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**CITY COUNCIL AGENDA  
WEDNESDAY, SEPTEMBER 20, 2017  
250 NORTH 5<sup>TH</sup> 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**

- a. Presentation of August Winner of Yard of the Month

**Proclamations**

Proclaiming September 20, 2017 as "Sister City Day" in the City of Grand Junction

Proclaiming October 16-20, 2017 as "Irlen Syndrome Awareness Week" in the City of Grand Junction

**Citizen Comments**

**Council Reports**

**Consent Agenda**

**1. Approval of Minutes**

- a. Summary of the September 5, 2017 Workshop
- b. Minutes of the September 6, 2017 Special Session
- c. Minutes of the September 6, 2017 Regular Meeting

**2. Set Public Hearings**

- a. Legislative

- i. Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park and Setting a Hearing for October 4, 2017
  - b. Quasi-judicial
    - i. Ordinance Rezoning property located at 382 and 384 High Ridge Drive from PD (Planned Development - 2 Dwelling Units Per Acre) to R-2 (Residential - 2 Dwelling Units Per Acre) and set a Hearing for October 4, 2017
    - ii. Ordinance amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership, and Set a Hearing for October 4, 2017
    - iii. Ordinance Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial) and set a hearing for October 4, 2017
    - iv. Introduction of an Ordinance Rezoning the Proposed Fossil Trace, Located at 465 Meadows Way, to R-2 (Residential-2 DU/AC) and Set a Hearing for October 4, 2017
- 3. Contracts**
- a. 2017 CDBG Subrecipient Agreement between the Counseling and Education Center (CEC) and the City of Grand Junction
  - b. 2017 Agreement with Mesa County for Animal Control Services
- 4. Resolution**
- a. Assignment of the City's 2017 Private Activity Bond Allocation to The Housing Authority of the City of Fort Collins dba Housing Catalyst

**Regular Agenda**

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

- 5. Public Hearing**
- a. Quasi-judicial

- i. Resolution Accepting the Petition for Annexation and Ordinances Annexing and Zoning the Caballero Annexation, Located at 3149 D 1/2 Road

**6. Other Action Items**

- a. Application for US Department of Justice Annual Justice Assistance Grant for Safety and Operating Equipment
- b. Letter of Intent Regarding Property for Hotel at Two Rivers Convention Center at 159 Main/120 S. 1st Streets, Grand Junction, Colorado

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

**8. Other Business**

**9. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #2.a.**

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**Meeting Date:** September 20, 2017

**Presented By:** Randy Coleman

**Department:** Parks and Recreation

**Submitted By:** Randy Coleman

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**Information**

**SUBJECT:**

Presentation of August Winner of Yard of the Month

**RECOMMENDATION:**

The Forestry Advisory Board has chosen 1510 Ridge Drive as the August Yard of the Month winner.

**EXECUTIVE SUMMARY:**

The Forestry Advisory Board is recognizing the August Yard of the Month winner.

**BACKGROUND OR DETAILED INFORMATION:**

The Forestry Advisory Board has been recognizing summer Yard of the Month winners for five years. Yards are nominated based on curb appeal and can be either commercial or residential. The judging panel, made up of Forestry Advisory Board members, looks for thoughtful designs that take into consideration both functionality and the climate of Grand Junction. The winner receives a certificate and gift card to a garden center.

**FISCAL IMPACT:**

None

**SUGGESTED MOTION:**

N/A

**Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** September 20, 2017  
**Presented By:** City Council  
**Department:** City Clerk  
**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming September 20, 2017 as "Sister City Day" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize "Sister City Day" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Sister City

# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, the City of Grand Junction has recognized El Espino, El Salvador as its official Sister City since September of 2005; and*

*WHEREAS, dozens of members of the Grand Valley community have participated in cultural exchange with the citizens of El Espino through cultural immersion trips with the Foundation for Cultural Exchange; and*

*WHEREAS, throughout the previous 12 years, this city through its community partnership has fostered long-term relationships between the people of Grand Junction and El Espino, thereby advancing peace, prosperity, and cultural understanding in both communities; and*

*WHEREAS, it is appropriate to recognize all the efforts of the Foundation for Cultural Exchange on this eleventh anniversary and to express appreciation for the work they and other community members have done.*

*NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim September 20, 2017 as*

### *“Sister City Day”*

*in the City of Grand Junction and congratulate the Foundation and other community members who have participated in cultural exchanges with the people of El Espino.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20<sup>th</sup> day of September, 2017.*



\_\_\_\_\_  
Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** September 20, 2017  
**Presented By:** City Council  
**Department:** City Clerk  
**Submitted By:** Wanda Winkelmann, City Clerk

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**Information**

**SUBJECT:**

Proclaiming October 16-20, 2017 as "Irlen Syndrome Awareness Week" in the City of Grand Junction

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize "Irlen Syndrome Awareness Week" in the City of Grand Junction.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation - Iren Syndrome Awareness Week



# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, approximately 15-20% of the general population suffers from Irlen Syndrome which affects daily function due to the brain's inability to process visual information; and*

*WHEREAS, persons of all ages and ethnicities may experience Syndrome symptoms, which include light sensitivity, headaches or migraines, difficulty or discomfort when reading, eye strain, and distorted print text or environment; and*

*WHEREAS, evidence shows that brain injuries, chronic headaches, and migraines have also been linked to the Syndrome; and*

*WHEREAS, failure to identify and treat Irlen Syndrome can have severe consequences, ranging from academic and workplace failure or ongoing physical and emotional symptoms, to increased likelihood to enter the criminal justice system; and*

*WHEREAS, the Institute's Founder Helen Irlen says, "Irlen Syndrome is more common than heart disease or asthma, and affects daily quality of life in serious ways. By increasing awareness, we hope to move away from costly misdiagnoses and help sufferer's access readily available solutions."; and*

*WHEREAS, "International Irlen Syndrome Awareness Week" highlights the importance and ease of correctly identifying and treating Irlen Syndrome.*

*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 October 16-20, 2017 as*

### **"IRLEN SYNDROME AWARENESS WEEK"**

*in the City of Grand Junction and urge all citizens to learn and share information about Irlen Syndrome in order that those affected may be more quickly diagnosed and treated.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20<sup>th</sup> day of September 2017.*

\_\_\_\_\_  
Mayor



**GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**  
**September 5, 2017 – Noticed Agenda Attached**

Meeting Convened: 5:35 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:05 p.m.

City Council Members present: All Councilmembers except Councilmember Norris

Staff present: Caton, Shaver, LeBlanc, Camper, Watkins, Romero, Valentine, Prall, Finlayson, McInnis, Kovalik, Hockins, Kemp, and Winkelmann

Others present: Jay Moss and Vara Kusal (HDABID), Richard Swingle, Broadband representatives, and other citizen were present

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Council President Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Broadband Discussion

City Manager Caton introduced the topic by stating that, after months of positive discussions with industry representatives, Council directed staff to draft a flexible program that would encourage expansion of broadband fiber installation for underserved areas during small and large commercial and residential projects. He outlined the program's eligibility requirements and highlights noting funding limits, time requirements, and economic development factors.

There was discussion regarding if the program encouraged (or should) developing a specific section ("middle"/ "last mile"), if the different sections should be funded differently ("last mile" is typically more expensive), if other entities can help fund specific sections (if State funds are used to install "middle mile" sections they must be open access and are typically in rural areas), what standard will be used to define Broadband data locally (State, Federal, FCC, etc.), who will police the feasibility of projects (program does not address), if incumbent providers use public funds without any results (what guarantees are in the program), is this program flexible to allow for different technologies and completion timeframes (program and parameters can be updated/reviewed per Council policy and annual appropriation), what will the anticipated program use be (fund outlay will probably be slow at first and the fund will replenish itself with 50% of the funds to be repaid within three years), and who will decide if the providers are a good credit risk (not determined).

City Manager Caton said locally, the biggest need is to complete the "last mile"; Council would define the local broadband data needs if the program is approved.

Councilmember Kennedy questioned if providing subsidies to incumbent providers for "last mile" fiber installation is a good investment of public funds.

Councilmember Boeschstein likes the proposal, believes it should be pursued, and would like to have provider feedback.

Council President Taggart suggested pursuing a revenue sharing plan with the providers for end-user service.

City Manager Caton said the intent of this program is to expand facilities by collaborating with all providers to move competition forward; staff will begin working with providers for their input in order to move forward.

b. Horizon Drive Association Business Improvement District Board

Jay Moss, President of the Horizon Drive Association Business Improvement District (HDABID) Board, reviewed Phase 1 (roundabouts - completed), 2 (Interstate to G Road), and 3 (Interstate to the Airport) of the Horizon Drive Improvements and added landscaping will be updated to create a contiguous look. He noted the cost for Phase 2 is estimated at \$6.5 million and that some grants are possible to cover around 1/3 of the project; he noted this phase does not qualify for CDOT (Colorado Department of Transportation) funds. Mr. Moss then asked where Horizon Drive falls in regard to City infrastructure improvements.

City Manager Caton said a 10-year capital improvement plan is being developed and years 1-5 are funded and years 6-10 are not; Horizon Drive Phase 2 is scheduled in plan years 6–10.

Mr. Moss reviewed the three Horizon Drive fatalities and circumstances since 2010 and said the HDABID Board has proposed an alternative plan to maximize dollars and safety to include three crosswalks. Two of the three would be able to be reused for Phase 2; the cost is estimated at \$200,000-250,000.

Police Chief Camper said crosswalks with pedestrian activated lights have a higher compliance rate than non-lighted ones.

Councilmember Boeschenstein said HDABID has done a good job on their projects and adding crosswalks is also a good project.

Trent Prall, Interim Public Works Director, said there might be Federal Project Funds available for these types of projects.

City Manager Caton said it is important to evaluate the entire list of capital needs. If the City is able to get restricted (Federal) funds that could be matched with other (CDOT) funds, then it could be considered sooner since it would be closer to full funding.

c. November Ballot Discussion

Council President Taggart reviewed the concerns expressed to the County regarding the public safety ballot question not specifying a percentage of funds for the Grand Junction Regional Communication Center (GJRCC). Council President Taggart relayed the commitment of Commissioner Scott McInnis and the County to the GJRCC at a meeting that also included City Manager Caton, City Attorney Shaver, Grand Junction Police Chief Camper, Mesa County Sheriff Matt Lewis, and Mesa County District Attorney Dan Rubinstein t. Although the ballot question will not specify a specific percentage to go to the GJRCC, Commissioner McInnis said the purpose of the incremental dollars in the ballot question is for the GJRCC The County will partner with the other agencies to raise the commitment up to \$1 million for a period of three to five years.

