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**CITY COUNCIL AGENDA
WEDNESDAY, OCTOBER 21, 2015
250 NORTH 5TH STREET
6:15 P.M. – ADMINISTRATION CONFERENCE ROOM
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order
(7:00 P.M.)

Pledge of Allegiance
Moment of Silence

Presentation

September Yard of the Month

Certificates of Appointments

To the Grand Junction Housing Authority

To the Planning Commission/Zoning Board of Appeals

Citizen Comments

[Supplemental Documents](#)

Council Comments

Revised October 23, 2015

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

***** CONSENT CALENDAR *****[Supplemental Letters](#)1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Summaries of the September 25, 2015 Budget Retreat, the September 28, 2015 and October 5, 2015 Workshops, and the Minutes of the October 7, 2015 Regular Meeting.

2. **Setting a Hearing on LOJO Partnership LLP Alley Rights-of-Way Vacation, Located between S. 7th Street and S. 8th Street on the South Side of South Avenue** [Attach 2](#)

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests approval from the City of Grand Junction to vacate north/south, east/west alley rights-of-way located between S. 7th Street and S. 8th Street on the south side of South Avenue, which are no longer needed in anticipation of consolidation of all adjacent properties that the applicant owns.

Proposed Ordinance Vacating Alley Rights-of-Way between S. 7th Street and S. 8th Street on the South Side of South Avenue Located at 630 S. 7th Street and 735, 737, 741, 749 South Avenue

Action: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015

Staff presentation: Scott D. Peterson, Senior Planner

3. **Setting a Hearing on LOJO Partnership LLP Rezone, Located at 821 1st Avenue** [Attach 3](#)

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests a rezone of the property located at 821 1st Avenue from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

Proposed Ordinance Rezoning the LOJO Partnership LLP Property from I-1 (Light Industrial) to C-2 (General Commercial) Located at 821 1st Avenue

Action: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015

Staff presentation: Scott D. Peterson, Senior Planner

4. **Outdoor Dining Lease Agreement for C and E Productions dba Mesa Theater, Located at 538 Main Street** [Attach 4](#)

C and E Productions is the new owner of the property and business located at 538 Main Street dba Mesa Theater. As a new business entity, C and E Productions is requesting a first-time Outdoor Dining Lease for an area measuring 350 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed sidewalk dining area that was occupied by the previous tenants, Mesa Theater and Club LLC.

Resolution No. 44-15—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to C and E Productions dba Mesa Theater, Located at 538 Main Street

®Action: Adopt Resolution No. 44-15

Presentation: Allison Blevins, Downtown Grand Junction Business Improvement District Co-Executive Director

5. **CDBG Subrecipient Contract with Mind Springs Health for Previously Allocated Funds within the 2015 Community Development Block Grant (CDBG) Program Year** [Attach 5](#)

The Subrecipient Contract formalizes the City's award of \$23,910 to Mind Springs Health allocated from the City's 2015 CDBG Program as previously approved by Council. The grant funds will be used to purchase furnishings for new client services office.

Action: Authorize the Interim City Manager to Sign the Subrecipient Contract with Mind Springs Health for Service Improvements at the Main Program Office for \$23,910 of the City's 2015 Program Year Funds

Staff presentation: Kristen Ashbeck, Senior Planner/CDBG Administrator

6. **Purchase of Ferno Stretchers and Acceptance of a Colorado EMS Provider Grant** [Attach 6](#)

The Fire Department has been awarded a Colorado EMS Provider Grant to provide 50% funding for the purchase of eight Ferno Patient Stretchers and associated equipment to replace older stretchers. This request is to authorize the purchase of the stretchers and equipment, and accept the award of the grant.

Action: Authorize the Purchasing Division to Purchase Eight Ferno Stretchers and Associated Equipment in the Amount of \$301,357.98 and Authorize the Interim City Manager to Accept the State of Colorado Emergency Medical Services (EMS) Provider Grant Award of \$150,678.99 for this Purchase.

Staff presentation: John Hall, EMS Chief
Jay Valentine, Internal Services Manager

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

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

7. **Horizon Drive Association Business Improvement District (HDABID) 2016 Operating Plan and Budget** [Attach 7](#)

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30th each year. The City Council then approves or disapproves the plan and budget by December 5th. The plan was reviewed by the Horizon Drive Association Business Improvement District Board and submitted within the required timeline.

Action: Approve the Horizon Drive Association Business Improvement District's 2016 Operating Plan and Budget

Presentation: Chuck Keller, HDABID President
Vara Kusal, HDABID Manager

8. **Downtown Grand Junction Business Improvement District (DGJBID) 2016 Operating Plan and Budget** [Attach 8](#)

Every year the DGJBID files an Operating Plan and Budget with the City Clerk by September 30th. The City Council then approves or disapproves the plan and budget by December 5th. The plan was reviewed by the DGJBID Board and submitted within the required timeline. After further review by City staff, the Plan was found to be reasonable.

Action: Approve the Downtown Grand Junction Business Improvement District Operating Plan and Budget

Presentation: Allison Blevins, DGJBID Co-Executive Director
Robin Brown, DGJBID Co-Executive Director

9. **Selection of Financial Auditor for the City's 2015 Annual Audit** [Attach 9](#)

City Council, as the governing body of the City of Grand Junction and serving as the City's Audit Committee, will enter into a multi-year contract which will be subject to annual appropriations with a certified public accounting firm. The contract will be for the provision of audit services including auditing and reporting on the financial statement(s) of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City beginning for the year ending December 31, 2015.

Action: Select a Firm to Conduct the Financial Audit Services

Staff presentation: Jay Valentine, Internal Services Manager

10. **Public Hearing—Morse Annexation and Zoning, Located at 2997 B ½ Road** [Attach 10](#)

A request to annex 39.77 acres and zone the annexation area from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

Resolution No. 43-15—A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that Property known as the Morse Annexation, Located at 2997 B ½ Road is Eligible for Annexation

Ordinance No. 4679—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Morse Annexation, Consisting of Four Parcels Totaling 39.77 Acres, Located at 2997 B ½ Road

Ordinance No. 4680—An Ordinance Zoning the Morse Annexation to R-4 (Residential 4 du/ac), Located at 2997 B ½ Road

®Action: Adopt Resolution No. 43-15 and Ordinance Nos. 4679 and 4680 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: Brian Rusche, Senior Planner

11. **Public Hearing—Park Mesa Subdivision Outline Development Plan Located at 323 Little Park Road** [**Attach 11**](#)

The applicant, Ken Scissors, requests approval of an Outline Development Plan (ODP) for Park Mesa Subdivision as a Planned Development (PD) zone district with a default zone of R-2 (Residential – 2 du/ac) to develop an eight lot, single-family detached subdivision on 12.1 +/- acres.

Ordinance No. 4681—An Ordinance Approving the Outline Development Plan as a Planned Development with a Default R-2 (Residential – 2 du/ac) Zone District for the Development of 8 Single-Family Detached Dwelling Units to be Known as Park Mesa Subdivision, Located at 323 Little Park Road

®Action: Adopt Ordinance No. 4681 on Final Passage and Order Final Publication in Pamphlet Form

Staff presentation: Scott D. Peterson, Senior Planner

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

13. **Other Business**

14. **Adjournment**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
September 25, 2015 – Noticed Agenda Attached

Meeting Convened: 10:09 a.m. at the Lincoln Park Hospitality Suite

Meeting Adjourned: 3:10 p.m.

City Council Members present: All were present; Rick Taggart arrived at 10:10 a.m.

Staff present: Moore, Shaver, Romero, Hazelhurst, Schoeber, Lanning, Camper, Watkins, Evans, Valentine, Tuin, and Kovalik

Agenda Topic 1. Introduction

Interim City Manager (ICM) Moore stated the goals for this meeting: 1) review capital, 2) Economic Development (ED) and Operating Budgets, and 3) Revenue/Expenses and how to fill the gap. ICM Moore referred to the State of the 2016 General Government Budget attachment that Financial Operations Director Jodi Romero compiled and said this, along with information from this meeting, will be useful at the next Council Workshop to be held on September 28th which will be dedicated to the budget. ICM Moore also said Department budgets focused on explaining services provided, pending needs, and areas and services that could be cut. Regarding the ED budget, it has grown more than any of the other budgets and it too is not balanced; individual items need to be reviewed for relevance and prioritization.

Agenda Topic 2. Department Presentations

Parks and Recreation

Rob Schoeber, Parks and Recreation (P&R) Director, said labor expenses account for the bulk of his budget at 65%; other notable items are Interfund Services which includes Information Technology (IT), Operating/Supplies, and Utilities. Priorities and needs for P&R are the development of Las Colonias and Matchett Parks and maintenance for existing facilities which includes shelters, restrooms, and turf replacement. He also presented plans and an estimate to renovate Whitman Park which he was asked to do following the Homeless and Vagrancy Meeting; these proposed plans have not gone out to bid and are not included in the 2016 P&R budget.

Council President Norris asked what the estimated turf replacement cost is. Mr. Schoeber said it will be \$300-400,000.

Discussion ensued regarding how to fund a renovation of Whitman Park and transition its use. Suggestions included integrating the Park with Museum of the West and Downtown events, contacting other communities to see how they dealt with similar issues, finding other funding sources like Community Development Block Grants (CDBG), and fencing the Park at night.

Police Chief John Camper suggested implementing a mixed-use park with the understanding that due to the location and lack of parking it would continue to have some transient activity.

Mr. Schoeber went on to present phasing options and possible funding streams for Las Colonias along with graphs showing how P&R and specifically the golfing program have increased service with a smaller Staff; rounds of golf have also increased. He listed and explained programs P&R would consider cutting: weed abatement, Lincoln Park Pool, and the Arts Program. Councilmember Kennedy commented that all of the potential cuts contribute to ED and/or are positive contributions to the community and should not be cut.

Councilmember Chazen asked Mr. Schoeber to explain how fees and rates are determined. Mr. Schoeber said fees are reviewed annually by the Parks and Recreation Advisory Board; some fees are raised yearly, but this year they proposed raising them all, specifically cemetery fees. However, programs that most need to have fees raised are typically the ones that also have scholarship programs necessitating the scholarship amounts also be raised. Council President Norris was reluctant to increase fees for recreational programs as they are the most important for area children. Councilmember Taggart suggested building an inflationary rate into the fee structure to keep fee rates current; this would also allow Council only to look for exceptions to the increase.

Councilmember Chazen asked what the net impact of P&R is on the General Fund (GF). Ms. Romero said she would compile that information for each Department and present it at another meeting.

Public Works

Greg Lanning, Public Works Director, said the department is down 4.5 FTEs (full time equivalents) and now has 133 employees, which accounts for about \$31 million of the budget. The Enterprise Funds are self-sustaining and cover things like water and sewer costs; the cost of building and maintaining roads comes from the GF. He further explained under which departments specific services fall and listed underfunded priorities, such as paving, chip sealing, and sidewalks. Mr. Lanning finished by saying this department is also doing more with less.

Jodi Romero, Financial Operations Director, explained that although the City's revenue has increased, expenses, specifically those related to Information Technology (IT) have grown. Also some grants have expired.

Councilmember Kennedy asked if a gas tax had been considered. He felt in order to maintain and expand infrastructure, this should be considered. ICM Moore said this had not been brought up earlier and should be added as a consideration.

Councilmember Chazen asked Mr. Lanning if he had looked at any other areas for cost savings besides contracting. Mr. Lanning said he considered privatizing some Divisions like the Streets Division which realizes some savings, but most of what they do are day to day things like filling

pot holes. However, Engineering could almost completely be privatized but a few engineers would still be needed to oversee projects; he cautioned against outsourcing the Traffic Division due to liability concerns.

Councilmember McArthur suggested centralizing the Engineering and Planning Divisions with the County like the Building Department. Concerns were raised regarding how projects would be prioritized and possible conflicts regarding each entity's policies.

Council President Norris asked Mr. Lanning what the status and costs are on the 1st and 7th Street and D Road projects. Mr. Lanning said the completion of 1st Street had to wait for the water and sewer lines to be installed. The lines are now in and the State will fund the reconstruction of the intersection; funding for 7th Street will be requested in the 2016 budget; D Road is completed.

Councilmember Boeschstein asked Mr. Lanning if the upgrades to 1st Street have been estimated. Mr. Lanning said the improvements of adding sidewalks, curbing, gutters and expanding it to three lanes with a center turn lane from North Avenue to Ouray Avenue would be \$2.5 million.

Councilmember Taggart suggested adding fees to help cover the cost of some services like Spring Clean-Up. Council discussed how best to present changes like this to the community.

Fire Department

Fire Chief Ken Watkins said the Fire Department (FD) is heavier on labor, at 123 FTEs, because they strictly provide service. He said some discretionary costs have risen due to changes in Medicare's policies, however Staffing and most of the contracted service costs have remained steady with the exception of the ambulance billing contract which costs less than the FTEs and their associated costs were; ambulance billing revenue has increased by 9%. Since more people are eligible for insurance through Medicare and Medicaid due to the changes implemented by the Affordable Care Act (ACA), they have had a higher volume of calls; however, this has not translated into additional revenue.

Chief Watkins said in light of these changes the FD is trying to be proactive by checking on patients recently released from medical care to make sure they are following their prescribed medical protocol; it is hoped this will cut down on future 911 calls. He explained penalties are now being assessed for patients returning for medical care for the same issue within a certain period of time; some communities are instituting "para-medicine" by working with EMS (Emergency Medical Services) for follow up visits; there is value in not having patients relapse. Home Health Care agencies do not favor this concept because they provide follow up care services.

Councilmember Chazen asked why transport fees have remained flat when service is going up. Ms. Romero explained there was a \$200,000 difference between the amended and adopted revenue in 2015 due to the delay in finding out the 2016 County rate increase in addition to

Medicare and Medicaid's contractual allowances. Ms. Romero proposed implementing an Emergency Medical Service fee to help cover costs related to the additional calls and expenses. Sonya Evans, Finance Supervisor, said the transport rate increase has not kept up with the contractual allowances. Chief Watkins said the EMS Resolution states the County is to evaluate rates annually, but they failed to do so for about four years and the rates have yet to catch up. For example, local mileage rates are less than half of other communities in the State; a statewide survey has been proposed to see what corrections should be made. Councilmember Chazen said the increase in services and the revenue restrictions are costing the City. Ms. Evans said the revenue reported is conservative and explained write offs have shifted with contractual allowances; Medicaid only pays 13%.

Councilmember Chazen asked why this was not set up as an Enterprise Fund since it is a fee for service. City Attorney Shaver said in 2005 it started out that way, but was changed when it was determined it was not sustainable due to the complexities of service. He went on to say he felt the bigger question was the relationship between the County and their mandate to have "wall to wall" coverage which created a larger coverage area for the City than rural districts and if the County would revisit the service areas. This question then flows into the Fire Authority discussion and if there is a better way to deliver service by consolidating all fire and EMS providers under one umbrella and funding source.

Councilmember Chazen asked what the net loss was for transport services. Ms. Romero explained transport services made a profit and helped offset the tax dollars needed to run the rest of the FD.

Council President Norris said these revenue concerns are a valley-wide issue and this could be a ballot question; some communities are not able to afford new equipment, provide training, or hire personnel. Councilmember Taggart asked why the County sets rates for a service the City provides. City Attorney Shaver said this protocol is based on legislation for the Colorado Department of Health (DOH); since the DOH provides services through the counties they were assigned the task of setting rates.

Chief Watkins explained fire prevention expenses have increased due to more fire prevention plans being submitted for business remodels, more fire inspections being requested for business relocations, and more school programs being provided due to State mandates. The following reductions have been implemented: 19 firefighter positions have been converted to EMS positions, the ambulance billing service was privatized, a Deputy Fire Chief position was replaced with an Emergency Manager, and part time EMTs (emergency medical technicians) have been hired to help reduce overtime hours. To find other possible reductions they evaluated FD services, other than core services, which are duplicated within the community. Suggestions included reducing or eliminating specialty teams such as the Hazmat, Technical Rescue, and Wildland Teams and reducing the fire prevention program. He noted the Safer Grant, which funds three positions, will expire in 2018 and then listed some vital FD needs (hoses, breathing masks, the Training Center, and a North Area Fire Station) and revenue ideas (increasing Fire Prevention Fees, increasing various fees related to transports, implementing a

Response Fee, cost recovery from partners for Specialty Teams and the Training Center, a dedicated Public Safety Tax, and a District Tax).

Councilmember Kennedy asked if calls increased during burn season and if so, could a fee be added to the burn permits to help cover those costs. Chief Watkins said there was an increase and it would be good to look at that correlation, however Mesa County Health Department is looking into creating a county-wide permit.

Police Department

Police Chief John Camper said the Police Department (PD) has 112 Sworn Officers and 85.5 civilians; the majority of the budget covers labor. He noted the PDs workload is up (the Communication Center by 48% and criminal activity by 7%), but the staffing level has remained the same as that of 2010.

Councilmember Traylor Smith asked what caused the increased calls and activity; the population has not increased. Chief Camper said he was not sure, but all law enforcement agencies have seen an increase. He expressed concern regarding Priority 3 response time; these calls are the least emergent, but since there are so many Priority 1 and 2 calls, their wait time is increasing. He named the PDs priority needs: more dispatchers, a Quality Assurance analyst, more detectives, reinstating a Traffic Team, and purchasing body worn cameras. He noted as a result of not having a Traffic Team, traffic tickets and therefore revenue is down and detectives normally assigned to other cases are needed to investigate fatal traffic accidents; the impact of any cuts in the PD would be people, which he does not recommend.

Councilmember Kennedy asked for detailed information on how a Traffic Team could increase revenue while reducing accidents, calls, and EMS responses. Chief Camper said statistics typically show increased enforcement in high complaint and accident locations reduce injury and fatal accidents and has a positive impact on citizen's perceptions of the PD.

Councilmember Chazen asked if most universities provide their own campus police. Chief Camper said most do, the City has an unusual arrangement with Colorado Mesa University. Councilmember Chazen asked if there were any issues hiring and retaining officers. Chief Camper said they are hiring some of the best recruits ever and turnover has gone down.

Administration

ICM Moore listed the divisions included in the Administration Department that has 57 FTEs. He summarized some challenges of this department: facility maintenance is not on track due to a lack of funds; IT continues to grow requiring more hardware, software, and storage; Fleet Service costs are rising and scheduled replacements have been pushed out; and the Planning Division is busier due to the changes in the Economic Development Plan.

Ms. Romero noted Internal Support Divisions are impacted by changes made in other areas; for example if a Traffic Team was created it would have an impact on Municipal Court.

Councilmember Kennedy said IT should look into virtualization of networks to help reduce costs in all departments.

Councilmember Chazen said he thought since Fleet had accelerated purchases of CNG (compressed natural gas) vehicles their expenses would be down. Jay Valentine, Internal Services Manager, explained the grant was only for the incremental cost, not the base cost. Councilmember Chazen asked if the reserves would be restored due to the accelerated purchases. Mr. Valentine said in order to keep the budget flat, they will not be restored. Councilmember Chazen then asked if the Fleet and Facilities reserves will be sufficient by the end of 2016. Mr. Valentine explained the reserves are funded through accruals and the amount depends on the desired level of expenditures; the accrual is currently zero for facilities.

Agenda Topic 4. General Fund Budget

Revenue

Councilmember Taggart suggested choosing 10-12 benchmark fees and revenues to compare similarly sized municipalities in the State in order to identify areas that could be adjusted. A concern was raised that fee changes may be a TABOR (taxpayer bill of rights) issue. Ms. Romero explained fees do not require a vote, but are subject to revenue limitations. Council President Norris said the City is the only full service city still operating under TABOR.

Labor

Ms. Romero reviewed and explained the General Fund Balancing Summary worksheet and noted the negative amount listed under Intergovernmental is due to the expiration of the COPS Grant and the end of the Avalon Theatre Foundation payments. Councilmember Taggart expressed concern the City is not charging enough since basic expenses are not able to be covered. Ms. Romero commented the City's tax burden is much less than other communities in part due to the City's regional draw for retail sales, although the City has lost some of that advantage. She then listed expenses which included labor and health insurance.

Cost sharing ideas for health insurance were suggested and included: reduce the City's premium share, only offer a high deductible health saving plan, create disincentives for unhealthy lifestyles, and have employees pay a higher percentage if they choose a preferred provider option.

Councilmember Chazen was concerned the budget presented was not truly flat. Ms. Romero explained the Summary numbers are just a starting point which is why each department has suggested ways to increase revenue and decrease costs. It was agreed priorities need to be determined.

Interfund Charges

This area includes IT and has the largest increase over the amended budget. Over half of this budget is for software systems maintenance; these systems were reviewed and no cuts were

able to be made as many areas including emergency services are dependent on technology. Fleet Services submitted a close to flat budget and Facilities is budgeted with a slight increase due to lower utilities charges. Ms. Romero explained the charges for the Communication Center are the portion the Police and Fire Departments contribute to the county wide program. She then detailed labor expenses, and noted the $\frac{3}{4}$ % sales tax transfer is for FD breathing masks.

Capital

Council decided, for the most part, that rather than go through the specific line item requests, they will determine a bottom line amount and leave the details on how it is allocated to Department Heads; they would like to refrain from being pulled in multiple directions and focus more on revenue opportunities.

Councilmember Traylor Smith said she would like to review revenue ideas and see if they can increase the budget. Councilmember Boeschstein agreed with Councilmember Traylor Smith and said he needed to leave. He left the meeting at 2:08 p.m.

Ms. Romero went on to explain the Capital Balancing Summary sheet; the sheet was reviewed and various items were explained. Councilmember Kennedy suggested adding a column that prioritized the Department's requests to help Council know what is needed most.

Economic Development

Ms. Romero explained the ED spreadsheet and reviewed the ED partner's requests. Councilmember Taggart asked why some ED requests were listed in the B column when Council had already committed to them. Ms. Romero explained Council had not given direction as to which fund these payments should be made from and if they should be written off, paid back to the departments, carried forward, or come from CDBG. She also pointed out \$18.5 million in reserves had been set aside and included internal loans and the required TABOR emergency reserves, which was why a negative ending balance showed on the 2016 projected budget. Ms. Evans clarified that column B items were not included in the General Fund Balancing Summary.

Councilmember Taggart noted \$940,000 is needed to balance the budget without dipping into the reserves; however this would not cover items in the B list.

ICM Moore concluded saying information on the Riverside Parkway and other revenue sources would be discussed at the next meeting and noted fees could be implemented in 2016, but new or changes to existing taxes, like the gas tax, would require a vote; the earliest election could be held in November 2016.

City Attorney Shaver cautioned fees do go into the "black box", which is projected to be in excess now; additional fees may have to be devoted to the Parkway Fund and therefore may not truly affect some of these current issues.

Ms. Romero concurred and noted the State Severance Tax is currently creating a TABOR excess issue for the State and they may be putting these funds through the TABOR Limitation Model; the City is also considering using this model which means these funds would not be subjected to the same limitation twice.

City Attorney Shaver explained there is a provision in TABOR that if a government entity collects revenue for another government entity and if the revenue benefits the impacted communities it should not be passed through TABOR, but there is no legal guidance so this consideration is dependent on the State.

Councilmember Taggart asked if the City could reinvest the funds in the Riverside Parkway and General Fund reserves in order to gain more interest. City Attorney Shaver said there are significant statutory limitations and mentioned the City has an investment policy; he said he will distribute the policy at a later meeting and then deferred to Mr. Valentine who sits on the State Investment Board. Mr. Valentine said the only thing that can be changed is the duration, not the instrument which is prescribed. He said the City's policy limits terms to five years and the current interest rate on these instruments is .5 %.

Councilmember McArthur said he has an opportunity to participate on the National League of Cities Economic Environment and Natural Resources Committee, but it would require travel and he was reluctant to commit to the expense. He asked for Council's input as to whether or not they think it would be worthwhile.

Councilmember Kennedy asked what the 2015 budget is for City Council's Travel and Meals. Ms. Evans said it is \$35,000, but it has already been exceeded.

ICM Moore said the amount included the trip to Canada which was not anticipated.

Councilmember Kennedy suggested increasing that line item to \$40-45,000. Ms. Romero said these expenses have varied depending on how much the Council has participated in outside meetings.

Councilmember Traylor Smith supported Councilmember McArthur's request.

Council President Norris asked what the benefits would be compared to the cost. Councilmember McArthur said he would forward the committee information to the Council and discuss it later.

Mr. Lanning let Council know improving the left turn lane at 25 and F ¼ Road is a required project.

The meeting adjourned at 3:10 p.m.

**GRAND JUNCTION CITY COUNCIL
FRIDAY, SEPTEMBER 25, 2015**

**BUDGET WORKSHOP RETREAT, 10:00 A.M.
LINCOLN PARK HOSPITALITY SUITE
1307 NORTH AVENUE**

To become the most livable community west of the Rockies by 2025

I. 10:00-10:15 Introduction-Tim Moore [Attachment](#)

II. 10:15-11:45 Department Presentations

- A. Parks & Recreation – Rob Schoeber**
- B. Public Works – Greg Lanning**
- C. Fire – Ken Watkins**
- D. Police – John Camper**
- E. Administration – Tim Moore**

III. 11:45-12:15 Lunch Break

IV. 12:15-2:30 General Fund Budget-Jodi Romero

- A. Revenue**
- B. Labor**
 - 1. Labor Detail**
- C. Interfund Charges**
- D. Capital**
 - 1. Operations Capital**
 - 2. Major Capital**
 - 3. Capital Detail**
- E. Riverside Parkway Revenue-Tim Moore**
- F. Economic Development**
 - 1. Economic Development Requests**
 - 2. Economic Development Worksheets**

[Attachment](#)

V. 2:30-3:00 Next Steps-Tim Moore

- 1. Follow Up from This Workshop-September 28th**
- 2. October 5th-Internal Service Funds, Enterprise Funds**
- 3. October 19th-Fund Balance Worksheet/Budget Wrap**
- 4. November-Budget Adoption**

VI. Adjournment

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
September 28, 2015 – Noticed Agenda Attached

Meeting Convened: 5:08 p.m. in the City Hall Auditorium

Meeting Adjourned: 8:25 p.m.

City Council Members present: All except Chris Kennedy

Staff present: Moore, Shaver, Lanning, Schoeber, Romero, Watkins, Camper, Conant, Valentine, Evans, McInnis, Tuin

Also: Vara Kusal and Dennis Simpson

Agenda Topic 1. Continuation of Budget Workshop from September 25, 2015

Interim City Manager Tim Moore reported that based on discussion from the Friday budget meeting, Staff looked at a 10% increase in fees across the board. The resulting additional revenue would be \$180,000. He then asked Internal Services Manager Jay Valentine to present an option relative to the Riverside Parkway funds.

