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**CITY COUNCIL AGENDA
WEDNESDAY, APRIL 20, 2016
250 NORTH 5TH STREET
6:15 P.M. – ADMINISTRATION CONFERENCE ROOM
7:00 P.M. – REGULAR MEETING – CITY HALL AUDITORIUM**

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

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

Pledge of Allegiance
Moment of Silence

Proclamations

Proclaiming April 23, 2016 as “Arbor Day” in the City of Grand Junction [Attachment](#)

Proclaiming May 1-7, 2016 “National Small Business Week” in the City of Grand Junction
[Attachment](#)

Proclaiming May 1-8, 2016 as “Days of Remembrance” in the City of Grand Junction
[Attachment](#)

Citizen Comments

[Supplemental Attachment](#)

Council Comments

Revised April 21, 2016

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

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

Action: Approve the Summary of the April 4, 2016 Workshop, the Minutes of the April 6, 2016 Regular Meeting, and the Summary of the April 11, 2016 Special Workshop

2. Setting a Hearing for the Studt Annexation, Located at 227 29 Road [Attach 2](#)

This is a request to annex 0.9 acres, located at 227 29 Road. The Studt Annexation consists of 1 parcel.

Resolution No. 12-16 – 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 Annexation, and Exercising Land Use Control Studt Annexation, Located at 227 29 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Studt Annexation, Approximately 0.9 Acres, Located at 227 29 Road

®Action: Adopt Resolution No. 12-16, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 1, 2016

Staff presentation: Senta Costello, Senior Planner

3. Setting a Hearing for Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues [Attach 3](#)

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

Proposed Ordinance Vacating a Portion of Alley Right-of-Way Located Between Elm and Kennedy Avenues, Located in the Colorado Mesa University Area

Action: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016

Staff presentation: Scott D. Peterson, Senior Planner

4. **Setting a Hearing for Marquis Zone of Annexation and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway**

[Attach 4](#)

A request to zone 0.54 acres from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low” (0.5 – 2 du/ac) to “Neighborhood Center”. The proposed resolution to amend the Comprehensive Plan will be considered with the second reading of the zoning ordinance.

Proposed Ordinance Zoning the Marquis Annexation to B-1 (Neighborhood Business), Located at 2245 ½ Broadway

Action: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016

Staff presentation: Scott D. Peterson, Senior Planner

5. **Purchase a Backhoe for Cemetery Operations**

[Attach 5](#)

This backhoe is a needed resource to provide ongoing operation and maintenance of the City Municipal Cemeteries. This equipment is used for excavation of graves, disinterment's, facility/road maintenance, irrigation repairs, and offloading of vaults and equipment delivered to both the Orchard Mesa and Crown Point Cemeteries.

Action: Authorize the City Purchasing Division to Purchase a Backhoe for \$83,850 from Flaska JCB, Denver, CO

Staff presentation: Rob Schoeber, Parks and Recreation Director
Jay Valentine, Internal Services Manager

6. **Prohibition of Parking along Main Street during Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016**

[Attach 6](#)

The Downtown Grand Junction Business Improvement District (DGJBID) is requesting the prohibition of parking along Main Street during the 2016 Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016, and the authorization for towing vehicles violating the prohibition.

Action: Prohibit Parking along Main Street from 1st to 7th Streets during the Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016 and Authorize the Towing of Vehicles Violating the Prohibition

Presentation: Allison Blevins, DGJBID Co-Executive Director

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

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

7. **Appointment of Municipal Judge** [Attach 7](#)

The last formal appointment of Judge McInnis was August 2006 for a four year term.

Resolution No. 13-16 – A Resolution Appointing Care` McInnis as Municipal Court Judge

®Action: Adopt Resolution No. 13-16

Staff presentation: John Shaver, City Attorney

8. **Public Hearing – Amend the Grand Junction Municipal Code to Allow for an Additional Alternate on the Forestry Board and Adopt the Proposed Forestry Board Bylaws** [Attach 8](#)

The request is to amend the Grand Junction Municipal Code to be consistent with the proposed Forestry Board bylaws and then to adopt the bylaws by resolution.

Ordinance No. 4694 – An Ordinance Amending Chapter 2.36, Forestry Board, of the Grand Junction Municipal Code by Amending Section 2.36.010 (a) Concerning Composition of the Board

Resolution No. 14-16 – A Resolution Adopting the Grand Junction Forestry Board Bylaws

®Action: Adopt Ordinance No. 4694 on Final Passage and Order Final Publication in Pamphlet Form and Adopt Resolution No. 14-16

Presentation: Kamie Long, Forestry Board Chair

9. **Federal Lands Access Program (FLAP) Funding Application for the Monument Road Trail** [Attach 9](#)

In 2007, the City of Grand Junction and Great Outdoors Colorado (GOCO) extended a trail from the existing Riverfront Trail just west of the Broadway Colorado River Bridge along No Thoroughfare Wash to just north of D Road. This federal FLAP request for \$4.79 million would extend a ten-foot concrete bike path south along Monument Road connecting to the South Camp Road Trail, providing a non-motorized alternative access from the Riverfront Trail past one of the region's most popular trailheads for access to a vast network of Bureau of Land Management (BLM) trails as well as expand and pave the trailhead parking lot, add trailhead amenities, and provide for bypass lanes at the east entrance to the Colorado National Monument (CNM).

Resolution No. 15-16 – A Resolution Authorizing the Interim City Manager to Apply for Federal Lands Access Program (FLAP) Funding for Construction Work on the Monument Road Trail Improvement Project

®Action: Adopt Resolution No. 15-16

Staff presentation: Trent Prall, Engineering Manager

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

11. **Other Business**

12. **Adjournment**

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, trees are an important asset to the City of Grand Junction, State of Colorado, providing shade, shielding properties from wind and storms, reducing noise levels, acting as homes for wildlife, and providing oxygen for the air we breathe; and

WHEREAS, trees enhance the beauty of the City of Grand Junction, State of Colorado, with various forms, textures and colors; and

WHEREAS, all citizens of Grand Junction, now and in the future, will benefit from the planting of trees; and

WHEREAS, the State of Colorado has officially declared the 23rd day of April as Arbor Day; and

WHEREAS, the City of Grand Junction will celebrate the 23rd day of April in our community with a fun and educational experience with kids to gain a greater understanding of the importance of trees; and

WHEREAS, the City of Grand Junction is a recipient of a Tree City USA Growth Award for demonstrating a higher level of progress in its community forestry program during 2015; and

WHEREAS, the City of Grand Junction has been recognized as a Tree City USA for thirty-four years by The National Arbor Day Foundation and desires to continue its tree-planting ways.

NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 23, 2016 as

"ARBOR DAY"

in the City of Grand Junction and encourage all citizens to support our City's Urban Forestry Program and to participate in this effort by planting a tree for a better future.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of April, 2016.

Mayor



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, America's progress has been driven by pioneers who think big, take risks, and work hard; and

WHEREAS, from the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, small business owners and Main Street businesses have energy and a passion for what they do; and

WHEREAS, when we support small business, jobs are created and local communities preserve their unique culture; and

WHEREAS, because this country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS, the City of Grand Junction supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim May 1 through 7, 2016 as

“NATIONAL SMALL BUSINESS WEEK”

and encourage all citizens to support our local small businesses.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of April, 2016.

Mayor



Grand Junction

State of Colorado

PROCLAMATION

- WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945 - six million were murdered; Roma (Gypsies), people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and*
- WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and*
- WHEREAS, we the people of the City of Grand Junction, Colorado, should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and*
- WHEREAS, we the people of the City of Grand Junction, Colorado, should rededicate ourselves to the principles of individual freedom in a just society; and*
- WHEREAS, the Days of Remembrance have been set aside for the people of the City of Grand Junction, Colorado to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and*
- WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, May 1 through Sunday, May 8, 2016, including the Day of Remembrance known as Yom Hashoah, May 5, 2016.*

NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of Sunday, May 1 through Sunday, May 8, 2016 as

"Days of Remembrance"

in the City of Grand Junction, in memory of the victims of the Holocaust and in honor of the survivors as well as the rescuers and liberators, and further proclaim that we, as citizens of the City of Grand Junction, Colorado, should work to promote human dignity and confront hate whenever and wherever it occurs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of April 2016.

Mayor



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

Meeting Convened: 5:04 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:14 p.m.

City Council Members present: All except Council President Norris and Councilmember Boeschstein

Staff present: Moore, Shaver, Camper, Hockins, McInnis, Kovalik, Valentine, Lanning, Schoeber, Watkins, Arellano, Portner, Blevins, and Tuin

Also: Les Miller and Shane Allerheiligen from the Downtown Development Authority/Business Improvement District (DDA/BID) Board, Jeremiah Simpson from Walker Parking Consultants, and Richard Swingle

Council President Pro Tem Chazen opened the meeting and Interim City Manager (ICM) Moore recognized the DDA/BID Board members present and introduced the first topic.

Agenda Topic 1. Insurance Services Office (ISO) Public Protection Classification

Grand Junction Fire Chief Ken Watkins said the Grand Junction Fire Department (GJFD) was notified last year their ISO rating improved (from 4 to 2) which prompted Captains Joel Arellano and Matt Carson to begin looking at internal changes that could be made to further improve the rating. The rating is a planning tool for fire protection and since the GJFD's last rating in 2006 they have made many improvements including the installation of compressed air foam systems on the City's fire engines; this type of system reduces the amount of water needed to extinguish fires and therefore the amount of water damage.

Captain Arellano explained what ISO does, what the rating is based on, how it affects insurance rates, and noted the GJFD's strengths and areas for improvement. The ISO typically conducts surveys every ten years or anytime a rating change is likely; surveys can be triggered by changes to roadways, new access to training facilities, and the addition of fire stations. The rating, the Public Protection Classification (PPC), is based on ISO's evaluation of emergency communications, the fire department, water supply, community risk reduction factors, and divergence. He reviewed the GJFD's score summary and explained the negative divergence rating is due to the combined use of City and Ute water and the sparse water supply on the outskirts of the City. The improved PPC rating may reduce local commercial insurance premiums by 5-10%.

It was agreed the improved rating should be used as a way to promote the City; information will be provided to Economic Development Partners.

Agenda Topic 2. Downtown Parking Management Study and Parking Fund Report

ICM Moore introduced the topic and Jeremiah Simpson from Walker Parking Consultants (WPC). Mr. Simpson reviewed his and WPC's credentials, outlined the study's objectives (supply/demand analysis

and financial model and strategies), noted the downtown areas existing conditions, reviewed the survey results (the survey did not include downtown businesses), and recommended management strategies.

Current parking revenue (close to \$.5 Million in 2015) is sufficient to cover meter operation, maintenance, and debt service for the Rood Avenue Garage, but does not produce enough excess to put toward upgrades or major repairs. Mr. Simpson noted current meter rates are not high enough to support the use of credit card or smart meters, but the number of spaces should be adequate through 2040 even with the addition of an event center. Recommendations with multiple options for Parking Management, Revenue Enhancement, and DDA Management were presented. The suggested incremental rate increases are moderate and it is not anticipated to affect use.

Councilmember Taggart questioned if existing parking would be adequate with the addition of an event center. His concerns were that events would be scheduled multiple times each week with both daytime and evening hours, walking distances would be up to 1/3 of a mile, and proper lighting is not available for all identified walking paths.

Mr. Simpson explained, for the analysis, limited information was available and the project scope changed mid-stream; however WPC scaled the Parking Management Plan for the size and time of the events with larger events triggering additional management options such as traffic cones and shuttles.

Council President Pro Tem Chazen identified other areas of concern from the analysis and suggested having private developers construct and maintain parking structures. He asked City Attorney Shaver if the DDA/BID were to take over management of the Parking Fund and parking, a possible scenario suggested by the consultant, would they have the authority to issue parking tickets. City Attorney Shaver explained the enforcement officer would continue to be a Police Department employee, but the DDA (or any other designated authority) would share the position expenses and a portion of collected parking fees.

Mr. Allerheiligen, DDA/BID Board member and downtown business owner, noted the survey was conducted on a Tuesday and Wednesday, but his business's busiest day is Friday and his customers stay an average of two hours. He is in favor of increasing long term rates to help discourage use by downtown employees and suggested offering employees free areas to park. He recommended implementing the Group B options from the analysis and increase long-term and monthly parking rates.

It was noted parking rates had not increased in ten years, the Parking Fund is breaking even, and there used to be a Parking Authority with a separate board before the City took over.

There was discussion regarding credit card meters (rates versus cost and connectivity were current issues), downtown Wi-Fi is being considered as part of the DDA Broadband Project, who should oversee and manage the parking (the City or the DDA operate and the BID manage), and if free holiday parking should continue to be offered.

Councilmember Taggart suggested the DDA/BID review the analysis, recommend a management plan to the City, and consider an agreement with the City stating they would not share revenues with the City until a specific profit level is reached. Council agreed they would like the DDA/BID to manage parking since they work directly with the businesses and customers.

Inclusion of an event center as it relates to a parking management plan will be discussed at a later date.

Agenda Topic 3. Other Business

Municipal Judge Appointment - ICM Moore noted Municipal Court Judge Care McInnis will be invited to attend the next workshop (April 11, 2016) to discuss her appointment and term. City Attorney Shaver noted the term can be no less than two years. A resolution will follow.

Executive Summaries – Councilmember Taggart requested all studies include an Executive Summary and be available to Council with adequate review time before a meeting discussion.

Open Burning Issues – Councilmember Taggart mentioned he received many calls and emails regarding open burning and the attributed breathing and health issues.

Fire Chief Watkins said agricultural burning is regulated by the State and he too has received a lot of calls this year. He will research the calls and compile information on the burn permits (over 1,000) issued this year by the City. He also noted the GJFD operates within the County-wide burn permit system; the fall burn season is planned to be shorter this year. The Spring Burn Season is March 1st through May 31st.

Open burning will be added to the list of future topics.

Agenda Topic 4. Board Reports

Grand Junction Housing Authority (GJHA) - Councilmember Traylor Smith said the GJHA received tax credits for the Highlands Project, Phase I which would allow them to move to Phase II sooner; they are waiting on HUD approval. A groundbreaking ceremony will be May 5th or 6th.

Housing First Project & Colorado Water Congress (CWC) – Councilmember McArthur met with Housing First Project contractor Michael McDermott and visited one of their homeless facilities in Denver; this facility is different from the proposed facility for Grand Junction. He also attended a CWC meeting where they talked about State Bill, HB 16-1413, which would increase the statewide stormwater fee.

Parks and Recreation (P&R) Board & Avalon Theatre Foundation (ATF) Board– Councilmember Kennedy said the P&R Board will be hearing a vendor appeal soon and the ATF is reviewing items they would like to put funds toward after their final payment is made to the City in July.

Associated Governments of Northwest Colorado (AGNC) – Council President Pro Tem Chazen said a special meeting was held regarding Sage Grouse habitat; many local and federal agencies attended.

With no further business the meeting was adjourned.

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

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

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

1. **Insurance Services Office (ISO) Public Protection Classification:** The City recently went through an Insurance Services Office (ISO) Public Protection Classification review and received an upgraded rating. The Fire Department will present information about the ISO Public Protection Classification process, the improved rating, and steps the City can take for further improvement. [Attachment Supplemental Documents](#)

2. **Downtown Parking Management Study and Parking Fund Report:** In September of 2015, the City of Grand Junction and the Downtown Development Authority (DDA) hired Walker Parking Consultants (Walker) to conduct a Downtown Parking Study. The purpose of this study is to evaluate the existing downtown parking system and determine if additional capacity is needed to support current uses as well as future growth and development.

Walker Parking Consultant Jeremiah Simpson will present an evaluation of the parking system's financial performance and will present recommendations on several strategies to improve the revenue potential, efficiency, and customer service offered by the program. [Attachment Supplemental Documents](#)

3. **Other Business**

4. **Board Reports**

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

April 6, 2016

The City Council of the City of Grand Junction convened into regular session on the 6th day of April, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, and Council President Pro Tem Martin Chazen. Absent was Council President Phyllis Norris. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Chazen called the meeting to order. Councilmember Kennedy led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming April 16, 2016 as “National Health Care Decisions Day” in the City of Grand Junction

Councilmember Boeschstein read the proclamation. Dyann Walt, Adult Services Supervisor with the Department of Human Services, and Erica Eng, Director of Organizational Development for Community Hospital, were present to receive the proclamation. Ms. Walt thanked the City Council and emphasized the importance of the awareness and the need to spread the word. It is important to convey one's wishes to loved ones on how to handle end of life decisions. Ms. Eng said the event at the library on April 11th is free and includes a documentary and panel discussion. She also mentioned other upcoming events that would be held. Ms. Walt and Ms. Eng distributed some advanced directive information to the City Council.

Proclaiming April, 2016 as “Fair Housing Month” in the City of Grand Junction

Councilmember Kennedy read the proclamation. Katie Bowman, Executive Director, and Marisa Felix-Campbell, PR/Marketing Director of Housing Resources of Western Colorado, and Doug Sorter, Director of Business Development for STRiVE, were present to receive the proclamation. Ms. Felix-Campbell thanked the City Council and others for making this a priority. She described and presented statistics from the Grand Valley Housing Needs Assessment.

Proclaiming April, 2016 as “National Autism Awareness Month” in the City of Grand Junction

Councilmember Traylor Smith read the proclamation. Doug Sorter, Director of Business Development for STRiVE, was present to receive the proclamation. Mr. Sorter expressed his appreciation and described Autism Spectrum Disorders (ASD) which are brain development disorders and listed some of the common behaviors. Those with ASD have difficulty interacting with the community. STRiVE has been very successful working with children with Autism. The service is provided at no cost to the families but they are always looking for more funding. He provided literature to the City Council and invited everyone to “STRiVE for Success” events and listed upcoming dates. Councilmember Traylor Smith asked if there are opportunities to participate in fundraising events. Mr. Sorter said they have the “Tulips and Juleps” event coming up and provided the details.

