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**CITY COUNCIL AGENDA
WEDNESDAY, JUNE 7, 2017
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

Call to Order, Pledge of Allegiance, Moment of Silence

Presentation

Presentation of the International Association of Fire Chiefs 2017 Heart Safe Community Award

Proclamations

Proclaiming the Month of June, 2017 as "Toastmasters Month" in the City of Grand Junction

Proclamation for "150 Years of Service for Western Cattlemen" in the City of Grand Junction

Proclaiming the Month of June and Wednesday, June 28, 2017 as "Bike Month" and "Bike to Work Day" in the City of Grand Junction

Proclaiming the Week of June 18 - June 24, 2017 as "St. Baldrick's Foundation Week" in the City of Grand Junction

Proclaiming the Week of June 5 - 11, 2017 as "Pride Fest Week" in the City of Grand Junction

Proclaiming June 22 through June 25, 2017 as "Red Hat Week-end" in the City of Grand Junction

Appointments

To the Grand Junction Regional Airport Authority

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board

Ratification of Appointment to Riverview Technology Corporation

Certificate of Appointments

Certificate of Appointment to the Historic Preservation Board

Citizen Comments

Council Reports

Consent Agenda

1. Approval of Minutes

- a. Minutes of the May 3, 2017 Regular Meeting
- b. Summary of the May 15, 2017 Workshop

2. Set Public Hearing

- a. Quasi-judicial
 - i. 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, and Introducing Proposed Annexation Ordinance for the Hill Business Complex Annexation, Approximately 2.734 Acres, Located at 2905 Hill Avenue, and Set a Hearing for July 19, 2017.

3. Contracts

- a. Construction Contract for the 2017 Riverside Parkway Resurfacing

4. Resolutions

- a. Resolution Appointing Substitute Judges
- b. Proposed Downtown Function Enhancements and Resolution Authorizing Parking Rate Changes
- c. Resolution Amending the Bylaws of the Urban Trails Committee

Regular Agenda

If any item is removed from the Consent Agenda, it will be heard here

5. Resolutions

- a. Resolution Authorizing the Lease to Colorado Discover Ability for City-owned Property Located at 599 Struthers Avenue

6. Public Hearings

- a. Quasi-judicial
 - i. Ordinance Adopting a Civic and Institutional Master Plan for Colorado Mesa University and Conditional Right-of-Way Vacation in Accordance with the Master Plan
 - ii. Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Properties Known as Las Colonias
 - iii. Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Properties Known as Jarvis Subdivision Filing 1
 - iv. Ordinance Expanding the Boundaries of and Including Property Known as Las Colonias into the Downtown Grand Junction Business Improvement District

7. Non-Scheduled Citizens & Visitors**8. Other Business****9. Adjournment**



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017
Presented By: Ken Watkins, Fire Chief
Department: Fire
Submitted By: Ken Watkins, Fire Chief

Information

SUBJECT:

Presentation of the International Association of Fire Chiefs 2017 Heart Safe Community Award

RECOMMENDATION:

None

EXECUTIVE SUMMARY:

The Grand Junction Fire Department was awarded the 2017 Heart Safe Community Award for Small/Mid Size Community at the International Association of Fire Chiefs Fire Rescue Med Conference on May 22 in Henderson, Nevada.

BACKGROUND OR DETAILED INFORMATION:

The award is presented to fire service-based EMS agencies and other agencies that have played a key role in improving the quality of out-of-hospital cardiac care and resuscitation efforts. Agencies and systems nominated will have demonstrated creative approaches to improving therapies for patients with Acute Coronary Syndrome(ACS) and its life-threatening complication, sudden cardiac arrest, through:

- Bystander CPR
- Automatic External Defibrillator deployment
- Out-of-hospital 12-lead ECGs
- 12-lead ECG advanced notification to the receiving hospital
- Partnering with local hospitals to improve outcomes from ACS and sudden cardiac arrest

- Communication programs to increase awareness and prevention of sudden cardiac arrest and heart attacks

FISCAL IMPACT:

None

SUGGESTED MOTION:

None

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming the Month of June, 2017 as "Toastmasters Month" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation

EXECUTIVE SUMMARY:

First time request to recognize Toastmasters Month

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation - Toastmasters

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, Toastmasters International is a nonprofit educational organization that teaches public speaking and leadership skills in a mutually supporting learning environment developing communication and leadership skills, and

WHEREAS, The ability to speak clearly and effectively is a powerful and important skill that can help overcome barriers to effective performance in virtually every endeavor and line of work; and

WHEREAS, Toastmasters Clubs present community events to encourage people to practice and perform public speaking at well-known events such as Ignite! Grand Junction, Toastmasters Communication & Leadership Institute and speech contest events; and

WHEREAS, After nine decades of outstanding achievement, Toastmasters International has grown to over 15,400 clubs in 142 countries, with more than 345,000 members worldwide and 170 clubs in the State of Colorado and 3 clubs in Mesa County Colorado.

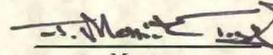
Now, therefore, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the month of June 2017 as

“Toastmasters Month”

in the City of Grand Junction and call upon all citizens to help recognize and encourage citizens of Grand Junction to join in this observance by attending and participating in a Toasters Club during the month of June.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June, 2017.




Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclamation for "150 Years of Service for Western Cattlemen" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation

EXECUTIVE SUMMARY:

The Colorado Cattlemen's Association is celebrating its 150th Anniversary at its annual convention being held in Grand Junction on June 12 - 14, 2017.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation Cattleman Assoc

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, beef and beef products sales account for 75% of Colorado's \$3.7 billion annual cash receipts from livestock sales, and account for 60% of Colorado's total cash receipts from all agricultural sales; and

WHEREAS, beef and beef products are the number one most valuable agricultural product in Mesa County, accounting for nearly the same cash sales as corn, fruits, hay, and other crops combined; and

WHEREAS, beef and beef products are the number one most valuable product of any kind exported from Colorado annually, and Colorado ranks fourth out of all states in the value of its beef exports; and

WHEREAS, the Colorado Cattlemen's Association was formed in 1867 to represent the interest of beef cattle producers on issues of business, livestock theft, and governance in the Colorado Territory; and

WHEREAS, the Colorado Cattlemen's Association is the oldest statewide livestock association in the United States, and it is celebrating its 150th anniversary at its annual convention to be held in Grand Junction June 12th – June 14th; and

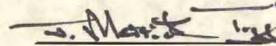
WHEREAS, the Colorado Cattlemen's Association currently has 46 local affiliated organizations, including the Mesa County Cattlemen's Association.

Now, therefore, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of June 11 to June 17, 2017 as

"Colorado Cattlemen's Association Week

in the City of Grand Junction and call upon all citizens to help recognize and congratulate the Colorado Cattlemen's Association on their 150th Anniversary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June, 2017.


Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: Community Development

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming the Month of June and Wednesday, June 28, 2017 as "Bike Month" and "Bike to Work Day" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation.

EXECUTIVE SUMMARY:

This is an annual event for the month of June and designating June 28, 2017 as Bike to Work Day to encourage citizens to participate by biking as an alternative form of transportation.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation Bike

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, Colorado is a premiere bicycling state and Grand Junction offers some of the most diverse bicycling opportunities; and

WHEREAS, Colorado has designated each June as Bike Month to celebrate bicycling for transportation, fun, and health, joining a nationwide effort to encourage cycling novices and enthusiasts to experience the fun and freedom of safely riding a bike to work, school, errands, and recreation; and

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and studies have shown that biking to work is associated with a lower risk of cardiovascular disease, cancer, diabetes, and all other causes of death; and

WHEREAS, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

WHEREAS, the City of Grand Junction Urban Trails Committee is taking action to improve safety for bicycle riders and pedestrians of all ages and abilities; and

WHEREAS, bicycling activities and attractions have a positive impact on Grand Junction's economy and tourism industry and stimulates economic development by making the area attractive to businesses and citizens who enjoy the out-of-doors and healthy lifestyles; and

WHEREAS, Grand Junction has been designated a Bicycle Friendly Community by the League of American Bicyclists and recognizes that bicycle-friendly communities improve citizens' health, well-being, and quality of life, boost community spirit, improve traffic safety, and reduce pollution and congestion, all of which contribute to Grand Junction "Becoming the Most Livable Community West of the Rockies"; and

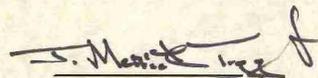
WHEREAS, the Urban Trails Committee and Healthy Mesa County, along with other local organizations throughout Mesa County, will be promoting bicycling as an environmentally-friendly alternative to the automobile with a number of activities during Bike Month and on Bike to Work Day.

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the month of June and Wednesday, June 28, 2017 as

"BIKE MONTH AND BIKE TO WORK DAY"

in the City of Grand Junction and call upon all citizens to participate by biking as an alternative form of transportation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June 2017.


Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming the Week of June 18 - June 24, 2017 as "St. Baldrick's Foundation Week" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation

EXECUTIVE SUMMARY:

Annual request to recognize and raise funds for childhood cancer.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation St Baldricks



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, worldwide, more than 300,000 children are diagnosed with cancer each year; and

WHEREAS, childhood cancer is the number one cause of death by disease of children in the United States; and

WHEREAS, the St. Baldrick's Foundation is the largest volunteer-driven charity committed to funding the most promising research to find cures for childhood cancers and give survivors long and healthy lives; and

WHEREAS, the St. Baldrick's Foundation currently funds more in childhood cancer research grants than any organization except the U.S. government; and

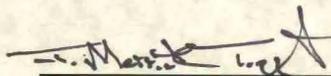
WHEREAS, enlisting the recognition and support of elected officials in the City of Grand Junction will help to raise awareness and move us closer to finding cures and better treatment options for kids battling this disease.

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of June 18th as

"ST. BALDRICK'S FOUNDATION WEEK"

in the City of Grand Junction and urge all the citizens of the City to recognize the seriousness of childhood cancers and the meritorious work of the St. Baldrick's Foundation to "Conquer Kids' Cancer" by supporting the 6th Annual Grand Junction Head Shaving Event on June 24th.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June 2017.



Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming the Week of June 5 - 11, 2017 as "Pride Fest Week" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation

EXECUTIVE SUMMARY:

This is the 5th annual event with will include a Main Street parade and a festival at the 500 block of Colorado Avenue.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation Pride

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, Colorado West Pride was established five years ago and is dedicated to the creation of an inclusive community in Grand Junction through events, outreach, and education; and

WHEREAS, the Colorado West Pride Board now has 11 diverse board members which represent the depth and breadth of the local Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community; and

WHEREAS, Colorado West Pride works tirelessly to help create equality by working to make sure the community is well informed and the LGBTQ community has a voice to make a difference; and

WHEREAS, Colorado West Pride will sponsor various activities and events throughout the week of June 5th through June 11th to promote and build a positive environment and relationships; and

WHEREAS, on June 11th Colorado West Pride will host the signature event of the 5th Annual Grand Junction Pride Fest which will include a Main Street parade and a festival at the 500 block of Colorado Avenue.

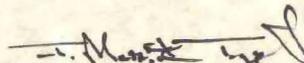
NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of June 5 – 11, 2017 as

"GRAND JUNCTION PRIDE FEST WEEK"

in the City of Grand Junction and urge all citizens to learn about and help create a positive environment for the LGBTQ community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June, 2017.





Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Proclaiming June 22 through June 25, 2017 as "Red Hat Week-end" in the City of Grand Junction

RECOMMENDATION:

Read and Present Proclamation

EXECUTIVE SUMMARY:

The local chapters of the Red Hat Society are hosting a 4-day weekend convention in Grand Junction where over 100 members will be in attendance.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

1. Proclamation - Red Hat

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, The Red Hat Society is an international Society made up of women of all ages. The Society, designed as a way for women over 50 to escape the pressures and demands placed on their everyday lives, has matured, growing deeper than "fun and friendship", and

WHEREAS, The Red Hat Society has become the international society dedicated to reshaping the way women approaching 50 and beyond are viewed in today's culture; and

WHEREAS, The Red Hat Society supports and encourages women to pursue fun, freedom of lifelong dreams, and fitness. It serves as the center point of all communications and opportunities for its Members offering tools, tips, discounts, services and events specifically with "Red Hatters" in mind. The Red Hat Society has spent the last 12 years developing a strong online communications tool for Members assisting them in gaining new and exciting ways to enjoy life, sharing their unique and motivational stories and finding local hatters and activities they can participate in. Women over 50 are known as "Red Hatters" while those under 50 are called "Pink Hatters"; and

WHEREAS, the local chapters of the Red Hat Society are hosting a 4-day weekend convention in Grand Junction, where over 100 members will be in attendance.

Now, therefore, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim June 22 through 25, 2017 as

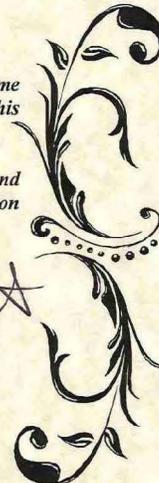
"Red Hat Weekend"

in the City of Grand Junction and call upon all citizens to help welcome these ladies with our Western Colorado Hospitality and Program this weekend Red Hat Weekend.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 7th day of June, 2017.



J. Merrick Taggart
Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

To the Grand Junction Regional Airport Authority

RECOMMENDATION:

Appoint the recommendation from the Interview Committee.

EXECUTIVE SUMMARY:

On June 1, 2017, Councilmembers Norris and Kennedy interviewed candidates for the vacancy on the Airport Authority. There were six applicants.

BACKGROUND OR DETAILED INFORMATION:

The board consists of seven members serving four year terms. Three are appointed by the County in January and three are appointed by the City in May (City appointees must be City residents). The seventh member is appointed by the other six with the concurrence of the two government entities.

FISCAL IMPACT:

None.

SUGGESTED MOTION:

I move to appoint the Interview Committee's recommendation to the Grand Junction Regional Airport Authority for a four year term expiring in May, 2021.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board

RECOMMENDATION:

Appoint the recommendations from the Interview Committee.

EXECUTIVE SUMMARY:

On June 6, 2017, Council President Taggart, Councilmember Norris, and Councilmember Kennedy interviewed five candidates for the vacancies on the DDA/DGJBID Board. The Interview Committee has forwarded their recommendations to the City Council.

BACKGROUND OR DETAILED INFORMATION:

The DDA board is a nine member board serving four year (staggered) terms. Eight of the members must be a resident, business lessee, or own real property within the boundaries of the DDA. The City Council appoints one City Councilmember that is exempt from these qualifications. If the applicant qualifies as a business or real property owner, they do NOT have to be a City resident.

The DGJBID board is a nine member board serving four year (staggered) terms. Since the DDA board was designated as the board of directors for the DGJBID by ordinance in 2006, the members must meet the same qualifications as the DDA board, which are that eight of the members must be a resident, business lessee or own real property within the boundaries of the DDA. The City Council appoints one City Councilmember

that is exempt from these qualifications.

FISCAL IMPACT:

None.

SUGGESTED MOTION:

I move to appoint the Interview Committee's recommendations to the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board for four year terms expiring in June, 2021.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Ratification of Appointment to Riverview Technology Corporation

RECOMMENDATION:

Ratify Appointment recommended by the Riverview Technology Corporation (RTC) Board.

EXECUTIVE SUMMARY:

On May 22, 2017 the Board of Directors of the Riverview Technology Corporation put forward their recommendation.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

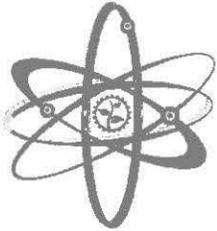
N/A

SUGGESTED MOTION:

I move to ratify the appointment of Chris Muhr to the Riverview Technology Corporation for a term expiring February 2019.

Attachments

1. Ratify Appointment Letter



Riverview Technology Corporation

...continuing the vision for the redevelopment of the Riverview Business Park site...

Members:

Timothy Hatten
Steve Hovland
Craig Little
Pat Tucker
Katie Worrall
Derek Wagner
Michael Burke
Will Hays

Ex Officio Members:

Grand Junction City
Bennett Boeschstein

Mesa County
Rose Pugliese

May 22, 2017

Honorable City Council
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RE: Ratification of Appointment

Dear City Council Members:

Pursuant to Section 3. *Board of Directors* of the Bylaws of the Riverview Technology Corporation (RTC), we respectfully request ratification of a new Board Member, which was made and unanimously approved by the Board of Directors, for the following members and terms as indicated:

Chris Muhr, Member, term expires February 2019

Thank you for your consideration.

Sincerely,


Jon Maraschin
Executive Director

JM:tb



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 7, 2017

Presented By: City Council

Department: City Clerk

Submitted By: Stephanie Tuin, City Clerk

Information

SUBJECT:

Certificate of Appointment to the Historic Preservation Board

RECOMMENDATION:

Present Certificate

EXECUTIVE SUMMARY:

City Council to present certificate of appointment to newly appointed.

BACKGROUND OR DETAILED INFORMATION:

Priscilla Mangnall was appointed to the Historic Preservation Board.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
May 3, 2017

The City Council of the City of Grand Junction convened into regular session on the 3rd day of May, 2017 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, Duke Wortmann, and Council President Phyllis Norris. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Proclamations

Proclaiming May 7 - 13, 2017 as "National Travel and Tourism Week" in the City of Grand Junction

Councilmember Wortmann read the proclamation. Debbie Kovalik, Grand Junction Visitor and Convention Bureau Director, was present to receive the proclamation. She announced the new name of the organization "Visit Grand Junction" and referred to the cookies that were provided. She said visitors offset \$500 in revenues for each family in the City, so are good for the revenues. She then spoke about the upcoming JUCO World Series (60th year). She described other big events that will be in town. Ms. Kovalik thanked Council.

Election of Council President and Pro Tem

The Charter sets forth the process for selecting a President of the Council and a President of the Council Pro Tem. Article V, Section 39 provides that during the first regular City Council Meeting in May of each year, a Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem are nominated and voted on to fulfill the obligations of those duties through April of the following year.

Nominations can be entertained by the President of the Council. If nominated and seconded, the City Clerk can take a vote on each nomination that has been seconded.

Councilmember Kennedy moved to submit nominations for Council President and then submit nominations for Council President Pro Tem. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Councilmember Kennedy moved to have both Council President and Council President Pro Tem nomination motions to be voted by voice vote. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Councilmember Boeschstein nominated Councilmember Kennedy for President of the Council. Councilmember Kennedy seconded the nomination.

Councilmember McArthur nominated Councilmember Traylor Smith for President of the Council. Councilmember Traylor Smith seconded the nomination.

Councilmember Wortmann nominated Councilmember Taggart for President of the Council. Councilmember Taggart seconded the nomination.

The vote was called by voice vote with Council President Norris, and Councilmembers McArthur and Traylor Smith voting for Councilmember Traylor Smith; Councilmembers Taggart and Wortmann voting for Councilmember Taggart; and Councilmembers Boeschstein and Kennedy voting for Councilmember Kennedy.

Councilmember Kennedy removed himself from consideration for the office of Council President.

The vote was called by voice vote for the office of Council President with Councilmembers Boeschstein, Kennedy, Taggart, and Wortmann voting for Councilmember Taggart; Councilmembers McArthur and Traylor Smith voting for Councilmember Traylor Smith.

Council President Norris declared Councilmember Taggart as Council President with a majority vote of four votes.

Councilmember Kennedy nominated Councilmember Boeschstein for the Council President Pro Tem. Councilmember Taggart seconded the nomination.

Councilmember Traylor Smith nominated Councilmember McArthur for Council President Pro Tem. Councilmember McArthur seconded the nomination.

The vote was called by voice vote for the office of Council President Pro Tem with Councilmembers Kennedy, Taggart, Wortmann, and Boeschstein voting for Councilmember Boeschstein; Councilmembers McArthur and Traylor Smith voting for Councilmember McArthur.

Council President Norris declared Councilmember Boeschstein as the Council President Pro Tem with a majority vote of four votes.

City Clerk Stephanie Tuin administered the oath of office to both incoming Council President Taggart and incoming Council President Pro Tem Boeschstein. New seats were taken and the meeting continued.

Ratify Appointment of At-Large Member to the Grand Junction Regional Airport Authority

The Grand Junction Regional Airport Authority (GJRAA) interviewed candidates for the At-Large position on their board and have forwarded the name of Charles McDaniel for Council's consideration.

Councilmember Norris moved to adopt Resolution No. 24-17 – A Resolution Confirming the Appointment of Charles McDaniel as an At-Large Director of the Grand Junction Regional Airport Authority. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Appointment to the Commission on Arts and Culture

The interview committee interviewed two candidates for the vacancy on the Commission on Arts and Culture on April 26, 2017 and forwarded their recommendation. Council appointed five members to the Commission on Arts and Culture recently but there was still one vacancy. Another round of interviews took place on April 26th and a name has been put forward for appointment.

Councilmember Traylor Smith moved to appoint Sandie Nadelson to the Commission on Arts and Culture for a term expiring in February 2018. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Citizens Comments

Bruce Lohmiller, 3032 S. 15th Street, #208, said he had a conversation with a judge and has been working on a matter with himself and City Attorney Shaver. He heard there are issues at Whitman Park and suggested getting people in the park to a safe place. He talked about sex education classes and invited everyone to visit the Veteran's Art Center.

Council Reports

Councilmember Norris said that morning (May 3rd), she attended the Business Incubator Center (BIC) meeting and encouraged participation in their First Annual Atomic 5K Run on June 3rd, beginning at 9:00 a.m.

Councilmembers Traylor Smith and Wortmann had nothing to report.

Councilmember Kennedy said on April 18th he attended a Crested Butte City Council meeting and commented that their Council has a board member who is a liaison from

Western State College. He suggested that Grand Junction City Council also have a liaison from Colorado Mesa University (CMU) on their board.

Councilmember McArthur said between April 20th and May 3rd he attended Beaconfest, the Grand Junction Area Chamber of Commerce Business After Hours meeting, and the Western Slope Realtor Rally.

Councilmember Boeschstein said between April 20th and May 3rd he attended Beaconfest, the Grand Valley Regional Transportation Committee meeting, the BIC meeting, and a Trail Host meeting with the Colorado Riverfront Commission (CRC).

Council President Taggart said the Grand Junction Regional Airport Authority Board has filled all vacancies and he welcomed Mr. Chuck McDaniel as the new board member. Council President Taggart said he met with homeowners in the Historic District and will provide details at a later date. Council President Taggart also said he has been asked to preside over the opening of the USA Cycling Collegiate and Para-Cycling Road National Championships.

Council President Taggart announced that the Legislative items would be moved ahead of the other Public Hearing items on the agenda.

Consent Agenda

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

1. Approval of Minutes

- a. Minutes of the April 5, 2017 Regular Meeting
- b. Summary of the April 17, 2017 Workshop
- c. Minutes of the April 19, 2017 Special Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Ordinance Rezoning the Fountain Hills Subdivision to R-5, Located at 3495 N. 15th Street, and Setting a Hearing for May 17, 2017.
 - ii. Ordinance Approving an Amended Planned Development (PD) and Outline Development Plan (ODP) for Lot 2, Block 9 and Lot 1, Block 8 of The Ridges, Filing 2 and Set a Hearing for May 17, 2017.
- b. Other Ordinances

- i. 2017 Supplemental Appropriation Ordinance and Setting a Hearing for May 17, 2017.
- ii. Ordinance Concerning the Salary of the Municipal Court Judge and Setting a Hearing for May 17, 2017.

3. Contracts

- a. Purchase of Road Oil for 2017 Street Division Chip Seal Program.
- b. 2017 Pavement Preservation Contract.

Deleting Sunset Provision on Seller-Installed Aircraft Parts

This is an amendment to Ordinance No. 4728 deleting the sunset provision for the exemption of sales tax on seller installed aircraft parts and making the exemption permanent. In December of 2016, Council approved the extension of this exemption for another three-year period as an economic development incentive in an ever increasing competitive industry for aircraft work.

This exemption has been in place since July of 2010 on a temporary basis. When adopting the extension, Council was informed of the importance of the exemption from industry experts and the Grand Junction Economic Partnership and how it has enhanced Grand Junction's competitive position within the aviation industry and allowed for expansion of business and creation of jobs. At that time Council discussed the potential of making the exemption permanent and therefore staff is bringing forward that option.

The public hearing was opened at 6:32 p.m.

Jodi Romero, Finance Director, presented this item. In July of 2010 the Council adopted a temporary exemption for seller installed aircraft parts and extended the exemption again in August of 2013 and in December of 2016. At that time, it was discussed to make the exemption permanent. There are several companies that can benefit from this exemption (20 companies).

Kristi Pollard, Grand Junction Economic Partnership (GJEP) Executive Director, said they are grateful Council is considering making this exemption permanent. She noted Dave Krogman is in attendance from West Star Aviation. Ms. Pollard said West Star Aviation has invested over \$15 million in this community and the industry is very competitive.

Dave Krogman, West Star Aviation General Manager, said West Star Aviation started with 175 employees and now has 433 employees. He said the added landing gear facility has expanded the number of employees from 17 to 40.

Councilmember McArthur asked how much sales tax has not been collected due to the sales tax exemption. Ms. Romero said it has not been budgeted since 2011 but, at that time, it was \$250,000 to \$300,000 per year.

Councilmember Norris said they need more data than a three-year time frame. She said the exemption does make a difference in the community.

Councilmember Boeschstein said the aviation industry is important to the community and West Star is a leader in the area. He said their employees support the local economy and he supports this ordinance.

Councilmember Kennedy asked if a data analysis has been completed for this type of industry regarding the loss of sales tax versus money put back into the community. Ms. Pollard said she did not bring that analysis but will email the information to Council.

Councilmember Traylor Smith said this helps the City attract new business and is glad it is being made permanent.

Ms. Romero said the economic impact of West Star in employment is over \$9 million in salaries. Council President Taggart asked if the State has this type of permanent exemption. Ms. Romero said the State does have this exemption.

Councilmember Norris asked if Mesa County is involved with this type of sales tax exemption. City Attorney Shaver said he did not believe so.

Mr. Krogman said he did not know, however; the County follows the State on the tax exemptions. Ms. Pollard said she will follow up and send the exemption information to Council.

The public hearing was closed at 6:41 p.m.

Councilmember Traylor Smith moved to adopt Ordinance No. 4748 – An Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision thereof on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by roll call vote.

Amending Sales Tax Vendor's Fee

This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit and if approved will be effective January 1, 2018. The option

of limiting the vendor's fee credit (Fee) has been discussed in several meetings over the course of the last two years with Council, Grand Junction Area Chamber of Commerce (GJACC), Grand Junction Economic Partners (GJEP), and the Local Economic Development Committee. The Fee is a credit that the City allows a retailer to take against sales tax collected on behalf of the City to offset the administrative expense of collecting and reporting the tax. The Fee was established prior to the introduction of automated systems and accordingly was more aligned with the cost of collecting and remitting the tax. Now because of the prevalence of point of sales systems, automated bookkeeping, and computerized tax preparation programs, the Fee is proposed to be capped to \$500 per month per sales tax account. The Fee is an expense to the City and if it is reduced, then it is proposed that those resources are reserved as a sustainable source of funding for Economic Development. Both the GJACC and GJEP support the proposed cap.

The public hearing was opened at 6:42 p.m.

Jodi Romero, Finance Director, presented this item and reviewed the amendment. She stated the Fee was established over thirty years ago. Ms. Romero said during the discussions with GJACC, GJEP, and the local Economic Development Committee, several levels of caps were reviewed in order to evaluate the impact on local businesses and reduction in City vendor compensation expense that could be allocated to economic development efforts. She stated a consideration of those discussions is to cap the Fee for 31 businesses in total with 6 of those being local businesses. Ms. Romero advised that Diane Schwenke, GJACC President, and Kristi Pollard, GJEP Director, were present.

Diane Schwenke, GJACC, submitted a letter of support and said as an organization that represents businesses, this is not an easy decision for the Chamber board. GJACC is concerned that some businesses will be impacted versus the importance of a source of funding for economic development. Ms. Schwenke said GJACC would like to see affected businesses be contacted in order for them to budget for the expense.

Councilmember Kennedy asked for the time frame of when the fee amendment will be implemented. City Manager Caton said January 1, 2018, which will provide businesses notice to prepare for the added expense.

Kristi Pollard, Executive Director for GJEP, provided a letter from GJEP supporting the amendment and said the decision to support this amendment was not an easy conversation. She said GJEP rationalized the decision by stating the final outcome will be an investment in job creation and expansion. Ms. Pollard thanked Council for the investment in the community's economy and said the dollars dedicated to Economic Development harken back to a positive economic impact.

Councilmember Traylor Smith asked if there is wording that dedicates these funds to Economic Development. City Manager Caton said through the ordinance the funding will go toward Economic Development. He said, prior to the budget year, he will meet with the Economic Development Partners (EDP) and take feedback for the next year's recommendations. City Manager Caton said a portion will be kept separate to be true to the dollars and used for Economic Development (ED). Councilmember Traylor Smith inquired if a portion could be used to create a fund to be used by GJEP for ED incentives. City Manager Caton said he has had discussions on how to achieve that intent with a portion set aside for recruitment.

Councilmember Kennedy said he appreciates the efforts, however, he is concerned that the language in the ordinance does not specify and bind the direction of the funding. He hoped that Council can not only invest these funds into ED but will add to it. He stated he will support the ordinance.

Councilmember Norris said making a source that is sustainable is important for recruitment as well as the expansion of current businesses. She said will be supporting the ordinance.

City Attorney Shaver commented to Council President Taggart that the meeting should be opened to public comments.

Council President Taggart asked for public comments.

Ms. Pollard said these funds will pay attention to expansion and retention efforts.

Councilmember Wortmann said he is pleased with the capped amount and believes it will be a benefit to the City's economic growth.

Councilmember McArthur had no comment.

City Manager Caton said the additional funding for the Economic Development budget will improve the economy as a whole. He noted the City's current budgeted amount for ED is \$2.8 million.

Council President Taggart agreed with Councilmembers Kennedy and Traylor Smith, and said he would like to see the ordinance to specify the funds will go to Economic Development. Council President Taggart said he will support the amendment, however, he would prefer to have additional wording and clarity.

Councilmember Boeschstein agreed.

Councilmember McArthur said he would rather maintain flexibility for the future. He said the intent is already there and he would prefer the ordinance not be altered. City

Attorney Shaver said the amendment of the Sales and Use Tax Code and the Code does not include expenditures in its text; that is why it is in the recitals of the ordinance.

There were no further public comments.

The meeting was closed to public comments at 7:01 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4749 – An Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Las Colonias Park Rezone and Master Plan Amendment

The requested Planned Development (PD) zoning and Outline Development Plan (ODP) will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities.

The public hearing was opened at 7:02 p.m.

City Manager Caton presented this item and said it is very similar to a previous Las Colonias presentation from few a weeks ago. He said this is a \$30 million economic opportunity with a public/private partnership and is for retention and expansion of local businesses. He described the concept which is a Business Park located on 10 to 15 acres of City-owned land which will be leased to private businesses. He said the Business Park would model a Google-like campus where recreation fits in with the businesses. City Manager Caton said the focus is on the outdoor recreation industry, which has a niche in Grand Junction. He said \$10 million of the investment will come from public infrastructure and park improvements. City Manager Caton said the timeline is aggressive for the Business Park with an anticipated opening date by the end of this year. He said the plan is to get asphalt in before plants close down for the season, have the park amenities timed with grant funding, and recruit businesses with the park improvements. City Manager Caton stated this has the potential to spur \$20 million in private investment. He then deferred to Mr. Schoeber.

Rob Schoeber, Parks and Recreation Director, described the evolution of the Master Plan of Las Colonias Park and Amphitheater. The City began to revise the Master Plan about six years ago. Mr. Schoeber said with 147 total acres with approximately 100 acres under State deed restrictions, the development started on the west end with the Botanical Gardens and Watson Island. He stated Phase I was completed in 2015 which resulted in a dramatic use increase. The revision included 12 different elements which will be developed dependent on funding. Three elements are complete and the

amphitheater and riparian restoration are in the process of completion; seven elements are left to complete. Mr. Schoeber said the revision kept the remaining recreational elements while gaining a business park. Mr. Schoeber said the Parks and Recreation Advisory Board unanimously supports the revision.

Kathy Portner, Planning Manager, reviewed the zoning for the property. She said the proposal is to rezone the entire property Planned Development and she described the Outline Development Plan (ODP). She also listed the allowed uses included in the business park development and said the rezone meets the criteria of the Code and the goals of the Comprehensive Plan as well as the Greater Downtown Plan. The Planning Commission unanimously recommended approval.

Councilmember Kennedy referred to the map of the Park and asked about the red parcel areas of the proposed site. Ms. Portner said the drawing is a schematic depiction, the elements could be located in any of those areas but will be contained within the 10-15 acres on the east end of the park. Councilmember Kennedy said he is concerned about the flow of the park. Ms. Portner said the floating elements may be retail, such as a restaurant, which would add to the park amenities. City Manager Caton said the idea is leave flexibility in the exact locations. Councilmember Kennedy said he is supportive and energized by the concept which will put Grand Junction on the map.

Councilmember McArthur referred to the map of the Park and noted that Colorado Discovery Ability (CDA) is being moved to the west end and he asked about their parking. Ms. Portner said the new location will allow them more visibility and they will provide on-site parking. Councilmember McArthur inquired as to the location of the mill tailings. Ms. Portner said the tailings are located in the amphitheater area and east end of the Park. She said they are maintaining all the covenants on the deed with adequate material cover and working with the Department of Energy (DOE) and Colorado Department of Public Health and Environment (CDPHE) to comply with all requirements.

Councilmember McArthur said he has concerns about excavating and disclosure requirements. City Attorney Shaver said it is likely that there will be issues, however, they will be worked through. Councilmember McArthur asked if the current request is for land use only. City Attorney Shaver said that is correct.

Councilmember Wortmann asked about the status of the funding for CDA. Mr. Schoeber said he has been working with them for the past three years and CDA has reached their fundraising goal.

Councilmember Norris asked if the request is to rezone the entire acreage. Ms. Portner said yes. Councilmember Norris asked if the red areas can be relocated. Ms. Portner said the proposal is to plan the entire Park. She said the concept is for about 15 acres for the Business Park, that the bulk of the Business Park will be located on the east end,

and then listed the possible uses. Any changes to those elements would be brought back to Council for review. Councilmember Norris said she supports Economic Development and completion of the Park so she feels that this is a great plan.

Councilmember Traylor Smith asked if the 15-acre Business Park can be divided up in different size or number of lots. City Manager Caton said yes, the Business Park is not to exceed 15-acres but the number of lots is flexible.

Councilmember Traylor Smith asked if the floodplain has been taken into consideration. Ms. Portner said the floodplain has been identified and any development in the floodplain has to meet floodplain regulations. Councilmember Traylor Smith asked about the progress of developing Butterfly Lake. Ms. Portner said it is in the planning process.

Councilmember Norris asked if the businesses will be leasing the property. City Attorney Shaver said that 25-year lease terms are being developed.

Councilmember Norris commented that 25-year leases are not very long in terms of investments and this may need to be changed. City Attorney Shaver said the 25-year lease limitation is in the Charter, however, the Charter could be amended with a ballot question. Councilmember Norris said this issue was discussed at the Downtown Business Improvement District (BID) meeting and banks may object to 25-year leases.

Councilmember Boeschstein said this is a great plan and he is looking forward to supporting it. He asked if there will be architectural designs and landscape requirements. Ms. Portner said the Development Corporation being proposed could impose architectural requirements. Councilmember Boeschstein said these requirements can be presented to Council at a later date. City Manager Caton said it will be an important aspect which will be governed by a board that will have high standards.

Councilmember Boeschstein said he felt comfortable calling it a Park even with businesses located in the middle of it. City Attorney Shaver said the plan designates uses compatible with the Park and it is up to Council to decide if the plans are consistent with the Park vision. He said it is legally allowable with only one tenth of the area designated for this use. Councilmember Boeschstein referred to Lilac Park and the proposal for commercial use which was turned down by the voters.

Councilmember Kennedy asked if this was the only City park zoned Planned Development. Mr. Schoeber said that is correct. Councilmember Kennedy asked if other parks are being considered for mixed-use contingent upon the success of Las Colonias. Mr. Schoeber responded it could be a possibility but for Las Colonias it is a higher and more beneficial use for the community.

Council President Taggart asked for public comments.

Kristi Pollard, GJEP Director, offered full support for this project. She noted the Chamber is also supportive. She stated this Economic Development project is something special. She said the addition of these ten sites increases the potential of adding \$20 million in capital investment, with \$22 million in annual salaries, 165 construction jobs, \$8 million in construction salaries, and is a wise investment in the community.

Andrea Mae Metz, 2430 Santa Rosa Lane, worked for Microsoft, which also has a campus like facility similar to the proposal. She said one of the things that saved her life was ability to go outside and enjoy the campus. She said this is one of the things that has made Microsoft great and it is a brilliant thing for Grand Junction. It will allow an exchange of ideas, with an opportunity for the public to talk to the businesses.

Diane Schwenke, GJACC, said the Chamber board has taken official action to support this rezone which will be a significant economic benefit, for it will create new types of interactions which will spur innovation.

There were no other public comments.

The public hearing was closed at 7:37 p.m.

Council President Taggart asked if there was a neighborhood meeting to discuss the rezone. Ms. Portner said they held a neighborhood meeting at Orchard Mesa Middle School and there were 30 people in attendance. She said with only a few small concerns, all other comments were very positive. City Manager Caton said he held two audiences with the business community regarding the east end of the park and the idea was well received. He said the residents from the Orchard Mesa area were generally very supportive. City Manager Caton added that there could be opportunities at other undeveloped parks.

Councilmember Boeschstein moved to adopt Ordinance No. 4746 – An Ordinance Approving a Rezone to PD (Planned Development) and an Outline Development Plan for Las Colonias Park, Located on the North Bank of the Colorado River Between Highway 50 and 27 ½ Road, on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Councilmember Boeschstein moved to adopt Resolution No. 22-17 – A Resolution Adopting the 2017 Las Colonias Master Plan Revision. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Amending the Comprehensive Plan and Rezone, Heritage Heights

The applicant, Heritage Heights LLC, requests the City to change the Comprehensive Plan Future Land Use Map designation for property located at 637 25 Road from "Residential Medium High (8 - 16 du/ac)" to "Commercial/Industrial" and to rezone the

property from R-8 (Residential - 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of general office development.

The public hearing was opened at 7:41 p.m.

Scott Peterson, Senior Planner, presented this item. He described the request. The applicant is Heritage Estates LLC, the property owners. The property is located at 637 25 Road and is part of the Heritage Heights residential subdivision. It contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights Subdivision. The temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan (SUB-2013-481) phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Code standards. These standards would include, but are not limited to, off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map and to rezone the property.

The subject property is surrounded on three sides by residentially zoned property to the north, south, and west. To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district (located across 25 Road) and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district.

The Comprehensive Plan designates the property as Residential Medium High. The requested rezone is currently not supported by the underlying Comprehensive Plan designation. However, Section 21.02.130 (d) (v) of the Grand Junction 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 is a combined request to amend the current Comprehensive Plan designation to an adjacent designation (Commercial/ Industrial) and rezone the property to I-O.

The adopted Grand Valley Circulation Plan shows the future F ½ Road corridor will be constructed along the west and south property lines with the right-of-way being officially dedicated during the final platting of Filing 5 as identified on this approved Preliminary Plan.

Mr. Peterson advised that with the designation of the F ½ Road Parkway, this parcel is separated from the rest of the development and aligns it more with the Foresight Industrial Park development across the street, creating a remnant parcel. Therefore, subsequent events have invalidated the original designation in the Comprehensive Plan. The Industrial/Office Park is an allowed zoning under the proposed land use designation. The character and conditions have changed and it is consistent with the goals of the Comprehensive Plan. Community Development had a neighborhood meeting that no one attended, however, they received four letters of support. The Planning Commission recommended denial at their March meeting. Mr. Peterson said the applicant is in attendance.

Councilmember Kennedy said he lives in the subdivision northeast of the property, however, this does not affect his opinion on the proposal.

Councilmember McArthur stated he had a previous employer/employee relationship with the applicant but nothing now.

Kim Kerk, Project Representative for Blue Star Construction, said City staff did a good job describing the request. She said she is aware of the need for a neighborhood meeting, however, no one attended. Ms. Kerk said they have received positive comments and been thanked for the flag that is displayed on the property.

Councilmember Kennedy asked how will the new zoning affect the back of the property currently used for storage and what measures will be implemented to hide the outside storage area from public view.

Mr. Peterson said because the property is currently under a temporary use permit, a full site review will be required if the current proposal is approved. He said if the rezoning is approved, the property will have to comply with Codes which would include screening with a fence or masonry wall.

Councilmember Kennedy said the property is not a sales office and seems to be a commercial enterprise with equipment and other storage which should be obscured from view.

Councilmember Kennedy then asked if the red line on the displayed map is F ½ Road. Mr. Peterson described the proposed alignment in the future if F ½ Road were to be built. Councilmember Kennedy asked what steps will be taken to relieve pressure at the Patterson Road and 25 Road intersection. Mr. Peterson said that is not known. Councilmember Kennedy noted there are several new homes in close proximity to this property with a very congested intersection at 25 Road and Patterson.

Councilmember Kennedy asked what will be the fencing requirements and how soon will these requirements be implemented. Mr. Peterson said the permit expires in 2019,

the request before them is the first step. He said the next step is to have the site plan submitted before the 2019 expiration date and then full site upgrades will be required. Councilmember Kennedy asked why the Planning Commission does not support this request. Mr. Peterson said he believes the Planning Commission considered the request to be premature. There are also concerns about the allowed uses in I-O zones. City Manager Caton advised that the right-of-way for F ½ Road has been acquired.

Ms. Kerk said the right-of-way dedication is a condition of approval, which would be all the way to the west end.

City Attorney Shaver said the section for F ½ Road is proposed to be wider than the dedication required. Negotiations to acquire the entire 160 feet have occurred.

Councilmember Boeschstein thought F ½ Road was turned down by the voters. City Attorney Shaver said it was only one element in the ballot question being referred to.

