GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

September 16, 2015

The City Council of the City of Grand Junction convened into regular session on the 16th day of September, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschenstein, Martin Chazen, Chris Kennedy, Rick Taggart, and Council President Phyllis Norris. Councilmembers Duncan McArthur and Barbara Traylor Smith were absent. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember Kennedy followed by a Moment of Silence.

Council President Norris announced that there were students from Colorado Mesa University's Political Science on-line course present.

Presentation

Randy Coleman, Parks and Recreation, Forestry and Horticulture Supervisor, was present along with John and Penny Hopkins, 1360 Chipeta Avenue, who received the Yard of the Month for August 2015. Mr. Coleman mentioned that he has always admired this house and yard and the Hopkins have lived there since 1978. Mr. Hopkins was pleased with the nomination and thanked the City.

Proclamation - Constitution Week

Councilmember Chazen read the Proclamation. Mary McFarlin, President of the Mount Garfield Chapter, National Society of the Daughters of the American Revolution, was present to accept the proclamation. Ms. McFarlin expressed appreciation for the proclamation. The tradition to recognize this week as Constitution Week was started by the Daughters of the American Revolution (DAR).

<u>Proclamation - Sister City Day</u>

Councilmember Boeschenstein read the proclamation. Anna Stout, Founder and President of the Foundation for Cultural Exchange, was present to accept the proclamation. Ms. Stout reviewed the history of the organization and thanked the City of Grand Junction for trusting them with this relationship which began ten years ago.

With this relationship the City has shown it has a collective global conscience and students are learning about the world beyond our borders.

Appointment

Councilmember Taggart made a motion to ratify the appointment of Michael Burke to the Riverview Technology Corporation to a Term Expiring December 2017. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Citizens Comments

Richard Swingle, 443 Mediterranean Way, was present to talk about broadband. He had a presentation reviewing the vote overriding SB-152 that began his interest in City government; he spent 40 years in the computer business and is currently a consultant for Hewlett Packard. He reviewed his participation regarding broadband in the last six months. He asked that his presentation be part of the minutes (see attached). He feels this issue is going to require education as there are different perceptions of the definitions of terms. He will be back at the next meeting to review SB-152 and explain what it means.

Bruce Lohmiller, 337 Colorado Avenue, said he has discussed something with City Attorney John Shaver and then mentioned Whitman Park being discussed by Council, and freedom of speech and night patrols.

Council Comments

Councilmember Kennedy agreed that everyone does need to be educated on broadband and cellular service and that he appreciates Mr. Swingle's comments. He went to the Colorado Municipal League (CML) Regional 11 Meeting in Silt; it was his first exposure to CML and he lauded their work. He attended the Visitor and Convention Bureau (VCB) Volunteer Luncheon and recognized those volunteers. He attended a portion of the Club 20 meeting and had a good conversation with Senator Bennett. This afternoon he went to the El Espino Sister City Event.

Councilmember Taggart also went to the VCB Volunteer event. He was struck by the number of volunteers and the number of hours; it is impressive. Last night was a long Airport Authority Board meeting. David Fiore did accept the job as Airport Manager and started last week. The Federal Bureau of Investigation (FBI) and Department of Justice has dropped the criminal charges and returned 70 boxes of information they took at the beginning of the investigation. Now the local attorneys can get to that information and resolve some matters, particularly in regard to the building. Last night there was a presentation on enplanements. Analyzing all the data helped the Airport Authority better

understand how to build business and where the Authority is losing business the local market. It is not a huge number. The capacity load of the airport is at 78%, which for most Airports is very good and there are opportunities to look at expansion into other areas. He also attended the Hilltop celebration and the Sister City event.