Proclaiming April, 2016 as “Child Abuse Prevention Month” in the City of Grand Junction

Councilmember Taggart read the proclamation. Jacque Berry, Child Welfare Supervisor for Department of Human Services, was present to receive the proclamation. Ms. Berry thanked the City Council and then provided current statistics; the Department of Human Services did 140 assessments. Mesa County's goal is to assess and assist families in staying together. She reached out to everyone to speak out against a child abuser and report suspected abuse. She quoted "when in doubt, report it out" from the Director of Human Services.

Proclaiming April, 2016 as “Month of the Young Child” in the City of Grand Junction

Councilmember McArthur read the proclamation. Lora Rohlman, Early Head Start (EHS) Quality Improvement Specialist for Early Learning Ventures, was present to receive the proclamation. Ms. Rohlman thanked the City Council. She described her organization and what they do to help young children. Their focus is early childhood care and education. Sylvia Barragan, Program Assistant with Mesa County Partnership for Children and Families, was present and handed out pinwheels to Council for increased awareness.

Certificates of Appointment

To the Grand Junction Housing Authority

Councilmember Traylor Smith presented a certificate to John Howe who was present to receive his Certificate of Appointment to the Housing Authority. Mr. Howe thanked the City Council for the appointment and said he looks forward to the challenge of learning more about this field and helping the community with housing options.

To the Commission on Arts and Culture

Councilmember Kennedy presented a certificate of reappointment to Jeremy Franklin, and a certificate of appointment to Thea Arandjelovic. Mr. Franklin and Ms. Arandjelovic both thanked the City Council.

Citizens Comments

Council President Pro Tem Chazen welcomed students from an American Government class at Colorado Mesa University (CMU).

Owen Mangan, 664 29 ½ Road, Grand Junction, CO, expressed to City Council his opposition to next month's "Gay Parade". He felt it is acting against nature's God and it is indicating anti-humanity. He asked the Council to cancel the Gay Parade.

Richard Swingle, 443 Mediterranean Way, Grand Junction, CO, addressed the City Council about his interest in City government, SB-152, and its subsequent opt out by the voters. He talked about the Mountain Connect Conference that is coming up on June 5th through June 7th in Keystone. There will be a Broadband 101 class and the opportunity to see what other communities are doing. He encouraged City Councilmembers to attend.

Council Comments

Councilmember Taggart had no comments.

Councilmember Traylor Smith had no comments.

Councilmember Kennedy stated that he is proud to live in an inclusive community and he took exception to the statements made by one of the citizens during the comment period.

Councilmember Boeschenstein said he went to the National Planning Association Conference where there were 5,000 city planners in attendance. He will share information he received with the City Council and Staff. He congratulated Staff for getting a DOLA (Department of Local Affairs) grant for Las Colonias Park.

Councilmember McArthur said he went to Delaney Clements service on April 2nd. It was a touching event. He toured a homeless facility in Denver and participated in a Youth Image Summit in Brighton. He made note that a friend of his, a physician, was murdered in his front yard in Centennial, CO, while assisting with a domestic violence situation.

Council President Pro Tem Chazen said on March 23rd he went to an Associated Governments of Northwest Colorado (AGNC) meeting where Dave Norman presented information about a Veterans Affairs (VA) program; Mr. Norman will be reaching out to veterans of Western Colorado to raise awareness of VA programs.

Consent Agenda

Councilmember McArthur read the Consent Calendar items #1 through #4 and moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meetings

Action: Approve the Summary of the March 14, 2016 Workshop, the Minutes of the March 16, 2016 Regular Meeting, the Summary of the March 21, 2016 Workshop, and the Minutes of the March 23, 2016 Special Session

2. Setting a Hearing to Amend the Grand Junction Municipal Code to Allow for an Additional Alternate on the Forestry Board

The request is to amend the Grand Junction Municipal Code to be consistent with the proposed Forestry Board bylaws. The bylaws will be presented for formal adoption at the second reading of this ordinance.

Proposed Ordinance Amending Chapter 2.36, Forestry Board, of the Grand Junction Municipal Code by Amending Section 2.36.010 (a) Concerning Composition of the Board

Action: Introduce Proposed Ordinance on First Reading and Set a Public Hearing for April 20, 2016

3. **Purchase a Rubber Tire Backhoe for the Water Services Division**

The rubber tire backhoe is a resource needed to provide ongoing operation and maintenance in the Water Services Division. This equipment is used for the repair and installation of water distribution pipes, water valves, fire hydrants, meter pits, sewer manholes, water supply ditches, water supply reservoirs, and other critical drinking water and irrigation infrastructure.

Action: Authorize the City Purchasing Division to Purchase a Rubber Tire Backhoe for \$99,408 from Wagner Equipment Co.

4. **Replacement of Rough Mower at Lincoln Park Golf Course**

The current rough mower being used at Lincoln Park is past its life expectancy and needs to be replaced. It is used on a daily basis during growing season and it's on schedule for replacement as part of the fleet replacement program.

Action: Authorize the City Purchasing Division to Purchase a Rough Mower from Potestio Brothers in the Amount of \$55,103.99

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Setting the City Manager's Salary and Ratifying an Employment Agreement with Greg Caton

At the City Council meeting on March 2, 2016, the City Council authorized an offer of employment to Greg Caton to be the City Manager. The agreement was sent to Mr. Caton and he accepted the offer. On March 16, 2016, the City Council adopted a resolution appointing Mr. Caton as City Manager. This required step in the employment process is to adopt an ordinance setting his salary. The employment agreement negotiated with Mr. Caton will also be considered for final ratification.

The public hearing was opened at 7:50 p.m.

John Shaver, City Attorney, introduced this item. He stated that the matter had been discussed in the past but he and Claudia Hazelhurst, Human Resources Director, can answer any questions.

Councilmember Kennedy asked that the salary and benefits be detailed for the benefit of the audience. City Attorney Shaver said the City Charter does require the City Manager's salary be set by ordinance.

Claudia Hazelhurst, Human Resources Director, said Mr. Caton's salary has been offered at \$180,000 and she listed the benefits being offered.

There were no public comments.

The public hearing was closed at 7:53 p.m.

Ordinance No. 4692 – An Ordinance Concerning the Salary of the City Manager

Councilmember Boeschstein moved to adopt Ordinance No. 4692 on final passage and ordered final publication in pamphlet form and to ratify the employment agreement as presented. Councilmember Traylor Smith seconded the motion.

Councilmember McArthur said this process was thoroughly vetted in the community and it is good to get to this point.

Councilmember Boeschstein agreed with Councilmember McArthur and said it has been a long process with a lot of candidates. He is looking forward to Mr. Caton's employment.

Motion carried by roll call vote.

Public Hearing – Christian Living Services, Outline Development Plan, Located at 628 26 ½ Road

The applicants request approval of an Outline Development Plan (ODP) to develop a 58,000 square foot Assisted Living Facility for Christian Living Services, under a Planned Development (PD) zone district with default zone of R-O (Residential Office), located at 628 26 ½ Road.

The public hearing was opened at 7:55 p.m.

Brian Rusche, Senior Planner, presented this item. He described the proposed development plan and asked that the Staff report be entered into the record. He

described the location, and said that the 2.37 acre site is an unusually shaped triangular lot located at the northeast corner of 26 ½ Road and Horizon Drive. He described the surrounding uses. The proposed project will be one building that is two stories tall, not to exceed 58,000 square feet, and will provide assisted living with parking. The proposed Outline Development Plan is consistent with the Zoning and Development Code. A request to deviate the size of the building is part of the Planned Development but the zoning of R-O (Residential Office) will be the default zone and will be guiding the rest of the standards and development. The details for the rest of the project are still under review. The Planning Commission forwarded a recommendation of approval after their review. Staff recommends approval.

Councilmember Boeschstein asked if the sidewalk on Horizon Drive will be continued. Mr. Rusche said it currently stops at the signalized intersection but the applicant is proposing to continue the sidewalk. Councilmember Boeschstein asked if there are any wetlands. Mr. Rusche said there are no wetlands but there is an easement on the property near the canal.

Councilmember McArthur asked if the applicant is proposing a 58,000 square foot, two story building instead of the 10,000 square foot maximum building currently allowed. Mr. Rusche confirmed that to be correct. Councilmember McArthur asked if there are any concerns for fire or emergency services. Mr. Rusche said that all building code standards will have to be met. He said that there is mention in the application that this is a more efficient use of the site. The access off of both roadways has been addressed. Councilmember McArthur asked about the traffic. Mr. Rusche said that the R-O zone is a more unique zone because even though it has a maximum building size, there is no maximum number of buildings, so this size lot could have accommodated a number of buildings that would generate more traffic. Assisted living has different needs and many of the residents won't have vehicles.

Councilmember McArthur asked if the 24/7 hours of operation versus medical buildings which operate 8 hours a day will pose any problems. Mr. Rusche stated that there should not be a problem since there will be three around-the-clock shifts for caregivers. The applicant is working with the church adjacent to the property for some shared parking spaces. Councilmember McArthur asked what the maximum number of residents will be. Mr. Rusche said he believed the applicant is proposing an 84 bed facility. Councilmember McArthur asked who prepared the project report. Mr. Rusche said that it was the applicant. Councilmember McArthur asked about the start date for the project being May 2016. Mr. Rusche said that Councilmember McArthur will have to ask the applicant about that.

Councilmember Taggart asked Mr. Rusche to talk about the access to the facility because it is a very busy intersection. Mr. Rusche said that the applicant has proposed, through the TEDs exception process, there will be two full motion access points, one off of Horizon Drive and the other one, which is an existing access point, on 26 ½ Road that will be redesigned with curb, gutter, and sidewalk and could be a shared entrance point with the church. Councilmember Taggart expressed concern regarding aggressive drivers where the roadway collapses from three lanes to two lanes. Mr. Rusche said he believes that the road would be restriped but he will bring that to the engineer's attention.

Councilmember Traylor Smith asked Mr. Rusche to explain Planned Development. Mr. Rusche explained that Planned Development allows the ability to make deviations from normal standards. It is intended for good projects that provide public benefit but don't fit with the standards. The primary reason for this request is to provide the ability to build a larger building. The Outline Development Plan requires the applicant to present a plan. City Attorney Shaver said that it is also known as contract zoning, it is not a perfect fit, but it is the exchange of the applicant presenting their plan and the City giving their approval.

Council President Pro Tem Chazen asked the applicant to make their presentation.

H. McNeish, Confluent Development in Denver, CO, and Camille Thompson, President of Christian Living Services (CLS), presented information and acknowledged the local consultants who have been helping them.

Ms. Thompson read the CLS mission statement and described the services they provide. It is a big company doing great work. They serve in the Denver area. The demand for senior living services is growing. They have been partnering with companies like Confluent Development who have the resources to build facilities. She described the services provided by CLS. She addressed the term "Christian" in their name; they are inclusive communities that provide love, compassion, respect, unity, and integrity to those that do and do not profess a faith based belief.

Mr. McNeish provided a snapshot of the proposed site with the two story, 66 unit building (40 units assisted living and 26 units memory care) with 72 shared parking spaces (with church), and 32% landscaping. They want the design of the project to integrate with the neighborhood. There will be improvements to the sidewalks along 26 ½ Road and Horizon Drive. He reviewed the community benefits the project will bring to the area.

Councilmember McArthur asked if a retention pond, rather than a detention pond, is being proposed for the project. Mr. McNeish said a detention pond is proposed and the outfall will go into a pipe and then into the City system.

Councilmember Boeschstein asked Mr. McNeish if he was aware of the letter provided to Council from Hilltop Community Resources that addressed concerns regarding the proposed facility (attached). Mr. McNeish said he was not familiar with the letter.

City Attorney Shaver said the letter was received by the City Clerk at 6:50 p.m. and copies were distributed to City Council, Mr. Rusche, and Mr. Moberg, Development Services Manager. Mr. Rusche provided Mr. McNeish with a copy of the letter.

Council President Pro Tem Chazen asked City Attorney Shaver if the letter should be read into the record. City Attorney Shaver said it is not necessary to read the letter into the record because it is sufficient that Council has copies of the letter as it is simply asking a few questions and not objecting to the request that is before Council.

Councilmember McArthur said he skimmed over the letter and noted that much of it would be addressed in the development process. Mr. Rusche said that any of the design concerns will be addressed during the review process. Everything presented is part of Planned Development zoning request which Staff and the Planning Commission deem to be appropriate and meets all the required criteria.

Councilmember Taggart found it awkward that the applicants have not seen the letter and said some of the concerns in the letter reflect business decisions.

Councilmember Kennedy agreed that it is more of a business case being made in the letter and the matter before Council is zoning. He encouraged the applicant to review the letter and consider Hilltop's concerns as they are a good community partner. Mr. McNeish said that they appreciated Council's recognition of the awkwardness of the letter and they would certainly take the letter and the concerns addressed into account and under advisement as they moved forward.

Council President Pro Tem Chazen asked if any public meetings were held and if there was any opposition expressed. Mr. Rusche said there was a neighborhood meeting held last fall with a number of people in attendance that were positive about the request. There was a Planning Commission hearing held and only one resident from the neighborhood was in attendance. Mr. Rusche said this is the first time that they have heard anything from Hilltop Community Resources.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Ordinance No. 4693 – An Ordinance to Zone the Christian Living Services Development to a PD (Planned Development) Zone, by Approving an Outline Development Plan with a Default Zone of R-O (Residential Office), Located at 628 26 ½ Road

Councilmember Traylor Smith moved to adopt Ordinance No. 4693 on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion.

Councilmember McArthur thanked the applicant for the complete presentation and answering all of Council's questions.

Councilmember Taggart asked that the intersection of 26 ½ Road and Horizon Drive be looked a closely by Staff to make the intersection safe.

Council President Pro Tem Chazen stated that he will support the motion, welcomed them to the community, and thanked them for their investment in the community.

Motion carried by roll call vote.

Council President Pro Tem Chazen called a 5 minute recess.

The meeting was reconvened at 8:54 p.m.

Sole Source Purchase of Sternberg Lighting LED Pedestrian Lights for the Horizon Drive Roundabouts Project

This request is to authorize the City Purchasing Division to sole source purchase 38 Light Emitting Diode (LED) pedestrian lights from Sternberg Lighting for the Horizon Drive Roundabouts Project.

Trent Prall, Engineering Manager, presented this item. He introduced Vara Kusal, Manager of the Horizon Drive Association Business Improvement District (HDABID). He then explained the request and the reason the lights were not included in the original project solicitation; the foundations for the lights were included in the original project. The HDABID selected Sternberg and plans to pay for the lights but the contractor insisted on dealing directly with the City. Mr. Prall displayed renderings of the proposed lighting. The lights will be in the City's inventory and not Xcel Energy's.

Mr. Prall updated the City Council on the Horizon Drive Roundabouts Project; it is moving forward quickly. He showed photos of sculptures that are being constructed in Vermont and said they will be an impressive entry feature.

Councilmember Kennedy asked if there is any other LED pedestrian lighting around the City. Mr. Prall said these will be the first to be installed but the North Avenue Complete Streets Project includes LED pedestrian lights. Councilmember Kennedy asked what the projection on energy savings is. Mr. Prall said that it should be about 50% on the electricity and noted LED lights last longer and require less maintenance.

Councilmember Taggart asked if the vision is to use this type of lighting throughout the entire project. Mr. Prall said they will use LED lighting all the way down to G Road and up to H Road. He advised that Sternberg Lighting has been in business for 93 years and they keep all of their molds and will be able to replicate the lighting in the future.

Councilmember Boeschstein thanked both the HDABID and the North Avenue Owners Association (NAOA) for their time and effort. This project will improve the entryway into the City and banners will be allowed on the bigger light posts which will be a positive entry feature.

Councilmember McArthur asked about the additional \$8,670 shown on the Staff report for sculpture lighting that was not included in this request. Mr. Prall explained that is a separate contract but fits within the purchasing guidelines and will be paid by HDABID as well.

Councilmember McArthur asked if this request had been budgeted and if not, why City Council is being asked to approve this request. Jay Valentine, Internal Services Manager, said that the City will purchase the lights but because the City did not do the procurement, it is a sole source. An amendment will be done to the budget for both the expenditure and the revenue for the same amounts.

Councilmember Traylor Smith thanked the HDABID and reminded citizens to be careful when traveling in the construction area and encouraged visiting the businesses in that area during this construction process.

Council President Pro Tem Chazen invited the HDABID representative in the audience to make a statement.

Vara Kusal, Manager of HDABID, thanked City Council for their support and lending City Staff to them as they have been so valuable to the HDABID. She said it is exciting to see the project progressing and even though it is hard on the businesses, they are focusing on the end result.

Councilmember Traylor Smith moved to authorize the City Purchasing Division to sole source the purchase of Sternberg Lighting LED pedestrian lights in the amount of \$144,982 for the Horizon Drive Roundabouts Project. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

TIGER VIII Grant Application for the North Avenue Complete Streets Project, Phase II

In July of 2012, the City was awarded a Federal Transportation, Community, and System Preservation Program (TCSP) Grant in the amount of \$1,190,099 for the North Avenue (US Highway 6) Complete Streets Project which will construct a $\frac{3}{4}$ mile segment from 12th Street to 23rd Street. This federal TIGER VIII grant request for \$10 million would fund a second phase that proposes to transform the balance of the four mile thoroughfare by constructing ADA compliant active (bike/pedestrian) transportation alternatives to the disadvantaged corridor and provide for future expansion of technological upgrades.

Trent Prall, Engineering Manager, presented this item. He recognized the presence of Poppy Woody, president of the North Avenue Owners Association (NAOA), and Debbie Hoey, one of their board members. He explained the grant monies allocated through the U.S. Department of Transportation (USDOT), the eighth round of Transportation Infrastructure Generating Economic Recovery (TIGER) discretionary grants, and described the requirements including the match.