City Manager Caton explained over a four-year period the City would use 100% of the \$.5 million budgeted for the GJRCC; the 1<sup>st</sup> year the GJRCC's budget would be status quo, the next three years the County and additional agencies would contribute \$355,000 (6% from each agency from the ballot question) to their budget. There was a consensus from the agencies to support this four-year plan.

Chief Camper said a permanent funding solution may require a different governing model.

Council President Taggart asked if the Council would like to formally support this ballot question. The general consensus was yes.

Agenda Topic 2. Next Workshop Topics

Community Development Block Grant - Allocation of Additional Funds, Invocation Discussion, Council Protocol Discussion, and Creating Council Policies.

Agenda Topic 3. Other Business

There was none.

With no further business, the meeting was adjourned at 7:05 p.m.



**GRAND JUNCTION CITY COUNCIL  
TUESDAY, SEPTEMBER 5, 2017**

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

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

**1. Discussion Topics**

- a. Broadband Discussion
- b. Horizon Drive Association Business Improvement District Board
- c. November Ballot Discussion

**2. Next Workshop Topics**

**3. Other Business**

## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**SEPTEMBER 6, 2017**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, September 6, 2017 at 5:04 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Phyllis Norris, Barbara Traylor Smith, Duke Wortmann, and President of the Council Rick Taggart.

Staff present for the Executive Session were City Manager Caton, City Attorney Shaver, and Finance Director Romero.

Councilmember Boeschstein moved to go into Executive Session to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Section 24-6-402 4 (e) of Colorado's Open Meetings Law relative to a possible purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest pursuant to Section 402 4 (a) of Colorado's Open Meetings Law regarding a possible land purchase, sale, or exchange and instructing negotiators concerning a possible economic incentive and/or financial arrangements for an economic incentive and cooperation agreement involving the same property and the Las Colonias Business Park, and will not be returning to open session. Councilmember Kennedy seconded the motion. Motion carried.

The City Council convened into Executive Session at 5:04 p.m.

Councilmember Kennedy moved to adjourn. Councilmember Boeschstein seconded. Motion carried.

The meeting adjourned at 5:36 p.m.

Wanda Winkelmann  
City Clerk

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

**September 6, 2017**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of September, 2017 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Duncan McArthur, Barbara Traylor Smith, Duke Wortmann, and Council President Rick Taggart. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

Council President Taggart called the meeting to order. Councilmember Traylor Smith led the Pledge of Alliance which was followed by a moment of silence.

**Proclamation**

**Proclaiming September 17-23, 2017 as "Constitution Week" in the City of Grand Junction**

Councilmember Kennedy read the proclamation. Katey Kelly, Regent of the Mt. Garfield Chapter of the National Society of the D.A.R. (Daughters of the American Revolution), was present to accept the proclamation. Ms. Kelly gave the history of the organization and thanked Council for the proclamation.

**Appointments to the Urban Trails Committee**

Kristin Heumann was present to accept her certificate of reappointment and Sarah Johnson, Dr. Jack Delmore, and Gary Stubler were present to accept their certificates of appointment to the Urban Trails Committee for three year terms ending June 2020.

Councilmember Boeschstein presented the certificates.

**Citizens Comments**

Bruce Lohmiller, 3032 N. 15<sup>th</sup> Street, #1204, encouraged everyone to attend the Veterans Center Art Show and displayed an owl figurine he made.

John E. Thomas, 1302 Glenwood Avenue, #204, spoke regarding drug use in the community and his concern about how it is impacting our youth.

Jeff McCluskey, 755 North Avenue (business address), requested reconsideration of the North Avenue name change and stated it would cost him thousands of dollars to implement an address change to his Chiropractic business on North Avenue. He feels this change would harm his business in many ways and outlined some of the impacts

that the name change would create. He would like to see the petition that was presented to Council to ensure that North Avenue business owners were included and to see who it was that supported the petition.

Richard Swingle, 443 Mediteranian Way, discussed the Council Workshop that was held on Broadband on September 5<sup>th</sup>. Mr. Swingle gave a presentation on the Broadband timeline between the present and the April 7, 2015 election when Colorado Senate Bill 05-152 was overridden locally. He emphasized that 882 days have passed and a resolution has not been approved and he pointed out some Western Slope cities that have surpassed Grand Junction in offering Broadband.

Scott Eller, business owner of MAACO Collision Repair, 536 Fruitwood Drive, stated the North Avenue name change would cost him \$8,600. He questioned the reasoning behind the name change.

Susan Webster, business owner, 202 North Avenue, sent an email to Council with her budget attached. She expressed concern about losing customers and she asked Council to reconsider or rescind their decision on the North Avenue name change.

Nancy Aldrige Arellano, 656 Larkspur Lane, owns a building on North Avenue. Ms. Aldrige Arellano reviewed a letter she received about the North Avenue name change. She noted the complexities surrounding a street name change. She expressed her concern that the small business owners and average citizens were not given a voice in the matter. She requested that City Council reconsider its decision and put it to a vote of the people.

Mackenzie Dodge, 275 Mountain View Street, requested that Council rescind its decision about the North Avenue name change. She asked them to look at the Keep North Forever Facebook page that has been created regarding the name change and see the sentiments of the people who like the page (over 3,000 strong according to Ms. Dodge). Ms. Dodge stated that people who follow the page have expressed they do not want to be a college town. She doesn't feel that the name change would be an economic driver.

Dennis Simpson, 2306 East Piazza, discussed the information Council received prior to considering the North Avenue name change resolution provided by Levi Lucero and how it may have been inaccurate. He stated that he read the recently adopted Strategic Plan and noted it contains a commitment that the City will admit its mistakes. He requested that Council provide comments on the thoughts expressed during Citizen Comments.

Dennis Seth, 3242 D ¾ Road, Clifton, stated he had to turn down a major account and decisions are on hold until the North Avenue name change issue is settled.



**Council Reports**

Councilmember Norris thanked everyone for voicing their opinion. She pointed out that there is not a majority of Council who wants to hear the issue again, and without that majority they cannot revisit the topic, and therefore it is a waste of their time to keep discussing the issue. Councilmember Norris shared that an election costs the City approximately \$35,000 - \$45,000 and given that cost, she would hate to see it go to that extent. She did state that she felt Council did not listen to the people's voices and told of a *Daily Sentinel* Poll where 73% of the 500 people polled were against the North Avenue name change.

Councilmember Traylor Smith appreciated the feedback received. She said the opinions she heard were in favor, 99-1, of the North Avenue name change. The vote was made with the information they had at the time. She shared that the name change was not a standalone act, but part of a bigger plan that had been discussed in workshops and with Council for the last several months. She asked the citizens present to make sure they are careful in their petition, if that is the route they chose to take, to make sure it clearly defines what their needs are.

Councilmember Kennedy noted that the name change is a tough issue. He said he supports the name change because it is about a long-range economic plan. Many arguments have been made for and against the name change and the citizen involvement is commendable. He ensured that they make their decisions on information and feedback provided to them through many avenues. Councilmember Kennedy recognized that being in a public service position, he makes decisions that will not always make everyone happy. He stated that, as Councilmembers, they are doing their best to make the best decisions for the future of the City.

Councilmember McArthur supports the efforts of citizens to have the name change reconsidered. He then went on to report on his activities in the community. He attended the Colorado Water Congress Annual Conference, which was very informative. He attended the Associated Members for Growth and Development meeting and was updated on the Jordan Cove project, which looks promising. The Jordan Cove Project is a liquefied natural gas export product out of Coos Bay Oregon. He urged folks to become educated on the County's ballot issue in the November election, Amendment 1A, the Public Safety Initiative, which funds the District Attorney's office, Sheriff's office, and the Grand Junction Regional Communication Center.

Councilmember Wortmann spoke of other communities and their aggressive business plans and of the importance of Grand Junction regaining its presence as a regional center. He explained that his vote on the North Avenue name change was driven by the bigger picture to stay competitive with other communities. He then told of a recent business expansion in the community and commended the Planning Department for

their assistance in helping the business not only make the expansion a reality, but also for working with them, and saving them money in the process.

Councilmember Boeschstein thanked everyone who spoke that evening. He addressed the reasoning behind his name change vote in that it was economically driven. He spoke to the improvements that the City has made to improve and beautify North Avenue. He noted the different resources that will be available to businesses to transition to the new street name.

Council President Taggart sincerely thanked everyone for giving their input. He explained that his vote was made after listening to proposals made to Council and felt it was a good decision for the future and how he felt it was a good investment in that quarter of the City. He shared the need to keep discussions professional and respectful.

### **Consent Agenda**

Councilmember Traylor Smith moved to approve Items #1 - #4 on the Consent Agenda. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

#### **1. Approval of Minutes**

- a. Minutes of the August 16, 2017 Regular Meeting

#### **2. Set Public Hearings**

- a. Quasi-judicial
  - i. Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Holder Annexation, Located at 3040 E Road and Setting a Hearing for November 1, 2017
  - ii. Introduction of a Proposed Ordinance Zoning the Caballero Annexation, located at 3149 D 1/2 Road, and Setting a Hearing for September 20, 2017

#### **3. Contract**

- a. Construction Contract for the 2017 Roadway Repairs Project

#### **4. Resolutions**

- a. Resolution Authorizing a Non-Exclusive License Agreement for Telecommunication Equipment in the City's Right-of-Way
- b. Resolution Authorizing the City Manager to Submit a Grant Request to

the Mesa County Federal Mineral Lease District for Replacement of  
Hazardous Chemical Identification Equipment

**Public Hearing An Ordinance Amending Section 2.28.020 of the Grand Junction  
Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record  
for all Matters and to Repeal Title 10 of the GJMC and Reenact Title 10 with a  
Traffic Code for the City of Grand Junction**

An Ordinance Amending Section 2.28.020 of the Grand Junction Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record for all Matters and to Repeal Title 10 of the GJMC and Reenact Title 10 with a Traffic Code for the City of Grand Junction.

The public hearing was opened at 7:11 p.m.

City Attorney John Shaver presented the item and explained the inefficiency of the traffic code, which is its own volume that is difficult to obtain and not available online. Ordinance No. 4759 would create efficiency in that the City would create its own traffic code that can be maintained, updated, and shared through the website. The second consideration is a slight modification to the authority of Court relative to hearing traffic violations. With adoption of the proposed ordinance, traffic matters will be included as record matters and appeals will be on the record.