Councilmember Chazen said he attended the September 10th Downtown Development Authority (DDA) meeting and the Board is getting close to appointing a Director for the DDA. Also the DDA approved funding for a downtown pilot project for broadband. He also attended the VCB Volunteer Luncheon with over 90 volunteers; they have donated more than 17,000 hours and they have personally contacted over 15,000 visitors. The City owes these volunteers a big thank you. On September 12th the City Council hosted elected officials from Park City, Utah who every year visit communities that have similar economic drivers. They were just passing through Grand Junction and they hosted them with dinners and showed them around Main Street. They also visited the Monument. He said it was a very interesting conversation with their elected officials dealing with one industry in their area. He attended the Associated Governments of Northwest Colorado (AGNC) meeting that day; Ken Jensen from the State Office of Economic Development and International Trade talked about the "Rural Jump Start Program" which will kick off in December of this year. Bill Ray from the Colorado Contractors Association, was taking a survey on funding options for a highway project, there was very little support for an additional gas tax. AGNC will host an Economic Development Summit in November.

Councilmember Boeschenstein attended some of the same meetings which included the September 9th CML meeting in Silt and on September 10th the VCB Volunteer Luncheon which was held at the Avalon Theatre. The previous evening he attended the Riverfront Commission meeting and there was a presentation on the Las Colonias Amphitheater from the Lions Club. The Commission liked the expanded version of the plan and they will pass on recommendations to the Riverfront Foundation which is their funding arm. Today he attended the Horizon Drive meeting, they are a great group of business people who also need broadband. The construction has started on Horizon Drive. He also attended the Sister City event that night.

Council President Norris also went to the Hispanic Heritage Month kickoff last night at the library that was not mentioned earlier.

Consent Agenda

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

1. Minutes of Previous Meetings

<u>Action:</u> Approve the Summary of the August 17, 2015 Workshop and the Minutes of the September 2, 2015 Regular Meeting

2. <u>Setting a Hearing on the 1800 Main Street Apartments Right-of-Way</u> 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.

Proposed Ordinance Vacating Excess Right-of-Way for the Proposed 1800 Main Street Multi-Family Residential Apartment Building Expansion Application, Located at 1800 Main Street

<u>Action:</u> Introduce a Proposed Ordinance and Set a Public Hearing for October 7, 2015

3. <u>Setting a Hearing on the 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</u>

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.

Proposed Ordinance Vacating Right-of-Way for Community Hospital, an Alley Right-of-Way Located between N. 11th Street, N. 12th Street, Orchard Avenue and Walnut Avenue

<u>Action:</u> Introduce a Proposed Ordinance and Set a Public Hearing for October 7, 2015

4. Setting a Hearing on the Morse Annexation, Located at 2997 B ½ Road

A request to annex 39.77 acres, located at 2997 B ½ Road. The Morse Annexation consists of four parcels and no public right-of-way.

Resolution No. 40-15—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on

Such Annexation, and Exercising Land Use Control, Morse Annexation, Located at 2997 B ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Morse Annexation, Consisting of Four Parcels Totally 39.77 Acres, Located at 2997 B ½ Road

<u>®Action:</u> Adopt Resolution No. 40-15 and Introduce a Proposed Ordinance and Set a Hearing for October 21, 2015

5. CDBG Subrecipient Contract with Grand Valley Catholic Outreach for Previously Allocated Funds within the 2015 Community Development Block Grant (CDBG) Program Year

The Subrecipient Contract formalizes the City's award of \$4,000 to Grand Valley Catholic Outreach allocated from the City's 2015 CDBG Program as previously approved by Council. The grant funds will be used to repair the roof of the T-House owned and operated by Grand Valley Catholic Outreach.

<u>Action:</u> Authorize the Interim City Manager to Sign the Subrecipient Contract with Grand Valley Catholic Outreach for Improvements to the T-House for \$4,000 of the City's 2015 Program Year Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Emergency Operations Plan

The City Emergency Operations Plan (EOP) is an all-hazards plan that provides the structure and mechanisms for local and regional level policy and operational coordination for incident management. This EOP provides guidance to help minimize loss of life, prevent injury, protect property, safeguard the environment, and preserve the local economy in the event of a major emergency.

