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**CITY COUNCIL AGENDA  
WEDNESDAY, JANUARY 20, 2016  
250 NORTH 5<sup>TH</sup> 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  
A Moment of Silence

**Presentations**

Champion of the Arts Award

[Attachment](#)

Jump Start Businesses – Kristi Pollard

[Attachment](#)

**Certificate of Appointments**

To the Visitor and Convention Bureau Board of Directors

**Citizen Comments**

[Supplemental Documents](#)

**Council Comments**

**\*\*\* CONSENT CALENDAR \*\*\***

1. **Minutes of Previous Meetings**

[Attach 1](#)

*Action: Approve the Summary of the January 4, 2016 Workshop and the Minutes of the January 6, 2016 Regular Meeting*

Revised March 21, 2016

\*\* Indicates Changed Item

\*\*\* Indicates New Item

® Requires Roll Call Vote

**2. Request for Fireworks Displays at Suplizio Field**[Attach 2](#)

Fireworks displays are being requested on behalf of the Grand Junction Rockies, City of Grand Junction, Grand Junction Baseball, Inc. (JUCCO) and Colorado Mesa University (CMU). These dates also include community displays on Memorial Day and Independence Day, a Friday evening CMU game (April 22<sup>nd</sup>), and 5 regular season Grand Junction Rockies games.

*Action: Consider Approval of a Request to Sponsor Fireworks at Suplizio Field on April 22, May 30, June 17, June 24, July 4, July 8, July 22, and August 5, 2016*

Staff presentation: Rob Schoeber, Parks and Recreation Director

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

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

**3. North Avenue Catalyst Grant Application for 2880 North Avenue**[Attach 3](#)

The Sports Vortex has submitted an application for consideration for \$10,000 of the North Avenue Catalyst Grant Program. This is the seventh application for this program to come before the City Council.

*Action: Consider Approval of a North Avenue Catalyst Grant Application*

Staff presentation: Lori V. Bowers, Senior Planner

**4. Revocable Permit for Existing Building Encroachment for the Former Startek Building, Located at 630 S. 7<sup>th</sup> Street**[Attach 4](#)

LOJO Partnership, LLP is requesting a Revocable Permit to officially document an existing one foot building encroachment for the former Startek building within the S. 7<sup>th</sup> Street right-of-way that was discovered by the recent land survey and subdivision of the property.

Resolution No. 03-16—A Resolution Concerning the Issuance of a Revocable Permit to LOJO Partnership, LLP, Located at 630 S. 7<sup>th</sup> Street

*®Action: Adopt Resolution No. 03-16*

Staff presentation: Scott D. Peterson, Senior Planner

5. **Assignment of the City's 2016 Private Activity Bond Allocation to the Grand Junction Housing Authority** [Attach 5](#)

The Grand Junction Housing Authority is requesting assignment of the City's 2016 Private Activity Bond allocation to the Housing Authority to be used for partial financing of Phase 2 of The Highlands affordable senior housing apartments, located at 825 Bookcliff Avenue.

Resolution No. 04-16—A Resolution Authorizing Assignment to the Grand Junction Housing Authority of a Private Activity Bond Allocation of Grand Junction, Colorado Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

®Action: *Adopt Resolution No. 04-16*

Staff presentation: Tim Moore, Interim City Manager  
Jodi Romero, Financial Operations Director

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

7. **Other Business**

8. **Adjournment**



Date: 11/23/15  
 Author: Lorie Gregor  
 Title/ Phone Ext: Recreation  
 Coordinator 254-3876  
 Proposed Schedule:  
Wednesday, January 20,  
2016  
 2nd Reading (if applicable): n/a

Attachment  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Presentation of the Champion of the Arts Award
<b>Action Requested/Recommendation:</b> Recognition of the Champion of the Arts Award Winner
<b>Presenter(s) Name &amp; Title:</b> Rob Schoeber, Parks and Recreation Director Darcy Johnson, Chair, Arts and Culture Commission

**Executive Summary:**

The Grand Junction Commission on Arts and Culture is recognizing the annual winner of the Champion of the Arts Award. The winner will be presented with local artwork.

**Background, Analysis and Options:**

Since 1996, the Grand Junction Commission on Arts and Culture annually invites the community to nominate local businesses, organizations, and individuals for the Champion of the Arts Award. These awards are given each year to honor businesses, organizations, and individuals which exemplify outstanding support for the arts, assistance to local art and cultural organizations, commitment to our cultural community, and/or promotion of area artists. Original artwork from premier local artists is presented as the award.

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

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

The giving of local artwork helps to enhance the artistic value and visual appeal of locations where the artwork is hung for the enjoyment of others.

**Board or Committee Recommendation:**

The Grand Junction Commission on Arts and Culture has chosen Tillie Bishop as the Champion of the Arts in the Individual Category for his service as Chairman of the Legends of the Grand Valley committee since 2007.

**Financial Impact/Budget:**

Budgeted purchase of artwork as award: \$650.00.

**Legal issues:**

There are no legal issues.

**Other issues:**

There are no other issues.

**Previously presented or discussed:**

This has not been previously discussed.

**Attachments:**

None.

## **Grand Junction Jump Start Projects January 2016**

**Company:** TSW Analytics  
**Location:** Grand Junction, CO  
**Estimated # of Jobs 2016:** 10  
**Real Estate:** Owns 2801 Grand Avenue, Grand Junction, CO

TSW Analytical is an Australian based forensics investigation and technology development company that will be expanding its operations to North America thanks to the Rural Jump Start Program. TSW is a recognized global leader in the application of instrumental technology to food authentication and origin determination. One of its prime technologies, TSW Trace™, robustly determines the provenance of a commodity through elemental fingerprinting and linking it to its origin. Clients in the food industry, mineral industry and more will be able to use this Secure To Origin Verification service to assure the integrity of their supply chains and more.

**Company:** ProStar Geocorp  
**Location:** Grand Junction, CO  
**Estimated # of Job 2016:** 2  
**Real Estate:** Lease space at 760 Horizon Drive, Grand Junction, CO

ProStar Geocorp™ is a software company focused on providing next generation GIS 'Geospatial Intelligent Solutions™' to pipeline and utility owners that enhance asset management practices by improving processes related to capturing, storing, distributing, and displaying precise geospatial data. ProStar's solution operates on both cloud and mobile platforms and leverages web-enabled services and open standards to provide real-time connectivity between office and field personnel. Through its patented technologies, ProStar's SaaS offerings provide real-time functionality and can be used to streamline the asset management lifecycle process. ProStar's solutions result in significantly improved workflow and data integrity, which supports efficient and effective business decisions. ProStar's systems integration services and business rules engine leverage open standards, mobile and cloud technologies to provide critical information when and where it is most needed. ProStar services are designed to make integration with client enterprise and mobile applications simple, seamless, and cost effective. ProStar's Geospatial Intelligent Solutions are OGC® certified, and PODS™ compliant making it easy for clients to adopt and integrate the solutions with existing business practices.

**Company:** Atlasta Solar  
**Location:** Grand Junction, CO  
**Estimated # of Job 2016:** 2  
**Real Estate:** Will build an expansion at 1111 S. 7<sup>th</sup> Street, Grand Junction, CO

Atlasta Solar is the oldest solar company in Colorado and currently installs, services, and repairs solar panels. Through the creation of a new division, Atlasta Solar will expand their existing operations to include the manufacturing and refurbishing of thermal solar panels. The expansion of their property will be on their existing sight.

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**GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**  
**January 4, 2016 – Noticed Agenda Attached**

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

Meeting Adjourned: 7:18 p.m.

City Council Members present: All, Councilmember Traylor Smith arrived at 5:06 p.m.

Staff present: Moore, Shaver, Hazelhurst, Rainguet, Kovalik, Portner, Camper, Schoeber, Rusche (HomewardBound of the Grand Valley (HB) Boardmember), and Tuin

Also: Bill Wade (HB Vice Chairman), Richard Swingle, Chris Steen (HB Chairman), Karen Hartman (HB Boardmember), and Jade Joyce (HB Executive Director)

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Interim City Manager (ICM) Tim Moore opened the meeting.

Agenda Topic 1. HomewardBound Request

ICM Moore referred to the correspondence in the packet regarding HB's \$44,000 financial request for the North Avenue shelter and introduced Bill Wade, HB Vice Chairman. Mr. Wade introduced the HB Board members present and Executive Director Joyce. He referenced additional materials provided that detailed the increased use of the HB Facilities and its decreased funding since 2010. HB has used most of their reserve funds for operating expenses and is seeking funds from the City in order to continue operations until grant funds and revenue from the Pathways Village (which is a separate project from the shelter) are realized in the spring and summer of 2016.

Mr. Wade said he would like the City to annually contribute about 10% of HB's operating budget; this commitment would also help them qualify for and leverage other grants. He stated shelters typically receive 5-14% of their annual budget from the municipalities they serve and foundations, in part, base their grant awards on how much local government entities contribute to the shelters; they would like a minimum \$50,000 contribution to the annual operating budget.

Discussion commenced regarding the use of vouchers (only for permanent housing), if the facility could be staffed with volunteers (25% of paid staff could be replaced with volunteers), why a minimum of trained staff is necessary (specific training is required to supervise overnight stays), if revenue from Pathways Village will be enough to replenish the reserve fund (yes, it is estimated to be around \$125,000), if private revenue sources had been explored (they have and those funds have been used to maintain HB operations through the holidays), what would the actual impact be if HB was not able to provide overnight services (Chief Camper said shelter bed space has a direct correlation to enforcement ability and allows programs like the camp cleanup to be successful), how many people the shelter serves nightly (180-200 overnight stays and over 200 meals), why was there a large jump in the number of veterans using the shelter (recent wars and the local Veteran's Administration Hospital provides a greater level of service than most), has there been a return on marketing funds (no, marketing efforts have been curtailed), what is the cost of homelessness on the community (about \$758,000 annually). It



was also noted the homeless population in Colorado increased since the legalization of marijuana, but the statewide increase shifted to individual municipalities' that legalized its sale.

Councilmember Chazen suggested offering a bridge loan and then include the annual funding request to the 2017 budget discussions.

Councilmember Boeschstein expressed concern City contributions to HB's operating budget would set a precedent for the City to contribute other organizations operating budgets; to date City contributions have gone toward capital projects.

ICM Moore said Engineering Staff is reviewing capital projects to see if any would be eligible for Community Development Block Grants to allow budgeted funds to be available for other projects.

Council agreed they would like to support this request and directed Staff to see if they could find \$44,000 in funds for a one time request, a bridge loan, or a combination. They also asked Mr. Wade to find out if the HB Board would be willing to consider a bridge loan and have HB research how other like sized communities and agencies handle funding and capacity issues.

#### Agenda Topic 2. Follow-up USA Pro Cycling

Council President Norris introduced this topic and said funding for this event had been passed at the December 2, 2015 Council Meeting, but the item had been passed with an amendment by Councilmember Traylor Smith. She then asked Councilmember Traylor Smith to clarify her amendment.

Councilmember Traylor Smith explained since the Organizing Committee (OC) has been successful raising funds through community support, if they continued, the City's \$50,000 cash obligation limit should be decreased by the additional amount raised by the OC after the Event's expenses are paid. The City would still provide up to \$35,000 of approved in-kind services.

