



**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, AUGUST 20, 2008, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance

**Appointments**

To the Horizon Drive Business Improvement District

To the Parks and Recreation Advisory Board

**Citizen Comments**

**Recognitions**

Recognition of Neighborhood Organization—Hawthorne Park

Recognition of Neighborhood Organization—Colony Park

**\* \* \* CONSENT CALENDAR \* \* \***

1. **Contract with Mesa County Elections for the Public Safety Initiative Election** [Attach 1](#)

In order to place the City's ballot questions regarding the Public Safety Initiative on the Mesa County ballot, an intergovernmental agreement setting forth the responsibilities of both entities is required. In essence, by this intergovernmental

\*\*\* Indicates New Item

® Requires Roll Call Vote

agreement, the City will enter into a contract with Mesa County for them to conduct the City's election.

*Action: Authorize the City Clerk to Enter into an Intergovernmental Agreement with Mesa County Elections for the Conduct of the City's Special Election to be Coordinated with the General Election to be held on November 4, 2008*

Staff presentation: Stephanie Tuin, City Clerk

2. **Pavement Management Data Collection** [Attach 2](#)

Award a pavement management data collection contract for the Street Systems Division.

*Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$123,825 with IMS Infrastructure Management Services for Data Collection of Pavement and Right-of-Way Assets*

Staff presentation: Jay Valentine, Assistant Financial Operations Manager  
Trent Prall, Engineering Manager

3. **Subrecipient Contract for Homeward Bound Project within the 2007 CDBG Program Year** [Attach 3](#)

The Subrecipient Contract formalizes the City's award of \$40,000 to Homeward Bound of the Grand Valley as allocated from the City's 2007 Community Development Block Grant (CDBG) Program previously approved by Council.

*Action: Authorize the City Manager to Sign the Subrecipient Contract with Homeward Bound of the Grand Valley for the City's 2007 CDBG Program Year*

Staff presentation: Kristen Ashbeck, Senior Planner

4. **Energy and Mineral Impact Grant Requests for Planning Processing Software, Emergency Response Training Facility and F<sup>1</sup>/<sub>2</sub> Road Parkway** [Attach 4](#)

A request to authorize three requests to apply for Energy and Mineral Impact Grants for partial funding for the purchase of Planning Processing Software, the design of the Emergency Response Training Facility and the construction of a portion of the F <sup>1</sup>/<sub>2</sub> Road Parkway.

*Action: Authorize the City Manager to Execute Three Energy and Mineral Impact Grant Applications Requesting Partial Funding for the Purchase of Planning Processing Software, the Design of the Emergency Response Training Facility and the Construction of a Portion of the F ½ Road Parkway*

Staff presentation: Kathy Portner, Neighborhood Services Manager

5. **Audio System for Two Rivers Convention Center** [Attach 5](#)

This approval request is for the award of a contract for the purchase and installation of an audio system for Two Rivers Convention Center (TRCC).

*Action: Authorize the Purchasing Division to Enter into a Contract with Western Slope Pro Audio, Inc. to Provide the Audio System and Installation for TRCC, for an Estimated Amount of \$166,001*

Staff presentation: Jay Valentine, Assistant Financial Operations Manager  
Debbie Kovalik, VCB and TRCC Director

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

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

6. **Public Hearing—Zoning the Eagle Pointe Subdivision, Located at 2814 C ¾ Road** [File #PP-2007-225] [Attach 6](#)

A request for approval to zone property located at 2814 C ¾ Road to PD (Planned Development) with a default zone of MU (Mixed Use) by approval of the Preliminary Development Plan as a Planned Development containing 76 multifamily dwelling units on one 4.23 acre lot and 4 commercial/industrial lots.

Ordinance No. 4278—An Ordinance Zoning Eagle Ponte Subdivision to PD (Planned Development) Zone, by Approving a Preliminary Development Plan with a Default MU (Mixed Use) Zone for the Development of Five Lots, One Residential Containing 76 Dwelling Units and Four (4) Commercial/Industrial Lots, Located at 2814 C ¾ Road

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4278*

Staff presentation: Greg Moberg, Planning Services Supervisor

7. **Public Hearing—The Park Mesa Annexation, Located at Rosevale Road and Little Park Road in the Redlands** [File #ANX-2008-065] [Attach 7](#)

Request to annex 13.58 acres, located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The Park Mesa Annexation consists of one parcel of land and associated rights-of-way of Rosevale Road and Little Park Road.

**a. Accepting Petition**

Resolution No. 118-08—A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining that Property Known as the Park Mesa Annexation, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4279—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Park Mesa Annexation, Approximately 13.58 Acres, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way

*®Action: Adopt Resolution No. 118-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4279*

Staff presentation: Scott D. Peterson, Senior Planner

8. **Construction Contract for Ranchmen’s Ditch Flood Control Project Phase II, Part B** [Attach 8](#)

Phase II, Part B of the Ranchmen’s Ditch Flood Control Project (Big Pipe) will construct side-by-side 90” and 96” storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road

*Action: Authorize the City Manager to Enter into a Construction Contract with Arapahoe Utilities and Infrastructure, Inc., in the Amount of \$5,693,185*

Staff presentation: Tim Moore, Public Works and Planning Director  
Trent Prall, Engineering Manager  
Jay Valentine, Assistant Financial Operations Manager

9. **Public Hearing—Amending and Establishing Rates Used to Compute Assessments Levied Against Properties Located in Alley Improvement Districts** [Attach 9](#)

The City's alley improvement district program has been in place since 1989. The alley improvement district assessment rates have not been revised since 1999. Since then construction costs for alleys have increased by 110% (average of 12% per year).

Ordinance No. 4280—An Ordinance Setting the Assessable Cost of the Improvements Made in and for Alley Improvement Districts

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4280*

Staff presentation: Trent Prall, Engineering Manager

10. **Ratification of All Prior Acts for Creation of the Rood Avenue Parking Plaza Condominiums and for Sale of Units within the Condominium** [Attach 10](#)

A condominium for the Rood Avenue parking garage, which is owned and operated by the City and the Grand Junction, Colorado, Downtown Development Authority ("DDA"), has been created and units are available for sale. A contract has been negotiated with ENIPLA Building Company, LLC, for sale of 114 units. Ratification by City Council of the creation of the condominium and sale of the units is needed.

Resolution No. 119-08—A Resolution Ratifying the Creation of the Rood Avenue Parking Plaza Condominiums and Contract to Sell Parking Spaces in the Condominium

*®Action: Adopt Resolution No. 119-08*

Staff presentation: John Shaver, City Attorney

11. **Non-Scheduled Citizens & Visitors**

12. **Other Business**

13. **Adjournment**

**Attach 1**

**Contract with Mesa County Elections for the Public Safety Initiative Election  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Contract with Mesa County Elections for the Public Safety Initiative Election		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	August 8, 2008		
<b>Author Name &amp; Title</b>	Stephanie Tuin, City Clerk		
<b>Presenter Name &amp; Title</b>	Stephanie Tuin, City Clerk		

**Summary:** In order to place the City's ballot questions regarding the Public Safety Initiative on the Mesa County ballot, an intergovernmental agreement setting forth the responsibilities of both entities is required. In essence, by this intergovernmental agreement, the City will enter into a contract with Mesa County for them to conduct the City's election.

**Budget:** \$137,000

**Action Requested/Recommendation:** Authorize the City Clerk to Enter into an Intergovernmental Agreement with Mesa County elections for the Conduct of the City's Special Election to be Coordinated with the General Election to be held on November 4, 2008

**Attachments:** the IGA

**Background Information:** Election law requires coordination of polling place (vote center) elections being held on the same day. The City has contracted with Mesa County for the conduct of its elections for a number of years.

The IGA format has not changed from previous years. The cost of contracting with the County has increased significantly due to the additional requirements placed on Counties for use of equipment at vote centers. The additional certifications, the number of machines, the requirement for a paper trail, accessibility requirements and security requirements have increased their costs (and subsequently the City's pro rata share) by more than triple.

In addition to election costs, the City's questions require notice under TABOR. The County will also coordinate that notice and bill the City its share.

**INTERGOVERNMENTAL AGREEMENT  
CITY OF GRAND JUNCTION  
GENERAL ELECTION - NOVEMBER 4, 2008**

The following shall represent the Intergovernmental Agreement ("Agreement") between the Mesa County Clerk and Recorder hereinafter referred to as ("Clerk") and City of Grand Junction Council hereinafter referred to as ("Political Subdivision"), as required by C.R.S. § 1-7-116(2).

1. PURPOSE: Pursuant to the terms of this Agreement, the Clerk will conduct a Polling Location (Vote Center) Election on Tuesday, November 4, 2008 ("General Election") subject to the duties of the Political Subdivision. The General Election may involve more than one political subdivision with overlapping boundaries, and the Clerk shall serve as the Coordinated Election Official ("CEO") for all political subdivisions involved in the General Election. The Political Subdivision has appointed Stephanie Tuin as its Designated Election Official ("DEO") who will have primary responsibility for election procedures that are the responsibility of Political Subdivision. The General Election shall be held under and bound by the provisions of Title I of the Colorado Revised Statutes.
  
2. PRECINCTS and VOTING LOCATIONS: Voting locations will be those established by the Clerk. Precincts shall remain as currently established and locations for the deposit of voted ballots not returned through the United States Postal Service will be those designated by the Clerk. A walk-in ballot distribution site for absentee ballots will be open beginning on Tuesday, October 6, 2008 and ending on Election Day, November 4, 2008 in the Elections Division Office.

The ballot drop box locations for voted ballots not returned through the United States Postal Service will be those designated by the Clerk as follows:

- Elections Division at County Courthouse
- Clerk's branch at Mesa Mall
- Clerk's branch at Clifton Peachtree Shopping Center
- Clerk's branch at the Fruita Civic Center
- Clerk's branch at the Tri-River Cooperative at the Mesa County Fairgrounds, and
- Recording Office at the County Courthouse

**On Election Day, all Clerk DMV branches will be closed.** Ballots may be deposited on Election Day at the Elections Division at the County Courthouse or at the Clerk's branch at the Mesa Mall.