Title 10 of the Grand Junction Municipal Code concerns traffic regulations; those regulations are principally derived from the State's 2003 Model Traffic Code. Changes have occurred and revisions are necessary and are proposed with this ordinance. If adopted, the City Traffic Code will provide relative uniformity with the State law and will promote consistency and understanding which enhances the health, safety, and welfare of the citizens of Grand Junction without need of re-adoption of the various versions of the Model Traffic Code.

Councilmember Kennedy asked how adopting this Code will impact the case load for traffic violations and fines. City Attorney Shaver stated the new code language will not create any basis for new citations or fines. The Municipal Judge did review the proposed Code and had no comments or suggested changes.

Councilmember Norris also expressed concern about how this would impact the Court and the City Attorney's Office. City Attorney Shaver stated it is expected that the adoption of the Code will save time and create efficiencies.

Councilmember Norris asked about the amount of effort it will take for a citizen to file an appeal. Attorney Shaver noted it will change the appeal process, but this is a more typical type of appeal.

Councilmember Traylor Smith asked about Traffic Court and the appeal process. City Attorney Shaver said the primary change is regarding traffic infractions.

The public hearing was closed at 7:24 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4759 An Ordinance Amending Section 2.28.020(c) of the Grand Junction Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record for all Matters, Repealing Title 10 of GJMC, and Adopting the City of Grand Junction Traffic Code on final passage and ordered final publication in pamphlet form. Councilmember Wortmann seconded the motion. Motion carried by roll call vote.

### **Resolution Supporting District 51 Board of Education Ballot Issues 3A and 3B**

City Manager Greg Caton noted this item is being brought forward at the direction of City Council. Chair for Citizens for D51, Kelly Flenniken, thanked the Council for their leadership on this issue. The questions, which will be known as ballot issues 3A and 3B, will ask voters to increase the property tax mill levy for the School District through an override of \$6.5 million annually through and including December 31, 2027 and to authorize \$118.5 million in bonds and to repay the bond debt by increasing property taxes by a maximum of \$13.5 million per year until the debt is paid. Together the cost is \$9.89 per month on a \$200,000 home or a total of \$118.65 per year (\$56.58 for the override and \$62.07 for the bond).

Councilmember Norris stated that she is also on the Committee. She said that businesses have elected not to move to Grand Junction because of the schools. This is a first step in improving the schools and she fully supports this resolution.

Councilmember Traylor Smith noted that, should these ballot issues pass, the school calendar will have additional days added to it. Mesa County Valley School District (MCVSD) 51 currently has a school calendar year of 167 contact days compared to 180 in schools in different parts of the state. This difference in 12 years accumulates to one year less that our kids are going to school here in Mesa County than schools in the rest of the state.

Councilmember Kennedy noted the rankings of Colorado and the School District compared to other states and districts. MCVSD51 spends \$423 per student per school year compared to other school districts that spend upwards of \$2,500 per student. He stated we are setting ourselves up for failure if this continues. Strong schools are a key component to a thriving community and he fully supports the measure.

Councilmember McArthur noted the community has a large section of seniors and urges them to support this.

Councilmember Wortmann has supported past efforts and discussed the need to support teachers, educators, and first responders. He said we must be fearless in our push for the betterment of the community's future. He sincerely expressed that he fully supports the measure.

Councilmember Boeschstein stated his children attended Grand Junction schools. He expressed his appreciation for anti-bullying campaigns and how many of the schools are much more energy efficient than they used to be. He believes the new superintendent will make some great changes and supports the measure as well.

Mayor Taggart noted the importance of giving kids the opportunity to grow and prosper and to support this is the best resolution.

Councilmember Wortmann moved to adopt Resolution No. 53-17 - A Resolution Supporting Ballot Issues 3A and 3B. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

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

Richard Swingle, 443 Mediterranean Way, discussed the intersection of Gunnison and Mulberry and thanked Council for approving to improve this intersection on the consent agenda.

### **Other Business**

There was none.

### **Adjournment**

The meeting was adjourned at 7:41 p.m.

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Wanda Winkelmann  
City Clerk



## Grand Junction City Council

### Regular Session

Item #2.a.i.

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**Meeting Date:** September 20, 2017

**Presented By:** Brandon Stam, DDA Executive Director

**Department:** Downtown Development Authority

**Submitted By:** Kathy Portner, Community Services Manager

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### **Information**

#### **SUBJECT:**

Ordinance Amending the Downtown Development Authority Plan of Development to Include the Las Colonias Business Park and Setting a Hearing for October 4, 2017

#### **RECOMMENDATION:**

The Planning Commission will consider this item at their September 26, 2017 hearing and forward a recommendation to City Council.

#### **EXECUTIVE SUMMARY:**

The Plan of Development for the DDA was originally adopted in 1981 and needs to be updated to address the recent development opportunities along the Riverfront corridor. The Plan of Development identifies public improvements to the Las Colonias area including providing parks and other public improvements such as streetscape improvements and parking, but does not explicitly identify the proposed business-related improvements. The proposed amendment to the Plan of Development would identify the Las Colonias Business Park as a project under Section VII of the Plan of Development.

Pursuant to C.R.S. 31-25-807(4)(b), Prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. The planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

## **BACKGROUND OR DETAILED INFORMATION:**

The purpose of the Grand Junction DDA is to plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area with the goal of preventing and remediating slum and blight within the DDA boundaries. Further, In cooperation with the planning board and the planning department of the municipality, the DDA is enabled to develop long-range plans designed to carry out the purposes of the authority (as stated in C.R.S 31-25-801) and to promote the economic growth of the district and may take such steps as may be necessary to persuade property owners and business proprietors to implement such plans to the fullest extent possible.

As identified in Section V of the Plan of Development, the purpose of the Plan of Development is to establish a mechanism whereby the Authority and City can implement projects and programs that aid in halting the economic and physical decline of the Plan of Development area and Commercial Renovation Districts, and assist in the revitalization of and reinvestment in the downtown generally.

Specifically, the Plan of Development, Section V outlines the following specific objectives:

1. Prevent the decline of property values.
2. Prevent the deterioration of existing structures.
3. Promote the efficient and economical use of costly land.
4. Maintain an intensity of activity at a pedestrian scale.
5. Conserve the historical character of the City of Grand Junction.
6. Promote appropriate development.
7. Maximize the return on public investments made in the downtown over the years.
8. Prevent the social problems associated with declining commercial areas.

Section VII of the Plan of Development identifies public facilities and improvements that can be used to support and encourage private redevelopment activities. This includes a list of 18 projects of varying specificity. This amendment would add the Las Colonias Business and Recreation Park as a project under this section of the Plan of Development. The Las Colonias Business and Recreation Park will provide public improvements to the Riverfront Corridor and help spur private investment in the area which aligns of with the goals and objectives of the Plan of Development. Currently the Las Colonias Property is owned by the City and is within the DDA Boundaries. The Las Colonias Business Park will be added to page 38 of Section VII of the Plan of Development as project number 19 as proposed below:

19. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities,

including lakes and green spaces for public and private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.

The Board of the Downtown Development Authority met on September 14th to review the revisions to the Plan of Development and unanimously voted to approve the proposed revisions.

Pursuant to C.R.S. 31-25-807(4)(b), Prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations.

In accordance with C.R.S. 31-25-802(5.5) the governing body of the DDA is the City Council. The governing body shall hold a public hearing on a plan of development or substantial modification of an approved plan of development. Following such hearing, the governing body may approve a plan of development if it finds that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the plan of development area or to halt or prevent the growth of blighted areas therein, or any combination thereof, and if it further finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area by the authority and by private enterprise.

**FISCAL IMPACT:**

Although the activities of the Downtown Development Authority have impact on the vitality of the downtown economy, this action to amend the Plan of Development has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to approve the amendment to the Downtown Development Authority Plan of Development to include the Las Colonias Business Park on first reading and set a hearing for October 4, 2017.

**Attachments**

1. DDA 1981 Plan of Development
2. DDA Boundary
3. Proposed Ordinance



POD82DDA

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	CONTRACT
NAME OF CONTRACTOR:	DOWNTOWN DEVELOPMENT AUTHORITY (DDA)
SUBJECT/PROJECT:	PLAN OF DEVELOPMENT
CITY DEPARTMENT:	GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY
YEAR:	1982
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:

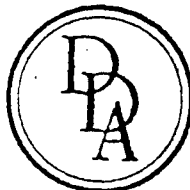
Grand Junction

Downtown Development Authority

DERIVED FROM:

The Grand Junction Downtown  
Development Strategy

Prepared By The Consulting Firm  
Of Johnson, Johnson & Roy, Inc.  
Ann Arbor, Michigan



EFFECTIVE DATE: DECEMBER 16, 1981

CERTIFIED RECORD  
OF  
PROCEEDINGS  
OF  
THE CITY COUNCIL  
OF  
THE CITY OF GRAND JUNCTION, COLORADO  
RELATING TO  
A RESOLUTION  
APPROVING  
A  
PLAN OF DEVELOPMENT  
FOR  
GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

STATE OF COLORADO )  
 )  
COUNTY OF MESA ) ss.  
CITY OF GRAND JUNCTION )

The City Council of the City of Grand Junction, Colorado, held a regular meeting open to the public at the Council Chambers at City Hall, 250 North Fifth Street, Grand Junction, Colorado, on Wednesday, the 16th day of December, 1981, at the hour of 7:30 p.m.

The following members of the City Council, constituting a quorum thereof, were present:

<u>Name</u>	<u>Title</u>
Louis R. Brach	President
Frank Dunn	President Pro-Tem
Gary Lucero	Member
Karl Johnson	Member
Robert Holmes	Member
Betsy Clark	Member

The following members of the City Council were absent:

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following persons were also present:

Neva B. Lockhart, City Clerk  
James E. Wysocki, City Manager  
Gerald J. Ashby, City Attorney

The President declared that this was the time and place for a public hearing on the proposed Plan of Development for Grand Junction, Colorado, Downtown Development Authority.

The City Clerk reported that a notice of this hearing in the form required by Section 31-25-807(4)(c), Colorado Revised Statutes 1973, as amended, was given by publication once by one publication during the week immediately preceding this hearing in The Daily Sentinel, Grand Junction, Colorado, a newspaper having a general circulation in the City. The form of the notice and the proof of publication thereof were approved by the City Council and are attached hereto as pages 16 and 17, respectively.

Thereupon all persons having comments on the proposed Plan of Development we afforded the opportunity to be heard. The names of such persons and the substance of their remarks are as follows:

Thereupon, Council Member           Holmes           introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION APPROVING A PLAN OF DEVELOPMENT  
FOR GRAND JUNCTION, COLORADO, DOWNTOWN  
DEVELOPMENT AUTHORITY.