Councilmember Taggart noted the OC cannot collect any pledged funds until it has been established there will be a USA Pro Cycling Challenge and the details of the race start are confirmed in order to determine actual costs.

Council agreed a letter of agreement, similar to Epic Rides, is needed.

#### Agenda Topic 3. Council Communications

Council President Norris asked Council, going forward and prior to a new City Manager being hired, to operate as a unit. She gave the example of a Councilmember speaking to a group or writing an individual letter, that they need to make it clear they are expressing their personal opinion and not that of the full Council. She then explained decisions cannot be made at workshops, only at regular meetings and noted a list of Principals for City Council is posted in the Administration Conference Room; she asked for copies to be sent to all Councilmembers.

Councilmember Kennedy asked for specific examples of the conflicts she is referring to as he does make it clear it is his personal opinion whenever he pens an article.

Councilmember Boeschstein mentioned their Council Board assignments and individual memberships create an inherent conflict in Council's structure and asked what their role should be. The difference between serving on boards for legal entities (e.g. 521 Drainage Authority) and those that are volunteer (e.g. Forestry Board) were noted.

The role of a councilmember serving on a board depends on their assigned position for each board; some positions are ex-officio and others have privileges up to and including voting.

City Attorney Shaver pointed out information regarding each board and Council's responsibilities are provided in the Volunteer Board Handbook and Staff is always available for additional assistance and clarification.

Council President Norris said she would like all of Council to understand their roles in regard to the City Charter and how Council can move forward. She reviewed the procedure for Council regarding meeting with Staff; it was stressed the initial contact should be through the City Manager and Staff should remain neutral and not be encumbered with a councilmember's personal opinion. It was agreed the City Manager position also has specific responsibilities to enforce Council and Staff roles.

Councilmember Taggart asked for consistency regarding what topics are included on Workshop Agenda's (discussion ensued regarding the best process) and that all councilmembers be contacted if an informal vote is required for topic inclusion, meeting cancellations, etc. It was agreed to review this at the upcoming retreat.

It was agreed Council would review board assignment roles to see if any adjustments should to be made and conduct meetings according to the City Charter and the posted Principals.

#### Agenda Topic 4. Other Business

Councilmember Taggart said the Grand Junction Regional Airport Authority Board is making progress on a variety of issues including hiring a consulting company to evaluate all Airport facilities. He reported that there is an outline of a settlement with Shaw Construction.

Councilmember Boeschstein suggested issuing a State of the City address to relay positive information about the City, its progress, and goals. All agreed this is a good idea; event ideas and topics should be sent to ICM Moore.

Councilmember Chazen will attend the Grand Junction Downtown Development Authority meeting on January 5<sup>th</sup> when they will continue discussions on the desired skill set for an executive director.

Councilmember McArthur said he will participate in a Colorado Water Congress (CWC) webinar on January 5<sup>th</sup> and attend their annual meeting in Denver, January 26<sup>th</sup>-29<sup>th</sup>; while in Denver he will also attend a Colorado Municipal League seminar. Also, through the CWC he has been assigned to the State and the Federal Affairs Committees.

With no further business, the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL  
MONDAY, JANUARY 4, 2016**

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

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

1. **HomewardBound Request:** Request for financial support for the shelter.  
[Attachment](#)  
[Supplemental Documents](#)
2. **Follow-up USA Pro Cycling**
3. **Council Communications**
4. **Other Business**
5. **Board Report**

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

**January 6, 2016**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of January, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and Council President Phyllis Norris. 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. Councilmember Traylor Smith led the Pledge of Allegiance which was followed by a moment of silence.

**Proclamation**

Proclaiming January 2016 as "National Crime Stoppers Awareness Month" in the City of Grand Junction

Councilmember Chazen read the proclamation. Shari Zen, a volunteer board member, was present to accept the proclamation. She provided a history of the program since their inception in 1983, advising they not only protect the identity of tipsters, they also protect victims. She described their new initiative to get safety tips out through the media and other outlets such as this proclamation. She then had the other volunteers present introduce themselves. Police Chief John Camper thanked the organization for their 32 years of service and said through this organization the Police receive the help of the community in solving crimes.

**Appointments**

To the Visitor and Convention Bureau Board of Directors

Councilmember Taggart made a motion to reappoint Brad Taylor and appoint Josh Niernberg, Julie Shafer, and Jamie Lummis for three year terms expiring December 2018. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

**Citizens Comments**

There were none.

**Council Comments**

Councilmember Kennedy wished everyone a great New Year and said he is looking forward to a great year. He read a quote from Mike Jankowski.

Councilmember Traylor Smith said she went to Boise, ID to look at their event center. They saw how it impacts the community and talked to officials about the effect on their community. She was glad for the opportunity.

Councilmember Taggart said it has been quiet and he skied with kids and grandkids. He attended a Grand Junction Regional Airport Authority meeting on December 31, 2015 and there is now the beginnings of an outline agreement between the Airport and Shaw Construction which will allow them to make some progress.

Councilmember McArthur said they had the Associated Members for Growth and Development (AMGD) meeting with Kathy Hall, newly appointed Transportation Commissioner from Region III. He mentioned Colorado Department of Transportation (CDOT) is planning to repave the median along Highway 50 from 5<sup>th</sup> Street to 29 Road.

Councilmember Boeschstein attended the housing needs study meeting and said a State of the City speech is upcoming.

Councilmember Chazen said the Boise trip and the AMGD meeting were already discussed and he is looking forward to getting back into things for this year.

Council President Norris said at the last City Council meeting the Council supported the Jump Start Program and she explained some of it. On December 18<sup>th</sup> she attended a roll out of the Program at Colorado Mesa University (CMU); there was lots of support from across the Valley. Also the results from North Star Designation Strategies (consulting company) will be coming forward soon.

**Consent Agenda**

Councilmember Kennedy read the Consent Calendar items #1 through #3 and then moved to adopt the Consent Calendar. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

**1. Minutes of Previous Meetings**

*Action: Approve the Summary of the December 14, 2015 Workshop and the Minutes of the December 16, 2015 Regular Meeting*

2. **2016 Meeting Schedule and Posting of Notices**

State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Municipal Code, Sec. 2.04.010, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution.

Resolution No. 01-16—A Resolution of the City of Grand Junction Designating the Location for the Posting of the Notice of Meetings, Establishing the 2016 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

*Action: Adopt Resolution No. 01-16*

3. **Setting a Hearing on the Fox Meadows Annexations No. 1 and No. 2, Located at 3175 D ½ Road**

A request to annex 8.959 acres, located at 3175 D ½ Road. The Fox Meadows Annexation is a two-part annexation and consists of one parcel and 0.65 acres of D ½ Road public right-of-way.

Resolution No. 02-16—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 Annexations, and Exercising Land Use Control, Fox Meadows Annexations No. 1 and No. 2, Located at 3175 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fox Meadows Annexation No. 1, Consisting of 0.150 Acres of D ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fox Meadows Annexation No. 2, Consisting of One Parcel and a Portion of the D ½ Road Right-of-Way, Located at 3175 D ½ Road

*Action: Adopt Resolution No. 02-16 and Introduce the Proposed Annexation Ordinances and Set a Hearing for February 17, 2016*

**ITEMS FOR INDIVIDUAL CONSIDERATION**

**Grant Application to the Federal Aviation Administration (FAA) for the Grand Junction Regional Airport Authority's Terminal Area Plan**

This Airport Improvement Project (AIP) grant application seeks discretionary grant monies from the FAA to update the Airport's Terminal Area Plan (TAP).

David Fiore, Executive Airport Director, and Ben Johnson, Airfield Operations Manager, presented this request.

Ben Johnson explained the request and the purpose of the grant. He noted the basic elements: re-phasing of the TAP, identify issues of the current terminal, how the unfinished building might fit into the plan, get the TAP back into a funding status, and a financial analysis. The amount of the grant is modest; the total project cost is \$169,935 and is part of the Airport's 2016 budget. The County supported the application at their January 4<sup>th</sup> meeting.

Director Fiore said it is significant to get the City and County's approval to show community support. The grant application is important because the FAA has said that there would be no more FAA planning grants for this community. The Airport Board met with some officials high in the FAA and was told the grant will now be considered. This is a huge first step. They also recognized the need for a terminal study, especially with the mishap the other day with the duct system. The project has started to re-enforce the safety of the terminal building. The FAA has also made a commitment that some discretionary dollars will be coming to the community.

Councilmember Kennedy asked if an in-depth tour could be organized for the rest of Council, particularly himself. Mr. Fiore welcomed them and welcomed more education to the community. He volunteered Mr. Johnson's expertise. The Interim City Manager was asked to coordinate that.

Councilmember Chazen inquired when the plan will be done. Mr. Fiore said in June, they will get back alternative designs for the unfinished building, identify other projects for a five year capital improvement plan, set priorities, and determine financial options.

Councilmember Boeschstein thanked the speakers for the new vision and new energy; the Airport should be a shining star. He asked if there is any interim step to protect the unfinished building. Mr. Fiore said no, the engineering team has determined that when it is decided what will be done, it will be reassessed. It was last assessed in June.

Councilmember Traylor Smith asked City Attorney Shaver to explain the City's obligation with the Airport grants.

City Attorney John Shaver stated the request is to approve the application. If it is a positive outcome then there are assurances the City has to enter into; the City relies on the good work of the employees at the Airport for proper use of the funds, non-discrimination terms, and the funds will be used for the purpose of the award.

Councilmember Taggart made a motion to authorize the Airport Authority to apply for a planning grant through the Federal Aviation Administration to update the Terminal Area

Plan. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

### **Request from HomewardBound for Financial Support for the Shelter**

HomewardBound of the Grand Valley is requesting City Council's consideration of funding in the amount of \$45,000 toward the Homeless Shelter's 2016 operating expenses.

Bill Wade, HomewardBound Board Vice Chairman, and Jade Joyce, HomewardBound Executive Director, added one piece of information to that already presented. The City of Durango contributes 6% of the annual budget to their homeless shelter. Mr. Wade advised there have been more contributions from the public due to the issue being out in the public purview. He and Ms. Joyce are available to answer questions.

Councilmember Taggart commented that he is amazed how the community will dig into their pockets to support a worthy cause. He thanked them for getting the word out.

Councilmember Traylor Smith asked if the amount received from the public changes the amount of the request. Mr. Wade said it does not. Councilmember Traylor Smith appreciated the information provided. She asked how many clients the Boulder shelter turns away. Ms. Joyce said 100 - 120 per night. Mr. Wade said there are 11 shelters in the Denver area, but they have a policy that they do not turn anyone away even if they have to find another option. Councilmember Traylor Smith inquired about Colorado Springs and Durango. Mr. Wade said Colorado Springs has not turned anyone away, their shelter is a little larger and they have three facilities. Durango does turn people away every night which may be from 30 to 90 people per night.

Councilmember Kennedy asked of those turned away, are any of those due to lack of funds, bed count, or safety issues. Ms. Joyce answered mostly bed count, but there are some safety issues. Councilmember Kennedy asked about the figures and asked Mr. Wade to state the specific amount being request. Mr. Wade said he rounded up, the actual number is \$43,495. Councilmember Kennedy asked Interim City Manager (ICM) Moore about the potential funding options. ICM Moore said there are two Community Development Block Grant (CDBG) projects, originally funded in the 2013 program year, that have been cancelled by the applicants, resulting in a little over \$75,000 of remaining CDBG dollars. Using these dollars won't impact other projects. Councilmember Kennedy said he will support \$43,400 as a one-time infusion; he does not want the shelter to close. He encouraged the Shelter to keep a close eye on the budget for 2017 and to come to the Council early in the year so the City can be a better partner. He hopes Mesa County will reach out and participate.