Councilmembers McArthur and Traylor Smith added clarification that the vote was on the funding, not on building the road. Councilmember McArthur asked if Filings 5 and 7 are currently being built. Mr. Peterson said Filing 5 is under construction and Filing 7 is in staff review. There were additional questions on access and traffic. Mr. Peterson responded F ½ Road Parkway will have traffic similar to Riverside Parkway, will be a minor arterial, and once constructed will make this parcel an island.

Council President Taggart asked for public comments.

There were no public comments.

The hearing was closed at 8:08 p.m.

Councilmember Traylor Smith asked where the access is to this property. Mr. Peterson said it is on the north side of 25 Road.

Councilmember Norris noted that all the details for the roadway are not known and there are businesses along there that will be impacted.

Councilmember Kennedy commented this arterial change could be 15 years down the road and the impact to 25 Road as it exists today is going to increase with all the subdivisions being developed in that area. He asked if Planning Commission might have a different opinion on the request with the new information. Mr. Peterson felt that although there were concerns with the allowed uses, it is really the size of the parcel that will determine the use.

Councilmember Kennedy asked about potential zoning for the property across the street. Mr. Peterson said the parcel could be another triangle piece and may potentially need to be rezoned to a commercial or industrial zoning.

Councilmember McArthur said if not approved, the property would be in flux since it would not be conducive to residential development. He said it would be a benefit to future residents to know about the zoning of this property.

Council President Taggart asked if the potential of a four-lane roadway was fully disclosed to the residents of Heritage Heights prior to purchase. Ms. Kerk said it was disclosed, but she cannot say the disclosure was in writing.

Councilmember Norris said the road development may move forward sooner as 25 Road is already at failure.

Councilmember Traylor Smith agreed with Councilmember McArthur in that this parcel will be more associated with the parcels across the street.

Councilmember Boeschstein said the traffic impact of commercial use could be less than residential. He will support the ordinance.

Councilmember Wortmann said 25 Road needs to be improved and he will support the request.

Councilmember Traylor Smith moved to approve Resolution No. 23-17 – A Resolution Amending the Comprehensive Plan Future Land Use Map of the City of Grand Junction from Residential Medium High (8 - 16 du/ac) to Commercial/Industrial for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road and Ordinance No. 4747 - An Ordinance Rezoning Lot 241, Heritage Heights, Filing One Property from R-8 (Residential - 8 du/ac) to I-O (Industrial/Office Park), Located at 637 25 Road on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion.

City Attorney Shaver reminded Council that the Planning Commission recommended denial, so the resolution needs a supermajority to pass. He said that is five votes per the Code.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Andrea Mae Metz, 2430 Santa Rosa Lane, returned to the podium said she is disappointed more people are not coming to Council meetings and thanked Council for their hard work. She said there is a dark side to the government and she sent emails to Council last week regarding this subject. She stated that she is being censored with email and phone calls and has been a targeted individual for five years while imprisoned in her home. Ms. Metz said she set up a website for non-profits, was a threat, learned a universe of information, which opened her eyes to things unimaginable. She has been

tortured and lobotomized, has severe trauma, and has been the subject of brain testing technologies. She has lost everything and has nowhere to get justice. She implored Council for help.

City Manager Caton said he and City Attorney Shaver have met with Ms. Metz and will continue. He will keep Council updated.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:31 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
May 15, 2017 – Noticed Agenda Attached

Meeting Convened: 5:30 p.m. in the City Hall Auditorium

Meeting Adjourned: 8:08 p.m.

City Council Members present: All Councilmembers present except Barbara Traylor Smith

Staff present: Caton, LeBlanc, Lanning, Romero, Longenecker, Portner, Allen, Finlayson, Schoeber, Hockins, Zen, Beard, Valentine, Watkins, McInnis, and Tuin

Also: Don Pettygrew, Tim Pollard, Allison Blevins, Richard Swingle, Josh Hudrall, and Maria Rainsdon (Pinnacle Venue Services)

Agenda Topic 1. Discussion Topics

Broadband Project Discussion

City Manager Caton reviewed with City Council what has taken place since the March 13, 2017 Workshop where Council directed the City Manager to meet with incumbent broadband providers in order to understand how they may foster the growth of high-speed broadband. The City Manager and staff met with each of the incumbents (CenturyLink, Fujitsu, Emery Telecom, Charter Communications and Utopia Fiber) where open frank discussions took place. City Manager Caton suggested smaller group meetings with each of the providers with one or two Councilmembers present. After further discussion, Council agreed and determined that the topic will be back on the workshop agenda in four weeks with provider representatives that have the authority to speak for the company in attendance. City Manager Caton will make those arrangements.

Discussion of Fees and Rates Philosophies and Review of Staff Recommendations for 2018

City Manager Caton reviewed that in the 2017 budget process, staff was directed to conduct a comprehensive review of rates and fees across all departments. The rates and fees for services are based on a set of philosophies. Those vary based on considerations such as benefit to the overall community, cost recovery models, comparison to the market and other entities, as well as legal considerations. A memo was created with information by department with historical perspective, the philosophies behind the rates and fees, and examples of proposed changes for 2018. Council reviewed each department's history, changes for 2018, current and new fees, cost recovery pyramids, community and individual benefits, the fees for Las Colonias Amphitheater, the percent of operations covered by fees, open records request fees as allowed by State, charges for Auditorium use, and the contract with Pinnacle Venue Services. There was a general discussion regarding the use of the Avalon. City Manager Caton thanked Council for the discussion noting there are a couple of items for follow-up. The next time Council will see fees, it will be in a Resolution for their consideration.

Board and Commission Assignments for City Council

Council President Taggart inquired about going forward without Councilmember Traylor Smith being present. After discussion, it was decided that it would be best not to delay, and to go forward with this topic.

Council President Taggart said to start off he would like to start by removing his name from the 2017 Assignments (PIAB and GJEP). He also explained that he will step down from the Airport Board next year.

There was discussion regarding specific assignments and it was suggested that appointments be limited to a 2-year assignment. The list was completed and a resolution will be added to the City Council meeting for Wednesday May 17, 2017. City Manager Caton confirmed the assignments by reading the list. All Council present agreed.

Agenda Topic 2. Next Workshop Topics

For the June 5, 2017 Workshop - The PLACE Group, the Greater Downtown Plan, and the Riverfront Commission on E-bikes.

Agenda Topic 3. Other Business

Councilmember McArthur said he will not be at the City Council meeting on Wednesday May 17, 2017. He expressed his concerns regarding the Bonsai Design Incentive Agreement since he will not be present. He is against giving them the funding, said their financials should be reviewed, and if they are an anchor tenant and on the Las Colonias Development Corporate board, he sees this as a conflict.

Council President Taggart suggested prior to the legislative session that the subsidy for AMTRAK was proposed being cut 6% from the Federal government. There was a consensus from Council to have City Manager Caton write a letter to our senators. City Manager Caton said before the next legislative session, he will have a legislative agenda and bring that to Council which will outline what he proposes the City should be active on.

Councilmember Kennedy let Council know he sent City Manager Caton an article on net neutrality regarding privacy on the internet connections on franchise renewals, they are proposing making it an "opt in" instead of an "opt out". City Manager Caton said this will be something in the future that will be looked at.

There being no other business, the meeting adjourned at 8:08 p.m.



GRAND JUNCTION CITY COUNCIL
MONDAY, MAY 15, 2017

PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM
WORKSHOP, 5:30 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET

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

1. **Discussion Topics**
 - a. Broadband Project Discussion
 - b. Board and Commission Assignments for City Council
 - c. Discussion of Fees and Rates Philosophies and Review of Staff Recommendations for 2018
2. **Next Workshop Topics**
3. **Other Business**



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: June 7, 2017

Presented By: Lori Bowers, Senior Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

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, and Introducing Proposed Annexation Ordinance for the Hill Business Complex Annexation, Approximately 2.734 Acres, Located at 2905 Hill Avenue, and Set a Hearing for July 19, 2017.

RECOMMENDATION:

Staff recommends approval of the annexation.

EXECUTIVE SUMMARY:

A request to annex 2.734 acres at the intersection of I-70 Business Loop, Hill Avenue and Teller Avenue with a specific address of 2905 Hill Avenue. The applicant Sean Brumelle has requested annexation of this property as part of a development plan to build a State Farm Insurance office on the site.

BACKGROUND OR DETAILED INFORMATION:

The property at 2905 Hill Avenue is adjacent to existing city limits and within the Persigo 201 boundary. In accordance with the 1998 Persigo Agreement, the proposed development is Annexable Development and as such, requires annexation. The property owner has signed an Annexation Petition for annexation and has a development application under review by the City for a State Farm Insurance office.

A portion of Teller Avenue and Hill Avenue are directly adjacent to the property will be annexed. A portion of the I-70B right-of-way will also be annexed. They are all platted

right-of-way and therefore required to be included in the annexation under the Colorado Annexation Statutes. Under the 1998 Persigo Agreement, the County consents to the annexation of all or a portion of any road, street, easement, right-of-way, open space or other County-owned property within the Persigo Wastewater Treatment boundary.

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 Hill Business Complex 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.

Please note that this petition has been prepared by the City.

The proposed annexation and zoning schedule with a summary is attached.

FISCAL IMPACT:

The property plans to construct a State Farm Insurance office. City property tax will be applicable as the property develops, including both real property tax and personal property tax. (Every \$100,000 in actual commercial value generates \$232 annually in real property tax) The proposed use of the property at this time would not generate additional sales tax from retail sales, however the business would pay City sales tax on business assets such as supplies, furniture, equipment, etc.

The annexation of the Teller and Hill Avenue rights-of-way will transfer maintenance responsibilities from Mesa County to the City of Grand Junction for these short segments of right-of-way with the associated costs of that right of way maintenance. The I-70 B right-of-way will see continued maintenance by the Colorado Department of Transportation (CDOT).

SUGGESTED MOTION:

I move to adopt Resolution No. 29-17 - 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, Hill Business Park Annexation, Approximately 2.734 Acres including Public Right-of-Way of Teller Avenue, Hill Avenue and I-70 Business Loop, Located at 2905 Hill Avenue, Introduce Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hill Business Complex Annexation, Approximately 2.734 Acres of Land, Located at 2905 Hill Avenue, and Set a Hearing for July 19, 2017.

Attachments

1. Annexation Schedule and Summary
2. Site Map with Aerial Photo
3. Site Map with Future Land Use
4. Site Map with Zoning
5. Proposed Resolution
6. Proposed Ordinance

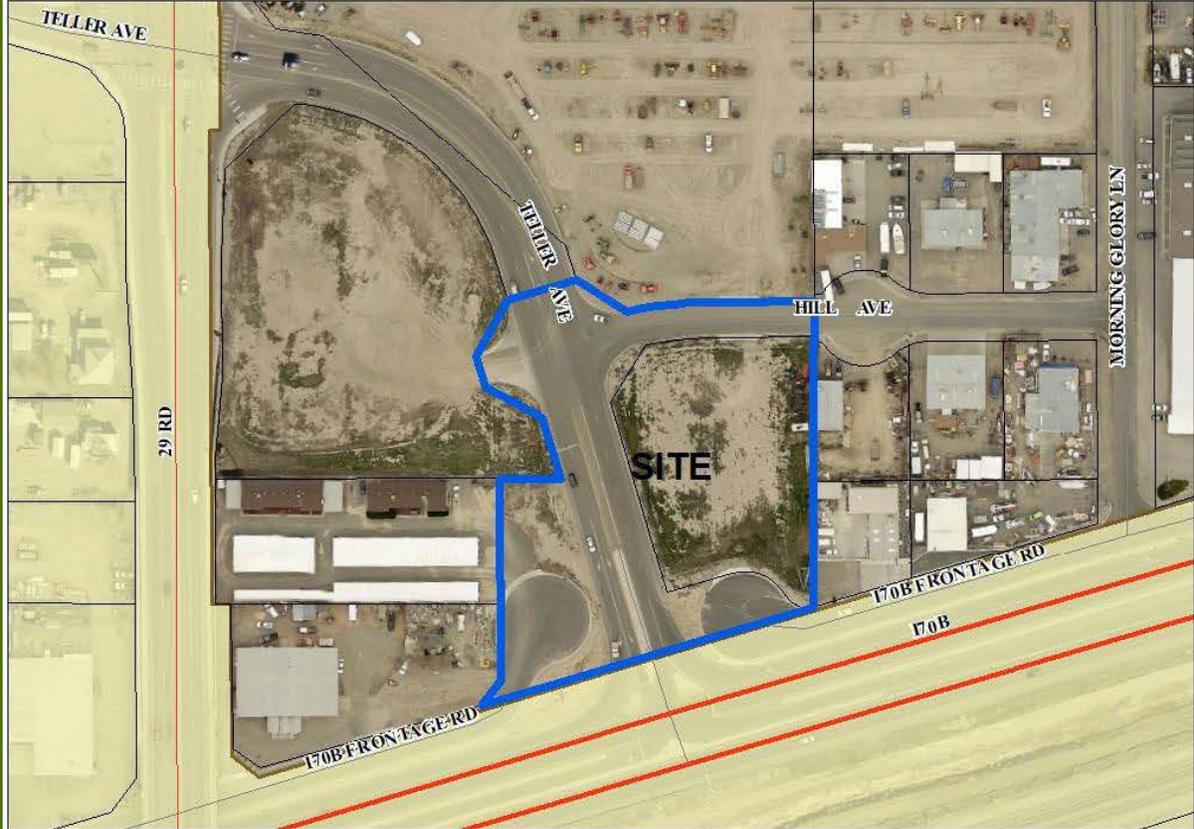
HILL BUSINESS COMPLEX ANNEXATION SCHEDULE

June 7, 2017	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
June 27, 2017	Planning Commission considers Zone of Annexation
July 5, 2017	Introduction of a Proposed Ordinance on Zoning by City Council
July 19, 2017	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 20, 2017	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

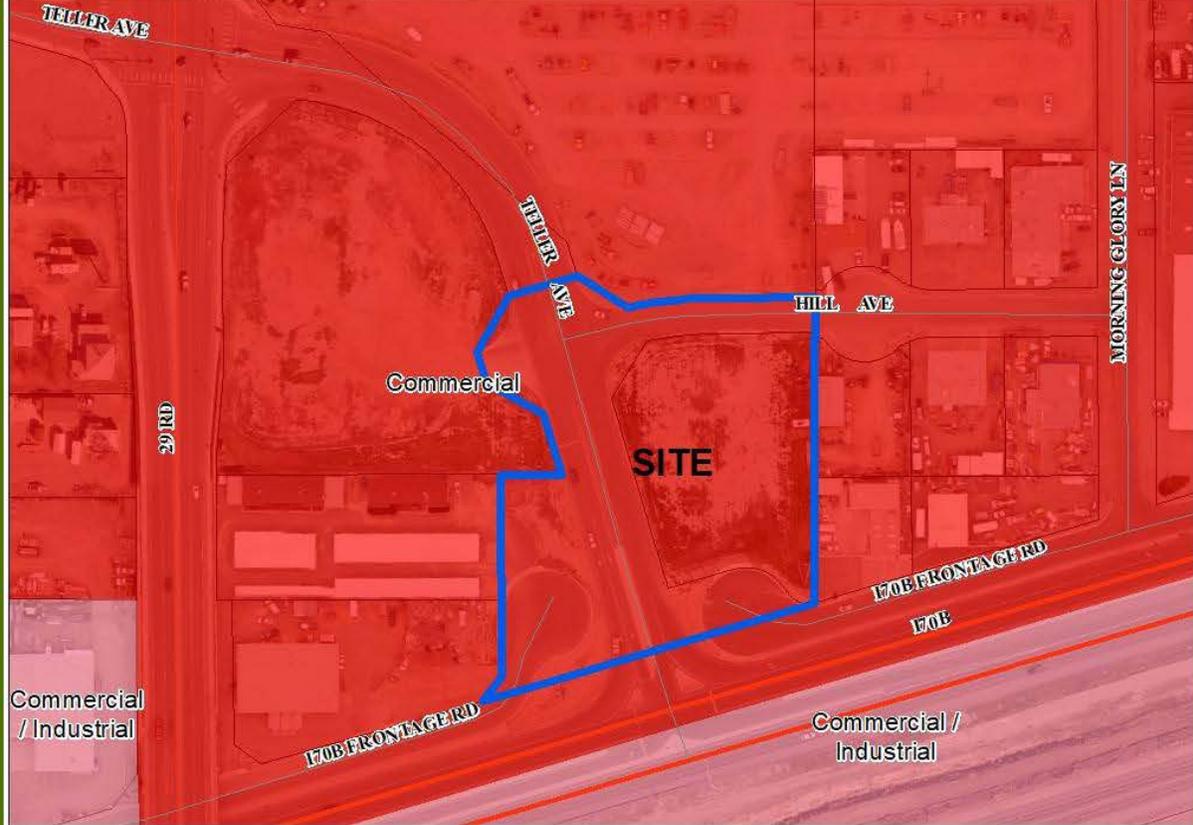
File Number:		ANX-2017-189
Location:		2905 Hill Avenue
Tax ID Numbers:		2943-172-00-271
# of Parcels:		1
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		2.734
Developable Acres Remaining:		1.096
Right-of-way in Annexation:		1.638
Previous County Zoning:		C-2
Proposed City Zoning:		C-2
Current Land Use:		Vacant
Future Land Use:		Professional Office
Values:	Assessed:	\$42,070
	Actual:	\$145,060
Address Ranges:		2905 Hill Av & 476 to 478 (even only) Teller Av
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/Drainage:	Grand Valley Drainage District
	School:	District 51
	Pest:	Grand River Mosquito District

Hill Business Complex Annexation



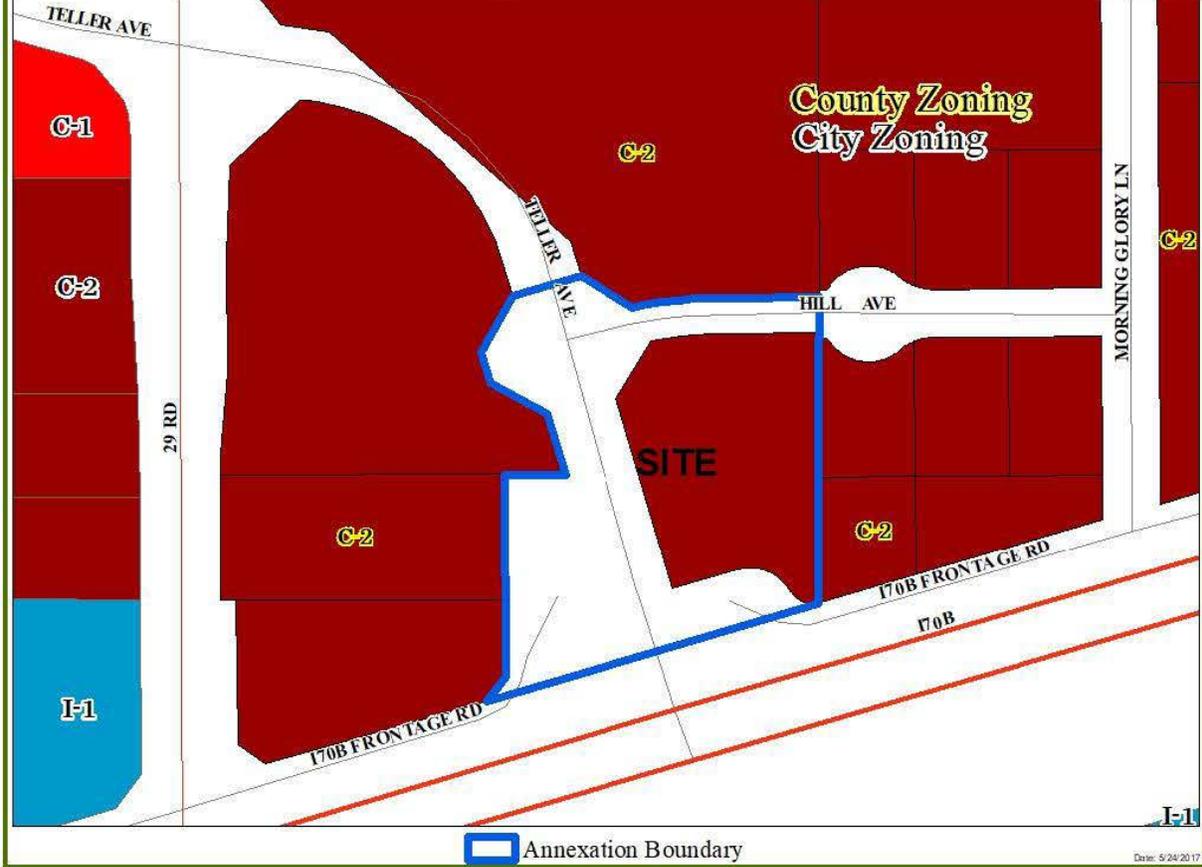
City Limits Annexation Boundary

Hill Business Complex Annexation - Future Land Use



 Annexation Boundary

Hill Business Complex Annexation - Zoning



**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 7th day of June, 2017, 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**

HILL BUSINESS COMPLEX ANNEXATION

**APPROXIMATELY 2.734 ACRES
LOCATED AT 2905 HILL AVENUE**

WHEREAS, on the 7th day of June, 2017, 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:

HILL BUSINESS COMPLEX ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17 and assuming the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 17 bears N 00°12'02" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'25" E, along the North line of the SW 1/4 NW 1/4 of said Section 17, a distance of 330.52 feet to a point on the Westerly right of way for Teller Avenue, as same is defined and described in Book 4835, Page 205, Public Records of Mesa County, Colorado and being the POINT OF BEGINNING; thence, from said Point of Beginning, traversing along and across said right of way the following ten (10) courses:

1. N 00°11'53" W a distance of 131.84 feet; thence...
2. S 89°55'25" E a distance of 63.28 feet; thence...
3. N 16°16'19" W a distance of 65.93 feet; thence...
4. N 61°52'30" W a distance of 67.18 feet; thence...
5. N 16°16'19" W a distance of 34.00 feet; thence...
6. N 29°19'52" E a distance of 67.18 feet; thence...
7. N 73°53'05" E a distance of 74.00 feet; thence...
8. S 58°54'40" E a distance of 63.51 feet to a point on the North right of way for Hill Avenue, being the beginning of a 519.00 foot radius curve, concave South, whose

long chord bears N 84°04'03" E with a long chord length of 98.18 feet, non-tangent to the previously described line; thence...

9. Easterly along the arc of said curve, thru a central angle of 10°51'18", an arc distance of 98.33 feet; thence...
10. N 89°29'41" E, along said North right of way, a distance of 97.73 feet to a point on the West line of Freeway Commercial Subdivision Amended, as same is recorded in Plat Book 11, Page 122, Public Records of Mesa County, Colorado;

thence departing said right of way, S 00°11'49" E, along said West line, a distance of 43.61 feet; thence S 89°48'49" W, a distance of 1.99 feet, to a point on the North end of two Boundary Line Agreements recorded with Reception Numbers 2800336 and 2800337, Public Records of Mesa County, Colorado; thence S 00°01'10" E, along said Boundary Line Agreement, a distance of 277.52 feet, more or less, to a point on the North right of way for Interstate 70 Business Loop, as same is recorded in Book 605, Page 241, Public Records of Mesa County, Colorado; thence S 73°41'04" W, along said Northerly right of way and being the North line of the Overpass Annexation, Ordinance No. 4319, as same is recorded in Book 4782, Page 921, Public Records of Mesa County, Colorado, a distance of 361.19 feet; thence N 36°43'00" E, along right of way described in Book 4742, Page 133, Public Records of Mesa County, Colorado, a distance of 32.33 feet; thence N 00°11'53" W, along the Westerly right of way for said Teller Avenue, a distance of 80.02 feet, more or less, to the Point of Beginning.

CONTAINING 119,107 Square Feet or 2.734 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 19th day of July, 2017, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 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 Community Development Division of the City.

ADOPTED the _____ day of _____, 2017.

President of the Council

Attest:

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>
June 9, 2017
June 16, 2017
June 23, 2017
June 30, 2017

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

HILL BUSINESS COMPLEX ANNEXATION

APPROXIMATELY 2.734 ACRES

LOCATED 2905 HILL AVENUE

WHEREAS, on the 7th day of June, 2017, 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 19th day of July 2017; 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:

HILL BUSINESS COMPLEX ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17 and assuming the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 17 bears N 00°12'02" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'25" E, along the North line of the SW 1/4 NW 1/4 of said Section 17, a distance of 330.52 feet to a point on the Westerly right of way for Teller Avenue, as same is defined and described in Book 4835, Page 205, Public Records of Mesa County, Colorado and being the POINT OF BEGINNING; thence, from said Point of Beginning, traversing along and across said right of way the following ten (10) courses:

1. N 00°11'53" W a distance of 131.84 feet; thence...

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7. N 73°53'05" E a distance of 74.00 feet; thence...
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9. Easterly along the arc of said curve, thru a central angle of 10°51'18", an arc distance of 98.33 feet; thence...
10. N 89°29'41" E, along said North right of way, a distance of 97.73 feet to a point on the West line of Freeway Commercial Subdivision Amended, as same is recorded in Plat Book 11, Page 122, Public Records of Mesa County, Colorado;

thence departing said right of way, S 00°11'49" E, along said West line, a distance of 43.61 feet; thence S 89°48'49" W, a distance of 1.99 feet, to a point on the North end of two Boundary Line Agreements recorded with Reception Numbers 2800336 and 2800337, Public Records of Mesa County, Colorado; thence S 00°01'10" E, along said Boundary Line Agreement, a distance of 277.52 feet, more or less, to a point on the North right of way for Interstate 70 Business Loop, as same is recorded in Book 605, Page 241, Public Records of Mesa County, Colorado; thence S 73°41'04" W, along said Northerly right of way and being the North line of the Overpass Annexation, Ordinance No. 4319, as same is recorded in Book 4782, Page 921, Public Records of Mesa County, Colorado, a distance of 361.19 feet; thence N 36°43'00" E, along right of way described in Book 4742, Page 133, Public Records of Mesa County, Colorado, a distance of 32.33 feet; thence N 00°11'53" W, along the Westerly right of way for said Teller Avenue, a distance of 80.02 feet, more or less, to the Point of Beginning.

CONTAINING 119,107 Square Feet or 2.734 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 _____, 2017 and ordered published in pamphlet form.

ADOPTED on second reading the _____ day of _____, 2017 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: June 7, 2017

Presented By: Greg Lanning, Public Works Director, Jay Valentine, Deputy Finance Director

Department: Public Works - Streets

Submitted By: Justin Vensel, Project Engineer

Information

SUBJECT:

Construction Contract for the 2017 Riverside Parkway Resurfacing

RECOMMENDATION:

Authorize the City Purchasing department to enter into a Contract with Old Castle SW Group DBA United Companies of Mesa County from Grand Junction, CO for the 2017 Riverside Parkway Resurfacing Project in the amount of \$2,594,251.50.

EXECUTIVE SUMMARY:

This construction contract will utilize Measure 2B funds to resurface the Riverside Parkway from the 24 Road interchange to just east of 29 Road, and will include adjusting all water valves and manholes to provide a smooth travel way. The proposed contract is with Old Castle SW Group DBA United Companies of Mesa County in the amount of \$2,594,251.50.

BACKGROUND OR DETAILED INFORMATION:

This is the first project to utilize voter authorized funds, known as Measure 2B, for road maintenance. The Riverside Parkway was constructed over 10 years ago and is due for a preventive maintenance treatment to improve the road surface and extend the life of the road. The goal of Measure 2B funds is to improve the overall pavement condition index (PCI) for all roads in Grand Junction from PCI rating of 69 to 73 (on a scale from 0 to 100) over the next five years. All roads in the city have been surveyed and rated for condition and through the use of a pavement management program, roads such as the Riverside Parkway, have been prioritized and selected

for maintenance. The program considers several factors such as traffic loading, existing condition, rate of deterioration, and construction materials to determine the optimum treatment and most cost effective approach to extend the life of the road.

The Riverside Parkway resurfacing project will include a total of 7.5 center-lane miles beginning just west of 24 Road and continuing east past 29 Road. The I-70 and Redlands Parkway North Bound Interchange and 24 Road from Patterson Road to Leland Avenue are included in this project for similar treatment.

A Formal Invitation for Bids was issued via BidNet, an on-line site for government agencies to post solicitations, posted on the City's Purchasing web-site, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in the Daily Sentinel. Three Companies attended the mandatory pre-bid meeting. two companies submitted formal bids, which were found to be responsive and responsible in the following amount:

<u>Firm</u>	<u>Location</u>	<u>Amount</u>
United Companies	Grand Junction, CO	\$ 2,594,251.50
Elam Construction	Grand Junction, CO	\$ 2,997,424.90

The Riverside Parkway Resurfacing project is scheduled to begin July 10, 2017 and be completed by September 8, 2017.

FISCAL IMPACT:

Earlier this year, City Council approved the supplemental appropriation of \$3,750,000 of the available \$11,205,000 in the Riverside Parkway Debt Retirement fund to be allocated to road improvement projects in 2017. With this expenditure of \$2,594,252, \$1,155,748 is available for further road improvement projects this year.

Total Funds Available - Measure 2B	\$11,205,000
Redlands Parkway Resurfacing (this action item)	2,594,252
Total Funds Remaining - Measure 2B	<u>\$ 8,610,748</u>

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to Enter into a Contract with Old Castle SW Division DBA United Companies for the Riverside Parkway Resurfacing Project in the Amount of \$2,594,251.50.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: June 7, 2017

Presented By: Care' McInnis, Municipal Court Judge

Department: Municipal Court

Submitted By: Care' McInnis
Presiding Judge
Grand Junction Municipal Court

Information

SUBJECT:

Resolution Appointing Substitute Judges

RECOMMENDATION:

The appointment of Municipal Judges Marna Lake, Greg Mueller, and Dan Robinson as substitute judges for the Grand Junction Municipal Court. The Honorable Judge Lake presides in Palisade Municipal Court, the Honorable Judge Mueller presides in Colbran Municipal Court, and the Honorable Judge Robinson presides in Fruita Municipal Court.

EXECUTIVE SUMMARY:

To be most effective and efficient, Municipal Court Judge McInnis recommends the appointment of three alternate Judges to cover cases in which she has a conflict of interest, and/or for coverage when she is unavailable due to illness, vacation, or other work duties.

BACKGROUND OR DETAILED INFORMATION:

Local Municipal Judges often fill in for one another on an as-needed substitute basis as a courtesy to their colleagues and the Cities and Towns they serve. Judge Lake, Judge Mueller, and Judge Robinson have all agreed to serve as substitute judges and with the adoption of the recommended resolution the City Council will appoint them to serve as the Substitute Judges for Grand Junction Municipal Court.

FISCAL IMPACT:

The projected annual budget for substitute judges is \$13,500. The 2017 budget is \$5,500. A supplemental appropriation will be required to compensate the substitute judges beyond the budgeted amount. It is not anticipated that the substitute judges will be needed for more than 180 hours for the remainder of 2017.

SUGGESTED MOTION:

I move to adopt Resolution No. 30-17- A Resolution Appointing the Honorable Judge Marna Lake, the Honorable Judge Greg Mueller, and the Honorable Judge Dan Robinson as Substitute Judges for the Grand Junction Municipal Court.

Attachments

1. Resolution Appointing Substitute Judges

RESOLUTION NO. -17

RESOLUTION APPOINTING MARNA LAKE, GREG MUELLER AND DAN ROBINSON AS SUBSTITUTE MUNICIPAL JUDGES FOR THE GRAND JUNCTION MUNICIPAL COURT

RECITALS:

By Charter and ordinance, the City has established a Municipal Court. The Grand Junction Municipal Code (GJMC) adopts by reference Title 13, Article 10 of the Colorado Revised Statutes (C.R.S); section 105(1)(b) thereof provides, in relevant part, that unless otherwise provided in the Charter, which it is not in Grand Junction, the City Council "... may appoint such assistant judges as may be necessary to act or such substitute judges as circumstances may require in case of temporary absence, sickness, disqualification, or other inability of the presiding or assistant municipal judges to act."

By and with this Resolution, Marna Lake, Greg Mueller and Dan Robinson are appointed as Substitute Municipal Judges 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 Marna Lake, the Honorable Greg Mueller and the Honorable Dan Robinson are appointed as Substitute Municipal Court Judges in and for the Grand Junction Municipal Court, with all rights, obligations and privileges that pertain, subject to full and faithful performance as provided by law.

PASSED and ADOPTED this 7th day of June 2017.

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: June 7, 2017

Presented By: Greg Caton, City Manager

Department: City Manager

Submitted By: Greg Caton, City Manager

Information

SUBJECT:

Proposed Downtown Function Enhancements and Resolution Authorizing Parking Rate Changes

RECOMMENDATION:

Staff recommends the Council approve the Resolution to change Parking fees.

EXECUTIVE SUMMARY:

The changes are being made with the intent of improving compliance with downtown parking regulations, upgrading current parking infrastructure, improving customer service for downtown patrons, and increasing the overall City presence for purposes of safety. The Downtown Development Authority (DDA) and the Business Improvement District (BID) have been updated as we have developed this plan, which has been refined with the help of vested downtown merchants through two separate outreach meetings.

BACKGROUND OR DETAILED INFORMATION:

Downtown Police Presence

In an effort to enhance the visibility, promote safety, discourage vagrancy, and enforce parking in the downtown area, increased police patrol will be added with two new police officers dedicated to the area and through the increase of parking patrol personnel.

This initiative was made possible by a partnership with the DDA and is included in the 2017 budget. There is evidence to suggest that targeted foot patrol can have a positive impact on crime reduction and improve public perceptions.

Currently, one Police Services Technician (PST) enforces the entire downtown area, and responds to parking related issues throughout the City. The recommended change is to add and assign three Parks Patrol Officers to year round parking enforcement downtown instead of one Police Services Technician. In total there will be nine Parks Patrol Officers (currently there are six) who will be cross-trained in parking enforcement duties and responsibilities. With the transfer of the PST position, the City's parking fund will experience a cost reduction, due to a less expensive labor model.

Ambassador Program

The City has offered to create and manage a Downtown Ambassador Program. Similar to how the parking enforcement is developed from the expansion of the existing Parks Patrol Program, we envision the Downtown Ambassador Program developing from the expansion of the existing Trail Host Program operated within the Parks and Recreation Department. The Downtown Ambassador Program will utilize community volunteers that will promote the area, resolve concerns, and help make the downtown area a friendlier place to live, visit, shop and conduct business. Ambassadors will interact with businesses, visitors and citizens in a positive manner. The vision of the program is to help promote a progressive, dynamic downtown experience. The Visitor and Convention Bureau will assist with training and the Ambassadors will be visibly-dressed volunteers to assist in identifying them.

Changes in Metered Parking

City staff applied the suggestions of the downtown merchants and employees, and have created the attached map to identify the changes. The intent is to price the parking in order to encourage the appropriate use by employees and customers. With specific attention to:

- Provide an area of free parking for employees willing to walk (6th & Ute)
- Keep the outlying areas at \$.10 per hour for some 10-hour meters
- Increase meters to \$.25 per hour for 10-hour meters based on location
- Increase fees in relation to the high use areas to \$.75 per hour
- Maintain no metered parking on Main Street

Current Rates for Parking

- Short-term 2-4 hour meters and garage main floor = \$.50 per hour
- Long-term 10 hour meters = \$.10 per hour
- Parking Garage Lease Rates:
 - \$60 per month for covered
 - \$10 per month on top level

Proposed Rates for Parking

- Short-term customer 2-4 hour meters and garage main floor = \$.75 per hour
- Long-term customer or employees who will pay 10 hour meters = \$.25 per hour
- Long-term employee 10 hour meters = \$.10 (unchanged)
- Parking Garage Lease Rates:
 - \$65 per month for covered (increased \$5 per month)
 - \$10 per month for uncovered (unchanged)
- Free employee parking will be offered in the City-owned lot at 6th and Ute Avenue

Pay-by-Phone

The current meters are 10 years old, and are not capable of payment by credit card. In an effort to improve customer service and increase revenue, staff and BID have implemented a pilot project to allow payment by smartphone. Meters and parking lots throughout the downtown area are signed and marketing materials are available for public awareness. Payment by smartphone requires customers to download a free app available on either Apple or Android marketplaces, and will alert the customer when metered time was about to expire. This solution is at no cost to the City, and customers choosing to pay by smartphone are charged a \$.35 per transaction fee. Customers choosing to pay by coin are not charged any additional fees and would see no change in their parking transaction. Revenue increase is yet to be determined, but similar entities see rise in customer service satisfaction, and the vendor claims a 5% initial increase.

Holiday Parking

Historically, all parking meters are bagged for the duration of Thanksgiving through New Year. While the request from DDA has not been presented to the City, there has been consensus that the program will change. In a recent outreach meeting held by the City with members of the BID/DDA, the following ideas were discussed:

- Merchants could issue coupon codes for use with the parking app
- Shorten the duration of the program
- Reduce the area of the holiday program
- Make January free parking instead of the current time frame to encourage customers to return during slower shopping season

Conclusion

Implementation of the proposed changes are expected to increase revenues by approximately \$47,000, and potential revenue increases will be used to upgrade existing infrastructure. The changes are expected to encourage employee parking either by permit at long-term meters, encourage free use of the outlying spaces, or to utilize the Rood Avenue Garage. The most convenient spaces will be available for use by the downtown customers, and all spaces will become credit card capable. Enforcement will have greater visibility, flexibility, and increased coverage area.

These increased efforts in the areas of: downtown police unit, expanded parks patrol as parking compliance, and the ambassador program will have a significant impact on the downtown this summer. These improved enhancements will provide a force multiplier for all the efforts, and we appreciate the input from the merchants, employees, BID, and DDA to make these improvements to the downtown.

FISCAL IMPACT:

Proposed rate changes are expected to increase Parking revenue approximately \$47,000 per year. Parking operations (revenues and expenses) are accounted for in a separate business enterprise fund.

SUGGESTED MOTION:

I move to adopt Resolution No. 31-17 - A Resolution Adopting Fees and Charges for Downtown Parking.

Attachments

1. Parking Map
2. Resolution

RESOLUTION NO. ____

A RESOLUTION ADOPTING FEES AND CHARGES FOR DOWNTOWN PARKING

Recitals:

The City of Grand Junction establishes rates for metered and leased Parking on a periodic basis, and by this resolution, the City Council establishes these rates to implement decisions made in Downtown Parking.

Now, therefore, be it resolved that:

Effective June 15, 2017 rates for metered and leased parking service change according to the following schedule:

Parking Rates			
Meter Rates	Current	Proposed	Change
Outlying 10 – Hour Meter / Hour	\$.10	\$.10	\$0.00
Interior 10 – Hour Meter / Hour	\$.10	\$.25	\$1.60
2-4 – Hour Meter / Hour	\$.50	\$.75	\$.25
Rood Avenue Garage			
Metered Area / Hour	\$.50	\$.75	\$.25
Covered Leased Area / Month	\$60	\$65	\$5.00
Uncovered Leased Area / Month	\$10	\$10	\$0.00

PASSED and ADOPTED this ____ day of _____, 2017.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: June 7, 2017

Presented By: Kathy Portner, Planning Manager

Department: Community Development

Submitted By: Kathy Portner, Planning Manager

Information

SUBJECT:

Resolution Amending the Bylaws of the Urban Trails Committee

RECOMMENDATION:

The Urban Trails Committee, at their May 9, 2017 meeting, recommended approval of the amended bylaws.

EXECUTIVE SUMMARY:

The Urban Trails Committee (UTC) was re-established in December of 2014 as an advisory board to the City Council on matters pertaining to the safe, convenient and efficient movement of pedestrians and bicyclists of all ages and abilities. UTC is recommending that the bylaws be amended to allow for two of the 7-9 members to be representatives from Mesa County Public Health and the Regional Transportation Planning Office, if possible.

BACKGROUND OR DETAILED INFORMATION:

Since being re-established in 2014 as an advisory board to the City Council, the Urban Trails Committee has been working on a number of initiatives to make the community a better place for pedestrians and bicyclists. The bylaws established for UTC allow for 7-9 members and, thus far, the committee has been operating with 7 members, which includes Jeff Kuhr, Director of Mesa County Public Health, and Biz Collins, Planner with the Regional Transportation Planning Office. UTC has found having representation from those two organizations to be invaluable to the work of the committee.

Recognizing that, UTC is recommending that the bylaws be amended to have the makeup of the committee include a representative from both Mesa County Public

Health and the Regional Transportation Office, if possible. Further, UTC would like to see the full 9 members be appointed.

FISCAL IMPACT:

No direct fiscal impact from this action.

SUGGESTED MOTION:

I move to adopt Resolution No. 32-17 - A Resolution Amending the Bylaws of the Urban Trails Committee.

Attachments

1. Resolution Amending the Bylaws with the Bylaws Attached

**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ____-17**

A RESOLUTION AMENDING THE URBAN TRAILS COMMITTEE BYLAWS

RECITALS.

The Urban Trails Committee (UTC) was re-established in December of 2014 as an advisory board to the City Council on matters pertaining to the safe, convenient and efficient movement of pedestrians and bicyclists of all ages and abilities. Since then, the Urban Trails Committee has been working on a number of initiatives to make the community a better place for pedestrians and bicyclists. The bylaws established for UTC allow for 7-9 members and, thus far, the committee has been operating with 7 members, which includes representation from Mesa County Public Health and the Regional Transportation Planning Office. UTC has found having representation from those two organizations to be invaluable to the work of the committee. Recognizing that, UTC is recommending that the bylaws be amended to have the makeup of the committee include a representative from both Mesa County Public Health and the Regional Transportation Office, if possible. Further, UTC would like to see the full 9 members be appointed.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction does hereby adopt the attached (Exhibit A) amended Urban Trails Committee Bylaws.

Adopted and approved this _____ day of _____, 2017.

J. Merrick Taggart
President of the Council

ATTEST:

Stephanie Tuin
City Clerk

GRAND JUNCTION URBAN TRAILS COMMITTEE
BYLAWS

Article 1. Purpose. Committee. Place of Business.

