



**CITY COUNCIL AGENDA**  
**CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET**  
**MONDAY, NOVEMBER 30, 2009, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Invocation – Moment of Silence

**Appointments**

To the Planning Commission/Zoning Board of Appeals

**Certificate of Appointment**

To the Grand Junction Regional Airport Authority

**Presentations/Recognitions**

Citizen Budget Advisory Committee Members

**Council Comments**

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*®**

1. **Minutes of Previous Meetings**

[Attach 1](#)

*Action: Approve the Minutes of the November 16, 2009 and the November 18, 2009 Regular Meetings*

2. **Setting a Hearing to Create Alley Improvement District 2010**

[Attach 2](#)

\*\* Indicates New Item

® Requires Roll Call Vote

A successful petition has been submitted requesting a Local Improvement District be created to reconstruct the following alley:

- East/West Alley from 11<sup>th</sup> to 12<sup>th</sup>, between Belford Avenue and North Avenue

Resolution No. 90-09—A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within said City Alley Improvement District No. ST-10 and Authorizing the City Engineer to Prepare Details and Specifications for the Same

®Action: *Adopt Resolution No. 90-09 and Set a Public Hearing for January 4, 2010*

Staff presentation: Tim Moore, Public Works and Planning Director

3. **Setting a Hearing on Zoning the Matthews Enclave Annexation, Located along the Colorado River West of 25 Road and South of the Riverside Parkway** [File #ANX-2009-209] [Attach 3](#)

A request to zone the 10.53 acre Matthews Enclave Annexation, consisting of one privately-owned parcel and portions of two publicly-owned parcels, less 0.83 acres of public right-of-way, to a CSR (Community Services and Recreation) zone district.

Proposed Ordinance Zoning the Matthews Enclave Annexation to CSR (Community Services and Recreation), Located along the Colorado River West of 25 Road and South of the Riverside Parkway

Action: *Introduction of a Proposed Ordinance and Set a Hearing for December 14, 2009*

Staff presentation: Brian Rusche, Senior Planner

4. **2010 Rates and Fees** [Attach 4](#)

Propose rate/fee increases of 4% for a 2010 annual pass for Lincoln Park and Tiara Rado Golf Courses, 10.7% in the Persigo plant investment fee, and 2.5% net increase in ambulance transport fee as presented and discussed during City Council budget workshops.

Resolution No. 91-09—A Resolution Adopting Fees and Charges for Annual Golf Passes at Tiara Rado and Lincoln Park Golf Courses, Plant Investment Fees for the Persigo Wastewater Treatment Plant and Ambulance Transport

®Action: *Adopt Resolution No. 91-09*

Staff presentation: Jodi Romero, Financial Operations Manager

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

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

5. **Construction Contract for the 7<sup>th</sup> Street (26 ½; F ½ ) Bridge Replacement Project** [Attach 5](#)

This Project entails replacing a 52 year old bridge over the Grand Valley Irrigation Company's Highline Canal with a new precast concrete structure. This bridge has been identified by the State of Colorado as "structurally deficient" with an overall structural rating of 37.8%. This low structural rating requires the bridge have posted weight limits restricting heavy trucks on this section of 7<sup>th</sup> Street. The bridge replacement project is scheduled to begin on January 11, 2010 with a final completion date of April 16, 2010 and is being 80% funded by a Federal Highway Administration Grant.

Action: *Authorize the City Manager to Sign a Construction Contract with Mays Concrete, Inc. of Grand Junction, Colorado for the 7<sup>th</sup> Street Bridge Replacement Project in the Amount of \$303,740.00*

Staff presentation: Tim Moore, Public Works and Planning Director

6. **Public Hearing—Reman Rezone, Located at 555 West Gunnison Avenue and Two Adjacent Properties** [File # RZ-2009-163] [Attach 6](#)

Request to rezone 1.76 acres, from C-1(Light Commercial) to C-2 (General Commercial).

Ordinance No. 4393—An Ordinance Rezoning Three Parcels of Land from C-1 (Light Commercial) to C-2 (General Commercial), Located at 555 West Gunnison Avenue and Two Adjacent Parcels (Reman Rezone)

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4393*

Staff presentation: Michelle Hoshide, Associate Planner

7. **Public Hearing—Landmark Baptist Church Rezone, Located at 1600 Ute Avenue** [File # RZ-2009-195] [Attach 7](#)

Request to rezone 3.53 acres located at 1600 Ute Avenue, from C-2 (General Commercial) zone district to C-1 (Light Commercial) zone district.

Ordinance No. 4394—An Ordinance Rezoning the Property Known as the Landmark Baptist Church Rezone from C-2 (General Commercial) to C-1 (Light Commercial), Located at 1600 Ute Avenue

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4394*

Staff presentation: Judith Rice, Associate Planner

8. **Public Hearing—Expanding the Boundaries for the Downtown Development Authority (DDA)** [Attach 8](#)

The DDA has been petitioned by Mesa County Board of County Commissioners, the Mesa County Library District and the City to include various properties into the DDA boundaries. Inclusion of these properties within the DDA Boundaries will serve to promote community stability and prosperity by improving property values, assist in the development and redevelopment of the district and provide for the continuance of economic health in the community.

Ordinance No. 4395—An Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4395*

Staff presentation: Heidi Hoffman Ham, DDA Executive Director  
John Shaver, City Attorney

9. **Public Hearing and Budget Presentation—2009 Mill Levies, 2009 Supplemental Appropriation and the 2010 Budget Appropriation** [Attach 9](#)

The resolutions set the mill levies of the City of Grand Junction (City), Ridges Metropolitan District, and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations; the Ridges levy is for debt service only

**a. Mill Levies for Property Tax for Levy Year 2009**

Resolution No. 92-09—A Resolution Levying Taxes for the Year 2009 in the City of Grand Junction, Colorado

Resolution No. 93-09—A Resolution Levying Taxes for the Year 2009 in the Downtown Development Authority

Resolution No. 94-09—A Resolution Levying Taxes for the Year 2009 in the Ridges Metropolitan District

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 2009 amended and 2010 proposed budgets. [Attach 10](#)

**b. 2009 Supplemental Appropriation Budget**

Ordinance No. 4396—An Ordinance Making Supplemental Appropriations to the 2009 Budget of the City of Grand Junction

**c. 2010 Budget Appropriation**

Ordinance No. 4397—An Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, and the Ridges Metropolitan District for the Year Beginning January 1, 2010 and Ending December 31, 2010

***®Action:** Adopt Resolution Nos. 92-09, 93-09, and 94-09 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4396 and 4397*

Staff presentation: Laurie Kadrich, City Manager  
Jodi Romero, Financial Operations Manager

10. **Non-Scheduled Citizens & Visitors**
11. **Other Business**
12. **Adjournment**

Attach 1  
**Minutes**

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

**November 16, 2009**

The City Council of the City of Grand Junction convened into regular session on the 16<sup>th</sup> day of November 2009 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Tom Kenyon, Gregg Palmer, Bill Pitts, Linda Romer Todd, and Council President Bruce Hill. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Hill called the meeting to order. Councilmember Beckstein led in the Pledge of Allegiance followed by an invocation by Pastor Mark A. Johnson, Baptist Church, Palisade.

**Appointments**

Councilmember Palmer moved to appoint John Stevens to the Grand Junction Regional Airport Authority for a four year term to expire May 2013. Councilmember Coons seconded the motion. Motion carried.

**Council Comments**

There were none.

**Citizen Comments**

There were none.

**Presentations**

Annual Water Update – Jim Lochhead, Water Attorney, presented the annual water update.

City Attorney John Shaver introduced Jim Lochhead, Water Attorney, who has served the Council regarding water for a number of years and has formerly served as the Department of Natural Resources Director. In addition Mr. Lochhead has also represented the City of Grand Junction on the Colorado River Coalition. Mr. Lochhead is here to give a briefing and to answer any questions regarding the City's future on water resources.

Jim Lochhead, Water Attorney, said the coalition includes the eastern slope and western slope entities which share a common interest in protecting water rights under the Colorado River Compact agreement. He wanted to address issues that may affect the Grand Junction region in the years to come. There are a set of guidelines set by the Secretary of the Interior adopted in 2007 which were the result of negotiations between the seven Colorado River Basin States. These guidelines are for the operations of Lakes Powell and Meade, these are the two major lakes that regulate water through the system. Lake Powell was termed a bank account for the water supply in the upper Colorado River. These guidelines provide for the cooperation between the upper and lower basin (Lakes Powell and Meade.) They also set the adoption of shortage guidelines for the lower basin. They also set up a frame work for the banking of water in the lower basin (Lake Meade). The basin states have been engaged in discussions with Mexico, for treated water supply, conservation projects, and essentially borrowing water. These discussions have been to develop more cooperation between the national governments in Mexico and the United States. There is a question of how much water there is available for development and what are the effects of climate change. With Colorado's expected growth there are challenges to be met for the long-term future. There are legal issues between the upper and lower basins to be resolved. It is important for the City of Grand Junction to be involved in these discussions. There are updates that are being provided to the City of Grand Junction on these discussions.

Councilmember Todd said she is hearing rumors of changes in legislation in the Colorado Springs area that may re-write Colorado water law. Mr. Lochhead said he is not aware of any changes in legislation coming from this area in the upcoming session.

Councilmember Coons thanked Mr. Lochhead for the overview and said that Councilmember Todd and herself were able to tour the Lower Colorado Basin a couple of years ago and asked about underground banking/storage. She said her understanding of this is that this is not legal in the upper basins in Colorado. Mr. Lochhead responded that yes there are underground banking facilities in Nevada, Arizona, and California. There are two problems in Colorado, the southern metro Denver tier, in Northern Douglas County, is dependent on a non-renewable water supply. Secondly, there may not be aquifers available to store water in the lower basins of Colorado. Mr. Lochhead agreed, for future use, underground storage of water in Colorado is something that should be looked at.

Councilmember Kenyon said there has been much discussion of storage and liabilities – is storage a possibility in the next decade? Mr. Lochhead said this will be difficult because most of the good storage locations have already been taken. Anticipated effects of climate change is a factor as well. A major trend in the west is proposals for pipelines for the purpose of moving water greater distances. The Denver Front Range needs to look at creating a water budget. Colorado needs to think about how to incrementally move towards solving the problems. There needs to be a development of a water budget for the gap. The Denver Front Range area affects all water users in the State.



Council President Hill thanked Mr. Lochhead for the update as it is a complex subject.

## **CONSENT CALENDAR**

Councilmember Coons read the Consent Calendar and then moved to approve items #1 through #6. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

*Action: Approve the Minutes of the November 2, 2009 Regular Meeting*

2. **Setting a Hearing for the Reman Rezone, Located at 555 West Gunnison Avenue and Two Adjacent Properties** [File # RZ-2009-163]

Request to rezone 1.76 acres, from C-1(Light Commercial) to C-2 (General Commercial).

Proposed Ordinance Rezoning Three Parcels of Land from C-1 (Light Commercial) to C-2 (General Commercial), Located at 555 West Gunnison Avenue and Two Adjacent Parcels (Reman Rezone)

*Action: Introduction of a Proposed Ordinance and Set a Hearing for November 30, 2009*

3. **Setting a Hearing on the Landmark Baptist Church Rezone, Located at 1600 Ute Avenue** [File # RZ-2009-195]

Request to rezone 3.53 acres located at 1600 Ute Avenue, from C-2 (General Commercial) zone district to C-1 (Light Commercial) zone district.

Proposed Ordinance Rezoning the Property Known as the Landmark Baptist Church Rezone from C-2 (General Commercial) to C-1 (Light Commercial), Located at 1600 Ute Avenue

*Action: Introduction of a Proposed Ordinance and Set a Hearing for November 30, 2009*

4. **Setting a Hearing for the 2009 Supplemental Appropriation Ordinance and the 2010 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 2009 amended and 2010 proposed budgets.

Proposed Ordinance Making Supplemental Appropriations to the 2009 Budget of the City of Grand Junction

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, and the Ridges Metropolitan District for the Year Beginning January 1, 2010 and Ending December 31, 2010

*Action: Introduction of Proposed Ordinances and Set a Hearing for November 30, 2009*

5. **Setting a Hearing for the LaHue Annexation, Located at 514 Morning Glory Lane** [File # ANX-2009-214]

A request to annex 0.32 acres, located at 514 Morning Glory Lane. The LaHue Annexation consists of one (1) parcel and includes a portion of Morning Glory Lane.

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

Resolution No. 86-09—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, LaHue Annexation, Located at 514 Morning Glory Lane and Includes Portions of the Morning Glory Lane Right-of-Way

*Action: Adopt Resolution No. 86-09*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, LaHue Annexation, Approximately 0.32 Acres, Located at 514 Morning Glory Lane and Includes Portions of the Morning Glory Lane Right-of-Way

*Action: Introduction of a Proposed Ordinance and Set a Hearing for January 6, 2010*

Staff presentation: Judith Rice, Associate Planner

6. **Downtown Grand Junction Business Improvement District (DGJBID) Operating Plan and Budget**

As required by statute, the DGJBID has filed the 2010 Operating Plan and Proposed Budget with the City Clerk by September 30. It has been reviewed by Staff and found to be reasonable.

*Action: Approve the DGJBID 2010 Operating Plan and Proposed Budget*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Public Hearing – Fuoco Rezone, Located at 160 Hill Avenue** [File #GPA-2009-147]

Request to rezone 0.14 acres located at 160 Hill Avenue from R-O (Residential Office) to C-1, (Light Commercial).

The public hearing was opened at 7:26 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the request, the site, and the location. He asked that the Staff Report and attachments be entered into the record. The request meets the review criteria of the Zoning and Development Code. The Planning Commission recommended approval. In September 2009, City Council approved a Growth Plan Amendment to change the Future Land Use Map from Residential High (12+ du/ac) to Commercial for this property. Staff recommends approval of the rezone.

Tracy Moore, representative for the applicant, River City Consultants, Inc., was available to answer any questions.

There were no public comments.

The public hearing was closed at 7:29 p.m.

Ordinance No. 4388—An Ordinance Rezoning Property Known as the Fuoco Rezone from R-O (Residential Office) to C-1 (Light Commercial), Located at 160 Hill Avenue

Councilmember Palmer moved to adopt Ordinance No. 4388 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Public Hearing – Correcting Legal Description on a Vacation of Right-of-Way Ordinance for a Portion of Gunnison Avenue** [File #VR-2009-223]

The intent of Ordinance No. 2639 was to vacate the entirety of Gunnison Avenue right-of-way within the limits specified by said ordinance; however, due to scrivener's error not all documents conveying Gunnison Avenue right-of-way were cited in said ordinance. The amended ordinance list all documents conveying right-of-way for Gunnison Avenue to be included within the stated limits, thereby fully satisfying the intent of Ordinance No. 2639.

The public hearing was opened at 7:29 p.m.

Tim Moore, Public Works and Planning Director, presented this item. He showed a map of the area to show the section that was not vacated.

There were no public comments.

The public hearing was closed at 7:31 p.m.

Ordinance No. 4391—An Ordinance Amending Ordinance No. 2639 Vacating a Portion of Gunnison Avenue Right-of-Way between Harris Road and Melody Lane

Councilmember Beckstein moved to adopt Ordinance No. 4391 and ordered it published. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

**Public Hearing – Medicinal Marijuana Dispensary Moratorium**

The proposed ordinance would afford the City an opportunity, by declaring a temporary moratorium on the filing of development applications for medical marijuana dispensaries, to carefully evaluate and determine as appropriate, the proper regulation of those businesses. The ordinance also proposes a moratorium on the issuance of sales tax licenses for new dispensaries/marijuana care-givers.

The public hearing was opened at 7:34 p.m.

John Shaver, City Attorney, presented this item. He gave a background on Amendment 20 and how it legalized medical marijuana. He explained the definition of the medical use of marijuana. He said it is very important to understand what the amendment means. He explained what the amendment allows regarding criminal law exception and affirmative defense. He also explained what the amendment does not allow. The business aspects, such as dispensaries, are not mentioned in the amendment. He explained how the dispensaries operate lawfully. The term "significant responsibility", as it relates to a primary caregiver, has come under scrutiny with the Colorado Department of Health. The Colorado Department of Health made an emergency rule to match what came out of an

appeal in October 2009. The application for a patient to receive a card for marijuana originates with their physician, then goes onto the Colorado Department of Health which reviews and then issues a card. There are several options for the City of Grand Junction to look at to regulate the dispensaries: do nothing, basic zoning, zoning plus, specialty licensing, effective bans, or bans altogether. The Legislative Committee has recommended to City Council a temporary moratorium, more specifically a twelve month moratorium, to allow the general assembly to convene in order to regulate the sale of medical marijuana along with the State and City to adopt regulations.

Council President Hill read the executive summary from the Staff Report into the record to explain what the City of Grand Junction is proposing. "The proposed Ordinance would afford the City an opportunity, by declaring a temporary moratorium on the filing of development applications for medical marijuana dispensaries, to carefully evaluate and determine as appropriate, the proper regulation of those businesses. The ordinance also proposes a moratorium on the issuance of sales tax licenses for new dispensaries/ marijuana care-givers." Council President Hill then asked City Attorney Shaver how it would affect existing dispensaries. Mr. Shaver said the moratorium would not affect the existing dispensaries that are lawfully operating.