Internal Services Manager Jay Valentine reviewed a spreadsheet that he put together regarding the Riverside Parkway fund. He was looking at debt management and strategies for reducing the fund. He provided the history and background on decisions made for the repayment of the debt. He compared Grand Junction's economy's decline currently with where it was in 2007 which included growth rate, job growth, unemployment rate, annual wage income rate, and investment interest yield rates. He questioned if it still made sense paying off the Riverside Parkway debt with Capital Improvement Project (CIP) funds.

City Attorney Shaver advised Council that they do have the flexibility to revisit the amount that is budgeted for the payment for the Riverside Parkway debt. He referred to the ballot question from 2007 which did not include any reference to early repayment of the Riverside Parkway debt. The original timetable for the Riverside Parkway debt to be paid off was the year 2024. The accelerated payoff would be 2020 or 2021 based on the current economic factors. There was some discussion regarding the annual payment and where those funds come from. Council asked what the \$3.8 million would be used for if the Riverside Parkway debt was paid off early. Interim City Manager Moore said they would want to look at economic development, the capital program, and important operational items.

City Attorney Shaver handed out a copy of the ballot from the April 4, 1989 General Municipal Election. He explained that in 1989, the voters approved that the City Sales Tax be retained at its current level, which included the 3/4% sales tax. The 3/4% is typically the CIP fund. However, the language on the ballot suggests that there could be operational uses of those revenues including support for economic development. Financial Operations Director Jodi Romero clarified that historically a percentage of this portion of the sales tax has contributed to economic development.

Interim City Manager Moore stated that the bare bones operational and capital budgets are close to balancing but the gaping hole is economic development funding.

Council President Norris referenced the "B" list for capital and stated that there are some items on that list and operationally that need to be moved up.

There was discussion regarding what happens to the TABOR excess funds if the Riverside Parkway debt is paid off in 2020 and Council questioned if the citizens would feel that Council broke their promise if the funds were not used for early repayment even though that specific language was not in the ballot question. Council was not in favor of the proposal to use the Riverside Parkway funds.

Council then discussed needing comparisons for the last three years on revenues and expenditures, analyzing productivity and efficiencies, looking at alternatives, utilizing Conservation Trust Funds for operations, sustainable funding for 911, cutting some funding to other entities, creation of a fire district, creation of a drainage district, and being more aggressive in seeking grant funding.

Staff advised that it is anticipated there will be additional fund balance at the end of 2015 and asked if Council would agree to use those funds to help balance the budget. City Council was in favor of using the fund balance of \$369,000 towards balancing the 2016 budget instead of rolling it into reserves.

Interim City Manager Moore asked City Council for feedback on the economic development portion of the budget. Areas that Council felt should be cut were Housing Resources and Kids Voting; areas agreed to be reduced were Sponsorships (by ½), Mesa Land Trust (reduce to \$5,000), and the Young Entrepreneur Academy (reduce to \$4,000); areas moved to the "B" list were Arts Commission Grants, Business Incubator Center Makerspace, and the Grand Junction Economic Partnership's job incentive funding; Western Slope Center for Children – the SANE Coordinator - is to be moved into Police Department operations, and the Sports Commission is to be removed from the "B" list. The total amount that they were looking at cutting from the economic development fund is approximately \$150,800. There is still a \$569,000 request from Grand Junction Economic Partnership (GJEP) on the "B" list and Interim City Manager Moore suggested to Council that GJEP should be actively seeking funding from other sources to fund this request.

Councilmember Traylor Smith recommended reaching out to CMU and suggesting that the City's \$500,000 a year be refinanced and extended from a fifteen year commitment to a twenty year commitment. It was also discussed looking at the transfers to other entities, specifically looking at the vendor fees and using that as a dedicated revenue source to economic development.

City Council was in favor of reviewing payments to the DDA and the VCB to see if they could get by with a one-time reduction in order to partially fund the gap in the economic development fund.

Interim City Manager Moore polled Council for their opinion to charge a \$10 to \$20 fee to each household for the "Spring Cleanup Program". The majority of Council was in favor of pursuing that fee.

City Council felt that for next year's budget they should look at what other municipalities are charging for different services and also look at shared functions with the County and other local municipalities.

Council discussed not implementing the \$400,000 in the budget for the 1.2% wage increase for employees. Some wanted to reserve it in the budget and then Council could revisit implementation midyear 2016. Human Resources Supervisor Laura Conant advised that the 1.2% is only a placeholder to keep from falling behind the market and that a full market study would be conducted in 2016. There was further discussion regarding whether the \$400,000 should be kept in the budget or not, looking at staffing efficiencies, performance evaluations, and the difference between performance based wage increases versus market study based wage increases. The majority of Council was in favor of cutting the \$400,000 out of the department budgets.

Council asked that, with the items discussed at this meeting, the Financial Operations Department update the budget to see if it balances, and if not, bring it back to another workshop.

Other Business

Councilmember McArthur asked about the Events Center Kickoff Meeting on September 30th. Interim City Manager Moore explained that it is the consultant's introduction to the City and to see what the City is doing and wanting.

Board Reports

There were none.

Adjourn

With no other business, the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL
MONDAY, SEPTEMBER 28, 2015**

**WORKSHOP, 5:00 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET**

To become the most livable community west of the Rockies by 2025

- 1. Continuation of Budget Workshop from September 25, 2015**
- 2. Other Business**
- 3. Board Reports**

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
October 5, 2015 – Noticed Agenda Attached

Meeting Convened: 5:00 p.m. in the City Hall Auditorium

Meeting Adjourned: 9:35 p.m.

City Council Members present: All except Phyllis Norris

Staff present: Moore, Shaver, Lanning, Schoeber, Romero, Watkins, Camper, Kovalik, Hazelhurst, Brinkman, Guillory, Evans, Valentine, Starr, Rainguet, Tuin

Also: Raftelis Financial Consultant representatives: John Gallagher, Eric Jorgansen, and Rob Wadsworth; Dennis Simpson

BUDGET

Interim City Manager (ICM) Tim Moore reviewed the items on the agenda. He then deferred to Public Works Director Greg Lanning.

Agenda Topic 1. Water and Solid Waste Enterprise Funds including Water Rate Study

Water Fund

Mr. Lanning advised a Financial Plan for the water utility is being presented, the first in recent years. He introduced the consultants in attendance. It is a draft report at this point. A rate increase is proposed due to the capital challenges. Two options will be presented. He described the make-up of the water department and then deferred to the consultant John Gallagher.

Mr. Gallagher explained the study addressed three things: financial sustainability indicators, financial plan findings, and the typical residential water bill. He listed eight infrastructure challenges noting the significant value of the water system with ongoing capital being essential.

The proposal seeks to insure that revenues meet annual revenue requirements, provides sufficient reserves, and meets the minimum debt service coverage required by the bonds issued. Currently the debt service coverage is more than sufficient. Mr. Gallagher reviewed the Financial Plan assumptions: that the system has a constant number of water customers, annual inflation, and a phasing of infrastructure improvements. The first of the two options included a 15% increase in water rates starting in 2016, another 15% increase in 2017, a 14% increase in 2018, a 5.5% increase in 2019, and then a 3.5 % increase for the following six years.

That will allow cash funded improvements, with a significant impact on the reserve fund, but eventually the reserve fund will recover. The second option includes a combination of cash funded and bonded indebtedness of \$4.8 million to fund the improvements. The increase to

water bills will be a 9.5% increase 2016 through 2019, then a 9.0 % increase 2020 through 2022, then reducing to a 3.5% increase until 2025. This option has less of an impact to the reserve fund and the reserve fund recovers more quickly. The improvements can also be completed sooner.

Mr. Gallagher showed a comparison of Grand Junction's water rate in relation to other entities including front range cities, west slope entities, and other local water providers. Grand Junction was third to the lowest and neither of the proposed increases changed that ranking.

Mr. Gallagher noted that average water use by residential customers has decreased due to water conservation measures including user awareness and the use of water saving devices. Councilmembers inquired about the amount of water used by the larger customers. Water Manager Rick Brinkman listed the largest use customers and their average amounts including the City, Colorado Mesa University, and St. Mary's Hospital. The impacts of the proposed increases on those customers will be evaluated in the final report.

Discussion ensued with the history of increases, the revenue shortfall even with the increase, the risks of waiting on debt and construction of the improvements, the current outstanding debt and year of maturity for each issue (2002 revenue bond series matures in 2022, 2010 series matures in 2030), if there are other options including spreading out both the increases and the construction of the improvements, what are the highest risk projects, the impact on operations of the proposed improvements, if there are any efficiencies to be realized, combining valley water suppliers for efficiency, and that no vote is required for bonded indebtedness for enterprise funds. Staff was instructed to bring back more options where the combination of debt and bonds allows for a smaller increase and/or the pay-as-you-go method allows for a smaller increase and to identify the must-do projects with the estimated costs.

Solid Waste Fund

Mr. Lanning described the department including budget, number of employees, and debt service. Solid Waste and Streets Manager Darren Starr provided detail on the debt service as it is a clearinghouse for the energy services contract entered into a few years ago. Mr. Starr advised that his financial plan balances to maintain a 15% reserve fund. An additional truck is programmed to be purchased in the out years which will reduce the reserves but they will recover. One thing that has helped this fund is the use of the Persigo Compressed Natural Gas (CNG) which has provided a guaranteed price for fuel for the CNG trucks (the majority).

Council inquired about the labor costs, Mr. Starr's experience with the CNG trucks, and the recycling contract.

There were no objections from Council regarding the planned increases in the Solid Waste Department.

Agenda Topic 2. Budget Balancing Follow up Discussion – Operations, Capital and Economic Development; Employer contribution to health insurance

Financial Operations Director Jodi Romero distributed balancing sheets and advised they will still need to bring back the rate changes and any additional information requested by Council. City Councilmembers addressed the cost of health insurance and asked Human Resources Director Claudia Hazelhurst if the City has researched the possibility of going to a single provider scenario and if that would save money. Ms. Hazelhurst said they haven't considered it but certainly can if that is Council's direction. All members of Council were interested in looking at that option next year.

Councilmember Taggart expressed that the only change he saw in the new balance sheets was the elimination of the salary increase in labor; no other belt tightening was made. He specified the increases in Information Technology (IT) as being a concern. ICM Moore advised that IT has not presented their proposed budget to the Council yet. Councilmember Taggart said he also did not see any new revenues added into the budget.

There was discussion of adding a mileage fee for ambulance transport (Fire Chief Watkins is evaluating that), the concern that the State might use the severance tax to balance their budget, that there are service contracts that could be renegotiated (like the CMU Police Services contract), the use of the 2015 carryforward of \$381,000 to balance the budget, the use of Conservation Trust Funds, the underinvestment of funding to keep the City's streets at their current index, the outstanding capital items on the "B" list, the labor market analysis, the actual number revenues can be raised before the City is in a TABOR refund situation, and the sustainability of the City's budget.

ICM Moore summarized that the presentations by Departments has demonstrated that the current situation is not sustainable and that he recommends either looking at new revenues or consider cutting some services. The vendor fee and the business license fee are still two revenues to consider. City Attorney Shaver said a sustainable revenue source for the Communication Center should also be considered in the future as well as the creation of a Fire Authority with its own revenue stream.

Las Colonias

Council President Pro Tem Chazen asked Parks and Recreation Director Rob Schoeber to update the City Council on Las Colonias. Mr. Schoeber referred to a worksheet that showed two scenarios for the amphitheater – one at \$3.5 million and one at \$4 million. The \$3.5 million project includes all the amenities Council wanted with the exception of a paved parking lot and some of the trails. This scenario will only require the use of the Conservation Trust Funds (CTF) and has no General Fund impact. Councilmembers asked about cost overruns and contingency. Mr. Schoeber advised that they have completed two major projects and both have come in under budget. The reason for bringing this before the City Council at this time is

that a grant application deadline is approaching for Department of Local Affairs (DOLA) funding.

Council discussed other uses for the CTF monies and asked the City Attorney to provide an opinion on what else under law those funds could be used for. Councilmembers Kennedy and Boeschenstein voiced strong support of going forward with the amphitheater project.

In conclusion, Council President Pro Tem Chazen expressed that he does not feel the budget is where it should be; he would like to see another \$500,000 in the budget. Although some members of Council expressed that they felt Staff has already looked for as much as they could, they were not opposed to having Staff look again for more savings/efficiencies.

Agenda Topic 3. Other Business

City Attorney Shaver asked for feedback on the proposed press release and for the Council's opinion of amending the Panhandling Ordinance. First reading of the proposed amendment is on the agenda for Wednesday night. He suggested the Council may consider pulling the proposal as the law is still unsettled.

Council direction was to pull it for now.

Council President Pro Tem Chazen advised that the deadline for the option on the Mesa Pawn property is approaching. Councilmember Traylor Smith reported that the Property Committee recommends that the option be extended. City Attorney Shaver said the terms have changed slightly; the payments will no longer apply to the principal under the new extension meaning the price has gone up by \$10,000. Councilmember Traylor Smith asked City Attorney Shaver to then negotiate for a longer term extension like eight months instead of six.

Ms. Hazelhurst asked the City Council if they are still willing to fund the health insurance premium increase that the City realized last year so that the employees will not have a decrease in their paychecks for that reason. She said it is a \$40,000 impact. Although Councilmember Taggart voiced concern over setting a precedent and the cost long term, Council did not object to the coverage for 2016.

Council President Pro Tem Chazen asked about the discussion on the Retiree Health Trust. Ms. Hazelhurst said that discussion will come back to Council at a later date.

Ms. Hazelhurst asked Councilmembers to get the information for the City Manager recruitment brochure back to her right away.

With there being no further business, the meeting adjourned.

**GRAND JUNCTION CITY COUNCIL
MONDAY, OCTOBER 5, 2015**

**WORKSHOP, 5:00 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET**

To become the most livable community west of the Rockies by 2025

1. Budget

- **Water and Solid Waste Enterprise Funds including Water Rate Study**
- **Budget Balancing Follow up Discussion – Operations, Capital and Economic Development; Employer contribution to health insurance**

2. Other Business

3. Board Reports

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

October 7, 2015

The City Council of the City of Grand Junction convened into regular session on the 7th day of October, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and Council President Pro Tem Marty Chazen. Council President Phyllis Norris was absent. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Chazen called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember Kennedy followed by an invocation by Bishop Fred Jarvis, Lands End Ward, The Church of Jesus Christ of Latter-Day Saints.

Presentation

Presentation of the NGV (Natural Gas Vehicle) Achievement Award

Greg Lanning, Public Works Director, gave a presentation on the Natural Gas Vehicle Achievement Award the City received. Mr. Lanning explained the award and why the City was awarded the certificate. The City's Compressed Natural Gas (CNG) fleet is now has 32 vehicles plus 9 Grand Valley Transit buses. This has saved 600,000 gallons of fuel. He then described the Persigo CNG Project and how it adds 400 gallons each day to the CNG fueling station. He presented the award to the City Council.

Proclamations

Proclaiming October 4-10, 2015 as "Fire Prevention Week" in the City of Grand Junction

Councilmember Taggart read the Proclamation. Steven Kollar, Acting Fire Marshal, and Shawn Montgomery, Fire Information/Education Coordinator, were present to accept the proclamation. Mr. Kollar thanked the Council and explained the importance of smoke detectors in the home. Construction and furniture in homes has changed making fires burn hotter and faster; those in the fire can be overtaken quickly. Three

out of five fire related deaths occur in structures that have no or non-functioning smoke detectors. He thanked the City Council for their support.

Proclaiming October 10, 2015 as “National Train Day” in the City of Grand Junction

Councilmember Boeschstein read the Proclamation. Paul Brown, Barbara Bowman, and Annie Ledoux were present to accept the proclamation. Ms. Ledoux explained that National Train Day is usually in May, but on October 9th and 10th an exhibit train will be open to the public for tours and an exhibit. There will also be a drawing for two round trip tickets to Denver and those in attendance will also get a discount into the Air Show.

Mr. Brown thanked the City Council and lauded them for their efforts in making this a livable community. He reviewed the history of the Avalon Theatre and the Depot. He encouraged the City Council to support restoration of the Depot.

Proclaiming October 19-23, 2015 as “Irlen Syndrome Awareness Week” in the City of Grand Junction

Councilmember Traylor Smith read the Proclamation. Jeannie Dunn, Irlen Clinic Director at Learning Associates of the Grand Valley, was present to accept the proclamation. She thanked the City Council and introduced two colleagues in attendance. She then provided additional information about the syndrome and said it affects 15 to 20% of the population. There is a simple screening and treatment is easy and effective.

Proclaiming October 29, 2015 as “Museum of Western Colorado Day” in the City of Grand Junction

Councilmember Boeschstein read the Proclamation. Peter Booth, Executive Director of Museum of Western Colorado, and Curtis Martin, Museum Board member, were present to accept the proclamation. Mr. Booth thanked the City Council and recognized Councilmember Boeschstein as being a board member for the Museum. He reviewed the history of the Museum; they are one of only 13 accredited museums in the State of Colorado. They plan to continue to grow and be a part of the Grand Valley.

Proclaiming October 2015 as “Conflict Resolution Month” in the City of Grand Junction

Councilmember McArthur read the Proclamation. Annette Ferriole of Peacemaking Resource, and Laurel Jones, local mediator also from Peacemaking Resource, were present to accept the proclamation. Ms. Ferriole thanked the City Council and announced that the City joins Governor Hickenlooper in recognizing Conflict Resolution Awareness Month. She invited the public to some of the activities they are hosting.

Proclaiming October 2015 as “Walk to School Month” in the City of Grand Junction

Councilmember Kennedy read the Proclamation. Elizabeth "Biz" Collins, Mesa County Transportation Planner and who also works with the Safe Routes to School Program and Co-chair of the Urban Trails Committee, was present to accept the proclamation. Ms. Collins thanked the City Council for the proclamation and described how walking or riding (rolling) to school benefits children. October 14, 2015 is Walk to School Day and there will be lots of people on the road so she encouraged everyone to share the road.

Appointments

To the Grand Junction Housing Authority

Councilmember Traylor Smith made a motion to appoint Tim Hudner for a five year term expiring October 2020 to the Grand Junction Housing Authority. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

To the Planning Commission/Zoning Board of Appeals

Councilmember Boeschstein made a motion to move First Alternate Keith Ehlers to the vacancy on the Planning Commission to fill an unexpired term until October 2016, move Second Alternate George Gatseos to First Alternate on the Planning Commission until October 2018, appoint Aaron Miller as Second Alternate on the Planning Commission and to the Zoning Board of Appeals for concurrent terms expiring October 2018, reappoint Joe Carter and appoint Scott Wolford to the Zoning Board of Appeals for terms expiring October 2019. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Citizens Comments

Ed Kowalski, 2871 Orchard Avenue, said he was present to represent people who don't always have a voice. He attended the open house on Horizon Drive on the new roundabout and he thinks it is wonderful; he also lauded the planned sculptures. He addressed public safety issues in that area. He asked if the City and Mesa County could work together in the same way. He does not think so, in his neighborhood the sidewalk is not complete because part of it is in the County and the street is a foot higher than the sidewalks. He then addressed the noise in the area which Commissioner John Justman said was just street noise. The dispatcher told him the

police will not give a ticket for noise. Also the judge does not recognize noise violations. Squealing tires and drag racing is also an issue.

Richard Swingle, 443 Mediterranean Way, was present to talk about SB 05-152 which was recently overturned by City voters. He read the introduction of the bill and explained its meaning. It precludes local communities from getting involved in the Broadband issue without an exemption. The providers drove the implementation of the bill. The State never acted on the bill. He reviewed the history of exemptions in the State and listed the communities that have passed exemptions.

Council Comments

Councilmember Taggart said the last couple of weeks have been busy. On September 24th he went to the Municipalities Dinner and listened to a new approach for School District 51, and also met with Colorado Plateau Mountain Bike Trail Association (COPMOBA) folks about the Governor's approach to 16 trails and the Palisade Plunge. October 1st he went to a dedication at Colorado Mesa University (CMU) for the Hutchins Water Center, October 2nd he worked with the committee for Economic Development (ED) and looked at new strategies, later that evening he was at City Hall to honor students in District 51, and listened to their creative writing stories.

Councilmember Traylor Smith went to the groundbreaking on Horizon Drive project, she warned drivers to be careful in that area and noted that businesses are open.

Councilmember Kennedy noted an email that Council received and wanted to report the City has a forward looking Police Department, the challenges they face, and how they think outside the box. The email was from Chief Camper about rolling out a new service providing a neutral location for Craigslist's exchanges and internet sales transactions; the police station is available for this purpose during normal business hours. No advance notice or appointment is needed, citizens can use the well-lit lobby and this will deter a buyer or seller that has less than honorable intentions. Officers will be called to assist if needed. The program begins tomorrow for "Safe to Trade Zones". Last week there was another senseless mass shooting at a community college and his thoughts and prayers are with the families that were affected by this senseless gun violence; it's time to take a deep look inside about what can be done.

Councilmember Boeschstein said he and his wife attended cultural activities, October 3rd they attended the symphony at the Avalon Theatre, October 2nd they attended the CMU play "Nine", and also the Hutchins Water Center inauguration and the Horizon Drive groundbreaking. He also attended the Regional Transportation Meeting on September 28th in Denver, the Municipalities Dinner with Chabin and Associates for the final strategy report and was told there is a $\frac{3}{4}$ % City sales tax dedicated partly to

Economic Development and on September 22nd, he attended the Museum of Western Colorado's Board meeting.

Councilmember McArthur also attended the Municipalities Dinner, it was a great job by Chez Lena at Western Colorado Community College (WCCC), October 2nd he met with Boy Scouts in the Auditorium so they could interview a Councilperson to earn their badge, today the Associated Members of Growth and Development (AMGD) had a presentation by Mesa County Planning Director Danneberger, they are looking at a number of text amendments like the City to easing the process of development, they did a great job looking at the issues.

Council President Pro Tem Chazen on September 22nd attended Building a Better Colorado meeting and participated in the finance committee which focused on the hospital provider fee and exclusion from TABOR; it was a spirited conversation. On September 23rd he attended the final presentation from Chabin and Associates, he is very gratified that the partners have segmented their roles on who will do what and gratified they are serious about this. It's been budget, budget, and budget for Staff and Council. He attended the Downtown Development Authority (DDA) meeting on September 24th and budget was the topic. Moving forward on the City Manager (CM) recruitment, a very positive document has been put together by the consultant.

Council President Pro Tem Chazen recognized several CMU students in the audience and welcomed them.

Consent Agenda

Councilmember McArthur read Consent Calendar items #1 through #5 and then moved to adopt the Consent Calendar. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summaries of the August 31 and September 14, 2015 Workshops and the Minutes of the September 16, 2015 Regular Meeting

2. **Setting a Hearing on Zoning the Morse Annexation, Located at 2997 B ½ Road**

A request to zone 39.77 acres from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

Proposed Ordinance Zoning the Morse Annexation to R-4 (Residential 4 du/ac), Located at 2997 B ½ Road

Action: Introduce a Proposed Zoning Ordinance and Set a Public Hearing for October 21, 2015

3. **Setting a Hearing on Park Mesa Subdivision, Outline Development Plan, Located at 323 Little Park Road**

The applicant, Ken Scissors, requests approval of an Outline Development Plan (ODP) for Park Mesa Subdivision as a Planned Development (PD) zone district with a default zone of R-2 (Residential - 2 du/ac) to develop an eight lot, single-family detached subdivision on 12.1 +/- acres.

Proposed Ordinance Approving the Outline Development Plan as a Planned Development with a Default R-2 (Residential - 2 du/ac) Zone District for the Development of 8 Single-Family Detached Dwelling Units to be Known as Park Mesa Subdivision, Located at 323 Little Park Road

Action: Introduce a Proposed Ordinance and Set a Public Hearing for October 21, 2015

4. **Contract for the Primary Clarifier Rehabilitation Project**

This request is to award a construction contract for the rehabilitation of the mechanical components of the primary clarifiers at the Persigo Wastewater Treatment Plant.

Action: Authorize the City Purchasing Division to Enter into a Contract with Elite Protective Coatings of Loma Colorado for the Primary Clarifier Rehabilitation Project for the Bid Amount of \$158,530

5. **2015 Fourth Supplemental 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 2015 budget amendments for establishment of an Employee Retiree Health Trust.

Proposed Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

Action: Staff is pulling this item so no public hearing will be held

ITEMS FOR INDIVIDUAL CONSIDERATION**Support of Colorado Riverfront Trail and Palisade Plunge as Priorities for the “Colorado Beautiful 16 Trails in 2016” Initiative**

A request from local partners to support the Colorado Riverfront Trail and Palisade Plunge as regional priorities for the State’s “Colorado Beautiful 16 Trails in 2016” initiative.

Brad Taylor, Co-Chair, Colorado Riverfront Commission, introduced this item and said that he and Scott Winans are looking for support of the Riverfront Trail and the Palisade Plunge hoping that some funding can come this way. He gave a background of the program which Great Outdoors Colorado (GOCO) and Department of Natural Resources gave them a few weeks ago. They also recognized the Riverfront Trail some years ago.

Scott Winans, President of Colorado Plateau Mountain Bike Association (COPMOBA), was also present and he explained what COPMOBA is and their focus. He said the trails around here are world renown and it generates a lot of visitation to the community. The Palisade Plunge intends to capitalize on some unique elements and link the top elevation with the valley floor. He lauded the growth in the number of visitors; the trail base serves as an economic driver in the community, and capitalizes on the existing infrastructure.

Councilmember Traylor Smith asked if there are multiple local groups applying and if so are they being competitive or collaborative. Mr. Winans said COPMOBA works with a number of other organizations and much of this trail is not accessible to motorized use.

Councilmember Kennedy asked if diversifying the support would diminish consideration for these and other trails. Mr. Taylor said with only 16 trails statewide there will be a lot of competition; the goal is to just get a seat at the table. They are all great projects. Mr. Taylor said there are several gaps in the Riverfront Trail and to apply as the Riverfront Project; it is not a bad thing to have both projects supported.

Mr. Winans said the Plunge would be an economic driver; the Riverfront Trail is more of a quality of life project in the valley.

Councilmember Boeschstein expressed it is great to have this project on the forefront and to complete the project will be great. The Three Sisters Trail is also part of the Riverfront Trail. Libby Collins, Co-chair of the Urban Trails Committee, was also present and agreed saying the part of the trail which connects to Lunch Loop is an important piece. She said she hopes that shovel ready projects will be considered, this part of the trail is very close to being ready.

Councilmember Boeschstein asked if the Plunge involves other government land, such as Forest Service and Bureau of Land Management (BLM). Mr. Winans said yes, along with City and Palisade watershed property. New construction permits will be required as well as National Environmental Policy Act (NEPA) studies. However it is a goal of the BLM to create this trail connection.

