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

WEDNESDAY, MARCH 1, 2006, 7:00 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Reverend Michael Torphy, Religious Science
Spiritual Center

PRESENTATIONS

NED WILLIAMS, PRESIDENT OF THE AMERICAN PUBLIC WORKS ASSOCIATION (APWA) COLORADO CHAPTER, WILL PRESENT DOUG CLINE, STREETS SUPERINTENDENT, WITH THE 2005 WILLIAM E. KORBITZ AWARD

APWA PRESENTATION TO THE CITY OF GRAND JUNCTION OF A 2005 CERTIFICATE OF ACHIEVEMENT FOR THE COMBINED SEWER ELIMINATION PROJECT

PROCLAMATIONS / RECOGNITIONS

PROCLAMING MARCH 5TH – 11TH “WOMEN IN CONSTRUCTION WEEK” IN THE CITY OF GRAND JUNCTION

CITIZEN COMMENTS

Alan Moore to address Council regarding roundabout at 23 and G Roads

***** CONSENT CALENDAR ***[®]**

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Minutes of the Special Meeting on February 9, 2006, the Summary of the February 13, 2006 Workshop and the Minutes of the February 15, 2006 Regular Meeting

*** Indicates New Item

[®] Requires Roll Call Vote

2. **Funding Recommendations for Arts and Cultural Events and Projects**

[Attach 2](#)

Arts Commission recommendations to the City Council for grants to support 18 arts and cultural events, projects, and programs in Grand Junction for local citizens.

Action: Approve Recommendations from the Commission on Arts and Culture for Grant Funding

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

3. **Continue Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation** [File #ANX-2005-076]

[Attach 3](#)

Request to continue the Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation as previously rescheduled and published for the March 1, 2006 City Council Meeting. The request to continue is due to further research required of the existing legal description and associated land ownership issues regarding the area of the adjacent Grand Valley Canal. City staff is requesting the Annexation Public Hearing be continued until the May 17, 2006 City Council Meeting.

Action: Continue Annexation Public Hearing Regarding Approval of the Resolution Accepting a Petition for Annexation and Final Passage of the Annexation Ordinance until the May 17, 2006 City Council Meeting

Staff presentation: Scott D. Peterson, Associate Planner

4. **Continue Public Hearing on Proposed Amendments to the Zoning and Development Code** [File #TAC-2004-231]

[Attach 4](#)

Request to continue the Public Hearing to adopt proposed text amendments to the Zoning and Development Code. The proposed amendments reflect changes proposed by City staff. City staff is requesting the continuation until March 15, 2006 City Council Meeting.

Action: Continue Public Hearing to March 15, 2006 City Council Meeting

Staff presentation: Bob Blanchard, Community Development Director

5. **Setting a Hearing Zoning the Autumn Glenn II Annexation, Located at 428 30 Road** [File #ANX-2005-303] [Attach 5](#)

Introduction of a proposed zoning ordinance to zone the Autumn Glenn II Annexation RMF-8, located at 428 30 Road.

Proposed Ordinance Zoning the Autumn Glenn II Annexation RMF-8, Located at 428 30 Road.

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 15, 2006

Staff presentation: Lisa E. Cox, Senior Planner

6. **PVC Pipe for Lincoln Park Golf Course Irrigation System** [Attach 6](#)

This request is for the purchase of PVC pipe as part of a larger project to repair and upgrade the irrigation system at Lincoln Park Golf Course.

Action: Authorize the City Purchasing Manager to Purchase PVC Pipe for Lincoln Park Golf Course from Grand Junction Pipe and Supply, Grand Junction, Colorado, in the Amount of \$72,538

Staff presentation: Ronald Watkins, Purchasing Manager
Joe Stevens, Parks and Recreation Director

7. **Pictometry Oblique Air Photos and Ortho Photos** [Attach 7](#)

Contract with Pictometry International, Corp., a Delaware company with offices at 100 Town Center Drive, Suite A, Rochester, NY 14623, to update the City's air photos and provide oblique photo capabilities. The contract recommended is a six year contract allowing the City to take advantage of additional discounts during the second and third flight years of the contract.

Action: Authorize the City Manager to Execute a Six Year Contract with Pictometry International, Corporation, a Delaware Company, for Oblique Air Photos in the Amount of \$188,897.60

Staff presentation: Ron Lappi, Administrative Services and Finance Director
Terry Brown, GIS Supervisor

8. **Infrared Spectrometer and Microscope** [Attach 8](#)

Request is being made by the Police Department to purchase a Nicolet 380 Fourier Transformer Infrared (FTIR) Spectrometer and Centaurus Microscope for the Crime Lab from Thermo Electron North America LLC.

Action: Authorize the Purchasing Division to Purchase the Nicolet 380 Fourier Transform Infrared (FTIR) Spectrometer and Centaurus Microscope for the Crime Lab from Thermo Electron North America LLC in the Amount of \$69,499

Staff presentation: Bill Gardner, Interim Police Chief
Bob Russell, Police Services Lieutenant

9. **TacNet System Manager** [Attach 9](#)

Request is being made by the Police Department to purchase TacNet equipment for use in 13 patrol cars. TacNet is developed and manufactured by Visteon Corporation and is sold only by PCS (Portable Computer Systems) of Golden, Colorado. PCS is the authorized dealer for the western United States.

Action: Authorize the Purchasing Division to Purchase the TacNet Equipment in the Amount of \$137,500 from Portable Computer Systems of Golden, Colorado

Staff presentation: Bill Gardner, Interim Police Chief
Mike Nordine, Police Lieutenant

10. **2006 Backhoe Loader** [Attach 10](#)

This purchase is for the replacement of one (1) 1998 John Deere backhoe-loader combination for the Pipeline Maintenance Division. The unit is currently scheduled for replacement in 2006 as identified by the annual review of the fleet replacement committee.

Action: Authorize the City Purchasing Manager to Purchase One 2006 410G John Deere Backhoe Loader from Honnen Equipment Company, Grand Junction, CO in the Amount of \$75,824

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

11. **Construction Contract for 2006 Concrete Repair for Street Overlays** [Attach 11](#)

The 2006 Concrete Repair for Street Overlays consists of removal and replacement of miscellaneous sections of concrete curb, gutter, sidewalks, drainage pans, fillets and asphalt patching along the street sections to be overlaid later this year.

Action: Authorize the City Manager to Execute a Construction Contract in the Amount of \$239,870.20 with Vista Paving for the 2006 Concrete Repair for Street Overlays

Staff presentation: Mark Relph, Public Works and Utilities Director

12. **Construction Contract for 2006 Asphalt Overlay Project** [Attach 12](#)

The 2006 Asphalt Overlay project consists of asphalt resurfacing on 10 streets selected throughout the City and Mesa County.

Action: Authorize the City Manager to Execute a Construction Contract for the 2006 Asphalt Overlay Project to Elam Construction in the Amount of \$1,837,251.15

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

13. **Purchase of Chevy Silverado 1500 Pick-ups** [Attach 13](#)

This purchase is for a total of eleven (11) 2006 Chevy Silverado 1500 pickups. Nine (9) of these pickups are currently scheduled for replacement in 2006 as identified by the annual review of the fleet replacement committee. Two (2) units are additions to the Fleet; one for Fire Code Enforcement and one for Public Works Development Inspector.

Action: Authorize the City Purchasing Manager to Purchase Eleven (11) Chevy Silverado 1500 Pickup Trucks from Dellenbach Chevrolet for the Amount of \$165,986.00

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

14. **7th Street Corridor Project** [Attach 14](#)

The Downtown Development Authority (DDA) has requested that the 7th Street Corridor Project be expanded to reconstruct 7th Street from Grand Avenue to Ute Avenue. DDA has agreed to provide an additional \$2,000,000 in funding because of the City funding limitations.

Resolution No. 15-06 – A Joint Resolution of the City Council and the Downtown Development Authority Concerning 7th Street Construction and the Funding of Other Downtown Improvements

®Action: Adopt Resolution No. 15-06

Staff presentation: Mark Relph, Public Works and Utilities Director

15. **Downtown Parking Structure** [Attach 15](#)

Joint resolution between the Downtown Development Authority and the City of Grand Junction regarding the construction of a four level parking structure between 4th and 5th Streets, south of Rood Ave.

Resolution No. 16-06 – A Joint Resolution of the City Council and the Downtown Development Authority Concerning the Downtown Parking Structure and Amending the Parking System Management Memorandum of Agreement

®Action: Adopt Resolution No. 16-06

Staff presentation: Mark Relph, Public Works and Utilities Director

16. **Petition for Exclusion from the Downtown Grand Junction Business Improvement District** [Attach 16](#)

On December 16, 2005, Mr. Paul Parker filed a petition and the required deposit to initiate consideration of the exclusion of his property from the Downtown Grand Junction Business Improvement District at 741 Main Street and the

adjacent parking lots. On January 18, 2006, City Council referred the matter to the Downtown Grand Junction business Improvement District (DGJBID) board. DGJBID heard the request on January 26, 2006 and denied the request.

Action: Review the Record of the Hearing Held on the Request and Make a Final Decision on the Exclusion Request Based on the Record of the Hearing

Staff presentation: John Shaver, City Attorney

17. **Public Hearing - Amending the Municipal Election Code Concerning the Circulation of Nomination Petitions** [Attach 17](#)

The City of Grand Junction, under the Municipal Election Code had, until recently, the authority to allow candidates for City Council to circulate nomination petitions beginning on the 91st day prior to the election and returning them to the City Clerk by the 71st day prior to the election. HB 04-1430 changed the law so that those time periods may be used only in a coordinated election. The proposed ordinance amending the Election Code will allow nomination petitions to be circulated for municipal elections starting the 91st day and ending on the 71st day before the election, as allowed under the Uniform Election Code.

Ordinance No. 3869 – An Ordinance Amending the Colorado Municipal Election Code of 1965, in the City of Grand Junction Concerning the Circulation of Nomination Petitions

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3869

Staff presentation: Stephanie Tuin, City Clerk
John Shaver, City Attorney

18. **Public Hearing - Mims Annexation and Zoning, Located at 492 30 Road** [File #ANX-2005-293] [Attach 18](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Mims Annexation. The Mims Annexation is located at 492 30 Road and consists of 1 parcel on 5.88 acres. The zoning being requested is B-1.

a. Accepting Petition

Resolution No. 17-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Mims Annexation, Located at 492 30 Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3870 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mims Annexation, Approximately 5.88 Acres, Located at 492 30 Road

c. Zoning Ordinance

Ordinance No. 3871 – An Ordinance Zoning the Mims Annexation to B-1, Located at 492 30 Road

®Action: Adopt Resolution No. 17-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3870 and Ordinance No. 3871

Staff presentation: Senta L. Costello, Associate Planner

19. **Public Hearing - Zoning the Arbors Subdivision, Located at 2910 Orchard Avenue** [File #PP-2005-105] [Attach 19](#)

Consideration of a proposed ordinance zoning the Arbors Subdivision to PD, Planned Development, located at 2910 Orchard Avenue.

Ordinance No. 3872 – An Ordinance Rezoning the Arbors Subdivision Located at 2910 Orchard Avenue to PD (Planned Development)

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3872

Staff presentation: Lori V. Bowers, Senior Planner

20. **Public Hearing - Amending Ordinance No. 2725 Concerning the Bluffs West Annexation** [Attach 20](#)

In January of 1994 the City Council annexed land to the City by Ordinance No. 2725. That ordinance described an area known as the Bluffs West Annexation.

In February 2006 the City exercised land use jurisdiction for the annexation of the proposed Bellhouse Subdivision. During the course of preparing the Bellhouse Annexation, an error in the description of the Bluffs West Annexation was discovered. Specifically Lot 1, Block 1 of the Rio Vista Subdivision was erroneously described as part of the Bluffs West Annexation.

This ordinance amends the description contained in Ordinance No. 2725 and by adoption thereof serves to exclude from the Bluffs West Annexation the area described in the ordinance.

Ordinance No. 3873 – An Ordinance Amending Ordinance No. 2725 Annexing Territory to the City of Grand Junction, Colorado – Bluffs West Annexation Located East of 23 Road and North of E Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3873

Staff presentation: John Shaver, City Attorney

21. **Public Hearing - Establishing the City Manager's Salary for 2006**

[Attach 21](#)

Article VII, Section 57 of the Charter states the City Manager's salary is to be fixed by the Council by ordinance. The City Council has determined the salary for the Grand Junction City Manager to be \$125,000.

Ordinance No. 3874 – An Ordinance Amending Ordinance No. 3854, Adding Section 3, Setting the Salary of the City Manager

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3874

Staff presentation: Bruce Hill, Mayor

22. **Public Hearing - Amending Chapter 36 (Traffic) of the Code of Ordinances Concerning Towing Abandoned Vehicles**

[Attach 22](#)

Amendment to Chapter 36 (Traffic) of the Code of Ordinances making it unlawful to abandon vehicles on private property within the City and authorizing private towing of vehicles abandoned on private property.

Ordinance No. 3875 – An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Abandoned Vehicles

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3875*

Staff presentation: John Shaver, City Attorney

23. **NON-SCHEDULED CITIZENS & VISITORS**
24. **OTHER BUSINESS**
25. **ADJOURNMENT**

Attach 1
Minutes

GRAND JUNCTION CITY COUNCIL
Special Meeting

February 9, 2006

The City Council of the City of Grand Junction convened into Special Session on the 9th day of February 2006, at 7:47 a.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. Also present were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order.

Discuss BLM Oil and Gas Lease Auction and Authorize the City Manager on Behalf of the City of Grand Junction to Participate in Auction

Council President Hill introduced the discussion and noted there is a possibility of going into executive session. City Attorney Shaver advised that the executive session would be legal due to the nature of the discussion in order to give specific direction for the negotiations as long as the policy discussion takes place in open meeting. If City Council finds that the need for the session is for the benefit of the public welfare, then it is in compliance with the Open Meetings Law.

City Manager Kelly Arnold reviewed this Item. He advised that the lease auction will commence at 9:00 a.m. and several hundred thousand acres will be auctioned off. A City staff person is on standby in Denver awaiting direction on the City's participation in the auction. The parcels on top of Grand Mesa and a Forest Service parcel were displayed. The recommendation is for Council to bid on four parcels – they are within City ownership (surface ownership), the City's watershed, Palisade's watershed or have elements that may affect the City's watershed. Councilmember Spehar clarified that there is a parcel that is both City of Grand Junction and Town of Palisade's watershed, but the rules are such that one must bid on the whole parcel.

Council President Hill noted that the parcels in question are actually above the City's watershed. Councilmember Spehar clarified that there are the City-owned properties, those properties in the City's watershed and then those areas that impact the City's watershed and that all three tiers should be considered.

Council President Hill asked why those properties above are not considered part of the City's watershed. City Attorney Shaver advised that it is a hard definition but any parcels that drain into the watershed could affect the City's water.

Councilmember Spehar moved that the City Manager is authorized to participate in the BLM auction for the purpose of acquiring oil and gas leases. Councilmember Coons seconded.

A discussion ensued.

Council President Hill asked the number of acres being considered.

Council President Pro Tem Palmer said he recalls BLM acknowledging the protection of the properties above the watershed so it does make sense to try to acquire the leases for those properties. Furthermore, if the City were to acquire those leases, it might move forward with drilling on those properties as well thus generate revenue.

Councilmember Coons said she agrees regarding participating in the auction. She favored the City having every option available, even if it means leasing them for oil and gas drilling later; at least the City would be in control.

Councilmember Spehar said this is the logical progression in protecting the watershed. As per the MOU, the City filed a protest but that was denied and so this is the next step. He felt it a worthwhile step.

City Attorney Shaver, responding the earlier acreage questions, answered that Parcel 405 amounts to approximately 1121 acres and that is the highest priority. The next highest priority is Parcel 409 and that is 400 acres; it is on the Forest Service property however there may be a legal description problem and that parcel may not be up for auction. Parcel 407 is the next highest priority and encompasses 1760 acres and the adjacent Parcel 408 is 2228 acres would be the third priority as it lies within the Palisade watershed and would be protected by their watershed ordinance.

Council President Hill asked if there is an estimated cost for the purchase of these leases. City Manager Arnold recommended that the lease cost should be discussed in executive session but the annual fixed costs would be \$1.50 per acre. City Attorney Shaver said the minimum bid is \$2 per acre.

Councilmember Spehar said the lease purchase at the low end would be \$11,000 and the annual cost would be \$8,000.

Council President Pro tem Palmer asked if there is historical information on what leases in that area have gone for. City Attorney Shaver responded the most recent information is \$32 per acre.

Councilmember Coons noted that there is no guarantee the City would be the successful bidder so what would it cost in impacts if unsuccessful.

City Manager Arnold advised there are adequate funds in the Water Fund but this expense is not in the business plan. The future impact these leases would have on the Water Fund would depend on whether the leases generate revenue.

Council President Hill voiced concern that using resources from the Water Fund, roughly \$100,000 cost, plus annual amounts, will affect water rates at some point.

Councilmember Spehar agreed that it is a cost to the fund but countered that it is not fair to say it will automatically increase rates. He has not had any of his constituents say don't go forward. He said the principal use of the Water Fund is to ensure clean and pure water.

Council President Pro Tem Palmer added that mitigation of problems created from drilling could also impact water rates. He inquired if there was a priority assigned to the parcels based on the possibility of finding oil and gas. City Attorney Shaver said there is no such data but in all likelihood oil and gas is more likely found on lower valley properties.

Council President Hill clarified that he did not say this will automatically cause a rate increase. He also said one should not make the assumption that drilling causes contamination. The BLM is doing a good job, if the City leases the parcels and subsequently allows drilling, it would be subject to the same stipulations as a private company. He noted the motion is to authorize the City Manager to participate in the auction, not to go forward with drilling. He felt the watershed is already protected but those in favor would be willing to pay the additional costs to protect it. The City's protest has not been considered yet. All the concern on these parcels may drive the price down; a private party may not want them. The City has been at the table all along and has had many opportunities to protect the watershed. The purchase of the leases equates to an insurance policy.

Councilmember Coons said she has had experience where some drilling caused problems; there is good drilling and bad drilling but with the City leasing the parcels, it gives the City more ability to regulate that. She agrees it is an insurance policy.

Councilmember Spehar agreed.

Council President Pro Tem Palmer moved to call the question. The motion passed with Council President Hill and Councilmember Beckstein voting NO.

The motion to participate in the auction passed with Council President Hill and Councilmember Beckstein voting NO.

Councilmember Spehar moved to go into executive session to determine the City's position, and to instruct the City's negotiators regarding BLM gas leases pursuant to section 402 4 e of Colorado's Open Meetings Act and will not be returning to open session. Councilmember Coons seconded the motion. Motion carried by roll call vote.

The City Council adjourned into executive session at 8:26 a.m.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
February 13, 2006**

The City Council of the City of Grand Junction, Colorado met on Monday, February 13, 2006 at 7:02 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill.

Summaries and action on the following topics:

- 1. GRAND JUNCTION FIRE DEPARTMENT AMBULANCE PROVIDER PROPOSAL UPDATE:** Fire Chief Rick Beaty presented the implementation plan for the Fire Department to provide ambulance service for the Grand Junction Ambulance Service Area. He reviewed the process to date and the various steps that have occurred. He said the proposal being presented is how the Grand Junction Fire Department (GJFD), as the designated service provider, will put Council's direction into action. He advised that the skill and expertise of the current service provider, American Medical Response (AMR), has never been in question. Chief Beaty said the current system is a two tier system, and said the Fire Department acts as the first responder out of five of the stations. He said the Fire Department gets trained personnel and the necessary equipment to the location as quick as possible and said AMR responds for the transport. The system works well as it allows the Fire Department to do an exceptional job and cover a lot of calls. He said it does however require a split crew which means if there is a second call that requires more than a two-person response, it strains the Department. Chief Beaty said the proposal for the new system would change the way calls are handled. He said dispatch would be the single point of contact, yet dispatch is currently overloaded, and the new proposal will add approximately 2,400 new calls annually. The Fire Department may look at using another dispatch system for the non-emergency calls. He said the ambulance would be dispatched first with a full crew. A part-time reserve force would be revived. The rates to be set will be at the maximum allowed for Mesa County which is a bundled rate plus mileage. Chief Beaty said Fire Station No. 4 would have to be remodeled to add new beds. He said the net estimated cost is \$624,424, which is less than the previous estimate due to an increase in the number of private calls, offsetting other costs. He said the attempt was to make the proposal an enterprise fund, hopefully to break even, but that is not the case.

Councilmember Coons inquired if the cost includes the billing contract (7.5% of collected revenues) and the contract for an additional dispatch system. Chief Beaty replied that the billing contractor is included as well

as the cost of additional dispatch. He said the proposal calls for staffing three ambulances 24 hours per day, 18 dual-role personnel, 3 single-role Staff and 6 to 8 reserve employees.

Chief Beaty reviewed the implementation steps and said the time frame needs to be moved out. He said the ambulances will take longer than July 1, 2006 to get and said the remodel and the acquisition of equipment will need to be taken care of. Chief Beaty said regarding personnel, he recommended the first consideration be given to AMR personnel. He said open recruitment can be conducted, but any AMR personnel hired could be active a lot quicker due to their current training, skills, expertise, and experience in this system. Chief Beaty said the dual-role employees will be required to attend a 12 week academy and any new hires from outside must serve an internship. Lastly, the communication flow to educate the public and businesses as the transition takes place is important. He said discounting is one issue that is not addressed and said the Mesa County resolution does address discounting. He said discounted contractual relationships can occur down to the Medicare allowable amount and the basic issue is dealing with Medicare and Medicaid. The payer-mix here heavily relies upon Medicare and Medicaid, especially in this area where there is a high rate of such users. Chief Beaty said there are also calls where they have no way to collect the bill, such as private pay or uninsured.

Councilmember Coons questioned if there were revenues based on the Medicare rate. Chief Beaty replied no, it is based on the maximum allowable bundled rate, less the estimated projected uncollectibles, with no increase allowed in Mesa County is projected; there is some discussion that those may be adjusted to allow itemized charges. Councilmember Coons pointed out that even if Mesa County changes the rates, the Medicare maximum allowable will still be the same.

Council President Hill asked if the percentage collected has gone up or down historically. Chief Beaty said collections were up around 60% twenty years ago compared to 41% currently, but there are more regulations and it is more difficult to get paid.

Council President Pro Tem Palmer asked about outsourcing the dispatch and questioned if the budget shown is adequate. Chief Beaty suggested that dispatch should have dedicated Fire and EMS dispatchers. Paula Creasy, Communications Center Manager, suggested it would take five additional call takers and said that cost should be shared by all users.

Council President Pro Tem Palmer questioned the coverage of special events. Chief Beaty said AMR currently does the special events and said there will be an expectation for the GJFD to provide that service as well.

He said it can be addressed in varying degrees and said the events should be charged. Chief Beaty said the GJFD could be on standby at some events that don't require an ambulance there throughout the event.

Council President Hill questioned meeting the deadline and asked if the deadline was moved to September 30, 2006, would there be a change in the financials. Chief Beaty said he does not think the City can meet the July 1st date and suggested September 30, 2006, continuing the interim relationship with AMR until then. The change to the financials is \$590,000 for costs in 2006.

Council President Pro Tem Palmer questioned if some service areas outside City limits are exclusive with GJFD. Chief Beaty said he is not sure and said the County does not think the GJFD can make it exclusive. City Attorney Shaver said the GJFD can help with 911 calls but there may be non-emergency calls outside the City limits but the number may be negligible.

Councilmember Coons said that she is uncomfortable with this proposal and said she feels this is a different proposal than the December 16, 2005 proposal. She stated that this is not responsive to the RFP since one of the requirements was that this be up and running July 1st. She said this proposal states the need to contract out for additional dispatch and add personnel to the dispatch center, which was not included in the budget. Also, the confusion to the proposed dual roles is not clear. She is not comfortable with this proposal as it is written.

Chief Beaty said the only change in staff is the 21 dual-roles versus 18 dual-roles and 3 single-role staff.

Council President Hill called a recess at 8:45 p.m.

The meeting reconvened at 8:55 p.m.

Chief Beaty concluded the timeline should be moved to September 30, 2006 and said that he cannot answer all of the questions regarding dispatch. He said the costs of those increases are generally born by the City since that is where most of the calls come from.

Paula Creasy, Communication Center Manager, wanted to reiterate Chief Beaty's statement on the impact of the Communication Center. She said that she supports Chief Beaty's request regarding the single point of contact for all of the emergency or non-emergency calls and said looking at the impact to the current staff, she feels they can't add any more to the current staff. She said that she estimates five additional dispatchers could be added without additional equipment.

Councilmember Doody asked for additional clarification regarding the increase in emergency and non-emergency calls. Ms. Creasy said they have brought on more medically trained staff and said they are also training the existing personnel as well.

Council President Hill questioned adding five new people to the Department, how the costs would be allocated out. Ms. Creasy said if contracted out it won't be as great of an impact.

Councilmember Spehar confirmed that the situation is critical regardless of the new proposal.

Councilmember Beckstein asked what positions are needed if there was no change to the current workload. Ms. Creasy said the budget request was for two dispatchers, one supervisor and radio technical position.

Council President Hill asked Ms. Creasy if she could get there with adequate resources. Ms. Creasy replied yes.

Councilmember Beckstein questioned if staff had help from Ron Lappi, Administration Services and Finance Director, in preparing the financials. Chief Beaty stated yes. City Manager Arnold said there was a meeting with the City Manager, City Attorney, and Finance Director regarding the review of the financials.

Councilmember Doody questioned if grants are available. Chief Beaty said there is one possible grant but the process will not be open until June of this year. He said there will be notification in September or October if the grant is approved. There maybe other grants available such as the Fire Act Grant.

Council President Pro Tem Palmer questioned whether or not Chief Beaty was privy to the AMR proposal and if there will be significant change in the financials and how sound are the current financials. Chief Beaty said the financials are reasonably sure with the exception of dispatch.

Councilmember Doody questioned the percent of collections. Chief Beaty said some private billers may have a better percentage of collections and charge as little as 4% to 4.5% for the collections. He suggested bidding out for the collection service.

City Attorney Shaver wanted Chief Beaty to answer the rest of Council Pro Tem Palmer's question of whether or not he was privy to the AMR proposal.

Chief Beaty said that he saw AMR's proposal prior to the initial committee review and said once that process concluded and the resubmittal took place, he signed a confidentiality agreement in December when the information became public.

Council President Hill asked Council's pleasure on taking public comment.

Councilmember Coons stated that she is not comfortable with the proposal as it stands and questioned if Council could give direction tonight.

City Attorney Shaver stated that Council can give direction but cannot make decisions except at a formal City Council meeting.

City Manager Arnold stated the resolution is a recommendation to the County Commissioners and said the County Commissioners will make the final decision for the approval or not.

Councilmember Coons questioned if the resolution would include the implementation plan.

City Attorney Shaver said it only requires a recommendation and stated that he would recommend including all findings but not the complete plan.

Council President Pro Tem Palmer said it has not been past practice to accept public comments at Monday night workshop meetings.

City Attorney Shaver stated the resolution of the County says the City can name "who", subject to ratification by the Board of County Commissioners (BOCC) and said the BOCC can request additional information.

Councilmember Beckstein stated that she agrees with Councilmember Coons and questioned what is the purpose of tonight's meeting. City Attorney Shaver stated the purpose is to get Council comfortable with adopting the resolution and making the recommendation to the County Commissioners.

Councilmember Beckstein said she would like to take questions from the public tonight.

Councilmember Coons stated that she would like to have a public hearing on Wednesday night.

Councilmember Thomason stated that he would probably not want to have a public hearing. He said that he would not like to revisit the whole thing again at Wednesday night's meeting.

Councilmember Doody said that he agrees with Councilmember Thomason and said Council has been working on this item since last summer and felt they have heard a lot of input from the community and feels that he has heard all that he needs to hear to make a decision.

Councilmember Spehar concurred and said the workshops are for Council's discussion which does not mean Council can turn it into a public hearing. He said Council President Pro Tem Palmer was on the committee and recommends the GJFD, so he would support that direction.

Councilmember Coons said that she would still like to proceed with a public hearing on Wednesday.

Councilmember Beckstein agreed with Councilmember Coons.

Councilmember Spehar wanted to be responsive to some of the issues that have been raised and go over some of the points that were made in the presentation and recommended by City Manager Arnold and City Attorney Shaver. He raised the issue of competence, the multiple responders under the current system and personal experiences with his family in the last 2 or 3 years with emergency medical response. Councilmember Spehar felt the new system will remedy those issues. He said with the implementation date, he feels the City can not delay this process and wants to make an attempt to meet the July 1st date.

Council President Pro Tem Palmer noted the work of the EMS study group and all the public input. There are two arguments; unfair government competition versus cost. He felt there are legitimate government functions which include fire protection and emergency medical service. He said the City should move forward noting this will be a better system.

Councilmember Coons said that she agrees with the first responder as a public function, but questions the transport to nursing homes. She said in the original conversations it was stated that personnel will be fully cross-trained and stated this proposal does not have that.

Councilmember Doody said that he would still like to move forward with the GJFD.