Gus Hendricks, Emergency Manager, presented the City Emergency Operations Plan. Mr. Hendricks provided background on how the City of Grand Junction EOP got started. Mr. Hendricks went through the purpose of the Plan which is to minimize the loss of life and property if there is a disaster and manage the resources during an emergency. Mr. Hendricks described the actions that would take place during and after an emergency. The Plan provides for a joint effort with the County Emergency Manager and the State if needed. Mr. Hendricks explained the concept of operations, the disaster declaration which allows the City to bring in additional resources, and the delegation of authority. He then addressed upcoming training so everyone will know their roles and responsibilities in the event of an emergency.

In conclusion, Mr. Hendricks asked for the City Council to approve the resolution adopting the Plan. He will ensure the Plan is reviewed and revised if needed annually. Enforcement is not part of the resolution but in conversations with the Police Department if events come to pass that require enforcement, those will be brought to the City Council for action at that time, particularly if the situation affects public health.

Councilmember Kennedy thanked Mr. Hendricks for getting the EOP put together, it is essential for the community. At the workshop, adoption by resolution versus ordinance was discussed and he agrees with adopting by resolution. In the event that something happens, the City Council would have to act quickly to adopt an emergency ordinance. City Attorney Shaver said the Charter does provide for an emergency ordinance with 24 hours notice to meet the notice requirements. However, he intends to bring that type of enforcement ordinance forward in the near future. Councilmember Kennedy lauded the details and preparation outlined in the Plan.

Councilmember Chazen asked about the implementation schedule. Mr. Hendricks said right now he is looking at about a 12 month period which will entail the training and he will employ the assistance of the training coordinator in Human Resources.

Councilmember Taggart echoed Councilmember Kennedy's comments; it is a thorough document and it took a lot of work. Plans are written documents and keeping people current will be a challenge. He appreciates everything Mr. Hendricks has done and looking at Appendix H for elected officials, makes him look forward to that training.

Councilmember Boeschenstein thanked Mr. Hendricks and said the City has been through an incident with the 7th Street Gas explosion. Councilmember Boeschenstein restated how important it is to have a document like this.

Council President Norris asked about the mutual aid agreements mentioned in the document, if there are signed agreements? Mr. Hendricks said from an emergency response standpoint, those agreements are through the Fire Department like mutual aid agreements (which is requested aid) and an automatic aid (which means a buffer zone with both Fruita and the Grand Junction automatically responding).

Resolution No. 41-15—A Resolution Adopting the City of Grand Junction Emergency Operations Plan

Councilmember Chazen made a motion to adopt Resolution No. 41-15. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Contract for the G Road - Phase 2 Improvements Project

This is the contract award for the construction of Phase 2 of the road widening on G Road in the vicinity of 23 $\frac{1}{2}$ Road to accommodate the new Community Hospital. The road widening will provide for left turn lanes at 23 $\frac{1}{2}$ Road and the private entrance into

the hospital complex located just east of 23 ½ Road. The road widening will also include the piping of the Canning Factory Drain along the north side of G Road.

Greg Lanning, Public Works Director, introduced this item. This is a road widening project as a result of the Community Hospital Campus development (Phase 2) which is under construction at the southeast corner of the intersection of G Road and 23 ½ Road. In order to widen the road there will be 1200 linear feet of pipe installed to enclose the Canning Factory Drain. The Grand Valley Drainage District (GVDD) helped with the project. The bid being recommended is a very competitive bid, partly because the project is so close to their plant. In addition to the project plan, a private property owner wants the pipe extended to their property and has agreed to pay for that portion. A signed agreement is not in hand to date, but they believe it will be signed soon. If not, that extension will not be built.

Councilmember Boeschenstein asked if GVDD was contributing financially. Mr. Lanning said no, it is their facility and this is needed for the road widening. GVDD has maintained the ditch ahead of the project which saved the City from obtaining a permit to do that project.