- (a) The purpose of the Urban Trails Committee is to plan and promote the City Council's goals for an interconnected network of sidewalks, paths and routes for active transportation and recreation throughout the Grand Junction urbanized area. The Urban Trails Committee will act in an advisory capacity to the Grand Junction City Council on matters pertaining to the safe, convenient and efficient movement of pedestrians and bicyclists of all ages and abilities throughout the community, as well as other forms of transit.
- (b) The business and affairs of the Committee shall be managed by its members, comprised of seven (7) to nine (9) persons appointed by the Grand Junction City Council, consistently with the rules and these bylaws adopted by said City Council for such Committee.
- (c) The place of business of the Grand Junction Urban Trails Committee shall be in Grand Junction, Colorado with a mailing address of 250 N. 5th Street, 81501

Article 2. Ethical Conduct.

Committee members shall comply with City of Grand Junction Resolution No. 79-06 (and as amended by Resolution No. 46-13) which establishes ethical standards for members of the City's boards, commissions and similar groups.

Article 3. Appointment of Members.

- (a) The Urban Trails Committee shall consist of seven (7) to nine (9) members.
- (b) Composition and selection:
 1. The members of the Committee 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. Qualifications shall include either (1) residence within the city limits of the City of Grand Junction; or (2) employed in a business that operates within the city limits of the City of Grand Junction.
 4. One member should be a representative of Mesa County Public Health and one member should be a representative of the Regional Transportation Office, if possible.
- (c) If requested by the Grand Junction City Council, the Committee 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. Terms. Conditions.

- (a) The term of each individual committee member shall be three (3) years and the terms shall be staggered. No Committee member shall be appointed for more than two (2) consecutive full terms, unless City Council deems it necessary for representation from Mesa County Public Health and the Regional Transportation Planning Office.
- (b) Members shall hold office until their successors have been appointed and qualified, unless the member is no longer a city resident or employed within the city limits. A member may be appointed for one or more terms subject to any term limitations as cited in Article 3 and 4(a). An appointment to fill a partial term shall only be for the remainder of the full term.

Article 5. Vacancies

In the event of death, resignation, or removal of any member, his/her successor shall be appointed in the manner prescribed in Article 3 above, for the duration of the unexpired term.

Article 6. Removal

- (a) The Committee may petition to the City Council, by formal two-thirds vote of the membership, to remove any member who is failing to fulfill the duties and responsibilities of office, provided the individual is notified of such action and is given the opportunity to address the Committee prior to tendering of such petition for removal to the Council for consideration.
- (b) Failure to attend two-thirds (2/3) of the regularly scheduled Committee meetings within any twelve (12) month period shall result in a recommendation to the City Council for removal of the member.

Article 7. Officers

- (a) The officers of the Committee shall be Chair and Vice Chair, elected annually in October by the members.
- (b) The Chair shall preside at meetings of the Committee, serve as ex-officio member of all committees, serve as the official spokesperson for the Committee, work with the City Community Development staff to develop meeting agendas and serve as the Committee liaison to the City.
- (c) No member shall serve more than two consecutive years as Chair or Vice Chair.
- (d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.
- (e) The Vice Chair shall be assigned other specific duties by the Chair as required to assure efficient operation of administrative functions of the Committee.

Article 8. Meetings. Notice. Open Meetings.

- (a) Regular meetings shall be held the second Tuesday of each month at 5:30 p.m. and shall go no later than 7:00 p.m. unless agreed to by a majority of members present.

- (b) The Committee shall conduct all meetings in accordance with generally accepted parliamentary procedures.
- (c) Notice of any meeting of the Committee, including the purpose thereof, shall be given to each member by mail, facsimile, e-mail or in an equivalent manner at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Committee shall be a waiver of notice by him/her of the time and place thereof. Any lawful business of the Committee may be transacted at any meeting for which proper notice has been given.
- (d) Any meeting, or member participation, may be held by telephone or video conference call.
- (e) Meetings and affairs of the Committee shall be subject to the Open Meetings Act and the Open Records Acts, as amended, as though the Committee is a local government under those acts.
- (f) Minutes of each meeting shall be recorded and retained in accordance with the City's record retention policy.
- (g) Notice of meetings shall be posted at City Hall at least 24 hours in advance of the meeting.

Article 9. Conflicts. Compensation. Expenses.

- (a) No compensation shall be paid to any member of the Committee for their services. The Committee shall not enter into any contract with any member nor pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts and appearances of impropriety shall likewise apply to each member of the Committee.
- (b) In accordance with the rules and requirements of the City, a member may be reimbursed for his/her reasonable expenses incurred in the performance of his/her duties as a member, provided however that all such expenses are approved in advance by the City and shall be paid by the finance director of the City.

Article 10. Quorum.

A majority of the authorized number of members of the Committee shall constitute a quorum for the transaction of business. However, if at any meeting a quorum is no longer present whether due to conflict of interest or otherwise, a majority of those present may adjourn the meeting. The act of a majority of the members present at a meeting in which a quorum is present shall be the act of the Committee.

Article 11. Action of Members without a Meeting.

Any action that could have occurred at a meeting of the members can also be accomplished without a meeting if all of the members entitled to vote with respect to the subject matter thereof sign a written consent or provide an electronic proxy specifying the action.

Article 12. Ex-Officio Members. Support.

- (a) The City Manager, or designee(s), shall be ex-officio, non-voting members of the Committee.
- (b) The City Manager's designee(s) shall provide support services for the Committee as needed, to include keeping a full and accurate account and record of all meetings of the Committee, correspondence, files and records.

Article 13. Amendment of Bylaws.

The Committee may, by the affirmative vote of a majority of its members, recommend amendments to these Bylaws. Proposed amendments approved by the Committee must be considered and approved by the City Council.

Adopted by the City Council this _____ day of _____, 2014
by Resolution No. _____

President of the City Council

Attest:

City Clerk

Note: The City's insurance provides coverage for its volunteers and will defend members of the Committee against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Committee, so long as the member does not act or has not acted maliciously, criminally, with deliberate intent to violate a law or regulation or with intent to injure. A committee member must immediately contact the City Attorney in the event a claim is made, and may contact the City Attorney if he or she has any questions or concerns about liability.

City Attorney: 244-1508, at City Hall, email johns@gjcity.org



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: June 7, 2017

Presented By: Rob Schoeber, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Rob Schoeber, Parks and Recreation Director

Information

SUBJECT:

Resolution Authorizing the Lease to Colorado Discover Ability for City-owned Property Located at 599 Struthers Avenue

RECOMMENDATION:

Staff recommends approval of 25 year lease as presented.

EXECUTIVE SUMMARY:

Colorado Discover Ability (CDA) is a Colorado non profit corporation whose mission is to increase the independence, self confidence, self worth and education of people with disabilities, their family and friends through outdoor recreation. With the use of specialized adaptive equipment, they provide a variety of recreational opportunities including cycling, skiing and water sports.

In 2014, CDA approached the Grand Junction City Council with a request to construct a new headquarters building on City owned property at Las Colonias Park. Council supported the request and directed staff to work closely with CDA on the site and to create a long term agreement for the project. Over the past 3 years, CDA has solicited a number of grants from local and regional foundations, as local benefactors. This spring, CDA announced that they have reached their fundraising goal for construction and would be moving forward with construction documents.

The proposed site for this project is located at 599 Struthers Avenue, west of the current Botanical Gardens. The site totals approximately 1.1 acres, and is currently being leased to STRIVE for the operation of the Botanical Gardens. Representatives from STRIVE have been involved in several discussions regarding this proposed site,

and are supportive of the lease as presented.

The two story metal structure will measure approximately 6,400 square feet. The primary uses of the building will be administration, program operation and storage. The site design also includes 16 onsite parking spaces for staff and clients. The term of the proposed lease is 25 years for \$1/year. The City will provide landscape maintenance on this site at a cost of \$100/month.

BACKGROUND OR DETAILED INFORMATION:

Colorado Discover Ability was incorporated in 1980 as the Powderhorn Handicapped Ski Program, and was initially established to provide educational and therapeutic outdoor experiences to the disabled population in western Colorado. In 2001, CDA began to expand into year-round recreational programs and updated their mission to reflect the inclusion of client's families and friends. CDA disabled clients are primarily individuals with cerebral palsy, developmental disabilities, spinal cord injuries, multiple sclerosis, traumatic brain injuries, emotional disturbances, and sight and hearing impairments. 70% of the CDA clients are under the age of 18, and 98% would be considered low to moderate income bracket. CDA provides financial assistance to clients in need; no one is turned away due to financial circumstances.

The City of Grand Junction has been working closely with Colorado Discover Ability for the past three years toward the relocation of their headquarters on to City Owned property at Las Colonias Park. In 2014, City Council supported a request for CDA to enter into a long term lease with the City for this purpose. CDA has approached numerous foundations, service clubs and local individuals to help meet their fundraising of nearly \$500,000. In the spring of 2017, CDA announced that they had exceeded their goal and would be moving forward with construction documents and building costs. City staff has meet on several occasions with CDA staff to determine the best overall site for construction.

The proposed lease includes approximately 1.1 acres located at 599 Struthers Avenue. This site is currently included as part of a long term lease with STRIVE for the operation of the Botanical Gardens. Administration from STRIVE has been involved in the selection of this site, and if approved, the lease with STRIVE will be modified to reflect the change in use.

The new facility will serve as CDA headquarters and assist to consolidate several other sites that are currently in use such as storage and program operation. Many of the activities sponsored through CDA are centered around the use of the River and/or the Riverfront Trail, therefore this proposed site will significantly improve their program functionality. The two-story metal building is designed at approximately 6,400 square feet, with detached buildings for storage. The site plan includes a total of 16 parking spaces to be used for clients and staff. The term of the lease is proposed for 25 years

at \$1/year. In an effort to maintain consistency with the adjacent park property, the City will maintain the landscaped are of the site at a cost of \$100/month. Snow removal is not included.

FISCAL IMPACT:

CDA will pay the City \$1200 annually for landscape maintenance of their site and these maintenance expenses will be budgeted within Park Operations.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 33-17 - A Resolution Authorizing the Lease of City Owned Property to Colorado Discover Ability, Located at 599 Struthers Avenue.

Attachments

1. Las Colonias Master Plan - Revised 2017
2. CDA Site Design
3. CDA Resolution with Lease and Exhibit



Colorado Discover Ability

LAS COLONIAS
 GRAND JUNCTION, COLORADO



REVISED 2017

CLAYTON, ROBERTS & ASSOCIATES, INC.
 LAND PLANNING AND
 LANDSCAPE ARCHITECTURE
222 N. 7TH STREET, GRAND JUNCTION, CO 81501 | WWW.CRAONLINE.COM
 PHONE: 970.241.0700

RESOLUTION NO. __-17

**A RESOLUTION AUTHORIZING THE LEASE OF CITY OWNED PROPERTY TO
COLORADO DISCOVER ABILITY**

Recitals:

The City of Grand Junction is the owner of the following described real property ("Property") in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 23, 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 Northeast corner of the NE 1/4 SW 1/4 of said Section 23 and assuming the North line of the NE 1/4 SW 1/4 of said Section 23 bears N 89°35'51" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°35'51" W, along said North line, a distance of 268.91 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°24'09" W, a distance of 142.28 feet; thence N 89°35'51" W, a distance of 21.97 feet; thence S 00°24'09" W, a distance of 111.41 feet; thence N 89°35'51" W, a distance of 179.34 feet; thence N 00°24'09" E, a distance of 253.69 feet to a point on the North line of the NE 1/4 SW 1/4 of said Section 23; thence S 89°35'51" E, along said North line, a distance of 201.31 feet, more or less, to the Point of Beginning.

CONTAINING 48,621 Square Feet or 1.116 acres, more or less, as described above and commonly addressed as 599 Struthers Avenue, Grand Junction, CO 81501.

The City has negotiated an agreement with Colorado Discover Ability to lease the Property for the purpose of providing a location for the construction and operation of a facility to increase independence, self-confidence, self-worth and education of people with disabilities, their family and friends through outdoor recreation. The City Council having been advised in the premises deems it necessary and appropriate that the City lease the Property to Colorado Discover Ability for those purposes.

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

The City Manager is hereby authorized and directed to sign the attached Lease Agreement with Colorado Discover Ability, for the lease of the Property for a term of twenty-five (25) years, commencing on June 8, 2017, and expiring on June 7, 2042, subject to each and every term and condition contained in the Lease Agreement.

PASSED and ADOPTED this ____ day of _____, 2017.

J. Merrick Taggart
President of the Council

Attest:

Stephanie Tuin
City Clerk

COLORADO DISCOVER ABILITY

OWNER:

CITY OF GRAND JUNCTION

TENANT:

COLORADO DISCOVER ABILITY (A COLORADO CORPORATION)

June 8, 2017

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SUMMARY OF LEASE PROVISIONS:

DATE: June 8, 2017

OWNER: City of Grand Junction

ADDRESS OF OWNER: 250 N. 5th Street
Grand Junction, CO 81501

TENANT: Colorado Discover Ability

ADDRESS OF TENANT: 740 Gunnison Ave Suite 105
Grand Junction, CO 81501

LEASED PROPERTY: 599 Struthers Ave; Containing 1.1169 acre/ 48,621_square feet.

LEASE TERM: Twenty-five (25) Years

COMMENCEMENT DATE: June 8, 2017

TERMINATION DATE: June 7, 2042

RENT: See Exhibit "B" Rent Schedule

POSSESSION DATE: Immediately upon execution of the lease.

RENT COMMENCEMENT: On the Possession Date.

PERMITTED USES: General Office Use and Support of Tenant's Mission

SECURITY DEPOSIT: N/A

CONTACT: Terry D. Harper, Executive Director

ADDRESS OF CONTACT: 740 Gunnison Avenue Suite 105
Grand Junction, CO 81501

RENEWAL OPTION: To be determined on mutual agreement of Owner and Tenant.

LEASE AGREEMENT

THIS LEASE is entered into this ____ day of June 2017 BETWEEN City of Grand Junction ("Owner" and Colorado Discover Ability ("Tenant").

1. PROPERTY

In consideration of the rents, covenants and agreements contained herein, Owner leases to Tenant, and Tenant leases from Owner certain real property located at 599 Struthers Avenue, Grand Junction, Colorado, (the "Property"), located in the City of Grand Junction, Mesa County, Colorado. The Property location and area are shown on Exhibit "A", which is made a part hereof.

2. TERM

2.1 Length of Term. The term of this Lease shall be for a period of twenty-five (25) consecutive years beginning on the Commencement Date as set forth below.

2.2 Commencement Date and Obligation to Pay Rent. The Commencement Date for this Lease Agreement and Tenant's obligation to pay rent hereunder shall commence June 8, 2017.

2.3 Tenant's Certificate. Tenant shall, within five (5) days after the Commencement Date, and thereafter at Owner's request, execute and deliver to Owner a written declaration in recordable form: (a) ratifying this Lease and the Tenant's possession of the Property pursuant thereto; (b) expressing the Commencement date and termination date hereof; (c) certifying that this Lease is in full force and effect and has not been assigned, modified, supplemented or amended (except by such writings as shall be stated); (d) that all conditions under this Lease to be performed by Owner have been satisfied; (e) that there are no defenses or offsets against the enforcement of this Lease by the Owner, or stating those claimed by Tenant; (f) the amount of advance rental, if any, (or none, if such is the case) paid by Tenant; (g) the date to which rental has been paid; (h) expansion and cancellation rights; and (i) such other information in accordance with the facts as Owner may reasonably request. Lenders shall be entitled to rely upon such declaration and Tenant shall be entitled to record the same.

3. RENT

Tenant agrees to pay to Owner at such place as Owner may designate, without prior demand therefore and without any deduction or setoff whatsoever, and as fixed rent, the sum of _ Dollars (\$25.00). Simultaneously with the execution hereof, Tenant has paid to Owner the first \$1 year's rent, receipt whereof is hereby acknowledged.

4. NO ADJUSTMENTS TO RENT

It is the intent of the parties that (i) the rent is fixed for the term of this Lease and (ii) that the Owner shall be liable for no costs throughout the term of this Lease; all costs, expenses, and obligations of every kind relating to the Property which may arise or become due during the term hereof shall be paid by Tenant and that Owner shall be indemnified by Tenant against such costs, expenses, and obligations.

4.1 Taxes.

(a) Tenant shall pay all "Real Estate Taxes" levied or assessed by lawful taxing authorities against the land, buildings and/or improvements made and/or comprising the Property as it is improved.

(b) "Real Estate Taxes" shall mean all taxes, assessments, levies, and charges, whether foreseen or unforeseen, which may be levied, assessed, or imposed upon, on account of or with respect to: (i) the ownership of and/or all other taxable interests in all land and improvements situated on the Property; and (ii) all buildings, structures, and other improvements situated thereon over the term of the Lease.

(c) Tenant shall pay the Real Estate Taxes as the same become due. The amount of Real Estate Taxes upon which such payment is based shall be the most current notice(s) or assessment(s) or tax bill(s) concerning the Property and all improvements and taxable personal and business property taxed and included or not in the Real Estate Taxes, including but not limited to the value of any improvements made by Tenant, including machinery, equipment, fixtures, inventory or other personal property of Tenant.

(d) Tenant shall also be solely responsible for and shall pay before delinquency all municipal, county, state, or federal taxes assessed during the term of this Lease against any personal property of any kind, owned by or placed in, upon, or around the Property by Tenant.

4.2 Insurance. Tenant shall pay to insure the Property and protect, indemnify and defend the Owner, as provided herein, from any and all claims; the cost(s) thereof shall not constitute or be claimed to constitute an adjustment to rent or otherwise require payment or contribution from the Owner to provide and maintain insurance required by this Lease.

5. CONSTRUCTION

5.1 Owner's Obligation. The Owner shall have no obligation to extend utilities or perform any construction, site remediation and/or hazardous material(s) characterization, testing or removal, for the Tenant to use or occupy the Property; the Property is leased in "AS-IS" condition without any representation as to suitability for the Tenant's purpose(s).

5.2 Tenant's Obligations. Tenant shall be responsible for any and all construction of any and all necessary or required building(s) and improvements. All work to be performed by Tenant shall be constructed by Tenant in a good and workmanlike manner free of any liens for labor and materials. Tenant agrees to indemnify Owner and hold Owner harmless against any loss, liability or damage resulting from such work. All work shall be performed by Tenant at its own cost and expense.

5.3 Signs, Architecture and Site Plan. Tenant's exterior sign plans must be approved by Owner in writing and accordance with the City Code. All signs installed by Tenant shall be kept in good repair and in proper operating condition at all times, shall be removed at the termination of the Lease and any damage caused by such removal shall be repaired at Tenant's expense. Prior to commencement of the Lease Tenant shall provide Owner the elevation(s) of the proposed building improvements and site plan. The site plan review and approval process is and shall be a condition precedent to any construction and construction shall only be in accordance with the approved site plan.

6. USE

Tenant shall use the Property solely for the purpose of conducting its business, which is providing adaptive recreation opportunities for people with disabilities, and their friends and families. Tenant shall not use or permit the Property to be used for any other purpose or purposes, except with the prior written consent of the Owner, such consent not to be unreasonably withheld. Said business shall be operated under the tradename of Colorado Discover Ability / Andy Blood Adaptive Center.

7. CONTINUOUS OPERATION

Tenant covenants to use the Property and operate its business continuously during the term of this Lease unless prevented from doing so by causes beyond Tenant's control. For purposes of this Lease, "continuously" means Tenant's normal hours of operation without periods of abandonment or extended cessation of use; Tenant shall keep on the Property sufficient personnel to service the usual and ordinary demands and requirements of its customers, users of its services and maintenance obligations necessary to the Property.

8. LAWS, WASTE, NUISANCE

Tenant covenants that it: (a) will not use or suffer or permit any person or persons to use the Property or any part thereof for conducting thereon any use that is not allowed by zoning and the applicable law, including but not limited to land use regulations; (b) will comply with all governmental laws, ordinances, regulations, and requirements, now in force or which hereafter may be in force, or any lawful governmental body or authorities having jurisdiction over the Property; (c) will keep the Property and every part thereof in clean, neat, and orderly condition, free of objectionable noise, odors, or nuisances, and will in all respects and at all times, fully comply with all health and policy regulations; (d) shall not suffer, permit or commit any waste. The Tenant shall be responsible and pay all damages and charges to the State or Local Government or any others for any nuisance made or suffered during the term on the Property or any way resulting from the activity of the Tenant.

9. MAINTENANCE

9.1 Maintenance by Tenant. Tenant, at its sole cost and expense, shall at all times keep the Property in good order, condition, and repair or contract for the same. By separate agreement the City, by and through the Parks and Recreation Department, has agreed to mow and maintain the landscaping installed on the Property by the Tenant. The Tenant shall pay the City \$100 per month for landscape maintenance including seasonal upkeep of turf, trees, shrubs, flowers, etc., excluding snow removal.

9.2 Right to Cure. If the Tenant refuses, fails or neglects to maintain the Property as required hereunder to the reasonable satisfaction of the Owner as soon as reasonably possible after written demand, the Owner may take action to correct the condition without liability on its part to the Tenant for any loss or damage that may accrue to its property or to its business by reason thereof, and upon completion thereof, the Tenant shall pay the cost for making such repairs, immediately upon presentation of a bill therefore. Failure of the Tenant to pay such amount immediately shall constitute a default hereunder.

10. MECHANIC'S LIEN

Should any mechanic's or other lien be filed against the Property or any part thereof by reason of Tenant's acts or omissions or because of a claim against Tenant, Tenant shall cause the same to be cancelled and discharged of record by bond or otherwise within thirty (30) days after notice from Owner.

11. ASSIGNMENT

11.1 Assignment Prohibited. Tenant shall not transfer, assign, mortgage, or hypothecate this Lease, in whole or in part, or permit the use of the Property by any person or persons other than Tenant, or sublet the Property, or any part thereof, without the prior written consent of Owner in each instance, such consent not to be unreasonably withheld, delayed or conditioned. Such prohibition against assigning or subletting shall include any assignment or subletting by operation of law.

Any transfer of this Lease from the Tenant by merger, consolidation, transfer of assets, or liquidation shall constitute an assignment for purposes of this Lease. In the event that Tenant hereunder is a corporation, an unincorporated association, or a partnership, the transfer, assignment, or hypothecation of any stock or interest in such corporation, association, or partnership in the aggregate in excess of forty-nine percent (49%) shall be deemed an assignment within the meaning of this section.

11.2 Consent Required. An assignment or subletting without Owner's consent shall be void, and shall constitute a default hereunder which, at the option of Owner, shall result in the termination of this Lease or exercise of Owner's other remedies hereunder. Consent to any assignment or subletting shall not operate as a waiver of the necessity for consent to any subsequent assignment or subletting, and the terms of such consent shall be binding upon any person holding by, under, or through Tenant.

11.3 Owner's Right in Event of Assignment. If this Lease is assigned or if the Property or any portion thereof are sublet or occupied by any person other than the Tenant, Owner may collect rent and other charges from such assignee or other party, and apply the amount collected to the rent and other charges reserved hereunder, but such collection shall not constitute consent or waiver of the necessity of consent to such assignment, subleasing, or other transfer, nor shall such collection constitute the recognition of such assignee, sublessee, or other party as the Tenant hereunder nor shall it release Tenant from the further performance of all of the covenants and obligations of Tenant herein contained. In the event that Owner shall consent to a sublease or assignment hereunder, Tenant shall pay to Owner reasonable fees, not to exceed Five Hundred Dollars (\$500.00), incurred in connection with processing of documents necessary to the giving of such consent. Owner's consent to a sublease or assignment shall not operate to relieve Tenant from primary liability unless Owner so states in writing.

12. INDEMNITY

Tenant hereby agrees to defend, pay, indemnify, and save free and harmless Owner, from and against any and all claims, demands, fines, suits, actions, proceedings, orders, decrees, and judgments of any kind or nature by or in favor of anyone whomsoever and from and against any and all costs and expenses, including reasonable attorney's fees, resulting from or in connection with loss of life, bodily or personal injury or property damage arising, directly or indirectly, out of or from injury or property damage arising, directly or indirectly, out of or from or on account of any occurrence in, upon, at, or from the Property or occasioned wholly or in part through the use and occupancy of the Property or any improvements therein or appurtenances thereto, or by any act of omission or negligence of Tenant or any subtenant, concessionaire or licensee of Tenant, or their respective employees, agents, or contractors in, upon, at or from its or their negligence. Tenant

and all those claiming by, through, or under Tenant hereby release Owner to the full extent permitted by law, from all claims of every kind, including loss of life, personal or bodily injury, damage to merchandise, equipment, fixtures or other property, or damage to business or from or on account of occupancy and use of the Property and from or resulting from, any present or future condition thereof.

13. INSURANCE

13.1 Fire, Casualty, and General Liability Insurance. Tenant shall procure and pay the cost of insurance insuring the Tenant and the Owner against loss or damage to the Property and property by reason of fire and other casualties with an A-rated qualified insurance company or companies in an amount and of such coverage as are satisfactory to and approved by Owner, but in no event shall the amount of such insurance be less than the cost of all risk coverage for physical injury to persons on or using the Property. Owner and Tenant's lender or any other person(s) or entity(ies) interested under any mortgage or similar instrument then affecting the Property, shall be named as an insured on each policy.

Tenant shall procure and pay the cost of insurance for insuring the Tenant and the Owner against General Liability. The limits of liability to be carried will not be less than One Million Dollars (\$1,000,000.00) for injury or death for all persons arising out of a single accident, and not less than One Million Dollars (\$1,000,000.00) to the property of any one person or persons.

The cost of such insurance coverage as required hereunder shall be paid by Tenant in full when due and be in an amount equal to the replacement cost of Tenant's improvements, trade fixtures, furnishings, equipment and contents upon the Property, and naming Owner as an additional insured.

13.2 Provisions to be Contained in Policies. All insurance provided for in this Lease shall be effected under enforceable policies issued by insurers reasonably approved by Owner and a copy of the policy or a certificate of insurance shall be delivered to the Owner within ten (10) days after the date of commencement of the term of this Lease or on or before the day Tenant begins Tenant's work on the Property, whichever is first. The policy or policies shall provide by its terms that it is non-cancellable except on forty-five (45) days prior written notice to Owner. At least twenty (20) days prior to the expiration date of any policy, the original renewal policy for such insurance shall be delivered by Tenant to the Owner. Within twenty (20) days after the premium on any policy shall fall due and payable, the Owner shall be furnished with satisfactory evidence of its payment. All policies shall name Owner, any person, firms, or corporation reasonably designated by Owner, and Tenant as insured. All policies shall be written as primary policies, not contributing with and not in excess of coverage which Owner may carry. All such insurance shall specifically insure the performance by Tenant of the indemnity agreement(s) as to liability provided herein.

13.3 Subrogation. Each party hereto waives its right to subrogation against the other for any reason whatsoever, and any insurance policies herein required to be procured by either shall contain an express waiver of any right of subrogation by the insurer against the other.

13.4 Lenders. Any mortgage lender interested in any part of the improvements on the Property may, at Tenant's option, be afforded coverage under any policy required to be secured by Tenant hereunder, by use of a mortgagee's endorsement to the policy(ies.)

13.5 Blanket Policy. If the Tenant provides any insurance required by this Lease in the form of a blanket policy, the Tenant shall furnish satisfactory proof that such blanket policy complies in all respects with the provisions of this Lease., and that the coverage thereunder is at least equal to the coverage which would be provided under a separate policy covering only the Property.

13.6 Proof of Insurance. Tenant shall provide proof of insurance upon the commencement date and no less often than every year subsequent thereto or when the policy(ies) is(are) renewed.

14. DAMAGE BY CASUALTY

If the Property or the improvements thereon shall be partially damaged by a casualty insured under Tenant's insurance policy, Tenant shall, upon receipt of the insurance proceeds and to the extent those proceeds repair the damage(s) repair the improvements so that the Property is made commercially habitable. Notwithstanding, the foregoing, if: (a) the Property/improvements by reason of such occurrence are rendered wholly un-tenantable or (b) the Property/improvements should be damaged as a result of a risk which is not covered by Tenant's insurance, or (c) the Property should be damaged in whole or in part during the last year of the term or of any renewal hereof, or (d) the Property/improvements of which it is a part should be damaged to the extent of greater than fifty percent (50%) or more of the then monetary value thereof, or (e) any or all of the building or other improvements on the Property are damaged to an extent that the same cannot in the sole reasonable judgment of Owner be operated then and in any such event, Owner may cancel this Lease by notice of cancellation within sixty (60) days after such event and thereupon this Lease shall expire and Tenant shall vacate and surrender the Property to Owner after removing the building/improvements and returning the Property to the condition thereof as of the Commencement Date. Tenant's liability for rent upon the termination of this Lease shall cease as of the day following the event giving rise to Owner's giving notice of cancellation. Unless this Lease is terminated by Owner, Tenant shall repair the building/improvements on the Property in a manner and in at least a condition equal to that existing prior to the destruction or casualty and the proceeds of all insurance carried by Tenant on its property and fixtures shall be held in trust by Tenant for the purpose of said repair(s).

15. CONDEMNATION

15.1 Total Condemnation. If the whole of the Property shall be acquired or taken by condemnation proceeding, then this Lease shall cease and terminate as of the date of title vesting in such proceeding.

15.2 Partial Condemnation. If any part of the Property shall be taken as aforesaid, and such partial taking shall render that portion not so taken unsuitable for the business of Tenant, then this Lease shall cease and terminate as aforesaid. If such partial taking is not extensive enough to render the Property unsuitable for the business of Tenant, then this Lease shall continue in effect.

15.3 Award. Tenant shall not be entitled to and expressly waives all claim to any condemnation award paid to the Owner for any taking, whether whole or partial and whether for diminution in value of the leasehold or to the fee, although Tenant shall have the right, to the extent that the same shall not reduce Owner's award, to claim from the condemner, but not from the Owner, such compensation as may be recoverable by Tenant in its own right for damages to Tenant's building, improvements, business and fixtures.

15.4 Definition. As used in this section, the term "condemnation proceeding" means any action or proceeding in which any interest in the Property is taken for any public or quasi-public purposes by any lawful authority through exercise of the power of eminent domain or right of condemnation or by purchase or otherwise in lieu thereof.

16. EVENTS OF DEFAULT, REMEDIES

16.1 Default by Tenant. Upon the occurrence of any of the following events, Owner shall have the remedies set forth in this Lease.

(a) Tenant fails to pay any rental or any other sum due hereunder within ten (10) days after the same shall be due.

(b) Tenant fails to perform any other term, condition, or covenant to be performed by it pursuant to this Lease within ten (10) days after written notice of such default shall have been given to Tenant by Owner, or to commence performance of any term, condition or covenant which would take more than ten (10) days to complete.

(c) Tenant or its agent shall falsify any report required to be furnished to Owner hereunder.

(d) Tenant or any guarantor of this Lease shall become bankrupt or insolvent or file any debtor proceedings or have taken against such party in any court pursuant to state or federal statute, a petition in bankruptcy or insolvency, reorganization, or appointment of a receiver or trustee; or Tenant petitions for or enters into an arrangement; or suffers this Lease to be taken under a writ of execution.

(e) Tenant violates any provision of this Lease.

16.2 Remedies. Upon the occurrence of the events set forth in this Lease, Owner shall have the option to take any or all of the following action, without further notice of demand of any kind to Tenant or any other person:

(a) Collect by suit or other legal or equitable process, rent or other sum of money as it becomes due hereunder, or enforce, by suit or otherwise, any other term or provision hereof on the part of Tenant required to be kept of performed.

(b) Terminate Tenant's right to possession of the Property at any time. No act by Owner other than giving notice to Tenant of intent to terminate shall terminate the Tenant's right to possession. Upon termination, Owner may recover from the Tenant, in addition to any other remedy it may have, (i) the unpaid rent that had been earned at the time of termination of the Tenant's right to possession; (ii) the cost of recovering the leased Property; and (iii) the excess, if any, of rental due pursuant to the provisions of this lease for the remainder of the stated term over the then reasonable rental value of the lease Property for the remainder of the stated term, which amount shall be immediately due and payable by Tenant to Owner.

(c) The remedies given to Owner shall be in addition and supplemental to all other rights or remedies which Owner may have under laws then in force.

17. ACCESS TO PROPERTY

Owner or its duly authorized agent shall have the right to enter the Property at reasonable times to inspect the same. Owner shall make its best efforts to keep to a minimum any interference with Tenant, Tenant's business and customers as a result of Owner's exercise of any of its rights.

18. CONTRACTOR

With respect to each of Tenant's obligations under any provision of this Lease concerning construction repair and maintenance of the Property, the building or other improvements on the Property, the obligation shall be fulfilled either: (i) by Tenant's arranging to have the work accomplished by one (1) or more contractors licensed in the City of Grand Junction; and/or, at Owner's option; (ii) if, at the time Tenant is required to fulfill such obligation, it is the holder of a license authorizing it to act as a contractor within the City, by Tenant's participating in creation or construction of the improvements in the capacity of contractor. Any construction or building permits required for work on the Property, the building or other improvements shall be obtained by Tenant's contractor(s) prior to commencement of the work.

19. FINANCING

19.1 Subordination. Upon written request of Tenant to Owner, and conditioned upon receipt of non-disturbance agreements from the lienholders, Owner will subordinate its rights hereunder for a term of no more than 25 years to the lien of any mortgage or mortgages, or lien or other security interest resulting from any other method of financing or refinancing, now or hereafter in force against the building and and/or improvements hereafter placed upon the Property. The provisions of this section notwithstanding, so long as Tenant is not in default hereunder, this Lease shall remain in full force and effect for the full term and shall not be terminated as a result of any foreclosure or sale or transfer in lieu of such proceedings pursuant to a mortgage or other instrument to which Owner has subordinated its rights pursuant hereto.

19.2 Amendment. Owner agrees that from time to time, it shall, if so requested by Tenant, and if doing so will not substantially and adversely affect Owner's interest and the term is consistent with the Charter of the City, under this Lease, join with Tenant in amending the terms of this Lease so as to meet the reasonable needs or requirements of any lender which is considering furnishing or which has furnished financing to the Tenant.

20. ATTORNTMENT

In the event of the sale or assignment of Tenant's interest in the building on the Property, or in the event of any proceedings brought for the foreclosure of any mortgage or other security instrument made by Tenant covering the building/improvements, Tenant shall attorn to the assignee and recognize the Owner under this Lease, so long as the assignee assumes Tenant's obligations under this Lease.

21. RIGHT TO CURE

In the event of breach, default, or noncompliance hereunder by Tenant, Owner shall, before exercising any right of remedy available to it under this Lease, give Tenant written notice of the claimed breach, default, or noncompliance. For the thirty (30) days following the giving of the notice(s) required by the foregoing sentence of this section (or such longer period of time as may be reasonably required to cure a matter which, due to its nature, cannot reasonably be rectified within thirty (30) days, Owner and/or lender shall have the right to cure the breach, default, or noncompliance involved.

22. QUIET ENJOYMENT

Tenant, upon paying the rents and observing and performing all of the terms, covenants, and conditions on its part to be performed hereunder, shall peaceably and quietly enjoy the Property for the term hereof.

23. SURRENDER OF PROPERTY

At the expiration of this Lease, Tenant shall surrender the Property in as good condition as it was in upon delivery of possession thereto under this Lease, without the building or improvements, to Owner. Before surrendering the Property, Tenant shall remove all of its building(s) and improvements together with its personal property and fixtures and shall repair any damage caused by the removal thereof. If Tenant fails to remove its building(s) and improvements, personal property and fixtures upon the expiration of this Lease, the same shall be deemed abandoned and shall become the property of the Owner.

24. HOLDING OVER

Unless otherwise agreed to in writing by Owner and Tenant, if the Tenant retains possession of the Property or any part thereof after the termination of the term, such holding over shall be deemed unlawful occupancy and Tenant may be subject to removal in accordance with law. The Owner's costs, for which Tenant shall be liable are stipulated to be \$500.00 per day from the first day of the commencement of the holdover period, and Tenant shall remain liable for all other payments provided for hereunder, and such holding over shall be subject to all of the other terms and conditions of the Lease. In addition, Tenant stipulates and agrees to pay the Owner for all damages, consequential as well as direct, sustained by Owner resulting from or arising out of Tenant's possession and the process of eviction of the Tenant. No such holding over shall be deemed to constitute a renewal or extension of the term of the Lease.

25. ATTORNEY'S FEES

In the event that at any time during the term of this Lease, either Owner or the Tenant institutes any action or proceeding against the other relating to the provisions of this Lease or any default hereunder, then

the unsuccessful party in such action or proceedings agrees to reimburse the successful party for the reasonable expenses of such action including reasonable attorneys' fees, incurred therein by the successful party.

26. PAST DUE SUMS

If Tenant fails to pay, when the same is due and payable, any rent or other sum required to be paid by it hereunder, such unpaid amounts shall bear interest from the due date thereof to the date of payment at the rate of fifteen percent (15%) per annum. Notwithstanding the foregoing, however, Owner's right concerning such interest and service fee shall be limited by the maximum amount which may properly be charged by Owner for such purposes under applicable law.

27. MISCELLANEOUS PROVISIONS

27.1 No partnership. Owner does not by this Lease, in any way or for any purpose, become a partner or joint venturer of Tenant in the conduct of its business or otherwise.

27.2 Force Majeure. Owner and Tenant shall be excused for the period of any delay in the performance of any obligations hereunder (except as to the payment of rent) when prevented from so doing by cause or causes beyond said party's control, including labor disputes, civil commotion, war, governmental regulations or controls, fire or other casualty, inability to obtain any material or services, or acts of God.

27.3 No Waiver. Failure of a party to insist upon the strict performance of any provision or to exercise any option hereunder shall not be deemed a waiver of such breach. No provision of this Lease shall be deemed to have been waived unless such waiver be in writing signed by the party making the waiver.

27.4 Notices. Any notice, demand, request, or other instruments which may be or is required to be given under this Lease shall be delivered in person or sent by United States certified or registered mail, postage prepaid, and shall be addressed (a) if to Owner, at the place specified for payment of rent, and (b) if to Tenant, either at the Property or at any current address for Tenant which is known to Owner. Either party may designate such other address as shall be given by written notice. Such notice, demand, request, or other instrument shall be deemed delivered effective as of the third day after the day on which it was mailed pursuant hereto.

To Owner: City Manager

c/o City of Grand Junction

250 N. 5th Street

Tenant: Executive Director

c/o Colorado Discover Ability

599 Struthers Avenue

27.5 Recording. This Lease shall be recorded in the land title records of, with and for Mesa County.

27.6 Partial Invalidity. If any provision of this Lease or the application thereof to any persons or circumstances shall to any extent be invalid, the remainder of this Lease or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby and each provision of this Lease shall be valid and enforced to the fullest extent permitted by law.

27.7 Tenant Defined; Use of Pronouns. The word "Tenant" shall be deemed and taken to mean each and every person or party executing this document as a Tenant herein. If there is more than one (1) Tenant, any notice required or permitted by the terms of this Lease may be given by or to anyone thereof, and shall have the same force and effect as if given by or to all thereof. The use of the neuter singular pronoun to refer to Owner or Tenant shall be deemed a proper reference even though Owner or Tenant may be an individual, partnership, corporation, or group of two (2) or more individuals or corporations. The necessary grammatical changes required to make the provisions of the Lease apply in the plural sense where there is more than one (1) Owner or Tenant and to corporations, associations, partnerships, or individuals, males or females, shall in all instances be assumed as though in each case fully expressed.

27.8 Provisions Binding. Except as otherwise provided, all provisions herein shall be binding upon and shall inure to the benefit of the parties, their legal representatives, heirs, successors and assigns. Each provision to be performed by Tenant shall be construed to be both a covenant and a condition, and if there shall be more than one (1) Tenant, they shall all be bound jointly and severally, by such provisions. In the event of any sale or assignment (except for purposes of security or collateral) by Tenant of this Lease, Owner's interest shall automatically pass to Tenant's successor in interest.

27.9 Entire Agreement. This Lease and the exhibits attached hereto, set forth the entire agreement between the parties. All exhibits mentioned in this Lease are incorporated herein by reference. Any prior conversations or writings are merged herein and extinguished. No subsequent amendment to this Lease shall be binding upon Owner or Tenant unless reduced to writing and signed by both parties. Submission of this Lease for examination does not constitute an option for the Property and becomes effective as a lease only upon execution and delivery thereof by Owner to Tenant. The captions and section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any section or paragraph.

27.10 Governing Law. This lease shall be governed by the laws of the City of Grand Junction, State of Colorado.

28. AUTHORITY OF SIGNATORIES

Each person executing this Lease individually and personally represents and warrants that he is duly authorized to execute and deliver the same on behalf of the entity for which he is signing (whether it be a corporation, general or limited partnership or otherwise) and that this Lease is binding upon said entity in accordance with its terms.

29. RULES AND REGULATIONS

Tenant's substantial failure to keep and observe all rules and regulations shall constitute a breach of the terms of this Lease in the same manner as if the rules and regulations were contained herein as covenants. In the case of any conflict between rules and regulations and this Lease, this Lease shall be controlling.

30. INSPECTION

Tenant agrees that in taking this Lease, it is governed by his own inspection of the Property and his own judgement of the desirability and suitability of it for its purposes, and has not been governed or influenced by any representation of the Owner as to the condition and character of the Property, or as to the tenantability thereof; that no agreements, stipulations, reservations, exceptions, or conditions whatsoever have been made or entered into in regard to said Property or this Lease, which will in any way vary, contradict or impair the validity of this Lease or of any of its terms and conditions, and that no modification of this Lease shall be binding unless it be in writing and executed and acknowledged in due form for recording by all of the parties hereto. Furthermore, Tenant takes this Lease and the demised Property subject to all recorded easements and restrictions affecting the occupation and use thereof, and subject to all statutes, ordinances and regulations affecting the occupancy and use thereof, the construction and maintenance of improvements thereon, and the businesses and occupations to be engaged in by Tenant, in force now and subsequently during the term of this lease.

IN WITNESS WHEREOF, the parties have executed this Lease as of the date hereof.