Councilmember Thomason stated that he has not changed his mind and would also like to go forward with the GJFD.

Councilmember Beckstein stated that she has great concern about the Fire Department taking care of non-emergency care, especially with

Medicare and Medicaid. She feels that it needs to be addressed regarding the decrease in revenue and a negative cash flow to the taxpayers. She does not want to see this continue forward.

Council President Hill said with the current system it looks clumsy with the two-tiered response but the efficiency allows the Fire Department to get back and be ready for the next call. He said partnerships with other entities, including the private sector, cross the line when taking over private transport of non-emergency cases. He said that he can't support it now but it will be on Wednesday night's agenda. Since only two Councilmembers wanted a public hearing, there will be no public hearing.

Action summary: This item will be placed on the Wednesday, February 15, 2006 agenda and there will be no public hearing.

ADJOURN

The meeting adjourned at 9:45 p.m.

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

February 15, 2006

The City Council of the City of Grand Junction convened into regular session on the 15th day of February 2006, at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. 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 Thomason led in the pledge of allegiance. The audience remained standing for the invocation by David Varley, Assistant City Manager, in the absence of Rob Storey, River of Life Alliance Church.

PRESENTATION OF CERTIFICATE OF APPOINTMENT

COMMISSION ON ARTS AND CULTURE

Robert Oppenborn was present to receive his certificate for the Commission on Arts and Culture.

RECOGNITIONS

President of the Council Hill recognized Boy Scout Troop 303 in attendance.

CITIZEN COMMENTS

David Berry, 530 Hall Avenue, a participant of the GJ101 program, addressed Council on a variety of issues. He lauded the GJ101 program, particularly the Visitor and Convention Bureau portion, and was concerned at the number of sworn officers versus the number on the street. Another concern is the firemen at Fire Station #1 do not sleep. He then addressed health, safety and welfare and its definition and interpretation, specifically as it relates to the Community Development Department.

Palisade Mayor Doug Edwards addressed the City Council on the watershed issue. He wanted to update the City Council as to where the Town of Palisade stands with the oil and gas issue. He said the Town of Palisade sent letters to the Congressional leaders and letters of protest to BLM. Mr. Edwards said the Town of Palisade received letters back from Senator Ken Salazar and Senator Wayne Allard and said unfortunately the BLM went ahead with the auction. He said the next step is to send letters to the lease holders that purchased these leased properties on the Palisade watershed letting them know that the Town of Palisade has a watershed ordinance and that the Town will enforce compliance with the ordinance. He said the Town of Palisade wanted the lease holders to know where the Town of Palisade is and why the town is concerned. Mr. Edwards said the Town is in the process of setting a meeting with Katherine Robertson with the BLM and said that she requested the meeting to discuss the Towns concerns and said the Town of Palisade is looking forward to that. Mr. Edwards invited the City

Council and other officials to participate in a discussion on what stipulations they would like to see on oil and gas leases. He concluded by asking the City Council to join in approaching the Mesa County Commissioners to amend the land use regulations to require certain regulations on their leases to oil and gas companies.

CONSENT CALENDAR

It was moved by Councilmember Coons, seconded by Council President Pro Tem Palmer and carried by roll call vote to approve Consent Calendar items #1 through #12.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the January 30, 2006 Workshop and the Minutes of the February 1, 2006 Regular Meeting and February 8, 2006 Special Session

2. **Setting a Hearing on Amending the Municipal Election Code Concerning the Circulation of Nomination Petitions**

The City of Grand Junction, under the Municipal Election Code had, until recently, the authority to allow candidates for City Council to circulate nomination petitions beginning on the 91st day prior to the election and returning them to the City Clerk by the 71st day prior to the election. HB 04-1430 changed the law so that those time periods may be used only in a coordinated election. The proposed ordinance amending the Election Code will allow nomination petitions to be circulated for municipal elections starting the 91st day and ending on the 71st day before the election, as allowed under the Uniform Election Code. Proposed Ordinance Amending the Colorado Municipal Election Code of 1965, in the City of Grand Junction Concerning the Circulation of Nomination Petitions

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

3. **Setting a Hearing for Proposed Amendments to the Zoning and Development Code** [File #TAC-2004-231]

Ordinance to consider proposed text amendments to the Zoning and Development Code. The proposed amendments reflect changes proposed by City staff.

Proposed Ordinance Amending the City of Grand Junction Zoning and Development Code to be Published in Pamphlet Form

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

4. **Setting a Hearing Zoning the Arbors Subdivision, Located at 2910 Orchard Avenue** [File #PP-2005-105]

Introduction of a proposed ordinance zoning the Arbors Subdivision to PD, Planned Development, located at 2910 Orchard Avenue.

Proposed Ordinance Rezoning the Arbors Subdivision Located at 2910 Orchard Avenue to PD

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

5. **Setting a Hearing for the Chipeta Heights Annexation, Located at 203 and 221 29 Road** [File #ANX-2006-008]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 16.48 acre Chipeta Heights Annexation consists of 2 parcels.

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

Resolution No. 12-06 – 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, Chipeta Heights Annexation, Located at 203 and 221 29 Road

Action: Adopt Resolution No. 12-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Chipeta Heights Annexation, Approximately 16.48 Acres, Located at 203 and 221 29 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 5, 2006

6. **Setting a Hearing Zoning the Mims Annexation, Located at 492 30 Road** [File #ANX-2005-293]

Introduction of a proposed zoning ordinance to zone the Mims Annexation B-1, located at 492 30 Road.

Proposed Ordinance Zoning the Mims Annexation B-1, Located at 492 30 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

7. **Setting a Hearing on an Ordinance Amending Ordinance No. 2725 Concerning the Bluffs West Annexation**

In January of 1994 the City Council annexed land to the City by Ordinance No. 2725. That ordinance described an area known as the Bluffs West Annexation.

In February 2006 the City exercised land use jurisdiction for the annexation of the proposed Bellhouse Subdivision. During the course of preparing the Bellhouse Annexation, an error in the description of the Bluffs West Annexation was discovered. Specifically Lot 1, Block 1 of the Rio Vista Subdivision was erroneously described as part of the Bluffs West Annexation.

This ordinance amends the description contained in Ordinance No. 2725 and by adoption thereof serves to exclude from the Bluffs West Annexation the area described in the ordinance.

Proposed Ordinance Amending Ordinance No. 2725 Annexing Territory to the City of Grand Junction, Colorado – Bluffs West Annexation Located East of 23 Road and North of E Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

8. **Setting a Hearing Amending Chapter 36 (Traffic) of the Code of Ordinances Concerning Towing Abandoned Vehicles**

Amendment to Chapter 36 (Traffic) of the Code of Ordinances making it unlawful to abandon vehicles on private property within the City and authorizing private towing of vehicles abandoned on private property.

Proposed Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Abandoned Vehicles

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

9. **Sole Source Purchase of Rain Bird Irrigation Equipment**

This request is for a sole source purchase of Rain Bird manufactured equipment for upgrade of parks irrigation to automated systems at Lincoln Park. This is the third and final year of a three year project.

Action: Authorize the City Purchasing Manager to Purchase Rain Bird Manufactured Equipment for this Project from Grand Junction Pipe and Supply, Grand Junction, Colorado in the Amount of \$78,120

10. **Sole Source Purchase of Steelcase Furniture for Community Development Remodel**

This request is Steelcase furniture and work stations for Community Development. The purchase is from Office Outfitters in Grand Junction, the only authorized Steelcase dealer on the Western Slope. The pricing used is U.S. Communities contract which the City of Grand Junction is eligible to use as part of cooperative purchasing agreements.

Action: Authorize the City Purchasing Manager to Purchase Steelcase Furniture and Work Stations for this Project from Office Outfitters in Grand Junction, in the Amount of \$83,883.85

11. **Sole Source Agreement for Environmental Consulting Services**

A sole source justification has been prepared to award a Professional Services contract to Walsh Environmental Scientists and Engineers, LLC for Asbestos Abatement Management and Petroleum Contamination removal (Environmental Cleanup) on the Rood Avenue Parking structure site.

Action: Authorize the City Manager to Execute a Professional Services Contract for the Downtown Parking Structure with Walsh Environmental Scientist and Engineers in the Amount of \$27,581

12. **Setting a Hearing on Establishing the City Manager's Salary for 2006**

Article VII, Section 57 of the Charter states the City Manager's salary is to be fixed by the Council by Ordinance. The City Council has determined the salary for the Grand Junction City Manager to be \$125,000.

Proposed Ordinance Amending Ordinance No. 3854, Adding Section 3, Setting the Salary of the City Manager

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 1, 2006

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Designating Ambulance Service Provider for the Grand Junction Ambulance Service Area

As per the Mesa County resolution adopted regarding standardizing emergency medical response throughout Mesa County, the City is recommending the Grand Junction Fire Department as the designated service provider for its ambulance service area.

The City Council decided to open this item up for public comments.

Karen Madsen, 2484 Sage Run Court, and President of the Chamber of Commerce, presented the Chamber's position on this issue. She said they think the Council is going down the wrong direction and said the first reason is the cost, any subsidy is a mistake; secondly the Chamber understood that it was Staff's recommendation to use AMR and said many citizens contacted the Chamber from areas where the government did take over emergency medical services and said the costs far exceed the projections; thirdly, it is clearly an example of government competing with the private sector; fourth, the statement that the Fire Department will not be able to make the July 1st deadline; fifth, the

City is assuming additional risk, both in additional people, training, retirement benefits, and workman compensation funds; sixth, a risk with TABOR versus being an enterprise fund is at risk too. She said AMR has provided quality care and is willing to post a \$1 million bond to guarantee that they meet their performance measures.

Nick Alten, 2660 Highway 6 & 50, stated as a business owner he was astonished that Council made this decision. He noted the quality of care has never been an issue so he does not understand. He pointed out some deficiencies in the proposal as far as anticipated costs.

Wade Gagnon, 153 30 Road, stated he was frustrated by what he has read. He doesn't believe that seven people should speak for the whole community on an issue of this magnitude. He noted that AMR has been doing a good job and said in order for the Fire Department to provide the service, more people and equipment will be needed. He stated that AMR is not asking for a subsidy and said the public should have been involved a long time ago.

Dennis Simpson, 2306 E. Piazza Place, expressed that four Councilmembers have their minds made up and said his biggest problem is that the proposal did not have financial department input. He thanked the three against for bringing logic into the situation and said the current system works. He stated the new proposal is driven by the Fire Department and the union and asked if the matter would be subject to referendum.

Margo Lurvey, taxpayer and business owner and relative of an AMR employee, questioned who will pick up the expense when this system goes into the red. She said the current system works well and is doing a good job.

Mark Bruning, Vice President of Operations for AMR, stated that he knows this is an emotionally charged issue and would like to limit comments to areas and facts. He said AMR has enjoyed a good working relationship with Chief Beaty and the Fire Department. He appreciates the opportunity to speak and said there are a lot of questions that need to be answered in the Fire Departments proposal. He said the transport assumptions need to be clarified and said the number is much higher than the historical transport trends. He said AMR projected a 2.5% growth whereas the Fire Department projected 5% with a collection rate of 41%. He said AMR has had 38.9% collections which is \$100,000 less in year one and said with the Medicare fee schedule stated the collection rate will decrease even more.

Council President Hill asked for clarification on the 50% collection rate. Mr. Bruning said that was seven years ago and said if the collection projections are off and transport projections are off, that means millions of dollars off.

Councilmember Spehar asked for more clarification on collections. Mr. Bruning said there is no prescreening for payment in their business and said the average bill is \$600. He said the average net is \$280, Medicaid reimbursement is 10%, Medicare is 27% for contractual allowances, and then there is the bad debt. Mr. Bruning said as Medicare and Medicaid goes down, more people go to private insurance, for every \$100 billed, about \$38.90 is collected.

Councilmember Spehar questioned whether it be hospital or ambulance, 60% of the load is Medicaid or Medicare, and being reimbursed below cost, how is the difference made. Mr. Bruning said the cost efficiencies, Medicaid and Medicare don't pay as much, and said being a large national company has its advantage to leverage resources. Mr. Bruning said there have been years in the City of Grand Junction where AMR has lost money and said AMR has confidence in their ability, especially with the willingness to post a \$1 million bond. He said AMR contracts with skilled nursing facilities for transports and said under the Fire Departments proposal the transport fee will double. He said hospitals or nursing facilities may not be willing to pay the increase in fees. Mr. Bruning said AMR has put its best foot forward for this community. He said AMR became accredited and said there are very few accredited nationwide. He said AMR started a public access for defibrillators program and donated defibrillators for high risk patients and public facilities. He said AMR implemented a Safe Kid's coalition in Mesa County. Mr. Bruning said AMR took this process very seriously and said AMR is prepared to implement on July 1st.

Councilmember Thomason said it sounds like AMR is painting a bleak picture and questioned if AMR is losing money, why fight so hard for the contract in Grand Junction.

Mr. Bruning said AMR has lost money 2 years out of 5 years and said they have made money the other years. He said there are 28 very good reasons why AMR would like to continue (the employees) and said they are a large national company with a model that works. He said every piece is important to AMR even though AMR has low margins and losing years.

Councilmember Coons said that Mr. Bruning has used the national company analogy to explain how the financials work, but would like him to explain how AMR gives back to the community. Mr. Bruning said at some of the schools AMR has been doing "Our Heart Bleeds for You" program and said there are other programs including working with hospice and no cost immunizations. He said the employees here are passionate about their services and community involvement.

Jeremiah Caben said his dad works for AMR and said he is a student at Mesa State College. He has concerns that if this program has failed in other communities, what will happen here. He asked that Council take a longer look at this issue before making a decision.

There were no more public comments.

Council President Hill closed the public comments portion of the discussion.

Council President Hill summarized the purpose before them to pick a provider. He asked City Attorney Shaver to explain the difference between an ordinance and resolution. City Attorney Shaver said an ordinance is a passage of law and said that is the reason it can be referred to the voters. A resolution is not a force of law. He said the legislation on this already occurred at Mesa County and said the decision tonight would not be subject to referral to the ballot.

Councilmember Spehar asked if this is normal and not a special case. City Attorney Shaver said Council could act by ordinance but the appropriate decision would be a resolution, as it is a policy, so that it is consistent.

Council President Pro Tem Palmer asked about the time frame that Council is under and questioned if Council should take more time to make a decision. City Attorney Shaver said the County has allowed the City additional time already. He said the resolution was adopted in 2004 and said Mesa County could say this should have been decided some time ago and may say no to additional time being granted. However, it is doubtful they would.

Councilmember Coons questioned if the Fire Department is the recommended provider and is allowed additional time to get up and running, will the City stay in compliance with the RFP. City Attorney Shaver said there is language in the introduction of the RFP in paragraph four which talks about the services beginning July 1, 2006, but that is an estimated start up date. He said it is not set in stone, so there is not a legal requirement to begin on a set date.

City Manager Arnold asked if the ability to start July 1st was part of the scoring criteria. City Attorney Shaver said no, but was made clear as a preference.

Council President Hill commented that AMR brought up the number of calls being used are not in line with the historical trend and said with his calculations it amounts to a \$3 million dollar difference. He said that is a significant effect to make a decision and questioned if Council should give Staff time to verify the numbers in more detail.

Council President Hill called a recess at 8:17 p.m.

The meeting reconvened at 8:28 p.m.

Council President Hill asked Chief Beaty to address the questions regarding the projections in his proposal.

Chief Beaty said that he appreciates the comments that have been made tonight and said this is a significant change if this goes forward. He explained where the projections came from and said the numbers were totals of transports by AMR, Lifecare and the Fire Departments; total calls were 6,580. He said based on the Fire Departments records the historical trend averages a 5.06% annual increase in calls for service.

Council President Pro Tem Palmer asked if the total included fire calls. Chief Beaty said it was strictly EMS that was included in the total.

Chief Beaty said the collection rate is difficult to calculate and said it depends on where the numbers are at. He said there is a contract with ADPI for billing and those projections came from them, as well as snapshots from other transporters here and other parts of the State. He said some transporters are doing even better than that. He said it is important to know the higher the average patient bill is, the less collection rate. Chief Beaty said the City bill rates are the Mesa County's maximum allowable amount. He said the maximum bundled rate is in terms of discounting and contractual relationships with hospice and nursing facilities which are projected at a Medicare rate.

Councilmember Coons questioned that if the Fire Department would break even, did the Fire Department account for the additional Staff and all of the start up costs.

Chief Beaty said this process was to be concluded November 1, 2005 and said if the decision was made at that time, it would have given the Fire Department seven months to be ready and said the projections would have included the six months to start up. He said the issue is still with the Communications Center and said that contracting a dispatch service would run around \$60,000 to \$70,000 per year.

Council President Pro Tem Palmer wanted more clarification on non emergent transport with the growth rate and asked about how facility-to-facility transport will be billed at the Medicare rate. Chief Beaty said the assumption is that the bulk of those will be at the Medicare allowable rate with some private pay, but doesn't know the exact percentage.

City Manager Arnold said due to time constraints, he suggests going with a private contractor for dispatch and work on solving the staffing issue at a later time.

Council President Pro Tem Palmer questioned who handles those non-emergent calls now. Chief Beaty said AMR and Lifecare have their own dispatch systems.

Council President Hill asked if the \$60,000 is for dispatching non-emergent calls. City Manager Arnold said yes.

Councilmember Spehar said that he is comforted that the numbers in the projections are actual numbers.

Councilmember Coons said the role of government is to provide public service. She said the core mission of the Fire Department is to provide fire and rescue services and first responder services. She has a concern that this might jeopardize the core mission by over extending the responsibilities of the Fire Department. She stated the City has a system that works and doesn't understand why fix something that is currently working. She said that she cannot support this resolution at this time.

Councilmember Beckstein said her main concern is the need of dispatch and Fire Department personnel. She said that she agrees there is understaffing, but said this is not the way to resolve the issue or to justify to the taxpayers that the Fire Department should take on the non-emergent care service. She feels that it will distract from the Fire Department's main purpose which is to address emergencies. She feels this is a mistake and the responsibility should not be imposed onto the taxpayers. She said the more this proposal is being worked on, more needs are brought up that should be addressed. She said this decision would be detrimental to the City and said she cannot support this resolution at this time.

Council President Pro Tem Palmer stated that he has spent much time and effort on this issue and said Council will be criticized no matter what the decision is. He said it still comes down to the future of this community, and said in the long run it would be good to have additional staff at the Fire Department with cross-trained personnel. He said this will eliminate the two-tiered system and said in the long run this is for the best.

Councilmember Spehar said his decision is based on the responsibility and what is best long term for the community. He said based on his own personal experiences, which was not negative experiences, he felt there were troublesome pieces in the system as it is

currently being operated. He feels it is inefficient to have dual response for the continuity of care and the confusion in the eyes of the patient. He said he was concerned about the financials but was reassured and feels this is the best long term approach to put it in the hands of the Fire Department.

Councilmember Coons stated the redundancy in the system is an advantage; any emergency system will have redundancy built in.

Councilmember Thomason stated that he is not against AMR and thanked them for their services. He said this is an obligation as a government to provide the best service for its community. He said it must be a broken system or Mesa County would not have adopted their resolution and stated that he still supports this resolution.

Councilmember Doody said initially three organizations were going to respond to the RFP and one service dropped out. He said that he learned through the process, there was a scoring criteria, and the Fire Department will have a better coverage of service. He said the core mission is fire, but 80% of the calls are EMS. He said 27 quality people have jobs on the line and encouraged the AMR employees to apply to the City. He said that he supports passage of the resolution.

Council President Hill said it was important to allow the community to speak on this issue. He said the vision is togetherness of the community, but the privatization has ongoing conflicts and the bottom line is to figure out what is best for the community to bring people together to find solutions. He said his thoughts haven't changed and leans toward the opportunity for public/private working together. He said the County did not pass the resolution because the system was broken, but there were a variety of other issues. He feels the Commissioners will support whatever Council recommends tonight.

Resolution No. 14-06 – A Resolution Recommending the Grand Junction Fire Department as the Designated Ambulance Service Licensee for the Grand Junction Ambulance Service Area

Council President Pro Tem Palmer moved to adopt Resolution No. 14-06.
Councilmember Doody seconded the motion.

Council discussion ensued. Councilmember Spehar wanted to state that there have been comments to the fact, should these seven make this decision for the community and said that is what they were elected to do. He said not everything Council does is subject to the popular vote and said Council President Pro Tem Palmer has worked on this project for almost two years. He said Council is doing the best they know how, without personal bias, that is why the seven are charged with this responsibility.

Motion carried by roll call vote with Council President Hill and Councilmembers Beckstein and Coons voting NO.

Council President Hill called a recess at 9:10 p.m.

The meeting reconvened at 9:19 p.m.

Gormley Property Growth Plan Consistency Determination, Located at the Southwest Corner of First Street and Patterson Road [File #GPC-2005-296]

A request to officially determine consistency of a proposed Outline Development Plan with the Growth Plan's Future Land Use Designations of Commercial, Residential Medium High and Residential Medium, located at the southwest corner of First Street and Patterson Road.

Bob Blanchard, Community Development Director, reviewed this item. The purpose of the item is to determine if the Outline Development Plan (ODP) is consistent with the Growth Plan designations of Commercial, Residential Medium High, and Residential Medium. He said the Zoning and Development Code does have a process whereby the applicant can come before Council and ask for a consistency determination before the approval. Mr. Blanchard described the current designations and the zoning as well as the surrounding designations and zoning. There are four actual parcels under review with a development application in process. He described what an Outline Development Plan is as a conceptual plan. The plan is to meander the boundary line rather than have the existing straight line to allow for some open space. He said the Outline Development Plan will come before the City Council and may not look exactly like the graphic being shown tonight. Staff recommends a finding of consistency based on three findings:

1. The proposed Outline Development Plan which varies the boundary between Commercial and Residential land uses meets the intent of the Growth Plan and Zoning and Development Code to minimize cut and fill of the hillside.
2. Allowing the boundary between Commercial and Residential land uses to vary and more closely follow the topography of the site results in minimal differences the amount and intensity of allowed land uses.
3. Allowing the boundary between Commercial and Residential land uses to vary and more closely follow the topography of the site allows more creative site planning and design that will maintain the unique character of the property.

Mr. Blanchard said the main change is about 500 more feet of commercial along First Street. On January 24th, the Planning Commission heard this item and recommends a finding of consistency. This is not a public hearing but said the applicant is present.

Council President Hill said this item was originally on the Consent Calendar, but there were enough questions to address it individually.

Councilmembers had no additional questions.

Council President Hill noted that he is pleased that it will not be developed in a straight line as it was designated.

Councilmember Spehar agreed with allowing this type of creativity, yet it still keeps the intent of the change.

Council President Pro Tem Palmer agreed.

Council President Pro Tem Palmer moved to find that the proposed Outline Development Plan is consistent with the Growth Plan Map designations of commercial, residential medium high and residential medium. Councilmember Beckstein seconded the motion. Motion carried.

Request to Apply for State EMS Grant

The Grand Junction Fire Department requests approval to submit a Colorado State EMS Grant application for 10 laptop computers for placement into frontline fire and EMS apparatus. The application would be part of a multi-agency Northwest Regional EMS and Trauma Advisory Council (NWRETAC) grant application.

John Howard, EMS Coordinator, reviewed this item. He explained the reason for the request, to collect data for the organization and prepare the department to move into the new Records Management system. He said the cost was taken from the system that was purchased by the Police Department. The funding will be matched with budgeted funds for the computers, and said the grant will allow initiation of the project a little earlier.

Councilmember Coons questioned the likelihood of getting the grant. Mr. Howard said it was highly supported by the State.

Councilmember Spehar moved to request approval for the Fire Department to submit through the NWRETAC a State EMS Grant Application for 10 laptop computers. Councilmember Coons seconded the motion. Motion carried.

Public Hearing - Right-of-Way Vacation for Swan Lane [File #PP-2005-145]

Consider final passage of a proposed ordinance to vacate excess right-of-way along Swan Lane, associated with the Redlands Valley Subdivision.

The public hearing was opened at 9:35 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the location, the site, the Future Land Use designation, and the current zoning. The request is to vacate a right-of-way that will not work with the new subdivision. She said the Planning Commission recommended approval for the vacation of the excess right-of-way and the request is in compliance with the Growth Plan and the Zoning Development Code.

Councilmember Thomason questioned if there was any opposition. Ms. Bowers said not that she has heard of.

There were no public comments.

The public hearing was closed at 9:37 p.m.

Ordinance No. 3865 – An Ordinance Vacating Undeveloped Right-of-Way Along Swan Lane

Councilmember Spehar moved to adopt Ordinance No. 3865 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing - Vacation of a 20' East/West Alley Located at 411 West Main Street

[File #VR-2005-012]

The petitioners, City of Grand Junction & Spendrup & Associates Inc., wish to vacate an existing 20' wide east/west alley right-of-way located east of Chuluota Avenue and crossing Lot 2, Block 9, Richard D. Mobley's First Subdivision in anticipation of future residential development and construction of the Riverside Parkway. There are currently no utilities within the alley right-of-way; however a new 20' Utility Easement will be dedicated through a Subdivision Plat that will reconfigure the existing five properties into four residential lots. Three of the proposed lots each contain an existing single-family home. The Planning Commission recommended approval of the alley vacation at its January 10th, 2006 meeting.

The public hearing was opened at 9:38 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the location and the purpose of the request. He said the applicant is the City and Spendrup & Associates. He said there are no utilities in the alley, however a twenty foot utility easement will be retained for future use. He said the Riverside Parkway is cutting across the property and the Future Land Use Map Designation was described as well as zoning. Staff and the Planning Commission stated that it is consistent with the Growth Plan and meets the criteria of the Zoning and Development Code.

There were no public comments.

The public hearing was closed at 9:41 p.m.

Ordinance No. 3866 – An Ordinance Vacating a 20' Wide Alley Right-of-Way Located East of Chuluota Avenue and Crossing Lot 2, Block 9, Richard D. Mobley's First Subdivision Known as 411 W. Main Street

Councilmember Doody moved to adopt Ordinance No. 3866 on Second Reading and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing - Future Land Use Designation and Zoning for the West Main Parking Lot [File #RZ-2005-265]

The City proposes to develop a formal public parking lot on the City-owned parcel at 820 West Main Street and on adjacent Colorado Department of Transportation (CDOT) surplus right of way. The City-owned property has never been assigned a Future Land

Use category on the Growth Plan Future Land Use map nor has it been zoned. Thus, the application is for designation and zoning for the City-owned parcel.

The public hearing was opened at 9:42 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She described the location and the site and said the City is the applicant for the request. The site has been used informally as a parking lot and said as part of the negotiations for a right-of-way for the Riverside Parkway, the City offered to construct a parking lot for use by the school and park activities. There had been no Future Land Use Designation previously or zoning on the parcel. The zoning being requested is CSR (Community Services and Recreation).

Councilmember Thomason questioned how many parking spaces will be constructed. Ms. Ashbeck said 24 spaces and one handicapped space.

Council President Pro Tem Palmer questioned if the City is paying for the construction. Ms. Ashbeck said yes.

Councilmember Spehar asked if there will be a new access to the Riverfront Trail. Mike Best, Riverside Parkway Project Specialist, said there will be a trail and an informal parking area.

There were no public comments.

The public hearing was closed at 9:47 p.m.

Resolution No. 13-06 – A Resolution Revising the City of Grand Junction Growth Plan Future Land Use Map to Designate Approximately 0.24 Acres, Located at 820 West Main Street as Public/Institutional

Ordinance No. 3867 – An Ordinance Zoning the Property at 820 West Main Street Community Services and Recreation (CSR)

Council President Pro Tem Palmer moved to adopt Resolution No. 13-06 and Ordinance No. 3867 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote. City Manager Arnold noted a concern he has that when the school opens; kids will be crossing at the intersection located at the parking lot.

Public Hearing - Amending the Contractors Insurance Requirement

A review and analysis of the City's licensing requirements for contractors, in particular the general liability insurance requirements, resulted in City and County staff concluding that the time and effort spent on reviewing, approving and maintaining insurance certificates may not be cost effective, given the large volume of licenses. Additionally, it was found that the current liability and property damage insurance limits within the licensing requirements are insufficient to provide meaningful relief to an aggrieved homeowner, and add significant cost to the development of homes.

It is Staff's recommendation that these general liability insurance requirements be stricken from the Code of Ordinances. As part of this recommendation it should be noted that homeowners are protected under the Colorado Construction Defect Reform Act and may seek relief by filing a claim for defective work and materials thereunder.

Additionally, it is recommended that the license and permit (L & P) bond requirement be stricken from the Code. The L & P bond requirement has not been imposed for some time and therefore staff would recommend it be deleted.

The public hearing was opened at 9:50 p.m.

John Shaver, City Attorney, reviewed this item. He explained that the amount that is required is too low to have any purpose, so the recommendation is to eliminate the requirement. He said there have been a number of changes in the State Law that will allow relief for a homeowner; it is enough protection. Also, the other requirement is no longer being imposed.

Council President Pro Tem Palmer questioned if the change will allow an unlicensed unscrupulous contractor to perform work. City Attorney Shaver said a license is still required and contractors still have to have insurance and more importantly have to have workers compensation insurance.