WHEREAS, Grand Junction, Colorado, Downtown Development Authority (the Authority) has studied conditions within the central business district of the City of Grand Junction (the City); and

WHEREAS, said study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Authority is authorized to plan and propose public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy reported therein that blight exists within the downtown development area; and

WHEREAS, the plan of development attached hereto as Exhibit A (the Plan of Development) was presented to the Board of Directors of the Authority for its consideration; and

WHEREAS, Mesa County Valley School District No. 51, within which the entire plan of development area (the Plan of Development Area) designated in the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for the utilization of tax increment financing; and

WHEREAS, the Authority held a public meeting on the Plan of Development on November 13, 1981, which meeting was preceded by a notice of the meeting published in The Daily Sentinel on November 11, 1981; and

WHEREAS, the Authority adopted the Plan of Development by resolution on December 2, 1981; and

WHEREAS, the Plan of Development was presented to the City Council (the City Council) on December 2, 1981, at which time the City Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto at page 18; and

WHEREAS, a notice of a public hearing before the City Council was given by publication once by one publication during the week immediately preceding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on December 11, 1981; and

WHEREAS, a public hearing was held before the City Council on December 16, 1981, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the completion of the Plan of Development, the public hearing on the Plan of Development, the evidence presented in the Downtown Development Strategy and the Plan of Development, a review of the Grand

Junction Downtown Development Plan Information Base, and the personal knowledge of the members of the City Council,

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

Section 1. The City Council hereby finds and determines as follows:

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Authority as shown by:

1) Of the buildings within the Authority, approximately 85% are 30 or more years old, and although generally sound, they will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business districts;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel



from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Authority, between one-third and one-half is publicly owned and used for streets, alleys or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) Sidewalk repairs are necessary within the area.

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank Building and on the north side of the 600 block of Main Street, and by the placement of parking areas across an alley from business establishments. Many business have

encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles, and this factor, combined with the lack of adequate lighting at night, can encourage burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate fire walls in the design of older buildings.

3) There are no north/south water mains on Second, Third and Fourth, and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing

limited supplies  
fire protection.

for

Section 2. The City Council hereby finds and determines that there is a deterioration of property values or structures within the Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$408,088 in 1979 to \$384,140 in 1980, and \$304,338 in 1981 (in the first eight months of the year); and

B) A decrease in the total assessed valuation of the Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Authority because of recent inclusions.

Section 3. Based upon the foregoing, the City Council hereby finds and determines that there exists blight in the Authority within the meaning of Section 31-25-802(1.5), Colorado Revised Statutes 1973, as amended, and that there is a need to take corrective measures in order to halt or prevent the growth of blighted areas within the Plan of Development Area and the commercial renovation districts designated in the Plan of Development.

Section 4. The City Council hereby finds and determines that the approval of the Plan of Development 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 within said

central business district; will halt or prevent the growth of blighted areas within said district; and will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of special benefit to the property within the boundaries of the Authority.

Section 5. The Plan of Development is hereby approved by the City Council, and the Authority is hereby authorized to undertake development projects as described in the Plan of Development.

Section 6. The City Council hereby finds and determines that the Plan of Development will afford maximum opportunity, consistent with the sound needs and plans of the City as a whole, for the development or redevelopment of the Plan of Development Area and the commercial renovation districts designated therein by the Authority and by private enterprise.

Section 7. In accordance with the Plan of Development, there is hereby designated the Plan of Development Area (the boundaries of which are described with particularity on page 9 of the Plan of Development), in connection with which tax increment financing shall be utilized as provided in Section 31-25-807, Colorado Revised Statutes 1973, as amended, for the purposes specified in the Plan of Development.

Section 8. There is hereby created a separate special fund of the City designated as the "Tax Increment Fund" into which shall be deposited the ad valorem and municipal sales tax

increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, derived from and attributable to development and redevelopment within the Plan of Development Area. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on or before December 31, 1981, the valuation for assessment of the Plan of Development Area as of the effective date of this Resolution. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before April 1, 1982, the amount of municipal sales taxes collected within the Plan of Development Area for the period from December 1, 1980, to November 30, 1981.

Section 9. Those parcels described on page 12 of the Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

Section 10. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has

received any pecuniary benefit from the Plan of Development or any such contract.

Section 11. If any provision of this Resolution 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.

Section 12. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 16th day of December, 1981.

CITY OF GRAND JUNCTION, COLORADO

By: *James P. Brink*  
President, City Council

( CITY )  
( SEAL )

ATTEST:

*Neva B. Lockhart, CMC*  
City Clerk



# CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 8150  
(303) 244-1628

December 12, 1981

TO: Grand Junction City Council  
FROM: Planning Commission of Grand Junction  
SUBJECT: Plan of Development of Grand Junction, Colorado  
Downtown Development Authority

On December 2, 1981, the Grand Junction City Council, pursuant to C.R.S. 1973, § 31-25-807(4)(b), submitted the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

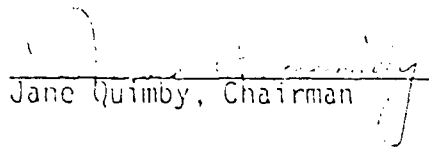
Because of such request, we have obtained copies of the Plan of Development for study and review and have also provided copies to the personnel of the Planning Department for their review. On December 12, 1981, the Planning Commission held a work session at which we considered the comments of the employees of the Planning Department, reviewed the Plan of Development in light of past policies for development and renovation, and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

The Plan of Development, as presented, is a coherent and unified approach to redevelopment and renovation within the downtown area. The Plan of Development does call for certain projects that may require or result in changes in present use and zoning patterns. However, as constituted, the Plan of Development is consistent with the policies adopted by the Commission in the past.

The Plan of Development contains no redevelopment or renovation plans which are not feasible under current policies. Neither does the Plan of Development call for policies or development patterns in conflict with city-wide policies or patterns. It appears to be consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.

On the basis of this review, and the considerations expressed here, the Commission feels that it is not necessary that we specifically enumerate those areas of the Plan with which we are in agreement since the Plan of Development contains no items to which we specifically object. We, therefore, can endorse the Plan of Development as being consistent with existing city policies and recommend that the City hold a Public Hearing on the Plan of Development.

Respectfully submitted,

  
Jane Quimby, Chairman



RESOLUTION  
BY THE  
BOARD OF DIRECTORS  
OF THE GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY  
ADOPTING A PLAN OF DEVELOPMENT

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority has studied conditions within the central business district, pursuant to C.R.S. 1973, § 31-25-807; and

WHEREAS, such study has resulted in the preparation of a Downtown Development Strategy; and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority is authorized, pursuant to C.R.S. 1973, § 31-25-807, to plan and propose public facilities and other improvements to public and private property which will aid and improve the downtown development area; and

WHEREAS, Johnson, Johnson & Roy, Inc., authors of the Downtown Development Strategy, reported therein that areas of blight exist within the downtown area; and

WHEREAS, a plan of development has been presented to this Board for its consideration; and

WHEREAS, this Board has held a public meeting on such plan of development, which meeting was preceded by a notice of such meeting published in the Daily Sentinel on November 11, 1981, prior to such meeting; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing; and

WHEREAS, the Board has been adequately informed in this matter because of public input prior to the completion of the plan of development, the public meeting on the proposed plan of development, the evidence presented in the Downtown Development Strategy and the plan of development, a review of the Grand Junction Downtown Development Plan Information Base,

and the personal knowledge of the members of this Board;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board hereby finds;

A) There is a presence of a substantial number of deteriorated or deteriorating structures within the Downtown Development Authority as shown by:

1) Of the buildings within the Downtown Development Authority, approximately 85% are 30 or more years old, and although generally sound, will require various amounts of renovation to meet present fire and building codes;

2) There are presently older buildings that are vacant, and therefore, deteriorating from lack of use, located at the southeast corner of Fifth and Main, the northwest corner of Fourth and Main, the southeast corner of Third and Main and the middle of the block between Second and Third on Main; and

3) Approximately 18.8% of the retail space available is vacant, even though demand is high in areas outside the central business district;

B) There is a predominance of defective or inadequate street layout as shown by:

1) The lack of adequate long-term parking because of time limits on meters; and

2) The existence of one-way streets on Rood and Colorado and Fourth and Fifth, which cause drivers to travel from four to six blocks out of their way to reach desired destinations because of the effect of the one-way streets combined with the effect of restricted turning intersections on Main Street; and

3) An under-utilization of parking areas to the south of Main Street while the parking areas to the north of Main Street are over-utilized;

C) There exists faulty lot layout in relation to size, adequacy, accessibility or usefulness as shown by:

1) The lot and block layout in the downtown area developed at an early date and resulted in long, narrow lots with the average lot being 25 feet by 125 feet; a size not compatible with modern architectural approaches;

2) Although west of Seventh Street significant pieces of land have been aggregated for potential development, many potential development sites are still held by a number of individual owners, including trusts and estates, and are subdivided by alleys and streets making it difficult to consolidate the needed land for redevelopment;

3) Of land within the Downtown Development Authority, between 1/3 and 1/2 is publicly owned and used for streets, alleys, or public buildings, and, therefore, not available for private use and redevelopment;

D) There exists deterioration of site or other improvements as shown by:

1) There are sidewalks in a deteriorating condition on the southeast corner of Fifth and Rood and on the 200 block between Main and Colorado;

2) There are deteriorating underdrains in the Shopping Park along Main Street from Third to Fifth Streets;

3) Foundation work on some of the older buildings has deteriorated in the past or is presently in a deteriorated condition, thereby making these buildings more susceptible to damage;

E) Unsanitary or unsafe conditions exist as shown by:

1) Combined sanitary and storm sewers in the downtown area which have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition;

2) Older buildings are located near railroad property which encourages transients to seek shelter in or around such older buildings;

3) There is a need to improve and upgrade utilities and sewers in the downtown area before any major redevelopment, for the present system would not be adequate under increased use;

4) The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U.S. Bank building and the north side of the 600 block of Main Street, and by the placement of parking areas across alleys from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking

area to their establishment. However, the alley surfaces are uneven and not adapted to pedestrian travel; there are no crosswalks, the lighting at night is inadequate, and during business hours, there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

5) The presence of older buildings and their ornate building facades encourage pigeons to nest in and around these buildings causing unsanitary conditions to exist around such nesting sites.

6) The alleys are used for utilities upon poles and this factor, combined with the lack of adequate lighting at night, encourages burglars to gain access to building roofs by climbing these utility poles.