TENANT: Colorado Discover Ability

By: _____

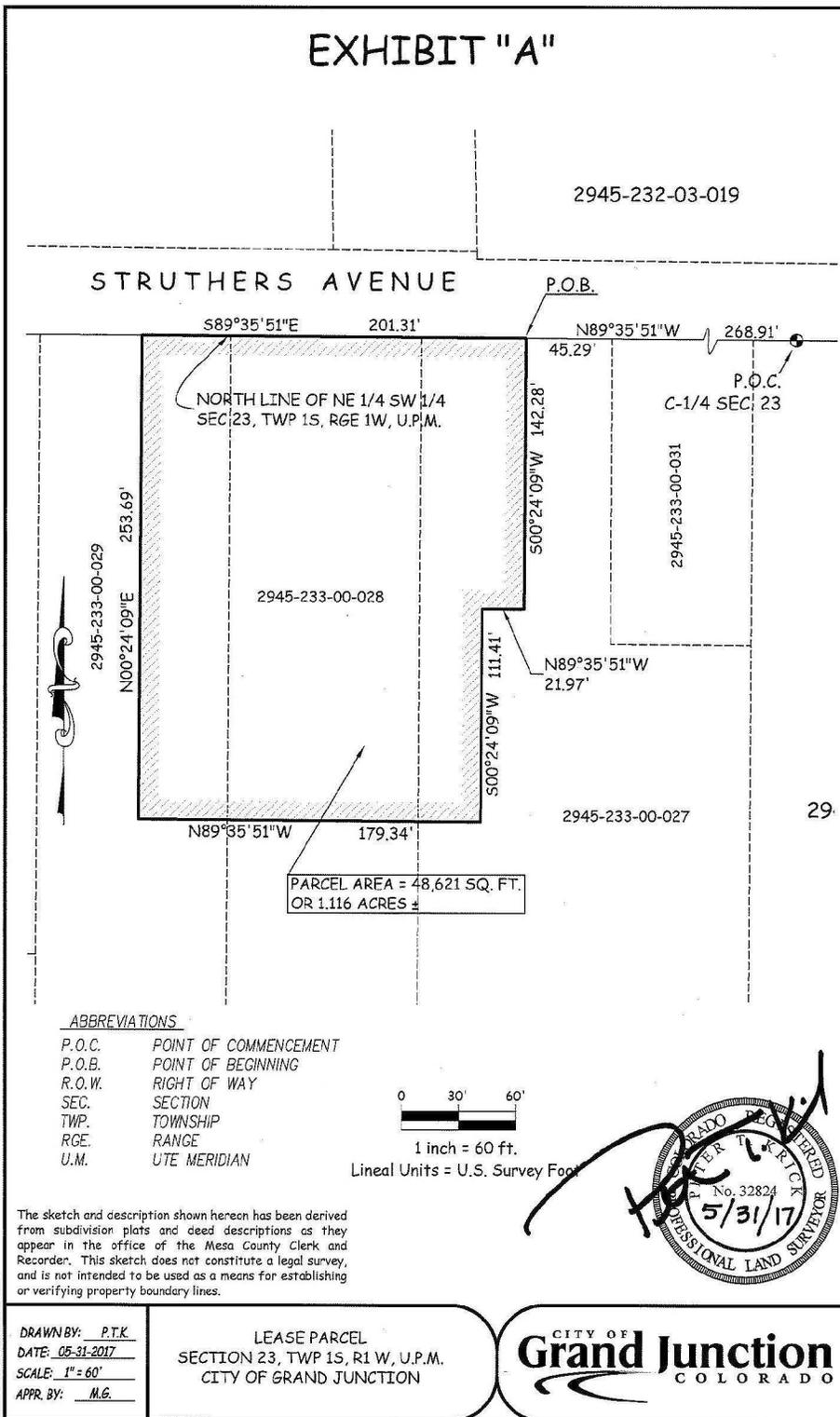
Date: _____

OWNER: City of Grand Junction

By: _____

Date: _____

EXHIBIT "A"





Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: June 7, 2017

Presented By: Kathy Portner, Planning Manager

Department: Community Development

Submitted By: Kathy Portner, Planning Manager

Information

SUBJECT:

Ordinance Adopting a Civic and Institutional Master Plan for Colorado Mesa University and Conditional Right-of-Way Vacation in Accordance with the Master Plan

RECOMMENDATION:

Planning Commission recommended denial (4-1) at their May 23, 2017 hearing.

EXECUTIVE SUMMARY:

A request to approve an Institutional and Civic Master Plan for Colorado Mesa University and approval of an administrative process for future vacations of right-of-way interior to the campus once certain conditions are met.

BACKGROUND OR DETAILED INFORMATION:

Section 21.02.190 of the Zoning and Development Code sets forth a process to consider Master Plans for major institutional and civic facilities that provide a needed service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan (attached) provides an overview of CMU's future long term objective to expand the existing main campus westward toward N. 7th Street.

In conjunction with the Master Plan, CMU is requesting an administrative review process for future vacations of right-of-way interior to the campus, shown within the red outlined area on the following map, once certain conditions are met. Colorado Mesa University requests the vacation of alley and street right-of-ways in order to aid in the continued westward expansion efforts planned for the campus. Currently, the requests occur piecemeal as CMU acquires properties on both sides of any given right-of-way.

CMU owns the vast majority of the property shown within the “2017 Master Plan” boundary, outlined in red and sections of right-of-way have already been vacated. All past vacations required that CMU own on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements. All City utilities are subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus.

Neighborhood Meeting:

A Neighborhood Meeting was held on March 6, 2017 with 24 area residents along with representatives from Colorado Mesa University and City staff were in attendance. President Foster presented an overview on the growth of the CMU campus. Most questions were on current projects being built on campus and on property acquisition timelines. A concern was raised about maintaining access to private property when right-of-way on either side was vacated. President Foster indicated that access is required to be maintained by CMU.

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

Colorado Mesa University’s Master Plan helps to maintain and enhance the Grand Valley as a regional center and supports infill and redevelopment focused in the City Center. CMU supports the following goals of the Comprehensive Plan:

Goal 4: Support the continued development of the the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

Section 21.02.190 of the Zoning and Development Code sets forth a process to consider Master Plans for major institutional and civic facilities that provide a needed service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan (attached) provides an overview of CMU’s future long term objective to expand the existing main campus westward toward N. 7th Street.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Colorado Mesa University application, FMP-2017-118 for an Institutional and Civic Facility Master Plan, the following findings of fact and conclusions have been determined:

1. The requested Institutional and Civic Facility Master Plan, including the vacation of right-of-way, is consistent with the goals and policies of the Comprehensive Plan,

specifically Goals 4 and 12.

2. The applicable review criteria in Section 21.02.190 (c) and 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.

3. The foregoing Recitals are incorporated herein and made a part hereof.

4. Right-of-way vacation in the identified planning area is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:

a. CMU must own properties on both sides of the right-of-way (streets and/or alleys) to be vacated; and,

b. Private easement agreements must be provided to benefit any remaining privately owned property(ies) where access to the property(ies) is or may be claimed by the owner(s) to be compromised by the vacation; and,

c. CMU shall plan for and propose circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,

d. All City utilities shall be subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus; and,

e. CMU shall dedicate as applicable necessary utility easements to Xcel Energy and/or other utility providers.

5. Notice shall be given of all vacation petition decisions right-of-way vacations in the designated Master Plan area and exceptions to the Director's decision shall be forwarded to the City Council for record review as provided in this Ordinance and the Recitals thereto.

FISCAL IMPACT:

Council has directed staff to evaluate on a case by case basis the value of selling Right-of-Way (ROW) at the time of a vacation request. ROW recently acquired by the City has been valued at \$5.00 to \$6.00 per square foot. The value of ROW will be determined at the time each vacation request is made; however, based on past City Council direction, the City has not been compensated for vacated ROW.

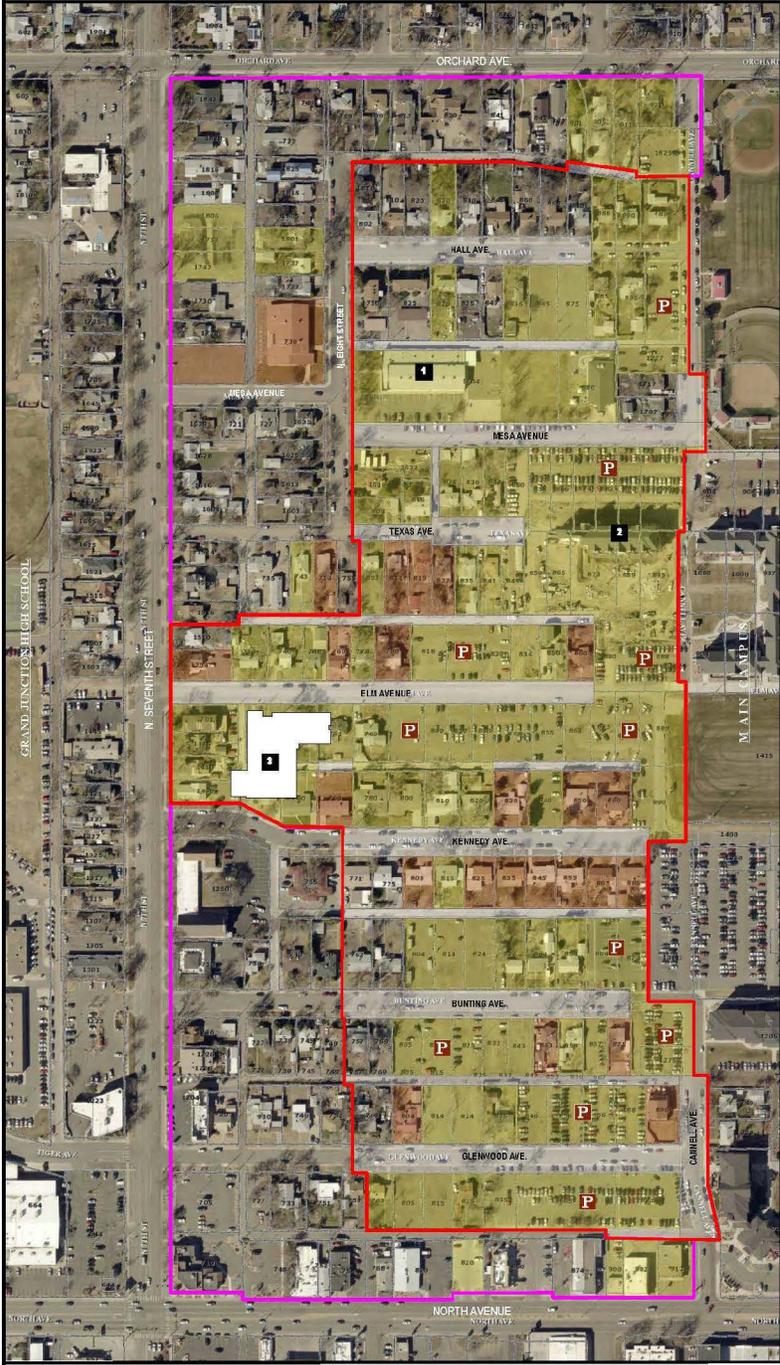
SUGGESTED MOTION:

I move to (approve/deny) Ordinance No. 4754 - An Ordinance Adopting a Civic and Institutional Master Plan for Colorado Mesa University and Conditional Right-of-Way Vacation in Accordance with the Master Plan, Located in the Colorado Mesa University Area (Generally 7th to Cannell Streets and North to Orchard Avenue) on final passage and order final publication in pamphlet form.

Attachments

1. 2017 West Campus Master Plan Map
2. 2017 West Campus Master Plan Document
3. Planning Commission Staff Report
4. Draft Planning Commission Minutes
5. Proposed Ordinance

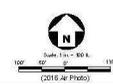
COLORADO MESA UNIVERSITY 2017 WEST CAMPUS MASTER PLAN



- 2017 Master Plan Boundary
- Future Master Plan Amendment(s) Boundary
- Property Owned by CMU
- Short Term Property Acquisitions by CMU
- Existing Street and Alley To Be Vacated
- P Parking
(Change to Future Change)
- 1 Protected Development Leader
(Include Construction)
- 2 Wildlife Habitat
- 3 Existing Building
(Include Construction)

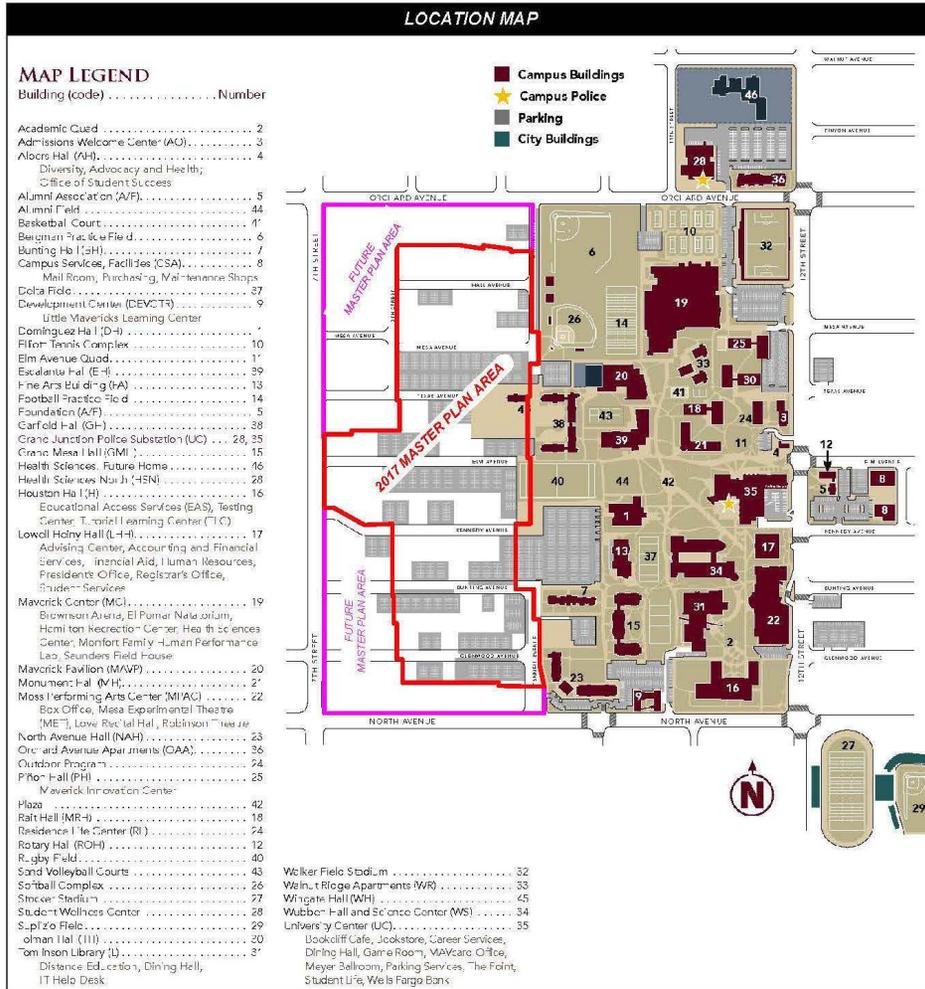
2017 MASTER PLAN LAND USE SUBSUMPTION		
USE	AREA (SQ. FT.)	% of TOTAL
Property Owned by CMU ¹	22.6	07.3
Short Term Property Acquisitions	3.0	9.0
Existing Street & Alley To Be Vacated	7.6	22.0
Property Not Owned by CMU	22.5	67.3
2017 Master Plan Boundary	36.5	100.0
Future Master Plan Area	22.9	

¹ Does include 2.8 ac. in Future Master Plan Area
² Approximate Area Calculation





LOCATION



INTRODUCTION

REQUEST – This application is a request in accordance with Section 21.02.190, Institutional and Civic Facility Master Plans, contained within the Grand Junction Municipal Code (GJMC) by Colorado Mesa University (CMU). According to the GJMC, “The purpose of a master plan review process is to provide an opportunity for the early review of major institutional and civic facilities that provide a needed service to the community, but might impact the surrounding community.” A specific element of this application includes a provision to allow CMU to handle future street and alley vacation requests as an administrative review process, thus, eliminating the need for public hearings resulting in a considerable processing and City staff time savings.

GENERAL – The information contained within this narrative statement is intended to provide an overview of CMU’s future long term objective to expand the existing main campus westward towards North 7th Street. Because of the nature of the future expansion efforts, this 2017 Master Plan area is broken into two areas; 2017 and Future Master Plan area. The Future Master Plan area will be submitted as a separate public review process, in the distant future, once CMU can forecast their long terms needs.

EXISTING CONDITIONS

EXISTING and SURROUNDING LAND USE – The dominate land uses in the 2017 West Campus Master Plan area is single family dwellings on small lots that are interspersed with various CMU activities. An Existing and Surrounding Land Use Map can be found on the following page. The map depicts the location of the land uses in relationship to the 2017 West Campus Master Plan.

EXISTING AND SURROUNDING LAND USE MAP



LAND USE ZONING – An examination of the Grand Junction Zoning Map reveals that the majority of the property within the Master Plan boundary is zoned: R-8, (Residential Multi Family). A patchwork of “CSR” (Community Services Recreational) zone designation for the main CMU campus can be found east of the master plan area.



FUTURE LAND USE PLAN – In 2010 the City adopted a Comprehensive Land Use Plan. According to the plan, “it is an Outline document but not a regulatory document; it is a basis for other actions and regulations, such as zoning and subdivision regulations. While zoning is regulatory and is applied to parcels, the future land use map designation of the Comprehensive Plan respond to topography and other context-sensitive considerations to give direction on how uses should be arranged on the land and what types of zoning may be appropriate”. The plan indicates several future land use designations that are designated as:

Residential Medium/High

Residential Medium

Neighborhood Center

The plan also includes a Business Park Mixed Use for the adjoining main CMU campus.

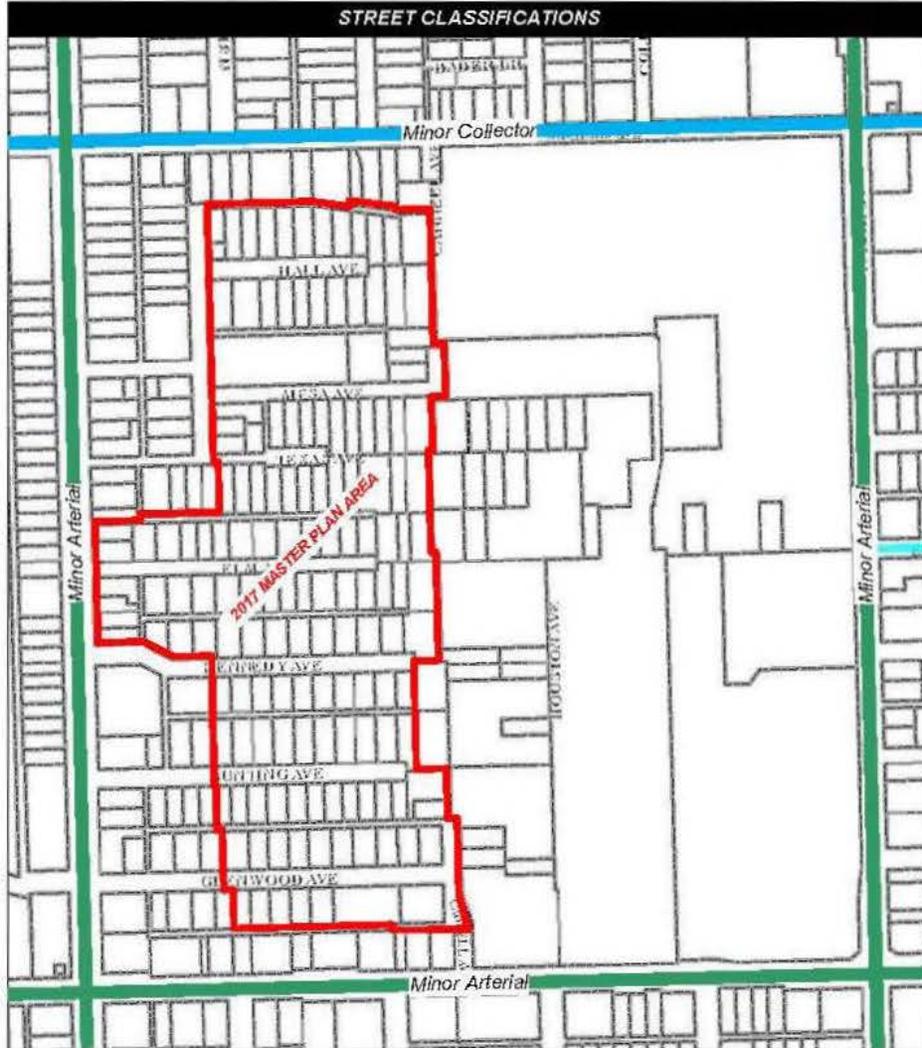


ACCESS - Since the Master Plan area is bounded by public roadways on three sides there are numerous access points to the property. All of the existing streets are fully improved and as is the case with most roadways in the City they are well maintained and in good condition. Because North Avenue is also a State highway, access onto and off of the street is administered by the Colorado Department of Highways.

The City has adopted a *Grand Valley Circulation Plan* (GVCP). The primary purpose of the GVCP serves to identify both major and minor routes for circulation and connectivity in the Grand Junction vicinity. All of the streets within the master plan boundary are designated as “Local”. The plan indicates the following classifications for the adjoining streets:

North Avenue - Minor Arterial
North 12th Street - Minor Arterial
Orchard Avenue - Major Collector

North Avenue is a primary east/west link across the City's core area. North 12th Street services as an important connection between downtown Grand Junction the Horizon Drive area and Interstate 70.



WEST CAMPUS MASTER PLAN

A study of the accompanying 2017 West Campus Master Plan boundary revealed the following:

- CMU owns, or will own, approximately 66.9 percent of the land area at this time.
- Approximately 5.5 areas remain to be acquired in the future.
- The largest single parcel in the boundary area, owned by CMU, is approximately 1.5 acres.

2017 West Campus Master Plan LAND USE SUMMARY				
TOTAL MASTER PLAN PARCELS	PARCELS OWNED BY CMU	SHORT TERM CMU PARCEL ACQUISITIONS	PARCELS OWNED BY OTHERS	AREA IN STREETS and ALLEYS
152/39.5 ac.	108/22.6 ac.	22/3.8 ac.	22/5.5 ac.	7.6 ac.

A specific element of this application includes a provision to allow CMU to handle future street and alley vacation requests as an administrative review process, thus, eliminating the need for public hearings resulting in a considerable processing and City staff time savings. The existing criteria within the GJMC will continue to be used for the evaluation of the future vacation request. The surrounding land owners will continue to be notified of requested vacations by mail and on-site signage.

Since 2014 the university has processed and received City acceptance of five separate street any alley vacation requests within the master plan area. A summary of the prior requests follows:

YEAR	DESCRIPTION	AREA
Jan. 2014	Parts of: Cannell Av., Elm Av., 2 alleys	1.2 ac.
Apr. 2015	Parts of: Cannell Av., Hall Av., Elm Av., Kennedy Av., Bunting Av., 5 alleys	2.9 ac.
Feb. 2016	Parts of: 1 alley	0.1 ac.
Jul. 2016	Parts of: 2 alleys	0.1 ac.
Aug. 2016	Parts of: Texas Av., 1 alley	0.3 ac.

An estimated time comparison between the current vacation process for CMU and the requested administrative review process follows:

During 2011 Mesa State College (now known as: Colorado Mesa University) prepared a *Program Plan, West Expansion Project* in accordance with the Colorado Commission on Higher Education guidelines. The plan provided an overview of demographics, past and future enrolment growth, anticipated facility needs forecasted to 2035. An abridged version of the plan can be found in APPENDIX "A".

EVALUATION OF REQUEST

Evaluation of the request is accomplished by using the criteria in Chapter 21.02.19, Institutional Civic Facilities Master Plan, in the *Grand Junction Municipal Code*. The following responses to each of the criteria illustrate compliance:

(c) *Approval Criteria. In reviewing a master plan, the decision-making body shall consider the following:*

(1) *Conformance with the Comprehensive Plan and other area, corridor or neighborhood plans;*

RESPONSE: The Comprehensive Plan states, "CMU as a key component of Grand Junction's status as a Regional Center that helps train workers for local employment, attracts students that contribute to the local economy, is a significant employer in its own right and brings recreational and cultural activities that appeal to the whole community." The plan also includes Special Use Overlay for CMU that is intended to allow adequate space around the college to accommodate school facility expansion as well as associated businesses (book stores, retail establishments, offices, etc.), restaurants and residential uses. The West North Avenue Corridor Plan will serve a guiding document for future growth within the West Campus area adjacent to the roadway.

(2) *Conformance with the Grand Valley Circulation Plan and general transportation planning requirements;*

RESPONSE: According to the major street plan the subject streets within the master plan boundary are classified as: local streets. The ultimate elimination of the existing local street and alley connections to the surrounding arterial roadways will enhance the capacity and improve safety along them.

(3) *Adequate parking, adequate stormwater and drainage improvements, minimization of water, air or noise pollution, limited nighttime lighting and adequate screening and buffering potential;*

RESPONSE: Other than the current construction of the Engineering Building, specific future improvements with the West Campus area have not be determined at this time. It is anticipated that the future improvements will be accomplished in the same manner as those that exist in the main campus area where the items included in this criteria have been historically met.

(4) *Adequacy of public facilities and services; and*

RESPONSE: The master plan area lies with the "City Center" area identified within the Comprehensive Plan. Because of this all public facilities and services exist and have available capacity to accommodate the anticipated growth within the West Campus Master Plan.

(5) *Community benefits from the proposal.*

RESPONSE: In addition the response in Approval Criteria (1) above, a primary benefit to the community is CMU's positive economic impact to the community. In 2017 CMU conducted an economic impact analysis (APPENDIX "B"). The analysis concluded a profound positive impact not only to the City. But, a major portion of the Western Colorado region. Results of the study revealed that the direct and indirect spending conservatively approaches \$450.0 million on an annual basis.

APPENDIX



MESA STATE COLLEGE

PROGRAM PLAN

WEST EXPANSION PROPERTY ACQUISITION PROJECT

APRIL 8, 2011



C H A M B E R L I N
A R C H I T E C T S

PREFACE

The project described herein continues the activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and, beginning in 2004 with the approval of the “House Demolition and Ground Recovery Project” program plan, began gifting the properties to the College. Originally the 2004 program plan was expected to take 15 years to complete; however, with only five remaining properties to be acquired, it is approaching its successful completion in half the time. This coupled with the unprecedented enrollment growth that has occurred during this time period places the College in a position where it needs to proceed with phase two its land expansion plan. Approval of this program plan will authorize the Foundation to acquire the additional properties described herein.

Coordinators for this project were Pat Doyle, Vice President, Finance and Administrative Services, Derek Wagner, Director, Strategic Initiatives, Kent Marsh, Director of Facilities Services; and Andy Rodriguez, Director of Purchasing. Program plan documentation was accomplished by Ed Chamberlin, Chamberlin Architects, Campus Architect. This document has been approved by Tim Foster, President of Mesa State College, as well as by the senior administration of the College.

This document responds to the outline requirements of CCHE policy Section III.E, *Guidelines for Facilities Program Planning* last revised April 5, 2001. Some outline sections have been omitted because the project does not deal with new capital construction or building renovation.

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EXECUTIVE SUMMARY

It is the purpose of this project to consolidate activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and giving it to the College through Foundation, Trustee, Colorado Commission on Higher Education, and Legislative actions. The College now needs to be able to accept the gift of additionally acquired properties and to consolidate those and prior associated properties into useful capital construction expansion sites.

This project is necessitated by the continued growth of Mesa State College. In the past ten years, unduplicated fiscal year FTE has increased from 4302 to 6555 or 52.4%. Likewise, unduplicated fiscal year headcount has grown from 5212 to 8131 or 56.0%. These figures indicate a growth rate of almost 4.5% per year.

The specific additional property being considered by the College by its Foundation consists of 214 residential lots, 2 churches, and 21 commercial properties comprising a total of 77.3 acres. Other property that is being given to the College consists of city streets and alleys that will become within the College boundaries.

The land gifts are part of the Land Acquisition Project begun in 1999 with donations from the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals. The original acquisition project was identified in the 1999 *Mesa State College Facilities Master Plan*. This project will allow for the acceptance of gifted properties within specified boundaries which have yet to be acquired by the College, the Mesa State College Foundation, or through subsequent capital construction projects. The boundaries for the main campus will be North Avenue on the south, Orchard Avenue on the north, Seventh Street on the west, and with the addition of one block east of 12th Street, 12th Street on the east. There are also two other large tracts that, if they become available, will be valuable additions to the campus. These are at the northwest and southeast corners of 12th and Orchard.

Consolidation of the properties into useful sites will consist of demolition of the existing structures and surveying and replatting of the individual lots, streets, and alleys into one parcel that belongs to the College. Existing structures include those being donated to the College under this project as well as those yet to be acquired by the Foundation. The consolidated parcel will then be available for construction of temporary parking lots and green spaces, provide ongoing revenue sources and sites for significant campus expansion projects.

The project will be self-financed over time by the College through the use of cash exempt funds and donations. As those funds become available, parts of the project will be finished. No endowment is included with the gifted properties. It is understood that the College will maintain them within its own budgeted resources.

PROGRAM INFORMATION

DESCRIPTION OF THE PROGRAM

For the past several years, Mesa State College has been increasing its enrollment. In 1996, it was recognized that this enrollment growth would require additional land and facilities, placing its main campus in need of a significant boundary expansion. Since approval of the *Mesa State College Facilities Master Plan* in 1999, the Mesa State College Foundation with the help of the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals, has acquired several properties to help meet expansion needs. The Foundation has already gifted many of these to the college. The project described herein continues this gifting process that began in 2004. The project gives additional properties to the college in accordance with current and future facilities master plan needs.

HISTORY, ROLE AND MISSION, NEEDS AND TRENDS

Mesa State College's current role and mission:

There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate and specialized graduate institution with moderately selective admission standards. Mesa state college shall offer liberal arts and sciences, professional and technical degree programs and a limited number of graduate programs. Mesa state college shall also maintain a community college role and mission, including career and technical education programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area. Mesa state college shall also serve as a regional education provider.¹

As regional education provider, Mesa State College serves 14 counties in western Colorado. The region's population continues to grow, providing the College with additional students every year. According to the State's Demographic Office, all of the counties in Mesa State's region have grown and will continue to grow.² (The period in question is from 2000 to 2040 for 15 to 25 year olds. These dates are the period analyzed for the *Mesa State College Facilities Master Plan*.) Historically, well over half of the College's enrollment comes from this region.³ However, recent enrollment growth from outside Mesa County and outside Colorado has been dramatic. Non-resident student FTE has grown from 438 to 614 since 2007 – a 40% increase confirming the College's need for additional land to support its mission.

¹ Colorado Revised Statutes 23-53-101, College Established – Role and Mission.

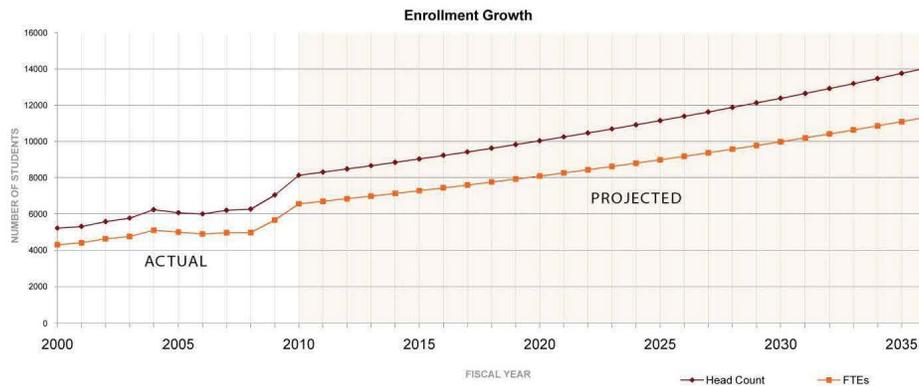
² Rather than reprint the demographic information within this document, the reader is referred to <http://dola.colorado.gov/demog/demog.cfm> for backup information from the Colorado Demography Office on the population trends for each county.

³ See Appendix A of this document for student demographic information.

RELATION TO ACADEMIC/STRATEGIC PLANS

Mesa State College anticipates continued enrollment growth. The *Mesa State College Strategic Plan*⁴ recognizes the need to balance sustainable growth with maintaining the institution's role as a regional education provider for 14 counties in western Colorado. With a focus on enhancing quality in the institution's programs, faculty, students, technology and facilities, sustainable enrollment growth is likely over the life of the plan. As financial support from the State of Colorado continues to dwindle, the institution is focused on strategic growth initiatives that enhance our competitiveness and strengthen our financial position.

The following graph presents enrollment growth, actual and projected, for the thirty-five year period from 2000 to 2035.



Using 2000 as the base year, the graph shows that for fiscal year 2010, the actual FTE of 6555 and actual headcount of 8131 represent a growth rate of over 2.1% and 4.5% respectively. The trend for both FTE and headcount is continued growth especially among out of town students who will need on-campus housing. The projection anticipates a growth rate of 2.125% per year.

The College is reevaluating its strategic planning documents in the light of the current economic climate in its current role and mission. However, it is known that, because of its designation as regional education provider for 14 counties, the College will need to be able to respond to the increasing educational needs of a growing western Colorado

⁴ <http://www.mesastate.edu/president/documents/StrategicPlan01-27-11.PDF>

population. It is anticipated that College growth and the subsequent need for additional land will continue.⁵

RELATION TO OTHER PROGRAMS OR AGENCIES

This program is integral to the college being able to fulfill its role and mission. Without the ability to expand the campus boundaries, the college will be limited in its ability to provide access to students outside of its immediate geographic location i.e. Mesa county. Having the capacity to continue to grow enrollment throughout Colorado and surrounding Western Undergraduate Exchange (WUE) states is key to the long term financial stability of the institution.

PROGRAM ALTERNATIVES

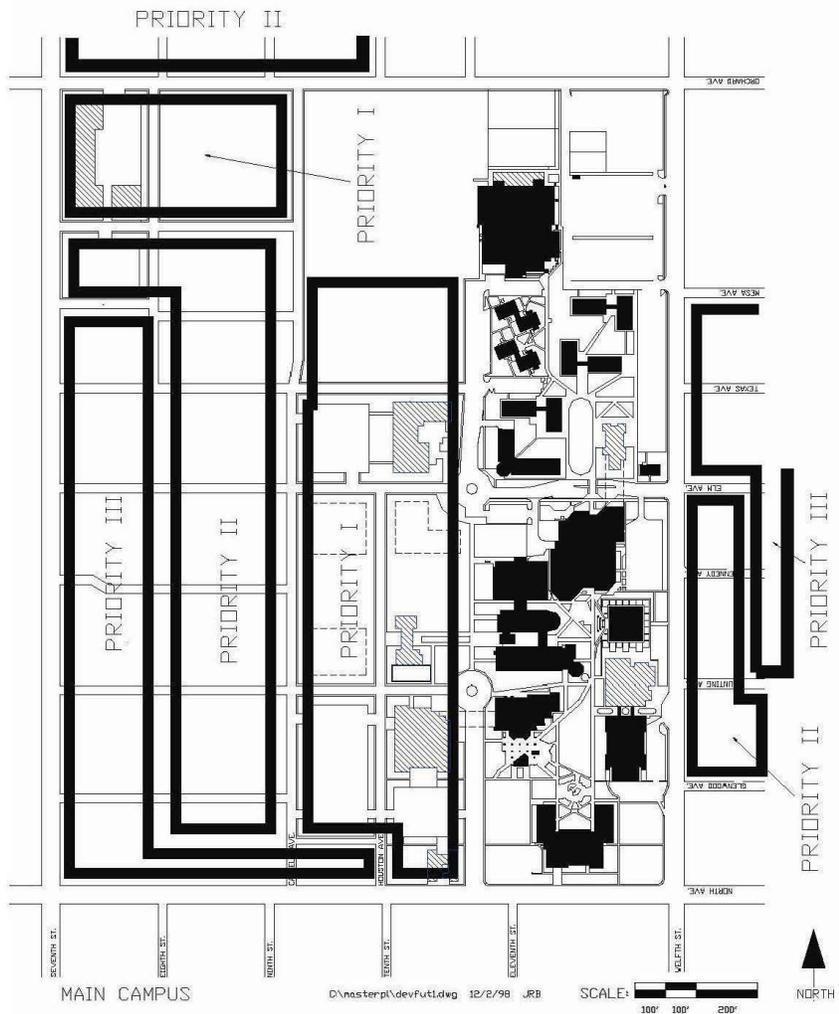
The only alternative to this project is to cap enrollment. This is not acceptable and contrary to the College's role and mission.

⁵ It should be noted that this Program Plan discusses only the needs of the main campus. Enrollment growth with subsequent land and facility needs are also anticipated for the UTEC and Montrose campuses.

FACILITIES NEEDS

TOTAL SPACE AND SITE REQUIREMENTS

Prior to the 2004 acquisition project, the main campus contained approximately 45 acres of land. The 1999 Facilities Master Plan identified several areas of potential expansion in accordance with the map shown below.⁶



⁶ This map is a reprint of that in the 1999 *Mesa State College Facilities Master Plan*, page 113.

The background of this map shows concepts developed for the 1999 Facilities Master Plan. Several of the capital building projects indicated with diagonal lines on the map have already occurred.

The 2004 House Demolition & Ground Recovery project added most of the property between Cannell and Houston. All but 5 lots within this area have been acquired as shown on the inserted graphic titled Property Acquisitions 2004-2011.

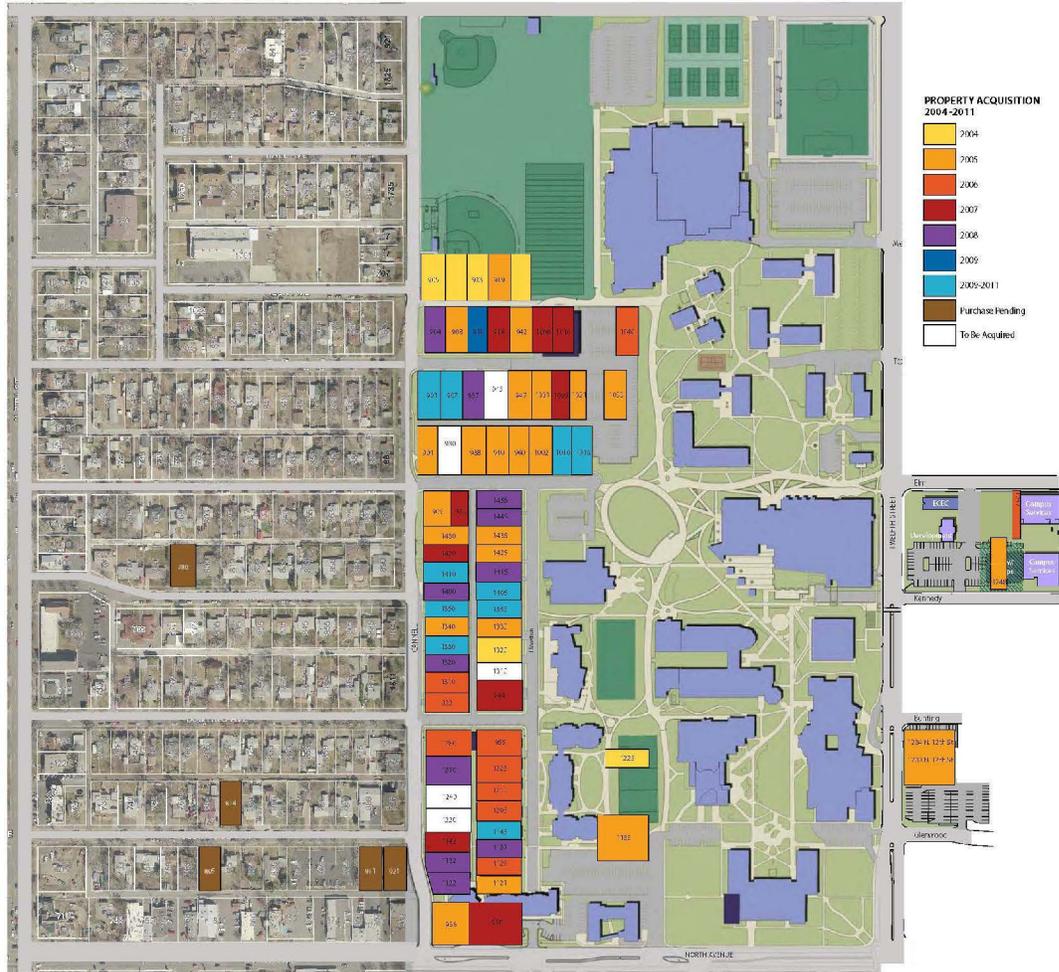
The second inserted graphic titled Acquisition Priorities shows the new priority areas. Priority I areas are those the college is actively trying to purchase. Priority II areas are those the college will pursue if they become available.