There were no public comments.

The public hearing was closed at 9:54 p.m.

Ordinance No. 3868 – An Ordinance Amending Chapter 10, Businesses, Article IV, Contractors, of the City of Grand Junction Code of Ordinances, Specifically Section 10-87, Duties of Building Official; Requirements for Issuance of License

Councilmember Spehar moved to adopt Ordinance No. 3868 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Construction Contract for 2006 Crack Sealing Project

The 2006 Crack Sealing Project consists of 30 street locations. Streets to be crack sealed are primarily in the Redlands area and along Patterson Road from 1st Street to 27 ½ Road.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the purpose of the contract and the bids received.

Council President Pro Tem Palmer questioned the road cracking in the area. Mr. Relph said both the soil conditions in the Redlands and the compaction in laying streets have contributed to the problem; it is disappointing to see cracks in new subdivisions.

Councilmember Doody questioned if the area in the Casa de Rio Subdivision is on the list. Mr. Relph replied yes.

Council President Pro Tem Palmer moved to authorize the City Manager to sign a construction contract for the 2006 Crack Sealing Project to Bonneville Asphalt and repair in the amount of \$76,238.00. Councilmember Coons seconded the motion. Motion carried.

Construction Contract for 24 ½ Road Sewer Trunk Extension

This project involves extension of a sewer trunk line along the 24 ½ Road corridor between Patterson Road and G Road. The project was requested by the developer of the proposed Brook Willow Subdivision located on 24 ½ Road.

Mark Relph, Public Works and Utilities Director, reviewed this item. He recalled a previous decision to use the sewer trunk extension fund for this project. He said the recommendation is to award the contract to M.A. Concrete Construction. This is a significant sewer trunk extension.

Councilmember Doody inquired about the capacity of the extension. Mr. Relph said the extension will be increased to serve the area north of the interstate, if the Persigo boundary were to be extended. Mr. Relph said it will also be able to serve a large area north of G Road.

Council President Hill asked about the construction contract costs. Mr. Relph said he would have liked to have seen more bids, but was pleased with the three bids that were received.

Councilmember Doody questioned if the future bore under the highway is east of the dog park. Mr. Relph replied yes.

Councilmember Coons moved to authorize the City Manager to execute a construction contract in the amount of \$632,497.50 with M.A. Concrete Construction for the 24 ½ Road Sewer Trunk Extension. Councilmember Doody seconded the motion. Motion carried.

Construction Contract for Independent Alley Improvement Project for the Riverside Parkway Project

The City opened bids for the construction of the Independent Alley from the south frontage road of US 6 & 50 west of 25 Road to Independent Avenue. This alley connection is necessary because the south frontage road will no longer be connected to 25 Road. The project is a requirement of CDOT for the access permit to perform the work at the highway. The alley will provide circulation between the south frontage road and Independent Avenue. This project will be constructed prior to the 25 Road bridge construction in order to provide access to adjacent properties.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the project and its relation to the Riverside Parkway and the reasons for the construction. He said the bids received were good and below the engineer's estimate and said the alley construction will provide flexibility in access.

Councilmember Doody asked if the City could use the property for an equipment storage location. Mr. Relph said that was discussed in the past.

Councilmember Beckstein moved to authorize the City Manager to execute a construction contract in the amount of \$248,291.90 with Mountain Valley Contracting for the Independent Alley Improvement Project. Councilmember Coons seconded the motion. Motion carried.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

City Manager Arnold wanted to remind Council of a breakfast meeting with DDA next Tuesday. He said there will be discussion regarding the parking garage, and said it will be more expensive than what was proposed and said in the fourth level of the garage, the City would own half of the top deck. He also said there will be a discussion regarding 7th Street.

Council President Hill asked that the staff report be sent to him electronically.

ADJOURNMENT

The meeting adjourned at 10:13 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Funding Recommendations for Arts & Cultural Events & Projects
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Grand Junction Commission on Arts and Culture funding recommendations for arts and cultural events and projects.						
Meeting Date	March 1, 2006						
Date Prepared	February 17, 2006				File #		
Author	Allison Sarmo			Cultural Arts Coordinator			
Presenter Name	Allison Sarmo			Cultural Arts Coordinator			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Arts Commission recommendations to the City Council for grants to support 18 arts and cultural events, projects, and programs in Grand Junction for local citizens.

Budget: Grants – \$28,000 (in Commission budget).

Action Requested/Recommendation: Approve these recommendations for grants:

Mesa County Valley School District #51 Artist-in-Residence Programs	\$7,500
KAFM Community Radio Arts & Entertainment Calendar Sponsorship	\$4,000
Mesa County Public Library “One Book, One Community” Project	\$2,000
Rocky Mt. Public Television KRMJ “Western Bounty” Arts Segments	\$2,000
Western Colorado Botanical Gardens Summer Music Concert Series	\$1,500
Museum of Western Colorado Two Rivers Chautauqua Festival (new)	\$1,500
Cinema at the Avalon Wednesday Senior Matinees	\$1,200
Western CO Watercolor Society National Juried Watercolor Exhibition	\$1,000
Downtown Association Art & Jazz Festival	\$1,000
Western CO. Center for the Arts “Marketing for Membership”	\$1,000
GJ Musical Arts Assoc./GJ Symphony “Mozart 250 th Birthday” Concert	\$1,000
High Desert Opera First Annual Summer Opera Festival (new)	\$1,000
Artspace & Open Studios Area Artists Invitational Exhibition (new)	\$1,000
Messiah Choral Society “Messiah” Concert	\$500
Schumann Singers Acoustical Shell Purchase (new)	\$500
Western CO Chorale Advertising Campaign (new)	\$500
Graham Celtic Productions “An Evening of Celtic Entertainment”	\$400
Artmobile of Colorado Traveling Exhibit of Original Art (new)	\$400

Attachments: None

Background Information: The Arts Commission's annual granting program has been in place since 1992 and was instituted in lieu of the Arts Commission producing its own cultural events and as a way to increase high quality arts and cultural programming of all types in the community.

The general goal of the grant program is "more arts for more people" and the grants tend to focus on building arts audiences through arts education, encouraging new events or the expansion of existing events, encouraging activities with broad community benefit or opportunities for underserved populations, and collaborative ventures like major festivals and city-wide programming. Six of the activities recommended for support are first time events or ventures, two others are in their second year and another two in their third year.

The Commission reviewed requests from 22 local nonprofit organizations for financial support of arts and cultural events, projects, and programs on February 21 and 22, 2006. The requests totaled \$57,700, and available Commission funding is \$28,000.

In addition to the requested City funding, the applicant organizations expect to leverage another \$141,000 in donations from businesses, individuals, and other agencies.

Attach 3

Continue Annexation Public Hearing Bookcliff Veterinary Hospital Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Request to Continue Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation until the May 17, 2006 City Council Meeting					
Meeting Date	March 1, 2006					
Date Prepared	February 17, 2006				File #ANX-2005-076	
Author	Scott D. Peterson		Senior Planner			
Presenter Name	Scott D. Peterson		Senior 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: Request to Continue the Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation as previously rescheduled and published for the March 1, 2006 City Council Meeting. The request to Continue is due to further research required of the existing legal description and associated land ownership issues regarding the area of the adjacent Grand Valley Canal. City staff is requesting the Annexation Public Hearing be Continued until the May 17, 2006 City Council Meeting.

Budget: N/A

Action Requested/Recommendation: Request to Continue Annexation Public Hearing regarding Approval of the Resolution accepting a Petition for Annexation and also final passage of the Annexation Ordinance until the May 17, 2006 City Council Meeting.

Attach 4

Continue Public Hearing on Proposed Amendments to the Zoning & Development Code

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Request to Continue Proposed Amendments to the Zoning and Development Code					
Meeting Date	March 1, 2006					
Date Prepared	February 17, 2006				File #TAC-2004-231	
Author	Bob Blanchard		Community Development Director			
Presenter Name	Bob Blanchard		Community Development Director			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation		Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Request to continue the Public Hearing to adopt proposed text amendments to the Zoning and Development Code. The proposed amendments reflect changes proposed by City staff. City staff is requesting the continuation until March 15, 2006 City Council Meeting.

Budget: N/A

Action Requested/Recommendation: Request to continue the Public Hearing for the amendments to the Zoning and Development Code.

Attachments: None.

Attach 5

Setting a Hearing Zoning the Autumn Glenn II Annexation Located at 428 30 Road

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject	Zoning the Autumn Glenn II Annexation, located at 428 30 Road.					
Meeting Date	March 1, 2006					
Date Prepared	February 23, 2006				File #ANX-2005-303	
Author	Lisa E. Cox		Senior Planner			
Presenter Name	Lisa E. Cox		Senior 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 Autumn Glenn II Annexation RMF-8, located at 428 30 Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for the 15th of March, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		<i>428 30 Road</i>		
Applicants:		Owner: Pamela L. Brown; Developer: Darren Davidson; Representative: Rhino Engineering – George Kornfeld		
Existing Land Use:		<i>Single Family Residential</i>		
Proposed Land Use:		<i>Single Family Residential Subdivision</i>		
Surrounding Land Use:	North	<i>Autumn Glenn Subdivision</i>		
	South	Single Family Residential / Agricultural		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-R		
Proposed Zoning:		City RMF-8		
Surrounding Zoning:	North	<i>City RMF-8</i>		
	South	County RSF-R/City RSF-4		
	East	County RSF-R		
	West	<i>County RSF-R/PD 4.65 du/ac</i>		
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-8 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 zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

- 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 criterion 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 criterion is not applicable.

- 3. The proposed zone 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 proposed zone district is compatible with the neighborhood and will not create any adverse impacts. Any issues that arise with the proposal to develop the property will be addressed through the review of that project.

- 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 criterion 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 criterion is not applicable.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- a. RSF-4
- b. RMF-5

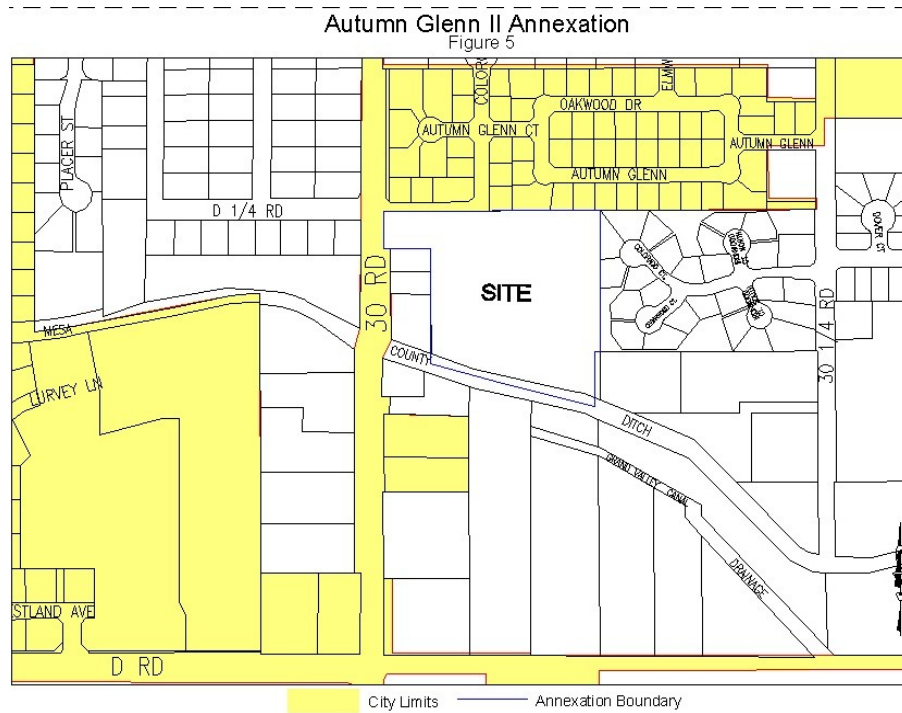
STAFF RECOMMENDATION

Staff recommends approval of the RMF-8 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-8 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

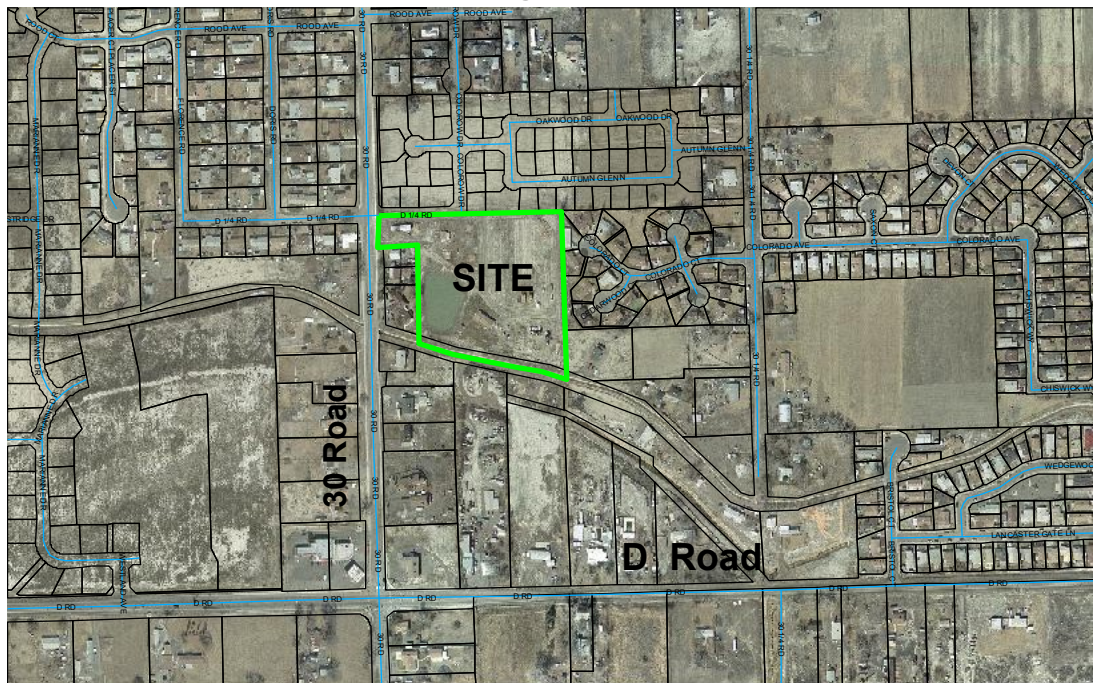
Site Location Map

Figure 1



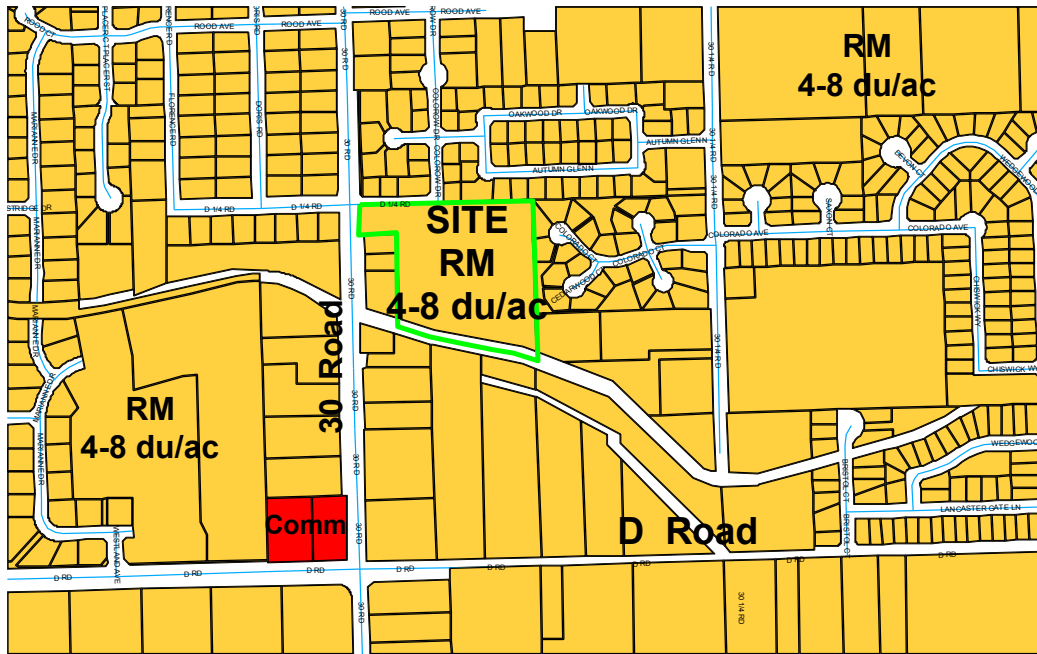
Aerial Photo Map

Figure 2



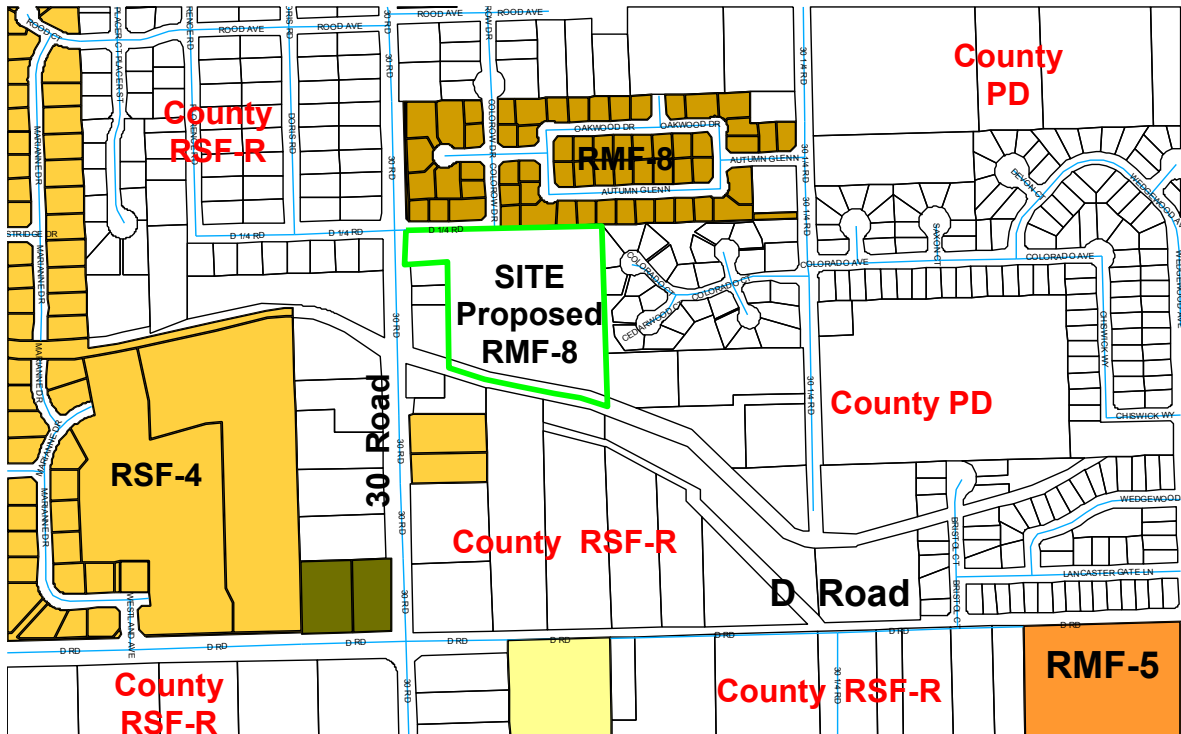
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE AUTUMN GLENN II ANNEXATION TO
RMF-8**

LOCATED AT 428 30 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 Autumn Glenn II Annexation to the RMF-8 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-8 zone district be established.

The Planning Commission and City Council find that the RMF-8 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-8 with a density not to exceed 8 units per acre.

AUTUMN GLENN II ANNEXATION

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northwest corner of the SW 1/4 SW 1/4 of said Section 16 and assuming the North line of the SW 1/4 SW 1/4 of said Section 16 to bear N89°55'08"E with all bearing contained herein relative thereto; thence N89°55'08"E along the North line of the SW 1/4 SW 1/4 of said Section 16 a distance of 30.00 feet to the Point of Beginning; thence N89°55'08"E continuing along the North line of the SW 1/4 SW 1/4 of said Section 16 a distance of 630.39 feet to the Northwest corner of Ironwood Subdivision as recorded in Plat Book 12, Page 454 of the Mesa County, Colorado public records; thence S00°03'08"W along the West line of said Ironwood Subdivision a

distance of 411.00 feet to the Southwest corner of said Ironwood Subdivision; thence S89°55'08"W a distance of 14.61 feet; thence S00°03'08"W along the West line of that certain parcel of land described in Book 2779, Pages 133 and 134 of the Mesa County, Colorado public records, a distance of 157.00 feet more or less to the centerline of the Grand Valley Canal; thence N76°21'53"W along said centerline a distance of 267.00 feet; thence N74°14'56"W continuing along said centerline a distance of 230.00 feet to a point on the Southerly projection of the East line of Tierra Amarilla as recorded in Plat Book 12, Page 239 of the Mesa County, Colorado public records; thence N00°03'05"E along said line a distance of 332.00 feet more or less to the Northwest corner of said Tierra Amarilla; thence N89°56'35"W along the North line of Lot 1, of said Tierra Amarilla and the Westerly projection thereof a distance of 134.95 to a point on the Easterly right of way of 30 Road; thence N00°01'23"E along the East right of way of 30 Road a distance of 110.05 to the Point of Beginning.

Said parcel contains 6.08 acres (264,745 square feet), more or less, as described.

Introduced on first reading this _____ day of _____, 2006 and ordered published.

Adopted on second reading this _____ day of _____, 2006.

Mayor

ATTEST:

City Clerk

Attach 6

PVC Pipe for Lincoln Park Golf Course Irrigation System

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of PVC Pipe for Lincoln Park Golf Course Irrigation System					
Meeting Date	March 1, 2006					
Date Prepared	February 16, 2006					
Author	Scott Hockins		Senior Buyer			
Presenter Name	Ronald Watkins		Purchasing Manager			
	Joe Stevens		Parks & Recreation Director			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent
						Individual Consideration

Summary: This request is for the purchase of PVC pipe as part of a larger project to repair and upgrade the irrigation system at Lincoln Park Golf Course.

Budget: It is estimated this expenditure will be \$72538. \$300,000 has been budgeted and approved in the 2006 Capital Improvement Fund for Lincoln Park Golf Course Irrigation Replacement.

Action Requested/Recommendation: Authorize the City Purchasing Manager to purchase PVC pipe for Lincoln Park Golf Course from Grand Junction Pipe and Supply, Grand Junction, Colorado in the amount of \$72,538.

Attachments: N/A

Background Information: This PVC pipe purchase is part of a larger project to replace the irrigation system at Lincoln Park Golf Course.

- The current irrigation system is in disrepair due to age and inadequate sizing and design. The pipe purchase is part of a larger project to replace the entire system.
- The PVC pipe was competitively solicited to five local companies. In addition, a legal advertisement was placed in the Daily Sentinel. Three companies responded and submitted the following bids
 - Irrigation Systems, Fruita Colorado \$85,920.00
 - Winwater, Grand Junction Colorado -No Bid
 - Grand Junction Pipe, Grand Junction Colorado \$72,538.00

- Due to seasonal influences on pipe pricing, the purchase has been solicited early to take advantage of lower pricing.

Attach 7

Pictometry Oblique Air Photos & Ortho Photos

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Pictometry Oblique Air Photos & Ortho Photos						
Meeting Date		March 1, 2006						
Date Prepared		February 9, 2006				File #		
Author		Terry Brown			GIS Supervisor			
Presenter Name		Ron Lappi Terry Brown			Admin. Services & Finance Director GIS Supervisor			
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 with Pictometry International, Corp., a Delaware company with offices at 100 Town Center Drive, Suite A, Rochester, NY 14623, to update the City's air photos and provide oblique photo capabilities. The contract recommended is a six year contract allowing the City to take advantage of additional discounts during the second and third flight years of the contract.

Budget:

Project costs:	Cost
1 st Flight Year 2006	\$ 40,904.00
Year 2007	\$ 28,044.00
2 nd Flight Year 2008	\$ 37,539.60
Year 2009	\$ 25,239.60
3 rd Flight Year 2010	\$ 34,735.20
Year 2011	<u>\$ 22,435.20</u>
Total Project Cost	\$188,897.60

Funding: Sufficient funds have been allocated and approved in the 2006 FY 401 fund to pay for this project. The contract is subject to annual appropriation approval.

Action Requested/Recommendation: Authorize the City Manager to execute a six (6) year contract with Pictometry International, Corp., a Delaware company, for oblique air photos in the amount of \$188,897.60.

Attachments:

Background Information:

The city's GIS is in need of updated Air Photos. It has also been determined that our staff would benefit from the ability to see all four sides of a building instead of just straight down. Pictometry's patented process gives us the ability to view the new oblique (side views) photos and the old style ortho (straight down) photos.

In the past we have budgeted \$20,000 annually and received a set of photos every five years. The new contract will cost an average of \$31,500 annually and provide a new set of photos every two years. Pictometry presents a revolutionary, patented technology system that captures, presents, and analyzes a new form of digital aerial photography.

Pictometry photographs every square foot of an area from both orthogonal and oblique angles. The imagery provides what neither satellite, GPS mapping, nor traditional aerial photography can: Detailed metric oblique views of any feature.

A user of Pictometry software can easily access an image library to see and analyze a selected area or feature from upwards of twelve different views. Public Safety, Emergency Management, Assessment, Code Enforcement, Planning & Zoning, Engineering, Real Estate, and Community Development all should realize the significant cost efficiencies and time savings of using this approach to aerial imaging.

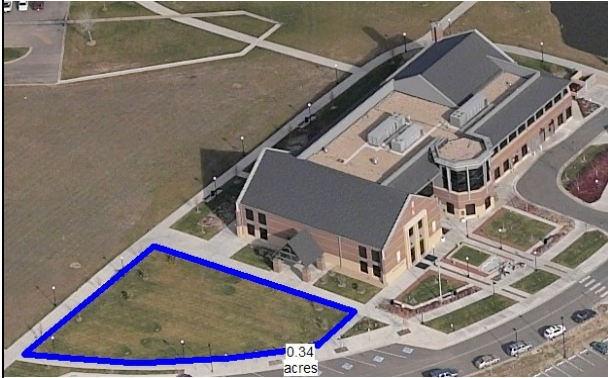
Pictometry's information system is comprised of two elements – software and imagery.

The software is developed to be a multi-functional tool. Only minimum training is required for a user to begin accessing details of a region and then glean and enhance data for easy communication. With a click of a mouse, a user can go from a map of an area to the images associated with the area, then zoom on details like doors, manholes, fences, and fire hydrants. Since each object is geographically referenced, a user can measure height, width, length, or acreage of any feature or area.

Pictometry images are catalogued by region such as county or state. Pictometry captures two levels of resolution—Community (two foot/pixel) and Neighborhood (six inch/pixel). Community spans a wide area while Neighborhood focuses on smaller areas. Pictometry's imagery also encompasses two different views of a given area. The Orthogonal (straight down) view provides images excellent for orientation and planning. The Oblique (angled) imagery provides a more natural view of the world, making objects much easier to identify. An average of 80% of a library's images are oblique. As different users require different views, Pictometry offers four types: Community Orthogonal, Community Oblique, Neighborhood Orthogonal, and Neighborhood Oblique. Image libraries are updated every two years.

View properties from multiple angles

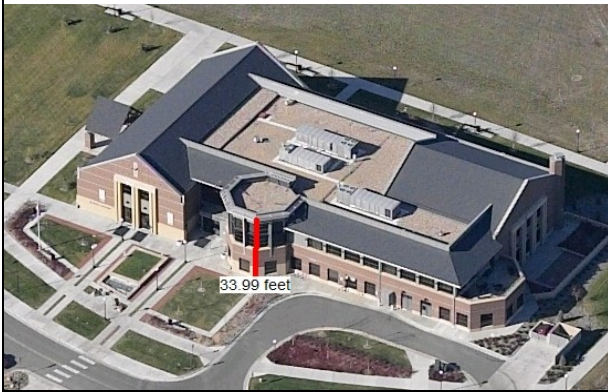
North View



South View



East



West



Attach 8

Infrared Spectrometer & Microscope

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Infrared Spectrometer and Microscope					
Meeting Date	March 1, 2006					
Date Prepared	February 13, 2006				File #	
Author	Susan Hyatt			Senior Buyer		
Presenter Name	Bill Gardner Bob Russell			Interim Police Chief Police Services Lieutenant		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Request is being made by the Police Department to purchase a Nicolet 380 Fourier Transform Infrared (FTIR) Spectrometer and Centaurus Microscope for the Crime Lab from Thermo Electron North America LLC.

Budget: The Police Lab has budgeted \$67,295 in the 2006 Specialty Equipment account for this purchase. The shortfall of \$2,204 will be made up elsewhere in the Police Services budget.

