

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

March 18, 2015

The City Council of the City of Grand Junction convened into regular session on the 18th day of March, 2015 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Jim Doody, Duncan McArthur, Sam Susuras, Barbara Traylor Smith, and Council President Phyllis Norris. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Proclamation

Proclaiming March 2015 as “Developmental Disabilities Awareness Month” in the City of Grand Junction

Councilmember Traylor Smith read the proclamation. Doug Sorter, Development Vice President for Strive, was present to receive the proclamation. Councilmember Traylor Smith mentioned she is on the Strive Foundation Board. Mr. Sorter thanked the City Council for the proclamation and explained the mission and functions of Strive. He said it is a wonderful group of people that Strive is able to support.

Citizen Comments

Bruce Lohmiller, 445 Chipeta Avenue, #25, addressed the City Council regarding Judge Henderson and then addressed computer chip therapy for people with disabilities. He reminded City Attorney Shaver about the reports he submitted.

Chris Kennedy, 2514 Filmore Avenue, said over the last few days he has fielded a lot of calls on Ballot Issue 2A; many think it is a City grab to offer cable services. He thinks issue 2A is a good idea and he supports it, however, he would like to see information on the issue better disseminated and articulated to the public. It's about open access and business opportunities, not a City grab to run a business, which is the major objection from service providers.

Council Comments

Councilmember McArthur said from March 6th to March 10th he attended the National League of Cities (NLC) Annual Congressional City Conference in Washington D.C. with Councilmember Traylor Smith and Management and Legislative Liaison Elizabeth Tice. It was very educational and they met a number of people from around the country whose cities are facing the same issues as Grand Junction; they had interesting conversations regarding solutions. Councilmember McArthur sat in on the Energy, Environment and Natural Resources Committee; one of their topics was the Colorado River and the Lower States Compact Act which is dealt with locally through the Colorado Municipal League. Currently the Colorado representatives on this committee are all from the Front Range so he submitted his name for consideration with the hope of providing Western Slope representation. He also had the opportunity to meet with U.S. Senator Cory Gardner and it was an excellent meeting; he is a very affable gentleman and committed to assist the City with the Foreign Trade Zone (FTZ) application process. He offered to submit a letter of support if the City decides to apply. On March 13th he attended the Second Annual Walking and Biking Summit and met with Salt Lake City (SLC) Mayor Ralph Becker who is also the President of the NLC. Lastly, he went to the Grand Junction Police Annual Awards ceremony; it was great to see the level of involvement and commitment of many on the force.

Councilmember Boeschstein also attended the Second Annual Walking and Biking Summit; it was a good conference with about 500 people in attendance. SLC Mayor Becker is a big advocate of biking and walking, although he took issue with the City's motto to be "the most livable community west of the Rockies by 2025" since he feels that describes SLC. On March 18th, he attended the 5-2-1 Drainage Authority (5-2-1) meeting; they are working toward meshing the 5-2-1 and Grand Valley Drainage District to establish one local drainage authority which he feels would be helpful. Councilmember Boeschstein reminded everyone of the groundbreaking ceremony for Las Colonias Park on March 25th at 10 a.m.; this is a huge step forward and has been made possible with the help of a lot of partners. Also on March 18th, he went to the neighborhood meeting for the new Fire Station #4; the Grand Junction Fire Department addressed neighborhood issues; he appreciated their work.

Councilmember Chazen said on March 18th, he went to the Associated Governments of Northwest Colorado (AGNC) meeting where a press release was read stating the Rifle-Garfield County Airport had been chosen as the location for the new Center of Excellence for Advanced Technology for Aerial Fire Fighting. The Center of Excellence started in 2014 when then State Senator Steven King sponsored and helped pass a bill authorizing the State Fire Division to purchase or contract for aerial firefighting assets; location recommendations were made to the Governor. The State Fire Director said "the Center of Excellence will research, test, and evaluate existing and new

technologies that support sustainable, effective, and efficient aerial firefighting techniques.” This effort was an initiative of Rifle, AGNC, and the City. He said this is great news and a regional win. Also at the meeting, presentations were given by the Departments of Agriculture and Commerce regarding Economic Development (ED) and the Colorado Tax Free Zone (CTFZ) which is being proposed by State House 54 Representative Yeulin Willett. Councilmember Chazen believes ED will be a major focus of the AGNC over the next year. Through AGNC, the City received a \$6500 mini grant from the Department of Local Affairs (DOLA) to assist with the fiber optic installation at the new fire station. He then said there was a rumor that the Grand Junction Downtown Development Authority/Business Improvement District (DDA/BID) was cancelling the 4th of July parade, this is NOT TRUE. He explained a few years ago the BID had agreed to temporarily take over the coordination of the parade from a local organizer. They are now looking for another group to sponsor the parade. He read the following statement posted on the DDA/BID website:

“For the past several years, the Downtown Grand Junction Business Improvement District (BID) has produced the annual Independence Day Parade on Main Street. After reviewing the growing event schedule in Downtown and the specific focus of BID events, the BID Board of Directors decided it was time to seek out a new organization better suited to manage and nurture the Independence Day Parade as a community-wide celebration. The BID is therefore seeking community groups interested in organizing a July 4 Parade. The BID will assist the interested organization with traffic control plans, event applications, and more. The organizers will receive recognition as host of the parade, as well as retain parade entry fees.

“A number of years ago the Parade faced a dilemma – it was not going to happen for lack of an organization to produce it. Rather than see it disappear, the BID stepped in to make sure it continued in the interim until another group would step forward in the future and take it on” explained Harry Weiss, Executive Director of the BID. “Though the BID has experience in producing a number of Downtown events – Farmers Market, Art+Music Festival – BID events are focused on the marketing and promotion of the Downtown business community which funds the BID.”

Since the reconstruction and improvement of Main Street by the DDA was completed in 2011, the use of Main Street for community events has only expanded. “Main Street offers a wonderful setting for all kinds of parades and events put on by a wide variety of groups – The Grand Junction Lion’s Club Parade, Colorado Mesa University’s Maverick Classic Criterium Bike Race, the Latin Anglo Alliance Foundation’s annual Cinco de Mayo celebration, Central High School’s Homecoming Parade, District 51’s Colorado West Marching Band

Parade, and annual Veterans Day Parade put on by the Veteran's Day Committee of the Western Slope – to name a few.” said Weiss.

Community groups interested in organizing the parade should contact Robin Brown, Downtown Grand Junction BID.”

Councilmember Chazen asked for anyone interested to contact the BID.

Councilmember Doody read a request from the Commemorative Air Force (CAF) asking for an amendment to the City's Historic Preservation Ordinance that would allow historical objects to be listed on the State Register. Currently the Ordinance only allows buildings and sites to be registered; locally CAF is not able to apply for State Preservation grants without the items being registered. Councilmember Doody asked if City Attorney Shaver could look into this. City Attorney Shaver said he would.

Councilmember Traylor Smith went on the State Chamber Legislative Trip; it was a very interesting opportunity to meet those making decisions at the State level. The Governor visited with the group and offered his ideas on the CTFZ; they were very encouraging. The Office of ED is looking at distressed areas and ways to help them. She then went to Washington D.C. for the NLC conference which provided her a chance to meet with legislative representatives and learn what is happening at the national level. She attended several conferences, some of which focused on ED and the sharing economy. She met with representatives from New York about their FTZ, the City's FTZ consultant, and Dan Griswold, President of the National Association of FTZ; all the meetings went well. Mr. Griswold will be a keynote speaker at the Western Colorado Manufacturing Summit on April 15th; this will be a good opportunity to have questions answered about the FTZ. On March 12th, she presented information on the ballot initiatives to the Kiwanis Club and attended the Kids Voting Banquet at Colorado Mesa University (CMU) which was a great opportunity to see how young people are getting involved. She will also give a ballot initiative presentation to the Golden K group. This speaks to Mr. Kennedy's point of providing accurate information to the public. Councilmember Traylor Smith went to the annual 5-2-1 Drainage Authority meeting and she looks forward to hearing more about their vision. She congratulated CMU on wrestler James Martinez, who is the first CMU national champion in any sport, and their baseball team which was recently ranked #1.

Councilmember Susuras said he recently attended 15 different events and/or meetings in one week. On March 5th and 6th he attended the Grand Junction Chamber of Commerce Legislative Day at the Capital. One of the speakers was State Representative Bob Rankin who serves on the Joint Budget Committee (JBC) and who gave a great presentation on how the JBC works and balances the State budget as required by the State Constitution.

