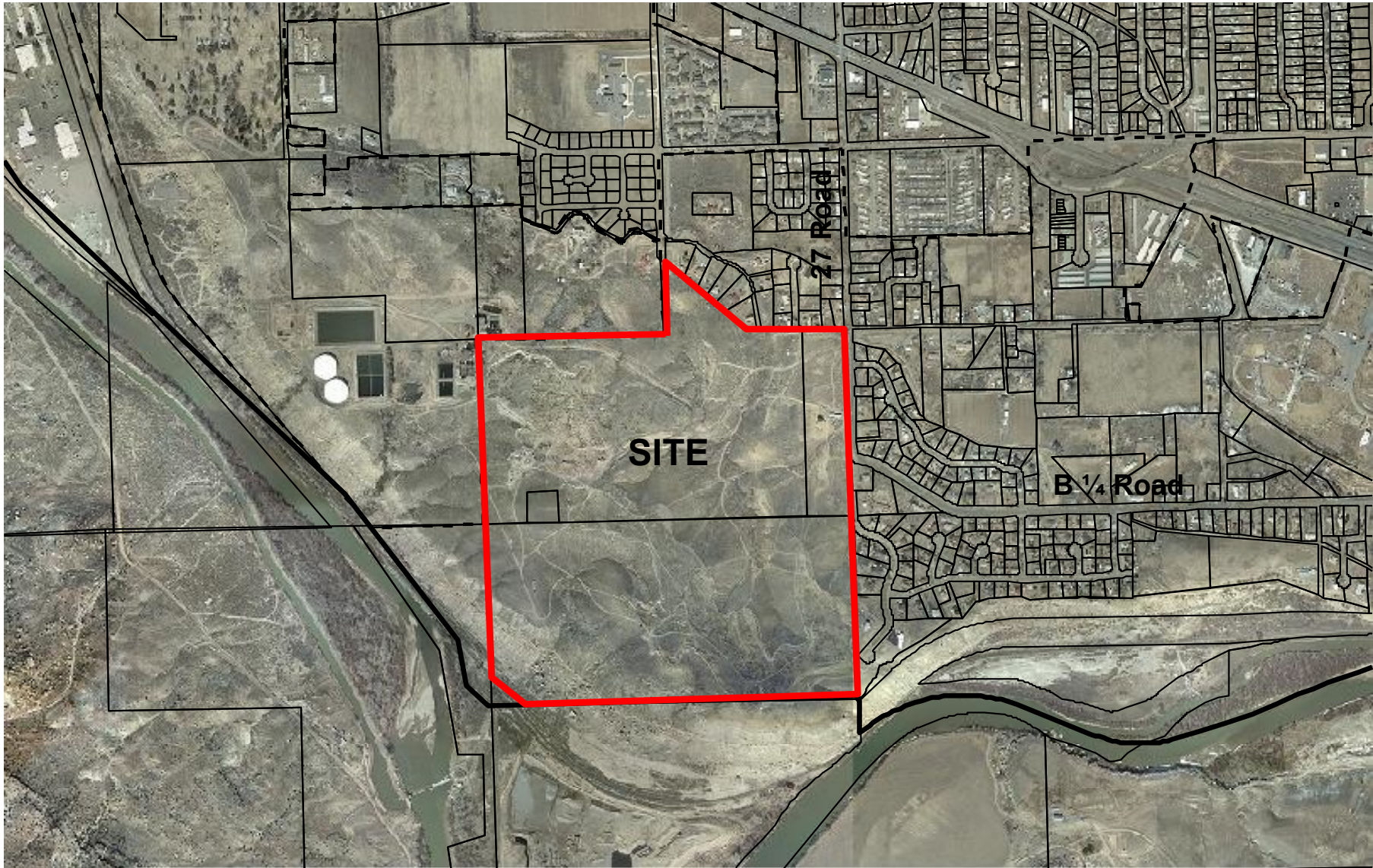
Site Location Map

Figure 1



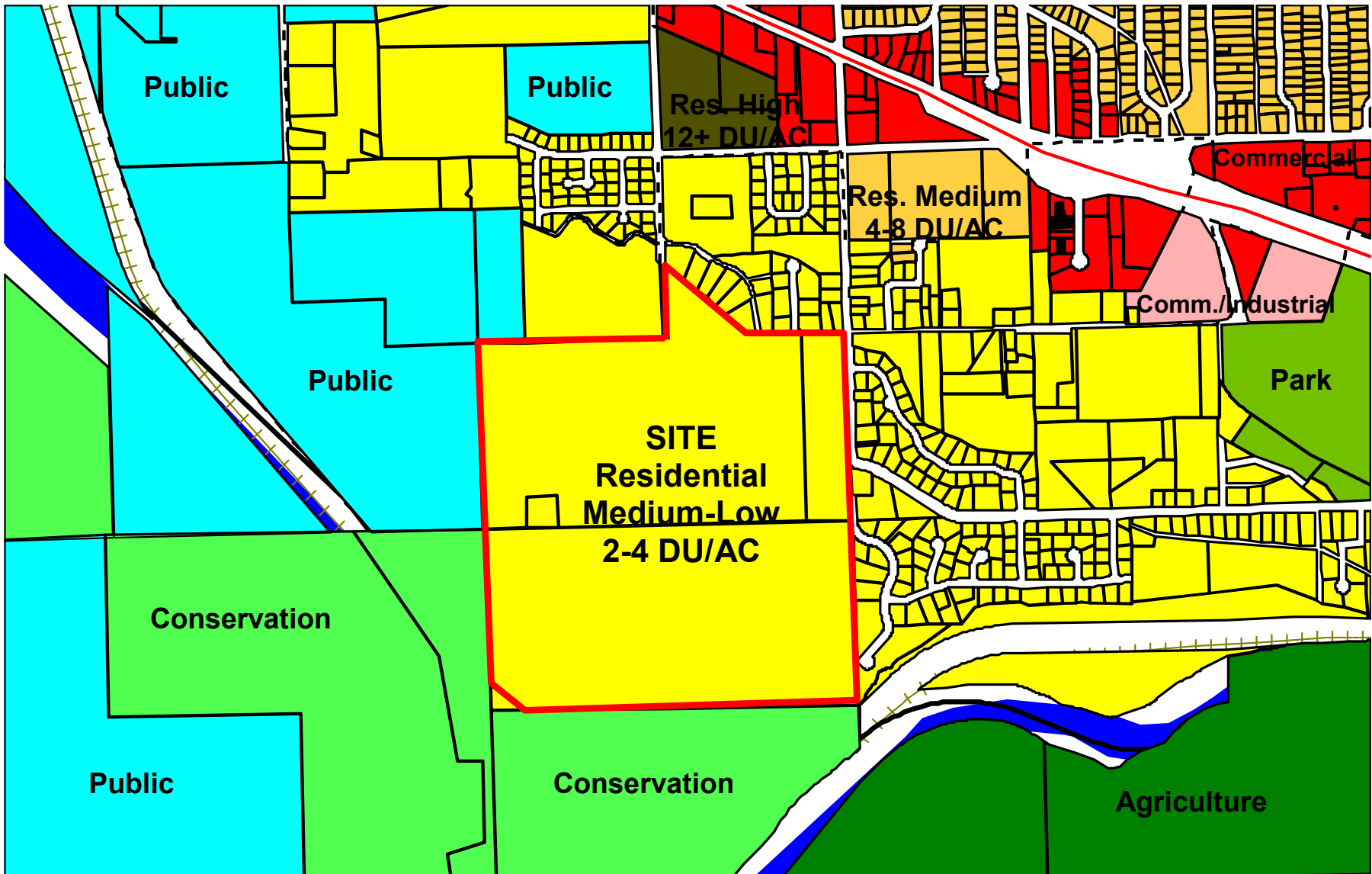
Aerial Photo Map

Figure 2



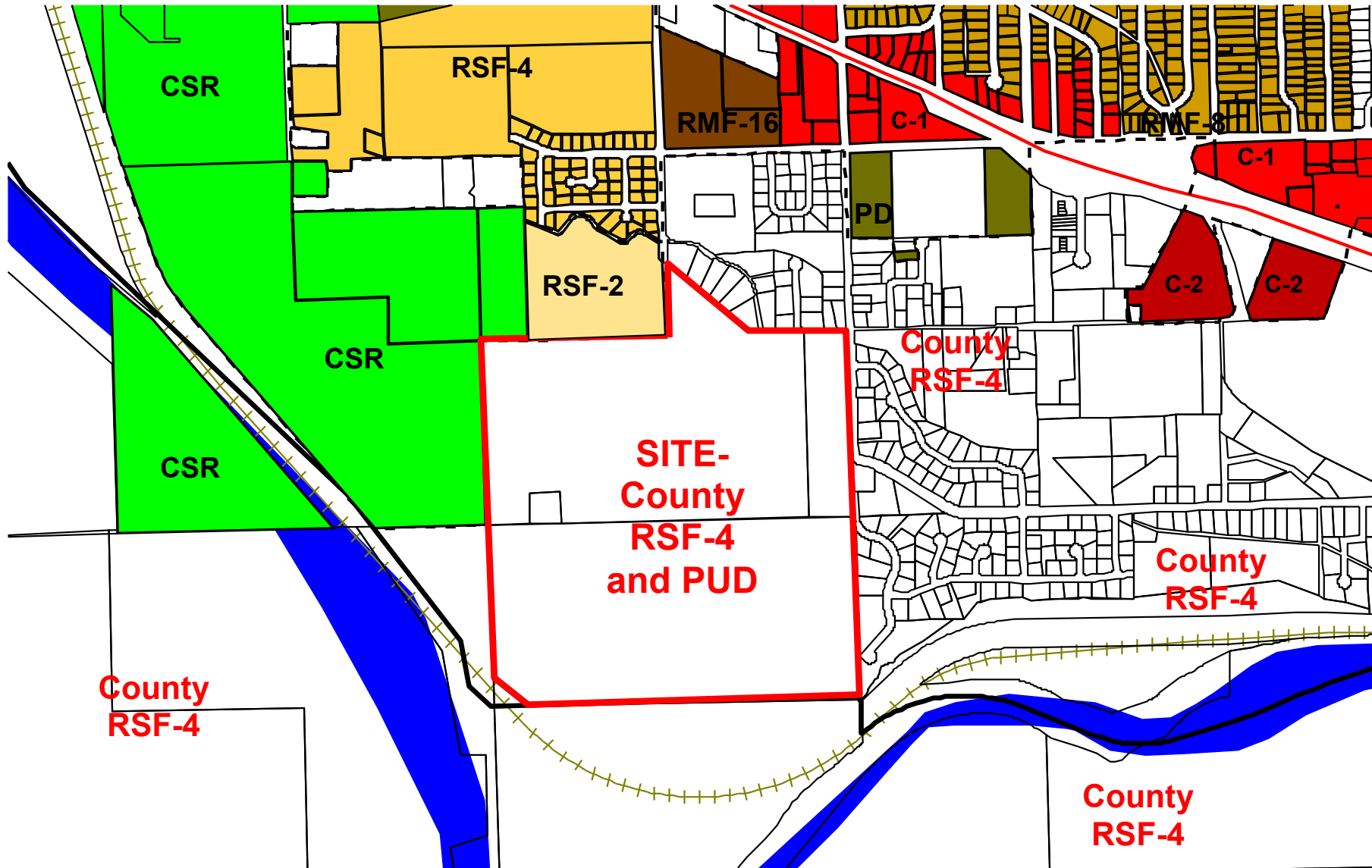
Future Land Use Map

Figure 3



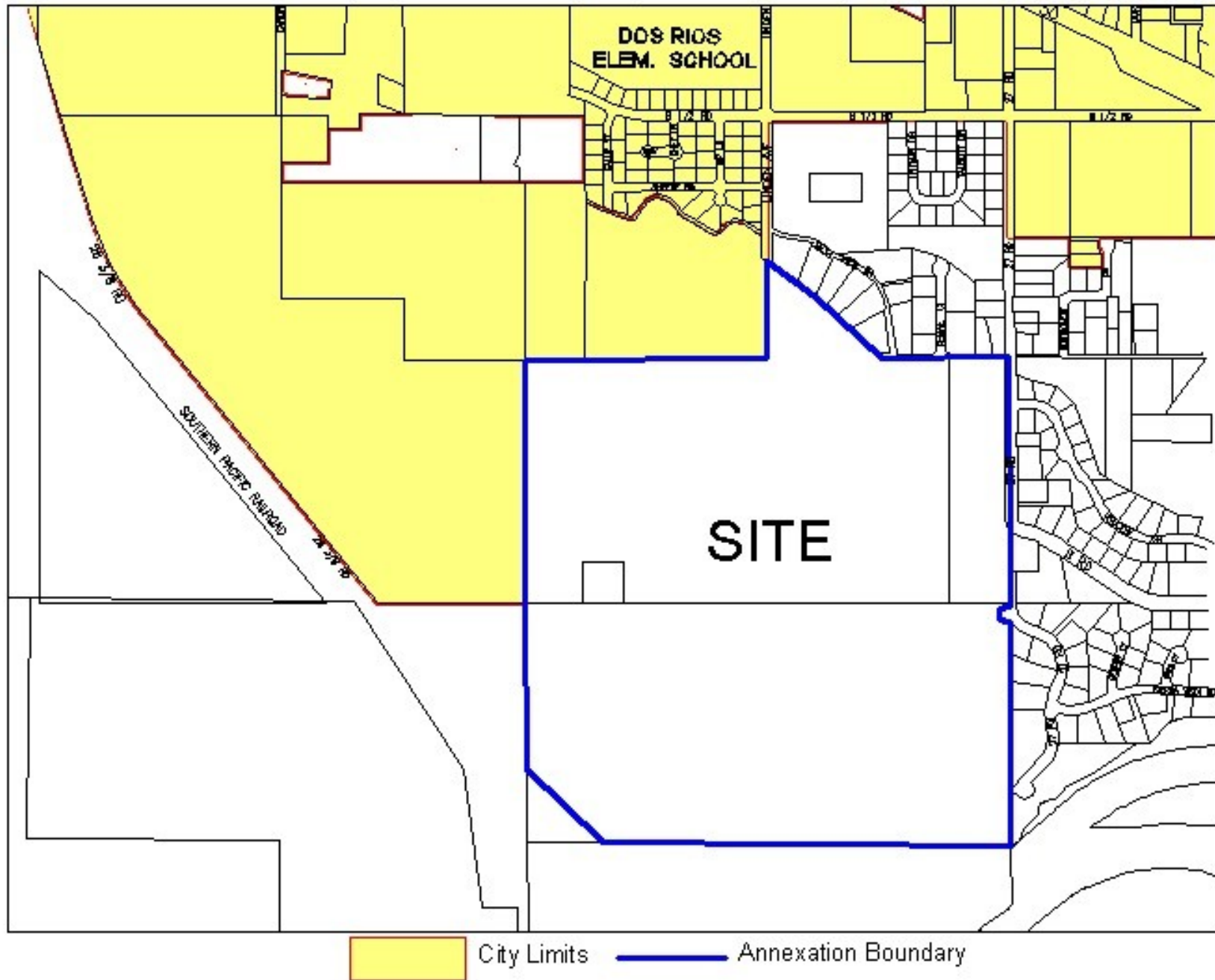
Existing City and County Zoning

Figure 4



SGH 27 Road Annexation

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**An Ordinance Zoning the SGH 27 Road Annexation to
Residential Single-Family-2 (RSF-2),
Located at 215 27 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 SGH 27 Road Annexation to the RSF-2 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 lands uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The Planning Commission and City Council find that the RSF-2 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 rezoned RSF-2, Residential Single Family with a density not to exceed 2 units per acre, zone district:

SGH 27 ROAD ANNEXATION

A certain 160.003 acre parcel of land lying in the Southeast Quarter (SE 1/4) of Section 26 and the Northeast Quarter (NE 1/4) of Section 35, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 26 and assuming the North line of the SE 1/4 SE 1/4 of said Section 26 bears N 89°36'01" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°36'01" W along the North line of the SE 1/4 SE 1/4 of said Section 26 a distance of 699.54 feet; thence N 47°05'04" W along the Southerly line of Mesa

View Subdivision, as same is recorded in Plat Book 6, Page 13, Public Records of Mesa County, Colorado, a distance of 485.21 feet; thence N 52°45'48" W along said Southerly line, a distance of 322.42 feet, more or less, to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 26; thence S 00°06'59" E along said East line, a distance of 521.23 feet to a point being the Northwest corner of the SE 1/4 SE 1/4 of said Section 26; thence N 89°36'24" W along the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 26, a distance of 1310.72 feet to a point being the Northwest corner of the SW 1/4 SE 1/4 of said Section 26; thence S 00°06'16" E along the West line of the SW 1/4 SE 1/4 of said Section 26, a distance of 1316.42 feet to a point being the Southwest corner of the Southeast Quarter (SE 1/4) of said Section 26; thence S 00°04'15" W along the West line of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of said Section 35, a distance of 924.34 feet; thence S 46°51'19" E a distance of 576.87 feet, more or less, to a point on the South line of the North-half of the Northeast Quarter (N 1/2 NE 1/4) of said Section 35; thence S 89°30'18" E along said South line, a distance of 2191.05 feet to a point being the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 35; thence N 00°09'20" E along the East line of the NE 1/4 NE 1/4 of said Section 35, a distance of 1185.13 feet to a point being the beginning of a 50.00 foot radius curve, concave East, whose long chord bears N 00°09'20" E with a long chord length of 100.00 feet; thence 157.08 feet Northerly along the arc of said curve, through a central angle of 90°00'00"; thence continuing along the East line of the NE 1/4 NE 1/4 of said Section 35, N 00°09'20" E a distance of 30.20 to a point being the Southeast corner of said Section 26; thence N 00°11'42" E along the East line of the SE 1/4 SE 1/4 of said Section 26, a distance of 1320.72 feet, more or less, to the Point of Beginning.

CONTAINING 160.003 Acres (6,969,731.0 Sq. Ft.), more or less, as described.

Housing type, density and bulk standards shall be for the RSF-2 zone district.

Introduced on first reading this 2nd day of June, 2004.

PASSED and ADOPTED on second reading this ____ day of June, 2004.

Mayor

ATTEST:

City Clerk

Attach 5

Setting a Hearing on Sanitary Sewer Improvement District No. SS-45-03

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	First Reading of a Proposed Assessing Ordinance for Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road).					
Meeting Date	June 2, 2004					
Date Prepared	May 26, 2004				File #	
Author	Mike Grizenko			Real Estate Technician		
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	X	Consent	Individual Consideration

Summary: First Reading of a Proposed Assessing Ordinance for the apportionment of costs associated with Sanitary Sewer Improvement District No. SS-45-03 (26 ½ Road).

Budget: Sufficient funds were transferred in 2003 from Fund 902 - the Sewer System General Fund, to Fund 906 – the Septic System Elimination Fund, to support expenses related to this project. Except for the 30% Septic System Elimination contribution, this fund will be reimbursed by assessments to be levied against the nine benefiting properties. The estimated versus actual costs and assessments are as follows:

Item	Original Estimate	Actual	Difference
Total Project Costs*	\$107,366.00	\$ 95,349.25	- \$12,016.75
30% Contribution	\$ 32,209.80	\$ 28,604.78	- \$ 3,605.02
Per Lot Assessment**	\$ 8,350.69	\$ 7,416.05	- \$ 934.64

* Total Project Costs include design, construction, inspection and administration.

**Assessments do not include Plant Investment Fees, Trunk Line Extension Fees, and costs to connect to the sewer main. (See explanation under the Background section.)

Action Requested/Recommendation: Review and Adopt a Proposed Ordinance on First Reading for Sanitary Sewer Improvement District No. SS-45-03 and set a Public Hearing and Second Reading for the June 16, 2004 Council meeting.

Attachments:

1. Vicinity Map
2. Ownership Summary Sheet
3. Proposed Ordinance

Background Information: Improvement Districts are a cost-sharing program between the City and property owners who request the City's assistance in installing new or improved infrastructure to their neighborhood. People's Ordinance No. 33 authorizes the City Council to create Improvement Districts when petitioned by a majority of the property owners to be assessed. The petition for this Improvement District was signed by 67% of the property owners.

A summary of the process that follows submittal of the petition is provided below. Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. √ City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. √ Council conducts a public hearing and passes a Resolution creating the Improvement District.
3. √ Council awards the construction contract.
4. √ Construction.
5. √ After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
6. √ Council passes a Resolution approving and accepting the improvements and gives notice of a public hearing concerning a proposed Assessing Ordinance.
7. ► Council conducts the first reading of the proposed Assessing Ordinance.
8. Council conducts a public hearing and second reading of the proposed Assessing Ordinance.
9. The adopted Ordinance is published for three consecutive days.

10. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

Property owners are assessed for the actual costs of design, construction, inspection and administration. Under current policy adopted by a joint resolution between the City and Mesa County, Persigo Septic System Elimination Funds pay 30% of the assessable costs.

In addition to assessments, the property owners are responsible for bearing the following expenses:

- ◆ Costs to physically connect their service line to the building to be sewerred;
- ◆ Plant Investment Fees;
- ◆ Trunk Line Extension Fees.

The City is responsible for extending each service line from the sewer main to the property line. The property owner is responsible for extending the service line from their property line to the building to be sewerred.

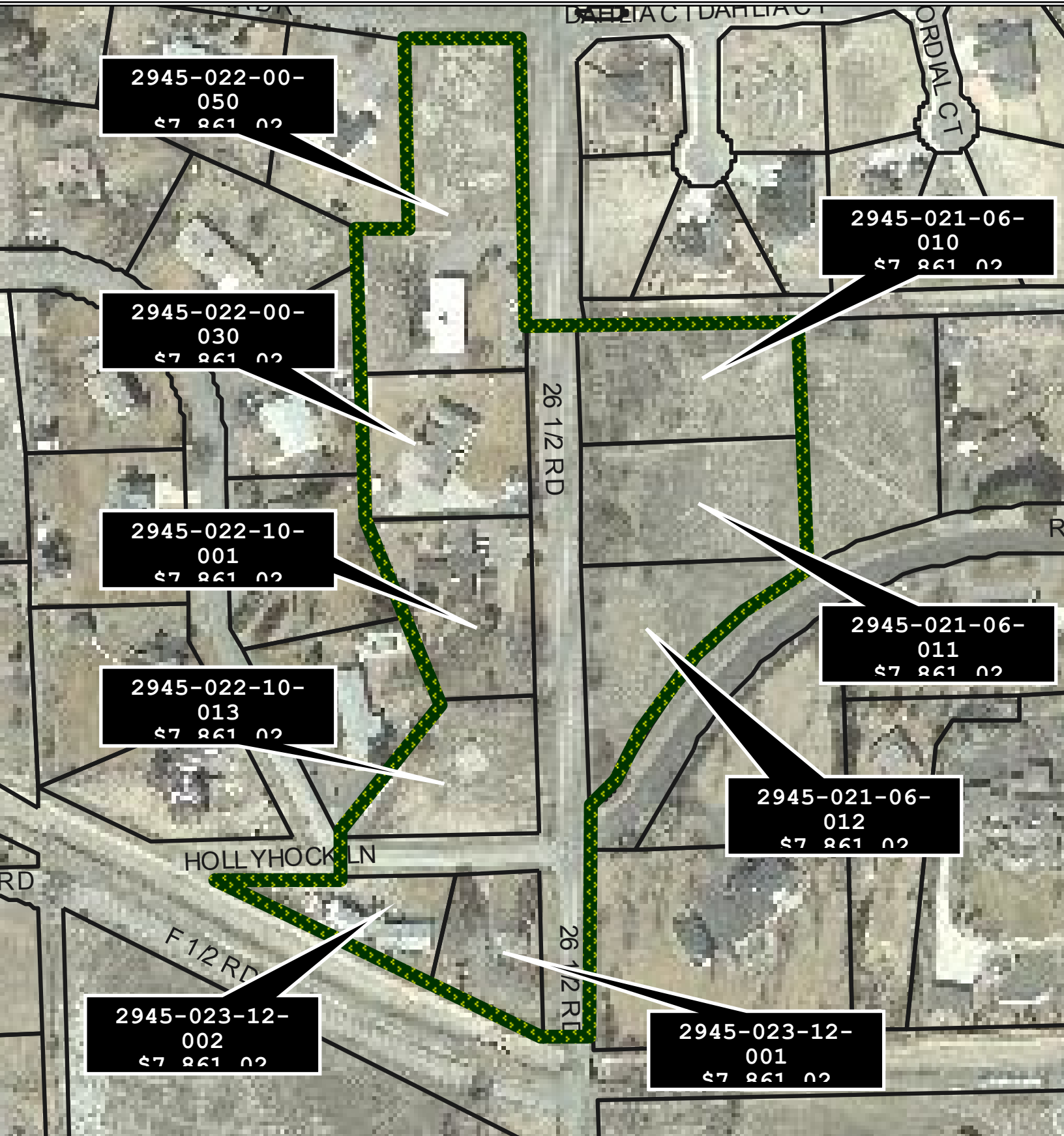
The Plant Investment Fee is currently \$1,250 for each sewer connection. The Plant Investment Fee will be raised to \$1,500 in 2005.

Trunk Line Extension Fees apply only if a trunk line was extended to the neighborhood. Trunk Line Extension Fees are applicable to this Improvement District and vary depending on the size of each individual property, as follows:

- ◆ \$1,000 for properties smaller than 1/3 acre;
- ◆ \$1,500 for properties equivalent to or larger than 1/3 of an acre but smaller than one acre;
- ◆ \$1,750 for properties having one or more acres.

The published assessable costs of \$7,861.02 per lot include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by July 23, 2004. Assessments not paid in full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining principal balance.

BOUNDARY OF THE 26 1/2 ROAD SANITARY SEWER IMPROVEMENT DISTRICT



OWNERSHIP SUMMARY

26 ½ ROAD SANITARY SEWER IMPROVEMENT DISTRICT No. SS-45-03

SCHEDULE NO.	OWNERSHIP	PROPERTY ADDRESS
2945-022-00-050	L. Lucille Perry, Trustee	665 26 ½ Road
2945-022-00-030	• Virginia von Storch, Trustee	657 26 ½ Road
2945-022-10-011	• The R & R Company	653 26 ½ Road
2945-022-10-013 ¹	• Robert W. & Nancy L. Uhl	650 Larkspur Lane
2945-021-06-010 ²	• Cecily Ray	Vacant
2945-021-06-011	• Cecily Ray	Vacant
2945-021-06-012 ³	• Cecily Ray	Vacant
2945-023-12-002	Ben & Cheryl Kilgore	649 26 ½ Road
2945-023-12-001	Christopher Chessani	2647 Larkspur Lane
<ul style="list-style-type: none"> • Indicates Property Owners Signing Petition = 6 of 9 owners or 67% 		
¹ Now owned by Sandra L. & David F. Geer Jr.		
² Now owned by Roger A. Harris.		
³ Now owned by Nancy L. & Robert W. Uhl.		

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-45-03, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Sanitary Sewer Improvement District No. SS-45-03, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Sanitary Sewer Improvement District No. SS-45-03, and the apportionment of cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Sanitary Sewer Improvement District No. SS-45-03, in the City of Grand Junction, Colorado, which said Notice was caused to be published in the Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on May 7, 2004, and the last publication thereof appearing on May 9, 2004); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the City Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Sanitary Sewer Improvement District No. SS-45-03, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Sanitary Sewer Improvement District No. SS-45-03 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$70,749.18, said sum including a one-time charge of six percent (6%) for costs of collection and other incidentals; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

TAX SCHEDULE NO.	LEGAL DESCRIPTION	ASSESSMENT
2945-022-00-050	BEG 602.3FT N OF SE COR NW4 SEC 2 1S 1W, W 240 FT, N 181.5 FT, E 240FT S TO BEG & LOT 13 NORTHFIELD ESTATES SUB SD SEC 2 EXC RD IN B-939 P-74 MESA COUNTY RECORDS.	\$7,861.02
2945-022-00-030	BEG 420.8FT N OF SE COR NW4 SEC 2 1S 1W, W 240 FT, N181.5FT, E 240 FT, S TO BEG EXC RD IN B 939 P 73 COUNTY CLERKS OFFICE.	\$7,861.02
2945-022-10-011	LOT 24 NORTHFIELD ESTATES SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-022-10-013	LOT 25 NORTHFIELD ESTATES SUB SEC 2 1S1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-021-06-010	LOT 1 ROUND HILL SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-021-06-011	LOT 2 ROUND HILL SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-021-06-012	LOT 3 ROUND HILL SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-023-12-002	LOT 26 NORTHFIELD ESTATES SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION.	\$7,861.02
2945-023-12-001	LOT 27 NORTHFIELD ESTATES SUB SEC 2 1S 1W, CITY OF GRAND JUNCTION	\$7,861.02

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty (30) days shall be conclusively considered and held an election on the part of such owner to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of eight percent (8%) per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of eight percent (8%) per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at the rate of eight percent (8%) per annum as aforesaid; and all penalties accrued, and shall

thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty (30) days after the final publication of this Ordinance, and an allowance of the six percent (6%) added for cost of collection and other incidentals shall be made on all payments made during said period of thirty (30) days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Sanitary Sewer Improvement District No. SS-45-03 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Sanitary Sewer Improvement District No. SS-45-03, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading, shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten (10) days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced on First Reading this 2nd day of June, 2004.

Passed and Adopted on the _____ day of _____, 2004

Attest:

City Clerk

President of the Council

Attach 6

Amendment #3 to ICON Engineering

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Amendment #3 to ICON Engineering for completion of Conditional Letter of Map Revision (CLOMR).						
Meeting Date	June 2, 2004						
Date Prepared	May 25, 2004				File #		
Author	Bret Guillory			Utility Engineer			
Presenter Name	Mark Relph			Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	N/A	
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Engineering contract amendment # 3 with ICON Engineering, Inc. in the amount of \$94,006 for the preparation and submittal of a Conditional Letter of Map Revision (CLOMR) to the Federal Emergency Management Agency (FEMA) for the Ranchman’s Ditch and Leech Creek drainage areas. The preparation and submittal of the CLOMR is the formal step to gain FEMA approval for the City’s plan (i.e. the “Big Pipe” , Leach Creek and Ranchman’s detention pond projects) to mitigate flooding problems along these two drainages.