3. APPOINTMENT OF ELECTION JUDGES: All election judges and/or deputy clerks shall be appointed and trained by the Clerk.
4. LEGAL NOTICES: Publication of any required legal notices concerning Political Subdivision's election which are to be published prior to certification of the ballot content to the Clerk shall be the responsibility of Political Subdivision. Publication of legal notices concerning the General Election, which are to be published after certification of the ballot content to the Clerk, shall be the responsibility of the Clerk, unless additional notices are required by the City's charter or ordinances.

If Political Subdivision is submitting a ballot issue concerning the creation of any debt or other financial obligation as contemplated in Article X, Section 20 of the Colorado Constitution, Political Subdivision shall post notice of financial information as set forth in C.R.S. §1-7-908 on the Political Subdivision's website or, if the Political Subdivision does not maintain a website, at the Political Subdivision's chief administrative office no later than **October 15, 2008**, which is 20 days before the General Election.

5. BALLOT CONTENT: In accordance with C.R.S. § 1-1-110(3) and 1-5-203(3)(a), the ballot content must be certified to the Clerk by Political Subdivision, in its exact form, **no** later than 5:00 p.m. on Friday, **September 5, 2008**. The ballot content may be delivered to the Clerk at the Elections Division, 544 Rood Avenue, Suite 301A, Grand Junction, CO 81501 or be mailed in sufficient time to arrive by such date to the Elections Division, P.O. Box 20,000, Grand Junction, CO 81502-5009. Time is of the essence. Ballot contents shall also be submitted in electronic format in MS Word.
6. RECEIVING OF WRITTEN COMMENTS AS COVERED BY SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION: If applicable, Pursuant to C.R.S. § 1-7-901, the process of receiving written comments and summarizing such comments, as required by Section 20 of Article X of the Colorado Constitution, shall be the sole responsibility of Political Subdivision. Pursuant to C.R.S. § 1-7-901(4), the deadline for filing comments pertaining to a ballot issue with the DEO is Friday, **September 19, 2008**.

7. RECEIVING OF PETITION REPRESENTATIVE'S SUMMARY OF COMMENTS:  
If applicable, receipt of the summary of comments from the petition representatives shall be the sole responsibility of the Political Subdivision. Pursuant to C.R.S. § 1-7-903(3), the summary of comments must be filed with the Political Subdivision no later than Monday, **September 22, 2008.**
  
8. PREPARATION AND MAILING OF NOTICES FOR BALLOT ISSUE ELECTIONS: Pursuant to C.R.S. § 1-7-904, the Political Subdivision shall certify the "Tabor Notice" information and the final and exact summary of comments concerning its ballot issue(s) to the Clerk no later than 5:00 p.m. on Tuesday, **September 23, 2008,** for inclusion in the ballot issue mailing as required by Section 20, Article X, of the Colorado Constitution. Time is of the essence. Data shall be transmitted to the Clerk on a 3.5" (high density) diskette or CD Rom in MS Word. The Clerk shall coordinate the text for the ballot issue mailing for all participating Mesa County political subdivisions into one notice. Said ballot issue mailing shall be prepared and mailed by the Clerk in accordance with Article X, Section 20(3)(b) of the Colorado Constitution at least 30 days prior to the election, which deadline, pursuant to C.R.S. § 1-1-106(5), shall be Friday, **October 3, 2008.**
  
9. PREPARATION FOR GENERAL ELECTION: The Clerk shall be responsible for preparing and printing the sample ballot for the General Election, as well as ballot pages. The Clerk shall also be responsible for providing, preparing, and delivering voting equipment and materials to all voting locations.
  
10. CONDUCT OF GENERAL ELECTION: The Clerk shall be responsible for the conduct of the General Election subject to the duties of the Political Subdivision. The General Election shall be conducted under and bound by the provisions of Title I of the Colorado Revised Statutes.

11. EARLY AND MAIL-IN VOTING: Pursuant to C.R.S. § 1-8-101 and 1-8-201, early and mail-in voting shall be the responsibility of the Clerk. Completed applications for "mail-in" ballots shall be transmitted to the Clerk at the following address for processing: Mesa County Elections Division, P.O. Box 20,000, Grand Junction, CO 81502-5009, or hand-delivered to the Mesa County Elections Division office at 544 Rood Avenue, Suite 301A, Grand Junction, CO 81501.

The ballot drop box locations for voted mail-in ballots not returned through the United States Postal Service will be those designated by the Clerk as follows:

- Elections Division at the County Courthouse
- Clerk's branch at Mesa Mall
- Clerk's branch at Clifton Peachtree Shopping Center
- Clerk's branch at the Fruita Civic Center
- Clerk's branch at the Tri-River Cooperative at the Mesa County Fairgrounds, and
- Recording Office at the County Courthouse.

**On Election Day, all Clerk DMV branches will be closed.** Ballots may be deposited on Election Day at the Elections Division at the County Courthouse or at the Clerk's branch at the Mesa Mall.

12. TABULATION OF BALLOTS: All processes relating to the tabulation of ballots shall be the responsibility of the Clerk. An unofficial abstract of votes will be provided to the political subdivisions upon completion of the counting of all ballots on election night.
13. CANVASS OF VOTES: Pursuant to C.R.S. §1-10-102, the canvass of votes will be the responsibility of the Clerk and will be completed no later than Friday, **November 21, 2008**. Official results will be provided to political subdivisions participating in the General Election. Certificates of Election of candidates, if applicable, are to be issued by Political Subdivision upon receipt of the official results from the Clerk.

14. ALLOCATION OF COST OF ELECTION: Pursuant to C.R.S. § 1-7-116 (2)(b), the Clerk shall determine a reasonable cost allocation for each political subdivision participating in the General Election. Each political subdivision shall reimburse the Clerk for its proportionate share of the cost of the TABOR notice and election costs allocated to the particular political subdivision. Such reimbursement shall be made to the Clerk within thirty (30) days of receipt of billing from the Clerk. The Clerk's determination regarding allocation of costs shall be final and at her sole discretion and shall not be subject to dispute unless clearly unreasonable.
15. INDEMNIFICATION: Political Subdivision agrees to indemnify and hold harmless the Clerk from any and all loss, costs, demands or actions, arising out of or related to any actions, errors or omissions of Political Subdivision in completing its responsibilities relating to the General Election.
16. VENUE: Venue for any dispute hereunder shall be in the District Court of Mesa County, Colorado.

THIS AGREEMENT has been executed by the parties hereto as of the dates and year written below.

MESA COUNTY CLERK AND RECORDER

CITY OF GRAND JUNCTION

\_\_\_\_\_  
Janice Rich, CEO

\_\_\_\_\_  
Stephanie Tuin, DEO

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Attach 2**  
**Pavement Management Data Collection**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Pavement Management Data Collection		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	August 11, 2008		
<b>Author Name &amp; Title</b>	Susan Hyatt, Senior Buyer		
<b>Presenter Name &amp; Title</b>	Jay Valentine, Assistant Financial Operations Manager Trent Prall, Engineering Manager		

**Summary:** Award a pavement management data collection contract for the Street Systems Division.

**Budget:** A budget amount of \$123,825 has been allocated in the General fund.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to enter into a contract in the amount of \$123,825 with IMS Infrastructure Management Services for data collection of pavement and right-of-way assets.

**Attachments:** N/A

**Background Information:** Professional firms experienced in the field of pavement management data collection were solicited for this project, which includes an estimated 475 lane miles of pavement within the city limits. Pavement quality data is collected every three to four years from qualified firms and used to fine tune data in our pavement management database. The data is used to annually help prioritize street overlay and chip seal areas within the City. The selected firm shall survey all streets for pavement quality, sidewalks and rights-of way to determine the required information then provide the data to be uploaded into the City's existing GBA Master Series software. Additional data collection includes digital images at 50' intervals, elevations at 25' intervals, sidewalk width and curb conditions. A formal request for proposal was

issued, advertised in The Daily Sentinel, and sent to a source list of firms. Two companies submitted formal offers in the following amounts:

- IMS Infrastructure Management Services, Chandler AZ \$123,825
- Data Transfer Solutions, Denver, CO \$139,290

**Attach 3**

**Subrecipient Contract for Homeward Bound Project – 2007 CDBG Program Year  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Subrecipient Contract for Homeward Bound Project within the 2007 CDBG Program Year		
<b>File #</b>	CDBG 2007-11		
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Individual</b>
<b>Date Prepared</b>	August 8, 2008		
<b>Author Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		
<b>Presenter Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		

**Summary:** The Subrecipient Contract formalizes the City’s award of \$40,000 to Homeward Bound of the Grand Valley as allocated from the City’s 2007 Community Development Block Grant (CDBG) Program previously approved by Council.

**Budget:** Reallocation of surplus 2007 CDBG funds as approved through the 2008 Program Year funding process

**Action Requested/Recommendation:** Authorize the City Manager to sign the Subrecipient Contract with Homeward Bound of the Grand Valley for the City’s 2007 CDBG Program Year.

**Attachments:**

1. Exhibit A, Subrecipient Contract – Rocky Mountain SER Head Start
2. Homeless Shelter Photo Location Map

**Background Information:**

The property at 2853 North Avenue is owned by Homeward Bound of the Grand Valley. Homeward Bound operates the Grand Junction Community Homeless Shelter at this location. The City awarded a grant of \$40,000 to Homeward Bound for purposes of constructing a screen wall along the southern boundary of the site. The wall is intended to mitigate the impacts of the shelter activities on the adjacent residential neighborhood to the south.