Councilmember McArthur asked what the cost estimates are to complete these. Mr. Winans said the Plunge estimate, which is not firm, is around \$300,000 to \$350,000 and includes the environmental studies, parking lot, and the upper trailhead. Mr. Taylor said he did not have estimates for the Riverfront Trail since land acquisition is still needed. Councilmember McArthur asked Mr. Winans what the acronym COPMOBA stands for. Mr. Winans stated Colorado Plateau Mountain Bike Trail Association. Councilmember McArthur stated bicycling is becoming more a part of the economic development in this area and as a community we need to continue to support it and he applauds the efforts.

Councilmember Taggart commended both Mr. Taylor and Mr. Winans for bringing this together in one action; it shows a spirit of cooperation, which he believes is important to show the Governor's office. The 16 trails are not in concrete as of yet, but it is interesting to see the criteria. Regarding the Plunge, Councilmember Taggart rode the Tour of the Moon with about 2,000 other riders and the Palisade Plunge ride is on a lot of people's bucket list.

Council President Pro Tem Chazen asked if this resolution does not obligate the City financially at this time. City Attorney Shaver said that is correct. Council President Pro Tem Chazen said he is in favor of this project; it will be a great economic driver.

Resolution No. 42-15—A Resolution Supporting the Colorado Riverfront Trail and Palisade Plunge as Priorities for the Colorado Beautiful 16 Trails in 2016

Councilmember Taggart moved to adopt Resolution No. 42-15. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing—1800 Main Street Apartments Right-of-Way Vacation, Located East of 1800 Main Street

The applicant, Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate an excess 15' wide north/south right-of-way located east of 1800 Main Street. The right-of-way was dedicated with the filing of the East Main Street Addition subdivision in 1947 and is no longer needed.

The public hearing was opened at 8:35 p.m.

Scott D. Peterson, Senior Planner, introduced this item. This is a request to vacate excess right-of-way of approximately 0.09 acres. The Planning Commission

recommended conditional approval of the right-of-way vacation at their September 8, 2015 meeting. He described the location, the history, and the reason for the request. The area has never been used for the intended purpose. The applicant is requesting to vacate the existing right-of-way in order to construct a new 18,360 sq. ft. 3-story, 27 unit multi-family residential apartment building as close to their east property line as possible. The existing use is three apartment buildings. He stated the current zoning and the conditions for approval are being proposed. All of the required review criteria has been met and a utility easement will be retained.

Councilmember Kennedy mentioned he had difficulty picturing a building fitting into that space. Mr. Peterson said it will be a three story building, with an access off of Rood Avenue. Councilmember Kennedy asked if it will be similar to the existing units. Mr. Peterson answered affirmatively.

Councilmember Boeschstein asked if underground utilities will be located in the utility easement and will they build over and around it. Mr. Peterson noted they will retain the easement so no building or structures will be on the easement, the building will abut the set back. Both the City Engineering and Utilities departments have reviewed it.

Councilmember McArthur asked if fencing is allowed on that area. Mr. Peterson said fencing is allowed as well as landscaping, just not structures.

There were no public comments. The public hearing was closed at 8:42 p.m.

Ordinance No. 4677—An Ordinance Vacating Excess Right-of-Way for the Proposed 1800 Main Street Multi-Family Residential Apartment Building Expansion Application, Located at 1800 Main Street

Councilmember Kennedy moved to adopt Ordinance No. 4677 on final passage and ordered final publication of the Ordinance in pamphlet form. Councilmember Boeschstein seconded the motion.

Councilmember McArthur is concerned about planting trees over a pipeline, Staff should consider that impact. Mr. Peterson said the site plan is still under review, he is not sure about the plantings, but will note not to allow a tree.

Councilmember Boeschstein agreed and requested it be left open for future maintenance. Mr. Peterson said he will take that into consideration.

Council President Pro Tem Chazen asked about the Planning Commission's recommended conditional approval, if utility and storm water easements were the conditions. Mr. Peterson said the condition was to retain the easement. City Attorney Shaver said line 2 of the ordinance describes the conditions.

Motion carried by roll call vote.

Public Hearing—Community Hospital Alley Vacation—Vacating the Remaining North/South and East/West Alleys, Located between N. 11th Street, N. 12th Street, Orchard Avenue, and Walnut Avenue

Request to vacate a non-constructed alley right-of-way located between N. 11th Street, N. 12th Street, Orchard Avenue, and Walnut Avenue. The right-of-way was originally dedicated in anticipation of alley construction and is no longer needed.

The public hearing was opened at 8:45 p.m.

Senta Costello, Senior Planner, presented this item and provided background on this vacation. She described the request, the location, the history of the alley, the lack of documentation on earlier vacations, and stated that the reason for the request is to clean up these right-of-ways. There is a sewer line in one of the right-of-ways but that will be taken over by the property owner. She described the uses and zoning of the property. The Planning Commission recommended approval to City Council for the request at its September 8, 2015 public hearing.

There were no public comments. The public hearing was closed at 8:49 p.m.

Ordinance No. 4678—An Ordinance Vacating Alley Right-of-Way, Located between N. 11th Street, N. 12th Street, Orchard Avenue, and Walnut Avenue

Councilmember Traylor Smith moved to adopt Ordinance No. 4678 on final passage and ordered final publication of the Ordinance in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

CDBG Subrecipient Contracts with Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster, Grandparent Programs, Housing Resources of Western Colorado, and Partners for Previously Allocated Funds within the 2015, Community Development Block Grant (CDBG) Program Year

The Subrecipient Contract formalizes the City's award of a total of \$77,808 to Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster Grandparent Programs, Housing Resources of Western Colorado, and Partners allocated from the City's 2015 Community Development Block Grant (CDBG) Program as previously approved by Council. The grant funds will be used for human services and facility improvements.

Kristen Ashbeck, Senior Planner/CDBG Administrator presented these items. These agencies are considered "subrecipients" to the City. The City will "pass through" a portion of its 2015 Program Year CDBG funds to the agencies but the City remains responsible for the use of these funds. She reviewed each of the projects:

Western Colorado Suicide Prevention Bridges Program - The Bridges program provides emergency counseling for children, teens, and young adults at risk for suicide who do not have financial resources to obtain assistance. School counselors refer potential students to the program. CDBG funds in the amount of \$8,860 will be used to offset costs of counseling sessions. Additional funds in the amount of \$6,500 have been leveraged from other sources for this program.

St. Mary's Foundation Gray Gourmet Program - The Gray Gourmet program prepares, serves, and delivers a hot and nutritious lunchtime meal for Mesa County seniors ages 60 and older. The program fosters health, independence, and wellbeing. Volunteers deliver meals to homebound seniors; frail and recovering elderly that do not have the means to travel to one of the serving locations. CDBG funds would fund three more volunteers delivering approximately 500 more meals on selected routes within the City limits. CDBG funds in the amount of \$9,950 will be used to reimburse program volunteers for gas and mileage for travel to and from delivery locations. Additional funding in the amount of \$19,880 has been leveraged from other sources for this program.

St. Mary's Foundation Foster Grandparent Program - This program places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding would allow for the addition of 6 volunteers to serve 66 more students. CDBG funds in the amount of \$8,998 will be used to reimburse program volunteers for gas and mileage for travel to and from service locations. Additional funding in the amount of \$330,195 has been leveraged from other sources for this program.

Housing Resources of Western Colorado Emergency Repair Program - Housing Resources provides low income residents with 24-hour emergency repair including roof repair, furnace repair, carbon monoxide issues, frozen pipes, water heaters, electrical problems, and evaporative coolers. CDBG funding in the amount of \$22,500 will be used to help pay for materials and labor for the program. Housing Resources expects to serve 75 City residents through the program. Additional funding in the amount of \$7,500 has been leveraged from other sources for this program.

Partners Program Office Safety Improvements - The main program office for Partners at 1169 Colorado Avenue is in need of safety improvements. Partners provides programs for substance abuse prevention, victim empathy, and life skills educational classes in their second floor meeting room. Currently there is only one exit from the second to the first level. In an emergency, if that egress is unusable, up to 25 people could be trapped. CDBG funds in the amount of \$27,500 will be used to add a second stairwell at the west end of the building for a secondary escape. Additional funding in the amount of \$23,500 has been leveraged from other sources for this project.

Councilmember Kennedy moved to authorize the Interim City Manager to sign the Subrecipient Contracts with Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster Grandparent Programs, Housing Resources of Western Colorado, and Partners for total grant funds of \$77,808 of the City's 2015 Program Year funds. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Councilmember Boeschenstein inquired why Housing Resources got their United Way funding denied. Katie Bowman with Housing Resources said the United Way committee expressed that their demographic needed to be more specific.

Councilmember Kennedy stated the amounts and the awards were discussed in great detail and the recipients were well deserving. He wished there was more to allocate.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:00 p.m.

Stephanie Tuin, MMC
City Clerk



Attach 2

CITY COUNCIL AGENDA ITEM

Date: October 8, 2015
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior Planner/1447
 Proposed Schedule: 1st Reading: October 21, 2015
 2nd Reading: November 4, 2015
 File #: VAC-2015-289

Subject: LOJO Partnership LLP Alley Rights-of-Way Vacation, Located between S. 7 th Street and S. 8 th Street on the South Side of South Avenue
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests approval from the City of Grand Junction to vacate north/south, east/west alley rights-of-way located between S. 7th Street and S. 8th Street on the south side of South Avenue, which are no longer needed in anticipation of consolidation of all adjacent properties that the applicant owns.

Background, Analysis and Options:

LOJO Partnership LLP, requests approval from the City of Grand Junction to vacate north/south and east/west alley rights-of-way (approximately 6,786 sq. ft. – 0.156 acres – see attached vacation exhibit) located between S. 7th Street and S. 8th Street on the south side of South Avenue. These alley rights-of-way have never been improved with either asphalt paving or concrete, but rather serve more as a utility easement for an existing sanitary sewer main and Xcel Energy electric and gas line. The applicant is requesting to vacate these existing alley rights-of-way in order to consolidate all seven properties that the applicant owns into one, 5.26 acre lot. The requested vacation is in anticipation of marketing or development of the property. A proposed Simple Subdivision application for the consolidation of the seven properties is currently under review (City file number SSU-2015-337).

The proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy electric and gas line and the City’s sewer line.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on June 16, 2015 with two citizens along with the applicant and City Project Manager in attendance. No objections to the alley right-of-way vacation nor proposed development were received.

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

The request to vacate excess alley rights-of-way supports the continued development of the downtown area as the applicant intends to either market or develop the property and also implements and meets the following goals and policies from the Comprehensive Plan.

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

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goals of supporting and encouraging the development of centers.

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.

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

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed alley right-of-way vacation request specifically does not further the goals of the Economic Development Plan, it does allow for the property owner to assemble seven properties together to create one, 5.26 +/- acre parcel of land in the downtown area in which to market and/or develop for future general commercial development.

Board or Committee Recommendation:

The Planning Commission reviewed this request at their October 13, 2015 meeting and are recommending approval of the proposed vacation request with the condition that the applicant dedicate any needed utility easements.

Financial Impact/Budget:

Based on an actual value of the average per square foot of the adjacent properties, \$0.76, as calculated by the Mesa County Assessor's office, the total value of the ROW requested to be vacated is approximately \$5,157.36.

Legal issues:

The proposed vacation request has been reviewed by the Legal Division.

Previously presented or discussed:

This proposal has not been previously discussed.

Attachments:

Staff Report/Background Information
Site Location Map
Aerial Photo Map
Comprehensive Plan Future Land Use Map
Existing Zoning Map
Ordinance

BACKGROUND INFORMATION					
Location:		(Adjacent to) 630 S. 7 th Street, 735, 737, 741 & 749 South Avenue			
Applicants:		LOJO Partnership LLP (Doug and Jamee Simons), Owner			
Existing Land Use:		Dedicated Alley Right-of-Way			
Proposed Land Use:		Consolidation of adjacent properties in anticipation of future development			
Surrounding Land Use:	North	Vacant land			
	South	Former StarTek building			
	East	Light industrial land uses and Single-family detached residential			
	West	Vacant land			
Existing Zoning:		C-2 (General Commercial)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	C-2 (General Commercial)			
	South	C-2 (General Commercial)			
	East	C-2 (General Commercial) and I-1 (Light Industrial)			
	West	C-2 (General Commercial)			
Future Land Use Designation:		Commercial			
Zoning within density range?		X	Yes		No

Section 21.02.100 (c) of the Grand Junction Zoning and Development Code:

The vacation of right-of-way shall conform to the following:

- a. *The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.*

Granting the request to vacate excess right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The request meets with Goals 1, 4 and 12 of the Comprehensive Plan and the alleys are not shown on the Grand Valley Circulation Plan as needed right-of-way. A utility easement will be retained for existing utilities as a condition of approval. The requested vacation of right-of-way is in anticipation of the applicant to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 acre lot in anticipation of marketing or development of the property.

Therefore, this criterion has been met.

- b. No parcel shall be landlocked as a result of the vacation.*

Several parcels will be landlocked as a result of this vacation request. However, the applicant owns all adjacent properties and is requesting to combine all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development (City file # SSU-2015-337).

Therefore, this criterion has been met.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.*

Access will be restricted to any parcel. However, the applicant owns all adjacent properties and is requesting to combine all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development (City file # SSU-2015-337). A Utility Easement will be retained as a condition of approval to cover all existing utility infrastructure.

Therefore, this criterion has been met.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).*

No adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land will not be reduced by the result of this vacation request. The existing alley right-of-way area has never been improved with either asphalt or concrete and serves more as a utility easement for an existing City sanitary sewer line and Xcel Energy electric and gas line. A utility easement will be retained for existing utilities as a condition of approval.

Therefore, this criterion has been met.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.*

Adequate public facilities and services will not be inhibited to any property as a result of this proposed vacation request. The applicant is requesting to

vacate this alley right-of-way in order to incorporate the land area within their existing properties in order to either market or develop. No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process. As a condition of approval, a utility easement will be retained for existing utilities located within the vacated alley rights-of-way. The Grand Valley Circulation Plan does not show future connections for this alley.

Therefore, this criterion has been met.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.*

Maintenance requirements for the City will be reduced as a result of the proposed right-of-way vacation as the City will no longer need to maintain the alley.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

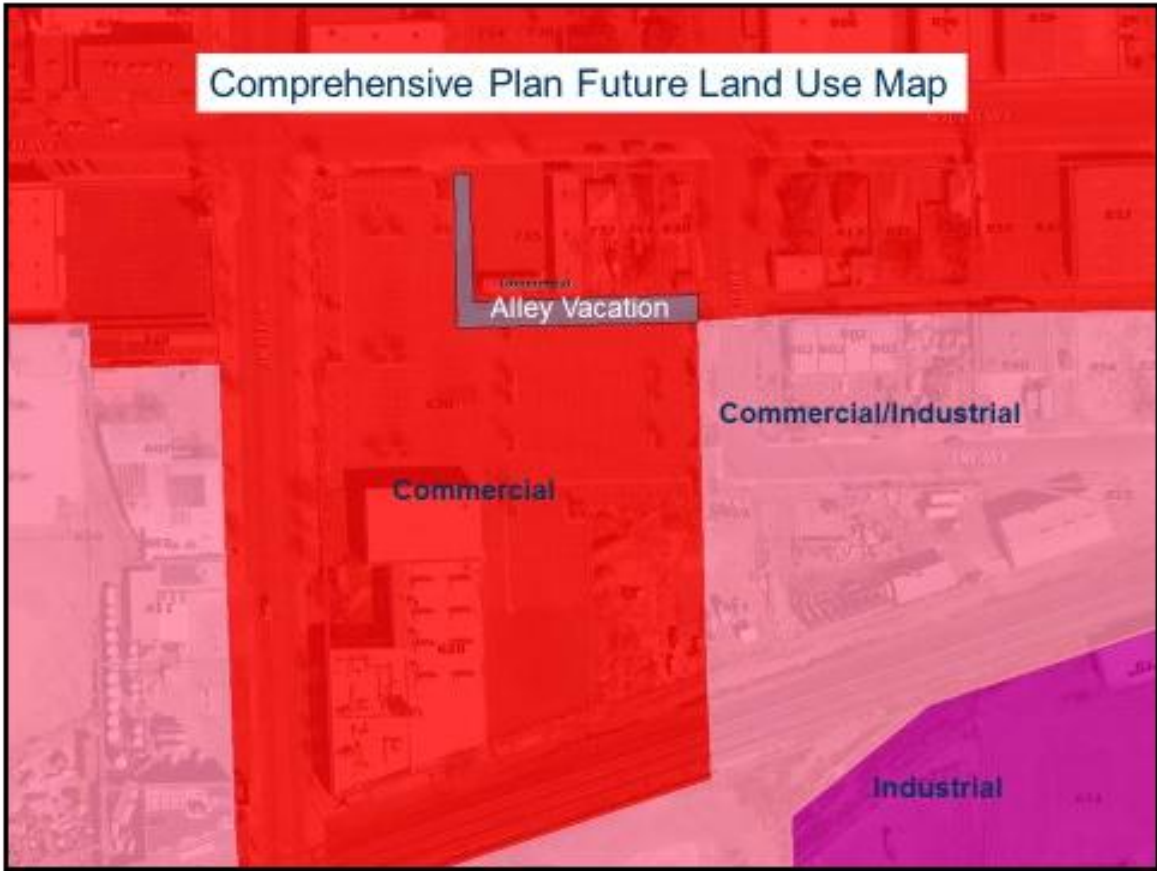
After reviewing the LOJO Partnership LLP alley rights-of-way vacation application, VAC-2015-289 for the vacation of public right-of-way, I as Project Manager make the following findings of fact, conclusions and conditions:

1. The requested alley right-of-way vacation is consistent with the goals and policies of the Comprehensive Plan, specifically, Goals 1, 4 and 12.
2. The review criteria in Section 21.02.100 (c) of the Grand Junction Zoning and Development Code have all been met and/or addressed.
3. As a condition of approval, the City will retain a Utility Easement.
4. Approval of requested right-of-way vacation is contingent upon the finalization, recording and approval of all outstanding items associated with a subdivision plat to consolidate all adjacent parcels of land.





Comprehensive Plan Future Land Use Map





Existing Zoning Map

Alley Vacation

C-1

C-2

I-1

SOUTHAVE

JESSE

JESSE

ISTAVE

CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING ALLEY RIGHTS-OF-WAY BETWEEN S. 7TH STREET
AND S. 8TH STREET ON THE SOUTH SIDE OF SOUTH AVENUE**

LOCATED AT 630 S. 7TH STREET AND 735, 737, 741, 749 SOUTH AVENUE

RECITALS:

The applicant, LOJO Partnership LLP, requests approval from the City of Grand Junction to vacate north/south and east/west alley rights-of-way (6,786 +/- sq. ft. – 0.156 acres – see attached Exhibit A) located between S. 7th Street and S. 8th Street on the south side of South Avenue. These alley rights-of-way have never been constructed with asphalt paving or concrete, but rather serve more as a utility easement for an existing sanitary sewer main and Xcel Energy electric and gas line. The applicant is requesting to vacate these existing alley rights-of-way in order to consolidate all seven properties that the applicant owns into one, 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development. The proposed Simple Subdivision application for the consolidation of properties is currently under review administratively (City file number SSU-2015-337).

The proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy electric and gas line and the City's sewer line.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. The City will retain a Utility Easement.

3. Applicant shall also dedicate a utility easement across the consolidated lots between S. 7th Street and S. 8th Street to cover existing utility infrastructure.
4. Applicant shall file a subdivision plat consolidating all existing parcels that will be landlocked as a result of this alley right-of-way vacation.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A certain parcel of land lying in the North-half (N 1/2) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

ALL of that certain East-West alley lying South of Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado, North of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, West of the West right of way for South Eighth Street and East of the vacated East-West alley vacated by Ordinance No. 692, as recorded in Book 611, Page 201, Public Records of Mesa County, Colorado TOGETHER WITH that certain North-South alley lying North of the North line of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, South of the South right of way for South Avenue and lying East of the East line of Lots 6 through 10 (and its Southerly extension), Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado.

CONTAINING 6,786 Square Feet or 0.156 Acres, more or less, as described.

Said vacated right-of-way to be retained as a Utility Easement.

Introduced for first reading on this _____ day of _____, 2015 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2015 and ordered published in pamphlet form.

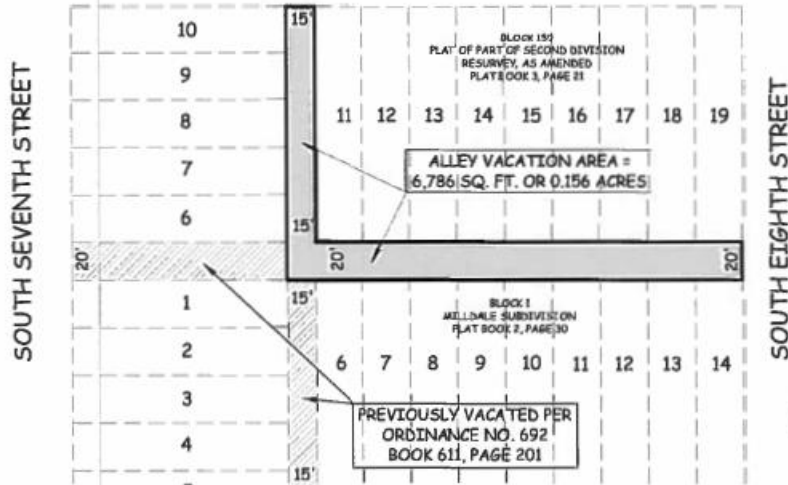
ATTEST:

President of City Council

City Clerk

EXHIBIT "A"

SOUTH AVENUE



SOUTH SEVENTH STREET

SOUTH EIGHTH STREET



ABBREVIATIONS

- | | |
|--------|-------------------------|
| R.O.W. | RIGHT OF WAY |
| SEC. | SECTION |
| TWP. | TOWNSHIP |
| RGE. | RANGE |
| U.M. | UTE MERIDIAN |
| P.O.C. | POINT OF COMMENCEMENT |
| P.O.B. | POINT OF BEGINNING |
| SSMH | SANITARY SEWER MAN HOLE |

NOT-TO-SCALE
LINEAL UNITS - US SURVEY FOOT



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

DRAWN BY: PIK
DATE: 09-11-2015
SCALE: N/A
APPR. BY: S.D.

ALLEY VACATION
LOJO PARTNERSHIP LLP
630 S. 7TH STREET
2945-231-01-028





Date: October 8, 2015
Author: Scott D. Peterson
Title/ Phone Ext: Senior
Planner/1447
Proposed Schedule: 1st Reading:
October 21, 2015
2nd Reading: November 4, 2015
File #: RZN-2015-410

Attach 3

CITY COUNCIL AGENDA ITEM

Subject: LOJO Partnership LLP Rezone, Located at 821 1 st Avenue
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015
Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests a rezone of the property located at 821 1st Avenue from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

Background, Analysis and Options:

The existing 0.26 +/- acre property is located at the intersection of 1st Avenue and S. 8th Street and is currently vacant. The applicant desires to create a subdivision plat to consolidate all seven properties that the applicant owns into one, 5.26 acre lot, located between South Avenue and the railroad tracks and from S. 7th Street to S. 8th Street (City file # SSU-2015-337). The applicant also wishes to vacate City alley rights-of-way (City file # VAC-2015-289) located internally to the proposed subdivision in anticipation of marketing or development on the newly created lot. The property to the west (630 S. 7th Street), which is one of the seven properties that the applicant owns, is the former StarTek building which is currently vacant.

As part of the lot consolidation subdivision application, the City is recommending the subject property (0.26 +/- acres) be rezoned to be consistent with the adjacent zoning prior to recording of the new subdivision plat.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on June 16, 2015 with two citizens along with the applicant and City Project Manager in attendance. No objections to the proposed development were received.

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

The requested Rezone will allow the applicant to consolidate properties that he owns into one developable, 5.26 acre lot located in the downtown area in anticipation of future general commercial development opportunities, with a single zoning designation, therefore, meeting with the following goals of the Comprehensive Plan:

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.

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

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed rezone meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing business within the community as it either markets or develops the subject property since it is not recommended planning practice to have two separate zoning districts designated on one property.

Board or Committee Recommendation:

The Planning Commission reviewed this application at their October 13, 2015 meeting and are recommending approval of the proposed rezone request contingent upon the finalization, recording and approval of all outstanding items associated with the subdivision plat to consolidate properties that the applicant owns and also alley right-of-way vacation applications as identified with City file numbers SSU-2015-337 and VAC-2015-289.

Financial Impact/Budget:

No direct financial impact on the City budget for this item.

Legal issues:

City Legal Staff has reviewed the requested rezone application.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This request has not been previously discussed.

Attachments:

Staff Report/Background Information

Site Location Map

Aerial Photo Map

Comprehensive Plan Future Land Use Map

Existing Zoning Map

Ordinance

BACKGROUND INFORMATION					
Location:		821 1 st Avenue			
Applicants:		LOJO Partnership, LLP (Doug and Jamee Simons), Owner			
Existing Land Use:		Vacant land			
Proposed Land Use:		Consolidate property into proposed subdivision development			
Surrounding Land Use:	North	Light industrial land uses			
	South	Railroad tracks			
	East	Light industrial property			
	West	Vacant land & former StarTek building (applicant owned)			
Existing Zoning:		I-1 (Light Industrial)			
Proposed Zoning:		C-2 (General Commercial)			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	I-1 (Light Industrial)			
	East	I-1 (Light Industrial)			
	West	C-2 (General Commercial)			
Future Land Use Designation:		Commercial			
Zoning within density range?		X	Yes		No

Sections 21.02.140 of the Grand Junction Zoning and Development Code:

The City may rezone if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets with one or more of the following criteria:

(1) Subsequent events have invalidated the original premises and findings; and/or

The applicant would like to consolidate this property, and several others, into one (1) contiguous parcel. Therefore, subsequent events have now invalidated the original premise and findings since this property will no longer be a standalone parcel. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

Therefore, this criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The condition of the property will change as the applicant would like to consolidate this parcel, and several others, into one (1) contiguous parcel. The newly created parcel will have two (2) zoning designations C-2 and I-1. It is not recommended planning practice to have two (2) separate zoning districts on one (1) property. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

Therefore, this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Adequate public and community facilities and services are available to the property and are sufficient to serve the proposed land use associated with the C-2 zone district. City water is located within South Avenue, S. 7th Street and through the middle of the property (easement previously dedicated). City sanitary sewer also bisects the property in two locations (easements have been provided or will be provided with the recording of the proposed subdivision plat). The property is located in the downtown area and is in close proximity to public transit connections, retail merchants and restaurants, etc.