Action Requested/Recommendation: Authorize the Purchasing Division to purchase the Nicolet 380 Fourier Transform Infrared (FTIR) Spectrometer and Centaurus Microscope for the Crime Lab from Thermo Electron North America LLC in the amount of \$69,499.

Attachments: None.

Background Information: The Purchasing Division has verified Thermo Electron Corporation is the only vendor that supplies the Nicolet brand and that no other equipment is available that meets the specialized needs of the Police Department Crime Lab. The Nicolet FTIR Spectrometer and Microscope far surpasses other brands and offers several key characteristics that provide unique functionality for use in a crime laboratory. This system is accepted and validated for forensic analysis and is used in many CBI Departments, Police Departments and Sheriff's Offices in Colorado. Nicolet Spectrometers are also utilized at federal agencies including the FBI, DEA and ATF. This gives us the ability to share data among other law enforcement agencies in the state. The Nicolet 380 system is uniquely designed for simple, error free operation and self maintenance. All parts are user replaceable without the need for tools or realignment. This equates to lower cost of ownership and greater time in service.

Attach 9
TacNet System Manager

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	TacNet System Manager					
Meeting Date	March 1, 2006					
Date Prepared	February 22, 2006				File #	
Author	Susan Hyatt			Senior Buyer		
Presenter Name	Bill Gardner Mike Nodine			Interim Police Chief Police Lieutenant		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Request is being made by the Police Department to purchase TacNet equipment for use in 13 patrol cars. TacNet is developed and manufactured by Visteon Corporation and is sold only by PCS (Portable Computer Systems) of Golden, Colorado. PCS is the authorized dealer for the western United States.

Budget: The Police Department has budgeted \$137,500 in the 2006 Other Capital Equipment account in the Equipment Fund for this purchase.

Action Requested/Recommendation: Authorize the Purchasing Division to purchase the TacNet equipment in the amount of \$137,500 from Portable Computer Systems of Golden, Colorado.

Attachments: None

Background Information: The Purchasing Division has verified this equipment meets the specialized needs of the Police Department. TacNet is a computerized system manager which operates all of the mechanical and technological equipment found in a modern patrol car. This product removes the vast majority of equipment clutter that is common to police cars and places it out of the way in the trunk. This makes the space inside the patrol car more functional and safe, with the only remaining items in the car a small monitor located on or in the dash, a hand control pod, and a display monitor. The equipment can either be operated by on-screen buttons, the control pod or by voice activation and provides full control over lights, siren, radio and Mobile Data Computer (MDC) functions.

Attach 10
2006 Backhoe Loader

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Purchase of 2006 Backhoe/Loader Combination						
Meeting Date	March 1, 2006						
Date Prepared	February 23, 2006						
Author	Shirley Nilsen		Senior Buyer				
Presenter Name	Ronald Watkins Mark Relph		Purchasing Manager Public Works & 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: This purchase is for the replacement of one (1) 1998 John Deere backhoe-loader combination for the Pipeline Maintenance Division. The unit is currently scheduled for replacement in 2006 as identified by the annual review of the fleet replacement committee.

Budget: The Fleet Division has budgeted \$70,000.00 for replacement of this unit in 2006. The budget for this replacement has been approved in the 2006 fiscal year budget. Sufficient funds are budgeted in the overall 2006 Fleet Replacement budget to make up for the shortfall on this purchase. Fleet will be disposing of one used backhoe that will be credited to the accrual for this replacement.

Action Requested/Recommendation: Authorize the City Purchasing Manager to purchase one (1) 2006 410G John Deere Backhoe Loader from Honnen Equipment Company, Grand Junction, CO in the amount of \$75,824.00.

Background Information: The State of Colorado solicits bids for vehicles and equipment statewide from authorized dealers for the use of State entities. Honnen Equipment Company, Grand Junction, CO participated in the solicitation and was successful in obtaining the award for the requested equipment. The award has provisions for local government entities to purchase from their contract. The Colorado Department of Transportation competitively bid and awarded the John Deere Model 410G backhoe/loader combination. The award number is 760041HAA01M. The Fleet Manager and Purchasing Manager agree with this recommendation.

Attach 11

Construction Contract for 2006 Concrete Repair for Street Overlays

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	2006 Concrete Repair for Street Overlays						
Meeting Date	March 1, 2006						
Date Prepared	February 23, 2006	File # - N/A					
Author	Justin J. Vensel	Project Manager					
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: The 2006 Concrete Repair for Street Overlays consists of removal and replacement of miscellaneous sections of concrete curb, gutter, sidewalks, drainage pans, fillets and asphalt patching along the street sections to be overlaid later this year.

Budget: Project No.: 2011-F00400

Project costs:

Construction contract (low bid)	\$239,870.20
Design	\$8,000.00
Construction Inspection and Administration (est.)	<u>\$25,000.00</u>
Total Project Costs	\$272,870.20

Project funding:

<u>Capital Fund</u>	<u>2006 Budget Unencumbered Balance</u>	<u>Allocation for this Contract</u>	<u>Remaining Budget after Contract</u>
Fund 2011-F00401 Contract Street Maintenance	\$1,711,762.00	\$ 211,870.20	\$1,499,891.80
Fund 2011-F00900 Curb, Gutter, and Sidewalk Repair	\$ 300,000.00	\$ 42,000.00	\$ 258,000.00
Fund 2011-02000 Accessibility	<u>\$ 50,000.00</u>	<u>\$ 19,000.00</u>	<u>\$ 31,000.00</u>

Totals: \$ 2,061,762.00 \$ 272,870.20 \$1,788,891.80

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the 2006 Concrete Repair for Street Overlays to Vista Paving Corporation in the amount of \$239,870.20

Attachments: none

Background Information:

This project is designed to fix/repair concrete drainage issues and sidewalk problems along streets to be overlaid. Various streets were identified to be in need of an overlay. These streets were then rated on traffic volume, pavement quality, structural adequacy and surface distress.

The work will take place on seven different street locations throughout the City. The locations are:

1. Patterson Road - 1st Street to 7th Street
2. Patterson Road – 28 ½ Road to Lodgepole Street
3. Rood Ave -7th Street to 12th Street.
4. White Ave – 7th Street to 8th Street
5. Sherman Dr – B ½ Road to 27 Road
6. Dorothy Ave – Hwy 50 to Sherman Drive
7. Park Ave – Hale Ave to Fairview Ave

The contract is scheduled to begin on March 13, 2006 and be completed on May 28, 2006.

The following bids were opened on Tuesday, February 14, 2006:

Bidder	From	Bid Amount
Vista Paving Corporation	Grand Junction	\$239,870.20
G & G Paving	Grand Junction	\$249,735.25
BPS Concrete	Grand Junction	\$253,614.51
Reyes Construction	Grand Junction	\$273,685.60
Engineer's Estimate		\$290,510.70

Attach 12

Construction Contract for 2006 Asphalt Overlay Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	2006 Asphalt Overlays						
Meeting Date	March 1, 2006						
Date Prepared	February 23, 2006	File # - N/A					
Author	Justin J. Vensel	Project Manager					
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: The 2006 Asphalt Overlay project consists of asphalt resurfacing on 10 streets selected throughout the City and Mesa County.

Budget: Project No.: 2011-F00400

Project costs:

Construction contract (low bid)	\$1,837,251.15
Design	\$15,000.00
Construction Inspection and Administration (est.)	\$45,000.00
Total Project Costs	\$1,900,251.15

Project funding:

<u>Capital Fund</u>	<u>2006 Budget Unencumbered Balance</u>	<u>Allocation for this Contract</u>	<u>Remaining Budget after Contract</u>
Fund 2011-F00401 Contract Street Maintenance	\$1,499,891.80*	\$ 1,253,119.15	\$ 246,772.65
County Share for work on Patterson Road and 2 additional road requested	\$ 647,132.00	\$ 647,132.00	\$ 0.00

Totals: \$ 2,147,023.80 \$ 1,900,251.15 \$ 246,772.65

*2006 Budget – 2006 Concrete Repair Contract

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the 2006 Asphalt Overlay Project to Elam Construction Inc. in the amount of \$1,837,251.15.

Attachments: none

Background Information:

This annual street maintenance project generally consists of resurfacing existing streets with 2" of new asphalt pavement. Work items associated with the paving include: milling of existing asphalt pavement where needed, adjusting manhole lids and valve covers to grade, and placing shoulder gravel on roads that do not have curb and gutter.

Curb and gutter repairs and crack sealing have been completed ahead of the street overlay project. Various streets were selected for the 2006 overlay project. The list was narrowed using the following parameters: Traffic volume, pavement quality, structural adequacy and surface distress. The 2006 overlay Project includes 64,000 square yards of asphalt milling and 22,000 tons of Hot Mix Asphalt.

The work will take place on seven different street locations throughout the City and three locations within Mesa County. The locations are:

City Streets

8. Patterson Road - 1st Street to 7th Street
9. Patterson Road – 28 ½ Road to Lodgepole Street
10. Rood Ave -7th Street to 12th Street.
11. White Ave – 7th Street to 8th Street
12. Sherman Dr – B ½ Road to 27 Road
13. Dorothy Ave – Hwy 50 to Sherman Drive
14. Park Ave – Hale Ave to Fairview Ave

County Streets

1. Patterson Road – Lodgepole Street to I-70B
2. Redwing LN – Patterson Road to End
3. Helena Street – Patterson road to End.

The county has requested that these streets be included in the City's overlays contract and is providing funding for resurfacing these streets.

The contract is scheduled to begin on May 30, 2006 and be completed on August 7, 2006.

The following bids were opened on Tuesday, February 14, 2006:

Bidder	From	Bid Amount
Elam Construction Inc.	Grand Junction	\$1,837,251.15
United Companied of Mesa County	Grand Junction	\$2,134,599.20
Engineer's Estimate		\$1,756,953.47

Attach 13

Purchase of Chevy Silverado 1500 Pick-ups

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase ½ Ton Pickups					
Meeting Date	March 1, 2006					
Date Prepared	February 24, 2006					
Author	Ron Watkins		Purchasing Manager			
Presenter Name	Ronald Watkins		Purchasing Manager			
	Mark Relph		Public Works & Utilities Director			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: This purchase is for a total of eleven (11) 2006 Chevy Silverado 1500 pickups. Nine (9) of these pickups are currently scheduled for replacement in 2006 as identified by the annual review of the fleet replacement committee. Two (2) units are additions to the Fleet (1 for Fire Code Enforcement and 1 for Public Works Development Inspector).

Budget: \$171,500.00 has been budgeted and approved for this purchase. The Fleet Division budgeted \$141,000.00 for replacement of nine (9) units and \$30,500.00 is budgeted and approved in the appropriate CIP account for the purchase of the two (2) additions to the Fleet.

Action Requested/Recommendation: Authorize the City Purchasing Manager to purchase eleven (11) Chevy Silverado 1500 Pickup Trucks from Dallenbach Chevrolet, Fort Collins, Colorado for the amount of \$165,986.00

Background Information:

During the Council Workshop January 30 questions arose concerning the pricing of the units from the State of Colorado Contract. Purchasing solicited informal quotations from local dealers with the complete list of optional equipment necessary for price comparison to insure we were recommending best value for the City. We received quotations from three local dealers. On February 1 City Council directed the Purchasing Manager to solicit formal bids for the eleven (11) units from our active bidders list and bring the results and a recommendation after sufficient time has been allowed for the bidders to respond to the advertisement (approx 2 weeks). Thirty five

(35) Bids were electronically solicited on February 10 and the bid advertised in the Grand Junction Daily Sentinel on February 15th and 19th with an original return date of March 2, 2006 (approx 3 weeks). The assigned buyer called each local dealer to verify that they received the solicitation. However, after the solicitation was distributed we were advised that General Motors is cutting off orders for 2006 model year 1500 pickups on March 10, requiring us to send out an addendum revising the bid opening date to February 23 (approx 2 weeks). The buyer again called each local dealer to verify they received the changed date addendum and encouraged them to participate. Seven (7) bids were received for evaluation (tabulation of bids is attached).

• Dallenbach Chevrolet	Fort Collins, CO	
\$ 165,986.00		
(State Bid/Contract)		
• Dallenbach Chevrolet	Fort Collins, CO	
\$ 166,441.00		
• Weld County Garage	Greeley, CO	\$
168,250.00		
• Jim Fuoco Motors	Grand Junction, CO	\$ 169,036.23
• Western Slope Ford	Grand Junction, CO	\$ 170,772.00
• Stevinson Chevrolet	Golden, CO	\$
175,274.43		
• Ed Bozarth Chevrolet	Aurora, CO	
\$ 175,783.16		
• Grand Junction Chrysler	Grand Junction, CO	\$ 195,210.00
• Daniels Chevrolet	Colorado Springs, CO	\$ 15,970.23
(Only 1 Unit Bid)		
• Ed Bozarth Chevrolet	Grand Junction, CO	No
Response		

After analysis of the bids for specification compliance and pricing, the State of Colorado Contract continues to be the best value to the taxpayers in the City of Grand Junction. The City of Grand Junction has no local preference within our ordinances or Purchasing Policy. Therefore the City Purchasing Manager and Fleet Manager recommend the lowest responsive and responsible bid to the Council. Consideration of a local preference, other than when all costs are equal, is not recommended. Such a policy has been considered and rejected by previous City Councils with the full support of the Grand Junction Chamber of Commerce.

The State of Colorado solicits bids statewide from manufacturer's authorized dealers and has provisions for local government to purchase from their contract agreement. The Colorado Department of Transportation competitively bid and awarded the Chevy Silverado's for 2005/2006. The award number is 07048YYY38M.

We will continue to make every effort to procure equipment, commodities and services from local providers to the extent possible. The Purchasing office is charged with the responsibility to provide best value to all city taxpayers. We continually research availability from various outside sources and only recommend purchase from such sources when it is in the best interest of the City to do so.



IFB No. 1614-06-SN 1/2 Long Bed Ton Pickup Trucks Bid Tab

Company	Pricing	Model No.	Delivery	Specification Deviations
State Bid Award	\$15,036.00 plus \$100.00 Delivery \$15136.00	Chevy Silverado	60 days	
Dellenbach	\$15,181.00	Chevrolet CC15903	45-75 Days	
Weld County Garage	\$15,510.00	GMC Sierra 1500 Long Box	60/90 Days	P245/70R17 All Season Tires
Jim Fuoco Motors	\$15,650.23	GMC Sierra TC15903	90 Days	Bed Liner - Ultimate
Western Slope Ford	\$15,812.00	Ford F-150 F-12	90 Days	7050# GVWR
				145" Wheelbase
				5.4L FFV
Daniels Chevrolet	\$15,970.23	Chevrolet CC15903	60 days	6400 GVW Rating
				Wheel Base 133"
				Axle Ratio 3.23
Stevinson Chevorelet	\$16,023.23	Chevrolet CC15903	100 days	
Ed Bozarth - Aurora, CO	\$16,466.86	General Motors - CC15903	65 Days	
Grand Junction Chrysler	\$17,994.00	Dodge 1500	100 days	4.7 L Magnum V8 engine
Bozarth Grand Junction	No Response			



IFB No. 1617-06-SN 1/2 Ton Short Bed Pickup Trucks Side Bed Tool Box Bid Tabulation

Company	Pricing	Model No.	Delivery	Specification Deviations	Total Price of 2 Each
State Bid Award	\$14,981 plus \$100.00 each deliver	Chevy Silverado			\$30,162.00
Dellenbach	\$15,126.00	Chevrolet	45-75 Days	119" Wheel Base	\$30,252.00
Jim Fuoco Motor	\$15,298.60	GMC Sierra	Approx. 90		\$30,597.20
Weld County Garage	\$15,370.00	GMC Sierra 1500 Short Box TC157	60 - 90	P245/70R x 17 All-Season	\$30,740.00
Western Slope Ford	\$15,428.00	Ford F-150 F-12	90 Days	6650 # GVWR	\$30,856.00
				126" Wheelbase	
				Axle Ratio 3:55	
Ed Bozarth - Aurora, CO	\$15,931.00	General Motors	65 days	WB 119	\$31,863.26
				Tool Box R.K.I.	
Stevinson Chevrolet	\$15,979.00	Chevrolet CC15703	100 days		\$31,959.20
Grand Junction Chrysler	\$17,778.00	Dodge	Approx. 100	4.7 Magnum Engine	\$35,576.00
Bozarth - Grand Junction	Did not respond				



IFB No 1618-06-SN 1/2 Ton Short Bed Pickup Trucks Across the Bed Bid Tabulation

Company	Pricing	Model No.	Delivery	Specification Deviations	Total price of 8 Each
State Award	\$14,986.00 Delivery \$100.00 ea				\$120,688.00
Dellenbach	\$15,126.00	Chevrolet	45-75 Days	119" Short Base	\$121,008.00
Weld County Garage	\$15,250.00	GM Sierra 1500 Short Box	60-90 days	P245/70Rx17 All Season	\$122,000.00
Jim Fucoco Motor Co.	\$15,348.60	GMC Sierra TC15703	90 day	119 in w/b 205.70 ovall length	\$122,788.80
				Ultimate Spray Bed Liner	
Western Slope Auto	\$15,513.00	Ford F-150 F12	90 Days	126" Wheel Base	\$124,104.00
				5.4L FFV	
				Axle Ratio 3:55	
Stevinson Cherolet	\$15,911.00	Chevrolet	100 Days		\$127,292.00
Ed Bozarth - Aurora	\$15,931.63	General Motors	65 days	WB119	\$127,453.04
Grand Junction Chrysler	\$17,705.00	Dodge 1500	100 days	4.7 magnum Engine	\$141,640.00
				120.5 Wheel Base	
Bozarth Grand Junction	Did Not Respond				

Attach 147th Street Corridor Project**CITY OF GRAND JUNCTION**

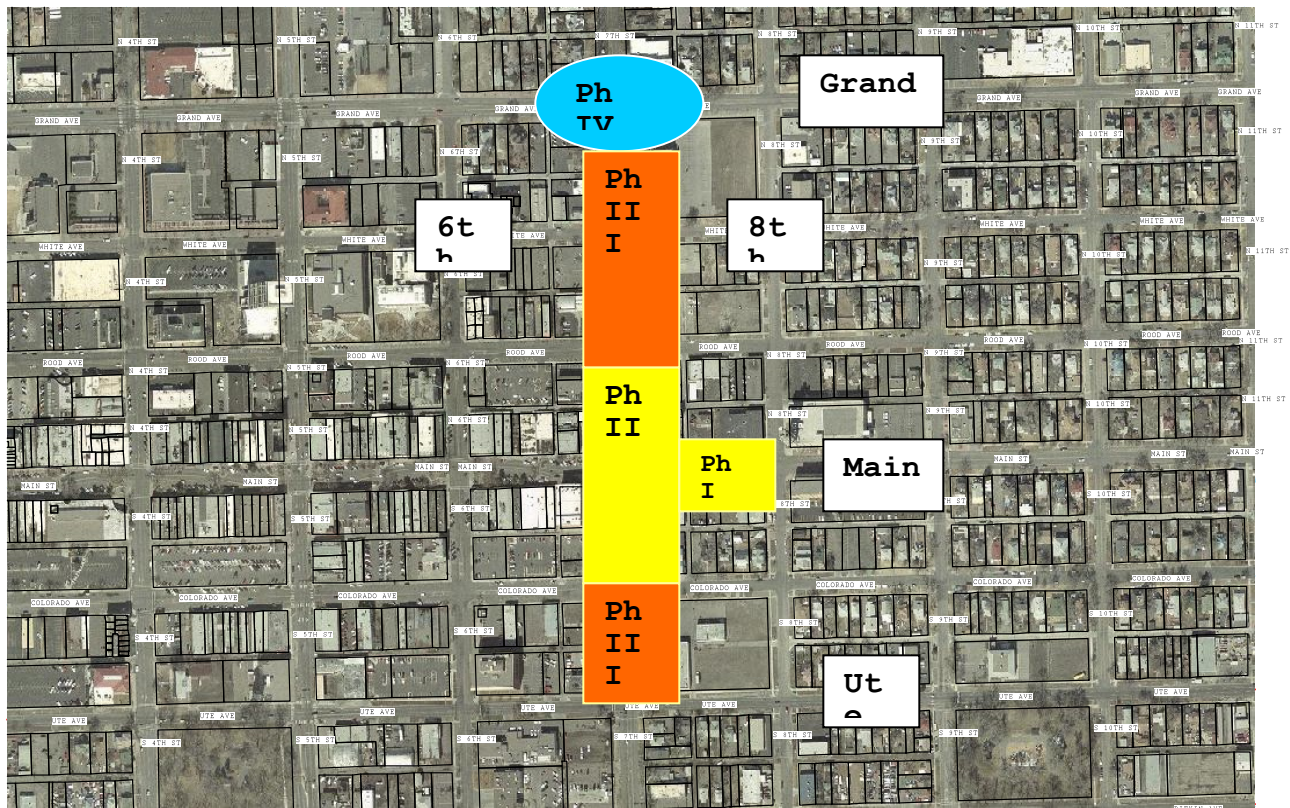
CITY COUNCIL AGENDA						
Subject	7 th Street Corridor Project					
Meeting Date	March 1, 2006					
Date Prepared	February 23 2006	File # - N/A				
Author	Mark Relph Mike Curtis	Public Works and Utilities Director Project Engineer				
Presenter Name	Mark Relph	Public Works and Utilities Director				
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: The Downtown Development Authority (DDA) has requested that the 7th Street Corridor Project be expanded to reconstruct 7th Street from Grand Avenue to Ute Avenue. DDA has agreed to provide an additional \$2,000,000 in funding because of the City funding limitations. More detail is provided in the attached letter from DDA.

Action Requested/Recommendation: Adopt joint resolution authorizing the design and construction of Phases I, II and III of the reconstruction of 7th Street from Grand Avenue to Ute Avenue. Phases I, II, and III as discussed in the background information would include improvements from Grand Avenue to Ute Avenue, a roundabout at 7th & Main, and Main Street from 7th to 8th Street.

Attachments: Expanded 7th Street concept and letter dated December 14, 2005 from Karen Vogel, DDA Board President to Bruce Hill, Mayor and Kelly Arnold, City Manager.

Background Information: This corridor already has two separate projects, the original City/DDA Project (Phase II) and the separate CDOT funded project (Phase I) that are currently under design and were approved by City Council on October 3, 2005. Adding Phase III to Phase II would expand the project boundaries along 7th Street from Grand Avenue to Ute Avenue. To build any portion of this corridor it is important to have an overall plan to guide us. The planning process between the City and DDA has always encompassed a conceptual design for 7th Street from Grand Avenue to Ute Avenue. Because of funding limitations, the City has not approved the design and construction of the 7th Street corridor from Grand Avenue to Ute Avenue.



Phasing Location Map-7th Street Corridor Project

Budget: Project Nos.: 2011-F59600 & F59700

Project Budget:

Description	Estimated Cost
Phase I & II Construction Costs Main Street 7 th to 8 th and 7 th Street Main to Rood	\$1,090,000
Phase III Construction Costs 7 th Street Grand to Rood and Main to Ute	\$1,790,550
Consultant Conceptual & Scoping Design Costs	\$139,110
Phase I & II Consultant Design Costs	\$105,300
Phase III Consultant Design Costs	\$128,600
Construction Admin., Inspection & Testing	\$70,000
Total Estimated Project Costs	3,323,560

Project Funding Sources:

Funding Source	Amount
City of Grand Junction/CDOT Enhancement Grant Main Street 7 th to 8 th	\$255,500
City of Grand Junction 7 th Street	\$447,000
Phase II Downtown Development Authority	\$700,000
Phase III Downtown Development Authority	\$2,000,000
Total Funding (2011-F59600 & F59700)	\$3,402,500

Construction of a roundabout at 7th and Grand, if approved by City Council, would be Phase IV of the 7th Street Improvements. The estimated construction and design cost of the proposed roundabout at 7th and Grand is \$450,000. DDA/Council tentatively identified 2010 for construction year. With inflation the construction cost would be \$568,000. Currently this project is not in the 10 year Capital Improvement Program budget. Therefore, if the Council decided to construct the intersection improvements in 2010, another capital project would need to be delayed until 2012 when there appears to be unallocated sales tax CIP fund balance available. The project most eligible to delay is the G Road and 26 Road Roundabout (F39200) which is currently funded in 2010 for \$649,000.

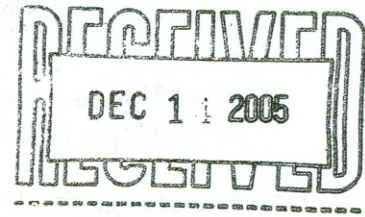
The total estimated project costs do not include costs for installing parking meters or parking kiosks. A parking kiosk is estimated to cost \$10,000. The kiosk would accept smart pay cards, credit cards, cash or change. Two kiosks would be installed per block, one on each side of the street, at corner locations where they could also serve the east west side streets. Each kiosk would be installed at locations where they could serve approximately 16 to 20 parking spaces. Ten kiosks would serve the 7th Street Corridor from the south side of Grand Avenue to the north side of Ute Avenue at an estimated cost of \$100,000. A parking meter is estimated to cost \$600. The parking meter would accept smart pay cards, credit cards, or change. A parking meter would serve one parking space. There are approximately 50 existing parking spaces on 7th Street. The existing parking spaces are parallel. Angle parking allows for more parking spaces than parallel but parking spaces will be lost to streetscape improvements such as bulb outs, etc. Assuming there will be 50 parking spaces on 7th Street between the south side of Grand Avenue and north side of Ute Avenue after reconstruction, the cost to put in new smart parking meters would be \$30,000. The parking kiosks would serve a larger area than 7th Street by serving the side streets as well. The parking plan and pay system for the 7th Street corridor will require further evaluation.

Phase I design is scheduled to be completed by May 2006 with construction scheduled to start in June 2006 and be completed by August 2006. Phase II design is scheduled to be completed by August 2006. Phase II construction could start in September 2006 but could not be finished until April 2007 with the placement of concrete and asphalt. Concrete can be poured during the winter but costs are much higher because cold weather protection is required. The roadway asphalt would be milled and left in place for a temporary driving surface. 7th Street would be under construction during the Holiday season. Phase III design is scheduled to be complete by December 2006. If the construction of Phase II is delayed until the design of Phase III is completed, Phase II & III construction could start in January 2007 with completion scheduled for October 2007. 7th Street would not be under construction during the Holiday season. The roadway asphalt would be milled and left in place for a temporary driving surface. DDA's preference is to delay the construction of Phase II until the design of Phase III is completed to avoid construction during the Holiday season this year.

Copy to: City Council
Dave Varley
Mark Ralph
Ren Kappi
John Shaver
File

CC: TIM MOORE, MIKE MADINE, GREGG

SN
12/21/05



Return back to C.H.
on 12/16/05

Downtown Development Authority

December 14, 2005

Bruce Hill, Mayor
Kelly Arnold, City Manager
c/o City of Grand Junction
250 N. 5th Street
Grand Junction, Colorado 81501

Dear Bruce and Kelly,

The Board of Directors of the Downtown Development Authority recently held its annual retreat. At the retreat we had a very good discussion of where we are with respect to current funding and projects, in particular the 7th Street reconstruction project. While the DDA appreciates the City's commitment to this project, it is our strong preference that the project be completed sooner than is presently scheduled. With that understanding the Board has directed that I write to you to begin a dialogue on how we can work together to get 7th Street and other projects completed on an accelerated schedule.

The City and DDA have a rich history of participation in cooperative projects for the betterment of downtown, with the 7th Street project serving as yet another example of that cooperation. The 7th Street project once completed will be a "signature" for Downtown, very much like Operation Foresight was for Main Street in 1962. When originally conceived, the 7th Street project proposed funding of \$700,000 from the City and \$700,000 from the DDA. Using today's construction cost estimates, and acknowledging the fact that the scope of the improvements have increased by 3 blocks, the Project now presents a total budget in excess of \$3,000,000.

As you know, the City's 2006-2007 budget includes the \$700,000 originally dedicated for the reconstruction of 7th Street. The DDA understands that the Council's plan for the project is to reconstruct 7th Street from Grand Avenue south to Ute Avenue and from 7th Street east to 8th Street, on Main. We also understand that because of the anticipated cost of the project, the City plans to phase construction over the next five years, and that future budgets may provide additional funding to satisfy the increased project costs. Because the DDA Board is concerned about the length of time that is anticipated for the 7th Street project to come to fruition, and the resulting disruption to businesses, traffic, visitors, and the neighborhood in this area, the DDA is proposing that it and the City construct the 7th Street improvements sooner.

I have attempted to detail an understanding between the DDA and the City that would allocate and prioritize major projects planned for downtown which would allow 7th Street to be completed on a shorter timetable. While the resulting commitments would not be legally binding, the cooperative efforts of the DDA and the City can be viewed as a jointly planned venture for the betterment of the City.