Councilmember Beckstein asked Mr. Shaver if there are any dispensaries in the process of licensing. City Attorney Shaver said that until the moratorium takes effect, they can still apply and receive a license.

Councilmember Palmer asked about legislative reasoning regarding prescription through pharmacies versus dispensaries? City Attorney Shaver replied that there is a distinction on how the drug is made available to the patient rather than through a typical prescription.

Councilmember Palmer asked if Home Rule makes a difference. City Attorney Shaver said that Home Rule decisions can be preempted based on the State's decision. Councilmember Palmer asked if Federal law is different than State law, and can the Federal law regulate State law. City Attorney Shaver said there is some ambiguity between the application of the State and Federal law, but the Federal government is not pursuing any mandates.

Councilmember Coons asked why there won't eventually be marijuana on pharmacy shelves. Mr. Shaver said there may be other health issues with the use of marijuana. It would likely not be prescribed as a pharmaceutical medicine.

Councilmember Pitts asked if the medical marijuana has to be prescribed by a physician. City Attorney Shaver said that it is not prescribed. If the physician advises that it could be useful for the patient's medical problem, then an application is sent to the State for a card for lawful possession of the substance. Councilmember Pitts asked if the City can be separate from the State or Federal regulation. City Attorney Shaver said the City may be able to be separate from the State, but not from the Federal government.

President of the Council Hill said it is the caregiver piece and the lack of language regarding dispensaries in the Constitutional amendment; the moratorium does not preempt the amendment. The moratorium will allow time for the legislature to look at regulation. City Attorney Shaver said that is correct and he compared liquor licensing as a model that should be looked at for regulating dispensaries.

Councilmember Beckstein said this is basically a different level of health food store. There are difficulties in how to administer it safely. City Attorney Shaver said it is not a prescribed substance because of the quality control. Councilmember Beckstein said that she thought there was a prescription form of marijuana for chemotherapy patients.

Councilmember Coons said that there is a drug that is an extraction of the active ingredient of marijuana but it is questionable as to the effectiveness.

President of the Council Hill opened the meeting up to public comments.

Greg Davis, 2454 Highway 6 and 50, owns Herbal Paradise, said that in July, they had a chance to present what they do and the need for the medical marijuana. He explained that there are a lot of people with stories about their need for medical marijuana. The question is the moratorium. The State law, allowing marijuana to be a medicine, is a great thing. It helps a lot of people. He questioned how a special license needed for medical marijuana will work. He supported a moratorium.

President of the Council Hill explained that this is not an opportunity for questions and dialogue, but understands Mr. Davis is interested in reaching out to see what else can be done in the community.

Florna Cantrell, Clifton, CO, said she has stage four cancer and has been allergic to all opiates. She is a user of medical marijuana. The dispensaries to her are very important for quality assurance reasons. There are pharmaceutical drugs that have been pulled off the market because of how many people its killed. There are no statistics on deaths with medical marijuana. She asked if there is a moratorium on the number of liquor stores. Council President Hill reminded her that this is not a time for dialogue. Ms. Cantrell said the logistics of the moratorium are the concern. She noted that if there are not enough patients for the number of dispensaries, some will not stay open.

Travis Chambers, owns God's Gift Dispensary in Clifton, said most people don't understand a dispensary and invited people to visit his dispensary. He does not make money on medical marijuana; he sells it to help people. He used his brother as an example of one who does well on marijuana versus pharmaceuticals that are destructive. He also uses marijuana to relieve his arthritis. He believes that there does need to be a moratorium and regulations on dispensaries.

Dusty Higgins, Natures Medicine, does agree with the need of the moratorium but also invites people to visit the dispensaries and see what they do and visit with the patients before they decide on the regulations. He feels the patients need more attention before making rules and regulations.

Glen Ruling, explained marinol, the pharmaceutical version of marijuana, and said that it does not work. He told his story with the use of medical marijuana and the positive benefits he has reaped.

Virginia Johnson of Clifton, she said she is allergic to ibuprofen and aspirin. She has been in the hospital and given many prescription drugs. Medical marijuana has really helped her and she feels the dispensaries really do care about the personal well-being of people.

Jesse Larkman, who owns Colorado Alternative Health Care of Palisade, said the idea of a dispensary is to provide a safe place and to help people. He used his mother's situation as an example.

Travis Chambers, owner of God's Gift, thanked the City Council for listening to them.

There were no other public comments.

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

Councilmember Todd said they struggle with the right thing to do. City Council does not know what is coming from the State level; Council is just asking for time to wait and see what the State is going to do. She explained that whatever they do only pertains to the City limits. She is supportive of the moratorium.

Councilmember Kenyon thanked everyone for coming. It was helpful to learn more about the need for medical marijuana. He feels there is a need for rules and regulations for the businesses to continue and he appreciated the offers to help in defining those rules and regulations. He is also in favor of the moratorium.

Councilmember Coons also thanked everyone for coming to the meeting. It is important to treat this drug as a medicine and see that people that need it can use it in a safe way. The intent of the moratorium is not to restrict the number in town, but to make sure they are in appropriate places and to regulate the business. It needs to be treated with the appropriate seriousness. She will support the moratorium.

Councilmember Pitts asked what happens to businesses today if the moratorium is adopted. City Attorney Shaver said the existing businesses will remain at this time.

Councilmember Palmer said that he hopes people who tune into the meeting understand the professionalism of the current dispensary owners. The moratorium is not to ban the use of it; it is to set up a reasonable venue for the businesses. He explained that there is a process to regulate liquor stores. He sees the value of medical marijuana and the value of rules and regulations. The City needs to have rules to operate under. He supports the moratorium.

Councilmember Beckstein would like to see the community working with the dispensary businesses in a respectable manner. She would like to see a unified policy countywide, possibly under the liquor licensing model. She supports the moratorium to allow time for the State to regulate and establish rules. She wouldn't want to withhold the medicinal marijuana for those that really need it. She hopes Grand Junction can put forth a model that will be an example Statewide.

Council President Hill said having served on the Legislative Committee, reviewing the amendment that was passed, and reviewing information from the dispensaries association, there was good information provided regarding business practices, hours of operation and safety. However, there are still some missing pieces with the dispensary piece missing from the Amendment. He is confident that good legislation can be drafted.

**Ordinance No. 4392—An Ordinance Concerning Land Use Applications in the City of Grand Junction, Instituting a Temporary Moratorium on the Issuance of Land Use Approvals and Sales Tax Licenses for Medical Marijuana Dispensaries and Providing Penalties for Violation Thereof**

Councilmember Todd moved to adopt Ordinance No. 4392 and ordered it published. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

### **Non-Scheduled Citizens & Visitors**

Dusty Higgins said that some policemen know the law and some do not. He suggested educating the Police Department on the law pertaining to medical marijuana.

Travis Chambers said Brian Vencente from Sensible Colorado came to their facility to provide education on the laws regarding medicinal marijuana. There were invitations to Attorneys, Doctors, and Police. This educational session was recorded and he offered to provide a DVD to the City as well.

Florna Cantrell said she wanted to follow up on a comment from Councilmembers Todd and Beckstein about the City and County working together. Councilmember Beckstein said the goal was for the City and County to work together on the same page.



Councilmember Coons advised that it is not a given but it is a hope.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 8:42 p.m.

Debbie Kemp, MMC  
Deputy City Clerk

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

**November 18, 2009**

The City Council of the City of Grand Junction convened into regular session on the 18<sup>th</sup> day of November 2009 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Tom Kenyon, Gregg Palmer, Bill Pitts, Linda Romer Todd, and Council President Bruce Hill. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp. City Manager Laurie Kadrach was absent.

Council President Hill called the meeting to order. Council President Hill led in the Pledge of Allegiance.

**Citizen Comments**

There were none.

**Presentations**

There were none.

**CONSENT CALENDAR**

Councilmember Palmer read the Consent Calendar and then moved to approve items #1 through #3. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

1. **Sawyer Subdivision Vacation of Easements, Located at 2672, 2676 Cambridge Drive and 756 Cambridge Court** [File #VE-2009-143]

A request to vacate seven unused utility and drainage easements running through the properties of 2672, 2676 Cambridge Drive and 756 Cambridge Court. These properties were originally platted in 1983 and replatted in 1987. In 1990 and 1993 building permits were issued by the County and the houses were built. The properties were annexed in 1993, after the building permits were issued. Recently it was found that the residences were built in accordance with the original lot lines platted in 1983. Because of this error, the residences are now located within the easements which were dedicated by the 1987 replat.

Resolution No. 87-09—A Resolution Vacating Seven Utility and Drainage Easements Located at 2672, 2676 Cambridge Drive and 756 Cambridge Court

*Action: Adopt Resolution No. 87-09*

2. **Setting a Hearing Expanding the Boundaries for the Downtown Development Authority (DDA)**

The DDA has been petitioned by Mesa County Board of County Commissioners, the Mesa County Library District and the City to include various properties into the DDA boundaries. Inclusion of these properties within the DDA Boundaries will serve to promote community stability and prosperity by improving property values, assist in the development and redevelopment of the district and provide for the continuance of economic health in the community.

Proposed Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority

*Action: Introduction of a Proposed Ordinance and Set a Hearing for November 30, 2009*

3. **Ratify Final Form of Ordinance No. 4390**

The City Council reviewed and approved Ordinance No. 4390 after proper notice and a public hearing at its November 2, 2009 meeting. Ordinance No. 4390 approved a loan from the Colorado Water Resources and Power Development Authority to finance certain improvements to the City's water system and authorized the form and execution of the loan.

The Ordinance reviewed and approved by the bond counsel and the City Attorney was not the version presented to the City Council in the meeting materials. While there is no difference in any of the authorizations, legal relationships or obligations between the earlier version and this version of the Ordinance, the earlier version was not in fact the final version. It is important that the final version of the Ordinance be adopted for the record.

Resolution No. 88-09—A Resolution Ratifying the Correct Version of Ordinance No. 4390 and Authorizing Action in Accordance Therewith

*Action: Adopt Resolution No. 88-09*

## **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

### **Disbanding the Avalon Theatre Advisory Committee**

The City Council approved Resolution No. 27-06 on April 5<sup>th</sup>, 2006, creating the Avalon Theatre Advisory Committee. Since its creation, the Committee has worked diligently on

its assigned tasks and due to their worthy efforts, the Committee has completed the tasks ahead of schedule. The Chair and Vice-Chair of the Committee are now requesting that the City Council disband the Committee.

Debbie Kovalik, Economic, Convention and Visitor Services Director presented this item. She thanked the Advisory Committee for their work that they have done for the Avalon Theatre. She reviewed the accomplishments the Advisory Committee made over the last few years. The Committee requested in writing that City Council disband the Avalon Theatre Advisory Committee.

Councilmember Kenyon thanked Ms. Kovalik for her leadership and the committee members for their work they did.

Councilmember Coons also added her thanks for all the work done.

Resolution No. 89-09—A Resolution Rescinding Resolution No. 27-06 Creating the Avalon Theatre Advisory Committee

Councilmember Todd moved to adopt Resolution 89-09. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Council President Hill thanked Committee Chair Ron Beach and Vice Chair Andre' van Schaffen for their excellent work and recommendations.

**Petition for Exclusion from the Downtown Grand Junction Business Improvement District from Arvan Leany for Property Located at 337 S. 1<sup>st</sup> Street**

On August 4, 2009, Mr. Arvan J. Leany filed a letter and the required deposit to initiate consideration of the exclusion of his property from the Downtown Grand Junction Business Improvement District at 337 S. 1<sup>st</sup> Street (Pufferbelly Restaurant). On August 17, 2009, the City Council referred the matter to the Downtown Grand Junction Business Improvement District (DGJBID) Board. The DGJBID heard the request on October 22, 2009 and with a tied vote, the motion was defeated.

John Shaver, City Attorney, presented this item. He advised that there was a tie at the Business Improvement District (BID) Board meeting. A tied vote is a defeat. He advised City Council what their options are in making a decision. They can refer the matter back to the BID or call it as defeated.

Councilmember Kenyon asked how many members are on the board and are there any vacant seats. City Attorney Shaver said it is a nine member board and there is one vacancy.

Councilmember Palmer asked if all eight current members were present for the decision. City Attorney Shaver said all who were present voted.

Council President Hill said that he had informed Mr. Leany that he would not be allowed to speak so Mr. Leany is not present at this meeting.

Councilmember Palmer said he believes that this should be referred back to the board after a ninth member is obtained and they have a full board.

Councilmember Coons said she agrees with Councilmember Palmer.

Councilmember Palmer moved to remand the exclusion request back to Downtown Grand Junction Business Improvement District after the appointment of the vacant position. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

### **Construction Contract for the Downtown Uplift Phase I**

The Downtown Development Authority Downtown (DDA) Uplift Phase I (1<sup>st</sup> Street to 4<sup>th</sup> Street) is the first of two phases to renovate Main Street. This project represents the highest priority of the Downtown Development Authority. This phase of the project will provide much needed renovation including the replacement of deteriorated sidewalks, brick planters, storm drains, street lighting, electric circuits for vendors and Christmas lighting and water line. Other components include replacement of dying trees and reinstallation of a water sculpture, play area, shade shelters, and drinking fountains. The project is 100% funded by the DDA with the City providing the design, construction oversight and funding of the water line replacement.

Tim Moore, Public Works and Planning Director presented this item. He advised that the project is Phase 1 and includes renovating the sidewalks and upgrading the City's water line. It is funded 100% by the Downtown Development Authority. The City's role is to design the project and help support throughout the project. It meets goal four and eight in the Comprehensive Plan. There were six bids submitted with FCI Constructors being the low bidder. They have been in Grand Junction thirty-one years. They deliver an array of projects in the City of Grand Junction. The bid meets all of the City's standards. Phase 1 of the project is to start January 4, 2010 and end June 9, 2010, in order to be ready to facilitate the Farmers Market. There are incentives in the contracts for the contractor to finish ahead of schedule. The recommendation of Staff is to award the contract to FCI Constructors. He advised that Steve Thoms, Chair of the DDA, Jay Valentine, Assistant Financial Operations Manager, and Trent Prall, Engineering Manager, are present to answer any questions.

Council President Hill asked that Downtown Development Authority Chairman Steve Thoms give his recommendation for the contract as it is a DDA project.

Councilmember Palmer disclosed that he is a business and property owner in the 4<sup>th</sup> block of Main Street. City Attorney Shaver stated that he does not have a direct financial interest in the project, so he believes Councilmember Palmer can participate.

Mr. Thoms, Chairman of the Downtown Development Authority, said the board looked over the bids and they recommend the lowest bid from FCI. The board voted on it seven to one.

Councilmember Coons asked if they were allowed to look at all bid proposals. Mr. Thoms said they did not see all the bids but were advised by Mr. Moore that all bids were on the same form.

Councilmember Palmer asked if the City was comfortable with the balance and completeness of all the bids that were submitted. Mr. Moore replied that there was one bid that was not complete and it was not considered.

Councilmember Beckstein said she does not understand the process. She asked if a contractor chooses to replace a subcontractor with someone else, is it allowed, and does the contractor inform the City? Mr. Moore said agreements are contractual with the general contractor. Questions are referred to the contractor not the subcontractor. They are asked to list all subcontractors that will have 5% or more of the work. There are times after a contract is awarded that a general contractor may change a subcontractor. The City does ask to be advised of any changes to subcontractors. Councilmember Beckstein asked if subcontractors have to go through the prequalification process that general contractors have to go through? Mr. Moore responded they have standards that have to be met.

Councilmember Coons asked Mr. Moore to explain why the City is involved in this process when DDA is paying for it. Mr. Moore said the DDA does have the ability to go out and find all the engineers, designers, etc. although the City has the expertise in this area and are able to commit time and Staff to help the DDA through this process. Councilmember Coons asked for clarification for the general public if this comes out of taxpayer money. Mr. Moore replied that this is not out of general fund taxpayer money but instead from the DDA's tax increment financing.

Councilmember Todd said she has heard concerns about the process of bid procedures. She is very comfortable with the bid process and how Staff has handled the process. When the City sets a policy to only allow hometown people, it restricts local people from working in other communities. She supports the contract.

Councilmember Kenyon agreed with Councilmember Todd with why it is important that City Council reserve the right to look at these projects and make decisions based on what benefits the community. He does not want to see a quasi-preferential system. They support local as much as they can. He supports this contract.

Councilmember Palmer said he is not in favor of local preference. It endangers the ability of local contractors to do business in other communities. Traditionally, the process has been to award to the lowest bidder. Council reserves the right to look at any other bid especially if there are extenuating circumstances. When looking at City policy, it comes down to what is fair and what is right. He believes FCI followed all the rules and they won the low bid. He will support the lowest bidder.

Councilmember Pitt said he supports the comments made by other Councilmembers. All contractors that bid on this project were fine contractors and he supports the lowest bid.

Councilmember Coons said she viewed the suggestion of going with the low bid of FCI being awarded with the contract but restricting them to only local subcontractors would not service the City well. This is a small community and if others cannot work outside of this community, the community would not survive. The policy of looking at the lowest bid is the best policy.