Councilmember Chazen asked for clarification on CDBG projects, and if the funding could have been used for capital projects. ICM Moore explained the other options for the CDBG funds would be to roll the balance into the 2016 CDBG allocation, or provide additional funding for 2015 projects that received no funding or partial funding.

Kathy Portner, Community Services Manager, explained the money did not free up until after the City adopted the budget. She clarified that it could be used to pay for already budgeted projects, applied to projects not funded, or rolled it into next year's allocation.

Councilmember Chazen asked Mr. Wade if there was money coming in to replenish reserves. Mr. Wade said the Pathway Village funds will come in once the project is completed and leased. He is estimating that to be \$125,000 to \$150,000.

Councilmember Chazen asked if reserves were used to fund the Pathways Project. Mr. Wade said no, after 15 years, the Pathways will be deeded to HomewardBound as debt-free. There were additional comments regarding an all or nothing deal, plan b, c, and d, cutting staff and security, that safety is the biggest issue with a mixed population, and coming forward at the beginning of the budget process. Mr. Wade said they did talk to ICM Moore early in the budget process and were told there was no money. Councilmember Chazen said he would only support a bridge loan. Mr. Wade said his board would not accept a loan; they voted against it because of their financial position.

Councilmember Boeschstein said CDBG money is a good option, however CDBG funds have been given for capital projects not operating in the past. It was noted that shelters are not eligible for voucher support.

Councilmember Kennedy clarified that they are moving the CDBG funds to pay for other projects in the budget which will free up general fund dollars to help the Shelter.

Council President Norris said there is always CDBG money that comes back but it is always rolled back into the fund and then look at as a whole. She favors using contingency funds for this request. She noted that Councilmember McArthur has approached his church to get funding to help the shelter.

Mr. Wade said the church has offered a program of in-kind help.

Councilmember McArthur thanked the HomewardBound staff for the work that they do. He advised that if the shelter closes it will cost the City more than the request. He supports the one time assistance, and encouraged them to coordinate with other organizations; he would like to see the Vagrancy Committee participate in the conversations.

Councilmember McArthur moved to approve funding of the HomewardBound Board request in the amount of \$43,450. Councilmember Taggart seconded the motion.

ICM Moore said he would like clarification on where Council would like the funds to come from.

Councilmember Kennedy said he would like to keep Economic Development (ED) dollars separate, and then use that money to fund this project, but will support however the majority votes.

Councilmember McArthur said he was in favor of using contingency funds.

Councilmember McArthur amended his motion first to be for \$43,498 and a second amendment to identify that the funding would come from the Council's Contingency Fund. Councilmember Taggart seconded the two amended motions. Motion carried by roll call vote with Councilmember Chazen voting NO.

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

Richard Swingle, 443 Mediterranean Way, mentioned that if a citizen attends a workshop and there are additional documents presented, the citizens attending should be given copies of the additional documents.

Councilmember Kennedy explained to Mr. Swingle that most documents are available online. Mr. Swingle said these were not and he was not offered them at the workshop.

Councilmember McArthur asked for explanation of the purpose of a workshop. City Attorney Shaver explained it is a conversation between Staff and Council, not a public hearing. Monday night Staff did not receive the handouts until that night. The handouts are then added to the agenda and reposted to the web the next business day.

### **Other Business**

There was none.

### **Adjournment**

The meeting adjourned at 8:24 p.m.

Stephanie Tuin, MMC  
City Clerk



Date: January 8, 2016  
 Author: Rob Schoeber  
 Title/ Phone Ext: Parks and Rec  
Director - 3881  
 Proposed Schedule: January 20, 2016  
 2nd Reading(if applicable):       
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**Attach 2**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Request for Fireworks Displays at Suplizio Field
<b>Action Requested/Recommendation:</b> Consider Approval of a Request to Sponsor Fireworks at Suplizio Field on April 22, May 30, June 17, June 24, July 4, July 8, July 22, and August 5, 2016
<b>Presenter(s) Name &amp; Title:</b> Rob Schoeber, Parks and Recreation Director

**Executive Summary:**

Fireworks displays are being requested on behalf of the Grand Junction Rockies, City of Grand Junction, Grand Junction Baseball, Inc. (JUCO) and Colorado Mesa University (CMU). These dates also include community displays on Memorial Day and Independence Day, a Friday evening CMU game (April 22<sup>nd</sup>), and 5 regular season Grand Junction Rockies games.

**Background, Analysis and Options:**

Community Fireworks are held annually at Lincoln Park and include Memorial Day (JUCO) and July 4<sup>th</sup>. This request adds an additional 6 shows to be held in conjunction with home baseball games for CMU and the Grand Junction Rockies. In an effort to minimize impacts to the adjacent neighborhoods, game times for the Rockies and CMU games will be moved up to 6:30 p.m., shell sizes will be limited to 2” in size, and loud exploding shells will be limited. If approved, a direct mailing will be sent to all adjacent neighbors highlighting the dates of the shows this season.

All shows at Lincoln Park require a coordinated effort including the event organizer, Parks Staff, Police Department, Traffic Control, Golf Course, and Security. If approved, the fireworks will be staged and launched from the practice field located east of Suplizio. Considering the size of the proposed fireworks, there will be no impacts to the golf course. The event organizer and fireworks contractor worked closely last year with Parks Staff and there are no concerns from the Department. Estimated start times for all of the shows will be from 9:00-9:45 p.m. There were no concerns received by the Parks and Recreation Department related to fireworks during the 2015 season.

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

The various levels of baseball in Grand Junction have proven to be popular for families and visitors to the area. This request will help to keep the event innovative and a unique experience for fans of all ages.

**How this item relates to the Economic Development Plan:**

Lincoln Park draws thousands of visitors to Grand Junction every year. Special events – such as fireworks shows – continue to bring fans into the community to support other local businesses.

**Board or Committee Recommendation:**

None.

**Financial Impact/Budget:**

None.

**Legal issues:**

No legal issues have been identified.

**Other issues:**

None.

**Previously presented or discussed:**

This request has been presented to Council in previous years.

**Attachments:**

None.

Attach 3

## CITY COUNCIL AGENDA ITEM

**Subject:** North Avenue Catalyst Grant Application for 2880 North Avenue

**Action Requested/Recommendation:** Consider Approval of a North Avenue Catalyst Grant Application

**Presenter(s) Name & Title:** Lori V. Bowers, Senior Planner

### Executive Summary:

The Sports Vortex has submitted an application for consideration for \$10,000 of the North Avenue Catalyst Grant Program. This is the seventh application for this program to come before the City Council.

### Background, Analysis and Options:

In November 2014, the City Council established a grant program in an effort to help revitalize North Avenue. The grant program requires a 50% match from the property/business owner with grant amounts up to \$10,000 per property. Projects meeting the requirements of the program and approved by City Council will be funded on a first come first serve basis.

This is the previous site of Hooters Restaurant, which closed its doors in 2015. The applicant is proposing to upgrade the property by adding stucco to some of the walls, replace the existing deck and add a new awning and supports. Architecturally they will add new end caps to the four posts on the building and replace the weathered screens as shown in the picture below.





(Before)

With the new interior and exterior improvements, the applicant expects to spend over \$55,330 in improvements. For consideration of the grant, the applicant will spend \$7,628 for the installation of a new awning over the upper outdoor seating area, and approximately \$19,950 for stucco finishes, parapet extensions and walls. The maximum amount available from this program is \$10,000. Rough estimate bids for the eligible items are attached to this staff report.

**Summation of Bid Costs:**

Rebuild upper patio deck	6,137.00	Not eligible
New inside tile	5,804.00	Not eligible
New brick entry	4,250.00	Not eligible
New trim work for bar	2,661.00	Not eligible
Permits/planning clearance	2,500.00	Not eligible
North wall	6,400.00	Not eligible
Parapet pop outs	16,350.00	Eligible
South & West wall stucco	3,600.00	Eligible
Canvas Products awning	7,628.00	Eligible
Total renovations	\$55,330.00	
<b>Total eligible</b>	<b>\$27,578.00</b>	

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

The application presented for consideration meets **Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

The applicant is providing a major exterior remodel to provide a more updated, modern look for the building.

**How this item relates to the Economic Development Plan:**

The North Avenue Catalyst Grant Program supports the City’s 2014 Economic Development Plan; specifically Section 1.5 Supporting Existing Business: Continue to explore opportunities and review requests to assist the business community through tax policies, financing options and financial incentives.

**Board or Committee Recommendation:**

The North Avenue Catalyst Grant Committee forwards a recommendation of approval from their meeting held on January 7, 2016.

**Financial Impact/Budget:**

The Committee recommends approval of the requested amount of \$10,000.00, as this is well within the remaining North Avenue Catalyst Grant Program budget of \$46,888.

<b>Catalyst Grant Program Budget</b>	<b>\$100,000.00</b>
1) Grand Valley Powersports	10,000. 00 (Funded by Council Feb. 18, 2015)
2) Dakota West Properties	9,002.00 (Funded by Council April 15, 2015)
3) Mason Plaza	4,110.00 (Funded by Council June 17, 2015)
4) Forbes LLC	10,000.00 (Funded by Council Sept. 2, 2015)
5) Vectra Bank	10,000.00 (Funded by Council Nov. 4, 2015)
6) Aqua Time	<u>10,000.00</u> (Funded by Council Nov. 4, 2015)
	<b>\$46,888.00</b> (Remaining funds to be allocated)

**Legal issues:**

No legal issues have been identified.

**Other issues:**

No other issues have been identified.