The DDA Board proposes that the City and DDA agree that 7th Street and other downtown projects would be funded and completed on the following terms and in accordance with the following priorities:

248 South 4th Street, Grand Junction, CO, 81501
Phone (970) 245-9697 fax (970) 243-1865
www.downtowngj.org

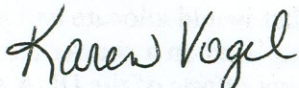
- (1) The 7th Street Project as configured in the plan approved by City Council in October of this year will be the City's first priority for Downtown capital construction.
- (2) In exchange for the City's commitment to 7th Street and the other projects listed herein, the DDA will contribute up to \$2,000,000 in addition to the \$700,000 previously pledged by the DDA for construction of the approved 7th Street Plan.
- (2) Except for the roundabout at 7th & Grand, 7th Street shall be completed by the end of the 2006 construction season. The 7th & Grand roundabout will be completed by the City by 2010.
- (4) Development of design standards for downtown, to be applied to 7th Street, Colorado Avenue, refurbishing of Main St. and other areas as appropriate, shall occur in 2006, funded by the DDA. These standards will be developed in anticipation of the 2007 downtown master plan to be funded and staffed through Community Development.
- (5) In 2008 the City and the DDA, in order to compliment the construction of the approved 7th Street Project, will commit to design and construct similar improvements to five blocks of Colorado Avenue. The DDA will contribute two dollars for each City dollar expended on reconstruction of Colorado Avenue, up to \$2,000,000 (DDA), and \$1,000,000 (City). The contribution is contingent on a plan being developed and approved by the City that is complimentary with the streetscape for 7th Street and Main Street, as determined by the new design standards. The Colorado Avenue plan will include an emphasis on pedestrian amenities, housing and retail opportunities.
- (6) The City and the DDA each agree to invest \$500,000 by 2009 for the renovation of Main Street. This renovation shall maintain and enhance the current pedestrian amenities to be completed in anticipation of the 50th anniversary of Operation Foresight.

Please give this proposal your careful consideration. As you know, not unlike the City, the DDA has a number of exciting projects on the drawing board that are competing for funding. It is our hope that you see the wisdom of this proposal and will agree to complete the 7th Street Project and other projects on the timeline and with the contributions we have proposed.

I would prefer a letter or an e-mail from you both at your earliest convenience letting me know if the City would be willing to commit to these projects. A work session between the City Council and DDA Board may serve as a timely opportunity to discuss this program, perhaps early in the new year.

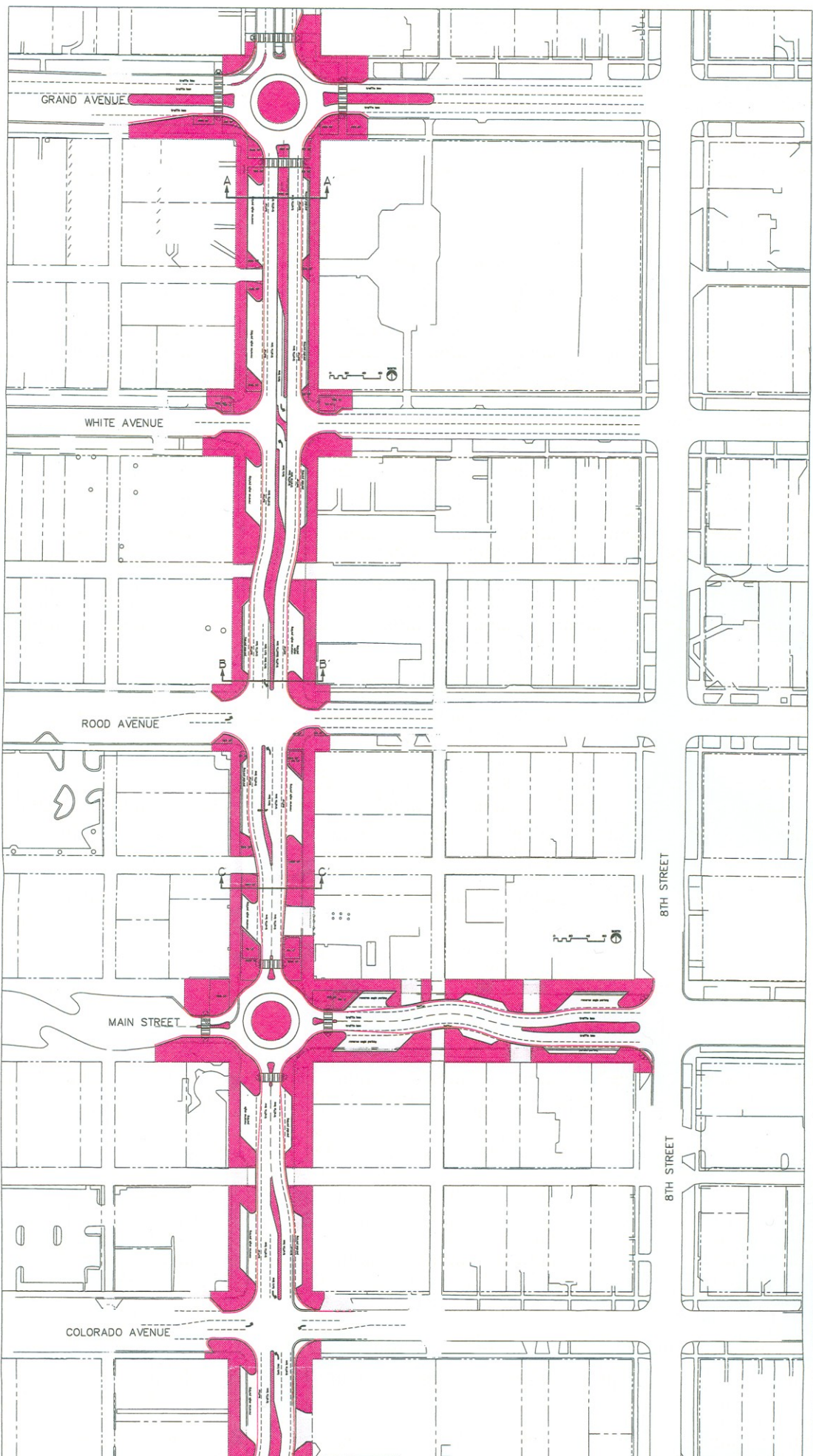
Thank you for your continued interest and support for downtown Grand Junction.

Sincerely Yours,



Karen Vogel, DDA Board President

cc: DDA Board
Harold Stalf



RESOLUTION NO. ____06

A JOINT RESOLUTION OF THE CITY COUNCIL AND THE DOWNTOWN DEVELOPMENT AUTHORITY CONCERNING 7th STREET CONSTRUCTION AND THE FUNDING OF OTHER DOWNTOWN IMPROVEMENTS

Recitals.

The Board of Directors of the Downtown Development Authority (DDA) has identified certain projects within the DDA boundary of the City, the construction of which the Board finds to be essential to the continued growth and vitality of downtown Grand Junction. Those projects are the reconstruction of 7th Street, from Grand Avenue south to Ute Avenue and from 7th Street east to 8th Street on Main Street, the renovation of Colorado Avenue from 7th Street to 2nd Street and the restoration of the Main Street Shopping Park from 7th Street to Two Rivers Convention Center.

While the City has committed to begin the 7th Street project in 2006, because of changes in scope to the project as well as significant increases in cost due to labor and material shortages, the project, if it occurs, will likely be funded over the course of several years. Because the DDA has bonding capacity beginning in 2006 the Board has proposed that it assist with the funding of the 7th Street project in exchange for a commitment from the City that it agree to participate in the Colorado Avenue and Main Street projects on a timetable that is advantageous to the DDA and the interests that it represents.

When completed the 7th Street project will be a signature improvement for Downtown, very much like Operation Foresight was for the Main Street Shopping Park in 1962. Given that the improvements made to the Shopping Park are approaching 50 years of age, significant investment must be made to sustain and promote those improvements and integrate them into the proposed improvements to 7th Street. In addition to the improvements to 7th Street and Main Street, the DDA Board has determined that the renovation of Colorado Avenue is also a priority.

The DDA Board and the City Council have agreed that the City and the Authority partner to fund and construct the 7th Street project during 2007 on the following terms and in accordance with the following priorities:

- (1) The 7th Street project as configured in the plan dated October 3, 2005 (hereinafter "the approved 7th Street Plan" or "Approved Plan") will be the City's first priority for Downtown capital construction.
- (2) The 7th Street project, excluding the roundabout at 7th and Grand in the Approved Plan shall be completed by the end of the 2007 construction season.
- (3) In exchange for the City's commitment to the construction schedule for 7th Street

and the other projects listed herein, the DDA will contribute up to \$2,700,000 for the construction of the approved 7th Street Plan.

- (4) Beginning no later than 2008 the City and the DDA, in order to compliment the construction of the Approved 7th Street Plan, will begin design of similar improvements to Colorado Avenue with an understanding that the City will consider prioritizing construction of the Colorado Avenue project in the City's 2008-2009 capital improvement plan. The Colorado Avenue renovation plan, which is part of the DDA's 1978 master plan, will include an emphasis on pedestrian amenities.
- (5) Beginning no later than 2008 the City and the DDA will agree to plan for the renovation of Main Street. In order to compliment the construction of the Approved 7th Street Plan and Colorado Avenue improvements the City will prioritize construction of the Main Street project in the City's capital improvement planning. The Main Street project shall be consistent with the City's development of a master plan for Main Street and the downtown environs which is scheduled for completion in 2007. Consistent with the DDA's master plan, as the same will be updated, Main Street improvements will include an emphasis on pedestrian amenities. The goal of that work will be a renovation that maintains and improves the pedestrian amenities and target a completion of the work in anticipation of the 50th anniversary of Operation Foresight.

The City and the DDA, by this resolution affirm its commitment, downtown and to further the cooperative relationship that has been developed between the City and the DDA.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION DO HEREBY RESOLVE THAT:

The foregoing Recitals are adopted as the policy of the City Council and the DDA and that the City Manager and Executive Director of the DDA shall act consistently herewith to bring to fruition the construction of the downtown improvements projects as generally described in this resolution and more particularly described in the Approved Plan for 7th Street.

The City and the DDA understand and agree that additional approvals, documents and actions will be necessary to complete the projects and each within its lawful authority agrees to reasonably complete the same.

This resolution is consistent with the DDA's legal authority and obligation to prevent slum and blight and to invest in the betterment of the district. To that end the Board of Directors does hereby direct the Executive Director of the DDA to take any and all lawful actions necessary or required to fully implement this resolution.

This resolution is consistent with the City's legal authority and obligation to promote the health, safety and general welfare of the citizens and residents of the City. To that end

the City Council does hereby direct the City Manager to take any and all lawful actions necessary or required to fully implement this resolution.

PASSED and ADOPTED this _____ day of _____ 2006

Attest:
Bruce Hill

President of the Council

Stephanie Tuin
City Clerk

Karen Vogel
DDA Chairperson

Attest:

DDA Secretary

Attach 15
Downtown Park Structure

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Downtown Parking Structure					
Meeting Date		March 1, 2006					
Date Prepared		February 24, 2006			File #		
Author		David Varley Mark Relph Trent Prall		Assistant City Manager Public Works and Utilities Director Engineering Manager			
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: Joint resolution between the Downtown Development Authority and the City of Grand Junction regarding the construction of a four level parking structure between 4th and 5th Streets, south of Rood Ave.

Action Requested / Recommendation: Adopt a Joint Resolution authorizing the amendment to the Memorandum of Agreement with the Downtown Development Authority and authorization to proceed with construction of four level parking structure as referenced in attached resolution.

Attachments: Joint Resolution for four level parking structure

Background: The committee has taken a long term view of this project and how it will fit into the downtown area for the next 50 years. The main goal was to construct a parking structure that is functional, user friendly and compliments Main Street and the rest of downtown.

The original memorandum of understanding between the City and the Downtown Development Authority (DDA) approved at the April 20, 2005 City Council meeting contemplated a \$4,724,992 three level structure that would have 324 spaces (\$14,583 per space). This estimate was based on a rough idea of what a generic parking garage would cost on this site.

Since then, Shaw Construction, working in conjunction with local architectural firm Blythe Design as well as Front Range parking consultants, has completed their analysis of the costs to complete the structure. Due primarily to the sharp (20%+) increases in steel and cement costs, the three level structure is now estimated at \$6,457,539 for 329 spaces for a cost per space of \$19,628. Additional impacts on cost have included a more expensive, more user friendly, one way design and the decision to utilize a cast-in-place design rather than pre-cast structure. Cast-in-place structure was selected

because of lower long term operations and maintenance costs as well as aesthetics advantages.

In order to maximize the investment in site development costs and provide for long term parking demands, the committee recommends a fourth floor be added to the structure.

This would provide 437 parking spaces, or 108 more vehicles than the three level structure. The additional parking spaces would be split between the City of Grand Junction and the Downtown Development Authority. The DDA would purchase 60 total spaces in the structure. The City would utilize its 48 additional spaces to consolidate employee parking and provide for City Hall parking demands for the long term. To help with cost, the City proposes to sell the Studio 119 parking lot (26 spaces) as well as the lot at 3rd and Main.

Total construction cost of the parking garage is \$7.38 million. The net cost of the four level structure to be divided among the owners is \$6,724,962 (\$15,389 per space). The MOA states that the DDA will pay the upfront costs of land acquisition, and site demolition and preparation. Those costs will not be divided among the various owners and are not included in the cost per space amount above.

Even though the cost of the parking structure has increased 50% since the original MOA, note that the number of spaces have also increased 35%.

The additional 48 spaces on the fourth level, to be owned by the City, will cost \$738,672. This cost will be offset by the sale of the lots mentioned above and anticipating proceeds of \$325,000, the balance of \$413,672 would be financed by the Parking Fund.

The updated business plan and 10 year financial projection for the Parking Fund confirm that sufficient revenues will be available to meet the debt service requirements.

It is projected that net revenues from the parking garage operations will also be available to assist with debt service. However, the Parking Fund will not have resources to participate in future capital projects without an increase in parking fines and fees within the next few years.

The proposed budget of the Downtown Parking Garage follows:

Downtown Parking Garage

Updated 2/23/06

Revised Parking Garage Cost (Includes 4th floor uncovered)			\$ 7,383,469
Land Costs – Valley Office / Commercial Federal			\$ 1,480,000
– Snap Photo			\$ 127,000
– Dalby Wendland Lot			\$ 353,947
			\$ 1,960,947
Total Project Cost including Land			\$ 9,344,416
Construction Costs			\$ 7,383,469
– Site Cleaning (revised)			\$ (408,507)
– Fire Wall Costs (benefits building ends)			\$ (250,000)
Net Construction Costs to be shared among all users			\$ 6,724,962
Spaces	437	Cost per space:	\$ 15,389
Construction Costs			\$ 7,383,469
DDA/Site Demo, Clean, Firewalls			\$ (658,507)
Dalby Wendland Spaces	23	spaces	\$ (353,947)
Alpine Bank Spaces (108)	108	spaces	\$ (1,662,012)
DDA Purchase of Top Floor Spaces	60	spaces	\$ (923,340)
City Purchase of Top Floor Spaces	48	spaces	\$ (738,672)
(3 rd & Main / Studio 119 = \$325,000 City Shortage (\$413,672)*			
Cash from Parking Fund			\$ (500,000)
Cost to the Parking System Fund			\$ 2,546,991
Annual Cost of Financing, 15 yrs @ 5%			\$ (233,698)
*If City shortage for top floor is financed as part of the garage the revised payment would be:			\$ (271,654)

RESOLUTION NO. ____-06

**A JOINT RESOLUTION OF THE CITY COUNCIL AND THE DOWNTOWN
DEVELOPMENT AUTHORITY CONCERNING THE DOWNTOWN PARKING
STRUCTURE AND AMENDING THE PARKING SYSTEM MANAGEMENT
MEMORANDUM OF AGREEMENT**

Recitals.

In early 2005 the Downtown Development Authority (DDA) and the City of Grand Junction (City) agreed to construct and operate a parking structure in downtown. It has been assumed since the time of the initial agreement that the parking structure would be funded in part by the Tax Increment Capital Fund (TIF) managed by the DDA and balance of the funding would be provided by the City's Parking Fund and other City financial resources.

Due to a substantial increase in cost, which in large measure is attributable to shortages in cement, steel and labor, the City and the DDA have had to re-evaluate the initial assumptions, budgets and expectations for the expense of the parking structure project.

Because both the City and the DDA understand and agree on the importance of the project and both the City and the DDA have gone to great lengths to develop plans that will provide the downtown, with accessible and convenient parking, the City and the DDA enter into this joint resolution. In addition to stating the current understandings of the City and the DDA, this resolution serves to amend the Memorandum of Agreement setting the prior agreement and business and financial plans for the TIF, Parking Fund and City financial resources pledged to completion of the structure.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY AND THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION DO HEREBY RESOLVE THAT:

The foregoing Recitals are adopted as the policy of the City Council and the DDA and that the City Manager and Executive Director of the DDA shall act consistently herewith to bring to fruition the construction of a downtown parking structure as generally described in the MOA between the City and the DDA, which is incorporated by this reference as if fully set forth and as the same is amended herein.

The City and the DDA understand and agree that additional approvals, documents and actions will be necessary to complete the project. The general parameters and objectives of which are:

- (1) the construction of a 4 story (ground floor plus three elevated levels) parking structure. The top floor shall be uncovered; however, shall be

designed to accommodate future construction of a roof.

- (2) the parking structure shall be “cast in place construction” and likely will contain 437 spaces; with a majority of those spaces being sold, leased or otherwise conveyed to other interests (including being owned by the City and/or the DDA) subject to the terms of the MOU agreement or as otherwise may be agreed. In any event the DDA shall own, for its use or sale, 60 spaces in the parking structure to be assigned at a future date consistent with additional development of the property.
- (3) the design and aesthetic and architectural plan for the parking structure shall include a streetscape/storefront character.
- (4) the property generally described as the half block from 5th Street to 4th, South of Rood Avenue to the East-West alley bisecting the block shall be platted as one lot, which shall be held in common ownership by the City and the DDA. The City and the DDA shall jointly determine surface occupancy and construction.
- (5) paragraphs 2(k), (l) and (m) of the MOA are deleted subject to further negotiation by and between the City and the DDA. Notwithstanding these amendments, these parties agree that the DDA shall be entitled to develop and realize the proceeds from development of the balance of the property that is not used for construction of the parking structure.
- (6) The anticipated and authorized target construction budget is \$7.3 million dollars.

This resolution is consistent with the DDA’s legal authority and obligation to prevent slum and blight and to invest in the betterment of the district. To that end the Board of Directors does hereby direct the Executive Director of the DDA to take any and all lawful actions necessary or required to fully implement this resolution.

This resolution is consistent with the City’s legal authority and obligation to promote the health, safety and general welfare of the citizens and residents of the City. To that end the City Council does hereby direct the City Manager to take any and all lawful actions necessary or required to fully implement this resolution.

PASSED and ADOPTED this _____ day of _____
2006

Attest: _____
Hill

Bruce
President of the Council

Stephanie Tuin
City Clerk

Attest:

Karen Vogel
DDA Chairperson

DDA Secretary

Attach 16

Petition for Exclusion from the Downtown Grand Junction Business Improvement Dist.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Petition for Exclusion from the Downtown Grand Junction Business Improvement District					
Meeting Date	March 1, 2006					
Date Prepared	February 21, 2006				File #	
Author	Stephanie Tuin			City Clerk		
Presenter Name	John Shaver			City Attorney		
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: On December 16, 2005, Mr. Paul Parker filed a petition and the required deposit to initiate consideration of the exclusion of his property from the Downtown Grand Junction Business Improvement District at 741 Main Street and the adjacent parking lots. On January 18, 2006, City Council referred the matter to the Downtown Grand Junction business Improvement District (DGJBID) board. DGJBID heard the request on January 26, 2006 and denied the request.

Budget: Any costs associated with the exclusion request are to be paid for by the petitioner and Mr. Parker has filed a deposit for those expenses.

Action Requested/Recommendation: Review the record of the hearing held on the request and make a final decision on the exclusion request based on the record of the hearing.

Attachments:

1. Letter requesting exclusion from the District
2. Site location map of the property
3. Verbatim transcript of the DGJBID hearing.

Background Information: The Downtown Grand Junction Business Improvement District was formed on August 17, 2005. The ballot question regarding a Special Assessment for said District was approved on November 1, 2005. The City Council then held a hearing on the assessments on December 7, 2005 and there were no objections voiced at the hearing.

31-25-1220 C.R.S. provides for a process to request exclusion from a business improvement district and requires a deposit to cover the cost of the process. On December 16, 2005, Mr. Paul Parker, owner of the building at 741 Main Street and the adjacent parking lots, filed a written request for exclusion along with the required deposit. 741 Main Street houses Mama's Treasures, an antique and collectibles shop, and an upstairs apartment. The adjacent parcels are parking lots used by the Caberet. The assessment for these three properties is \$730.20 (\$120.77 and \$97.12 for the parking lots and \$512.31 for the business, including the assessor's 2% collection fee).

An ordinance was introduced to City Council for consideration and the City Council referred the matter to the newly appointed DGJBID board. The process calls for City Council to review the record of that hearing and make a final decision on the matter.



December 15, 2005

To: Grand Junction City Council
Attn: City Clerk

I'm writing to inform you that I am formally protesting the tax increase for special assessment for real property located within the downtown Grand Junction business improvement district. I was unable to attend the public hearings where property owners could protest the proposed assessments due to an illness. However, when you had the open discussion regarding the proposals of 7th Street and Main Street held at 2 Rivers Convention Center this Fall I did attempt to discuss my concerns with Mr. Hill (City Councilman). But Mr. Hill was not available to register my concerns.

The afore mentioned properties that I am protesting the new tax increase are;

- 1. Tax Schedule # 2945-144-20-003, Vacant Land
- 2. Tax Schedule # 2945-144-20-004, Vacant Land

These vacant parcels in the 700 block of Main Street are currently being utilized as private parking by Cabaret people.

- 3. Tax Schedule # 2945-144-20-005, 741 Main Street

This 100 year old building is presently an Antique and Collectable store that has been in operation for 11 years at this current location.

These afore mentioned properties in no way are benefited by any downtown merchants program, such as the farmers market, any parade, or any planned *Downtown function* organized by the Downtown Grand Junction Business Improvement District. In fact downtown events and activities such as parades have actually detracted from my tenants business because participants of these activities utilize her customer parking infringing upon her ability to do commerce. Again, said properties are not considered in the *Downtown* area, anything east of 7th and Main is not *Downtown*. It is not now, nor was it 75 years ago. In fact for those of you who are unfamiliar with Grand Junction history this retail property, 741 Main Street, was originally known as the East Side.

Again with this letter, I am formally registering my complaint regarding this proposed tax increase. I believe that this tax increase is unfair for those of us who are outside of the common geography understood as *Downtown*, as well creating an unnecessary burden for those businesses, like the one mentioned above, that are currently making a go in this adverse business climate and thus actively contributing their fair share to the tax coffers of Grand Junction.

Enclosed is a check for the cost of the legal notice advertisement for the amount of \$438.00.

I'm asking to be excluded from these assessments of this district.

Sincerely,

Paul Parker

SITE LOCATION

Parking
Lots

Mama's
Treasures



INTRODUCTION: Karen Vogel: It is Thursday, January 26, 2006, at 8:15 a.m. We are starting a new tape to record the hearing for possible removal of property from the Business Improvement District as presented by Mr. Parker. I would like to turn the meeting over to John Shaver, City Attorney, to present this hearing.

REQUEST FOR REMOVAL OF PROPERTY FROM BID – John Shaver: The purpose this morning of this item is that Mr. Paul Parker, the owner of certain lots downtown. (I have an exhibit here that has been identified as the site locations. It is a copy of an aerial photograph that was included in the information that went to City Council last week. It specifically designates the three parcels owned by Mr. Parker) is requesting to be excluded from the BID. Mr. Parker has submitted a request to City Council pursuant to revised Colorado statute 31.25 12.22 that allows him to request exclusion of his property from the BID District. That particular statute does not describe a process on how this is to occur with any detail. It says the governing body must make a decision based on whether or not the request will “adversely affect the District if the petition is granted”. It was my advice to the City Council, which they chose to accept, that this matter be delegated to the BID board for purposes of developing a record. Obviously the relationship between the property owner and the BID and the BID board is a much closer relationship than it is between the property owner and the City Council.

That’s why I believe it is in everybody’s best interest to have you sit and talk about Mr. Parker’s request and make a determination as to whether or not he can demonstrate that the removal of his property would not adversely affect the District. Mr. Parker submitted a letter to Council dated December 15 that summarizes his request. I have made copies of that letter for you and I am distributing them to the board as I speak. Mr. Parker does have the burden of going forward and also the burden of proof relative to this request and, certainly, he is free to speak to you with his thoughts and also you may ask him questions. This does not need to be a particularly formal process, but it is certainly important that we do develop a record and get the information clearly established that he would like to tell you. Once you believe that has occurred then you may close the hearing and deliberate among yourselves and make a determination today if you want, or you may take it under advisement and issue a written determination. Once the process is concluded today the record that is being kept will be transcribed and forwarded to the City Council for purposes of their review. Under the statute, the governing body, i.e. the Council makes the final decision. In effect, your decision will be a recommendation to them and they will review it to determine if that recommendation is arbitrary or capricious and then ultimately the decision will be theirs.

If they find that the exclusion does not adversely affect the District, then the properties would be removed. They would be removed, however, next year because they have already been certified for this year. So, Mr. Parker, the board needs to understand that the assessment will be due for at least one year even if you were to find and the Council were to find that the properties could rightfully be excluded. That, madam chairman, concludes my summary. I would certainly be happy to answer any questions you may have.

Karen Vogel: I have no further questions for Mr. Shaver about the process. Does anyone else have any questions? Mr. Parker, I would like to hear from you now at this time.

Mr. Parker: When the formal applications were going on last fall I was having some bad health and wasn’t keeping up with things adequately. Then I let some time go by

before I presented my case to the City. At the time they were hearing requests and having applications for exclusions of properties and as I mentioned in the letter to the city that I was incapacitated due to health and failed to apply during the timeframe that they had allocated. So I went down to talk to the city clerk to ask what avenues I had open. She explained how to proceed so I proceeded by a letter to the city council. And you have been told that council determined to pass it on to you people rather than to hear it and so here we are.

Karen V.: Can you discuss with us some of the reasons why you feel your property should be excluded from the Business Improvement District?

Mr. Parker: Well, I really don't feel like it's what is considered to be downtown. Part of the property is a parking lot that is being used by the Cabaret Dinner Theatre and the rest is a retail store of antiques and collectibles. Mrs. King has operated that store for around eleven years and has successfully turned over sales tax revenues to the city and managed to stay in business. Any downtown promotion east of 7th Street has no effect on retail stores. During downtown parades, she is harassed by parade viewers wanting to occupy the parking lot. Pedestrian-wise, I'd say 80% of the pedestrians passing that store are residents of Radekin Towers. So there's no meandering in that neighborhood. 7th Street, as far as I can recall, has always been the cut off for downtown. There's no incentive for browsers to walk east of the Avalon Theatre. There is actually no benefit from downtown activity to that property whatsoever.

Harry Griff: Mr. Parker, do you know how much the assessments will be for the vacant parking lots and the retail store?

Mr. Parker: A little above \$700.

Harry G.: Do you know how this is broken up between each of the three?

Mr. Parker: I don't have that information with me, no.

Harry G.: I assume you lease the parking lot to the Cabaret.

Mr. Parker: Yes

Harry G: Are you able to pass the assessment along to the Cabaret under your lease?

Mr. Parker: Well, we just have a month to month.

Harry G: So the answer is yes, because you can change it.

Mr. Parker: But the fact is that I was going to you might say help the arts and I was getting \$10 per month per parking space.

Harry G: Per parking space?

Mr. Parker: Yes

Harry G: How many spaces are there?

Mr. Parker: 32

Harry G: So you are getting \$320 per month on a month-to-month basis.

Mr. Parker: Yes

Harry G: How long is your lease with the retail store?

Mr. Parker: It's also a month-to-month lease. It's an old building. About a hundred years old. I've been keeping that as more of a warehouse really. It's like a ??????

Scott Howard: So dissecting your question a little bit, it's about \$20 a month for the building and \$20 for the parking lot for the total assessment.

John Shaver: I can answer that question in particular if you want. The total assessment is calculated to be \$730.20. \$120.77 and \$97.12 are for the parking lots and the business assessment is \$512.31

Harry G: That's because of the building.

John S: Yes, that's because of the building, that's correct, and that includes the assessor's fee so that is the inclusive assessment.

Harold S: So it would be about \$40 a month for the building and about \$20 for the parking lots.

John S: That's correct. Mr. Parker, I've shown the board this aerial photograph. Are these your properties here that have been marked by those red arrows?

Mr. Parker: Let me get some references here.

John S: Here is 7th Street, here is Main and here is the Cabaret building.

Mr. Parker: Well, yeah, that's right.

John S: The only reason I ask is just to make sure we're all talking about the same property. OK, thank you.

Mr. Parker: I have a little trouble on this aerial profile here.

John S: That's the outline of a building and this is actually the lot shown by the darker lines. But you believe those in fact are representative of your property?

Mr. Parker: Yes

John S: Thank you.

Karen V: Does anyone else have any additional questions for Mr. Parker?