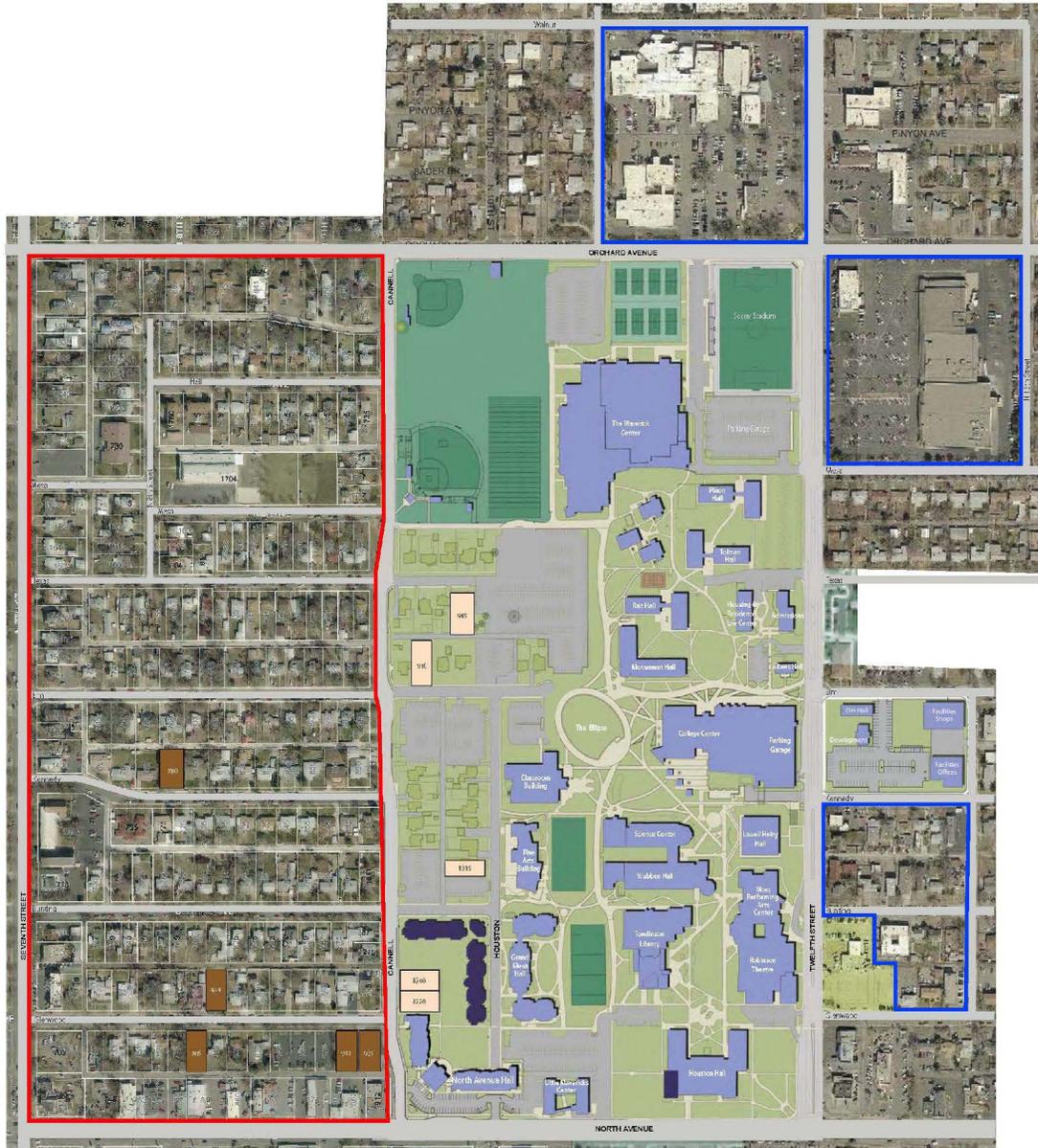


MESA STATE COLLEGE
 CAMPUS FACILITIES MASTER PLAN

PROPERTY ACQUISITION 2004-2011 April 6, 2011

C H A M B E R L I N
 A R C H I T E C T S





- Priority I (59 Acres)
- Priority II (27 Acres)
- Under contract April 12, 2011
- To be acquired w/in campus area

ACQUISITION OF REAL PROPERTY

Appendix B includes a listing of properties under consideration by the College. The list indicates the street address and parcel number.

The property locations are shown by their street address number. Within the Priority I area there are 214 single family houses most of which were constructed in the 1950's and 1960's. Some are vacant while others are rentals. There are also 20 commercial and church properties.

Following discussion with the City of Grand Junction the streets and alleys will be vacated and deeded to the College in sections at different times where property ownership surrounding the various rights-of-way has been completed.

PROJECT DESCRIPTION

Improvements:

As stated, it is the intention of this phase of the land acquisition project to establish complete new boundaries for the main campus of Mesa State College. The western boundary from North Ave. to Orchard Ave. will move from Cannell Ave to Seventh Street. The southern boundary of North Ave. will not change. The eastern boundary of 12th Street will also not change except for the area bounded by Orchard Ave., 13th Street, and Glenwood Ave. The northern boundary may include the Community Hospital property if it becomes available.

Once acquired, it is the intention of the College to replat the land parcels into one parcel belonging to the College, remove structures, and to prepare the ground for construction of College related facilities, parking areas, and green space in accordance with the *Mesa State College Facilities Master Plan*.

The first part of this project will consolidate all properties between Cannell Street, North Avenue, Seventh Street and Orchard Avenue, and within the block shown east of 12th Street. The maps on the next several pages show the campus after completion of incremental consolidation work on a five year basis. Once all structures have been demolished, the lots, streets, and alleys will be surveyed and replatted to identify one parcel belonging to the College.

Initially, the area will become either green space or temporary parking. Green space work will consist of leveling the ground and providing dust and weed control. As more houses are removed and large areas become available, the area will be covered with grass and sprinklered. Lights and appropriate sidewalks will also be provided. Temporary parking work will consist of leveling the ground and providing a gravel surface with dust and weed control, parking bumpers, parking control equipment, and appropriate lighting. Mature trees in good condition will be flagged and protected during construction.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

It will take a period of time to acquire all properties, remove all structures, and convert all areas to either parking or green space. All work under this program plan, whether designated as parking or green space, should be viewed as temporary, as all areas will serve as sites for future capital construction projects.⁷

The building areas, parking and land area requirements are based on projected enrollment by prorating approximate facilities in use today. A spreadsheet showing these projections follows.

Mesa State College													
Campus Expansion Projection											CHAMBERLIN ARCHITECTS		
April 7, 2011													
	2010-11 Factor			Growth	2015-16	Growth	2020-21	Growth	2025-26	Growth	2030-31	Growth	2035-36
Student Enrollment													
Main Campus only													
Headcount													
On Campus	1624	11%	5-year	180	1,804	200	2,004	222	2,226	247	2,473	274	2,747
Off Campus	6486	11%	5-year	719	7,205	799	8,004	887	8,891	986	9,877	1,095	10,972
Total	8,110			899	9,009	999	10,008	1,109	11,117	1,232	12,350	1,369	13,719
Buildings													
Main Campus only													
Academic	688,000	85 sf	per Student	76,272	764,272	84,727	848,999	94,120	943,119	104,554	1,047,673	116,145	1,163,818
Residence Halls	402,500	62 sf	per Student	44,621	447,121	49,568	496,689	55,063	551,752	61,167	612,919	67,948	680,867
Non-Academic	91,500	11 sf	per Student	10,144	101,644	11,268	112,912	12,517	125,429	13,905	139,334	15,447	154,781
Total	1,182,000	158	per Student	131,037	1,313,037	145,563	1,458,600	161,700	1,620,300	179,626	1,799,927	199,540	1,999,466
Parking													
Main Campus only													
Residential	1,056	65%	On Campus	117	1,173	130	1,303	144	1,447	160	1,607	178	1,786
Commuter	1,881	29%	Off Campus	209	2,089	232	2,321	257	2,578	286	2,864	318	3,182
Reserved													
Total				326	3,262	362	3,624	402	4,025	446	4,472	496	4,967
Land Area													
Main Campus only													
Total SF	3,189,330			353,569	3,542,899	389,719	3,932,618	432,588	4,365,206	480,173	4,845,379	532,992	5,378,370
Acres	73			8	81	9	90	10	100	11	111	12	123

⁷ Program Plans for future capital construction projects within the revised boundary areas will be submitted to CCHE for consideration and approval.

RELATION TO THE MASTER PLAN / OTHER PROJECTS

This project is part of “Project A1 – Land Acquisition, Main Campus” as described in the 1999 *Mesa State College Facilities Master Plan*, Volume 1, pages 114 – 116. In coordination with CCHE and the State of Colorado, Mesa State College has already accepted other properties under this project and will quite probably be working to accept additional properties as they become available within the priority areas established in this plan.



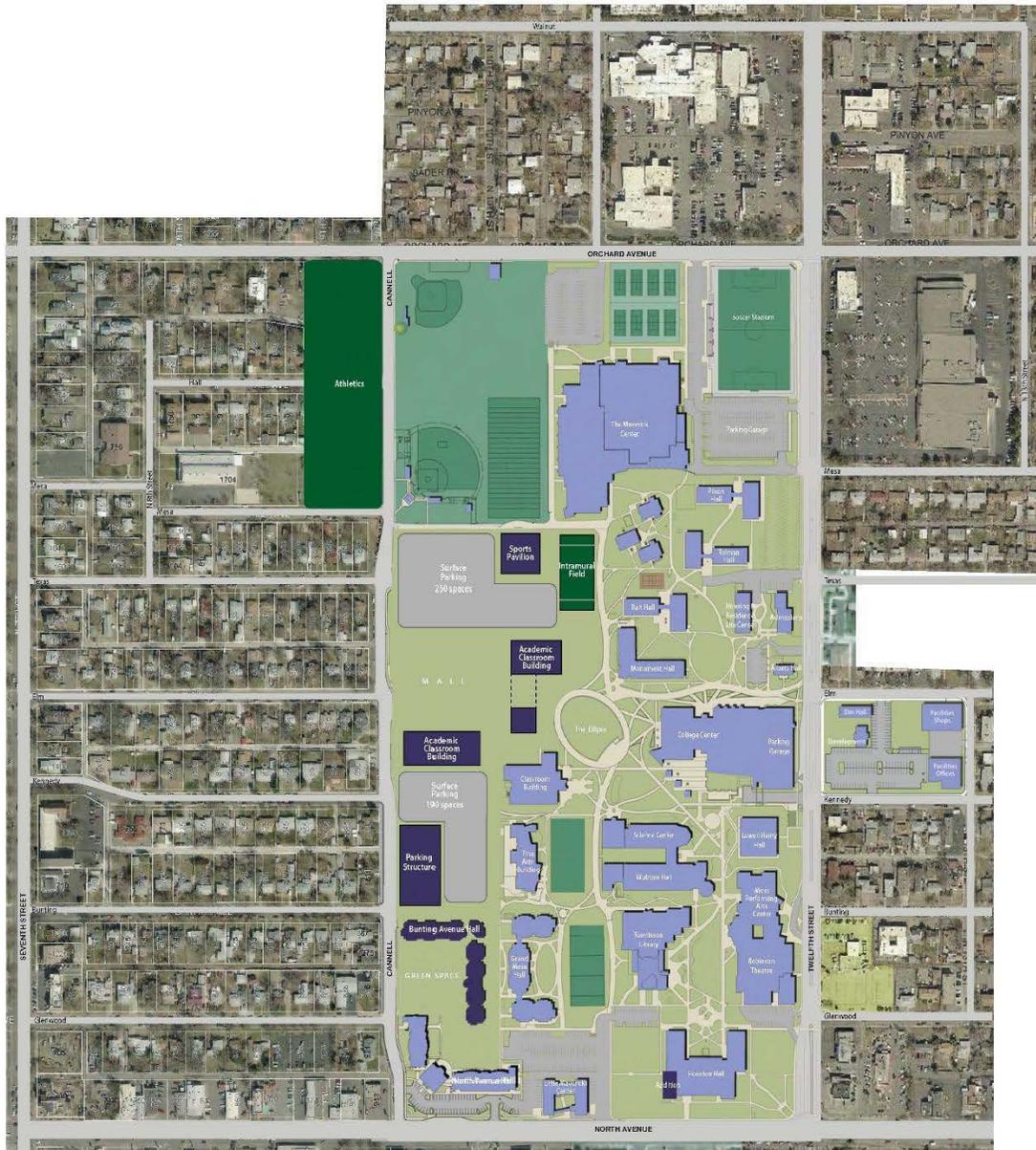
MESA STATE COLLEGE

CAMPUS FACILITIES MASTER PLAN

CAMPUS EXPANSION DRAFT
2015-16

C H A M B E R L I N
A R C H I T E C T S

April 6, 2011



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



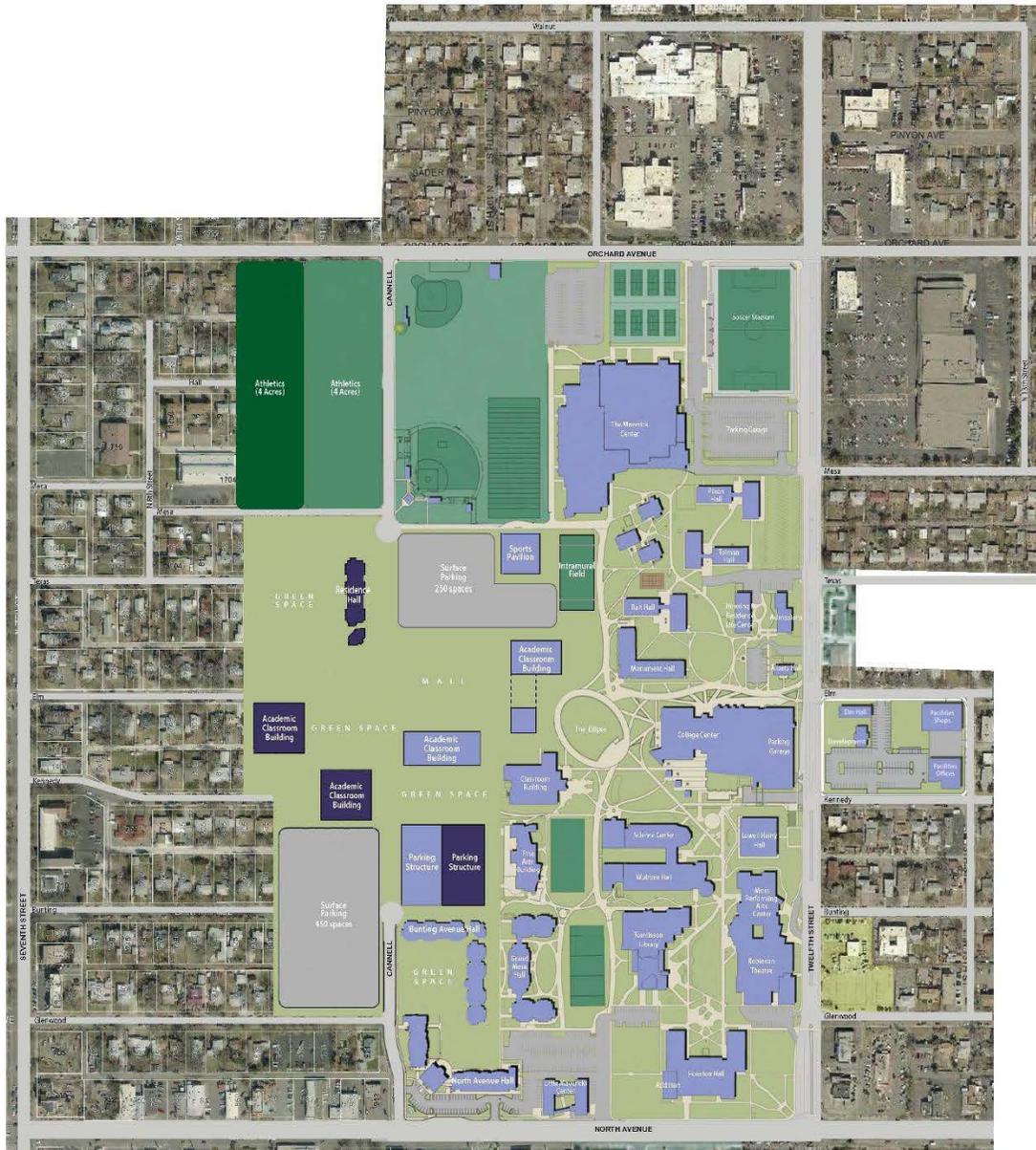
MESA STATE COLLEGE

CAMPUS FACILITIES MASTER PLAN

CAMPUS EXPANSION DRAFT
2020-21

C H A M B E R L I N
A R C H I T E C T S

April 6, 2011



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



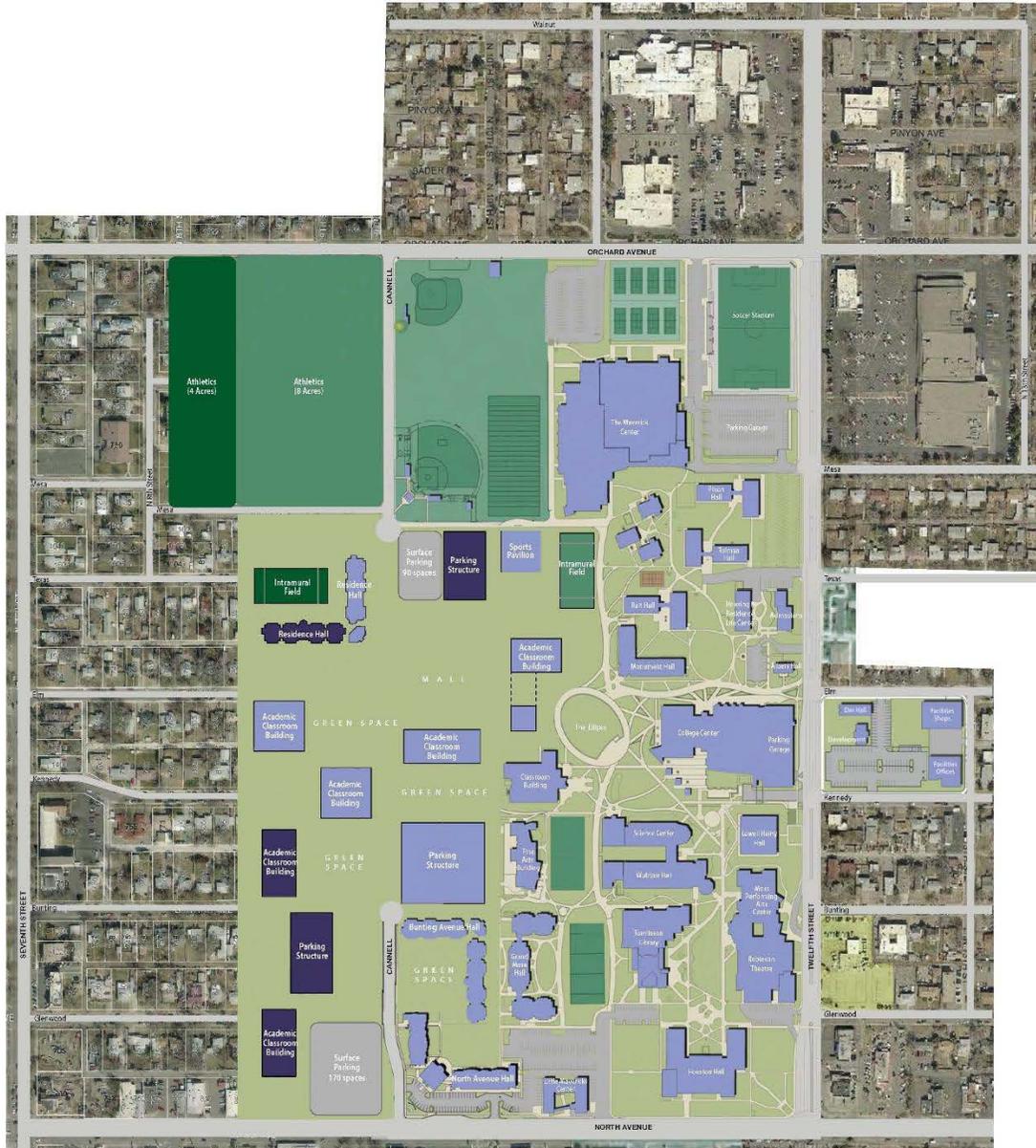
MESA STATE COLLEGE

CAMPUS FACILITIES MASTER PLAN

CAMPUS EXPANSION DRAFT
2025-26

C H A M B E R L I N
A R C H I T E C T S

April 6, 2011



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



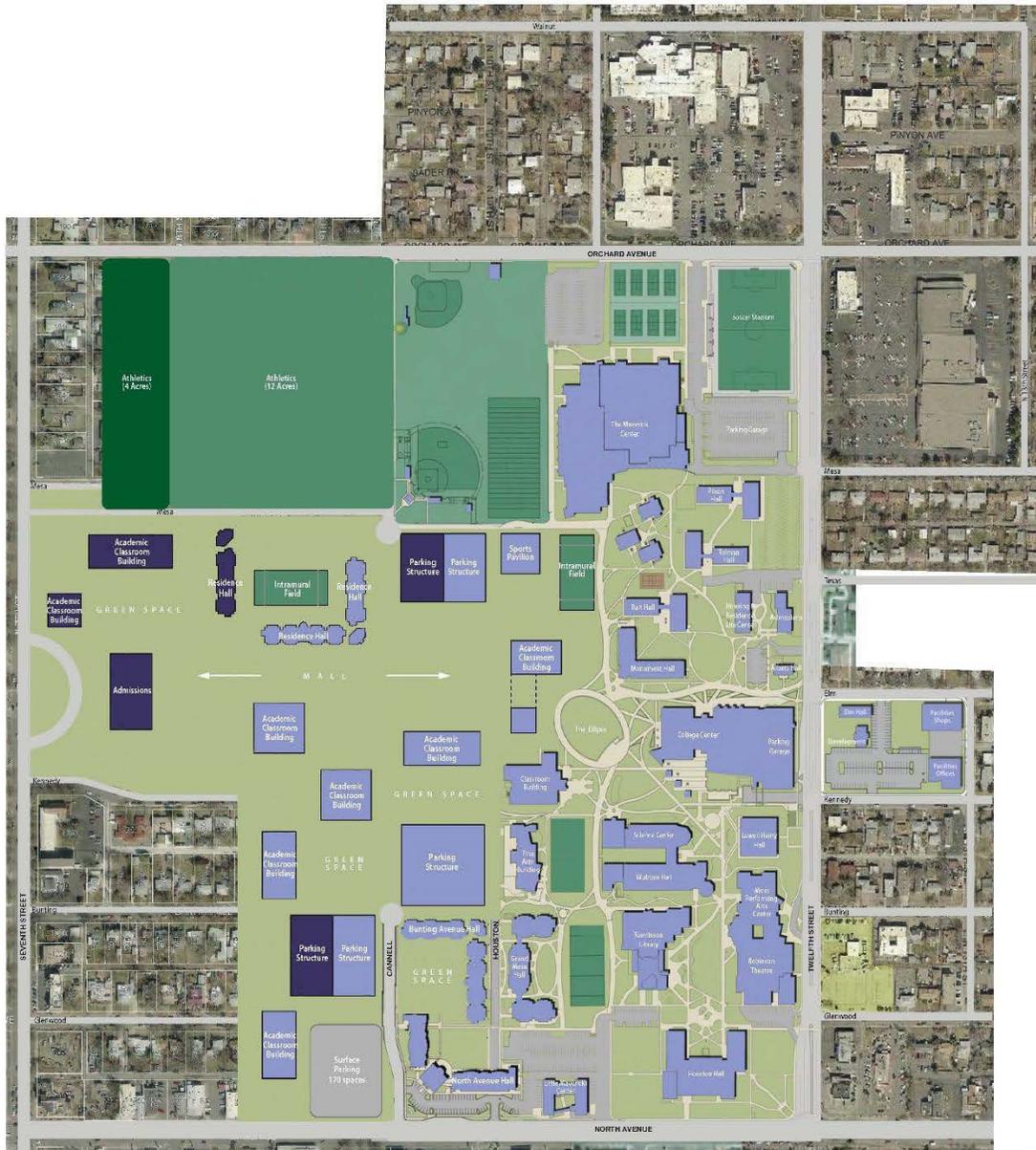
MESA STATE COLLEGE

CAMPUS FACILITIES MASTER PLAN

CAMPUS EXPANSION DRAFT
2030-31

C H A M B E R L I N
A R C H I T E C T S

April 6, 2011



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



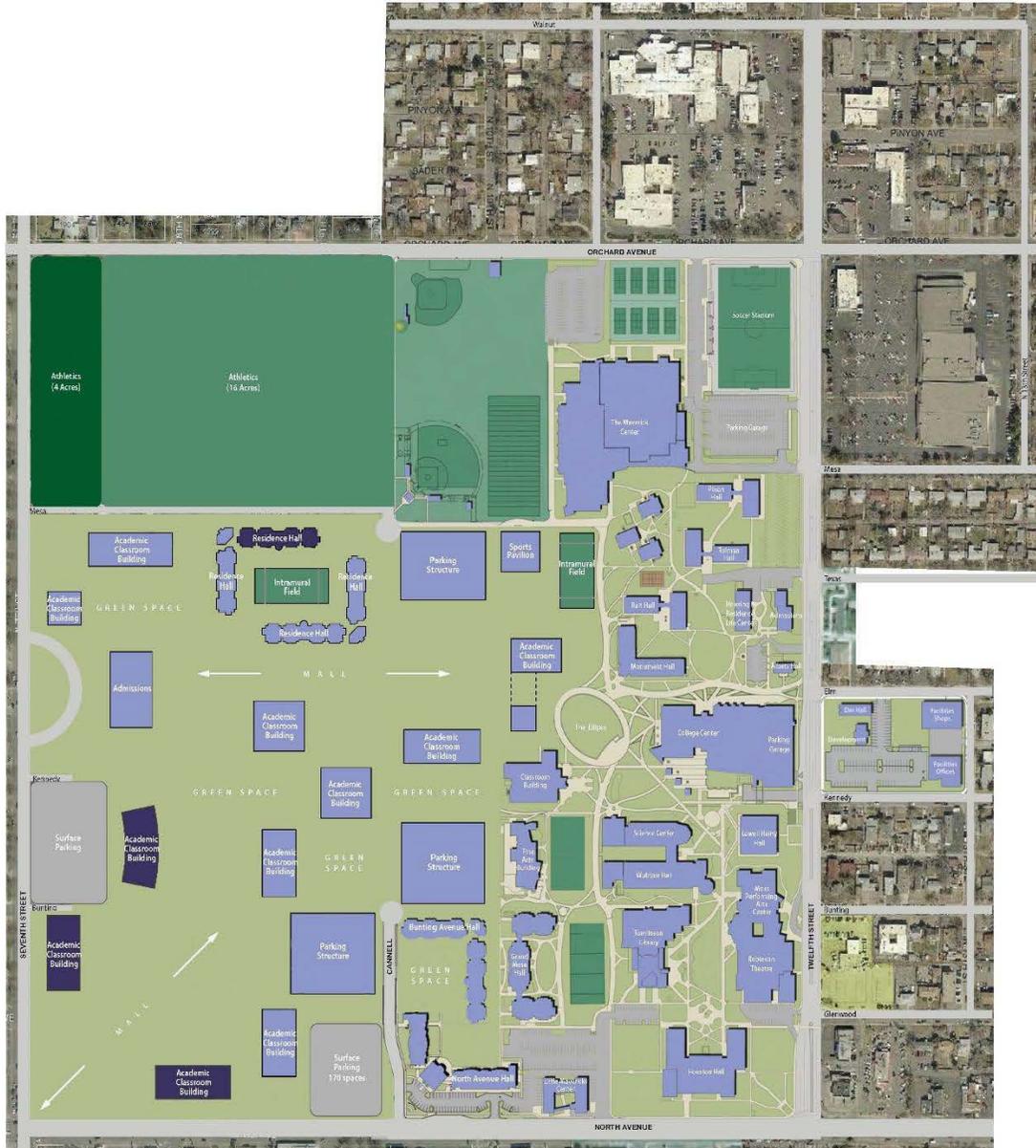
MESA STATE COLLEGE

CAMPUS FACILITIES MASTER PLAN

CAMPUS EXPANSION DRAFT 2035-36

C H A M B E R L I N
A R C H I T E C T S

April 6, 2011



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



APPENDIX "B"



COLORADO MESA
UNIVERSITY

REGIONAL IMPACT STUDY
2017





9,481

Total student enrollment
(Preliminary Fall 2016)

78.1%

Full-time

85.3%

In-state students

27.7%

From under-represented
groups

55%

From western Colorado's
14 counties

45%

From elsewhere in Colorado/
out-of-state/out-of-country



87%

CMU seniors who rated
their overall experience as
"Excellent" or "Good"

84%

Rocky Mountain Public
Peers* who rated their overall
experience as "Excellent" or
"Good"

*CO School of Mines, Dixie State
Univ, Metropolitan State Univ of
Denver, Montana State Univ - Billings,
Montana State Univ - Havre, Southern
Utah Univ, Univ of CO Boulder, Univ of
CO - CO Springs, Univ of CO - Denver,
Univ of Montana, Univ of Utah, Utah
Valley Univ, Weber State Univ

Source: National Survey of
Student Engagement, 2016

Note: Data based on Academic Year
2015-16 unless noted otherwise.



\$75.6 million

Financial aid awarded

947

Number of students in AY
2015-16 awarded MavScholars
Academic Merit Scholarships



1,842

Number of degrees and
certificates awarded in
Academic Year 2015-16

Most popular majors:

Business Administration
Biological Sciences
Criminal Justice
Kinesiology
Nursing
Psychology

**Only Colorado public
institution** offering awards
from technical certificates
through the doctoral degree



**NCAA, Division II,
Varsity Sports:**

Baseball (M); basketball (M, W);
beach volleyball (W); cheerleading
(M, W); cross-country (M, W);
football (M); golf (M, W); lacrosse
(M, W); soccer (M, W); softball
(W); swimming and diving (M, W);
tennis (M, W); track and field (M,
W); volleyball (W);
and wrestling (M)



87.5%

Proportion of classes with
fewer than 40 students

46%

Proportion of classes with
fewer than 20 students



72.6%

Percentage of student credit
hours taught by full-time faculty

87.9%

Percentage of student credit
hours taught by full-time
faculty and staff



Tomlinson Library

190,784 books

79,755 e-books

218,253 journals

101 journal databases

465,011 government documents

57 million+ items through
Prospector and Mobius



2,518

Beds available in
residence halls



Institution Accreditation:

Higher Learning Commission

Programs with accreditation and/or approval by their respective professional organizations:

Athletic Training, Emergency Medical Services, Mechanical Engineering Technology (candidate status), Music, Nursing, Peace Officer Standards and Training (POST), Radiologic Technology, Social Work (candidate status), Teacher Education, Transportation Services



3,279

Computer workstations

850

Wireless access spots

297

Technology-enhanced classrooms



Facilities Certifications for Environmentally-sustainable Construction and/or Renovations:

LEED Gold - Dominguez Hall and Wubben-Science addition; Three Green Globes - Houston Hall, Tomlinson Library; Two Green Globes - Escalante Hall



**REGIONAL
IMPACT STUDY
2017**

by

Carol Futhey

Provost, Colorado Mesa University

This publication is an update of the study, *Achieving a Higher Degree of Leadership in Western Colorado*, by Carol Futhey, Colorado Mesa University (then Mesa State College), Grand Junction, Colorado (2004). The original publication and the updates focusing on the institution's regional impact, are available online at coloradomesa.edu/president/impactstudy.

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INTRODUCTION

Colorado Mesa University (CMU) is a regional public institution, part of a sector of higher education that enrolls more students than research universities and community colleges. CMU is geographically accessible across the country and offers a wide range of academic degrees, majors, and technical programs. CMU frequently serves a significant number of middle- and low-income students as well as those who are first generation to college and has pricing that is among the most affordable levels of tuition and fees. Regional public institutions like CMU often are major employers in their communities, help stabilize regional economies particularly during an economic downturn and serve as social and cultural centers that improve the communities' quality of life. Yet the financial situation of regional public institutions is very challenging as state funding has declined significantly over the past decade to the point that two-thirds of the cost to attend college is now borne by students and their families.

Since regional public institutions typically do not have large endowments from which to draw funds and they place greater emphasis on faculty teaching rather than on competition for external research support, partnerships with local and regional businesses and agencies play a key role in the ability of these institutions to advance their missions. This is particularly true of Colorado Mesa University. CMU continues to be a responsive, nimble, and creative collaborator with a wide range of external private and public partners who, together, have leveraged resources in ways that have benefited both the University and its partners. These relationships have contributed to CMU's capacity to update existing academic and technical programs and add new ones, offer student internships and other applied learning opportunities, seek solutions to regional problems, support regional economic development and, most importantly, educate an informed citizenry and prepare a skilled workforce.

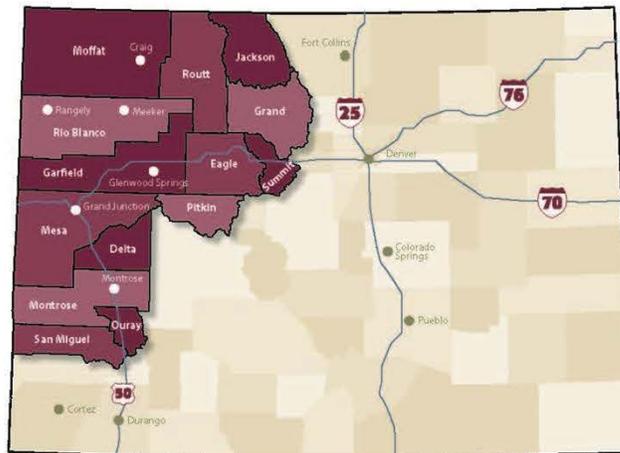
COLORADO MESA UNIVERSITY IN 2016

In Fall 2016, CMU enrolled nearly 9,500 students, building on a 91-year tradition of being the primary provider of higher education to residents of Colorado's West Slope. Approximately 55% of CMU undergraduates come from one of the 14 statutorily-defined counties comprising CMU's service region,¹ an area that spans nearly 30,000 square miles or approximately 30% of the State of Colorado (Figure 1). In Fiscal Year (FY) 2015-16, the University awarded 1,842 degrees and certificates, a 63.7% increase over the number of awards made five years earlier. Those completions are essential to meeting the state's human capital and workforce needs.

Among Colorado's 12 public four-year higher education institutions,² Colorado Mesa has a distinctive role and mission. At its core, CMU's goal is to raise the educational attainment of western Coloradans at all degree levels. Its focus is primarily at the baccalaureate

level with an expanding set of graduate programs. Workforce training also is offered through CMU's two-year division, Western Colorado Community College (WCCC). Both campuses are in Grand Junction, with

Figure 1: Map of Colorado Mesa University Service Region



¹ The service region for CMU includes the following counties: Delta, Eagle, Garfield, Grand, Jackson, Mesa, Moffat, Montrose, Ouray, Pitkin, Rio Blanco, Routt, San Miguel and Summit. Western Colorado Community College's service region is a subset of that group: Delta, Mesa, Montrose, Ouray and San Miguel Counties.

² CMU has a statutory four-year role and mission, as well as for two-year transfer and vocational education and graduate programming. Source: Colorado Revised Statutes § 23-53-101.

51% of CMU's alumni remain in the region, increasing the educational level of the workforce and attracting new businesses to the region.

selected programs and courses also available at CMU's Montrose Campus and through its Office of Distance Education.

Approximately 14,100 (or 51%) of the University's 27,750 alumni live in the 14-county western Colorado region served by CMU. The largest share of that total – approximately 10,700 graduates – are found in Mesa County and another 1,000 in Montrose County. An additional 9,100 graduates reside elsewhere in Colorado. With so many CMU graduates remaining in the region, they increase the educational level of the workforce, which is attractive to new businesses being recruited to the region.

Finally, CMU's students, faculty and staff members have created long-lasting partnerships with

community-based organizations through volunteer efforts.

For Fiscal Year 2015-16, CMU estimated its community service was valued at more than \$1.8 million,³ an amount not reflected in the calculations for this study.

What follows is a view of Colorado Mesa University from the perspective of its relationships with a variety of partners across western Colorado and has two broad components. It begins by examining some of the many contributions that the University makes while engaging with its partners. Not only does CMU gain from the arrangements but the relationships also enhance the region's quality of life and serve as an attraction for businesses. As an employer and purchaser of goods



63.7%

Increase in the number of awards made five years earlier

14,100

CMU alumni live in western Colorado

\$1.8 million

Estimated value of volunteer services by students, faculty and staff in FY 2015-16

and services, CMU's economic impact is more obvious and more readily quantifiable. That regional connection is the basis of the report's second section.

PROGRESS THROUGH PARTNERSHIPS

CMU has partnered with numerous state, local, and regional businesses, nonprofits, government agencies and private donors. In this section of the report, the relationships are grouped into four broad categories by which the University engages with its partners. First, the institution is an active supporter of the region's economic development efforts. Second, faculty members bring their expertise, not only to the education of CMU students, but also apply their knowledge to projects across the West Slope. Third, many of CMU's academic and technical programs offer the preparation needed for the region's 21st century workforce and fourth, an extensively renovated campus is a facility shared with many organizations and individuals beyond the University's students, faculty and staff. While examples of each are presented, the list is merely a sampling of the productive collaborations. In short, the partnerships are beneficial and crucial to the mutual progress of Colorado Mesa University and Colorado's West Slope.

Promoting Economic Development

The goal of economic development is to improve the economic well-being and quality of life for a region's residents by creating and/or retaining jobs, increasing revenues and growing the tax base. A key component to encourage companies to make a capital investment in a region is the availability of an educated and skilled workforce. In that context, Colorado Mesa University and Western Colorado Community College make a significant contribution to the recruitment package for the West Slope. Thus, for economic development efforts to effectively achieve their goals, they often require partnerships with universities.

Rural Jump-Start Program

CMU has been an active member of Grand Junction Economic Partnership (GJEP), the region's official economic development agency for the recruitment and retention of businesses in the Grand Valley. Among the most significant recent accomplishments of this collaboration has been the Rural Jump-Start program, whose goal is to make the region more competitive

³ Downloaded on November 28, 2016 from http://www.independentsector.org/programs/research/volunteer_time.html.

in attracting permanent, high-paying jobs to the region. Representatives from CMU were instrumental in conceptualizing the program and leading lobbying efforts that culminated in the 2015 passage of the Rural Jump-Start Act⁴ to assist economically-distressed areas like Mesa and Montrose counties. To date, seven new companies have established operations in Mesa County that range from agricultural production to geo-spatial mapping to chemical analytics with nearly a dozen students landing internships and two securing full-time employment with these new companies.

Maverick Innovation Center

As a complement to this initiative, Colorado Mesa opened the Maverick Innovation Center in Fall 2015 to encourage and develop creativity and encourage entrepreneurial thinking in CMU students. Among the resources available to University students, faculty and staff are workshops, an annual student business plan competition, support for an "entrepreneur in residence" mentoring program as well as space, technology, equipment, and supplies. CMU also offers courses and a certificate program in Entrepreneurship and co-sponsors Entrepreneurship Day each spring. By developing the next generation of innovators, CMU contributes to the region's attractiveness to potential new businesses.

Campus Expansion

In the mid 1980's, the campus found itself landlocked and unable to grow. The City of Grand Junction and Mesa County committed \$300,000 per year to assist the University in buying homes to enable the campus to grow within an area bounded by Orchard and North Avenues and Seventh and 12th Streets. After a decade, both entities doubled their commitment to \$600,000 annually which continues to this day. Supporting campus expansion has benefited the city by enabling CMU to serve as an economic anchor and stimulant to revitalizing the surrounding Grand Junction neighborhoods.

A similar, more recent, agreement began in 2014 between the University and the City of Montrose and Montrose County. Patterned after the main campus relationship, both the city and the county support the CMU-Montrose Campus through funding for scholarships and capital construction. The collaboration with these agencies led to closing a half-block of South Cascade Street, thereby expanding student support spaces and creating a campus mall.



A ceremonial groundbreaking was held September 6, 2016 at 1410 N. Seventh Street for CMU's newest academic building which will house CMU's engineering programs and the John McConnell Math & Science Center.

Engineering Programs

An academic program that is especially attractive in recruiting business and industry in many communities is Engineering. An expensive program to implement, CMU has partnered since 2008 with the University of Colorado Boulder (CU Boulder) to deliver a baccalaureate-level program in mechanical engineering, and, in 2016, the partnership expanded to include civil engineering. The degrees are conferred by CU Boulder but all coursework can be completed in Grand Junction. Thus far, 64 students have completed the blended CMU/CU Boulder Engineering Program. Graduates are expected to successfully pass the Fundamentals of Engineering (FE) Exam, a national test of the minimum student capabilities and knowledge an engineering graduate should have at the time of program completion. Pass rates on the FE exam for partnership students have been favorable. This success is due, in part, to the significant laboratory and project components required in each of the partnership courses. Because students must demonstrate both the discipline's knowledge and its applications, program graduates are more competitive with potential employers.

The instructional partnership in engineering has led to other regional connections. The Industry Advisory Council, representing 16 Grand Junction industries, provides feedback for program improvements, hires graduates, teaches courses as needed and ensures comparability and coordination between the Boulder and Grand Junction programs. Yet another relationship is the Rural Engineering Education Program (REEP) which promotes preparation of K-12 students for study

⁴ Through its Economic Development Commission, the Colorado Office of Economic Development and International Trade must approve company applications to the Jumpstart Program. Legislation specifies that qualifying businesses cannot compete with existing operations, but rather must offer a product or service not already available in the region, create at least five new jobs, and partner with a higher education institution. They are exempt from paying state income taxes for four years and receive refunds on sales and use taxes on specific purchases if used exclusively in the tax-friendly zone. Employees of those businesses also are entitled to an income tax credit of all of their wages for the four-year period. Local communities can offer additional tax incentives.

in science, technology, engineering and mathematics (STEM) disciplines. REEP is supported by multiple organizations, with funding from private gifts through CU Boulder, work-study students from CMU's Teacher Education program and staff supervision from the John McConnell Math & Science Center. Elementary and middle school students participate in on-site, after-school and summer programs in STEM fields.

Greater Grand Junction Sports Commission

The Greater Grand Junction Sports Commission is a collaborative effort among Colorado Mesa University, the City of Grand Junction, Mesa County, the City of Fruita, and the Town of Palisade. Its purpose is to promote sport tourism by enhancing current sporting events and attracting new ones that capitalize on the region's assets. Events with which the commission has been involved include the Special Olympics Colorado Summer Games, Colorado Master's Swim Association Short Track State Championships, the Rim Rock Marathon, and the USA Cycling Collegiate and the Para Road national championships.



The torch was lit to open the Special Olympics Colorado Summer Games at Colorado Mesa University. More than 1,000 athletes participated in the event managed by the Greater Grand Junction Sports Commission.

Building a Future Workforce with 21st Century Knowledge and Skills

One of the most challenging University responsibilities is preparing students to be successful for their initial employment and their entire career. Numerous studies document that, regardless of major or degree level, graduates need to develop skills in thinking critically, evaluating information, applying their knowledge to real-world scenarios, working in a team, making ethical choices and communicating in writing and orally. Experiential learning is an important component of an undergraduate education at Colorado Mesa that helps students develop these skills. The opportunities for CMU students to combine practical experience with academic learning are quite diverse and can take

several forms, including participation in undergraduate research, student teaching, internships, capstone projects and service learning. Many of these options come about through CMU's relationships with its partners.