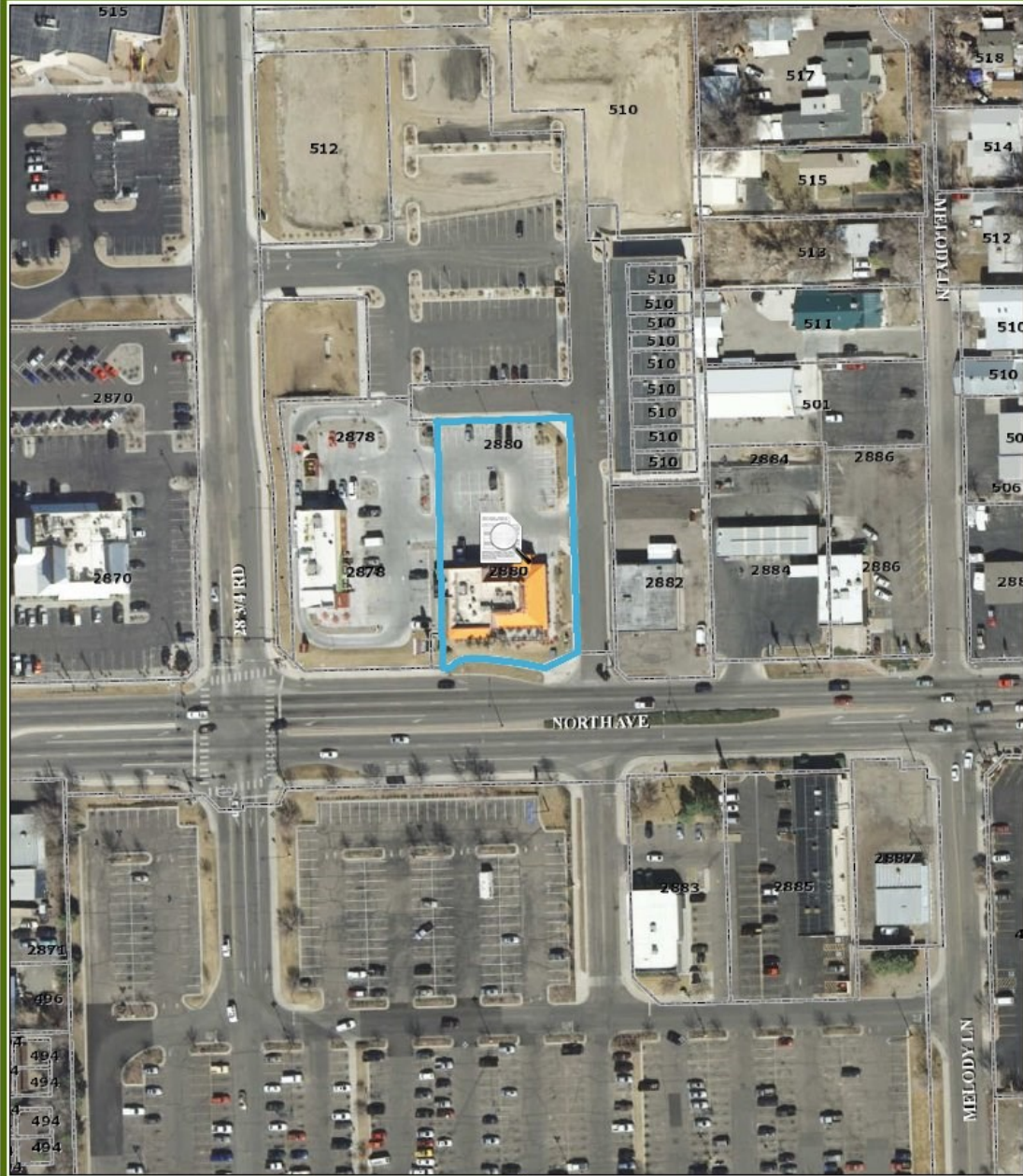
**Previously presented or discussed:**

This item has not been previously presented.

**Attachments:**

- Location Map
- Application
- Statement of Authority
- Bids

# City of Grand Junction



Printed: 12/23/2015



2880 North Avenue - previous Hooters  
Restaurant site

New home of *The Sports Vortex*



**Grand Junction Commercial Catalyst Improvement Grant Program  
APPLICATION**

Please note that application will not be considered until all information  
is submitted to the City Community Development Division, 250 N. 5th Street, Grand Junction, CO 81501,  
or scan and email to [planning@cityofgj.org](mailto:planning@cityofgj.org). DBA

Name of Applicant(s): Mark Towner The Sports Vortex

Mailing Address: PO Box 3961 GJ CO 81502

Phone Number(s): 719 661 0436

Email: mark@vortexgj.com

Project Address: 2880 North Avenue GJ CO 81501

Business Name: The Sports Vortex Parcel Number: \_\_\_\_\_

former: Hooters

Work to be performed on Front Façade Improvements and/or Pedestrian Safety & Streetscape (check all that apply):

- Repair, restoration, or installation of exterior masonry, stucco or siding
- Repair, replacement or installation of exterior awnings, window trim and doors
- Exterior lighting upgrades
- Signage upgrades (removal of pole sign and signage placed on façade and/or monument sign with maximum height 12 ft.)
- Addition of a plaza, fountain, outdoor dining or other pedestrian features in front of building and abutting North Avenue
- Construction of detached sidewalks and park-strip running the entire length of the property
- Construction and/or installation of park-strip hardscape features
- Design/Architect services for project (up to \$1,500)
- Renovation of front entryway to make more accessible
- Other (please describe) \_\_\_\_\_

Projected Start/Finish Dates for Project: Start (Jan 21st) Finish <sup>\*</sup>(open) Feb 4

Total Estimated Cost of Improvements: \$ 25,000

Grant Program Amount Requested: \$ 10,000

## Grand Junction Commercial Catalyst Grant Program

### AGREEMENTS AND CONDITIONS

1. The following information must be submitted with your application: plans drawn to 3/0 scale; samples or depictions of finishes to be used; photos of existing condition of property; and detailed budget of project including cost estimates by contractors.
2. By submitting and signing this Application, the Applicant certifies and agrees to all terms and conditions of the Program, including:
  - The Applicant is in good standing with the City including payment of all taxes to the City of Grand Junction.
  - The Applicant agrees to adhere to the goals and vision for North Avenue as established in the Comprehensive Plan and the North Avenue Corridor Plans.
  - The Applicant agrees that all improvements to be undertaken will be consistent with all applicable zoning and building codes. Grand Junction Planning Commission or City Council review, where required must be conducted prior to commencement of work on the catalyst project. All permits and other requirements are the Applicant's sole responsibility.
  - The project must be started within three months of approval and completed within twelve months of approval to be eligible for reimbursement. Any work done on the project prior to approval of application is ineligible for reimbursement.
  - Only the work that is described in the application and approved by the Grand Junction City Council shall be eligible for reimbursement. Disbursement of funds will be made only after the entire project is complete and passes required inspections.
  - The Applicant must submit before and after photos of the project, copies of invoices, receipts, and a signed itemized statement of the total cost of the project to the City. All documentation for reimbursement must be provided to the City at time of request, with a maximum of two reimbursements. All receipts must be provided no more than 15 months after the application has been approved.
  - The Applicant understands that he/she is responsible for all construction management, including but not limited to traffic control and any permits required by the Colorado Department of Transportation (CDOT).
  - The project grant award will at all times be within the program guidelines. The amount designated by the City will not be increased due to cost overruns, changes in scope or other changes made or necessitated by the applicant, its agents and/or financiers.
  - It is expressly understood and agreed that the Applicant shall be solely responsible for all safety conditions and compliance with all applicable regulations, codes, and ordinances.
  - The Applicant shall indemnify, protect, defend, and hold harmless the City of Grand Junction and its agents and employees from all claims, damages, lawsuits, costs, and expenses for any property damage, personal injury, or other loss relating in any way to the Grand Junction Commercial Catalyst Grant Program.

LIQKVE LLC.

Applicant's Signature: \_\_\_\_\_

*owner*  
*Mark Townor* *Mindy Stoner*  
*12/22/15*

Attest: (if LLC, Corporation or Legal Entity other than Sole Proprietorship)

Owner's Signature (if different): \_\_\_\_\_

*12/23/15*

Attest: (if LLC, Corporation or Legal Entity other than Sole Proprietorship)

Statement of Authority

The undersigned hereby executes this Statement of Authority, pursuant to the provisions of Section 38-30-172, C.R.S., on behalf of Grand Junction Hooters Real Estate LP, an entity other than an individual, capable of holding title to real property ("Entity"), and states as follows:

- The Entity is a Limited Partnership formed and existing under the laws of the following governmental authority Colorado  
(state the type of entity and the state, country or other governmental authority under whose laws it was formed. Example: a Limited Liability Company formed and existing under the laws of Colorado)
- If formed under a governmental authority other than the State of Colorado, state the name under which the Entity has filed with the Colorado Secretary of State N/A
- The Entity's mailing address is: 300 S. JACKSON ST. #400 DENVER 80209
- The name of the person or persons, or the position or positions, of the Entity authorized to execute instruments on behalf of the Entity to convey, encumber or otherwise affect the title to real property is/are:  
EVES MURRAY  
GJ OWL CO., LLC

If ALL names or positions provided here are required for authority, please check this box. If box is not checked, then only one of the names or positions provided is necessary for execution of instruments on Entity's behalf.

5. The limitations upon the authority of the person or persons named above to bind the Entity are as follows:  
NONE  
(if no limitations insert "NONE")

6. Other matters concerning the manner in which the Entity deals with any interest(s) in real property are:  
NONE  
(if none insert "NONE")

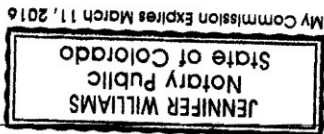
This Statement of Authority amends or replaces any prior Statement of Authority executed on behalf of the Entity.

EXECUTED this 14th day of January, 2016  
ENTITY: Grand Junction Hooters Real Estate, LP, a Limited Partnership  
BY: [Signature] President  
Name Position Name Position

STATE OF COLORADO )  
 ) ss.  
COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 15th day of JANUARY, 2016 by Brian Weston and \_\_\_\_\_  
Witness my hand and official seal.  
My commission expires:

[Signature]  
Notary Public





NAME: Mark Towner – Hooters remodel      REVISED      DATE: 1/05/16  
ADDRESS: 2802 North Ave  
CITY: Grand Junction, CO 81501

**This estimate is to include the following:**

Hooters Remodel

**Permits and Planning Clearance**

Procure and pay for building permits and planning clearance

Allowance \$2,500 - N/A

North wall — Not visible

31'-0" x 22'-0" North wall  
16'-0" x 8'-0" East section above roof

1" foam, lath, 3/8" brown coat, 1/8" color  
Extra cost for special black color  
Stucco finish (black)  
Winter protection

\$6,400

not eligible

**Parapet pop outs**

Build flat working platform  
Scaffolding  
Build 12" pop out on North, East, and South parapet walls 18'-0" x 11'-0"  
2"X nailers  
2"x12" framing radius top, bottom, and sides  
7/16" and 3/8" OSB sheathing  
No foam, lath, 3/8" brown coat, 1/8" color  
Extra cost for special black color  
Stucco finish (black)  
Winter protection

3 X \$5,450 = \$16,350 yes

**South and West wall**

Stucco finish over existing siding  
1" foam, lath, 3/8" brown coat, 1/8" color  
Extra cost for special black color  
Winter Protection

\$3,600 *yes*

**Contractor License**

10% of total work done pertaining to permit not including items stated above

*\$19,950.00*  
*awning +* *7,628.00*  
*\$27,578.00*

**\*\* Cost may vary on black color and winter protection \*\***

Approx. Lead Time \_\_\_\_\_  
Sales Representative: \_\_\_\_\_

Any information not included in this quote is considered a change. Costs to vary reflecting any changes.