Budget: This project has been ongoing since February of 2000, at which time City staff issued an RFP for completion of a hydrologic study for the Ranchman’s and Leach Creek drainages. The project was awarded to ICON Engineering. Since that time, the scope of the project has changed considerably and requirements for the hydrologic study have changed along with the project largely due to errors discovered in the original FEMA flood plain work of the 1980’s.

Staff has been working with ICON Engineering to complete the hydrologic analysis for the changed conditions of the project. Through contract amendments #1 and #2, the Council had approved \$147,981 to complete the CLOMR process. The FEMA errors have redirected the ICON scope to which we have incurred costs to date over the original scope of work at \$47,618. Staff anticipates additional costs of \$46,388 to complete the CLOMR application based upon an alignment of the “Big Pipe” project along the existing Ranchman’s Ditch. Therefore, the contract amendment #3 totals \$94,006 (\$47,981 + \$46,388).

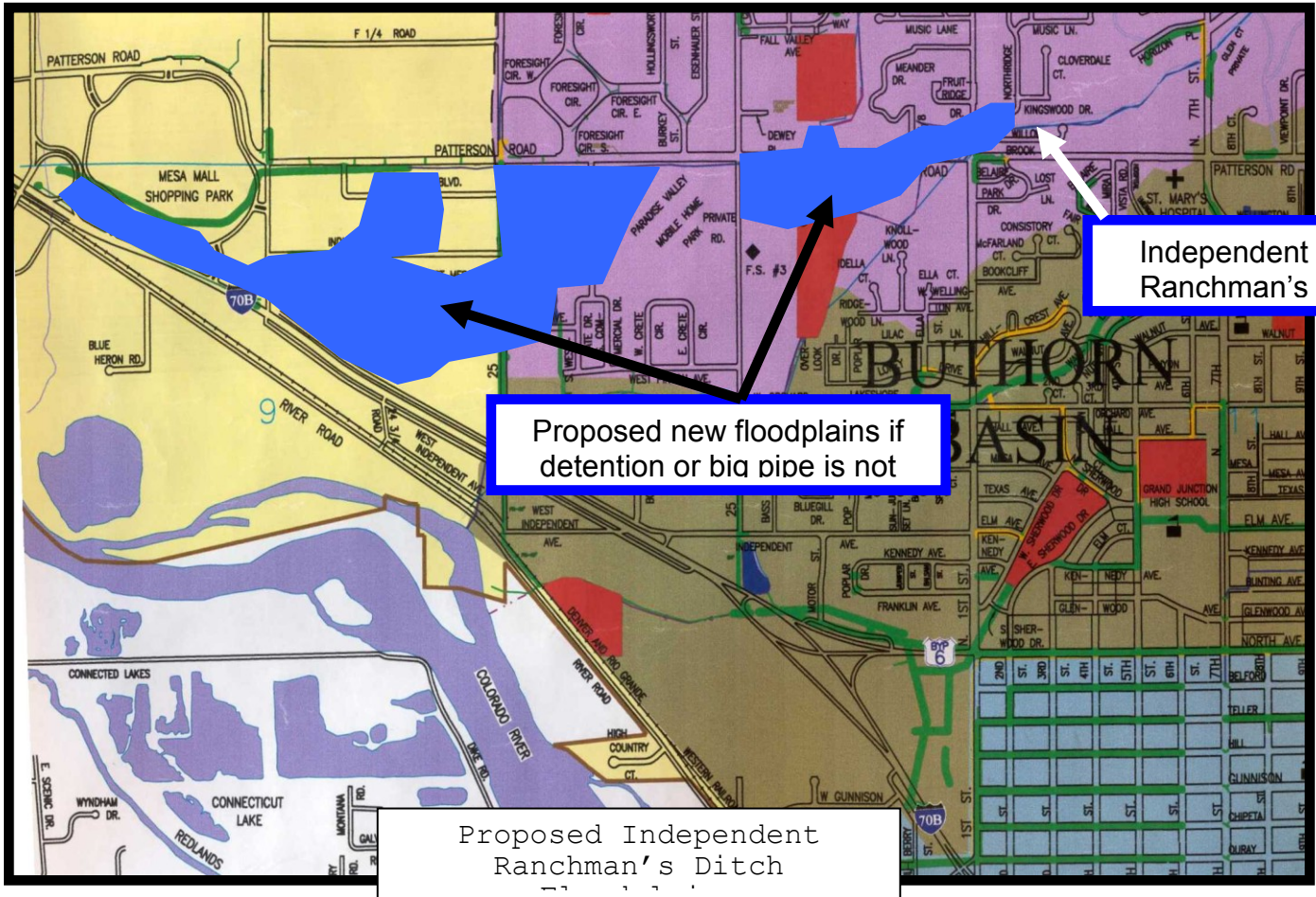
ICON Engineering to Complete CLOMR for Big Pipe project	
Big Pipe Budgeted Funds	\$ 5,400,000
Leach and Ranchman's Detention Ponds	\$ 958,237
Subtotal	\$ 6,358,237
Original Scope with Amend. #1 & #2	\$ (147,981)
Contract Amendment #3	\$ (94,006)
Design Work to date for Big Pipe& Detention Ponds.	\$ (115,000)
Remaining Budget	\$ 6,001,250

Action Requested/Recommendation: Council approval of a Engineering Contract Amendment #3 with ICON Engineering, Inc. in the amount of \$94,006 for the completion of CLOMR for Ranchman’s and Leach Creek Drainages.

Attachments: None.

Background Information: Independent Ranchman’s Ditch and Leach Creek drainages have been determined to need substantial drainage improvements in order to provide protection from the 100-year storm to downstream homes and businesses which include Mesa Mall restaurants. The “do nothing” alternative may lead to federal action by FEMA to re-map the drainage basin showing many more properties in the floodplain. Funding for the project in the amount of \$6,358,000 has been approved by Council and allocated in Fund 202 for design and construction of the Ranchman’s Ditch and Leach Creek Drainage improvements that include detention facilities north of town and construction of an improved conveyance system along Ranchman’s Ditch. ICON Engineering has been working on the hydrologic/hydraulic analysis needed to complete the Conditional Letter of Map Revision (CLOMR) from FEMA for the project.

Recent floodplain studies of Independent Ranchman’s Ditch have found that the original floodplain mapping completed in 1989 and subsequently adopted by FEMA in 1992 was based on flawed hydrology. For reference of the magnitude of the difference in hydrology, the 1992 mapping was based on 350 cubic feet per second (cfs) at 1st and Patterson. Updated hydrology has found that the 100-year event would generate 800 cfs, an increase of 228%. These additional flows, coupled with the insufficient stormwater conveyance infrastructure along the corridor, represent a significant risk to public health and safety.



In 2000, the City undertook an extensive effort to revise the floodplain mapping at Mesa Mall and along “restaurant row” on Highway 6 and 50. This required numerous meetings with Mesa Mall, briefings to the Chamber of Commerce Board of Directors, meetings with property owners, and a moratorium on development within the area until the flood plain was maximized and the flood hazard maps revised. This “optimization” of the floodplain mapping was based on the 1992 hydrology that generated only 350 cfs.

If a funded solution is not submitted to FEMA, along with the Conditional Letter of Map Revisions for the Ranchman’s and Leach Creek basins, the FEMA-adopted maps will depict the above areas within the boundaries of a floodplain. If structures within that floodplain are not one foot above the floodplain elevation, those properties would be required by lending institutions to have flood insurance in order to meet the National Flood Insurance Program (NFIP) parameters.

Capital Improvements Alternative

City staff has developed flood control alternatives to deal with flood waters in the Ranchman’s Drainage. However, the \$6.36 million in budgeted funds falls short of the estimated project cost of \$8.2 million, \$6.4 million for the ‘Big Pipe’, and

\$1.8 million for the detention ponds in the upper reaches of Ranchman's and Leach Creek drainages.

We are currently pursuing a Pre-Disaster Mitigation (PDM) grant through the FEMA in the amount of \$3 million that would make up the shortfall in the budget.

The 'Big Pipe' alternative is proposed that employs buried pipe and open channel construction along Patterson Road from 26 Road to Barnes and Noble, and around the south side of the Mesa Mall, to the Colorado River.

When constructed, the proposed improvements would contain the 100-year storm event within the proposed conveyance structures, eliminating floodplain issues in the lower reaches of the Ranchman's drainage west of 26 Road.

We are currently completing design of the 'Big Pipe' and detention facilities that are scheduled to be completed by October of this year. Assuming we are awarded the PDM grant in March of 2005, we would then construct the improvements during the winter of 2005/2006. This schedule depends on the following milestones being met.

ANTICIPATED MILESTONES

1. Begin preparing our application for the Pre-Disaster Mitigation Grant (May, 2004).
2. Facilitate Mesa County's preparation of a County Emergency Mitigation Plan (May, 2004).
3. **Approve ICON to complete hydrologic/hydraulic analysis for CLOMR (June, 2004).**
4. Meet with FEMA to report our progress and request their concurrence with our revised plan (June, 2004).
5. Communicate our progress and revised plan to the affected property owners and businesses (July, 2004).
6. Receive City Council authorization to submit the Pre-Disaster Mitigation Grant application (September, 2004).
7. Bring construction plans to 70% complete for preparation of CLOMR (July, 2004).
8. Submit CLOMR to FEMA (September, 2004).
9. Submit our Pre-Disaster Mitigation Grant application (October, 2004).

10. Obtain State Engineer approval of dam structure for the large Leach Creek Detention Pond (November, 2004).
11. Open bids for the Ranchman's Ditch and Lower Leach Creek Detention Ponds Project (March, 2005).
12. Begin construction of the Leach Creek and Ranchman's Ditch Detention Ponds Project (April, 2005).
13. Receive approval of the Mesa County Disaster Mitigation Plan (November, 2004).
14. Grant award for the "Big Pipe" Project (February, 2005).
15. Receive CLOMR from FEMA (March, 2005).
16. Complete Environmental Assessment for the "Big Pipe" Project (June, 2005).
17. Bid the "Big Pipe" Project (Fall, 2005).
18. Construction of the "Big Pipe" Project (Winter 2005/2006).

Attach 7

Pavement Management Data Collection

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Pavement Management Data Collection					
Meeting Date		June 2, 2004					
Date Prepared		May 25, 2004			File #		
Author:		Ron Watkins CPPO		Purchasing Manager			
Presenter Name:		Ron Watkins CPPO Mark Relph		Purchasing Manager Public Works Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Contract for Pavement Data Collection and Analysis professional services.

Budget: Funding of \$52,555 is approved in the 2004 Fiscal Year Public Works Contract Street Maintenance Budget to provide for these professional services.

Action Requested/Recommendation: Authorize the Public Works Director to contract for Pavement Data Collection and Analysis by amendment to the City's contract agreement with GBA Master Series, Inc. not to exceed \$52,555.

Attachments: N/A

Background Information: Qualification solicitation requests were sent to known Pavement Data Collection firms by GBA Master Series, Inc. in behalf of the City of Grand Junction. Previously the collection of pavement management data has been sole sourced to Stantec, because they were the manufactures of the software that we used. That software was replaced with the new Work Order Infrastructure Management System in October 2003. GBA Master Series, Inc. does not collect field data, but rather contracts out those services to other professional firms. GBA provided the City 2 competitive quotations:

- Stantec Consulting, Inc. Phoenix, AZ
\$63,189.85
- Infrastructure Management Services, LLC Tempe, AZ
\$52,555

Grand Junction Public Works Department representatives reviewed the qualifications and proposals submitted and recommend Infrastructure Management Services, LLC.

Attach 8

24 ½ Road Pedestrian and Median Improvements

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Construction Contract for 24 ½ Road Pedestrian and Median Improvements					
Meeting Date	June 2, 2004					
Date Prepared	May 25, 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 24 ½ Road Median and Pedestrian Improvements Project to Reyes Construction, Incorporated in the amount of \$62,587.10. The largest portion of the project will include construction of decorative concrete median cover in the existing medians on 24 ½ Road from I-70B to Patterson. In addition, some curb and gutter will be reconstructed to improve the safety and performance of the roadway. A section of new sidewalk will also be constructed on the east side of 24 ½ Road.

Budget:

Costs for this Contract	\$ 62,587.10
Engineering & Administration (Estimate)	<u>\$ 10,000.00</u>
Subtotal:	\$ 72,587.10

This project will be funded from the following sources:

Capital Fund 2011 / F00900	\$ 50,000.00
Curb, Gutter, Sidewalk Replacement	
Capital Fund 2011 / F00400	<u>\$ 22,587.10</u>
Street Maintenance	
Subtotal:	\$ 72,587.10

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **24 ½ Road Median and Pedestrian Improvements Project** with Reyes Construction, Incorporated in the amount of \$ 62,587.10.

Attachments: Site exhibits (5)

Background Information: Bids were opened on May 18, 2004. Reyes Construction, Inc. submitted the low bid in the amount of \$ 62,587.10.

The following bids were received for this project:

Bidder	From	Bid Amount
Reyes Construction, Inc.	Grand Junction	\$ 62,587.10
Vista Paving Corporation	Grand Junction	\$ 62,984.33
Engineer's Estimate		\$ 83,637.00

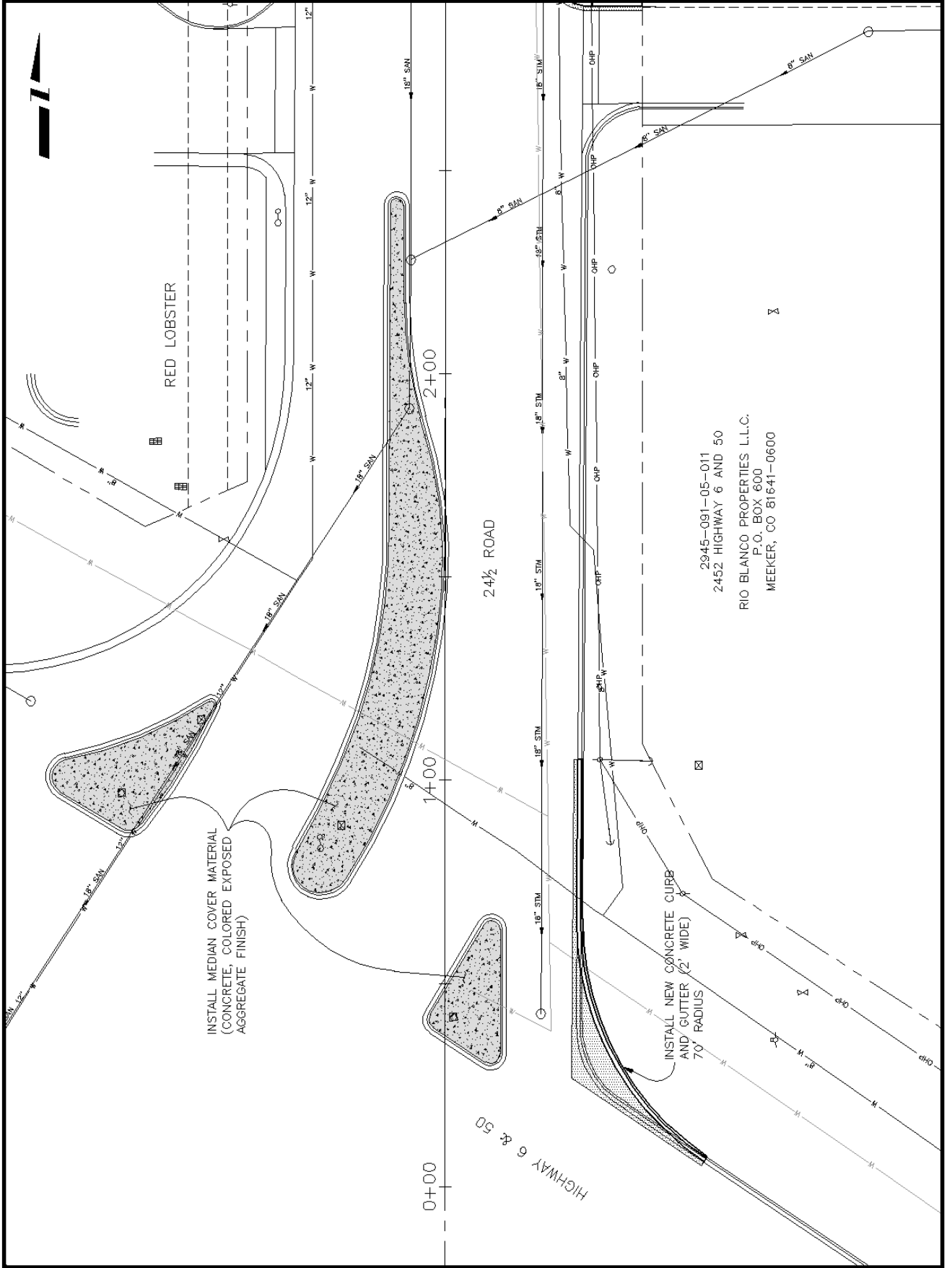
This project was initiated two years ago by members of City Council and Mesa Mall management who desired to address pedestrian and ADA needs in this corridor. Sections of the project have been completed in the last two years including: sidewalk connecting the Home Depot improvements to the northwest corner of 24 ½ Road and Patterson, and sidewalk along the east side of 24 ½ Road adjacent to the Carmike Theatre.

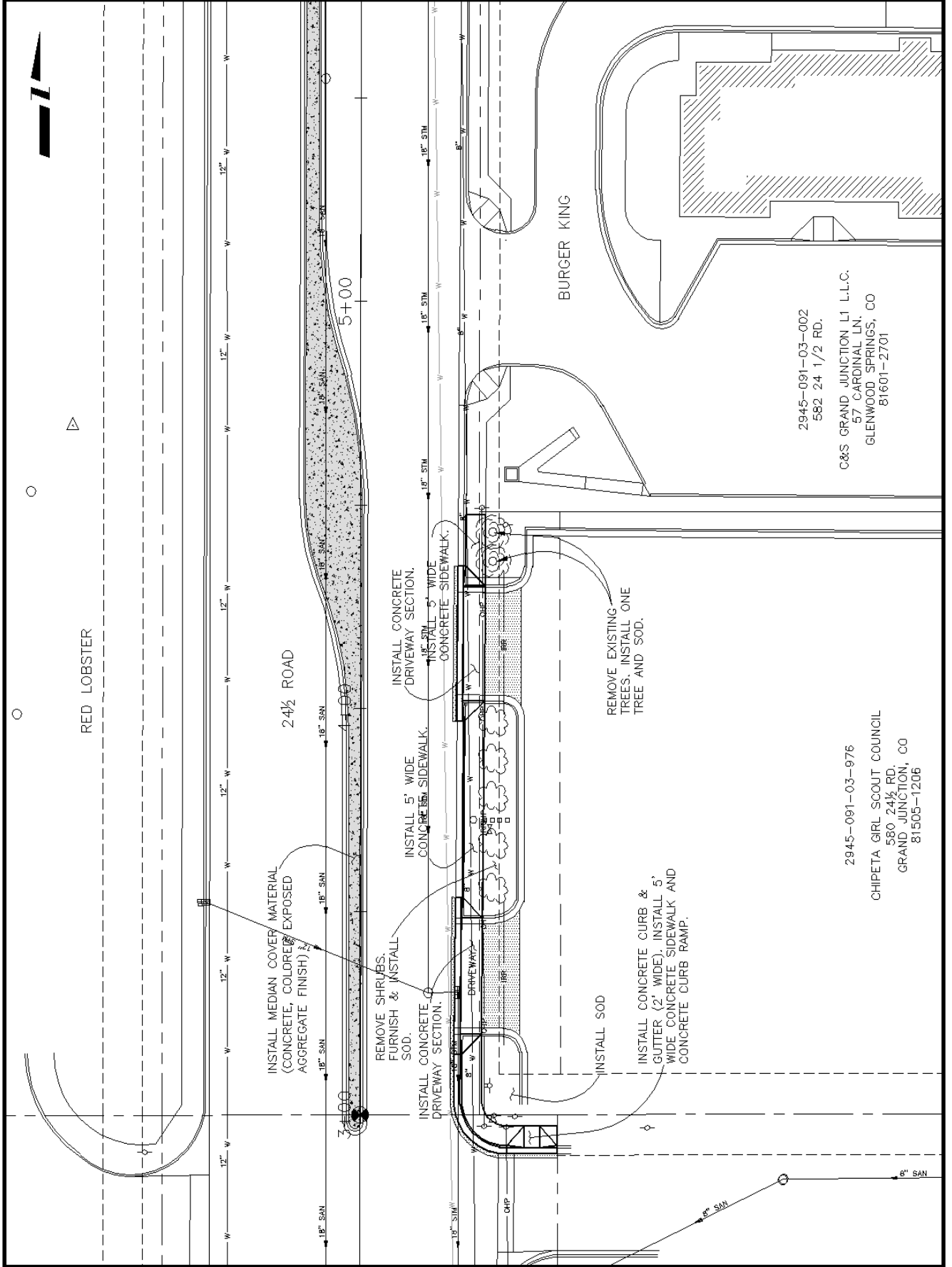
There are six existing medians along 24 ½ Road from I-70B to Patterson that currently have bare dirt inside the curb and gutter. Construction of decorative concrete median cover will improve the appearance and reduce maintenance on these medians.

Curb and gutter reconstruction will address an area of needed improvement at the northeast corner of the I-70B and 24 ½ Road intersection. This corner will be modified to better accommodate truck traffic. Currently truck tires often run behind the curb and gutter, creating a maintenance problem.

A traffic circulation study was completed jointly between the City of Grand Junction and Mesa Mall in October 2003. The study made recommendations for improving traffic flow efficiency and safety. Two of these recommendations will be constructed with this project. First, the left turn bay for the northbound 24 ½ Road to westbound Patterson Road movement will be lengthened. Secondly, a small median will be constructed to eliminate the left turn movements at the Mesa Mall and Carmike theatre entrances. The median construction will be added to this contract by a change order which will be approved by Mark Relph or Kelly Arnold.

The pedestrian improvements included in this project will consist of a new 5' sidewalk adjacent to the curb on the east side of 24 ½ Road, in front of the Chipeta Girl Scout Council Building. This new section will complete a continuous sidewalk from Patterson Road to the shopping area on the north east corner of I-70B and 24 ½ Road.





RED LOBSTER

24 1/2 ROAD

BURGER KING

2945-091-03-002
 582 24 1/2 RD.
 C&S GRAND JUNCTION L1 L.L.C.
 57 CARDINAL LN.
 GLENWOOD SPRINGS, CO
 81601-2701

2945-091-03-976
 CHIPETA GIRL SCOUT COUNCIL
 580 24 1/2 RD.
 GRAND JUNCTION, CO
 81505-1206

INSTALL MEDIAN COVER MATERIAL
 (CONCRETE, COLDREIN EXPOSED
 AGGREGATE FINISH)

REMOVE SHRUBS,
 FURNISH & INSTALL
 SOD.

INSTALL CONCRETE
 DRIVEWAY SECTION.

INSTALL 5' WIDE
 CONCRETE SIDEWALK.

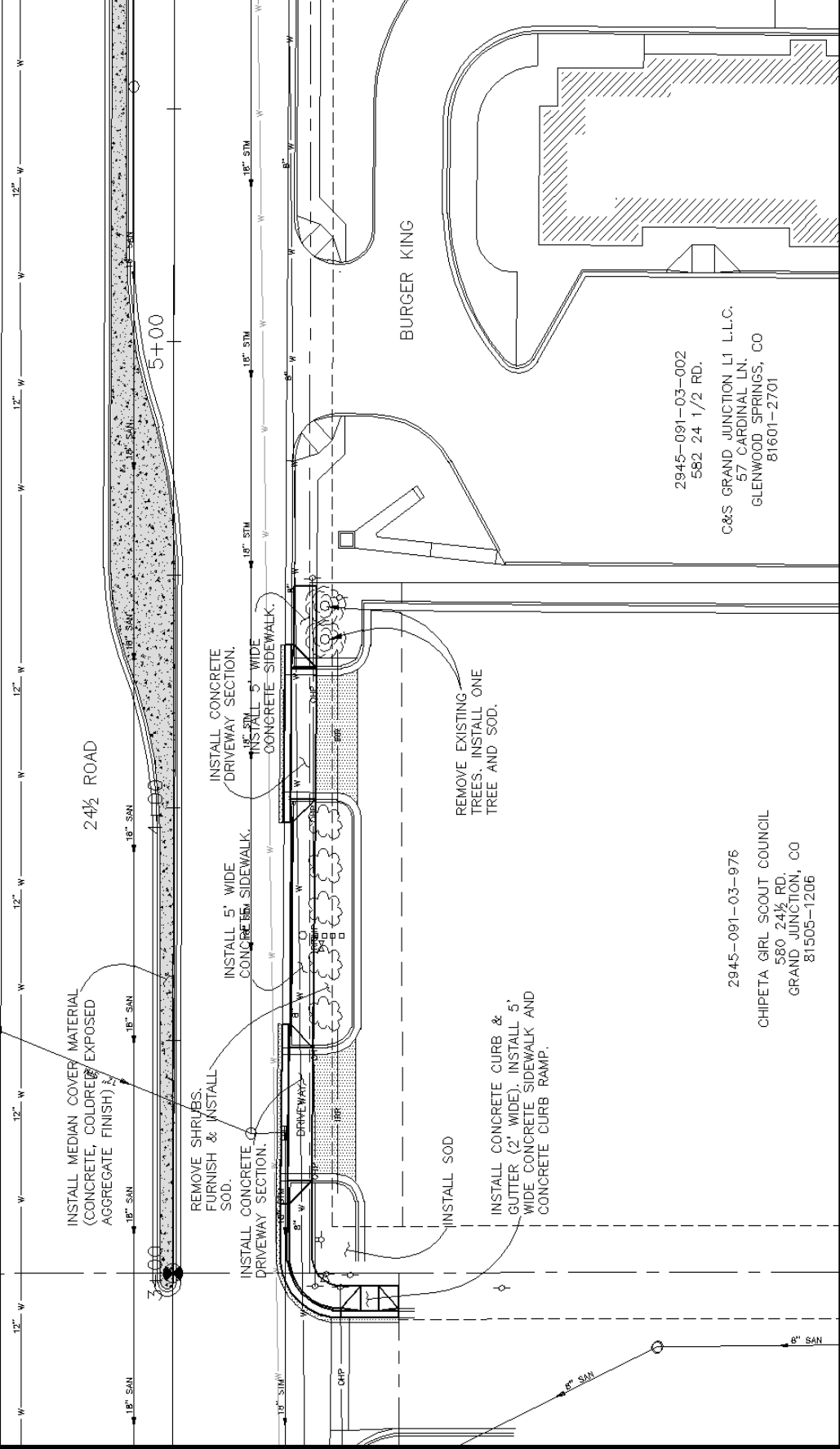
INSTALL CONCRETE
 DRIVEWAY SECTION.

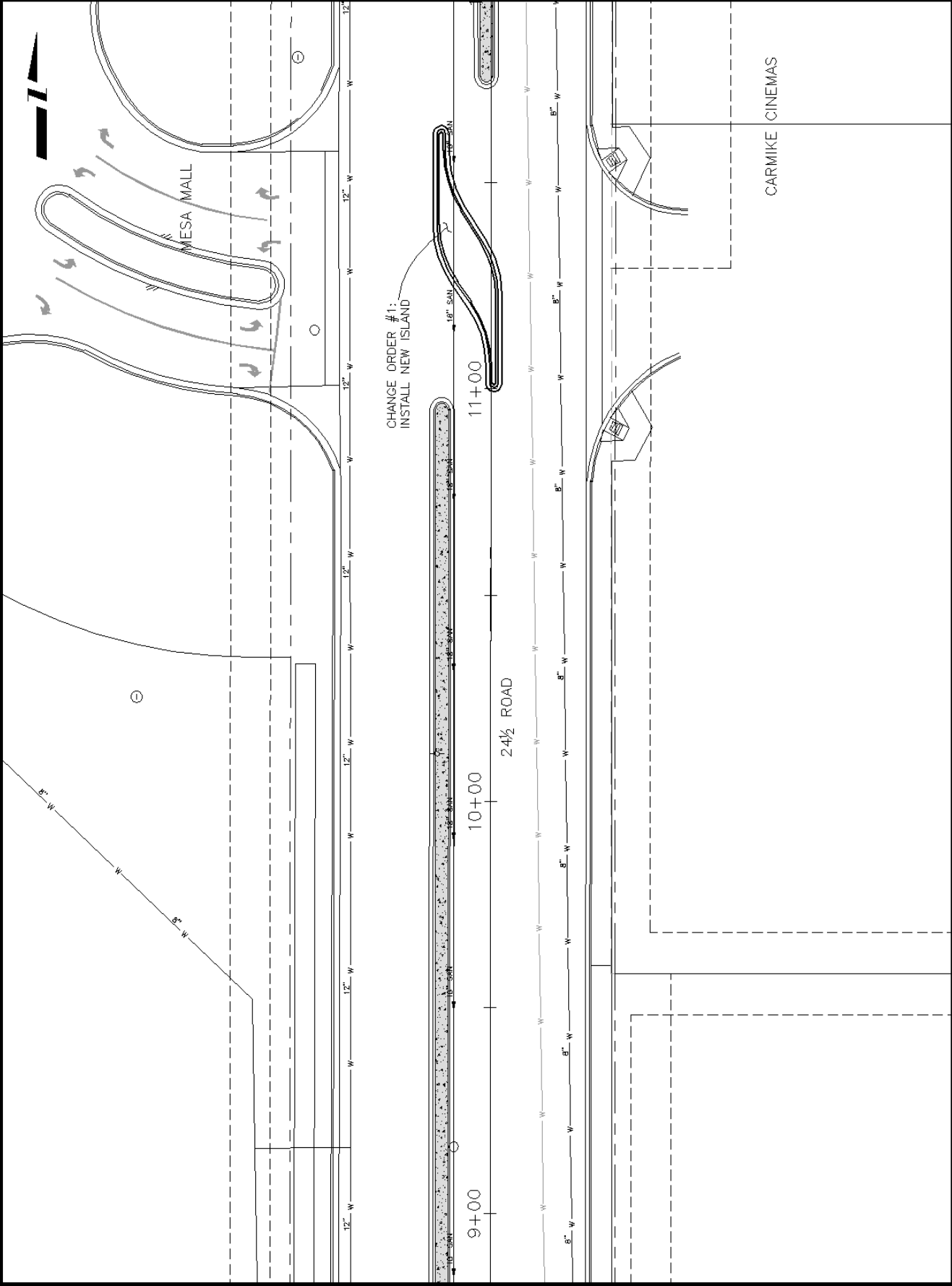
INSTALL 5' WIDE
 CONCRETE SIDEWALK.