F) There exist conditions which endanger life or property by fire or other causes as shown by:

1) The use of second stories of buildings as storage areas; and

2) The density of buildings of an older nature along Main Street which increases the opportunity for fire spreading from one building to another because of the lack of adequate firewalls and the design of older buildings; and

3) There are no north/south water mains on Second, Third, and Fourth and the east/west mains on Grand, White and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for fire protection.

2. The Board hereby finds and determines that there is a deterioration of property values or structures within the Downtown Development Authority as shown by:

A) A decrease in sales tax revenue in the central downtown area along both sides of Main Street from \$454,727 in 1979 to \$436,598 in 1980, and \$343,484 in 1981 for the first nine months of each year; and

B) A decrease in the total assessed valuation of the Downtown Development Authority of 9.02% within the last year despite approximately a 6% increase in the size of the Downtown Development Authority because of recent inclusions,

3. Based upon the foregoing, the Board finds that there exists blight in the Downtown Development Authority, C.R.S. § 31-25-802(1.5) as amended, and that action is required to halt and prevent the growth of blighted areas and to halt or prevent the decline of property values.

4. The Board hereby finds that the adoption of this Plan of Development will halt and prevent deterioration of property values and structures within the central business district, will halt and prevent the growth of blighted areas within the central business district, will assist the City of Grand Junction, Colorado, in the development and redevelopment of such central business district and in the overall planning to restore or provide for the continuance of the health thereof, and will be of especial benefit to the property within the boundaries of the Grand Junction, Colorado, Downtown Development Authority.

BE IT FURTHER RESOLVED THAT:

5. The Plan of Development, attached hereto and incorporated herein as Exhibit "A", is hereby adopted as the Plan of Development for the Grand Junction, Colorado, Downtown Development Authority, including those provisions designating a Plan of Development area within which tax increment financing will be utilized as described on Pages 8 through 10 and 49 through 52, of the Plan of Development, and creation of three commercial renovation districts as described on Pages 12, 47 and 52, of the Plan of Development, in which a five year tax deferral is allowed for renovation of commercial structures more than 30 years old.

6. Such Plan of Development shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development, after public notice, and that the City Council be requested to approve such Plan of Development.

7. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, § 31-25-819, as amended, in the adoption of the Plan of Development has voted thereon or otherwise participated in its preparation or presentation or failed to make such interest known to the Board.

8. If any part of this resolution is held to be unenforceable, such judgment shall not affect the remainder of the resolution, it being the intention of the Board that the provisions hereof be severable.

INTRODUCED, READ, PASSED and ADOPTED this 2nd day of December, 1981.

BY: Pat Gormley  
Pat Gormley  
Chairman of the Board  
Grand Junction, Colorado  
Downtown Development Authority

ATTEST: Sandra Gose  
Sandra Gose  
Secretary  
Grand Junction, Colorado  
Downtown Development Authority

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

EXHIBIT A

DOWNTOWN DEVELOPMENT AUTHORITY

PLAN OF DEVELOPMENT

FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:

The Grand Junction

Downtown Development Authority

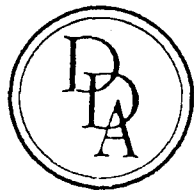


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A.	Grand Junction Downtown Development Strategy
B.	Information Base, Grand Junction Downtown Development Plan
C.	Grand Junction City Council Policy Statement on Downtown Development - April 15, 1981
D.	National Main Street Center Resource Team Report on Grand Junction
E.	Letter, Police Chief, Ed Vandertook
F.	Letter, Fire Chief, R. T. Mantlo
G.	Letter, Public Works Director, Jim Patterson
H.	Grand Junction Downtown Development Authority Interim Plan of Development Relating to Street Vendors



LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>Page</u>
A. Boundaries of the Grand Junction, Colorado Downtown Development Authority	8
B. Description of the Plan of Development Area	11
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## SECTION I

### INTRODUCTION AND RECOMMENDATIONS

#### A. INTRODUCTION

1. This Plan of Development is the result of the City of Grand Junction's continued interest in the revitalization of the downtown area. This interest began as early as 1962, when, in response to issues similar to today's concerns, a revitalization effort was undertaken by the City and the Main Street merchants. A General Improvement District was created to finance utilities and landscaping improvements to Main Street converting four blocks to a Shopping Park. Called Operation Foresight, this revitalization effort led to Grand Junction being named an All-American City.

2. These efforts were continued by the creation of the Grand Junction Downtown Development Authority (DDA) in April of 1977, by a 2 to 1 vote of the downtown electors. The Downtown Development Authority has had a full time director since February of 1980 and pursuant to C.R.S. 1973, S31-25-807, has been involved in the study and analysis of the impact of metropolitan growth upon the central business district. Studies of land use, urban design, parking, traffic and market conditions were made jointly by the City and DDA in 1980 and 1981.

3. As a result of such studies, a comprehensive Downtown Development Strategy was completed in November of 1981. Based upon the recommendations and evaluations contained within the Downtown Development Strategy, this Plan of Development was devised to promote the economic growth of the area encompassed by the boundaries of the DDA and to halt deterioration of existing structures and property values.

4. The Plan of Development, as presented here, attempts to rely upon the strength of the central business district to finance the public facilities, renovations, and repairs necessary to revitalize the area encompassed by the DDA boundaries. Three types of financing are of

primary importance in this Plan of Development.

5. First, a 5 mill ad valorem tax on all taxable real and personal property within the DDA has been imposed since 1978. The proceeds from such levy are used to finance the administrative and budgeted operations of the DDA, including necessary studies and promotional activities. It is anticipated that this source of funds will continue.

6. Secondly, for commercial buildings which are 30 or more years old, Colorado law (C.R.S. S39-5-105, 1973 as amended) allows an owner to defer for five years the assessment of the increased value caused by improvements made for rehabilitation or renovation. This encourages the owner to rehabilitate or renovate his property when he might otherwise not have done so. To qualify for such deferral, the renovation area must be included in a plan of development approved by the governing body of the City. However, the five year deferral of assessments may not be used for property which is included in a plan of development area wherein a tax increment financing district will be used.

7. Third, to foster development outside the areas designated for the five year deferral on assessments but within the DDA boundary, the plan of development calls for the use of tax increment financing.

8. With the adoption of a plan of development for a specific plan of development area within a city, the last certified assessment of taxable property in that area is calculated and becomes the "frozen tax base". Taxes generated from that frozen base continue to be received by the individual taxing entities within the project area; taxes collected upon the incremental assessed valuation over the frozen base are received by the entity undertaking the project to pay for project costs. That entity does not have the authority to levy any additional taxes and must rely specifically on the allocation of taxes produced by growth over the base year. The amount of allocated tax increment depends upon a combination of growth in assessed valuations and tax rates of the taxing jurisdictions. Before the funds from tax increment financing may be pledged for the payment of bonds, loans or other indebtedness, such pledge must be approved by the voters of the tax increment district at a special election.

9. Additionally, municipal sales tax revenues collected from a plan of development area can be frozen at an annual level. That level is defined as total collections in the twelve calendar months preceding the effective date of the plan of development. In subsequent years municipal sales tax collections up to the base year amount will continue to flow into the city's general fund. After the base year amount has been collected; however, all or any part of the incremental amount above the base year figure can be used to pay for bonds used to finance project costs in the same way property tax increment financing is used. Sales tax increment financing is used within the same limits as property tax increment financing. The entity does not have the authority to levy any additional taxes; the amount of increment depends upon growth in retail sales, and none of the tax increment funds can be pledged until approved by the electors of the district at a special election.

10. Revitalization of the downtown area must be a dynamic process that is flexible enough to allow for necessary changes in the plan of development. Under Colorado law, the Plan of Development may be amended by the same procedures necessary for adoption of the Plan. This provides needed flexibility for the changing downtown environment, which, at the present time, needs certain specific activities to commence if revitalization is to commence.

#### B. RECOMMENDATIONS

1. This Plan of Development describes the utilization of a five year property tax deferral on the increased value of commercial property due to renovation and the utilization of tax increment financing including the projects which could be funded. When adopted, this Plan will be complete and could be implemented solely with the tools described herein. However, the activities described in this Plan constitute only a few of many mechanisms that can and should be employed to effect the revitalization of Downtown Grand Junction. The following list of recommended actions, some of which are included in this Plan and some which are taken from the City Council's Policy Statement on Downtown Development dated April 15, 1981, the Downtown Development Strategy and the National Main Street

Center Resource Team Report attached hereto as exhibits C, A, and D, respectively, are suggested for consideration by the DDA and City Council. Each recommended action should be carefully considered to determine its effects on downtown revitalization activities, and the community generally, and if appropriate, implemented.

2. Continuation of the planning process for downtown redevelopment.

Once the Downtown Development Strategy Plan is in place, specific implementation plans should be pursued including:

- a. Design Guidelines for Downtown
- b. Parking Management
- c. Traffic Management
- d. Zoning and Development Control Revisions
- e. Housing Rehabilitation
- f. Landscape and Street Lighting Plan
- g. Detailed Improvement Designs
- h. Retail Mix and Recruitment

3. Adopt a parking management plan and develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. In addition, a special study should be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

4. Adopt revisions to the zoning ordinance that will combine development incentives, design guidelines and zoning regulations within a group of downtown zones. The Authority should be designated as the site plan review agency for all downtown project proposals.

5. Assist the state to develop a state office building in the downtown.

6. Provide Industrial Development Revenue Bond financing to downtown developers for appropriate economically feasible projects in accordance with state and federal statute.

7. Vacate alleys to accommodate new development provided that such vacation is necessary for the successful development of a project where the developer holds title to adjacent properties and construction is imminent.

8. Vacate or provide air rights or easements over street rights-of-way provided such vacation, air right or easement is necessary for the

successful development of a project when the developer holds title to adjacent properties and construction is imminent.

9. Apply for federal and/or state financial assistance to complement private development efforts when the development and application are completed with the conditions of the federal or state assistance program.

10. Relocate municipal utilities to accommodate new development and continue to implement the agreement with Public Service Company of Colorado and Mountain Bell to underground utilities.

11. Designate the renovation districts delineated in the Plan as "Historic Commercial Renovation Districts" for the purposes of Section 104(f) of the Uniform Building Code, 1979 edition as adopted by the City of Grand Junction as a further incentive to renovate older buildings and reduce existing life and fire safety hazards.

12. Initiate redevelopment projects by obtaining control of redevelopment sites and soliciting development proposals and agreements from qualified developers to undertake priority redevelopment projects.

13. Extend Horizon Drive from 7th to 1st Street and upgrade Horizon Drive and 1st Streets to facilitate traffic flow.

14. Contract with a hotel developer for the facility and food service management of Two Rivers Plaza when a hotel project is undertaken adjacent to Two Rivers.