580 25 Road  
 Grand Junction, CO 81505  
 www.canvas-products.com

## Proposal

Date	Estimate #
12/29/2015	2896

Name / Address
Mark Towner

Ship To
Jobsite: 2880 North Ave Phone: 719-661-0436 E-mail: mark@vortcxgj.com

Description	Qty	Rate	Total
Fabricate patio awning with arched frame approx 33' wide x 16' projection. Fabric will be faced on vie rope and lace bar. Metal: 1" x 2" x .06 aluminum tubing - mill finish Fabric: Weblon Coastline Plus - 5 year UV warranted Fabric - Black  Does not include posts - customer will provide attachment points for frame - Canvas Products needs to discuss the posts with contractor responsible for them before fabrication begins. Field measurement required before fabrication.  Frame is not powdercoated  Add a lime green "V" to fabric top  Installation  50% deposit required upon acceptance of this quote. Balance due at time of installation. This proposal does not include any electrical wiring, fees, permits or engineering drawings. Homeowner Association approval, if required, is the sole responsibility of the purchaser.	1	5,613.00	5,613.00
	1	975.00	975.00
	1	1,040.00	1,040.00
		0.00	0.00
Estimates are valid for 90 days. Verbal or written acceptance of this proposal constitutes a formal contract including design, acceptance of all terms and conditions herein, and an absolute and continuing individual personal guarantee of prompt payment to the seller. Customer is advised that they will be responsible for interest, collection fees, and legal fees if their invoice is not paid as agreed upon.			<b>Subtotal</b> \$7,628.00
Signature _____			<b>Sales Tax (7.65%)</b> \$503.98
			<b>Total</b> \$8,131.98

Phone #  
970.242.1453

Fax #  
970.241.4801

E-mail  
info@canvas-products.com



Date: January 7, 2016  
 Author: Scott D. Peterson  
 Title/ Phone Ext: Senior  
Planner/1447  
 Proposed Schedule: January  
20, 2016  
 File #: RVP-2015-559

Attach 4

**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Revocable Permit for Existing Building Encroachment for the Former Startek Building, Located at 630 S. 7 <sup>th</sup> Street
<b>Action Requested/Recommendation:</b> Adopt Resolution Granting a Revocable Permit to LOJO Partnership, LLP for an Existing Building Encroachment Located within the S. 7 <sup>th</sup> Street Right-of-Way
<b>Presenters Name &amp; Title:</b> Scott D. Peterson, Senior Planner

**Executive Summary:**

LOJO Partnership, LLP is requesting a Revocable Permit to officially document an existing one foot building encroachment for the former Startek building within the S. 7<sup>th</sup> Street right-of-way that was discovered by the recent land survey and subdivision of the property.

**Background, Analysis and Options:**

Revocable Permits are needed to ensure that appropriate private development on public land is safely conducted in a manner that does not pose potential burdens on the public and documents to the public, applicant and future owners that the City may remove the private improvements, if necessary at any time.

The applicant recently received approval from the City Council to vacate north/south, east/west alley rights-of-way located between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the south side of South Avenue (City file # VAC-2015-289) and also an administrative approval for a Simple Subdivision (City file # SSU-2015-337) to consolidate all seven properties into one 5.26 acre lot. As part of the review for the Simple Subdivision application, it was discovered that the existing building that is known as the former Startek building encroaches into the S. 7<sup>th</sup> Street right-of-way by one foot. In order to permit and document this encroachment, City Staff is recommending that a Revocable Permit be issued rather than a vacation of right-of-way. The proposed Revocable Permit would only apply to this existing building. If in the future this building would be demolished, the new building would be required to meet all applicable building setbacks and zoning codes.

The existing C-2 (General Commercial) zone district requires a 15' front yard setback, however, the Greater Downtown Overlay District does allow a front yard setback of 0'.

The existing building does not interfere with existing traffic patterns or pedestrians as the right-of-way width in this area of S. 7<sup>th</sup> Street is 100 feet. City Staff could not find

any additional information on how this encroachment occurred or if any Revocable Permit was ever issued at this site.

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

Granting the Revocable Permit allows the applicant to officially document and utilize a portion of the right-of-way which supports the development of the downtown area and meets the following goals from 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.

**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 Revocable Permit for LOJO Partnership LLP meets with the goal and intent of the Economic Development Plan by supporting an existing business within the community as it either markets or develops the subject property and officially documents to the public the existing building encroachment.

**Board or Committee Recommendation:**

There is no committee or board recommendation.

**Financial Impact/Budget:**

No financial impact for this item.

**Legal issues:**

City Legal Staff has reviewed the requested Revocable Permit application.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

The Revocable Permit application has not been previously discussed. Alley right-of-way vacations on the subject properties owned by the applicant was approved by the City Council on November 4, 2015.



**Attachments:**

1. Staff report/Background information
2. Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Resolution
7. Revocable Permit
8. Agreement

BACKGROUND INFORMATION			
<b>Location:</b>		630 S. 7 <sup>th</sup> Street	
<b>Applicant:</b>		LOJO Partnership, LLP	
<b>Existing Land Use:</b>		Right-of-Way	
<b>Proposed Land Use:</b>		1' Existing Building Encroachment into Right-of-Way	
<b>Surrounding Land Use:</b>	<b>North</b>	General commercial properties	
	<b>South</b>	Railroad tracks	
	<b>East</b>	Light industrial properties	
	<b>West</b>	Light industrial properties	
<b>Existing Zoning:</b>		C-2 (General Commercial)	
<b>Proposed Zoning:</b>		N/A	
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)	
	<b>South</b>	I-1 (Light Industrial)	
	<b>East</b>	I-1 (Light Industrial)	
	<b>West</b>	I-1 (Light Industrial)	
<b>Future Land Use Designation:</b>		Commercial	
<b>Zoning within density range?</b>	X	<b>Yes</b>	<b>No</b>

**Section 21.02.180 (c) of the Grand Junction Zoning and Development Code:**

Requests for a revocable permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.

Granting the Revocable Permit allows the applicant and the City to officially document this existing building encroachment into the S. 7<sup>th</sup> Street right-of-way. The existing one foot of right-of-way is not needed at this time for future street or sidewalk expansion therefore, the applicant's existing building encroachment is acceptable and benefits the community by documenting the encroachment to the current and future property owners. Therefore, this criterion has been met.

- b. There is a community need for the private development use proposed for the City property.

Granting the Revocable Permit allows the applicant and the City to officially document this existing building encroachment into the S. 7<sup>th</sup> Street right-of-

way. The existing one foot of right-of-way is not needed at this time for future street or sidewalk expansion therefore, the applicant's existing building encroachment is acceptable and benefits the community by documenting the encroachment to the current and future property owners. Therefore, this criterion has been met.

- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.

The existing one foot building encroachment into the right-of-way of S. 7<sup>th</sup> Street does not interfere with any anticipated future City improvements and does not create a site distance problem. The granting of the Revocable Permit does not inhibit the City or other utility companies from maintaining their required infrastructure, if necessary. Therefore, this criterion has been met.

- d. The proposed use shall be compatible with the adjacent land uses.

All adjacent properties are zoned light industrial or general commercial. The existing building is currently vacant and all future tenants of the building will be compatible with allowed land uses within the C-2 zone district as outlined in Section 21.04.010 of the Zoning and Development Code. Therefore, this criterion has been met.

- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.

The existing one foot building encroachment does not negatively interfere with any anticipated future City improvements, traffic circulation or neighborhood stability or character and does not create a site distance problem. The existing area is also located outside of the floodplain or natural hazard area. Therefore, this criterion has been met.

- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Comprehensive Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.

The proposal conforms to all standards, codes and regulations. See previous section regarding Comprehensive Plan and Economic Development Plan compliance. Therefore, this criterion has been met.

- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, Chapter Two of the Zoning and Development Code and the SSID Manual.

The application complies with all submittal requirements for a Revocable Permit. Therefore, this criterion has been met.

## **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS**

After reviewing the LOJO Partnership, LLP application, RVP-2015-559 for the issuance of a Revocable Permit for an existing one foot building encroachment, City Staff makes the following findings of fact, conclusions and conditions:

1. The review criteria in Section 21.02.180 (c) of the Grand Junction Zoning and Development Code have all been met or addressed.
2. Applicant will be required to obtain all applicable Planning Clearance's from City Planning and Building Permits from the Mesa County Building Department when developing the property in the future.
3. The proposed Revocable Permit only applies to the existing building. If in the future, the existing building would be demolished, the proposed new building would be required to meet all applicable building setbacks and zoning codes.

## **STAFF RECOMMENDATION:**

City Staff recommends that the City Council approve the requested Revocable Permit for LOJO Partnership, LLP, RVP-2015-559 with the findings of fact, conclusions and conditions as identified within the Staff Report.





# Comprehensive Plan Future Land Use Map







**RESOLUTION NO. \_\_\_\_-16**

**A RESOLUTION CONCERNING  
THE ISSUANCE OF A REVOCABLE PERMIT TO  
LOJO PARTNERSHIP, LLP LOCATED AT 630 S. 7TH STREET**

**Recitals.**

A. LOJO Partnership LLP, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 1, Seventh and South Ave Subdivision

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner and the City to officially document an existing building encroachment of one foot within the following described public right-of-way:

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:

BEGINNING at the intersection of the North right of way for the Denver & Rio Grande Western Railroad and the Easterly right of way for South Seventh Street, being the Southwest corner of Block 5, Milldale Subdivision, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado and assuming said East right of way for South Seventh Street bears N 00°28'08" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 73°01'14" W, along the Northerly right of way for the Denver & Rio Grande Western Railroad, a distance of 1.04 feet; thence N 00°28'08" W along a line 1.00 foot West of and parallel with said Easterly right of way for South Seventh Street, a distance of 160.00 feet; thence N 89°31'52" E, a distance of 1.00 feet; thence S 00°28'08" E, along said Easterly right of way for South Seventh Street, a distance of 159.70 feet, more or less, to the Point of Beginning (See Exhibit A).

CONTAINING 160 Square Feet, more or less, as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2015-559 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and

within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

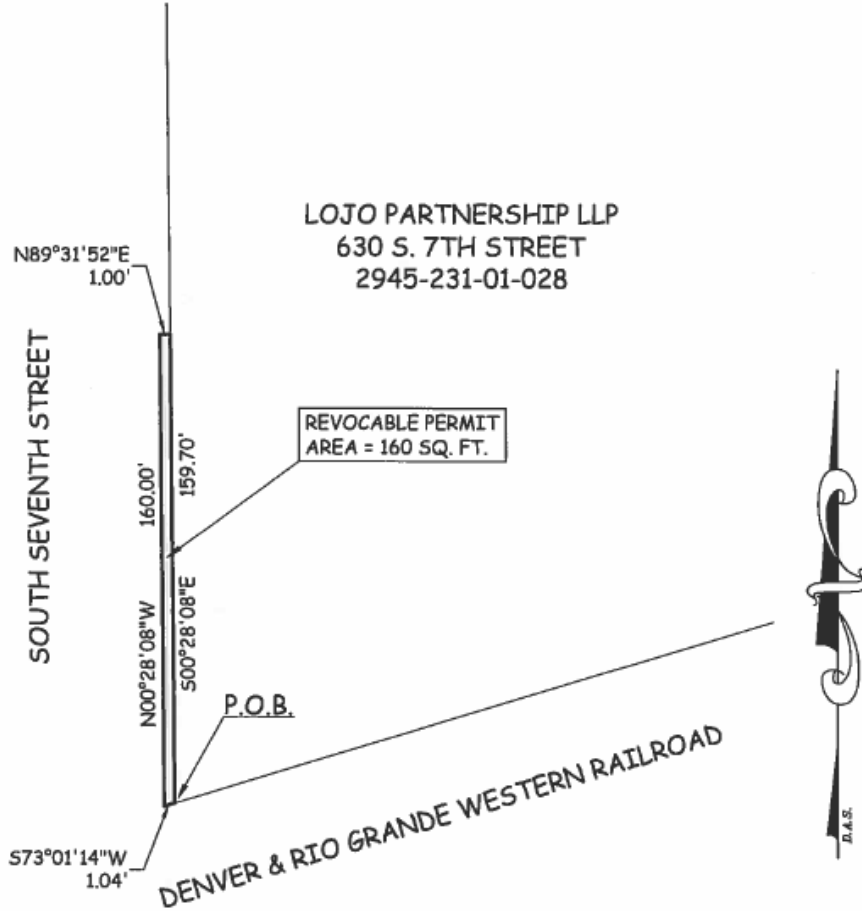
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Attest:

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

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

# EXHIBIT "A"



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

REVOCABLE PERMIT  
AREA = 160 SQ. FT.