Council President Norris said she too had attended most of the same events and meetings including the Grand Junction Annual Police Awards Ceremony. She is very impressed by the City's police officers and what they do in and for the community; the City is fortunate to have this group supporting and protecting the community.

CONSENT CALENDAR

Councilmember McArthur read Consent Calendar items #1 through #6 and then moved to adopt the Consent Calendar. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summaries of the February 2, 2015 Workshop and the March 2, 2015 Workshop, the Minutes of the March 2, 2015 Special Session, and the Minutes of the March 4, 2015 Regular Meeting

2. **Aggregate and Road Material for the Streets Division for 2015**

This request is for the purchase of 6,800 tons of 3/8" aggregate for the City's Streets Division for 2015. This aggregate will be used as chips for the 2015 Chip Seal project.

Action: Authorize the Streets Division to enter into a contract with Whitewater Building Materials to provide Aggregate and Road Materials for the Streets Division for an Estimated Amount of \$112,200

3. **Motor Control Center Replacement for Persigo WWTP**

The Persigo Wastewater Treatment Facility is currently 30 years old. As a result of its age, many of the electrical components have exceeded their useful life expectancy. This request is to authorize the Purchasing Division to enter into a contract with CAM Electric to provide a new replacement motor control center for the Aeration Basin Building.

Action: Authorize the Purchasing Division to enter into a contract with CAM Electric to provide a new Replacement Motor Control Center for the Aeration Basin Building at Persigo in the Amount of \$233,105

4. **Purchase Seven All Wheel Drive (AWD) Utility Police Special Services Vehicles**

This purchase of seven AWD utility vehicles will replace seven police sedan patrol vehicles. As part of the Fleet Replacement Program, these new units will continue to be used as patrol vehicles in the Police Department.

Action: Approve the purchase of Seven AWD Utility Police Special Services Vehicles from Sill-TerHar Motors of Broomfield, CO in the Amount of \$280,980

5. **Police Annex Design Grant Request**

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$25,000 grant with a local match of \$25,000 for programmatic and schematic design of the Police Annex Building. Funding for the local match will be provided from the 2015 CIP budget.

Resolution No. 16-15 – A Resolution Authorizing the City Manager to submit a Grant Request to the Colorado Department of Local Affairs' (DOLA) Energy and Mineral Impact Assistance Program for Schematic Design of the Police Annex Building

Action: Adopt Resolution No. 16-15

6. **Coon Hill Utility Easement Vacation, Located at 2693 ½ Highway 50**

[File #VAC-2015-39]

Request to vacate a 10'15' public utility easement. The easement is no longer needed and is located under a portion of the storage units located on the property. Removal of the easement will clear up any potential title issues for the owner in the future.

Resolution No. 17-15 – A Resolution Vacating a Public Utility Easement located at 2693 ½ Highway 50 (Coon Hill Subdivision)

Action: Adopt Resolution No. 17-15

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Roll-Off Trucks and Containers Service and Dump Truck Rentals for the City Spring Cleanup Program 2015

This request is for the approval for the award of roll-off trucks and containers service and for the rental of 15 dump trucks with drivers to haul debris and refuse to designated collection sites. Both of these actions are for the City's Annual Spring Cleanup Program for 2015.

Greg Lanning, Public Works Director, introduced this item noting this is for two items combined into one. He explained the two components. Both amounts are estimated because the trucks and containers are priced on a per item basis. The schedule for Spring Cleanup is April 13th through April 25th.

Councilmember Chazen asked if the amounts listed in the requests were budgeted. Mr. Lanning said yes, those are the exact budgeted amounts.

Councilmember Susuras noted this is an important activity for the community; there are a lot of people who don't have trucks to haul things to the dump, also many people take advantage of this to scavenge goods. He supports this wholeheartedly.

Councilmember Traylor Smith reiterated the dates and specified crews will begin pick up north of North Avenue on April 13th and on April 20th pick up will begin south of North Avenue.

Councilmember Doody said he feels this is the most popular program the City has; he will support this.

Council President Norris noted this is important for citizens and it keeps the City cleaned up.

Councilmember Susuras moved to authorize the Purchasing Division to enter into a contract with Waste Management to provide roll-off service for an estimated amount of \$55,000 and authorize the Purchasing Division to enter into a contract with Upland Companies to provide fifteen dump trucks with drivers for an estimated amount of \$80,000 for the duration of the two week City Spring Cleanup Program. Councilmember Traylor Smith seconded the motion. Motion Carried by roll call vote.