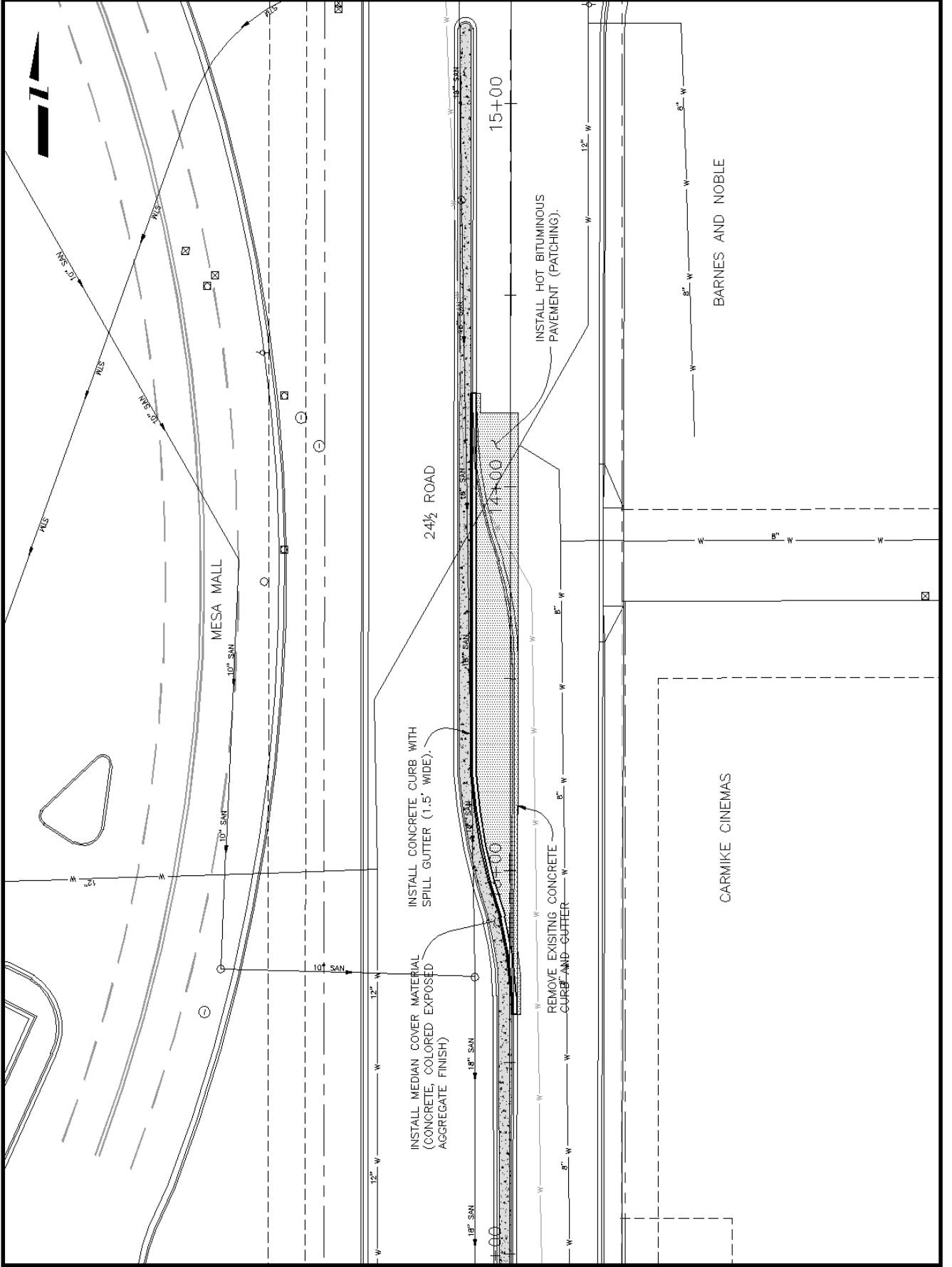
REMOVE EXISTING
 TREES. INSTALL ONE
 TREE AND SOD.

INSTALL SOD

INSTALL CONCRETE CURB &
 GUTTER (2' WIDE). INSTALL 5'
 WIDE CONCRETE SIDEWALK AND
 CONCRETE CURB RAMP.







Attach 9

Drainage (Stormwater) Authority IGA

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Drainage (Stormwater) Authority Intergovernmental Agreement					
Meeting Date	June 2, 2004					
Date Prepared	May 26, 2004				File #	
Author	Greg Trainor		Utilities Manager			
Presenter Name	Greg Trainor Kelly Arnold Dennis Kirtland		Utilities Manager City Manager Council Member			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Drainage (Stormwater) Authority Intergovernmental Agreement drafted by the Authority Charter Committee made up of representatives of the City of Grand Junction, Mesa County, Town of Palisade, City of Fruita, and the Grand Junction Drainage District.

Budget: See attached budget detail.

The budget for 2004 is \$28,500; \$25,000 of which is an estimate of the “in-kind” contributions of staff. The budget for 2005 is \$150,000, with the City’s share to be \$45,000. The majority of the 2005 budget is a rate study. The Charter Committee felt that, depending on the progress of the formation of Authority, some of the 2005 budget could be spent in 2004.

Action Requested/Recommendation: Adoption by City Council of the Drainage (Stormwater) Authority IGA, approval of the budget, and appointment of the City’s representative to the Authority Board.

Attachments:

1. Storm water Authority Intergovernmental Agreement (IGA)
2. IGA Summary
3. IGA Budget
4. IGA Boundaries

Background Information: The IGA is the collective effort of the Grand Valley Drainage Authority “Charter Committee” which has been meeting monthly since

October 21, 2003. The City Council's representative to the Charter Committee is Dennis Kirtland, who communicated to Council on April 1 on the successes of the Charter Committee and the spirit of cooperation present in the meetings. Prior to October 2003, the Stormwater Steering Committee met for eight months to examine the alternatives for an area-wide solution to the many stormwater problems throughout the Grand Valley. The Authority will take on the responsibility that the charter organizations delegate to it, including coordinating stormwater management and funding stormwater capital improvements.

The Charter Committee has asked that all the public entities review the IGA during April; return to the Charter Committee at its next meeting on April 28; and formally adopt the IGA in June 2004. In addition, the City Council will need to consider and appoint its representative for the Authority Board of Directors under provisions of Section 5 of the IGA (attached).

The IGA is an intergovernmental agreement whereby the parties agree to delegate to the Authority certain powers for constructing, owning, and managing stormwater facilities, establishing stormwater standards for new development, acquiring and holding interests in real property, to establish contracts for services, set a budget, and establish stormwater fees and charges. The five-member Board of Directors will be made up of an appointee from each of the contracting parties.

It is anticipated that the Authority will contract initially with the Grand Junction Drainage District to carry out the responsibilities of the Authority.

INTERGOVERNMENTAL AGREEMENT
FOR THE CREATION OF THE
5-2-1 DRAINAGE AUTHORITY

THIS INTERGOVERNMENTAL AGREEMENT FOR THE CREATION OF THE 5-2-1 DRAINAGE AUTHORITY is made and entered into this _____ day of _____, 2004, by and between the CITY OF GRAND JUNCTION, a municipal corporation of the State of Colorado, with its principal office located at 250 North Fifth Street, Grand Junction, Colorado 81501, the TOWN OF PALISADE, a municipal corporation of the State of Colorado, with its principal office located at 175 East Third Street, Palisade, Colorado 81526, the CITY OF FRUITA, a municipal corporation of the State of Colorado, with its principal office located at 325 East Aspen Avenue, Fruita, Colorado 81521, the COUNTY OF MESA, a political subdivision of the State of Colorado, by and through the Board of Commissioners of Mesa County, Colorado, with its principal office located at 544 Rood Avenue, Grand Junction, Colorado 81501, and the GRAND JUNCTION DRAINAGE DISTRICT, a statutorily declared body corporate, with its principal office located at 722 23 Road, Grand Junction, Colorado 81505, all of which shall hereinafter be referred to as "Contracting Parties" and singularly shall hereinafter be referred to as a "Contracting Party."

W I T N E S S E T H:

WHEREAS, various drainage studies ("Studies") have been presented to Contracting Parties, which include recommendations for drainage structures and facilities necessary to accommodate current and anticipated drainage in basins located in the Grand Valley as herein defined and the Contracting Parties intend to obtain additional studies to address specific drainage needs in all basins in the area to be served by the 5-2-1 Drainage Authority;

WHEREAS, each of the Contracting Parties is authorized and empowered to provide necessary drainage services to their inhabitants to manage storm water drainage to reduce or eliminate damage to existing or proposed water delivery systems and/or to construct and operate works and facilities necessary and convenient for management of storm water quality within Contracting Parties' respective jurisdictions;

WHEREAS, the Federal Clean Water Act (40 CFR 122.26) requires that storm water discharges from certain types of facilities be authorized under storm water discharge permits issued in Colorado by the Colorado Department of Public Health and Environment, Water Quality Control Division, (the "Division") pursuant to the Colorado Discharge Permit System ("CDPS") under Division Regulation No. 61;

WHEREAS, the Contracting Parties desire to implement Studies, undertake additional studies, comply with Federal requirements and the permitting process through the creation of a drainage authority pursuant to the provisions of CRS 29-1-204.2, as amended, to be named the 5-2-1 Drainage Authority with such drainage authority to have all of the powers and duties described in such statute;

WHEREAS, this intergovernmental agreement will serve a public purpose and will promote the health, safety, prosperity, security and general welfare of the citizens of the Contracting Parties and of the State of Colorado; and

WHEREAS, the Contracting Parties intend for this agreement to act as the contract document required by such statute.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, Contracting Parties agree as follows:

Section 1. Effective Date and Term. This agreement shall become effective as of the date set forth above. The term of this agreement shall be for ten (10) years from said effective date, and this agreement shall automatically renew for additional ten (10) year terms unless terminated by a written notice duly executed by the Contracting Parties one hundred eighty (180) days prior to the anniversary of the effective date; provided, however, that this agreement may be terminated or rescinded only in full compliance with this agreement.

Section 2. Creation of the Drainage Authority and Purposes. By and through the authority granted through CRS 29-1-204.2, as amended, the Contracting Parties hereby create a drainage authority to be known as the 5-2-1 DRAINAGE AUTHORITY, ("Drainage Authority"). This Drainage Authority, a separate governmental entity established by such Contracting Parties, shall be a political subdivision and a public corporation of the State of Colorado, separate from the parties to the contract. Pursuant to CRS 29-1-204.2, as amended and as it may be amended, it shall have the duties, privileges, immunities, rights, liabilities and disabilities of a public body politic and corporate. The provisions of Articles 10.5 and 47 of Title 11, CRS, shall apply to monies of the entity. The purposes of the Drainage Authority shall be to provide adequate drainage facilities and appurtenances to serve the areas described in Exhibits "A" and "B," respectively, attached hereto and by this reference incorporated herein to own, operate and maintain such facilities and appurtenances once they are constructed, to implement the recommendations set forth in the Studies and future studies and to comply with federal and state permitting procedures and requirements.

Section 3. Services and Functions of the Drainage Authority. The Drainage Authority shall provide the following services and functions with respect to the areas described in Exhibit "A" and shown in Exhibit "B."

3.01 Acquiring, constructing, owning, reconstructing, improving, rehabilitating, repairing, managing, operating and maintaining, by way of illustration and not by limitation, such facilities and systems deemed necessary to provide drainage to the Contracting Parties for the benefit of the inhabitants of such Contracting Parties or others at the discretion of the board of directors of the Drainage Authority, together with any and all appurtenances thereto or interests therein. As used in this agreement, the term "drainage facilities" may include facilities, structures and appurtenances designed to provide, manage and monitor drainage services and divert storm water for the beneficial use thereof.

3.02 Reviewing plans and other documents of developments occurring within the jurisdictional boundaries of the Drainage Authority for the purpose of commenting on the same with respect to whether or not they comply with the agreed-upon standards referred to in Section 10 below.

3.03 Providing such other services or functions as may be authorized by law and determined by the Drainage Authority board of directors to be in the best interests of the Contracting Parties and the inhabitants of such Contracting Parties or others.

Section 4. Powers of the Drainage Authority. To enable the Drainage Authority to carry out its functions and provide the services and functions described in Section 3 above, the Drainage Authority shall have the following powers:

4.01 To develop drainage facilities and systems in whole or in part for the benefit of the citizens of the Contracting Parties or others at the discretion of the board of directors within the area set forth in Exhibit "A" and shown in Exhibit "B," subject to fulfilling the terms and conditions of this agreement.

4.02 To acquire, hold, lease (as lessor or lessee), sell or otherwise dispose of any legal or equitable interest in real or personal property utilized for the purposes of drainage.

4.03 To conduct its business and affairs for the benefit of the inhabitants of the Contracting Parties or others.

4.04 To enter into, make and perform contracts of every kind with other local governmental entities, the State of Colorado or any political subdivision thereof, the United States or any political subdivision thereof and any individual, firm, association, partnership, corporation or any other organization

of any kind, including a Contracting Party or Contracting Parties.

4.05 To make and enter into contracts with one (1) or more of the Contracting Parties or third parties to provide services to the Drainage Authority for the undertaking or implementation of studies, administrative and clerical services or acquisition, construction, maintenance, repair and operation of facilities or systems together with all appurtenances thereto and interests therein.

4.06 To do and perform any acts and things authorized pursuant to CRS 29-1-204.2, as amended, under, through or by means of an agent or by contract(s) with any person, firm or corporation.

4.07 To employ agents, including but not limited to engineers, attorneys, auditors, accountants, architects and consultants and employees.

4.08 To incur debts, liabilities or obligations to the extent and in the manner permitted by law and borrow money and, from time to time, make, accept,

endorse, execute and deliver bonds, notes and other obligations of the Drainage Authority for monies borrowed or in payment for property acquired or for any of the other purposes, services or functions of the Drainage Authority as provided by law and to the extent permitted by law, to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement or other collateral instrument or by other lien upon or assignment of all or any part of the properties, rights, assets, contracts, easements, revenues and privileges of the Drainage Authority.

4.09 To own, operate and maintain real and personal property and facilities in common with others and to conduct joint, partnership, cooperative or other operations with others and to exercise all powers granted herein in joint, partnership or cooperative efforts and operations with others.

4.10 To condemn property for public use for the purpose of drainage, provided such property is not owned by any public utility and devoted to public use pursuant to state authority.

4.11 To sue, and to be sued, in its own name.

4.12 To have and use a corporate seal.

4.13 To fix, maintain and revise fees, rates and charges for all drainage functions, services or facilities provided by the Drainage Authority, such rates and charges, including differential rates and charges according to the benefit received, to be in such amount or amounts as necessary to provide for the acquisition or development of drainage facilities and appurtenances, the operation and maintenance of such facilities and appurtenances, debt service and reserves, capital improvements and other obligations and expenses of the Drainage Authority.

4.14 To adopt, by resolution regulations respecting the exercise of the Drainage Authority's powers and the carrying out of its purposes.

4.15 To receive contributions, gifts, bequests or other grants of cash, equipment or services from the Contracting Parties or other entities, individuals or political subdivisions.

4.16 To provide for the rehabilitation of any surfaces adversely affected by the construction of drainage facilities or systems through the rehabilitation of plant cover, soil stability and other measures appropriate to the subsequent and beneficial use of such lands.

4.17 To justly indemnify property owners or others affected for any losses or damages incurred caused by or which result from actions of the Drainage Authority.

4.18 To obtain insurance policies in amounts as determined by the board of directors.

4.19 In general, to exercise all powers that are now or hereafter may be conferred by law upon a drainage authority organized pursuant to CRS 29-1-204.2, as

amended, or necessary, incidental, convenient or conducive to the attainment of the Drainage Authority's purposes and provision of its functions, services and facilities, subject to such limitations as are, or may be, prescribed by law.

Section 5. Board of Directors. The Drainage Authority shall be governed by a board of directors in which all legislative power of the Drainage Authority is vested.

5.01 The initial number of directors shall be five (5).

5.02 The governing body of each of the Contracting Parties shall appoint one (1) member to the board of directors. Two of (2) of the five (5) initial directors shall serve for a two (2) year term and three (3) of the five (5) initial directors shall serve for a four (4) year term. The initial terms of the directors appointed by the respective Contracting Parties shall be determined by lot. Each successive appointment shall be for a four (4) year term and all appointees may serve for successive terms.

5.03 Except as herein provided, each director shall serve at the pleasure of the governing body of the Contracting Party by whom that director was appointed.

5.04 A vacancy occurring in the board of directors, whether such vacancy be the result of resignation, death, removal or disability, shall be filled in the same manner of appointment or selection as provided in subsection 5.02 hereof.

5.05 Directors may receive compensation for their services as may be provided by resolution of the board of directors, and the board of directors, by resolution, shall provide for reimbursement to directors of their actual expenses for attendance at meetings of the board of directors and for expenses otherwise incurred on behalf of the Drainage Authority.

5.06 An annual meeting of the board of directors shall be held within the first one hundred twenty (120) days in each year at such place within the service area of the Drainage Authority as shall be designated to pass upon reports for the preceding fiscal year and to transact such other business as may come before the meeting. Failure to hold the annual meeting at the designated time or failure to hold the annual meeting in any year shall not cause a forfeiture or dissolution or otherwise affect the Drainage Authority.

5.07 The board of directors, from time to time, may provide by majority resolution of all directors for the time and place of holding regular meetings without notice to directors other than such resolution.

5.08 Special meetings of the board of directors may be called by the chairman or any two (2) directors, and it shall thereupon be the duty of the secretary to cause notice of such meeting to be given as hereinafter provided. Special meetings of the board of directors shall be held at such time and place within the service area of the Drainage Authority as shall be fixed by the chairman or director calling the meeting.

5.09 Written notice of the annual or of any special meeting of the board of directors shall be delivered to each director not less than two (2) or more than thirty (30) days before the date fixed for such meeting, either personally or by mail, by or at the direction of the secretary or, upon his default, by the person calling the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the director at his address as it appears on the records of the Drainage Authority, with postage thereon prepaid.

5.10 Whenever any notice is required to be given to any director of the Drainage Authority under the provisions of law or this contract, a waiver thereof in writing signed by such director whether before or after the time stated therein, shall be equivalent to the giving of such notice. Attendance of a director at any meeting of the board of directors shall constitute a waiver by such director of notice of such meeting except when such director attends such meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

5.11 A majority of the number of directors then in office shall constitute a quorum for the transaction of business; provided that, if less than a quorum is present, the directors present may continue the meeting from time to time and, provided further, that the secretary shall notify any absent directors of the time and place of such continued meeting. Unless otherwise provided herein, the act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors.

5.12 A full board must be in office, present at a properly convened meeting, and have a super-majority consensus of at least seventy-five (75) percent to initiate condemnation proceedings.

5.13 A full board must be in office, present at a properly convened meeting, and have a super majority consensus of at least seventy-five (75) percent to institute or raise rates and/or fees.

5.14 The duties of the board of directors shall be:

- a. To govern the business and affairs of the Drainage Authority.
- b. To exercise all powers of the Drainage Authority.
- c. To comply with the provisions of parts 1, 5 and 6 of CRS 29-1-204.2, as amended.
- d. To adopt a fiscal resolution complying with statutory and other restrictions imposed by law on the affairs of the Drainage Authority, to govern the financial transactions of the Drainage Authority, including the receipt, custody and disbursement of its funds, securities and other assets, and to provide for the services of a firm of independent certified public accountants to examine, at least annually, the

financial records and accounts of the Drainage Authority and to report thereupon to the board of directors.

e. To keep minutes of its proceedings.

f. To adopt such bylaws as appropriate for the conduct of its business not in conflict herewith.

Section 6. Officers. The officers of the Drainage Authority shall be a chairman, vice chairman, secretary, treasurer and such other officers and assistant officers as may be authorized by the board of directors from time to time to perform such duties as may be approved by the board of directors. The chairman and vice chairman shall be members of the board of directors, but the other officers of the Drainage Authority need not be members of the board of directors.

6.01 At the first meeting of the board of directors, the members of the board of directors shall elect officers who shall serve as such officers of the Drainage Authority until the next succeeding annual meeting of the board of directors and until their successors are elected and qualified.

6.02 Vacancies or new officers may be filled at any properly convened meeting of the board of directors.

6.03 Any officer or agent elected or appointed by the board of directors may be removed by a majority vote of the board of directors at any properly convened meeting, with or without cause, whenever in its judgment the best interests of the Drainage Authority will be served thereby.

6.04 In addition to duties designated by the board of directors, the duties of the officers shall include the following:

a. The chairman shall preside at all meetings of the board of directors and, except as otherwise delegated by the board of directors, shall execute all legal instruments of the Drainage Authority. The chairman shall perform such other duties as the board of directors may prescribe from time to time.

b. The vice chairman shall, in the absence of the chairman, or in the event of his or her inability or refusal to act, perform the duties of the chairman and, when so acting, shall have all the powers of and be subject to all the restrictions upon the chairman. The vice chairman shall also perform such other duties as may be prescribed by the board of directors from time to time.

c. The secretary shall maintain the official records of the Drainage Authority, including this contract, bylaws, rules and regulations adopted by the board of directors, the minutes of meetings of the board of directors and a register of the names and addresses of directors and officers and shall issue notices of meetings, attest and affix the corporate seal to all documents of the Drainage Authority and shall perform such other duties as the board of directors may prescribe from time to time.

d. The treasurer shall serve as financial officer of the Drainage Authority and, pursuant to all fiscal resolutions adopted by the board of directors governing the financial transactions of the Drainage Authority and the restrictions imposed by law, be responsible for the receipt, custody, investment and disbursement of the Drainage Authority's funds and securities and for duties incident to the office of treasurer and shall perform other duties as the board of directors may prescribe from time to time.

6.05 The treasurer and any other officer or agent of the Drainage Authority charged with responsibility for the custody of any of its funds or property shall give bond in such sum and with such surety as the board of directors shall determine. The board of directors in its discretion may also require any other officer, agent or employee of the Drainage Authority to give bond in such amount and with such surety as it shall determine. The cost of such bond shall be an expense payable by the Drainage Authority.

Section 7. Indemnification of Officers and Directors. Each director and officer of the Drainage Authority, whether or not then in office, and the personal representative of his or her estate shall be indemnified by the Drainage Authority against all costs and expenses actually and necessarily incurred by him or her in connection with the defense of any action, suit or proceeding in which he or she may be involved or to which he or she may be made a party by reason of his or her being or having been such director or officer, except in relation to matters as to which he or she shall be finally adjudged in such action, suit or proceeding to be liable for willful or wanton negligence or misconduct in the performance of his or her duty. Such costs and expenses shall include amounts reasonably paid in settlement for the purpose of curtailing the cost of litigation but only if the Drainage Authority is advised in writing by its counsel that in his or her opinion the person indemnified did not commit such willful and wanton negligence or misconduct. The foregoing right of indemnification shall not be exclusive of other rights to which he or she may be entitled as a matter of law or by agreement.

Section 8. Contracting Parties' Jurisdiction. No portion of this agreement shall be construed to waive or cede any jurisdiction any Contracting Party may claim or possess.

Section 9. Not a Partnership. As used in this agreement, the term "Contracting Parties" is not meant to indicate that the signatories to this agreement constitute a partnership as the term is understood in the Uniform Partnership Law, CRS 7-6-101, *et seq.*, as amended, or at common law. Nothing in this agreement shall create any joint or several liability or joint or several exposure to any Contracting Parties for statutory or administrative violations associated with discharges or compliance liabilities. Joint action under this agreement is strictly limited to the permitting, planning and other related processes as described herein, unless otherwise stated by subsequent resolution of the board of directors.

Section 10. Agreement Upon Standards. The Contracting Parties shall meet and agree upon a set of drainage standards to apply within the area to be served by the

Drainage Authority. Each Contracting Party shall require new development located within its jurisdictional boundaries to comply with such standards to the extent such Contracting Party has authority over such matters. The Drainage Authority shall apply and enforce such agreed-upon standards within the area if such standards are not otherwise enforced through zoning, subdivision or other enforcement mechanism(s) of the Contracting Parties. If a Contracting Party's drainage standards are more restrictive than those agreed upon as provided herein and such Contracting Party desires to apply the more restrictive standards within the boundaries of its jurisdiction, then the more restrictive standards shall apply.

Section 11. Assets Held in Trust. All assets and properties of the Drainage Authority shall be held in trust by the Drainage Authority for the purposes herein mentioned, including the payment of liabilities of the Drainage Authority.

Section 12. Adding Parties. No party may be added to this agreement as a Contracting Party without the two-thirds (2/3) consent of the Contracting Parties authorized by a written document formally approved by the governing body of each consenting Contracting Party. A party added as a Contracting Party shall be a municipality, special district or political subdivision of the state authorized to provide drainage facilities and subject to such terms and conditions as the board of directors, in its sole discretion, may determine; provided, however, that a new Contracting Party may be assessed a capital investment fee to cover its pro rata share of the costs of those capital assets previously purchased or constructed by the Drainage Authority for joint use by all Contracting Parties. The board of directors of the Drainage Authority, in its sole discretion, by two-thirds (2/3) consent, may add up to two (2) additional, at-large board members, each of whom must reside within the boundaries of at least one (1) of the Contracting Parties. Any such appointment of an at-large board member would be for a term of two (2) years and may be terminated at the expiration of any term or upon vacancy by two-thirds (2/3) consent of the board of directors of the Drainage Authority.

Section 13. Deleting Parties. A Contracting Party may withdraw from this agreement by written document authorized by the governing body of such Contracting Party, which shall be presented to the Drainage Authority. Notice of a Contracting Party's intent to withdraw from the Drainage Authority must be presented in writing to the board of directors of the Drainage Authority at a properly convened meeting of the board of directors of the Drainage Authority at least six (6) months in advance of the anticipated withdrawal date of such Contracting Party. Such withdrawal may only occur upon a two-thirds (2/3) consent of the Contracting Parties authorized by a written document formally approved by the governing body of each consenting Contracting Party. Withdrawal by a Contracting Party shall not release, alter or terminate that Contracting Party's jurisdiction with respect to fees, rates and charges levied or imposed by the Drainage Authority on properties within that Contracting Party's jurisdiction at the time of such withdrawal.

Section 14. Adding or Deleting Service Areas. The service area of the Drainage Authority described in Exhibit "A" and shown in Exhibit "B" may be increased or decreased by two-thirds (2/3) consent of the Contracting Parties authorized by a written document formally approved by the governing body of each consenting Contracting

Party. Any addition to the service area of the Drainage Authority must be located within the boundaries of at least one (1) of the Contracting Parties.

Section 15. Distribution on Termination. In the event of the rescission or termination of this agreement and the dissolution of the Drainage Authority, all of the assets of the Drainage Authority shall immediately vest in the Contracting Parties, subject to any outstanding liens, mortgages or other pledges of such assets. The interests in the general assets of the Drainage Authority shall rest equally in each Contracting Party; provided, however, that the Contracting Parties may otherwise provide, by unanimous agreement, for disposition of any and all interests of the Drainage Authority to any successors to the Drainage Authority or for any alternative disposition among the Contracting Parties. This agreement may not be rescinded or terminated so long as the Drainage Authority has bonds, notes or other obligations outstanding, unless provision for full payment of such obligations, by escrow or otherwise, has been made pursuant to the terms of such obligations.

Section 16. Fiscal Year. The fiscal year of the Drainage Authority shall be the calendar year.

Section 17. Principal Place of Business. The principal place of business of the Drainage Authority shall be established by the board of directors. Annually, on or before the first day of February of each year commencing in 2005 and within thirty (30) days following any change, the Drainage Authority shall file with the Colorado Division of Local Government the name of agent for service of process on the Drainage Authority and the address of the principal place of business of the Drainage Authority.

Section 18. Political Subdivision. Pursuant to CRS 29-1-204.2(4), as amended, the Drainage Authority shall be a political subdivision and public corporation of the state, separate from the Contracting Parties. It shall have the duties, privileges, immunities, rights, liabilities and disabilities of a public body politic and corporate. The provisions of Article 10.5 and Article 47 of Title 11, CRS, as amended, shall apply to monies of the Drainage Authority.

Section 19. Debt Not That of Contracting Parties. Pursuant to CRS 29-1-204.2(5), as amended, the bonds, notes and other obligations of the Drainage Authority shall not be the debts, liabilities or obligations of the Contracting Parties or parties that may be future Contracting Parties.

Section 20. Entire Agreement; Modification. This agreement contains the entire agreement and understanding between the parties to this agreement and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written. No modification, amendment, novation, renewal or other alteration of or to this agreement shall be deemed valid or of any force or effect whatsoever, unless stated in a writing duly authorized and executed by all of the Contracting Parties.