Therefore, this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

There is an adequate supply of C-2 zoned land within the community. However, the applicant is requesting to consolidate properties that he owns into one, 5.26 acre lot to either market or develop at some point in the future and it is not recommended planning practice to have two (2) separate zoning districts on one (1) property. Therefore, this criteria is not applicable.

Therefore, this criterion has been addressed.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community will derive benefits from the proposed rezone by the consolidation of existing properties with existing infrastructure making it easier to market or develop.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

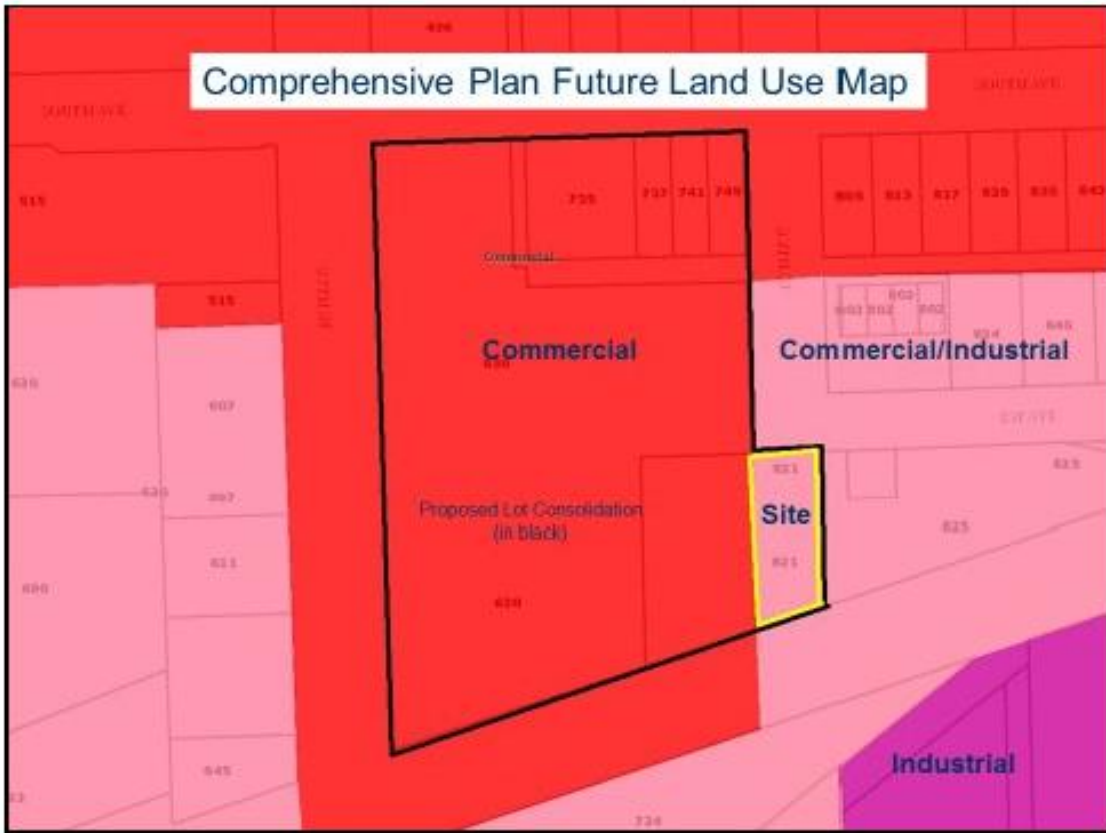
After reviewing the LOJO Partnership LLP, application, RZN-2015-410, request to change the zoning from I-1 (Light Industrial) to C-2 (General Commercial), the following findings of fact, conclusions and conditions have been determined:

1. The requested Rezone is consistent with the goals and policies of the Comprehensive Plan, specifically, Goals 4 and 12.
2. The review criteria, items 1 through 5 in Sections 21.02.140 of the Grand Junction Zoning and Development Code have all been met or addressed.
3. Approval of the Rezone request is contingent upon the finalization, recording and approval of all outstanding items associated with the subdivision plat to consolidate properties that the applicant owns and also alley right-of-way vacation applications as identified with City file numbers SSU-2015-337 and VAC-2015-289.





Comprehensive Plan Future Land Use Map





CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE LOJO PARTNERSHIP LLP PROPERTY
FROM I-1 (LIGHT INDUSTRIAL) TO C-2 (GENERAL COMMERCIAL)**

LOCATED AT 821 1ST AVENUE

Recitals:

The applicant, LOJO Partnership LLP, wishes to rezone an unplatted 0.26 +/- acre parcel of land from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

The existing property is located at the intersection of 1st Avenue and S. 8th Street and is currently vacant. The applicant desires to create a subdivision plat to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot, located between South Avenue and the railroad tracks and from S. 7th Street to S. 8th Street (City file # SSU-2015-337). The applicant also wishes to vacate City alley rights-of-way (City file # VAC-2015-289) located internally to the proposed subdivision in anticipation of marketing or development on the newly created lot.

As part of the lot consolidation subdivision application, the City is recommending the subject property be rezoned to be consistent with adjacent zoning prior to recording of the new subdivision plat.

The Comprehensive Plan Future Land Use Map designation is Commercial/Industrial which is compatible with the C-2 (General Commercial) zone district.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the LOJO Partnership LLP property from I-1 (Light Industrial) to the C-2 (General Commercial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Commercial/Industrial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the C-2 zone district to be established.

The Planning Commission and City Council find that the C-2 zoning is in conformance with the stated criteria of Section 21.02.140 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 shall be rezoned C-2 (General Commercial).

Beginning at a point whence the Northeast corner of Block 4 of Milldale Subdivision bears N 89°27'30" E 480.8 feet; thence N 89°27'30" E 68.0 feet; thence South 159.34 feet, more or less, to a point on the Northerly right of way line of the Denver and Rio Grande Western Railroad Company; thence Southwesterly along said Northerly right of way line to the intersection of said line with the East line of Block 5 of said Milldale Subdivision; thence North 180.0 feet, more or less, to the Point of Beginning.

Said parcels contain 0.265 +/- acres (11,544 +/- square feet), more or less, as described.

Introduced on first reading this _____ day of _____, 2015 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Date: October 12, 2015
 Author: Allison Blevins,
 Title/ Phone Ext: DGJBID Co
Director, 4133
 Proposed Schedule:
October 21, 2015
 2nd Reading (if applicable):__
 File # (if applicable): _____

Attach 4
CITY COUNCIL AGENDA ITEM

Subject: Outdoor Dining Lease Agreement for C and E Productions dba Mesa Theater, Located at 538 Main Street
Action Requested/Recommendation: Adopt Proposed Resolution
Presenter(s) Name & Title: Allison Blevins, Downtown Grand Junction Business Improvement District Co-Executive Director

Executive Summary:

C and E Productions is the new owner of the property and business located at 538 Main Street dba Mesa Theater. As a new business entity, C and E Productions is requesting a first-time Outdoor Dining Lease for an area measuring 350 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed sidewalk dining area that was occupied by the previous tenants, Mesa Theater and Club LLC.

Background, Analysis and Options:

Council approved the expansion of sidewalk dining with liquor service in July 2004. However, at that time, it was made clear that permission to serve alcohol on the sidewalk would require a specific lease of the public right-of-way in order to expand the licensed premise under the business’s individual liquor license. In Spring 2012 Council approved a newly revised standard Lease Agreement that is being used in this instance. Approval of this lease will allow the applicant to apply for expansion of its premises through the proper State and City agencies.

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

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

The addition of outdoor dining areas continues to support the vibrant atmosphere of the downtown area, and offers a significant business opportunity for increased sales and greater customer satisfaction.

How this item relates to the Economic Development Plan:

This item relates to two of the three guiding areas of emphasis in the Economic Development Plan: Infrastructure and Economic Development; and two primary roles of the City specific to economic development: “providing infrastructure that fosters and supports private investment,” and “investing in and developing public amenities.”

The DDA has invested in excess of \$21 million in improvements to public facilities in the Downtown core area over the past decade. These investments are intended to produce both a high-quality public realm as a community amenity, and to encourage private business to locate and operate in a manner that takes advantage of these infrastructure improvements. The \$7 million reconstruction of Main Street during the Uplift Project provided expanded pedestrian sidewalks that were intentionally designed to accommodate outdoor dining facilities for restaurant operations. Outdoor dining at Mesa Theater utilizes this existing infrastructure capacity for expanded economic opportunity by a private business operator while adding to the vibrancy and character of the Downtown district.

Board or Committee Recommendation:

There is no board or committee recommendation.

Financial Impact/Budget:

The annual lease rate for the public sidewalk area is \$1.00 per square foot, due at commencement of the lease term.

Legal issues:

No legal issues have been identified.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This has not been previously discussed.

Attachments: Resolution Authorizing the Lease of Sidewalk Right-of-Way to C and E Productions with supporting documents

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE LEASE OF SIDEWALK
RIGHT-OF-WAY TO C AND E PRODUCTIONS DBA MESA THEATER**

LOCATED AT 538 MAIN STREET

Recitals:

The City has negotiated an agreement for C and E Productions dba Mesa Theater, to lease a portion of the sidewalk right-of-way located in front of 538 Main Street from the City for use as outdoor dining; and

The City Council deems it necessary and appropriate that the City lease said property to C and E Productions dba Mesa Theater.

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

The City Manager is hereby authorized and directed to sign the Lease Agreement leasing the City-owned sidewalk right-of-way for an initial term commencing November ____, 2015, and terminating in 2016 on the date concurrent with the expiration of Lessee's Tavern Liquor License, for the rental sum of \$350.00, to C and E Productions.

PASSED and ADOPTED this ____ day of _____, 2015.

Attest:

President of the Council

City Clerk

DOWNTOWN OUTDOOR DINING LEASE AGREEMENT

THIS LEASE AGREEMENT ("Agreement") is made and entered into as of this 12 day of October 2015, by and between THE CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, as Lessor, (hereinafter "City") and, Card E Productions LLC as Lessee, (hereinafter "Lessee"), and the Grand Junction Downtown Development Authority as Lessor's Administrative Agent, (hereinafter "DDA").

RECITALS:

The City by Ordinance No. 3650 and subsequently amended by Ordinance No. 4120 established a Sidewalk Restaurant commercial activity permit for restaurants in the Downtown Shopping Park (DSP) on Main Street, Seventh Street and Colorado Avenue.

In accordance with that authority, the City Council and the DDA desire to make certain areas of the sidewalk in the DSP and at other locations as authorized available by lease to proximate land owners and/or lessees that want to make use of a portion of the public way for outdoor dining with or without alcohol service.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, it is agreed as follows:

1. Demise of Premises.

Option A: The City does hereby lease to Lessee the Premises (hereinafter "Premises") comprising approximately 350 square feet of the public way located in front of and immediately across the sidewalk from Mesa Theater, Main Street. The City does hereby grant an easement across the sidewalk situated between the Lessee's business and the Premises for the purpose of transporting alcohol beverages and food to and from the Premises. Said easement runs concurrently with this Agreement. The Premises, the easement area, and the location of Lessee's primary business facility are more particularly described in the attached Exhibit A.

Option B: The City does hereby lease to Lessee the Premises (hereinafter "Premises") comprising approximately 350 square feet of the public way located in front of and immediately abutting the Lessee's business. The Premises and the location of Lessee's primary business facility are more particularly described in the attached Exhibit A.

A brief description of the Lessee's business is attached as Exhibit B.

2. Term.

The term of this Agreement shall be for a period of one (1) year to commence on October 19, 2015 Upon signature by all parties this Agreement supersedes all prior leases, and terminates on October 14, 2016

3. Rental.

Lessee shall pay rent to Lessor at the rate of \$1.00 per square foot per year and in the total sum of \$ 350.00, which sum shall be payable in advance at the offices of the City Clerk, Grand Junction City Hall, 250 North 5th Street, Grand Junction, Colorado 81501. If the rent payment is not paid in full when due, a Lease shall not issue.

4. Permitted Uses and Hours of Operation.

Lessee agrees to use the Premises for the purpose of selling and dispensing food and/or beverages to the public. The Premises may be open to the public during Lessee's normal business hours, but in no event shall food and/or beverage service extend beyond 1:00 A.M. Service of alcoholic beverages shall be permitted provided Lessee holds a valid State and City liquor license. Tableside preparation of food shall be permitted pursuant to applicable health and safety regulations; however, fuel-based cooking or food preparation is expressly prohibited in the Premises. Live acoustic music performance is permitted on the Premises, provided any amplification utilized shall not result in a sound level exceeding 55 decibels measured at a distance of 20 feet from any of the Premises boundaries.

5. Assignment or Subletting Prohibited.

Lessee shall not have the right to assign the lease or to sublet the Premises in whole or in part without the prior written consent of the City.

6. Compliance with Legal Requirements.

Lessee shall comply with all applicable requirements of any governmental or quasi-governmental body including City, County, State or Federal agencies, boards, councils and commissions having jurisdiction respecting any operation conducted on the Premises by Lessee or any equipment, installations or other property placed upon, in or about the Premises by Lessee.

Lessee further agrees to comply with all rules of the DDA relating to the use of the Premises. Prior to commencing alcohol service in the Premises, Lessee shall include the Premises in the licensed service area as required by the liquor laws of the State and City.

Lessee shall not discriminate against any worker, employee or job applicant, or any member of the public because of race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical handicap, status or sexual orientation, family responsibility or political affiliation, or otherwise commit an unfair employment practice.

7. Taxes.

Lessee shall timely list for taxes and pay all tax assessments of whatever kind or nature assessed against or on Lessee's possessory interest, improvements, furnishings, fixtures, inventory, equipment and other property situated or placed upon, in or about the Premises. All such amounts shall be paid prior to delinquency.

8. Utilities.

Lessee shall make arrangements for all utilities, if any, needed at the Premises and is responsible for payment of the fees and charges arising out of the provision and/or use of the utility service(s).

9. Improvements and Personal Property.

All construction, improvements, installations, furniture, fixtures and/or equipment on the Premises shall comply with the following:

- a. Lessee may place furniture, fixtures and equipment in the Premises so long as the same do not endanger any passersby or patrons, and are secured to resist wind. No portion of the Lessee's furniture, fixtures or equipment shall extend beyond the boundaries of the Premises nor impede pedestrian traffic on the sidewalk adjoining the Premises. The terms of this paragraph shall be

construed to include but not be limited to perimeter enclosures, planters, signs, tables, chairs, shade structures, umbrellas while closed or open and any other fixtures, furniture or equipment placed or utilized by the Lessee. The Lessee may store its fixtures on the Premises at its own discretion and shall accept and retain full responsibility and liability for any damage to or theft of such fixtures. Required perimeter fencing shall be continuously maintained during the term of this Agreement.

b. Lessee shall provide a physical demarcation of the perimeter of the Premises, such as planters or stanchions, subject to DDA approval of the form and location of the same, to facilitate monitoring of potential encroachments beyond the Premises. If alcohol service is permitted in the Premises, the perimeter of the Premises shall be enclosed by a fixed perimeter enclosure no less than thirty (30) inches in height, the material, design and installation of which shall be approved by the DDA. Openings in the enclosure shall not be less than 44 inches wide. If there is a gate it must swing inward to prevent obstruction of the sidewalk.

c. No gas lighting shall be permitted in the Premises. Battery powered lights, candles in wind-protected enclosures, and low wattage electric lights, such as Christmas lights, shall be allowed. Under no circumstances shall electrical wires, extension cords or similar wiring, cables or conduit extend beyond the Premises into the public way, (easement area or otherwise) nor cross pedestrian paths, nor be placed so as to create a tripping hazard. Any suspended lighting must be securely installed to prevent dislodgement, sagging, or other hazard.

d. Signs are expressly prohibited on the Premises, except for the following: i) menu signs in compliance with the City sign code, and ii) umbrellas that display the Lessee's business logo, and/or the logo of only one business product that is featured and representative of the theme of the business. Signs shall be subject to approval by the DDA and City. Third party business signs and/or identification are expressly prohibited on the Premises.

e. Lessee shall not utilize sidewalk trash and/or recycling receptacles for refuse generated within the Premises. Lessee may provide a private trash and/or recycling receptacle within the Premises provided that it is emptied and maintained on a regular basis.

f. Lessee shall remove any personal property, including but not limited to improvements, enclosures, furniture, fixtures, equipment or structures installed by it or at its direction on the Premises promptly upon expiration without renewal of this Agreement. Failure to remove said property within ten (10) days of expiration shall be deemed an abandonment of said property, and result in ownership thereof transferring to the DDA which shall have the right to dispose of said property as its own.

10. Safe and Sanitary Condition.

Lessee shall at all time keep the Premises in good repair and free from all litter, dirt, debris, snow, and ice, and in a clean and sanitary condition. Lessee shall not permit nor suffer any disorderly conduct or nuisance whatsoever, which would annoy or damage other persons or property by any alteration to the Premises or by any injury or accident occurring thereon. Lessee shall be responsible, subject to applicable law regulating the discharge of contaminants to the sewer for power-washing or steam cleaning the sidewalk surface of the Premises twice yearly.

11. Lessor and Agent not Liable for Damages or Injuries.

Lessor and its Administrative Agent shall not be responsible to Lessee or to any other person or entity for damages or injuries arising out of the Lessee's use of the Premises. Lessor and/or its

Administrative Agent are not an insurer for Lessee's activities and Lessee shall obtain appropriate insurance against potential damages, injury, lost profit or advantage and any and all other claims as determined in the Lessee's sole and absolute discretion. Lessee shall indemnify and hold harmless the City of Grand Junction and the DDA and its employees, elected and appointed officials, against any and all claims for damages or personal injuries arising from the use of the Premises.

12. Insurance.

Lessee agrees to furnish Certificate(s) of Insurance at least fifteen (15) days prior to the commencement of the term of this Agreement as proof that it has secured and paid for a policy of public liability insurance covering all public risks related to the leasing, use, occupancy, maintenance and operation of the Premises. Insurance shall be procured from a company authorized to do business in the State of Colorado and be satisfactory to the City. The amount of insurance, without co-insurance clauses, shall not be less than the maximum liability that can be imposed upon the City under the laws of the State, as amended. Lessee shall name the City and the DDA as named insureds on all insurance policies and such policies shall include a provision that written notice of any non-renewal, cancellation or material change in a policy by the insurer shall be delivered to the City no less than ten (10) days in advance of the effective date.

13. Inspection, Access and Improvements by City and/or DDA.

Lessee agrees to permit the City, its designated representatives, and/or the DDA to enter upon the Premises at any time to inspect the same and make any necessary repairs or alterations to the sidewalks, utilities, meters or other public facilities as the City may deem necessary or proper for the safety, improvement, maintenance or preservation thereof. Lessee further agrees that if the City shall determine to make changes or improvements affecting the Premises which may affect any improvements placed by the Lessee, that the Lessee, by execution of this Agreement, hereby waives any and all right to make any claim for damages to the improvements (or to its leasehold interest) and agrees to promptly remove any furniture, fixtures, equipment and structures as necessary during such construction periods. The City agrees to rebate all rents in the event it undertakes major structural changes that continue for a period in excess of 14 continuous days during a lease period.

14. Delivery and Condition of Premises upon Expiration or Termination.

Lessee agrees to surrender and deliver up the possession of the Premises in substantially the same condition as received, ordinary wear and tear and approved improvements excepted, promptly upon the expiration of this Lease or upon five (5) days' written notice in the case of the termination of this Lease by City by reason of a breach in any provisions hereof.

15. Limitation of Rights Demised.

The City by this demise hereby conveys no rights or interest in the public way except the right to the uses on such terms and conditions as are described herein and retains all title thereto.

16. Sale or Transfer of Lessee's Business Interest

Lessee hereby affirms that Lessee is the owner and/or lessee of the abutting or approximate property and agrees that on sale or other transfer of such interest, Lessee will so notify the City of the transfer in interest and all right and interest under this Lease shall terminate.

17. Attorney's Fees.

If legal action is taken by either party hereto to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party all of its cost, including

reasonable attorney's fees. If the City and/or DDA uses in-house counsel to prosecute or defend any action arising out of or under this Agreement the City and/or DDA shall be entitled to recover the value of those services at the prevailing rate of private litigation counsel in Grand Junction.

18. Waiver.

No failure by Lessor to exercise any rights hereunder to which Lessor may be entitled shall be deemed a waiver of Lessor's right to subsequently exercise same. Lessee shall gain no rights nor become vested with any power to remain in default under the terms hereof by virtue of Lessor's failure to timely assert his rights. It is further agreed that no assent, expressed or implied, to any breach of any one or more of the covenants or agreements herein shall be deemed or taken to be a waiver of any succeeding or any other breach.

19. Default.

a. Each and every one and all of the following events shall constitute an Event of Default:

i) If Lessee files a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act or voluntarily takes advantage of any such act or makes an assignment for the benefit of creditors;

ii) if involuntary proceedings under any bankruptcy law, insolvency or receivership action shall be instituted against Lessee, or if a receiver or trustee shall be appointed for all or substantially all of the property of Lessee and such proceedings are not dismissed, or the receivership or trusteeship vacated, within ten (10) days after the institution or appointment;

iii) if Lessee fails to pay any sum due from it in strict accordance with the provisions of this Lease, and/or fails to pay any tax or assessment of the State, City or DDA and does not make the payment within ten (10) days after written notice thereof. For the purposes hereof, all sums due from Lessee shall constitute rentals whether denominated as rentals or otherwise elsewhere herein and Lessee has absolutely no right of offset;

iv) if Lessee fails to fully perform and comply with each and every condition and covenant of this Lease Agreement, and such failure or performance continues for a period of thirty (30) days after notice thereof;

v) if Lessee vacates or abandons the Premises;

vi) if the interest of Lessee is transferred, levied upon or assigned to any other person, firm or corporation whether voluntarily or involuntarily except as herein permitted;

vii) if Lessor, in any four month period during the Term, or spanning consecutive Terms, gives any notice to Lessee pursuant to subparagraphs iii) or iv) above, notwithstanding Lessee's cure of default within the allowable period or periods.

b. Upon the occurrence of any Event of Default as set forth above, Lessor shall have the right, at its option, to utilize any one or more of the following rights:

i) to cancel and terminate this Lease Agreement and all interests of the Lessee hereunder by giving notice of such cancellation and termination not less than ten (10) days prior to the effective date of such termination. Upon the expiration of said ten (10) day period, the Lessee shall have no further rights under this Lease Agreement (but such cancellation shall not serve to release or discharge the damages Lessee owes to Lessor); and/or

ii) to make any payment required of Lessee herein or correct any condition required to be corrected by Lessee, and Lessor shall have the right to enter the Premises for the purpose of correcting any such condition and to remain on the Premises until the complete correction of such condition. However, no expenditure by Lessor on behalf of Lessee shall be deemed to waive or release Lessee's breach hereof and Lessor shall retain all rights to proceed against

Lessee as set forth herein; and/or

iii) to reenter the Premises immediately with or without order of court and without claim of trespass, remove the property of Lessee and store such property in a public warehouse or such other location selected by Lessor, all at the expense of Lessee. After such reentry, Lessor shall have the right to terminate this Lease Agreement by giving ten (10) days notice of termination to Lessee, but without such notice, the reentry by Lessor shall not terminate this Lease Agreement. On termination, Lessor may recover from Lessee all damages resulting from Lessee's breach, including the cost of recovery of the Premises and placing them in satisfactory condition; and/or

vi) all other rights and remedies provided by law to a Lessor with a defaulting Lessee including all such money damages as Lessor shall be entitled pursuant to the law of damages.

c. In the event of any conflict between any of the provisions hereof regarding the amount of time that must elapse without cure after notice of breach before the same constitutes an Event of Default, then the provisions establishing the least amount of time to cure after notice shall prevail.

d. Upon any breach hereof, regardless of whether such breach is, or becomes, an Event of Default; Lessor shall be reimbursed by Lessee for any reasonable attorney's fees incurred by Lessor in connection with such breach.

20. Notices and Written Consents.

All notices and written consents required under this Agreement shall be in writing and either hand delivered or mailed by first class certified mail to the following parties:

To Lessor: City of Grand Junction c/o City Attorney
250 North 5th Street
Grand Junction, Colorado 81501

To Lessee: 538 main st
Grand Junction
CO 81501

To Agent: Downtown Development Authority c/o Executive Director
437 Colorado Avenue
Grand Junction, CO 81501

Notices shall be deemed served upon posting the same s addressed above and sent as First Class United States mail.

21. Binding Effect and Complete Terms.

The terms, covenants, conditions and agreements herein contained shall be binding upon and inure to the benefit of and shall be enforceable by Lessor and Lessee and by their respective heirs, successors and assigns. All negotiations and agreements of Lessor and Lessee are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by the Lessor and Lessee. This Lease supersedes all prior leases between Lessor and Lessee.

22. Construction of Lease.

This Lease shall not be construed more strictly against either party regardless of which party is responsible for the preparation of the same.

23. Performance Standards.

It is the intention of all parties hereto that the obligations hereunder and actions related hereto will be performed in accordance with the highest standards of commercial reasonableness, common sense and good faith.

24. Authorization of Parties.

Each individual executing this Lease as director, officer, partner, member, or agent of a corporation, limited liability company, or partnership represents and warrants that he or she is duly authorized to execute and deliver this Lease on behalf of such corporation, limited liability company, or partnership and that reasonable evidence of such authorization will be provided to the other party upon request.

25. Administrative Agent.

In conformance with the City's delegation of management responsibilities and authority concerning the Downtown Shopping Park and others areas of the public way in downtown Grand Junction, the City designates the DDA to serve as its Agent for the administration and enforcement of this Agreement.

IN WITNESS WHEREOF, the parties have signed and sealed this Lease Agreement, this day and year first above written.

Lessor: City of Grand Junction

Lessee:

By: Tim Moore, Interim City Manager

By:

Agent: Downtown Development Authority

By: Executive Director

Exhibit A: Proposed Lease Area (include dimensions and a sketch): See attached.

Exhibit B: Brief Description of Business / DDA Certification: include date, who prepared and lessee signature or initials

Business Name (name of insured): C and E production LLC

DBA (if needed): Mesa Theater

Applicant / Relationship to Business: Brett Strong / owner

Contact Phone and Email: (970) 201-4700, c.e.productions@yahoo.com

Type of Food/Beverage to be served in leased area: alcohol, snacks.

Days of Operation / Operating Hours: 7 days, 11am - 1am

How this operation will benefit Downtown Grand Junction:
live music venue, attracting thousands of new customers to downtown each month.

Number of tables to be used in the leased area: 4

Number of chairs to be used in the leased area: 10

Semi-permanent or movable structures including carts, stands, signs, etc: 1

Describe any musical or vocal presentations or effects to be used in the leased area:

occasional acoustic performances.