15. Pursue the preliminary design and feasibility analysis on a community performing arts/civic events center for eventual location in the immediate vicinity of Two Rivers Plaza.

16. Adopt and implement a Traffic Circulation Improvement Plan that specifically addresses two way traffic on Road and Colorado Avenues and Fourth and Fifth Streets, the intersection at First and Grand, turns onto and off of Main Street, access to the many destinations in the downtown and traffic traveling through the downtown to other destinations.

17. Pursue the completion of a citywide Master Plan that recognizes the finite limits of real estate development potential in the city and that directs and manages that development for the benefit of the entire community. The downtown is an integral part of the community and what happens in the

community as a whole and what happens in the downtown are closely linked. Planning, development controls, and growth policies should reflect an awareness of those interrelationships.

SECTION II

DESCRIPTION OF DISTRICT BOUNDARIES

The Plan of Development Area within which Tax Increment Financing will be used shall be that property included within the boundaries of the Downtown Development Authority, except for that property included within the boundaries of the Commercial Renovation District.

The boundaries of the Grand Junction Downtown Authority which are:

"Exhibit A"

The description of the Plan of Development Area within which the Tax Increment Financing will be used is:

"Exhibit B"

The description of the Commercial Renovation Districts is:

"Exhibit C"

These areas are graphically displayed on the attached map.

"Exhibit D"



BOUNDARIES OF THE GRAND JUNCTION, COLORADO DOWNTOWN

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobeys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98; City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction, thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence East along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128, City of Grand Junction, to the North right-of-way

line of Ute Avenue; thence West along said Ute Avenue to the Southwest Corner of Block 10, Mobley's First Subdivision; thence West along the Southwest line of Block 10 to the Northwest Corner of said Block 10; thence North along the section with the southerly projection of the East line of Block 10 to the East line of Spruce Street; thence North along said East line to the Northwest Corner of Block 10, Mobley Subdivision; thence Northwesterly to a point 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  and Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS lying South and East of a line beginning at a point

on the East line of Tract 1 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North  $44^{\circ}11'$  East 901.66 feet; thence North  $89^{\circ}58'$  West 126.0 feet; thence South  $0^{\circ}01'$  East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North  $44^{\circ}11'$  East 901.66 feet; thence North  $89^{\circ}58'$  West 126.0 feet; thence South  $0^{\circ}01'$  East 197.50 feet to the centerline of the railroad spur track; thence South  $89^{\circ}58'$  East 126.00 feet along said centerline; thence North  $0^{\circ}01'$  West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN  
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilsons Subdivision of Block 2 of Mobleys Subdivision; thence East along the South right-of-way line of Grand Avenue to the North Corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16 all in Block 78, City of Grand Junction, to the North right-of-way line of White Avenue; thence East to the East right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 98; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East right-of-way line of 5th Street; thence South along the East right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest Corner of Lot 13, Block 82, City of Grand Junction; thence along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 81; thence East along the North right-of-way line of the East-West alley in Block 82 and 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to the South right-of-way line of White Avenue; thence thence East along the South right-of-way line of White Avenue to the West right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Blocks 93, 106, 115, and 128,

City of Grand Junction, to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner, Block 10, Mobley Subdivision; thence Northwest along the Southwest line of Block 10, Mobley Subdivision to the intersection with the southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest Corner, Block 10, Mobley Subdivision; thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  and Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  west for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the Easterly right-of-way of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the Easterly right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the Southern right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest Corner; thence South to the centerline of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1; thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision; thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Downtown Development Authority of Grand Junction all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobleys' First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16, exclusive of the West 15 feet of said North 50 feet of Lot 12.

And also excluding from the boundaries of the Grand Junction Downtown Development Authority that part of Tract 8, AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS from which the East  $1/4$  Corner of Section 15,

Township 1 South, Range 1, West of the Ute Meridian Bears North 44°11' East 901.66 feet; thence North 89°58' West 126.0 feet; thence South 0°01' East 347.5 feet to a point on the South line of said Tract 8 which is the terminal point of said line; and also excluding from the boundaries of the Downtown Development Authority of Grand Junction, all of Tract 9 except that part of said Tract 9 included within the following described parcel:

That part of Tracts 1, 2, 3, 8, and 9 of AMENDED SURVEY OF THE LITTLE BOOKCLIFFE RAILROAD YARDS described as follows:

Beginning at a point on the East line of said Tract 1 from which the East 1/4 Corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian bears North 44° 11' East 901.66 feet; thence South 0°01' East 197.50 feet to the centerline of the railroad spur track; thence South 89°58' East 126.00 feet along said centerline; thence North 0°01' West 197.50 feet to the point of beginning.

TOGETHER with an easement over and across a strip of land extending South from the property hereby described to a line 3 feet South of and parallel to the South line of said railroad spur track.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado.

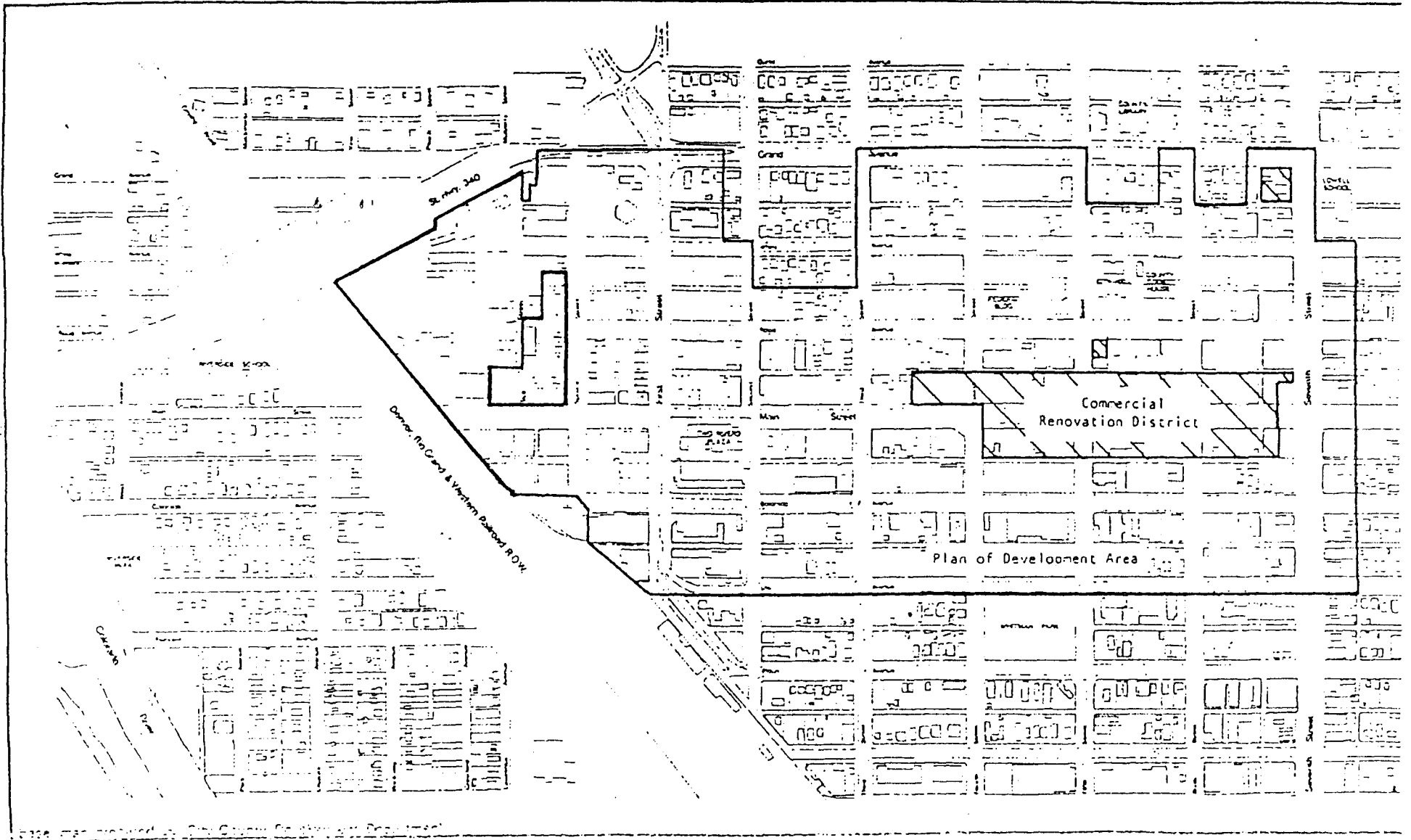
EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20, inclusive, in Block 105; Lots 1 to 15, inclusive, except the East 50.45 feet of Lots 11 to 15, inclusive, in Block 116; Lots 1 to 16 inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, all in the City of Grand Junction, Mesa County, Colorado





SECTION III

STATUTORY REQUIREMENTS FOR ADOPTION AND IMPLEMENTATION  
OF A DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT WHICH INCLUDES  
BOTH RENOVATION DISTRICTS AND A PLAN OF DEVELOPMENT AREA WITHIN WHICH TAX  
INCREMENT FINANCING WILL BE USED

A. GENERAL

1. Revitalization of a downtown area is a time-consuming and dynamic process. The results of the planning phase may influence the downtown environment for years, and it is, therefore, necessary that those affected by a plan of development are provided adequate opportunity to voice their suggestions and concerns for the future of "their" downtown. The minimum requirements are those dictated by Colorado law.

2. The following summarizes the statutory requirements for adoption of this Plan of Development and indicates the date of completion of this Plan. Additionally, also shown are the other opportunities provided for input into the Plan and optional activities undertaken to assure maximum public input as well as compliance with the policies of the City Council.