Section 21. No Third-Party Beneficiary Enforcement. It is expressly understood and agreed that enforcement of the terms and conditions of this agreement and all rights of action relating to such enforcement shall be strictly reserved to the Contracting

Parties, and nothing contained in this agreement shall give or allow any claim or right of action whatsoever by any other person or entity not a party to this agreement. It is the express intention of the Contracting Parties that any person or entity other than the undersigned parties receiving services or benefits under this agreement shall be deemed an incidental beneficiary only.

Section 22. No Waiver of Immunity. No portion of this agreement shall be deemed to constitute a waiver of any immunities the parties or their officers or employees may possess or shall any portion of this agreement be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this agreement. The parties hereto acknowledge and agree that no part of this agreement is intended to circumvent or replace such immunities under the Colorado Governmental Immunity Act, CRS 24-10-101, *et seq.*, as amended.

Section 23. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of and be enforceable by the successors, assigns and legal representatives of the parties hereto.

Section 24. Severability. In the event that any of the terms, covenants or conditions of this agreement or their application shall be held invalid as to any person, corporation or circumstance by an court having competent jurisdiction, the remainder of this agreement and the application in effect of its terms, covenants or conditions to such person, corporation or circumstance shall not be affected thereby.

Section 25. Cooperation With Contracting Parties. In providing the services and facilities described in Section 3 above and in exercising any of the powers enumerated in Section 4 above, the board of directors of the Drainage Authority shall work cooperatively and in good faith with each of the Contracting Parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF GRAND JUNCTION

TOWN OF PALISADE

By _____
Bruce Hill, Mayor

By _____
Douglas R. Edwards, Mayor

ATTEST:

ATTEST:

Stephanie Tuin, City Clerk

Tina Darrah, Town Clerk

CITY OF FRUITA

COUNTY OF MESA

By _____
E. James Adams, Mayor

By _____
Doralyn B. Genova, Chair

ATTEST:

ATTEST:

Margaret Steelman, City Clerk

Janice Ward, County Clerk

GRAND JUNCTION DRAINAGE DISTRICT

By _____
E. James Adams, President of
the Board of Directors

ATTEST:

Bill Christopher, Secretary of
the Board of Directors

DRAINAGE AUTHORITY SUMMARY

Authority is authorized by Colorado State Statutes, specifically CRS 29-1-204.2, as amended.

Authority has to be called a water or drainage authority.

Authority is created by two or more governmental agencies through an Intergovernmental Agreement, (IGA).

The governmental agencies are called *CONTRACTING PARTY(IES)* in this IGA.

The term of the IGA is ten years and will automatically renew.

The IGA reiterates powers listed in the statute.

Storm water management, especially across jurisdictional lines, is a stated purpose in the IGA.

NPDES Phase II of the Clean Water Act, regulated by EPA and permitted through Colorado Department of Public Health and Environment (CDPHE) and their regulation No. 61, is one of the specific referenced purposes of the IGA.

The authority is a creation of a group of five existing governments; it does not meet the test of a government itself. It does not have taxing powers. It is named 5-2-1 Drainage Authority because it is the coming together of five agencies under one IGA.

There are 5 original *CONTRACTING PARTIES*:

- Mesa County
- City of Grand Junction
- City of Fruita
- Town of Palisade
- Grand Junction Drainage District

The Drainage Authority Board is made up of one person appointed by and serving at the pleasure of the elected body of each respective contracting party.

Other governmental parties may join with a 2/3 affirmative vote of all of the existing contracting parties.

Termination requires written notice and a 2/3 vote of the existing contracting parties.

Area served is from the rim of the Bookcliffs to the rim of the Colorado National Monument; including all of Kannah Creek, Whitewater Creek, and Rapid Creek in Mesa County.

Condemnation proceedings require a 75% vote of the Board to be initiated.

Instituting or raising rates or fees requires a 75% vote of the full Board.

Each agency is expected to adopt the IGA by separate resolution.

DRAINAGE AUTHORITY BUDGET

March 24, 2004

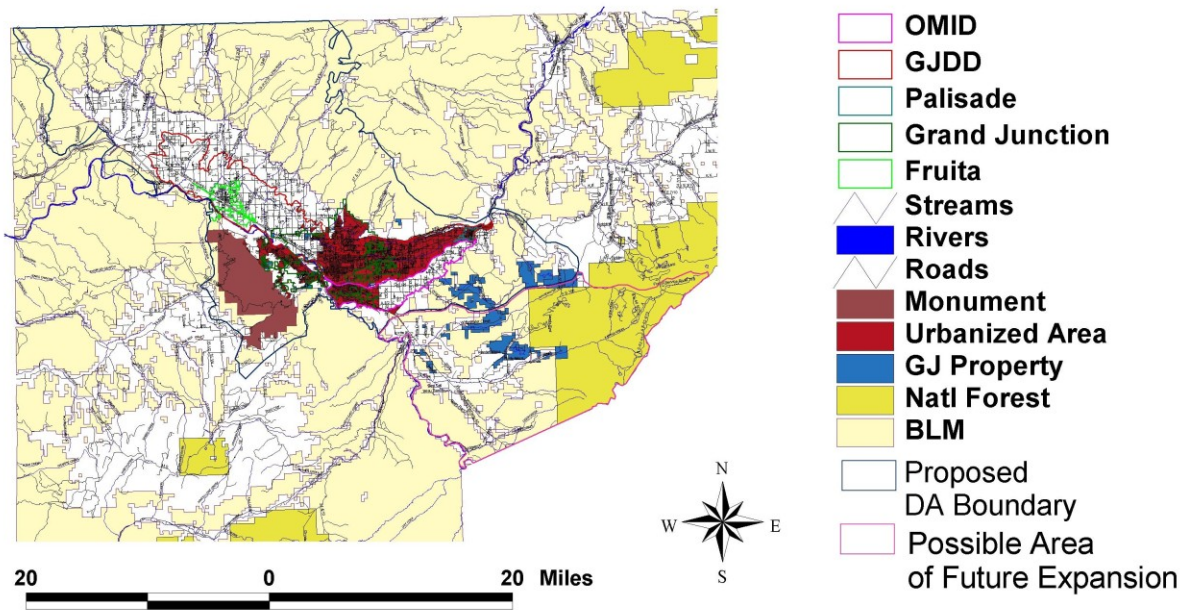
CHARTER COMMITTEE - 2004

TASK	ELEMENT	ESTIMATE	REVENUE SOURCES
DEVELOP IGA	LEGAL FEES	\$2,000 additional	Contributions from "Contracting Parties" \$500 @
PROFESSIONAL STAFF	MTG PREP / GATHER INFO / ATTEND MTGS	\$15,000	"in-kind" contributions
PUBLIC EDUCATION	PART OF THE NPDES PHASE II AND DRAINAGE AUTHORITY	\$10,000	
JOINT MEETING	AGREE TO THE IGA, ANNOUNCE FORMATION OF DRAINAGE AUTHORITY	\$1,500	Shared by Grand Junction and Mesa County

DRAINAGE AUTHORITY - LATE 2004 INTO 2005

TASK	ELEMENT	ESTIMATE	REVENUE SOURCES
ORGANIZATION	CORPORATE FILINGS, BY-LAWS, OTHER LEGAL	\$8,500	ASSESSMENT TO CONTRACTING PARTIES Total \$150,000 Mesa County \$60,000, Grand Junction \$45,000, Drainage District \$25,000, Fruita \$15,000, Palisade \$5,000
ADMINISTRATION	OFFICE SPACE, DIRECTORS FEES, SECRETARIAL	\$10,000	
CONTRACT ADMINISTRATION		\$20,000	
SHORT TERM GOAL SETTING RETREAT	FOR THIS YEAR	\$1,500	
RATE STUDY	DEFENSIBLE	\$70,000	
SWMM & STANDARDS	PLANNING AND CONSTRUCTION TOOLS	\$10,000	
PUBLIC EDUCATION	PART OF NPDES	\$20,000	
TELEPHONE HOT LINE	PART OF NPDES	\$10,000	
CIP	SET PRIORITIES	ESTIMATE COSTS	
PICK THE FIRST PROJECT	MUST HAVE ID'D BEFORE COLLECTING A FEE FOR SERVICE	NEEDS TO START BEFORE THE FIRST BILL GOES OUT	THE EFFECTED AGENCIES NEED TO FRONT SOME OF THE COSTS

Proposed Drainage Authority Boundary



Attach 10
Economic Development Incentive Request

CITY COUNCIL AGENDA						
Subject		Economic Development Incentive				
Meeting Date		June 2, 2004				
Date Prepared		May 24, 2004			File #	
Author		Ron Lappi		Administrative Services Director		
Presenter Name		Kelly Arnold		City Manager		
Report results back to Council		X	No		Yes	When
Citizen Presentation		X	Yes		No	Name
						GJEP Board and Staff
Workshop		X	Formal Agenda			Consent
						X Individual Consideration

Summary: The City Council approval is hereby requested for an Economic Development Incentive in the amount of \$75,000 in support of 25 jobs over the next three years.

Budget: The City's Economic Development Fund with a current balance of \$765,000 is available to fund this request if approved.

Action Requested/Recommendation: Consideration and approval of the attached request from Grand Junction Economic Partnership.

Attachments: Letter from GJEP President, Ann Driggers

Background Information: The attached request was informally presented to the City Council at a previous workshop in March 2004, but formal City Council approval is now appropriate. The company will be located at Walker Field Airport and is involved in aircraft leasing and airborne research activities. The company is expected to employ between 18 and 25 people with an average wage of \$14.80 plus a benefit package. New capital investment of at least \$1.6 million is expected to be made in an existing or new facility. Board and staff of the Grand Junction Economic Partnership will be on hand Wednesday night to

 **GRAND JUNCTION** economic PARTNERSHIP present other information about this company and to answer any questions the City Council may

have.

Mayor Hill and Council Members
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

May 21, 2004

Dear Mayor Hill and Council Members,

As you know the Grand Junction Economic Partnership is working with a company involved in aircraft leasing and airborne research activities. We presented an overview of the company and its headquarters and facility relocation plans to you on April 5th, 2004 and also requested an incentive of \$75,000 to help us secure the relocation of this company. The benefits of the company relocation include:

- At least 18 and up to 25 jobs will be created within 36 months. The minimum average wage is estimated at \$14.80 per hour (\$30,784 per annum) and will increase as employee skill levels increase. A benefit package is also provided including medical, dental and life insurance. Total annual payroll would be approximately \$769,600 at full employment. Positions include aircraft mechanics, pilots, technicians, management and administration.
- All of the company products and services would be exported outside of Mesa County. Sales in 2004 are estimated to be approximately \$5 million.
- New capital investment of at least \$1,600,000 will be made in either a new or existing facility located at Walker Field Airport.
- Indirect economic impacts (secondary outputs and earnings) are estimated to be \$27,997,032 over the next five years.
- The owner/manager of the company would relocate and establish the company headquarters in Grand Junction.

The Grand Junction Economic Partnership Board of Directors continues to believe this company to be one which merits recruitment. Given this, we request time on the agenda for the June 2nd Council Meeting for final approval of our incentive request.

Thank you for your assistance in creating quality jobs for our local residents.

Sincerely,

A handwritten signature in cursive script that reads "Ann Driggers".

Ann Driggers
President

cc. Norm Franke, Chair, GJEP Prospect Committee

Attach 11

Public Hearing – Cameck Annexation Located at 3048 D ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		A hearing for the Cameck Annexation located at 3048 D ½ Rd					
Meeting Date		June 2, 2004					
Date Prepared		May 24, 2004			File #ANX-2004-049		
Author		Senta L. Costello		Associate Planner			
Presenter Name		Senta L. Costello		Associate Planner			
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	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 Cameck Annexation, located at 3048 D ½ Rd. The 2.5005 acre annexation consists of 1 parcel 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:

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

STAFF REPORT / BACKGROUND INFORMATION

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

Staff Analysis:

ANNEXATION:

This annexation area consists of 2.5005 acres of land and is comprised of 1 parcel. 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 Cameck 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.

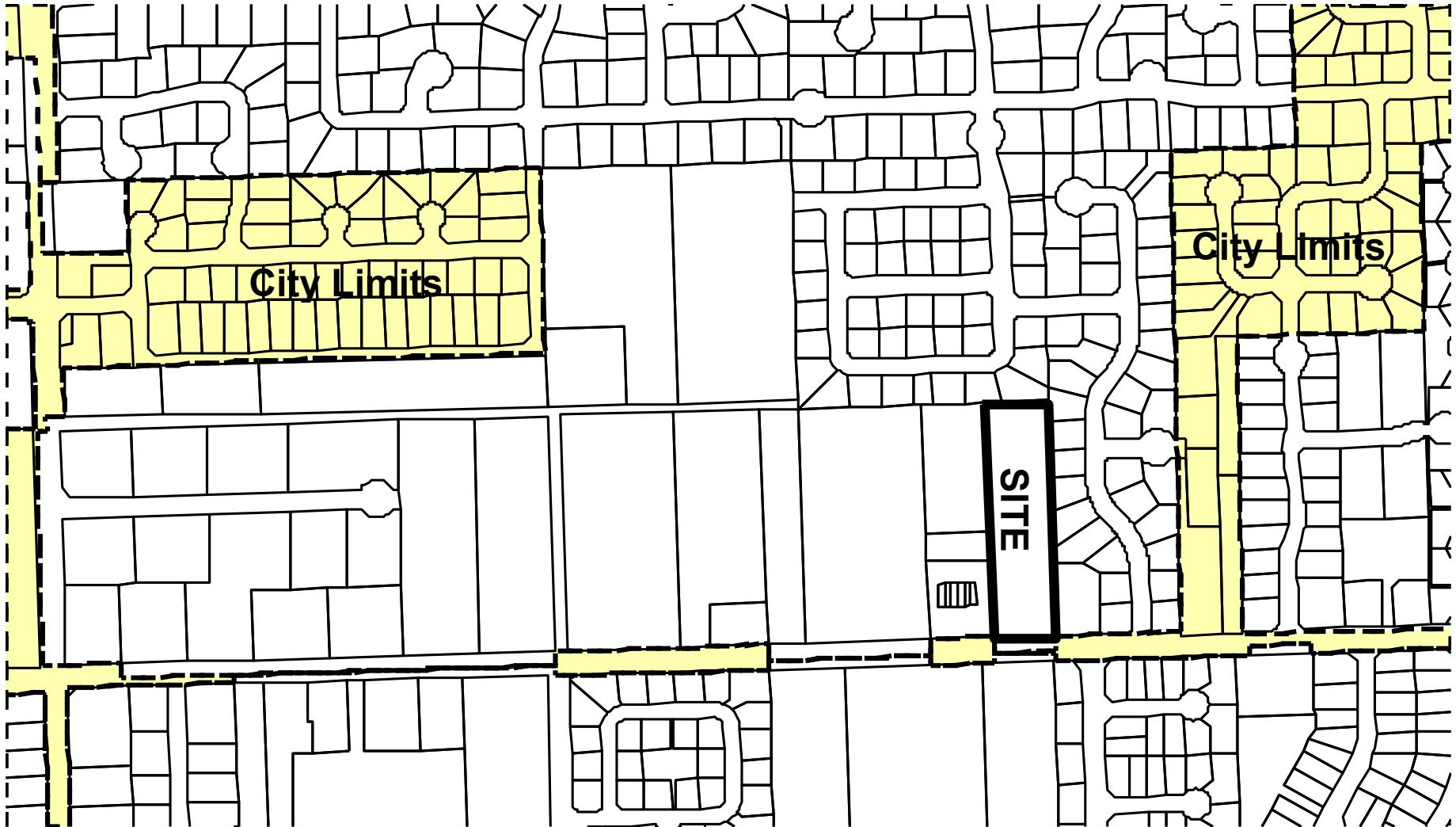
<i>ANNEXATION SCHEDULE</i>	
April 21, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 11, 2004	Planning Commission considers Zone of Annexation
May 19, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
June 2, 2004	Zoning by City Council
July 4, 2004	Effective date of Annexation and Zoning

CAMECK ANNEXATION SUMMARY

File Number:	ANX-2004-049
Location:	3048 D ½ Rd
Tax ID Number:	2943-162-00-042
Parcels:	1
Estimated Population:	1
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	2.5005 ac
Developable Acres Remaining:	2.35 ac
Right-of-way in Annexation:	Approximately 160' of the north ½ of D ½ Road
Previous County Zoning:	RSF-R
Proposed City Zoning:	RMF-5
Current Land Use:	Agricultural / Horse Property / Single Family Home
Future Land Use:	Residential
Values:	Assessed: = \$5,850
	Actual: = \$73,480
Address Ranges:	3048 D ½ Road
Special Districts:	Water: Clifton Water
	Sewer: Central Grand Valley Sanitation
	Fire: Clifton Fire
	Irrigation/Drainage: Grand Valley Irrigation / Grand Junction Drainage District
	School: Mesa Co School District #51
	Pest: Upper Valley Pest Control

Site Location Map

Figure 1



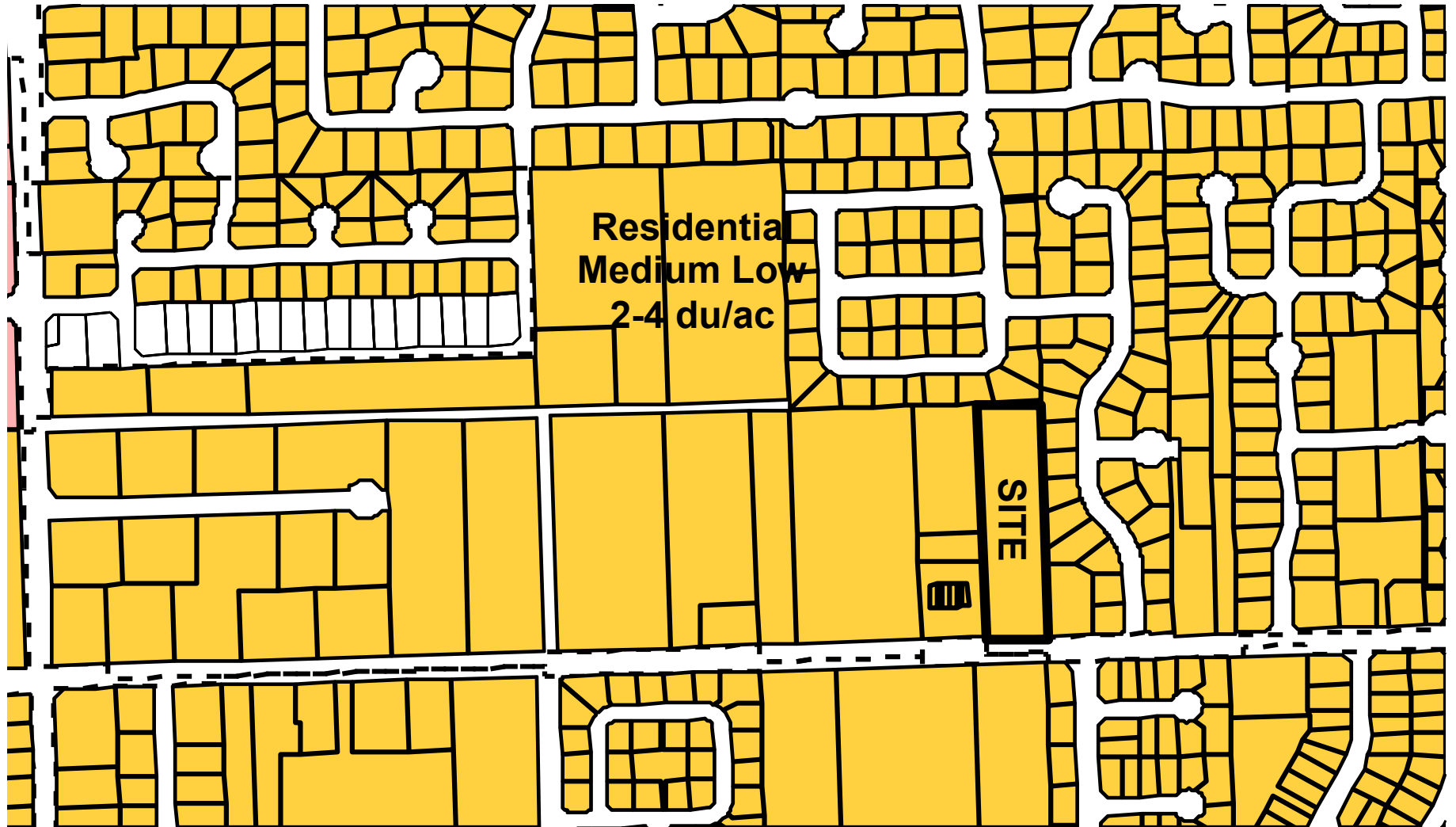
Aerial Photo Map

Figure 2



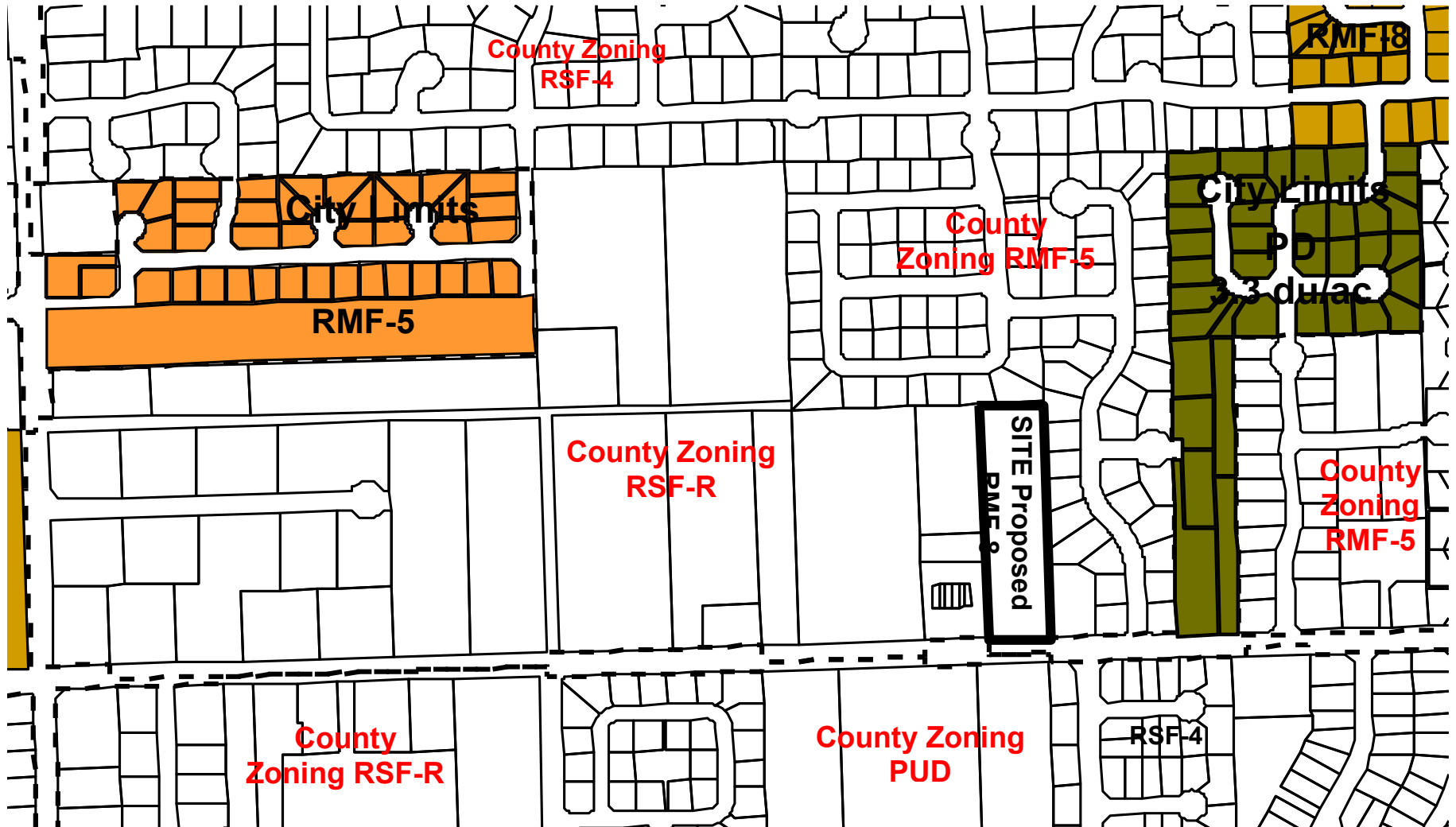
Future Land Use Map

Figure 3



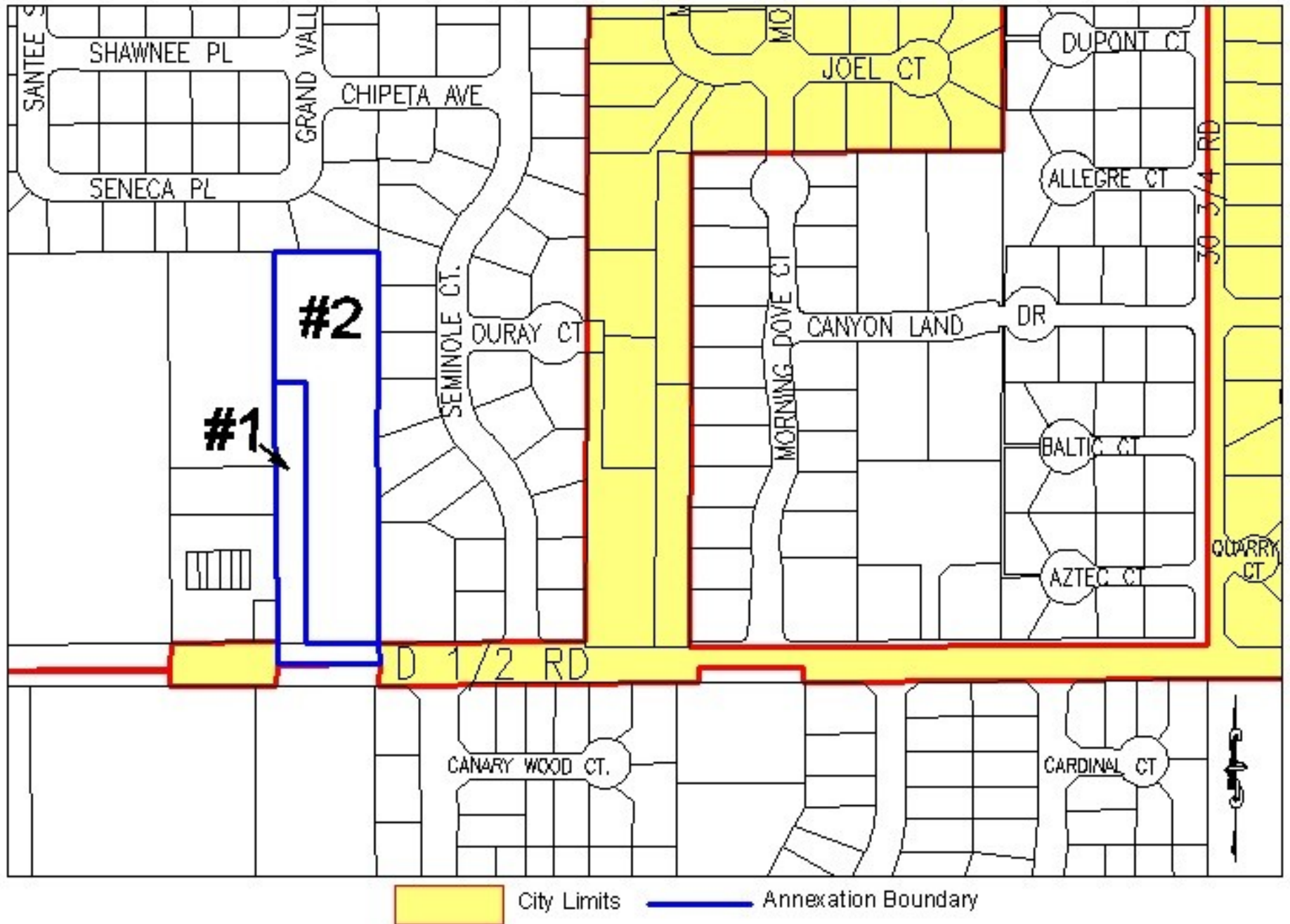
Existing City and County Zoning

Figure 4



Cameck Annexation #1 & #2

Figure 5



RESOLUTION NO. ____

A RESOLUTION ACCEPTING A

**PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
CAMECK ANNEXATION**

LOCATED at 3048 D ½ Road

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 21st 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:

CAMECK ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE 1/4 SE 1/4 NW 1/4) of Section 16, 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 Southeast corner of the Northwest Quarter of said Section 16 and assuming the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 16 bears S 89°54'19" W with all other bearings contained herein being in reference thereto; thence from said Point of Beginning, S 89°54'19" W along the South line of the SE 1/4 NW 1/4 of said Section 16, a distance of 165.00 feet, more or less, to its intersection with the West line of the East Quarter (E 1/4) of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence N 00°00'54" W along said West line, a distance of 450.00 feet; thence S 89°59'09" E a distance of 50.00 feet; thence S 00°00'54" E a distance of 416.90 feet; thence N 89°54'19" E along a line 33.00 feet North of and parallel with, the South line of the SE 1/4 NW 1/4 of said Section 16, a distance of 115.02 feet to a point on the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 00°00'51" W along said East line, a distance of 33.00 feet, more or less, to the Point of Beginning. CONTAINING 0.6036 Acres (26,292.89 Sq. Ft.), more or less, as described

CAMECK ANNEXATION NO. 2

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: COMMENCING at

the Southeast corner of the Northwest Quarter of said Section 16 and assuming the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 16 bears S 89°54'19" W with all other bearings contained herein being in reference thereto; thence from said Point of Commencement, N 00°00'51" E along the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 33.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°54'19" W along a line 33.00 feet North of and parallel with, the South line of the SE 1/4 NW 1/4 of said Section 16, a distance of 115.02 feet; thence N 00°00'54" W a distance of 416.90 feet; thence N 89°59'09" W a distance of 50.00 feet, more or less, to a point on the West line of the East Quarter (E 1/4) of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence N 00°00'54" W along said West line, a distance of 209.46 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 16; thence N 89°54'06" E along said North line, being the South line of Cherokee Village No. Two, as same is recorded in Plat Book 13, Page 13, Public Records of Mesa County, Colorado, a distance of 165.34 feet, more or less, to a point being the Northeast corner of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 00°00'51" W along the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16, said line being the West line of Cherokee Village, as same is recorded in Plat Book 12, Page 362, Public Records of Mesa County, Colorado, a distance of 626.47 feet, more or less, to the Point of Beginning. CONTAINING 1.8969 Acres, (82,629.21 Sq. Ft.) more or less, as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of June, 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 2nd day of June, 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*

CAMECK ANNEXATION #1

APPROXIMATELY 0.6036 ACRES

LOCATED AT 3048 D ½ ROAD

WHEREAS, on the 21st 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 2nd day of June, 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:

CAMECK ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE 1/4 SE 1/4 NW 1/4) of Section 16, 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 Southeast corner of the Northwest Quarter of said Section 16 and assuming the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 16 bears S 89°54'19" W with all other bearings contained herein being in reference thereto; thence from said Point of Beginning, S 89°54'19" W along the South line of the SE 1/4 NW 1/4 of said Section 16, a distance of 165.00 feet, more or less, to its intersection with the West line of the East Quarter (E 1/4) of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence N 00°00'54" W along said West line, a distance of 450.00 feet; thence S 89°59'09"

E a distance of 50.00 feet; thence S 00°00'54" E a distance of 416.90 feet; thence N 89°54'19" E along a line 33.00 feet North of and parallel with, the South line of the SE 1/4 NW 1/4 of said Section 16, a distance of 115.02 feet to a point on the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 00°00'51" W along said East line, a distance of 33.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.6036 Acres (26,292.89 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 21st day of April, 2004 and ordered published.