Councilmember Chazen asked about the Transportation Capacity Payment (TCP) and if there are sufficient funds in the TCP fund and what will be the balance after this project. Mr. Lanning said Community Hospital paid \$363,252 for TCP, and the rest comes from the reserves. There will be approximately \$1 million left in reserves after this project. Councilmember Chazen asked about the total contract amount of \$762,000 and if it included the amount for the private property owner. Mr. Lanning said yes, but if the landowner does not sign the agreement, the contract can be adjusted by 20%. City Attorney Shaver said this will happen with a change order.

Councilmember Taggart asked if the curb, gutter, and sidewalk on the south side will be installed since Mr. Lanning specifically stated it would not be on the north side. Mr. Lanning said the south side will include curb and gutter. Councilmember Taggart asked about the financial impact mentioned in the Staff Report. Mr. Lanning clarified that the current appropriation does not cover the total project costs, but there is an adequate fund balance. An appropriation from the Transportation Capacity Fund will be required in a revised budget request at a later date.

Councilmember Kennedy mentioned he appreciates there are bike lanes included, but are they bike lanes to nowhere initially? He also asked about the traffic impact at 24 Road with the opening of the hospital and if there are any plans for left turn signals to accommodate the emergency vehicles using that area to get to the hospital. Mr. Lanning said these larger projects will trigger a traffic impact study and the requirement will be to include left turn signals along with trigger signals through Opticon for emergency vehicles which will hold traffic in both directions. Councilmember Kennedy

asked about the timeline. Mr. Lanning said the cost for the materials is included and the installation will be accomplished with City crews. Councilmember Kennedy asked if this will include left turn signals in both directions. Mr. Lanning confirmed it would.

Council President Norris mentioned that with the opening of the hospital, there will be much more traffic not only at 24 Road but at 23 Road also, and she hoped there would be additional traffic studies there too. Mr. Lanning agreed.

Councilmember Boeschenstein clarified that there will be bike lanes but no sidewalks. Mr. Lanning said the facility has detached sidewalks in the development and when the north side develops, those improvements will be addressed.

Councilmember Taggart moved to authorize the Purchasing Division to enter into a Contract with M.A. Concrete Construction, Inc. of Grand Junction, Colorado for the Construction of G Road - Phase 2 Improvements Project near the New Community Hospital Facility in the amount of \$762,962.50. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Event Center Feasibility Update and Parking Study Contracts

Contract award to update a 2003 Feasibility Study regarding an Event Center located in the downtown area and enter into a contract with Walker Parking Consultants to update a previous parking inventory within the central business district study area.

Tim Moore, Interim City Manager (ICM), introduced this item and provided background on the purpose of the study. The request came forward from a discussion at the City Council Retreat. He reiterated the recommendation. They will first look at the previous studies, refresh them, and determine possible deliverables for such a facility. Secondly the recommendation is to use Walker Parking Consultants to analyze the parking with an Events Center being built. The Downtown Development Authority (DDA) is not part of this contract, although they may choose to join in for a downtown parking study as a separate item.

Councilmember Chazen clarified the \$49,000 is for one study and \$18,000 is for the other study, and asked where are those funds coming from. ICM Moore said they are proposing these come from Council's Economic Development contingency account which has \$457,497. Councilmember Chazen asked ICM Moore what the remainder will be in the account. ICM Moore said \$350,000.

Councilmember Kennedy thanked ICM Moore for bringing these contracts forward even though they are within the City Manager's authority to authorize them. He is a firm believer that the Event Center is the right next step for the downtown area, but it makes sense to spend the money to do the study to know the potential pitfalls and gains. Councilmember Kennedy said he is interested in the selection process.

Jay Valentine, Internal Services Manager, explained the review process. He and his staff went through the proposals and then shared this information with ICM Moore. Mr. Valentine said it was a pleasant surprise that Hunden Strategic Partners, Inc. was the low bidder because they were the top selection from their proposal apart from price. Mr. Valentine provided several examples of what this company has done previously. The lead for the project will be the President of the Company which no other proposal offered. The firm that did the last study also submitted a proposal but the committee felt it important to offer a fresh look at the study from a different firm which helped in the decision process.