Councilmember Beckstein said that Staff has done a thorough background check. She shares the concern with other Councilmembers as far as restricting to only local subcontractors. This is an opportunity to keep the doors open for businesses to come into the community. The City should hire local as much as it can but this allows the community to allow other people/businesses to come and spend their money here. She will be supporting this contract award.

Councilmember Todd moved to authorize the City Manager to sign a construction contract with FCI Construction Inc. of Grand Junction, Colorado for the Downtown Uplift Phase I Construction Project in the amount of \$2,309,841.09. Councilmember Coons seconded the motion. Motion carried by roll call vote.

### **Non-Scheduled Citizens & Visitors**

Council President Hill recognized the Boy Scouts in the audience.

### **Other Business**

There was none.

### **Adjournment**

The meeting adjourned at 7:46 p.m.

Debbie Kemp, MMC  
Deputy City Clerk





Date: November 20, 2009  
Author: Michael Grizenko  
Title/ Phone Ext: 256-4021  
\_\_\_\_\_  
Proposed Schedule:  
November 30, 2009  
Second Reading:  
(if applicable): January 4, 2010

Attach 2  
**Setting a Hearing to Create Alley Improvement District 2010**

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Declaring the Intent to Create Alley Improvement District 2010
<b>File # (if applicable):</b> N/A
<b>Presenters Name &amp; Title:</b> Tim Moore, Public Works and Planning Director

**Executive Summary:**

A successful petition has been submitted requesting a Local Improvement District be created to reconstruct the following alley:

- East/West Alley from 11th to 12th, between Belford Avenue and North Avenue

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

Local improvement districts provide a service to citizens seeking to improve their neighborhood and enhance the look and appeal of the City as a whole.

**Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

**Policy B:** Construct streets in the City Center, Village Centers, and Neighborhood Centers to include enhanced pedestrian amenities.

**Action Requested/Recommendation:**

Review and Adopt the Proposed Resolution and Schedule a Public Hearing for January 4, 2010.

**Board or Committee Recommendation:**

N/A

### **Background, Analysis and Options:**

People's Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. Assessment rates for alleys are based on percentages of total assessable costs the City will contribute for three property uses: 85% per abutting foot for residential single-family uses, 75% per abutting foot for residential multi-family uses, and 50% per abutting foot for non-residential uses. A summary of the process that follows submittal of the petition is provided below.

Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. ► City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. Council conducts a public hearing and passes a Resolution creating the Improvement District. The public hearing is for questions regarding validity of the submitted petitions.
3. Council awards the construction contract.
4. Construction.
5. After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
6. Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
7. Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
8. The adopted Ordinance is published.
9. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

**Financial Impact/Budget:**

Alley	Footage	Cost	Assessments	Net to City	% paid by property owner
E/W 11th-12th, Belford to North	480	\$ 80,000	\$ 32,092	\$ 47,908	40%
2010 Alley Budget (Belford to North Avenue)		\$ 80,000			
Estimated Cost to construct AID 2010		\$ 80,000			
Balance		\$ -			

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

N/A

**Attachments:**

Summary Sheet

Map

Resolution

# SUMMARY SHEET

## PROPOSED ALLEY IMPROVEMENT DISTRICT 11TH STREET TO 12TH STREET BELFORD AVENUE TO NORTH AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Zancanelli Family Trust	50	40.00	2,000.00
Zancanelli Family Trust	50	40.00	2,000.00
** Bellio Grand Junction Holdings LLLP	50	40.00	2,000.00
** Bellio Grand Junction Holdings LLLP	50	40.00	2,000.00
** Bellio Grand Junction Holdings LLLP	112.5	40.00	4,500.00
** Larry Barnett & Jeanne Lynette Allen	50	40.00	2,000.00
Lora E. Greer	50	12.00	600.00
David R. & Vicki L. Evarts	50	40.00	2,000.00
David & Vicki Evarts 1997 Trust	143.65	40.00	5,746.00
** Stanfield-Dwire Investments LLC	50	40.00	2,000.00
** Felix & Sarah Tornare	100	20.00	2,000.00
** The Bailey Company LLLP	<u>131.15</u>	40.00	<u>5,246.00</u>
ASSESSABLE FOOTAGE TOTAL	887.3		32,092.00

Estimated Cost to Construct	\$ 80,000.00
Absolute Cost to Owners	<u>\$ 32,092.00</u>
Estimated Cost to City	\$ 47,908.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

\*\* Indicates owners in favor of improvements are 7/12 or 58% and 61% of the assessable footage.

# PROPOSED ALLEY IMPROVEMENT DISTRICT 11TH STREET TO 12TH STREET BELFORD AVENUE TO NORTH AVENUE



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

**A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL  
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE  
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST- 10 AND  
AUTHORIZING THE CITY ENGINEER TO PREPARE  
DETAILS AND SPECIFICATIONS FOR THE SAME.**

**WHEREAS**, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created for the construction of improvements as follows:

**Location of Improvements:**

- East/West Alley from 11th to 12th, between Belford Avenue and North Avenue

**Type of Improvements** - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

**WHEREAS**, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local Improvement District.

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

1. That the District of lands to be assessed is described as follows:

Lots 1 through 34, inclusive, Block 1, City of Grand Junction, except the North 10 feet thereof Lots 13 through 17, inclusive, and also except the East 10 feet thereof of Lots 17 and 18, inclusive.

All in the City of Grand Junction, and Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 50 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 100 feet; and the total amount of assessable footage receiving the non-residential rate is 737.3 feet.

3. That the assessments to be levied against the properties in said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's office, which shall be added to the principal payable in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-10, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

## NOTICE

### OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-10, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

**PUBLIC NOTICE IS HEREBY GIVEN**, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-10, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

Lots 1 through 34, inclusive, Block 1, City of Grand Junction, except the North 10 feet thereof Lots 13 through 17, inclusive, and also except the East 10 feet thereof of Lots 17 and 18, inclusive.

All in the City of Grand Junction, and Mesa County, Colorado.

#### **Location of Improvements:**

- East/West Alley from 11th to 12th, between Belford Avenue and North Avenue

**Type of Improvements:** To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

The assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.



The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 50 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 100 feet; and the total amount of assessable footage receiving the non-residential rate is 737.3 feet.

To the total assessable cost of \$32,092.00 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's Office, which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of eight (8) percent per annum shall be charged on unpaid installments.

On January 4, 2010, at the hour of 7:00 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**BY ORDER OF THE CITY COUNCIL  
CITY OF GRAND JUNCTION, COLORADO**

**By:** \_\_\_\_\_  
City Clerk

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

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

**Attest:**

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



Date: November 12, 2009

Author: Brian Rusche

Title/ Phone Ext: x. 4058

Proposed Schedule:

November 30, 2009

2nd Reading: December 14, 2009

Attach 3

**Setting a Hearing on Zoning the Matthews Enclave Annexation, Located along the CO River W of 25 Rd and S of the Riverside Parkway**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Zoning of the Matthews Enclave Annexation - Located along the Colorado River West of 25 Road and South of the Riverside Parkway
<b>File # (if applicable):</b> ANX-2009-209
<b>Presenters Name &amp; Title:</b> Brian Rusche, Senior Planner

**Executive Summary:**

A request to zone the 10.53 acre Matthews Enclave Annexation, consisting of one privately-owned parcel and portions of two publicly-owned parcels, less 0.83 acres of public right-of-way, to a CSR (Community Services and Recreation) zone district.

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

**Goal 1:** To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

**Policy A:** City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

**Goal 6:** Land use decisions will encourage preservation and appropriate reuse.

**Policy A:** In making land use and development decisions, the City and County will balance the needs of the community.

**Action Requested/Recommendation:**

Introduce a Proposed Zoning Ordinance and Set a Public Hearing for December 14, 2009.

**Board or Committee Recommendation:** On November 10, 2009 the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to a CSR (Community Services and Recreation) zone district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

**Financial Impact/Budget:** N/A

**Legal issues:** None

**Other issues:** None

**Previously presented or discussed:** On November 2, 2009 the City Council adopted Resolution 84-09, providing a Notice of Intent to Annex the Matthews Enclave, Setting a Hearing date for the Annexation, and Exercising Land Use Control.

**Background, Analysis and Options:** See attached.

**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. Ordinance

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
<b>Location:</b>		Along the Colorado River west of 25 Road and south of the Riverside Parkway		
<b>Applicant:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Undeveloped		
<b>Proposed Land Use:</b>		Conservation		
<b>Surrounding Land Use:</b>	<b>North</b>	Public Trail		
	<b>South</b>	Colorado River		
	<b>East</b>	Undeveloped		
	<b>West</b>	Colorado River		
<b>Existing Zoning:</b>		County RSF-R (Residential Single Family Rural)		
<b>Proposed Zoning:</b>		CSR (Community Services and Recreation)		
<b>Surrounding Zoning:</b>	<b>North</b>	CSR (Community Services and Recreation)		
	<b>South</b>	CSR (Community Services and Recreation)		
	<b>East</b>	CSR (Community Services and Recreation)		
	<b>West</b>	CSR (Community Services and Recreation)		
<b>Growth Plan Designation:</b>		Conservation		
<b>Zoning within density range?</b>	X	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

Zone of Annexation: The requested zone of annexation to a CSR (Community Services and Recreation) zone district is consistent with the Growth Plan designation of Conservation. The existing zoning is County RSF-R (Residential Single Family Rural). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone 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.

**Response:** The CSR (Community Services and Recreation) zone is consistent with the Growth Plan - Future Land Use Map designation of Conservation and furthers Goal 20 and, more specifically, Policy 20.2, which states that the City and County will support efforts to maintain or improve the quality of green spaces along the Colorado and Gunnison Rivers.

All of the surrounding property is already zoned CSR.

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

**Response:** There are no services available to the subject property, which lies entirely within the 100 year Floodway of the Colorado River. The floodway prohibits development, with the exception of open space and associated amenities such as trails.

The CSR zone district includes open space areas, is used to prevent environmental damage to sensitive areas, and to limit development in areas where police or fire protection, protection against flooding by storm water, or other services or utilities are not readily available (ZDC Section 3.4.I.1).

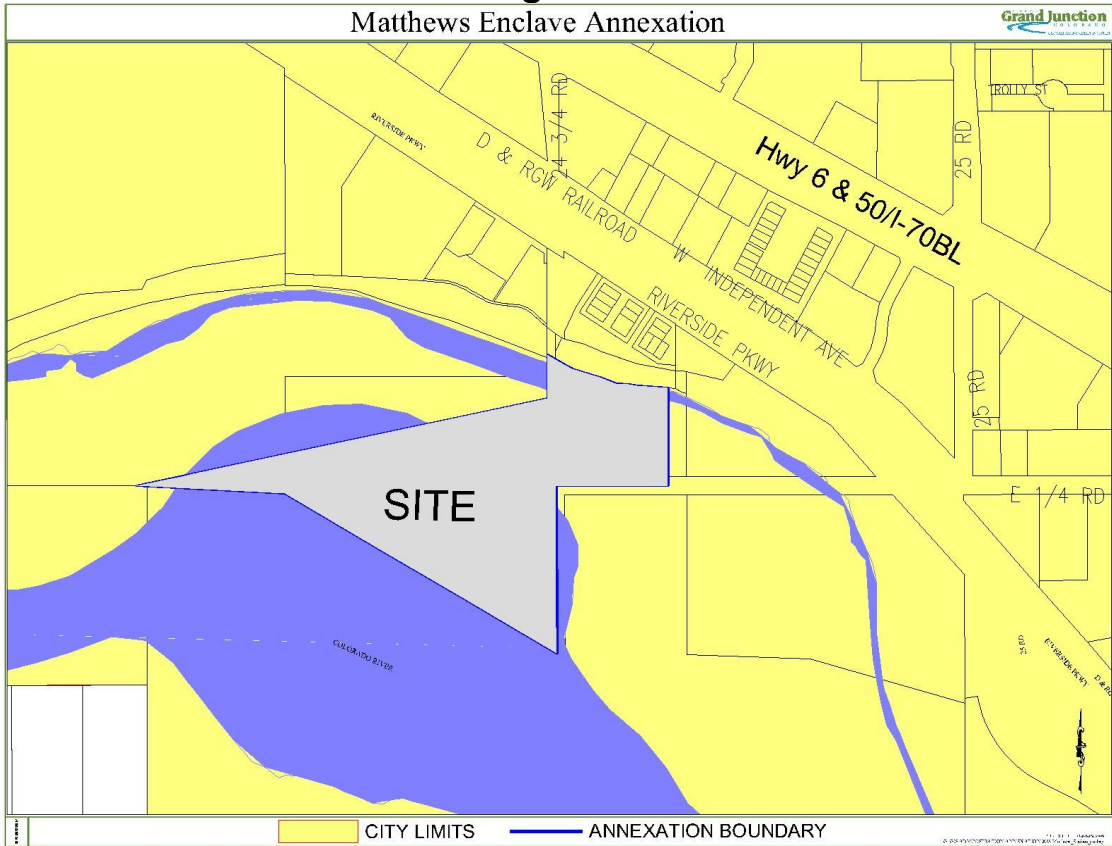
Therefore, the proposed zoning is consistent with the inability of the land to be provided with public services.

Alternatives: The following zone districts would also be consistent with the Growth Plan designation for the subject property:

1. There are no other zoning districts that implement the Future Land Use designation of Conservation other than CSR.

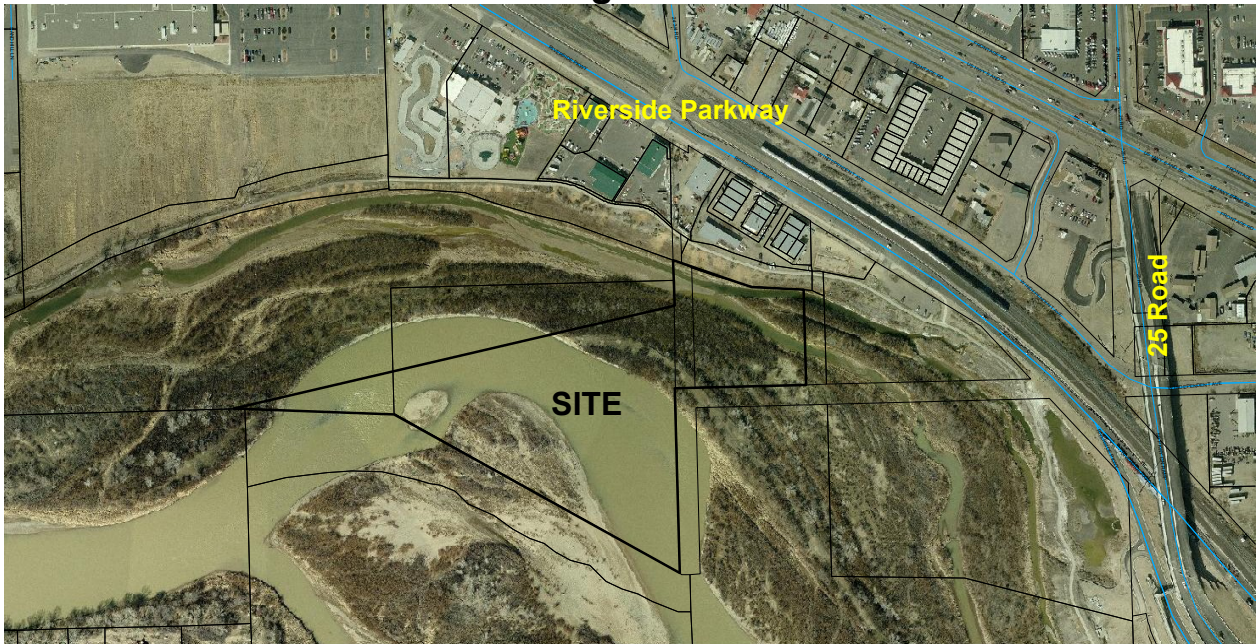
# Annexation - Site Location Map

## Figure 1



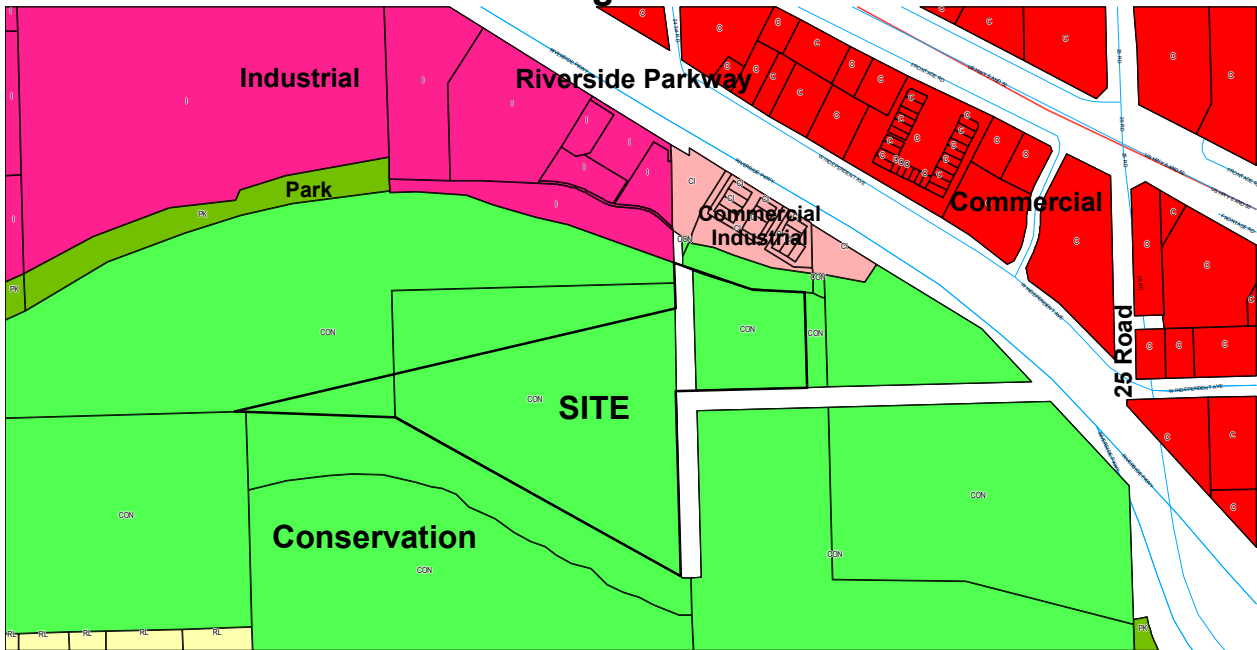
# Aerial Photo Map

## Figure 2



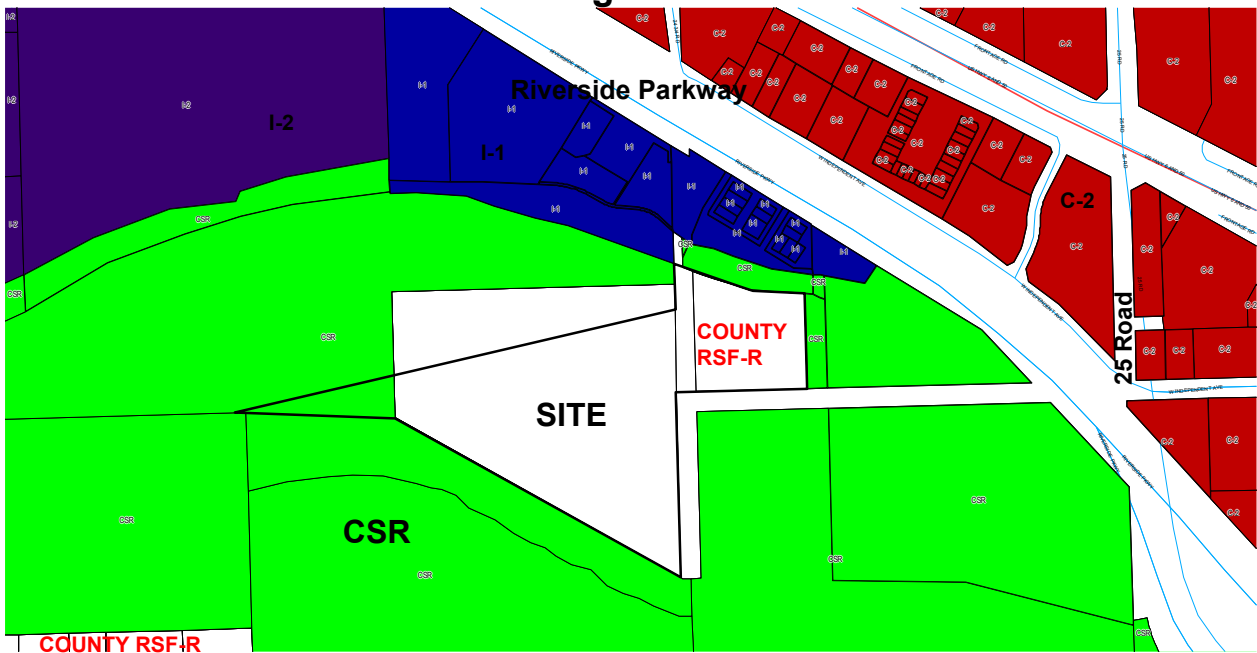
# Future Land Use Map

Figure 3



# Existing City and County Zoning Map

Figure 4



Note: The GIS Zoning Map incorrectly displays the zoning based on parcel boundaries. Previous annexations have included only portions of the subject parcels and, therefore, have only zoned portions of those parcels.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE MATTHEWS ENCLAVE ANNEXATION  
TO CSR (COMMUNITY SERVICES AND RECREATION)**

**LOCATED ALONG THE COLORADO RIVER  
WEST OF 25 ROAD AND SOUTH OF THE RIVERSIDE PARKWAY**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Matthews Enclave Annexation to the CSR (Community Services and Recreation) zone district, finding conformance with the recommended land use category as shown on the Future Land Use map of the Growth Plan and the Growth Plan's goals and policies and is compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6.A.3 and 4 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the CSR (Community Services and Recreation) zone district is in conformance with the stated criteria of Section 2.6.A.3 and 4 of the Grand Junction Zoning and Development Code.

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

The following property be zoned CSR (Community Services and Recreation):

**MATTHEWS ENCLAVE ANNEXATION**

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being an enclave bounded by the Reece Ice Skating Inc Annexation, Ordinance No. 3698, The Blue Heron Annexation, Ordinance No. 2549, the Hytech Hydronic Systems Inc Annexation, Ordinance No. 2985 and the Blue Heron II Annexation, Ordinance No. 2685, lying entirely within the plat of Riverside Subdivision, as same is recorded in Plat Book 1, Page 28, Public Records of Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 9 and assuming the North line of the SE 1/4 SE 1/4 of said Section 9 bears N 89°54'28" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°07'10" E along the West line of the SE 1/4 SE 1/4 of said Section 9, a distance of 545.55 feet; thence N 52°16'39" W, a distance of 893.52 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 9; thence N 89°54'28" W along said



North line, a distance of 476.11 feet; thence N 78°15'24" East, a distance of 1232.77 feet; thence N 00°03'11" E, a distance of 140.00 feet; thence South 71°27'59" E, a distance of 289.49 feet; thence S 84°33'06" E, a distance of 55.68 feet; thence S 00°03'11" W, a distance of 271.07 feet; thence S 89°54'28" E, a distance of 70.00 feet; thence S 00°03'11" W, a distance of 25.00 feet to a point on the North line of the SE 1/4 SE 1/4 of said Section 9; thence N 89°54'28" W, a distance of 425.00 feet, more or less, to the Point of Beginning.

CONTAINING 458,629 Square Feet or 10.53 Acres, more or less, as described

LESS approximately 0.83 acres of right-of-way contained within the above description.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

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

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



Date: 11-9-09  
 Author: Jay Valentine  
 Title/ Phone Ext: Asst. Fin. Ops. Mgr., 1517  
 Proposed Schedule: Nov. 30, 2009  
 2nd Reading  
 (if applicable):

Attach 4  
**2010 Rates and Fees**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> 2010 Rates and Fees
<b>File # (if applicable):</b>
<b>Presenters Name &amp; Title:</b> Jodi Romero, Financial Operations Manager

**Executive Summary:**

Propose rate/fee increases of 4% for a 2010 annual pass for Lincoln Park and Tiara Rado Golf Courses, 10.7% in the Persigo plant investment fee, and 2.5% net increase in ambulance transport fee as presented and discussed during City Council budget workshops.

**How this action item meets City Council Comprehensive Plan Goals and Policies:**

This action is needed to meet the plan goals and policies of Lincoln Park and Tiara Rado Golf Courses, Persigo Wastewater Treatment Plant and the Ambulance Transport Enterprise Fund.

**Action Requested/Recommendation:**

Adopt the Resolution establishing the Fees for Golf, Plant Investment and Ambulance Transport.

**Board or Committee Recommendation:**

The Parks and Recreation Board have approved the golf fee increase at their September 3<sup>rd</sup> Board meeting.

**Financial Impact/Budget:**

The proposed fee increase of 4% on annual passes is included in the 2010 budget. An individual that presents a season pass would pay \$11.50 at Tiara Rado GC and \$11.00 at Lincoln Park GC compared to \$33.75\* and \$32.50\* respectively without a season pass. (\*Weekend rate – Friday-Sunday. Weekday rate is \$28.75 and \$27.00 respectively.)

The proposed fee increase of 10.7% in the Plant Investment Fee would increase the rate from \$2,800 to \$3,100.

The proposed ambulance transport fee increases differ over the various fee structures. Because the rate increases do not affect Medicare, Medicaid, or contractual revenues, the net revenue gain estimated for 2010 will be 2.5% over 2009 or an approximate increase of \$53,100 in revenue.

**Legal issues:**

N/A

**Other issues:**

N/A

**Previously presented or discussed:**

Rates and fees were discussed throughout the various budget workshops with City Council.

**Background, Analysis and Options:**

**Golf:** Staff recommends no increase in green fees for the golf courses, and a 4% increase in both limited and unlimited annual pass costs. Players may choose to purchase their 2010 pass during 2009 to avoid the modest increase.

**Plant Investment:** As a result of several meetings with City Council and the Mesa County Commissioners during 2007, it was agreed that the Wastewater Plant Investment Fee (PIF) increase, paid by new development, will provide adequate revenue to fund growth-related capacity upgrades to the sewage treatment system. The PIF is scheduled to increase \$300 per year until the year 2013; this is when the PIF will be at the correct amount as indicated by the 2006 independent rate study. After the year 2013, the PIF is scheduled to increase at approximately 2% per year.

**Ambulance Transport:** The rates currently in place in Grand Junction are based on rates set by Mesa County in the EMS Resolution adopted in January of 2005. The Mesa County rates were amended in May of 2008. Since then, most of the other transport agencies in Mesa County have adopted the 2008 rate schedule, except for Grand Junction.

These BLS and ALS rates are based on the CPI formula adopted by Mesa County. Proposed ground mileage and the special event, standby fees rates match what other Mesa County providers have adopted. The flight team returns are a new fee designed to recoup costs associated with returning flight teams to their aircraft at the airport.

**Attachments:**

N/A

**RESOLUTION NO. \_\_\_\_-09**

**A RESOLUTION ADOPTING FEES AND CHARGES FOR ANNUAL GOLF PASSES AT TIARA RADO AND LINCOLN PARK GOLF COURSES, PLANT INVESTMENT FEES FOR THE PERSIGO WASTEWATER TREATMENT PLANT AND AMBULANCE TRANSPORT**

**Recitals:**

The City of Grand Junction establishes rates for utility services, golf and ambulance transport on a periodic basis, and by this resolution, the City Council establishes these rates to implement decisions made in the long-term financial plans for the golf, wastewater and ambulance transport enterprise funds.

**Now, therefore, be it resolved that:**

**Golf:** There will be a 4% increase in the annual pass fee charged to those who wish to purchase one. The unlimited season pass fee will increase from \$356 to \$370 while the limited season pass will increase from \$285 to \$296.

**City of Grand Junction Golf Fees**

	<b>2009 Current</b>	<b>2010 Proposed</b>
<b>Golf</b>		
Season Pass - Limited	\$285	\$296
Season Pass - Unlimited	\$356	\$370
Green Fees	\$4 -\$33.75	No Change

**Persigo:** There will be a 10.7% increase in the Persigo plant investment fee charged to provide adequate revenue to fund planned capacity related upgrades to the treatment system.

**City of Grand Junction/Mesa County Plant Investment Fee**

	<b>2009 Current</b>	<b>2010 Proposed</b>	<b>% Change</b>
Plant Investment Fee Per EQU	\$2,800.00	\$3,100.00	10.7%

**Ambulance Transport:** Fees are being increased based on rates set by Mesa County in the EMS Resolution amended in May of 2008 as listed below.

**Ambulance Transport Fees**

	<b>2009 Current</b>	<b>2010 Proposed</b>	<b>% Change</b>
Basic Life Support Non-emergent	\$572.00	\$603.00	5.38%
Basic Life Support Emergent	\$572.00	\$603.00	5.38%
Advanced Life Support Non-emergent	\$781.00	\$823.00	5.38%
Advanced Life Support Emergent I	\$781.00	\$823.00	5.38%
Advanced Life Support Emergent II	\$781.00	\$823.00	5.38%
Specialty Care Transport	\$850.00	\$896.00	5.38%

Ground Mileage	\$9.97	\$12.00	20.3%
Flight Team Return	0	\$150.00	150%

**Special Event Standby Fees**

	<b>2008 Current</b>	<b>2009 Proposed</b>	<b>% Change</b>
ALS Ambulance Standby	\$80/hour	\$100/hour	25%
BLS Ambulance Standby	\$70/hour	\$80/hour	18.3%
ALS person only	\$40/hour	\$50/hour	25%
EMT-B only	\$30/hour	\$40/hour	33%

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2009.

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

Attest:

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



Date: November 18, 2009  
 Author: Lee Cooper  
 Title/ Phone Ext: Project Engineer, (256-4155)  
 Proposed Schedule: Award November 30, 2009, Begin Construction January 11, 2010  
 2nd Reading  
 (if applicable): \_\_\_\_\_

**Attach 5**  
**Construction Contract for the 7<sup>th</sup> Street (26 ½; F ½ ) Bridge Replacement Project**

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Construction Contract for the 7 <sup>th</sup> Street (26½; F½) Bridge Replacement Project
<b>File # (if applicable):</b> N/A
<b>Presenters Name &amp; Title:</b> Tim Moore, Public Works and Planning Director

**Executive Summary:**

This Project entails replacing a 52 year old bridge over the Grand Valley Irrigation Company’s Highline Canal with a new precast concrete structure. This bridge has been identified by the State of Colorado as “structurally deficient” with an overall structural rating of 37.8%. This low structural rating requires the bridge have posted weight limits restricting heavy trucks on this section of 7<sup>th</sup> Street. The bridge replacement project is scheduled to begin on January 11, 2010 with a final completion date of April 16, 2010 and is being 80% funded by a Federal Highway Administration Grant.

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

The 7<sup>th</sup> Street Bridge Replacement Project supports the following Goal from the comprehensive plan:

***Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.***

The current bridge due to its low structural sufficiency rating has posted weight limits displayed at each end of the bridge which restricts vehicles that exceed the posted weight limits from legally crossing the bridge. As a result, vehicles that have a gross vehicle weight that exceeds the posted weight limits are required to use alternate routes around the current bridge adding additional traffic to other City streets and perhaps consuming more fuel.

The new bridge has been designed to current truck load standards and will not have posted weight limits. Having another bridge without posted weight limits on the City’s infrastructure leads to a well-balanced and safe transportation system allowing for multiple routes that heavy semi-trailer trucks can take through the City of Grand Junction.

**Action Requested/Recommendation:**

Authorize the City Manager to Sign a Construction Contract with **Mays Concrete, Inc.** of Grand Junction, Colorado for the **7<sup>th</sup> Street Bridge Replacement Project** in the Amount of **\$303,740.00**.

**Board or Committee Recommendation:** N/A

**Financial Impact/Budget:**

**Project Costs:**

Construction Contract Items:

*FHWA Grant Funds (80% of Construction Contract) - \$242,992.00*

*City of Grand Junction Funds (20% of Construction Contract) - \$ 60,748.00*

***Total Construction Contract Amount - \$303,740.00***

**Legal issues:**

None

**Other issues:**

None

**Previously presented or discussed:**

N/A

**Background, Analysis and Options:**

Four bids for the 7<sup>th</sup> Street Bridge Replacement Project were received on Thursday, November 5, 2009. Mays Concrete, Inc. of Grand Junction, Colorado was the low responsible bidder with a bid of \$303,740.00.

The following bids were received on November 5, 2009:

<b>FIRM</b>	<b>LOCATION</b>	<b>AMOUNT</b>
Mays Concrete, Inc.	Grand Junction, CO	\$303,740.00
G.A. Western Construction	Palisade, CO	\$332,957.50
Skyline Contracting	Grand Junction, CO	\$356,710.00
American Civil Constructors	Littleton, CO	\$378,865.00
Budget		\$369,000.00

This Project entails replacing the existing two-lane 52 year old bridge over the Grand Valley Irrigation Company's Highline Canal with a new precast concrete structure. The current bridge is a steel girder bridge that has a corrosion problem (rust) due to the bridge age and the fact that irrigation canal water is present for most of the year. The new bridge will be a precast concrete structure that will have no structural steel components exposed to the environmental conditions. The new Bridge will remain a two-lane bridge, but will include bicycle lanes and sidewalks on each side of the bridge with pedestrian/vehicle guardrails meeting current safety codes. The new bridge was designed by Foothills Civil Design, LLC of Longmont, Colorado.

Replacing this bridge will mean that 7<sup>th</sup> Street will be closed to thru traffic at the bridge location. Detours will be well marked. The construction detour for north bound traffic will utilize Horizon Drive and 12<sup>th</sup> Street (27 Road). And the construction detour for south bound traffic will utilize 1<sup>st</sup> Street (26 Road) and Patterson Road.

Irrigation water will not be present during the construction of the new bridge.

**Attachments:**

Mays Concrete Work History for City of Grand Junction.