The purpose of the project is increased safety and access for all street users; he listed the other elements of the grant program. He showed examples of a "complete street". This application is to complete the corridor. He listed the criteria for the grant application including strong partnerships. He noted the relationship to the Comprehensive Plan and the Economic Development Plan. Applications are due April 29, 2016, and the notice of awards will come out sometime in September 2016. Mesa County will consider a partnership in the project on April 12, 2016. A letter of support has been received from NAOA and a number of letters of support have been solicited previously and it is anticipated they will be resubmitted. The award is such that a small amount of design work will begin in 2017 and 2018. Right-of-way acquisition is anticipated in 2019 and the beginning of the project in 2020.

Councilmember Traylor Smith asked if the City will have to come up with \$3.5 million from the General Fund to do this project. Mr. Prall said that it is hoped that Mesa County will partner with the City for \$1.076 million. The City share of about \$2.5 million

is not programmed at this point in time but will be looked at during the three year budget process. Perhaps look at using funds no longer needed for Riverside Parkway. There are other possible grant opportunities but some may go for the Horizon Drive project.

Councilmember Taggart asked if Staff has learned enough from past applications to have the ability to tune the application up for a better chance to get the grant. Mr. Prall stated that one way to have a better chance on this application is to have a financial partner. Another strong selling point would be to have a Business Improvement District for North Avenue formed that would have a source of revenue to put towards the project. The concept for Complete Streets has been around for a long time. Mr. Prall said last year a TIGER VII grant was awarded to Kauai, Hawaii and that project converted a roadway to bikes only for a significant portion of their downtown. In Kalispell, Montana, there was an improvement done in the downtown area where the railroad was very close to Main Street to make it more tourist friendly. Councilmember Taggart said the key would be to learn from the last application to make it successful.

Council President Pro Tem Chazen asked if the City would be obligated to move forward with the project if Council approves the application for this grant. Mr. Prall said that the City could always turn the grant down if the City does receive it. The City would not be formally under contract with them until the Intergovernmental Agreement is signed in May or June of 2017. City Attorney Shaver said any obligation is subject to annual appropriation. Council President Pro Tem Chazen said he is concerned that if the project goes forward, what will happen when the County says they don't have the money, will there be an escape hatch? Mr. Prall said that the entire right-of-way east of 29 Road is in the City limits but County Staff agrees that the County should participate because the properties are still in the County. If the County decides to not participate on April 12th, there would still be time to stop the project at 29 Road now that the minimum grant request has been reduced from \$10 million to \$5 million. Council President Pro Tem Chazen said he is hesitant to go forward without knowing there is a financial partner on board. The choices are to approve this now, table the request and wait for the County's decision, or pass it with an amendment to see what the County's participation is going to be.

Councilmember Traylor Smith said that City Staff won't know if the grant has been awarded until September and then the City could refuse the grant if the funds can't be put together. She felt there is no downside to apply for the grant. She asked Mr. Prall how much time the City would have to decide to move forward with the project if the grant is awarded. Mr. Prall said it could be seven to nine months.

Councilmember Taggart said he is uncomfortable with approving this as contingent. He would be more comfortable to revise the resolution for the City's portion of \$1.57 million, and then let the County approve their half. Mr. Prall explained that the County's portion would only be \$1.076 million which he prorated to only include the portion of the road where the properties are in the County. Mr. Taggart said he would like to see something approved at this meeting to put pressure on the County because of the timetable being problematic.

Council President Pro Tem Chazen said that he feels that the County understands how serious the City is about this project.

Councilmember Traylor Smith said that it would give the County clarity rather than pressure and because the City won't have to accept the grant if it is awarded, it would be a good idea to go ahead and apply for the grant.

Council President Pro Tem Chazen asked if the amount being requested could be reduced if awarded and the County chooses not to participate. Mr. Prall said he doesn't see why the scope of the project couldn't be reduced.

Council President Pro Tem Chazen invited representatives from the NAOA to make a statement.

Poppy Wood, president of the NAOA, said it was nice to have come this far, it would be nice to start on the next step; the City, the County, and the State have worked well together to get this far and she would like to see it continue. Even though it is getting there, there is still so much to do on North Avenue to make it a viable, welcoming area. She encouraged approval of the grant application.

City Attorney Shaver said that an amendment to the resolution could include the words "up to" in two places in the second paragraph.

Resolution No. 10-16 – A Resolution Authorizing the Interim City Manager to Apply for a Federal Transportation Infrastructure Generating Economic Recovery (TIGER) VIII Grant for Construction Work on the North Avenue (US Highway 6) Complete Streets Project, Phase II

Councilmember Taggart moved to adopt Resolution No. 10-16 adding "in the amount not to exceed \$10 million". Councilmember Boeschenstein seconded the motion.

Councilmember Boeschstein said it is important to note that in the past, the City has partnered with the County on other projects successfully and it would be good to let them know their partnership is important to help get the grant.

Council President Pro Tem Chazen asked if the City has applied for this before. Mr. Prall said yes, on June 3, 2015. Council President Pro Tem Chazen asked if the County participated then. Mr. Prall said no, County Staff was reluctant to move it forward to the Commissioners at that time.

Motion carried by roll call vote.

FASTLANE Grant Application for the 22 Road/River Road/Railroad Crossing Improvement Project

In 2013 and 2014 the City of Grand Junction and Colorado Department of Transportation (CDOT) constructed improvements in the area of I-70 and Exit 26 that realigned 22 Road and reconstructed the interchange to the diverging diamond configuration. This federal FASTLANE request for \$5 million would partially fund a new crossing of the Union Pacific Railroad just south of the 22 Road signal on Highway 6&50; eliminate the G Road railroad crossing about 8/10 of a mile to the east; and widen River Road between 22 Road and 24 Road to allow for left turns.

Trent Prall, Engineering Manager, presented this item. He stated that the U.S. Department of Transportation's (USDOT) FASTLANE (Fostering Advancement in Shipping and Transportation for Long-term Achievement of National Efficiencies) program is a new program in the FAST (Fixing America's Surface Transportation) Act. The purpose of FAST Act is to fund critical freight and highway projects across the country. Under FASTLANE, grant awards must be a minimum of \$5 million and a 40% match is required; however, half of the match can be other federal funds. CDOT asked the City to apply for this grant and will provide some funding. Union Pacific Railroad (UPR) said the crossing guards are the most hit in the State and the accident rate is high; the purpose is to eliminate this hazardous crossing. Mr. Prall displayed the proposed new intersection and elaborated on other improvements that will be included in the project. He listed the grant criteria and reviewed the financial breakdown and the time frame for the project. Final applications for the grant are due April 16, 2016. Partnerships are again a big part of the grant process. Mesa County will be asked to participate on April 12th to split the match of \$1.233 million. The bulk of the project will be done in 2019.

Councilmember Traylor Smith asked what the probability is of the City getting this grant. Mr. Prall said that \$78 million will be allocated to small projects such as this one. This opportunity came out quickly and with little notice, it would be difficult for other communities to pull an application together. Since CDOT requested the City to apply and with the partnership opportunities with CDOT and the County, there is a possibility the City could get the grant.

Councilmember Boeschstein thanked Mr. Prall and asked if UPR would be contributing anything. Mr. Prall said that they are very interested in eliminating the crossing but can't commit since it is such a quick application time frame. He has the Public Utilities Commission (PUC) working on getting a commitment from UPR. The City may be able to get a letter of support. Councilmember Boeschstein asked if PUC has to approve the project. Mr. Prall said PUC wouldn't approve it yet, they will approve the new crossing and the elimination of the old crossing in the future but the PUC liaison for local agencies and UPR is working on getting some response from them.

Councilmember Kennedy said he has driven that intersection many times per day in the past and he appreciates anything that would make that a different experience. It sounds like the City would have pretty good leverage going into this with the partnerships and the safety significance this project has. He supported the request.

Council President Pro Tem Chazen asked if the road will be closed from River Road to the I-70 Business Loop. Mr. Prall said the crossing would be abandoned and completely closed. Council President Pro Tem Chazen asked, with the new entrance on the other side of the Diverging Diamond, where will another access be? Mr. Prall said it will be at 24 Road, at the Redlands Parkway (which is the start of the Riverside Parkway). Council President Pro Tem Chazen asked if the City would be obligated to expend those funds in 2018 and 2019. Mr. Prall said the City would not be formally under contract until sometime in April, May, or June of 2017. At that point, there will be other partners participating but it will still require an annual appropriation.

Resolution No. 11-16 – A Resolution Authorizing the Interim City Manager to Apply for a Federal Fostering Advancement in Shipping and Transportation for the Long-Term Achievement of National Efficiencies (FASTLANE) Grant for Construction Work on the 22 Road/River Road/Railroad Crossing Improvement Project.

Councilmember Boeschstein moved to adopt Resolution No. 11-16. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Richard Swingle, 443 Mediterranean Way, Grand Junction, CO said he has attended a lot of meetings and he is struggling with the March 21st Workshop which was identified as a priorities meeting. He was hoping to hear what each Councilmember's priorities are for the City. Mr. Swingle listed several projects and needs of the City and other entities that need funding. Instead of a long shopping list that was sent back to Staff, he was hoping, as leaders for the community, they would have taken a position on what the most important projects are for the community. He feels that still needs to take place.

Other Business

There was none.

Adjournment

The meeting was adjourned at 10:00 p.m.

Stephanie Tuin, MMC
City Clerk



Dear City Council,

This letter is in regards to the proposed Christian Living Services Outline Development Plan being discussed at the April 6th, City Council meeting. In my position with Hilltop Community Resources, I have been monitoring the progress of this project with interest from a competitor stand point. In reviewing the application, I have additional concerns, which I believe the Council may want to consider as you move forward with your decision making process.

Although, the addition of new facilities to meet the increasing demand for senior services in our community is welcomed, certain concerns such as the appropriateness of a Planned Development zoning, the true "increasing demand" of assisted living services, the significant shortage of qualified caring giving staff in the valley, a the immediate proximity to another "group living facility" should be fully examined by council. In full disclosure, Hilltop has operated two assisted living facilities in Grand Junction as a local non-profit owner/operator (The Fountains and The Commons. With this vantage point I believe I can add an "insiders" perspective to the local industry.

1. The application mentions multiple times the "growing demand for Assisted Living Facilities", and although there is a significant increase in demand for these services across the valley, our market study clearly shows the overwhelming majority of demand is in the middle and low-income sectors of our population. Unfortunately, the application in Section 21.05.040(g) (4) states that the proposed project is not designed to meet the moderate, low and very low income households. I am not currently aware of a single assisted living or memory care facility operating at capacity.
2. As a longtime supporter of economic develop and jobs in our community, I clearly favor adding jobs to our depressed workforce. Unfortunately, Grand Junction is a community with a heavily focus on the service sector. As a local employer of over 680 employees, finding qualified care giving staff is a significant challenge faced by the local industry. With the new additions of two post-acute rehabilitation facilities within the next year; this trend will become even more difficult.
3. I question the appropriateness of utilizing a Planned Development zone distinction. By definition, a PD distinction "*should be used when long-term community benefits will be derived*". I question this project's long term community benefit. Hilltop's facilities are both located on Planned Develop sites. Our facilities, in addition to serving the private pay individuals, allow our residents to remain in our facilities if they outlive their financial resources and need to receive Medicaid. Furthermore, as a local non-profit agency, the "excess revenue" from our facilities stay in the Grand Junction area and is reinvested in programs meeting long-term community

benefit, such as domestic violence services, at-risk youth, seniors with dementia, and many more.

4. My last point of clarification is in regards of the project being within 750 feet of another group living facility, Mesa View Retirement. I was a member of the community team, years ago which worked with the City Attorney's office to create a "group living facility" designation in the code, since prior no designation existed. The intent of this process was for ALL similar facilities, including ones like Mesa View Retirement to fit under the code.

I have reviewed Greg Moberg's memorandum dated March 1, 2016 which states "*While it is clear that the City and Holiday have not, since May 2010, considered Mesa View to be a group living facility, it is not clear from the record how that Decision was reached or to what use and/or use category Mesa View was reclassified. While it is impossible to recreate the events of almost 6 years ago, I am confident that the Decision had a rational basis, and the purpose of this memorandum is to supplement and clarify the record of that Decision.*"

I am afraid I do not share Mr. Moberg's confidence the Decision had a rational basis. Although the code does not specifically outline a facility like Mesa View, the descriptors of the facility clearly fit Group Living. I have included some highlighted portions of the code. This code may not be perfect but was put into place to guide the City, give clarification to providers and protect the citizens.

Section 21.04.020(b) Group Living.

(1) *Characteristics. Group living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of household living. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of lodging (see the retail sales and service and community service categories). Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment from caregivers at the site.*

(2) *Accessory Uses. Accessory uses commonly associated with group living are recreational facilities and parking of vehicles for occupants and staff.*

Section 21.04.030(p)(8)(ii) Group Living Facility

(2) *Group Living Facility.*

(i) *A group living facility is a residential facility or use as defined by this code that functions as a housekeeping unit comprised of unrelated persons receiving public or private supervision, care or treatment. Registration and compliance with other terms and conditions, as defined and described by this code, are required. A separate City license is not required.*

(A) *An unlimited group living facility is a group living facility shared by or the residence of 17 or more unrelated persons, exclusive of staff.*

(B) A large group living facility is a group living facility shared by or the residence of more than eight but fewer than 17 unrelated persons, exclusive of staff.

(C) A small group living facility is a group living facility shared by or the residence of more than four but up to eight unrelated persons, exclusive of staff.

(ii) For the purpose of this section only, the following definitions shall apply:

(A) Facility. A single facility is a lot, parcel or tract of land, together with the structures located thereon.

(B) Use. The purpose, mission or activity for which land or buildings are designed, arranged or buildings are occupied or maintained. The group home use is specific to an organization and mission of the group home. A change in the organization and/or mission at a specific location constitutes a new group living facility.

(C) Structure/Building. Structure/building shall be defined in Chapter 21.10 GJMC.

(D) Related. "Related" means a person's: child, stepchild, foster child that is being adopted by a foster family, or other descendant, spouse, aunt, uncle, niece, nephew, parent, grandparent, great grandparent, or stepparent. (See GJMC 21.10.020, "Group living," "family" and "household.")

(iii) Group living facilities as defined by this code may or may not be licensed by the State. A facility which is licensed by the State, regardless of category or size, is a group living facility and is required to register with the City.

(iv) A use which does not fit within the definition of a group living facility is not allowed within a residential district. It is a violation of this code for four or more unrelated persons to reside together in a structure if a use or service the same as or similar to those described below occurs therein unless permitted by the City as a group living facility.

I apologize for the lateness of this letter and that I am unable to be in person at the Council meeting. However, I felt it was important for the Council to be fully informed of the local prospective of the industry and some concerns with the current proposal.

If I could be of any further assistance please let me know.

J. Michael Stahl



Chief Executive Officer
Hilltop Community Resources

GRAND JUNCTION CITY COUNCIL SPECIAL WORKSHOP SUMMARY
April 11, 2016 – Noticed Agenda Attached

Meeting Convened: 3:05 p.m. in the Administration Conference Room

Meeting Adjourned: 5:07 p.m.

City Council Members present: All except Councilmember McArthur (Traylor Smith arrived at 3:14 p.m.)

Staff present: Moore, Shaver, Romero, Hazelhurst, Beard, McInnis, and Tuin

Also: Richard Swingle

Agenda Topic 1. Term of Municipal Judge

Council President Norris opened the meeting and reviewed the history of the topic. She then asked City Attorney Shaver to comment.

City Attorney Shaver advised that the City has adopted Colorado Revised Statute (C.R.S.) Title 13, Part 10 to govern the municipal court which provides that the Municipal Judge shall be appointed for a term no less than two years. Judge McInnis was last appointed in 2006 for a four year term. In reviewing past appointments in the City for Municipal Judge they were generally for two years.

Judge McInnis said she is seeking a four year term.

After discussions about what a “term” really meant, how a Judge can be removed if necessary despite the term appointed, that an annual evaluation should still occur, that the position should not be political, that the Statutes do allow for local rules regarding the Court including the term of the Judge, and that setting the salary is separate from the term, the consensus of the City Council present was to offer a four year appointment.

Council President Norris asked for the term of appointment to be added to an agenda for adoption.

Agenda Topic 2. Municipal Structure and Operations

Council President Norris asked that Staff make comments first on this topic.

Interim City Manager (ICM) Moore distributed the City’s organizational chart for the Council’s reference.

Judge McInnis asked to present first. She had three requests: that the operation of the court be in compliance with the law, that the Council and management support that by communicating that to the Staff, and that she have true access to the budget process like the other department heads. She then distributed a handout which contained colored coded organizational charts which indicated how direction was provided for the various positions versus how she felt it should be. The handout also contained excerpts from the City Charter and State Statutes. Judge McInnis said compliance with the law included her having oversight of the administrative side of the court operations.

City Attorney Shaver then provided his perspective which included that the Judge does have total “judicial” oversight of the court but that the business part of court operations, that is administration, is delegated through the City Manager to the appropriate department head.

There were discussions about these two interpretations, examples of how things are currently handled, and how a local ordinance might clarify some of the issues. The City Council directed the City Manager, the City Attorney, and the Municipal Judge to meet and work these matters out, document anything that can’t be resolved, and, if necessary, bring an ordinance forward for consideration.

Regarding Judge McInnis’s previous request for a salary adjustment, Council President Norris indicated that salaries City-wide would be reviewed mid-year.

Agenda Topic 3. Other Business

ICM Moore advised that the April 25th Special Workshop has Event Center Funding Options and Capital Spending Priorities currently slated.

Councilmember Traylor Smith explained that she and Council President Norris have met as the Event Center Committee and want to discuss their ideas with the rest of Council.

After discussion, the City Council decided that addressing Capital Spending Priorities should be the only thing on the April 25th agenda and several provided their ideas on how the information should be presented.

With no further business, the meeting was adjourned.