Homeward Bound of the Grand Valley is considered a “subrecipient” to the City. The City will “pass through” a portion of its 2007 Program Year CDBG funds to Homeward

Bound but the City remains responsible for the use of these funds. The contract with Homeward Bound of the Grand Valley outlines the duties and responsibilities of each party/program and is used to ensure that Homeward Bound will comply with all Federal rules and regulations governing the use of these funds. The contract must be approved before the subrecipient may spend any of these Federal funds. Exhibit A of the contract (attached) contains the specifics of the project and how the money will be used by Homeward Bound.



**2007 SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS WITH  
HOMEWARD BOUND OF THE GRAND VALLEY**

**EXHIBIT "A"  
SCOPE OF SERVICES**

1. The City agrees to pay to the Subrecipient, subject to the subrecipient agreement (herein "Subrecipient Agreement" or "Agreement"), \$40,000 from its 2007 Program Year CDBG Entitlement Funds for the Community Homeless Shelter Screen Wall project located at 2853 North Avenue in Grand Junction, Colorado ("Property" or "the Property"). The general purpose of the project is to provide screening of and for the existing homeless shelter facility at the property.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.201(c)), Public Facilities and Improvements. It shall meet this objective by constructing the above-referenced improvements at the site of the existing homeless shelter in Grand Junction, Colorado.
3. The project consists of capital improvements/construction of an 8-foot masonry screen wall and other site improvements along the south boundary of the existing homeless shelter. The project will mitigate impacts on the adjacent residential neighborhood. The Property is owned by Homeward Bound of the Grand Valley, which will continue to operate the facility. It is understood that the City's grant of \$40,000 in CDBG funds shall be used only for construction of the wall and adjacent site improvements as described in this agreement. Costs associated with any other elements of the project or costs above the City's grant amount shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2007 Subrecipient Agreement and the completion of all appropriate environmental, Code, State and Local permit review and approval and compliance. The project shall be completed on or before December 31, 2009.
5. The total project cost is \$40,000. City CDBG funds shall be used for construction of the screen wall and adjacent site improvements only. City CDBG funds will not be used for any other element(s) of the project. Source of funds for all other costs shall be Homeward Bound, other grants received by Homeward Bound and/or in-kind services/materials.

\_\_\_\_\_ Homeward Bound  
\_\_\_\_\_ City of Grand Junction

6. The City of Grand Junction shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are being satisfactorily met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation, and inspection and compliance.
7. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project. The Subrecipient shall report what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
8. During a period of five (5) years following the date of completion of the project the use of the Property improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Property to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the City's \$40,000 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Property shall be in effect.
9. The Subrecipient understands that the funds described in the Agreement are received by the City of Grand Junction from the US Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City of Grand Junction and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in the Agreement or this exhibit. The Subrecipient shall provide the City of Grand Junction with required documentation establishing that all local and federal CDBG requirements have been met.
10. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
11. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

\_\_\_\_\_ Homeward Bound  
\_\_\_\_\_ City of Grand Junction



CDBG 2007-11 HOMELESS SHELTER SCREEN WALL  
Construct 8-foot Masonry Wall along Southern Boundary (green line)

**Attach 4**

**Energy and Mineral Impact Grant Requests for Planning Processing Software,  
Emergency Response Training Facility and F½ Road Parkway  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Energy and Mineral Impact Grant Requests for Planning Processing Software, Emergency Response Training Facility and F½ Road Parkway		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	August 12, 2008		
<b>Author Name &amp; Title</b>	Kathy Portner, Neighborhood Services Manager		
<b>Presenter Name &amp; Title</b>	Kathy Portner, Neighborhood Services Manager		

**Summary:** A request to authorize three requests to apply for Energy and Mineral Impact Grants for partial funding for the purchase of Planning Processing Software, the design of the Emergency Response Training Facility and the construction of a portion of the F ½ Road Parkway.

**Budget:**

<u>Project</u>	<u>Total Budget</u>	<u>Grant Request</u>
Planning Processing Software	\$ 660,000	\$ 200,000
Emergency Response Training Facility	\$ 240,000	\$ 190,000
F ½ Road Parkway	\$6,000,000	\$2,000,000

**Action Requested/Recommendation:** Authorize the City Manager to Execute Three Energy and Mineral Impact Grant Applications Requesting Partial Funding for the Purchase of Planning Processing Software, the Design of the Emergency Response Training Facility and the Construction of a Portion of the F ½ Road Parkway.

**Attachments:** None

**Background Information:**

The Department of Local Affairs has revised the Energy and Mineral Impact Grant program to have three tiers of funding. Tier I is for requests up to \$200,000, which are reviewed and approved at the staff level. Tier II is for requests between \$200,000 and \$2,000,000, which require recommendation by the state committee and final decision by the Director. Tier III are for requests for up to \$10,000,000 and the parameters for that level of funding are yet to be determined.

The City has submitted three requests for this round of funding. In response to the new procedure, the City Council is asked to authorize the requests.

Tier I; Projects up to \$200,000

**Planning Processing Software - Total cost - \$660,000 (DOLA \$ 200,000/City General Fund \$460,000)**

The City is proposing to replace the existing development project tracking software with a state-of-the-art system to increase efficiencies, improve monitoring abilities, allow for electronic permit and plan submission and improve customer service.

**Emergency Response Training Facility - Total cost - \$240,000 (DOLA \$190,000/City General Fund \$50,000)**

The City of Grand Junction is partnering with the Colorado National Guard to build a training facility for emergency responders. The funding request is for the final design of the facility that will be available to the nine emergency services agencies in Mesa County, as well as emergency service providers on the entire Western Slope.

Tier II; Greater than \$200,000 to \$2,000,000)

**F<sup>1</sup>/<sub>2</sub> Road Parkway - Total cost - \$6,000,000 (DOLA \$2,000,000/Traffic Impact Funds or**

**Transportation Capacity Payment - \$2,000,000 and <sup>3</sup>/<sub>4</sub> cent Sales Tax \$2,000,000.**

The proposed project is to build a one mile section of the new F<sup>1</sup>/<sub>2</sub> Road Parkway, from 24 Road to 25 Road. The F<sup>1</sup>/<sub>2</sub> Road Parkway is needed to relieve the significant traffic pressures on Patterson Road between 24 Road and 25 Road. Currently, the five lane corridor of Patterson Road is nearing capacity with a 2008 ADT value of 20,143 and expansion is not a viable option for the corridor due to existing developments. Therefore, building the one mile section of F<sup>1</sup>/<sub>2</sub> Road Parkway will help disperse the east-west traffic and provide access to proposed future developments.

**Attach 5**  
**Audio System for Two Rivers Convention Center**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Audio System for Two Rivers Convention Center		
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<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	August 11, 2008		
<b>Author Name &amp; Title</b>	Duane Hoff Jr., Buyer		
<b>Presenter Name &amp; Title</b>	Jay Valentine, Assistant Financial Operations Manager Debbie Kovalik, VCB and TRCC Director		

**Summary:** This approval request is for the award of a contract for the purchase and installation of an audio system for Two Rivers Convention Center (TRCC).

**Budget:** The TRCC has \$200,000 budgeted for this project (of which \$20,000 was used for design services).

**Action Requested/Recommendation:** Authorize the Purchasing Division to enter into a contract with Western Slope Pro Audio, Inc. to provide the audio system and installation for TRCC, for an estimated amount of \$166,001.

**Attachments:** N/A

**Background Information:** The present sound system for TRCC was installed in 2001. Over the years the system has become outdated, unreliable and maintenance intensive. TRCC receives complaints from its clients on a regular basis about the quality of the system. There are consistent issues with the reliability of the microphones and quality of the sound. TRCC has to contract with outside vendors on a regular basis to clean the key contact points in the system just to keep minimally consistent performance. Even when these areas are cleaned the quality of the sound can be less than desirable. Microphones are in poor shape from age and use and have been failing on a regular basis. Many have broken and need to be replaced. TRCC sometimes must rent equipment on a regular basis to meet the needs of the clients due to the unreliability of the current system. A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), advertised in The Daily Sentinel, and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA) and Associated Builders and Contractors (ABC). Six

companies submitted formal bids, of which, three were found to be responsive and responsible, in the following amounts:

- Western Slope Pro Audio, Inc., Montrose, CO \$161,876  
\$4,142 (Alternate)
- Audio Analysts, Inc., Colorado Springs, CO \$185,179  
\$4,600 (Alternate)
- Commercial Specialists, Inc., Grand Junction, CO \$185,773  
\$8,950 (Alternate)
- Rhythm Band Instruments, Ft. Worth, TX No Bid
- University Hills, Denver, CO No Bid
- Image Audiovisuals, Inc., Denver, CO No Bid

**Attach 6****Public Hearing—Zoning the Eagle Pointe Subdivision, Located at 2814 C ¾ Road  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Zoning the Eagle Pointe Subdivision – Located at 2814 C ¾ Road		
<b>File #</b>	PP-2007-225		
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> X
<b>Date Prepared</b>	August 6, 2008		
<b>Author Name &amp; Title</b>	Greg Moberg, Planning Services Supervisor		
<b>Presenter Name &amp; Title</b>	Greg Moberg, Planning Services Supervisor		

**Summary:** A request for approval to zone property located at 2814 C 3/4 Road to PD (Planned Development) with a default zone of MU (Mixed Use) by approval of the Preliminary Development Plan as a Planned Development containing 76 multifamily dwelling units on one 4.23 acre lot and 4 commercial/industrial lots.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of an Ordinance zoning the property to PD (Planned Development).