2399 Riverside Parkway ♦ P.O. Box 4150 ♦ Grand Junction, CO 81502 ♦ Phone 970-243-5669 ♦ Fax 970-245-2661 ♦ Email: mci@maysconcrete.com

November 3, 2009

City of Grand Junction  
City Clerk at City Hall  
250 North Fifth Street  
Grand Junction, CO 81501

RE: 7<sup>th</sup> Street Bridge Replacement Project (201-F0027)  
Federal Aid Project No.: BRO M555-026 Project Code: 16592  
Bid Date: November 5, 2009 at 2:00 p.m.

**WORK HISTORY FOR CITY OF GRAND JUNCTION**

Please find the following attachments:

- Attachment A – Address of the Bidders principle office location.
- Attachment B - History of work performed for the City of Grand Junction
- Attachment C – Number of employees
- Attachment D – Length of time Bidder has been performing business at principle location
- Attachment E – List of names and addresses for material suppliers for project being bid, and estimated dollar value of materials being supplied
- Attachment F – City of Grand Junction - Notice of Prequalification Status
- Attachment G – CDOT – Notice of Prequalification



2399 Riverside Parkway ♦ P.O. Box 4150 ♦ Grand Junction, CO 81502 ♦ Phone 970-243-5669 ♦ Fax 970-245-2661 ♦ Email: mcl@maysconcrete.com

## ATTACHMENT A

RE: 7<sup>th</sup> Street Bridge Replacement Project (201-F0027)  
Federal Aid Project No.: BRO M555-026 Project Code: 16592  
Bid Date: November 5, 2009 @ 2:00 p.m.

### WORK HISTORY FOR CITY OF GRAND JUNCTION

Attachment A – Address of the Bidders principle office location.

Mays Concrete, Inc.  
2399 Riverside Parkway  
Grand Junction, CO 81501

**MAYS CONCRETE INC.  
CONTRACTS COMPLETED  
City of Grand Junction**

**Attachment B**

<b>CIVIL/ STRUCTURAL</b>	<b>PROJECT NAME</b>	<b>CONTRACTING AUTHORITY</b>	<b>CONTRACT VALUE</b>	<b>YEAR COMP</b>
C	7th Street Corridor	City of Grand Junction	\$ 3,113,307.00	2009
C	Colorado Avenue	City of Grand Junction	\$3,440,400.71	2009
C	29 Road South	City of Grand Junction	\$113,498.00	2009
C/S	22 Road Bridge Replacement	City of Grand Junction	\$125,583.15	2009
S	Persigo Septage Receiving Station	City of Grand Junction	\$ 129,988.00	2009
S	Ranchmen's Ditch Flood Control	City of Grand Junction	\$ 266,523.00	2008
S	Ranchmen's Ditch Ph II	City of Grand Junction	\$ 171,451.00	2008
C/S	Riverside Parkway Ph 2 & 3 & PCCP	City of Grand Junction	\$ 3,147,904.40	2008
C	Riverside Parkway, Ph 1	City of Grand Junction	\$ 983,305.80	2007
C	29 1/4 Road - Orchard to North Avenue	City of Grand Junction	\$ 108,632.00	2006
C	24 1/2 Road & G Road Roundabout	Skyline Contracting, Inc.	\$ 123,701.00	2005
C	25 1/2 Road Reconstruction Phase 2	City of Grand Junction	\$ 243,762.00	2005
C	Orchard Avenue Improvements	City of Grand Junction	\$ 106,960.00	2005



2399 Riverside Parkway ♦ P.O. Box 4150 ♦ Grand Junction, CO 81502 ♦ Phone 970-243-5669 ♦ Fax 970-245-2661 ♦ Email: mci@maysconcrete.com

## ATTACHMENT C

RE: 7<sup>th</sup> Street Bridge Replacement Project (201-F0027)  
Federal Aid Project No.: BRO M555-026 Project Code: 16592  
Bid Date: November 5, 2009 at 2:00 p.m.

### WORK HISTORY FOR CITY OF GRAND JUNCTION

Attachment C – Number of employees

Mays Concrete, Inc. employees as of 10/23/09 - 122



2399 Riverside Parkway ♦ P.O. Box 4150 ♦ Grand Junction, CO 81502 ♦ Phone 970-243-5669 ♦ Fax 970-245-2661 ♦ Email: mci@maysconcrete.com

## ATTACHMENT D

RE: 7<sup>th</sup> Street Bridge Replacement Project (201-F0027)  
Federal Aid Project No.: BRO M555-026 Project Code: 16592  
Bid Date: November 5, 2009 at 2:00 p.m.

### WORK HISTORY FOR CITY OF GRAND JUNCTION

Attachment D – Length of time Bidder has been performing business at principle location.

Mays Concrete, Inc. has been performing business in Grand Junction, CO for over 40 years.



2399 Riverside Parkway ♦ P.O. Box 4150 ♦ Grand Junction, CO 81502 ♦ Phone 970-243-5669 ♦ Fax 970-245-2661 ♦ Email: mci@maysconcrete.com

## ATTACHMENT E

RE: 7<sup>th</sup> Street Bridge Replacement Project (201-F0027)  
Federal Aid Project No.: BRO M555-026 Project Code: 16592  
Bid Date: November 5, 2009 at 2:00 p.m.

### WORK HISTORY FOR CITY OF GRAND JUNCTION

Attachment E – List of names and addresses for material suppliers for project being bid, and estimated dollar value of materials being supplied.

<u>Name &amp; Address</u>	<u>Estimated \$ Value</u>
Grand Junction Ready Mix 2868 I-70 Business Loop Grand Junction, CO 81501	\$ 9,720
Rocky Mountain Rebar 686 Industrial Blvd. Delta, CO 81416	\$ 6,330
Hanson Pipe & Precast 900 South 100 East Washington, UT 84780	\$56,032

## NOTICE OF PREQUALIFICATION STATUS

October 2, 2009

**RECEIVED**  
OCT 07 2009

Mays Concrete, Inc.  
P.O. Box 4150  
Grand Junction, Co 81505

Based upon an updated CDOT Prequalification letter recently forwarded to our office, your firm is hereby prequalified to be awarded bids

- Not to exceed \$50,000
- Not to exceed \$500,000
- Not to exceed \$2,000,000
- Not to exceed \_\_\_\_\_
- Of any amount

by the City of Grand Junction Public Works and Planning Department.

This prequalification is subject to the following limitations:


(no limit on type of work)

Your prequalification status with this Department will remain in effect for as long as you maintain a current CDOT Prequalification letter on file with our office. The letter you recently provided to us expires **October 31, 2010** and your City pre-qualification will expire on the same date. It will be the responsibility of your firm to deliver CDOT renewal letters in a timely manner to maintain this pre-qualified status.

Bids from a general contractor will be received subject to any limitations stated above, and with due consideration of the amount of work presently under contract, past performance on City work and the other conditions listed in the Advertisement for Bids.

It is further understood that the bidder has available the organization and equipment adequate for any project on which a bid is submitted; that the contractor's organization and equipment will be available to undertake the work promptly after award; and that the work will be carried out expeditiously and under proper supervision.

Sincerely,



Bret Guillory, P.E.  
Utility Engineer



**Attach 6**  
**Public Hearing – Reman Rezone, Located at 555 W Gunnison Ave and Two Adjacent Properties**

Date: November 16, 2009

Author: Michelle Hoshide

Title/ Phone Ext: Associate Planner / 4043

Proposed Schedule: November 16, 2009

2<sup>nd</sup> Reading: November 30, 2009

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Reman Rezone - Located at 555 West Gunnison Avenue and Two Adjacent Properties
<b>File #:</b> RZ-2009-163
<b>Presenters Name &amp; Title:</b> Michelle Hoshide, Associate Planner

**Executive Summary:**

Request to rezone 1.76 acres, from C-1(Light Commercial) to C-2 (General Commercial).

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

Goal 6: Land Use decisions will encourage preservation and appropriate reuse.

Rezoning 555 West Gunnison Avenue and the two adjacent properties will encourage the preservation of the business of Spring Works, currently at 555 West Gunnison Avenue and will also promote the reuse of the properties by providing a more flexible zone district.

Goal 7: New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

Any uses placed on the vacant adjoining lots would be required to be screened from the bordering residential lots with a landscaped buffer and fence per the Zoning and Development Code.

Goal 12: Being a regional provider of goods and services the City and county will sustain develop and enhance a healthy, diverse economy.

The rezoning of 555 West Gunnison Avenue and the two adjacent properties will allow the growth of the existing business and will allow the properties to cater to future development.

**Action Requested/Recommendation:**

Hold a Public Hearing and Consider Final Passage of the Ordinance.



**Board or Committee Recommendation:**

On October 27, 2009, Planning Commission forwarded a recommendation of approval for the request to rezone 555 West Gunnison Avenue and two adjacent properties finding that the request is consistent with the purpose and intent of the Growth Plan and Section 2.6.A of the Zoning and Development Code.

**Background, Analysis and Options:** See attached

**Financial Impact/Budget:** N/A

**Legal issues:** None

**Other issues:** None

**Previously presented or discussed:** First reading of the ordinance was at the November 16, 2009 meeting.

**Attachments:**

Site Location Map, Aerial Photo Map, Future Land Use Map, Existing City Zoning Map Ordinance

BACKGROUND INFORMATION				
Location:		555 West Gunnison Avenue and adjacent properties		
Applicants:		Owner: 725 Scarlett LLC. Representative: TPI Industrial Inc.		
Existing Land Use:		Spring Works and Vacant		
Proposed Land Use:		General Commercial		
Surrounding Land Use:	North	Office/Warehouse with Outdoor Storage and Manufacturing		
	South	Single Family Residential		
	East	Indoor General Retail Sales		
	West	Self-Service Storage		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		C-2 (General Commercial)		
Surrounding Zoning:	North	C-1 (Light Commercial)		
	South	R-8 (Residential 8 du/ac)		
	East	C-1 (Light Commercial)		
	West	C-1 (Light Commercial)		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

1. Background:

In 1978 the Six and Fifty West Subdivision, Filing No. Two was platted. The vacant parcels (known as Lots 4 and 5 of the Six and Fifty Subdivision West Filing No. Two), as well as, 555 West Gunnison Avenue were originally platted in this subdivision. In 2004, 555 West Gunnison Avenue (Spring Works) Lots 6, 7 and 8, from the Six and Fifty Subdivision West, Filing No. Two, were consolidated into one lot.

In recent months Spring Works has reached their storage capacity. They are proposing to use the adjacent property for extra overflow storage.

2. Rezone Criteria of the Zoning and Development Code:

In order to maintain internal consistency between the Code and the Zoning Maps, map amendments and rezones must demonstrate conformance with criteria one or all criteria two through six for approval:

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

The existing zoning was not in error at the time of adoption.

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

Growth trends in this area have stimulated the development of C-2 (General Commercial) uses within the area surrounding the site. The properties (555 West Gunnison Avenue and the adjacent properties) are directly surrounded on the north, east, and west side by commercial businesses zoned C-1 (Light Commercial). However, the character of the neighborhood consists of businesses that house indoor manufacturing, office/warehouse, and outdoor storage, as well as self-storage units.

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

The proposed rezone is compatible with the surrounding commercial uses and zoning in the area and the Future Land Use designation of Commercial. Eleven C-2 (General Commercial) zoned properties exist less than 300 feet northwest of 555 West Gunnison Avenue and the adjacent properties. The properties (555 West Gunnison Avenue and adjacent properties) are surrounded by C-1 (Light Commercial) zoned properties to the north, east and west, with R-8 (Residential 8 du/ac) across a street to the south. Any use on the properties would need to be screened from the residential zone district by a landscape strip and wall.

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

There is an existing 8 inch City water line that runs along West Gunnison Avenue and an existing 8 inch sewer line that also runs along West Gunnison Avenue. These services are adequate and available for development of the property.

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

There is an inadequate supply of C-2 (General Commercial) zoned land available in the neighborhood directly surrounding Spring Works and the adjacent properties.

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

The community and surrounding area will benefit from the proposed rezone because it will allow the business on 555 West Gunnison Avenue (Spring Works) to potentially expand their business in their current location.

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

a. C-1 (Light Commercial)

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

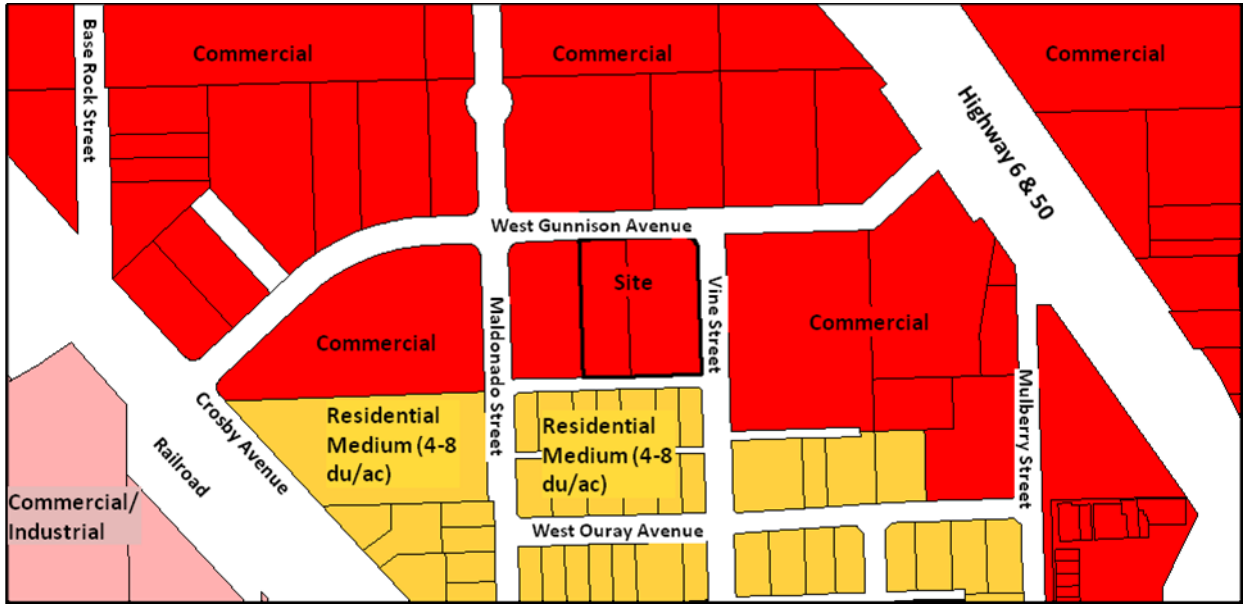
# Site Location Map



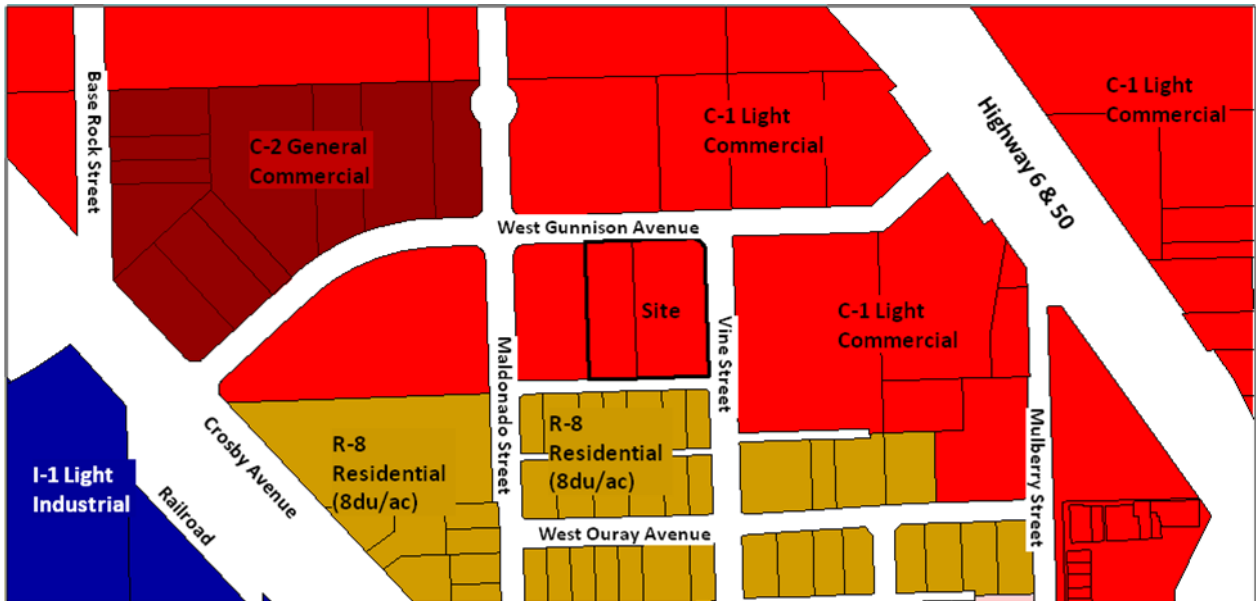
# Aerial Photo Map



# Future Land Use Map



# Existing City Zoning Map



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING THREE PARCELS OF LAND FROM C-1 (LIGHT COMMERCIAL) TO C-2 (GENERAL COMMERCIAL)**

**LOCATED AT 555 WEST GUNNISON AVENUE AND TWO ADJACENT PARCELS (REMAN REZONE)**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezone request from C-1 (Light Commercial) C-2 (General Commercial).