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
1. 1/19/77	Resolution authorizing election of formation of DDA	
2. 2/8/77	Election	
3. 3/16/77	City Ordinance No. 1669 , establishing DDA State Statute 31-25-804	
4. 6/2/80		Employment of consultants to study and analyze land use, urban design, parking, traffic, and market conditions
5. 8/21/80		Formation of Downtown Action Committee to Provide input on Plan of Development

<u>B. DATE OF ACTION</u>	<u>C. STATUTORY REQUIREMENTS</u>	<u>D. OPTIONAL ACTIVITIES</u>
(Continued)		
6. 4/15/81		Adoption by City Council of Policy Resolution for downtown
7. 10/2/81		Public presentation by Johnson, Johnson & Roy, Inc. of their conclusions concerning the downtown area
8. 10/7/81		Discussion with County Assessor and Treasurer concerning implementation of tax deferral and tax increment financing
9. 10/28/81	Meeting with school district personnel seeking their advice and comments on tax increment financing 31-25-807 (3)(d)	
10. 11/6/81		Review of Downtown Development Strategy Plan by DDA Board of Directors and invitation to Mesa County Commissioners to attend for explanation of Plan concept including tax increment financing
11. 11/11/81		Published notice of meeting of DDA Board to consider and adopt Plan of Development after public input
12. 11/11/81		Presentation of Plan to local architects, engineers, and planners
13. 11/13/81		Public meeting of DDA Board concerning Plan of Development concept

B. DATE OF ACTION

C. STATUTORY REQUIREMENTS

D. OPTIONAL ACTIVITIES

(Continued)

- |  |  |
|--|--|
| 22. Upon adoption of Plan of Development | Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan<br>31-25-807(3)  |
| 23. To be determined during 1982         | Resolution of DDA Board to have election for pledging of tax increment funds<br>35-25-807(3) (b) |
| 24. To be determined during 1982         | Approval by City Council of election at least 30 days prior to election<br>35-25-807(3) (b)      |
| 25. To be determined during 1982         | Election - qualified electors of district<br>35-25-807(3) (b)                                    |
| 26. To be determined during 1982         | City Council adoption of ordinance authorizing the issuance of bonds                             |
| 27. To be determined during 1982         | Bonds issued for project   |

## SECTION IV

### EXISTING CONDITIONS WITHIN THE BOUNDARIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY

#### A. RESULTS OF THE ANALYSIS OF EXISTING CONDITIONS

1. Johnson, Johnson & Roy, Inc., concluded that a Downtown Development Strategy Plan was needed because: "Within the downtown area, there exist clear measures of blight and deterioration, which require improvements to ensure the economic well-being and quality of life of all our residents. We have a substantial number of deteriorating structures; some of these suffer from structural blight, some from functional blight. Although our street system is generally wide and adequate, we face circulation problems which call for simplification. The utility systems serving our downtown must be replaced both for our safety and our future growth. Most of all, we need to grasp the opportunity to bring life back into the downtown area through the addition of sound housing and attractive commercial and office space."

2. Among the many factors presently existing within the boundaries of the Downtown Development Authority which led Johnson, Johnson & Roy, Inc. to the above conclusion are:

a. Any increase in intensity of development or redevelopment will require replacement and upgrading of present utilities, including replacing and upgrading of water and sewer lines;

b. A present need for parking locations which provide reasonable location distribution of long and short term parking as well as effectively provide for long term parking.

c. A present combination of one-way streets and restricted turning intersections along Main Street which requires one to travel four to six blocks to find a parking space and which often prevents one from getting to visible parking lots on cross streets and inhibits the ability to reach offstreet lots;

d. Potential development sites at which ownership has not been consolidated and where the potential major development parcels are divided by alleys and streetways;

e. Present zoning classifications which do not always make it possible to attract the desired type of redevelopment;

f. Existing land use of adjacent parcels and existing zoning are not such as to encourage successful redevelopment of multiple family housing;

g. ~~Fragmented ownership~~ and land prices which put the area at a disadvantage in attracting new builders;

h. Lack of high quality lodging;

i. Areas adjacent to the DDA which contain areas that no longer fulfill their original function, and which are unattractive, at times unsafe, and provide a loitering spot for transients, such as Whitman Park; and

j. Upper stories of most downtown structures which are generally underutilized as activity generators for the downtown area because of their present use as storage areas.

#### B. ADDITIONAL FACTORS

1. In addition to the above factors, other factors indicate that, despite the traditional advantages of the central business district over other locations because of its core of governmental, financial, and related activities, the central business district is no longer able to attract new development or redevelopment.

2. The area within the boundaries of the Downtown Development Authority has traditionally been a strong retail area for the City. However, at the present time there are vacant buildings, not presently undergoing redevelopment or conversion, at the corners of 5th and Main, 2nd and Colorado, 4th and Main, and 3rd and Main. At the present time approximately one square foot of each five available for retail space is vacant since there is presently a retail vacancy rate of approximately 18.8% even though retail space is in high demand in other areas. Each square foot of vacant retail space means that there is lost revenue to the property owner, a loss in the entire spectrum of retail goods available to the consumer, and a loss of consumer-attracting businesses.

3. The downtown area is also an old area. Although there has been some new construction within the last 10 years, approximately 85% of all the structures are older than 30 years old. There have been three periods

of significant construction downtown: 1887 to 1894, 1907 to 1922, and 1946 to 1952. Because of the different building requirements during these periods, these older buildings, unless renovated, remodeled, or redeveloped, contain structural hazards to health and safety. For example, the large windows used on older buildings to provide sunlight and ventilation, now create safety problems because of the easy access they may provide for burglars and transients, and the high ceiling of many older buildings may provide more air space for combustible matter.

4. The decline of the downtown central business district can best be seen in a comparison of the sales income and assessed valuation of property in the last three years. Sales taxes collected in the central downtown area along both sides of Main Street have fallen from \$408,088 in 1979 to \$384,140 in 1980 and \$304,338 in 1981, during the first eight months of each year. This reflects that the share of the city-wide retail market in this area has fallen from 13.23% to 7.24%.

5. This reduction in sales tax revenue is not due to a change of use, for the total assessed valuation of property has also declined. Although the total assessed valuation of real property within the boundaries of the Downtown Development Authority increased by 5.85% because of substantial inclusions of new property in the Downtown Development Authority, the assessed value of personal property fell by 31.80% and the overall assessed value fell by 9.02%. This decline in tax revenues, when viewed against the massive development occurring on Horizon Drive and in other areas, indicates that the central business district is failing to keep pace with the rest of the county.

6. All of these factors indicate that the conclusion by Johnson, Johnson & Roy, Inc., that blight exists within the downtown area, applies to the property within the Downtown Development Authority. Under Colorado law, a blighted area is not equated with what is traditionally thought of as a "slum", but, rather is an area in which sound growth, adequate housing provisions and the public health and welfare are impaired because of the type of structures and the land upon which they are located as well as other unsanitary, or unsafe conditions.

### C. PUBLIC INPUT

1. During public meetings and through discussion with City officials, other potential problems have been identified. These problems vary in severity. Some problems are scheduled to be remedied by work programs in the future, while others are not scheduled for corrective action. The problems include:

a. Combined sanitary and storm sewers in the downtown area have the potential to back up into the drains of property owners after extreme rains, thereby creating an unsanitary condition. Any future sewer construction would require the installation of separate lines.

b. There are deteriorating underdrains in the Shopping Park along Main Street from 3rd to 5th.

c. There are sidewalks in a deteriorating condition on the southeast corner of 5th and Rood and on the 200 block between Main and Colorado.

d. The street lighting in the Shopping Park is on tall poles, but since the vegetation is now quite large on Main Street, little light reaches the sidewalks and walkways creating a potential public safety hazard.

e. There are no north-south water mains on 2nd, 3rd, and 4th and the east/west mains on Grand, White, and Rood are no larger than 6 inches, thereby providing limited supplies which are not adequate under present codes for adequate fire protection levels.

f. Public officials are aware that the foundation work on some of the older buildings have deteriorated in the past or are presently in a deteriorated condition. For example, one of the buildings has wooden piles which rotted because of a fluctuating water table. During the Main Street water main break, extensive damage occurred because of the old style, porous foundations.

g. The alleys in the downtown area are still major delivery and service routes; however, heavy pedestrian traffic has been encouraged by the use of walkthroughs at the U. S. Bank building and on the northside of the 600 block, and by the placement of parking areas across an alley from business establishments. Many businesses have encouraged the use of back doors as the most direct entrance from a parking area to their establishment. However, the alley surfaces are often uneven and not adapted to pedestrian travel, there are no crosswalks, the lighting at night is inadequate.

quate, and during business hours there is a flow of both delivery trucks and trash collection trucks which pose a potential threat to pedestrians.

2. The combination of these problems and those identified by Johnson, Johnson & Roy, Inc., presents a picture of large scale future problems as growth occurs in the community, creating a greater demand upon downtown facilities. Both public and private development will be needed to keep the downtown from further deterioration.



m. Construction Management: This is provided by either a skilled public agency or private sector specialists. It can help to assure completion of a project on time and within budget, and on complicated projects may become an absolute necessity.

n. Supervision of Project Planning and Design: This is the responsibility of the City and DDA and calls for both the establishment of a close working relationship between public and private professionals and an understanding by both of the goals and performance needs of the other.

#### B. IMPLEMENTATION TOOLS

A wide variety of tools are available to the City of Grand Junction and the Downtown Development Authority for the implementation of this Plan.

1. Most important of these to the implementation of this Plan of Development is the Downtown Development Authority. Under Colorado legislation, the Downtown Development Authority has the power to acquire by purchase, lease, license, option or otherwise, any property and to improve land and to construct and operate buildings and other improvements on it as well as to act as solicitor by any property owned by or under its control. The Authority can issue revenue bonds for the purpose of financing its development facilities.

2. Industrial development bonds, issued by the City after review by the industrial bond committee, are also an extremely powerful tool, which, to date, have not been directed in significant form to the downtown area.

3. Tax increment financing is an extremely important tool for the implementation of this Plan of Development. Tax increment financing can provide for the construction of public facilities in the Plan of Development area and for property acquisition for public or private redevelopment. A Plan of Development area is established by this Plan. An election is required to authorize issuance of bonds. TIF bonds, however, cannot be expected to fund all of the projects.

4. General improvement districts offer an opportunity to fund public improvements. General improvement districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off-street parking facilities.

5. The City also has the power to establish and maintain a pedestrian mall under the Public Mall Act of 1971. This act provides for both fully

pedestrian, or pedestrian/vehicular transit malls such as the existing Shopping Park. The City could conceivably employ this act to provide for the construction and payment for improvements throughout a general improvement district or a smaller commercial renovation area. The statute authorizes the City to levy a special assessment against property within the district to be expended for the maintenance, operation, repair or improvement of the mall.

6. Parking revenue bonds can be issued by the City to provide for the construction, maintenance and operation of public parking facilities, buildings, stations or lots and to pay for their costs by a general tax levy or otherwise by the issuance of revenue bonds. The principal and interest on such revenue bonds can be paid for solely out of revenues assessed and collected as rentals, fees, or charges from the operation of such facilities or from parking meter renewals, rentals or charges.