**GRAND JUNCTION CITY COUNCIL
MONDAY, APRIL 11, 2016**

**SPECIAL WORKSHOP, 3:00 P.M.
ADMINISTRATION CONFERENCE ROOM
2ND FLOOR, CITY HALL**

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

- 1. Term of Municipal Court Judge**
- 2. Municipal Court Structure and Operations**
- 3. Other Business**



Attach2

CITY COUNCIL AGENDA ITEM

Date: April 4, 2016

Author: Senta Costello

Title/ Phone Ext: Senior Planner, x 1442

Proposed Schedule: Resolution Referring

Petition, April 20, 2016

1st Reading Zoning: May 18, 2016

2nd Reading (if applicable): June 1, 2016

File #: ANX-2016-53

Subject: Studt Annexation, Located at 227 29 Road
Action Requested: Adopt a Resolution Referring the Petition and Exercising Land Use Control for the Studt Annexation, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 1, 2016
Presenters Name & Title: Senta Costello, Senior Planner

Executive Summary:

This is a request to annex 0.9 acres, located at 227 29 Road. The Studt Annexation consists of 1 parcel.

Background, Analysis and Options:

The property owner has requested annexation into the City and a zoning of R-4 (Residential 4 du/ac) in order to subdivide, creating one new residential lot. Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility (201) boundary requires annexation to and processing by the City.

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

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

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

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

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

How this item relates to the Economic Development Plan:

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

Annexation of the property provides the developer with consistent development standards as other residential subdivisions under development in the City and is consistent with the Future Land Use Designation of Residential Medium identified in the Comprehensive Plan.

Board or Committee Recommendation:

The Planning Commission will consider the Zone of Annexation on May 10, 2016. Their recommendation will be forwarded to the City Council for 1st Reading of the Zoning Ordinance on May 18, 2016.

Financial Impact/Budget:

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

Legal issues:

The proposed annexation is consistent with the 1998 Persigo Agreement and Colorado law. The City Council has jurisdiction and may lawfully entertain the petition for annexation.

Previously presented or discussed:

A neighborhood meeting was held January 16, 2016. A copy of the meeting minutes is attached.

Attachments:

1. Staff report/Background information
2. Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Map;
5. Existing City and County Zoning Map
6. Neighborhood meeting minutes
7. Resolution Referring Petition
8. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		227 29 Road			
Applicants:		Priscilla Studt			
Existing Land Use:		Single Family Residential			
Proposed Land Use:		Single Family Residential			
Surrounding Land Use:	North	Single Family Residential			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)			
Proposed Zoning:		City R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac)			
	South	County RSF-4 (Residential Single Family 4 du/ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	County RSF-4 (Residential Single Family 4 du/ac)			
Future Land Use Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.9 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
April 20, 2016	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 10, 2016	Planning Commission considers Zone of Annexation
May 18, 2016	Introduction Of A Proposed Ordinance on Zoning by City Council
June 1, 2016	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 3, 2016	Effective date of Annexation and Zoning

STUDT ANNEXATION SUMMARY

File Number:	ANX-2016-53
Location:	227 29 Road
Tax ID Number:	2943-304-00-240
# of Parcels:	1
Estimated Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	0.9
Developable Acres Remaining:	0.380
Right-of-way in Annexation:	0.0
Previous County Zoning:	RSF-4 (Residential Single Family 4 du/ac)
Proposed City Zoning:	R-4 (Residential 4 du/ac)
Current Land Use:	Single family
Future Land Use:	Single family
Values:	Assessed: \$6150
	Actual: \$77270
Address Ranges:	227-227 29 Road
Special Districts:	Water: Ute Water
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: Orchard Mesa Irrigation District
	School: Mesa County School District #51
	Pest: Grand River Mosquito Control District

Studd Annexation



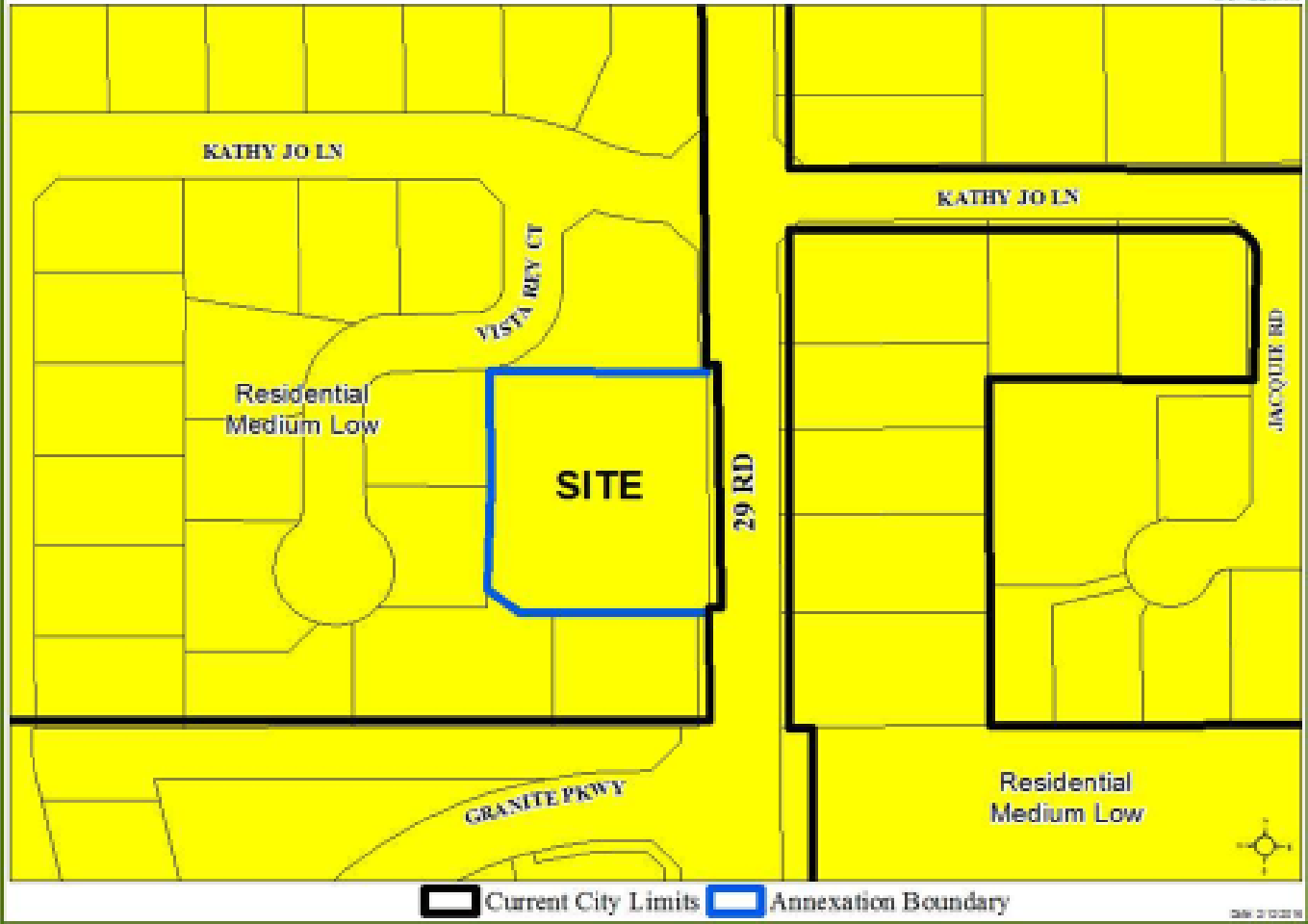
City Limits Annexation Boundary

Studd Annexation



City Limits Annexation Boundary

Studd Annexation Future Land Use



Studt Annexation - City & County Zoning



29 Road Meadows Exhibit C

MINUTES

JANUARY 25, 2016

5:30 P.M

SHOW OFFICE MCFG

MEETING CALLED BY	Priscilla Studt
TYPE OF MEETING	Neighborhood Meeting
FACILITATOR	Priscilla Studt
NOTE TAKER	Margi Baleztena
TIMEKEEPER	Margi Baleztena
ATTENDEES	See Exhibit B

Agenda topics

[TIME ALLOTTED] [TOPIC] [PRESENTER]

DISCUSSION 227 29 Rd Grand Junction, CO ANNEXATION & SIMPLE LAND DIVISION with Senta Costello City of Grand Junction, Barbara & James Gardener, interested neighbors Margi Baleztena with Accelerated Business Systems LLC and Priscilla Studt, property owner

CONCLUSIONS There were no concerns. James & Barbara Gardner found the project acceptable.

ACTION ITEMS **PERSON RESPONSIBLE** **DEADLINE**

[TIME ALLOTTED] [TOPIC] [PRESENTER]

DISCUSSION

CONCLUSIONS

ACTION ITEMS **PERSON RESPONSIBLE** **DEADLINE**

[TIME ALLOTTED] [TOPIC] [PRESENTER]

DISCUSSION

CONCLUSIONS

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20th of April, 2016, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

STUDT ANNEXATION

LOCATED AT 227 29 ROAD

WHEREAS, on the 20th day of April, 2016, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

STUDT ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain parcel of land bounded on the East by the West line of Larson Annexation No. 2, City of Grand Junction Ordinance No. 3424, as same is recorded in Book 3084, Page 976, Public Records of Mesa County, Colorado; bounded on the North by the South line of Lot 29, Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado and a 10.00 foot portion of said Larson Annexation No. 2; bounded on the West by the East line of Lots 27 and 28 of said Vista Rado Filing No. 1 and bounded on the South by the North line of Lots 26 and 30 of said Vista Rado Filing No. 1 and a 10.00 foot portion of said Larson Annexation No. 2.

CONTAINING 39,198 Sq. Ft. or 0.900 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 1st day of June, 2016, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2016.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
April 22, 2016
April 29, 2016
May 6, 2016
May 13, 2016

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

STUDT ANNEXATION

APPROXIMATELY 0.9 ACRES

LOCATED AT 227 29 ROAD

WHEREAS, on the 20th day of April, 2016, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of June, 2016; and

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

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

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

STUDT ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain parcel of land bounded on the East by the West line of Larson Annexation No. 2, City of Grand Junction Ordinance No. 3424, as same is recorded in Book 3084, Page 976, Public Records of Mesa County, Colorado; bounded on the North by the South line of Lot 29, Vista Rado Filing No. 1, as same is recorded in Plat Book 16, Page 281, Public Records of Mesa County, Colorado and a 10.00 foot portion of said Larson Annexation No. 2; bounded on the West by the East line of Lots 27 and 28 of said Vista Rado Filing No. 1 and bounded on the South by the North line of Lots 26 and 30 of said Vista Rado Filing No. 1 and a 10.00 foot portion of said Larson Annexation No. 2.

CONTAINING 39,198 Sq. Ft. or 0.900 Acres, more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2016 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____, 2016 and ordered published in pamphlet form.

Attest:

President of the Council

City Clerk

Attach3

CITY COUNCIL AGENDA ITEM

Date: April 7, 2016

Author: Scott D. Peterson

Title/ Phone Ext: Senior Planner/1447

Proposed Schedule: 1st Reading: April 20, 2016

2nd Reading: May 4, 2016

File #: VAC-2016-100

Subject: Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016

Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

Background, Analysis and Options:

Colorado Mesa University (CMU), requests the vacation of a portion of public alley right-of-way (4,425 +/- sq. ft. – 0.101 acres) in order to aid in the continued westward expansion efforts planned for the campus. Specifically, this vacation request facilitates the construction of a new engineering building on campus.

The nine properties abutting the section of alley right-of-way for which vacation is sought, are owned by CMU with the exception of one property (810 Kennedy Avenue) which is currently under contract with CMU. John and Janet Noland currently own 810 Kennedy Avenue. Because the property has not been purchased the current owners have signed the application for the requested vacation and submitted an Ownership Statement as required. As a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850, and 860 Kennedy Avenue. This condition is required as the remaining properties will have no "legal access" to the rear of their properties once the alley is vacated.

Presently, the alley between Elm and Kennedy Avenues does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need for the City to retain a Utility Easement as part of this vacation process. Any existing utilities located within the alley will be moved and relocated by Xcel Energy as part of the

construction of the new engineering building and if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

Based on the conditions recommended by the Fire Department and CMU's intention to develop and construct emergency access, it is Staff's assessment that the proposed vacation would not impede traffic, pedestrian movement or access to private property or obstruct emergency access.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on March 23, 2016. Over 30 area residents attended the meeting with the applicant providing a powerpoint presentation with an update on various activities going on across campus and information regarding the most recent iteration of the ongoing right-of-way vacation process. To date, the City has only received one email correspondence from the property owner at 860 Kennedy Avenue concerning this proposed vacation request (see attached correspondence).

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

The proposed right-of-way vacation supports the following goal and policy of the Comprehensive plan:

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

Policy A: Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism.

In addition to the goal and policy above the Grand Junction Comprehensive Plan states: "Due to the inefficiencies of low density sprawl, a significant amount of projected future growth is focused inward on vacant and underutilized land throughout the community. This takes advantage of land that already has roads, utilities and public services. Infill and redevelopment is especially focused in the City Center (includes Downtown, North Avenue, Colorado Mesa University area, and the area around St. Mary's Hospital). Reinvestment and revitalization of these areas, and maintaining and expanding a 'strong downtown', is a high priority of the Comprehensive Plan and essential for the area's regional economy. (Guiding Principle 1: Centers - Downtown)"

Vacating this portion of alley right-of-way supports the University in their facilities and building expansion, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism.

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed alley right-of-way vacation request specifically does

not further the goals of the Economic Development Plan, it does allow the CMU campus to continue its westward expansion efforts in order to grow the campus for the benefit of students, community, higher educational opportunities and purports a vibrant and growing economy. Higher education is a key economic development component of Grand Junction's status as a regional center.

Board or Committee Recommendation:

The Planning Commission recommended conditional approval of the vacation application at their April 12, 2016 meeting.

Legal Issues:

The City Attorney has reviewed and approved the form of the Ordinance.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This proposal has not been previously discussed.

Attachments:

- Staff Report/Background Information
- Location Map
- Surrounding Land Use Map
- Future Land Use Map
- Land Use Zone Map
- Existing Land Use Map
- Correspondence received
- Ordinance

BACKGROUND INFORMATION					
Location:		Portion of Alley located between Elm and Kennedy Avenue's			
Applicant:		Colorado Mesa University			
Existing Land Use:		Alley right-of-way			
Proposed Land Use:		Colorado Mesa University land use development (new engineering building)			
Surrounding Land Use:	North	Colorado Mesa University properties			
	South	Colorado Mesa University properties and privately held property currently under contract to be purchased by CMU			
	East	Alley right-of-way			
	West	Alley right-of-way			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)			
	South	R-8 (Residential – 8 du/ac)			
	East	R-8 (Residential – 8 du/ac)			
	West	R-8 (Residential – 8 du/ac)			
Future Land Use Designation:		Residential Medium High (8 – 16 du/ac)			
Zoning within density range?		X	Yes		No

The proposed request falls under Section 21.02.100 – Vacation of public right-of-way or easement. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements. This type of request is available for vacation of any street, alley, easement or other public reservation subject to the criteria contained with the section.

The following is staff's review and comments relating to the criteria under Section 21.02.100:

City Fire Department Review of Rights-of-Way Vacation Request:

The Grand Junction Fire Department does not object to the University's overall desire to vacate certain public right-of-ways in an effort to implement the University's master plan. The Fire Department has indicated that if fire apparatus roads are required around the proposed engineering, these roads shall be constructed in accordance with the 2012 International Fire Code and Appendices as well as any local City of Grand Junction ordinances (i.e. Ordinance No. 4500) that pertain specifically to the Grand Junction Fire Department and their operations. The decision to require fire apparatus roads will be determined when the Fire Department reviews the proposed engineering building plans.

Sections 21.02.100 of the Grand Junction Zoning and Development Code:

The vacation of a portion of the existing alley right-of-way shall conform to the following:

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City,

Granting the request to vacate a portion of an existing alley right-of-way meets Goal 12 Policy A of the Comprehensive Plan by supporting the University in their facilities and building expansion projects, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism. The requested vacation also does not conflict with the Grand Valley Circulation Plan and other adopted plans and policies of the City.

Therefore, this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation.

No parcels shall be landlocked as a result of the proposed vacation as all properties have access to Kennedy and Elm Avenues.

Therefore, this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

All properties abutting the proposed portion of the alley requested for vacation are under the control of CMU or CMU has a contract for purchase. However, the requested vacation will restrict existing access to the rear of the remaining properties located at 830, 850 and 860 Kennedy Avenue, since they will not have legal access to the remaining alley. Therefore, CMU will be required, as a condition of the vacation, to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This recorded easement will ensure that the remaining residents will continue to be provided access to the rear of their properties from the remaining alley right-of-way.

Therefore, this criterion can be met with the recording of an access easement.

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

There are no City utilities currently located within the alley however, Xcel utilities are located in the alley but will be moved prior to construction of the new engineering building. The Fire Department has not reviewed the plans for the new building but has indicated that the applicant may be required to construct access roads around the new

building in accordance with the 2012 International Fire Code. The requested vacation does not adversely impact police/fire protection to the remaining properties.

Therefore the requested vacation has no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced.

Therefore, this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Zoning and Development Code; and

No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process, including Xcel. Water and sanitary sewer are not located within the alley, therefore there is no reason for the City to retain a utility easement. Any existing utilities located within the alley will need to be moved and relocated as part of the construction of the new engineering building and, if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

Therefore, this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will be reduced, though not significantly, as a result of the proposed alley right-of-way vacation. Water and sewer are not located within the portion of the alley to be vacated and the alley is concrete so there was little maintenance required by the City. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The proposed alley right-of-way vacation is needed by CMU as part of their continued campus expansion to the west.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Colorado Mesa University application, VAC-2016-100 to vacate a portion of public alley right-of-way, the following findings of fact, conclusions and conditions have been determined:

1. The requested alley right-of-way vacation is consistent with the goals and polices of the Comprehensive Plan, specifically, Goal 12.
2. The review criteria, items 1 through 6 in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.


3. With the vacation, the Applicant shall dedicate and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
4. With the vacation, the Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.
5. The Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary.