After public notice and public hearing before the Grand Junction City Council, City Council finds the rezone request meets the goals and policies and future land use as set forth by the Growth Plan, Commercial Industrial. City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED TO THE C-2 (GENERAL COMMERCIAL) ZONE DISTRICT:

Lot 1 Reman Simple Subdivision SEC 15 1S 1W-1.00AC and Lots 4 and 5 BLK 7 Six and Fifty West Subdivision Filing No. Two SEC 15 1S 1W – 0.66 AC

Introduced on first reading on the 16<sup>th</sup> day of November, 2009

PASSES and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

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

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



Date: Nov 17, 2009  
 Author: Judith Rice  
 Title/ Phone Ext: Associate Planner / 4138  
 Proposed Schedule: Nov 30, 2009  
 2nd Reading(if applicable): Nov 30, 2009

**Attach 7**  
**Public Hearing Landmark Baptist Church**  
**Rezone, Located at 1600 Ute Ave**

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Landmark Baptist Church Rezone - Located at 1600 Ute Avenue
<b>File #:</b> RZ-2009-195
<b>Presenters Name &amp; Title:</b> Judith Rice, Associate Planner

**Executive Summary:**

Request to rezone 3.53 acres located at 1600 Ute Avenue, from C-2 (General Commercial) zone district to C-1 (Light Commercial) zone district.

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

**Goal 6:** Land use decisions will encourage preservation and appropriate reuse.

Rezone of the 3.53 acres will facilitate the preservation of an existing use and allow reuse of the property.

**Goal 12:** Being a regional provider of goods and services, the City and County will sustain, develop and enhance a healthy, diverse economy.

Rezone of the 3.53 acres from C-2 to C-1 supports appropriate commercial development (offices) for the neighborhood and allows needed services (church and private school) to be developed within the City, helping to sustain a healthy, diverse economy.

**Action Requested/Recommendation:**

Hold a Public Hearing and Consider Final Passage of the Proposed Ordinance.

**Board or Committee Recommendation:**

Planning Commission recommended approval of the requested rezone at their November 10, 2009 meeting, finding that the proposed request is consistent with the purposes and intent of the Growth Plan and Section 2.6.A of the Zoning and Development Code.



**Background, Analysis and Options:** See attached.

**Financial Impact/Budget:** N/A

**Legal issues:** None

**Other issues:** None.

**Previously presented or discussed:** First reading of the ordinance was at the November 16, 2009 meeting.

**Attachments:**

Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
Ordinance

BACKGROUND INFORMATION				
Location:		1600 Ute Avenue		
Applicant:		Applicant: Landmark Baptist Church Owner: Craig A. and Elaine M. Shelley		
Existing Land Use:		Office Space, Telecommunications Tower, Undeveloped Area		
Proposed Land Use:		Office Space, Church and Private School		
Surrounding Land Use:	North	Mini Storage Units		
	South	Industrial and Railroad (across I-70 Business Loop)		
	East	Commercial Retail (Auto Interiors, Computer Service)		
	West	Commercial Retail (Wheelchair Sales, Carpet Installation Office, General Contractor Office)		
Existing Zoning:		C-2 (General Commercial)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	C-2 (General Commercial)		
	South	I-1 (Light Industrial) and C-2 (General Commercial)		
	East	C-2 (General Commercial)		
	West	C-1 (Light Commercial)		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

**ANALYSIS:**

1. Background

Annexation of this property occurred in 1957 as part of the Union Carbide Annexation. The property was given a C-2 zoning designation in 1961.

The building was used as the offices of Union Carbide and UMETCO, energy companies, until 1994 when private individuals bought the property. The property has since had a variety of tenants including business offices, a school (alternative high school) and developmental services center. A Cell Tower was erected in 1999 at the east end of the property. Currently, a portion of the building is occupied by offices.

The applicant has proposed the following uses: offices, a church, and a private school, elementary through high school grades. All of these uses are allowed in a C-2 zoning except for the elementary school component. Elementary schools are allowed in a C-1 zone district. Hence the request for a rezone from C-2 to C-1.

A portion of the land is vacant with no current plans to develop.

2. Section 2.6.A of the Zoning and Development Code (Code)

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must occur only if:

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

The existing zoning of C-2 was not in error at the time of adoption.

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.;*

Over time the neighborhood character has changed with less intense uses. The property has a history of less intense commercial uses, such as, offices, a school and a developmental services center. The neighborhood has come to expect these types of commercial uses on this property. A C-1 zone would allow development more in character with the residential and other commercial properties in the vicinity. Other more intense C-2 uses which would be possible if the existing zoning remains (tire recapping, outdoor storage and operations, body shop, heavy vehicle fuel sales, outdoor manufacturing operations) would be out of character with the 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 neighborhood includes R-8 (Residential 8 du/acre) zoning to the north and west. Also, to the west is R-O (Residential Office) located on Colorado Avenue and C-1 (Light Commercial) west along Ute Avenue. This property is ideally situated to create a transition from the more intense C-2 zoning to the east to less intense C-1, R-0 and R-8 zones to the west.

The Growth Plan encourages the continued use of existing facilities compatible with existing development. Development in areas which have adequate public facilities in place is encouraged. The C-1 zone is compatible with the Future Land Use designation of Commercial.

This property and the existing facility meet Code requirements for dimensional standards, landscaping, parking and other City regulations.

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*

The existing public facilities and services are adequate and can serve uses allowed in the C-1 zone.

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

Large properties zoned C-1 which provide existing infrastructure for multiple uses (church, school, offices) are not available in the area. Also, a C-1 zone for this property will allow the applicant to provide the community with much needed classrooms.

6. *The community will benefit from the proposed zone*

The proposed zone will allow continuation of the current office uses and encourage other uses on the property more in character with the lower intensity residential and commercial uses in the vicinity and limit more intense uses. The proposed zone would support a transition from the I-70 Business Loop to the R-8, R-O and C-1 properties leading to the downtown area. A C-1 zone for this property will provide the community with an opportunity to increase needed schools.

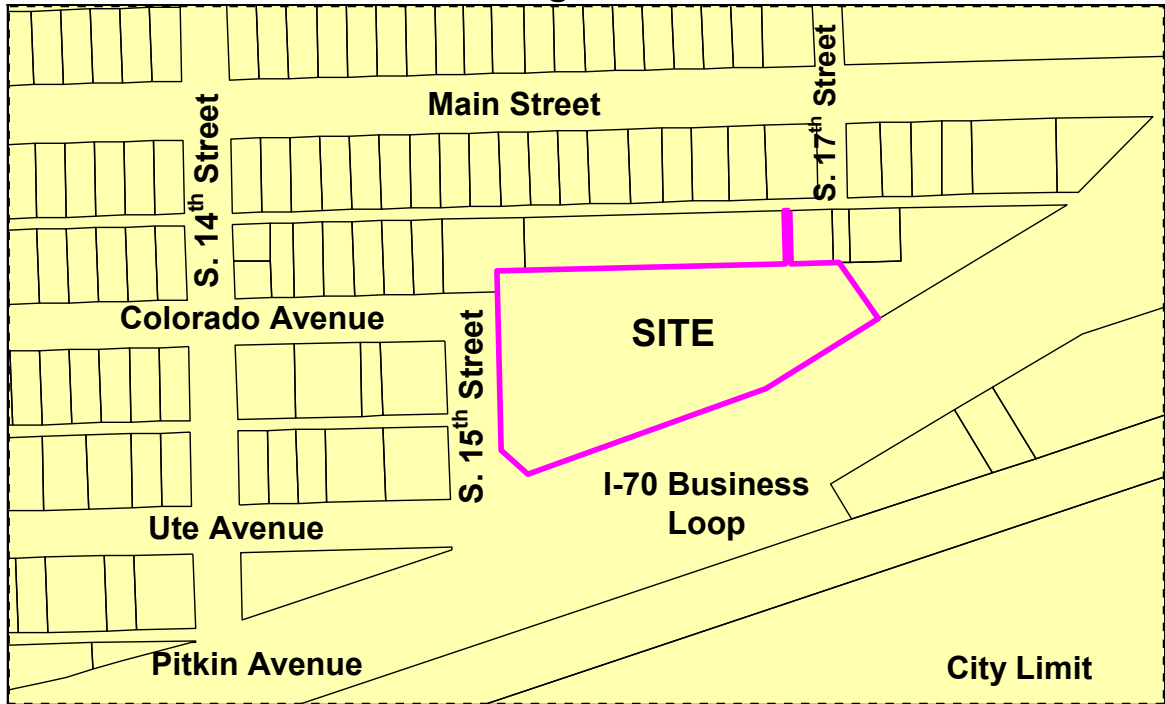
Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- b. R-O (Residential Office)
- c. B-1 (Neighborhood Business)
- d. B-2 (Downtown Business)
- e. C-1 (Light Commercial)

If the City Council chooses to approve one of the alternative zone designations, specific alternative findings must be made as to why the City Council is approving an alternative zone designation.

# Site Location Map

Figure 1



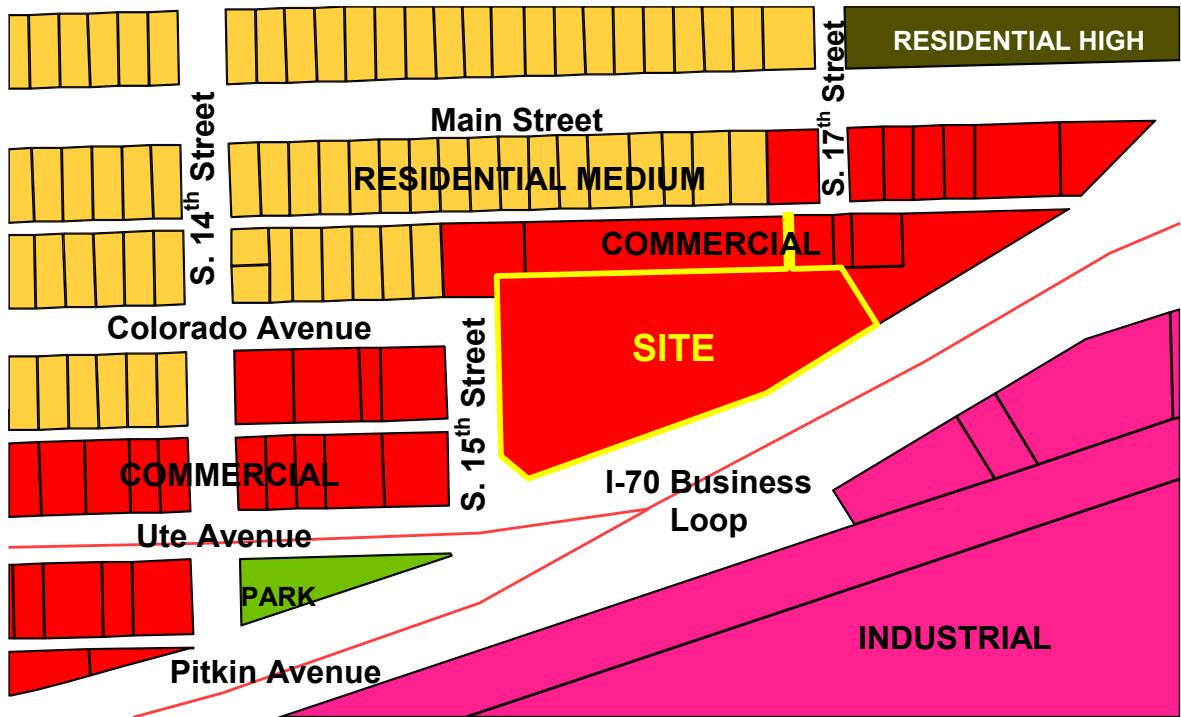
# Aerial Photo Map

Figure 2



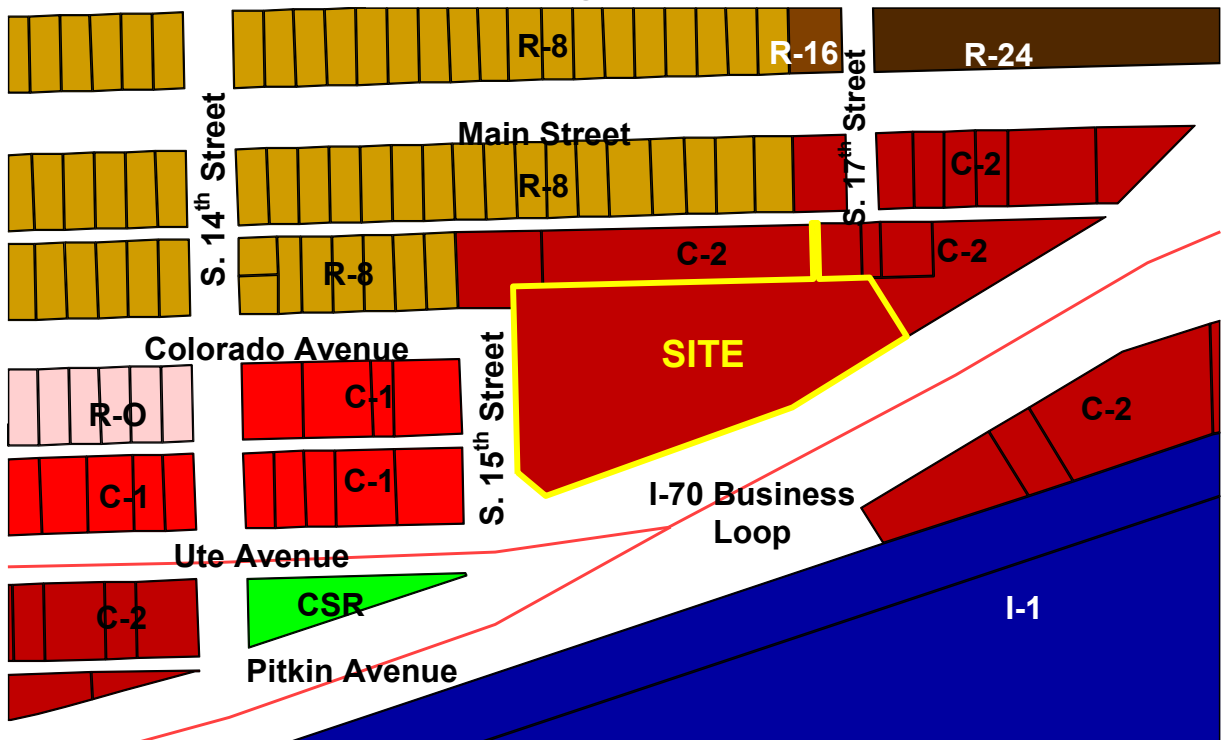
# Future Land Use Map

Figure 3



# Existing City Zoning Map

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS  
THE LANDMARK BAPTIST CHURCH REZONE  
FROM C-2 (GENERAL COMMERCIAL) TO C-1 (LIGHT COMMERCIAL)**

**LOCATED AT 1600 UTE AVENUE**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the property located at 1600 Ute Avenue to the C-1 (Light Commercial) zone district, finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 (Light Commercial) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning & Development Code.

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

The following the property be zoned C-1 (Light Commercial):

BEG at a pt which lies S89°57'E 82.97 ft from the NW COR of the SE1/4 of the SW1/4 of SEC 13, T1S, R1W of the UM which has been reestablished according to a plat the East Main Street Subdivision of Grand Junction, CO, as being 89.13 ft South of the City Monument of the intersection of the West line of 15th Street extended and the South line of the alley between Main Street and Colorado Avenue; thence S47°52'E a DIS of 67.10 ft; thence along an arc of a curve to the left with a radius of 107.30 ft, a DIS of 430.6 ft (the chord of which bears N71°26'E a DIS of 427.8 ft) to a concrete ROW marker, thence N59°56'E a DIS of 415.30 ft, more or less, to a pt of intersection with the North line of said SE1/4 of the SW1/4 of said SEC 13, thence N89°57'W a DIS of 814.75 ft, more or less, to the POB. EXCEPT THEREFROM that portion thereof described as follows: BEG at a pt which bears S89°57'E 670.6 ft from the NW COR of the SE1/4 SW1/4 of SEC 13, T1S, R1W of the UM, thence S89°57'E 226.8 ft to the Northerly ROW of Colorado Highway 6 & 24, thence along said ROW S59°56'W 192.7 ft, thence N31°49'W 113.85 ft, to the POB, a part of the City of Grand Junction, all in Mesa County, Colorado.

Said the property contains 3.53 acres, more or less, as described.

Introduced on first reading this 16<sup>th</sup> day of November, 2009 and ordered published.