Copies of Current

Permits & Licenses Obtained:	State Sales Tax	<input checked="" type="checkbox"/>
	City Sales Tax	<input checked="" type="checkbox"/>
	Liquor License	<input type="checkbox"/>
	Restaurant/Food Service	<input type="checkbox"/>

Proof of Liability Insurance Coverage Provided?

DDA Certification: The Downtown Development Authority hereby finds that this application is proper, that all applicable permits have been obtained or will be obtained, that it is in compliance and will further the goals and objectives of the Plan of Development for Downtown Grand Junction, and that no current application exists for this location.

Signed: _____ Date: _____

If denied, state reason:

Exhibit C: Assurances, Hold Harmless and Indemnity Agreement

The Applicant assures the Downtown Development Authority and the City of Grand Junction that if a lease is issued, s/he will comply with all of the requirements and provisions of Grand Junction City Ordinance 3609, all other applicable ordinances and laws, and the Plan of Development for Downtown Grand Junction. The applicant further assures that s/he has obtained or will obtain all of the necessary and required permits or licenses to engage in the business or activity proposed.

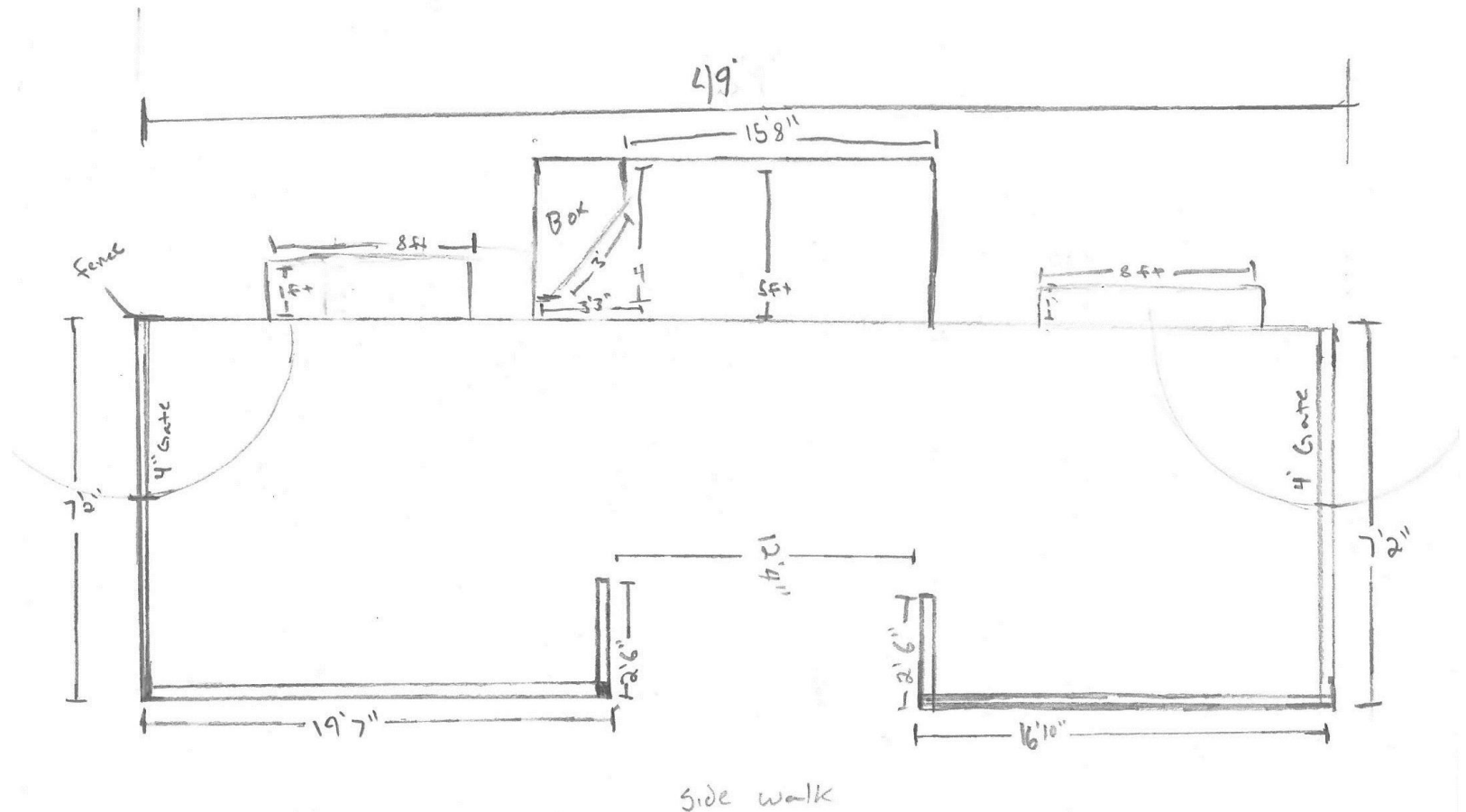
I, Brett Strong, applicant for a Lease to conduct activities in the Downtown Shopping Park area, agree that I shall:

- (a) Hold harmless the City of Grand Junction, its officers and employees, and the Downtown Development Authority of Grand Junction, its officers and employees, from any claims for damage to property or injury to persons which may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park, and
- (b) Indemnify the City of Grand Junction, its officers and employees, and the Downtown Development Authority, its officers and employees, against any claim, loss, judgment, or action, or any nature whatsoever, including reasonable attorney fees, that may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park.

I realize that consideration for this release is the granting of a lease to me by the City of Grand Junction, and I realize and agree that this Hold Harmless/ Indemnity Agreement shall take effect whenever I begin to conduct the type of activities for which the lease has been applied or when the permit is issued, whichever is earlier. I also understand and agree that this agreement shall apply to any activities which I carry on which are done in violation of the terms of this lease.

Executed this 12 day of October, 2015.

Signed: Brett Strong



Mesa Theater

Front/Patio

W
N
S
E

not to scale

RC 9/28/15

DR 0140 (02/16/11)
DEPARTMENT OF REVENUE
DENVER CO 80261-0013

STATE COUNTY
COLORADO MESA

Must collect
taxes for:
**SALES TAX
LICENSE**

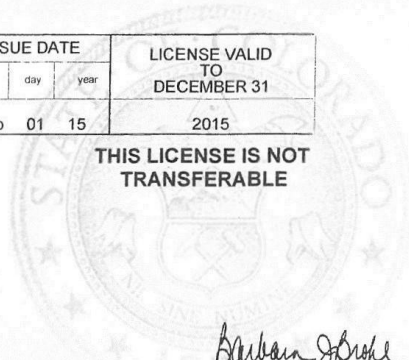
USE ACCOUNT NUMBER for all references	LIABILITY INFORMATION					ISSUE DATE			LICENSE VALID TO DECEMBER 31 2015
	county	city	industry	type	liability date	month	day	year	
30568337-0000	08	0018	008	L	091515	Sep	01	15	

THIS LICENSE MUST BE POSTED AT THE FOLLOWING LOCATION
IN A CONSPICUOUS PLACE: Mesa Theater
255 W DANBURY CT GRAND JUNCTION CO 81503-3140

**THIS LICENSE IS NOT
TRANSFERABLE**



MESA THEATER
ATTN: BRETT STRONG
255 W DANBURY CT
GRAND JUNCTION CO 81503-3140



Barbara J. Brooke
Executive Director
Department of Revenue

▲ Detach Here ▲

Letter Id: L1071500224

Important Verification Process

If you are new to Colorado sales tax visit: www.Colorado.gov/revenue/salestaxbasics

VERIFY that all information on your sales tax license is correct. Modify and update any errors you identify on the Internet through Revenue Online. Access your tax account, file returns, submit payments, verify sales tax licenses and view sales tax rates through Revenue Online at www.Colorado.gov/RevenueOnline

All the information you need to register is on this document; have it with you before you begin. Follow these easy steps.

1. Go to www.Colorado.gov/RevenueOnline
2. Click on the **Sign Up (Individual or Business)** link on the right.
3. Click on **Continue**.

Now click on: **Enter Taxpayer Information**. Click on the down arrow in the Account Type list and select Other. Use the first 8-digits of the account number shown on your license. Complete the rest of the screen.

Next click on: **Enter Login Information** and complete the screen (this is information YOU get to create for the account).

Next click on: **Enter Account Information** and complete the screen.

Your Letter ID is: L1071500224

Then click the **Submit** button. You will see a confirmation page on your screen. You should receive a confirmation email from the Colorado Department of Revenue. If you do not, check your Junk email folder. Once you have your Authorization Code return to Revenue Online via the link in your email. Enter the Login ID and Password you created.

1. Click on the **Login** button.
2. Enter the Authorization Code from your email (first time only).
3. Click Login. You should then be in your account. NOTE: If you have additional tax types registered under the same Account Number, such as withholding, you will be able to view those tax types through the account. You do not need to create separate Login IDs and Passwords for each tax in your account.

Filing Returns

To file a return, go to Revenue Online (www.Colorado.gov/RevenueOnline). You must file a return for each reporting period. If you have no tax to report, file a "zero" return. Tax reporting and payment are your responsibility. To avoid late penalties and interest, file online on or before the due date. If you discontinue sales, you may close your business location through Revenue Online.

Learn more and avoid unnecessary errors by attending our **free sales tax classes!** Sign up at www.TaxSeminars.state.co.us



*POST IN A CONSPICUOUS PLACE
THIS LICENSE IS NOT TRANSFERABLE*

SALES/USE TAX LICENSE-ACCOUNT NO. 11746

MESA THEATER

538 MAIN ST

GRAND JUNCTION

License does not expire and will remain valid as long as license holder is in full compliance with all City of Grand Junction laws and regulations.



CERTIFICATE OF LIABILITY INSURANCE

C&EPROD-01

CINDIS

DATE (MM/DD/YYYY)

10/1/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

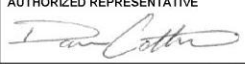
PRODUCER Home Loan & Investment Company 205 North 4th Street Grand Junction, CO 81501	CONTACT NAME: Cindi Stringer PHONE (A/C, No, Ext): (970) 243-6600 FAX (A/C, No): (970) 243-3914 E-MAIL ADDRESS:														
INSURED C & E Productions, LLC 255 W Danbury Court Grand Junction, CO 81503	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : Essex Insurance Company</td> <td>39020</td> </tr> <tr> <td>INSURER B :</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Essex Insurance Company	39020	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		3DU3568	09/10/2015	09/10/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 LIQUOR LIABILIT \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Grand Junction is listed as additional insured with respects to general liability.

CERTIFICATE HOLDER City of Grand Junction 250 N 5th St Grand Junction, CO 81501	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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C&EPROD-01

CINDIS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/1/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Home Loan & Investment Company 205 North 4th Street Grand Junction, CO 81501	CONTACT NAME: Cindi Stringer PHONE (A/C, No, Ext): (970) 243-6600 FAX (A/C, No): (970) 243-3914 E-MAIL ADDRESS:														
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	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Downtown Development Authority is listed as additional insured with respects to general liability.

CERTIFICATE HOLDER Downtown Development Authority 248 S 4th St Grand Junction, CO 81501	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Date: October 6, 2015

Author: Kristen Ashbeck

Title/ Phone Ext: Senior Planner 1491

Proposed Schedule: Approval

10/21/2015; Execute Agreement

following approval

Attach 5

CITY COUNCIL AGENDA ITEM

Subject: CDBG Subrecipient Contract with Mind Springs Health for Previously Allocated Funds within the 2015 Community Development Block Grant (CDBG) Program Year

Action Requested/Recommendation: Authorize the Interim City Manager to Sign the Subrecipient Contract with Mind Springs Health for Service Improvements at the Main Program Office for \$23,910 of the City's 2015 Program Year Funds

Presenter(s) Name & Title: Kristen Ashbeck, Senior Planner/CDBG Administrator

Executive Summary: The Subrecipient Contract formalizes the City's award of \$23,910 to Mind Springs Health allocated from the City's 2015 CDBG Program as previously approved by Council. The grant funds will be used to purchase furnishings for new client services office.

Background, Analysis and Options:

CDBG 2015-03 Mind Springs Outpatient Services Expansion

Mind Springs Health provides mental wellness, behavioral change and substance abuse treatment and services and operates a mental health hospital (the City funded hospital room furnishings with 2014 CDBG). Their services have increased 23% in the last 12 months and they have had to hire 17 individuals to handle the increased coordination, scheduling and supervision of clients. CDBG funds in the amount of \$23,910 will be used to purchase furnishings for office spaces for the new hires. Additional funds in the amount of \$40,824 have been leveraged from other sources for this program.

Mind Springs Health is considered a "subrecipient" to the City. The City will "pass through" a portion of its 2015 Program Year CDBG funds to Mind Springs Health but the City remains responsible for the use of these funds. The contract outlines the duties and responsibilities of the agency and is to ensure that the subrecipient complies with all Federal rules and regulations governing the use of these funds. The contract must be approved before the subrecipient may obligate or spend any of these Federal funds. Exhibit A of the contract (Attachment 1) contains the specifics of the project and how the money will be used by the subrecipient.

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

This project funded through the 2015 CDBG grant year allocation addresses steps towards the City's Comprehensive Plan Goal listed below by providing health services.

Goal 12: This project provides and supports a variety of services that sustain, develop and enhance a healthy, diverse community and economy.

How this item relates to the Economic Development Plan: This project supports and improves services that help families and individuals stabilize their lives, obtain jobs and other services and maintain productive, healthy lives within the community.

Board or Committee Recommendation: There is no board or committee review of this request.

Financial Impact/Budget: Previously approved 2015 CDBG Program Year Budget

Legal issues: Funding is subject to Subrecipient Agreement. The City Attorney has reviewed and approved the form of agreement.

Other issues: None

Previously presented or discussed: City Council discussed and approved the allocation of CDBG funding for this project at its May 20, 2015 meeting.

Attachments:

1. Exhibit A, Subrecipient Agreement – Mind Springs Health Services Improvements

**2015 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
WITH
*Mind Springs Health***

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, \$23,910.00 from its 2015 Program Year CDBG Entitlement Funds for the purchase of office space furnishings for new client services offices at the program offices owned, leased and operated by Mind Springs Health located at 515 28-3/4 Road and 2808 North Avenue in Grand Junction, Colorado ("Property"). Mind Springs Health provide mental wellness, behavioral change and substance abuse treatment and services and operates a mental health hospital.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income or homeless clientele benefit (570.201(c)). It shall meet this objective by providing the above-referenced services to low/moderate income and homeless persons in Grand Junction, Colorado.
3. The project consists of public services improvement to the program offices located at 515 28-3/4 Road and 2808 North Avenue. CDBG funds will be used to purchase furnishings for new offices for 17 new hires that provide coordination, scheduling and supervision of clients. The 515 28-3/4 Road Property is currently owned and operated by Mind Springs Health which will continue to operate the facility and the 2808 North Avenue property is leased space. It is understood that the City's grant of \$23,910 in CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2015 Subrecipient Agreement and the completion of all appropriate environmental, Code, State and Local permit review and approval and compliance. The project shall be completed on or before December 31, 2016.
5. The total project budget for the project is estimated to be \$64,734. The specific improvements to the 515 28-3/4 Road and 2808 North Avenue offices to be funded with CDBG include:

Office Desk	\$30,430
Task Chair	\$5,814
Guest Chair	\$7,310
Group Room	\$9,180
Lobby Chair	\$12,000

_____ Mind Springs Health

_____ City of Grand Junction

6. This project will provide and improve client service space to handle a projected 23% increase in

clients in the coming year.

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the date of completion of the project the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the City's \$23,910 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Mind Springs Health

_____ City of Grand Junction



Date: September 21, 2015

Author: John Hall

Title/ Phone Ext: Emergency Medical Services Chief 5804

Proposed Schedule: October 21, 2015

2nd Reading (if applicable):

File # (if applicable):

Attach 6

CITY COUNCIL AGENDA ITEM

Subject: Purchase of Ferno Stretchers and Acceptance of a Colorado EMS Provider Grant

Action Requested/Recommendation: Authorize the Purchasing Division to Purchase Eight Ferno Stretchers and Associated Equipment in the Amount of \$301,357.98 and Authorize the Interim City Manager to Accept the State of Colorado Emergency Medical Services (EMS) Provider Grant award of \$150,678.99 for this Purchase

Presenter(s) Name & Title: John Hall, EMS Chief
Jay Valentine, Internal Services Manager

Executive Summary:

The Fire Department has been awarded a Colorado EMS Provider Grant to provide 50% funding for the purchase of eight Ferno patient stretchers and associated equipment to replace older stretchers. This request is to authorize the purchase of the stretchers and equipment, and accept the award of the grant.

Background, Analysis and Options:

The Fire Department is in need of replacing the eight hydraulic patient stretchers carried on the ambulances. These stretchers have reached end of life, are out of warranty and are having maintenance issues. To assist with the purchase, the department has been awarded a Colorado EMS Provider Grant that will provide 50% of the cost of the stretchers and associated equipment. This grant award is part of a consolidated purchase coordinated through the San Luis Valley Regional Emergency Medical and Trauma Advisory Council (RETAC) for the State of Colorado. The grant evaluated two brands of stretcher, Ferno and Stryker, and awardees selected their brand of choice.

Representatives from the Fire Department have evaluated several stretchers in the past and found that the Ferno stretchers met our specifications. With this purchase, the department will not only update the stretchers but will consolidate to one brand and model; eliminating maintenance and parts issues and providing proper care for patients.

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

This purchase will allow for safety and efficient transport of patients from the scene.

- Goal 11: Public safety facilities and services for our citizens will be a priority in planning for growth.

How this item relates to the Economic Development Plan:

Public Safety is one of the Guiding Areas of Emphasis in the City Economic Development Plan. This project fits under the following goal of the Economic Development Strategy and Action Plan:

- Goal: Create and maintain a safe community through professional, responsive and cost effective public safety services.

Purchase of these stretchers and acceptance of the grant will provide the safest and most cost effective care for patients transported by the Fire Department.

Board or Committee Recommendation:

A committee of Fire Department employees selected Ferno as brand of choice for this purchase and for funding assistance from the consolidated equipment grant.

Financial Impact/Budget:

The full cost of this purchase is \$301,357.98. If authorized, a grant award from the State of Colorado in the amount of \$150,678.99 will be used to assist with this purchase as well as the trade in value of the current stretchers estimated at \$15,000. Funds have been identified in the General Fund to cover this cost and will be included in the final supplemental appropriation for 2015.

Legal issues:

If approved, the form of the purchase documents will be reviewed and approved by the City Attorney.

Other issues:

No other issues

Previously presented or discussed:

This item has been discussed in budget workshops.

Attachments:

No Attachments



Date: September 16, 2015

Author: Vara Kusal

Title/ Phone Ext: Manager

Proposed Schedule:

October 7, 2015

2nd Reading (if applicable):

Attach 7

CITY COUNCIL AGENDA ITEM

Subject: Horizon Drive Association Business Improvement District (HDABID) 2016 Operating Plan and Budget
Action Requested/Recommendation: Approve the Horizon Drive Association Business Improvement District's 2016 Operating Plan and Budget
Presenter(s) Name & Title: Chuck Keller, HDABID President Vara Kusal, HDABID Manager

Executive Summary:

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30th each year. The City Council then approves or disapproves the plan and budget by December 5th. The plan was reviewed by the Horizon Drive Association Business Improvement District Board and submitted within the required timeline.

Background, Analysis and Options:

In 2004, the City Council created the Horizon Drive Association Business Improvement District, approved the 2005 Operating Plan and Budget and appointed the board. State Statutes (31-25-1212 C.R.S.) require business improvement districts to annually submit an operating plan and budget. The municipality shall approve or disapprove the operating plan and budget by December 5th so the BID can file its mill levy certification with the County Assessor by December 10th.

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

The Horizon Drive Business Improvement District meets the following goals and policies of the Comprehensive Plan:

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy 3B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

Policy 6A: In making land use and development decisions, the City and County will balance the needs of the community.

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

Policy 8A: Design streets and walkways as attractive public spaces

Policy 8C: Enhance and accentuate the City's "gateways" including interstate interchanges, and other major arterial streets leading into the City.

Policy 8F: Encourage the revitalization of existing commercial and industrial areas.

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

How this item relates to the Economic Development Plan:

The Horizon Drive Business Improvement District's goals directly relate to the City's Economic Development Plan's three guiding areas of emphasis:

- Public Safety
- Infrastructure
- Economic Development

Specifically, the District's Operating Plan supports the following objectives in the City's Economic Development Plan:

- Providing infrastructure that fosters and supports private investment
 - ✓ Assess existing business parks to determine if there are opportunities for the City to provide improvements.
- Supporting existing businesses and keeping costs transparent predictable and as low as possible.
 - ✓ Research and apply for local, state and federal grants to fund infrastructure and public amenities.
- Investing in and developing public amenities
 - ✓ Enhance and accentuate the city's "gateways" including interstate interchanges and other major arterial streets leading into the city.
 - ✓ Identify and invest in key facilities, recreation, amenities, arts and culture and infrastructure that promote our community and attract visitors.
- Marketing the strengths of our community
 - ✓ Evaluate the success of our current marketing efforts and identify potential opportunities for new or coordinated marketing efforts.

Board or Committee Recommendation:

The Horizon Drive BID Board approved its 2016 Budget and Operating Plan on September 16th, 2015.

Financial Impact/Budget:

The City is partnering with the Horizon Drive BID on the matching funds for a Responsible Acceleration of Maintenance and Partnerships (RAMP) grant through the Colorado Department of Transportation (CDOT) for the I-70 Horizon Drive interchange project. The total project costs are estimated at \$6.6 million, the grant is for \$4.6 million, Ute Water is contributing \$276,350, and the City and the Horizon Drive BID are sharing the cost of the 30% match evenly at \$854,325 each. The City has agreed to loan the Horizon Drive BID \$479,000 over 7 years at no interest, with payments to begin in 2017.

Legal issues:

City Council is required by 31-25-1211 CRS to approve or disapprove the BID Budget and Operating Plan. The BID must submit its assessment rate to the County Treasurer by December 10.

Other issues:

There are no other issues.

Previously presented or discussed:

City Council has previously discussed and approved the specifics of the RAMP grant and the matching funds required thereof.

Attachments:

Operating Plan and Budget for 2016



HORIZON DRIVE **District**

Gateway to Grand Junction

Service & Operating Plan 2016

INTRODUCTION

The Horizon Drive District (the "District") is comprised of commercial properties within the general geographic areas of Horizon Drive between G Road and H Road. The District was formed in 2004 under Colorado Revised Statute 31-25-1201, which allows Business Improvement Districts to be formed within municipalities of Colorado, and to levy and collect ad valorem taxes on commercial property within the boundaries of the District. The City of Grand Junction oversees the District and appoints the Board of Directors.

As a gateway to Grand Junction, the District is often the first and lasting impression people have of the City of Grand Junction. As such, City government also takes an active role and fiscal partnership in the maintenance and improvements to the District.

The Horizon Drive District is home to more than 200 businesses, including 70% of the City's lodging, and has an overall economic impact of \$300 million annually. The District sees 7 million cars annually and connects the community and travelers to the Regional Airport, Downtown, Colorado Mesa University and points between.

The mission of the Horizon Drive District is to build community, enhance the beauty and advocate the economic vitality of the Horizon Drive District.

During the year 2015, the District's efforts focused on advancing the Corridor Improvement Project: Street Improvement Plan. This effort is guided by the strategic plan adopted in fall of 2011 for 2012 and beyond.

In accordance with the Board's stated objectives, the District adopts the following general Service & Operating Plan for 2016:

2016 GOALS

1. Complete Phase I of the Corridor Improvement Master Plan, which will achieve the following Mission-critical objectives:

VISIT THE DISTRICT

WWW.HORIZONDRIVEDISTRICT.COM

970.985.1833

P.O. Box 4191 Grand Junction, CO 81502

- a. Stimulate Economic Development – Encourage development of undeveloped parcels, as well as improvements on existing parcels within the District, to enlarge the tax base and economic impact for the benefit of Grand Junction, as a direct result of infrastructure improvements.
 - b. Improve Safety – Mitigate pedestrian safety hazards, improve pedestrian connectivity between District businesses, plan for critical growth and necessary safety improvements, as well as enhance overall safety, traffic flow, and efficiency of travel.
2. Continue development of strategy to Enlarge the District. The District plans to strategically enlarge the District by voluntary annexation of adjacent parcels and nearby parcels that logically benefit from and fit within the District sphere of influence. In order to accomplish this objective, the District needs to implement substantive and tangible improvements to the District (complete Corridor Improvement Plan Phase 1 and make significant progress towards implementing Phase 2) that demonstrates benefits to potential stakeholders.
 3. Continue strategy development to Improve the District Image and neighborhood identity. The District serves as a “front door” to Grand Junction, as well as a distinct neighborhood in search of identity. The District is currently developing and implementing a multi-tier strategy to identify and promote its distinct image, develop and implement design standards consistent with the City of Grand Junction Comprehensive Plan, and the unique District neighborhood aesthetic. These objectives are critical to the District as the “front door” to Grand Junction.

SERVICES AND IMPROVEMENTS OFFERED BY THE DISTRICT

- Plan for future growth and enhance the District with long range planning of improvements
- Represent the District in decisions that may impact the area.
- The District is allowed to make and contemplate a broad range of public improvements including, but not limited to: streets, sidewalks, curbs, gutters, pedestrian malls, streetlights, drainage facilities, landscaping, decorative structures, statuary, fountains, identification signs, traffic safety devices, bicycle paths, off street parking facilities, benches, restrooms, information booths, public meeting facilities, and all incidentals, including relocation of utility lines.

GOVERNANCE OF THE DISTRICT

- The Board of Directors is appointed by the Grand Junction City Council.
- The Board of Directors appoints management staff in accordance with District Bylaws.

POWERS OF THE DISTRICT

- The power to levy taxes against taxable commercial property.
- To consider and, if deemed necessary, provide services within the District including but not limited to:
 - Management and planning
 - Maintenance of improvements, by contract if necessary
 - Promotion or marketing
 - Organization, promotion and marketing of public events
 - Activities in support of business recruitment, management and development
 - Snow removal or refuse collection / recycling
 - Design assistance
- To acquire, construct, finance, install and operate public improvements and to acquire and dispose of real and personal property.
- To refund bonds of the district.
- To have management, control and supervision of business affairs of the district.
- To construct and install improvements across or along any public street, alley or highway and to construct work across any stream or watercourse.
- To fix, and from time to time increase or decrease, rates, tolls, or charges for any services or improvements. Until paid, such charges become a lien on commercial property in the District, and such liens can be foreclosed like any other lien on real or personal commercial property.
- The power to sue and to be sued, to enter into contracts and incur indebtedness, to issue bonds subject to statutory authority.

2016 BUDGET

Please see attached 2016 Budget.