Colorado Mesa University offers a variety of majors in some of the key fields and subfields that will drive economic growth and/or policy discussions in upcoming years. Among them are Biochemistry, Computer Science, Emerging Business Markets, Sustainability, Applied Mathematics (under development), and Watershed Science, along with the Engineering programs delivered with CU Boulder. Additionally, students may select from seven foreign languages to study - French, German, Greek, Italian, Japanese, Latin, and Spanish. In sum, these and many other programs and courses ensure that graduates are prepared for the challenges of a fast-changing economy as part of developing the human capital of western Colorado.

Graduates from some academic and technical programs are particularly critical to the future of rural western Colorado communities. The West Slope is a region of small communities spread across a vast area, each with needs in healthcare, education, law enforcement, and business sectors. Because of the challenge of attracting employees in some of these high-demand careers, CMU adopted a "grow your own" philosophy in academic programs, wherever possible, to attract students from the region who intend to return to their home communities after graduation and address employment needs there. This scenario is perhaps best illustrated by four areas of study: Nursing, Public Safety, Teacher Education and Career and Technical Education.

Nursing and Allied Health

The nation-wide shortage of nurses is particularly acute in rural areas like western Colorado. During the past decade, Colorado Mesa University and area healthcare providers, such as St. Mary's Medical Center, Community, Montrose Memorial, and Delta County Memorial hospitals, have collaborated to significantly expand the University's offerings in nursing from a one-year certificate program to the clinical doctorate. Area agencies, such as the Colorado Health Foundation and the San Juan Healthcare Foundation, have also offered additional financial support, expertise, time and facilities to offset part of the cost of implementing the nursing programs at the master's and doctoral levels.

This shared support has led to a substantial number of awards over the past decade — 265 practical nursing certificates, 368 Associate of Applied Science/Registered Nurse degrees (AAS/RN) and 748 Bachelor of Science in Nursing degrees. CMU added a two-year nursing program in Montrose in 2006 and 157 students



CMU Health Sciences students train with St. Mary's Medical Center and other regional healthcare providers. Here, they gather at St. Mary's helipad.

(included in the above total) have earned an AAS/RN degree at that campus to date.

Equally noteworthy is the fact that for all undergraduate programs, the pass rate for the past five years on the National Council Licensure Exam (NCLEX) has averaged 86%. Most of these nurses have entered the workforce in one of the West Slope's hospitals, increasing the availability of medical care in these rural areas.

The greatest emphasis has been on preparing nurses at various degree levels. CMU and WCCC also have been active in expanding other health sciences programs recently that include Health Information Technology Systems, Medical Laboratory Technician, Medical Office Assistant, Paramedic, Radiologic Technology and Surgical Technology.

Law Enforcement

The Western Colorado Peace Officers Academy came about in 2006 through the efforts of CMU, WCCC, the Grand Junction Police Department, the Mesa County Sheriff's Office and the 21st Judicial District Attorney's Office. The academy is certified by the state and prepares students to pass the Colorado Peace Officer



Fall 2016 graduates of the Western Colorado Peace Officers Academy. The program is administered by Western Colorado Community College.

Standards and Training (POST) examination. Placement of the academy's graduates has not been limited to the 14 western Colorado counties making up CMU's service region but extends to positions across the State. Additionally, the academy now has relationships with numerous other West Slope law enforcement agencies.

The impact and the success of this coordinated effort is reflected in the following: 332 students have completed the training, with 95% either employed in law enforcement or continuing their education; 99.4% of those who have taken the state exam have passed, usually on their first attempt.

Education

To assist students in the transition from high school to college, Colorado Mesa has developed partnerships with local school districts. In partnership with Mesa County Valley School District 51, for example, CMU developed the Alpine Bank Student of the Month program which recognizes outstanding middle- and high school students monthly. Each is awarded a \$500 scholarship if they enroll at CMU. So far, 1,872 students have received awards. In conjunction with Grand Junction High School, CMU initiated RISE, a college prep course designed for students who might not otherwise pursue higher education. At CMU's Montrose Campus, the Montrose County School District is expanding concurrent enrollment opportunities for students in partnership with WCCC in career and technical education. The partners are exploring additional program needs at Montrose and Olathe High Schools.

CMU has joined with both school boards to provide financial assistance to teachers pursuing graduate coursework in their teaching fields. The University awards scholarships to teachers who deliver courses to students enrolled concurrently for high school and college credit. Another illustration of university/school district connections is through the Center for Teacher Education as a result of Mathematics and Science Partnership Grants from the Colorado Department of Education. Two districts are grant partners: Mesa County Valley School District 51 and Garfield District 16 in Rifle. Each is a multi-year grant in excess of one million dollars.

Career and Technical Education (CTE)

Through an arrangement between Western Colorado Community College and Mesa County Valley School District 51, career and technical education is available to college and high school students. The relationship is overseen by the Grand Valley Board of Cooperative Educational Services (GVBoces) and prepares students for entry directly into the workforce in a variety of specialized fields that range from Electric Linework to Manufacturing Technology, Nurse Aide,

Culinary Arts, Transportation Services, and Computer Networking. Among the newer programs now available are Aviation Technology and Viticulture and Enology.

Applying Expertise to Regional Issues

The collective professional knowledge of faculty members at Colorado Mesa University and Western Colorado Community College is a resource that serves western Colorado through a mix of group and individual efforts. Faculty members are employees of the institution and residents of the region's communities so they frequently invest their expertise and time regionally.

The Redifer Institute

This institute works closely with local, state and federal governments and stakeholders to strengthen public policy through data collection and analysis. Four units – the Ruth Powell Hutchins Water Center, the Natural Resource Center, the Center for Unconventional Energy, and the Social Research Center – support the institute's work. The applied research conducted through these centers provides a way for the University's expertise to have a positive impact on some of the region's most pressing problems.

- **Ruth Powell Hutchins Water Center**

This center coordinates research, delivers education and facilitates dialogue on issues facing communities in the Upper Colorado River Basin. The Center brings experts to the Grand Valley each year for events such as the Upper Colorado River Basin Water Forum to promote proactive thinking about potential solutions to future water challenges.

- **Natural Resource Center**

Through this center, a number of public lands projects contribute to an understanding of how the economic and community benefits of the public lands can be expanded in western Colorado. Recent projects include recreation and community engagement planning for the Grand Junction and Royal Gorge field offices of the Bureau of Land Management and the Grand Staircase-Escalante National Monument. The Natural Resource Center has also recently worked with Mesa County and Mesa County Valley School District 51 to involve more children in outdoor activities.

- **Unconventional Energy Center**

Managing a \$3.2 million endowment funded primarily by the University and the Mesa County Federal Mineral Lease District, the energy center invests annual proceeds in applied research and workforce development initiatives that have a regional and/or statewide impact. Partnerships



Tom Hutchins attended the naming of the Ruth Powell Hutchins Water Center. The center performs and supports research, education, outreach and discussion regarding water issues.

include collaborating with Garfield County to host the Fourth Annual Energy Symposium to exchange of ideas about how to responsibly develop natural resources across Colorado. A partnership with the Grand Junction Economic Partnership resulted in the white paper "Piceance to the Pacific Rim," which became the basis for the region to coalesce behind the Jordan Cove liquefied natural gas export terminal project.

- **Social Research Center**

The Social Research Center is the institute's newest partnership and involves the Center for Opinion Research at Franklin & Marshall College and Rocky Mountain PBS. The center conducted its inaugural Colorado Mesa University-Rocky Mountain PBS statewide political poll in September 2016 and plans a "State of Western Colorado" poll that examines the region's social, political, cultural and economic conditions in early 2017.

Joint Appointments

Another way partnerships facilitate sharing expertise is through hiring employees who are shared by the University and other local organizations. These appointments are an attractive recruiting tool. Examples include the Grand Junction Symphony Orchestra where the principal oboist also holds a faculty position in CMU's Music Department. Additionally, the conductor teaches coursework in music theory and some full-time faculty hold principal chairs in the symphony. The University's Mass Communication program shares an appointment with Rocky Mountain PBS, a producer/correspondent-in-residence who teaches and provides students with story opportunities to create content for Rocky Mountain PBS and its affiliates. Another example is the joint hire of a paleontologist by the Museum of the West and CMU's Geosciences Program who teaches a course and offers summer internships for CMU students in addition to responsibilities for the museum.



CMU's hockey team raised \$10,000 for St. Mary's Cancer Survivorship Program at their Pink the Rink event.

Individual Faculty Activities

CMU faculty members engage with leaders across the West Slope through a variety of interactions and collaborations. As referenced earlier, businesses and agencies often provide opportunities for students to apply their learning and community leaders frequently serve in an advisory capacity for curriculum development and review. Similarly, faculty members bring their expertise to a diversity of contributions and conversations. The ways in which faculty members volunteer their expertise span a wide range of activities that include making presentations to K-12 students, serving on boards of public companies and nonprofit agencies, mentoring high school students, participating as parent representatives on school committees and serving as judges in competitions.

Sharing Facilities

Higher education campuses are a mix of general purpose spaces that can be used for a variety of activities and specialized spaces designed for a singular use, such as science labs, painting studios and clinical labs. Both types of spaces represent significant investments by the University, just as facilities built by other organizations do. When multiple users can share in use and expense of the same spaces, the pooling of these resources is a more efficient and cost effective use of space and resources and can free up funds for investing in a wider range of facilities than could otherwise be built. This section summarizes how CMU and some of its partners have leveraged their investments for the benefit of the partners and the community.

Lincoln Park

Four other entities manage and financially contribute to Lincoln Park along with Colorado Mesa University – the City of Grand Junction, Mesa County, the Alpine Bank Junior College World Series and Mesa County Valley School District 51. Additionally, CMU makes many of its athletic facilities available to the School

District at no cost, including the swimming pool; softball, soccer and lacrosse fields; and the basketball and volleyball courts. CMU recently paid for the track renovation at Grand Junction High School for use by area schools.

Downtown Art Galley

In 2014, Colorado Mesa partnered with the Grand Junction Downtown Development Authority (DDA) to share the cost of renovating a space on Colorado Avenue that became CMU's art gallery, 437.CO. While a part of the building is occupied by DDA offices, the gallery space is home to exhibits and presentations by CMU and visiting artists and has supported CMU's participation in the community-wide, "gallery hopping" First Friday event.

KRMJ

Thanks to a \$400,000 grant, RMPBS equipped the local PBS station located on the CMU campus, KRMJ, with high-definition, digital equipment that enables students to learn video production in a state-of-the-art studio and control room. In addition to using the equipment for producing material for distribution through Rocky Mountain PBS, the studio also is available to elementary school students who write and present their own newscasts, with CMU students staffing the cameras and control room.

Engineering Building

The newest facility partnership is the engineering building that will serve as the home to the Mechanical and Civil Engineering Programs co-delivered by CMU and CU Boulder as well as the John McConnell Math & Science Center. The 68,700 square-foot building will include engineering labs, classrooms and project spaces for use by University students and the center will have space to offer a wide range of STEM-related activities for K-12 students.



Students at the John McConnell Math & Science Center conducted an experiment at the engineering building groundbreaking.

CONTRIBUTING TO THE REGIONAL ECONOMY OF WESTERN COLORADO

The second part of this report focuses on the estimated impact of Colorado Mesa University on the region's economy by describing the components of the model used in the estimation. As will be shown in this section, most of the University's and individuals' spending was done locally, so when various expenditure estimates were limited to western Colorado and direct spending was coupled with the effects of indirect spending, CMU's estimated economic impact in FY 2015-16 was \$447.5 million. Further, an estimated 2,892 regional jobs came about due to CMU's spending.

Model Overview and Methodology

The calculations for estimating the economic impact of Colorado Mesa University on western Colorado are based on a short-term approach examining the impact on local economic activity from the presence of an institution. Economic impact is "... the difference between existing economic activity in a region given the presence of the institution and the level that would have been present if the institution did not exist."⁵ The model for estimating the economic impact of Colorado Mesa University during FY 2015-16 relies heavily on one developed by the American Council on Education by Caffrey and Isaacs.⁶ The model examines CMU's direct spending in five categories and then applies a multiplier to calculate indirect spending, thereby producing an estimated total economic impact.⁷

Direct Expenditure Categories

The Caffrey and Isaacs model examines five

expenditure categories – the University's purchase of goods and services, employees' salaries, students' spending as well as that by visitors, and capital construction. Thus it encompasses the institution's non-payroll spending on everything

from furniture to utilities to computers to food service to research lab equipment. CMU's employee contribution is analyzed in terms of its payroll, while the student component accounts for that sector's purchases in a separate category. Visitor spending is based on campus visits of many types along with athletic competitions, while capital expenditures reflect major campus construction and renovation projects as well as investments in technology.

College Expenditures

To determine the University's spending in the surrounding region, budgets for all departments and auxiliary accounts were analyzed and then adjusted to exclude out-of-state companies without a regional presence. The estimate is based on the myriad products and services that Colorado Mesa purchases from the surrounding region ranging from furniture to

DIRECT EXPENDITURE CATEGORIES

- College Expenditures
- Employee Salary/Wage Expenditures
- Student Expenditures
- Visitor Expenditures
- Capital Expenditures

Table 1: Colorado Mesa University Expenditures in Colorado, FY 2015-16

Goods and Services Purchased (excluding construction)	Amount	Percent
In Western Colorado	\$33,899,057	80.5%
Elsewhere in Colorado	\$8,218,717	19.5%
Total	\$42,117,774	

⁵ Roger Beck and Donald Elliott, "Economic Impact Study of Regional Public Colleges and Universities," Growth and Change, Spring 1995, Volume 26, Issue 2, p. 245.

⁶ John Caffrey and Herbert Isaacs, Estimating the Impact of a College or University on the Local Economy, Washington: American Council on Education, 1971.

⁷ The limitations of the estimates should be noted. They do not measure the economic contributions of organizations associated with CMU, such as the Alumni Association and the CMU Foundation; the economic impact of faculty and staff earnings from private consulting and intellectual property nor that of faculty and staff expertise used by businesses and organizations; volunteer activities; and other collateral economic activities. CMU offers health care benefits and insurance for faculty and staff, and these insurance plans help bolster the local health care community. The study also excludes the economic contributions by alumni living anywhere in Colorado who, when they enter the job market, earn salaries well above those of high school graduates. With these exclusions in mind, the economic impact of Colorado Mesa reported in this study understates its overall financial effect.

Table 2: Colorado Mesa University Employee Salaries, Taxes, and Benefits, FY 2015-16

Wages	Total
Gross Wages	\$43,102,255
Federal and State Taxes	\$5,404,390
Benefits	\$7,085,433
Other Adjustments	\$386,663
Net Wages	\$30,225,769
Less 10% non-local spending	\$3,022,577
Estimated Total Employee Local Spending	\$27,203,192

office supplies to utilities. Total in-state expenditures for FY 2015-16 exceeded \$42.1 million (Table 1). Further analysis documented that more than \$33.9 million, or 80.5%, of the amount spent on goods and services stayed in western Colorado, while most of the balance was spent elsewhere in the state.

Employee Salary/Wage Expenditures

For this category, all monies budgeted for salaries and wages for all University offices and auxiliary accounts — \$43.1 million — were reviewed to calculate employee salary/wage expenditure dollar amounts (Table 2). The total takes into account items purchased by CMU employees, from food to housing to entertainment to education to transportation. Employees contributed approximately \$5.4 million in federal and state taxes, which represented 12.5% of the total payroll, and benefits — including retirement, medical insurance, and life insurance — that amounted to another 16.4% of the total. Once taxes and benefits were deducted, net wages amounted to approximately \$30.2 million.

This calculation assumes that CMU employees spend most of their net income in the area's economy, given the University's location in western Colorado. The Bureau of Labor Statistics' Consumer Expenditure Survey reports that housing and transportation are the

two largest areas of consumer expenditures, and this direct spending multiplies through the economy. Thus it is appropriate to assume that there is little dollar leakage out of the region. Some activities, such as vacations and entertainment, however, are examples of dollars that might leave the regional economy, so the model assumes that 10% adequately accounts for leakage out of the region. This results in an estimated \$27.2 million in employee disposable income that was added to the western Colorado economy.

Student Expenditures

Spending by CMU students represents the single largest component of the University's economic impact. Because a significant share of the institution's students is from western Colorado, this model assumes most of their spending stays in the local economy. To calculate student spending, a mean monthly expenditure was determined by the CMU Financial Aid Office for purchases such as room, board, personal expenses, transportation, and entertainment. This produced an average expenditure of \$1,498 per month while enrolled during FY 2015-16. No distinction was made between on-campus and off-campus students.

Table 3 presents the amount of student expenditures estimated to stay in the regional economy, based

Table 3: Estimated Colorado Mesa University Student Spending, FY 2015-16

Term	Student Enrollment	Term Length (in months)	Average Student Monthly Expense	Total
Fall 2015 Enrollment	9,448	4	\$1,498	\$56,612,416
Spring 2016 Enrollment (including January Term)	8,872	5	\$1,498	\$66,451,280
Summer 2016 Enrollment	1,954	1	\$1,498	\$2,927,092
Estimated Annual Student Spending				\$125,990,788
Less 10% non-local spending				\$12,599,079
Estimated Total Student Local Spending				\$113,391,709

Table 4: Colorado Mesa University Estimated Visitor Expenditures, FY 2015-16

Visitors	Per Diem	Amount
Visitors from Western Colorado 311,278 visitors	\$51/day	\$15,875,177
Visitors from outside Western Colorado 153,316 visitors	\$140/day	\$21,464,243
Estimated Total Visitor Spending Locally		\$37,339,420

on the assumption that 90% of the total remained in western Colorado. At that rate, students infused approximately \$113.4 million into the local economy for items that include groceries, entertainment, and transportation. This amount is in addition to their spending at CMU for tuition, goods, or other services. While many of these students have chosen to forego earnings during their college years, the payback on their educational investment is financially worthwhile.⁸

Visitor Expenditures

Spending by visitors to Colorado Mesa contributes to the vitality of the local economy. This component of the model is based on CMU's draw of a significant number of individuals to Grand Junction to participate in a highly varied mix of activities. Families visit the campus for admissions visits, orientations, and graduations. Other visitors come for conferences, while many attend athletic events and arts and music performances. In so doing, these visitors — frequently from communities outside Grand Junction — purchase food, entertainment, lodging, and fuel. Because these dollars are out-of-area dollars, they are "new" dollars to the community and increase overall economic activity.

Based on estimates from academic, student, and athletic departments for the past year, nearly 12,000 individuals attended the University's Music and Theatre Programs and more than 71,000 fans attended athletic

events as part of an estimated visitor total of nearly 464,600 individuals. Assuming that 33% of the visitors — or approximately 153,000 individuals — came to the campus from outside the region, and spent at least the daily average of \$140 for at least one day,⁹ while the remaining 67% spent the estimated per diem for meals, shopping, and transportation, the estimated value to the regional economy from visitors is \$37.3 million (Table 4).

Capital Expenditures

CMU has been a major participant in the redevelopment and revitalization of the Grand Junction neighborhoods adjacent to the campus. The University's acquisition of older properties has been important to the expansion of its footprint, making way in recent years for new residence halls, academic buildings, other campus life activities, and outreach programs, thereby enabling the institution to fulfill its mission. This component of the model varies significantly from year to year since capital expenditures are dependent on the availability of funding for construction. Because of that variability, these expenditures typically are separated from all other University spending. That said, these investments not only create and sustain jobs in the region during construction periods, but their multiplier effects reach manufacturers, suppliers, and retailers throughout the region and the state.

Table 5: Colorado Mesa University Capital Expenditures in Colorado, FY 2015-16

Project	Expenditure	Percent Spent Locally
Expenditures in Western Colorado	\$36,801,160	88.0%
Expenditures elsewhere in Colorado	\$5,040,327	12.0%
Total	\$41,841,487	

⁸ It should be noted that the above estimate of student spending excludes other ways that Colorado Mesa students affect the local economy. Approximately 45% of Colorado Mesa students come to the University from outside the region, thereby bringing money into western Colorado.

⁹ An estimated standard destination per diem within the continental U.S. of \$140 (\$89 for lodging and \$51 for meals and incidental expenses) was obtained from the U.S. General Services Administration. Source: <http://www.gsa.gov/portal/category/100120>. Downloaded November 28, 2016.

Figure 2: Summary of Colorado Mesa University Estimated Direct Expenditures, FY 2015-16



During FY 2015-16, CMU initiated, continued, and/or completed an extensive series of projects that resulted in this expenditure category exceeding \$41.8 million (Table 5). The funds were spent on construction projects — such as the expansion and renovation of Tomlinson Library — in addition to spending on residence halls; technology upgrades for classrooms, labs, and the TV studio; parking; and controlled maintenance. Of that amount, the proportion spent locally averaged 88% though the proportion differed from project to project due to the University’s emphasis on buying within the region. Adjusting for a 10% leakage from the West Slope, total dollars spent in the regional economy on capital projects for the last year approximated \$36.8 million.

Direct Expenditures Summary

By combining the five expenditure categories, Colorado Mesa University infused over \$248.6 million directly into the regional economy in FY 2015-16 (Table 6 and Figure 2). The largest proportion of that year’s spending was associated with students enrolled at Colorado Mesa University (45.6%), with the balance spread relatively evenly across the remaining four expenditure categories. To more accurately reflect the total economic contribution of Colorado Mesa on western Colorado, however, indirect expenditures also must be considered and are discussed in the next section.

Multiplier Effects

A multiplier captures the relationship between the dollars spent by one individual that then becomes the income of another person to be spent. The initial dollar, since it is being “re-spent,” has a greater impact on the economy than just the original dollar so dollars, “grow” as they circulate through the economy. For example, the ripple effect of the wages paid to Colorado Mesa University faculty and staff members is the employees’ “re-spending” on housing, food, clothing, entertainment, etc. The remainder of the earnings is withheld from the local economy in the form of savings, taxes and spending on goods and services outside the region, adjusted for in this study by their exclusion.

The multiplier effect magnifies the economic impact of the initial Colorado Mesa expenditures, with a large multiplier indicating a greater regional economic impact than a smaller one. Similarly, the revenues generated by area businesses from supplying goods and services to Colorado Mesa are paid out in wages and material purchases, which in turn are spent on living costs. In theory, this process continues through several rounds of activity with diminishing increments at each stage. This study, however, was limited to the secondary effects of spending.

Table 6: Estimated Economic Impact of Colorado Mesa University by Expenditure Category, FY 2015-16

Expenditure Category	Direct Impact	Multiplier (indirect impact)	Total Impact	Percent of Total
College	\$33,899,057	1.8	\$61,018,302	13.6%
Employees	\$27,203,192	1.8	\$48,965,746	10.9%
Students	\$113,391,709	1.8	\$204,105,076	45.6%
Visitors	\$37,339,420	1.8	\$67,210,956	15.0%
Capital	\$36,801,160	1.8	\$66,242,088	14.8%
Total	\$248,634,538	1.8	\$447,542,168	100.0%

Generally speaking, higher education studies that include multipliers reflect that the re-spending factor varies widely. For this study, a multiplier of 1.8 was chosen, one which is conservative compared with many other studies.¹⁰ Applying this multiplier to the University's direct expenditures, the total addition to the FY 2015-16 economy was estimated to be \$447.5 million due to the presence of Colorado Mesa University (Table 6 and Figure 3). Put differently, without the spending by CMU — including its faculty, staff, students, visitors, and all others affected by what the University does — the income flowing to western Colorado would be \$447.5 million less each year.

The money CMU spends on goods and services generates jobs in western Colorado in several ways. First is the direct employment of faculty, staff, and students in positions at the University and their accompanying spending. Last year there were 2,066 people who owed their jobs to the existence of CMU. Second, non-payroll regional expenditures create other jobs for workers who supply the goods and services to Colorado Mesa. A labor multiplier estimates the number of jobs created by the influx of Colorado Mesa's spending into the surrounding community. Again, when other impact studies were reviewed, a range of labor multipliers were found. Using a conservative labor multiplier of 1.4 to estimate the additional number of jobs due to Colorado Mesa expenditures, an approximately 2,892 full- and part-time jobs are estimated.

Figure 3: Estimated Impact of Colorado University's Direct and Indirect Spending, FY 2015-16



CONCLUDING COMMENTS

Colorado Mesa University's primary mission is to serve western Colorado by delivering excellent teaching, applying scholarly activity to the region's challenges and reaching out to residents to help them lead more productive lives. Without its many partners, CMU's ability to deliver the quality educational experience it does, in addition to sharing expertise and cultural opportunities with agencies, organizations, and individuals, would be seriously compromised.

As documented in the first section of this study, the numerous arrangements between CMU and a host of public and private partners

have yielded a collective progress benefiting numerous businesses, households, nonprofits, and local governments in western Colorado. The University's most significant contribution is to educate graduates who are prepared and competitive for employment in the ever-changing work environment they will enter in the 21st century. Additionally, the institution shares in the leadership for the region's economic development,

makes its expertise available to a wide range of audiences and has facilities that are used by individuals and groups beyond the campus community.

It is equally well-documented that CMU has a profound impact on the economy of western Colorado. This study estimates that in FY 2015-16, CMU was responsible for spending more than \$248.6 million directly in the regional economy; when indirect

spending is considered, the total exceeds \$447.5 million. Further, there were approximately 826 additional jobs beyond the 2,066 employed by Colorado Mesa University due to the

institution's spending in the region. Because this study used a conservative approach in its calculations and multipliers to estimate the total economic impact of CMU, some other community contributions are not included, such as the value of volunteerism to the region. As a result, it is highly likely that the economic impact of Colorado Mesa University is greater than the total estimated in this study.

The University's most significant contribution is to educate graduates who are prepared for employment.

¹⁰ A major criticism of economic impact studies that are produced internally is the temptation to inflate numbers, use larger multipliers than appropriate, and thus overstate the impact of an institution on its surrounding region. Source: Roger Beck and Donald Elliott, "Economic Impact Study of Regional Public Colleges and Universities," *Growth and Change*, Spring 1995, Volume 26, Issue 2, p. 245.

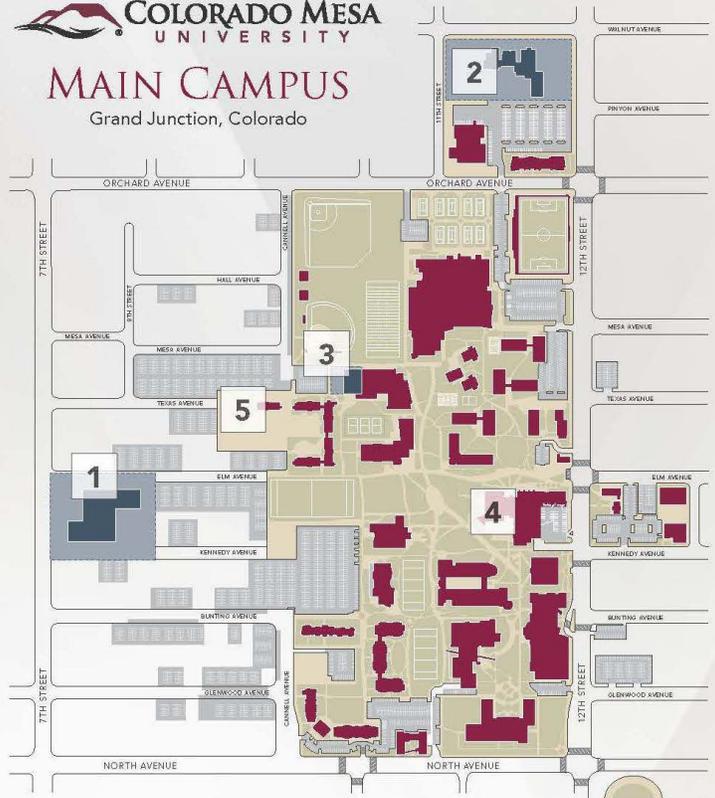


PHOTOS ON FRONT COVER:

1. The Alpine Bank Student of the Month program recognizes excellent middle and high school students monthly. Each is awarded a \$500 scholarship if they enroll at CMU, and to date, 1,872 students have received an award.
2. Maverick Center
3. Colorado Mesa University collaborates with the Greater Grand Junction Sports Commission to promote and attract sport tourism, such as the Rim Rock Marathon, that capitalize on the region's assets.
4. Students meet with donors to thank them for scholarships.
5. The John McConnell Math & Science Center will share space and offer STEM-related activities for K-12 students in the new engineering building in Fall 2017.
6. See #4
7. Mesa County Commissioner John Justman at a press conference announcing a grant from the state to assist Mesa County students who live on campus.
8. The first graduates in CMU's doctoral program for Nurse Practitioners.
9. University Center
10. Governor John Hickenlooper visits CMU to sign the Rural Jump-Start Act, which CMU officials helped create and pass.
11. Elementary students at the Spacetacular event in the University Center spoke with NASA astronaut Scott Kelly while he was aboard the International Space Station.
12. Culinary students from WCCC placed first in the American



MAIN CAMPUS
Grand Junction, Colorado



- 1** Engineering Building
John McConnell Math & Science Center
- 2** Health Sciences, future home
- 3** Maverick Pavilion (expanded)
- 4** University Center (dining services remodeled Fall 2016)
- 5** Wingate Hall (opened Fall 2016)

- Culinary Federation Colorado Student Team Competition.
- 13. The renovated John Tomlinson Library re-opened January 2016.
- 14. The Ruth Powell Hutchins Water Center dedication was attended by Hutchins' sons, Tad and Will.
- 15. The CMU cycling center was named Chamberlin Cycling Center in recognition of his support from local architect Ed Chamberlin.
- 16. The Maverick Innovation Center promotes and supports entrepreneurial spirit in CMU students.
- 17. CMU and WCCC host a variety of summer camps for local children.
- 18. CMU's marching band performs en route to Stocker Stadium, a facility CMU helps to manage and financially support. CMU makes many of its athletic facilities available to the School District at no cost.



Date: April 12, 2017
Author: Kathy Portner
Title/ Phone Ext: Community Services
Manager/1420
Proposed Schedule: Planning Commission
Meeting: May 23, 2017
File #: FMP-2017-118

PLANNING COMMISSION AGENDA ITEM

Subject: Civic and Institutional Master Plan and Right-of-Way Vacation Request for Colorado Mesa University, Located at 1100 North Avenue

Action Requested/Recommendation: Forward a Recommendation to City Council of an Institutional and Civic Master Plan and Right-of-Way Vacation Request for Colorado Mesa University

Presenter(s) Name & Title: Kathy Portner, Community Services Manager

Executive Summary:

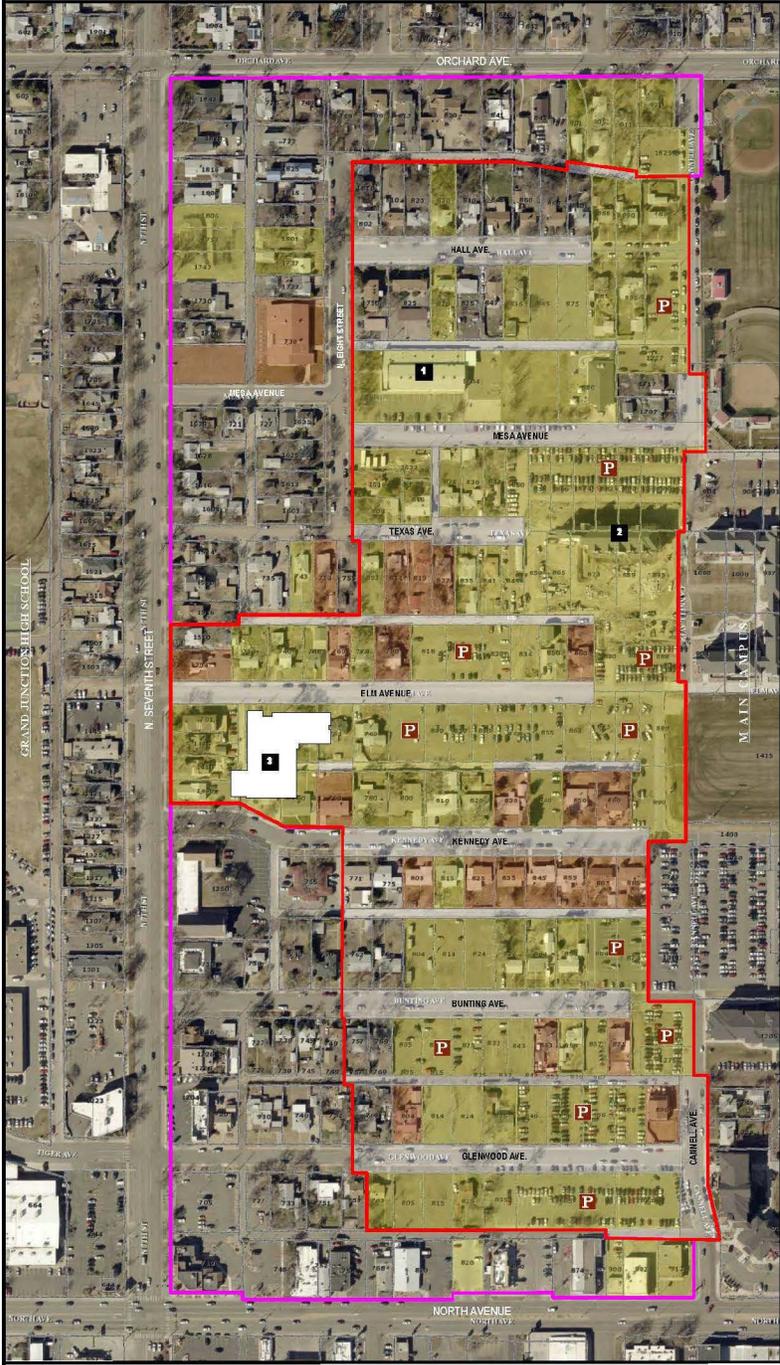
A request to approve an Institutional and Civic Master Plan for Colorado Mesa University and approval of an administrative process for future vacations of right-of-way interior to the campus once certain conditions are met.

Background, Analysis and Options:

Section 21.02.190 of the Zoning and Development Code sets forth a process to consider Master Plans for major institutional and civic facilities that provide a needed service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan (attached) provides an overview of CMU's future long term objective to expand the existing main campus westward toward N. 7th Street.

In conjunction with the Master Plan, CMU is requesting an administrative review process for future vacations of right-of-way interior to the campus, shown within the red outlined area on the following map, once certain conditions are met. Colorado Mesa University requests the vacation of alley and street right-of-ways in order to aid in the continued westward expansion efforts planned for the campus. Currently, the requests occur piecemeal as CMU acquires properties on both sides of any given right-of-way. CMU owns the vast majority of the property shown within the "2017 Master Plan" boundary, outlined in red and sections of right-of-way have already been vacated. All past vacations required that CMU own on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements. All City utilities are subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*.

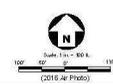
COLORADO MESA UNIVERSITY 2017 WEST CAMPUS MASTER PLAN



- 2017 Master Plan Boundary
- Future Master Plan Amendment(s) Boundary
- Property Owned by CMU
- Short Term Property Acquisitions by CMU
- Existing Street and Alley To Be Vacated
- P** Parking
(Change to Future Change)
- 1** Protected Development Leader
(Include Construction)
- 2** Multiplex Hall
- 3** Engineering Building
(Include Construction)

USE	AREA (SQ)	% of TOTAL
Property Owned by CMU ¹	22.6	07.3
Short Term Property Acquisitions	3.0	9.0
Existing Street & Alley To Be Vacated	7.6	22.0
Property Not Owned by CMU	5.5	15.9
2017 Master Plan Boundary	26.5	100.0
Future Master Plan Area	22.9	

¹ Does include 2.8 ac. in Future Master Plan Area
² Approximate Area Calculation



Neighborhood Meeting:

A Neighborhood Meeting was held on March 6, 2017 with 24 area residents along with representatives from Colorado Mesa University and City staff were in attendance. President Foster presented an overview on the growth of the CMU campus. Most questions were on current projects being built on campus and on property acquisition timelines. A concern was raised about maintaining access to private property when right-of-way on either side was vacated. President Foster indicated that access is required to be maintained by CMU.

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

Colorado Mesa University's Master Plan helps to maintain and enhance the Grand Valley as a regional center and supports infill and redevelopment focused in the City Center. CMU supports the following goals of the Comprehensive Plan:

Goal 4: Support the continued development of the the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

Board or Committee Recommendation:

There is no other committee or board recommendation.

Financial Impact/Budget:

Council has directed staff to evaluate on a case by case basis the value of selling Right-of-Way (ROW) at the time of a vacation request. ROW recently acquired by the City has been valued at \$5.00 to \$6.00 per square foot. The value of ROW will be determined at the time each vacation request is made; however, based on past City Council direction, the City has not been compensated for vacated ROW.

Other issues:

There are no other issues identified.

Previously presented or discussed:

This has not been previously discussed by the Planning Commission.

Attachments:

1. Staff Report/Background Information
2. Letter of Opposition
3. Applicant Project Report/CMU Master Plan
4. Ordinance

BACKGROUND INFORMATION				
Location:		1100 North Avenue		
Applicant:		Colorado Mesa University		
Existing Land Use:		CMU Campus and Residential		
Proposed Land Use:		CMU Campus expansion		
Surrounding Land Use:	North	Commercial & Residential		
	South	Commercial & Residential		
	East	Commercial & Residential		
	West	Residential & Residential		
Existing Zoning:		CSR (Community Services and Residential); R-8 (Residential, 8 units per acre)		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	PD (Planned Development); R-8 (Residential, 8 units per acre)		
	South	C-1 (Light Commercial)		
	East	B-1, (Neighborhood Business); R-12 and R-16, (Residential – 12/16 du/ac); C-1; CSR		
	West	R-O (Residential Office); B-1		
Future Land Use Designation:		Business Park Mixed Use		
Zoning within density range?		X	Yes	No

Section 21.02.190 (c) of the Grand Junction Zoning and Development Code:

In reviewing a Master Plan, the decision-making body shall consider the following:

- (1) Conformance with the Comprehensive Plan and other area, corridor or neighborhood plans;

The Plan complies with the goals and policies of the Comprehensive Plan, specifically, Goals 4 & 12 by supporting the continued development of the City Center into a vibrant and growing area with jobs and also by being a regional provider of goods and services.

Therefore, this criterion has been met.

(2) Conformance with the Grand Valley Circulation Plan and general transportation planning requirements;

The Master Plan complies with the Grand Valley Circulation Plan and Transportation Engineering Design Standards (TEDS). Access to and through the campus is provided for in the Master Plan and interim access will be maintained with the phased expansion.

Therefore, the criterion has been met.

(3) Adequate parking, adequate stormwater and drainage improvements, minimization of water, air or noise pollution, limited nighttime lighting and adequate screening and buffering potential;

CMU provides for all parking, as well as stormwater and drainage improvements needed as development occurs. The campus setting and surrounding perimeter streets provides for large areas of separation of the CMU facilities and surrounding community.

Therefore, this criterion has been met.

(4) Adequacy of public facilities and services; and

Adequate public facilities and services are available to serve the campus.

Therefore, this criterion has been met.

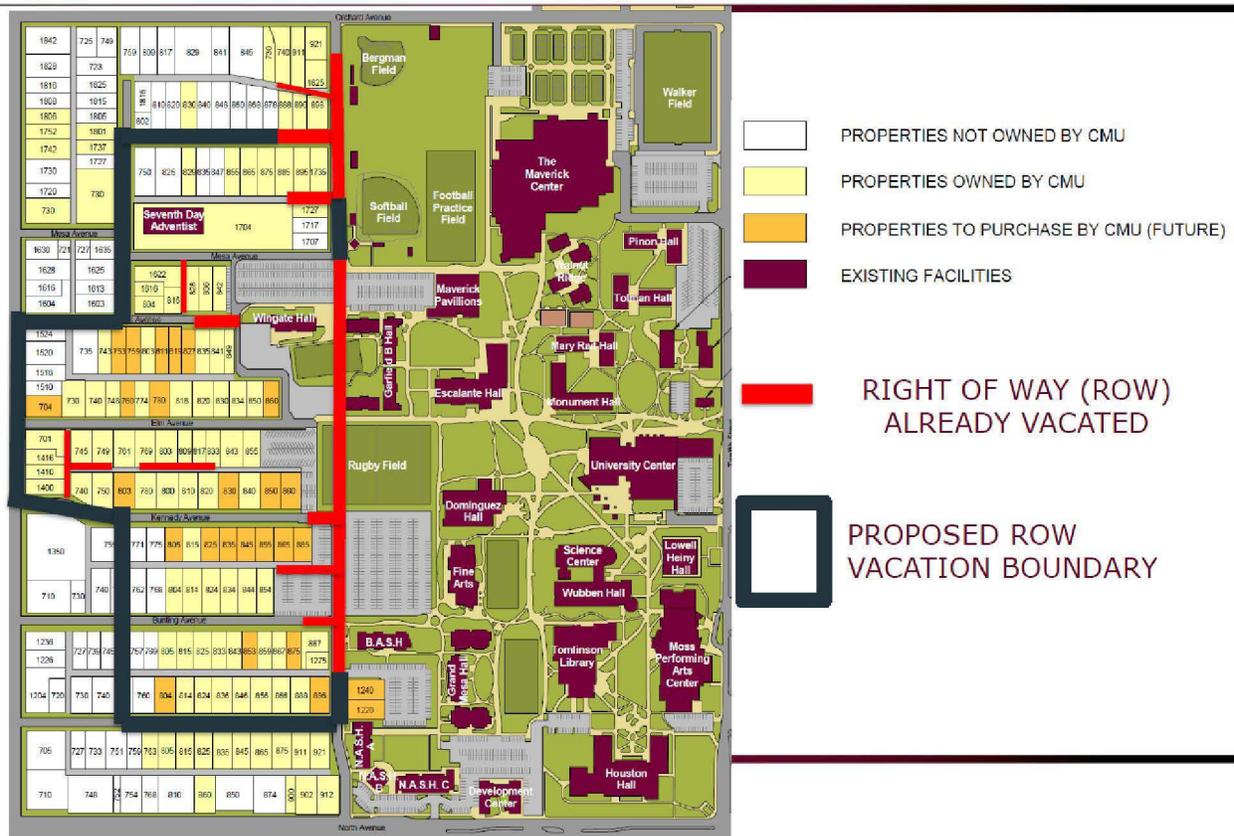
(5) Community benefits from the proposal.