Adopted on second reading this \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

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President of the Council

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City Clerk





Date: November 5, 2009  
 Author: Mary Lynn Bacus,  
 Paralegal \_\_\_\_\_  
 Title/ Phone Ext: 244-1505  
 Proposed Schedule:  
 2nd Reading (if applicable):  
Monday, November 30,  
2009

**Attach 8**  
**Public Hearing Expanding the Boundaries for the DDA Authority**

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority
<b>File # (if applicable):</b>
<b>Presenters Name &amp; Title:</b> Heidi Hoffman Ham, DDA Executive Director John Shaver, City Attorney

**Executive Summary:** The DDA has been petitioned by Mesa County Board of County Commissioners, the Mesa County Library District and the City to include various properties into the DDA boundaries. Inclusion of these properties within the DDA Boundaries will serve to promote community stability and prosperity by improving property values, assist in the development and redevelopment of the district and provide for the continuance of economic health in the community.

**How this item relates to the draft Comprehensive Plan Goals and Policies:**

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

Properties within the DDA District benefit from the contributions of the DDA in developing and redeveloping properties and capital improvement projects, thereby improving property values and bringing economic stability.

**Action Requested/Recommendation:**

Hold a Public Hearing and Consider Final Passage and Publication of the Ordinance.

**Board or Committee Recommendation:**

The DDA Board has previously approved the Petition of the Mesa County Library District. At its meeting on November 12, 2009, the Board voted to include the City and County properties.

**Background, Analysis and Options:**

The DDA Board received a petition from the Mesa County Public Library District, requesting inclusion into the Authority's boundaries for its properties at 520 N. 5<sup>th</sup> St, 517 Chipeta Avenue, 525 Chipeta Avenue, 529 Chipeta Avenue and 536 Ouray Avenue. The Board approved the petition at its May 14, 2009 meeting.

The Board received a petition from the Mesa County Board of County Commissioners, requesting inclusion into the Authority's boundaries for its properties at 551 Chipeta Avenue and 537 Chipeta Avenue.

Additionally, the Board received a petition from the City of Grand Junction, requesting inclusion into the Authority's boundaries for its properties at 550 Ouray Avenue, an unaddressed parking lot at the corner of Chipeta Avenue and North 5<sup>th</sup> Street, 700 Struthers Avenue, 1200 S. 7<sup>th</sup> Street, 549 Noland Avenue, 1200 S. 5<sup>th</sup> Street, 1222 S. 5<sup>th</sup> Street, and 1236 S. 5<sup>th</sup> Street.

The DDA Board met on November 12, 2009 to review the petitions from Mesa County and the City of Grand Junction. The petitions were approved.

Inclusion of all these properties within the Authority's boundaries and expansion of the Authority will benefit the downtown area as well as the City by the addition of added ad valorem and sales taxes collected with the Plan area in accordance with State law, the Plan and other applicable law, rules or regulations.

**Financial Impact/Budget:** There is no financial impact to the City.

**Legal issues:** Any legal issues will be resolved prior to the City Council's public hearing on November 30, 2009.

**Other issues:** N/A

**Previously presented or discussed:** The first reading of the Ordinance occurred on November 18, 2009.

**Attachments:**

- Petition Letter – City of Grand Junction
- Petition letter – Mesa County Library District
- Petition Letter – Mesa County
- Site Map of Catalyst Properties for Inclusion
- Site Map of South Downtown Properties for Inclusion
- DDA Board Minutes

- DDA Approval Letter
- Proposed Ordinance



November 5, 2009

Heidi Hoffman Ham  
Downtown Development Authority  
248 So. 4th Street  
Grand Junction, CO 81501

**SUBJECT: Petition for inclusion into DDA Boundaries**

As owners of the parcels listed below, the City respectfully petitions the Grand Junction Downtown Development Authority to include all of these properties within the Downtown Development Authority's district boundary.

**Catalyst Properties:**

- 550 Ouray Avenue, Parcel No. 2945-142-32-941
- Unaddressed Parking Lot at the corner of Chipeta Avenue and North 5<sup>th</sup> Street – Parcel No. 2945-142-32-948

**South Downtown Properties:**

- 700 Struthers Avenue
- 1200 South 7<sup>th</sup> Street
- 549 Noland Avenue
- 1200 S. 5<sup>th</sup> Street
- 1222 S. 5<sup>th</sup> Street
- 1236 S. 5<sup>th</sup> Street
- Lot 1, Block 1, Van Gundy North Subdivision

If you have any questions in regards to this request, please give me a call.

Sincerely,

FOR THE CITY OF GRAND JUNCTION

By:   
Rich Englehart, Deputy City Manager



## Mesa County LIBRARIES

Dream it. Discover it. Do it.

Heidi Ham, Executive Director  
Downtown Development Authority  
248 S. 4<sup>th</sup> Street  
Grand Junction, CO 81501

May 12, 2009

Dear Heidi:

Mesa County Public Library District intends to include all of its downtown properties as part of the Downtown Development Authority (DDA). Listed below are all nine Library properties to be consolidated and mapped accordingly.


### Mesa County Public Library District Downtown Properties

502 Grand Avenue	2945-142-32-001
530 Grand Avenue	2945-142-41-991
443 N. 6 <sup>th</sup> Street	2945-142-41-993
502 Ouray Avenue (and 514)	2945-142-32-991
536 Ouray Avenue (and 546)	2945-142-32-993
520 N. 5 <sup>th</sup> Street	2945-142-32-998
517 Chipeta Avenue	2945-142-32-999**
525 Chipeta Avenue (and 527)	2945-142-32-992**
529 Chipeta Avenue	2945-142-32-990

City and County-owned properties are not included as Library property. Property located at 501 Chipeta Avenue is owned by Mesa Motors Inc., 949 Main Street, Delta, Colorado 81416. Two properties not included in earlier discussions, shown with a double asterisk (\*\*), are to be included within the DDA boundary. Three properties have double lots; please note the additional address number provided on the list above.

Thank you for your assist and let me know if you need more information before proceeding in the re-classification of downtown properties within the DDA boundary.

Sincerely,

  
Eve Tallman  
Library Director

530 Grand Avenue . P.O. Box 20000-5019 . Grand Junction, CO 81502-5019  
CENTRAL LIBRARY . 970.243.4443 . Fax 970.243.4744 . [www.mcpld.org](http://www.mcpld.org)

Clifton Branch 970.434.6936 • Collbran Branch 970.487.3545 • DeBeque Branch 970.283.8625  
Fruita Branch 970.858.7703 • Gateway Branch 970.931.2428 • Orchard Mesa Branch 970.243.0181 • Palisade Branch 970.464.7557



Mesa County, Colorado  
**BOARD OF COUNTY COMMISSIONERS**

District 1 - Craig J. Meis (970) 244-1605  
District 2 - Steven Acquafresca (970) 244-1604  
District 3 - Janet Rowland (970) 244-1606

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P.O. Box 20,000 • 544 Rood Avenue • Grand Junction, Colorado 81502-5010 • FAX (970) 244-1639

August 5, 2009

Heidi Hoffman Ham, Executive Director  
Downtown Development Authority  
248 South 4<sup>th</sup> Street  
Grand Junction, CO 81501

RE: Request to include certain Mesa County properties in the Downtown Development Authority

Dear Ms. Ham:

The Mesa County Board of County Commissioners is requesting that the boundaries for the Downtown Development Authority be adjusted to include the following properties owned by Mesa County:

- 551 Chipeta Avenue, parcel #2945-142-32-930
- 537 Chipeta Avenue, parcel #2945-142-32-932

The purpose of this request for inclusion is to facilitate the development of and conversation around the City of Grand Junction's Downtown Catalyst Project that is currently in the feasibility study stage.

If you have any questions concerning this request, please contact Tom Fisher, Regional Services Director, at 970-244-1788.

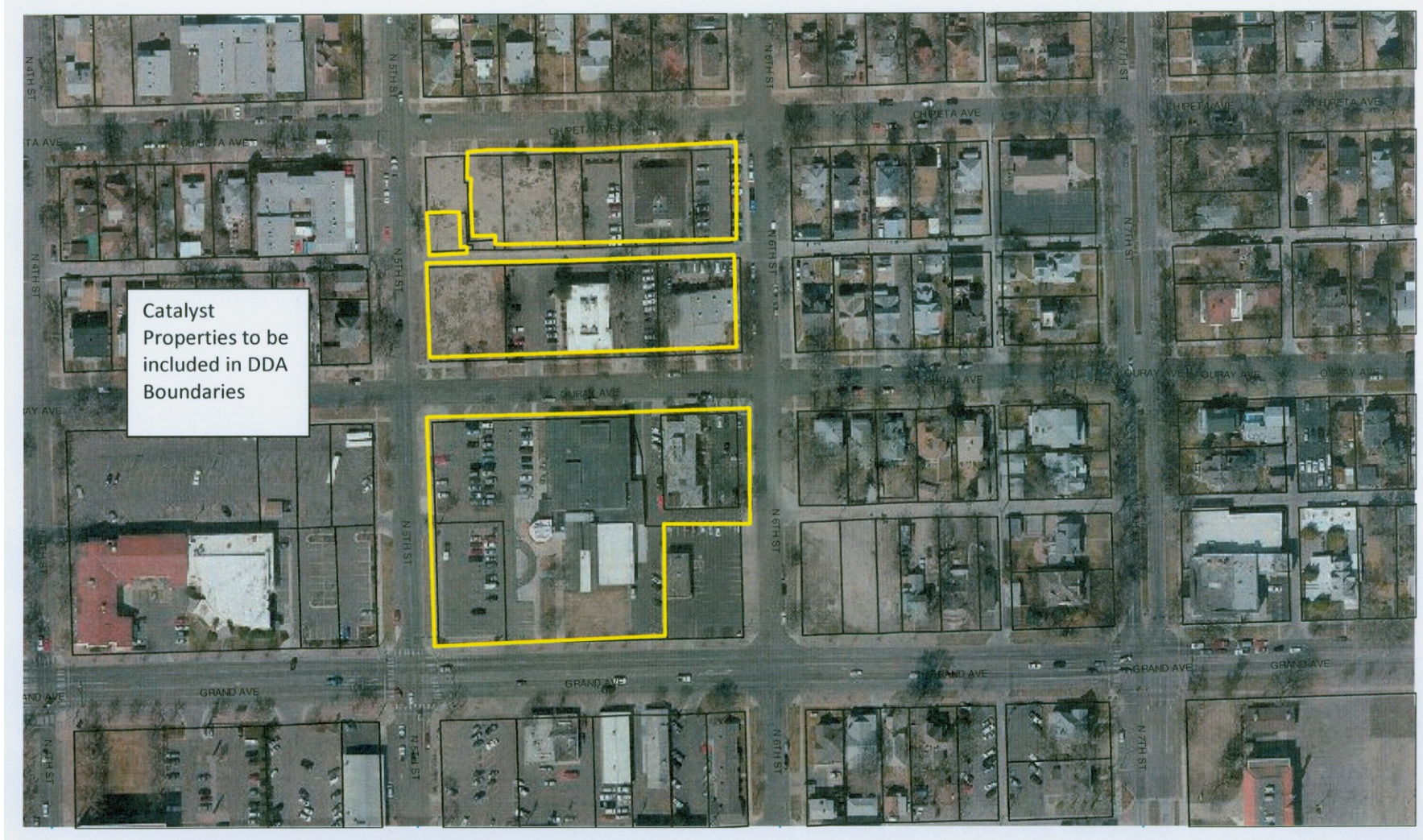
Sincerely,

  
Steven Acquafresca, Chairman  
Board of Commissioners

cc: Commissioners Janet Rowland and Craig Meis  
Jon Peacock, County Administrator  
Tom Fisher, Regional Services Director

s:\kc&bf\letters\facilities\dda re m c property.doc

*Creating a community of opportunities for all residents with a focus on the future.*









GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY  
BOARD MINUTES

Thursday, May 14, 2009

248 S. 4<sup>th</sup> Street, Grand Junction, CO

7:30 a.m.

PRESENT: Scott Howard, Bill Wagner, Harry Griff, Peggy Page, Bonnie Beckstein, Scott Holzschuh, Bill Keith, Steve Thoms

STAFF: Heidi Hoffman Ham, Diane Keliher, Kathy Dirks, Felicia Sabartinelli

GUESTS: Angela Harness, Rich Englehart, John Shaver

CALL TO ORDER: Steve called the meeting to order at 7:31 a.m.

APPROVAL OF MINUTES: Harry made a motion to approve the April 9 minutes; Peggy seconded; motion carried. Harry made a motion to approve the April 23 minutes with two corrections: 1. That PJ attended that meeting, and 2. there needs to be dollar amounts stated for the façade grants. Scott Holzschuh seconded; minutes were approved with changes.

CHAIRMAN REPORT – Steve announced that the Colorado Avenue ribbon cutting is May 29 at 10 a.m. Art & Jazz was a fabulous event with great art work and great music. Steve thanked Scott Howard for the use of the Rockslide deposit safe and commented on the high quality of artists. Also, Cinco de Mayo proved that events can be done on Colorado Avenue with modifications. They did a good job, but the weather was extremely bad.

EXECUTIVE DIRECTOR REPORT – Heidi reported that we are waiting on a few parts to arrive and the heat will be ready for the Scheisswohl Building. Swamp coolers will be serviced on Monday, May 18. Chris Brown is opening a used bike retail store in the vacant units once they are remodeled. Heidi and John are still working on the condo process.

Breezeway demolition should be back underway today. There will be a change order to remove an unanticipated piece of reinforced concrete that has been uncovered. The wall with mill tailings will have to have new stucco. The RFP for construction should go out next week.

LIBRARY REQUEST TO ADD PROPERTY TO DDA – Mesa County Library would like to make sure all of their properties are in the DDA boundary in preparation for the City Center Catalyst Project. Harry made a motion to add all Mesa Co. Library properties to the DDA boundary; Scott Howard seconded; PJ

noted that he would like to have them included in the BID as well; motion passed. Heidi will encourage the Library to apply for BID membership.

SPECTRUM SOUND PROPOSAL – This item will be tabled until the next meeting.

PARTNERSHP OFFICE LEASE – This item will also be tabled. Bill W. reported that there are quite a few options still to discuss regarding the new location of the Downtown Partnership office before bringing a proposal to the Board. Steve emphasized that he would like to get this issue finalized as soon as possible.

RESOLUTION TO AUTHORIZE DEBT – In order to begin the bonding process, the Board needs to request that City Council authorize the issuance. If the Council authorizes it, the final bonding documents will need approval from the DDA. There was discussion regarding the amount and timing of repayment to the City’s reserve fund. Peggy made a motion to adopt the resolution to authorize debt; Harry seconded; motion passed.

INFORMATION – Peggy mentioned that Sgt. Stoneburner has been more visible on Main Street and that she asked him to watch for Downtown employees that are parking on Main Street for more than 2 hours. Bonnie feels very strongly that a police sergeant should not be involved in parking enforcement when there is other police department staff designated for that task. It was decided to remind employers that these spaces are for customers rather than employees.

MAIN STREET PROJECT UPDATE – Ted Ciavonne and Trent Prall presented four alternatives for the Main Street Project that reflect the public process to date. The Board was able to ask questions and give suggestions on the alternatives, which will next be presented to the merchants and property owners in the affected blocks. A public open house will follow on May 27.

ADJOURN – Peggy made a motion to adjourn; Bill K. seconded; the Board adjourned at 9:15 a.m.

APPROVED\_\_\_\_\_

DATE\_\_\_\_\_

SENT TO CITY CLERK\_\_\_\_\_

DATE\_\_\_\_\_



November 12, 2009

Stephanie Tuin, City Clerk  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**SUBJECT: Petition for Inclusion into DDA boundaries**

Dear Stephanie:

Please be advised that the board of directors of the Grand Junction Downtown Development Authority approved the City's petition for inclusion into the DDA boundaries dated November 5, 2009, at their meeting today.

The DDA continues to appreciate the longstanding cooperative relationship with the City and values the inclusion of these properties into the District.

Please let me know if you have any questions.

Thank you,

A handwritten signature in blue ink, appearing to read "H. Ham".

Heidi Hoffman Ham  
Executive Director  
Grand Junction Downtown Development Authority

---

Grand Junction Downtown Partnership  
248 South 4<sup>th</sup> Street, Grand Junction, CO, 81501  
Phone (970) 256-4130 Fax (970) 243-1865  
[www.downtowngj.org](http://www.downtowngj.org)

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

**AN ORDINANCE EXPANDING THE BOUNDARIES FOR THE GRAND JUNCTION,  
COLORADO DOWNTOWN DEVELOPMENT AUTHORITY**

The Grand Junction, Colorado, Downtown Development Authority (“the Authority” or “DDA”) has adopted a Plan of Development (“Plan”) for the boundaries of the Authority. The Plan and boundaries were initially approved by the Grand Junction, Colorado, City Council (“the Council”) on December 16, 1981.