2016 Budget

General Fund	Budget 2014	2014 Actual	Budget 2015	Projected year-end 2015	Proposed Budget 2016
FUND BALANCE - Beg. Year	694,641	661,296	773,254	783,810	372,236
ESTIMATED REVENUE					
BID's Mill Levy	183,819	233,050	214,335	221,076	214,000
Lighting Revenue					3,774
Interest	50	75	62	50	50
City of GJ Loan					
TOTAL REVENUES	183,869	233,125	214,397	221,126	217,824
BUDGETED EXPENDITURES					
GENERAL Operating Expenses:					
Elections					
Administration					
Financial	1500	2,835	2,700	2,500	2,700
Audit	2600	2,600	2,700	2,700	2,700
Insurance	2800	2,958	3,000	2,900	3,000
Legal	5000	5,575	5,000	4,200	5,000
Payroll Expenses and Benefits	66,446	57,882	62,334	59,584	64,204
Operations					
Rent & other	10,000	6,997	7,500	5,960	7,500
Marketing & Comm.	15,000	1,447	5,000	2,500	5,000
Maintenance/repair	5,000	1,407	5,000		5,000
TOTAL GENERAL Operating Expense:	108,346	81,701	93,234	80,344	95,104
DISTRICT Services:					
Horizon Drive Corridor					
Planning & Design	85,000	15,472	85,000	37,031	21,400
Art on Horizon		13,438	140,000	140,000	50,000
Remaining Phase 1 Landscaping					58,000
TOTAL DISTRICT Services	85,000	28,910	225,000	177,031	129,400
CAPITAL Outlay:					
Debt Service					68,500
RAMP Matching Funds	200,000		475,000	375,325	
Light Fixtures					163,509
TOTAL CAPITAL Expense:	200,000	-	475,000	375,325	232,009
TOTAL EXPENSES	393,346	110,611	793,234	632,700	456,513
Net Income	(209,477)	122,514	(578,837)	(411,574)	(238,689)
FUND BALANCE - End Year	485,164	783,810	194,417	372,236	133,547
Reserve Balance (Years of General Operating Expense in Fund Balance)			2.09	4.63	1.40



Date: September 30, 2015
 Author: Allison Blevins
 Title/ Phone Ext: BID Co Director, ext. 4133
 Proposed Schedule: October 21, 2015
 2nd Reading (if applicable): _____
 File # (if applicable): _____

Attach 8
CITY COUNCIL AGENDA ITEM

<p>Subject: Downtown Grand Junction Business Improvement District (DGJBID) 2016 Operating Plan and Budget</p>
<p>Action Requested/Recommendation: Approve the Downtown Grand Junction Business Improvement District Operating Plan and Budget</p>
<p>Presenter(s) Name & Title: Allison Blevins, BID Co-Executive Director Robin Brown, BID Co-Executive Director</p>

Executive Summary:

Every year the DGJBID files an Operating Plan and Budget with the City Clerk by September 30th. The City Council then approves or disapproves the plan and budget by December 5th. The plan was reviewed by the DGJBID Board and submitted within the required timeline. After further review by City staff, the Plan was found to be reasonable.

Background, Analysis and Options:

In 2005, the City Council created the Downtown Grand Junction Business Improvement District (BID), approved their 2006 Operating Plan and Budget, conducted a mail ballot election to create a Special Assessment, and then turned over the board to the DDA. State Statutes (31-25-1212 C.R.S.) require business improvement districts to submit an operating plan and budget. The municipality shall approve or disapprove the operating plan and budget by December 5th so the BID can file its Special Assessment with the County Treasurer by December 10th. However, the timeline has changed recently and the Special Assessment is now due to the County Treasurer by November 2nd so the operating plan and budget needs to be approved by October 28th.

How this item relates to the 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.

The BID supports existing and new businesses in the commercial core through coordinated marketing of the district and its members, and the production of special events that bring locals and visitors to the district throughout the year

How this item relates to the Economic Development Plan:

This item relates to the guiding area of emphasis in Economic Development through the ongoing marketing and promotion of the Central Business District as a primary hub of economic activity in the community. Marketing and special event promotion promotes the vibrancy of Downtown, and thereby “fosters and supports private investment” in existing and new businesses.

Board or Committee Recommendation:

The BID Board reviewed and approved the 2016 Operating Plan and Budget at a special meeting on September 24, 2015.

Financial Impact/Budget:

The City of Grand Junction makes an annual Payment In Lieu of Tax (PILT) to the BID. In 2015 the City transferred \$13,466 to the BID; that amount remains unchanged in the 2016 proposed budget.

Legal issues:

City Council is required by 31-25-1211 CRS to approve or disapprove the BID Budget and Operating Plan. The BID must submit its assessment rate to the County Treasurer by November 2, 2015.

Other issues:

No other issues.

Previously presented or discussed:

This has not been previously discussed.

Attachments:

2015 Annual Report and 2016 Operating Plan and Budget



Downtown Grand Junction Business Improvement District
2015 Annual Report and 2016 Operating Plan & Budget

Annual Reporting Requirements

Pursuant to C.R.S. 31-25-1211, Business Improvement Districts shall file an operating plan and proposed budget for the coming year with the City Clerk by September 30 of each year. This report also includes a final budget from 2014 as well as a current budget for 2015.

History of the Business Improvement District

The Downtown Grand Junction Business Improvement District (BID) was approved in November 2005 and implemented in FY2006. The BID covers an area of approximately 40 blocks of the commercial core of the downtown area, and comprises over 600 property owners and businesses representing a mix of retail, restaurants, professional services and commercial activities. The BID is funded by district property owners who pay an annual special assessment based on square footage of ground floor space within the BID boundary. In some cases the responsibility for paying the assessment is passed through to the property tenant. Historically the assessment has generated about \$140,000 per year. Additional BID funding comes from Payments in Lieu of Taxes from the City of Grand Junction and the Downtown Development Authority (DDA), program revenues from special events, and sponsorships.

C.R.S. 31-25-1201 et. Seq. authorizes the following services that may be provided within a BID:

- Consulting with respect to planning or managing development activities
- Maintenance of improvements, by contract, if it is determined to be the most cost-efficient
- Promotion or marketing of district activity
- Organization, promotion, marketing, and management of public events
- Activities in support of business recruitment, management, and development
- Security for businesses and public areas located within the district
- Snow removal or refuse collection, by contract, if it is determined to be the most cost-efficient
- Providing design assistance

Establishment of the BID was accomplished by adoption of Ordinance 3815 organizing the BID and approving its initial operating plan and budget, and a concurrent TABOR ballot measure submitted to the eligible district voters approving the special assessment. Marketing and promotion/special events were identified as the initial services to be offered by the BID, but provision was made for the implementation of any of the statutorily permitted services.

On December 17, 2014, the City Council authorized continuation of the BID. The BID will be up for renewal again in 20 years.

Since its inception, management of the BID fell to the DDA director. 15% of the DDA Director's salary was paid from the BID with the remaining 85% paid from the DDA.

Organizational Restructuring

In July 2015, following the resignation of the DDA Director and BID Marketing Director, the Board of Directors agreed to separate the BID from the DDA and to hire a separate BID Director. The duties of the BID often overshadowed DDA projects and the two organizations require two different skill sets. While the DDA Board of Directors conducted a search for a DDA Director, the BID Board of Directors hired two co-directors who share the responsibilities of the BID. The co-directors consist of a Marketing and Communications Director and an Events Management Director. They answer directly to the BID Board of Directors.

Operational Changes

Staff labor and benefits are apportioned between the BID and the DDA as follows:

Event Management Director: 100% BID
Marketing & Communications Director: 100% BID
DDA Director: 100% DDA
Senior Administrative Assistant: 25% BID, 75% DDA

BID Services

General District Marketing

The marketing and advertising of Downtown remains a central function of the BID. In May of 2015 Aaron Hoffman resigned as Marketing Director and was replaced by Allison Blevins as Interim Marketing and Communications Manager. Because Allison served previously as the Marketing Sub-Committee Chair, she was able to take over the marketing efforts in a fairly seamless transition. Allison was later hired permanently as the BID co-director.

The BID budgets \$72,500 annually for marketing expenses. As we worked to advertise in traditional means, we continued to expand our social media presence, paying special attention to advertising via Facebook events. In October 2015, Downtown will partner with Colorado Mesa University in a special Downtown promotion called Mav Month. Mav Month is an opportunity for the students and alumni of CMU to take special notice of Downtown as a whole and Downtown businesses will welcome students with specials, discounts and offers. CMU is providing pennants to Downtown businesses who want to participate and has also purchased two over-the-street banners for the promotion. This is the beginning of an exciting partnership between CMU and Downtown and we are eager to see where it leads.

We took a look at our marketing budget to see how to better benefit the BID as a whole and co-op the advertising that the BID members already purchase. Because the BID makes larger media buys than many Downtown businesses, we leveraged our marketing dollars to negotiate discounts for BID members who purchased advertising through the Free Press, The Business Times and Grand Valley Magazine with the caveat that they include the Downtown logo on their ads.

Communication with the district constituents was improved via email, handouts, Facebook and face-to-face meetings. BID members received surveys after each Downtown event so we could evaluate the effects of specific events on individual businesses as well as on the BID as a whole.

The BID directors and board chair worked with Springhill Suites to include their property in the BID.

Special Events

Downtown special events support general marketing by increasing exposure of Downtown businesses to large numbers of people. Events also play an essential role in reinforcing Downtown as the cultural and social center of the community.

In 2015, the BID continued to follow through on the changes made in 2014 to the format and content of BID-produced events. The biggest change was combining the Art & Music Festival with the Grand Junction Off-Road Mountain Bike event to produce a combined festival. This was done in response to feedback from BID members who requested less Main Street closures throughout the year and to move events off of holiday weekends. Historically, the GJOR took place on Labor Day Weekend and the A&M Festival took place on Mother's Day Weekend. Combining the two events and scheduling them for mid-May accomplished both of those things. The result was overwhelmingly positive feedback from the public. A post event survey to BID members showed that they appreciated the changes made to the GJOR because of our event staff involvement as well as the increased communication that came from the Marketing Director. For example, our Event Director worked with the GJOR staff to change the criterium course so it would be less disruptive to downtown businesses. A festival map with parking information and a festival timeline handed out in person to every business affected by the festival also was extremely well received by BID members.

Farmers Market continued with the layout change that happened in 2014 as well as the renewed focus on local farmers and food. The renewed focus on agriculture resulted in doubling the numbers of farmers who attended in past years to 17 total farmers as well as a number of new packaged food businesses. Our biggest challenge has been getting the customers back that we lost and overcoming our reputation as a "street fair" instead of a farmers market. Attendance was down in the first half of the market season although

we did see a steady increase towards the end of the season, which has not been the case in previous years.

The BID board elected to discontinue the sponsorship of two community events due to budgeting constraints. The Grand Junction Symphony Orchestra took over sponsorship of the 4th of July Parade. The Spooktacular trick-or-treating event became a merchant-led event without programming and street closures. The BID will continue to help support the merchants efforts during this event by helping with social media advertising and port-a-potty rental costs.

Special event production costs went down in 2015 because of a renewed effort by BID staff to break even on events. Event production costs will decline again in 2016.

2016 Objectives

- Work with a committee of members and the City to create a Special Events Policy for Downtown.
- Create budgets for each event, budgets for marketing, budgets for office and a general budget.
- Engage members through committees and meetings in order to foster greater member involvement.
- Within a year, have event budget break even or make a profit by managing the budgets carefully and seeking more sponsorships.
- Rework the Art & Music Festival into two separate events. Continue to combine the Music Festival with GJOR and separate the Art component into a locally-focused Art Festival with the Art on the Corner installation playing a central role.
- Continue to rollout and expand the Downtown brand, including better signage and banners.
- Facilitate communication with the public to promote greater community engagement.
- Publish an annual internal calendar with deadlines for use in organizing staff.
- Coordinate with the city to rework the sidewalk permit policy to work in the best interest of BID members.
- Reorganize the Steering Committee in favor of a committee of Block Captains with representation from each "industry" that comprises the BID (i.e. restaurants, salons, retail, business, banks, non-profits)
- Encourage more property owners to join the BID, especially along the South 7th Street Corridor as Las Colonias Park is developed.

Fund Balance Summary

The BID ended FY2014 with a fund balance of \$60,585. The FY2015 BID budget projected a \$32,866 draw against the fund balance, but the year-end projection is revised to \$28,428. In FY2016 the fund balance will decrease \$4,484.

Downtown Grand Junction BID

FY 2016

as of 9/21/15

	Acct #	2014	Adopted 2015	Yr end est	2016
REVENUES					
Special Assessment	4500	140871	141750	141750	141750
DDA PILT	4200_04	27500	27500	27500	27500
City PILT	4750	13466	13466	13466	13466
Interest	4610	610	466	350	350
Event income	4710/4363_03	69334	80000	80000	85000
Sponsorships	4360	27450	30000	17250	30000
Correction*		-150			
TOTAL		279081	293182	280316	298066
EXPENSES					
Labor & Benefits	5000-5910	82024	86113	96159	113950
Seasonal Staff*	5390	2969	4500	22150	13832
Contract Svcs		52750	45000		
Marketing*	6400	77590	72500	72500	75000
Event Production	7700	98079	105000	105000	86333
Treasurers Fee	7310_07	2817	2835	2835	2835
Operating	6105	5553	5200	5200	5200
Credit Card fees	7310_02	1591	2000	2000	2000
Gift Card fees	7410	2400	2400	2400	2400
Truck Maint	6200	331	500	500	1000
Total		326104	326048	308744	302550
Net Income		-47023	-32866	-28428	-4484
Fund Balance		60585	27719	32157	27673



Date: 10/12/15
 Author: Jay Valentine
 Title/ Phone Ext: 1517
 Proposed Schedule: 10/21/15
 2nd Reading (if applicable): _____
 File # (if applicable): _____

Attach 9
CITY COUNCIL AGENDA ITEM

Subject: Selection of Financial Auditor for the City’s 2015 Annual Audit
Action Requested/Recommendation: Select a Firm to Conduct the Financial Audit Services
Presenter(s) Name & Title: Jay Valentine, Internal Services Manager

Executive Summary:

City Council, as the governing body of the City of Grand Junction and serving as the City’s Audit Committee¹, will enter into a multi-year contract which will be subject to annual appropriations with a certified public accounting firm. The contract will be for the provision of audit services including auditing and reporting on the financial statement(s) of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City beginning for the year ending December 31, 2015.

Background, Analysis and Options:

Although accounting and financial reporting are primarily the responsibility of management, the law dictates that an independent third party assure the reliability of the City’s financial reports. That third party is the independent auditor; the process used to provide reasonable (not absolute) assurance that the financial statements are fairly presented (in all material aspects) is the financial statement audit.

While management is primarily responsible for financial reporting (including the comprehensive framework of internal control used to generate the financial statements), the City Council remains ultimately responsible for ensuring that management meets its responsibilities in this regard.

The independent auditors are responsible for the opinion they express concerning the fair presentation of the financial statements. Their responsibility in that regard,

¹ The City Council has never formally named an audit committee of fewer than all members of the Council, but it may. The City Charter provides that “investment policies and policies for accounts and deposits shall be established by resolution of the City Council.” If the Council determines an audit committee of fewer than all seven members is proper, then the members serving on the committee should be appointed by separate resolution.

however, in no way diminishes either management's primary responsibility or the governing body's ultimate responsibility for the integrity of the City's financial reporting.

The contract with the firm selected will be for the fiscal year ending 2015 and will have the option to be renewed up to 4 additional years.

A formal solicitation was issued through BidNet (an on-line site for governmental bid document distribution), posted on the City's internet website, advertised in the Daily Sentinel and posted on the Chamber of Commerce website.

Three firms responded to the solicitation. Two of the firms are local, the third is located in Littleton, Colorado. The summary below includes a yearly price proposal with a five year grand total.

	2015	2016	2017	2018	2019	Grand Total
Haynie & Co – Littleton, CO	\$29,000.00	\$29,000.00	\$29,300.00	\$29,300.00	\$29,700.00	\$146,300.00
Chadwick Steinkirchner Davis & Co – Grand Junction, CO	\$35,000.00	\$35,500.00	\$36,100.00	\$37,250.00	\$38,000.00	\$181,850.00
Dalby Wendland & Co – Grand Junction, CO	\$48,000.00	\$49,400.00	\$50,900.00	\$52,400.00	\$53,900.00	\$254,600.00

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

Not applicable

How this item relates to the Economic Development Plan:

Not applicable

Board or Committee Recommendation:

A committee made up of City finance and management staff recommends Chadwick, Steinkirchner, Davis & Company. This recommendation is based on their experience with the City and the overall cost.

Financial Impact/Budget:

Funds for the 2015 annual audit will be included in the 2016 budget appropriation.

Legal issues:

The City Attorney will review the final form of the agreement.

Other issues:

None

Previously presented or discussed:

No

Attachments:

None



Date: September 28, 2015
 Author: Brian Rusche
 Title/Phone Ext: Senior Planner/4058
 Proposed Schedule:
Resolution Referring Petition:
September 16, 2015
1st Reading - Zoning: October 7, 2015
2nd Reading: October 21, 2015
 File #: ANX-2015-343

Attach 10

CITY COUNCIL AGENDA ITEM

Subject: Morse Annexation, Located at 2997 B ½ Road
Action Requested/Recommendation: Adopt a Resolution Accepting the Petition for the Morse Annexation, and Adopt the Annexation and Zoning Ordinances on Final Passage and Order Final Publication in Pamphlet Form
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary:

A request to annex 39.77 acres and zone the annexation area from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

Background, Analysis and Options:

The property owners have petitioned for annexation into the City and have requested a zoning of R-4 (Residential 4 du/ac) to facilitate the subdivision of one of the parcels and eventual sale of the balance of the property. Under the 1998 Persigo Agreement with Mesa County, residential annexable development, which includes the subdivision of a previously platted parcel, within the Persigo Wastewater Treatment Facility boundary (201 service area) triggers land use review by the City.

Neighborhood Meeting:

A Neighborhood Meeting was held on August 25, 2015. A summary of the discussion and attendance is attached.

How this item relates to the 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.

Annexation of the property will create consistent land use jurisdiction and allow for efficient provision of municipal services.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Annexation of the property will create an opportunity for future residential development in a manner consistent with adjacent residential development.

How this item relates to the Economic Development Plan:

Goal: Be proactive and business friendly. Streamline processes and reduce time and costs to the business community while respecting and working within the protections that have been put into place through the Comprehensive Plan.

Annexation of the property will create an opportunity for future residential development in a manner consistent with adjacent residential subdivisions already in the City and is consistent with the Future Land Use Designation of Residential Medium Low identified in the Comprehensive Plan.

Board or Committee Recommendation:

The Planning Commission forwards a unanimous recommendation of approval of the requested Zoning from their regular meeting of September 22, 2015.

Financial Impact/Budget:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation.

Legal issues: The City Attorney's office has reviewed the request.

Other issues:

The proposed annexation will create an enclave of five (5) parcels, all single-family residences, along the north side of B Road. Under the 1998 Persigo Agreement with Mesa County, the City agreed to annex all enclaved areas within five years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The property owners, as identified by County Assessor records, will be notified by the City once the enclave is created and prior to any annexation of said properties.

Previously presented or discussed: Referral of the Annexation Petition was on September 16, 2015. First Reading of the Zoning Ordinance was on October 7, 2015.

Attachments:

1. Staff report/Background information/Analysis
2. Annexation Map
3. Aerial Photo
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Neighborhood Meeting Summary
7. Resolution

- 8. Annexation Ordinance
- 9. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2997 B ½ Road 215, 227, 229 30 Road			
Applicant:		Timothy L. and Christina S. Morse William L. Morse Trust			
Existing Land Use:		Agricultural Single-Family Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Agricultural			
	South	Single-Family Residential			
	East	Agricultural Single-Family Residential			
	West	Single-Family Residential			
Existing Zoning:		County RSF-R (Residential Single-Family Rural)			
Proposed Zoning:		R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County RSF-R (Residential Single-Family Rural) County PUD (Planned Unit Development)			
	South	R-4 (Residential 4 du/ac)			
	East	County RSF-R (Residential Single-Family Rural)			
	West	R-4 (Residential 4 du/ac) PD (Chipeta Pines)			
Future Land Use Designation:		Residential Medium Low			
Zoning within density/intensity range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 39.77 acres of land and is comprised of four (4) parcels and no public right-of-way.

The property owners have petitioned for annexation into the City to facilitate the subdivision of one of the parcels. Under the 1998 Persigo Agreement with Mesa County, residential annexable development, which includes the subdivision of a previously platted parcel, within the Persigo Wastewater Treatment Facility boundary (201 service area) triggers land use review by the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Morse Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation and zoning schedule is being proposed:

<u>ANNEXATION SCHEDULE</u>	
September 16, 2015	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 22, 2015	Planning Commission considers Zone of Annexation
October 7, 2015	Introduction of a Proposed Ordinance on Zoning by City Council
October 21, 2015	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
November 22, 2015	Effective date of Annexation and Zoning

MORSE ANNEXATION SUMMARY

File Number:	ANX-2015-343	
Location:	2997 B ½ Road 215, 227, 229 30 Road	
Tax ID Number:	2943-294-00-077 2943-294-00-064 2943-294-00-063 2943-294-00-062	
# of Parcels:	4	
Estimated Population:	12	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	4	
Acres land annexed:	39.77	
Developable Acres Remaining:	39.77	
Right-of-way in Annexation:	None	
Previous County Zoning:	County RSF-R (Residential Single-Family Rural)	
Proposed City Zoning:	R-4 (Residential 4 du/ac)	
Current Land Use:	Agricultural Single-Family Residential	
Future Land Use:	Residential	
Values:	Assessed:	\$45,860
	Actual:	\$464,660
Address Ranges:	2997 B ½ Road 215, 227, 229 30 Road	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	Persigo 201 sewer service boundary
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Orchard Mesa Irrigation District N/A
	School:	Mesa County Valley School District #51
	Pest:	Grand River Mosquito Control District

ZONING:

Section 21.02.140 - Grand Junction Zoning and Development Code:

Section 21.02.160 of the Grand Junction Municipal Code (GJMC), states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan Future Land Use Map designates the property as Residential Medium Low (2-4 du/ac). The request for an R-4 (Residential 4 du/ac) zone district is consistent with this designation.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

(1) Subsequent events have invalidated the original premise and findings;

The requested annexation and rezoning is being triggered by the 1998 Persigo Agreement between Mesa County and the City of Grand Junction in anticipation of future development. The Persigo Agreement defines Residential Annexable Development to include any proposed development that would require a public hearing under the Mesa County Land Development Code as it was on April 1, 1998. (GJMC Section 45.08.020.e.1). The property owner intends to divide off a portion of the primary parcel in order to facilitate the settling of an estate. Upon inquiry with Mesa County, it was determined that the subject property was originally part of the Avoca Orchards Subdivision of 1895. Despite having already been divided into separate tax parcels, any additional subdivision would require a public hearing, meaning the request meets the criteria for residential annexable development found within the Persigo agreement and therefore the property cannot be partitioned as a subdivision in unincorporated Mesa County. Thus, the property owner has petitioned for annexation.

This criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan;

The adjacent properties on the west have been developed into residential subdivisions, beginning with Chipeta Pines in 1999 with additional phases developed in 2000. The overall density of Chipeta Pines is 3.96 du/ac. To the north of Chipeta Pines is Chipeta Glenn, platted in two phases in 2005 with 59 single-family lots at a density of 3.39 du/ac.

Further south, at the southwest corner of B and 30 Roads is Hawks Nest, which has recently platted its third and final phase, for total of 110 single-family lots at a density of 3.58 du/ac.

Until residential development occurs, agricultural use of the property can continue as a legal nonconforming use, including the keeping of agricultural

animals pursuant to Section 21.04.030(a) of the Grand Junction Municipal Code. The owner has provided evidence of existing agricultural use prior to annexation.

This criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed;

There are public utilities available within adjacent rights-of-way, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the City and/or the Orchard Mesa Sanitation District, and electricity from Grand Valley Power and/or Xcel Energy (franchise utilities). Utility mains and/or individual service connections will be extended into the property as part of future development of the parcel(s).

The property is within the Mesa View Elementary school attendance boundary. Wingate is less than one (1) mile southwest on B Road.

Fire Station No. 4 is under construction just over one (1) mile northwest on B ½ Road.

Commercial uses, including a supermarket, restaurant(s), other retail and office uses, and a library are located along US Highway 50 at the intersection of 27 ¾ Road, about two and one-half (2 ½) miles from the annexation area.

This criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use;

The R-4 zone district is the predominant zoning designation on Orchard Mesa north of US Highway 50 between 29 and 30 Road. Undeveloped R-4 property, approximately 68 acres, exists on the north side of B ½ Road as well as approximately 36 acres, on the south side of B Road. Some of these properties were originally proposed for subdivision(s) while the balance was annexed as enclaved property. These properties remain as agricultural or single-family residential uses. Until residential development occurs, agricultural use of the property can continue as a legal nonconforming use, including the keeping of agricultural animals pursuant to Section 21.04.030(a) of the Grand Junction Municipal Code.

The adjacent subdivision of Chipeta Glenn, has only two (2) vacant lots and the third phase of Hawks Nest has 22 vacant lots.

Since there are currently other properties that are developable at a density of 4 dwelling units per acre (R-4), there is not an inadequate supply of suitably

designated land available in this part of the community and therefore this criterion has not been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed R-4 zone would implement Goals 3 of the Comprehensive Plan by creating an opportunity for future residential development in a manner consistent with adjacent residential development.

This criterion has been met.

Alternatives: The following zone districts would also be consistent with the Future Land Use Designation of Residential Medium Low for the subject property:

- a. RR (Residential Rural)
- b. R-E (Residential Estate)
- c. R-1 (Residential 1 du/ac)
- d. R-2 (Residential 2 du/ac)
- e. R-5 (Residential 5 du/ac)

The intent of the R-4 (Residential 4 du/ac) zone is to provide for medium-low density single-family uses where adequate public facilities and services are available. This zone is consistent with the density of the adjacent subdivisions to the south and west. An R-5 zone district would allow density that exceeds that of the surrounding neighborhoods.

The applicant intends to separate approximately three (3) acres of the primary parcel, so the existing County zoning of RSF-R and the comparable City zoning of RR would not be appropriate, as they require five (5) acre lots. Two of the residences owned by the Morse family are on parcels less than one-half (1/2) acre, so the R-E and R-1 zones would render these properties nonconforming. The only remaining option, the R-2 zone, would address the request of the applicant, but would also limit the future options for developing the remaining property and may require a developer to rezone in the future, which is contrary to the Economic Development Plan.