ADOPTED on second reading this 2nd day of June, 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*

CAMECK ANNEXATION #2

APPROXIMATELY 1.8969 ACRES

LOCATED AT 3048 D ½ ROAD

WHEREAS, on the 21st 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 2nd day of June, 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:

CAMECK ANNEXATION NO. 2

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of said Section 16 and assuming the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 16 bears S 89°54'19" W with all other bearings contained herein being in reference thereto; thence from said Point of Commencement, N 00°00'51" E along the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 33.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°54'19" W along a line 33.00 feet North of and parallel with, the South line of the SE 1/4 NW 1/4 of said Section 16, a

distance of 115.02 feet; thence N 00°00'54" W a distance of 416.90 feet; thence N 89°59'09" W a distance of 50.00 feet, more or less, to a point on the West line of the East Quarter (E 1/4) of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence N 00°00'54" W along said West line, a distance of 209.46 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 16; thence N 89°54'06" E along said North line, being the South line of Cherokee Village No. Two, as same is recorded in Plat Book 13, Page 13, Public Records of Mesa County, Colorado, a distance of 165.34 feet, more or less, to a point being the Northeast corner of the SE 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 00°00'51" W along the East line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16, said line being the West line of Cherokee Village, as same is recorded in Plat Book 12, Page 362, Public Records of Mesa County, Colorado, a distance of 626.47 feet, more or less, to the Point of Beginning.

CONTAINING 1.8969 Acres, (82,629.21 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 21st day of April, 2004 and ordered published.

ADOPTED on second reading this 2nd day of June, 2004.

Attest:

President of the Council

City Clerk

Attach 12

Public Hearing – Zoning the Cameck Annexation to RMF-5

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Cameck Annexation, located at 3048 D ½ Road to the RMF-5 zone district.					
Meeting Date	June 2, 2004					
Date Prepared	May 24, 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		Consent	X Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Cameck Annexation RMF-5, located at 3048 D ½ Road. The 2.5005 acre annexation consists of 1 parcel 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:

- 16. Staff report/Background information
- 17. General Location Map
- 18. Aerial Photo
- 19. Growth Plan Map
- 20. Zoning Map
- 21. Annexation map
- 22. 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.

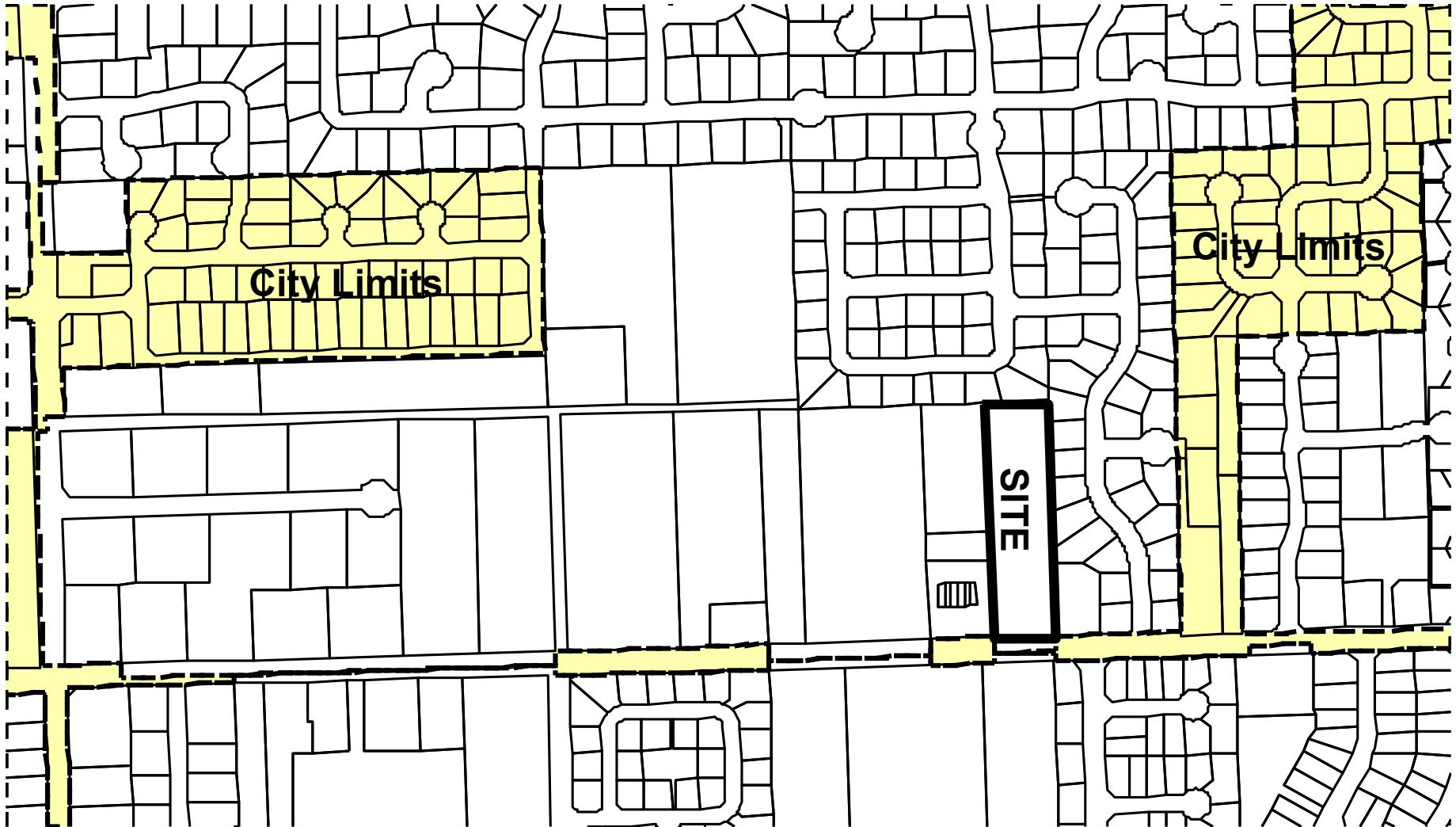
7. The community or neighborhood will benefit from the proposed zone.

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

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



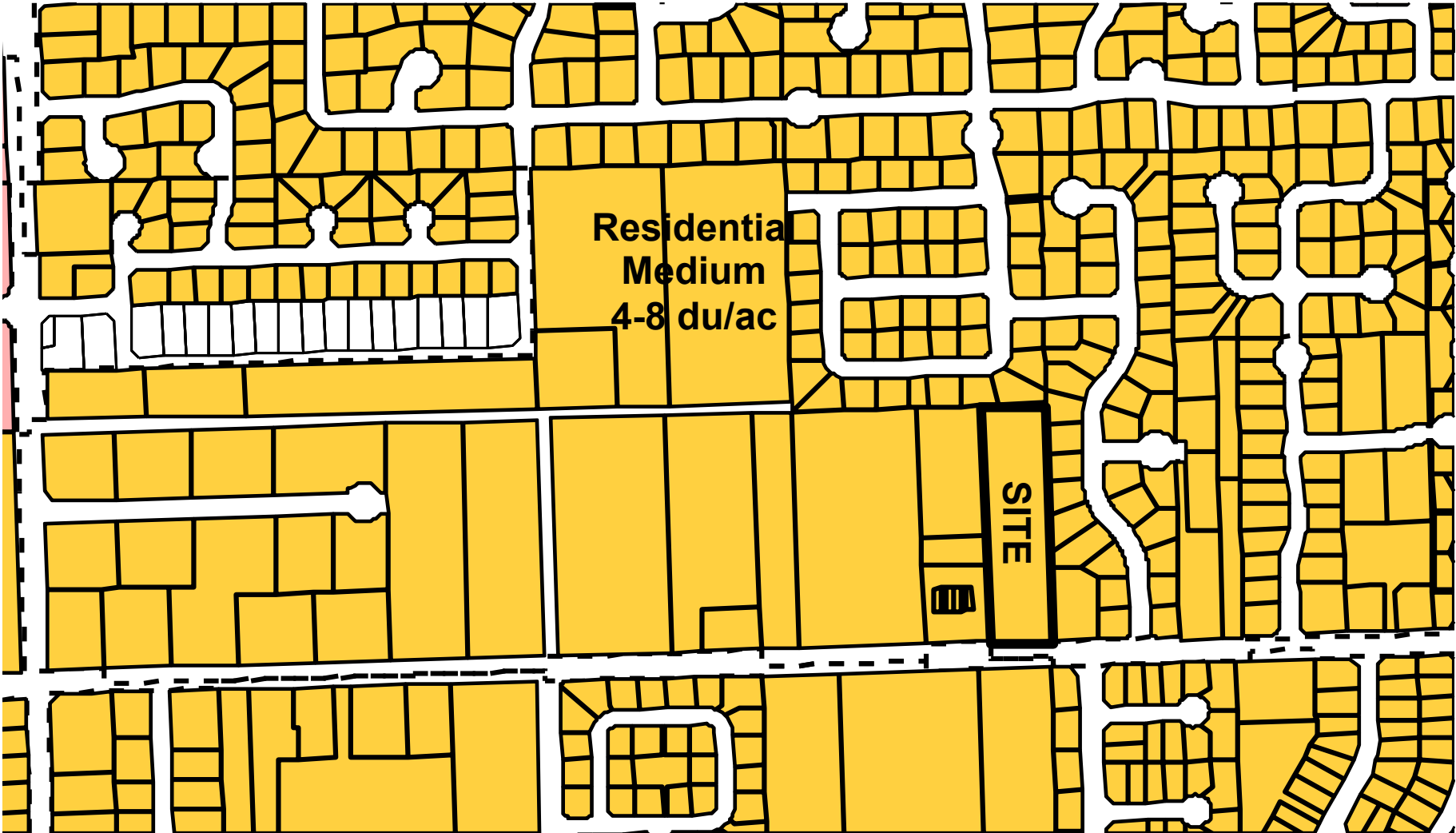
Aerial Photo Map

Figure 2



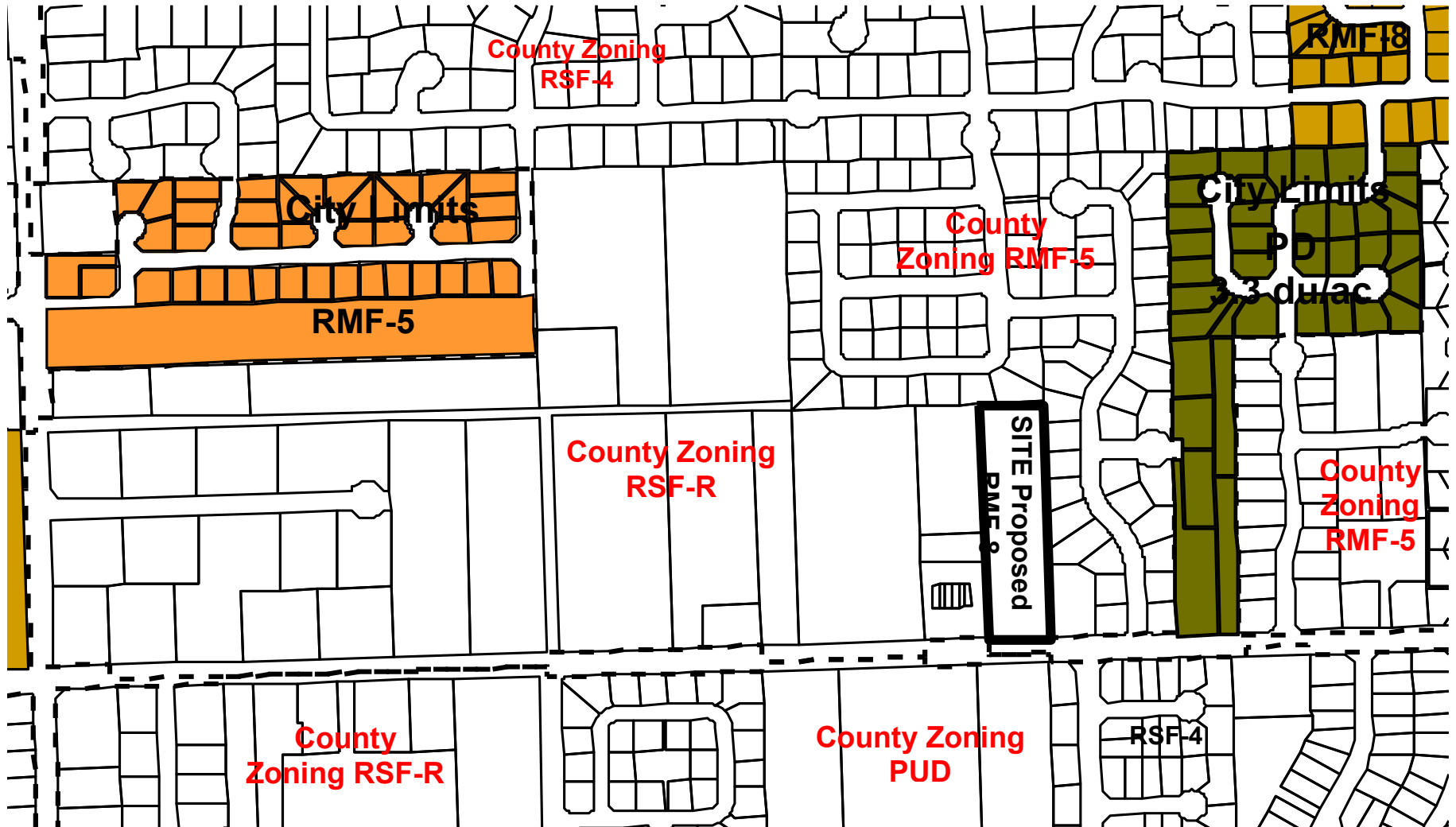
Future Land Use Map

Figure 3



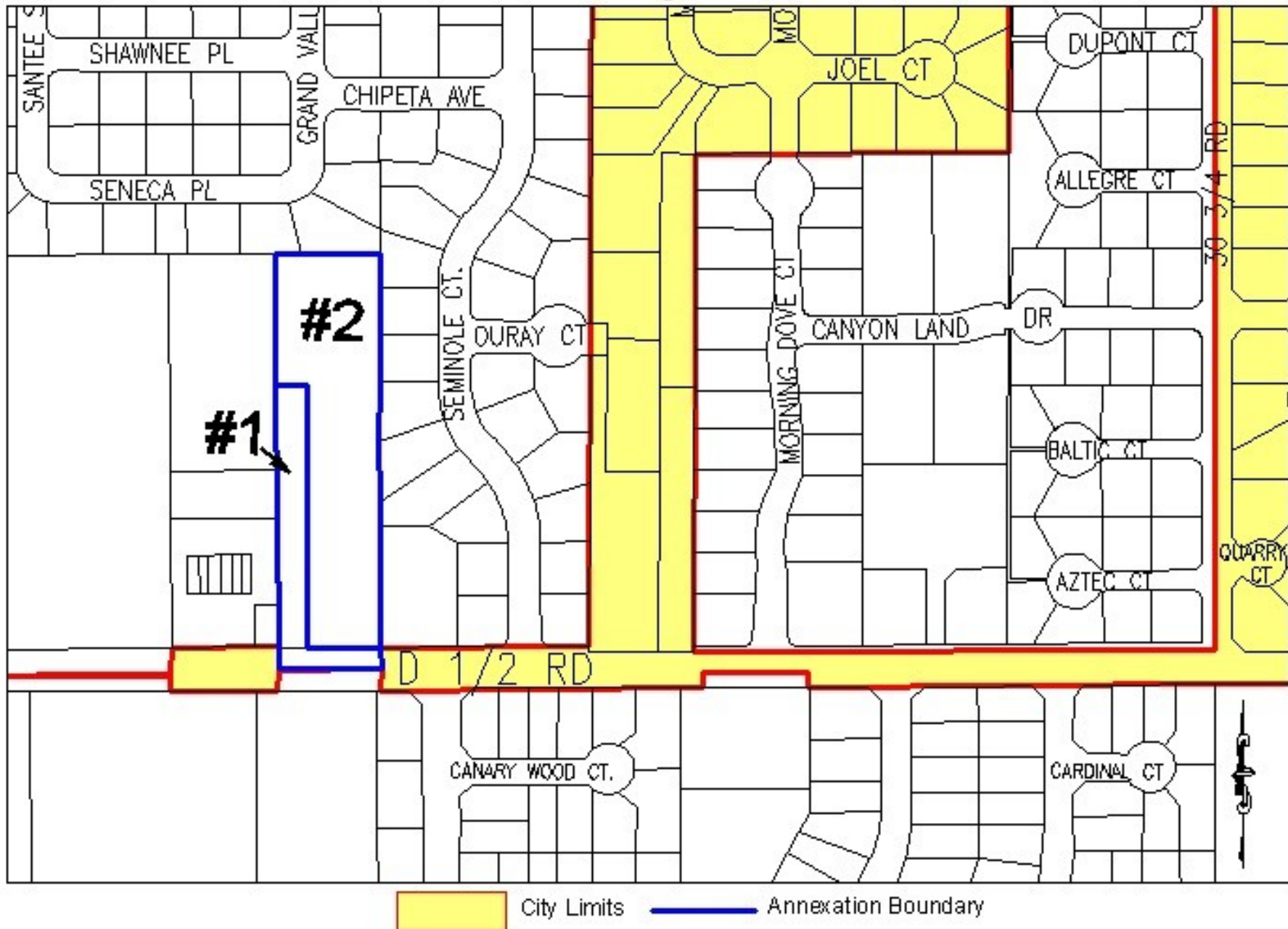
Existing City and County Zoning

Figure 4



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 13

Public Hearing – Holley Annexation Located at 2936 D ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	A hearing for the Holley Annexation located at 2936 D ½ Road					
Meeting Date	June 2, 2004					
Date Prepared	May 24, 2004				File #ANX-2004-059	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input type="checkbox"/>	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 Holley Annexation, located at 2936 D ½ Road. The 0.8402 acre Holley Annexation consists of 1 parcel 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:

- 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:		<i>2936 D ½ Road</i>		
Applicants:		Tom Holley		
Existing Land Use:		<i>Single Family Home</i>		
Proposed Land Use:		<i>Single Family Home</i>		
Surrounding Land Use:	North	<i>Agricultural / Single Family Homes</i>		
	South	<i>Agricultural / Single Family Homes</i>		
	East	<i>Agricultural / Single Family Homes</i>		
	West	<i>Agricultural / Single Family Homes</i>		
Existing Zoning:		County RSF-R		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	<i>County I-2</i>		
	South	<i>County RSF-E / RSF-R; City RMF-8</i>		
	East	<i>County RSF-R</i>		
	West	<i>County RSF-R</i>		
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 0.8402 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City as the result of needing a rezone in the County to allow smaller setbacks. 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 Holley 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 21, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 11, 2004	Planning Commission considers Zone of Annexation
May 19, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
June 2, 2004	Zoning by City Council
July 4, 2004	Effective date of Annexation and Zoning

HOLLEY ANNEXATION SUMMARY

File Number:		ANX-2004-059
Location:		2936 D ½ Road
Tax ID Number:		2943-172-00-064
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		0.85
Developable Acres Remaining:		0.8402
Right-of-way in Annexation:		91.50' of north 30' of D ½ Road
Previous County Zoning:		RSF-R
Proposed City Zoning:		RSF-4
Current Land Use:		Single Family Home
Future Land Use:		Single Family Home
Values:	Assessed:	= \$8,770
	Actual:	= \$110,180
Address Ranges:		2936 D ½ Road
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation Dist
	Fire:	Grand Junction Rural Fire Dist
	Irrigation/Drainage :	Grand Valley Irrigation Dist / Grand Junction Drainage Dist
	School:	Mesa County School Dist

Site Location Map

Figure 1



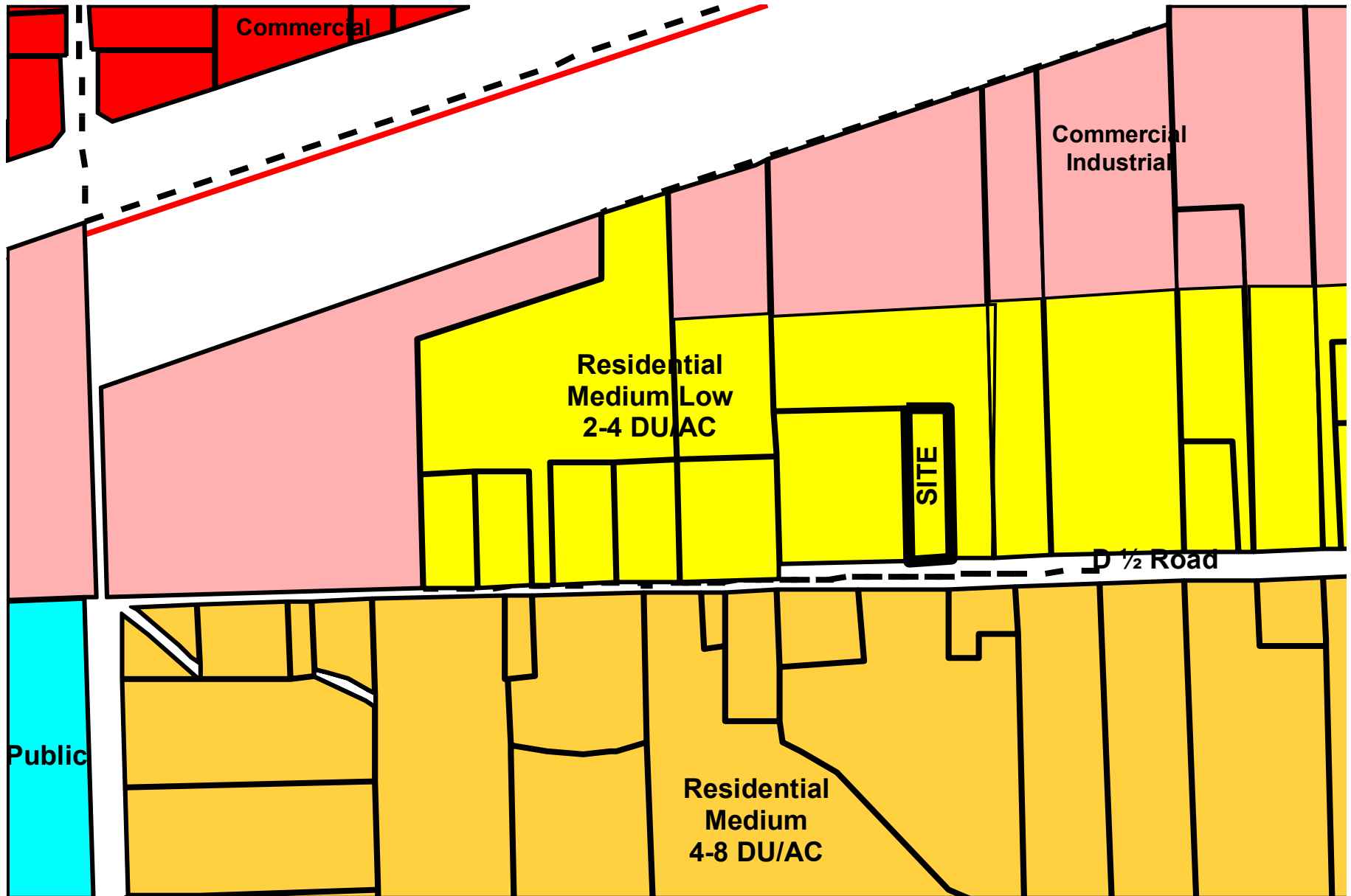
Aerial Photo Map

Figure 2



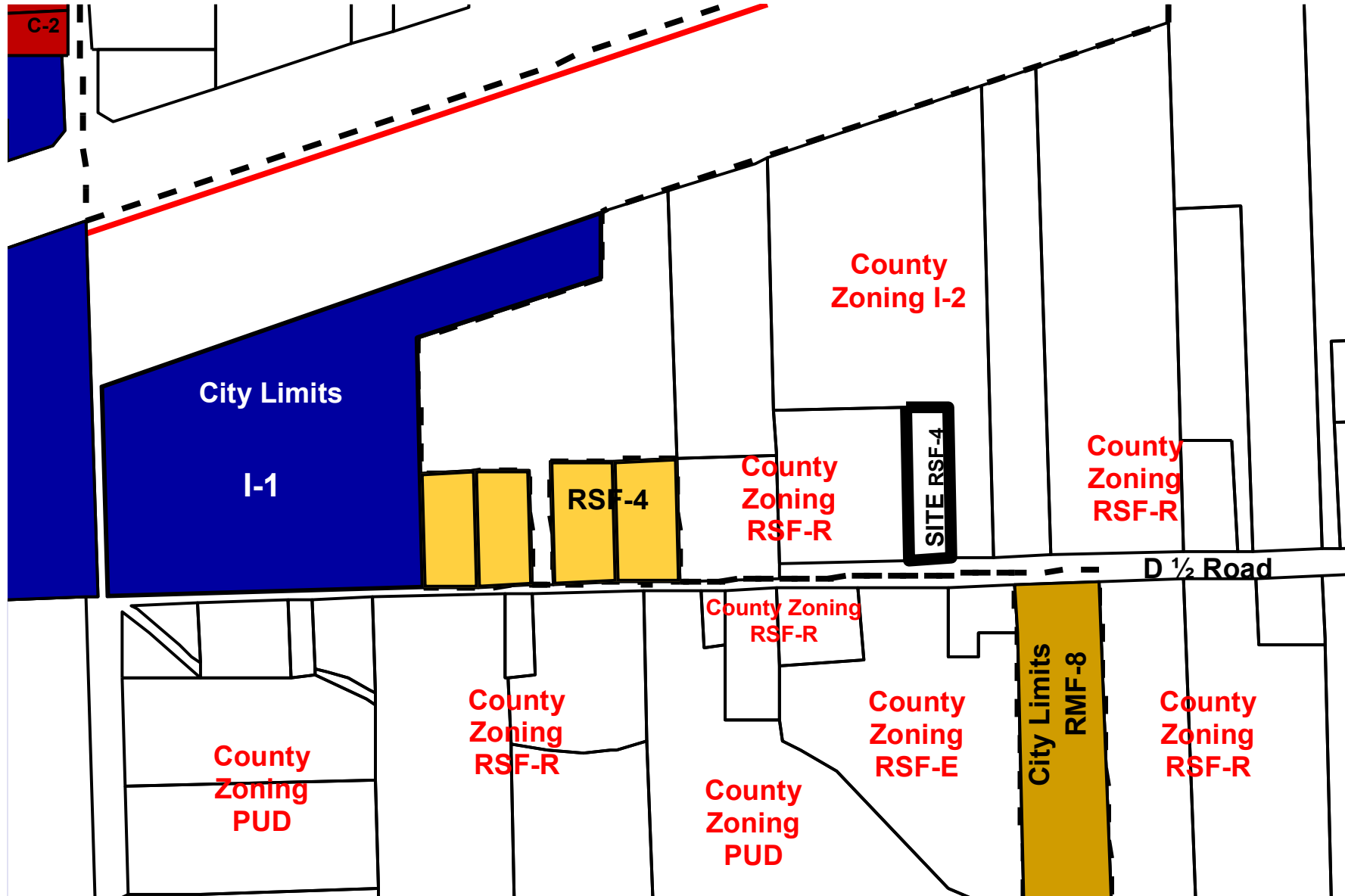
Future Land Use Map

Figure 3



Existing City and County Zoning

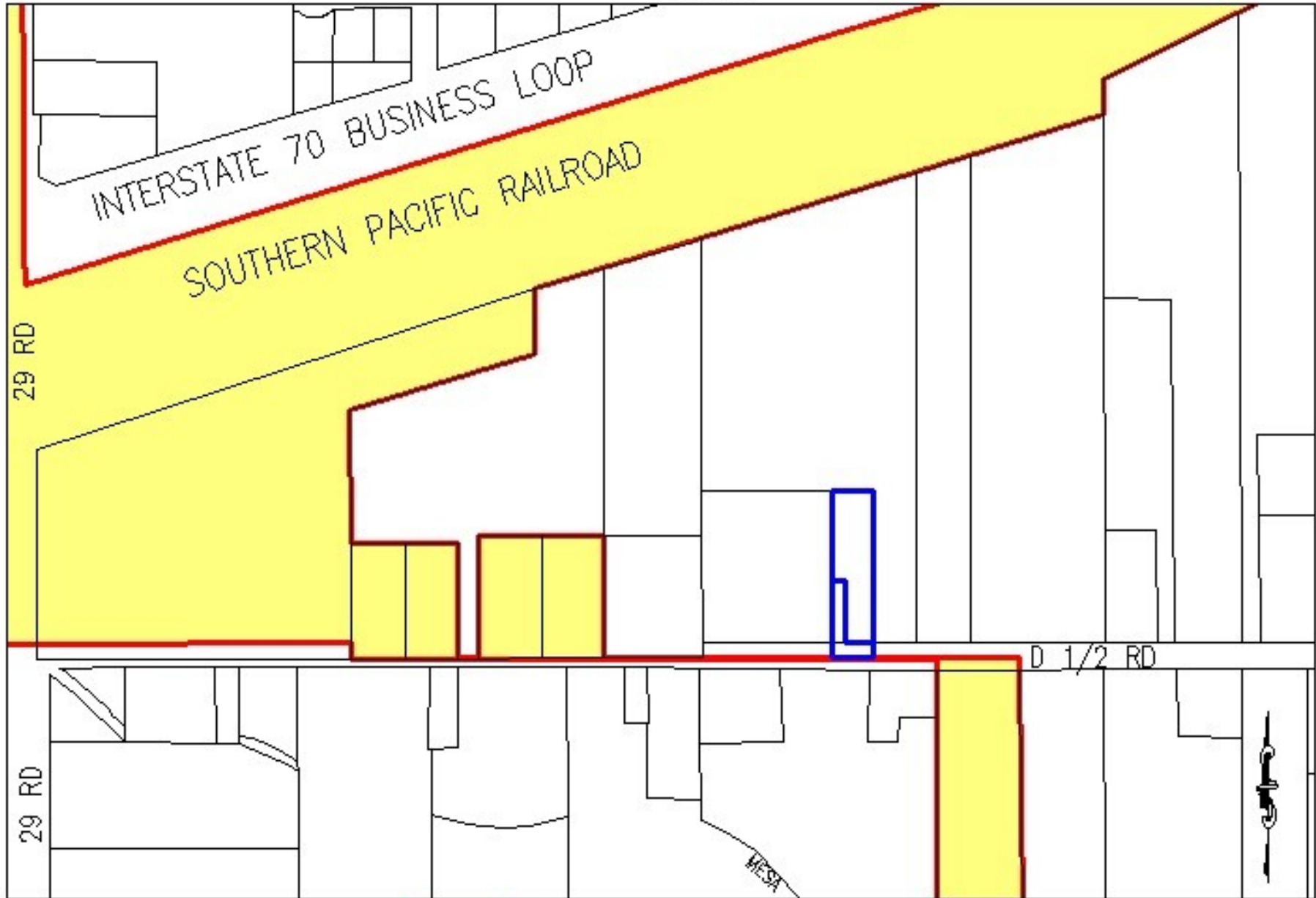
Figure 4



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 Limits  Annexation Boundary

RESOLUTION NO. ____

A RESOLUTION ACCEPTING A

***PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
HOLLEY ANNEXATION***

LOCATED at 2936 D ½ Road

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 21st 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:

HOLLEY ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4 NW 1/4 of said Section 17 bears S 89°59'32" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'32" E along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 660.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°00'00" W a distance of 180.00 feet; thence N 90°00'00" E a distance of 30.00 feet; thence S 00°00'00" E a distance of 150.00 feet; thence S 89°59'32" E a distance of 61.50 feet; thence S 00°00'00" E a distance of 30.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 91.50 feet, more or less, to the Point of Beginning.