LOCATION MAP




SURROUNDING LAND USE MAP (2015 Air Photo)



 Proposed Alley Vacation

 Property Owned by CMU

 Campus Parking

1 Softball Field

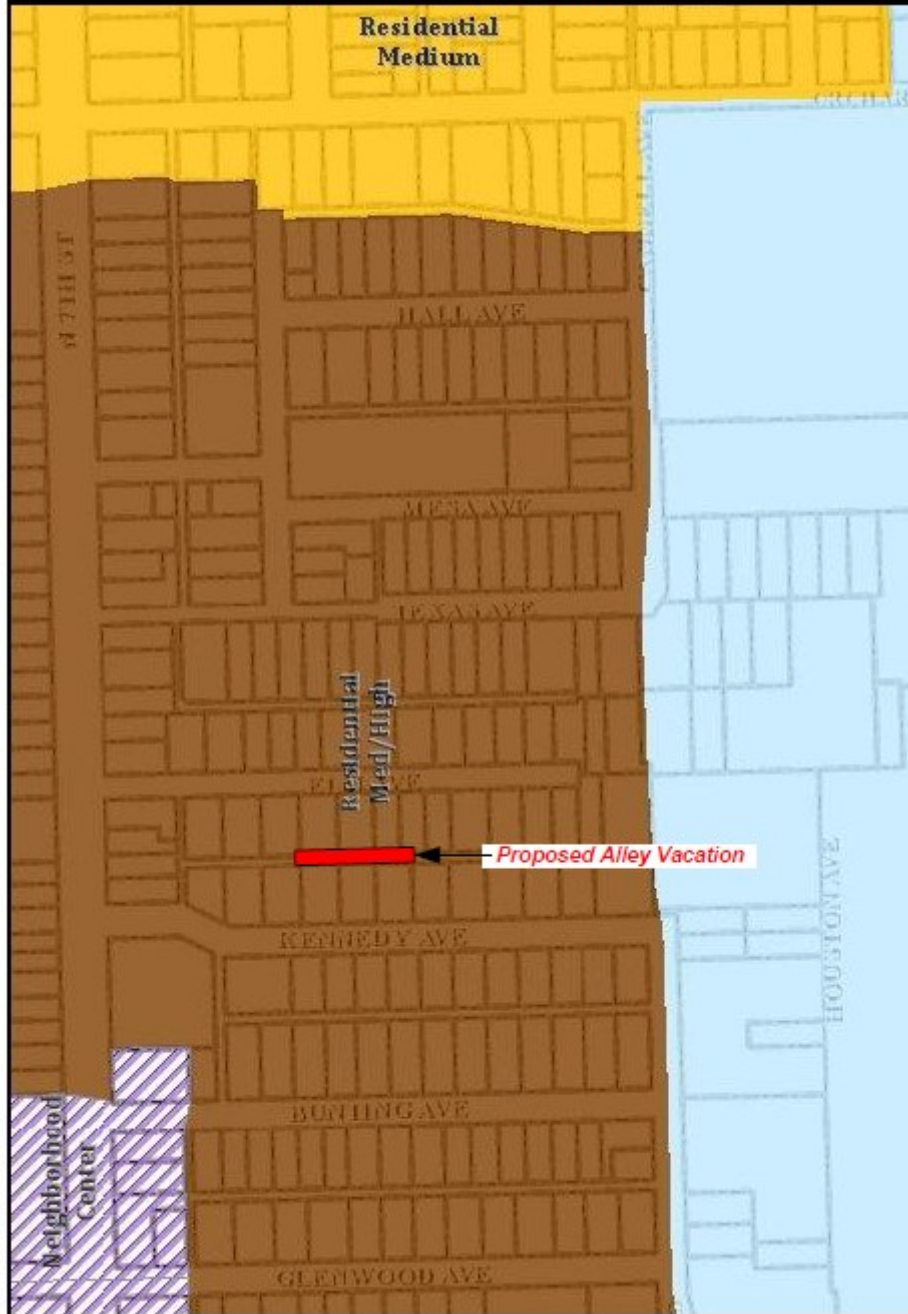
2 Garfield Hall

3 Rugby Field

4 Bunting Student Housing

5 North Ave. Hall

FUTURE LAND USE MAP



LAND USE ZONE MAP





 Indicates Property Owned By CMU
 Ownership ID

OWNERSHIP		
I.D.	NAME	ADDRESS
1	Paul & Johanna Quam	740 Kennedy Avenue
2	Paul & Johanna Quam	750 Kennedy Avenue
3	Bill & Linda Clevenger	760 Kennedy Avenue
4	John & Janet Noland	810 Kennedy Avenue
5	Gregory & Anita Reicks	830 Kennedy Avenue
6	Susie Cunningham	850 Kennedy Avenue
7	Fredrick Ford, et.al.	860 Kennedy Avenue

Date: February 2016
Scale: 1 in. = 100 ft.



Prepared By:
THOMAS A. LOGUE
 LAND DEVELOPMENT CONSULTANT
2377 FREITWOOD DRIVE, GRAND JUNCTION, COLORADO 81504
 TALLCORNERS.COM • (970) 242-9519 • (970) 242-2811

Prepared For:

COLORADO MESA
 UNIVERSITY

ALLEY VACATION
 GRAND JUNCTION, COLORADO

EXISTING LAND USE
 (2016 Air Photo)

SHEET 1 OF 1

From: "Ford, Andy" <forda@wsu.edu>
To: "scottp@gjcity.org" <scottp@gjcity.org>
CC: Ford Amy <amy.ford71@gmail.com>
Date: 3/22/2016 6:00 PM
Subject: VAC 2016-100 from CMU

March 22, 2016

Dear Scott:

Thanks for the notice of application. My first impression is that the engineering building project will not present problems to Amy and me as the closure of the alley does not eliminate access to the front of our house at 860 Kennedy, nor does it eliminate access to the alley entrance to our garage at the back of the lot.

I suspect that traffic on Kennedy will be much more congested during the construction phase, and also more congested once the new building is ready for classes. Traffic on Kennedy is already congested on days when CMU is in session. indeed, it is often necessary to slow to a halt to let traffic pass safely, especially on the section of Kennedy near 7th street. Perhaps the city has traffic experts who could observe traffic flows and recommend changes in the parking rules? (Parking is allowed on both sides of Kennedy in the congested sections at the present time. I suspect the vast majority of the parked cars are student cars as Kennedy is quite free of parked cars on weekends.)

Meanwhile, I expect to learn more at the CMU public meeting with neighbors, scheduled for tomorrow (March 23) at 7pm.

Best Regards

Andy Ford
860 Kennedy Avenue
Grand Junction, Colorado 81501

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING A PORTION OF ALLEY RIGHT-OF-WAY LOCATED
BETWEEN ELM AND KENNEDY AVENUES**

LOCATED IN THE COLORADO MESA UNIVERSITY AREA

RECITALS:

Colorado Mesa University has requested to vacate a portion of alley right-of-way located between Elm and Kennedy Avenue's in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop new residence halls, classroom buildings, parking lots and campus improvements.

The properties abutting the section of alley right-of-way for which vacation is sought are either owned by Colorado Mesa University or under contract with Colorado Mesa University. City staff does not expect that the proposed alley vacation would impede traffic, pedestrian movement or access to private property. As a condition of approval, CMU will need to meet all Grand Junction Fire Department requirements for construction of the engineering building and may be required to construct access around the site compliant with the 2012 International Fire Code. CMU will also be required to provide and record a private "Access Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue. This condition is required as the remaining properties will have no "legal access" to the rear of their properties once the alley is vacated.

Presently, this alley between Elm and Kennedy Avenue's does not contain any City public utilities (water, sewer, storm sewer, etc.) therefore, there is no need to retain a Utility Easement as part of the vacation process. Any existing electric utilities located within the alley will be moved and relocated by Xcel Energy as part of the construction of the new engineering building and appropriate easements to Xcel Energy will be dedicated at that time, if necessary.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code. Applicant is also required to meet all Grand Junction Fire Department requirements.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the alley vacation be approved and the construction of a minimum of a 20' wide north/south circulation drives and that the applicant meet all Grand Junction Fire Department requirements.

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

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

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Applicant shall dedicate and record a "Private Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850 and 860 Kennedy Avenue.
3. Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary in order to continue to provide utility services to the current residential properties within this block.
4. Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.

Dedicated alley right-of-way to be vacated:

A portion of a fifteen foot (15.00') wide Alley Right-of-Way as dedicated on the Plat of Amended Kennedy Subdivision at reception #670067 of the Mesa County Records situated in the SE1/4 of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

All of a fifteen foot (15.00') wide Alley of said Amended Kennedy Subdivision adjoining the North lot lines of Lots 4,5, 6 and 7 (four, five, six and seven) beginning at the Northwest corner of Lot 4 (four) of said Amended Kennedy Subdivision and continuing East to the Northeast corner of Lot 7 (seven) of said Amended Kennedy Subdivision.

Said description contains an area of 0.101 acres more or less, as described herein.

Introduced for first reading on this _____ day of _____, 2016 and ordered published in pamphlet form.

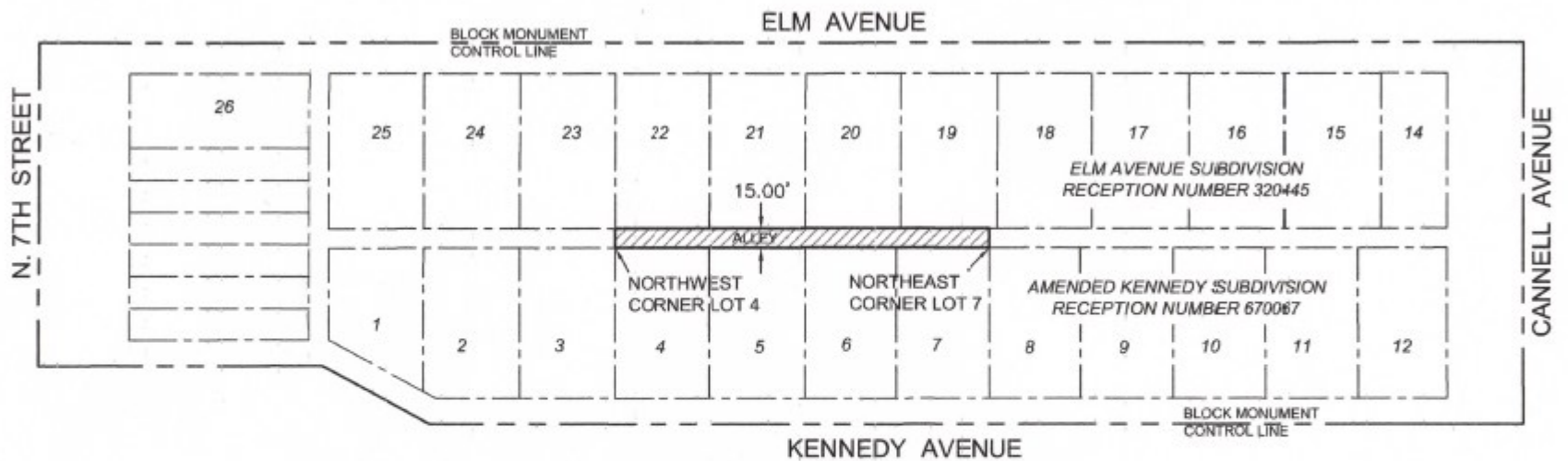
PASSED and ADOPTED this _____ day of _____, 2016 and ordered published in pamphlet form.


ATTEST:

President of City Council

City Clerk

EXHIBIT "A"
SOUTHEAST 1/4 OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
IN THE CITY OF GRAND JUNCTION,
COUNTY OF MESA, STATE OF COLORADO

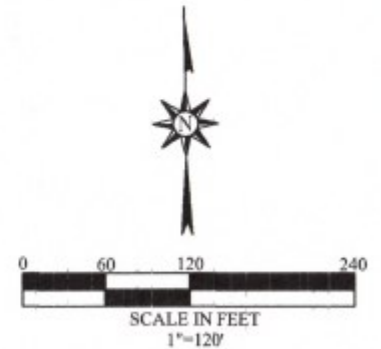


 Subject area.



CHRISTOPHER C. RANSIER
 CO PLS 38089

- *This Exhibit is not intended to be used for establishing or verifying property boundary lines.
- *Title information shown is from Mesa County Clerk and Recorders Office.
- *Linear units are in U.S. Survey Feet.



717 Centauri Drive • Grand Jct., CO 81506
 970.201.4081 • crsurveying@bresnan.net



Date: April 7, 2016
 Author: Scott D. Peterson
 Title/Phone Ext: Senior Planner/1447
 Proposed Schedule: 1st Reading: April 20, 2016
 2nd Reading: May 4, 2016
 File #: ANX-2016-37 & CPA-2016-38

Attach4

CITY COUNCIL AGENDA ITEM

Subject: Marquis Zone of Annexation and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for May 4, 2016
Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

A request to zone 0.54 acres from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low” (0.5 – 2 du/ac) to “Neighborhood Center”. The proposed resolution to amend the Comprehensive Plan will be considered with the second reading of the zoning ordinance.

Background, Analysis and Options:

The property owner has requested annexation into the City limits and a zoning of B-1 (Neighborhood Business) to facilitate the development of a future building expansion and additional off-street parking for Tiara Rado Animal Hospital which is located on the adjacent property to the east. Under the 1998 Persigo Agreement with Mesa County, proposed development within the Persigo Wastewater Treatment Facility boundary (201 service area) must be annexed into the City prior to development. Also, a commercial zone is required in order to allow the animal hospital to expand onto this site.

The applicant is requesting that this site be zoned B-1(Neighborhood Business). The B-1 zone limits the hours of operation from 5 AM to 11 PM, prohibits outdoor storage and permanent display and allows land use(s) that would be considered compatible with the adjacent residentially zoned properties. As for the applicant’s requested land use, “Animal Care/Boarding Indoor” is an “Allowed” land use within the requested B-1 zone district.

The current Future Land Use designation is Residential Low (0.5 – 2 du/ac), however the adjacent Future Land Use designation is Neighborhood Center. Therefore a

Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low (0.5 – 2 du/ac)” to “Neighborhood Center” is also required.

The requested zoning is currently not supported by the underlying Comprehensive Plan Future Land Used designation. However, Section 21.02.130 (d) (v) of the Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this a combined request to amend the current Comprehensive Plan designation to an adjacent designation (Neighborhood Center) and zone the property to B-1 as part of the annexation request.

Neighborhood Meeting:

A Neighborhood Meeting was held on January 11, 2016 with two citizens along with the applicant and City Project Manager in attendance. One phone call from an adjacent neighbor was also received by the applicant. No objections to the proposed annexation, zoning and comprehensive plan future land use map amendment, nor proposed future development were received.

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

The proposed annexation creates an opportunity for future neighborhood business development in a manner consistent with adjacent development and provides appropriate commercial development opportunities which implements the following goals and polices from the Comprehensive Plan.

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

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

Policy A: To create large and small “centers” throughout the community that provide services and commercial areas.

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

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

Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed annexation and zoning meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing veterinary business within the community to stay at its current location and potentially expand their business offerings in the future with a new larger building to serve area residents, which furthers the goals of the Economic Development Plan.

Board or Committee Recommendation:

The Planning Commission recommended approval of the applications at their April 12, 2016 meeting.

Financial Impact/Budget:

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

Legal issues:

The City Attorney has reviewed the form of the proposed ordinance.

Other issues:

There are no other issues identified.

Previously presented or discussed:

Referral of the Annexation Petition went before the City Council on March 16, 2016.

Attachments:

1. Background information
2. Staff report
3. Annexation Map
4. Aerial Photo
5. Comprehensive Plan Future Land Use Map
6. Existing Zoning Map
7. Resolution
8. Ordinance

BACKGROUND INFORMATION				
Location:		2245 1/2 Broadway		
Applicant:		Marquis Properties LLC, Owner		
Existing Land Use:		Single-family detached home		
Proposed Land Use:		Additional parking lot and future building expansion of Tiara Rado Animal Hospital		
Surrounding Land Use:	North	Broadway Elementary School		
	South	Single-family detached		
	East	Tiara Rado Animal Hospital		
	West	Single-family detached		
Existing Zoning:		County RSF-4 (Residential Single-Family – 4 du/ac)		
Proposed Zoning:		B-1 (Neighborhood Business)		
Surrounding Zoning:	North	County RSF-4 (Residential Single-Family – 4 du/ac)		
	South	County RSF-4 (Residential Single-Family – 4 du/ac)		
	East	City B-1 (Neighborhood Business) and County RSF-4 (Residential Single-Family – 4 du/ac)		
	West	County RSF-4 (Residential Single-Family – 4 du/ac)		
Future Land Use Designation:		Residential Low (0.5 – 2 du/ac)		
Zoning within density/intensity range?		X	Yes	No

Sections 21.02.130 & 140 of the Grand Junction Zoning and Development Code:

Section 21.02.160 of the Grand Junction Zoning and Development Code states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan Future Land Use Map designates the property as Residential Low (0.5 - 2 du/ac), however as part of the zoning request, the applicant is requesting to change the Future Land Use Map designation to Neighborhood Center in order to accommodate the requested zoning district of B-1 (Neighborhood Business).

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

- (1) *Subsequent events have invalidated the original premise and findings; and/or*

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The Plan replaced the previous Growth Plan and established new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City. A key objective of the Comprehensive Plan is to locate shopping and employment closer to where people live. This reduces traffic congestion, shortens commute time, improves air quality and cost of infrastructure. The Plan includes an emphasis on mixed-use centers (City Center, Village Centers and Neighborhood Centers) that encourage infill and redevelopment.

Prior to adoption of the Comprehensive Plan the area surrounding the subject site had a land use designations of residential, public/institutional and commercial. With the adoption of the Comprehensive Plan, the area west of the subject site was designated as Neighborhood Center. The land use designation was placed on this area due to the increase in commercial uses have occurred over the years. The land use designation to the north, west and east has been designated as residential. Generally, Neighborhood Centers are modest extensions of existing commercial districts that contain grocery stores, drug stores and other convenience-oriented retail/services that serve the immediate neighborhood as well as some drive-to clientele.