Staff recommends the R-4 (Residential 4 du/ac) zone district in order to prepare the property for future subdivision, consistent with City standards, and for implementing the goals and policies of the Comprehensive Plan and the Economic Development Plan.

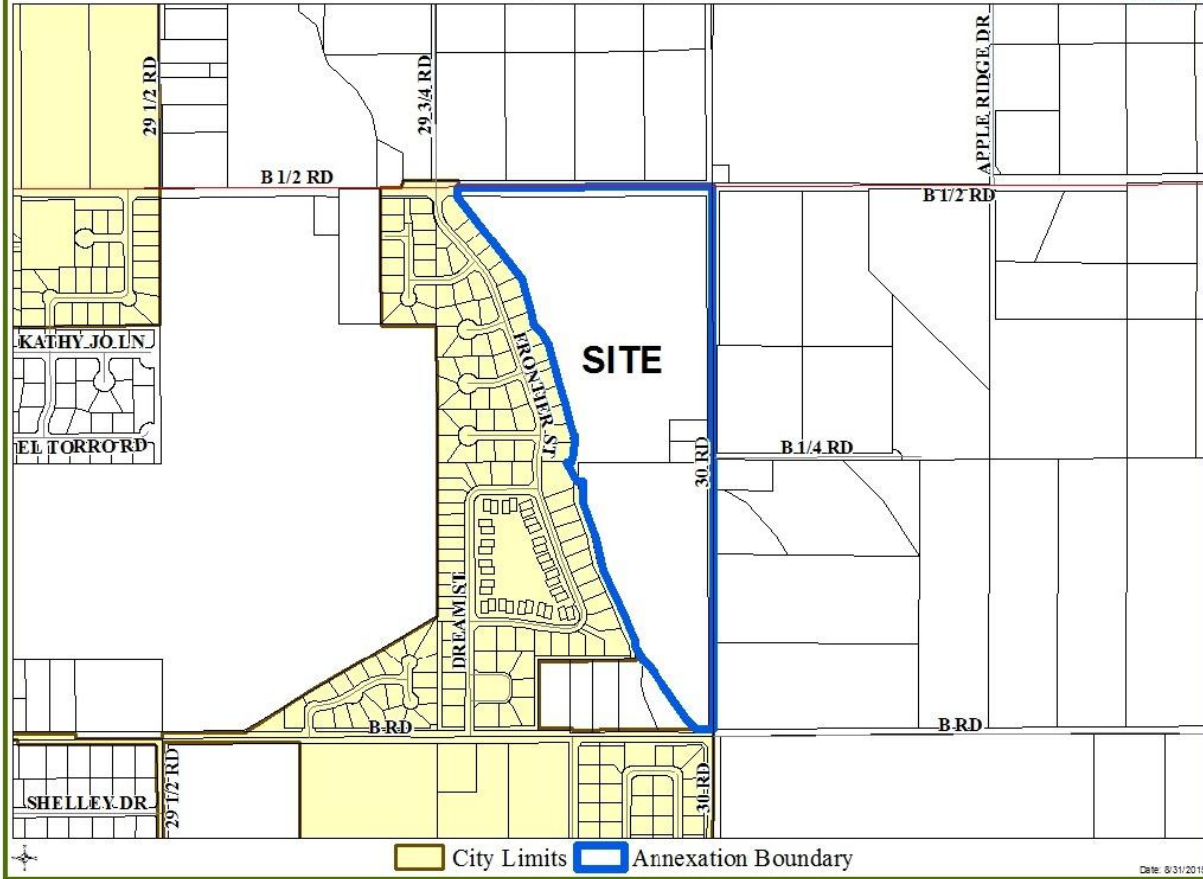
FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Morse Zone of Annexation, ANX-2015-343, a request to zone 39.77 acres from County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district, the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;

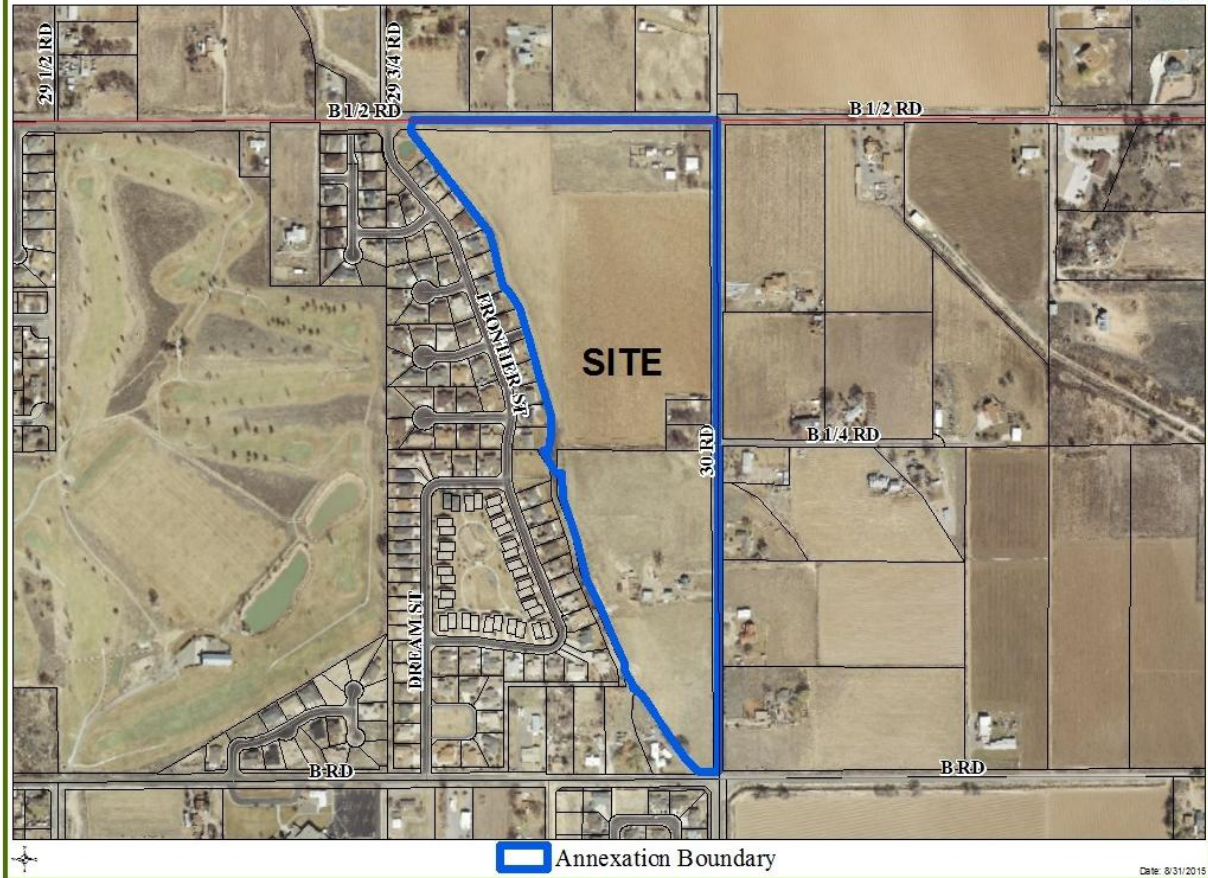
2. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met, with the exception of Criterion 4.

Morse Annexation

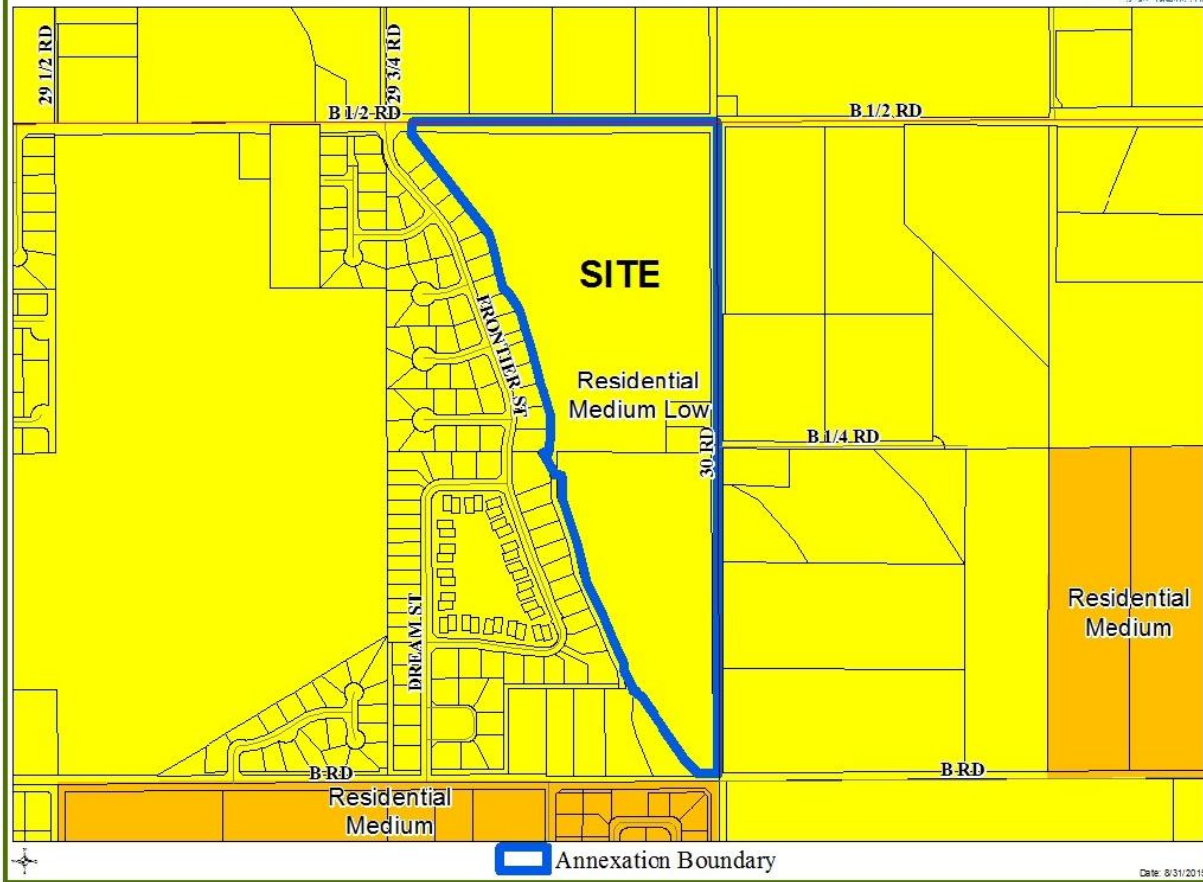


Date: 6/31/2015

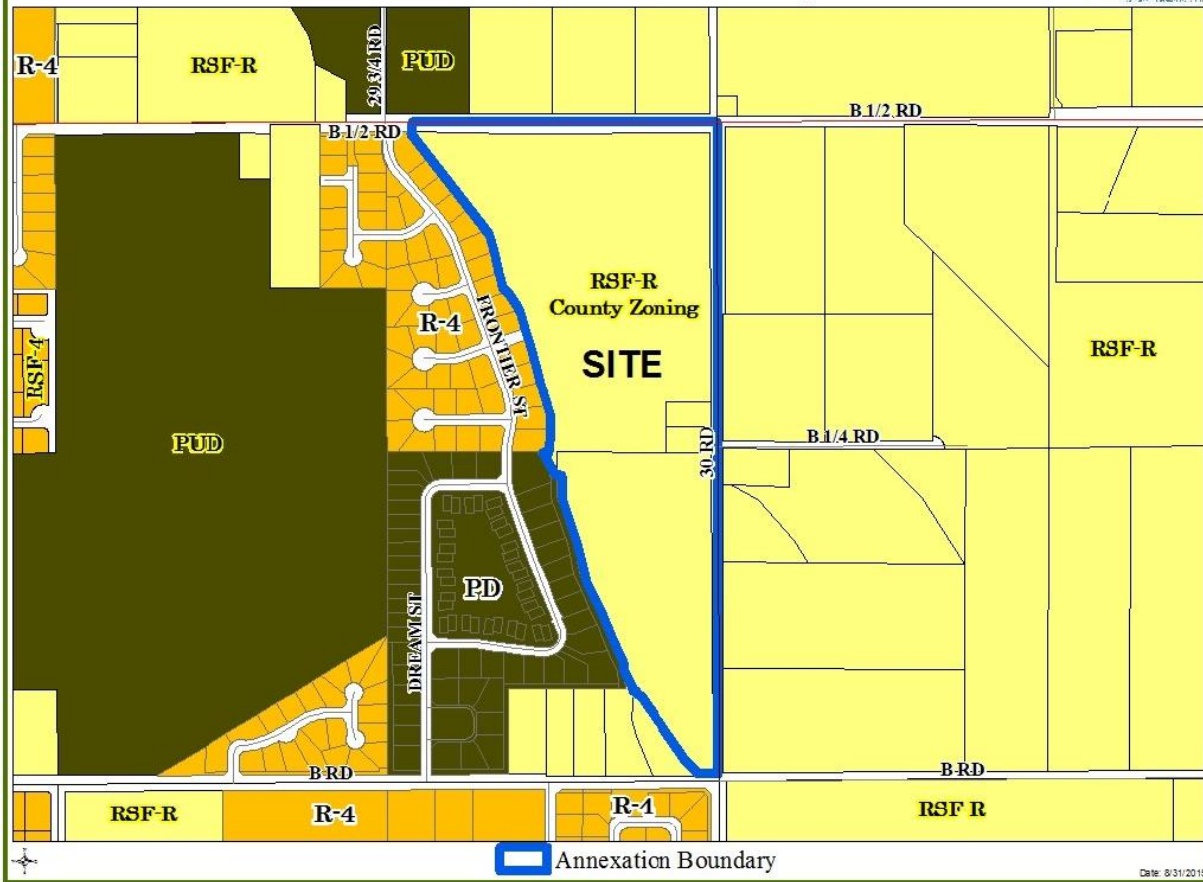
Morse Annexation



Morse Annexation - Future Land Use



Morse Annexation - Zoning



Land Use Rezone Application
Timothy L. Morse
Neighborhood Meeting
August 25, 2015

Location – Chipeta Golf Course, 222 – 29 Road

Present – Tim and Christina Morse (Owners), Brian Rusche (Senior City Planner), WW and Judy Thompson, Chuck and Linda Reinut, Judy Detsy, Dennis and Claudia Cintas

A land use application change was submitted to the City of Grand Junction to rezone the four parcels between B and B1/2 Road on the west side of 30 Road.

The meeting began at 6:00 PM and Tim Morse gave a quick overview of the proposed plan to subdivide off the 3 acres and the home currently at 2997 B ½ Road from the remainder of the property. He explained the reason the rezone was being done was to settle an estate so one of the heirs could buy out the remaining heir on the family home. Discussion followed on city and county regulations making the rezone necessary. Discussion also touched on the fact that although the property would be zone for 4 houses per acre there were no immediate plans to do so by the current owners.

Concerns were raised on the type of homes that would be built, the design of the subdivision and where the entrance and exits would be. It was reiterated that those items would have to be addressed at a similar neighborhood meeting when a proposal to build an actual subdivision would be submitted to the City for approval.

The meeting ended at 7:00.

Sign In 8-25-15

Tim & Chris Morse
WW + Judy Thompson
Chuck + Linda Bennett
Judy Thompson

Dennis + Claudia CINTAS
BRIAN RUSCHE (CITY OF GRAND JUNCTION)

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE**

MORSE ANNEXATION

LOCATED AT 2997 B ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 16th day of September, 2015, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MORSE ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the land bounded as follows:

Bounded on the North by the North line of the NE 1/4 SE 1/4 of said Section 29;
Bounded on the South by the North line of Hawks Nest Annexation No. 3, City of Grand Junction Ordinance No. 3738, as same is recorded in Book 3868, Page 155, Public Records of Mesa County, Colorado;

Bounded on the East by the East line of the SE 1/4 SE 1/4 of said Section 29 and by the East line of the NE 1/4 SE 1/4 of said Section 29;

Bounded on the West by:

1. The centerline of Orchard Mesa Irrigation District drain ditch OM-2,
2. The East line of Chipeta Glen Annexations No. 1 and No. 2, City of Grand Junction Ordinance No.'s 3627 and 3628, as same is recorded in Book 3659, Pages 638 and 641, Public Records of Mesa County, Colorado,
3. The East line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado.

CONTAINING 39.77 Acres, more or less, as described above.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of September, 2015; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2015.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

MORSE ANNEXATION

CONSISTING OF FOUR PARCELS TOTALING 39.77 ACRES

LOCATED AT 2997 B ½ ROAD

WHEREAS, on the 16th day of September, 2015, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of October, 2015; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MORSE ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the land bounded as follows:

Bounded on the North by the North line of the NE 1/4 SE 1/4 of said Section 29;
Bounded on the South by the North line of Hawks Nest Annexation No. 3, City of Grand Junction Ordinance No. 3738, as same is recorded in Book 3868, Page 155, Public Records of Mesa County, Colorado;

Bounded on the East by the East line of the SE 1/4 SE 1/4 of said Section 29 and by the East line of the NE 1/4 SE 1/4 of said Section 29;

Bounded on the West by:

4. The centerline of Orchard Mesa Irrigation District drain ditch OM-2,

5. The East line of Chipeta Glen Annexations No. 1 and No. 2, City of Grand Junction Ordinance No.'s 3627 and 3628, as same is recorded in Book 3659, Pages 638 and 641, Public Records of Mesa County, Colorado,
6. The East line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado.

CONTAINING 39.77 Acres, more or less, as described above.

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

INTRODUCED on first reading on the 16th day of September, 2015 and ordered published in pamphlet form.

ADOPTED on second reading the _____ day of _____, 2015 and ordered published in pamphlet form.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MORSE ANNEXATION
TO R-4 (RESIDENTIAL 4 DU/AC)**

LOCATED AT 2997 B ½ ROAD

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 Morse Annexation to the R-4 (Residential 4 du/ac) zone district, finding that it conforms with the designation of Residential Medium Low as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-4 (Residential 4 du/ac) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 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 shall be zoned R-4 (Residential 4 du/ac):

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the land bounded as follows:

Bounded on the North by the North line of the NE 1/4 SE 1/4 of said Section 29;
Bounded on the South by the North line of Hawks Nest Annexation No. 3, City of Grand Junction Ordinance No. 3738, as same is recorded in Book 3868, Page 155, Public Records of Mesa County, Colorado;

Bounded on the East by the East line of the SE 1/4 SE 1/4 of said Section 29 and by the East line of the NE 1/4 SE 1/4 of said Section 29;

Bounded on the West by:

7. The centerline of Orchard Mesa Irrigation District drain ditch OM-2,
8. The East line of Chipeta Glen Annexations No. 1 and No. 2, City of Grand Junction Ordinance No.'s 3627 and 3628, as same is recorded in Book 3659, Pages 638 and 641, Public Records of Mesa County, Colorado,

9. The East line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado.

CONTAINING 39.77 Acres, more or less, as described above.

Introduced on first reading this 7th day of October, 2015 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

City Clerk

President of the Council



Attach 11

CITY COUNCIL AGENDA ITEM

Date: October 8, 2015
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior Planner/1447
 Proposed Schedule: 1st Reading: October 7, 2015
 2nd Reading: October 21, 2015
 File #: PLD-2015-400

Subject: Park Mesa Subdivision Outline Development Plan, Located at 323 Little Park Road

Action Requested/Recommendation: Adopt Ordinance on Final Passage and Order Final Publication in Pamphlet Form

Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, Ken Scissors, requests approval of an Outline Development Plan (ODP) for Park Mesa Subdivision as a Planned Development (PD) zone district with a default zone of R-2 (Residential – 2 du/ac) to develop an eight lot, single-family detached subdivision on 12.1 +/- acres.

Background, Analysis and Options:

The subject property is currently vacant and is located adjacent to the southern boundary of the Persigo 201 sewer boundary. The property is 12.1 acres in size and has varying elevation contours, rock outcroppings and hillsides from 0 – 10% to over 30% slopes. In 2008 (City file number ANX-2008-065), the applicant, Ken Scissors, requested and the City Council granted annexation for the property on September 17, 2008 with a designated zoning district of R-1 (Residential – 1 du/ac). On February 9, 2010, the applicant received approval from the City Planning Commission regarding the Preliminary Plan application (City file number PFP-2008-065) to develop eight single-family detached lots on 12.1 acres, however, due to the local economy at the time, the subdivision was never developed and the project has since expired. The applicant is now requesting approval of an Outline Development Plan (ODP) to develop the eight single-family detached lots as Planned Development (PD) zone district in order to protect and preserve the existing natural features of the area.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on July 8, 2015 with nine citizens along with the applicant, applicant’s representative and City Project Manager in attendance. No objections to the proposed subdivision development were received.

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

The requested Outline Development Plan for Park Mesa Subdivision meets the following goals and policies from the Comprehensive Plan by developing a vacant 12.1 acre property for 8 single-family lots ranging from .5 to 2.3 acres in size which supports the goal of providing a broader mix of housing types to meet the needs of the community by creating more housing choices.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed Outline Development Plan does not further the goals of the Economic Development Plan as the proposed land use is for a residential development, the proposal does provide additional residential housing choice opportunities for both professionals and retirees in the community, located within the Redlands.

Board or Committee Recommendation:

The Planning Commission reviewed this application at their September 22, 2015 meeting and are recommending approval conditioned on finalization and approval of all outstanding items associated with the Final Plan.

Financial Impact/Budget:

No direct financial impact on the City budget for this item.

Legal issues:

The Outline Development Plan process is defined by the Zoning and Development Code. If the application is approved, the City Attorney will assist the Planning staff with the issues that arise, if any, in the documentation of the approval.

Other issues:

No other issues have been identified.

Previously presented or discussed:

First Reading consideration of the Ordinance was on October 7, 2015.

Attachments:

Staff Report/Background Information

Site Location Map

Aerial Photo Map

Comprehensive Plan Future Land Use Map

Existing Zoning Map

Proposed Subdivision Plat

Limits of Development

Planned Development Ordinance

BACKGROUND INFORMATION					
Location:		323 Little Park Road			
Applicants:		Ken Scissors, Owner			
Existing Land Use:		Vacant land			
Proposed Land Use:		Eight (8) lot single-family detached residential subdivision			
Surrounding Land Use:	North	Single-family residential			
	South	Single-family residential			
	East	Vacant land and Single-family residential			
	West	Vacant land and Single-family residential			
Existing Zoning:		R-1 (Residential – 1 du/ac)			
Proposed Zoning:		PD (Planned Development)			
Surrounding Zoning:	North	R-E (Residential – Estate) and County RSF-4 (Residential Single-Family – 4 du/ac)			
	South	County RSF-4 (Residential Single-Family – 4 du/ac)			
	East	County RSF-4 (Residential Single-Family – 4 du/ac) and County RSF-E (Residential Single-Family – Estate)			
	West	County RSF-4 (Residential Single-Family – 4 du/ac)			
Future Land Use Designation:		Residential Low (.5 – 2 du/ac)			
Zoning within density range?		X	Yes		No

Density: The proposed density for Park Mesa Subdivision will be approximately 0.66 dwelling units per acre. The Comprehensive Plan Future Land Use Map designates this property as Residential Low (.5 – 2 du/ac). The applicant is requesting a default zone of R-2 which has no minimum density and allows up to a maximum density of 2 dwelling units/acre.

Access: The proposed subdivision will take access from Little Park Road. Lots 1, 2 and 8 will access Little Park Road by driveways. A cul-de-sac (Park Mesa Court) has been proposed to give access to Lots 3 through 7. The cul-de-sac was approved under the Alternative Street Section of the TEDS Manual (only a sidewalk on the east side of the street is proposed) since this is a semi-rural area and sidewalk is not needed on both sides of the street. The proposed right-of-way width for the cul-de-sac meets minimum City standards. A shared driveway for access to Lots 4, 5 and 6 is proposed in Tract B.

Open Space: The applicant is proposing over four (4) acres of open space (34% of the total acreage of the property), which will be dedicated to and owned and maintained by

the Home Owners Association. The proposed open space will preserve the natural features, topography and rock outcroppings of the property (proposed Tracts A and C). Proposed Tract C is the subdivision's stormwater detention pond and will be landscaped in accordance with Section 21.06.060 (h) (9) of the Zoning and Development Code and will include native grass seed mix, trees and shrubs. Proposed Tract A contains 4.14 acre of open space that will include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest.

Phasing: The applicant is proposing to develop this subdivision in one (1) phase by December 31, 2018.

Topography: This property is 12.1 acres in size and has varying contours and hillsides from 0 – 10% to over 30% slopes. No building envelopes are proposed within the 30% slope areas. City Engineering and the Colorado Geological Survey have reviewed the submitted Geotechnical Report for the area and are recommending lot specific engineered building foundations and septic system designs.

Sanitary Sewer: There is presently no sanitary sewer service available to the property at this time. The southern lot line of this property is adjacent to the Persigo 201 Boundary. Existing sewer lines/mains are over 2,000 feet from the property on Rosevale Road. However, the applicant will be installing a dry sanitary sewer system to each lot in anticipation of future sewer connection. In June 2015, the applicant did receive a waiver from the Joint Persigo Board (County Commissioners and City Council) to allow the homes to be served by septic systems and not hook onto the Persigo system. The Board did require that the Developer install dry sewer lines. A Power of Attorney will also be filed with the subdivision that commits the each property owner to connect to sewer when it becomes available. In the meantime, each individual property will be installing a private septic system upon development. The minimum lot size to have a septic system is 0.50 acres in accordance with the Mesa County Health Department.

Long-Term Community Benefit: The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

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

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

1. Greater quality and quantity of public and/or private open space. The applicant is proposing over four (4) acres of open space (34% of the total acreage of the property), dedicated to and maintained by the Home Owners Association to preserve the natural features, topography and rock outcroppings of the property. Proposed Tracts A and B will also include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest.
2. Reduced traffic demands. By setting aside 34% of the property in open space and reducing the density from a possible twelve units to a total of eight units, the proposed development will reduce traffic demands in the area from what could be developed on the property under the current zoning district of R-1.
3. In addition to the above two long-term community benefits, the proposed development preserves environmentally sensitive areas which is encouraged in the Zoning and Development Code.

Default Zone: The applicant is proposing to utilize the dimensional standard for the R-2 (Residential – 2 du/ac) zone as indicated in Section 21.03.040 (d) of the Zoning and Development Code, as follows:

Density: Applicant is proposing 0.66 dwelling units an acre.

Front yard setback (Principal/Accessory): 20'/25'.

Side yard setback (Principal/Accessory): 15'/3'.

Rear yard setback (Principal/Accessory): 30'/5'

Maximum building height: 35'.

Maximum Lot Coverage: 30%.