CMU provides multiple community benefits as an educational institution and economic driver.

Therefore, this criterion has been met.

One of the purposes of the Institutional and Civic Master Plan review is to take a comprehensive look at the right-of-way to be vacated and incorporated into the overall campus expansion plan. To date, right-of-way has been vacated on a piecemeal basis as CMU acquires property. Each request must be approved by separate ordinance by the City Council. Rather than continuing to take each request forward as separate ordinances, the proposal is to allow the right-of-way within the identified boundary to be reviewed and approved administratively once certain conditions have been met.

Campus Master Planning



Sections 21.02.100 of the Grand Junction Zoning and Development Code:

The vacation of portions of the existing alley and street right's-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 existing alley and street 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.

A condition of vacating right-of-way is that CMU must own the property on both sides of the ROW and adequate and legal access must be maintained to any surrounding private property.

Therefore, this criterion will be 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 portions of any alley or street requested for vacation must be under the control of CMU and access to any adjoining properties not owned by CMU must be provided through a private "Easement Agreement" across CMU property(s) for the benefit of the remaining property owners. This recorded easement will ensure that the remaining residents will continue to be provided adequate and reasonable access to their properties.

Therefore, this criterion will be met.

(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);

All past vacations required that CMU own on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements. All City utilities are subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*.

All requested vacations will be reviewed for compliance with the above provisions assuring 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 will be 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

All City utilities are subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*.

Therefore, this criterion will be 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 as a result of alley and street right-of-way vacations. The vacated right-of-way will be incorporated into the overall CMU campus expansion, thereby strengthening the University as an important asset to the City as a Regional Center.

Therefore, this criterion will be met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Colorado Mesa University application, FMP-2017-118 for an Institutional and Civic Facility Master Plan, the following findings of fact and conclusions have been determined:

1. The requested Institutional and Civic Facility Master Plan, including the vacation of right-of-way, is consistent with the goals and policies of the Comprehensive Plan, specifically Goals 4 and 12.
2. The applicable review criteria in Section 21.02.190 (c) and 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.
3. The foregoing Recitals are incorporated herein and made a part hereof.
4. Right-of-way vacation in the identified planning area (Exhibit A) is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:
 - a. CMU must own properties on both sides of the right-of-way (streets and/or alleys) to be vacated; and,
 - b. Private easement agreements must be provided to benefit any remaining privately owned property(ies) where access to the property(ies) is or may be claimed by the owner(s) to be compromised by the vacation; and,
 - c. CMU shall plan for and propose circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
 - d. All City utilities shall be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*; and,

- e. CMU shall dedicate as applicable necessary utility easements to Xcel Energy and/or other utility providers.
5. Notice shall be given of all vacation petition decisions right-of-way vacations in the designated Master Plan area and exceptions to the Director's decision shall be forwarded to the City Council for record review as provided in this Ordinance and the Recitals thereto.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the Institutional and Civic Facility Master for Colorado Mesa University, FMP-2017-118 to the City Council with the findings of facts and conclusions and conditions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on the Institutional and Civic Facility Master Plan for Colorado Mesa University, FMP-2017-118, I move that the Planning Commission forward to the City Council a recommendation of approval with the findings of facts and conclusions and conditions stated in the staff report.

From: Clark L Carroll To: Planning Commissions April 19, 2017 pg. 1 of 6
1220/1240 Cannell City Council
Grand Jct. CO 81501 Members of Community
Re: FMP-2017-118 CMU Opposition to Special element of proposal

My family has resided and are stakeholders on Cannell Ave for approx 65 years . I graduated at Mesa in 1984 and since the early 50s my family has been involved with raising funds for CMU and I have continued the tradition to current. Even though I support much of the university efforts, I cannot agree with the ideology of special element, or the proposed deannexation map boundaries CMU proposes.

Page 1 and 2 an effort is made to focus on key elements of this proposal that warrants my opposition against the special element, suggesting to eliminate public hearings. Pages 3-6 are random pro/ con related research and thoughts regarding public hearings which I included as part of this.

Regardless of a person or institution issue's, once they are not willing to go before the historically successful inclusive Public Hearing process we have in Grand Jct, to put up or shout up,, then it poses concern and raises red flags in my world. When are public hearings required? Does the University know? I would suggest every step of such university expansion be part of public hearing process. Beyond a shadow of a doubt.

In an Industry where universities and governments are involved with, receiving and spending public money, exchanges of public and private properties and zoning changes obviously impacting citizens then historically this is partly why public hearings are the body and soul or example of due process, law making and democratic debate, and any proposal that suggest to eliminate or call it something else, may lead to discussion of key words like Bureaucrats, Totalitarianism and concluding towards the end of conversation with Fascism. Because of many different philosophy's ,, various levels of government are constructed and exist especially the city to maintain order in a civil constitutional society among-st the different cultures, factions and individuals by a public hearing process. Weekly on national news I hear of at least a few Universities, professors and students activities across the nations campuses that may suggest an eliminating or regulating public speech. Is that what we have here locally? If not in Public hearing where can a person speak before the public at??? University safe zones????

If the City wants to and lets call it what it is, a deannexation process by Relinquishment of Authority to CMU that can handle it better, then, their is very little I can do about it now, other then to say,, our campus demonstrates the success of CMU and planning dept. The system is not broke, it doesn't need fixing. They get what they want? It doesn't need to be HANDLED(whatever that means) by CMU. I knew it would come time for many for paying for open enrollment campus expansion but I did not think it would cost a single citizen the benefits of the public hearing and free speech opportunity,, in a traditionally proven due process that provides order to our civilized community. CMU will do what is good for them understandably, however this proposal seems to be more of a bad thing for the city. That is,, to be part of any system that seeks to undermine, decay, make less, or reword and divert the public process potentially knowing this is where it starts. How long will it be before the University does not need Planning or City Council? Perhaps where close.

The Proposal introduction is narrowly defined and none inclusive of impacted or soon to be impacted residents and businesses in my vision. The public notices mailed indicate location of between 7th and Cannell, Orchard and North Ave. However on maps presented the red boundary lines of this proposal decision area may be none inclusive, meaning I do not know if all the people area described above have

received the Notices. Since CMU has purchased and is expanding East across 12th street(I believe eventually expanding to 15th street,) N of Orchard to just south of Tope Elementary and this is a proposal to completely rework the established planning process these people should be included. Perhaps all our citizens should be involved in an overall change to our planning process. Please note on maps lower right area how the boundary line is drawn in front of my properties. It is different then the one drawn in front of Ken Harris property W from soft ball field and others. Also note my neighbor W or across street is also private property 896 Glenwood. No part of Glenwood and Cannell intersection nor from me S to North Ave has been vacated therefore this area should not even be included and I recommend boundary lines be drawn correctly. Cannell should not be included in this proposal. CMU has taken over or exercised dominance by controlling parking in front of the private residence at 896 Glenwood and Houston Ave Vacations(Darrel Miller Property)in front of my residence I would ask "What are CMU objectives for drawing the boundary lines in front of my properties in this way?? causes concern. When I look a boundary lines " Boundary line should go right down the middle of Cannell Ave to just 30 feet N to behind my property. Once Cannell is vacated the owners of 1220 1240 and 896 Glenwood would control that portion of Cannell Ave not CMU if that's not the case then this could be a bigger issue. What if above private property owners make a motion to vacate Cannell Ave for a Hotel or Dormitory? Do we propose to the City or CMU. At some point these properties may be developed other then residential will this decrease my ability to sell my properties without access. Why did not CMU draw boundary line to Hwy 6? I assume they did not want to include DOT. I did and spoke with DOT because Cannell Ave is my access to Hwy 6. After all access easement, access permits come up in these types of conversation. When Mrs Kadwick was city manager the city council directed here with motion passing to define my access easements . I have made that request to each city manager since that time. I have received no info to date.

With some level of entertainment I ponder with proposal passage of CMU handling my streets if thats some kind of landlord tenant lease agreement where if I live on state ground I wont have to pay taxes anymore. CMU currently suggest they own my properties on Google Maps on occasion my mail is delivered to them,, its based on who the mail carrier is that day.

In conclusion with current proposal written as is. From my experience CMU will narrate and view this proposal passing as we are in charge of the streets and and most likely would rejoice from elimination of public accountability standards found in public hearings. CMU may conclude they control the front of the street for my or others homes. This at extremes may lend itself to turmoil, jurisdictional confusion and elements of anarchy for all parties. defined in Google search as "A state of disorder due to absence of nonrecognition of authority. Also absence of government and absolute freedom of the individual. I ask our city,,not to drink of this water,, to abrogate its authority or processes to CMU. It not a waste of time or money for our tax paying stakeholder citizens.

If we want to save time and money limit citizens comments to 1 minute and have meetings at 2pm in the afternoon. This is far more constitutional in my mind compared to proposal by CMU to eliminate public hearings. Feels like a form of censorship.

Respectfully , Clark L.Carroll

Following pages are misc related research and comments if reader chooses to continue past the jest of this letter.

I conducted several random samples allowing others to read Introduction to gain an impression from others on CMU Introduction regarding Notice of Application 2017-118. Not surprisingly approx 90% of the response was unfavorable to eliminating public hearings. Most asked, "Whats this mean"? My standard answer was, "I don't know". Its sold as an effort to save time and money. It must be good for the ones that know whats best.

A brief history. Approx. 10 years ago. CMU, State, County and City of Grand Jct entered into a partnership to support CMU land locked campus to expand in the spirit of economic development and enrichment to many community members. CMU has developed a fantastic campus, increased diversity, programs and enrollment of students. CMU is known across the nation and many places in the world as contending University for good education. It is successfully competing for state, county, local, alumni, investment and student dollars.

I assume some level of debt may of been incurred. It is my understanding that more the a few Universities across the nation have expanded incurring some kind of billions of debt. In an article in Forbes Magazine titled "The Hidden College Problem: When Universities, Not Just Students , Take on Debt" indicated how and why "Moody's downgraded University of California from Aa1 to Aa2"rating(?????) I hope in 10-15 years with changes in society (with computers and artificial intelligence) the regionally operated university industry will still exist as it may become cost prohibitive to operate, attend and compete with other known and not yet known ways to educate and train people. I remain optimistic CMU will continue to contribute to successful efforts of current and future society.

CMU completed a massive expansion efforts which was forecast to last 15 years it was completed in 5. Saving ten years of meetings. Had it not been the successful public hearing process perhaps they could of done it in 2.5 years. What reasonable impacts would home owners of experienced? I have not heard of one formal appeal of decisions in our current process on CMU expansion leading to the idea, our planning system is working well in fact CMU rapid expansion could indicate our planning dept is not only working but extremely efficient.

I have attempted in the past, to facilitate the goals of the state , county, city and CMU as was demonstrated in the Carroll Rezone Plan. Perhaps people gain more awareness when I speak of the importance of the CMU to our community and students while comparing and contrasting the importance of being a private property owner , stakeholder, in USA experiencing the unique and special impacts of elite capture, university expansion, exemptions and decreased leverage as a stakeholder.

Participedia\\ Public Hearing, author Czimmerman, June 2, 2010. Notes the following "The public hearing is perhaps the most widespread venue for public participation in the United States, used by all levels of government for a variety of purposes." [1] A public hearing is a type of public meeting, and much literature refers to it as such, however there are some distinctive aspects that make a hearing different. Abigail Williamson and Archon Fung define a public hearing as "an open gathering of officials and citizens are permitted to offer comments, but officials are not obliged to act on them or typically, even to respond publicly" [2] The main purpose of a public hearing is to allow citizens the chance to voice opinions and concerns over a decision facing a legislature, agency , or organization. More then 97% of local governments hold public hearings, and this high percentage is largely because the under most state and federal laws, government agencies are required to hold public hearings before making a final decision that will use government funds and effect general public. [1] Public hearings are comparable with Direct Representation.

According to Forester, the use of public hearings began following the process of the enclosure of public lands that occurred in Britain in the 18th and 19th centuries. This use of commissions to hear public concerns over the enclosure of land was one of the first examples of a public hearing, and emphasizes how most public hearings today are used when dealing with public lands as well as private properties[3] While many officials and citizens cringe at the idea of holding or attending a public hearing, there are many aspects that make it a good example of a deliberative process. First, by allowing citizens to present their views on issues, officials are able to get a better sense of the public support or opposition to a particular issue.[2] The chance to speak can also provide an opportunity for citizens to change the behavior of their elected representatives by providing information, making a show of support, delaying decisions, shaming, and agenda setting[1] However, although the ideal public hearing would have those deliberative aspects outlined above, that is usually not the case, and much of the literature published on the subject has outlined three major issues with public hearings. The first problem with public hearings is timing, since most hearings are held later in the decision-making process. (Webler and Renn) This timing invites more complaints from citizens, rather than a discussion of pros and cons, and causes those citizens to "perceive that those hearing their input have already chosen to ignore it[4] The second problem is the structure of the meeting. Citizens are usually only able to give brief statements, which does not provide the appropriate speaking time to develop different opinions. The testimonial format does not give a chance for citizens to develop and exchange ideas and solutions, and instead causes them to take on an Activist role advocating their cause.[1] A third problem that was exposed in a study by Cook, Delli, Carpini, and Jacobs found that the percentage of the public that attends public meetings is only at 25%. [5] Similarly, the majority of people who attend the meetings tend to be more educated and wealthy, leading to a disproportionate representation of viewpoints. As Williamson argues, those who attend public meetings tend to be those with the most interest and economic stake in the outcome of the decision. Furthermore, those who speak tend to be those with the most intense opinions, whereas most people who attend a hearing do not speak at all. This disproportionately high level of extreme positions can make it difficult to arrive at any kind of consensus[1]"

Beyond Intractability, Sept. 2005, author Heidi Burgess and Cate Malck indicate, "The most common (but often most least effective) form of public participation is the public hearing. Here, government representatives give a presentation on a proposed decision, and then the public is asked to stand up and give a short (1-3 Minute) speeches indicating their thoughts on the proposal. Typically, only critics come to such hearings. Although the government agency can get a feel for the extent and nature of the opposition, public hearings rarely give a good indication of overall public opinion, nor do they yield good information about why people feel the way they do. Thus they do not contribute effectively to problem solving or mutual cooperation.

The International Association for Public Participation lists seven standards for public participation.

1. The public should have a say in decisions about actions that affect their lives.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. The process communicates the interests and meets the process needs of all participants.
4. The process seeks out and facilitates the involvement of people potentially affected by the proposed decision.
5. The process involves participants in defining how they will participate thus how the process will be structured.

6. The public participation process provides participants with the information they need to participate in a meaningful way.

7. The public participation process communicates to participants how their input affected the decision"

The same article used Boulder CO Open Space Department as examples of consensus-process planning of not using or reducing public participation. Burgess and Malck state, "Even though public participation can slow the decision making process down, it is often legally required and can avoid costly lawsuits at the other end if unpopular decisions are made without adequate public input. "

Hart, Democratic Constitution Making, July 2003 suggest, "Genuine public participation requires social inclusion, personal security, and freedom of speech and assembly. A strong civil society, civic education, and good channels of communication between all levels of society facilitate this process. Only a considerable commitment of time and resources will make genuine public participation possible." [9]

Public hearings are a way by which citizens may receive benefits from participation. In a study Evaluating public inputs in National Park Management Plan reviews. Table 1. Benefits of public participation, from CNPPAM(2002) identify s the following as benefits.

- * Improved understanding of client expectations and user group needs.
- * Improved agency understanding of conservative issues.
- * Improved agency understanding of the role and contribution of the community.
- * Greater continuity in knowledge.
- * Ability to build community support for a project and to improve stakeholder relationships.
- * Improved public understanding of the agency responsibilities.
- * Improved staff and community technical knowledge.
- * Improved agency credibility within the community.
- * Improved quality of decision-making by agencies.
- * Enhancement of social capital and flow on social and economic benefits.
- * Enhanced and informed political process.
- * Greater compliance through increased ownership of a solution.
- * Greater community advocacy for biodiversity protection.
- * Greater access to community skills and knowledge.
- * Improved community understanding of conservation issues and responsibility for outcomes.

In related research a letter was titled: Eliminating public hearings for CAFOs a mistake, written by Jean Terpstra in Columbus Ohio on June 19, 2016. A portion of this letter states, "Removing the hearing requirement is the opposite of government transparency and will blind-side the community and silence those most directly affected by these massive, resource-intensive and polluting, concentrated livestock operations". She partly concludes, "*The individualized conditional use review process is the best way to deal with those special circumstances*".

Is the idea of eliminating public hearings or reducing requirements for them something many lawmakers wrestle with, it appears so. For example an article titled, "**Lawmakers speak out against proposal to ease public-hearing requirements,**" Here journal staff writer Patrick Anderson writes, "A hearing on whether the state's transportation planning process should have fewer hearings has brought out complaints from some state lawmakers. Reps. Sherry Roberts, R-West Greenwich, and Jared Nunes, D-Coventry, on Tuesday wrote separately of their concerns that a proposal to streamline the planning process would badly curtail public involvement". CMU Notice of Application seems not only to suggest curtailing but outright elimination of public hearings in an unbroken planning process, potentially eliminating the benefits of public-hearings unlike other officials in other areas.

Public Hearings DO

- Provide a demonstration democracy.
- Provide a place for appropriate free speech
- Provide environment for all voices to be heard.
- Provide a formal meeting environment whereby countering view points can be.
- Provide environment to reach mutual understanding.
- Provides opportunity to get the pulse of the issue.
- Provide opportunity for appropriate protest.
- Provide opportunity to provide ethics
- Provides and accountability process for community members

GRAND JUNCTION PLANNING COMMISSION
May 23, 2017 MINUTES
6:00 p.m. to 7:12 p.m.

The meeting of the Planning Commission was called to order at 6:00 p.m. by Vice-Chairman Bill Wade. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were Kathy Deppe, Ebe Eslami, George Gatseos and Steve Tolle.

In attendance, representing the Community Development Department – Tamra Allen, (Community Development Director), Kathy Portner, (Community Services Manager), and Dave Thornton (Principal Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 60 citizens in attendance during the hearing.

*****CONSENT CALENDAR*****

1. Minutes of Previous Meetings

Action: Approve the minutes from the March 28th and April 25th, 2017 Meetings.

Vice-Chairman Wade briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted the item pulled for a full hearing.

With no amendments to the Consent Agenda, Vice-Chairman Wade called for a motion to approve the Consent Agenda.

MOTION: (Commissioner Deppe) “Mr. Chairman, I move approve the consent agenda.”

Commissioner Tolle seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

*****APPEAL*****

2. The Lofts Appeal of the Administrative Decision

[File# APL-2017-176]

Appeal of Final Action on Administrative Development Permit regarding approval of an Administrative Permit for 27 three and four bedroom multifamily units in 7 buildings, with a total of 102 bedrooms and 61 on-site parking spaces in an R-O (Residential -Office) zone district.

This is a discussion among the Planning Commission, no additional public testimony will be accepted.

Action: Approval or Denial of the Appeal

Applicant: Lee Joramo/Joe Carter
Location: 1020 Grand Ave
Staff Presentation: Kathy Portner, Community Services Manager

Vice-Chairman Wade briefly explained the appeal and noted that although it is a public meeting, an appeal does not allow the Commission to take any additional testimony. He stated that the Commission needs to base their decision solely on the record they were given.

Vice-Chairman Wade noted that earlier in the day, the Commission received a letter from an appellant requesting a continuance of this appeal based on the fact that the appellant feels that there was information not included in the record that they had access to when they were putting their appeal together.

Vice-Chairman Wade explained that the Planning Commission will need to decide whether or not they will allow a continuance, and if they should decide to grant the continuance and if so, under what terms. Vice-Chairman Wade also stated for the record that they have received both a request from an appellant, as well as a letter from the applicant's attorney regarding the request.

Commissioner Discussion

Commissioner Eslami stated that since there is a doubt, in that they believe the City has withheld information from the public, he is inclined to grant a continuance.

Commissioner Gatseos explained that he has concerns for the applicant that there have been delays which has made this a drawn out process. However, Commissioner Gatseos agreed with Commissioner Eslami that they would like to see the public have due process and added that he would also like to see a larger Planning Commissioner turn-out for additional input.

Commissioner Deppe acknowledged that she is aware to the financial impact that the delay could cause the applicant, but she agreed with the other Commissioners that they should grant a continuance for further research and input from other Commissioners not present.

Commissioner Tolle stated that he is aware that the delay could have a financial impact on the applicant and he wished he had been aware of the issue earlier. Commissioner Tolle supports the other Commissioners in their stance and stated that he needs more time to review the issue and adjudicate. Commissioner Tolle asked for depositions on how this happened and asked that they re-schedule the item for the earliest possible meeting even if it is a special meeting to adjudicate.

Vice-Chairman Wade stated that he too wished he had seen the request for continuance earlier, as they have reviewed the entire project being appealed in depth.

Vice-Chairman Wade stated that there were two requests in the appellant's letter for continuance. The first request was for notes from a meeting that were not included in the record, and the second was that they were not made aware of a meeting that was held March 31, 2017 when there were additional explanations made. Regarding the second referenced meeting, Vice-Chairman Wade stated that it is his understanding that the applicant had walked in and spoke with the planner and it was referenced in the staff report. The appellant states that these notes were not in the file they received when they began to consider their appeal.

Vice-Chairman Wade stated that the appellant will have an opportunity to speak briefly about the items they believed were left out of the file, and why they should be included for the review of the appeal. In addition, Vice-Chairman Wade invited the applicant to speak briefly regarding the matter as well.

Appellant's Comments

Joe Carter, 2849 Applewood St., stated that they had received the staff report and noted that there was information regarding a meeting that was held March 31, 2017 that was not given to them upon request of the file prior to filing the appeal. Mr. Carter stated that the request for the continuance is to allow them to understand the background of what has transpired. The omission of the March 31st meeting created a gap in the information.

In addition, Mr. Carter noted that there was correspondence in a pre-application process that referenced Mr. Ruche (Senior Planner) in the continuance request. Mr. Carter stated that they would like to receive any correspondence that occurred between Mr. Rusche and the developer, including internal or email exchanges regarding the project.

Mr. Carter stated that they would like to get a reissuance of the file so that they may piece together any gaps in information to get a clearer picture of what transpired. Vice-Chairman Wade stated that the request for the continuance will be based on specifically what was asked for in the letter that the Planning Commission had just received.

Applicant's Comments

David Weckerly, managing member, stated that they were unaware of any pieces of information that may have been missing from the file as they are not part of the City staff. Mr. Weckerly stated that they are more than happy to have a continuance to have a completely transparent process. Mr. Weckerly stated that they do not know what these pieces of information are and they feel they have put everything on the table as far as they are concerned.

Noting that they had started the process in June (2016), Mr. Weckerly requested that if the Commission grants the continuance, they would like to see the process move as expeditiously as possible.

Commissioner Discussion

Commissioner Gatseos stated that he feels the continuance is a wise choice and they have to make a decision that is quasi-judicial based on the record only. Commissioner Gatseos expressed appreciation that the applicant is amenable to it and feels this would be the right thing to do.

Vice-Chairman Wade explained that there are two issues in granting a continuance. The first is how long of a continuance they are going to grant and how much time they will grant to the appellant to review and bring up the additional information. Vice-Chairman Wade noted that the appellant has asked for 15 days however he feels that given the fact that the items are restricted to what was requested in the letter, he suggested 10 working days from now for them to gather any additional information they would need. A meeting, either the next regular meeting in June or a special meeting before then, would be fair. Vice-Chairman Wade then asked for a motion.

MOTION: (Commissioner Gatseos) "Mr. Chairman, I move we grant a continuance for 10 working days for both parties and that we hold a special meeting."

Vice-Chairman Wade asked Jamie Beard, Assistant City Attorney, if the motion was sufficient. Ms. Beard stated that what she is hearing is that they are indicating that they would like to grant 10 working days to the appellant to address the concerns that they have based on the information that they wanted to still review, and then that the applicant would have 10 working days after that to be able to respond to what the appellant has put forward. In addition, not hearing a date in the motion, she suggested that they clarify if they have a particular date in mind, or if they want staff to schedule a meeting.

Commissioner Gatseos agreed with the suggestions and noted that he would like the meeting to be scheduled at a date with the highest number of Commissioners available to attend. Commission Gatseos asked if he needs to repeat the motion.

Tamra Allan, Community Development Director, noted that looking at a calendar, the ten working days for the appellant followed by the ten working days for the applicant, would give staff approximately one week to prepare a staff report which all would queue up nicely with the next regularly scheduled meeting in June.

Vice-Chairman Wade clarified that the motion would be a continuance of the appeal, with 10 working days for the appellant, 10 working days for the applicant to respond and they will hear the issue at the next regularly scheduled meeting on June 27th.

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

Vice-Chairman Wade called for a 5-minute break.

*****INDIVIDUAL CONSIDERATION*****

3. Civic and Institutional Master Plan and Right-of-Way Vacation Request for Colorado Mesa University [FMP-2017-118]

Request approval of an Institutional and Civic Master Plan and Right-of-Way Vacation for Colorado Mesa University. Continued from April 25, 2017 hearing.

Action: Recommendation to City Council

Applicant: Colorado Mesa University
Location: 1100 North Avenue
Staff Presentation: Kathy Portner, Community Services Manager

After a brief break, Vice-Chairman Wade called the meeting back to order and explained that the next item on the agenda had been continued from the Planning Commission meeting on April 25, 2017.

Staff Presentation

Ms. Portner explained that this is a request for approval of an Institutional and Civic Mater Plan for CMU and approval of an administrative process for future vacation of right-of-way interior to the campus once certain conditions are met.

Ms. Portner displayed a slide of an aerial view of the campus with an overlay of CMU's 2017 West Campus Master Plan. Ms. Portner explained that the Zoning and Development Code sets forth a process to consider master plans for major institutional and civic facilities that provide a needed service to the community. The Colorado Mesa University Campus Facilities Master Plan provides an overview of CMU's future long term objective to expand the existing main campus westward toward N. 7th Street.

Ms. Portner stated that in conjunction with the master plan, CMU is requesting an

administrative review process for future vacations of right-of-way interior to the campus, as shown within the green outline displayed on the slide. Ms. Portner explained that the vast majority of the properties in the identified area are already owned by CMU or they are pursuing acquisition of those properties. Ms. Portner pointed out the ROW already vacated (shown in red) and noted that currently requests for ROW vacation occur piecemeal as CMU acquires properties on both sides of any given right-of-way. Ms. Portner stated that the requested administrative review would require notification to surrounding property owners and adherence to all conditions of past approvals.

Findings of Fact/Conclusions/Conditions

After reviewing the CMU Civic and Institutional Master Plan and Right-of-Way Vacation application, Ms. Portner stated that staff makes the following findings of fact, conclusions and conditions:

1.) The request is consistent with the Comprehensive Plan and Sections 21.02.190(c) and 21.02.100 of the Code.

2.) Staff recommends that future Right-of-way vacation in the identified planning area (Exhibit A) is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:

- CMU must own properties on both sides of the right-of-way (streets and/or alleys) to be vacated; and,
- Private easement agreements must be provided to benefit any remaining privately owned property(ies) where access to the property(ies) is or may be claimed by the owner(s) to be compromised by the vacation; and,
- CMU shall plan for and propose circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
- All City utilities shall be subject to the terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus; and,
- CMU shall dedicate as applicable necessary utility easements to Xcel Energy and/or other utility providers.

3.) Notice shall be given of all vacation petition decisions right-of-way vacations in the designated Master Plan area and exceptions to the Director's decision shall be forwarded to the City Council for record review as provided in the proposed Ordinance and the Recitals.

Applicant's Presentation

Derek Wagner, CMU Vice President, thanked the staff for working with CMU to address

issues that they work with on a regular basis. Mr. Wagner gave a brief update of several projects that CMU had been working on since he last spoke before the Planning Commission.

The first slide Mr. Wagner displayed was regarding the Health Sciences Remodel that is on the old Community Hospital campus on 12th and Orchard. Mr. Wagner explained that it was a two-phased project with the first phase consisting of the remodel which is complete, and the second phase is the new construction that is almost complete. Mr. Wagner stated that both phases should be complete and ready for students this fall.

Mr. Wagner showed a slide of the Band storage facility and practice field that is under construction and should be completed by August of 2017.

The last update Mr. Wagner gave was of the Engineering Building and stated that it should be complete in December, 2017.

Regarding CMU's Civic and Institutional Master Plan, Mr. Wagner explained that when the new City Manager arrived, meetings were held with him to discuss how CMU works with the City and what the interface points were. Mr. Wagner noted that the ROW vacation process was one of those points and explained that currently it is pretty much a piecemeal process. Mr. Wagner stated that City staff had suggested that CMU bring forward the Civic and Institutional Master Plan, which was adopted by the CMU Board of Trustees in 2011. Both parties have an understanding that the focus is on the growth to the west of the campus, and the expansion is laid out in the Plan. Mr. Wagner referred to page 20 of the plan where there is a sketch of the proposed campus in 2030.

Mr. Wagner referred to a slide of the ROW vacation conditions and noted that these conditions will be implemented for each ROW vacation. The next slide Mr. Wagner presented was of the opportunities for Public Participation. Mr. Wagner noted there are CMU Neighborhood Meetings, Board of Trustees Meetings, President's open office hours as well as City Planning Commission and City Council meetings where the public can offer input regarding an issue.

Questions for Staff

Commissioner Eslami asked staff if the public will still have the opportunity to express concerns regarding the ROW vacations as they come about. Ms. Portner stated that this proposal outlines the area for future ROW vacations, as well as the conditions that will be placed, and the public have this meeting to express concerns. In addition, the neighboring properties will be notified as each right-of-way vacation is going through the administrative review and can contact staff with comments at that time as well.

Commissioner Gatseos asked if the public can appeal the administrative decision. Ms. Portner stated that was correct.

Vice-Chairman Wade acknowledged that doing the ROW vacations administratively

would make things easier, however he has concerns about the public's right to be involved in that discussion until they appeal it. Vice-Chairman Wade stated that he has a concern that the slide Mr. Wagner displayed showed the Planning Commission meetings as an avenue for public input, however this proposal would eliminate the Planning Commission from the process. Mr. Wagner stated that discussions with staff consisted of what opportunities existed to streamline the process for both parties and emphasized that there will still be opportunity for public input even when done administratively.

Vice-Chairman Wade asked if the public appeal would go straight to City Council. Ms. Portner responded that with any decisions made within the code, there is only one appeal process. The rationale is, that since the City Council is ultimately going to be making the final decision on ROW vacations, appeals of the administrative decision would go to City Council.

Vice-Chairman Wade asked how much time it would add to the process if someone from the public had concerns and it was appealed to a public hearing. Ms. Portner stated that it would depend on when the appeal was made and the scheduling of the next public meeting. It could take approximately 30 days.

Vice-Chairman Wade stated that he is not in agreement with any process that takes the public input out of the procedure until a formal appeal is made.

Commissioner Gatseos stated that he understands the streamlining process and the needs of CMU, however he does not like the appeal process. Commissioner Gatseos stated that he is proponent of public hearings and feels they can avoid the necessity of appeals.

Mr. Wagner stated that this all came about to streamline the process with both CMU and the City, and the conditions are a mechanism that ensures proper steps are taken during the ROW vacation. Mr. Wagner encouraged the Planning Commission to come to a neighborhood meeting where they have 30-40 neighbors in attendance.

Ms. Portner clarified that her earlier response to Vice-Chairman Wade regarding added process time was specific for an appeal. The current process adds 60-90 days to a right-of-way vacation request since it goes to Planning Commission for recommendation and City Council for two readings of the ordinance.

Commissioner Deppe stated she was on the fence and could see both sides of the issue.

Public Comments

Clark Carroll, 1240 Cannell Ave, stated he was speaking against the proposal. He stated that the University often falls short of their own plans. City would be relinquishing authority of the street to those who fail to live up to their end of the bargain. Mr. Carroll

stated that the maps presented were fake and presented a false view of the area and a false narrative, therefore approval of this proposal would be based on misconceptions. Mr. Carroll noted that the GIS city maps are mostly correct regarding ownership and parcel boundaries. Mr. Carroll stated that for the most part, CMU owns at least one side of the street, however where he lives, both sides are privately owned.

Mr. Carroll stated that the current process works well and does not feel there is a need to change it. Mr. Carroll also stated that he submitted written comments as well.

Applicant's Rebuttal

Mr. Wagner wanted to point out there were a number of incorrect statements made by Mr. Carroll both in person and in the letter submitted. Mr. Wagner reiterated that this is a proposal that was made in partnership with the City and there is plenty of opportunity for public comments.

Questions for Applicant

Noting that the campus development to the west is ahead of schedule, Commissioner Gatseos asked if the process is broken.

Mr. Wagner stated that the development is ahead of schedule due to the enrollment growth. Although the process is not broken, there is room for improvement. Mr. Wagner stated that from a planning perspective, discussions with staff and the City Manager resulted in a proposal to adopt the CMU Master Plan to streamline the process.

Mr. Carroll added that he feels the Planning Commission is the "thin blue line" between chaos and order. He feels the Planning Commission is the only thing that separates him from chaos and the University expansion. Mr. Carroll stated that he would like to preserve the public process and that it has been working all along.

Commissioner Discussion

Commissioner Gatseos stated that he understands the need for CMU to streamline the process, but he also understands the needs of the public regarding the public process.

Commissioner Eslami stated that he has been on the Planning Commission for over 8 years and is very much in favor of the public hearing process and is opposed to any efforts to eliminate it. Commissioner Eslami expressed concern that an individual may not have the time or money to go through a formal appeal process. Commissioner Eslami emphasized that CMU is an enhancement to the community, however he feels that the public should have the opportunity to speak regarding these decisions.

Commissioner Deppe stated that she agrees with the other Commissioners regarding the need for a public process, however, she feels the conditions that need to be met regarding the ROW Vacations make sense and she is in favor of the proposal.

Commissioner Tolle stated that when he was appointed by City Council, it was explained to him that he is to listen to the constituents whom he represents; the citizens. Secondly, his job is to work with, support and help the staff to develop proposals correct the first time so that time and money is not wasted. Commissioner Tolle stated that he is not in favor of the proposal. He feels that as Planning Commissioners they should attend the CMU neighborhood meetings when invited.

Commissioner Wade stated that he feels the CMU Master Plan is a great plan, however he has difficulty in eliminating the public from the process. Commissioner Wade stated that he believes there is a way that this can be constructed so it still allows administrative approval, but if there was an objection, then it would at least go to a public hearing before the administrative approval could be ratified by the Planning Commission. For that reason, Commissioner Wade stated he is not in favor of the proposal as it is written.

Commissioner Wade noted that since there are five Commissioners voting, there would need to be four votes in favor to carry the motion. He would also like to poll the votes.

MOTION: (Commissioner Gatseos) "Mr. Chairman," on the Institutional and Civic Facility Master Plan for Colorado Mesa University, FMP-2017-118, I move that the Planning Commission forward to the City Council a recommendation of approval with the findings of facts and conclusions and conditions stated in the staff report."

Commissioner Deppe seconded the motion. A vote was called and the motion failed by a vote of 1-4 with Commissioner Deppe voting in favor.

4. Other Business

Tamra Allen introduced herself as the new Community Development Director and thanked Vice-Chairman Wade for a well-run meeting.

5. Adjournment

The Planning Commission meeting was adjourned at 7:12 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ADOPTING A CIVIC AND INSTITUTIONAL MASTER PLAN FOR COLORADO MESA UNIVERSITY AND CONDITIONAL RIGHT-OF-WAY VACATION IN ACCORDANCE WITH THE MASTER PLAN

**LOCATED IN THE COLORADO MESA UNIVERSITY AREA
(Generally 7th to Cannell Streets and North to Orchard Avenue)**

RECITALS:

Section 21.02.190 of the Zoning and Development Code (Code) sets forth a process to consider Master Plans for major institutional and civic facilities that provide service to the community. The Colorado Mesa University (CMU) Campus Facilities Master Plan (attached) provides an overview of CMU's future long term objective to expand the existing main campus westward toward N. 7th Street.

In conjunction with the Master Plan, CMU is requesting approval of an administrative review process for future vacations of right-of-way interior to the campus, (shown within the red outlined area on Exhibit A to CMU Master Plan) upon satisfaction of the conditions established in the Master Plan and this ordinance.

In accordance with the development of the campus anticipated in the Master Plan, CMU requests the vacation of alley and street right-of-ways in order to aid in the continued westward expansion planned for the campus. Currently, right of way vacations requests occur in a piecemeal fashion, generally as CMU acquires properties on both sides of any given right-of-way. That process is unwieldy and tends to be confusing because the vacations may not be understood in the context of the overall plan of development. Presently CMU owns the majority of the property shown within the "2017 Master Plan" boundary, outlined in red on Exhibit A, and sections of right-of-way have already been vacated. Consistent with the terms of all prior vacations all vacations pursuant to this ordinance shall require that CMU own the property on both sides of the right-of-way, provide for general circulation, emergency access, private access easements, if necessary, and compliance with Xcel Energy easement requirements. City utilities will be addressed pursuant to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*. Upon application by CMU for a vacation(s) that is supported by the Master Plan and if the conditions provided in the Ordinance are met or are not met, as reasonably determined by the Community Development Director, in her sole discretion, the Director shall provide written notice to CMU of her findings; if no protest is made to the findings then the vacation will be approved (or denied) after the 20th business day after notice. As further provided in the Ordinance, CMU shall provide written notice of the Director's findings of satisfaction of the conditions to the property owners 500 feet of the area of the petitioned vacation

within 10 days of the date of the Director's notice to CMU finding satisfaction of the conditions.

If any owner takes exception to the Director's findings of satisfaction of the conditions, he/she may request in writing, stating with particularity the finding(s) to which exception is taken, that the Director's decision be considered by City Council.

If CMU takes exception to the Director's findings that conditions are not satisfied, it may request in writing, stating with particularity the finding(s) to which exception is taken, that the Director's decision be considered by City Council. The City Council shall schedule a review of the Director's decision, on the record, within 20 days of the property owner's request.

Upon finding of full and complete satisfaction of the conditions, whether by the Director or the City Council, the Director shall affect the vacation(s) by recording her findings, which shall include reference to the authority granted her by this Ordinance.

The City Council finds that the request to allow conditional approval of vacations of rights of way consistent with the CMU Master Plan is appropriate to and supported by the Comprehensive Plan, the Grand Valley Circulation Plan and Sections 21.02.190 (c) and 21.02.100 of the Grand Junction Zoning and Development Code.

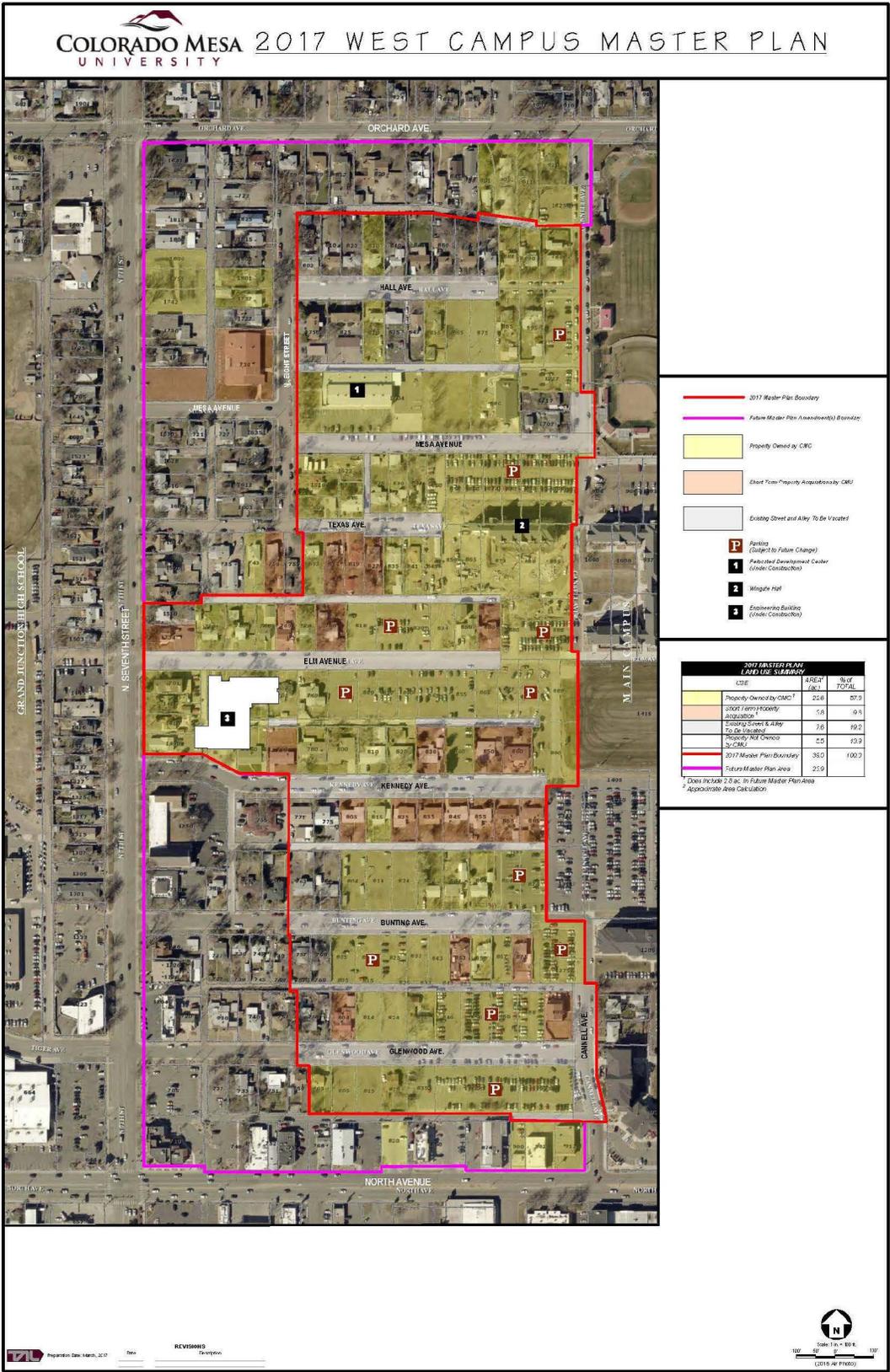
The Planning Commission, having heard and considered the requests, found the criteria of the Code to have been met, and recommends approval of the Institutional and Civic Master Plan and conditional right-of-way vacation subject to full and complete satisfaction of the conditions set forth.