Construction Contract for the Leach Creek Flood Control Dam

The Public Works Department is requesting that City Council approve awarding a contract for the construction of the Leach Creek Flood Control Dam. This project will complete the remaining embankment and spillway of a dam on the main stem of Leach Creek. When completed, the dam will detain storm water runoff that will mitigate flooding impacts to over 100 properties.

Greg Lanning, Public Works Director, introduced this item. This contract will complete the detention pond the Army National Guard (ANG) started work on three years ago. Completion will mitigate flooding from that area that occurs during main storm events. The 100 year flood storms now result in 1000 cubic feet per second (cfs) flows; the detention facility will reduce that to 50 cfs. Seven bids were received for this project which resulted in very competitive bids. The lowest bid was below the engineer's estimated cost and from a pre-qualified local contractor which was recommended. It is also fortunate the contractor can complete this project between their other scheduled jobs. The City applied for and was awarded a DOLA (Department of Local Affairs) grant which will partially fund this project, although the amount will be lowered due to the lower

than expected bid amount. If approved this project will be scheduled to start in May and completed before the monsoon rains begin.

Councilmember Susuras thanked the ANG for their work on this project and talked about the need to finish it since there has been property damage due to the flooding.

Councilmember McArthur said he was concerned when he saw the difference in the bid amounts and appreciated Mr. Lanning's explanation on how the lowest bidder would be able to complete the project for that amount. He is confident Staff will secure the project. He mentioned that it is important to let members of Congress know that the City is spending money to control drainage off of federal property; they should be contributing as this impacts the community.

Councilmember Boeschstein asked on whose land the dam will be built. Mr. Lanning said it will be on BLM (Bureau of Land Management) land. Councilmember Boeschstein asked if the City had approval from BLM for this project. Mr. Lanning said the City did. Councilmember Boeschstein then asked why others, like BLM and the County, aren't participating and why more grant money is not being used. Mr. Lanning said the only other partner is DOLA and this project would have cost more except for the work that was done by the ANG. Councilmember Boeschstein asked if Mr. Lanning tried to get the County or BLM to contribute. Mr. Lanning said there had been an ongoing discussion with 5-2-1 and the City regarding projects in this area. Partnerships were not pursued for this because of the area's proximity to the City and that 98% of the drainage flows come into the City. Councilmember Boeschstein said he does support the project, he just wished there were other contributing partners.

Councilmember Susuras mentioned that a few years ago there were two 500 hundred year rains within a few days of each other and there was a lot of property damage. This dam is a necessity.

Councilmember Doody said this is a great project and it needs to be done, but he has the same concern as Councilmember McArthur regarding the bid amount. He asked if the contractor, Con-Sy, Inc. is based out of Rifle and if Mr. Lanning considered that local. Mr. Lanning said they have a physical address here. He then addressed his concerns regarding the low bid; to ensure the bid accuracy, it is returned to the contractor for review and the City makes sure they understand the work entailed for the project. Councilmember Doody thanked the ANG for their work.

Councilmember Susuras wondered what this project would have cost without the work of the ANG; the City should consider their work a donation from the Federal Government.

Councilmember McArthur asked if there were any other dam projects planned on BLM land.

Mr. Lanning said he and Kevin Williams of the Grand Valley Drainage District had been in contact with Congressman Scott Tipton's office regarding this topic.

Councilmember McArthur said it would be good to work with partners on future projects.

Councilmember Susuras moved to authorize the City Purchasing Division to enter into a contract with Con-Sy, Inc. of Grand Junction, CO for the Leach Creek Flood Control Dam Project for the bid amount of \$267,826. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

North Avenue Complete Streets Grant Request

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$600,000 grant with a local match of \$1,290,000 for the streetscape and lighting components of the North Avenue Complete Streets Project. Funding for the local match will be provided from the 2015 CIP budget.

Greg Lanning, Public Works Director, introduced this item. He explained the history, the genesis, and the reason for the current request. He explained the various issues that will be fixed by this project along the North Avenue corridor. He went through the criteria for the grant that included safety, access and mobility, context, livability, sustainability, and cost effectiveness. The targeted area is between 12th and 23rd Streets. He then explained the construction budget and talked about the grants the City applied for in 2012. The City was successful in being awarded the third largest TCSP (Federal Transportation Community and System Preservation Program) grant in the nation; the City asked for the grant amount to balance the City's input of in kind design and preparation. The cost estimate was over \$2 million, but was pared down to the bare necessities at a cost of \$1.9 million in order to include additional elements like pedestrian lighting, irrigation and landscape materials, and streetscape furniture. There have been some architectural design charrettes and the final concept showed some of the treatments which include uplifts in the medians. He recognized Poppy Woody's contribution to this project and mentioned she was in attendance.