**Attachments:**

1. Staff Report
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning Map
4. Preliminary Development Plan
5. Planning Commission Minutes June 10, 2008
6. Ordinance



BACKGROUND INFORMATION					
Location:		2814 C 3/4 Road			
Applicants:		Owner – Summer Glen, LLC Representative – Design Specialists, PC			
Existing Land Use:		Residential/Agriculture			
Proposed Land Use:		Commercial/Industrial/Residential			
Surrounding Land Use:	North	Residential/Vacant			
	South	Residential/Vacant			
	East	Residential/Vacant			
	West	Residential			
Existing Zoning:		Undetermined			
Proposed Zoning:		PD (Planned Development)			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	County RSF-R			
	East	R-8 (Residential – 8 du/ac)			
	West	County PUD and I-2 (General Industrial)			
Growth Plan Designation:		Commercial/Industrial			
Zoning within density range?		X	Yes		No

**Staff Analysis:**

**Background**

The subject parcel was annexed into the City of Grand Junction as the Pacheco-Woodring Annexation on December 6, 2006. The property was not zoned at the time the annexation was approved. Originally the Applicant had applied for an MU (Mixed Use) zoning designation of the property. At that time, Staff raised a concern that the use of the property entirely for multifamily dwelling units might not be appropriate and by zoning the property MU that was a possibility. It was suggested that the Applicant modify the request and apply for a PD (Planned Development) zone with a default zone of MU. The Applicant agreed resulting in this request.

The Applicant is proposing that the property be developed as a PD with a default zone of MU. Section 3.4 J. of the Zoning and Development Code states that the purpose of the MU zone is:

“To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the commercial, commercial/industrial, industrial and mixed use future land use classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas.”

The bulk standards for the MU zone, as indicated in Table 3.2 (including Footnotes) in the Zoning and Development Code, are as follows:

Density: 8 to 24 dwelling units per acre

Nonresidential FAR: 0.50

Maximum building size: 150,000 square feet (30,000 square feet for retail)

Minimum lot area: one acre

Minimum lot width: 100 feet

Front yard setback: 15 feet for principal structures/25 feet for accessory structures

Side yard setback: 15 feet for principal structures/15 feet for accessory structures

Front yard setback: 25 feet for principal structures/25 feet for accessory structures

Maximum building height: 40 feet

The proposal is to allow both residential and commercial/industrial uses on the site. The east half of the site would be developed as residential and the west half as commercial/industrial. The residential portion of the property will be located on one lot (Lot 5). The lot will contain 76 dwelling units (19 four-unit structures), 138 parking spaces (137 spaces are required) and approximately 64,500 square feet (45,000 square feet is required) of outdoor living area. Within the outdoor living area picnic tables with barbeques, a community garden and horseshoe pits will be provided.

In addition to the one residential lot, four commercial/industrial lots are proposed on the west half of the property. The uses allowed on these lots will conform to the uses allowed under the MU zone in Table 3.5 of the Zoning and Development Code.

### Density

If approved, the overall density of Lot 5 will be 17.96 dwelling units per acre which is consistent with the density allowed in an MU zone. Summer Glen Subdivision is located directly to the east of the site and is zoned R-8 (Residential 8 du/ac) with a density of 4.9 units per acre.

### Access

A cul-de-sac, Kistrel Street, bisects the property and provides access to all five lots.

### Open Space / Park

Other than the “outdoor living area” provided within Lot 5, no open space or parkland is proposed for the site.

### Lot Layout

All of the lots meet or exceed the minimum requirements and standards of the MU zone.

### Landscaping

Lots 1 through 4 will be landscaped in accordance with Section 6.5 of the Zoning and Development Code which will be reviewed as part of a site plan application for each lot when development is proposed.

An Outlot, located south of Lot 1 and created for detention of stormwater, will be landscaped in accordance with Section 6.5 of the Zoning and Development Code and will be conveyed to and maintained by the Home Owners Association.

Lot 5 will be landscaped in accordance with Section 6.5 of the Zoning and Development Code which will be reviewed as part of the site plan application. Privacy fencing currently exists along the east property line of Lot 5 adjacent to Summer Glen Subdivision. A six foot high block wall will be constructed along the north property line of Lot 5. The common area will be conveyed to and maintained by the Home Owners Association and will include the landscaping and block wall.

## **STANDARDS AND CRITERIA**

### Consistency with the review criteria of Section 2.6 A. of the Zoning and Development Code.

A request to rezone property must only occur if:

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

There was no error at the time of adoption of the Growth Plan or the Pear Park Neighborhood Plan.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth/growth trends, deterioration, development transitions, etc.;

The Pear Park area is in a state of transition as the area moves from rural and agricultural uses to urban densities and commercial and industrial uses. Recently, the Mesa State property located at 29 and D Roads has been zoned to MU and more and more urban density subdivisions are being developed further to the east. The proposed development of this property as high density residential and commercial/industrial follows this trend and is compatible with the developing character of the surrounding neighborhood.

3. The proposed rezone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations;

The use of the adjacent property to the east is residential with an approximate density of 4.9 dwelling units per acre. The property to the west is a mixture of commercial and industrial uses. Therefore the proposed development, with high density residential located on the east half of the property and commercial/industrial uses on the west half of the property, is compatible with the neighborhood.

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

Adequate public facilities are currently available and can address the impacts of the proposed development. The property is located in the Central Grand Valley Sewer District and the Ute Water District. There is an 18" sewer line and a 12" water line located in the C 3/4 Road right-of-way.

5. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

There currently is an inadequate supply of high density residentially zoned and commercial/industrial zoned lands within the Pear Park area. Because this development proposes both, this request accommodates the community's needs.

6. The community will benefit from the proposed zone.

Approving this request would create a transition between the existing residential development to the east and the existing and potential commercial/industrial uses to the west. Furthermore, the proposal would also allow for the property to be developed at a higher residential density.

Therefore this request would benefit both the Pear Park area and the City as a whole.

Consistency with the review criteria of Section 2.12.C.2. of the Zoning and Development Code.

A preliminary development plan application shall demonstrate conformance with all of the following:

1. The ODP review criteria in Section 2.12.B;
  - a. The Growth Plan, Major street plan and other adopted plans and policies.

The Growth Plan designates this property as Commercial/Industrial. The Applicant is proposing to subdivide the site into 5 lots. Lot 5 will contain 76 multifamily dwelling units and Lots 1-4 will be for future commercial/industrial uses. A PD with a default MU zone is consistent with the Future Land Use designation of the Growth Plan and the Pear Park Neighborhood Plan.

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

The proposed development meets the criteria provided in Section 2.6 of the Zoning and Development Code as noted previously in this report.

- c. The planned development requirements of Chapter Five of the Zoning and Development Code.

The proposed development meets the requirements of Chapter Five. The Applicant is proposing approximately 64,500 square feet of outdoor living area. There is currently an existing privacy fence along the east property line of Lot 5 and the Applicant is proposing a six foot high block wall along the north property line. The proposed development is a transition between the adjacent residential development to the east and the existing and potential commercial/industrial uses to the west. Landscaping shall be required on all lots and shall meet the requirements of Chapter Six. Off-street parking on Lot 5 does meet the Code requirement of 1.8 spaces per dwelling unit.

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

There are no applicable corridor guidelines or overlay districts that cover this property.

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

All public services and facilities are currently available. Multi-purpose easements are shown on the preliminary development plan that will provide adequate room for the extension of the existing facilities.

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

There is adequate circulation to serve the development.

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

There is currently an existing privacy fence along the east property line of Lot 5 and the Applicant is proposing a six foot high block wall along the north property line.

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

Lot 5 will be developed at a gross density of 17.96 dwelling units per acre meeting the requirements for the MU zone district.

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

A default zone of MU is proposed for the entire site. No deviations are being requested.

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

The property will be developed in one phase.

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

The property is less than 20 acres in size. However the property is approximately 10 acres in size meeting the minimum requirement of Section 5.4.E. of the Zoning and Development Code which calls for a minimum of five acres.

2. The applicable preliminary subdivision plan criteria in Section 2.8.B;

A preliminary plat can only be approved when it is in compliance with all of the following:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The Growth Plan designates this property as Commercial/Industrial. The Applicant is proposing to subdivide the site into 5 lots. Lot 5 will contain 76 multifamily dwelling units and Lots 1 through 4 will be for future commercial/industrial uses. A PD with a default MU zone is consistent with the Future Land Use designation of the Growth Plan and the Pear Park Neighborhood Plan.

- b. The Subdivision standards Chapter Six.

All of the subdivision standards contained within Section 6.7 of Chapter 6 have been met. The landscape standards contained under Section 6.5 will be reviewed at the time site plans are submitted for review and approval.

- c. The Zoning standards contained in Chapter Three.

The Zoning standards found in Chapter 3 have been met or will be met site plans are submitted.

- d. Other standards and requirements of the Zoning and Development Code and all other City policies and regulations.

Standards of the Zoning and Development Code have been met as well as the requirements for the Transportation Engineering Design Standards (TEDS).

- e. Adequate public facilities and services will be available concurrent with the subdivision.

Adequate public facilities and services are available and are adequate to serve this development.

- f. The project will have little or no adverse or negative impacts upon the natural or social environment.

The proposed mixed-use development will have no adverse or negative impacts on the natural or social environment.

- g. Compatibility with existing and proposed development on adjacent properties.

The development will provide multifamily housing thereby creating a transition between the existing lower density residential development to the east and the existing and potential commercial/industrial developments to the west. Therefore the proposed development creates compatibility between existing and potential uses.

- h. Adjacent agricultural property and land uses will not be harmed.

There are no adjacent agricultural lands.

- i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.

This development is neither piecemeal nor premature development of agricultural land or other unique areas.

- j. There is adequate land to dedicate for provision of public services.

The preliminary development plan shows that there is adequate room for easements for all public services that will be provided for the development of this subdivision.

- k. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

The project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

- 3. The applicable site plan review criteria in Section 2.2.D.4;



Site plan review criteria is not applicable to this project, only the subdivision criteria that was addressed above applies.

4. The approved ODP, if applicable;

There is no ODP, therefore this is not applicable.

5. The approved PD rezoning ordinance, if adopted with an ODP;

Not applicable. There is no approved ODP.