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

The Colorado Mesa University Institutional and Civic Facility Master Plan is approved subject to the following findings and conditions:

1. The requested Institutional and Civic Facility Master Plan, including the vacation of right-of-way, is consistent with the goals and policies of the Comprehensive Plan, specifically Goals 4 and 12.
2. The applicable review criteria in Section 21.02.190 (c) and 21.02.100 of the Grand Junction Zoning and Development Code have been met or addressed.
3. The foregoing Recitals are incorporated herein and made a part hereof.
4. Right-of-way vacation in the identified planning area (Exhibit A) is presumed and conditionally approved on condition that CMU petitions for vacation(s), which shall be reviewed and approved administratively subject to the Director finding that CMU has met all of the following conditions:

Exhibit A





Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: June 7, 2017

Presented By: Allison Blevins, DGJBID Executive Director

Department: Downtown Development Authority

Submitted By: Brandon Stam, DDA Executive Director

Information

SUBJECT:

Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Properties Known as Las Colonias

RECOMMENDATION:

The DDA Board recommended approval at their May 11, 2017 meeting.

EXECUTIVE SUMMARY:

The City of Grand Junction has submitted a petition to include properties, known as Las Colonias, in the boundaries of the Downtown Development Authority. In reviewing the Las Colonias properties the City found gaps within DDA boundaries and this petition would remove those gaps by including the entire property within the DDA boundary and TIF District. Property would be subject to all obligations and privileges arising therefrom.

BACKGROUND OR DETAILED INFORMATION:

The DDA boundaries were originally set with the creation of the DDA but have been expanded many times since that initial boundary was determined. In order to be added to the Authority, an entity must present a petition requesting inclusion and, upon recommendation of approval by the DDA Board, the petition is forwarded to the City Council for consideration.

The City of Grand Junction has submitted a petition to include all of the properties known as Las Colonias, generally located on the north bank of the Colorado River between Highway 50 and 27 1/2 Road. The majority of the property had been included

previously, but some gaps exist, so this petition clarifies the boundaries to be all inclusive of the City-owned property. The property was recently rezoned to PD (Planned Development) and a Business Park is proposed to be integrated into the Park development.

FISCAL IMPACT:

The properties will be subject to the 5 mill DDA levy and be a part of the TIF district.

SUGGESTED MOTION:

I move to (adopt/deny) an Ordinance No. 4755 - An Ordinance Expanding the Boundaries of the Grand Junction, Colorado Downtown Development Authority to Include Properties Known as Las Colonias, on final passage and order final publication in pamphlet form.

Attachments

1. Las Colonias DDA Petition
2. Ordinance Las Colonias

PETITION TO INCLUDE PROPERTY IN THE BOUNDARIES OF THE GRAND JUNCTION,
COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY AND TIF DISTRICT

WHEREAS, the City of Grand Junction, Colorado has established the Grand Junction, Colorado, Downtown Development Authority and TIF District, and

WHEREAS, the boundaries of said Downtown Development Authority and TIF District have been previously established and include part but not all of the below described property owned by the Petitioners, and

WHEREAS, the Petitioner desires that the below described property be included within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and TIF District and be subject to all obligations and privileges arising therefrom.

The Petitioner submits that:

1. The property to be included within the boundaries of the Downtown Development Authority and TIF District is:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County

Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

CONTAINING 160 Acres, more or less, as described.
Known as the Las Colonias property. (Exhibit A)

2. The Property is adjacent to the existing boundaries of the Grand Junction, Colorado, Downtown Development Authority and TIF District. The boundaries of the TIF District are depicted on the attached Exhibit B.
3. The Petitioner desires and understands that once the Property is included into the DDA boundaries and into the TIF District, it shall be subject to the obligations and privileges thereof.
4. The Petitioner is the legal owners in fee simple of the Property.
5. Petitioner is aware that the Grand Junction, Colorado, Downtown Development Authority has adopted a Plan of Development and understand that the Property, once included, will be subject to said Plan.

WHEREFORE, the Petitioner requests that the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority approve this Petition for inclusion of the Property within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and in the TIF District and request Grand Junction City Council to approve the inclusion.

DATED this 26 day of April, 2017

City of Grand Junction (Petitioner)

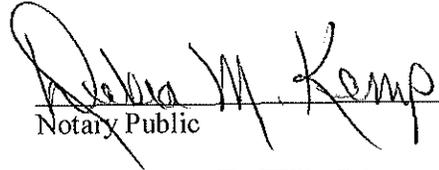
By: [Signature]
City Manager

STATE OF COLORADO)

) ss:

COUNTY OF MESA)

Subscribed and sworn to before me this 26th day of April, 2017 by City
Manager


Notary Public

My commission Expires: 3/13/2021

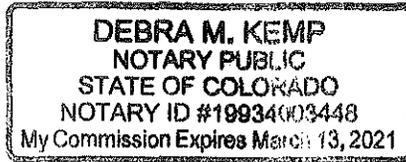


EXHIBIT A

LAS COLONIAS BOUNDARY

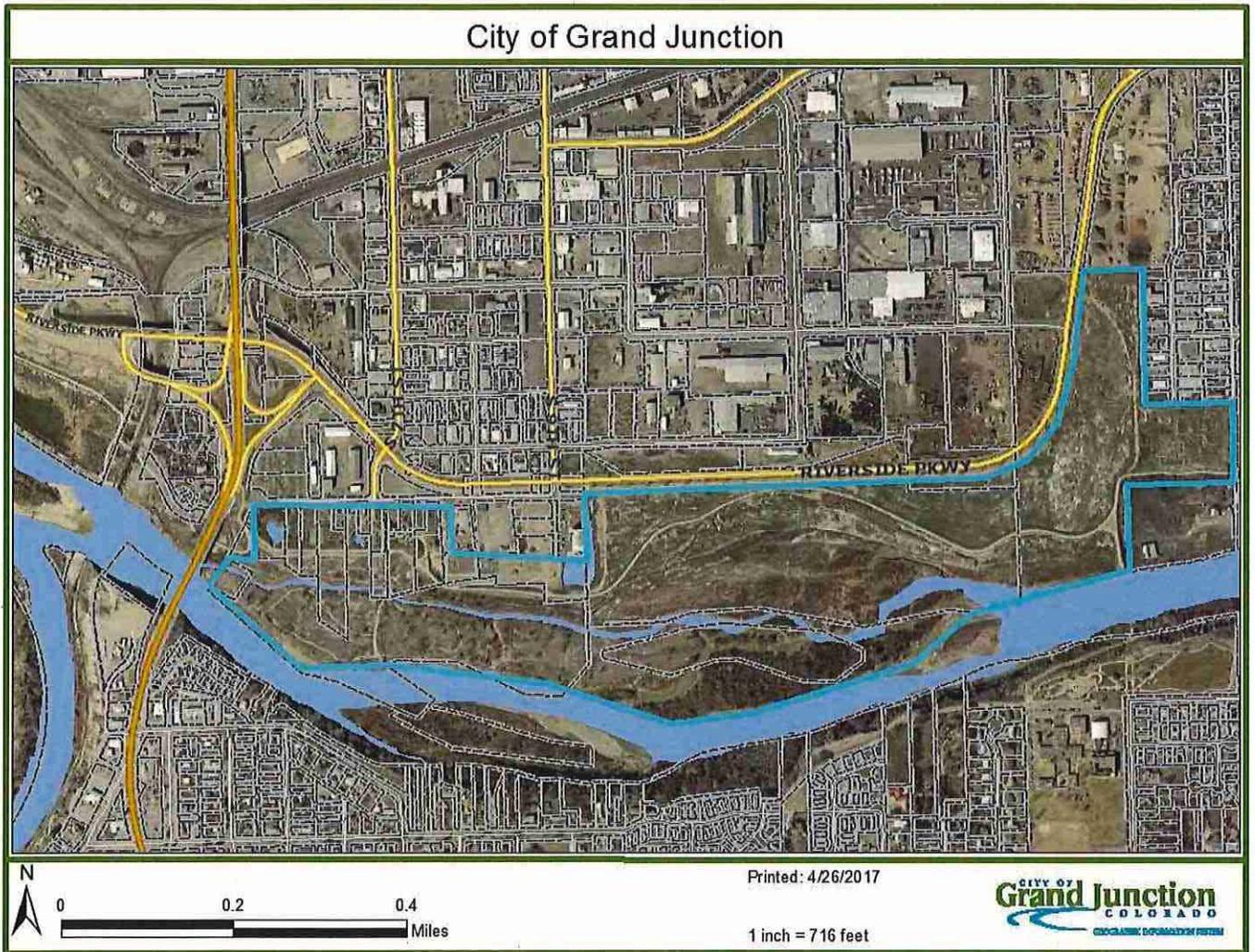
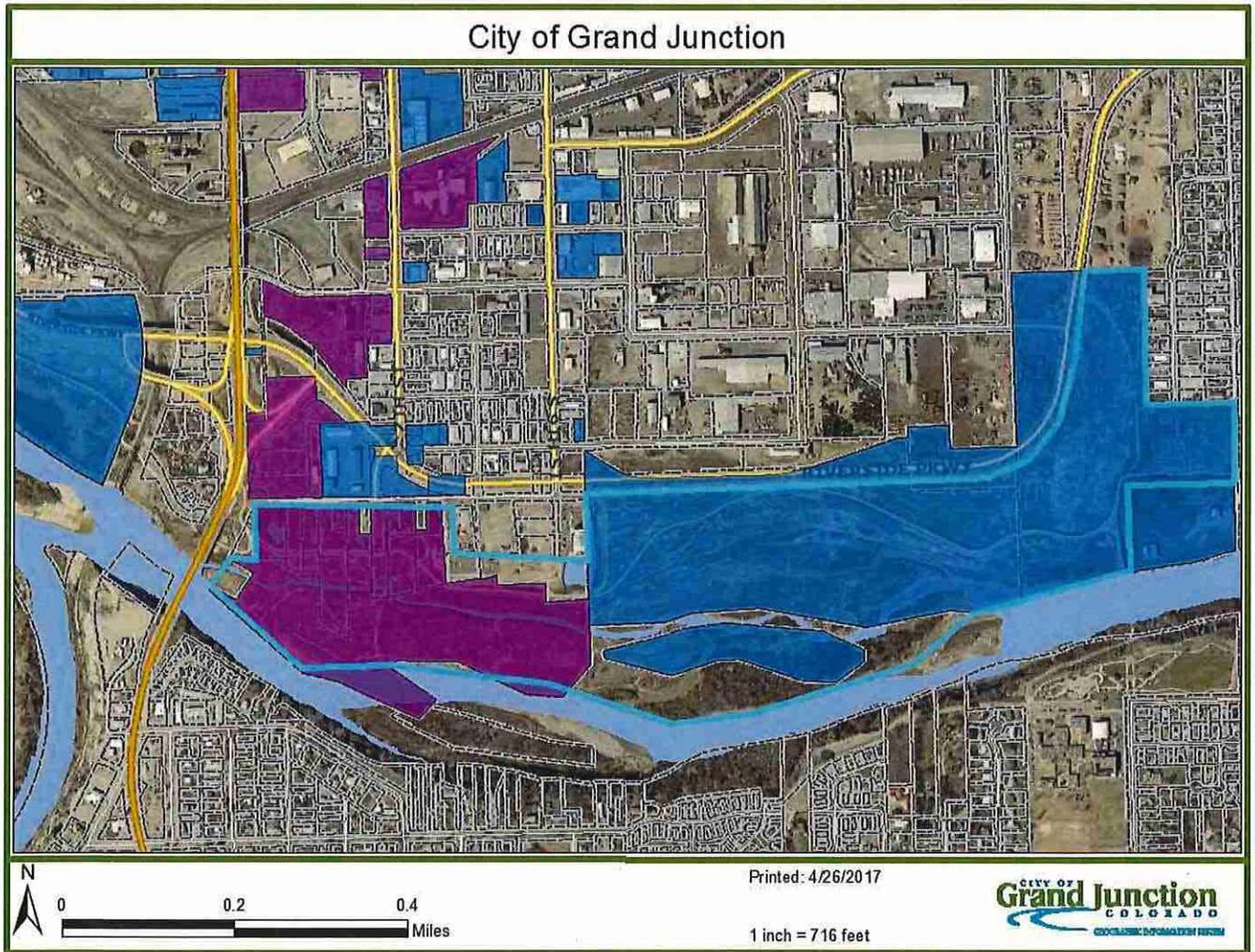


EXHIBIT B

DDA BOUNDARY



ORDINANCE NO. _____

**AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION,
COLORADO DOWNTOWN DEVELOPMENT AUTHORITY TO INCLUDE
PROPERTIES KNOWN AS LAS COLONIAS**

The Grand Junction, Colorado, Downtown Development Authority (“the Authority” or “DDA”) has adopted a Plan of Development (“Plan”) for the boundaries of the Authority. The Plan and boundaries were initially approved by the Grand Junction, Colorado, City Council (“the Council”) on December 16, 1981.

Pursuant to Section 31-25-822, C.R.S. and Article X of the Authority’s Plan, the City of Grand Junction has petitioned for inclusion of certain properties adjacent to the Authority’s boundaries that were part of a replatting process.

The Board of the Authority reviewed the proposed inclusions and has determined that the boundary of the DDA should be expanded. With the expansion the Tax Increment Financing (“TIF”) district will be coterminous with the Authority boundary.

The Board of the Authority requests the Council’s approval to expand the Authority’s boundaries to include all properties included by reference in this ordinance and to expand the Authority to receive a portion or increment of ad valorem and sales taxes collected with the Plan area in accordance with State law, the Plan and other applicable law, rules or regulations.

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

1. The Council finds the existence of blight within the boundary of the Authority, within the meaning of Section 31-25-802(1.5), C.R.S.
2. The Council hereby finds and determines that the approval of the expansion of boundaries for the Authority and the Plan, as shown on the attached Exhibit A, will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures; will halt or prevent the growth of blighted area; will assist the City and the Authority in the development and redevelopment of the district and in the overall planning to restore or provide for the continuance of the economic health; and will be of specific benefit to the property to be included within the amended boundaries of the Authority and the TIF district.
3. The expansion of the Authority’s boundaries, as shown on the attached Exhibit A, is hereby approved by the Council and incorporated into the Plan for TIF purposes. The Authority is hereby authorized to undertake development projects as described in the Plan and to act consistently with the Plan including, but not necessarily limited to, receiving and expending for development and

redevelopment efforts a portion or increment of ad valorem and sales taxes generated in the area in accordance with Section 31-25-801, C.R.S.

4. The Council hereby request that the County Assessor certify the valuation for the assessment of the new property included by this Ordinance within the Authority's boundaries and the TIF district as of the date of the last certification. The City Financial Director is hereby directed to certify the sales tax receipts for the properties included in and described by the attached Exhibit A for the twelve (12) months prior to the inclusion.
5. Adoption of this Ordinance and amendment to, or expansion of the boundary of the Authority and the TIF District, does not, shall not and will not provide for or allow of authorize receipt or expenditure of tax increments without requisite statutory and Plan compliance.
6. In any provision of the Ordinance is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

INTRODUCED on first reading the 17TH day of May, 2017 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2017 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk

Exhibit A

The property to be included within the boundaries of the Downtown Development Authority and TIF District is:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING. at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast

Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

CONTAINING 160 Acres, more or less, as described. Known as the Las Colonias property.



Grand Junction City Council

Regular Session

Item #6.a.iii.

Meeting Date: June 7, 2017

Presented By: Allison Blevins, DGJBID Executive Director

Department: Downtown Development Authority

Submitted By: Brandon Stam, DDA Executive Director

Information

SUBJECT:

Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Properties Known as Jarvis Subdivision Filing 1

RECOMMENDATION:

The DDA Board recommended approval at their May 11, 2017 meeting.

EXECUTIVE SUMMARY:

The City of Grand Junction has submitted a petition to include properties, known as Jarvis property in the Boundaries of the Downtown Development Authority. In reviewing the Jarvis Subdivision properties, the City found gaps within DDA boundaries and this petition would remove those gaps by including the entire property within the DDA boundary and TIF District. The property would be subject to all obligations and privileges arising therefrom.

BACKGROUND OR DETAILED INFORMATION:

The DDA boundaries were originally set with the creation of the DDA and have been expanded many times since then. In order to be added to the Authority, an entity must present a petition requesting inclusion and, upon recommendation of approval by the DDA Board, the petition is forwarded to the City Council for consideration.

The City of Grand Junction has submitted a petition to include all of the properties known as the Jarvis Subdivision, Filing 1, generally located on the north bank of the Colorado River between Highway 50 and the Riverside neighborhood. The majority of the property had been included previously, but some gaps exist, so this petition clarifies

the boundaries to be all inclusive of City-owned property. The property is zoned BP (Business Park) and includes a greenbelt along the River and the opportunity to redevelop as a business park.

FISCAL IMPACT:

The properties will be subject to the 5 mill DDA levy and be a part of the TIF district.

SUGGESTED MOTION:

I move (adopt/deny) Ordinance No. 4756 - An Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include the Jarvis Subdivision Filing 1, in the Boundaries of the Downtown Development Authority on final passage and order final publication in pamphlet form.

Attachments

1. Jarvis DDA Petition
2. Jarvis Ordinance

PETITION TO INCLUDE PROPERTY IN THE BOUNDARIES OF THE GRAND JUNCTION,
COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY AND TIF DISTRICT

WHEREAS, the City of Grand Junction, Colorado has established the Grand Junction, Colorado, Downtown Development Authority and TIF District, and

WHEREAS, the boundaries of said Downtown Development Authority and TIF District have been previously established and include part but not all of the below described property owned by the Petitioners, and

WHEREAS, the Petitioner desires that the below described property be included within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and TIF District and be subject to all obligations and privileges arising therefrom.

The Petitioner submits that:

1. The property to be included within the boundaries of the Downtown Development Authority and TIF District is:

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 15, the Northeast Quarter (NE 1/4) of Section 22 and the Northwest Quarter (NW 1/4) of Section 23, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the lands lying within the boundary of Jarvis Subdivision Filing One, as same is recorded with Reception Number 2790938, Public Records of Mesa County, Colorado, TOGETHER WITH, those five (5) recorded Public rights of way within said Jarvis Subdivision Filing One that are labeled as Not-Included AND all of those certain Public rights of way created and dedicated by said Jarvis Subdivision Filing One.

CONTAINING 133.96 Acres, more or less, as described. (Exhibit A)

These parcels have recently been replatted as Jarvis Filing 1 Subdivision. Petitioner expects that new parcel numbers will be established by the Mesa County Assessor, but have not yet been assigned.

2. The Property is adjacent to the existing boundaries of the Grand Junction, Colorado, Downtown Development Authority and TIF District. The boundaries of the TIF District are depicted on the attached Exhibit B.
3. The Petitioner desires and understands that once the Property is included into the DDA boundaries and into the TIF District, it shall be subject to the obligations and privileges thereof.
4. The Petitioner is the legal owners in fee simple of the Property.
5. Petitioner is aware that the Grand Junction, Colorado, Downtown Development Authority has adopted a Plan of Development and understand that the Property, once included, will be subject to said Plan.

WHEREFORE, the Petitioner requests that the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority approve this Petition for inclusion of the Property within the boundaries of the Grand Junction, Colorado, Downtown Development Authority and in the TIF District and request Grand Junction City Council to approve the inclusion.

DATED this 22 day of February, 2017

City of Grand Junction (Petitioner)

By: [Signature]
City Manager

STATE OF COLORADO)

) ss:

COUNTY OF MESA)

Subscribed and sworn to before me this 22 day of Feb., 2017 by City Manager

[Signature]
Notary Public

My commission Expires: 10-10-2017

JUANITA PETERSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20014031957
My Commission Expires October 10, 2017

EXHIBIT A

JARVIS FILING 1 SUBDIVISION BOUNDARY

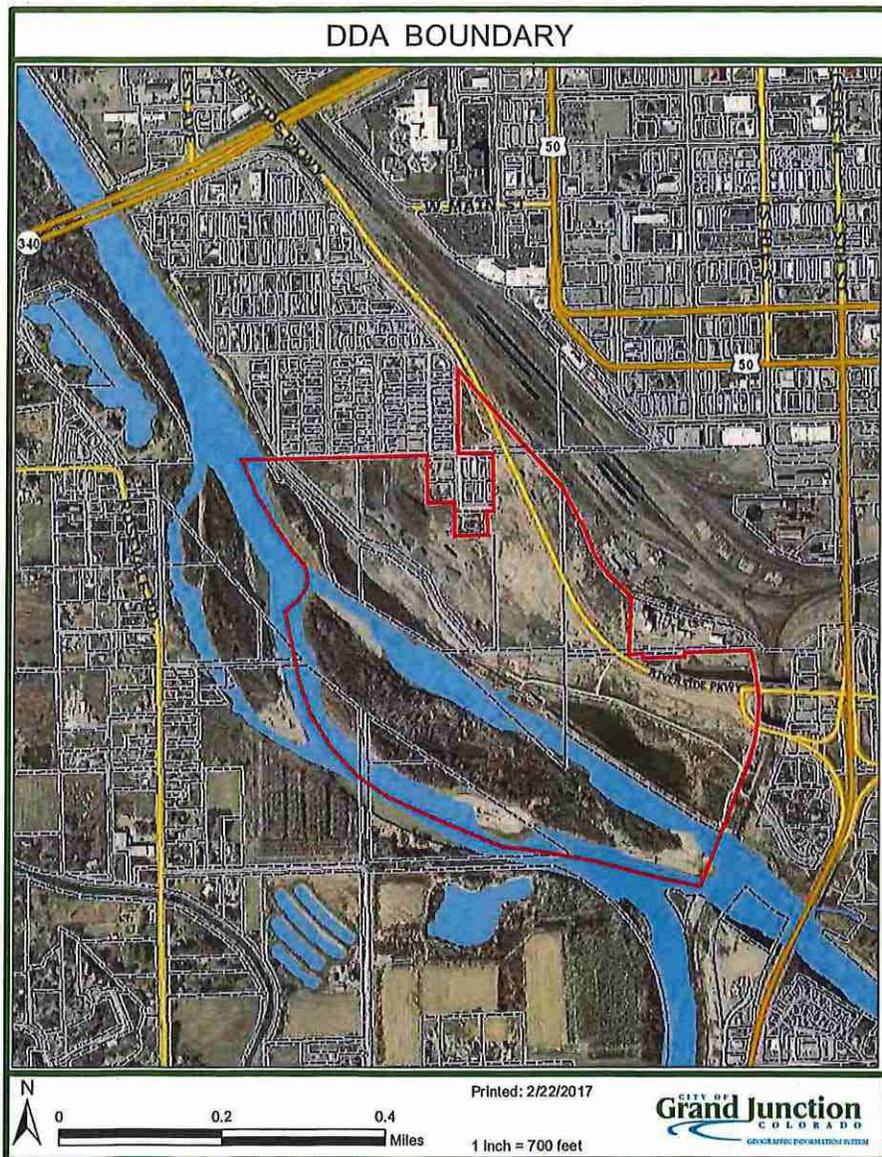
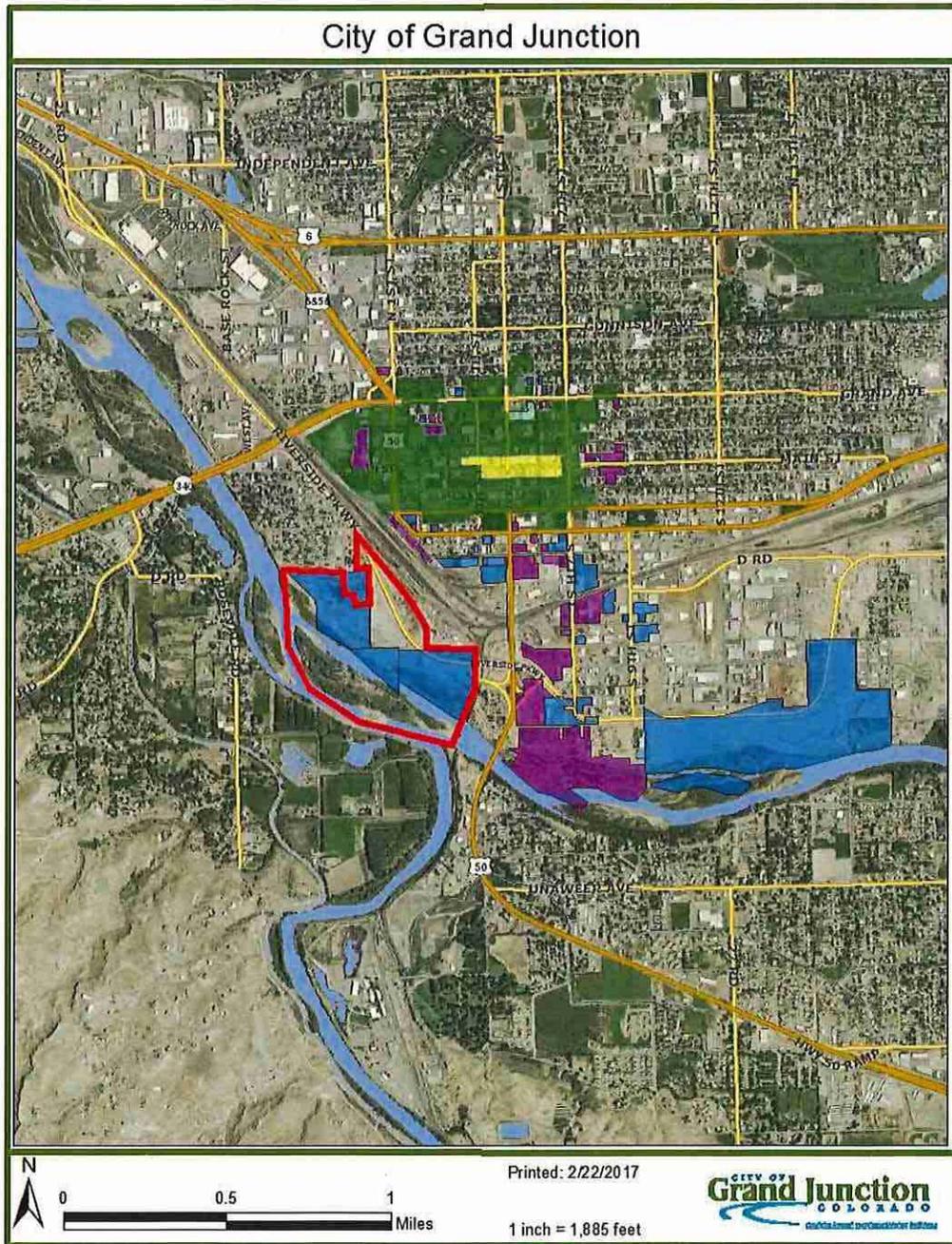


EXHIBIT B

DDA BOUNDARY



ORDINANCE NO. _____

**AN ORDINANCE EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION,
COLORADO DOWNTOWN DEVELOPMENT AUTHORITY TO INCLUDE
PROPERTIES KNOWN AS JARVIS SUBDIVISION, FILING 1**

The Grand Junction, Colorado, Downtown Development Authority (“the Authority” or “DDA”) has adopted a Plan of Development (“Plan”) for the boundaries of the Authority. The Plan and boundaries were initially approved by the Grand Junction, Colorado, City Council (“the Council”) on December 16, 1981.

Pursuant to Section 31-25-822, C.R.S. and Article X of the Authority’s Plan, the City of Grand Junction has petitioned for inclusion of certain properties adjacent to the Authority’s boundaries that were part of a replatting process.

The Board of the Authority reviewed the proposed inclusions and has determined that the boundary of the DDA should be expanded. With the expansion the Tax Increment Financing (“TIF”) district will be coterminous with the Authority boundary.

The Board of the Authority requests the Council’s approval to expand the Authority’s boundaries to include all properties included by reference in this ordinance and to expand the Authority to receive a portion or increment of ad valorem and sales taxes collected with the Plan area in accordance with State law, the Plan and other applicable law, rules or regulations.

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

1. The Council finds the existence of blight within the boundary of the Authority, within the meaning of Section 31-25-802(1.5), C.R.S.
2. The Council hereby finds and determines that the approval of the expansion of boundaries for the Authority and the Plan, as shown on the attached Exhibit A, will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures; will halt or prevent the growth of blighted area; will assist the City and the Authority in the development and redevelopment of the district and in the overall planning to restore or provide for the continuance of the economic health; and will be of specific benefit to the property to be included within the amended boundaries of the Authority and the TIF district.
3. The expansion of the Authority’s boundaries, as shown on the attached Exhibit A, is hereby approved by the Council and incorporated into the Plan for TIF purposes. The Authority is hereby authorized to undertake development projects as described in the Plan and to act consistently with the Plan including, but not necessarily limited to, receiving and expending for development and

redevelopment efforts a portion or increment of ad valorem and sales taxes generated in the area in accordance with Section 31-25-801, C.R.S.

4. The Council hereby request that the County Assessor certify the valuation for the assessment of the new property included by this Ordinance within the Authority's boundaries and the TIF district as of the date of the last certification. The City Finance Director is hereby directed to certify the sales tax receipts for the properties included in and described by the attached Exhibit A for the twelve (12) months prior to the inclusion.
5. Adoption of this Ordinance and amendment to, or expansion of the boundary of the Authority and the TIF District, does not, shall not and will not provide for or allow of authorize receipt or expenditure of tax increments without requisite statutory and Plan compliance.
6. In any provision of the Ordinance is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

INTRODUCED on first reading the 17th day of May, 2017 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2017 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk

Exhibit A

The property to be included within the boundaries of the Downtown Development Authority and TIF District is:

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 15, the Northeast Quarter (NE 1/4) of Section 22 and the Northwest Quarter (NW 1/4) of Section 23, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the lands lying within the boundary of Jarvis Subdivision Filing One, as same is recorded with Reception Number 2790938, Public Records of Mesa County, Colorado, TOGETHER WITH, those five (5) recorded Public rights of way within said Jarvis Subdivision Filing One that are labeled as Not-Included AND all of those certain Public rights of way created and dedicated by said Jarvis Subdivision Filing One.

CONTAINING 133.96 Acres, more or less, as described.



Grand Junction City Council

Regular Session

Item #6.a.iv.

Meeting Date: June 7, 2017

Presented By: Allison Blevins, DGJBID Executive Director

Department: Downtown GJ Business Improvement District

Submitted By: Allison Blevins, DGJBID Executive Director

Information

SUBJECT:

Ordinance Expanding the Boundaries of and Including Property Known as Las Colonias into the Downtown Grand Junction Business Improvement District

RECOMMENDATION:

The Downtown Grand Junction BID recommended approval at their May 11, 2017 meeting.

EXECUTIVE SUMMARY:

The City of Grand Junction has submitted a petition to include properties known as Las Colonias, generally located on the north bank of the Colorado River between Highway 50 and 27 1/2 Road, into the Downtown Grand Junction Business Improvement District.

BACKGROUND OR DETAILED INFORMATION:

The Downtown Grand Junction Business Improvement District (District) was formed by the City Council on August 17, 2005 by Ordinance No. 3815, in accordance with the Business Improvement District Act, Part 12 of Article 25 of Title 31 of the Colorado Revised Statutes (the Act). It was first formed for a term of ten years, and then extended to a term of twenty years by Ordinance No. 4651 on December 17, 2014. The District consists of certain taxable real property that is not classified for property tax purposes as either residential or agricultural (see district map, attached). The District was formed to provide resources to promote business activity and improve the economic vitality and overall commercial appeal of the Downtown area. Since its inception the District has operated in compliance with the Act.

The City of Grand Junction is the owner of that certain real property known as the Las Colonias Property, which property is described in the attached Verified Petition (the Property) executed by the City of Grand Junction. The Property is within the boundary of the District and is not classified for property tax purposes as either agricultural or residential. The City of Grand Junction desires to be included in the District and to be subject to the rights and obligations thereof. The Board of Directors of the District (Board) desires to include the Property into the boundary. A map of the District's current boundaries is attached.

Section 31-25-1220 of the Colorado Revised Statutes provides that the boundaries of a business improvement district can be changed to include property upon the property owner's request so long as the inclusion will not impair the organization or its rights, contracts, obligations, liens or charges. The BID Board has found that inclusion of the Property will not impair the rights, contract, obligations, liens or charges of the District, and that the District will benefit from inclusion of the Property. City Staff concurs and recommends inclusion of the Property into the District boundaries.

At the public hearing, any person having objections can appear and show cause why the verified petitions for inclusion of property into the BID should not be granted.

FISCAL IMPACT:

In the 2017 adopted budget the City Council authorized \$13,466 as payment in lieu of taxes to the Grand Junction Business Improvement District for all City-owned properties located within the district.

At the time the property is developed the BID special assessment will be assessed on commercial property only.

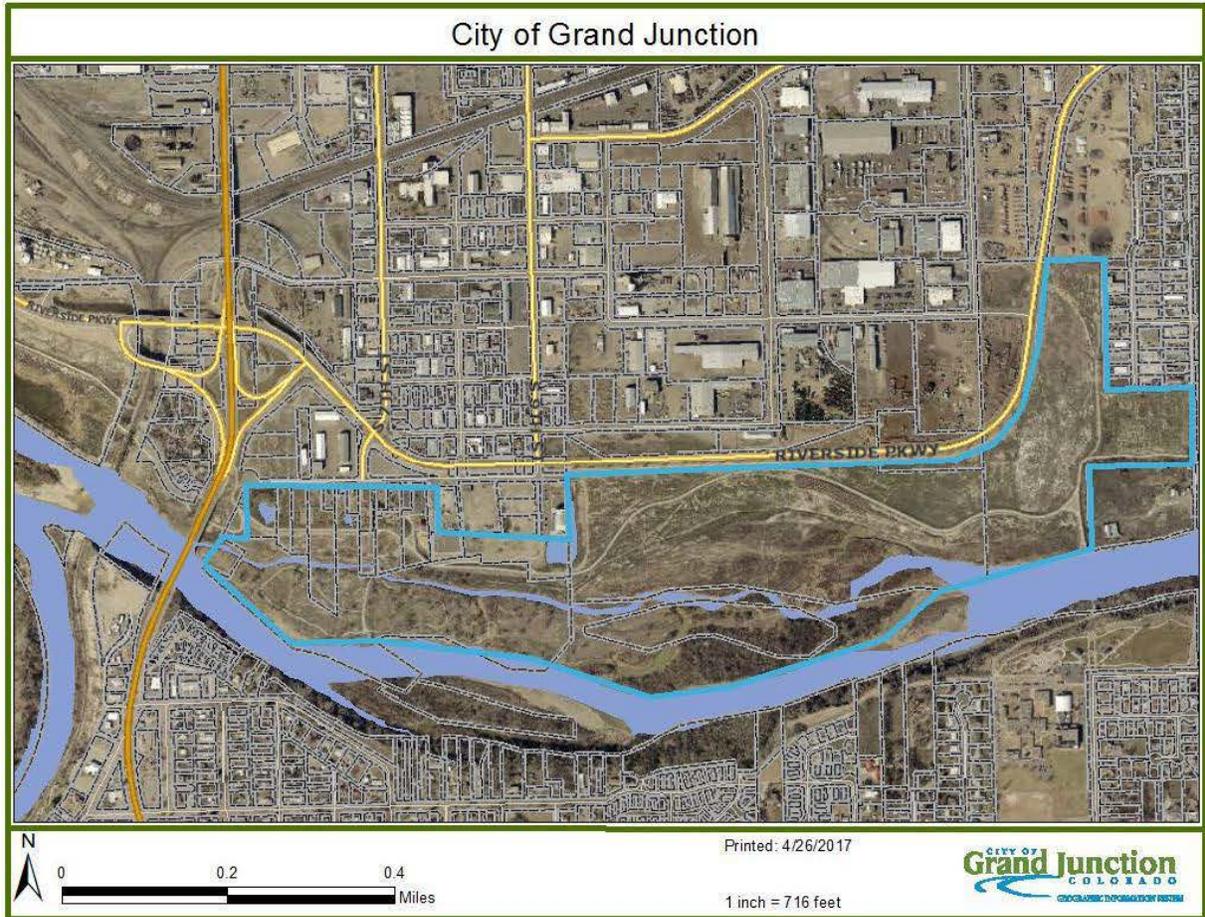
SUGGESTED MOTION:

I move (adopt/deny) Ordinance No. 4757 - An Ordinance Expanding the Boundaries of and including property known as the Las Colonias Property into the Downtown Grand Junction Business Improvement District on final passage and order final publication in pamphlet form.

Attachments

1. Las Colonias Boundary Map
2. Las Colonias Verified Petition for Inclusion in the BID
3. Ordinance for inclusion of Las Colonias into DGJBID

LAS COLONIAS BOUNDARY



VERIFIED PETITION FOR INCLUSION OF PROPERTY
INTO THE
DOWNTOWN GRAND JUNCTION BUSINESS IMPROVEMENT DISTRICT

TO: City Council, City of Grand Junction, Colorado

The undersigned, The City of Grand Junction, ("Petitioner"), the owner of the following described property located within the boundaries of the City of Grand Junction, in the County of Mesa, Colorado, hereby respectfully petitions the City Council of the City of Grand Junction, Colorado pursuant to Section 31-25-1220, C.R.S. for the inclusion of the following described property into the Downtown Grand Junction Business Improvement District ("the District"):

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of

way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.
(the "Property").

The Petitioner hereby requests that the Property be included in the District and that an Ordinance be adopted by the City Council including the Property into the District, and that a certified copy of said Ordinance be recorded with the Mesa County Clerk and Recorder on or about the effective date of said Ordinance, and that from and after the recording of the certified copy of the Ordinance, the Property shall be subject to the levy of taxes for payment of its proportionate share of any indebtedness of the District outstanding at the time of inclusion and liable for assessments and other obligations of the District.

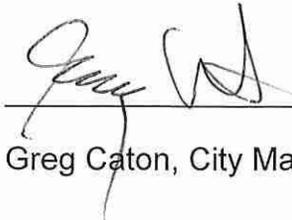
The Petitioner hereby represents to the City Council and verifies that it is the owner of the Property described above and that no other persons, entity or entities own an interest therein except as holders of encumbrances.

Acceptance of this Petition shall be deemed to have occurred at the time when the City Council sets the date (by publication of notice thereof) for the public hearing for consideration of the Petition.

In accordance with Section 31-25-1220(1), C.R.S., this Petition is accompanied by a deposit of monies sufficient to pay all costs of the inclusion proceedings.

Petitioner/Property Owner:

The City of Grand Junction,

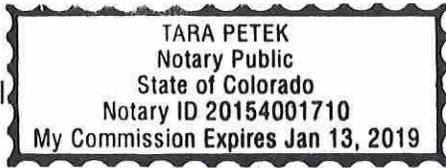
By: 
Greg Caton, City Manager

Address: 250 N. 5th Street, Grand Junction, Colorado 81501

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged and sworn to before me this 15
day of May, 2017 by Greg Caton, as City Manager of the
City of Grand Junction.

Witness my hand and official seal



My commission expires: Jan 13, 2019


Notary Public

ORDINANCE NO.

AN ORDINANCE EXPANDING THE BOUNDARIES OF AND INCLUDING PROPERTY KNOWN AS LAS COLONIAS INTO THE DOWNTOWN GRAND JUNCTION BUSINESS IMPROVEMENT DISTRICT

Recitals:

The Downtown Grand Junction Business Improvement District (District) was formed by the Grand Junction City Council by Ordinance No. 3815 on August 17, 2005 in accordance with the Business Improvement District Act, Part 12 of Article 25 of Title 31 of the Colorado Revised Statutes (the Act). The District's term was extended from ten to twenty years by Ordinance No. 4651 on December 17, 2014.

The District consists of taxable real property that is not classified for property tax purposes as either residential or agricultural (together with the improvements thereon). It was formed to provide resources to promote business activity and improve the economic vitality and overall commercial appeal of the Downtown area. Since its inception the District has operated in compliance with the Act.

The City of Grand Junction owns real property in the Downtown area known as Las Colonias which it seeks to have included into the boundaries of the District. The City of Grand Junction has submitted a Verified Petition for Inclusion of Property into the Downtown Grand Junction Business Improvement District (Petition).

The District's Board of Directors supports inclusion of the Property and finds that the rights, contracts, obligations, liens and charges of the District will not be impaired by the expansion of its boundaries to include the Property, and believes that the District will benefit from the inclusion.

Notice was posted in accordance with C.R.S. §31-25-1220 informing all persons having objection to appear at the time and place stated in the notice and show cause why the petition should not be granted.

The City Council finds that:

- The Petitioner owns the Property requested to be included;
- The Petition is sufficient;
- The Property is not classified for property tax purposes as either agricultural or residential;
- The District will not be adversely affected by the inclusion of the Property;
- The failure of persons to appear and show cause against inclusion of the Property into the boundaries of the District is deemed to be assent on their part to the inclusion;
- No cause has been shown that the Property should not be included;

- Expansion of the boundaries of the District to include the Property furthers the goals and policies of the Comprehensive Plan and the Economic Development Plan and serves the interests of the District and the community.

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

The following real property together with improvements thereon shall be included in the Downtown Grand Junction Business Improvement District:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records

of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

The City Clerk is directed to file a certified copy of this Ordinance with the Mesa County Clerk and Recorder.

Said property shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the district outstanding at the time of inclusion.

Introduced on first reading this ____ day of _____, 2017 and ordered published in pamphlet form.

Adopted on second reading this ____ day of _____, 2017 and ordered published in pamphlet form.

President of the City Council

ATTEST:

City Clerk