Proposed Lot Sizes are as follows:

Lots 1 through 4: 0.51 acres

Lot 5: 1.11 acres, Lot 6: 1.00 acre, Lot 7: 1.12 acres, Lot 8: 2.31 acres.

Deviations:

Landscape buffer:

The Applicant is requesting that the 14' wide landscape buffer and perimeter enclosure not be required adjacent to Little Park Road (minor collector), because of the topographical and natural conditions of the property with hillsides, rock bands and natural drainage paths. Furthermore, the existing desert landscaping will serve as the landscaping design for the subdivision which is in character with this semi-rural area.

Maximum setback for single-family dwelling structures:

The applicant is also requesting that the City not require the 150 foot maximum setback for a single-family dwelling (proposed Lot 8). The proposed building site would be over 430' +/- from Little Park Road. Due to topographical constraints the applicant has obtained an Ingress/Egress Easement across the adjacent property to the south (299 Little Park Road) to provide legal access to proposed Lot 8. One of the objectives of the Hillside Development provisions is to minimize the adverse effects of grading and cuts and fills. A new driveway accessing Lot 8 would require a significant cut into the existing hillside. By utilizing the adjacent driveway cutting into the hillside will not be required. In addition, the City Project Manager and the City Fire Department are supportive of the deviation since the applicant is proposing a fire hydrant within 250' of all properties and an all-weather driving surface for the drive-way of either asphalt or concrete to Lot 8 from Little Park Road with an approved turnaround at the end, supporting a fire truck. These meet the requirements for fire department access as identified within the International Fire Code.

Section 21.02.150 (b) of the Grand Junction Zoning and Development Code:

Requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The proposed Outline Development Plan complies with the Comprehensive Plan, specifically, Goals 5, Grand Valley Circulation Plan and other applicable adopted plans and policies, including the Redlands Area Plan. The proposed development is within the residential density range of the Residential Low (.5 – 2 du/ac) category as identified on the Future Land Use Map and the default zoning district of R-2 (Residential – 2 du/ac).

- b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.

(1) Subsequent events have invalidated the original premises and findings; and/or

The applicant is requesting to develop a residential subdivision within an existing residential zone, but as a Planned Development. One of the community benefits for the PD zone would be that the public will be able to utilize the dedication of a 20' wide pedestrian easement that would someday connect to the City owned property to the southwest for use as a trail. The ODP application is also within the allowable residential density range of the Residential Low (.5 – 2 du/ac) category as defined by the Future Land Use Map.

Therefore, this criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The character and/or condition of the area has not changed, the applicant is requesting to develop a residential subdivision as a Planned Development within the allowable density range as identified with the Comprehensive Plan Future Land Use Map designation of Residential Low (.5 – 2 du/ac).

Therefore, this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

With the exception of sewer, adequate public and community facilities are adequate to serve the type and scope of land use proposed or will be made available concurrent with the development and can address the impacts of development consistent with the PD zone district with an underlying default zoning of R-2. The applicant did receive a waiver from the Joint Persigo Board (County Commissioner's and City Council) to allow septic systems and not require the subdivision to hook up immediately to the sewer system. The Board did require dry sewer lines be installed. Present sewer lines/mains are over 2,000 feet from the property on Rosevale Road. In addition a Power of Attorney will be filed with the subdivision that commits the property owners to connect to sewer when it becomes available. In the meantime, each individual property will be installing a private septic system upon development. The proposed Park Mesa Subdivision is located within the Redlands and has a remote feel and look but is only a short drive away (less than 10 minutes) to grocery, restaurants, retail stores and downtown Grand Junction.

Therefore, this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

The applicant is requesting to develop a residential subdivision within an existing residential zone, but as a Planned Development that provides additional community benefits that would not otherwise be required under conventional zoning, such as the dedication of a 20' wide pedestrian easement that would someday connect to the City owned property to the southwest for use as a trail.

Therefore, this criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community will derive benefits from the proposed zoning of PD (Planned Development) by allowing the property to be developed as a semi-rural residential

subdivision, as the Zoning and Development Code encourages the preservation of environmentally sensitive areas and open space to preserve the natural features, topography and rock outcroppings of the property. The proposed subdivision would also reduce traffic demands in the area from what could be developed on the property under the current zoning district of R-1, which could be up to 12 lots, rather than what the applicant is proposing as eight (8) lots. Proposed Tracts A and B will also include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest.

Therefore, this criterion has been met.

- c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

The proposed ODP is in conformance with the Planned Development requirements of Section 21.05 of the Zoning and Development Code through the use of setback standards that are consistent with the default zone of the R-2 zone district, open space, building heights, street development standards, and landscaping requirements for proposed Tract C of the Zoning and Development Code.

- d) The applicable corridor guidelines and other overlay districts in Chapter 21.07.

The property is proposed to be developed as a Planned Development and meets with the requirements as identified for environmental and sensitive land regulations as outlined in Section 21.07 of the Zoning and Development Code. The property is also located within the Redlands Area Plan corridor guidelines and meets with all applicable requirements associated with residential development.

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

With the exception of sewer, adequate public and community facilities are adequate to serve the type and scope of land use proposed or will be made available concurrent with the development and can address the impacts of development consistent with the PD zone district with an underlying default zoning of R-2. The applicant did receive a waiver from the Joint Persigo Board (County Commissioner's and City Council) to allow septic systems and not require the subdivision to hook up immediately to the sewer system. The Board did require dry sewer lines be installed. Present sewer lines/mains are over 2,000 feet from the property on Rosevale Road. In addition a Power of Attorney will be filed with the subdivision that commits the property owners to connect to sewer when it becomes available. In the meantime, each individual property will be installing a private septic system upon development. The proposed Park Mesa Subdivision is located within the Redlands and has a remote feel and look but is only a short

drive away (less than 10 minutes) to grocery, restaurants, retail stores and downtown Grand Junction.

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

The proposed subdivision will take access from Little Park Road. Lots 1, 2 and 8 will access Little Park Road by driveways. A cul-de-sac (Park Mesa Court) has been proposed to give access to Lots 3 through 7. The cul-de-sac was approved under the Alternative Street Section of the TEDS Manual (only a sidewalk on the east side of the street is proposed) since this is a semi-rural area and sidewalk is not needed on both sides of the street. The proposed right-of-way width for the cul-de-sac meets minimum City standards. A shared driveway for access to Lots 4, 5 and 6 is proposed in Tract B.

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

All adjacent land uses are single family residential homes which does not require screening and buffering between residential zoning districts.

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

The proposed density for Park Mesa Subdivision will be 0.66 dwelling units/acre, which is within the Future Land Use Map residential density requirements of the Residential Low (.5 – 2 du/ac) designation.

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

The applicant is proposing an R-2 default zone district with deviations as identified within this staff report. All other subdivision requirements associated with the Zoning and Development Code have been met or exceeded.

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

The applicant is proposing to develop this subdivision within one phase to be reviewed and approved by December 31, 2018.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Park Mesa Subdivision application, PLD-2015-400, request for approval of an Outline Development Plan (ODP) as a Planned Development, I make the following findings of fact/conclusions and conditions of approval:

5. The requested Planned Development, Outline Development Plan is consistent with the goals and policies of the Comprehensive Plan, specifically Goal 5.
6. The review criteria in Section 21.02.150 of the Grand Junction Zoning and Development Code have all been met and addressed.
7. Approval of Planned Development, Outline Development Plan request is contingent upon the finalization and approval of all outstanding items associated with Final Plan for the proposed Park Mesa Subdivision as identified with City file number SUB-2015-311.

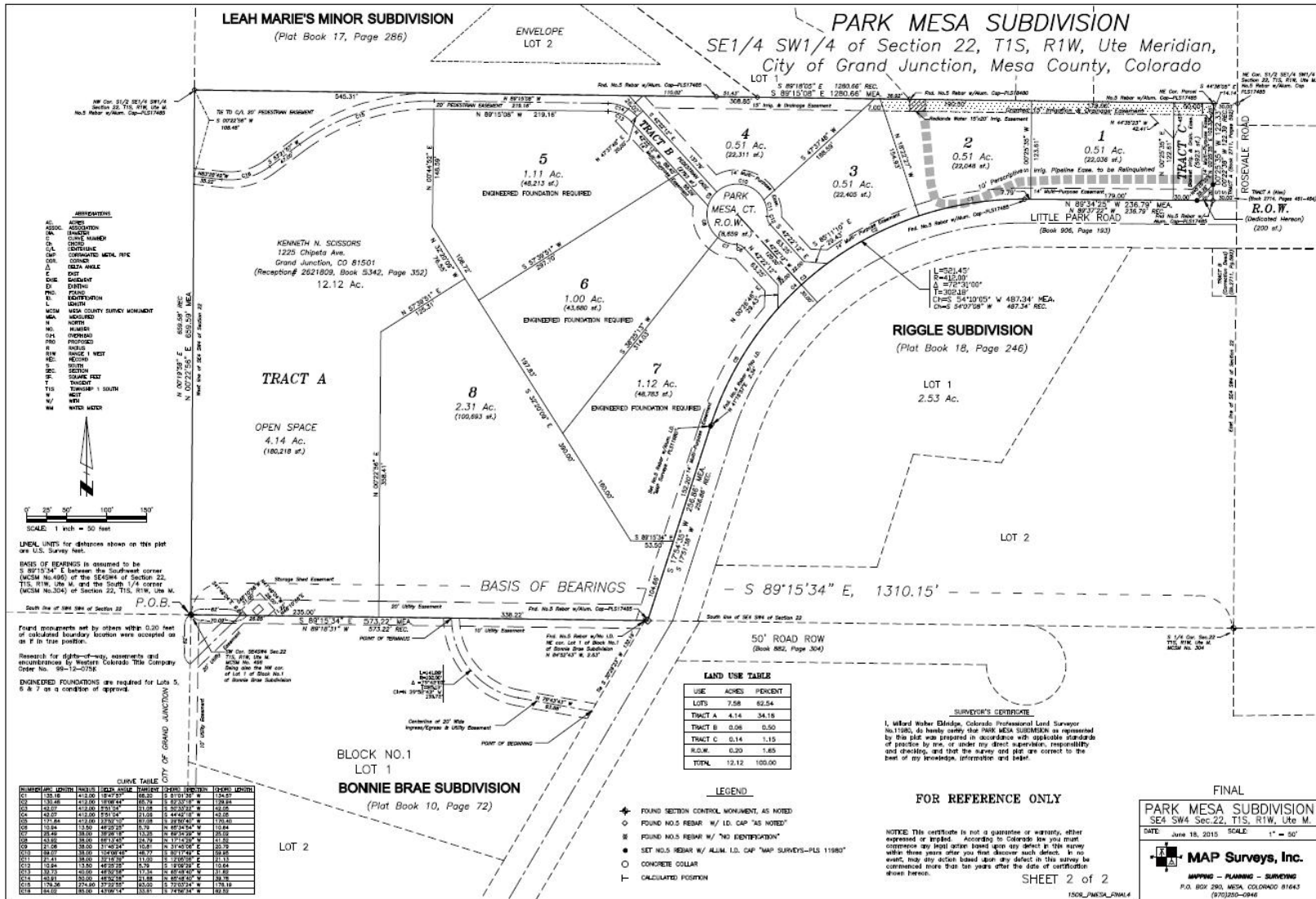
Aerial Photo Map



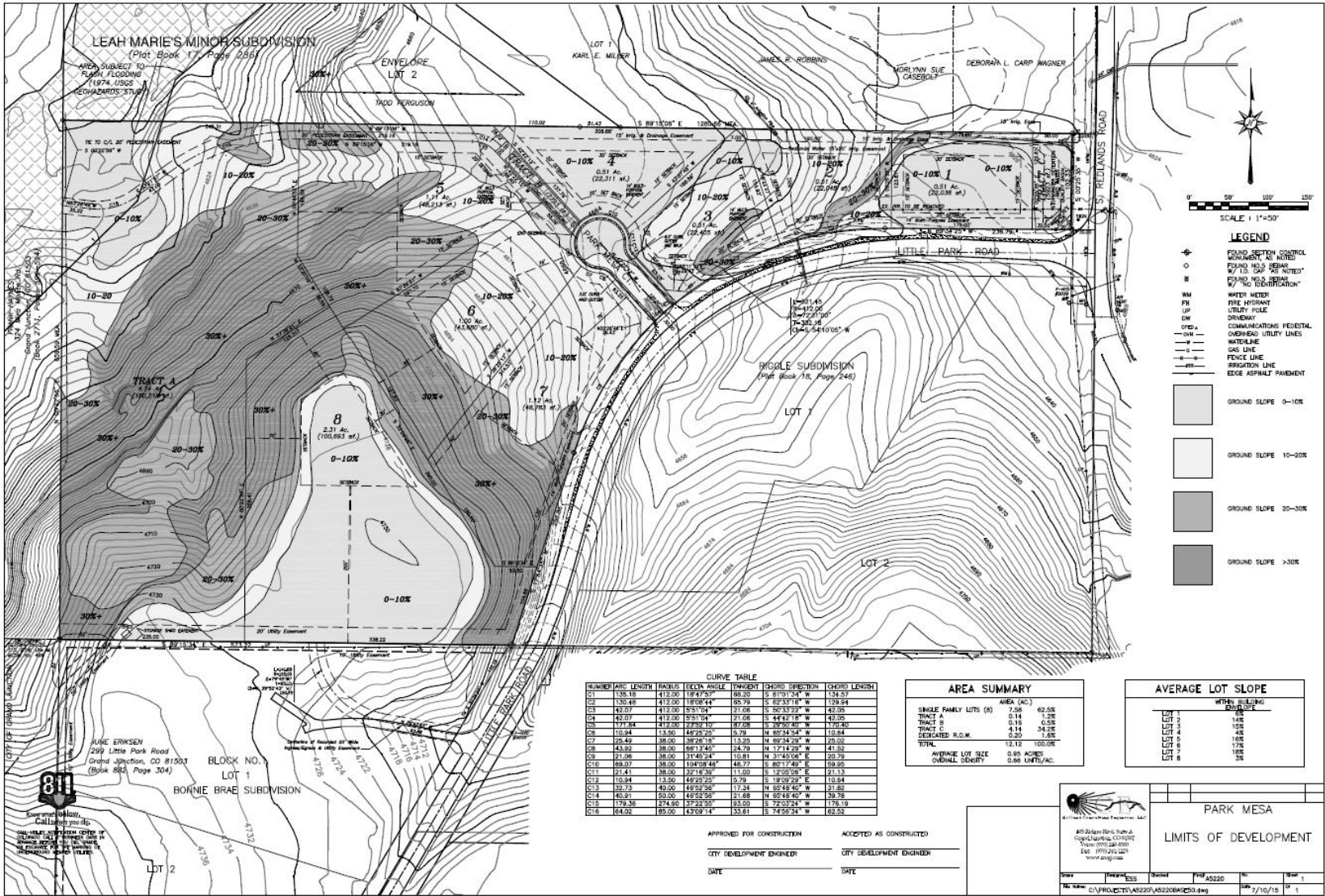
Comprehensive Plan Future Land Use Map







Park Mesa Subdivision (Proposed)



Limits of Development Sheet (showing average slopes in the area)

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE APPROVING THE OUTLINE DEVELOPMENT PLAN AS A
PLANNED DEVELOPMENT WITH A DEFAULT R-2 (RESIDENTIAL – 2 DU/AC)
ZONE DISTRICT FOR THE DEVELOPMENT OF 8 SINGLE-FAMILY DETACHED
DWELLING UNITS TO BE KNOWN AS PARK MESA SUBDIVISION**

LOCATED AT 323 LITTLE PARK ROAD

Recitals:

The applicant, Ken Scissors, wishes to develop an eight lot, single-family detached residential subdivision to be located at 323 Little Park Road on a total of 12.1 +/- acres to be constructed within one phase.

The request for an Outline Development Plan as a Planned Development with a default R-2, (Residential – 2 du/ac) zoning district, including deviations have been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-2), deviations and conditions of approval for the Outline Development Plan for Park Mesa Subdivision.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by allowing the property to be developed as a semi-rural residential subdivision, as the Zoning and Development Code encourages the preservation of environmentally sensitive areas and open space to preserve the natural features, topography and rock outcroppings of the property. The proposed subdivision would also reduce traffic demands in the area from what could be developed on the property under the current zoning district of R-1, which could be up to 12 lots, rather than what the applicant is proposing as eight lots. Proposed Tracts A and B will also include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest (attached Exhibit A).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE OUTLINE DEVELOPMENT PLAN AS A PLANNED DEVELOPMENT FOR THE PARK MESA SUBDIVISION IS APPROVED WITH THE FOLLOWING STANDARDS, DEFAULT ZONE AND DEVIATIONS:

- A. This Ordinance applies to the following described property:

Beginning at the Southwest corner of the South Half of the Southeast Quarter of the Southwest Quarter (S1/2 SE1/4 SW1/4) of Section 22, Township 1, South Range 1 West, of the Ute Meridian, whence the South Quarter corner of said Section 22 bears South 89 degrees 15'34" East, a distance of 1310.15 feet, for a basis bearing, with all bearings contained herein being relative thereto; thence North 00 degrees 22'56" East, a distance of 659.59 feet along the West line of said S1/2 SE1/4 SW1/4 to the Northwest corner; thence South 89 degrees 15'08" East along the North line of said S1/2 SE1/4 SW1/4 a distance of 1280.66 feet; thence South 00 degrees 25'35" West a distance of 122.33 feet to a point on the Northwesterly right-of-way line of Little Park Road, as described in Book 906, Page 193 Mesa County Records; thence along said Northwesterly right-of-way line the following three (3) courses: (1) North 89 degrees 34'25" West a distance of 236.79 feet; (2) along the arc of a curve to the left, having a delta angle of 72 degrees 31'00", with a radius of 412.00 feet, an arc length of 521.45 feet, a chord bearing of South 54 degrees 10'05" West, and a chord length of 487.34 feet; (3) South 17 degrees 54'35" West, a distance of 256.86 feet to a point on the South line of the said S1/2 SE1/4 SW1/4; thence along said South line of the S1/2 SE1/4 SW1/4, North 89 degrees 15'34" West, a distance of 573.22 feet to the point of beginning.

(Property) Said parcel contains 12.12 +/- acres more or less.

- B. This Property is zoned PD (Planned Development) with the following standards, deviations and requirements:

If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the R-2 (Residential – 2 du/ac) Zoning District.

Density: The proposed density for Park Mesa Subdivision will be approximately 0.66 dwelling units per acre. The Comprehensive Plan Future Land Use Map designates this property as Residential Low (.5 – 2 du/ac). The applicant is requesting a default zone of R-2 which has no minimum density and allows up to a maximum density of 2 dwelling units/acre.

Access: The proposed subdivision will take access from Little Park Road. Lots 1, 2 and 8 will access Little Park Road by driveways. A cul-de-sac (Park Mesa Court) has been proposed to give access to Lots 3 through 7. The cul-de-sac was approved under the Alternative Street Section of the TEDS Manual (only a sidewalk on the east side of the street is proposed). The proposed right-of-way width for the cul-de-sac meets minimum City standards. A shared driveway for access to Lots 4, 5 and 6 is proposed in Tract B.

Open Space: The applicant is proposing over four (4) acres of open space (34% of the total acreage of the property), which will be dedicated to and owned and maintained by the Home Owners Association. The proposed open space will preserve the natural features, topography and rock outcroppings of the property (proposed Tracts A and C). Proposed Tract C is the subdivision's stormwater detention pond and will be landscaped in accordance with Section 21.06.060 (h) (9) of the Zoning and Development Code and will include native grass seed mix, trees and shrubs. Proposed Tract A contains 4.14 acre of open space that will include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest.

Phasing: The applicant is proposing to develop this subdivision in one (1) phase by December 31, 2018.

Topography: This property is 12.1 acres in size and has varying contours and hillsides from 0 – 10% to over 30% slopes. No building envelopes are proposed within the 30% slope areas. City Engineering and the Colorado Geological Survey have reviewed the submitted Geotechnical Report for the area and are recommending lot specific engineered building foundations and septic system designs.

Sanitary Sewer: There is presently no sanitary sewer service available to the property at this time. The southern lot line of this property is adjacent to the Persigo 201 Boundary. Existing sewer lines/mains are over 2,000 feet from the property on Rosevale Road. However, the applicant will be installing a dry sanitary sewer system to each lot in anticipation of future sewer connection. In June 2015, the applicant did receive a waiver from the Joint Persigo Board (County Commissioner's and City Council) to allow the homes to be served by septic systems and not hook onto the Persigo system. The Board did require that the Developer install dry sewer lines. A Power of Attorney will also be filed with the subdivision that commits the each property owner to connect to sewer when it becomes available. In the meantime, each individual property will be installing a private septic system upon development. The minimum lot size to have a septic system is 0.50 acres in accordance with the Mesa County Health Department.

Long-Term Community Benefit: The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

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

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

1. Greater quality and quantity of public and/or private open space. The applicant is proposing over four (4) acres of open space (34% of the total acreage of the property), dedicated to and maintained by the Home Owners Association to preserve the natural features, topography and rock outcroppings of the property. Proposed Tracts A and B will also include the dedication of a 20' wide public pedestrian easement for future connection to City owned property to the southwest.
2. Reduced traffic demands. By setting aside 34% of the property in open space and reducing the density from a possible twelve units to a total of eight units, the proposed development will reduce traffic demands in the area from what could be developed on the property under the current zoning district of R-1.
3. In addition to the above two long-term community benefits, the proposed development preserves environmentally sensitive areas which is encouraged in the Zoning and Development Code.

Default Zone: The applicant is proposing to utilize the dimensional standard for the R-2 (Residential – 2 du/ac) zone as indicated in Section 21.03.040 (d) of the Zoning and Development Code, as follows:

Density: Applicant is proposing 0.66 dwelling units an acre.
Front yard setback (Principal/Accessory): 20'/25'.
Side yard setback (Principal/Accessory): 15'/3'.
Rear yard setback (Principal/Accessory): 30'/5'.
Maximum building height: 35'.
Maximum Lot Coverage: 30%.

Proposed Lot Sizes are as follows:

Lots 1 through 4: 0.51 acres
Lot 5: 1.11 acres, Lot 6: 1.00 acre, Lot 7: 1.12 acres, Lot 8: 2.31 acres.

Deviations:

Landscape buffer:

The subdivision proposal does not show that a 14' wide landscape buffer and perimeter enclosure to be constructed adjacent to Little Park Road (minor collector), because of the topographical and natural conditions of the property with hillsides, rock bands and natural drainage paths. Furthermore, the existing desert landscaping will serve as the landscaping design for the subdivision which is in character with this semi-rural area

Maximum building setback for single-family dwelling structures:

The proposed subdivision will be allowed to develop a single-family detached home to be setback more than 150 feet from a public right-of-way (proposed Lot 8). The proposed building site would be over 430' +/- from Little Park Road. Due to topographical constraints the applicant has obtained an Ingress/Egress Easement across the adjacent property to the south (299 Little Park Road) to provide legal access to proposed Lot 8. One of the objectives of the Hillside Development provisions of the Zoning and Development Code is to minimize the adverse effects of grading and cuts and fills. A new driveway accessing Lot 8 would require a significant cut into the existing hillside. By utilizing the adjacent driveway cutting into the hillside will not be required. In addition, the City Fire Department was supportive of the deviation since the applicant is proposing a fire hydrant within 250' of all properties and an all-weather driving surface for the drive-way of either asphalt or concrete to Lot 8 from Little Park Road with an approved turnaround at the end, supporting a fire truck. These meet the requirements for fire department access as identified within the International Fire Code.

Introduced for first reading on this 7th day of October, 2015 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date: 10/21/15
Citizen's Name: DENNIS SIMPSON
Address: 2306 E. PIAZZA PL.
Phone Number: _____
Subject: EMPLOYEE RETIREMENT HEALTH INSURANCE

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date: 10/21/15
Citizen's Name: Jim Schultz
Address: 1670 PARMIGIAN RIDGE
Phone Number: _____
Subject: CITY SMT

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date: 10/21/15
Citizen's Name: Richard Swingle
Address: 443 Mediterranean Way
Grand Junction, CO 81507-4525
Phone Number: _____
D. H. I. ...



October 15, 2015

Mayor Norris and Members of City Council
250 N. 5th Street
Grand Junction, CO 81501

Via Electronic Mail Delivery

Mayor Norris and Members of City Council,

With this letter I write to disclose an appearance of a conflict of interest concerning the LOJO Partnership LLP rezone application for the property located at 821 1st Avenue and the LOJO Partnership LLP alley vacations located between S. 7th and S. 8th Street to the south of South Avenue. Both requests are scheduled for first reading before the City Council on October 21, 2015. Collectively the pending matters will be referred to in this letter as “Applications” or “the Applications.”

The staff reports for the Applications make known that the partners in the LOJO Partnership, the owners of the property being considered for rezoning and applying for the alley vacations, are Jamee and Doug Simons. Mr. and Mrs. Simons contributed to my election campaign in 2013 and as such I am making this disclosure. In accordance with applicable elections laws the contribution was previously reported in a full and timely manner.

I have had no discussion of the Applications or otherwise communicated with Mr. or Mrs. Simons or any person representing them or LOJO Partnership about the Applications. The Applications were not at issue at the time of their contribution to my campaign and the only information I have about the Applications has been provided by the City in the form of the staff reports/agenda items. I know that I can and will view these matters objectively and therefore I am not recusing myself from participation in the upcoming public hearings.

At this time I am certain that I can and will fairly judge the Applications and any related development decisions, if any; however, if a majority of Council would prefer I not participate in these deliberations and decisions I will be pleased to accommodate the Council’s wishes and recuse myself from further participation.

I have consulted with City Attorney John Shaver and he advised that I bring these matters to the Council for your consideration. Mr. Shaver further advised me that he does not find that these facts create a conflict and with this disclosure it is his legal opinion that I may continue to participate.

I ask that City Clerk Tuin file a copy of this letter along with a record of the Council's decision concerning my participation in the public record. Please include reference to the same in any meeting minutes in which the Applications are discussed/decided by City Council.

Thank for your consideration. I welcome your direction on my participation in the Applications.

Sincerely,



Marty Chazen
Mayor *pro tem*/City Councilmember District D
Grand Junction City Council
City of Grand Junction, Colorado

pc: Tim Moore
John Shaver
Stephanie Tuin



October 15, 2015

Mayor *pro tem* Marty Chazen and Members of City Council
250 N. 5th Street
Grand Junction, CO 81501

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Sincerely,

A handwritten signature in blue ink that reads "Phyllis Norris". The signature is written in a cursive style and is positioned above the printed name.

Phyllis Norris
Mayor/City Councilmember District A
Grand Junction City Council
City of Grand Junction, Colorado

pc: Tim Moore
John Shaver
Stephanie Tuin