6. An appropriate, specific density for all areas included in the preliminary plan approval;

The proposed density of 17.96 dwelling units per acre on Lot 5 meets the density requirements for the MU zone.

7. The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP.

The property is approximately 10.13 acres in size.

#### Long-Term Community Benefit

The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Chapter 3 of the Code. The Code also states that PD zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

1. More effective infrastructure;
2. Reduced traffic demands;
3. A greater quality and quantity of public and/or private open space;
4. Other recreational amenities;
5. Needed housing types and/or mix;
6. Innovative design;
7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed development has met the following long-term community benefits:

1. More effective infrastructure;
2. Needed housing types and/or mix; and

3. Innovative design.

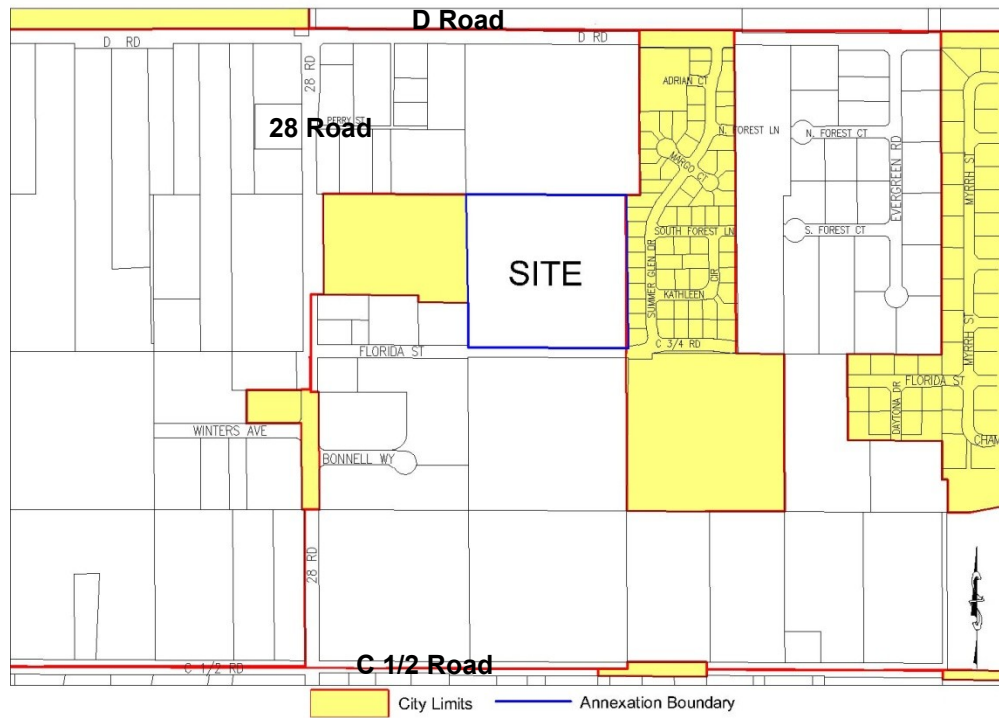
**FINDINGS OF FACT AND CONCLUSIONS:** After reviewing the Eagle Pointe Planned Development application, PP-2007-225, for a rezone to PD, staff makes the following findings of fact and conclusions:

1. The requested rezone is consistent with the Growth Plan.
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.
3. The review criteria of Section 2.12.C.2. of the Zoning and Development Code have been met.
4. The proposed development provides long-term community benefits above and beyond those required to mitigate the impacts of development and complies with Chapter 5 of the Zoning and Development Code.

**PLANNING COMMISSION RECOMMENDATION:** At their regularly scheduled meeting of June 10, 2008; the Planning Commission forwards a recommendation of approval to the City Council, for the requested zone to PD and approval of the Preliminary Development Plan for Eagle Pointe Subdivision, file number PP-2007-225, with the findings and conclusions as listed in the Staff Report.

