

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

March 2, 2016

The City Council of the City of Grand Junction convened into regular session on the 2nd day of March, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and Council President Phyllis Norris. Absent was Councilmember Chris Kennedy. 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 McArthur introduced Boy Scout Troop 363 who led the Pledge of Allegiance which was followed by a moment of silence.

Council President Norris welcomed the students from Colorado Mesa University (CMU) in the audience.

Proclamations

Proclaiming March, 2016 as “Developmental Disabilities Awareness Month” in the City of Grand Junction

Councilmember Traylor Smith read the proclamation. Douglas A. Sorter, STRiVE Development Vice President “Champion”, was present to receive the proclamation. He thanked Council and spoke about the progress STRiVE has made since 1979. He then read a statement about STRiVE which started in 1966 and noted their clients are usually at STRiVE for their entire life.

Certificates of Appointment

To the Forestry Board

Councilmember Boeschstein presented a certificate to Teddy Hildebrandt who was present to receive his certificate of reappointment to the Forestry Board. Mr. Hildebrandt expressed his appreciation and talked about the Forestry Board and their programs. He announced that April 23rd will be Arbor Day this year and invited everyone to attend the event.

Citizens Comments

Daniel Agajanian, 821 Ouray Avenue, addressed the City Council on behalf of his neighborhood regarding the alley between 8th and 9th Streets on Ouray Avenue that

they would like to have paved. The total cost would be \$82,500, with the City's cost being \$58,910.50. The neighbors are willing to pay the rest of the cost.

Bruce Lohmiller, 536 29 Road, addressed the Council regarding the need for night patrols at Whitman Park. He also mentioned "room at the inn" otherwise known as HomewardBound. He stated that he received a letter from the Secretary of State's office and he is running for office.

Richard Swingle, 443 Mediterranean Way, addressed the City Council regarding the Club 20 Telecommunications Committee meeting. He presented a summary of that meeting. The topics were Department of Local Affairs (DOLA) Middle Mile/Project updates which referenced the two counties and one city that are leading in broadband progress, there were four topics on CenturyLink; Connect America Fund (CAF) I and II funding, high cost fund, and current Public Utility Commission (PUC) litigation, Colorado Senate Bill SB16-067, and Tele-Health and Western Colorado. Club 20 declined to support a resolution for Senate Bill SB16-067.

Council Comments

Councilmember Taggart on February 22nd sat with Luis Benitez the new Colorado Director of Outdoor Recreation Industry who is assessing Colorado's outdoor industries; he later went to a reception with the Outdoor Recreation Coalition. On February 23rd he went to a Palisade Trustee's meeting on the Palisade Plunge Project and to the Club 20 policy meeting. On the evening of February 25th he went to listen to Bray Real Estate's presentation on the State of the Real Estate Forecast, and on March 1st he went to the caucus.

Councilmember Traylor Smith stated Council is continuing to look at the Events Center Feasibility Study and a committee will be formed to look into all of the options.

Councilmember Chazen went to the Homelessness Coalition Meeting. On February 22nd he too attended a meeting with Mr. Benitez where he found there is a lot more to the outdoor industry than he thought (not just bikes). There was discussion about airline and train service and the need for them to connect to other hubs. On February 28th at the Downtown Development Authority (DDA) meeting, downtown wireless internet service was discussed. DDA decided to move forward with a Request for Information (RFI) for ideas on wireless internet. On February 26th he attended a Colorado Oil and Gas Association (COGA) banquet. There was a report from Chevron with the message times are tough now, but oil and gas is a very cyclical industry and should recover. The price of natural gas was \$1.67/gallon. On February 27th he attended the grand opening of Fire Station #4 and also attended the caucus. He encouraged the boy scouts in attendance to attend the upcoming County Convention.

Councilmember Boeschstein also attended the presentation with Mr. Benitez. On February 23rd he attended the Museum of Western Colorado's Board Meeting. On February 29th he helped inaugurate the KAFM Grand Valley Community Radio Art Exhibit. KAFM also has a new program called "Inside City Hall"; Purchasing Manager Scott Hockins and Councilmember Chris Kennedy have discussed broadband and Fire Chief Ken Watkins spoke about Fire Station #4. He lauded the Mayor for her excellent State of the City address; it was a very positive message.