Councilmember McArthur asked who will maintain the landscaping in the right-of-ways. Mr. Lanning said the City has agreed to maintain the landscaping in the center islands and on the sides. This will provide continuity of care.

City Manager Englehart said in his experience it is difficult for property owners to maintain these areas so the City has assumed responsibility to keep it looking clean. These areas will consist mainly of rock to help keep costs low and will be maintained by seasonal staff.

Councilmember Boeschstein asked how it will be irrigated. Mr. Lanning said the goal is to rehabilitate the irrigation system in the medians and connect them to the golf course and new zones which will be installed on the business side.

Councilmember Boeschstein commented that bicycling along North Avenue is dangerous due to the many existing curb cuts and asked if they will be worked on. He suggested promoting other bicycling routes along Gunnison, Elm, and Orchard Avenues until more of the driveways are closed down along North Avenue.

Council President Norris said she thought the \$600,000 would provide more elements to the project and didn't realize the City would be asked to add an additional \$600,000.

Mr. Lanning said from the beginning the budget was \$1.2 million in order to match the grant; the project was designed to this budget and if all the elements could not be included, they could grow into it. However, even when the City applied for the grant in 2012 it was known this was a \$2 million project and elements like the additional pedestrian lighting and landscaping were not part of the original plan.

Councilmember Doody asked what the impact of the Veterans Administration (VA) Hospital's new parking garage entrance lane will be and if an acceleration lane will be needed. Mr. Lanning said this area is a major component of the project which is why TCP (Transportation Capacity Payment) funds are in the budget in order to pay for the lane into the VA. The VA will be responsible for the landscaping and some other components to meet the Master Plan.

Council President Norris commented that the City has been working on this since she was first elected to Council and she is pleased to see it move forward. She mentioned Staff had cleaned up the medians from 1st to 12th Streets; the rest of North Avenue needs to be cleaned up too. She will support this project.

Councilmember Susuras asked if the TCSP funds have been received. Mr. Lanning said the funds are in the bank. Councilmember Susuras asked if this work will encroach on Lincoln Park property. Mr. Lanning said a portion of their fence will be set back 20 to 30 feet along the one fairway.

Mr. Lanning said this grant of \$600,000 is being matched by the other grant. The City is not contributing any additional cash or in-kind payments.

Councilmember Chazen asked if the TCP funds were part of the original grant. Mr. Lanning said they were not. Councilmember Chazen asked how the TCP funds fit in. Mr. Lanning said the City was able to have normal use of TCP funds for the acceleration lane since the VA has committed to the landscaping. Without this, it would have been a \$700,000 deficit.

City Attorney Shaver explained that the TCP funds are collected by virtue of the TCP Ordinance and can be used on any of the transportation systems throughout the City. It is perfectly appropriate to use those dollars anywhere within the transportation system.

Councilmember Chazen noted the additional \$100,000 would come from the TCP funds.

Mr. Lanning said without this project, the City would have had to construct the acceleration lane anyway.

Councilmember Chazen asked if the project is approved, would there be enough money in the TCP reserves to complete all the other budgeted projects this year?

Mr. Lanning said there was \$100,000 of uncommitted TCP funds and approval of this project will not compete with the funds for the other projects.

Councilmember Chazen asked if there is any special documentation that will need to be submitted to capture the \$300,000 cost for the in kind match. If so, are these policies and controls in place? Mr. Lanning said they are. Councilmember Chazen said he will support this.

Councilmember Susuras noted since the City is able to use TSCP and TCP funds as a local match this should impress DOLA. Mr. Lanning said yes; it is a competitive grant.

Resolution No. 18-15 – A Resolution Authorizing the City Manager to Submit a Grant Request to the Colorado Department of Local Affairs (DOLA) Energy and Mineral Impact Assistance Program for the North Avenue Complete Streets Project

Councilmember McArthur moved to Adopt Resolution No. 18-15. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:16 p.m.

Stephanie Tuin, MMC
City Clerk