In addition to the adoption of the Comprehensive Plan, the Zoning and Development Code was also amended in 2010 to implement the vision and goals of the Comprehensive Plan. Amendments to the Zoning and Development code included language (Section 21.02.130 (d) (v)) that anticipated the need for zones and land use designations to be flexible by allowing requests for properties to be zoned the same as adjacent properties.

Therefore, this criterion has been met as the adoption of the Comprehensive Plan and amendments to the Zoning and Development Code were subsequent events that have invalidated the original premise of the current zoning and Future Land Use designation.

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

With the adoption of the Comprehensive Plan in 2010 and the designation of the area east of the subject site as Neighborhood Center, conditions of the area have changed such that the proposed rezone and the amendment to the Comprehensive Plan Future Land Use Map is consistent with the Comprehensive Plan.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the land uses associated within the B-1 zone district and the

Future Land Use designation of Neighborhood Center. Ute Water is presently stubbed to the property and is available in Broadway, City sanitary sewer is presently stubbed to the property and is available along the south property line. Property is also being served by Xcel Energy electric and natural gas. To the east is a neighborhood commercial center that includes an office complex, convenience store, car wash and gas islands. Further to the east is another car wash, bank and medical clinic. Broadway Elementary School is located across the street. Less than a mile from the property is Grand Junction Redlands Fire Station No. 5.

Therefore, this criterion has been met.

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

The B-1 zone district is an allowed zone under the Neighborhood Center designation, its purpose is to provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses. There is very little B-1 zoned properties within the City limits (133 +/- total acres which equates to less than 1%), therefore, there is an inadequate supply of B-1 zoned land within the community.

Therefore, this criterion has been met.

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

The community or area will derive benefits from the proposed Neighborhood Center designation and the B-1 zone as it would create an opportunity for the expansion of an existing veterinary clinic which serves the growing population within the Redlands and also the community. Furthermore, the proposed B-1 zone district limits the hours of operation from 5 AM to 11 PM, prohibits outdoor storage and permanent display and allows land use(s) that would be considered compatible with the adjacent residentially zoned properties to the west and south.

Therefore, this criterion has been met.

Alternatives: The following zone districts would also be consistent with the Future Land Use designation of Neighborhood Center for the subject property:

- a. R-8 (Residential – 8 du/ac)
- b. R-12 (Residential – 12 du/ac)
- c. R-16 (Residential – 16 du/ac)
- d. R-O (Residential – Office)
- e. C-1 (Light Commercial)
- f. Form Based Zone Districts of MXR, MXG & MXS

In reviewing the other zoning district options, the residential zone districts of R-8 and the mixed use zone district of R-O do not allow commercial retail land uses. The C-1 zone district could be an option but allows land uses which may not be compatible with the adjacent residential properties to the west and south. Also the C-1 zone has no restrictions on hours of operation allowing a use to be open 24-hours a day. The Form Based Zone Districts are generally intended for new development with the desire to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. It is staff's opinion that the B-1 (Neighborhood Business) zone district would be the most suitable zone for this location as it limits the hours of operation from 5 AM to 11 PM and prohibits outdoor storage and permanent display. The B-1 zone is also the adjacent zoning to the east.

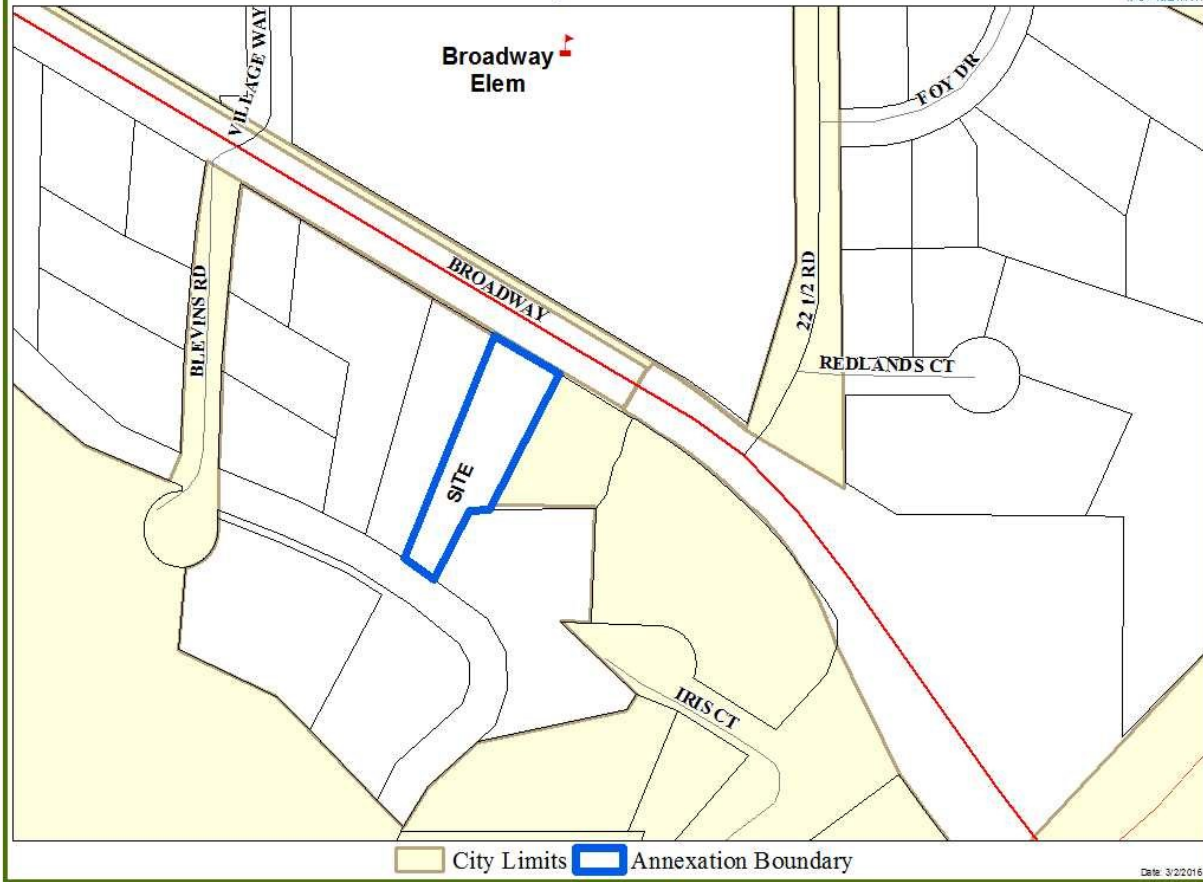
If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

FINDINGS OF FACT AND CONCLUSIONS

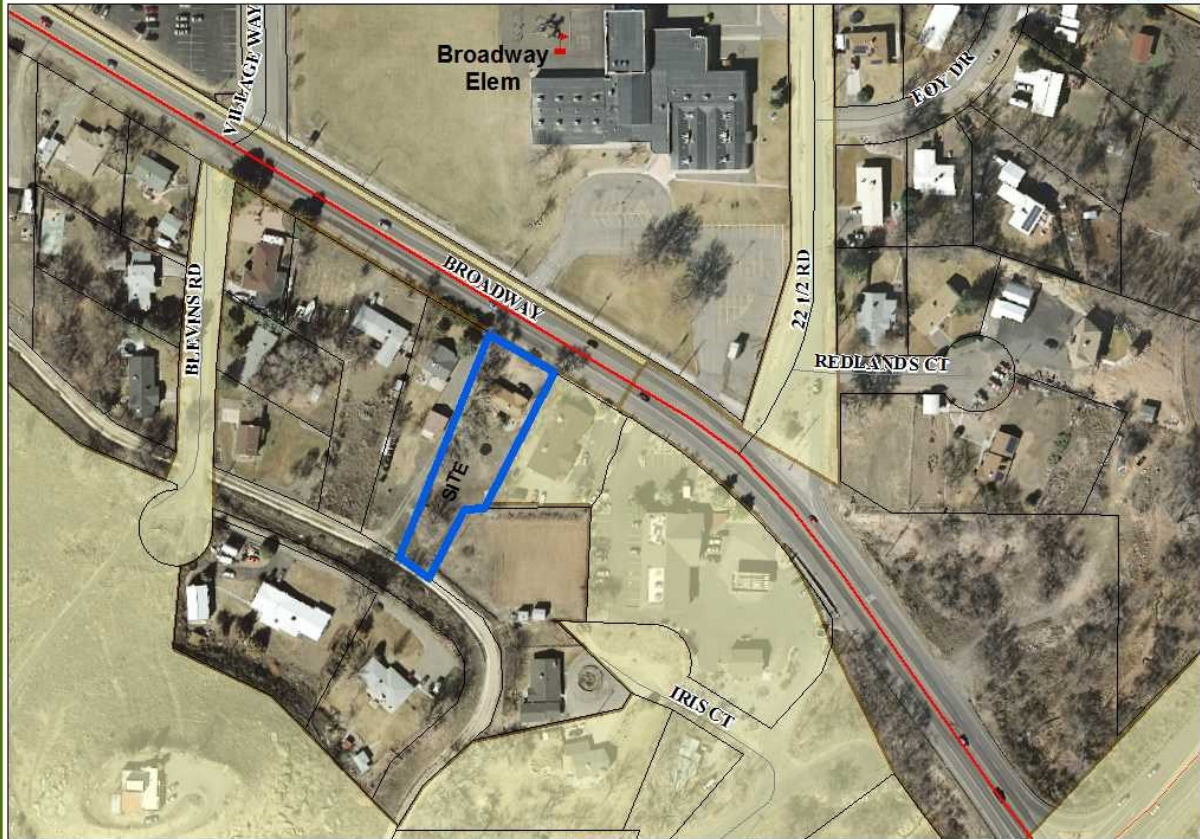
After reviewing the Marquis Zone of Annexation, ANX-2016-37 and CPA-2016-38, request for a Comprehensive Plan Future Land Use Map designation change from Residential Low (0.5 – 2 du/ac) to Neighborhood Center and Zone of Annexation from County RSF-4 (Residential Single-Family – 4 du/ac) to a City B-1 (Neighborhood Business) zone district for 0.54 acres, the following findings of fact and conclusions have been determined:

1. The requested Comprehensive Plan Future Land Use Map Amendment and Zone of Annexation is consistent with the goals and polices of the Comprehensive Plan, specifically, Goals 1, 3, and 12.
2. The review criteria, items 3 through 5 in Sections 21.02.130 and 140 of the Grand Junction Zoning and Development Code have been met or addressed.

Marquis Annexation

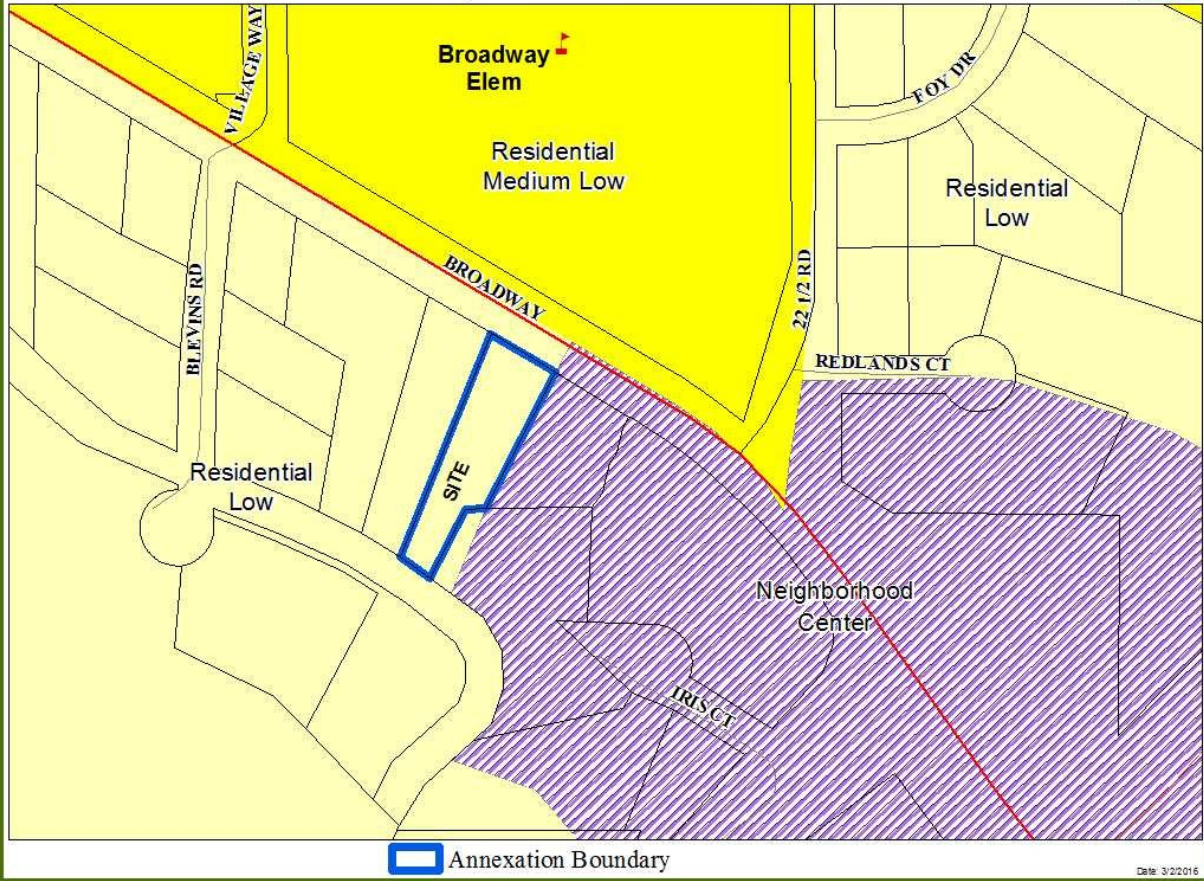


Marquis Annexation

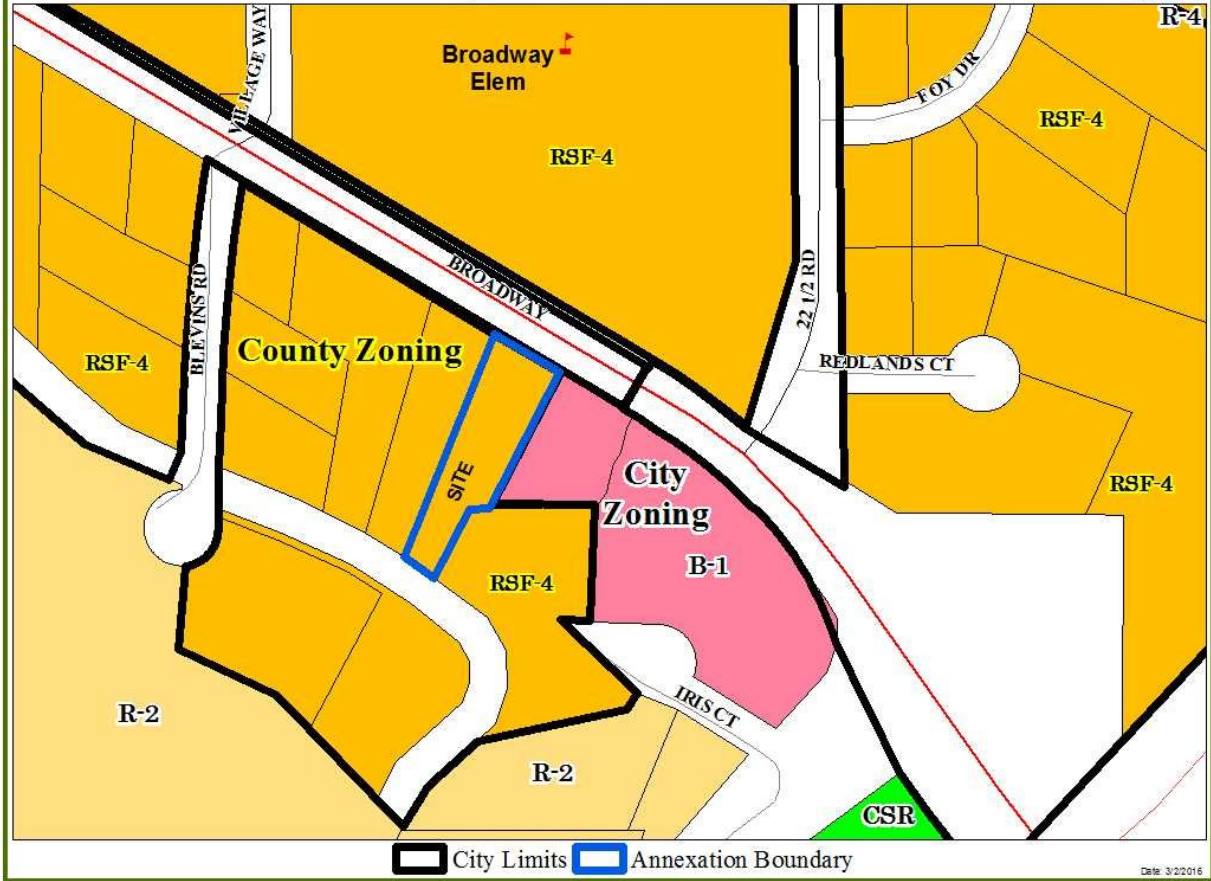


City Limits  Annexation Boundary 

Marquis Annexation - Future L and Use



Marquis Annexation - Zoning



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MARQUIS ANNEXATION
TO B-1 (NEIGHBORHOOD BUSINESS)**

LOCATED AT 2245 1/2 BROADWAY

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Marquis Annexation to the B-1 (Neighborhood Business) zone district, finding that it conforms with the designation of Neighborhood Center as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the B-1 (Neighborhood Business) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property shall be zoned B-1 (Neighborhood Business):

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter (SW 1/4) of said Section 7 and assuming the East line of said SW 1/4 bears N 00°24'57" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 38°53'40" W, a distance of 853.52 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 58°25'48" W, a distance of 41.30 feet; thence N 22°28'12" E, a distance of 323.76 feet to a point on the Southerly right of way for Broadway (Highway 340), as same is recorded in Book 518, Page 337, Public Records of Mesa County, Colorado; thence S 59°03'51" E, along said Southerly right of way, a distance of 99.48 feet; thence S 27°27'12" W, a distance of 197.20 feet to a point on the North line of Lot 3, Iris Court Subdivision, as same is recorded in Plat Book 9, Page 77, Public Records of Mesa County, Colorado; thence S 88°59'12" W, a

distance of 34.10 feet to a point being the Northwest corner of said Lot 3; thence S 27°27'12" W, a distance of 106.00 feet, more or less, to the Point of Beginning.