Jim Doody: Harold, would you describe how the BID boundaries were drawn up?

Harold S: Well, that was done by the citizens that created the BID. There was a committee of five and Brunella Gualerzi, of IL Bistro Italiano, was the leader of that. Then there was a series of public hearings on boundaries and values and various assessment alternatives. I think there were four or five of those public hearings last winter and then that was taken around by the petition and had a requirement to have 50% of the property and 50% of the value within the boundaries to agree to move it forward and that was completed by the volunteers who worked on it led by Brunella. It was then forwarded to city council for their consideration and that's when it came before you and the city council in two hearings; a public hearing at the end of July and then a second reading in early to mid August. The second hearing in August was where a number of appeals were heard for exclusion and some were granted and some were not at that time by city council as I recall.

Karen V: When we had the meetings a year ago, were notifications of the meeting sent out to every business in the BID?

Harold S: Yes they were.

Karen V: Do you recall receiving a notice, Mr. Parker, about the meetings that we were holding about a year ago when we were first discussing the formation of the business improvement district?

Mr. Parker: I'm afraid I don't. I don't believe I received anything of that nature.

Harry G: John do we, as part of the process here, close the taping of evidence if you will and then move into discussion?

John S: Yes, absolutely that would be my recommendation is that once you have heard and Mr. Parker has had an opportunity to present his case then certainly it would be within your best prerogative to close the evidence and have it submitted for your discussion.

Mike M: Can I ask a quick kind of a follow up question to Harry? Mr. Parker, how long have you owned the lots?

Mr. Parker: Since about 1995.

Mike: How long has the Cabaret paid you \$10 per space? Since they opened?

Mr. Parker: I'm trying to remember. Well it was less than that in the beginning.

Mike M: So you have increased it at least once?

Mr. Parker: Yes, I think that....I don't have the file with me, but I can't remember originally if they took the entire lot or not so I can't definitely answer that. The best I can answer is that through the time frame I raised it \$20 a month.

Mike M: You mean for the whole lot?

Mr. Parker: Yes, the whole package.

Scott: I was going to ask Harold or anyone if they know the value of the parking spaces in that area of downtown?

Mr. Parker: I might add to you that prior to the Cabaret there was a Napa auto store that was part of that building on south seventh and they were renting approximately half of the lot and I had a sign "parking lot for lease with availability of" for a number of years without anybody interested whatsoever. I think I had one inquiry when Merrill Lynch was occupying their new building.

Scott: When did the Cabaret move in? What year?

Mr. Parker: I'm sorry. I can't really give you a definite answer on that.

Harold: To answer your question, Scott, a block away, parking is \$25 per month.

Scott: Which block is that?

Harold: It's the block behind the Avalon. I know Janet Brink is in there.

Mr. Parker: Is that city upgraded?

Harold: Yeah. It's behind Randy Hammond's actually. It's partially owned by 619 Main Office Suites and Randy Hammond.

Mr. Parker: That's pretty reasonable isn't it?

Harold: \$25 per month? Well, it's more than \$10!

Mr. Parker: Well, I'm not in the business!

Harold: I know several blocks from there, it's in excess of \$50 a month.

Mr. Parker: Of course, they are downtown.

Karen: Well, we're off of 4th and Rood and we're at \$40 a month.

Harold: Our parking consultants who analyzed downtown parking include this block and parking is considered to be accessible to business and retail within a three block area. And that is somewhat of an actual standard, it's not arbitrary. The valuations were done in 1999 and 2003 and I think the most comparable space to be considered would be the seventh and main corner which is leased to the Blue Moon and Junction Square Pizza. But I don't know the value of space per lot.

Mr. Parker: Did that sell?

Harold: Yes, it did.

Mr. Parker: Who bought it?

Harold: Steve Reimer who owns the hotels. Steve Reimer?

Mr. Parker: Well, sorry, I don't know everybody.

Harry: He bought the parking lot. He owns the lot and he rents it back to the Blue Moon and Junction Square.

Harold: And then city parking lots you can get a monthly pass for \$25. You can park anywhere in that area including 8th and 9th Streets.

Mr. Parker: Well, maybe I better talk to McConnells!

Harold: That is your choice.

Mr. Parker: I'm somewhat like the owner of the Cabaret. She was trying to keep the cost of the Cabaret Theatre tickets as low as possible.

Harold: Do you know how many people attend the Cabaret each year?

Mr. Parker: I understand they are doing quite well.

Harold: I believe it's 25-30,000 or more.

Mr. Parker: For the facility they have and the occupancy rate... I have only been there a couple of times.

Karen: Any other questions for Mr. Parker?

Mr. Parker: I would like to make one statement. I'm probably the oldest one in the room, but there's an old saying that I can't remember if it was in civics or what: taxation without representation! I remember that very well. I want you all to have that in mind. I think that about covers it.

Harry: You're not that old! That came out of the American Revolution.

Mr. Parker: Well, I said I remember it from History.

Harold: He didn't say he was actually there. Laughter.

Mr. Parker: Well, I have a question. Because I have admitted, this formation I don't know how it occurred or who comprised it. Are you all Downtown business property owners?

Harry: Not all owners, but we all either live downtown or own businesses downtown, not necessarily the property. Like I'm a tenant in a bank.

Mr. Parker: I was just wondering how this election came about and how it was formulated because I didn't know about it. Now are you in business now?

Harry: Yes, sir

Mr. Parker: So when we see shop Downtown Grand Junction ads, you people are the promoters of it.

Harold: Yes

Mr. Parker: Where do you get the money now?

Harold: Out of this Business Improvement District starting January 1. Prior to that it was contributions from businesses downtown and use of fees from parking for the last three years. However, the DDA and the City are building a new parking garage and those monies were earmarked for three years only and then they will be used for the garage. And so replacement funds needed to be identified and as we mentioned earlier, this hearing process began one year ago with five or six public hearings around downtown and mailings to everyone and then the process I explained through the summer and then when city council authorized the organization of the Business Improvement District, which they did in August, it lacked a funding mechanism which had to go to the election. The election was held November 1 and passed by a margin of 52 to 48 percent. All downtown electors were eligible. I don't know if you voted or not.

Mr. Parker: Yes, absolutely, I did.

Harold: That was your representation at that time. Had it failed, there would not have been this assessment. The majority ruled for the assessment.

Mr. Parker: Well, now I can't quite understand your involvement and then the City's involvement and then the County involvement.

Harold: As far as governing it or funding it?

Mr. Parker: No, their involvement.

Harold: The city is actually the lead authority. The BID was authorized by Colorado state statute back in the 1970's you could form these and they are in many cities as a subsidiary of the city of Grand Junction. The City Council appoints this board. This board does work on behalf of the city council not unlike the planning commission or the liquor authority or other parks commissions there are many boards and commissions that the city council appoints to focus on certain areas of the community.

Mr. Parker: So the city sponsored this.

Harold: Yes.

John S: The city passed the ordinance that allowed for the legal authority for this to occur.

Mr. Parker: Was this a new ordinance passed?

John S: Yes sir. There were three processes; the state legislature allowed for this to occur when they passed the broad blanket statutory authority; then the citizens committee that Mr. Stalf is describing for you began a process of organizing the Business Improvement District through petitions and had public hearings and public input; they then brought that request to the city council and the city council exercising its authority under state law, created the Downtown Business Improvement District. Then it went to an election and the election was the actual determination of the assessment. The property owners decided to assess themselves. What occurred when the city council was entertaining the organization of the District, was the council had opportunity to consider how best the District would be formed. And they did that.

Mr. Parker: So the council established the boundaries

John S: That is correct. And now what is occurring is that this particular statute; 31.25.1220 says there's a different standard and that standard is once the district has been formed, anyone that wants out has to show that there will not be an adverse affect on the District.

Harry: I guess the only comment I want to make to all that is when you say, "taxation without representation", I don't think that's a fair statement because this was, in fact, voted upon by the businesses and property owners within the downtown area and you, yourself voted. And I'm sure you voted no.

Mr. Parker: Whatever gave you that idea? Laughter.

Harry: And when everything is said and done, you lost that vote. And that's how our system of government works. To say that this was just imposed without process and without a vote and without people being informed, that's not fair.

Mr. Parker: I'm a firm believer that east of 7th Street is not Downtown and I believe there is a physical cutoff there.

Harry: Well that may be, but, just so you know about it, the boundaries essentially track the Downtown Development Authority boundaries. Those boundaries, I believe, go to 8th Street, they go to Grand to the north, and, I believe, Ute to the South, they go to First Street on the West. And, among other things, we are about to spend a half a million dollars improving Main Street from Seventh to Eighth, right in front of your front door and that's going to substantially improve the value of your property. There's going to be a roundabout at 7th and Main.

Mr. Parker: Well, I'd like to talk about that because I feel that's a traffic impediment.

Harry: Well that may be, but, just because you believe that your property is not part of downtown that's not consistent with how all the boundaries have been established.

Mr. Parker: I realize that and I understand that apparently that was why they were inviting or had open discussions on the exclusions of certain properties that felt like they were not benefiting from any of the Farmers Markets, uh....

Harold: May I point out one other thing is that the Business Improvement District is not a downtown by definition district. There is another Business Improvement District out on Horizon Drive. They could be in any part of any city. You don't have to be downtown to be in one or to form one.

Mr. Parker: I understand that, yeah.

Karen: Well, I'd like to keep on track. We have an agenda and we should stay on track with that. Mr. Parker, I think you've probably been able to ask all the questions you would like to ask and I think we've heard your position relative to your property being excluded from the Business Improvement District. It sounds like there's a lot of other issues you'd like to get into, but as far as today's time, I think we probably need to go ahead and close this hearing and move forward as a board and make a decision. So John is he excused at this point?

John S: It's entirely up to you. It is an open, public meeting and so he can stay. Or, certainly, if you would prefer to have your deliberations otherwise, we could do that. My advice would be to allow him to stay.

Karen: Ok, then at this time I would like to open this up to the board members. Is there anybody that would like to contribute or state an opinion with respect to Mr. Parker's request?

Harry: I'll start. I think we need to understand how this will work not only for Mr. Parker, but, for presumably other requests that may come down the pike. If the statutory standard is whether or not the exclusion would adversely affect the District, I think that it would clearly affect the District. And the reason for that is because we are actually on a very tight budget with the BID budget. Its essentially replicating the monies that had been coming in from the parking fund, as Harold described, and through the voluntary contributions and it's a very, very tight budget. There is no question that the loss of \$700 in revenue would adversely affect our budget. There's also no question in my mind that if we were to simply grant the request just because, and if there was no compelling reason to grant the request, we are opening up a Pandora's Box for every other business downtown. You know that 48% that voted against the BID would come in here and say, "Well, I want out. I voted against it in the first place. I want out." and that's not really how this should work. So in my mind and the reason for my questions to Mr. Parker were whether or not there was some truly compelling reason here that would cause us to grant his request of exception because of some compelling circumstance that would not apply to other applicants that might come down the pike. Quite frankly, I don't see any of that. He can easily adjust his rental arrangement with the Cabaret it's a month to month. I respect greatly the fact that you have probably been cutting the Cabaret a good deal over the course of time.

Mr. Parker: Well, I know I have. I contribute to the arts!

Harry: As we all do. I also respect that greatly. I also respect the fact that the Cabaret has been able to establish itself as a thriving dinner theatre downtown. It's a wonderful thing. But the fact remains that we're talking about 30 cents a space, \$10 a month. For you to pass this along to the Cabaret I don't see how that's going to adversely affect that business. You can easily do it because of the nature of your lease arrangement.

Likewise, you can pass along the cost of this to the retail store. Every other retail store is subject to this new ordinance and the new assessment. We are just opening up a Pandora's Box here if we were to grant this.

Mr. Parker: I don't know your name, sir. What is it?

Harry: Harry Griff

Mr. Parker: Well, you people, I can understand your position in one way but in another we have to face reality. Because I assume all downtown properties are facing the same thing that I am with the 40% of increased assessed value of downtown property. I have to look at both ends. I cannot pass on 40% increase of state tax and then what you say, pass it on to the consumer. It's not feasible for a hundred year old building you can't just say, "I'm going to raise your rent \$100 a month". I can't say to the Cabaret that I'm going to raise your rent.... what is it \$700 a month?

Harry: A year.

Mr. Parker: I know, but compared to \$25 a month per space for comparable rent downtown, thirty spaces would be over \$700 a month. I don't think the Cabaret would accept that. I don't want to pass it on. I don't want this assessment on my shoulders and whoever follows me.

Karen: We appreciate that, Mr. Parker. It's now the board's turn to express their opinion about whether or not we are going to honor that request. Is there anybody else who would like to make any comments?

Mike: As with most taxation, we pay it. The users of the Downtown Business Improvement District pay it. You pass it on to the Cabaret and they increase their ticket prices, we pay it. Frankly, that's the way it should work. The users of the downtown area should pay for the improvement. There's some tipping point you reach, but I'm not sure we've reached it.

Mr. Parker: I just hope you don't destroy your downtown. What do you think of it overall? You know sometimes you can walk three blocks downtown in the daytime and only see five people.

Karen: So to stay on track with this, is there anybody else that has any further discussion, comment or opinions about this before we put it to a vote and make a decision?

Jim D: I think Harry brought up some good points and one is that Seventh Street to Eighth Street is to be part of the Seventh Street development where we're spending I think \$1.4 million on all those properties. In front of your property is going to be a new development right across the street. I do want to point out the fact that you missed the one hearing due to your health. You have had an opportunity today to bring your evidence forward. I do want to point out that it was an election. And the election happened. Now it's our turn to make a decision.

Mr. Parker: About that turnabout. Have you ever walked across a turnabout?

Karen: Mr. Parker, please with all due respect, we would like to stay on track with this.

Mr. Parker: I think all these factors enter in and they were introduced by you people.

Karen: Ok, John do we actually need a motion or what is the process?

John: That's probably best. If the motion is forthcoming, then you could call the roll. That would be appropriate for the record.

Karen: I would like to entertain a motion one way or the other with respect to the request we have received today.

Harry: I move that the request for exception be denied.

Karen: We have a motion that the request be denied do we have a second?

Scott: Second

Karen: Any further discussion?

Mike: Just to clarify, a yes vote is a no vote?

John S: Yes, the motion was to deny the request.

Roll Call: Scott Howard, aye; Bill Wagner, aye; Harry Griff, aye; Mike Mast, aye; Peggy Page, aye; Jim Doody, aye; Karen Vogel, aye.

Karen: Motion passed. Do we need a motion to adjourn or close the hearing?

John S: If there's no further business, before the board on that particular item, then I would ask the board to close the hearing and adjourn back to your other tape

Harry: So moved.

Karen: Second?

Peggy: Second

Karen: All in favor say aye. The hearing is closed.

Attach 17

Public Hearing – Amending the Municipal Election Code Concerning the Circulation of Nomination Petitions

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Amending the Municipal Election Code Concerning the Circulation of Nomination Petitions					
Meeting Date	March 1, 2006					
Date Prepared	February 6, 2006				File #	
Author	Stephanie Tuin			City Clerk		
Presenter Name	Stephanie Tuin John Shaver			City Clerk City Attorney		
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 City of Grand Junction, under the Municipal Election Code had, until recently, the authority to allow candidates for City Council to circulate nomination petitions beginning on the 91st day prior to the election and returning them to the City Clerk by the 71st day prior to the election. HB 04-1430 changed the law so that those time periods may be used only in a coordinated election. The proposed ordinance amending the Election Code will allow nomination petitions to be circulated for municipal elections starting the 91st day and ending on the 71st day before the election, as allowed under the Uniform Election Code.

Budget: Other than publication of the ordinance, there is no budgetary impact.

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication the Ordinance.

Attachments:
Proposed Ordinance

Background Information: Because the City does not coordinate its municipal election with Mesa County's election in November, the enactment of HB 1430 revoked the authority to circulate nomination petitions for the twenty day time period in January in a municipal election year. This law change had the effect of requiring nomination petitions be circulated in the time frame established for polling place elections, starting on the 50th day prior to the election and returning the petitions by the 30th day prior. Because ballots in a mail ballot election are mailed starting the 25th day prior to the election, the 30 day time frame does not allow enough time for printing of the ballot or provide much time for candidates to campaign before

the ballots are mailed out. Furthermore, a petition with insufficient signatures can be amended up until the 22nd day prior to the election, making it impossible to mail out ballots starting the 25th day prior if the municipality has a candidate amending a petition. Mesa County, in order to conduct the election on the City's behalf, requires that the City be able to certify the content of the ballot to them by the 60th day prior to the election.

The proposed amendment will allow the new time frames regardless of whether the City holds the election by mail ballot or by polling place. For the 2007 election, the proposed new timeframe will allow for nomination petitions to be circulated starting on January 2, 2007 and returned by January 22, 2007. Candidates needing to amend their petitions will have until January 26. The ballots will go out starting March 9. The election is scheduled for April 3, 2007.

The new time frame will allow for a smoother election process.

**CITY OF GRAND JUNCTION
ORDINANCE NO. _____**

AN ORDINANCE AMENDING THE COLORADO MUNICIPAL ELECTION CODE OF 1965, IN THE CITY OF GRAND JUNCTION CONCERNING THE CIRCULATION OF NOMINATION PETITIONS

Recitals.

The City of Grand Junction is a home rule municipality, established by Charter in 1909. Article XX of the Colorado Constitution confers upon home rule cities the power over all matters pertaining to municipal elections.

The City of Grand Junction has adopted the “Colorado Municipal Election Code of 1965” by reference (hereinafter “Election Code”).

The Charter of the City of Grand Junction does not address when nomination petitions shall be available to municipal candidates nor the period of time a candidate may circulate such petitions. The Charter also does not establish a period of time for amending insufficient nomination petitions.

The Election Code establishes such time periods but does not allow sufficient time in advance of the printing mail ballots when the City is conducting a mail ballot election.

Mesa County Clerk and Recorder, as the contractor for conducting a mail ballot election, requires the content of the ballot be certified to them no later than sixty days prior to the election.

Until the enactment of House Bill 04-1430, municipalities were authorized to use the time frames established in the Uniform Election Code, 1-4-805, C.R.S., in lieu of the much shortened time frames in the Municipal Election Code. Without this ordinance, the shorter Municipal Election Code timelines are controlling.

NOW, THEREFORE, BE IT ORDAINED THAT:

Chapter 14 of the Grand Junction Municipal Code is hereby amended by the addition of Section 14-2 to read as follows: (Additions are in all caps; deletions are shown by strike-through)

Sec. 14-2 Amendments to the Colorado Municipal Election Code of 1965 (as made applicative to elections in the City of Grand Junction).

1. **31-10-302** (2) Nomination petitions may be circulated and signed beginning on the NINETY-FIRST day and ending of the SEVENTY-FIRST day prior to the day of the election. AS PROVIDED IN THE CITY CHARTER, EACH PETITION SHALL BE SIGNED BY NOT LESS THAN FIFTY REGISTERED ELECTORS OF THE CITY.

(c) For a candidate in a town, at least ten registered electors residing within the town; and (d) For a candidate form a ward within a town, at least ten registered electors residing in the candidate's ward.

2. The last sentence of **31-10-302** (4) shall be amended to read:

Any petition may be amended to correct or replace those signatures which the clerk finds are not in apparent conformity with the requirement of this section at any time prior to SIXTY-SEVEN days before the day of the election.

Introduced on first reading this 15th day of February, 2006

Adopted on second reading and ordered published this _____ day of _____, 2006.

President of the Council

ATTEST:

City Clerk

Attach 18

Public Hearing – Mims Annexation & Zoning Located at 492 30 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Mims Annexation located at 492 30 Road					
Meeting Date	March 1, 2006					
Date Prepared	February 23, 2006				File #ANX-2005-293	
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: Acceptance of a petition to annex and consider the annexation and zoning for the Mims Annexation. The Mims Annexation is located at 492 30 Road and consists of 1 parcel on 5.88 acres. The zoning being requested is B-1.

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) public hearing to consider final passage of annexation and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation - Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		<i>492 30 Road</i>		
Applicants:		Owner/Representative: Mesa County – Stacey Mascarenas		
Existing Land Use:		<i>Vacant</i>		
Proposed Land Use:		<i>Future Commercial</i>		
Surrounding Land Use:	North	<i>Railroad tracks</i>		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Commercial/Industrial		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City B-1		
Surrounding Zoning:	North	<i>County RSF-4</i>		
	South	<i>County RSF-4</i>		
	East	<i>County RSF-4</i>		
	West	<i>County I-2</i>		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 5.88 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. 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 Mims 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.

Zone of Annexation: The requested zone of annexation to the B-1 district is consistent with the Growth Plan density of Commercial. The existing County zoning is RSF-4. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

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 criterion 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 criterion is not applicable.

3. The proposed zone 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 proposed B-1 (Neighborhood Business) is compatible with the neighborhood and will not create any adverse impacts. Any issues that

do arise with the development of the property will be addressed with the review of that project.

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 polices 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 criterion 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 criterion is not applicable.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- c. R-O
- d. C-1
- e. C-2

RECOMMENDATION FROM PLANNING COMMISSION:

The Planning Commission forwarded a recommendation of approval to City Council for the B-1 (Neighborhood Business) district for the Mims Annexation, #ANX-2005-293, with the facts and conclusions listed in the staff report.

The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
January 18, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
February 14, 2006	Planning Commission considers Zone of Annexation
February 15, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
March 1, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 2, 2006	Effective date of Annexation and Zoning

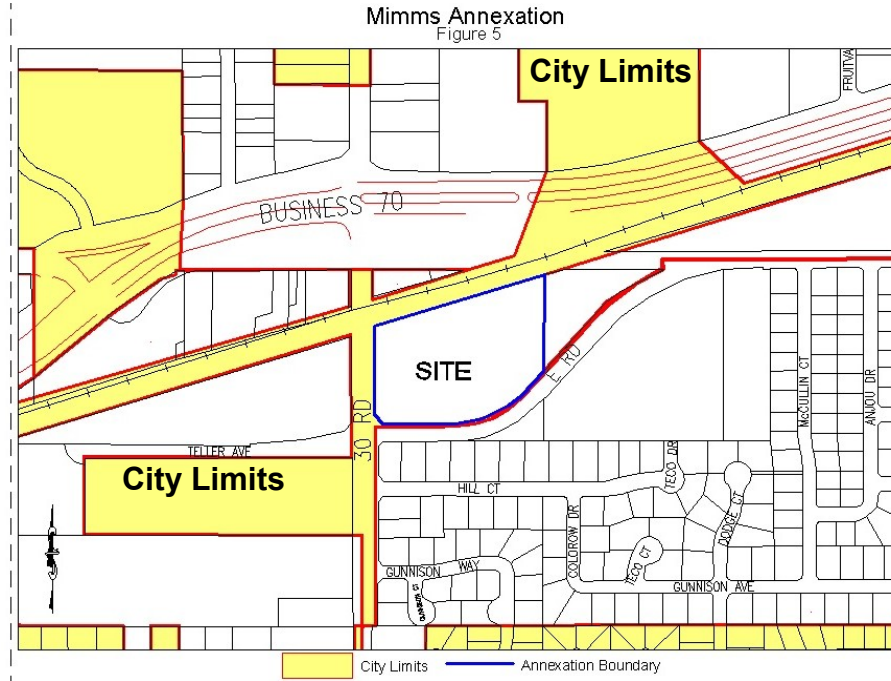
MIMS ANNEXATION SUMMARY		
File Number:	ANX-2005-293	
Location:	492 30 Road	
Tax ID Number:	2943-162-00-931	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	5.88 acres	
Developable Acres Remaining:	5.88 acres	
Right-of-way in Annexation:	0 acres	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	B-1	
Current Land Use:	Vacant	
Future Land Use:	Commercial	
Values:	Assessed:	= \$68,960
	Actual:	= \$237,790
Address Ranges:	300-318 E Road (even only); 490-492 30 Road (even only)	
Special	Water:	Clifton Water

Districts:	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation/Drainage:	Grand Valley Irrigation/Grand Jct Drainage
	School:	Mesa Co School District 51
	Pest:	Upper GV Pest

Site Location Map

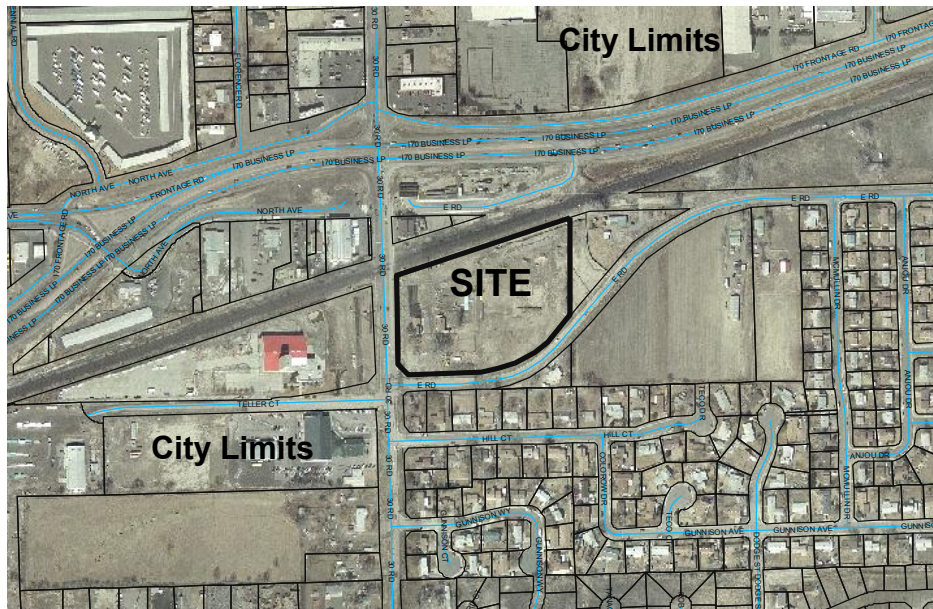
Figure 1

Mimms Annexation
Figure 5



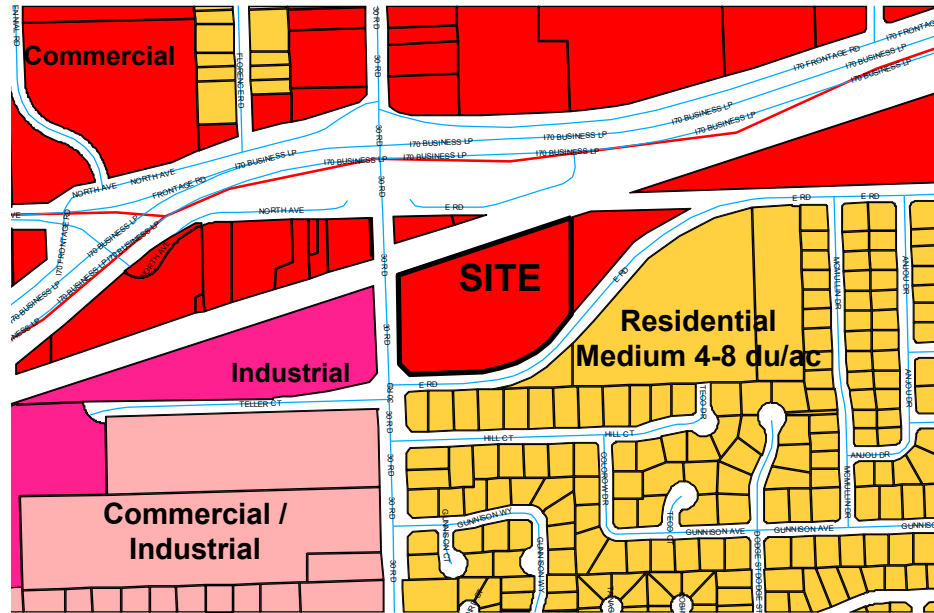
Aerial Photo Map

Figure 2



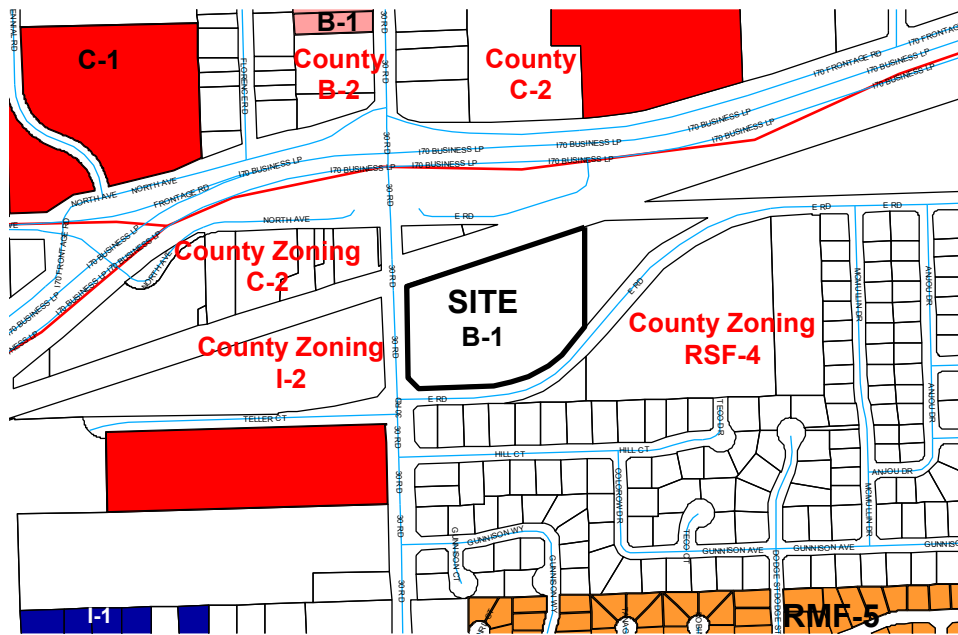
Future Land Use Map

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."