Councilmember McArthur attended the Homelessness Coalition meeting and they are searching for solutions and trying to use that organization to help with issues. On February 19th and 20th he attended the leadership program in Colorado Springs and spoke with several legislators and former legislators. On February 25th he attended the real estate forecast presentation by Bray and Company. He also attended the Club 20 water and energy natural resources committee meetings. He attended the Western Slope Colorado Oil and Gas Association (WSCOGA) banquet featuring students from the Energy Department at CMU. He also went to the grand opening for Fire Station #4.

Council President Norris also attended the same meetings mentioned and commented the grand opening at Fire Station #4 was exceptional.

Consent Agenda

Councilmember McArthur read the Consent Calendar items #1 and #2 and 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 Minutes of the February 17, 2016 Regular Meeting and the February 19, 2016 Special Meeting

2. **Construction Contract for the 2016 Waterline Replacement Project**

This project will replace an aging 24 inch diameter steel line in 28 Road and Orchard Avenue as part of the waterline replacement program.

Action: Authorize the Purchasing Division to Execute a Construction Contract with M.A. Concrete Construction, Inc. for the Construction of the 2016 Waterline Replacement Project in the Amount of \$357,722

ITEMS FOR INDIVIDUAL CONSIDERATION

North Avenue Catalyst Grant Application for 1660 North Avenue

Dr. Mark Asmus, applicant for the Veterinary Emergency Clinic, has submitted an application for consideration for \$7,660 of the North Avenue Catalyst Grant Program. This is the eighth application for this program to come before the City Council.

Lori V. Bowers, Senior Planner, presented this item. Ms. Bowers gave the background of the grant program since it began in November 2014. She described the location and stated that the applicants are proposing signage upgrades with the application. This is the first application for a monument sign. Dr. Asmus asked Ms. Bowers to express his excitement for what is going on in the corridor and thinks signage is an integral part. To be eligible for a grant the sign must meet certain requirements which she described.

Councilmember Boeschstein congratulated Staff and Dr. Asmus for changing to this excellent example of a monument sign.

Councilmember Chazen asked about the lower part of the sign for tenants. Ms. Bowers said that is reserved for the tenant. Councilmember Chazen asked if there are other applicants lined up for the rest of the funds. She said she has sent out one other application and has spoken with three more potential applicants.

Councilmember McArthur said the biggest sight problem on North Avenue is the signage so he applauded this effort to help with the North Avenue corridor view.

Councilmember Traylor Smith agreed with all the comments made.

Councilmember Boeschstein moved to approve a North Avenue Catalyst Grant application for 1660 North Avenue in the amount of \$7,660. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Extending an Offer of Employment to Greg Caton for the City Manager Position

The City Council has gone through a rigorous recruitment process to hire a new City Manager. As a result of that process which included community members, employees, and former City Managers, the City Council will decide by this action whether to extend a conditional offer of employment to Greg Caton.

City Attorney John Shaver introduced and described the request. He offered to answer any questions. If approved, the agreement will be forwarded to Mr. Caton for his review.

Councilmember McArthur asked about the impact of a resolution versus just the offer. City Attorney Shaver said this process was to accommodate Council; Council wanted to consider this at a formal public meeting. Mr. Caton is currently employed and must make the decision to stay with his current employer or accept the City's offer. Mr. Caton does have a notice provision in his contract with Oro Valley. Councilmember McArthur said that the recruitment process was a thorough vetting and thanked Director of Human Resources Claudia Hazelhurst for putting together the process. There was a lot of community support.

Councilmember Boeschstein said it was a very long and in depth process. He asked Ms. Hazelhurst for the total number of applicants. Ms. Hazelhurst said there were 48. Councilmember Boeschstein said they had professional help to whittle the applicants down in order to begin interviews. He feels Mr. Caton will be an excellent City Manager.

Councilmember Chazen said he is looking forward to getting this behind the Council. Council was very careful vetting all of the applicants and Mr. Caton has longevity in his positions, experience, went through a rigorous interview process, has community support, and hopefully will come in and be able to deal with all the operational aspects of the City that can be quite challenging. He thanked Ms. Hazelhurst and City Attorney Shaver for their work on this entire process.

