

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
April 16, 2007**

The City Council of the City of Grand Junction, Colorado met on Monday, April 16, 2007 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason, and Council President Jim Doody. Absent was Councilmember Bonnie Beckstein.

Summaries and action on the following topics:

1. **RIVERVIEW TECHNOLOGY CORPORATION (RTC) PROPOSAL FOR THEIR PROPERTY:** The RTC would like to upgrade their facility to improve their chances for the DOE to continue to lease the facility. They are asking to use the property as collateral for an improvement loan. Mary Orn, Executive Director for the RTC, briefly explained the purpose of the request. The function of DOE/Legacy Management at Grand Junction could exist for a number of years, until all contamination is gone from the area. Their lease period runs for five year periods and is renewable. There are about 150 to 200 employees at this site. There would be a significant economic benefit to the community.

Councilmember Spehar asked if the DOE is only interested in this area or if they are looking elsewhere. Ms. Orn said they want to be within five miles of City limits. The current contractor has more employees so there will be some loss of jobs when the new contractor takes over. The new lease will be for a smaller square footage, hence the need for the building improvements. There is also the requirement for the toilet facilities to be ADA compliant. Pursuing any loan requires approval from both the City and County, per RTC by-laws. The loan will only be closed if there is a signed lease in hand. The offer is designed to meet the Legacy Management requirements. There will be an additional 10,000 square feet for other uses.

Councilmember Palmer asked if the Commissioners have approved the request. According to Ms. Orn, the County Manager Jon Peacock said the Commissioners had no issues and a letter will be forthcoming.

Councilmember Spehar asked if there are any concerns. City Manager David Varley said there were none.

Councilmember Hill asked how much the loan will be for. Ms. Orn said that information is sensitive. The proposed lessee was provided a laundry list of items the lessee can chose from. There are also some requirements, such as shatter-proof glass, that will have to be addressed.

Councilmember Hill asked for assurance that the loan will be calculated in the lease payment. Ms. Orn said there are a couple of options including a tenant improvement surcharge amortized over five years.

Councilmember Hill voiced concern that there is a threshold where the Persigo Agreement would be triggered hence requiring annexation and sewer. Who would take that risk? Ms. Orn said the RTC will. The improvements will make the property more lease-able even if the contractor does not renew after five years. She did not see an issue with the Persigo Agreement. Councilmember Hill noted that any improvements over 25% of the value would trigger the requirements in Persigo Agreement. Assistant City Attorney Jamie Kreiling clarified that Persigo would trigger if more than 10,000 square feet is added to an existing building.

Councilmember Coons asked what would happen if the request is denied. Ms. Orn said the contractor would look elsewhere as the RTC does not have monies available to fund the improvements without a loan.

Councilmember Coons stated that the DOE is currently at that site and barring any concerns, she would be comfortable going forward with the consent.

Councilmembers Spehar, Palmer, and Hill agreed.

Action summary: The City Council directed staff to draft a resolution for formal approval and place it on Wednesday's agenda.

2. **UPDATE ON THE CITY-FOREST SERVICE FIRE MANAGEMENT**

PLAN: Greg Trainor, Utility and Streets Director, introduced this topic and gave the City Council a brief history of the long relationship with the Forest Service, the first Memorandum of Understanding (MOU) being in 1915. He also reviewed the relationships the City has enjoyed with the BLM and the State Forest Service. He recognized Mr. Kelly Rogers of the State Forest Service also in attendance. Connie Clementson, District Ranger with the Forest Service, reviewed the assessment process for the Fire Management Plan. Their recommendation includes some clearing which will take place over ten years. Tim Foley, Fire Management Officer, also from the Forest Service, presented the recommended Fire Management Plan for the Kannah Creek municipal watershed. There will be two types of fuel treatments – prescribed fires and manual/mechanical treatments (removal). He reviewed wildfire scenarios and the hazards using modeling both with and without fuel treatments.

Ranger Clementson reviewed the proposed budget and the past contributions of the City. Their request is for the City to contribute \$52,000

in 2007 and \$300,000 over the next ten years. An additional \$52,000 will come from a grant the City applied for. It was suggested that the funding could come from the Water Fund.

Utility and Streets Director Greg Trainor clarified that the request is subject to appropriation. It was thought the Water Fund could manage the request.

Action summary: Councilmember Hill lauded the efforts and agreed that the Water Fund is the appropriate place for funding to be drawn from.

Councilmember Spehar agreed pointing out the tremendous water asset the City has on the Grand Mesa and it should be protected.

Council President Doody called a recess at 8:35 p.m.

The meeting reconvened at 8:47 p.m.