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A

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

MIMS ANNEXATION

LOCATED AT 492 30 ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 18th day of January, 2006, 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:

MIMS ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW1/4) of Section 16, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northwest corner of said Section 16 and assuming the West line of said Section 16 to bear S00°00'43"E with all bearings contained herein relative thereto; thence S00°00'43"E along the West line of said Section 16 a distance of 241.80 feet; thence N89°59'17"E a distance of 40.00 feet to a point on the East right of way of 30 Road as recorded in book 1524, page 9, Mesa County, Colorado public records being the Point of Beginning; thence N73°00'00"E along the Southerly right of way of the Union Pacific Railroad a distance of 649.20 feet; thence S00°00'56"E a distance of 349.54 feet to a point on the Northerly right of way of E Road as recorded in book 1524, page 10, of the Mesa County, Colorado public records; thence along the Northerly right of way of said E Road the following seven (7) courses: (1) S43°07'55"W a distance of 115.38 feet; (2) thence S49°34'49"W a distance of 68.11 feet; (3) thence 132.92 feet along the arc of a 325.10 foot radius curve, concave Northwest having a central angle of 23°25'36" and a chord bearing S66°11'51"W a distance of 132.00 feet; (4) thence S82°48'51"W a distance of 68.11 feet; (5) thence S88°54'43"W a distance of 74.90 feet; (6) thence S89°54'37"W a distance of 196.77 feet; (7) thence N45°09'52"W a distance of 42.48 feet to a point on the East right of way of said 30 Road; thence N00°00'43"W along the East right of way of said 30 Road a distance of 321.66 feet to the Point of Beginning.

Said parcel contains 5.88 acres (256,163 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of March, 2006; 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 ____ day of _____, 2006.

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

MIMS ANNEXATION

APPROXIMATELY 5.88 ACRES

LOCATED AT 492 30 ROAD

WHEREAS, on the 18th day of January, 2006, 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 1st day of March, 2006; 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:

MIMS ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW1/4) of Section 16, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northwest corner of said Section 16 and assuming the West line of said Section 16 to bear S00°00'43"E with all bearings contained herein relative thereto; thence S00°00'43"E along the West line of said Section 16 a distance of 241.80 feet; thence N89°59'17"E a distance of 40.00 feet to a point on the East right of way of 30 Road as recorded in book 1524, page 9, Mesa County, Colorado public records being the Point of Beginning; thence N73°00'00"E along the Southerly right of way of the Union Pacific Railroad a distance of 649.20 feet; thence S00°00'56"E a distance of 349.54 feet to a point on the Northerly right of way of E Road as recorded in book 1524, page 10, of the Mesa County, Colorado public records; thence along the Northerly right of way of said E Road the following seven (7) courses: (1) S43°07'55"W a distance of 115.38 feet; (2) thence S49°34'49"W a distance of 68.11 feet; (3) thence 132.92 feet

along the arc of a 325.10 foot radius curve, concave Northwest having a central angle of 23°25'36" and a chord bearing S66°11'51"W a distance of 132.00 feet; (4) thence S82°48'51"W a distance of 68.11 feet; (5) thence S88°54'43"W a distance of 74.90 feet; (6) thence S89°54'37"W a distance of 196.77 feet; (7) thence N45°09'52"W a distance of 42.48 feet to a point on the East right of way of said 30 Road; thence N00°00'43"W along the East right of way of said 30 Road a distance of 321.66 feet to the Point of Beginning.

Said parcel contains 5.88 acres (256,163 square feet), more or less, as described.

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

INTRODUCED on first reading on the 18th day of January, 2006 and ordered published.

ADOPTED on second reading this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MIMS ANNEXATION TO
B-1**

LOCATED AT 492 30 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 Mims Annexation to the B-1 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 B-1 zone district be established.

The Planning Commission and City Council find that the B-1 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 B-1.

Mims ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW1/4) of Section 16, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northwest corner of said Section 16 and assuming the West line of said Section 16 to bear S00°00'43"E with all bearings contained herein relative thereto; thence S00°00'43"E along the West line of said Section 16 a distance of 241.80 feet; thence N89°59'17"E a distance of 40.00 feet to a point on the East right of way of 30 Road as recorded in book 1524, page 9, Mesa County, Colorado public records being the Point of Beginning; thence N73°00'00"E along the Southerly right of way of the Union Pacific Railroad a distance of 649.20 feet; thence S00°00'56"E a distance of 349.54 feet to a point on the Northerly right of way of E Road as recorded in book 1524, page 10, of the Mesa County, Colorado public records; thence along the Northerly right of way of said E Road the following seven (7) courses: (1) S43°07'55"W a distance of 115.38 feet; (2) thence S49°34'49"W a distance of 68.11 feet; (3) thence 132.92 feet

along the arc of a 325.10 foot radius curve, concave Northwest having a central angle of 23°25'36" and a chord bearing S66°11'51"W a distance of 132.00 feet; (4) thence S82°48'51"W a distance of 68.11 feet; (5) thence S88°54'43"W a distance of 74.90 feet; (6) thence S89°54'37"W a distance of 196.77 feet; (7) thence N45°09'52"W a distance of 42.48 feet to a point on the East right of way of said 30 Road; thence N00°00'43"W along the East right of way of said 30 Road a distance of 321.66 feet to the Point of Beginning.

Said parcel contains 5.88 acres (256,163 square feet), more or less, as described.

Introduced on first reading this 15th day of February, 2006 and ordered published.

Adopted on second reading this _____ day of _____, 2006.

Mayor

ATTEST:

City Clerk

Attach 19

Public Hearing – Zoning the Arbors Subdivision Located at 2910 Orchard Ave

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	The Arbors Subdivision Planned Development						
Meeting Date	March 1, 2006						
Date Prepared	February 22, 2006				File #PP-2005-105		
Author	Lori V. Bowers			Senior Planner			
Presenter Name	Lori V. Bowers			Senior 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: Consideration of a proposed ordinance zoning the Arbors Subdivision to PD, Planned Development, located at 2910 Orchard Avenue.

Budget: N/A

Action Requested/Recommendation: Hold a Public Hearing and consider a proposed Ordinance zoning the Arbors Subdivision to PD (Planned Development).

Background Information: See attached Staff Report/Background Information

Attachments:

1. Vicinity Map / Aerial Photo
2. Growth Plan Map / Zoning Map
3. Outline Development Plan (2 pgs)
4. Planned Development Rezone Ordinance

ANALYSIS:

I. Background: The property was annexed into the City as The Arbors Annexation. The annexation became effective in January of 2005. Upon annexation the property was zoned to RMF-8, (Residential Multi-family, not to exceed eight dwelling units per acre). The subdivision is bounded on the north side by the Grand Valley Main Line Canal. The Myrtle Subdivision lies to the east between the Arbors and 29 ¼ Road. The Sunrise Subdivision is north of the Arbors across the canal. The Woods Subdivision and Ditto Addition lie to the west between the subdivision and 29 Road. The Racquet Club Apartments Subdivision is to the south across Orchard Avenue.

The property was historically used for agricultural purposes as part of the Parkerson Farm. For the proposed plan to work, a variance was needed for the front setback which differed from the required 20-foot setback required in the RMF-8 zoning district. It was then discussed with the applicants that a Planned Development may be more appropriate for this property rather than requesting a variance for this deviation of the Code. This proposal includes some alleys where access to the garage would be from the alley. This will greatly improve the streetscape in this subdivision. The subdivision will be unique in that it provides some alley ways with other homes having front loaded garages. With a set back of 20 feet from the edge of the right-of-way for the garage, and the house set back 15 feet from the right-of-way, all garages will be recessed from the house, which should provide a much more pleasant streetscape. Twenty feet will accommodate parking in front of the garage. Detached and attached sidewalks are provided throughout the subdivision and parking pods will accommodate guest on street parking. The proposed streets will be narrow to calm traffic. The alleys are proposed to be landscaped. The alleys will provide for ancillary services such as trash collection and delivery and dry utilities. This should add to the neo-traditional feel of the neighborhood.

The site will be developed with single-family attached and detached homes with sub units over selected garages. The sub units do not count towards the overall density of the project. Another variation will be the reduction of the 14-foot multi-purpose easement on the interior lots. On those properties that have alley access, the dry utilities will be placed in the alley, leaving a 9-foot multi-purpose easement along the front. The UCC (Utility Coordinating Committee) have had discussions with the developer on working with them on this concept.

The project should meet the Purpose of Section 5.1 of the Zoning and Development Code by providing innovative design and a mix of needed housing types. This proposal should also make for more effective infrastructure. Utility boxes and pedestals will be in the alley and out of the streetscape.

II. Consistency with the Growth Plan: The Growth Plan shows this area as Residential Medium development with a density range of 4 to 8 dwelling units per acre. This project is consistent with that designation. The applicants propose a density of 5.04 dwelling units per acre. The proposed sub units are not part of the density calculation.

III. Review criteria of Section 2.12.C.2 of the Zoning and Development Code

Requests for a Preliminary Development Plan shall demonstrate conformance with all of the following:

The Outline Development Plan review criteria in Section 2.12.B:

a) The Growth Plan, Major street plan and other adopted plans and policies. The Arbors Subdivision, implements the goals and objectives of each of the various plans by designing a neighborhood in an area identified by the Growth Plan for medium density multifamily projects. With a density of 5.04 units per acre, this meets the goals of the Growth Plan. The project furthers the goals of the Master Street Plan by connecting to existing right-of-ways. The subdivision will connect with Walnut Avenue on the east and Pinyon Street on the west. The main entrance to the subdivision will be from Orchard Avenue on the south. The Alternate Residential Street Standard request was approved by the TEDS Committee on Dec. 2, 2005, with the conditions that the proposed reduction in multi-purpose easement width from 14' to 9' is conditional upon the specific approval by the Utility Coordinating Committee; and that only standard alley sections will be approved.

b) The rezoning criteria provided in Section 2.6 of the Zoning and Development Code.

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

The zoning was not in error at the time of adoption, this request is for a Planned Development zoning designation which should provide a more unique and innovative design.

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.

Orchard Avenue has been recently upgraded with paving, sidewalk curb and gutter. Orchard Mesa Middle School is being re-built. The subdivision will fill in the large vacant lot between two existing subdivisions.

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

The proposed rezone (PD Ordinance) should be compatible with the future redevelopment of this area. The proposed plan has addressed the street network, extra parking has been provided, storm water and drainage issues have been reviewed.

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

Staff has determined that the proposed rezone to Planned Development 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.

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 or will be made available and can address the impacts of development consistent with the RMF-8 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.

The request is for a Planned Development Zoning Designation with the underlying zoning being RMF-8. This zoning designation will accommodate the zoning and community needs.

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

The proposed PD zone will benefit the community by providing more efficient infrastructure and provide interconnectivity from two established neighborhoods through the developing neighborhood.

- c) The planned development requirements of Chapter Five of the Zoning and Development Code, specifically Section 5.4.F:

1. Setback Standards – The front setback for garages will be 20 feet. This matches the intent of the bulk requirement which is to provide for adequate parking for each home. The homes planned for this subdivision will be designed specifically for the front and rear setbacks in accordance with all the relevant design codes. The house itself will have a 15-foot setback. Rear setbacks will be 10 feet for the principal structure and 5 feet for accessory structures. Side set backs will be 5 feet, except where there are attached units, then the 0 setback will apply. Those lots are 55 feet in width or less. Accessory structures will be located in the rear half of the lot, the side setback will be 3 feet. This is similar to the RMF-8 zoning district. RMF-8 zoning allows for a maximum height of 35 feet. The applicants propose a maximum height of 35 feet.

2. Open Space – Each lot meets the minimum lot size for an RMF-8 zoning district. Additional open space for this project is provided by an easement along the north property line next to the Grand Valley Canal for

future trails. The property is owned to the center of the canal. An easement will be provided for the trail to be constructed in this area. A trail connection is provided to the Canal area on the north end of the project, across from Pine Meadows Drive. Ownership of the canal area has been resolved and the applicants are working on obtaining the additional property. The total open space area is 1.242 acres, but exceeds that when the additional canal property is acquired.

3. Fencing/Screening –Fencing and screening will be provided along Orchard Avenue. The Code requires that a 14-foot landscape buffer with perimeter fence. The applicants will comply with this requirement. We have discussed the issue of privacy fences and the future canal path. That will need some resolution at Final design.

4. Compatibility – The project is compatible because it is a residential project between other residential subdivisions. The proposed plan connects existing residential subdivisions with a new residential subdivision in close proximity to schools in the area.

5. Landscaping – Landscaping shall conform to applicable requirements. The entrance off Orchard Avenue will have a landscaped area and possibly an entry sign. Signage shall comply with the Code requirements. The alleys are proposed to be landscaped as well.

6. Parking – The design of the proposed subdivision will allow that adequate parking (20 feet) will be available in front of each garage. On street parking is limited to parking pod areas grouped, alternating from each side of the street.

7. Street Development Standards – The Alternate Residential Street Standard request was approved by the TEDS Committee on Dec. 2, 2005, with the following conditions and/or exceptions:

- Approval of the proposed reduction in multi-purpose easement width from 14' to 9' is conditional upon the specific approval by the Utility Coordinating Committee. To date, City staff has not received any information indicating that the UCC has granted such approval, just a copy of the minutes indicating that they are willing to work with the developer to achieve an alternative.
- The proposed non-standard alley section was not approved as presented. The applicants have been informed that a traditional alley must be provided.

The alleyways will also be utilized as alternate routes for stormwater runoff for lots with split drainage. The development will have three access points. The site will be accessed via Orchard Avenue on the south, Pinyon Street through the Wood Subdivision on the west, and Walnut Avenue through the Myrtle Subdivision on the east.

Detached walks are provided on the interior lots; attached walks and a pedestrian path to the canal easement will be provided on the outer ring of lots in the subdivision.

- d) The applicable corridor guidelines and other overlay districts in Chapter Seven.

This property does not lay in any overlay district or fall under any applicable corridor guidelines.

- e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Adequate public services are currently available or will be made concurrent with the development of the property. Ute is the water provider; sewer is provided by Central Grand Valley Sanitation District; gas and electric are provided by Xcel Energy; Irrigation is provided by Grand Valley Irrigation and the property lies within the Grand Junction Drainage District.

- f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

As stated earlier, the site will be accessed via Orchard Avenue on the south, Pinyon Street through the Wood Subdivision on the west, and Walnut Avenue through the Myrtle Subdivision on the east.

- g) Appropriate screening and buffering of adjacent property and uses shall be provided.

Surrounding and adjacent uses are residential, therefore no additional screening or buffering are being required of the applicant.

- h) An appropriate range of density for the entire property or for each development pod/area to be developed.

As addressed earlier, the density for the property is in conformance with the underlying zoning and with the Growth Plan for this area. The proposed density is 5.04 dwelling units per acre. This density does not include the sub-units over selected garages, nor does it count the acreage of the canal.

- i) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

The default zoning is RMF-8. The setbacks proposed are deviant from that bulk standard as stated above in under Setback Standards.

- j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The project is proposed to be built in three phases. The first filing proposed to begin upon Final approval, in 2006. For each subsequent filing, a submittal will occur within 2 years of the previous. The applicant hopes that the project moves along faster than the proposed scheduling, but should unforeseen circumstances occur the following schedule is being proposed: Phase 1, submitted for review in 2006, phase 2 will be submitted in 2008, and the final phase to be submitted for review no later than 2010.

k) The property is at least twenty (20) acres in size.

This parcel is 20.394 acres in size. With the additional property being acquired along the canal, the property will exceed this amount.

d) The planned development requirements of Chapter Five of the Zoning and Development Code, specifically Section 5.4.G, Deviation from Development Default Standards:

The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation the listed amenities to be provided shall be in excess of what would otherwise be required by the Code, and in addition to any community benefits provided pursuant to Density bonus provisions in Chapter Three. These amenities include:

1. Transportation amenities including but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;

The applicants feel they have provided a pedestrian friendly neighborhood by providing detached and attached sidewalks throughout the development. The canal path dedication and access conveniently situated to access the future path have been provided. The acquisition of additional canal property north of the center line of the canal, for the purpose of future paths is helpful in fulfilling the desired trail system in this area.

2. Open space, agricultural land reservation or land dedication of 20% or greater;

The additional open space for this project totals 6.5% of the site. When the additional Canal property is acquired that also will count towards the open space calculations. Since each lot meets the minimum requirement for lot sizes for the RMF-8 zone district, each owner has their own individual yard, meeting the requirement of open space for an RMF-8 zoning district.

3. Community facilities for provision of public services beyond those required for development within the PD;

Bookcliff Middle School is located diagonally across the street and is a public facility. Staff feels this project does not need further community facilities.

4. The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than twenty (20) years.

While the project does not provide housing in accordance with HUD requirements the applicant is proposing a mix of housing types with low priced rental units provided with the sub-units over selected garages.

5. Other amenities, in excess of minimum standards required by this Code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.

The community benefit of this project is innovative design. It is not a cookie cutter designed subdivision. The applicant is providing alleyways, something that the community has not seen in recent applications for subdivisions. With a mix of single-family attached and detached units and some sub-units over selected garages this provides for a neo-traditional neighborhood. The garages along the alleyways will provide a 20-foot setback to the garage so parking may occur behind the garage and not in the alleyway itself. With the majority of dry utilities in the alley all pedestals and transformer boxes can be hidden from the street view. There will be a mix with front loaded and rear loaded garages throughout the subdivision, which should result in a more pleasing streetscape.

2.12.C.2.b) The applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code.

- a) The Growth Plan, major street plan, Urban Trails Plan, and other adopted plans. – This has been addressed above.
- b) The purposes of this Section 2.8.A. – Staff feels those purposes have been met.
- c) The Subdivision standards (Section 6.7) – Have been addressed and will conform at Final Plat and Plan stage.
- d) The Zoning standards (Chapter 3) – Have been addressed.
- e) Other standards and requirements of the Zoning and Development Code and other City policies and regulations. – These items have been addressed and stated in the above report.
- f) Adequate public facilities and services will be available concurrent with the subdivision. – As stated in the above report, they will be concurrent.
- g) The project will have little or no adverse or negative impacts upon the natural or social environment. – There should be no negative impacts on the natural or social environment.
- h) Compatibility with existing and proposed development on adjacent properties. – Compatibility exists as provided in the above report

- i) Adjacent agricultural property and land uses will not be harmed. – There are no apparent agricultural uses adjacent to this property.
- j) Is neither piecemeal development nor premature development of agricultural land or other unique areas. – It is not piecemeal nor premature.
- k) There is adequate land to dedicate for provision of public services. – Yes there is adequate land for provision of services as stated previously.
- l) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities. – Proof of the formation of the HOA and a copy of the proposed Covenants, Conditions and Restrictions will be provided at Final review. The maintenance of all common areas will be provided for by the HOA, therefore relieving the City of any undue burden.
- c) The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code. - The site plan review criterion is part of the Final Plan process. The project will be reviewed for conformance at the Final Plan phase.
- d) The approved ODP, if applicable. – There is no approved ODP.
- e) The approved PD rezoning ordinance, if adopted with an ODP. – The PD zoning ordinance is attached to this staff report.
- f) An appropriate, specific density for all areas included in the preliminary plan approval. – The density is for the overall subdivision and is appropriate as it is in compliance with the Growth Plan and the underlying zoning designation of RMF-8
- g) The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP. – The area is over 5 acres in size.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Arbors Subdivision application, file number PP-2005-105 for a Planned Development, Preliminary Development Plan, staff makes the following findings of fact and conclusions:

1. The requested Planned Development, Preliminary Development Plan is consistent with the Growth Plan.
2. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met.
3. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met.

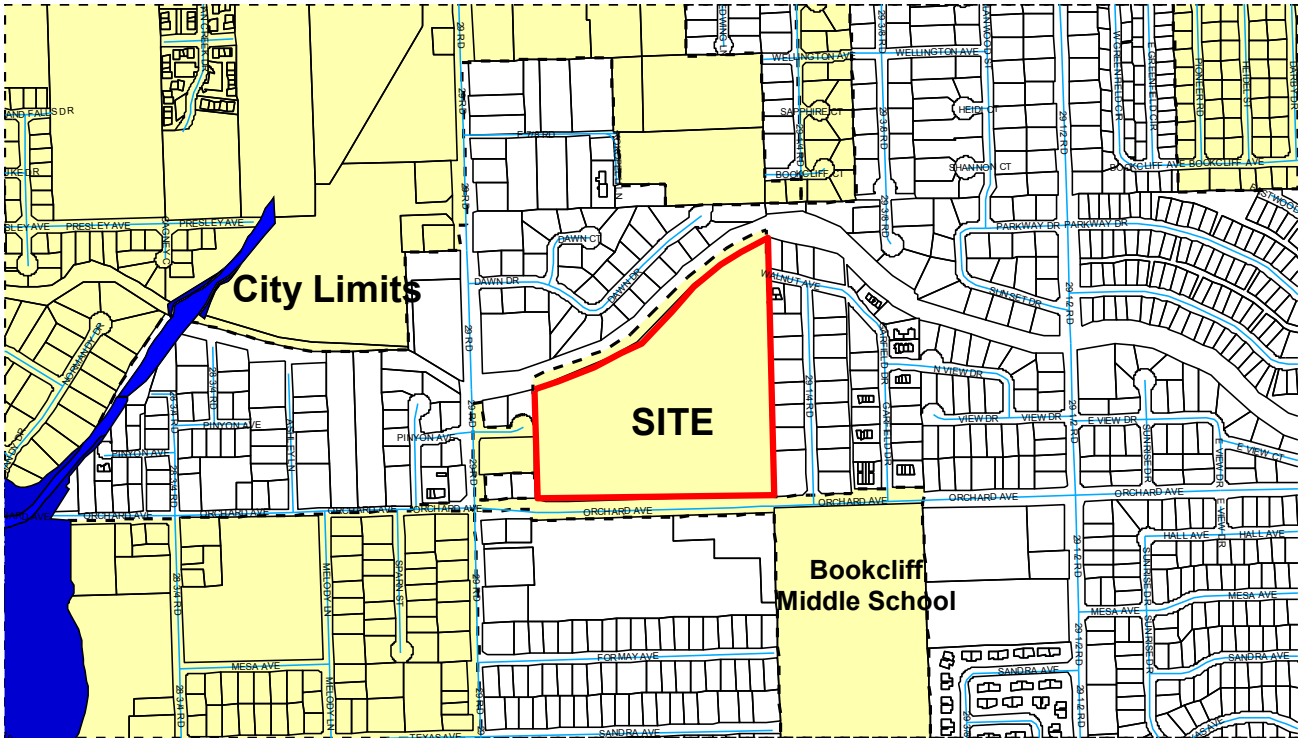
4. The review criteria in Section 2.2.D.4 of the Zoning and Development Code (Major Site Plan Review) will be met at Final Plan phase.

PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of February 14, 2006, the Planning Commission forwarded a recommendation of approval to the City Council for the rezone of the Arbors Subdivision Planned Development; file number PP-2005-105.