Councilmember Traylor Smith asked Ms. Hazelhurst to describe the process. Ms. Hazelhurst said that after Council narrowed the field of candidates, two finalists were interviewed by five different panels; a community panel, a panel representing the Employee Advisory Team, a panel of current and former City Managers, the Department Heads, and City Council. Councilmember Traylor Smith said it was very helpful to hear what others thought and she thanked Ms. Hazelhurst for the process that got so much input and she felt this process should be a model for other communities.

Councilmember Taggart thanked everyone, especially Ms. Hazelhurst and City Attorney Shaver for developing the employment agreement. It is challenging to recruit a very qualified individual and protect the citizens. The termination and severance sections are fair to all parties.

Council President Norris said although there were two very good candidates Mr. Caton stood out. He had more experience, is from Colorado, and understands Colorado law. She agreed with Councilmember Taggart, developing the employment agreement was not easy and Council spent a lot of time reviewing it. She is looking forward to supporting Mr. Caton coming to the City of Grand Junction.

Councilmember McArthur stated Ms. Hazelhurst was being too modest about her contribution in the hiring process since the first steps were finding the recruiting firm, defining what everyone wanted in a City Manager (which are big shoes to fill), the vetting and consulting with the search firm, reviewing videos, having the candidates

answer many questions, and finally the candidate interviews with the five different groups and their feedback. A lot of hours and work was involved in the process and it is important that the public understands this was a monumental effort, but hopefully, it has come to a successful conclusion.

Resolution No. 07-16 – A Resolution Authorizing the Human Resources Director and Waters & Company to Make a Conditional Offer of Employment to Greg Caton

Councilmember Traylor Smith moved to adopt Resolution No. 07-16. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Contract for the North Avenue Complete Streets Project (12th Street to 23rd Street) RE-BID

This request is to award a construction contract for the start of the revitalization of a commercial corridor in the heart of Grand Junction. This first work phase will take place on North Avenue from 12th Street to 23rd Street.

Greg Lanning, Public Works Director, presented this item. He explained the action being requested has two parts and includes payment for the installation of conduit for fiber. He recognized Poppy Woody with the North Avenue Owners Association (NAOA) and Tyler Ogle with Sorter Construction that were in attendance. He described the project and displayed a map showing the features in the corridor to be constructed. He said the project will begin in late March with an anticipated completion date of August 15th. He summarized the history of the project and showed before and after pictures from an earlier phase.

Mr. Lanning described the initial bidding process which led to the second round of bidding in order to incorporate "value engineering" which removed some elements, re-engineered others, and identified alternate elements that could be added or deleted from the project in order to stay within budget. The base bid and 2nd alternate are in the request before them. He reviewed the sources of the funding which included the Transportation, Community, and System Preservation (TCSP) Program grant monies, Department of Local Affairs (DOLA) grant monies, Transportation Capacity Fund Transfer, and a request for Economic Development Contingency monies (specifically for the fiber conduit). He noted that the lights will be bid separately for an estimated amount of \$275,000. The median improvements have also been deleted but there will be \$11,448 in the project for the Parks Department to purchase materials and treat the median like they did from 1st Street to 12th Street.

Councilmember Traylor Smith asked if the TCSP funding was granted in 2011. Mr. Lanning said that was correct. Councilmember Traylor Smith asked if the \$120,000 from the Economic Development Fund is for broadband conduit. Mr. Lanning said yes.

Councilmember Traylor Smith asked about the \$90,000 from contingency. Mr. Lanning said that the \$90,000 is embedded into the base bid; however, if everything goes as planned, that amount would not be used. Councilmember Traylor Smith asked if it is not used for this aspect of the project, where would it be used. Mr. Lanning said it would go back into the project for things like landscaping and furnishings. Councilmember Traylor Smith asked if there would be other opportunities with grants for furnishings. Mr. Lanning said there may be other grants or direct line funding in the future.