P.O.B.

DENVER & RIO GRANDE WESTERN RAILROAD



**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: PTK  
DATE: 09-11-2015  
SCALE: N/A  
APPR. BY: S.D.

REVOCABLE PERMIT  
LOJO PARTNERSHIP LLP  
630 S. 7TH STREET  
2945-231-01-028

CITY OF  
**Grand Junction**  
COLORADO

## REVOCABLE PERMIT

### Recitals.

A. LOJO Partnership, LLP, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 1, Seventh and South Ave Subdivision

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner and the City to officially document an existing building encroachment of one foot within the following described public right-of-way:

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:

BEGINNING at the intersection of the North right of way for the Denver & Rio Grande Western Railroad and the Easterly right of way for South Seventh Street, being the Southwest corner of Block 5, Milldale Subdivision, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado and assuming said East right of way for South Seventh Street bears N 00°28'08" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 73°01'14" W, along the Northerly right of way for the Denver & Rio Grande Western Railroad, a distance of 1.04 feet; thence N 00°28'08" W along a line 1.00 foot West of and parallel with said Easterly right of way for South Seventh Street, a distance of 160.00 feet; thence N 89°31'52" E, a distance of 1.00 feet; thence S 00°28'08" E, along said Easterly right of way for South Seventh Street, a distance of 159.70 feet, more or less, to the Point of Beginning (See Exhibit A).

CONTAINING 160 Square Feet, more or less, as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2015-559 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.

3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioner agrees that it shall at all times keep the above described public right-of-way in good condition and repair.

5. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

7. Permittee shall obtain all applicable Planning Clearance's from City Planning and Mesa County Building Department.

8. This Revocable Permit only applies to the existing building. If in the future, the existing building would be demolished, the proposed new building would be required to meet all applicable building setbacks and zoning codes.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

The City of Grand Junction,  
a Colorado home rule municipality

Attest:

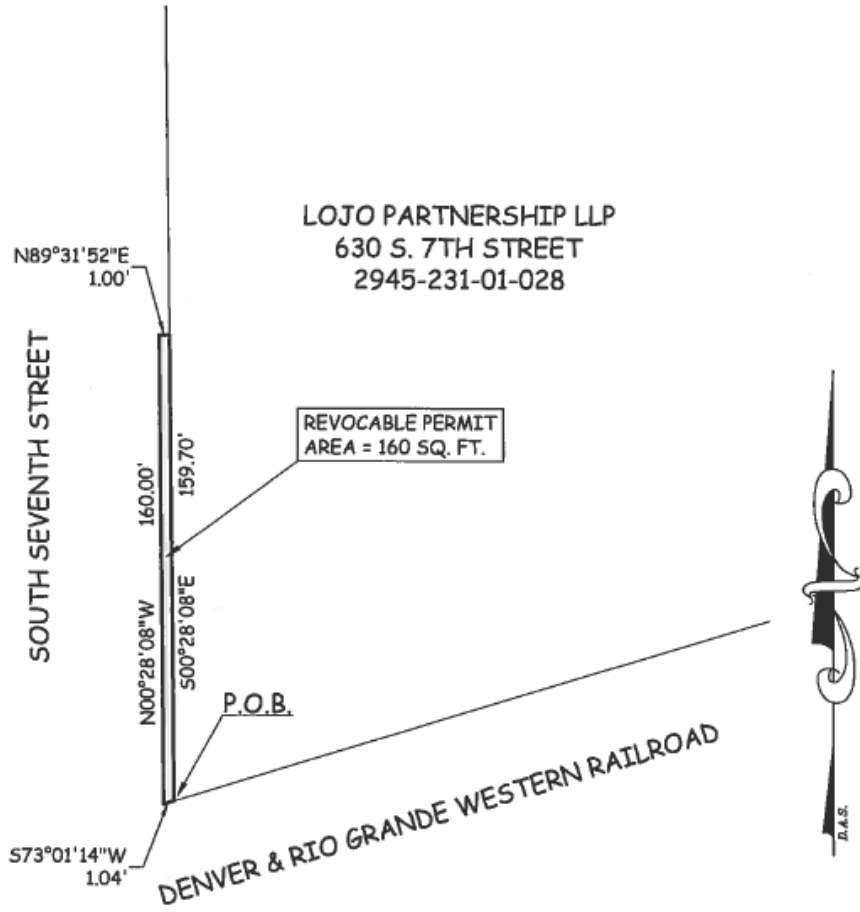
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Manager

Acceptance by the Petitioner:

\_\_\_\_\_  
LOJO Partnership, LLP  
Doug Simons, General Partner

EXHIBIT "A"



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

REVOCABLE PERMIT  
 AREA = 160 SQ. FT.

SOUTH SEVENTH STREET

P.O.B.

DENVER & RIO GRANDE WESTERN RAILROAD



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

REVOCABLE PERMIT  
 LOJO PARTNERSHIP LLP  
 630 S. 7TH STREET  
 2945-231-01-028



**AGREEMENT**

LOJO Partnership, LLP, for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

LOJO Partnership, LLP

By: \_\_\_\_\_  
Doug Simons, General Partner

State of Colorado )

)ss.

County of Mesa )

The foregoing Agreement was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2016, by Doug Simons, General Partner, LOJO Partnership, LLP.

My Commission expires: \_\_\_\_\_  
Witness my hand and official seal.

\_\_\_\_\_  
Notary Public





Date: Jan. 14, 2016  
 Author: Kathy Portner  
 Title/ Phone Ext: Community  
Service Manager/1420  
 Proposed Schedule: Jan. 20, 2016  
 2nd Reading  
 (if applicable): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Attach 5**  
**CITY COUNCIL AGENDA ITEM**

<b>Subject:</b> Assignment of the City’s 2016 Private Activity Bond Allocation to the Grand Junction Housing Authority
<b>Action Requested/Recommendation:</b> Adopt Resolution Assigning the City’s 2016 Private Activity Bond Allocation to the Grand Junction Housing Authority
<b>Presenter(s) Name &amp; Title:</b> Tim Moore, Interim City Manager Jodi Romero, Financial Operations Director

**Executive Summary:**

The Grand Junction Housing Authority is requesting assignment of the City’s 2016 Private Activity Bond allocation to the Housing Authority to be used for partial financing of Phase 2 of The Highlands affordable senior housing apartments, located at 825 Bookcliff Avenue.

**Background, Analysis and Options:**

Grand Junction Housing Authority (GJHA) has received Planning approval for The Highlands affordable senior housing apartments, with a total of 132 units, located at 825 Bookcliff Avenue. Phase 1 of the project includes 64 units with construction commencing in the first quarter of 2016. It was originally anticipated that construction of Phase 2 would not occur for another four or five years, however, changing circumstances might make it possible to accelerate the start of construction in late 2016. An essential piece of the funding for Phase 2 would be the issuance of Private Activity Bonds.

Each year the State of Colorado allocates the authority to issue tax exempt Private Activity Bonds (PABs) directly to local governments whose population warrants an allocation of \$1 million or more. PABs may be used for housing projects and certain types of eligible development (i.e. small manufacturing). If the local government does not have a designated use of the PABs (by September 15<sup>th</sup> of each year, they are required to either turn back the funds for Statewide use or assign the allocation to another issuer. The City has been receiving a direct allocation of PABs since 1997. The 2016 allocation is \$3,092,350.

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

**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.

The GJHA request for assignment of the City's PAB allocation will accelerate the development of Phase 2 of the Highlands by four to five years, providing 68 additional units of affordable senior apartment housing.

**How this item relates to the Economic Development Plan:**

**Goal:** Continue to make strategic investments in public amenities that support Grand Junction becoming "the most livable community west of the Rockies by 2025."

The Highlands is a quality development and will provide visual appeal through attractive architectural design and public spaces. It will also provide a needed housing type close to medical, shopping, public transportation routes and downtown.

**Board or Committee Recommendation:**

None.

**Financial Impact/Budget:**

Private Activity Bonds are simply an authorization by the State of Colorado that allows the City to issue tax exempt bonds on behalf of a qualified project; therefore assignment of the City's bond allocation does not impact the budget.

**Legal issues:**

The law authorizes issuance of revenue bonds for the purpose of financing qualified residential rental projects for low and moderate-income persons and families.

This request is consistent with and in accordance with that authority.

**Other issues:**

None directly related to the requested assignment.

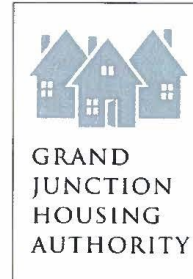
**Previously presented or discussed:**

No.

**Attachments:**

GJHA letter of request  
Certificate of the City Attorney  
Assignment of Allocation

Resolution



January 13, 2016

Mayor Norris and Council Members  
City of Grand Junction Colorado  
City Hall  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Request for Assignment of City 2016 PAB Authority Allocation to GJHA

Dear Mayor Norris and Council Members:

Grand Junction Housing Authority (GJHA) requests that the City assign to GJHA all of the City's 2016 allocation of Private Activity Bond (PAB) authority. GJHA will utilize this PAB allocation as part of the financing for Phase 2 of The Highlands affordable senior housing apartments development to be constructed on GJHA property at 825 Bookcliff Avenue.

GJHA is currently in the final stages of negotiating with Wells Fargo and its affiliate to become the investor limited partner and construction lender for the 64-unit Phase 1 of The Highlands located at 805 Bookcliff Avenue. Bank of Colorado is providing permanent financing and Shaw Construction is the general contractor for Phase 1. We anticipate that all aspects of Phase 1 preparation will be finalized, and construction of Phase 1 will commence, in the first quarter of 2016.

GJHA anticipated that construction of Phase 2 would not occur for another four to five years in order to complete, lease up and stabilize operations of Phase 1 and to line up financing for Phase 2. However, a unique and unanticipated set of circumstances may make it possible, and critical, for GJHA to develop Phase 2 at this time, with construction of Phase 2 commencing in late 2016. This would accelerate by that four to five years the availability of 68 units of new construction affordable senior apartment housing and provide obvious benefits to the City in the form of additional jobs and tax revenues, as well as providing housing and social services for some City residents most in need of that assistance. The economies of constructing both phases nearly simultaneously is also obvious.

The primary driver of this admittedly very complex undertaking is the likely availability, on a limited one-time and time sensitive basis, of a HUD Section 8bb Housing Assistance Payment (HAP) contract for Phase 2 of the Highlands (GJHA is also applying for this program for others of its properties). The essence of the HAP contract is to provide a 20 year commitment by HUD (subject to appropriation and in four five-year increments) for payment of the difference

1011 North Tenth Street Grand Junction, Co 81501 (970) 245-0388  
(TTY) Dial 711 or 1 (800) 842-9710



January 13, 2016

Page 2

between the reduced rents charged to residents under the land use restriction agreement (restrictive covenant limiting rents) recorded against the property as part of the tax credit funding of the project and the amount that a low- or very low-income household can afford.