3. **UPDATE FROM THE 5-2-1- DRAINAGE AUTHORITY:** Trent Prall, Engineering Manager and also with the Drainage Authority Technical Staff (DATS) presented a proposed organizational structure and business plan for the Drainage Authority to the City Council. He introduced several other members of the Authority in attendance. Mr. Prall reviewed the history of the Authority which is composed of members from five entities. He pointed out the current concerns – quality (federal requirements) and quantity (local). Flooding occurs throughout the valley. There are 28 to 30 basins throughout the valley and only about eight have been studied. There are plans for improvements in those eight basins but as for the others, there is no information to pass onto developers. There is currently a study ongoing in the 31 Road area (Lewis Wash). A 100-year event would have significant impact on the existing structures.

Mr. Prall then reviewed the discharge quality and the way the Authority proposes to comply with federal regulations and the list of measures and best practices.

Another issue is the number of entities responsible for stormwater management through the valley. Mr. Prall then reviewed the beginning of discussions that started with a Citizen Steering Committee in 2002 which the Authority was recommended by the Citizen Steering Committee. Then an elected Charter Committee was formed in 2003-2004 and that is when the Authority was created. He reviewed the strategies the Authority has developed with the goal being to reduce the overlaps and cover the gaps. He discussed the proposed staffing for the Authority as ten employees and the billing would be through the Assessor's Office. The financial plan

was presented and several levels for going forward and explained how the fee would be calculated with implementation being the winter of 2008.

Councilmember Spehar asked how it would work with the other drainage districts. Mr. Prall said the Grand Junction Drainage District would still be in place but this Authority would oversee the entire valley and coordinate with the other entities.

Council President Doody asked Mr. Prall to explain impervious structures and features, which he did; water cannot drain through impervious structures thus causing an impact to drainage systems.

Councilmember Palmer asked if there is another way to do this cooperatively through the normal course of business. Mr. Prall said a number of alternatives were looked at including expanding the Grand Junction Drainage District but that would require a statutory change and a vote to expand the boundaries. IGA's were also looked at, assigning monetary responsibility to each entity. The Authority concept seemed the best fit.

Councilmember Palmer expressed concerns for competing needs in the community.

Councilmember Hill was concerned about a fee where a citizen does not have an option not to pay. Mr. Prall acknowledged the concern and advised this model has withstood challenge at the Supreme Court level.

Councilmember Coons clarified that if the property has impervious area, there would be no reason to opt out because it would have impact.

Councilmember Hill asked about developments that have constructed facilities on their property to mitigate their impacts. Mr. Prall said there will probably be some credits for those examples.

Councilmember Spehar noted that the other services mentioned have funding structures in place and this issue does not and the Authority is trying to address it across the board. Decisions need to be reserved until it is presented to the public and input is taken.

Mr. Prall advised the City is currently contributing \$42,000 a year to the Authority.

Councilmember Coons pointed out that the quality piece (federal regulations) is an unfunded mandate but managing the quantity is not and perhaps could be assessed to the developers.

Council President Doody, the Council's representative on the 5-2-1 Drainage Authority, noted these same issues have been discussed by the Authority members.

When it was suggested the minimal model be funded by each entity, Councilmember Spehar pointed out the competing needs for one half million dollars annually. He had hopes the public education on the issues would clarify the direction.

Action summary: The City Council recognized stormwater drainage is a problem but they are not sure how far they are willing to take it nor are they convinced the creation of an assessment district is the right answer. Staff was directed to go forward with the public education.

4. **OIL-GAS RESOLUTION FROM THE MAYORS MEETING:** Council President Jim Doody brought forward a Resolution on State Wide Regulation of Oil and Gas Development from the Mayors meeting he attended that included Mayors from both the Grand Valley and the Roaring Fork Valley. He read points 1 through 10 from the Resolution. The resolution has already been adopted by the other municipalities. He encouraged support by the City Council.

Councilmember Spehar thought the resolution was a good expression and supported adoption.

Councilmember Coons pointed out that all of the points are subject of bills before the legislature that will probably be tabled for additional committee discussion and brought back next year.

Councilmember Hill stated a few items run counter to a "time out" on the severance tax discussions. Asking for an increase in the local share is questionable although he agrees each item deserves a closer look.

Councilmember Coons thought the message was that the legislature should address each of the issues. There is nothing in the resolution that set certain boundaries or requests. It is asking for an adjustment and asking for permanent funds, not a specific amount.

Councilmember Spehar noted the list of items will be flushed out further. He thought it better to take a leadership role. He supported placing it on Wednesday's agenda.

Action summary: City Staff was directed to place the resolution on Wednesday's agenda for further discussion and a vote.

ADJOURN

The meeting adjourned at 10:15 p.m.