Councilmember Chazen stated that this project has been going on a long time and they have been working on the funding since 2011. He was concerned as to why there was only one bid for the project. Mr. Lanning said there were two bidders but one was disqualified because it was submitted incorrectly.

Councilmember Chazen asked what the impact will be to businesses during construction. Mr. Lanning said there will be no construction activity during JUCO. Work in front of the stadium construction zone hasn't been finalized. The contractor has a good reputation and will be limited as to when and how many lanes can be closed. Councilmember Chazen said anything that can be done to mitigate the impact on businesses would be appreciated.

Councilmember Chazen asked if anyone has contacted the broadband providers to see if they want to contribute to the project at this point rather than be approached later for usage. Jay Valentine, Internal Services Manager, responded saying they have not contacted any providers yet because it will be done in a more formal manner later. Councilmember Chazen said he will support the request as it has been a long time coming and will improve that stretch of North Avenue.

Councilmember Taggart stated he does support the project and he felt that the conduit does need to go in the ground during the construction as it would cost more to do it later. He has concern regarding using funds from the Economic Development (ED) Fund as there will be other requests this year and he is concerned about exhausting the Fund. He asked if the savings from the drop in oil prices could be used toward the conduit installation. Another question he asked was if the Veterans Administration (VA) Hospital is ready to go with the same contractor timing wise and doing this in a coordinated effort. Mr. Lanning said that the VA Hospital has been working quite a while on their project and they have certain responsibilities with the deceleration lanes and they are not using the same contractor. As far as the coordinated effort, Mr. Lanning will have to get back to Councilmember Taggart on that.

Mr. Lanning described the conduit and explained why it makes sense to install it during this project. Two four inch hollow conduit lines will be laid in the ground and then the fiber can be inserted in the future.

Interim City Manager (ICM) Tim Moore addressed the conduit funding concern and said there is nowhere else to find the funds and noted they would not have been available had U.S.A. Pro Cycling event not pulled out. He is glad that Council is supportive of the conduit but there is no other funding available.

Mr. Valentine said that with every project, they try to stay as frugal as possible and achieve savings for unforeseen projects or projects on the "B" list. He said that there is the possibility of using some funds from the City Manager Contingency Fund.

Councilmember Chazen asked if businesses want to tap into the broadband, will the street be torn up again. Mr. Lanning said riser and junction boxes will also be installed which will allow easy accessibility.

Councilmember Boeschstein thanked Mr. Lanning and the NAOA for the project. He asked if there will be defined crosswalks for pedestrians to cross North Avenue safely. Mr. Lanning said that raised medians are a pedestrian refuge by nature and part of their function. There will be pedestrian crosswalks with flashing lights. Councilmember Boeschstein asked if the temporary barriers will continue to be used for JUCO. Mr. Lanning replied affirmatively. Councilmember Boeschstein asked if driveways will be consolidated and if right turn only lanes will be used to discourage left turns. Mr. Lanning said as part of the grant, it included those elements as access and safety were important. Certain accesses will be closed.

Councilmember Chazen asked if the \$11,000 shown for medians will be enough to fix the medians to avoid the left turns that go nowhere. Mr. Lanning said that it would not but CDOT is looking to overlay North Avenue in 2018 or 2019 and at that time, the City could look at negotiating a redo of all the curbs and take care of that median treatment.

Council President Norris asked how much is in the ED Contingency Fund. Mr. Valentine said there is currently \$128,394. Council President Norris commented that is all the money Council has to spend on any project but feels this is an important project that needs to go forward.

ICM Moore stated that he respects Council's desire to preserve the Contingency Fund and they are likely to see savings in some areas and if a shift in the budget is desired, that Fund could be partially replenished.

Council President Norris said, as a City Council, they have said broadband is priority because that is what citizens have said they need and want.

Councilmember Boeschstein moved to authorize the City Purchasing Division to enter into a contract with Sorter Construction, Inc. of Grand Junction, CO for the North Avenue Complete Streets Project (12th Street to 23rd Street) in the amount of \$1,751,913.36 and authorize the use of \$120,522 from the Economic Development

Contingency Account, such award being subject to approval by the Colorado Department of Transportation. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:35 p.m.

Stephanie Tuin, MMC
City Clerk