Since that time, several individuals and entities, pursuant to Section 31-25-822, C.R.S. and Article X of the Authority's Plan, have petitioned for inclusion within the Authority's boundaries. The Board of the Authority has determined that the boundary of the DDA should be co-terminus with the boundary of the Tax Increment Financing (“TIF”) District, requiring expansion of the tax increment finance district boundary. The boundaries of the Authority have been expanded by the Council by Ordinance Nos. 2045, 2116, 2382, 2400, 2425, 2470, 2655, 2820, 2830, 2914, 3008, 4305 and 4326;

The Board of the Authority has reviewed and approved a petition from the Mesa County Board of County Commissioners, requesting inclusion into the Authority's boundaries for its properties at 551 Chipeta Avenue and 537 Chipeta Avenue and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has reviewed and approved a petition from the Mesa County Public Library District, requesting inclusion into the Authority's boundaries for its properties at 502 Grand Avenue, 530 Grand Avenue, 443 N. 6<sup>th</sup> Street, 502 Ouray Avenue, 536 Ouray Avenue, 520 N. 5<sup>th</sup> St, 517 Chipeta Avenue, 525 Chipeta Avenue, and 529 Chipeta Avenue, and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has reviewed and approved a petition from the City of Grand Junction, requesting inclusion into the Authority's boundaries for its properties at 550 Ouray Avenue, an unaddressed parking lot at the corner of Chipeta Avenue and North 5<sup>th</sup> Street, 700 Struthers Avenue, 1200 S. 7<sup>th</sup> Street, 549 Noland Avenue, 1200 S. 5<sup>th</sup> Street, 1222 S. 5<sup>th</sup> Street, and 1236 S. 5<sup>th</sup> Street, and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has approved all current petitions for the inclusion of certain properties within the Authority's boundaries and requests Council's approval to expand the Authority's boundary to include all properties that have currently petitioned for inclusion and to expand the Authority to receive a portion or increment of ad valorem and sales taxes collected with the Plan area in accordance with State law, the Plan and other applicable law, rules or regulations.

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

1. The Council finds the existence of blight within the boundary of the Authority, within the meaning of Section 31-25-802(1.5), C.R.S.

2. The Council hereby finds and determines that the approval of the expansion of boundaries for the Authority and the Plan, as shown on the attached Exhibit A, will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures; will halt or prevent the growth of blighted areas; will assist the City and the Authority in the development and redevelopment of the district and in the overall planning to restore or provide for the continuance of the economic health; and will be of specific benefit to the property to be included within the amended boundaries of the Authority and the TIF district.

3. The expansion of the Authority's boundaries, as shown on the attached Exhibit A, is hereby approved by the Council and incorporated into the Plan for TIF purposes. The Authority is hereby authorized to undertake development projects as described in the Plan and to act consistently with Article of the Plan including, but not necessarily limited to, receiving and expending for development and redevelopment efforts a portion or increment of ad valorem and sales taxes generated in the area in accordance with Section 31-25-801, C.R.S.

4. The Council hereby requests that the County Assessor certify the valuation for the assessment of the new property included by this Ordinance within the Authority's boundaries and the TIF district as of the date of the last certification. The City Financial Operations Manager is hereby directed to certify the sales tax receipts for the properties included in and described by the attached Exhibit A for the twelve (12) months prior to the inclusion.

5. Adoption of this Ordinance and amendment to, or expansion of the boundary of the Authority and the TIF District, does not, shall not and will not provide for or allow or authorize receipt or expenditure of tax increments without requisite statutory and Plan compliance.

6. If any provision of this Ordinance is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

INTRODUCED for FIRST READING and PUBLICATION on the 18<sup>th</sup> day of November, 2009.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

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

City Clerk

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## EXHIBIT A

### Expanding the boundaries of the Grand Junction Downtown Development Authority

The boundaries of the Authority shall be expanded to include the following properties into the Plan of Development area within which tax increment financing is used:

Tax Parcel No.	Legal Description
2945-142-32-998	Lots 1 through 32, inclusive, Block 60, City of Grand Junction, except that portion of said Block 60 as described in Book 3011, Page 592; AND ALSO  All that certain alley right of way lying within said Block 60, City of Grand Junction
2945-142-32-999	
2945-142-32-992	
2945-142-32-990	
2945-142-32-932	
2945-14232-930	
2945-142-32-941	
2945-142-32-948	
2945-231-37-946	Lots 1 and 2, inclusive, Struthers Subdivision, as recorded in Book 4870, Pages 668-689; AND ALSO,
2945-231-37-947	
2945-231-37-948	
2945-231-37-949	
2945-232-03-941	Lots 1 through 14, inclusive Block 2, South Fifth Street Subdivision, Plat Book 7, Page 19, including all platted alley right of way within said Block 2; AND ALSO,
2945-232-03-940	
2945-232-03-943	
2945-232-03-944	
2945-232-03-942	All that platted right of way for Noland Avenue that exists within the plat of said South Fifth Street Subdivision; AND ALSO,
2945-232-03-945	
2945-232-03-947	
2945-232-03-019	Lot 1, High Plains Subdivision, as recorded in Book 4263, Page 165; AND ALSO,
2945-232-25-948	
2945-232-22-001	
2945-232-26-948	
2945-232-30-001	Lot 1, Block 1, Van Gundy North Subdivision, as recorded in Book 4250, Page 490-491
2945-232-30-002	

**Please note that some existing DDA properties have been included in the legal descriptions above for purposes of clarifying all DDA boundaries in the area.**



Date: 11-9-09  
 Author: Jay Valentine  
 Title/ Phone Ext: Asst. Fin. Ops.  
Mgr., 1517  
 Proposed Schedule: \_\_\_\_\_ Nov.  
30, 2009  
 2nd Reading  
 (if applicable):

**Attach 9**  
**Mill Levies for Property Tax for Levy Year 2009**

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Property Tax Resolutions for Levy Year 2009
<b>File # (if applicable):</b>
<b>Presenters Name &amp; Title:</b> Jodi Romero, Financial Operations Manager

**Executive Summary:**

The resolutions set the mill levies of the City of Grand Junction (City), Ridges Metropolitan District, and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations; the Ridges levy is for debt service only.

**How this action item meets City Council Comprehensive Plan Goals and Policies:**

This action is needed as a financing source to meet the plan goals and policies of the City of Grand Junction, DDA and Ridges Metropolitan District.

**Action Requested/Recommendation:**

Adoption the Proposed Resolutions Certifying the Mill Levies

**Board or Committee Recommendation:**

N/A

**Financial Impact/Budget:**

The adoption of the Tax Levy Resolutions will generate property tax revenue for the City, DDA and the Ridges Metropolitan District. The amount of property tax generated is calculated by taking the adopted mill levy multiplied by the assessed valuation of property located within the taxing area.

**Legal issues:**

N/A

**Other issues:**

N/A



**Previously presented or discussed:**

N/A

**Background, Analysis and Options:**

Levies are filed by the City and its various tax levying bodies according to revenue required for the proper performance of their various functions. After the levies are certified to the County Assessor, it is then the Assessor's duty to extend the tax on all property assessed and the County Treasurer's duty to collect them.

**Attachments:**

Proposed Property Tax Resolutions  
Tax Levy Certifications

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

A RESOLUTION LEVYING TAXES FOR THE YEAR 2009 IN THE  
CITY OF GRAND JUNCTION, COLORADO

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,  
COLORADO:**

That there shall be and hereby is levied upon all taxable property within the limits of the **City of Grand Junction**, Colorado, for the year 2009 according to the assessed valuation of said property, a tax of eight (**8.000**) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado for the purpose of paying the expenses of the municipal government of said City for the fiscal year ending December 31, 2010.

**ADOPTED AND APPROVED THIS** \_\_\_\_ day of \_\_\_\_\_, 2009.

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

ATTEST:

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

**TAX LEVY CERTIFICATION**

TO COUNTY COMMISSIONERS AND ASSESSOR

STATE OF COLORADO  
COUNTY OF MESA  
CITY OF GRAND JUNCTION

To the Commissioners of Mesa County, Colorado:

This is to certify that the tax levy to be assessed by you upon all property within the limits of the **City of Grand Junction** for the year 2009, as determined and fixed by the City Council by Resolution duly passed on the 30<sup>th</sup> day of November, 2009, is eight **(8.000)** mills, the revenue yield of said levy to be used for the purpose of paying the expenses of the municipal government, and you are authorized and directed to extend said levy upon your tax list.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Grand Junction, Colorado, this 30<sup>th</sup> day of November, 2009.

---

City Clerk, City of Grand Junction

C: County Assessor

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

**A RESOLUTION LEVYING TAXES FOR THE YEAR 2009 IN THE  
DOWNTOWN DEVELOPMENT AUTHORITY**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,  
COLORADO:**

That there shall be and hereby is levied upon all taxable property within the Grand Junction, Colorado, Downtown Development Authority limits, for the year 2009 according to the assessed valuation of said property, a tax of five (5.000) mills on the dollar (\$1.00) upon the total assessment of taxable property within the City of Grand Junction, Colorado, Downtown Development Authority, for the purpose of paying the expenses of said Authority for the fiscal year ending December 31, 2010.

**ADOPTED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2009.**

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

ATTEST:

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

## **TAX LEVY CERTIFICATION**

TO COUNTY COMMISSIONERS AND ASSESSOR

STATE OF COLORADO  
COUNTY OF MESA  
CITY OF GRAND JUNCTION

To the Commissioners of Mesa County, Colorado:

This is to certify that the tax levy to be assessed by you upon all property within the Grand Junction, Colorado, **Downtown Development Authority** limits, for the year 2009, as determined and fixed by the City Council by Resolution duly passed on the 30<sup>th</sup> day of November, 2009, is five **(5.000)** mills, the revenue yield of said levy to be used for the purpose of paying the expenses of the Grand Junction, Colorado, Downtown Development Authority, and you are authorized and directed to extend said levy upon your tax list.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Grand Junction, Colorado, this 30<sup>th</sup> day of November, 2009.

---

City Clerk, City of Grand Junction

C: County Assessor

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

A RESOLUTION LEVYING TAXES FOR THE YEAR 2009 IN THE  
RIDGES METROPOLITAN DISTRICT

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

That there shall be and hereby is levied upon all taxable property within the limits of the Ridges Metropolitan District, City of Grand Junction, Colorado, for the year 2009 according to the assessed valuation of said property, a tax of five and eight hundred thousandths **(5.800)** mills on the dollar (\$1.00) upon the total assessment of taxable property within the Ridges Metropolitan District, City of Grand Junction, Colorado, for the purpose of paying certain indebtedness of the District, for the fiscal year ending December 31, 2010.

ADOPTED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2009.

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

ATTEST:

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

**TAX LEVY CERTIFICATION**

TO: County Commissioners of Mesa County, Colorado.

For the year **2009**, the Board of Directors of the **Ridges Metropolitan District** hereby certifies the following mill levy to be extended upon the total assessed valuation:

<b>PURPOSE</b>	<b>LEVY</b>	<b>REVENUE</b>
4. General Obligation Bonds and Interest - 1992 *	<u>5.800</u> mills	\$ <u>171,075</u>
9. Temporary Property Tax Credit/ Temporary Mill Levy Rate Reduction CRS 39-5-121 (SB 93-255)	<u>n/a</u> mills	\$ <u>0.00</u>
<b>TOTAL</b>	<b><u>5.800</u> MILLS</b>	<b>\$ <u>171,075</u></b>

=====  
Contact person: Stephanie Tuin Daytime Phone: (970) 244-1511

Signed \_\_\_\_\_ Title City Clerk, City of Grand Junction

\* CRS 32-1-1603 (SB 92-143) requires Special Districts to “certify separate mill levies to the Board of County Commissioners, one each for funding requirements of each debt.”

Send a copy to Division of Local Government, Room 521, 1313 Sherman Street, Denver, Colorado 80203.

Original form (FORM DLG 70 (Rev. 6/92))



Date: 11-9-09  
 Author: Jay Valentine  
 Title/ Phone Ext: Asst. Fin. Ops. Mgr., 1517  
 Proposed Schedule: Nov. 16, 2009  
 2nd Reading  
 (if applicable): Nov. 30, 2009

**Attach 10**  
**Public Hearing 2009 Supplemental Appropriation**  
**and the 2010 Budget Appropriation**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> City of Grand Junction Budget Presentation and Adoption
<b>File # (if applicable):</b>
<b>Presenters Name &amp; Title:</b> Laurie Kadrich, City Manager Jodi Romero, Financial Operations Manager

**Executive Summary:**

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 2009 amended and 2010 proposed budgets.

**How this action item meets City Council Comprehensive Plan Goals and Policies:**

This action is needed to meet the plan goals and policies.

**Action Requested/Recommendation:**

- 1) Adoption of the 2009 Supplemental Appropriation Ordinance passing the City of Grand Junction’s 2009 amended budget.
- 2) Adoption of the 2010 Annual Appropriation Ordinance passing the City of Grand Junction’s 2010 budget.

**Board or Committee Recommendation:**

The Supplemental Appropriation Ordinance and the 2010 Budget Appropriation for the Funds of Downtown Development Authority (DDA) have been approved by the DDA Board.

**Financial Impact/Budget:**

The supplemental appropriation ordinance and the 2010 budget appropriation ordinance are presented every year at this time to ensure adequate appropriation by fund.

**Legal issues:**



N/A

**Other issues:**

N/A

**Previously presented or discussed:**

The supplemental budget appropriation increase is partly due to the re-appropriation of budget dollars for capital projects that were previously approved but incomplete at the end of 2008. Additional appropriation is also needed for projects approved by City Council during 2009.

The 2010 City of Grand Junction Budget was presented to City Council at the budget presentation workshops.

**Background, Analysis and Options:**

The 2010 appropriation ordinance is the legal adoption of the City Manager's budget by the City Council for the upcoming fiscal year.

The supplemental increase in Golf, Water, Solid Waste and Sewer Funds appropriation is mainly attributed to Capital Projects funded through loan proceeds. The increase in Self Insurance is attributed to higher than expected claims.

**Attachments:**

Proposed Supplemental Appropriation Ordinance for 2009 Budget  
Proposed 2010 Budget Appropriation Ordinance

Ordinance No. \_\_\_\_\_

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2009  
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenue to the funds indicated for the year ending December 31, 2009, to be expended from such funds as follows:

<b>FUND NAME</b>	<b>FUND #</b>	<b>APPROPRIATION</b>
D.D.A. Operations	103	\$ 317,363
Comm. Dev. Block Grant	104	\$ 208,601
Parkland Expansion	105	\$ 170,141
Economic Development	108	\$ 40,699
T.I.F. Special Revenue	109	\$ 1,058,010
Conservation Trust	110	\$ 164,466
Public Art	112	\$ 18,000
D.D.A. TIF	203	\$ 4,267,214
Facilities	208	\$ 303,515
Water Fund	301	\$ 433,737
Solid Waste	302	\$ 1,232,892
Golf Courses	305	\$ 1,206,540
Parking	308	\$ 52,433
Self Insurance	404	\$ 777,875
DDA Debt Service	611	\$ 6,043,077
Ridges Debt Service	613	\$ 6,700

**INTRODUCED AND ORDERED PUBLISHED** this 16<sup>th</sup> day of November, 2009.

**TO BE PASSED AND ADOPTED** the \_ day of \_\_\_\_\_, 2009.

Attest:

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

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

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

**AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, THE DOWNTOWN DEVELOPMENT AUTHORITY, AND THE RIDGES METROPOLITAN DISTRICT FOR THE YEAR BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010**

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

**SECTION 1.** That the following sums of money, or so much therefore as may be necessary, be and the same are hereby appropriated for the purpose of defraying the necessary expenses and liabilities, and for the purpose of establishing emergency reserves of the City of Grand Junction, for the fiscal year beginning January 1, 2010, and ending December 31, 2010, said sums to be derived from the various funds as indicated for the expenditures of:

<b>FUND NAME</b>	<b>FUND #</b>	<b>APPROPRIATION</b>
General	100	\$ 65,119,820
Enhanced 911 Special Revenue	101	\$ 2,532,118
Visitor & Convention Bureau	102	\$ 2,242,643
D.D.A. Operations	103	\$ 384,760
Community Development Block Grants	104	\$ 546,201
Parkland Expansion	105	\$ 234,733
Economic Development	108	\$ 1,070,572
T.I.F.Special Revenue	109	\$ 3,371,152
Conservation Trust	110	\$ 320,479
Public Art	112	\$ 10,506
Sales Tax CIP Fund	201	\$ 20,006,881
Storm Drainage Improvements	202	\$ 79,603
T.I.F. Capital Improvements	203	\$ 3,156,091
Future Street Improvements	207	\$ 1,494,782
Facilities Capital Fund	208	\$ 1,151,200
Water Fund	301	\$ 9,150,646
Solid Waste	302	\$ 3,576,750
Two Rivers Convention Center	303	\$ 2,823,832
Swimming Pools	304	\$ 1,057,044
Golf Courses	305	\$ 4,745,304
Parking	308	\$ 586,328
Irrigation Systems	309	\$ 248,254

Ambulance Transport	310	\$	2,437,383
Information Services	401	\$	4,890,358
Equipment	402	\$	3,953,851
Self Insurance	404	\$	2,267,552
Communications Center	405	\$	8,113,193
General Debt Service	610	\$	6,980,688
T.I.F. Debt Service	611	\$	3,294,750
Ridges Metro District Debt Service	613	\$	226,006
Parks Improvement Advisory Board	703	\$	36,744
Cemetery Perpetual Care	704	\$	40,729
Joint Sewer System, Total	900	\$	16,080,550

**INTRODUCED AND ORDERED PUBLISHED** the 16<sup>th</sup> day of November, 2009.

**TO BE PASSED AND ADOPTED** the \_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

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

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