Without a HAP contract, prospective tenants must demonstrate an ability to pay fixed-rate rents at one of the CHFA-approved rental rates. With a HAP contract, even very low-income applicants will be able to rent an apartment at The Highlands, with the assurance that their rent will not exceed 30% of their monthly income. HAP Contracts of this nature have not been generally available for more than 20 years. We hope to capitalize on this rare opportunity to bring deeply subsidized units to Grand Junction. GJHA Waiting Lists for these units currently exceed 450 names.

If achieved, this HAP Contract amounts to a multi-million dollar commitment by HUD that will largely assure the cash flow for Phase 2 during the twenty year life of the HAP contract. GJHA has obtained a soft commitment from HUD for the HAP contract for Phase 2, and we believe the requirements imposed by HUD for GJHA to obtain this contract from HUD can be met.

Critically, GJHA needs the assistance of the City to meet this challenge. An essential piece of the funding for Phase 2 will consist of the issuance of PABs. The federal 4% Low Income Housing Tax Credits require that at least 51% of the development be financed with Private Activity Bonds. If Phase 2 is not constructed at this time, the opportunity to obtain a HAP contract for Phase 2 will be lost.

The entire City 2016 PAB allocation, estimated at \$3.1 million, is needed for this purpose. This is also considered a valuable local contribution to the project for purposes of obtaining the grant of tax credits and other grant sources needed to fund this project. GJHA anticipates there will be over 50 applicants for the Colorado State Tax Credits in the February 1, 2016 round. The application process will be extremely competitive and every element is critical in order for GJHA to have any chance to be successful in its application.

By way of background on this development, the two phases will consist of two buildings constructed on the two adjoining GJHA properties forming a single structure utilizing the zero lot line setback provided by the PUD zoning. The two Phases together will include 132 units, maximizing the density permitted by the City's zoning ordinance.

GJHA has obtained planning clearance for both Phases from the City Planning and Community Development Department, so we are prepared to go forward at this time from an entitlement standpoint. Our design team has continued working after completion of the design and plans for Phase 1 and is nearing completion of design and plans for Phase 2.

January 13, 2016  
Page 3

Wells Fargo and Bank of Colorado, our financing partners in Phase 1, have expressed the willingness to provide the financing letters of interest required for the Phase 2 tax credit application. Our service provider partners in Phase 1 are extremely excited about the possibility of providing the unique level and breadth of social service slated for Phase 1 to another 68 households at this time, if GJHA can obtain the necessary funding and commitments to construct Phase 2 now.

The combination of proactive preparations by GJHA, support and commitments from our Phase 1 partners and the assistance from the City in assigning its 2016 PAB authority allocation to GJHA will give GJHA its best and only opportunity to bring this exciting and greatly needed benefit to the City and its residents. We hope that you will join us in this challenging and exciting undertaking.

City and GJHA staff are prepared to present the assignment of the 2016 PAB allocation at your February 3, 2016 (?) meeting. I look forward to hearing from Tim, Stephanie or John that you agree to the scheduling of that meeting for presentation and hopefully your approval of the assignment.

Sincerely,

A handwritten signature in blue ink that reads "Jody M. Kole". The signature is written in a cursive style with a large initial "J".

Jody M. Kole  
CEO

CERTIFICATE OF THE CITY ATTORNEY OF THE CITY OF GRAND JUNCTION,  
COLORADO CONCERNING ASSIGNMENT OF PRIVATE ACTIVITY BOND VOLUME  
CAP ALLOCATION

I, with my signature below, certify that I am the duly chosen and qualified and City Attorney, in accordance with the City Charter and applicable law, of the City of Grand Junction Colorado (“City”) and that:

1. The City is a public body politic and corporate, duly organized and existing under the constitution and laws of the State of Colorado.

2. The City has been previously notified that, pursuant to Section 24-32-1706 of the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the “Allocation Act”), it has an allocation of the State ceiling (as defined in the Allocation Act) for 2016 in the amount of \$3,092,350 (the “2016 Allocation”).

3. Attached hereto as Exhibit A is a true and correct copy of a resolution and the related minutes thereto (“Resolution”) authorizing the assignment to the Colorado Housing and Finance Authority (“Authority”) of all or a portion of the 2016 Allocation in an amount equal to \$3,092,350 (the “Assigned Allocation”), and authorizing the execution and delivery of an Assignment of Allocation dated as of \_\_\_\_\_, 2016 (the “Assignment of Allocation”) between the City and the Authority in connection therewith, which Resolution was duly adopted by the City Council of the City (the “City Council”) at a meeting thereof held on \_\_\_\_\_, 2016, at which meeting a quorum was present and acting throughout and which Resolution has not been revoked, rescinded, repealed, amended or modified and is in full force and effect on the date hereof.

4. The meeting of the City Council at which action has been taken with respect to the Assignment of Allocation was a regular meeting properly called and open to the public at all times.

5. With respect to the Assigned Allocation, the City has not heretofore: (a) issued private activity bonds; (b) assigned the Assigned Allocation to another “issuing authority,” as defined in the Allocation Act; (c) made a mortgage credit certificate election; or (d) treated the Assigned Allocation as an allocation for a project with a carry forward purpose, as defined in the Allocation Act.

6. The Assignment of Allocation, attached hereto as Exhibit B, is in the form presented to and approved by the City Council at the meeting thereof held on \_\_\_\_\_, 2016.

7. On or before the date hereof, counterparts of the Assignment of Allocation were officially executed by the Interim City Manager and the City Clerk of the City. On the date of such signing, such persons were the duly sworn, qualified and acting officers of the City authorized to execute the Assignment of Allocation and holding the offices of the Mayor and City Clerk, respectively.

8. The City has authorized the execution, delivery and due performance of the Assignment of Allocation, and the execution and delivery of the Assignment of Allocation and the compliance by the City with the provisions thereof, will not, to the best of my knowledge, conflict with or constitute on the part of the City a breach of or a default under any existing Colorado law, City resolution, court or administrative regulation, decree or order or any agreement or other instrument to which the City is subject or by which it is bound.

9. To the best of my knowledge, there does not exist any action, suit, proceeding or investigation pending, or threatened against the City, contesting (a) the corporate existence of the City, (b) the title of its present officers or any of them to their respective offices, including, without limitation, the members of the City Council, (c) the validity of the Assignment of Allocation or (d) the power of the City to execute, deliver or perform the Assignment of Allocation.

10. No referendum petition has been filed concerning the Resolution; and to the best of my knowledge none is being circulated or planned for circulation.

WITNESS my hand and the seal of the City this \_\_\_\_\_, 2016.

---

John P. Shaver  
City Attorney

(SEAL)



ASSIGNMENT OF ALLOCATION  
(Multi-family Housing Facility Bonds/Single Family Mortgage Revenue Bonds)

This Assignment of Allocation (the "Assignment"), dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, is between the City of Grand Junction, Colorado (the "Assignor" or the "City") and the Colorado Housing and Finance Authority (the "Assignee" or "Authority.")

RECITALS:

The Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado ("State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low and moderate-income persons and families. Furthermore, the Assignor and the Assignee are authorized and empowered under the laws of the State to issue revenue bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families.

The Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to finance such projects and for certain other purposes (the "State Ceiling"). Pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee.

Pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 2016 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2016, (the "2016 Allocation.") The Assignor has determined that, in order to increase the availability of adequate affordable rental housing for low and moderate-income persons and families within the City and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2016 Allocation. The Assignor has further determined that the 2016 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Assignee to issue Private Activity Bonds for the purpose of financing one or more multi-family rental housing projects for low and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families ("Revenue Bonds"), and the Assignee has expressed its willingness to attempt to issue Revenue Bonds with respect to the 2016 Allocation assigned herein.

At a regular meeting on \_\_\_\_ 2016 the Grand Junction City Council determined that it would assign to the Assignee all or a portion of its 2016 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. The Assignor hereby assigns to the Assignee \$\_\_\_\_\_ of its 2016 Allocation (the "Assigned Allocation"), subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.

2. The Assignee hereby accepts the assignment to it by the Assignor of the Assigned Allocation, subject to the terms and conditions contained herein. The Assignee agrees to use its best efforts to issue and sell Revenue Bonds in an aggregate principal amount equal to or greater than the Assigned Allocation, in one or more series, and to make proceeds of such Revenue Bonds available from time to time for a period of two (2) years from the date of this Assignment to finance multi-family rental housing projects located in the City, or to issue Revenue Bonds for the purpose of providing single-family mortgage loans to low and moderate income persons and families in the City.

3. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the Assigned Allocation as an allocation for a project with a carryforward purpose or to make a mortgage credit certificate election, in lieu of issuing Revenue Bonds.

4. The Assignor and Assignee each agree that it will take such further action and adopt such further proceedings as may be required to implement the terms of this Assignment.

5. Nothing contained in this Assignment shall obligate the Assignee to finance any particular multi-family rental housing project located in the City or elsewhere or to finance single-family mortgage loans in any particular amount or at any particular interest rate or to use any particular percentage of the proceeds of its Revenue Bonds to provide mortgage loans or mortgage credit certificates to finance single-family housing facilities in the City, provided that any Revenue Bond proceeds attributable to the Assigned Allocation shall be subject to paragraph 2 above.

6. This Assignment is effective upon execution and is irrevocable.

IN WITNESS WHEREOF, the City and the Authority have duly executed this Assignment on the date first written above.

CITY OF GRAND JUNCTION

\_\_\_\_\_  
Tim Moore, Interim City Manager

[S E A L]

ATTEST:

\_\_\_\_\_  
Stephanie Tuin, City Clerk

COLORADO HOUSING AND FINANCE  
AUTHORITY

[S E A L]

ATTEST:

By: \_\_\_\_\_

By: \_\_\_\_\_  
Assistant Secretary

A RESOLUTION AUTHORIZING ASSIGNMENT TO THE  
GRAND JUNCTION HOUSING AUTHORITY  
OF A PRIVATE ACTIVITY BOND ALLOCATION  
OF GRAND JUNCTION, COLORADO PURSUANT TO THE COLORADO PRIVATE  
ACTIVITY BOND CEILING ALLOCATION ACT

RECITALS:

The City of Grand Junction, Colorado ("City") is authorized and empowered under the laws of the State of Colorado ("State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low- and moderate-income persons and families. The City is also authorized and empowered to issue revenue bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families.

The Internal Revenue Code of 1986, as amended ("Code") restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes and pursuant to the Code, the State adopted the Colorado Private Activity Bond Ceiling Allocation Act, C.R.S. 24-32-17 (the "Allocation Act") providing for the allocation of the ceiling among the Colorado Housing and Finance Authority ("Authority") and other governmental units in the State, and further providing for the assignment of such allocations from such other governmental units to the Authority.

Pursuant to an allocation under Section 24-32-1706 of the Allocation Act the City has an allocation of the 2016 Ceiling for the issuance of a specified principal amount of Private Activity Bonds (the "2016 Allocation"). The City has determined that, in order to increase the availability of adequate affordable housing for low and moderate-income persons and families it is necessary or desirable to provide for the utilization of all or a portion of the 2016 Allocation before September 15, 2016.