Councilmember Kennedy asked Mr. Valentine if he knew of a projected timeline for delivery of product. Mr. Valentine said once approved by Council, he will set up a timeline which does includes community meetings, information gathering, and a kickoff meeting.

Councilmember Chazen asked if Hunden Strategic Partners have any interaction with the promoters of the Event Center, the City, or if they a neutral third party. Mr. Valentine said the promoter is partnering with Sink Combs Dethlefs (SCD) Architect who the proposers have engaged to work on the initial design. SCD also partnered with every single proposer, so none were completely independent. The architect has the information on the size of the arena, the layout and the proposal, so all the firms bidding partnered with them. Councilmember Chazen asked Mr. Valentine if he and his staff are satisfied the City will get an impartial report. Mr. Valentine said the most important element is to receive a comparative data analysis. Hunden Strategic Partners have used real numbers, in reading their proposal, it is a data driven analysis. Councilmember Chazen inquired about anyone on Staff that has experience running this type of facility or interaction with the proposers. Mr. Valentine said no, but the City has Two Rivers Convention Center Staff, representatives from Colorado Mesa University (CMU), and the City's Parks and Recreation division that host the Rockies events, but in terms of an indoor recreation multipurpose facility of this scale, he cannot think of anyone. Councilmember Chazen expressed his concern that this will be a major investment and wants to make sure the financial analysis piece is part of this proposal. Mr. Valentine said what the selection committee liked about Hunden's proposal is the economic and fiscal impact information that included the impact on property values and the economy generated by this project. Mr. Valentine believes as Councilmember Kennedy, that Council, from this study, should be able to go into this project with eyes wide open.

Council President Norris inquired if this study will compare feedback from those other communities that were referenced in the proposal. Mr. Valentine said they will compare communities they have worked with and communities of similar size and characteristics of Grand Junction. ICM Moore suggested a possible field trip to Boise, ID at a future

date. Council President Norris said she understands the Hockey League is on a short time frame and asked Mr. Valentine what that time line will look like. Mr. Valentine said once Hunden gets the proposal, it will be three weeks until the kickoff and then completed within thirteen weeks. This will depend on feedback they get from Council and if additional tasks are added.

Councilmember Taggart referenced the 2009 study that was not in the background of the Staff Report; he believes it is important to use both studies. He directed comment to City Attorney Shaver to include in the agreement acknowledgement of the relationship with the architectural firm for information only. City Attorney Shaver said this has been discussed at a staff level; the purpose of the relationship is for information not advocacy.

Councilmember Boeschenstein asked if the consultant will propose alternative financing mechanisms. Mr. Valentine said they will evaluate only the financing the City asked them to evaluate; they won't make a recommendation. Councilmember Boeschenstein asked if this price includes overruns or is it a not to exceed contract. Mr. Valentine said it's a not to exceed. Councilmember Boeschenstein asked if the DDA was contributing to this study. ICM Moore said the DDA is more interested in the parking analysis and has no interest in participating in this study.

Councilmember Kennedy made a motion to authorize the Purchasing Division to enter into a contract with Hunden Strategic Partners of Chicago, Illinois for Updating the Event Center Feasibility Study in the amount of \$49,000 and enter into a contract with Walker Parking Consultants to conduct a Parking Supply and Demand Analysis in the Proposed Event Center Study Area in the amount of \$18,000. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Mr. Valentine will forward this approval right way to Hunden Strategic Partners and will keep the Council in the loop for the timeframe. Councilmember Kennedy also asked that the proposal be sent to Council.