CONTAINING 23,920 Sq. Ft. or 0.549 Acres, more or less, as described hereon.

Introduced on first reading this _____ day of _____, 2016 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2016 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Date: April 7, 2016
 Author: Mike Vendegna
 Title/Phone Ext: Parks
Superintendent, 254-3843
 Proposed Schedule:
April 20, 2016
 Bid #: IFB-4202-16-NJ

Attach5

CITY COUNCIL AGENDA ITEM

Subject: Purchase a Backhoe for Cemetery Operations
Action Requested/Recommendation: Authorize the City Purchasing Division to Purchase a Backhoe for \$83,850 from Flaska JCB, Denver, CO
Presenter(s) Name & Title: Rob Schoeber, Parks and Recreation Director Jay Valentine, Internal Services Manager

Executive Summary:

This backhoe is a needed resource to provide ongoing operation and maintenance of the City Municipal Cemeteries. This equipment is used for excavation of graves, disinterment's, facility/road maintenance, irrigation repairs, and offloading of vaults and equipment delivered to both the Orchard Mesa and Crown Point Cemeteries.

Background, Analysis and Options:

Cemetery maintenance operations are responsible for over 42 acres at the Orchard Mesa Cemeteries as well as 11 acres at Crown Point Cemetery in Appleton. Cemetery staff will facilitate the preparation of over 120 funerals per year requiring the opening and closing of grave sites. This process poses unique challenges in that there are over 16,000 head stones and the rows between the plotted graves are only 10 feet wide thus requiring a specialized unit. Cemetery staff is requesting the purchase of an articulating front loader with a sliding / rotating back hoe.

A formal solicitation was advertised on Rocky Mountain E-Purchasing System and sent to a source list of manufacturers and dealers capable of providing a backhoe per our specifications. Two companies submitted three formal bids, Flaska JCB Company submitted two bids. Wagner Equipment Company also submitted a bid which did not meet specifications for bucket width of 8" and 16" used for opening and closing as well as disinterment. Bid amounts are as follows:

FIRM	LOCATION	COST
Flaska JCB - 2016 JCB 3CX Compact Backhoe Loader	Denver, Colorado	\$83,850.00
Flaska JCB – JCB 3CX – 14 Backhoe Loader	Denver, Colorado	\$88,750.00

Board or Committee Recommendation:

This equipment replacement was approved by the equipment committee and Fleet Services.

Financial Impact/Budget:

Budgeted funds for this purchase have been accrued in the Fleet Replacement Internal Service Fund.

Legal issues:

If authorized the form of the contract will be reviewed and approved by the City Attorney.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This purchase was part of the annual budget review process.

Attachments:

None.



Attach6

CITY COUNCIL AGENDA ITEM

Date: April 11, 2016
 Author: Allison Blevins
 Title/ Phone Ext: BID Co-Director/255-4923
 Proposed Schedule: _____
 2nd Reading (if applicable): _____
 File # (if applicable): _____

Subject: Prohibition of Parking along Main Street during Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016

Action Requested/Recommendation: Prohibit Parking along Main Street from 1st to 7th Streets during the Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016 and Authorize the Towing of Vehicles Violating the Prohibition

Presenter(s) Name & Title: Allison Blevins, DGJBID Co-Executive Director

Executive Summary:

The Downtown Grand Junction Business Improvement District (DGJBID) is requesting the prohibition of parking along Main Street during the 2016 Grand Junction Off-Road and Downtown Music Festival May 20-22, 2016, and the authorization for towing vehicles violating the prohibition.

Background, Analysis and Options:

Due to the nature of the 2016 Grand Junction Off-Road and Downtown Music Festival the Downtown Development Authority and Business Improvement District request that the City prohibit parking along Main Street after 5:00 AM Friday, May 20 until the end of the festival on May 22, and authorize the towing of vehicles in violation of the prohibition. The DGJBID will publicize the parking ban and will post signs along Main Street Thursday, May 19, at 1pm providing notice of the parking restriction and towing provision. This arrangement is similar to what is done for the annual Parade of Lights to address pedestrian safety during the event and to achieve a better spectator experience. As with past events, the Downtown Business Improvement District will work closely with the Grand Junction Police Department to minimize the need for any towing and limit inconvenience should towing be necessary.

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

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.

The Grand Junction Off-Road and Downtown Music Festival is the biggest event that the DGJBID produces and is one component of the promotion of Downtown to the greater public and surrounding areas.

How this item relates to the Economic Development Plan:

The item relates to the area of emphasis in economic development and the roles of supporting existing businesses and investing in/developing public amenities. The Grand Junction Off-Road and Downtown Music Festival is a major community event that capitalizes on the public investments made in the refurbishment of Main Street to support special event production, and in the promotion of Downtown businesses. This event also fits in with the City's goal to promote our area as an outdoor recreation destination.

Board or Committee Recommendation:

At the March 24, 2016 DDA meeting the board endorsed the implementation of parking restrictions for the Grand Junction Off-Road and Downtown Music Festival as an ongoing policy and event production protocol.

Financial Impact/Budget:

Vehicles violating the parking prohibition for the Grand Junction Off-Road and Downtown Music Festival can be cited for violation with or without a fine. Individuals whose vehicles are towed are responsible for towing costs unless the City/BID make alternate provisions with a towing service.

Legal issues:

The City may, in accordance with GJMC § § 10.04.200 and 10.04.210 impose temporary restrictions on parking, including the temporary suspension of the meters and limitations on parking before and during the festival.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This was discussed when proposed for 2013-2015 Parade of Lights.

Attachments:

None.



Attach7

CITY COUNCIL AGENDA ITEM

Date: April 12, 2016
 Author: Stephanie Tuin/John Shaver
 Title/ Phone Ext: City Clerk, 1511,
City Attorney 1506
 Proposed Schedule: April 20, 2016
 2nd Reading (if applicable):
 File # (if applicable):

Subject: Appointment of Municipal Judge
Action Requested/Recommendation: Adopt Proposed Resolution Appointing Care' McInnis to a Four Year Term as Municipal Judge
Presenter(s) Name & Title: John Shaver, City Attorney

Executive Summary:

The last formal appointment of Judge McInnis was August 2006 for a four year term.

Background, Analysis and Options:

Judge Care's McInnis has served as Grand Junction's Municipal Judge since 2006. By City Charter, Section 56, the City Council appoints a Judge of the Municipal Court.

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

A municipal court serves to further the City's priority for public safety by completing the process of enforcement through penalties for violations.

Board or Committee Recommendation:

There is no board or committee recommendation.

Financial Impact/Budget:

The Judge's salary is included in the annual budget of the City.

Legal issues:

In accordance with C.R.S. 13-10-105(1)(a) unless otherwise provided in the Charter (which it is not in Grand Junction) the Council appoints the municipal judge for a "specified term of not less than two years and who may be reappointed for a subsequent term ..." The City Attorney has drafted the proposed resolution pursuant to that provision of the law.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This was discussed at a Special Workshop on April 11, 2016.

Attachments:

Proposed Resolution

RESOLUTION NO. ____

A RESOLUTION APPOINTING CARE` McINNIS AS MUNICIPAL COURT JUDGE

RECITALS:

The City of Grand Junction has by Charter and Ordinance established a Municipal Court. The Charter provides that the City Council shall appoint a Judge of the Municipal Court and the Grand Junction Municipal Code (GJMC) presently adopts by reference Title 13, Article 10 of the Colorado Revised Statutes (C.R.S). Section 13-10-105(1)(a) C.R.S. provides that unless otherwise provided in the Charter (which it is not in Grand Junction) the Council appoints the municipal judge for a "specified term of not less than two years and who may be reappointed for a subsequent term ...".

Judge McInnis has been the presiding Municipal Court Judge since 2006 and the City Council has determined that it is appropriate to re-appoint her. By and with this Resolution, Care` McInnis is appointed as the Municipal Court Judge in and for the Grand Junction Municipal Court.

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

The Honorable Care` McInnis is re-appointed as Municipal Court Judge in and for the Grand Junction Municipal Court, with all rights, obligations and privileges that pertain for a term of four (4) years beginning the date hereof and continuing until the expiration of the term, subject to her full and faithful performance as provided by law or ordinance.

PASSED and ADOPTED this _____ day of _____ 2016.

President of the City Council

ATTEST:

City Clerk



Attach8

CITY COUNCIL AGENDA ITEM

Date: March 22, 2016
 Author: Stephanie Tuin/Kamie Long
 Title/ Phone Ext: City Clerk ext 1511
 Proposed Schedule: 1st reading April 6, 2016
 2nd Reading (if applicable): 2nd reading April 20, 2016
 File # (if applicable): NA

Subject: Amend the Grand Junction Municipal Code to Allow for an Additional Alternate on the Forestry Board and Adopt the Proposed Forestry Board Bylaws
Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage of the Proposed Ordinance and Order Final Publication in Pamphlet Form and Adopt a Resolution Approving the Forestry Board Bylaws
Presenter(s) Name & Title: Kamie Long, Forestry Board Chair

Executive Summary:

The request is to amend the Grand Junction Municipal Code to be consistent with the proposed Forestry Board bylaws and then to adopt the bylaws by resolution.

Background, Analysis and Options:

The Forestry Board is a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees.

The Forestry Board was created in 1981 and has five regular members. In 2008, a provision was adopted by City Council to allow for an alternate member. The Board is an active board being involved in several events throughout the year besides their responsibility of licensing tree contractors. The board is asking for an additional alternate in their proposed bylaws. By amending the Municipal Code to allow for the second alternate the proposed bylaws can be adopted.

In addition to allowing for another alternate member, the bylaws provide rules and guidance to the board where none currently exists. Some of the provisions include ethical standards, majority recommendation for the removal of any member, and the requirement for regular meetings. The proposed bylaws allow for participation of members via telephone or video conference, and require compliance with the Open Meeting and Open Records laws. It has been the preference of the City that all of the City's volunteer boards and commissions have bylaws in place.

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

The Forestry Board supports Goal 8 of the Comprehensive Plan and Section 1.6 of the Economic Development Plan by creating and maintaining attractive public spaces through its involvement with the urban forest.

Board or Committee Recommendation:

The Forestry Board met and reviewed the proposed bylaws and corresponding Code changes on January 8 and January 20, 2016 and recommends and asks for approval.

Financial Impact/Budget:

There is no financial impact with the exception of the minimal cost of publishing the ordinance (in pamphlet form) in the newspaper.

Legal issues:

The City Attorney has reviewed the proposed bylaws and Code changes and has approved the format.

Other issues:

There are no other issues.

Previously presented or discussed:

The City Council reviewed the proposed Code changes and bylaws at their March 14, 2016 workshop. The proposed Code Changes were introduced on first reading at the April 6, 2016 City Council meeting.

Attachments:

Proposed Ordinance to Amend the Municipal Code
Resolution Adopting the Forestry Board Bylaws

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 2.36, FORESTRY BOARD, OF
THE GRAND JUNCTION MUNICIPAL CODE BY AMENDING SECTION 2.36.010 (a)
CONCERNING COMPOSITION OF THE BOARD**

Recitals.

The Grand Junction Forestry Board (“Board”) was established in 1981 to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The Board also recommends to the City Council adoption of rules and regulations pertaining to the tree service business in the city, and it may hear complaints from any citizen of the city, including any of its own members, relating to the tree service business.

The Board was comprised of five members until 2008 when the City Council amended the Grand Junction Municipal Code to allow for an alternate position.

During the establishment of bylaws for the Board, Board members asked the City Council to amend the Code to allow for two alternates. The Board is a small Board in number and has asked for an additional alternate to better assist them in carrying out their duties and responsibilities.

NOW THEREFORE, BE IT ORDAINED THAT:

Chapter 2.36, Section 010 (a) of the Grand Junction Municipal Code shall be amended to read [strikeouts are deletions, letters in red are additions]:

(a) There is hereby created a board to be known as the Forestry Board. The Board shall be composed of five members and up to two alternate members who shall be appointed by the City Council. The Board shall include three persons selected from the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator, otherwise trained or certified in a plant health industry and include a representative of the State Forest Service if possible. The other two members of the board may be lay persons. The alternate members shall otherwise have the qualifications of other members of the Board and at least one of the alternates shall be selected from the categories listed: professional arborist, nursery professional, landscape designer, pesticide applicator, or otherwise trained or certified in a plant health industry. Each alternate member shall attend all meetings and shall serve during the temporary unavailability, including recusal, of any regular Board member as may be necessary or required. The alternate member, in addition to other duties prescribed by this code, shall be allowed to vote in the absence of a regular member. Terms of service shall be three years. When a regular member resigns, is removed or is no

longer eligible to hold a seat on the Board, the City Council may or may not select an alternate to fill the vacancy if the alternate meets the same qualifications as the member to be replaced. If an alternate fills a seat of a regular member, then the City Council shall then name a replacement alternate. A chairperson and a vice-chairperson shall be elected each year and vacancies owing to death or resignation shall be filled by appointment for the unexpired term.

All other provisions in Chapter 2.36 shall remain in full force and effect.

Introduced on first reading this 6th day of April, 2016 and authorized the publication in pamphlet form.

Passed and adopted on second reading the _____ day of _____, 2016 and authorized the publication in pamphlet form.

President of the City Council

ATTEST:

City Clerk

CITY OF GRAND JUNCTION

RESOLUTION NO. _____ - 16

**A RESOLUTION ADOPTING THE
GRAND JUNCTION FORESTRY BOARD BYLAWS**

The Grand Junction Forestry Board ("Board") was established in 1981 to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The Board also recommends to the City Council adoption of rules and regulations pertaining to the tree service business in the city, and it may hear complaints from any citizen of the city, including any of its own members, relating to the tree service business.

Bylaws provide rules and guidance to the board where none currently exists. Some of the provisions include ethical standards, majority recommendation for the removal of any member, and the requirement for regular meetings. The proposed bylaws allow for participation of members via telephone or video conference, and require compliance with the Open Meeting and Open Records laws.

It has been the preference of the City that all of the City's volunteer boards and commissions have bylaws in place.

NOW THEREFORE, BE IT RESOLVED THAT the Bylaws for the Grand Junction Forestry Board are hereby adopted and are attached.

Adopted this _____ day of _____, 2016.

President of the Council

ATTEST:

City Clerk

Bylaws of the City of Grand Junction Forestry Board

Article 1 – Purpose, Board, Place of Business

A. The Grand Junction Forestry Board reviews and determines professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. The Board, in accordance with City ordinances, gives written, oral and practical license examinations and issues licenses to qualified applicants. In addition, the Forestry Board serves in an advisory capacity to the Parks and Recreation Department Forestry Division by making recommendations to the City Council for the adoption of rules and regulations pertaining to the tree service business in the City. The Board may hear complaints from citizens relating to the tree service business. The Board may engage in community outreach and education in the area of trees and the urban forest.

B. The business and affairs of the Forestry Board shall be managed by a five (5) member board with up to two (2) alternate members, appointed by the Grand Junction City Council. Service on the Board shall be consistent with these bylaws and the ordinances adopted by the City Council for the Forestry Board. Alternate members shall serve when a vacancy occurs. Alternate members shall be designated “first alternate” and “second alternate” and shall be caused to serve in order.

C. The Forestry Board shall meet monthly on a date determined by the Board at a designated location.

Article 2 – Ethical Conduct

Board members shall comply with the City of Grand Junction Resolution No. 79-06, and as subsequently amended, which establishes ethical standards for members of the City’s boards, commissions and similar groups.

Article 3 – Appointment of Members

A. The Grand Junction Forestry Board shall consist of five (5) voting members and up to two alternates who shall be appointed by the City Council.

B. Composition and selection:

1. The members of the Board shall be appointed by the Grand Junction City Council for individual terms of three (3) years.
2. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.
3. Three (3) of the five (5) voting members and at least one alternate shall be selected from any of the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator or otherwise trained or certified in

a plant health industry. One member should be a representative of the Colorado State Forest Service if possible. Two (2) of the members of the Board may be lay persons.

4. A representative of the City Parks and Recreation Department Forestry Division shall be a non-voting member of the Board and shall act as or designate a secretary of the Forestry Board. The City Financial Operations Director or his/her designee shall act as treasurer of the Board.

C. If requested by the Grand Junction City Council, the Board shall make a recommendation to the appointing body as to the expertise needed. The appointing body may consider this recommendation when making appointments.

Article 4 – Vacancies

Vacancies to the Forestry Board shall be filled in the manner set forth herein, following policies and procedures set forth by the City Council for the recruitment of potential candidates.

Article 5 – Officers

A. At the first meeting of the Forestry Board each calendar year, members of the Board shall elect a chairperson and a vice-chairperson. Election of officers shall be held annually.

B. The chair shall be a member of the Board, serve as head of the Board and preside at meetings of the Board. In the absence of the Board chairperson, the vice-chairperson shall preside at the Board meeting and perform the duties of the chair and when so acting, shall have the authority and duties of the chair.

C. The secretary shall record the affairs of the Board and shall see to the correspondence of the Board.

Article 6 – Terms, Conditions

A. The term of each individual board member shall be three (3) years and the terms shall be staggered. Members shall serve until their successors have been appointed. A Board member may be appointed for two terms. An appointment to fill a partial term shall only be for the remainder of the full term. Alternates may be appointed to fill vacancies at the discretion of the Grand Junction City Council. Time served as an alternate does not impact a board member's ability to serve two full terms.

B. A majority of the total members of the Board may recommend to the City Council that a member be removed upon such member's failure to routinely attend the meetings of the Board or to participate in the work and mission of the Board.