CONTAINING 0.1663 Acres (7,245.0 Sq. Ft.) more or less, as described.

Holley Annexation No. 2

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4

NW 1/4 of said Section 17 bears S 89°59'32" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'32" E along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 660.00 feet; thence N 00°00'00" W a distance of 180.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°00'00" W a distance of 220.00 feet; thence S89°59'32" E a distance of 91.50 feet; thence S 00°00'00" E a distance of 370.00 feet; thence N 89°59'32" W a distance of 61.50 feet; thence N 00°00'00" W a distance of 150.00 feet; thence S 90°00'00" W a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.6739 Acres (29,355.0 Sq. Ft.) more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of June, 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 2nd day of June, 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

HOLLEY ANNEXATION #1

APPROXIMATELY 0.1663 ACRES

LOCATED AT 2936 D ½ ROAD

WHEREAS, on the 21st 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 2nd day of June, 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:

HOLLEY ANNEXATION #1

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4 NW 1/4 of said Section 17 bears S 89°59'32" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'32" E along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 660.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°00'00" W a distance of 180.00 feet; thence N 90°00'00" E a distance of 30.00 feet; thence S 00°00'00" E a distance of 150.00 feet; thence S 89°59'32" E a distance of 61.50 feet; thence S 00°00'00" E a distance of 30.00

feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 91.50 feet, more or less, to the Point of Beginning.

CONTAINING 0.1663 Acres (7,245.0 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 21st day of April, 2004 and ordered published.

ADOPTED on second reading this 2nd day of June, 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

HOLLEY ANNEXATION #2

APPROXIMATELY 0.6739 ACRES

LOCATED AT 2936 D ½ ROAD

WHEREAS, on the 21st 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 2nd day of June, 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:

HOLLEY ANNEXATION #2

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4 NW 1/4 of said Section 17 bears S 89°59'32" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'32" E along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 660.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°00'00" W a distance of 180.00 feet; thence N 90°00'00" E a distance of 30.00 feet; thence S 00°00'00" E a distance of 150.00 feet; thence S 89°59'32" E a distance of 61.50 feet; thence S 00°00'00" E a distance of 30.00

feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 91.50 feet, more or less, to the Point of Beginning.

CONTAINING 0.1663 Acres (7,245.0 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 21st day of April, 2004 and ordered published.

ADOPTED on second reading this 2nd day of June, 2004.

Attest:

President of the Council

City Clerk

Attach 14

Public Hearing – Zoning the Holley Annexation to RSF-4

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Holley Annexation, located at 2936 D ½ Road to the RSF-4 zone district.					
Meeting Date	June 2, 2004					
Date Prepared	May 24, 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			Consent X Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Holley Annexation RSF-4, located at 2936 D ½ Road. The 0.8402 acre Holley Annexation consists of 1 parcel.

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

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.

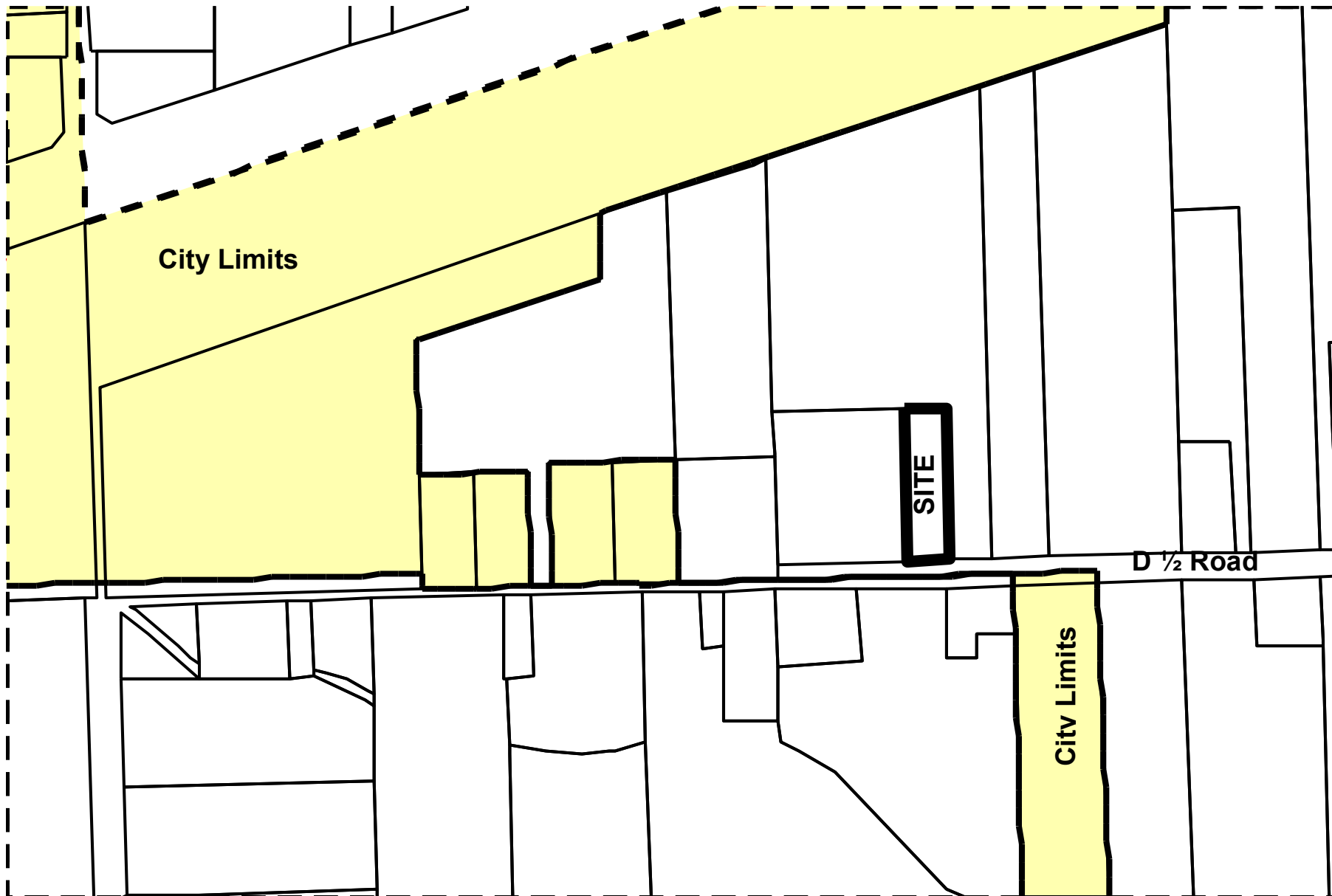
Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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



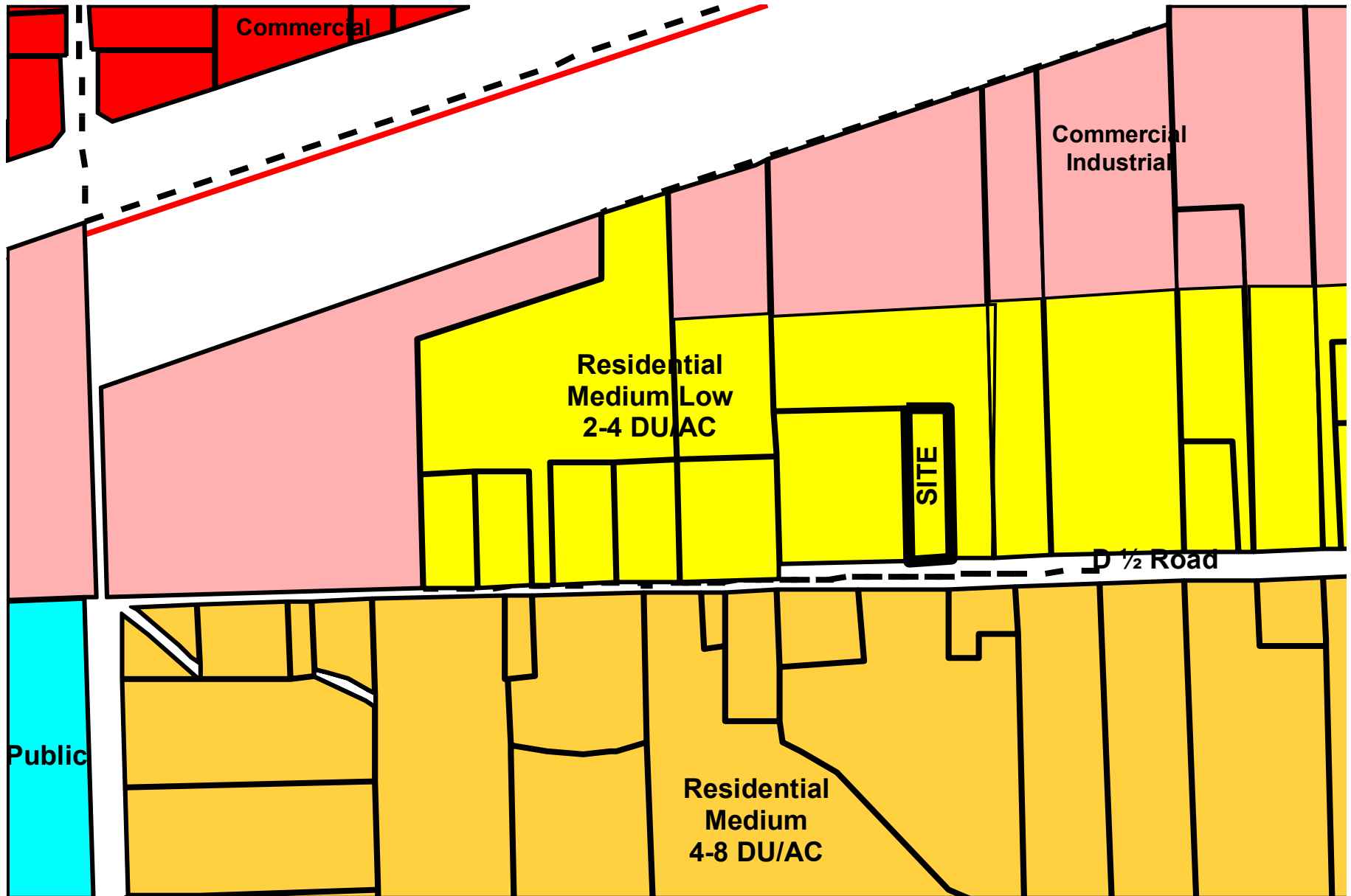
Aerial Photo Map

Figure 2



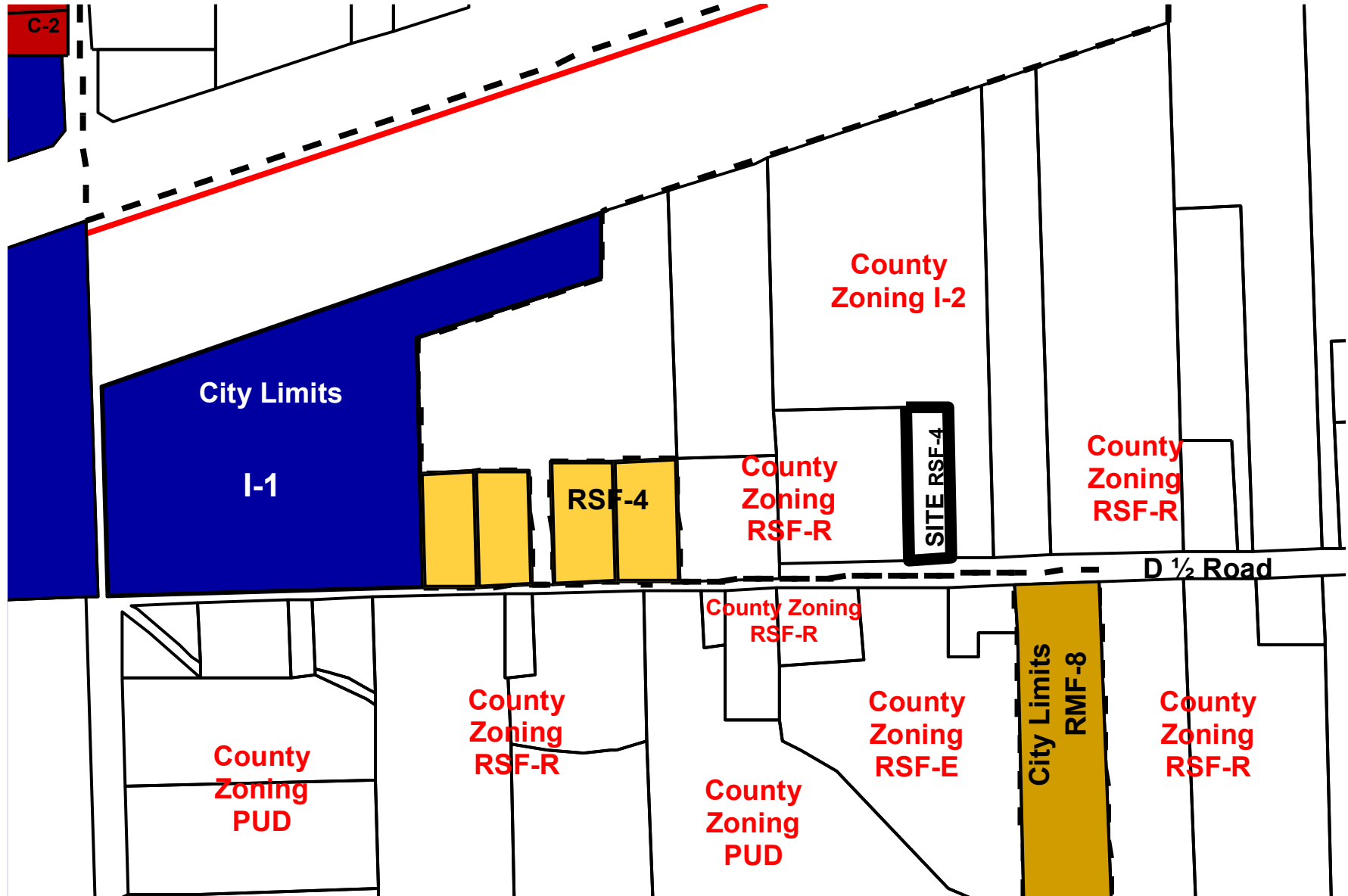
Future Land Use Map

Figure 3



Existing City and County Zoning

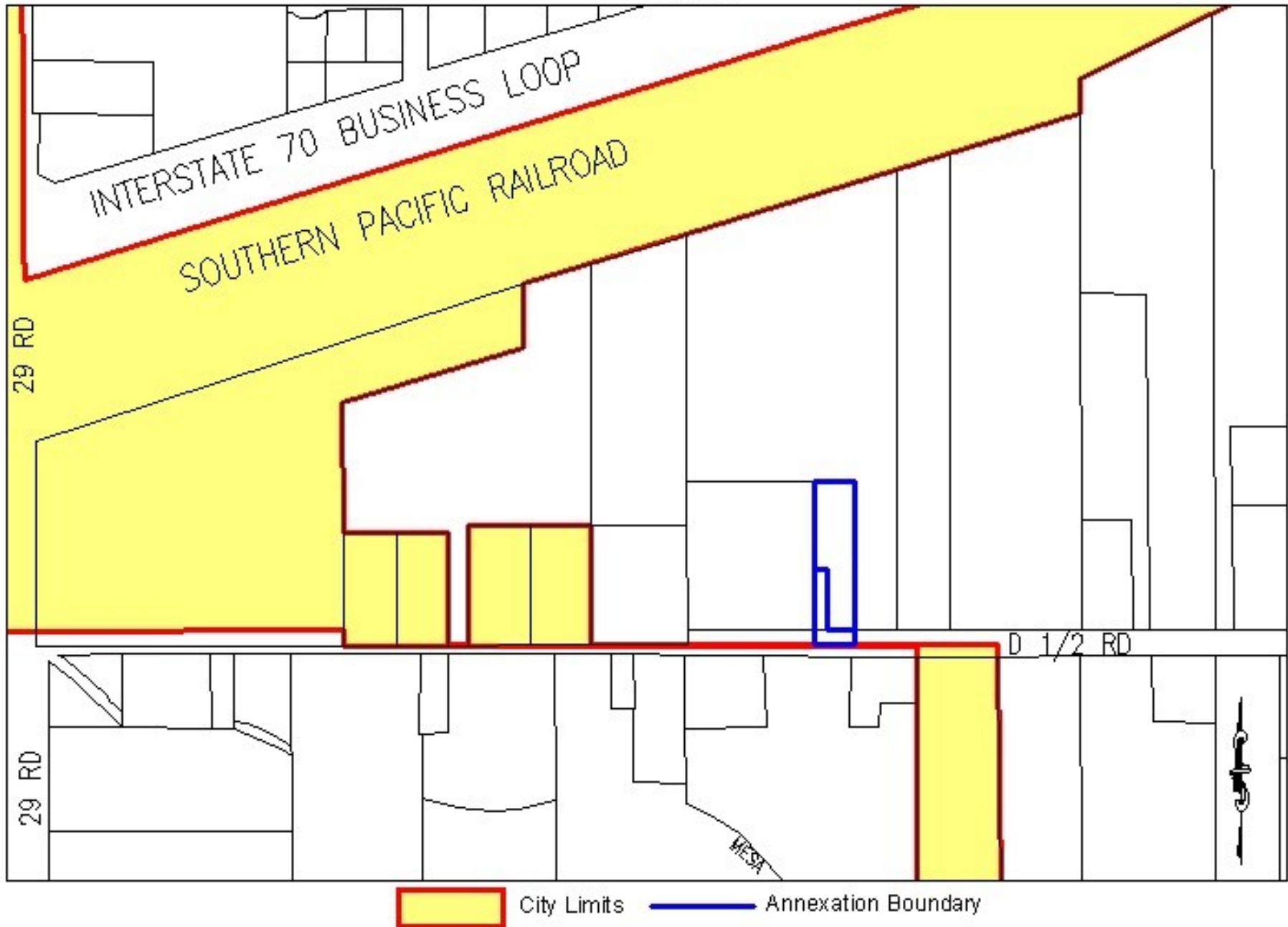
Figure 4



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 1/2 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of 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 15

Public Hearing – Modifying the Transportation Capacity Payment (TCP)

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Public Hearing of a Proposed Transportation Capacity Payment Ordinance.						
Meeting Date	June 2, 2004						
Date Prepared	May 24, 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	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	When		
Citizen Presentation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	Members of the working group.	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Public Hearing for 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: Review and adopt a proposed ordinance that proposes modifications to the Transportation Capacity Payment (TCP) and half street policies.

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.

Applicability of the New Ordinance

Council has expressed a desire to have this new Ordinance and associated policies in place by July 4, 2004. There are a number of options related to the application of the new ordinance to existing projects and projects currently under review. Staff has developed the following three options for your consideration:

1. The new ordinance could apply to each application for a planning clearance or development project made after July 4, 2004.
2. The new ordinance could apply to each application for a planning clearance or development made after July 4, 2004. Additionally, a development could request a credit for capacity improvements constructed in the public right-of-way prior to the effective date of the ordinance.
3. The new ordinance could apply to all applications for new development made after July 4, 2004. All lots that existed prior to July 4, 2004 could be grandfathered in and pay a TCP equal to the value under the former ordinance.

Staff's recommendation is option #2 for a number of reasons.

- ◆ This option provides the best opportunity to strike a balance between the fees that are paid and the improvements that must be constructed associated with new development. Because the fee proposed is actually 52% of the fee calculated in the Duncan study, it will be important to collect the full amount of the fee for all new applications.
- ◆ Developments who constructed public capacity improvements under the former code could request a credit against the TCP for the cost of those improvements up to an amount equal to the total TCP for the development. This option provides an opportunity for developments

under the former code to have this credit re-assessed and potentially modified to further reduce the new TCP.

- ◆ This option would apply the new fee equally among all lots, both in existence now and those that are constructed in the future. This approach should reduce inequities in lot pricing.

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 a total of five times with a working group of affected interests. From these meetings there were a number of suggested changes that have been incorporated into the attached ordinance. To date, staff has not received feedback from a review of this ordinance by the Associated Growth and Development (AMGD) attorney (Rich Livingston). Staff did receive comments from this group relative to the applicability of the new ordinance. The group's preference would be to implement an option similar to #3 listed above which would grandfather all existing lots.

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

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.

2.5 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) 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.

3. 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.

4. Minimum Street Access Improvements -- The intent of this section is to describe the improvements necessary to connect a proposed development to the existing street system. 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. These improvements are not intended to include 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.
- The City's multi-modal plan, including bike lanes, trails, paths, alternate pedestrian connections 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 the connection of the development to the street system.
- Traffic Studies - Preparation of Traffic Studies shall be the responsibility of new development as currently defined by the Code.
- 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).

7. 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.

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.

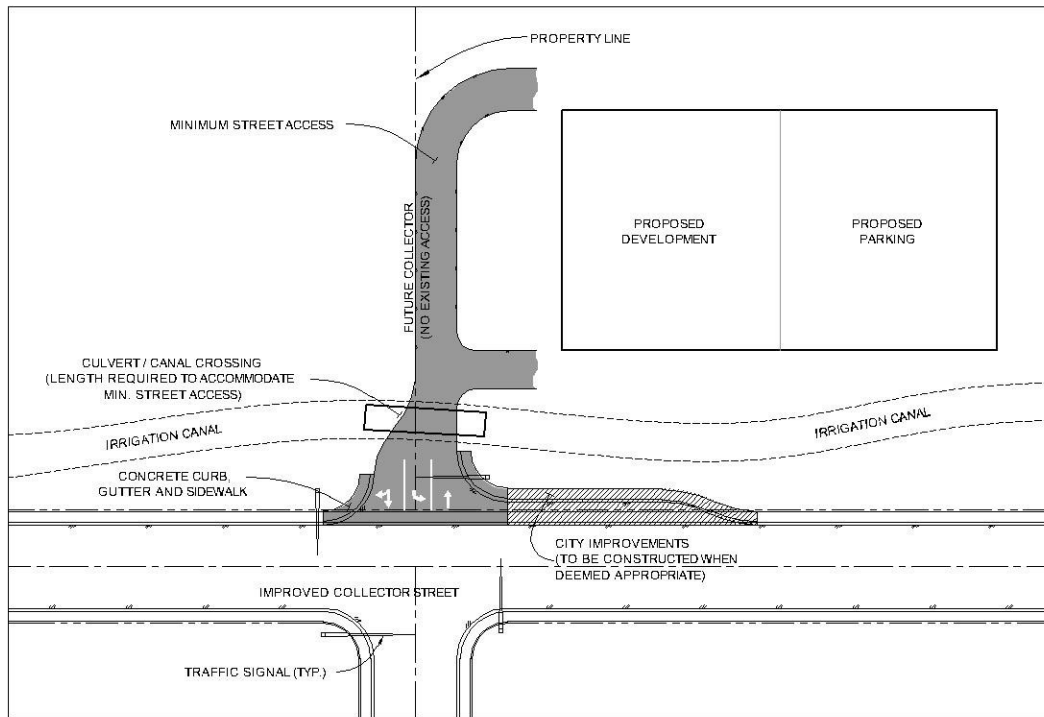
PASSED and ADOPTED on second reading this _____ day of
_____ 2004.

Council

President of the

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

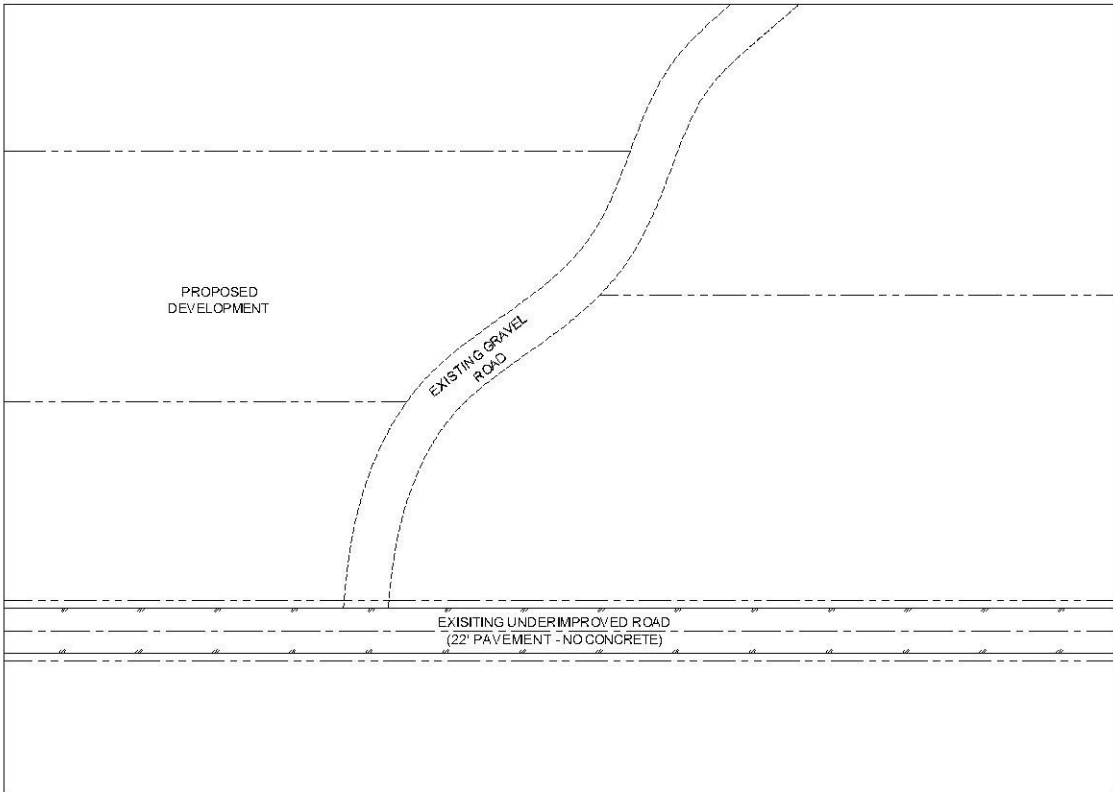
- ◆ TRAFFIC SIGNAL
- ◆ DECELERATION LANE

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

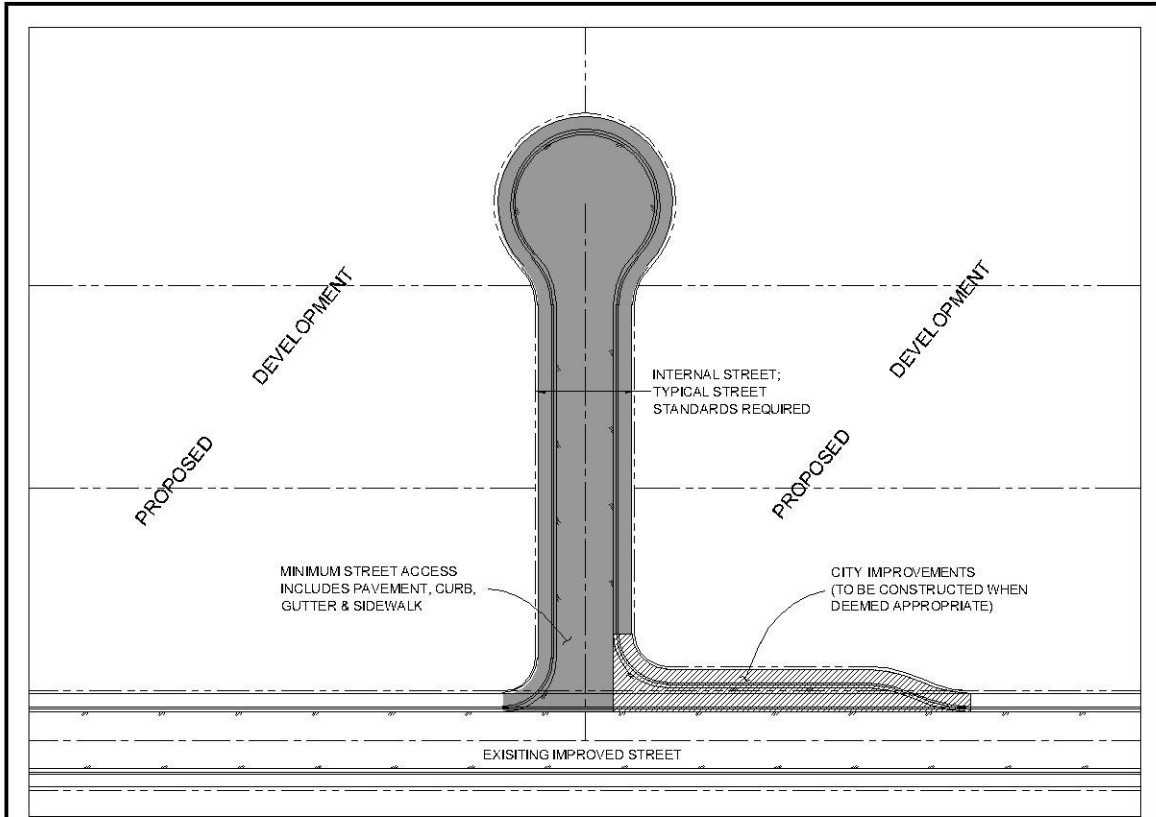
- ◆ IMPROVE GRAVEL ROAD PER FIRE STANDARDS.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.
- ◆ R.O.W. DEDICATION TO ACCOMODATE DEVELOPMENT NEEDS.