# Site Location Map

Figure 1



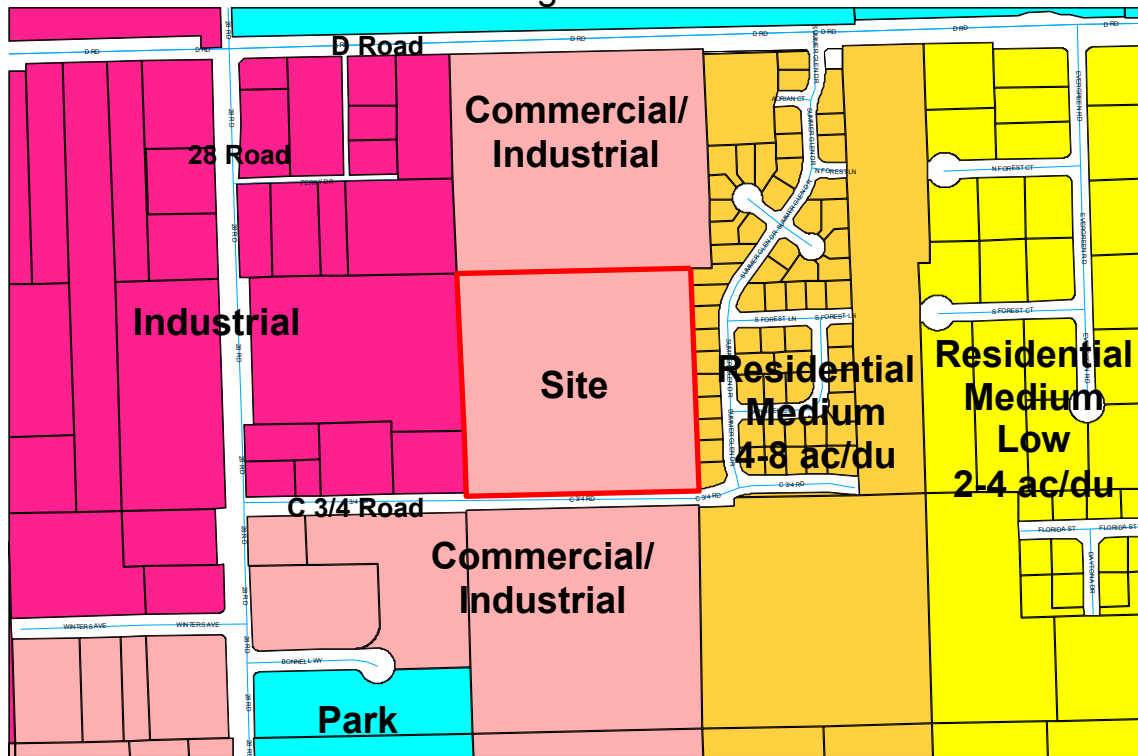
# Aerial Photo Map

Figure 2



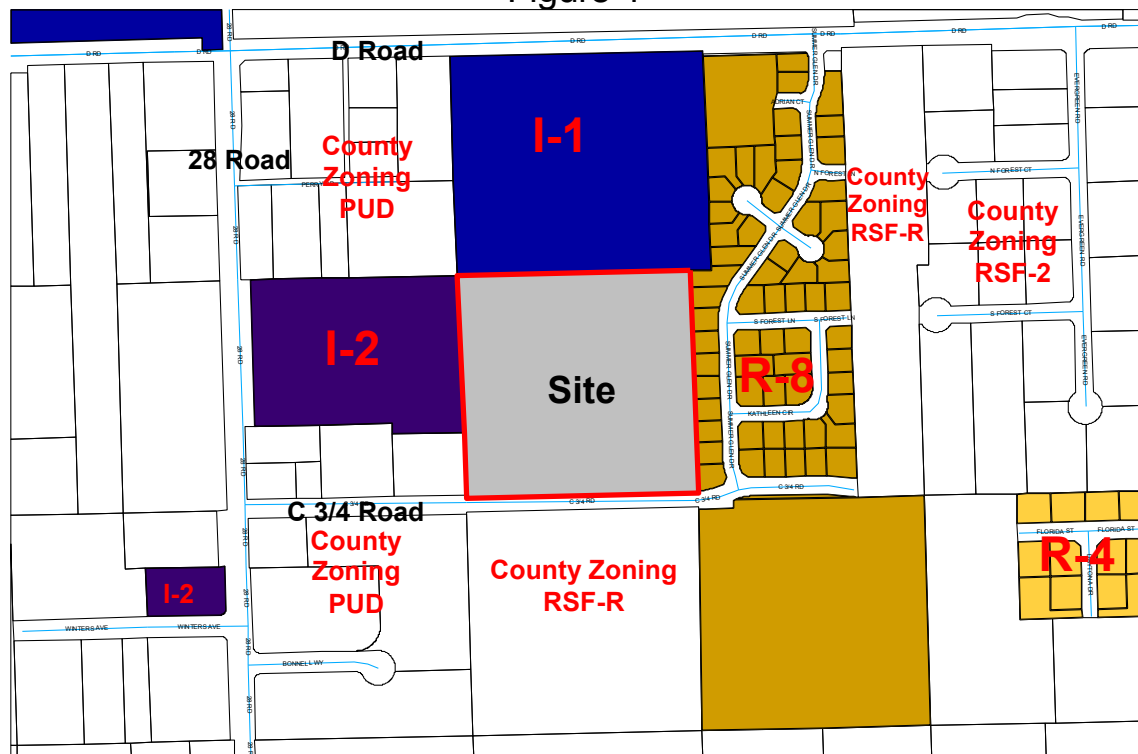
# Future Land Use Map

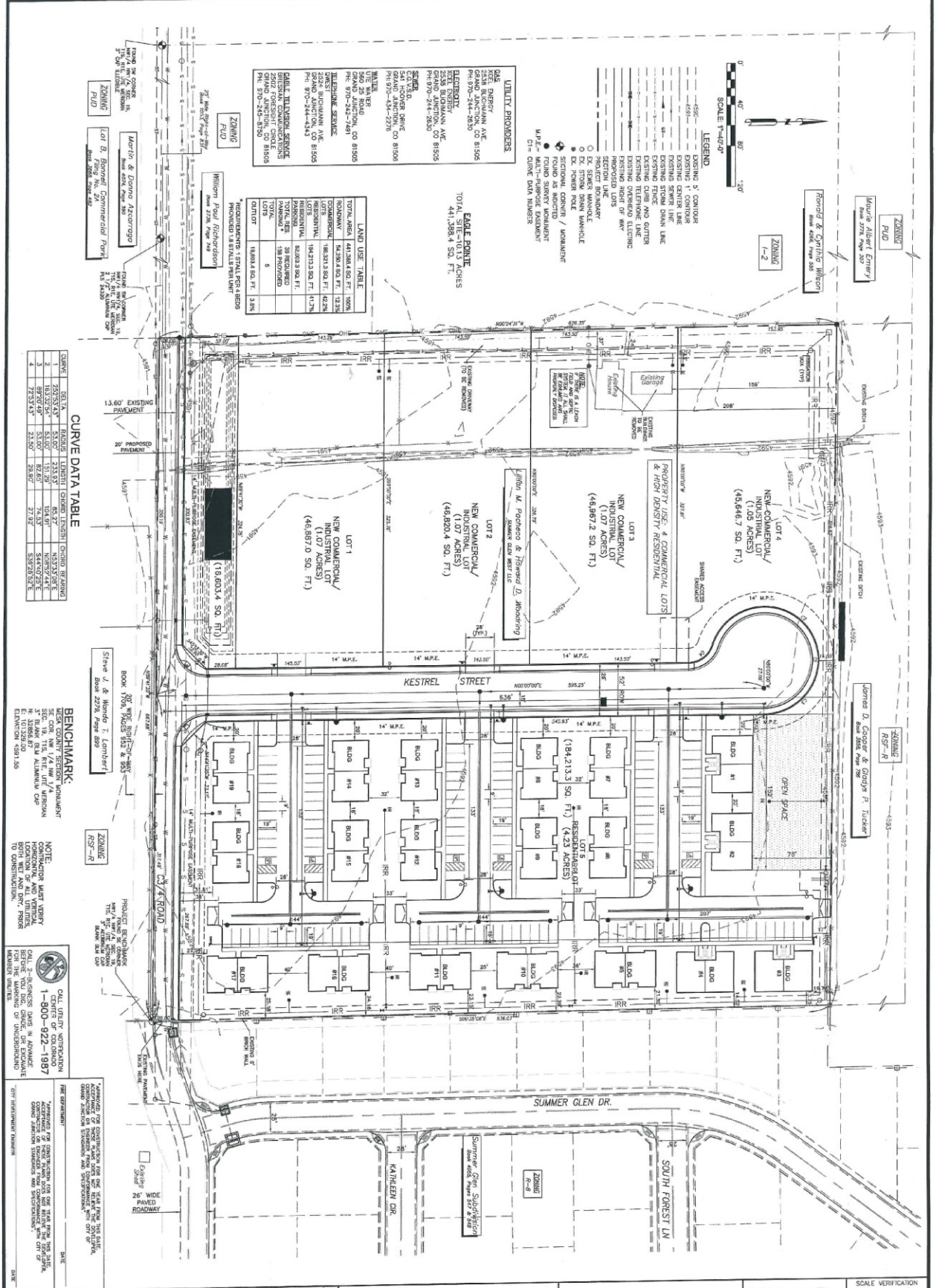
Figure 3



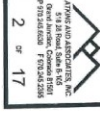
# Existing City and County Zoning Map

Figure 4





<p><b>EAGLE POINTE SUBDIVISION</b>  <b>GRAND JUNCTION, COLORADO</b></p>		<p><b>SITE PLAN</b></p>	
<p>DATE: _____</p> <p>REVISION: _____</p> <p>BY: _____</p>	<p>DRAWN BY: JMM</p> <p>CHECKED BY: RLA</p> <p>DATE: 02/29/08</p> <p>PROJECT NO.: 03030E</p>	<p>SCALE VERIFICATION</p> <p>1" = 100'</p> <p>SCALE: 1"=40'</p> <p>HORIZ:</p> <p>VERT:</p>	



NOTE: OWNER MUST VERIFY HORIZONTAL AND VERTICAL CONTROL DATA BEFORE YOU BEGIN OR EXCHANGE ANY CONTRACTS WITH CITY OF GRAND JUNCTION.

CALL UTILITY UTILITIES 1-800-922-1987

APPROVED FOR CONSTRUCTION BY THE CITY OF GRAND JUNCTION, COLORADO.

DATE: 02/29/08

BY: JMM

**GRAND JUNCTION PLANNING COMMISSION  
JUNE 10, 2008 MINUTES  
6:00 p.m. to 6:42 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, William Putnam, Reggie Wall, Patrick Carlow (1<sup>st</sup> alternate) and Ken Sublett (2<sup>nd</sup> alternate). Lynn Pavelka-Zarkesh and Bill Pitts were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were David Thornton, Brian Rusche (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 18 interested citizens present during the course of the hearing.

**CONSENT AGENDA**

**3. Eagle Pointe Subdivision – Preliminary Subdivision Plan**

Request a recommendation of approval to City Council to zone 10.13 acres to PD (Planned Development) with a default zone of M-U (Mixed Use) and a request for a recommendation of approval to City Council of a Preliminary Development Plan (PDP) to develop 76 multi-family dwelling units on one 4.23 acre lot and 4 commercial/industrial lots on 4.26 acres in a PD (Planned Development) zone district.

**FILE #:** PP-2007-225  
**PETITIONER:** Summer Glen West, LLC  
**LOCATION:** 2814 C-3/4 Road  
**STAFF:** Greg Moberg

**MOTION: (Commissioner Wall) “Mr. Chairman, I move to make a motion that we approve the Consent Agenda.”**

Commissioner Lowrey seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE EAGLE PONTE SUBDIVISION TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING A PRELIMINARY DEVELOPMENT PLAN WITH A DEFAULT MU (MIXED USE) ZONE FOR THE DEVELOPMENT OF FIVE LOTS, ONE RESIDENTIAL CONTAINING 76 DWELLING UNITS AND FOUR COMMERCIAL/INDUSTRIAL LOTS**

**LOCATED 2814 C 3/4 ROAD**

Recitals:

A request to zone 10.13 acres to PD (Planned Development) by approval of a Preliminary Development Plan (Plan) with a default MU zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (MU) and adopt the Preliminary Development Plan for Eagle Pointe Subdivision. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the MU zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Preliminary Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved "long-term community benefits" by proposing more effective infrastructure, needed housing types and innovative design.

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

The following property be zoned PD, Planned Development

- A A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 19 and assuming the South line of the NW 1/4 NW 1/4 of said Section 19 bears N89°41'26"W with all other bearings contained herein being relative thereto; thence from

said Point of Beginning, N89°41'26"W along the South line of the NW 1/4 NW 1/4 of said Section 19 a distance of 667.67 feet; thence N00°24'32"W along the West line of that certain parcel of land as described in Book 2757, Page 618, Public Records of Mesa County Colorado, to the Northwest corner of said parcel; thence S89°40'25"E along the North line of said parcel, a distance of 665.63 feet to the Northeast corner of said parcel and being a point on the East line of NW 1/4 NW 1/4 of said Section 19; thence S00°35'08"E along the East line of the NW 1/4 NW 1/4 of said Section 19, a distance of 662.07 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 10.13 acres (441,381 square feet), more or less, as described.

- B. Eagle Pointe Subdivision Preliminary Development Plan is approved with the Findings of Facts, Conclusions and Conditions listed in the Staff Presentations dated August 6, 2008 and August 20, 2008 including attachments and Exhibits.
- C. The default zoning will be MU (Mixed Use).

**INTRODUCED** on first reading on the 6th day of August, 2008 and ordered published.

**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

ATTEST:

\_\_\_\_\_  
Gregg Palmer  
President of the Council

\_\_\_\_\_  
Stephanie Tuin  
City Clerk



**Attach 7  
Public Hearing—The Park Mesa Annexation  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Park Mesa Annexation - Located at Rosevale Road and Little Park Road in the Redlands		
<b>File #</b>	ANX-2008-065		
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>X</b>
<b>Date Prepared</b>	August 8, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** Request to annex 13.58 acres, located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The Park Mesa Annexation consists of one parcel of land and associated rights-of-way of Rosevale Road and Little Park Road.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for Annexation and hold a public hearing and consider final passage of the Annexation Ordinance.