With the Resolution the City has determined that the 2016 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of financing one or more multi-family rental housing projects for low and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families ("Revenue Bonds") or for the issuance of mortgage credit certificates. By, through and with this Resolution the City Council of the City of Grand Junction, Colorado has determined to assign \$3,092,350 of its 2016 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The assignment to the Authority of \$3,092,350 of the City's 2016 Allocation is hereby approved.

2. The form and substance of the Assignment of Allocation are hereby approved; provided, however, that the Interim City Manager and City Attorney are authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.

3. The Interim City Manager is authorized to execute and deliver the final form of the Assignment of Allocation on behalf of the City and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the intent of this resolution.

4. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

5. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY COUNCIL OF THE  
CITY OF GRAND JUNCTION

---

Phyllis Norris  
Mayor and President of the Council

ATTEST:

---

Stephanie Tuin  
City Clerk

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 01/20/16

Citizen's Name: Richard Swingle

443 Mediterranean Way

Address: Grand Junction, CO 81507-4525

Phone Number: \_\_\_\_\_

Subject: JANUARY 18, 2016 Workshop - Citizen Feedback

*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.*

CITIZEN PRESENTATION

Date: \_\_\_\_\_

Citizen's Name: Druce Stemler

Address: 536 29 RD

Phone Number: \_\_\_\_\_

Subject: Comments about Citizens Comments

*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.*

Date: 1-20-16

Citizen's Name: Ed Kowalski

Address: 2871 ORCHARD

Phone Number: \_\_\_\_\_

Subject: SIDEWALKS

*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.*

School Parents Meeting  
Violence Report from 911

OWL 7-9 & 10-12 PARENT ORIENTATION

The 7-9 & 10-12 Owl to present OWL comprehensive sexuality education classes to our children and youth. OWL takes a holistic view of sexuality. It provides accurate age-appropriate information while building interpersonal skills. OWL helps students clarify their values and apply those values to their experiences.

Classes are required to attend the Parent's Orientation meetings (see below). "No Poison"

Parent meeting January 17th at 10:00am

10:00am in the Teen Room Students begin Jan 23-24th OWL 10-12 will be taught by Jana Joramo and David Miller

7-9 Group Parent Meeting January 10 at 10:00am Students begin classes Jan 24 in the Middle Classroom OWL 7-9 will be taught by Jay Martinez, Tim O'Brian, and Kathleen Hedlund

FOX NEWS REPORT (SEX) 1999 SUN DANCE FILM SDST "POISON"

Deputy GERRARD Houston  
"Louder!" (AG)

213-893-2031 TELE

Bruce Lohmiller 2016

Write-In Candidate For U. S. President

Fill in the Oval And Write-In Name For

"Sanity And Honesty In Government"

bruce.lohmiller@gmail.com

Facebook Presentation



Kid Vote!

PARA-EMPLOYMENT

"Project Stargate"



MIND SPRINGS health  
Prevention. Care. Recovery.

HAS AN APPOINTMENT

with Janice

(T) W T F Feb 3 AT 10:00 AM

PHONE: 970.241.6023 WEB: www.MindSpringsHealth.org  
FAX: 970.245.6600 | 515.281.1000 (Pain, Grief, Justice, Care)

24 HOUR CRISIS LINE: 888.207.4002

Mant protocols funded "Homeward Bound"  
Announcements "Be Careful"  
"Child Abuse Concerns"



MESA COUNTY

Tabatha Kissner  
Community Justice Specialist

MESA COUNTY  
Criminal Justice Services



MESA COUNTY SHERIFF'S OFFICE

SHERIFF MATT LEWIS

Mr. D. Rubenstein (D.A.)

Sgt. Stoffle

344-3029

## Earth · Home · Life · Health

### *Our Choices Matter*

*November- December 2015: Concerned citizens from 4 local faith communities and 5 local organizations came together to raise awareness and plan events to coincide with the recent UN Climate Change Conference. It's estimated that more than 150 different people participated in one or more of the December events in the Grand Valley.*

Concerned citizens met again on Friday, January 8 to consider next steps for local networking in 2016.

- What's next for raising awareness about climate change?
- How do we effectively support (and/or develop) focused efforts and network to have an impact locally?
- In the midst of full lives, let's find focused meaningful actions.
- What's already happening that we can support?
- What additional possibilities do we want to consider?

#### Specific next steps that have been discussed are:

- **Friday, January 29, 4:30-6:00PM "WHY CHOOSE?"** at Koinonia – 730 25 Road  
Matt will offer a session "WHY CHOOSE?" to help us reflect on how and why to choose the hopeful efforts we'll invest in. Details to follow.
- **BLM Methane Proposal:** Karen, Sherry, Deb, and Eric will organize an event in February to provide education and offer an opportunity to write letters. We will network with WCC and The Wilderness Society who will also be focusing on this.
- Deb will check with Matt on how to best publicize/post/email events for all those who wish to network for greater impact. We'll communicate soon how to locate this **list of local opportunities** and add to it.

1. Help create a **Citizens Advisory Board** in Grand Junction with the power to create a forward-thinking plan with clear steps to improve energy efficiency, wean ourselves off fossil fuels, and drive economic growth with expanded clean energy industry. (The long term goal is to create a just transition to renewables by 2030.)

If you are interested or have questions contact Matt King at Western Colorado Congress: 256-7650.

- **Tuesday January 26:** We'll convene at 6 p.m. in the WCC office to discuss our draft proposal and make changes before having a couple key meetings.
  - **Monday February 15:** Former Rifle Mayor Keith Lambert is coming to Junction to have a conversation with us, politicians and business interests about the economic benefits of clean energy. This event is at 6:30 p.m. in the Alpine Bank building.
2. **Citizens for Clean Air** is a group of local citizens who are concerned about air quality issues in the Grand Valley. Karen shared that they are currently working to reduce open burning in Mesa County on non-farming properties, an air quality monitoring project, a survey, and advising the county health department.

Contact: [citizensforcleanairgj@gmail.com](mailto:citizensforcleanairgj@gmail.com) to learn more.

related article: <http://www.gisentinel.com/news/articles/devices-monitor-your-air-quality>



3. Attend a class to be offered for the second time through New Dimensions: ***Inquiry into Climate Change***. Registration will begin mid-January. <http://www.newdimensionsgi.org/>

Create **regular opportunities that create awareness/educate** and when possible include meaningful actions - perhaps quarterly gatherings at the public library that offer films and/or speakers followed by letter writing. "Time To Choose" by Oscar-Winner Charles Ferguson is another film we may want to screen. <http://www.timetochoose.com/>

Karen reported that the **BLM Methane Proposal** will soon be released. Public hearings will take place in Denver. Information she provided is attached. Karen, Sherry, Deb, and Eric will organize an event in February to educational and offer an opportunity to write letters.

Deb and Steve are willing to offer **letter writing** sessions ...to congress and/or letters to the editor. Some letters may be shared with Citizens Climate Lobby. (There's a new chapter in Montrose. Deb and Steve attended the training. For anyone who might want to learn more see: <http://citizensclimatelobby.org/>.)

Mary described **interfaith efforts** to create a long term alliance. The hope is to build relationships and channel ongoing energy into meaningful societal change...the alliance might address climate change and other concerns:

- One possibility is an eco-justice workshop by Peter Sawtell.
- The UUs are also hoping to get inter-faith activity on their domestic violence priority.
- On **Tuesday, February 16th**, a group of faith communities committed to structural and systemic societal change will gather to explore ways to start moving the world as it is to a world that is better for all. Matt is proposing a 2.5 hour evening session: *Organizing - What the \$@%\* is Organizing?*

Bruce shared **alternative fuel prototypes** that he has shared with the GI fleet. He recommends attending city council meetings and voicing citizen's comments.

Jerry suggested gathering **stakeholders** - all those with solar power in the valley.

Just a note: The book **Active Hope** offers 3 mutually reinforcing dimensions to consider when forming next steps:

- holding actions in defense of life on Earth;
- encouraging shifts in consciousness that change perceptions and values;
- and developing new economic and social structures that sustain life.

Sherry shared: Colorado College release their **Conservation in the West Poll**. Some of it relates directly to methane or oil and gas, but it also covers many other topics. <http://bit.ly/1PSwgON>

Matt shared: a short read worth your time about the **social movement aspects of clean energy work** (see attachment)

Farhad is the founder and trustee chair of the Chorus Foundation, which works for a just transition to a regenerative economy in the United States. The Chorus Foundation is a WORC funder.

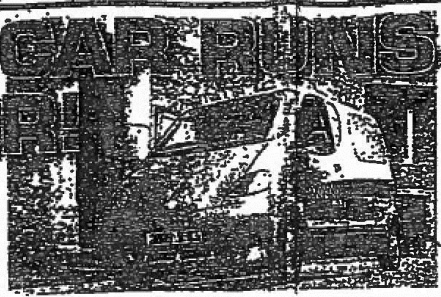
The Chorus Foundation recently announced that it has picked three frontline communities to receive eight years of grant support to speed a just transition to a new economy, and in this blog post Farhad explains some of the reasoning behind the foundation's decision. It really is excellent reading and food for thought as we work to achieve our own vision of Homegrown Prosperity.

*Steve Formella*

PROPHECY PROPHECY

# NEW CAR RUNS ON AIR!

## VEHICLE IS MADE OUT OF GLUE



**T**HIS fall, the world's first air-powered car will hit the streets in India. Designed by a former racing car guru, the Air Car uses compressed air rather than gasoline to drive its engine's pistons. The result: zero harmful emissions pumped into the atmosphere.

The car can reach speeds of 68 miles per hour and travel for 125 miles before its air tank needs to be refilled, which can be accomplished for about \$2 at any station equipped with an air compressor. Drivers can also recharge the vehicle by plugging its internal compressor into an ordinary electrical outlet for four hours.

The Air Car is made entirely of a high-tech glue that hardens to form a safe body and internal components. The manufacturing process is so simple that the vehicles will sell for just \$12,700.

The car will be available in India, Germany, Israel and South Africa - but there are no immediate plans to bring it to the U.S.

"The powerful oil companies see it as a threat to their profits and will lobby against it," says auto industry analyst Brad Michaels. "Also it would be difficult to market here where - despite soaring gasoline prices and runaway environmental pollution - consumers still prefer gas-guzzlers."

*fleet seat -  
 seat for 9.9.02  
 A suggestion from  
 Q. L. White cited  
 Emory Stiner -  
 Jeffrey Martin (Research  
 Gussu Freedom) Co 2 Hao Mei*

# WORLD'S CHEAPEST CAR GEARS UP FOR MASS PRODUCTION

**A** CAR that costs just \$2,500 to buy is about to hit the market.

The Nano is tiny, but it seats five people and gets 50 miles per gallon of gas. Although it's meant to provide affordable transportation in developing countries, it will be available in America, too.

Engineers at the Indian car company Tata spent four years working on the Nano. Initial goals call for a production run of 250,000 cars, with plans to expand to 1 million vehicles a year.



**TINY** Tata Nano gets ready to roll

Company owner Ratan Tata calls the Nano "a safe, affordable all-weather transport, designed to meet all safety standards and emissions laws."

The \$2,500-version is stripped down - no air conditioning, power windows or power steering - but future models will offer these features for a few extra bucks.

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 Facebook Presentation



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