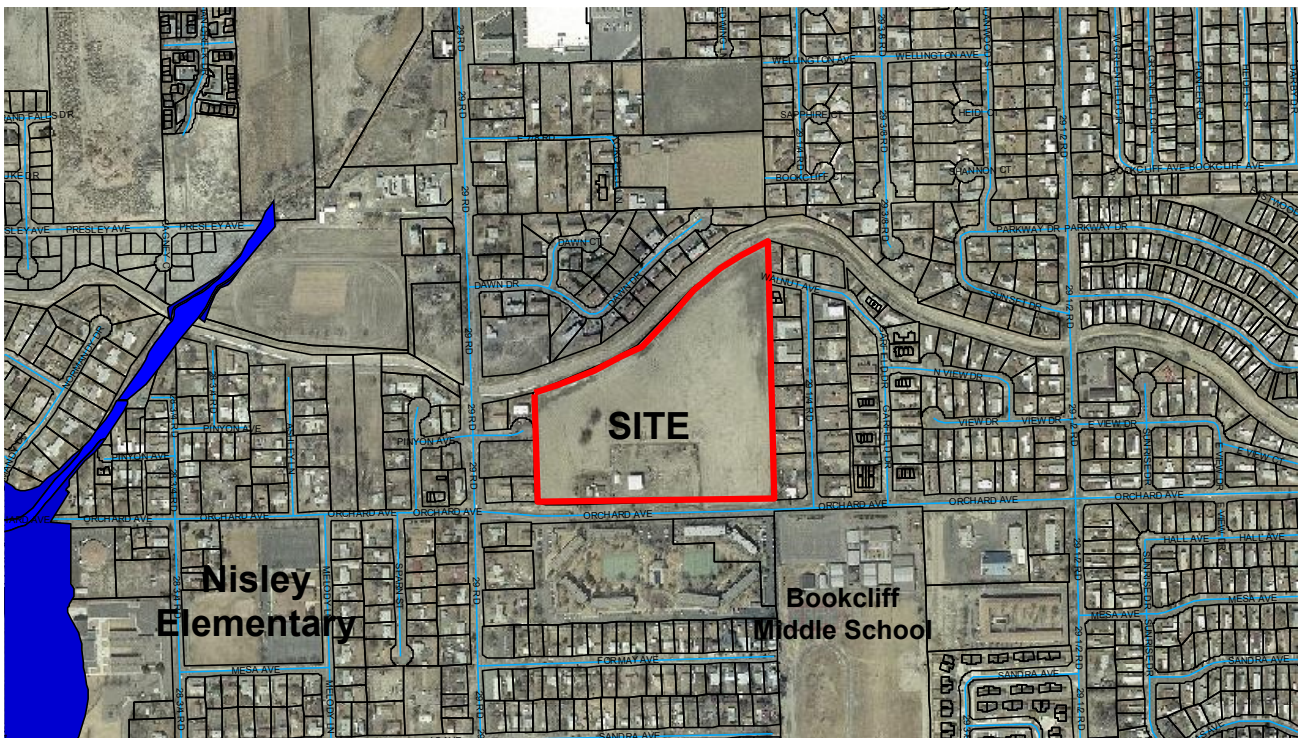
Site Location Map

2910 Orchard Avenue



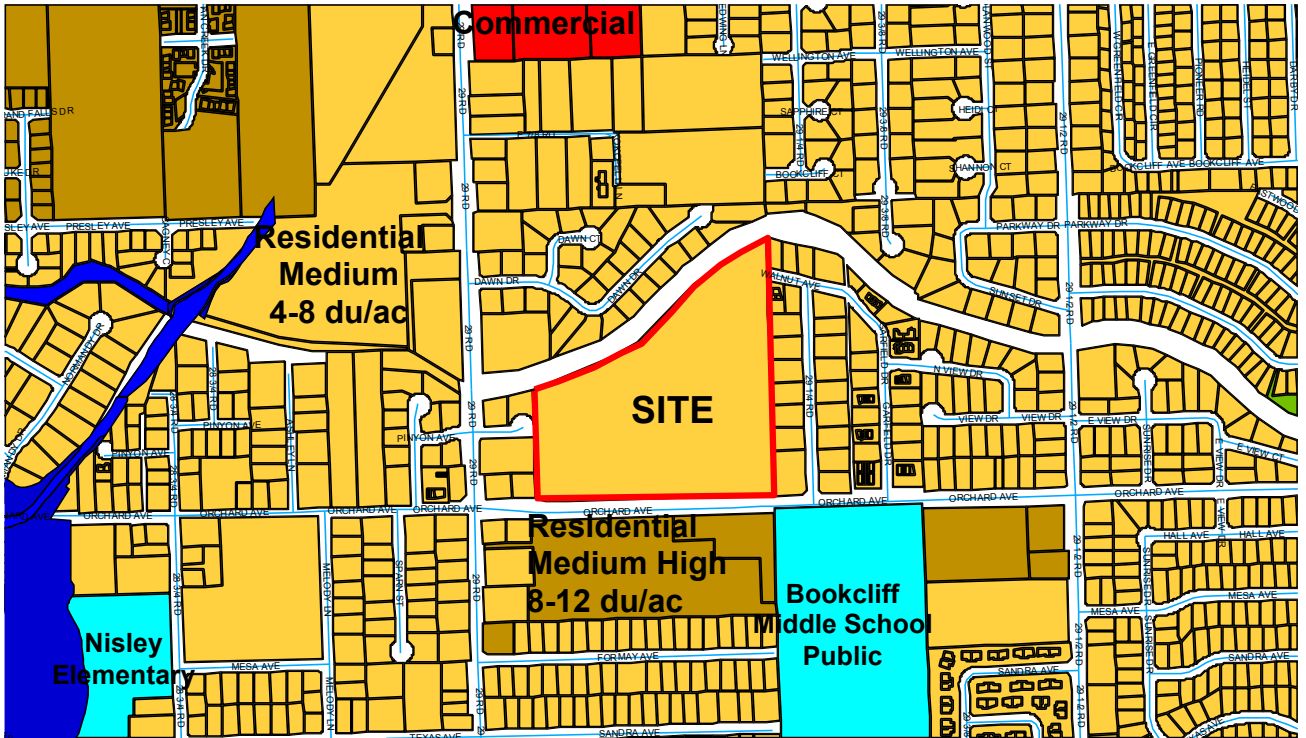
Aerial Photo Map

2910 Orchard Avenue



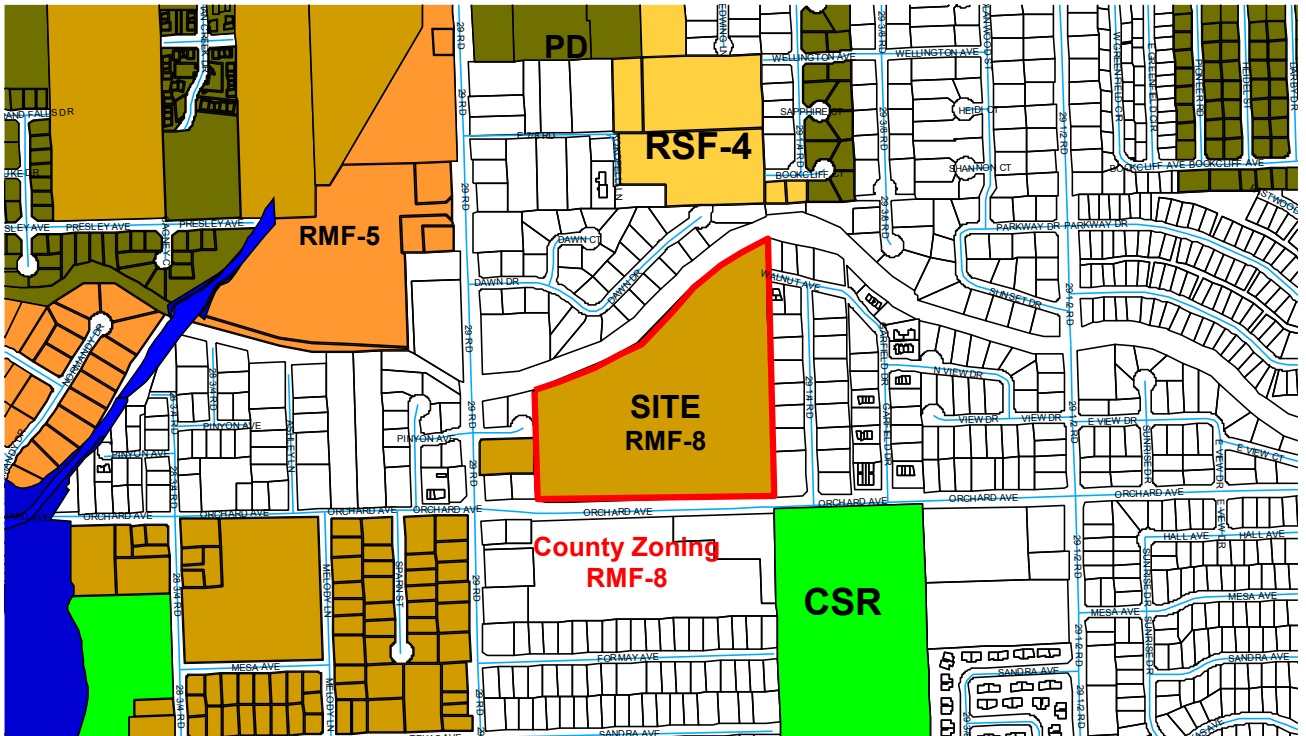
Future Land Use Map

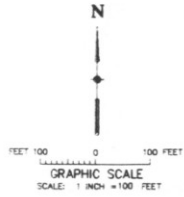
2910 Orchard Avenue














Existing City and County Zoning

2910 Orchard Avenue





LEGEND

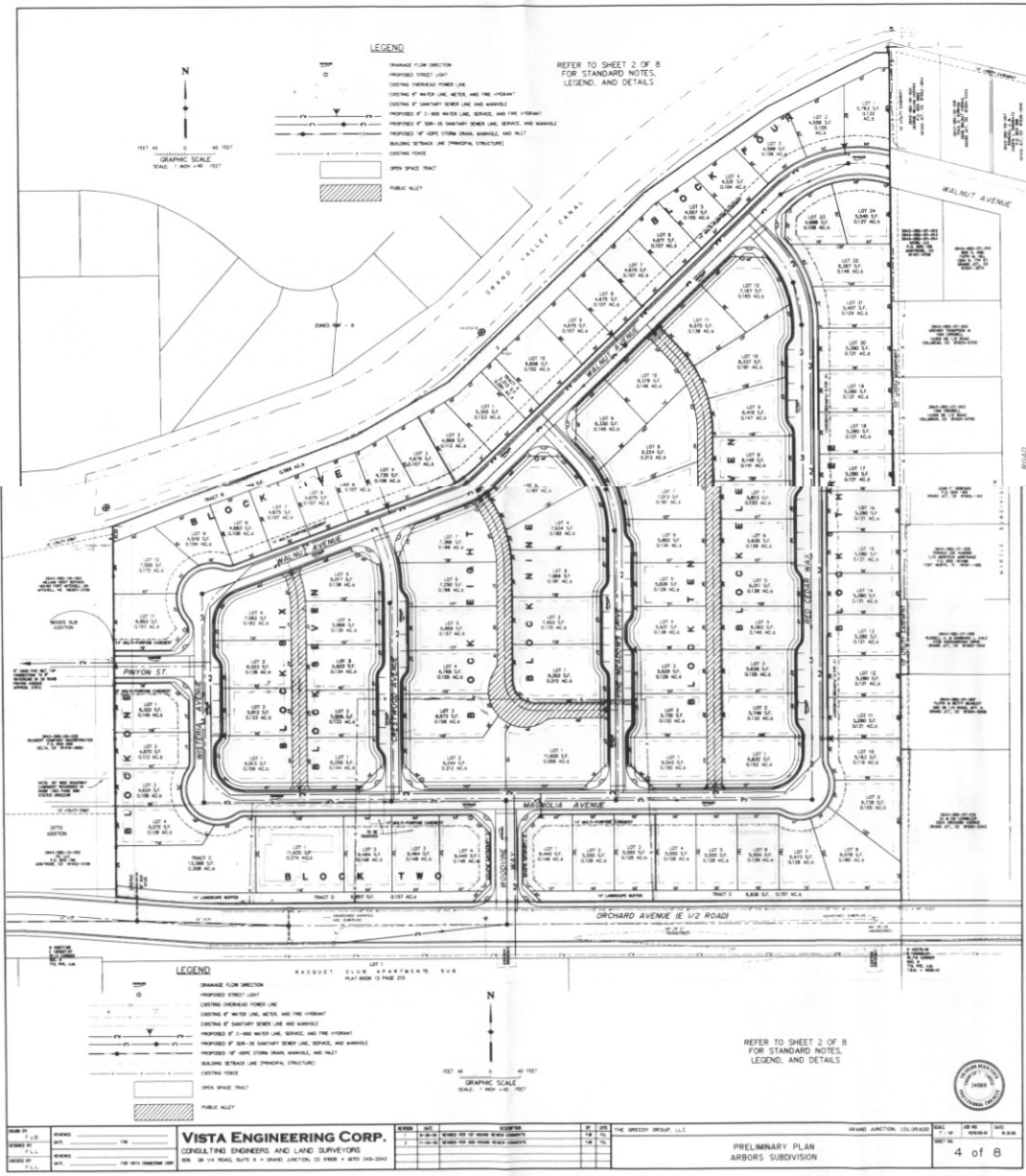
-  DRAINAGE FLOW DIRECTION
-  PROPOSED STREET LIGHT
-  EXISTING OVERHEAD POWER LINE
-  EXISTING 8" WATER LINE, METER, AND FIRE HYDRANT
-  EXISTING 8" SANITARY SEWER LINE AND MANHOLE
-  PROPOSED 8" C-900 WATER LINE, SERVICE, AND FIRE HYDRANT
-  PROPOSED 8" SDR-35 SANITARY SEWER LINE, SERVICE, AND MANHOLE
-  PROPOSED 18" HOPE STORM DRAIN, MANHOLE, AND INLET
-  BUILDING SETBACK LINE (PRINCIPAL STRUCTURE)
-  EXISTING FENCE
-  OPEN SPACE TRACT
-  PUBLIC ALLEY

PUBLIC FACILITIES

- ER Ute Water Conservancy District
- ER Central Grand Valley Sanitation District
- & ELECTRIC Xcel Energy
- LE TELEVISION Brecken Communications
- PHONE Qwest
- DATAION Grand Valley Irrigation
- INAGE Grand Junction Drainage District



REV2.dwg, 11/4/2005 1:46:18 PM, Owner.



RANCES

<p> LEGEND </p>	<p> LEGEND </p>	<p> REFER TO SHEET 2 OF 8 FOR STANDARD NOTES, LEGEND, AND DETAILS. </p>	<p> REFER TO SHEET 2 OF 8 FOR STANDARD NOTES, LEGEND, AND DETAILS. </p>
<p> VISTA ENGINEERING CORP. CONSULTING ENGINEERS AND LAND SURVEYORS 200 - 20 1/2 ROAD, SUITE 200 • GRAND JUNCTION, CO. 81501 • 970-244-2222 </p>	<p> THE GREENE GROUP, LLC </p>	<p> PRELIMINARY PLAN ARROWS SUBDIVISION </p>	<p> 4 of 8 </p>

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING THE ARBORS SUBDIVISION
LOCATED AT 2910 ORCHARD AVENUE TO PD (PLANNED DEVELOPMENT)

Recitals.

A rezone from RMF-8 (Residential Multi-Family, not to exceed eight dwelling units per acre) to Planned Development 5.04 dwelling units per acre (PD-5.04) has been requested for the property located at 2910 Orchard Avenue, as part of the "Arbors Subdivision", for purposes of developing a residential project of single-family attached and single-family detached dwelling units on 20.394 acres of land, with some sub-units allowed over selected garages. The total number of residential lots is 96. This does not count the allowed number of sub-units, nor are the sub-units part of the density calculation.

The City Council finds that the request meets the goals and policies and future land use set forth by the Growth Plan (4 to 8 units per acre). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

The Grand Junction Planning Commission, at its February 14, 2006 hearing, recommended approval of the rezone request from RMF-8 to PD and approval of the Preliminary Planned Development (PD) for the Arbors Subdivision.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED PLANNED DEVELOPMENT:

THE ARBORS SUBDIVISION

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7, the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 8, all in 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 East Quarter (E 1/4) corner of said Section 7 and assuming the North line of the SW 1/4 SE 1/4 of said Section 8 bears N 89°55'35" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°45'54" W along the South line of the SE 1/4 NE 1/4 of said Section 7 (being the North line of the Central Fruitvale Annexation, Ordinance No. 1133, City of Grand Junction) a distance of 634.71 feet; thence N 00°03'21" W a distance of 5.00 feet; thence S 89°45'54" E along a line 5.00 feet North of and parallel with, the South line of the SE 1/4 NE 1/4 of said Section 7, a distance of 356.44 feet; thence N 00°14'06" E a

distance of 35.00 feet; thence S 89°45'54" E along a line 40.00 feet North of and parallel with, the South line of the SE 1/4 NE 1/4 of said Section 7, a distance of 169.80 feet; thence S 00°14'06" W a distance of 35.00 feet; thence S 89°45'54" E along a line 5.00 feet North of and parallel with, the South line of the SE 1/4 NE 1/4 of said Section 7, a distance of 108.47 feet to a point on the East line of the SE 1/4 NE 1/4 of said Section 7; thence N 00°04'18" W along the East line of the SE 1/4 NE 1/4 of said Section 7, a distance of 45.00 feet; thence N 89°55'35" E along a line 50.00 feet North of and parallel with, the North line of the SW 1/4 SE 1/4 of said Section 8, a distance of 272.00 feet; thence N 00°04'18" W, along the East line of Ditto Addition, as same is recorded in Plat Book 11, Page 350 and the East line of Wood's Addition, as same is recorded in Plat Book 12, Page 96, Public Records of Mesa County, Colorado, a distance of 533.53 feet, more or less, to a point in the centerline of the Grand Valley Canal; thence Northeasterly traversing the centerline of said Grand Valley Canal to a point on the East line of the SW 1/4 NW 1/4 of said Section 8; thence S 00°03'33" E a distance of 1208.32 feet, more or less, to the Southeast corner of the SW 1/4 NW 1/4 of said Section 8; thence S 00°04'25" E along the East line of the NW 1/4 SW 1/4 of said Section 8, a distance of 50.00 feet; thence S 89°55'35" W along the North line of Racquet Club Apartments Subdivision, as same is recorded in Plat Book 12, Page 215, Public Records of Mesa County, Colorado, being a line 50.00 feet South of and parallel with, the North line of the SW 1/4 SE 1/4 of said Section 8, a distance of 1061.70 feet; thence N 00°04'25" W a distance of 50.00 feet to a point on the North line of the SW 1/4 SE 1/4 of said Section 8; thence S 89°55'35" W along the North line of the SW 1/4 SE 1/4 of said Section 8, a distance of 255.02 feet; thence S 00°03'21" E along a line 5.00 feet East of and parallel with, the East line of the NE 1/4 SE 1/4 of said Section 7 a distance of 656.04 feet; thence N 89°45'54" W a distance of 5.00 feet to a point on the East line of the NE 1/4 SE 1/4 of said Section 7; thence N 00°03'21" W along the East line of the NE 1/4 SE 1/4 of said Section 7 (being the East line of the Central Fruitvale Annexation, Ordinance No. 1133, City of Grand Junction), a distance of 656.01 feet, more or less, to the Point of Beginning.

CONTAINING 22.84± Acres (994,911± Sq. Ft.), more or less, as described.

- 1) The uses allowed for this zone and property shall be single-family attached and single family detached units.
- 2) Sub-units will be allowed over garages that can provide adequate off-street parking. Such units do not count towards the overall density. Sub-units shall meet the requirements of Section 4.1 of the Zoning and Development Code, Ordinance No. 3390, effective January 20, 2002.
- 3) The underlying zoning is RMF-8.
- 4) The ordinance allows for a deviation from the required setbacks of the RMF-8 zoning district. The setbacks are as follows:

	FRONT		REAR			SIDE (NOTE *)	
BLOCK	PRINCIPAL	GARAGE	PRINCIPAL	GARAGE	ACCESSORY	PRINCIPAL	ACCESSORY

1	15'	20'	10'	N/A	5'	5'	3'
2	15'	20'	10'	N/A	5'	5'	3'
3	15'	20'	10'	N/A	5'	5'	3'
4	15'	20'	10'	N/A	5'	5'	3'
5	15'	20'	10'	N/A	5'	5'	3'
6	15'	N/A	10'	20'	5'	5'	3'
7	15'	N/A	10'	20'	5'	5'	3'
8	15'	N/A	10'	20'	5'	5'	3'
9	15'	N/A	10'	20'	5'	5'	3'
10	15'	N/A	10'	20'	5'	5'	3'
11	15'	N/A	10'	20'	5'	5'	3'

* ALL LOTS 55 FEET IN WIDTH OR LESS MAY HAVE ZERO SIDEYARD SETBACKS TO ACCOMMODATE ATTACHED DWELLINGS.

5) A deviation from the required 14-foot multipurpose easement is allowed along those streets that are served by an alley. The multi-purpose easement is reduced to 9 feet along the streets of Blocks 6, 7, 8, 9, 10 and 11. An easement for utilities will be provided in the alleyways of those Blocks.

6) Further clarification can be found in the project narrative and the preliminary plans dated "revised December 22, 2005", in file number PP-2005-105.

This PD Ordinance shall become effective upon recoding of the Final Plat. If the Planned Development approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the RMF-8 zoning district.

INTRODUCED on first reading on the 15th day of February, 2006 and ordered published.

PASSED on this _____ day of _____, 2006.

ATTEST:

City Clerk

President of Council

Attach 20

Public Hearing – Amending Ordinance No. 2725 Concerning the Bluffs West Annex.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Amending Ordinance 2725 Concerning the Bluffs West Annexation							
Meeting Date	March 1, 2006							
Date Prepared	February 9, 2006				File #			
Author	John Shaver			City Attorney				
Presenter Name	John Shaver			City Attorney				
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes	X	No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: In January of 1994 the City Council annexed land to the City by Ordinance No. 2725. That ordinance described an area known as the Bluffs West Annexation.

In February 2006 the City exercised land use jurisdiction for the annexation of the proposed Bellhouse Subdivision. During the course of preparing the Bellhouse Annexation, an error in the description of the Bluffs West Annexation was discovered. Specifically Lot 1, Block 1 of the Rio Vista Subdivision was erroneously described as part of the Bluffs West Annexation.

This ordinance amends the description contained in Ordinance No. 2725 and by adoption thereof serves to exclude from the Bluffs West Annexation the area described in the ordinance.

Budget: Minimal impact. Staff time and publication costs

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication of the Ordinance

Attachments: Proposed Ordinance

Background Information: See summary.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE AMENDING ORDINANCE NO. 2725 ANNEXING TERRITORY TO
THE CITY OF GRAND JUNCTION, COLORADO - BLUFFS WEST ANNEXATION
LOCATED EAST OF 23 ROAD AND NORTH OF E ROAD

Recitals:

In January of 1994 the City Council annexed land to the City by Ordinance 2725. That ordinance described an area known as the Bluffs West Annexation.

In February 2006 the City exercised land use jurisdiction for the annexation of the proposed Bellhouse subdivision. During the course of preparing the Bellhouse annexation an error in the description of the Bluffs West annexation was discovered. Specifically Lot 1, Block 1 of the Rio Vista Subdivision was erroneously described as part of the Bluffs West annexation.

This ordinance amends the description contained in Ordinance 2725 and by adoption thereof serves to exclude from the Bluffs West annexation the area described.

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

That Ordinance 2725 is hereby amended to wit:

A certain parcel of land located in the South Half (S 1/2) of Section 8 and the North 1/2 (N 1/2) of Section 17, Township 1 South, Range 1 West, Ute Principal Meridian, County of Mesa, City of Grand Junction, State of Colorado.

Being a portion of the Bluffs West Annexation, Ordinance No. 2725 of the City of Grand Junction that was improperly described and included lands described as follows:

All that portion of said Bluffs West Annexation lying within Block No. 1, Second Amendment Rio Vista Subdivision, recorded in Plat Book 9, Page 199 of the Mesa County, Colorado public records and lying within the right of way of E Road as recorded in Book 1005, Page 411, of the Mesa County, Colorado public records directly South of and coincident with said Block No. 1, Second Amendment Rio Vista Subdivision being more particularly described as follows:

Commencing at the Southwest corner of Lot 2, Block No. 1 of said Second Amendment Rio Vista Subdivision and assuming the South line of said Block No. 1 to bear N89°54'01"E with all bearings contained herein relative thereto; thence N00°10'59"E along the West line of said Lot 2 a distance of 27.09 feet to the Point of Beginning; thence N86°48' 03"W a distance of 116.37 feet; thence N09°36'01"E a distance of 103.70 feet; thence N19°54'01"E along the Westerly line of said Block No. 1 a distance

of 200.54 feet; thence N14°58'01"E continuing along the Westerly line of said Block No. 1 a distance of 234.85 feet to the Northwest corner of Lot 14, of said Block No. 1; thence S03°59'16"W a distance of 427.16 feet; thence S00°10'59"W a distance of 98.06 feet to the Point of Beginning.

The intent of this document is to describe the land to be removed from the Bluffs West Annexation.

Said parcel contains 0.69 acres (30,132 square feet), more or less, as described.

INTRODUCED for FIRST READING and PUBLICATION on this 15th day of February 2006.

PASSED and ADOPTED this ____ day of _____, 2006.

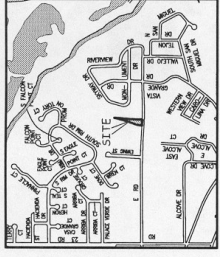
Attest:

Bruce Hill
Mayor and President of the Council

Stephanie Tuin
City Clerk

BLUFFS WEST ANNEXATION AMENDED

SITUATE IN THE S 1/2 OF SECTION 8 & THE N 1/2 OF SECTION 17, T15, R1W, U1M,
COUNTY OF MESA, STATE OF COLORADO



LOCATOR MAP 307-770-3344

LEGAL DESCRIPTION

A certain tract of land located in the North Half (S 1/2) of Section 8 and the North 1/2 (N 1/2) of Section 17, Township 15 North, Range 1 West, 1st Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

All that portion of said Block No. 1, Second Amendment Rio Vista Subdivision being more particularly described as follows:

That portion of said Block No. 1, Second Amendment Rio Vista Subdivision being more particularly described as follows:

This tract of land is to be described as follows:



GRAPHIC SCALE
1" = 100' ±



THIS IS NOT A BOUNDARY SURVEY
PUBLIC WORKS
AND UTILITIES
REAL ESTATE DIVISION



CITY OF GRAND JUNCTION
PUBLIC WORKS
AND UTILITIES
REAL ESTATE DIVISION

BLUFFS WEST ANNEXATION AMENDED
ORDINANCE NO. 2722
DATE: 11/15/07

BLUFFS WEST ANNEXATION AMENDED
ORDINANCE NO. 2722
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BLUFFS WEST ANNEXATION AMENDED
ORDINANCE NO. 2722
DATE: 11/15/07

Attach 21

Public Hearing Establishing the City Managers Salary for 2006

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Establishing the City Manager's Salary for 2006					
Meeting Date	March 1, 2006					
Date Prepared	February 8, 2006				File #	
Author	Stephanie Tuin			City Clerk		
Presenter Name	Bruce Hill			Mayor		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Article VII, Section 57 of the Charter states the City Manager's salary is to be fixed by the Council by ordinance. The City Council has determined the salary for the Grand Junction City Manager to be \$125,000.

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication of the Ordinance.

Attachments: Proposed Ordinance

Background Information: The City Council has completed their annual review and has determined that the City Manager salary for 2006 shall be \$125,000. The increase shall be effective January 1, 2006.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3854, ADDING SECTION 3,
SETTING THE SALARY OF THE CITY MANAGER

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

That commencing January 1, 2006, the annual salary of the City Manager of the City of Grand Junction, Colorado shall be \$125,000.

Introduced on first reading this 15th day of February, 2006.

PASSED AND ADOPTED this _____ day of _____, 2006.

Attest:

City Clerk

President of the Council

Attach 22

Public Hearing – Amending Chapter 36 of the Code of Ordinances Concerning Towing Abandoned Vehicles

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Towing abandoned vehicles					
Meeting Date	March 1, 2006					
Date Prepared	February 16, 2006				File #	
Author	Shelly Dackonish			Staff Attorney		
Presenter Name	John Shaver			City Attorney		
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	x	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Amendment to Chapter 36 (Traffic) of the Code of Ordinances making it unlawful to abandon vehicles on private property within the City and authorizing private towing of vehicles abandoned on private property.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage and publication of the ordinance.

Attachments: Proposed ordinance.

Background Information: Chapter 36, Section 6 of the Grand Junction Code of Ordinances governs treatment of abandoned vehicles in the City. Presently the Code does not outlaw abandonment of vehicles on private property, yet requires the towing of vehicles from private property.

State law renders unlawful the abandonment of vehicles on private property and allows private towing of such vehicles (C.R.S. §42-4-2103). Accordingly, the proposed amendment authorizes private citizens to tow vehicles abandoned on their property and makes abandonment of vehicles on private property illegal. The amendment, consistent with state law, also requires tow companies to report such vehicles to the Police Department for crime tracking purposes.

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART OF CHAPTER 36 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO ABANDONED VEHICLES

Recitals.

It is desirable to modify Chapter 36, Section 6 of the Grand Junction Code of Ordinances to make it unlawful to abandon vehicles on private property within the City and to authorize private citizens within the City to tow vehicles abandoned on their property.

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

Chapter 36, Section 6 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows (amendments are underlined and shown in red; deletions are shown by strike through):

Sec. 36-6. Abandoned Vehicles and Authority to Impound Vehicles.

(a) No person shall abandon any motor vehicle upon private property within the City other than his or her own. Subject to other provisions of law concerning junk and/or inoperable motor vehicles, any owner or lessee of property within this municipality, or the owner or lessee's agent, may have an abandoned motor vehicle removed from his or her property by having it towed and impounded by a tow operator.

(b) With respect to any vehicle towed pursuant to subsection (a) of this Section 36-6, the tow operator having in his or her possession any motor vehicle that was abandoned on private property shall, within one hour of impoundment, notify the Grand Junction Police Department of the following: name of tow operator in possession of the abandoned vehicle, the location of the impound lot where the vehicle is located, a description of the abandoned motor vehicle, including make, model, color and year, the number, issuing state and expiration date of the license plate, and the vehicle identification number.

~~(c)~~ ~~(a)~~ Whenever any police officer finds a vehicle, attended or unattended, standing upon any portion of a street or highway right-of-way within this municipality in such a manner as to constitute a violation of Section 10-5 of the 1977 version of the Model Traffic Code, or left unattended for a period of 24 hours or more and presumed to be abandoned under the conditions prescribed by 42-4-~~2102(2)~~ and 42-4-~~1103(2)~~ C.R.S., such officer shall require such vehicle to be removed or cause the same to be removed and placed in storage in the nearest garage or other place of safety designated or maintained by this municipality.

~~— In the event of abandonment of a vehicle on property within this municipality other than public rights-of-way, the owner of such property may, in addition to his other remedies, notify the police department, and such police shall after a period of 72 hours cause the abandoned vehicle to be removed and placed in storage in the nearest garage or other place of safety designated or maintained by the municipality.~~

(d) Notice and hearing ~~(b) Impoundment~~

(1) As to any vehicle impounded pursuant to this chapter by or at the request of the City, its agents or employees, a person who has a legal entitlement to possession of the vehicle has a right to a post-seizure administrative hearing to determine whether there was probable cause to impound the vehicle if such person files a written demand, on forms so provided for such a hearing, with the City within ten days after such person has learned such vehicle has been impounded or within ten days after the mailing of the date set in the notice of stored vehicle, whichever occurs first. The notice of stored vehicle shall be sent in the mail to the legal and registered owner or his agent and to the garage where the vehicle is stored within 48 hours, excluding weekends and holidays, after impounding and storage of the vehicle.

(2) A hearing shall be conducted before a hearing officer designated by the City Manager within 48 hours of receipt of a written demand therefor from the person seeking the hearing unless such person waives the right to a speedy hearing. Saturdays, Sundays, and city holidays are to be excluded from the calculation of the 48-hour period. The hearing officer shall be someone other than the person who directed the impounding and storage of the vehicle. The sole issue before the hearing officer shall be whether there was probable cause to impound the vehicle in question.

“Probable cause to impound” shall mean such a state of facts as would lead a person of ordinary care and prudence to believe that there was sufficient breach of local, state or federal law to grant legal authority for the removal of the vehicle.

The hearing officer shall conduct the hearing in an informal manner and shall not be bound by the technical rules of evidence. The person demanding the hearing shall carry the burden of establishing that such person has the right to possession of the vehicle. The police department shall carry the burden of establishing that there was probable cause to impound the vehicle in question. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of such decision shall be provided to the person demanding the hearing and the registered owner of the vehicle (if not the person requesting the hearing). The hearing officer’s decision in no way affects any criminal proceeding in connection with the impounding in question and that any criminal charges involved in such proceeding may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the registered or legal owner or his agent to request or attend a scheduled post-seizure hearing shall be deemed a waiver of the right to such hearing.

(3) The hearing officer shall only determine that as to the vehicle in issue, either (a) there was probable cause to impound the vehicle or (b) there was no such probable cause. If the hearing officer determines that there was no probable cause, the hearing officer shall prepare and date a certificate of no probable cause, copies of which shall be given to the possessor of the vehicle and the police department. Upon receipt of the possessor’s copy of such certificate, the official police garage having custody of the vehicle shall release the vehicle to its possessor. Upon a finding of no probable cause, towing and storage fees shall be paid by the City in accordance with arrangements made between the City and the official police garage. If the possessor fails to present such certificate to the official police garage having custody of the vehicle within 24 hours of its receipt, excluding such days when the official police garage is not open for business, the possessor shall assume liability for all subsequent storage charges. Such certificate shall advise the possessor of such requirement.

(4) This subsection (d) shall not apply if the vehicle was towed from private property.

All other provisions of Chapter 36 shall remain in full force and effect.

PASSED for first reading this 15th day of February, 2006.

PASSED AND ADOPTED this _____ day of _____, 2006 on
Second Reading.

Bruce Hill
President of the Council

Attest:

Stephanie Tuin
City Clerk