**Attachments:**

1. Staff Report / Background Information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing City and County Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance

**Background Information:** See attached Staff Report/Background Information

**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		Rosevale Road and Little Park Road			
<b>Applicants:</b>		Kenneth N. and Colleen E. Scissors, Owners			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		Residential subdivision			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential			
	<b>South</b>	Single-family residential			
	<b>East</b>	Vacant land and Single-family residential			
	<b>West</b>	Single-family residential - Agricultural			
<b>Existing Zoning:</b>		RSF-4, Residential Single-Family – 4 units/acre (County)			
<b>Proposed Zoning:</b>		To be determined. Growth Plan Amendment request has recently been approved to Residential Low (1/2 – 2 Ac./DU)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-E, Residential – Estate (City) and RSF-4, Residential Single-Family – 4 units/acre (County)			
	<b>South</b>	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)			
	<b>East</b>	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)			
	<b>West</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
<b>Growth Plan Designation:</b>		Residential Low (1/2 – 2 Ac./DU)			
<b>Zoning within density range?</b>		N/A	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 13.58 acres of land and is comprised of one parcel of land and associated rights-of-way of Rosevale Road and Little Park Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires 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 Park Mesa Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

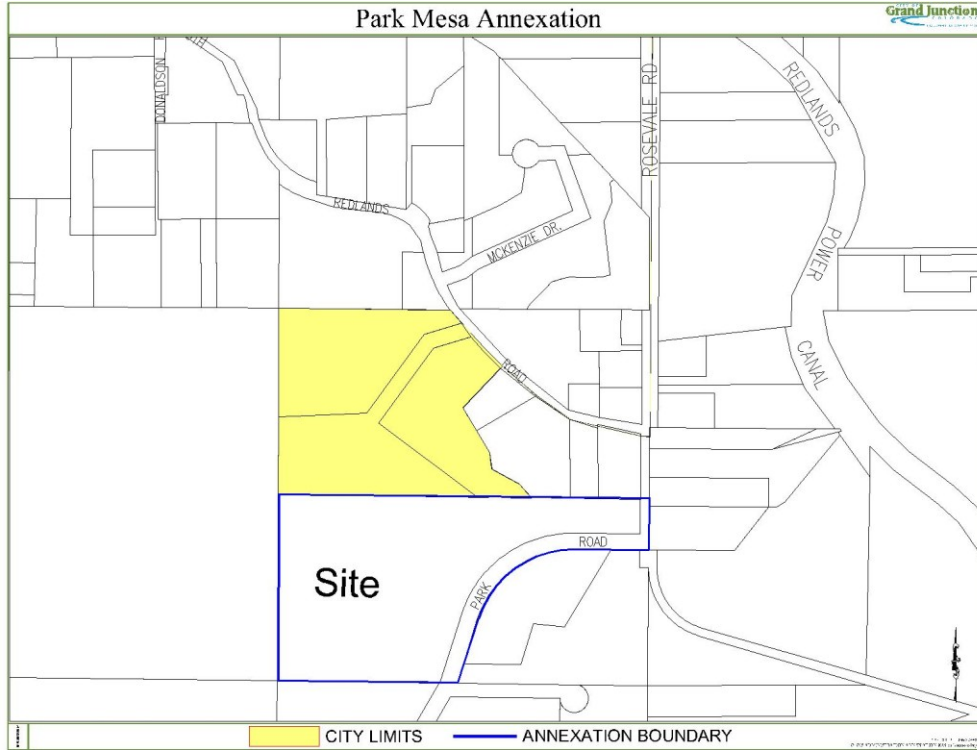
<b><u>ANNEXATION SCHEDULE</u></b>	
<b>June 18, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>August 26, 2008</b>	Planning Commission considers Zone of Annexation
<b>September 3, 2008</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>August 20, 2008</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>September 21, 2008</b>	Effective date of Annexation

**PARK MESA ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2008-065
<b>Location:</b>		Rosevale Road and Little Park Road
<b>Tax ID Number:</b>		2945-223-00-227
<b>Parcels:</b>		1
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		13.58
<b>Developable Acres Remaining:</b>		12.13
<b>Right-of-way in Annexation:</b>		1.45
<b>Previous County Zoning:</b>		RSF-4, Residential Single Family – 4 units/acre
<b>Proposed City Zoning:</b>		To be determined
<b>Current Land Use:</b>		Vacant land
<b>Future Land Use:</b>		Residential Low (1/2 – 2 Ac./DU)
<b>Values:</b>	<b>Assessed:</b>	\$49,470
	<b>Actual:</b>	\$170,600
<b>Address Ranges:</b>		N/A
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Persigo Wastewater Treatment Facility
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	N/A
	<b>School:</b>	School District #51
	<b>Pest:</b>	N/A

# Site Location Map

Figure 1



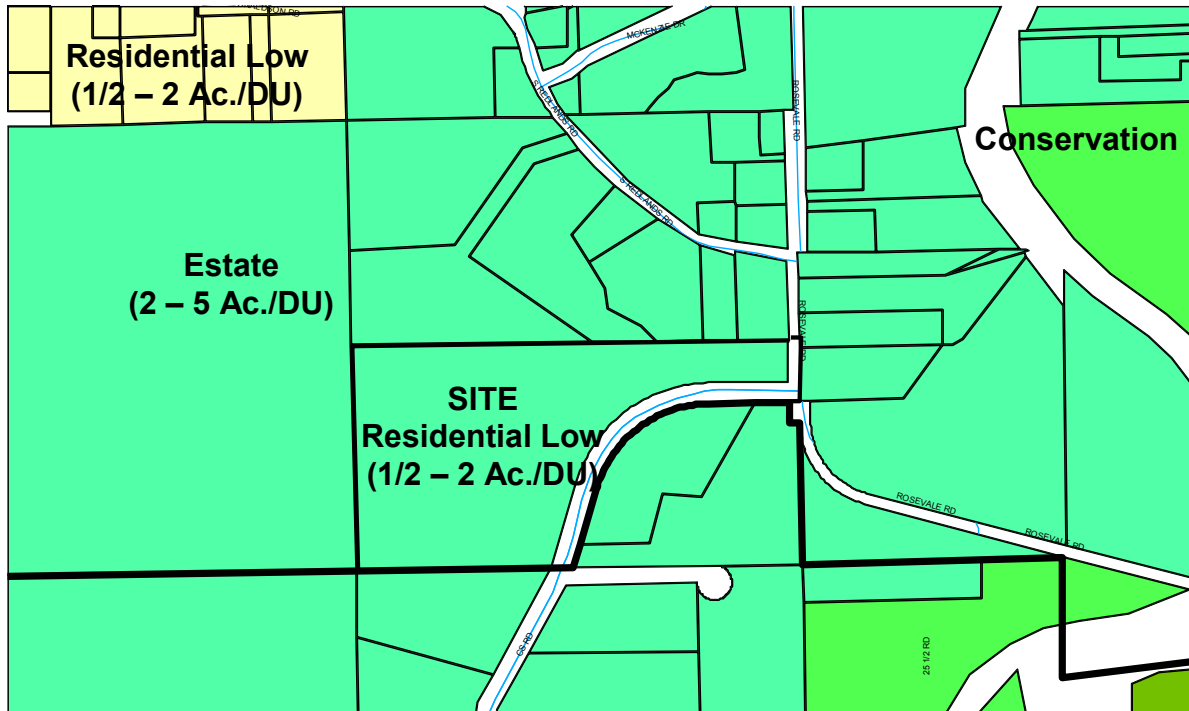
# Aerial Photo Map

Figure 2



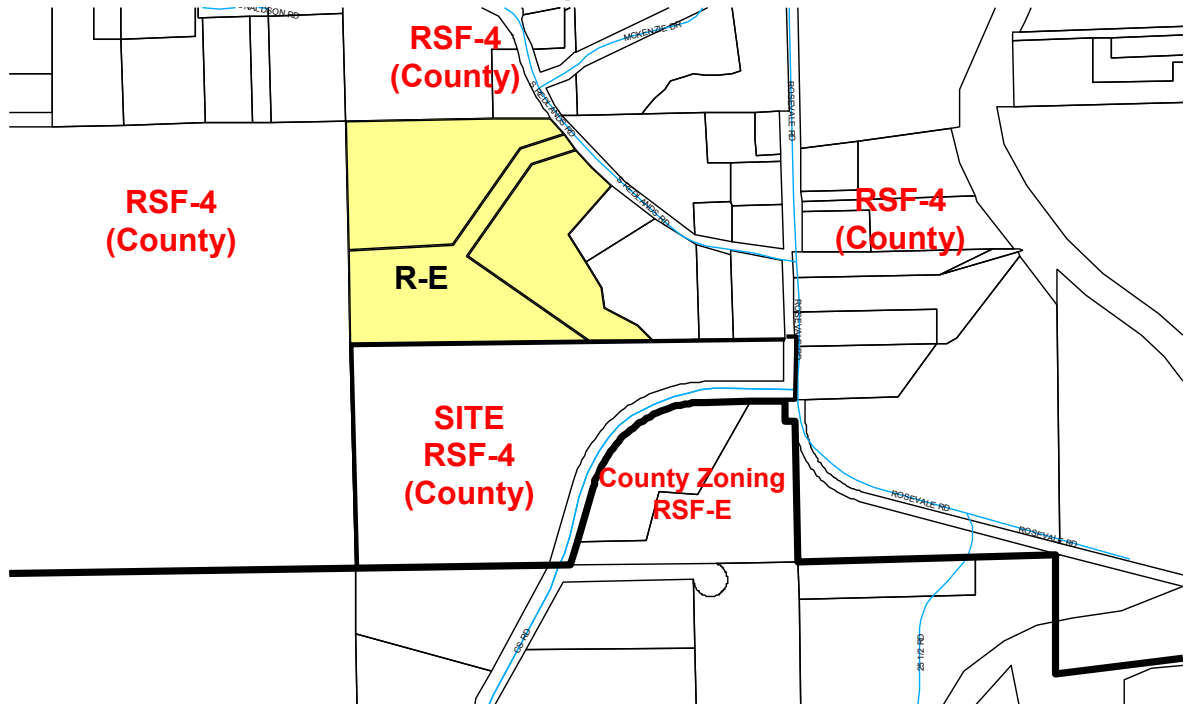
# Future Land Use Map

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**

**RESOLUTION NO. \_\_\_\_**

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

**PARK MESA ANNEXATION**

**LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD  
AND LITTLE PARK ROAD INCLUDING PORTIONS OF THE ROSEVALE ROAD  
AND LITTLE PARK ROAD RIGHTS-OF-WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 18<sup>th</sup> day of June, 2008, 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:

**PARK MESA ANNEXATION**

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of 659.59 feet to the Southwest corner of Leah Marie's Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a

chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<sup>th</sup> day of August, 2008; 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 the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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**

**PARK MESA ANNEXATION**

**APPROXIMATELY 13.58 ACRES**

**LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD  
AND LITTLE PARK ROAD INCLUDING PORTIONS OF THE ROSEVALE ROAD  
AND LITTLE PARK ROAD RIGHTS-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> day of June, 2008, 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 20<sup>th</sup> day of August, 2008; 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 situates in Mesa County, Colorado, and described to wit:

**PARK MESA ANNEXATION**

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of

659.59 feet to the Southwest corner of Leah Marie's Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 sq. ft.), more or less, as described.