C. A member of the Board that is unable to attend meetings or has missed three (3)

consecutive meetings may be asked, in writing, to resign from the Board. A special meeting will be scheduled for the purpose of discussing the request with all Board members in attendance.

Article 7 – Conflicts, Compensation, Expenses

A. No compensation shall be paid to any member of the Board for his/her services. The Board shall not enter into any contract with any member or pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to volunteer board members regarding conflicts of interest, disclosure, gifts and appearances of impropriety, as well as the City Resolution referred to in Article 2, shall apply to each member of the Board.

B. In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses that are allowed by motion of the Board prior to being incurred. Expenses so authorized must be incurred in the performance of the Board member's duties. All such expenses shall be paid with Board funds.

Article 8 – Meetings, Notice, Open Meetings

A. Regular meetings shall be held at least once a month, at the place designated by the Board. Regular meetings may be canceled at the discretion of the Board.

B. Any member may call a special meeting and it shall then be the duty of the secretary to cause notice of such meeting to be properly given. Special meetings may be held at any place within the City of Grand Junction.

C. Notice of any meeting of the Board, including the purpose thereof, shall be made in writing to each member by mail, facsimile, or e-mail at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Board shall be acceptance of notice by him/her of the time, place, and purpose thereof. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.

D. Any meeting may be held by telephone or video conference call upon arrival of a majority of the Board.

E. Affairs of the Board shall be governed by the Open Meetings Law and the Open Records Act, as amended, including but not limited to the posting of notices, designating annually the location for the posting of notices, and the taking of minutes.

Article 9 – Quorum

A majority of the voting members of the Board shall constitute a quorum for the transaction of business; however, if at any meeting a quorum is not present and available to vote, a majority of those present may adjourn the meeting. Alternate members shall be considered in determining a quorum. The act of a majority of the members present at a meeting in which a quorum is present shall be the act of the Board.

Article 10 – Contracts, Expenditures

The Board and its members do not have authority to bind the City, unless the City Council has specifically granted such authority in writing. Authority to bind the City shall be limited to the specific act(s) described in such writing. Expenditures on behalf of the Board and its work shall be granted such authority exclusively through the City Finance Department.

Article 11 – Notices

Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

Article 12 – Legal Advice, Finances and Insurance

The City Attorney shall serve as the legal advisor for the Board. The City's Financial Operations Director shall serve as the treasurer for the Board. The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member's actions are not malicious, criminal, or with deliberate intent to violate a law or regulation or with intent to injure. A Board member shall immediately contact the City Attorney if such losses, cost or expenses arise or if there are any questions about coverage.

Article 13 – Amendment of the Bylaws

The Board may, by the affirmative vote of a majority of its members, amend or alter the bylaws of the Board provided that no such alteration or amendment by the Board shall increase the powers of the Board or expose the City to any additional liabilities, responsibilities or expenses. The secretary of the Board, or any member, shall send a copy of proposed changes to the bylaws to the City Clerk prior to adoption by the Board.

Recommended for approval by the Grand Junction Forestry Board at a regular meeting on _____, 2016.

Adopted by the City Council this _____ day of _____, 2016 by
Resolution No. _____-16

Kamie Long, Forestry Board Chair

Attest:

Darcy Austin, Board Secretary



Attach9

Date: 4/13/16
 Author: Trent Prall
 Title/ Phone Ext: x4047
 Proposed Schedule: 4/20/16
 2nd Reading
 (if applicable): _____
 File # (if applicable): _____

CITY COUNCIL AGENDA ITEM

Subject: Federal Lands Access Program (FLAP) Funding Application for the Monument Road Trail
Action Requested/Recommendation: Adopt a Resolution Authorizing the Interim City Manager to Apply for Federal Lands Access Program (FLAP) Funding In the Amount of \$4.79 Million
Presenter(s) Name & Title: Trent Prall, Engineering Manager

Executive Summary:

In 2007, the City of Grand Junction and Great Outdoors Colorado (GOCO) extended a trail from the existing Riverfront Trail just west of the Broadway Colorado River Bridge along No Thoroughfare Wash to just north of D Road. This federal FLAP request for \$4.79 million would extend a ten-foot concrete bike path south along Monument Road connecting to the South Camp Road Trail, providing a non-motorized alternative access from the Riverfront Trail past one of the region’s most popular trailheads for access to a vast network of Bureau of Land Management (BLM) trails as well as expand and pave the trailhead parking lot, add trailhead amenities, and provide for bypass lanes at the east entrance to the Colorado National Monument (CNM).

Background, Analysis and Options:

This project extends multi-modal access with a scenic shared-use, off-road trail to the BLM Lunch Loop area and to South Camp Road at the footstep of the CNM. Once built, the trail would provide a non-motorized alternative access from the Riverfront Trail to one the region’s most popular trailheads for access to a vast network of trails on Bureau of Land Management (BLM) managed lands. This extension will also connect the surrounding amenities, including downtown Grand Junction, Las Colonias Park, the Botanical Gardens, Connected Lakes, and surrounding neighborhoods to each other as well as to the BLM trails and City owned bike park at Lunch Loop. In addition to vastly improving connectivity, this trail will enhance safety by providing an off-road path for multiple users.

This proposed trail has been part of planning documents for over 14 years dating back to the 2002 Redlands Area Plan and more recently as part of the 2040 Regional Transportation Plan (2015) and the Mesa County Land Trust’s “A Community Vision for Monument Road” (Nov 2014). These three documents identify 1) additional open space, 2) greater access to open space, 3) multi-modal non-motorized options, and 4) community desire to see connectivity and safety a priority along Monument Road.

Another important component of this project is the addition of bypass lanes at the east entrance to the (CNM), where local travelers with residences or agricultural lands in Glade Park may be delayed for 15 minutes or more while a stream of CNM visitors queues up to pay and ask questions of National Park Service (NPS) personnel at the entrance station. Also held up in these longer queues are recreationists already with passes who are driving, hiking, or bicycling into CNM. The delays tend to exacerbate conflicts between users: locals/recreationists and Glade Park traffic simply wanting to get on their way versus tourists who are not on a schedule. The bypass lanes planned for both the inbound and outbound directions would enable locals and others with passes to continue quickly on their way, while providing a better experience for tourists seeking information and needing to pay an entrance fee.

The U.S. Department of Transportation (USDOT)'s FLAP program is intended to improve transportation facilities owned or maintained by a non-federal agency providing access to, adjacent to, or locations within federal lands (typically national parks, forests, wildlife refuges, BLM lands, Bureau of Reclamation (BOR) lands, or United States Army Corps of Engineering (USACE) lands). The Fixing America's Surface Transportation (FAST) Act authorizes \$250 to \$270 million in funding for the FLAP program. There is an emphasis on high-use Federal recreation sites and Federal economic generators. Colorado is slated to receive approximately \$14.7 million per year for the next 5 years.

The Monument Road Trail project has been endorsed by the Grand Valley Regional Transportation Committee with a letter of support. Additional letters of support are anticipated from the BLM and the CNM as well as numerous other local organizations.

Staff believes this project is a strong candidate for FLAP funding because it definitively meets the program's six criteria. The FLAP program is interested in funding projects that can provide the following:

- 1) Access, Mobility, and Connectivity
- 2) Economic Development
- 3) Preservation
- 4) Safety
- 5) Sustainability and Environmental Quality Benefits
- 6) Funding, Coordination, and Cost

Final Applications are due May 21, 2016.

Under FLAP there are no minimum size awards, however the awards must have a 17.21% match.

The \$5.8 million project budget includes:

- extending a ten-foot, concrete bike path, one bridge, and five crossings from just north of D Road along the south side of Monument Road to South Camp Road.
- Expand the existing parking lot from 112 spaces to 214 spaces and provide an asphalt surface.

- Add trailhead amenities including an additional restroom, six shade facilities, 10 benches, and 20 picnic tables.
- Provide for bypass lanes and electronic access at the east entrance to the CNM enabling Glade Park residents and others with a pass to bypass the entrance station.

Other anticipated Western Slope applications include:

Palisade Plunge – North River Road Improvements. Palisade is the lead agency with Mesa County providing match.

Fruita – 18 Road access to BLM trailhead. Mesa County lead **and** providing match.

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

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

Once built, the Monument Road trail will connect the Downtown Center, the Riverfront Trail, neighborhoods of varying socioeconomic populations, the Connected Lakes, Las Colonias, and other amenities to the Monument Road Corridor’s recreational assets, the BLM’s Tabeguache/Lunch Loop trails, and the CNM. The trail will provide non-motorized connectivity and enjoyment of the Monument Road corridor of people of all ages and abilities.

Goal 10 Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

As the City continues to work with local organizations that preserve strategically located open space areas, it has the opportunity to develop these areas with trails that attract residents and tourists and serve as economic drivers as well as enhancing the built environment that supports the Comprehensive Plan’s goal of ensuring healthy lifestyles.

How this item relates to the Economic Development Plan:

1.6 Investing in and Developing Public Amenities

The City’s Economic Development Plan recognizes that public amenities “make a community an attractive place to live” drawing both businesses and individuals to the area to live and invest in our local economy. As a result, the Economic Development Plan states the important goal to “Continue to make strategic investments in public amenities that support Grand Junction becoming “the most livable community west of the Rockies by 2025”.

The following action steps outline important strategies to enhance our public amenities.

- Action Step – Identify and invest in key facilities, **recreation**, amenities, arts and culture, and infrastructure that promote our community and attract visitors.
- Action Step – Develop a system of regional, neighborhood, and community parks protecting open space corridors for recreation and multi-modal transportation.

The Monument Road Trail has been identified in many previous studies as a key facility for connecting one of the Grand Valley’s most treasured assets, the Riverfront Trail, along with downtown businesses, to this extremely popular Tabeguache (Lunch Loop) trail complex and the CNM.

This project is just a part of creating the outdoor “culture” that should help attract and retain multiple generations of employees as well as attract tourists to the Grand Valley.

Board or Committee Recommendation:

At its meeting on Monday, March 28, 2016 the Grand Valley Regional Transportation Committee agreed to submit a letter of support for the project. The Grand Junction Sports Commission moved to support the project on March 17, 2016. Other letters of support are anticipated from Colorado Mesa University, Urban Trails Committee (April 12, 2016), Riverfront Commission, COPMOBA, Grand Valley Trail Alliance, Outdoor Recreation Coalition, Grand Valley Bikes, Greater Grand Junction Sports Commission, Mesa Land Trust, Bureau of Land Management, National Park Service, Grand Junction Economic Partnership, and the Grand Junction Chamber of Commerce.

Financial Impact/Budget:

The financial breakdown for this \$5.80 million project, should the FLAP funding be received, is as follows based on a match of up \$996,630 (17.21%) match:

Project expenditure and match requirement by element:

Expenditure	Phase I Trail to LL Trailhead	Pave Existing Lot	Additional Parking Lot	Trailhead Amenities	Monument Entrance	Phase II to South Camp	Total Project
Estimated Construction Cost (2019)	\$1,933,740	\$249,295	\$ 403,832	\$ 341,810	\$ 609,040	\$1,288,944	\$4,826,661
20% Engineering / Construction Admin	\$ 385,748	\$ 49,859	\$ 80,766	\$ 68,362	\$ 121,808	\$ 257,789	\$ 964,332
Total Project	\$2,319,488	\$299,154	\$ 484,598	\$ 410,172	\$ 730,848	\$1,546,733	\$5,790,993
Estimated Match based on 17.21%	\$ 399,184	\$ 51,484	\$ 83,399	\$ 70,591	\$ 125,779	\$ 266,193	\$ 996,630

Sources	2017	2018	2019	Total
Local Funding		\$ 200,000	\$ 796,630	\$ 996,630
FLAP Funding		\$ 200,000	\$ 4,594,363	\$ 4,794,363
Total Project Sources	\$ -	\$ 400,000	\$ 5,390,993	\$ 5,790,993
Expenditures	2017	2018	2019	Total
Consultants - various disciplines		\$ 400,000	\$ 565,332	\$ 965,332
ROW acquisition (if necessary)			\$ 150,000	\$ 150,000
Construction			\$ 4,675,661	\$ 4,675,661
Total Project Expenditures	\$ -	\$ 400,000	\$ 5,390,993	\$ 5,790,993

Legal issues:

No legal issues are anticipated with/arising out of an application for funding; however, if funds are awarded, the Council should consider the budget implications and the interplay of any award with the provision of the Taxpayers Bill of Rights (TABOR) in the Colorado Constitution.

Other issues:

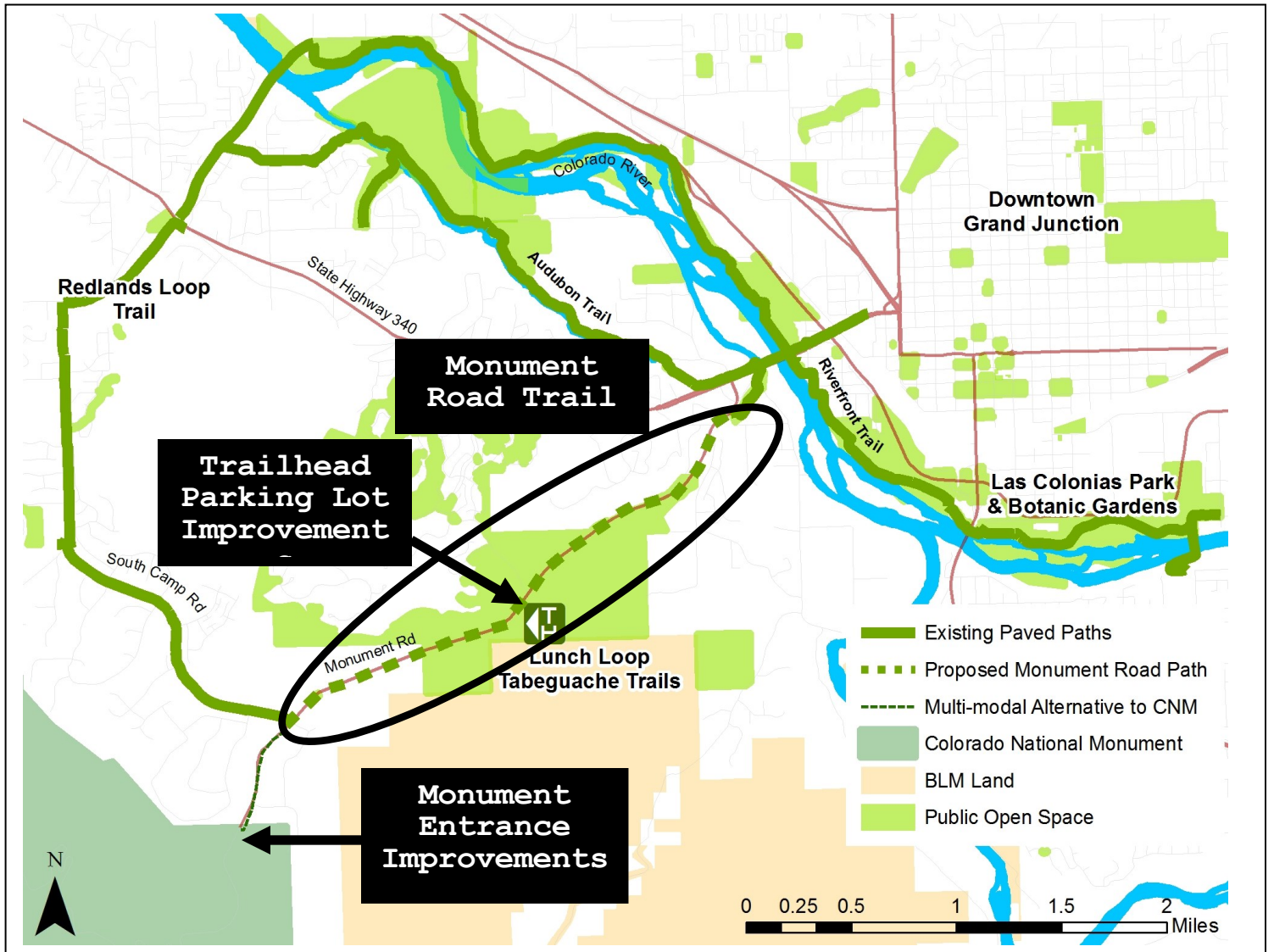
None.

Previously presented or discussed:

The item has not previously been discussed.

Attachments:

Area Map
Rendering of Monument Road Trail
Proposed Resolution





Rendering of Monument Road Trail looking west
across Three Sisters Property

RESOLUTION NO. ____-16

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO APPLY FOR FEDERAL LANDS ACCESS PROGRAM (FLAP) FUNDING FOR CONSTRUCTION WORK ON THE MONUMENT ROAD TRAIL IMPROVEMENT PROJECT

Recitals:

The federal FLAP funding request for \$4.79 million would help fund the \$5.80 million project to extend an ten-foot concrete bike path from just north of D Road along the south side of Monument Road to South Camp Road as well as expand and pave the trailhead parking lot, trailhead amenities, and provide for bypass lanes at the east entrance to the Colorado National Monument. The project will provide a non-motorized alternative access from the Riverfront Trail past one of the region's most popular trailheads for access to a vast network of Bureau of Land Management (BLM) trails connecting to South Camp Road to create a 10 mile paved path loop as well as ease access and reduce delays at the Colorado National Monument east entrance.

The application proposes a match of up to \$996,630 representing at that amount a local participation of 17.21% in the estimated total project cost of up to \$5,790,993. Project expenditures are anticipated to accrue primarily in 2018 and 2019.

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

The Interim City Manager is authorized to apply for the FLAP grant for the Monument Road Trail Improvement Project.

PASSED AND APPROVED this _____ day of _____, 2016.

President of the Council

ATTEST:

City Clerk

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date: _____
Citizen's Name: Steve Jolmeller
Address: 536 29th
Phone Number: _____
Subject: "Expose" Letter of Intent

Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date: 7/18/20
Citizen's Name: Mittel Kelly
Address: 2491 Ftn Grns Pl E2
Phone Number: _____
Subject: Intro ~~Form~~ - Art Center Executive Director

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.