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 16
2003 Sales Tax Studies

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		2003 Sales Tax Studies						
Meeting Date		June 2, 2004						
Date Prepared		May 24, 2004			File #			
Author		Ron Lappi		Administrative Services Director				
Presenter Name		Ron Lappi		Administrative Services Director				
Report results back to Council		X	No		Yes	When		
Citizen Presentation			Yes	X	No	Name		
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration Other Business

Summary: Presentation to the City Council of two reports prepared by Jean Townsend, President of Coley/Forrest Inc. on the City's 2 ¾% Sales Tax. We hired Ms Townsend to prepare an update to her previous reports from 1991 and 1997 to calculate with a great degree of confidence where our Sales Tax comes from on an annual basis. Also, an additional report on estimated and projected impacts on our sales tax revenue streams from the major big box retailers adding new stores in the Western Slope Region, that may compete with our local stores.

Budget: Both of these studies were budgeted in the Administrative Services Budget and no additional impact is expected directly from the studies.

Action Requested/Recommendation: No action required or expected.

Attachments: Sources of 2003 Sales Tax Revenues
Summary of Sales Performance Analysis:
Large-Format Retailers in Grand Junction

Background Information: Since the original study of sources of City Sales Tax was produced in 1991 and 1997, we have made an attempt to communicate with the City Council the results and what they mean to Grand Junction. These studies attempt to estimate and attribute sales tax paid to four different sources; (1) City households, (2) County households residing outside of the City, (3) Businesses, and (4) Visitors (mainly shoppers, travelers and tourists). The report breaks down the sales tax sources in this way by considering factors such as

vendor type, population, numbers of households, per capita income, and estimated sales taxable expenditures from annual disposable income of households.

Sources of the Sales Tax Revenue and comparison of the results from 1990 and 1995 Sales Tax Revenue to 2003 Sales Tax Revenue:

	1990	1995
2003		
%	%	%
• Households Residing in Grand Junction 18	21	22
• Mesa County Remainder Households 16	29	25
• Visitors, Travelers, Out of County Shoppers 35	30	30
• Businesses 31	20	23

The data supports a conclusion that is present in the report that ...”Clearly, the growth in taxable sales from 1995 to 2003 is attributable to more than local increases in population and income”. The author also concludes that the data in the 2003 report is probably more accurate than the data in the 1995 study, since the data was broken down more and it used the 2000 census versus the 1990 census from which we had to estimate five years of changes. Nonetheless the changes in the information shows a very clear trend that the City of Grand Junction’s position as a major regional trade center has actually strengthened over this period. City of Grand Junction and all of Mesa County residents that use our City services and capital infrastructure benefit greatly by the leverage that the Sales Tax provides. Residents of the City and County only pay 34% of the total, with the rest being picked up by the regional shoppers, visitors and business consumption from a growing commercial trade area.

The second report should give us some comfort, at least for the next couple of years, that the new large box retailers appearing on the Western Slope other than Grand Junction will effect all retail areas as shopping habits change, but we appear to continue to be growing significantly. Our big box retailers, (their were seven studied), for the most part have sales way above the national average for these stores, signaling to them that additional stores are still needed in Grand Junction or the region that shops in Grand Junction. To the extent the additional big box retailers build in Grand Junction we are not hurt at all, and additional specialty stores and restaurants seem to be flocking to Grand Junction. The City Manager and I have more detailed calculations and comparisons that support

this summary report, but that work contains confidential information on individual stores that can not be made public.

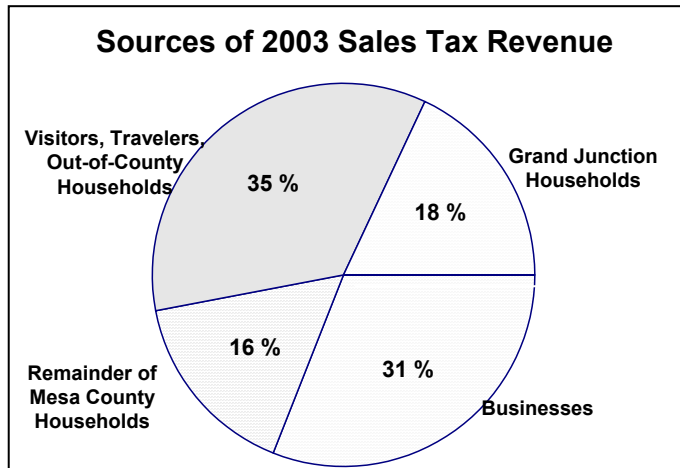
We as concerned staff and City Council will have to continue to keep our eyes on the performance of the large box retailers over the next several years, being always alert to signs of downturns in the rate of growth of our important retail segment.

I will be happy to try and answer any questions about the studies at the Council meeting on June 2, 2004.

SOURCES OF 2003 SALES TAX REVENUES
CITY OF GRAND JUNCTION
 PREPARED BY COLEY/FORREST, INC., APRIL 2004

1. Introduction & Summary. The purpose of this analysis is to estimate the sources of the City's sales tax revenues in 2003, which totaled approximately \$31,383,700.

Based on the analysis presented in this report, approximately 18 percent of the 2003 sales tax revenues was derived from households residing in Grand Junction, 16 percent was derived from households residing in the remainder of Mesa County, 35 percent was derived from visitors, including travelers on business and personal trips and households residing in other West Slope counties who shop in Grand Junction, and 31 percent was derived from businesses that make retail purchases in Grand Junction.



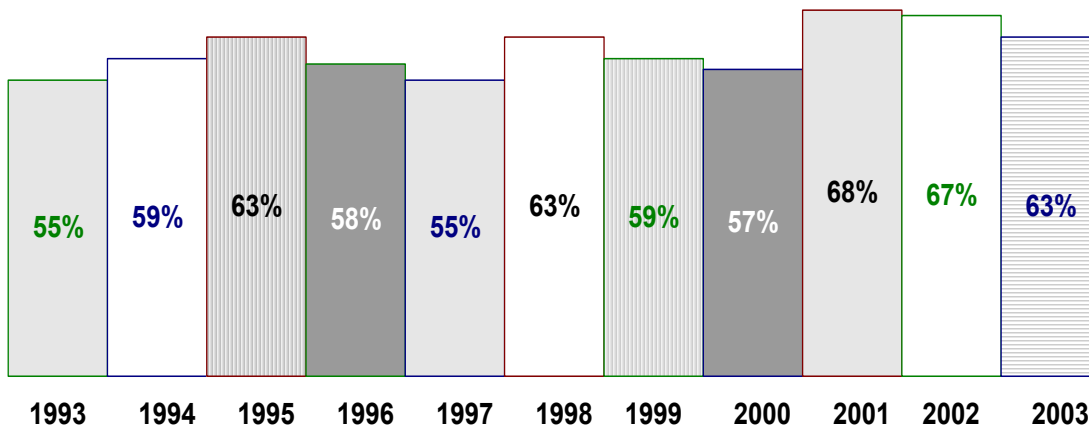
SOURCE	SALES TAX REVENUES ▶▶	% OF TOTAL
Households Residing in Grand Junction	\$5,680,450	18%
Households Residing in the Remainder of Mesa County	\$5,021,392	16%
Visitors, including travelers, and out-of-county shoppers	\$10,827,376	35%
Businesses	\$9,854,482	31%
Total	\$31,383,700	100%
▶▶ This figure is based on calendar year sales not on collections by the City. Source: Subsequent Tables		

The City of Grand Junction's sales tax rate is 2.75 percent; sales tax receipts exclude a 3.3 percent vendor's fee. The City exempts groceries and manufacturing machinery and equipment from its sales tax. This analysis excludes lodging tax revenues (an additional 3.0% tax minus 3.3% vendor's fee) and use tax revenues on building materials and other taxable products.

Relative to analyses in prior years, these figures show an increase in the significance of businesses, visitors, and out-of-county households as contributors to Grand Junction sales tax revenues, further underscoring the role of the City in regional trade and commerce.

2. Significance of Taxable Sales and Sales Tax Revenues. Retail sales are not only a telling indication of the health of the local economy but also the mainstay of city revenues. Since 1993, sales tax revenues have consistently ranged between 55 and 68 percent of total General Fund plus Sales Tax CIP Fund revenues. (This excludes use tax revenues and the City's share of county sales tax revenues.)

Sales Tax Revenues as a Percent of General Fund + Sales Tax CIP Fund



Taxable sales and corresponding sales tax revenues have been increasing at a robust rate, averaging eight percent over the last ten years. Between 1993 and 2003, Grand Junction taxable sales increased a total of 115 percent (\$522.4 million to \$1.126 billion). Eliminating the effect of inflation, taxable sales increased by 57 percent during these ten years (\$522.4 million to \$818.2 million) or at an average annual rate of 4.6 percent.

TOTAL PERCENTAGE INCREASE IN SALES TAX REVENUE: 1993 – 2003	
Current Dollars	115%
Constant Dollars	57%
AVG. ANNUAL PERCENTAGE INCREASE IN SALES TAX REVENUE: 1993 – 2003	
Current Dollars	8.0%
Constant 1993 Dollars	4.6%

3. Sources of Taxable Retail Sales. This section presents a summary analysis of the sources of taxable retail sales in the City of Grand Junction. It is not supported by a detailed investigation and should only be used to provide a general, order of magnitude perspective.

Taxable retail sales in Grand Junction are generated by four general types of purchasers:

- Households residing in the City of Grand Junction;
- Households residing in the remainder of Mesa County;
- Travelers, visitors, and households from other adjacent counties who use Grand Junction as a regional trade center; (This category of sales tax revenues is termed visitors in the analysis)
- Local (City of Grand Junction) and non-local businesses who purchase retail items in the City of Grand Junction.

The amount of 2003 taxable retail sales generated by each type of purchaser has been estimated. The proportions are summarized below and described in more complete detail within this analysis.

TABLE 2: SOURCES OF 2003 TAXABLE SALES IN GRAND JUNCTION		
SOURCE	TAXABLE SALES ▶▶	% OF TOTAL
Households Residing in Grand Junction	\$213,524,243	18%
Households Residing in the Remainder of Mesa County	\$188,314,572	16%
Visitors, including travelers and out-of-county shoppers	\$407,440,958	35%
Businesses	\$370,891,325	31%
Total	\$1,180,171,097	100%
▶▶ This figure is based on calendar year sales, not on collections by the City. Source: Subsequent Tables		

Four primary sources of information have been used in preparing this analysis: City sales tax data by type of business; household expenditure statistics from the US Bureau of Labor Statistics; demographic statistics from State, County and local sources, and; informal conferences with staff from the city.

4. Estimated Taxable Retail Sales Attributable to Households Residing in Grand Junction and the Remainder of Mesa County. Taxable retail sales from households residing in the City of Grand Junction and the remainder of the County have been estimated in four steps:

- #1. Estimate median household income for the City of Grand Junction, Mesa County and the remainder of Mesa County.
- #2. Estimate the proportion of household income spent on taxable retail purchases.
- #3. Estimate amount household purchases spent on taxable retail purchases, and;
- #4. Estimate the proportion of total household purchases spent on taxable retail purchases in the City.

Step #1. Estimate Median Household Income for Grand Junction & Mesa County. The 2003 median household income for Grand Junction, Mesa County, and the remainder of Mesa County households has been calculated, using data from the 2003 Census as a base. The methodology is described in Appendix A.

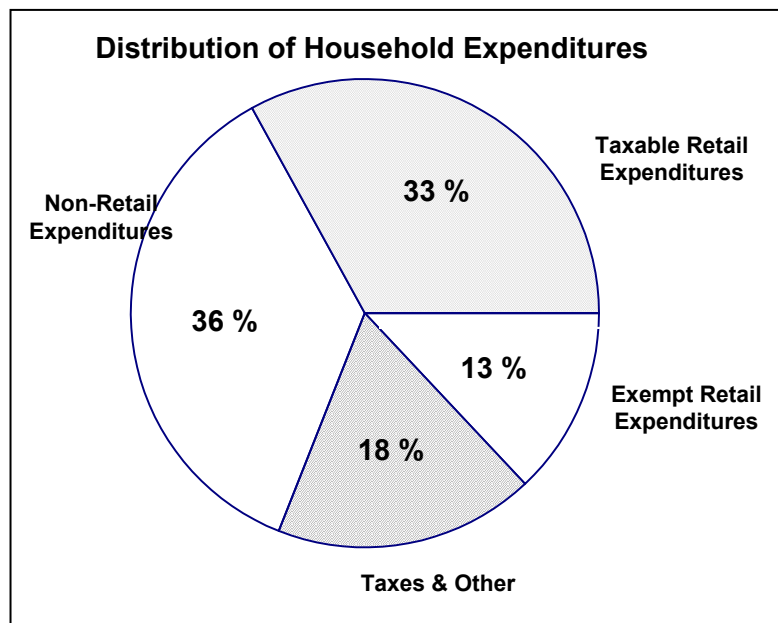
The estimated 2003 median household income for households residing in the City of Grand Junction and the remainder of Mesa County, excluding Grand Junction are:

City of Grand Junction:	\$36,259
Mesa County, including Grand Junction:	\$39,225
Remainder of Mesa County, excluding Grand Junction:	\$41,239

Step #2. The Proportion of Household Income Spent on Taxable Retail Purchases. Average household expenditures by type are estimated and summarized in Table 3. These statistics distribute the estimated 2003 median household income for Grand Junction households [\$36,259] and for the remainder of Mesa County households [\$41,239], by expenditure type, based on national consumer survey research compiled by the US Bureau of Labor Statistics.

An average household spends its income on the following types of items:

- 36% of its income is spent on non-retail items, such as education, shelter, insurance, and cash contributions;
- 13% of its income is spent on retail purchases that are exempt from the city sales tax, such as



groceries, admissions, prescription drugs, and gasoline;

- 33% of its income is spent on retail purchases that would be subject to the city sales tax if purchased in the City. Examples include home furnishings, appliances, apparel, restaurants, and motor vehicles.
- 18% of its income is “spent” on taxes, or is saved.

**TABLE 3: ESTIMATED 2003 HOUSEHOLD EXPENDITURES:
AVERAGE GRAND JUNCTION & MESA COUNTY HOUSEHOLD**

Expenditure Category	Grand Junction Household	Mesa County Household	%
Non-Retail Expenditures:			
Shelter	\$5,743	\$6,532	15.8%
Household Operation	\$518	\$589	1.4%
Other Fuels, Water, Sewer	\$241	\$274	0.7%
Medical Services	\$77	\$88	0.2%
Education	\$552	\$627	1.5%
Insurance (Health, Vehicle, Personal)	\$1,811	\$2,059	5.0%
Vehicle Maintenance Service	\$256	\$291	0.7%
Contributions	\$937	\$1,065	2.6%
Pensions & Social Security	\$2,562	\$2,914	7.1%
Finance Charges	<u>\$291</u>	<u>\$331</u>	<u>0.8%</u>
Subtotal	\$12,987	\$14,770	35.8%
Exempt Retail Expenditures:			
Groceries	\$2,273	\$2,585	6.3%
Personal Care Services	\$243	\$276	0.7%
Prescription Drugs	\$179	\$204	0.5%
Tobacco Products & Smoking Supplies	\$235	\$267	0.6%
Fees and Admissions	\$398	\$452	1.1%
Vehicle Rentals and Leases	\$354	\$403	1.0%
Gasoline and Motor Oil	\$906	\$1,030	2.5%
Public Transportation	<u>\$285</u>	<u>\$325</u>	<u>0.8%</u>
Subtotal	\$4,873	\$5,542	13.4%
Taxable Retail Expenditures (Consumer Goods):			
Housekeeping Supplies	\$400	\$455	1.1%
House Furnishings & Equipment	\$1,114	\$1,266	3.1%
Entertainment Equipment	\$1,127	\$1,282	3.1%
Apparel & Accessories	\$1,283	\$1,459	3.5%
Personal Care Products	\$143	\$163	0.4%
Non-Prescription Drugs & Medical Supplies	\$611	\$695	1.7%
Books	\$102	\$116	0.3%
Miscellaneous Retail	<u>\$582</u>	<u>\$662</u>	<u>1.6%</u>
Subtotal	\$5,361	\$6,098	14.8%
Taxable Retail Expenditures (Other):			
Motor Vehicle Purchases	\$2,688	\$3,058	7.4%
Motor Vehicle Maintenance (Parts)	\$255	\$290	0.7%
Eating & Drinking	\$1,946	\$2,213	5.4%
Utilities: Telephone	\$702	\$798	1.9%
Utilities: Electric, Natural Gas	<u>\$1,026</u>	<u>\$1,167</u>	<u>2.8%</u>
Subtotal: Other Taxable Expenditures	\$6,617	\$7,526	18.3%
Disposition of Income:			
Expenditures (Above)	\$29,838	\$33,936	82.3%
Taxes & Other	<u>\$6,421</u>	<u>\$7,303</u>	<u>17.7%</u>
Total	\$36,259	\$41,239	100.0%
Money Income Before Taxes:			
Money Income (Wage and Salary)	\$29,242	\$33,258	80.6%
Other Income (Pension, Interest, etc.)	<u>\$7,017</u>	<u>\$7,981</u>	<u>19.4%</u>
Total	\$36,259	\$41,239	100.0%

SOURCES: Household Income: See Step #1; Distribution of Household Income: Bureau of Labor Statistics, 2002 Consumer Expenditure Survey, released in February 2004.

Step #3 Estimate the Total Household Purchases Spent on Taxable Retail Items. Using these average statistics, total taxable retail expenditures by the 20,193 households residing in the City of Grand Junction and the 29,733 households residing in the remainder of Mesa County, excluding Grand Junction, were estimated. Total 2003 households have been estimated using information from the US Census Bureau, the Colorado Division of Local Governments, Department of Local Affairs and City and County building permits. The method used to derive these estimates is presented in Appendix A.

In 2003, an estimated \$241.9 million was spent by City of Grand Junction households on retail goods that are taxable by Grand Junction. [Table 4]

Also, an estimated \$405.1 million was spent by households residing in the remainder of Mesa County on retail goods that would be taxed by Grand Junction if purchased in Grand Junction. [Table 4] Note that households residing in the remainder of Mesa County cannot be taxed in Grand Junction for motor vehicles or residential utilities, since these items are taxed by place of residence.

Step #4. Estimate the Proportion of Total Household Purchases Spent on Taxable Retail Items in Grand Junction. Not all taxable retail expenditures by City of Grand Junction households were made in the City. We estimate that in 2003, Grand Junction households spent an estimated \$209.7 million on taxable consumer retail items in the City [Table 4]. This is 87 percent of the total taxable consumer-oriented retail purchases made by City residents. The other 13 percent of taxable retail purchases were made by City residents outside the City while on vacation, business trips, visits to other cities or over the Internet.

Similarly, we estimate that households in the remainder of Mesa County spent an estimated 45 percent of their total taxable retail purchases in Grand Junction. Since about 90 percent of the households in the remainder of Mesa County live within 7 miles of the Grand Junction city limits, and since (in 2003) there are no substantial retail centers elsewhere in the County, these county households have retail purchasing patterns that are very similar to Grand Junction households. With the recent opening of Wal-Mart and potentially other large format vendors in Rifle, this condition will likely change somewhat. Note that the proportion of taxable sales is appreciably lower for these non-City residents, because the City does not tax sales on motor vehicles and utilities.

These estimates of household expenditures in the Grand Junction are based on generalized guidelines and advice from local retailers and other community representatives; the estimates have not been derived from a definitive survey of shopping patterns. If these proportions are too high, then this suggests that visitors and businesses represent a higher proportion of City sales activity.

TABLE 4: ESTIMATED 2003 TAXABLE RETAIL EXPENDITURES ON CONSUMER ITEMS
 BY 20,193 GRAND JUNCTION HOUSEHOLDS AND
 BY 29,733 HOUSEHOLDS IN THE REMAINDER OF MESA COUNTY
 IN THE CITY OF GRAND JUNCTION

Type of Expenditure	Total Taxable Expenditures	% of Taxable Expenditures in Grand Junction	Taxable Expenditures in Grand Junction
CITY OF GRAND JUNCTION HOUSEHOLDS:			
Motor Vehicles	\$54,287,524	100% **	\$54,287,524
Motor Vehicle Parts	\$5,154,723	90%	\$4,639,250
Eating & Drinking	\$39,282,541	80%	\$31,426,033
Utilities and Information:			
Gas & Electric	\$20,722,577	100%	\$20,722,577
Telephone	\$14,175,487	100%	\$14,175,487
Subtotal	\$34,898,064		\$34,898,064
Other Consumer Goods:			
Housekeeping Supplies	\$8,072,770	90%	\$7,265,493
Home Furnishings & Equipment	\$22,485,256	75%	\$16,683,942
Entertainment Equipment	\$22,766,692	75%	\$17,075,019
Apparel & Accessories	\$25,906,925	70%	\$18,134,847
Personal Care	\$2,888,422	90%	\$2,599,580
Non-Prescription Drugs	\$3,599,418	90%	\$3,239,477
Medical Supplies	\$8,739,329	90%	\$7,865,396
Books	\$2,058,927	70%	\$1,441,249
Miscellaneous Retail	\$11,746,250	85%	\$9,984,313
Subtotal	\$108,263,988	78%	\$84,469,314
TOTAL	\$241,886,841	87%	\$209,720,186
REMAINDER OF MESA COUNTY HOUSEHOLDS (EXCLUDING GRAND JUNCTION):			
Motor Vehicles	\$90,913,887	0%	\$0
Motor Vehicle Parts	\$8,632,478	85%	\$7,337,606
Eating & Drinking	\$65,785,437	70%	\$46,049,806
Utilities: Gas, Electric, Telephone	\$58,442,870	0%	\$58,442,870
Other Taxable Consumer Goods:			
Housekeeping Supplies	\$13,519,255	90%	\$12,167,329
House Furnishings & Equipment	\$37,655,465	70%	\$26,358,826
Entertainment Equipment	\$38,126,779	65%	\$24,782,406
Apparel & Accessories	\$43,385,645	60%	\$26,031,387
Personal Care Products	\$4,837,165	90%	\$4,353,448
Non-Prescription Drugs	\$6,027,851	90%	\$5,425,066
Medical Supplies	\$14,635,523	90%	\$13,171,971
Books	\$3,448,030	60%	\$2,068,818
Miscellaneous Retail	\$19,671,136	75%	\$14,753,352
Subtotal	\$181,306,848	71%	\$129,112,603
TOTAL	\$405,081,520	45%	\$182,500,015

TABLE 4: ESTIMATED 2003 TAXABLE RETAIL EXPENDITURES ON CONSUMER ITEMS BY 20,193 GRAND JUNCTION HOUSEHOLDS AND BY 29,733 HOUSEHOLDS IN THE REMAINDER OF MESA COUNTY IN THE CITY OF GRAND JUNCTION			
Type of Expenditure	Total Taxable Expenditures	% of Taxable Expenditures in Grand Junction	Taxable Expenditures in Grand Junction
** Motor vehicle sales taxes are recorded by place of registration [residence]. Sources: Table 3, Coley/Forrest estimates of purchases in Grand Junction.			

5. Taxable Sales Attributable to Households, Visitors and Businesses. This analysis estimates 2003 taxable sales attributable to Grand Junction and Mesa County households, to visitors and to local businesses. In 2003, it is estimated that 18.1 percent of total taxable sales were attributable to households in Grand Junction, 16.0 percent were attributable to households in the remainder of Mesa County who shopped in Grand Junction, 34.5 percent were attributable to visitors, including households outside of Mesa County, and 31.4 percent to businesses purchasing products from Grand Junction vendors.

The derivation of these estimates is presented in Table 5. It uses the Grand Junction taxable sales data as a base and provides generalized estimates of the sources of sales activity. Table 6 provides line-by-line explanations for the attribution of each taxable sale entry to the four sources.

- Taxable sales attributable to households have been derived from Tables 3 and 4.
- Taxable sales attributable to visitors have been estimated to include the following components.
 - All lodging sales.
 - All sales for services typically purchased by visitors, such as car rentals.
 - 90 percent of the remainder of general consumer goods, and bars and restaurants.
 - A proportionate share of “unclassifiable” goods and services.
Visitors include travelers with business and personal trip purposes, households from other nearby counties who shop in Grand Junction, and tourists.
- Taxable sales attributable to businesses have been estimated to include the following components.
 - All sales from agriculture, mining, manufacturing, construction, building materials, finance, insurance, and wholesale trade.
 - Retail goods primarily attributable to businesses, such as businesses selling office supplies, office furniture, and equipment.
 - Services primarily attributable to businesses, such as machinery repair and catering;
 - The remainder of sales activity from transportation/information/utilities, motor vehicles, and general consumer goods that are not specifically attributable to households or visitors;
 - A proportion of “unclassifiable” goods and services.

While the City of Grand Junction does experience retail "leakage" out of the City as its residents shop elsewhere, the City experiences far more "seepage" in from other parts of the County and from nearby counties. The City of Grand Junction functions like a regional trade center for the Western Slope. It is the only Western Slope city with a regional shopping mall. In future years, with the

advent of power centers in Rifle and Glenwood Springs, the City's position as a regional trade center might erode slightly.

This analysis was also prepared several years ago using 1995 data. A comparison of the results from the prior study follows.

DISTRIBUTION OF 1995 TAXABLE SALES: TOTAL SALES - \$625,431,279

Grand Junction Households: 22%	Mesa County Remainder Households: 25%	Visitors, Travelers, Out-of-County Shoppers 30%	Businesses 23%
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DISTRIBUTION OF 2003 TAXABLE SALES: TOTAL SALES - \$1,180,171,097

Grand Junction Households: 18%	Mesa County Remainder Households: 16%	Visitors, Travelers, Out-of-County Shoppers 35%	Businesses 31%
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Some trends and significant distinctions between the two data sets are summarized below.

- Between 1995 and 2003, the amount of taxable sales in Grand Junction increased by 89 percent; this is equivalent to an average annual rate of 11.1 percent. To place this in perspective, several other trend statistics during this 8-year time period are summarized below.
 - Grand Junction households increased by 21.1% or 2.5% per year;
 - Mesa County households increased by 22.7% or 2.8% per year;
 - Jobs in Mesa County increased by 28.2% or 3.5% per year;
 - Wage and salary income in Mesa County increased by 63.6% per 7.9% per year.

Clearly, the growth in taxable sales from 1995 to 2003 is attributable to more than local increases in population and income.