Contract for Equipment Removal, Equipment Purchase, and Installation of Fire Station Alerting System for the New Fire Station #4

Ratify a contract with Low Voltage Installations, Inc., Golden, CO to remove the fire station alerting system from existing Fire Station #4, provide additional equipment, and to re-install the fire station alerting system in the City's new Fire Station #4.

Ken Watkins, Fire Chief, provided the background and history of the process of the alerting system for emergency communications. The proposed purchase includes the cost of removal and re-installing of the existing re-usable equipment from the old Fire Station #4 into the new station, and adds the additional components necessary to meet the needs of the new station. The reason for Sole Source with Low Voltage Installations

is because they are the only one on the Western Slope to make the compatible equipment for all stations. In April 2015, the City was awarded a Mesa County Federal Mineral Lease Grant in the amount of \$50,000 for this project. The balance of \$3,958.61 is accounted for in the New Fire Station #4 project budget.

Chief Watkins addressed the questions from Councilmember Chazen from the workshop regarding the warranties on the old pieces. They in fact will be under the manufacturer's warranty and will not be accepted by the City unless everything is in working order.

Councilmember Boeschenstein inquired of the status of construction on new station. Chief Watkins said the project is three weeks ahead of schedule, and the contractor is still hoping for completion around December 14th. The project is going well; there have not been a lot of issues. One delay has been the masonry subcontractor has been very busy. Councilmember Boeschenstein asked Chief Watkins to explain the issue with the teacher parking lot backing out onto the road. Chief Watkins said the City Staff redesigned the student drop off at the school and then FCI Constructors, along with the City, worked together on the construction for the change. Some of the work was done at a reduced cost along with some in-kind work before school started. It is in a trial stage right now and then the paving will be done permanently in the future.

Councilmember Chazen is glad to see \$50,000 coming from Mineral Lease Royalties paid from extractive industries. These funds mitigate the impact of that industry with money coming back from the energy industries. The uses of grants such as these show the monies coming back again and again from the industry which helps the community.

Councilmember Kennedy asked Chief Watkins to elaborate more on the sole source, the maintenance, and the warranty for this system. Chief Watkins explained this purchase is necessary to provide the same alerting capability for the newly constructed Fire Station as is in place at all other fire stations in the valley. The installer also does the repairs and they are located in Golden. Some repairs can be done locally but for major issues, the company does come over. They have been good to work with, their systems are installed all over so their staff is usually on the road. Chief Watkins said they haven't had many problems and they don't expect any. Councilmember Kennedy asked if this was an upgrade. Chief Watkins explained some of the parts have had an upgrade and some equipment is new but all of it is designed to work together. Councilmember Kennedy asked if there will be a Master Service Agreement. Chief Watkins said that is a separate agreement and is currently being worked on as it affects other valley Fire Departments. Councilmember Kennedy inquired about the expected life span of this system. Chief Watkins said he will get an answer to that question for Council.

Councilmember Chazen made a motion for ratification of the Sole Source Contract with Low Voltage Installations, Inc., Golden, CO in the amount of \$53,958.61. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:41 p.m.

Stephanie Tuin, MMC City Clerk

City of Grand Junction City Council Meeting September 16, 2015

Broadband

Prepared by: Richard Swingle

My Interest

- April 7, 2015 Grand Junction voters approve exemption for SB 05-152
- SB 05-152 exemption requires solving complex issues for our community

My Background

- Computer business for past 40 years Xerox, Compaq, Citrix, DataCard, RLX, and 2010 Census
- · Currently consultant for Hewlett-Packard

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My Research

- Five City Council meetings starting in late April
- Nine City Council Workshops
- City of Grand Junction Retreat May 15
- Mountain Connect Vail, CO June 8
- Club20 Broadband subcommittee meeting Rifle, CO July 17
- Wireless Telecommunications Master Plan August 26th

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My Conclusions

- City Council, staff, and community have different definitions of broadband
- City Council, staff, and community will need education on the key issues and potential solutions
- All City Councilmembers need to become conversant on broadband

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My Next Topic

October 7 SB 05-152

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