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

**INTRODUCED** on first reading on the 18<sup>th</sup> day of June, 2008 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2008.

Attest:

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President of the Council

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City Clerk

**Attach 8****Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Contract Award for Ranchmen's Ditch Flood Control Project Phase II, Part B		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> X
<b>Date Prepared</b>	August 5, 2008		
<b>Author Name &amp; Title</b>	David Donohue, Project Engineer		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director Trent Prall, Engineering Manager Jay Valentine, Assistant Financial Operations Manager		

**Summary:** Phase II, Part B of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct side-by-side 90" and 96" storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road.

**Budget:** Sufficient funds have been allocated in the 2008 Revised and 2009 budgets, Fund 202-F31800, to pay for all costs associated with construction of Phase II, Part B of this project.

The following bids were received for this project:

Arapahoe Utilities and Infrastructure, Inc.	\$5,693,185.00
Scott Contracting, Inc.	\$5,700,930.00
Mendez, Inc.	\$5,759,268.00
BT Construction, Inc.	\$5,807,864.00
Twin Peaks Utilities and Infrastructure	\$6,014,355.00
M.A. Concrete Construction, Inc.	\$6,167,301.05
Pate Construction Co., Inc.	\$6,550,265.00
Gould Construction, Inc.	\$7,246,376.50
Engineer's Estimate	\$6,114,250.00

**Action Requested/Recommendation:** Authorize the City Manager to enter into a construction contract with Arapahoe Utilities and Infrastructure, Inc., in the amount of \$5,693,185.

**Background Information:** Completion of this project will result in 383 residential and commercial properties being removed from the 100 year flood plain.

Phase II, Part B of the project includes installation of one mile (5,280 feet) of twin 90" and 96" storm drain pipes. This installation will be along the south side of Patterson Road from 24½ Road to 25½ Road.

The bid allowed for two different comparable pipe materials, Contech SmoothCor polymer-coated double wall steel pipe and Reinforced Concrete Pipe (RCP).

Arapahoe Utilities & Infrastructure has chosen to use the Contech product in their bid submittal. The Contech product has been approved by Staff as an equal to concrete pipe based on structural and hydraulic performance, and design life.

The Contech product is widely used by State DOT's (Department of Transportation) across the country. In addition to state DOT's, SmoothCor is an accepted product by the FHWA and FAA.

Construction for Phase II, Part B will commence September 2, 2008 and extend Through May 1, 2009.

**Attach 9  
Public Hearing—Amending and Establishing Rates Used to Compute Assessments  
Levied Against Properties Located in Alley Improvement Districts  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Proposed Ordinance amending and establishing rates used to compute assessments levied against properties located in Alley Improvement Districts.		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	August 11, 2008		
<b>Author Name &amp; Title</b>	Trent Prall, Engineering Manager Mike Grizenko, Real Estate Technician		
<b>Presenter Name &amp; Title</b>	Trent Prall, Engineering Manager		

**Summary:** The City’s alley improvement district program has been in place since 1989. The alley improvement district assessment rates have not been revised since 1999. Since then construction costs for alleys have increased by 110% (average of 12% per year).

**Budget:** N/A

**Action Requested/Recommendation:** Hold a Public Hearing and consider final passage and final adoption of proposed Ordinance.

**Attachments:**

1. Staff report/Background information
2. Proposed Ordinance

**Background Information:** Historically the rates have been set at a fixed amount for three separate uses. Single Family, Multi-family, and Non-Residential. Multi-family rates tend to be roughly twice the single family rate and non-residential rates tend to be roughly four times the single family rate.

The table below reflects Alley Improvement Districts (AID) rates from the inception of program through 2007.

Inception Years	Single family rate	Multi-family rate	Non-Residential rate	City Share at period start	City share at period end
1990-1999	\$6.00	\$12.00	\$22.50	66%	88%
2000-2007	\$8.00	\$15.00	\$31.50	73%	83%*

\*it is estimated that City share will approach 90% in 2008

Rate changes historically have been made when the City's share reaches 85-90%.

It is unknown how any AID rate increase may affect the popularity of the program. Currently there are 18 alleys on a list to be petitioned for inclusion in an AID. Depending on availability of funds it would take 3 to 4 years to construct those on the current list. Approximately four or five alleys are added to the list each year.

From program inception through 2008, 126 alleys will have been paved; approximately 164 alleys remain to be paved.

Applying proposed assessable costs for 2009 of \$165/foot results in the following table. The table assumes that all the assessment would be composed of one use.

	Current rate 2000-2008	City Share 2008	Proposed 2009 Rate	Cit y share 2009
<b>Single Family</b>	<b>\$8.00</b>	<b>92%</b>	<b>\$13.00</b>	<b>86%</b>
<b>Multi-Family</b>	<b>\$15.00</b>	<b>84%</b>	<b>\$26.00</b>	<b>72%</b>
<b>Non-Residential</b>	<b>\$31.50</b>	<b>67%</b>	<b>\$50.00</b>	<b>50%</b>

Based on the proposed rates the following table reflects what a typical lot (50' wide) would pay for each use.

	Assessable Cost
<b>Single Family use</b>	<b>\$650.00</b>
<b>Multi-family use</b>	<b>\$1,300.00</b>

<b>Non-residential use</b>	<b>\$2,500.00</b>
----------------------------	-------------------

It is recommended to implement the proposed rates beginning with the 2009 AID and monitor rates until such time as the City share once again becomes excessive.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE SETTING THE ASSESSABLE COST OF THE IMPROVEMENTS  
MADE IN AND FOR ALLEY IMPROVEMENT DISTRICTS**

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have established by law a process for the creation of public improvement districts; and

WHEREAS, the City Council has heretofore determined the cost to be paid by the benefiting owners and the cost to be paid by the City for the local improvements; and

WHEREAS, the share of the cost to be apportioned to and upon each lot or tract of land within the Districts has decreased over time and the City's cost of the improvements has increased; and

WHEREAS, City staff has reviewed the allocation of costs and recommended the costs be apportioned differently;

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

Section 1. That the assessable cost and apportionment of the cost of Alley Improvement Districts as herein set forth below, is and shall be

The Single-Family Assessment rate shall be fifteen (15) percent of the total contracted construction costs for their abutting footage.

The Multi-Family assessment rate shall be twenty-five (25) percent of the total contracted construction costs for their abutting footage.

The Non-residential assessment rate shall be fifty (50) percent of the total contracted construction costs for their abutting footage.

Section 2. That all other terms of Chapter 28 and the various resolutions, orders and proceedings necessary or required shall remain unchanged.



**INTRODUCED** on first reading this 6<sup>th</sup> day of August, 2008.

**PASSED AND ADOPTED** on the 20<sup>th</sup> day of August, 2008.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of the Council

**Attach 10**

**Ratification of All Prior Acts for Creation of the Rood Avenue Parking Plaza  
Condominiums and for Sale of Units within the Condominium  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Ratification of all prior acts for creation of the Rood Avenue Parking Plaza Condominiums and for sale of units within the condominium.		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, August 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Individual</b> <input type="checkbox"/>
<b>Date Prepared</b>	August 14, 2008		
<b>Author Name &amp; Title</b>	Jamie B. Beard, Assistant City Attorney		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** A condominium for the Rood Avenue parking garage, which is owned and operated by the City and the Grand Junction, Colorado, Downtown Development Authority (“DDA”), has been created and units are available for sale. A contract has been negotiated with ENIPLA Building Company, LLC, for sale of 114 units. Ratification by City Council of the creation of the condominium and sale of the units is needed.

**Budget:** Proceeds from the sale of the parking spaces are designated to offset expenses associated with the construction of the Rood Avenue Parking Garage and changes associated with restructuring of the Downtown parking system.

**Action Requested/Recommendation:** Staff recommends ratification of all prior actions for the creation of the Rood Avenue Parking Plaza Condominiums and the negotiating and executing of the contract to sell 114 units (parking spaces) to ENIPLA Building Company, LLC for \$1,989,528.00. By Resolution No. \_\_\_\_-08 the City Council ratifies the actions and signatures on behalf of the City on the executed documents.

**Attachments:** Proposed Resolution. Copies of the documents evidencing these actions may be provided upon request. Due to the volume of pages they have not been included herein.

**Background Information:** City Council approved the City's building of the parking garage on Rood Avenue in combination with the DDA. At the time of approval of construction it was anticipated and expected that a condominium would be formed so that parking spaces within the garage could be sold. The proceeds received from the sale would then be used to offset the cost of construction. Actions have occurred to complete the City Council's expectations and intentions. City Council is asked to ratify those actions.

RESOLUTION NO. \_\_\_\_\_ -08

**A RESOLUTION RATIFYING THE CREATION OF THE ROOD AVENUE PARKING  
PLAZA CONDOMINIUMS AND CONTRACT TO SELL  
PARKING SPACES IN THE CONDOMINIUM**

Recitals.

In June 2008, the actions and documentation to create the Rood Avenue Parking Plaza Condominiums for the parking garage located on Rood Avenue in downtown Grand Junction, Colorado, were completed. The condominium is now of record and sale of the units (parking spaces) may occur.

The City Manager has negotiated a contract for the sale of 114 units to ENIPLA Building Company, LLC, for \$1,989,528.00. The City's obligation to proceed under the terms and conditions of the sales contract are expressly conditioned upon and subject to the formal ratification, confirmation and consent of the City Council.

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

The City, by and through the City Council and the signature of its President, does hereby ratify the actions taken on behalf of the City of Grand Junction for the creation of the Rood Avenue Parking Plaza Condominiums and the terms, covenants, conditions, duties and obligations to be performed by the City in accordance with the documentation completed as well as the contract for sale of units to ENIPLA Building Company, LLC.

PASSED and ADOPTED this \_\_\_\_ day of August, 2008.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk