

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

December 17, 2014

The City Council of the City of Grand Junction convened into regular session on the 17th day of December, 2014 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Barbara Traylor Smith, Sam Susuras, and Council President Phyllis Norris. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember McArthur followed by a moment of silence.

Presentation

Present were: Management and Legislative Liaison Elizabeth Tice; John Maraschin, Executive Director of The Business Incubator Center (BIC); Diane Schwenke, President and Chief Executive Officer of the Grand Junction Chamber of Commerce (GJCOC); and Kelly Flenniken, Executive Director of Grand Junction Economic Partnership (GJEP).

The Economic Development (ED) Report was introduced and presented by Ms. Tice. She outlined the City Council's Economic Development Plan and the role of the City. Ms. Tice stressed how important the ED partnerships have been, and updated Council on the tools the ED Partners use to assess and report on the economy. She highlighted various City improvements, projects, and programs that have and will contribute to the community's ED: infrastructure improvements, competitive utility rates, supporting existing business, improving public amenities, and marketing the community. She highlighted the following examples: the 22 Road improvements, the BioCNG project, the Grand Junction Regional Communication Center's Wireless Master Plan, launching a new website, requesting Code revisions, investing in GJmakerspace, exploring a Foreign Trade Zone, renovating the Avalon Theatre, and investing in parks. These are just some examples of Council's vision and commitment to local leadership. She concluded with details of the Economic Development Marketing Plan goals.

Kelly Flenniken, Executive Director of GJEP, reviewed GJEP's 2014 achievements and marketing activities: 166 new contacts, 46 active prospects, 34 active leads, the Site Selector's Ski Weekend, provided businesses with relocation and expansion services,

partnered with the City on “shovel ready” projects, completed the first phase of GJEP’s Long Term Vision, advanced the promotion of Piceance Basin gas to Pacific Rim countries, and expanded the marketing of the New West brand in various print and digital media. She went on to explain that in 2015, GJEP’s goals are to grow four targeted outreach industries and two “monitoring” industries: aviation/aerospace, food/beverage/agriculture, healthcare, outdoor related industries, information technology/business, and energy. Ms. Flenniken concluded with GJEPS’s Partner Goals and expressed how important these partnerships are to the community.

John Maraschin, Executive Director of the BIC, described their mission and vision and explained they are not a typical incubator; they also have small business development, an enterprise zone, and a commercial kitchen. He mentioned several successful businesses that began at the Incubator and some that are still with them. He reviewed the Incubator’s 2014 accomplishments and highlighted GJmakerspace which started in 2014 with a \$40,000 grant from the City and has helped start four businesses. He detailed the number of new jobs and businesses created, jobs retained, and Riverview Technology Corporation’s projects and master plan. He ended his review of 2014 noting the BIC’s successes, and saying they are known as an innovative center. Mr. Maraschin gave an overview of what the BIC is looking forward to in 2015 which included growing GJmakerspace program, refreshing the Incubator program, and creating a venture accelerator program.

Diane Schwenke, President and CEO of the GJCOC, thanked Council and mentioned the ED partners have many of the same goals, which shows the strength of the partnerships. She described the Energy and ED Committee projects and focused on the Global Petroleum Show to be held in June 2015 which is the largest energy show of its kind. The plan is to have a large group attend, network, and work at the GJCOC booth with the goal of leveraging connections in order to attend receptions for more networking opportunities with the energy companies; it is hoped this will lead to more business and job creation. The Committee is also looking at developing Liquid Natural Gas (LNG) processing facilities. Another major focus for the GJCOC in 2015 is Workforce Development; they appreciate all the local partnerships that help this continue to grow. She mentioned some businesses that benefited from this. She encouraged everyone to come to the GJCOC’s Shark Tank on March 11th; this is a great experience and was successful last year. Ms. Schwenke also talked about the ways the Chamber is the “Business Voice” in the community and how they assist the local private sector in creating jobs. The GJCOC will have a key role in the 2015 Western Colorado Manufacturing Alliance Summit and is actively pursuing ways to grow the land inventory through their sister company Industrial Development, Inc. She finished by thanking the City for moving projects like the Foreign Trade Zone ahead.

Council President Norris thanked all the ED partners.

Proclamation

Proclaiming December 18, 2014 as "International Day of the Migrant" in the City of Grand Junction

Councilmember McArthur read the proclamation. Present to receive the proclamation was Nicole Bernal Ruiz, Program Director of the Hispanic Affairs Project; she spoke on some of the issues surrounding immigration, how migrant workers contribute to the local economy, and thanked the City leaders for their recognition. Dr. Tom Acker talked about new incentives that are being put in place locally and nationally. Dr. Acker invited others to speak: Antonio Gallegos thanked the City Council. Karen Killanxhja, Head of Mesa County Public Library Literacy Services, said she has students from 32 countries and thanked Council for recognizing the diversity in Mesa County. Ms. Ruiz invited everyone to join the International Day of the Migrant celebration, "Welcoming Colorado", at Riverside School from 6 to 8 p.m. on December 18th.

Appointments

Councilmember Chazen moved to re-appoint Dave Bailey and Chris Endreson and appoint Troy Reynolds to the Historic Preservation Board for four year terms expiring December 2018. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Councilmember Susuras moved to ratify the appointment of Troy Ball to the Grand Junction Regional Airport Board for a partial term ending March 2017. Councilmember T aylor Smith seconded the motion. Motion carried by roll call vote.

Citizen Comments

Bruce Lohmiller, 445 Chipeta Avenue, #25, displayed some pieces from Colorado Mesa University (CMU) Veteran's Art Center Showcase. He mentioned the Night Patrol and said there was a memorial service for those that passed away. He also submitted emails to the City Clerk.

Dennis Simpson, 2306 E. Piazza Place, talked about the proposal from Staff regarding a possible ballot issue to redirect funds retained in order to retire the Riverside Parkway debt. He reviewed the transfer of funds from Taxpayer Bill of Rights (TABOR) excess since 2007 and the TABOR process. He talked about his impressions from the

December 15th Council Workshop including his perception that the City Staff doesn't believe the Economic Development Plan will work. He pointed out that Councilmembers elected at the last election did not support a 2013 ballot proposal to negate TABOR.

John Jay, Epps Drive, no address number given, said he did not hear anyone mention legal status when the "International Day of the Migrant" proclamation was presented. He thanked Grand Junction Police Commander Paul Quimby for allowing Mr. Jay time to talk about his concerns and the attempt on his life. He hoped he will not need to deal with the legal system anymore. He said the United States (US) currently pays 23% of the United Nation's expenses and feels it has been a defunct organization from its inception. He then said its ironic Andrew Jackson is on the twenty dollar bill since he vetoed the charter renewal for the Second Bank of the US and withdrew the federal government's funds.

Council Comments

Councilmember Doody commented this was the night for which the City Councilmembers were elected, to review and approve the City Manager's proposed budget. He wished everyone a Merry Christmas and Happy New Year. God bless everyone.

Councilmember Chazen attended the Western Slope Tree Care Workshop on December 4th. He thanked Tom Ziola and the Forestry Board for putting on this event. On December 5th the executive board of the Associated Governments of Northwest Colorado unanimously approved hiring Bonnie Petersen as their new Executive Director; she will replace Scott McInnis who was recently elected as a Mesa County Commissioner. Councilmember Chazen went to the BIC's open house on December 11th and spoke to Skyler, a CMU engineering student who worked on the 3D printers at GJmakerspace; he encouraged others to visit. He also went to the Free Trade Zone presentation held on December 17th; he hopes this project will move forward quickly as it is a very exciting opportunity for the City.

Councilmember Boeschstein attended the Bureau of Land Management Riverfront Partners meeting and a metal salvage workshop at Western Metals Recycling, LLC (formerly Van Gundy's) on December 4th. On December 11th he went to the BIC's open house along with Councilmember Chazen; he commented on what great facilities this and the Riverfront Technology Park are and hoped to see more attention given to them. He also attended the Economic Outlook Summit and Foreign Trade Zone presentation hosted by the GJCOC and went to the Colorado Riverfront Commission Meeting.

Councilmember McArthur attended the first Joint Pool Board Meeting with the County and School District 51; they toured the facility and saw recently completed capital improvements and projects that need to be done. They also reviewed the operations, certifications, inspection process, and budget items; it is well run. They scheduled a meeting to review ways of increasing attendance and usage. Councilmember McArthur also attended the December CMU graduation; it was well attended and exciting to see the pride of the students and their families.

Council President Norris described the City Council Workshop process and how Council uses these to move the City forward. Her interpretation of Council Workshops is very different from an opinion that was expressed earlier. Workshop meetings are recorded and notes are taken; she encouraged anyone interested to get this information. The City Council represents the City and looks at different ways it can make Grand Junction better. If Council sends a measure to the voters, they will make sure it is well written so the voters will know what the question is and be able to vote accordingly.

CONSENT CALENDAR

Councilmember Doody read Consent Calendar items #1 through #7 and then moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of the Previous Meetings**

Action: Approve the Summary of the December 1, 2014 Workshop and the Minutes of the December 3, 2014 Regular Meeting

2. **Setting a Hearing on the Comprehensive Plan Amendment and Rezone for Baker's Boutique, Located at 726 24 Road** [File #CPA-2014-418 and RZN-2014-419]

Request approval to change the Comprehensive Plan Future Land Use Map designation for property located at 726 24 Road (0.86 +/- acres) from "Park" to "Village Center" and to rezone from CSR (Community Services and Recreation) to B-1 (Neighborhood Business) zone district in anticipation of future neighborhood business commercial development. The proposed resolution to amend the Comprehensive Plan will be considered with the second reading of the rezone ordinance.

Proposed Ordinance Rezoning the Baker's Boutique Property from CSR (Community Services and Recreation) to B-1(Neighborhood Business), Located at 726 24 Road

Action: Introduce a Proposed Ordinance and Set a Public Hearing for January 7, 2015

3. **Setting a Hearing on Rezoning and Approving an Outline Development Plan for the Grand Junction Housing Authority Senior Living Planned Development, Located at 805 Bookcliff Avenue** [File #PLD-2014-447]

The Grand Junction Housing Authority is requesting approval to rezone 3.763 acres from R-16 (Residential - 16 units per acre) to PD (Planned Development) with a default zone of R-24 (Residential - 24 units per acre) and recommendation to City Council of approval of an Outline Development Plan (ODP) for the Grand Junction Housing Authority (GJHA) Senior Living Planned Development, Highlands Apartments.

Proposed Ordinance Rezoning Approximately 3.763 Acres from R-16 to PD (Planned Development) and Approving the Outline Development Plan (ODP), Grand Junction Housing Authority Senior Living Planned Development - Highlands Apartments (aka The Epstein Property), located at 805 Bookcliff Avenue

Action: Introduce a Proposed Ordinance and Set a Public Hearing for January 7, 2015

4. **Rates and Fees Effective January 1, 2015**

Proposed rate/fee increases which would be effective January 1, 2015 are for Water, Wastewater, Solid Waste, Two Rivers Convention Center, Avalon Theatre, and Fire Ambulance Transport.

Resolution No. 46-14 — A Resolution Adopting Fees and Charges for Water, Wastewater, Solid Waste, Two Rivers Convention Center, Avalon Theatre, and Fire Ambulance Transport

Action: Adopt Resolution No. 46-14

5. **Design and Implementation of a Firefighter Heart and Circulatory Malfunction Benefit Fund Program**

Senate Bill 14-172, codified as C.R.S. 29-5-301 *et. seq.*, requires that any municipality, special district, fire authority, or county improvement district employing one or more firefighters to provide benefits for heart and circulatory malfunctions for full-time firefighters, as long as the state provides sufficient funding to cover the cost. The employer may purchase accident insurance, self-insure either separately or as part of a pool, or participate in a multiple employer trust in order to provide benefits required by law to firefighters eligible to receive the benefit(s). The law is effective January 1, 2015.

Resolution No. 47-14 – A Resolution Authorizing the City Manager to Design and Implement a Firefighter Heart and Circulator Malfunction Benefit Fund Program

Action: Adopt Resolution No. 47-14

6. **Urban Trails Committee Re-Establishment and Adoption of Bylaws**

The Urban Trails Committee has served as a sub committee of the Riverfront Commission since 1994. The proposed Resolution will re-establish the committee as an advisory board to the City Council on matters pertaining to the safe, convenient, and efficient movement of pedestrians and bicyclists of all ages and abilities, as well as other forms of transit.

Resolution No. 48-14 – A Resolution Re-Establishing the Urban Trails Committee and Adoption of Bylaws

Action: Adopt Resolution No. 48-14

7. **Construction Management/General Contractor Services Contract for Fire Station No. 4**

This request is for authorization from the City Council to purchase pre-construction and construction management/general contractor (CM/GC) services from FCI Constructors Inc., for a new fire station to be constructed at 2880 B 1/2 Road.

Action: Authorize the City Purchasing Division to Enter into a Contract with FCI Constructors, Inc. to Provide Construction Management/General Contractor Services for an Estimated Total Price of \$2,621,904

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Patterson Place Rezone, Located at 2562/2566/2570 Patterson Road [File # RZN-2014-262]

A request to rezone properties totaling 3.523 acres from a City R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts.

The public hearing was opened at 8:25 p.m.

Senta Costello, Senior Planner, introduced this item and described the request and the reason behind the request. The three properties face two streets; Patterson Road to the south and Dewey Place to the north. She described the future land use, surrounding land designations, and the diverse zoning currently surrounding the site. Staff reviewed the request for a rezone to a blended residential designation; it meets the requirements of the Zoning and Development Code and the Planning Commission (PC) also recommends approval.

Councilmember Boeschenstein said the PC report mentioned a floodplain and asked Ms. Costello to point it out on the map. Ms. Costello clarified there is not a floodplain, rather a beehive drain along the eastern edge of the property. Since this is still in the rezoning stage, it has not been evaluated. Councilmember Boeschenstein asked if this area is deemed a floodplain, would it remain vacant? Ms. Costello answered for it to be built upon, it would have to meet floodplain regulation standards.

Councilmember Chazen referred to letters expressing traffic concerns along Dewey Place and asked if this issue has been evaluated. Ms. Costello said these concerns will be reviewed during the site plan stage, but interconnectivity between properties and streets is preferred. Patterson Road does create its own issues of entering and exiting, but this too will be addressed during the site plan stage.

There were no public comments.

The public hearing was closed at 8:29 p.m.

Ordinance No. 4647 — An Ordinance Rezoning Patterson Place from R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront), Located at 2562/2566/2570 Patterson Road

Councilmember Susuras moved to adopt Ordinance No. 4647. Councilmember McArthur seconded. Councilmember Chazen asked for an amendment to include “on final passage and ordered it published in pamphlet form”. Councilmember Susuras agreed with the amendment. Councilmember McArthur seconded the amended motion. Motion carried by roll call vote.

Councilmember McArthur said this will be one of the first uses of a MX zone and will be a test of their flexibility. This is a good opportunity to see the process move forward and he will be glad to see it.

Public Hearing—2014 Second Supplemental Appropriation Ordinance and the 2015 Budget Appropriation Ordinance

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2014 amended and 2015 proposed budgets.

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

City Manager Rich Englehart introduced the item saying, by ordinance, this is the City Manager’s Budget to the Council, but it has really been a grassroots effort from the entire organization; he thanked everyone for their time and commitment. He then reviewed this year’s budget process stating the three areas of emphasis derived from the Council’s policy direction: public safety, infrastructure, and economic development. Another important factor was the 3% projected sales tax growth rate for 2015 which established the projected revenues. The total reserve in the General Fund is set at \$18.5 million; of that, \$11.9 million are unrestricted funds. Council was engaged in the process of balancing the budget for both capital and operations; they moved some projects, either up or back, to maximize the use of resources for the City’s Economic Development Plan. City Manager Englehart reviewed the budget’s history, from 2010 through the proposed 2015 Budget. The total 2015 Budget is \$143 million; this is a 4.4% increase over 2014. City Manager Englehart highlighted changes to the following areas: Information Technology, a 12% increase which is mainly for software and infrastructure upgrades; Fleet charges have increased by 13%; and Labor includes a 3% increase due to a partial market wage implementation and a small increase in health insurance costs. The average wage increase was 2% and there was a 2.96% increase

in the health insurance which Council approved to pay the employee portion. There are four new positions, two in Fleet and two in Sewer, all of which are fully funded; also approved is a four month extension of Parks Patrol. Debt Service will decrease by 13% due to the refinancing of the Riverside Parkway debt. City Manager Englehart then listed and featured some of the 2015 Capital projects: North Avenue Streetscape, Leach Creek Flood Control Dam, Community Hospital Transportation Improvements, Las Colonias First Phase Development and Amphitheatre, Orchard Mesa Pool Door Replacement, and upgrades to the water and sewer systems. He reviewed the City's revenues sources and the total budget spending by type and department. He then listed the Capital Community Investments for 2015: Orchard Mesa Fire Station Relocation, North Avenue Streetscape (largely funded by federal funds), Development of Phase One and the Amphitheater for Las Colonias Park, Bridge Replacement at 31 and F Roads, Leach Creek Flood Control Plan and Buthorn Drain Improvement Control Projects, the chip seal program will be in the area between Patterson Road and North Avenue, three Transportation Capacity Projects, Sewer Projects, completion of the expansion of the Bio Compressed Natural Gas Project, Waterline Replacements, as well as several other projects. Total investment into the community will be \$26.6 million. City Manager Englehart thanked Council and Staff.

Councilmember Boeschstein thanked Staff and City Manager Englehart for building this budget over the last six months; it is comprehensive and looks toward the future with projects like Las Colonias Park. He noted some recently completed projects and mentioned he would like to see more trail projects.

Councilmember Susuras said there have been many workshops and discussions; he feels it is a very sound budget for the City and is proud of the work Staff has done and thanked them.

Councilmember Traylor Smith agreed with Councilmembers Boeschstein and Susuras. She said this is her second year to be involved in the budget process and she is very pleased with the three to five year planning the City puts in place for community investments. She noted things are planned for in advance so there are very few surprises when Council goes through the budget process.

Councilmember Chazen thanked City Manager Englehart and Staff for the budget and said he will support it. It is no easy task bringing a budget this size together; there are a lot of moving parts and targets. Budgets reveal trends and he believes the trends are good, but he offers a word of caution; in the General Fund, the Operating Costs and Revenues are about even which leaves very little room for error. A watchful eye needs to be kept and if revenues are below the projections, immediate and bold action needs

to be taken. He concluded by saying the budget process was open and transparent, Staff was very accommodating, and everybody's effort is truly appreciated.

Council President Norris said everyone on Council wants to thank Staff for all the time spent gathering information and educating Council. The City is looking forward to a slight increase in revenues, but she commended Staff on being budget conscious and making adjustments to projects. This has allowed funds to be brought forward from previous budgets. She again thanked City Manager Englehart and Staff.

There were no public comments.

The public hearing was closed at 8:58 p.m.

Ordinance No. 4649 — An Ordinance Making Supplemental Appropriations to the 2014 Budget of the City of Grand Junction

Ordinance No. 4650 — An Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado and the Downtown Development Authority for the Year Beginning January 1, 2015 and Ending December 31, 2015

Councilmember Susuras moved to adopt Ordinance Nos. 4649 and 4650 on final passage and ordered them published in pamphlet form. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Public Hearing—Extension of the Downtown Grand Junction Business Improvement District (DGJBID)

Consideration of the extension of the DGJBID for 20 years effective on the date of adoption of an ordinance amending Ordinance No. 3815.

The public hearing was opened at 9:00 p.m.

Harry Weiss, Downtown Development Authority/Downtown Grand Junction Business Improvement District (DDA/DGJBID) Executive Director, presented this item and gave a brief history of the DGJBID; it became effective in January 2006 and will expire January 1, 2016 unless extended. The legal authority to extend the DGJBID rests solely with City Council. Council and Mr. Weiss have received emails in support of the DGJBID extension.

Councilmember McArthur asked if the direction of this ordinance would remain unchanged. Mr. Weiss said that is correct and explained the DGJBID's unique role to Downtown: to provide general district marketing and special event promotion for the purpose of the Downtown's continued success and development.

Council President Norris asked what the reasoning was to move from a ten year to a twenty year term. Mr. Weiss said it was hoped the original ten year term had proved DGJBID's worth and stability, but the Board felt periodic review to reassess community needs would be better than a request for perpetuity; the twenty year extension met that criteria.

Les Miller, 826 N. 7th Street, Chair of the DDA and Board member for the DGJBID, thanked Council for their attention to the DGJBID renewal. He commented that the discussions with Council were productive and he hoped, informative as well. The DGJBID, which was created and funded by the District's commercial property owners, is a vital part of what makes Downtown a unique place. The Board unanimously supported this renewal and asked DGJBID constituents to send emails in support of this to City Council.

Ron Maupin, 2440 Wellington Court, a Downtown merchant and property owner, said there were many volunteers that worked hard to get the DGJBID passed. Since then it has been extremely successful for Downtown and the City; without the funding, this would not have been possible. He encouraged Council to support the renewal.

Cheryl Lucas, 2776 Uranium Drive, a Main Street business and property owner, said she agreed with Mr. Maupin's remarks and stated the DGJBID's renewal is critical to the success of Downtown; now all the merchants participate and benefit.

There were no other public comments.

The public hearing was closed at 9:08 p.m.

Council President Norris expressed concern over the request for a twenty year term and asked City Attorney Shaver, if necessary, could changes be made to this ordinance before the term expiration. City Attorney Shaver said since this request is an amendment to the creation ordinance, any Council can revisit it at any time.

Councilmember Chazen said, as the ex-officio on the DGJBID Board, he can attest that there has been a lot of discussion on how to make sure this renewal will fit the needs of the community. He is fully supportive of the extension and believes it is good for Downtown business growth and development. Councilmember Chazen added that he

too hesitated at the twenty year extension, but now supports it and recommends Council adopt this ordinance.

Councilmember Boeschenstein said he is also very supportive of this ordinance.

Ordinance No. 4651 — An Ordinance Amending Ordinance No. 3815 to Extend the Downtown Grand Junction Business Improvement District for 20 Years

Councilmember Chazen moved to adopt Ordinance No. 4651 on final passage and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Municipal Recreation Agreement with the Bureau of Reclamation – Green Mountain Reservoir Water

A 40 year agreement between the City of Grand Junction, Town of Palisade, City of Fruita (municipalities), and the Bureau of Reclamation for the delivery of surplus water from Green Mountain Reservoir for recreational purposes in the Colorado River between Palisade and Loma, Colorado.

Greg Lanning, Public Works and Utilities Director, introduced this agreement and provided a brief background. Previous agreements, in effect from 2001 to 2014, have been successful; this request is for 40 years and does not have a financial impact on the City, nor does it affect any of the City's water rights. The name of this agreement does not reflect its main intent; it is for the Fish Recovery Program which keeps water in the river to help propagate endangered fish species. This program also provides compliance with 2,391 water projects. The City is in contact with Bureau of Reclamation on a weekly basis during the summer.

City Attorney Shaver explained more about the City's relationship regarding this agreement under the Colorado River Compact. Green Mountain Reservoir is designed for compensatory storage which ensures lower river water user's access to the water allocated to them. During the summer, a weekly "call" is placed which allows water from the reservoir to reach the lower river.

Councilmember Traylor Smith asked, since this agreement has been in place, has progress been made regarding the propagation of the endangered fish. Mr. Lanning said no, nonnative fish are more of a problem than the water level. Councilmember Traylor Smith then asked if the endangered fish were once abundant in these waters. Mr. Lanning said they were and this agreement ensures the fish have enough water.

Councilmember Traylor Smith asked why this agreement is for 40 years. City Attorney Shaver said they asked the Bureau of Reclamation the same question and their response was, this is the term of the contract. If the City does not enter into this agreement, the river could be administered federally and the City would not have any say; this is something the City would like to avoid.

Councilmember Boeschstein said this agreement is also important for river sports.

Councilmember Chazen moved to authorize the Mayor to sign a forty year agreement with the Bureau of Reclamation for diversion of water from Green Mountain Reservoir. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

John Jay said, "I grew up in the desert and you wound me sir".

Other Business

Councilmember Doody followed up with information regarding Council Workshops, the process, what to expect, and that they are open to the public. He said it is the duty of Council to work on budgets; some may have a 10 to 15 year outlook and the essence of TABOR is to ask the citizens if the City can use taxpayer money for a project.

Adjournment

The meeting was adjourned at 9:23 p.m.

Stephanie Tuin, MMC
City Clerk