- The portions of sales attributable to Grand Junction and Mesa County households are substantially below the 1995 figures, even though a few more detail steps were taken in 2003 to refine (and lower) the estimate of General Consumer Goods.
- The proportion of 2003 sales attributable to businesses is probably more accurate than the proportion of 1995 sales because this analysis established two new categories of retail sales activity that are primarily business-related. In the 1995 analysis, these sales were accounted for in the General Consumer Goods category.
- In 2003, the proportion of sales attributable Grand Junction households is higher than the proportion of sales to households in the remainder of Mesa County; in 1995, the relationship is reversed. Since the 2003 analysis is benchmarked from median household income data from the 2000 Census, it is probably more accurate than the 1995 analysis. In 1995, the analysis showed a 24 percent difference between Grand Junction and remainder of Mesa County households; in 2003, the analysis shows an 8 percent difference. Analyzing the substance that underlies this observation is difficult.
- In 2003, large format retailers, such as Wal-Mart and Home Depot, continued to enjoy substantial sales activity from a broad, multi-county trade area. Taxable sales from these businesses are higher than their national averages. Their relatively high sales volumes contribute

to the proportion of sales to “visitors, travelers, and out-of-county households.” This competitive advantage may erode slightly as these same large format retailers locate stores in adjacent counties.

TABLE 5: ESTIMATED SOURCES OF 2003 TAXABLE REVENUE:
CITY OF GRAND JUNCTION

Category	2003 Taxable Sales P	ATTRIBUTABLE TO:			
		Grand Junction Households	Remainder of Mesa County Households	Visitors & Out-of-County Shoppers	Businesses
Agriculture R	\$184,554				\$184,554 100.0%
Mining R	\$167,985				\$167,985 100.0%
Construction R	\$2,439,009				\$2,439,009 100.0%
Manufacturing and Wholesale Trade R	\$18,843,142				\$18,843,142 100.0%
Transportation, Information, Utilities R	\$84,265,463	\$34,898,065 41.4%			\$49,367,398 58.6%
Retail Trade: Building Materials	\$158,435,313				\$158,435,313 100.0%
Retail Trade: Consumer Goods & Personal Services >	\$531,007,774	\$84,469,314 15.9%	\$129,112,603 24.3%	\$285,683,272 53.8%	\$31,742,586 6.0%
Retail Trade: Business Goods	\$23,154,535				\$23,154,535 100.0%
Retail Trade: Motor Vehicles & Parts R	\$155,181,985	\$58,926,775 38.0%	\$7,337,606 4.7%	\$35,019,710 22.6%	\$53,897,894 34.7%
Retail Trade: Restaurants & Bars	\$118,432,741	\$31,426,033 26.5%	\$46,049,806 38.9%	\$38,861,212 31.1%	\$4,095,690 3.5%
Finance & Insurance	\$3,857,462				\$3,857,462 100.0%
Services: Lodging	\$29,665,489			\$29,655,489 100.0%	
Services: Business	\$23,276,236				\$23,276,236 100.0%
Services: Visitors	\$7,355,594			\$7,355,594 100%	
Other / Unclassified	\$23,913,814				
TOTAL	\$1,180,171,097 100.0%	\$213,524,243 18.1%	\$188,314,572 16.0%	\$407,440,958 34.5%	\$370,891,325 31.4%

P Totals are based on calendar year, not collections. Figures are slightly higher than those in Table 7.
R Classified as other in most City sales tax documents.
> General consumer goods includes taxable purchases in grocery stores, drug stores and service stations, plus sales

TABLE 5: ESTIMATED SOURCES OF 2003 TAXABLE REVENUE:
CITY OF GRAND JUNCTION

from liquor, furniture, appliance, apparel, accessories, and department retail stores.
SOURCE: See accompanying line-by-line explanations, Table 6.

TABLE 6: METHOD OF ASSIGNING SALES ESTIMATES TO SOURCES

CATEGORY	METHOD OF ALLOCATION
Agriculture <i>(a portion of other sales)</i>	Agricultural sales have been estimated by identifying individual businesses that are engaged in the sale of agricultural products. Since most agricultural sales do not occur at the retail level, retail sales in the agricultural sector is very limited. All agricultural sales are attributed to businesses
Mining <i>(a portion of other sales)</i>	Mining sales have been estimated by identifying individual businesses engaged in the sale of mining products. Since most mining product transactions typically do not occur at the retail level, retail sales in the mining sector is very limited. All mining sales are attributed to businesses.
Construction <i>(a portion of other sales)</i>	Construction sector sales have been estimated by identifying individual businesses that are engaged in the sale of construction materials. Note that this category includes only sales tax revenues from the sale of construction materials and excludes use tax revenues. Contractors more often pay use tax not sales tax. All construction sector sales are attributed to businesses, even though this category does include some contractors who may also sell products to households.
Manufacturing <i>(a portion of other sales)</i>	Manufacturing sector sales have been estimated by identifying individual manufacturers that have sold a product at the retail level. This category includes a number of out-of-state manufacturers who sell products directly to Grand Junction businesses without using a local or regional wholesaler. This category includes sales by both local and non-local manufacturers. Most manufacturing activity in Grand Junction is not subject to the City sales tax. For example, sales of manufactured products to purchasers outside of the City that are delivered by common commercial carrier (UPS, postal service, etc.) are not subject to a sales tax. All manufacturing sector sales are attributed to businesses.
Transportation, Information, Utilities <i>(a portion of other sales)</i>	This is a combination of three industrial sectors: Utilities, Transportation and Warehousing and Information. It includes companies providing gas, electric and fuel oil, transportation companies, couriers, postal services, publishing companies, broadcasting and telecommunication companies and information services. Grand Junction household residential gas and electric utilities sales estimates are presented in Table 4. The remainder is attributed to businesses.

TABLE 6: METHOD OF ASSIGNING SALES ESTIMATES TO SOURCES

CATEGORY	METHOD OF ALLOCATION
<p>Wholesale Trade <i>(a portion of other sales)</i></p>	<p>Wholesale trade sales have been estimated by identifying individual wholesale businesses that have sold some products at retail level. The wholesale trade transactions are not subject to sales tax. However, some wholesalers make some sales at the retail level to end-users. It is these sales that are subject to sales tax. All wholesale trade sales are attributed to businesses.</p>
<p>Retail: Building Materials</p>	<p>A substantial portion of these sales statistics are directly from the City's estimates; a supplemental portion of sales have been estimated by identifying individual businesses in the City's "Other" category that are engaged in this sector. This category includes sales tax attributable to and collected by companies engaged in the sale of lumber, hardware, electric, and plumbing supplies and similar building goods. The figures exclude use tax revenues, which would be paid by the builder when a building permit is pulled. All building materials sales are attributed to businesses. Note, however, that large format retailers, such as Home Depot and Lowe's, that sell hardware and building materials are in the Retail: General Consumer Goods category below.</p>
<p>Retail: General Consumer Goods</p>	<p>This category includes taxable purchases of apparel, accessories, furniture, appliances, consumer electronics, housekeeping supplies, liquor, department store sales and other miscellaneous items. It is a combination of figures calculated directly by City staff plus some businesses in the City's "other" category. Note that this category may be slightly high because all sales that occur in department stores such as Wal-Mart, Target, Home Depot, Lowe's, Sam's Club, and Sears & Roebuck are attributable to consumer retail goods, even though some department store transactions more appropriately belong in building materials, motor vehicle parts, and other categories.</p> <p>Grand Junction and Mesa County household purchases are presented in Table 4. Ninety percent of the remainder is attributed to visitors; ten percent of the remainder is attributed to businesses. The 90/10 split is based on judgment, not hard evidence.</p>
<p>Retail: Business Goods <i>(a portion of other sales)</i></p>	<p>These sales have been estimated by identifying individual businesses engaged in goods typically or primarily sold to businesses. Companies selling office products, office furniture and business machines are typical examples. All retail business sales are attributed to the business category. In prior years, this category was not developed and these types of sales were included in the General Consumer Goods category.</p>

TABLE 6: METHOD OF ASSIGNING SALES ESTIMATES TO SOURCES

CATEGORY	METHOD OF ALLOCATION
Retail: Motor vehicle sales, parts and services	<p>This sales statistic has been estimated by identifying individual businesses engaged in the sale of motor vehicles and motor vehicles parts. Note that this category does include sales of motor vehicles that occur outside of the city but are registered to City residents and business.</p> <p>City of Grand Junction household motor vehicle sales and motor vehicle parts purchases are presented in Table 4. Mesa County remainder household purchases of motor vehicle parts are also presented in Table 4. The remainder is attributed to businesses.</p>
Retail: Restaurants & Bars	<p>This sales estimate has been calculated by identifying individual businesses that own restaurants and bars. It includes direct City estimates plus a small portion of “other” sales.</p> <p>Grand Junction and Mesa County remainder household purchases of restaurant and bar items are estimated in Table 4. Ninety percent of the remainder is attributed to visitors; ten percent of the remainder is attributed to businesses.</p>
Finance and Insurance <i>(a portion of other sales)</i>	<p>Retail sales by firms engaged in finance and insurance have been estimated by identifying individual businesses in the “other” category that are engaged in these sectors. A substantial portion of these businesses is engaged in leasing equipment (tangible personal property) to businesses. All sales in this category are attributed to businesses.</p>
Services: Lodging	<p>The sales estimate has been calculated by identifying individual lodging establishments. The figures presented in this report are sales tax revenues from lodging establishments; they exclude lodging tax revenues, which comprise an additional 3.0%. In this analysis, all lodging sales have been attributed to visitors. Some portion of lodging should be attributed to business but it is difficult to assign a percentage.</p>
Services: Businesses <i>(a portion of other sales)</i>	<p>These sales estimates are a portion of “other” sales. They have been calculated by identifying individual businesses engaged in providing services primarily to the business community. Typical examples include companies providing elevator repair/equipment, media research, and catering. All sales in this category are attributed to businesses. This is a new category in the 2003 study. In prior years, this category was blended in “Services: All Except Lodging.”</p>

TABLE 6: METHOD OF ASSIGNING SALES ESTIMATES TO SOURCES

CATEGORY	METHOD OF ALLOCATION
<p>Services: Visitors <i>(a portion of other sales)</i></p>	<p>These sales estimates have been calculated by identifying individual businesses that provide services used primarily by visitors. Nearly all of these sales transactions are car rental agencies. All sales in this category have been attributed to visitors although some portion could be attributed to businesses. This is a new category in the 2003 study. In prior years, this category was blended in “Services: All Except Lodging.”</p>
<p>Unclassifiable <i>(a portion of other sales)</i></p>	<p>This sales estimate is the remainder of the City’s “other” category minus sales activities attributed above. Sales in this category are distributed using the percentage estimates developed for Retail: General Consumer Goods. This technique might overstate sales attributable to households and understate sales attributable to businesses. In prior reports, all “unclassifiable” sales have been attributed to business.</p>

6. Historic Taxable Sales in the City of Grand Junction. Table 7 summarizes historic sales and taxable sales activity in the City of Grand Junction. These results are highlighted in the graph on page 1.

TABLE 7: SALES TAX REVENUE AND TAXABLE SALES: CITY OF GRAND JUNCTION Taxable Sales = Sales Tax Revenue) [Sales Tax Rate (2.75%) minus Vendor' s Fee (3.3%)]				
Year	Sales Tax Revenue (Current Dollars)	Taxable Sales (Current Dollars)	Denver Area Consumer Price Index	Taxable Sales (Constant 1993 Dollars)
1993	\$13,893,019	\$522,441,252	N/A	\$522,441,252
1994	\$15,399,906	\$579,107,117	4.4%	\$554,700,303
1995	\$16,683,379	\$627,371,590	4.3%	\$576,098,797
1996	\$18,201,232	\$684,449,826	3.5%	\$607,320,165
1997	\$19,426,179	\$730,513,453	3.3%	\$627,588,877
1998	\$21,533,725	\$809,766,852	2.4%	\$679,334,607
1999	\$24,195,246	\$909,852,252	2.9%	\$741,525,877
2000	\$25,883,609	\$970,342,446	4.0%	\$763,405,840
2001	\$27,536,223	\$1,035,488,314	4.7%	\$775,646,677
2002	\$29,446,353	\$1,107,317,966	1.9%	\$813,606,147
2003	\$29,939,368	\$1,125,857,591	1.1%	\$818,210,459
Average Annual Increase		8.0%		4.6%
Source: City of Grand Junction; Consumer Price Index: U.S. Bureau of Labor Statistics				

APPENDIX A: 2003 DEMOGRAPHIC ESTIMATES

This analysis uses 2003 estimates of Grand Junction and Mesa County households and median household income for Grand Junction and Mesa County. This memo summarizes the working assumptions that underlie these figures.

2003 Households. These calculations have been prepared in three steps.

Step #1. The analysis first uses the 2000 Census data to calculate the quantitative relationships between housing units and households and between households and population for Grand Junction and Mesa County, and then, by subtraction, the remainder of Mesa County.

Step #2. The analysis then inserts population estimates supplied by the State Demographer for July 2001 and July 2002. The ratios discussed above are used to develop household and housing unit estimates for July 2001 and July 2002.

Step #3. Estimates of total housing units constructed in calendar 2003 have been compiled using building permit information the City and the County. To estimate multi-family units, an assumption 10 units per multi-family building, was applied. Ratios developed in Step #1 were used to convert housing units to households and then to population.

CALCULATIONS TO DERIVE 2003 HOUSEHOLDS									
	GRAND JUNCTION			MESA COUNTY			REMAINDER OF MESA		
	Popula- tion	House- holds	Housing Units	Pop.	House- Holds	Housing Units	Popula- tion	House- Holds	Housing Units
April 2000	41,986	17,865	18,784	116,25 5	45,823	48,427	74,269	27,958	29,643
<i>Ratio: HH/Pop</i>		42.55%			39.42%			37.64%	
<i>Ratio: HU/HH</i>			105.14%			105.68%			106.03%
July 2001	44,782	19,055	20,035	119,97 5	47,289	49,976	75,193	28,234	29,936
July 2002	45,669	19,432	20,432	122,46 3	48,270	51,013	76,794	28,838	30,581
<i>During 2002</i>	<i>Estimated 800 units built</i>			<i>Estimated 1,750 units built</i>			<i>Estimated 950 units built</i>		

July 2003	45,457	20,193	21,232	126,66 4	49,926	52,763	79,207	29,733	31,531
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2003 Median Household Income. Median household income from the US Census was used as a base; these figures are based on 1999 income data. In 2003, the Colorado Division of Housing retained the Colorado Business and Economic Forecasting (CBEF) group to compile median household income statistics for the State and for each planning region. This is the best median household income data available for an area smaller than the State. Other sources that provide only statewide statistics produce generally lower adjustment factors.

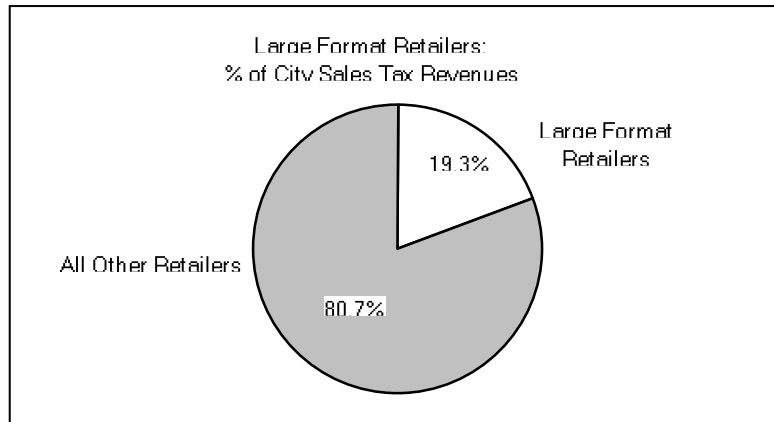
This analysis applies the percentage change in median household income from 1999 to 2003 for Planning Region 11 to the 1999 median household figures to estimate 2003 median household income for Grand Junction and for Mesa County. Median income estimates for the remainder of Mesa County were mathematically derived from data from Grand Junction and Mesa County. Planning Region 11 includes the counties of Mesa, Garfield, Moffat, Rio Blanco and Routt.

CALCULATIONS TO DERIVE 2003 MEDIAN HOUSEHOLD INCOME			
	GRAND JUNCTION	MESA COUNTY	Remainder of MESA COUNTY
1999 Median Household Income (1)	\$33,152	\$35,864	\$37,597
% Change in Median Household Income: Region 11 1999 to 2003 (4 years)	9.37%	9.37%	
Estimated 2003 Median Household Income (2)	\$36,259	\$39,225	\$41,239
(1) U.S. Census (2) Colorado Division of Housing			

**Summary of Sales Performance Analysis:
Large-Format Retailers in Grand Junction**
Prepared by Coley/Forrest, Inc., May 2004

A. Challenge

Grand Junction has seven large-format retailers that have collectively generated between 19 and 20 percent of the City's total sales tax revenues over the last four years. These large-format retailers include Kmart, Home Depot, Lowe's, Sam's Club, Target, Wal-Mart/North and Wal-Mart/Rimrock.



Taxable sales from each large-format retailer, which has been open for twelve months or more, declined in 2003. Generally, the rate of increase in large-format retailer sales tax revenues has been declining; between 2002 and 2003, these sales tax revenues declined by 2.8 percent. Since sales tax revenues comprise a substantial portion of the City's General Fund and CIP Fund revenues, it is critical to the City that it gain perspective on this sales activity so it can better forecast future sales tax revenues.

This analysis (a) evaluates each large-format retailer by comparing the performance of the Grand Junction store with same-store national figures; (b) considers known changes to the competitive environment, and; (c) provides some guidance as to what the City might anticipate in future taxable sales activity. A summary of key findings and conclusions is presented below.

B. A Few Definitions

This analysis uses several terms that are defined below. These are gross sales, taxable sales, sales tax revenues and large-format retailers.

Gross Sales are all sales generated by the retailer. Gross sales include taxable and tax-exempt transactions. Examples of tax-exempt transactions are wholesale sales to other businesses that have a sales tax license, sales to home builders who pay a use tax to the City in lieu of sales tax, sales to out-of-city purchasers who receive delivery via a common carrier such as UPS or Federal Express, and sales to tax-exempt (charitable)

organizations. Gross sales are analyzed because national corporate information is presented in gross sales.

Taxable Sales are all sales subject to the City’s sales tax of 2.75 percent. They include all transactions to retail customers who accept delivery on-site, excluding those with a sales tax license, builders who will be subject to use tax, sales to tax-exempt organizations, and the sale of groceries, which are tax-exempt.

Sales Tax Revenues are taxable sales multiplied by the City’s sales tax rate of 2.75 percent.

Large-Format Retailers. In this analysis, large format retailers refer to Kmart, Home Depot, Lowe’s, Sam’s Club, Target, and Wal-Mart/North and Wal-Mart/Rimrock.

C. Findings

- Significance of Large Format Retailers.** Since the large format retailers in Grand Junction have consistently comprised between 19 and 20 percent of total sales tax revenues, their sales tax generating power and potential is particularly significant.

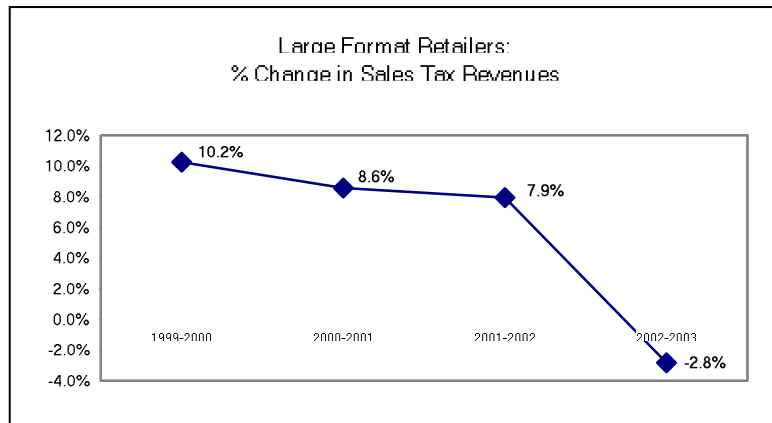
In this report, sales data is reported according to the month of the sales transaction, not according to the month of sales tax remittance to the City.

Between 1999 and 2003, total sales tax revenue generated by the seven large-format retailers in Grand Junction increased an average of 6.0 percent per year. During this same time period, total sales tax revenue for the City increased by an average of 5.5 percent per year.

SALES TAX REVENUES: CITY AND LARGE FORMAT RETAILERS: 1999 –2003 (THOUSANDS OF \$)						
REVENUES BASED ON MONTH OF THE SALES TRANSACTION						
	1999	2000	2001	2002	2003	Average Annual
CITY OF GRAND JUNCTION						
Sales Tax Revenue	\$24,195	\$25,884	\$27,536	\$29,446	\$29,939	
Annual % Change		7.0%	6.4%	6.9%	1.7%	5.5%
LARGE FORMAT RETAILERS						
Sales Tax Revenue	\$4,539	\$5,004	\$5,422	\$5,864 Ⓜ	\$5,698	

Average % Change		10.2%	8.6%	7.9%	-2.8%	6.0%
LARGE FORMAT RETAILERS AS % OF CITY REVENUES						
% Share		18.8%	19.3%	19.7%	19.9%	19.0%
⚠ Includes 86,000 square foot Wal-Mart expansion.						

The rate of increase in sales tax revenues from the large format retailers has consistently declined since 1999, as illustrated in the chart to the right. Between 1999 and 2000, sales tax revenues increased 10.2 percent; between 2002 and 2003, sales tax revenues declined by 2.8



percent. The most recent decline includes additional revenues from two new stores, Lowe's and Wal-Mart/Rimrock for 2.5 months at the close of 2003.

- 2. Correlation with Local Economy.** Changes in gross sales and taxable sales activity for these large-format retailers do not appear to correlate with local economic trends such as employment, unemployment, building permit activity and inflation.
- 3. Competitive Clusters.** The six of the seven large-format retailers divide rather easily into two competitive clusters: home improvement retailers and discount general merchandise retailers. Sam's Club is a wholesale club which sells deeply discounted merchandise, often in bulk quantities.

Home Improvement Retailers. The two largest home-improvement retailers, Home Depot and Lowe's, have Grand Junction stores. These retailers typically locate near each other to benefit from the regional draw that they create plus the draw from other competitor. Nationally, Home Depot is larger; Lowe's is gaining rapidly. Lowe's has recently adopted a strategy to enter smaller markets (less than 500,000 people) with a slightly smaller format store. Home Depot has slightly longer experience in smaller markets.

<p>Home Depot: 1 store in Grand Junction Other West Slope Stores: Montrose, Avon</p> <p>Lowe's: 1 store in Grand Junction (10/03) Other West Slope Stores: none 1 store planned in Glenwood Springs</p>

For home improvement retailers, it is the volume of potential purchases, not geographic size that matters in their site selection. The volume of potential purchases

correlates with the number of households, average household income, the percent of homeowners, and new housing construction. When an existing store generates substantially more revenues than the corporate average, this sends a clear corporate signal that the market is underserved. This is a primary reason why Lowe's built a store in Grand Junction and plans to construct a store in Glenwood Springs in 2004-2005.

Discount General Merchandise Retailers. The three largest retailers in this category, Kmart, Target and Wal-Mart, have Grand Junction stores. Each retailer works to craft a unique market for itself. Target sells some higher-end products and actively promotes its higher income customer demographic. Wal-Mart positions itself as a price category killer for national brands for all customers, "where America shops." Kmart has struggled to characterize its market position relative to the other two retailers. Nationally, Wal-Mart and Target continue to expand; Kmart recently emerged from bankruptcy and has been closing its less productive stores.

Kmart:

1 store in Grand Junction
Other West Slope Stores: Glenwood Springs, Craig

Target:

1 store in Grand Junction
Other West Slope Stores: Silverthorne,
1 store planned in Glenwood Springs

Wal-Mart:

2 stores in Grand Junction
Other West Slope Stores: Avon, Frisco, Glenwood Springs, Gunnison, Montrose, Rifle, Steamboat Springs

Due to the success of Wal-Mart/North, the company recently built a second supercenter in Grand Junction and a supercenter in Rifle.

4. Individual Store Outlook. This section summarizes some corporate information about each large-format retailer.

Kmart. Nationally, Kmart recently emerged (May 2003) from bankruptcy. The company has been in a store-reduction mode; in FY 2003 Kmart owned 1,511 stores, down from 1,829 in FY 2002. On the Western Slope, there are three Kmart stores in Grand Junction, Glenwood Springs, and Craig.

Lowe's is the second largest home improvement retailer in the United States. While currently smaller than Home Depot, Lowe's is in the midst of a rapid expansion and new store program, planning to open 140 stores in 2004. Relative to Home Depot, Lowe's sells more appliances and states that it caters more to residential (do-it-yourself) customers and less to building contractors.

Home Depot is the largest home improvement retailer in the United States with 1,532 stores throughout the United States. There are three Home Depot stores on the Western Slope including stores in Grand Junction, Montrose and Avon. Its growth strategy is to open new stores near the edge of existing market areas served by existing stores so as to increase customer satisfaction and market share.

Sam's Club. Sam's Club, a members-only warehouse club that sells a broad selection of general merchandise and large-volume items at discounted prices, is owned by Wal-Mart. There are 500 Sam's Clubs nation wide including 14 Sam's Clubs in

Colorado and no other stores on the Western Slope. We are not aware of any discussion of an additional Sam's Club.

Wal-Mart is the world's largest retailer, measured in total revenues. There are 2,875 Wal-Mart stores or "supercenters" in the United States and nine on the Western Slope including two in Grand Junction. Nationally, Wal-Mart plans to open 45 to 55 stores and 200 to 210 Supercenters in fiscal year 2004.

D. Conclusions

The City of Grand Junction is concerned about taxable sales reductions in its large-format retailers. Sales reductions appear to be a corporate response to market demand. Just four years ago, each large-format retailer in Grand Junction was generating substantially more revenues on a per-square foot basis than its national average. In response, these retailers added or are adding stores in Grand Junction and within its large regional trade area. One impact is that sales in the Grand Junction stores are trending down.

- Wal-Mart expanded its existing store into a supercenter in January 2002, added a second supercenter in Grand Junction in October 2003 and a supercenter in Rifle in 2004.
- Home Depot is experiencing some direct competition from the newly opened Lowe's in Grand Junction. The company might be considering a Home Depot in Rifle
- Lowe's just entered the Grand Junction market (October 2003). The company also plans to open a store on the west side of Glenwood Springs.
- The Target Corporation also plans to open a store on the west side of Glenwood Springs.

New store decisions are based on a complex set of factors, including corporate strategies, corporate financial strength, economic conditions, site availability, and actions of their competitors. These factors make it nearly impossible to predict future taxable sales actions of any individual store.

Regardless of these complexities, the City needs to anticipate future sales tax revenues in order to manage its financial resources.

- **2004 Sales Tax Revenue Estimate.** To estimate 2004 sales activity for each large format retailer, this analysis uses the last five months of its sales activity (November 2003 through March 2004) to calculate a trend projection based on these five months as a percent of

SALES TAX REVENUES (7 Large Format Retailers)	
2003 Actual	\$5,702,602
2004 Estimate	\$6,427,634
2005 Estimate (<i>no inf.</i>)	\$6,847,300
2005 Estimate (<i>2% inf.</i>)	\$6,984,250

twelve months of sales. This approach takes into consideration the new competitive impact of Lowe's, the new Wal-Mart in Grand Junction, and the new Wal-Mart in Rifle. Total taxable sales are 13 percent higher than 2003 sales because the square feet of sales area increased.

- **2005 Sales Tax Revenue Estimate.** To estimate 2005 sales activity, a reasonable approach might be to anticipate that each large-format retailer will trend towards its corporate national average. Using this as a general guideline, this scenario generates a 2005 sales volume estimate that is 20 percent above 2003 levels, assuming no inflation and 22 percent above 2003 levels, assuming a 2 percent inflation factor.

There are many alternative outcomes that would result in different sales tax revenue forecasts. As any store begins to exceed its national average in sales, then it is reasonable to anticipate that that retailer (or its competitor) will enter the market with another location. Given Grand Junction's large trade area, the new store or competing store might or might not select a City location. It is also realistic to anticipate that any store substantially below its national sales average is vulnerable to closure.

ALTERNATIVE SALES TAX REVENUE ESTIMATES FOR 2004: LARGE FORMAT RETAILERS		
	Revenue & Sales	Square Feet
Year 2003: Actual	Sales Tax: \$5,702,602 Taxable Sales: \$207,357,363 Taxable Sales PSF: \$294 Gross Sales: \$326,337,935 Gross Sales PSF: \$463	704,392 **
Year 2004: All stores remain open for the remainder of 2004. Each retailer generates taxable sales consistent with its trend forecast based on its last 5 months of sales activity. Taxable sales for stores that have been open for a year or more have trended downward from 2003. Relative to 2003 actual sales: <ul style="list-style-type: none"> • total occupied square feet increased by 39% • total sales tax revenue increased by 13% • taxable sales per square feet decreased by 19% 	Sales Tax: \$6,427,634 Taxable Sales: \$233,732,139 Taxable Sales PSF: \$239 Gross Sales: \$363,358,626 Gross Sales PSF: \$372	976,808
Year 2005 - No Inflation Factor: All stores remain open during 2005. Each store generates taxable sales consistent with its national corporate average for 2003 except for Kmart, which remains flat and below its national average. Relative to 2003 actual sales: <ul style="list-style-type: none"> • total occupied square feet increased by 39% • total sales tax revenue increased by 20% • taxable sales per square feet decreased by 13% 	Sales Tax: \$6,847,300 Taxable Sales: \$248,992,711 Taxable Sales PSF: \$255 Gross Sales: \$365,086,335 Gross Sales PSF: \$374	976,808
Year 2005 - 2% Inflation Factor:	Sales Tax: \$6,984,144	

<p>Same assumptions as above plus an upward adjustment of 2% for inflation.</p> <p>Relative to 2003 actual sales:</p> <ul style="list-style-type: none"> • total occupied square feet increased by 39% • total sales tax revenue increased by 22% • taxable sales per square feet decreased by 12% 	<p>Taxable Sales: \$253,972,565 Taxable Sales PSF: \$260 Gross Sales: \$372,388,062 Gross Sales PSF: \$381</p>	
<p>•• This figure adjusts the square feet for Lowe's and Home Depot/Rimrock downward because these stores were only open for 2.5 months in 2003.</p>		