7. The City also has the authority, under the Public Parks Act, to establish, maintain and acquire land necessary or proper for boulevards, parkways, avenues, driveways and roadways, or for park or recreational purposes for the preservation and conservation of sites, scenes, open spaces, and vistas of scientific, historic, aesthetic or other public interest. Monies in the park fund can also be used for the maintenance and improvement of parks, parkways, boulevards, avenues, driveways and roads.

8. The City and the Downtown Development Authority have the authority to enter into long-term rentals and lease-holds, both for undeveloped or improved property. In addition, intergovernmental cooperation agreements can be used to establish and provide for joint use of public services or facilities.

9. A local, nonprofit development corporation may be necessary to provide coordination for large, private, multi-property developments. Industrial Development, Inc., is currently established as a nonprofit development corporation, but additional corporations such as this may be necessary and should be encouraged if coordination can be ensured.

10. The Capital Improvements Program established by the City and the County are major tools for insuring that public improvements are installed and maintained consistent with the goals and priorities of the community. Downtown projects should be set aside in a separate category, and prioritized on an annual basis.

11. By state statute, deferral of property tax assessments is available to owners of certain older buildings who improve their property through renovation. This is available for private home owners without special designation of their areas as a renovation district. For commercial property owners, a commercial renovation district is established under this Plan.

12. Urban development action grants, and community development block grants are federal programs offering assistance for a wide range of development and renovation activities. There are strict qualification requirements, and each year's funding level is subject to changes in federal policy and national economic shifts.

13. Main Street Program technical assistance, and historic structure designation are programs under the auspices of National and State Historic groups. Incentives for the preservation and judicious re-use of historic buildings are available, and geared to the needs of private owners.

14. Conventional financing is the normal course for most development projects. Recent interest rate fluctuations have led to greater use of devices such as the reduced rate loan pool established by the Authority.

15. Various other federal and state agencies offer specialty grant or technical assistance services for public improvement. Here, these can include: Federal Highway Administration and Urban Mass Transit Administration grants; Joint Budget Committee decision and expenditure; Colorado Energy Impact Assistance funds; Housing Authorities at the local, state and federal level; Colorado highway users trust fund.

#### C. IMPLEMENTATION-STEPS

The following list of actions will need to be taken, not necessarily in this order to implement this Plan.

1. The first step in the implementation strategy is the adoption of the Authority's Plan of Development and the continuation of the planning process. The agencies primarily responsible for this are the City and the Downtown Development Authority. Special studies and plans need to be developed for the following:

- a. Parking Management
- b. Design Guidelines for Downtown
- c. Landscape and Street Lighting Plan

- d. Zoning and Development Control Revisions
- e. Traffic Management
- f. Retail Mix and Recruitment
- g. Detailed Improvement Designs
- h. Housing Rehabilitation

2. The City should designate the Downtown Development Authority as the planning implementation agency for these projects.

3. The City and DDA will develop a detailed downtown implementation strategy and an annual work program based on fundable projects and activities. Specific planning and improvement projects will be paired with appropriate funding mechanisms.

4. The City and the DDA will hold a tax increment financing bond election.

5. The DDA and the City will prequalify for selected state and federal assistance programs. Although the exact use of these programs at the moment may not be clear, it is important that the City establish itself as qualified and interested in these funding programs for the implementation of this Plan of Development.

6. The DDA and the City will design and implement funding mechanisms for the commercial renovation district. These include those programs currently in place, such as the Low Interest Commercial Loan Pool and others which will require research and development.

7. The City and the DDA will prepare and consider for adoption revisions to the zoning ordinance. The DDA will be included in the Site Plan Review Process for all activities in the downtown.

8. The City, with DDA assistance, will provide industrial development bond financing for projects in the downtown in accordance with state and federal law.

9. The DDA and the City will coordinate market analysis studies, site plan designs, and packaging for projects such as the multi-use office/hotel/convention center.

10. The DDA, the City, and the Grand Junction Housing Authority will coordinate the development of market analysis studies, design studies, and packaging of properties for housing redevelopment projects where appropriate.

11. The DDA and the City will coordinate the market analysis, design planning, and packaging for the entry development project area.

12. The City and the DDA will coordinate selection of the state office building site and provide planning assistance for the state office building.

13. The DDA will need to coordinate design and development in a number of other redevelopment project areas, and should be aware of and anticipating the development of these.

14. The DDA with private sector assistance, will need to design and incorporate a local, private, non-profit development corporation. This corporation may be established for special projects, or may in fact begin to serve as an overall private partner to the Downtown Development Authority. The local development corporation could begin to coordinate implementation of the development of the downtown, taking some of the burden from the publicly financed DDA.

15. The City and DDA will adopt a parking management plan and may need to develop, adopt, and implement a parking district and a future parking development plan. Financing mechanisms for this include parking revenue bonds. A special study will be conducted to ensure that parking is provided and financed in a way amenable to downtown redevelopment.

16. The City and DDA will implement parking district improvements including property acquisition and constructing structures funded by parking revenue bonds, tax increment bonds, other sources or a combination of mechanisms.

17. The City, the DDA, the County, State and Federal governments and the school district could establish intergovernmental cooperation agreements for the joint provision and use of facilities and services. Such an example may occur in the governmental office district for the provision of parking or other maintenance, or property/street improvement activities.

18. The City, with the cooperation of the County, DDA and other agencies, needs to establish priorities and funding for federal and state urban transportation systems. These may include improvements to those major state highways bypassing or going through the downtown. It may require application or involvement with the Federal Highway Administration, the State Highway Users Trust Fund, the Colorado Department of Highways, the Federal

Urban Mass Transportation Administration and perhaps the state's Energy Impact Assistance funds.

19. The City and DDA should establish financing for park, boulevard, median and landscaping improvements. The funding mechanisms for these, in addition to highway construction sources, may include the Public Parks Act which would allow this kind of construction. The City does not currently take advantage of this financing mechanism.

20. The City and the DDA should research, evaluate and develop special land development regulations for the downtown that combine development incentives and design guidelines with regulations. Considerable legal research will be necessary and modification to existing administrative systems may be necessary. This could include exploration of feasibility of transferrable development rights, condominium law applications to private home improvements, and the use of air rights in certain congested areas of the downtown.

21. The Downtown Development Authority's interim Plan of Development relating to street vendors, attached hereto as Appendix H, adopted by the Authority Board and City Council in response to Grand Junction City Ordinance Number 1989, is hereby made a part of this Plan of Development.

SECTION VII  
PUBLIC FACILITIES

A. GENERAL

1. As mentioned in Section VI., the construction of public facilities and improvements can be used to support and encourage private redevelopment activities. Private redevelopment will encourage further reinvestment by the private sector. The result will be increased property values, increased tax revenues to the City, and reinforcement of land uses and business activities adjacent to the public facilities and improvements constructed as a result of this Plan.

2. A number of public works improvements will be undertaken to implement this Plan by the City and the Authority. Some of the improvements could be financed solely from tax increment revenues. Others could be financed with other available financing tools, i.e., special assessments, revenues bonds, general fund appropriations, general improvement districts, lease purchase, federal and state grant and loan programs and others. Some projects may be financed utilizing a combination of funding mechanisms.

3. The public improvements will be constructed to complement and provide incentives for private development. Scheduling the various public improvements will depend on the area and intensity of private sector redevelopment, the scheduling of the City's Capital Improvement Program, and the availability of tax increment and other financing mechanisms. The City and Authority will install and construct, or cooperate as appropriate with other public or private agencies, in the installation and construction of such public improvements, public facilities and utilities as are necessary to carry out this Plan. Such improvements, facilities, and utilities include, but are not limited to, any streets, parks, plazas, parking facilities, playgrounds, pedestrian malls, rights-of-way, structures, waterways, bridges, lakes, ponds, canals, utility lines or pipes, and buildings, including access routes to any of the foregoing, designed for use by the public generally or used by any public agency with or without charge, whether or not the same is revenue-producing. Improvements will be undertaken whenever possible in conjunction with and as an incentive for private redevelopment projects.

However, redevelopment priorities of the City and DDA, available funding and other demands, not the requests of redevelopers will determine the schedule of public improvement projects.

3. A more detailed description of the public facilities and improvements follows. Individual facilities and improvements will be further defined in the Public Improvement Design Guidelines and project specific implementation plans and specifications. The location of many of the projects listed in Section VII.B. below are identified by number in Exhibit E. on Page 43.

#### B. PROJECTS

1. Renovation of the Main Street Shopping Park. In addition to the improvement of facades along the shopping core being funded by the loan pool administered by the Downtown Development Authority, improvements to the landscaping, street furniture, and lighting will be accomplished.

2. Improvements to Alleyways. The improvements to alleyways include undergrounding utility systems, a general clean-up of the area, resurfacing, and improvements to pedestrian through-paths and parking areas.

3. Improvements to Rood Avenue. The 19.5 foot traffic lanes will be narrowed to 12 feet, and canopy trees and landscaping improvements will be added. The street will be returned to two-way traffic.

4. Improvements to Colorado Avenue. Traffic movement lanes will be narrowed from 19.5 to 12 feet, canopy trees and street landscaping improvements will be added. The street will be returned to two-way traffic.

5. Improvements to Seventh Street. This involves the extension of the boulevard from Grand to South. It will require minor alterations to parking along Seventh and the installation of a landscaped boulevard down the center of Seventh. It will require minor narrowing of the traffic lanes and will improve the movement of traffic along Seventh.

6. Restoration of Whitman Park. Although Whitman Park is not presently within the Authority's boundaries, it is hoped that it will become part of the DDA within the near future because of its influence upon adjacent DDA property. The improvements proposed to Whitman Park include clean-up and modification of the landscape and improvements to the lighting to improve safety and reduce loitering. These improvements will enhance its use as a neighborhood park for potential future housing development.



7. Extension of the Shopping Park. The Shopping Park will be extended into the 200 block of Main Street and a plaza could be constructed at Second and Main to include a large sculptured fountain. This project will enhance Two Rivers Plaza and provide incentive for the future development of a multi-use hotel and office facility in close proximity to Two Rivers Plaza. It will also provide incentive for a performing arts complex at that location. It will be undertaken in conjunction with private development.

8. Relocation of Regional Bus Terminal. This terminal needs to be relocated to a site more appropriate for regional transportation, and to allow improvements in the neighborhood of its current site to occur. The project will involve site selection, acquisition and development, and could include clearance and acquisition of its current property.

9. Image Improvement at Seventh and Main. This project involves improvements in parking, lighting landscape, and signage at the entry to the Shopping Park. In the future, the site can serve as a community bus transfer point, dependent upon installation of a line haul bus facility program in Grand Junction.

10. Identify, Designate and Acquire Future Parking Facility Locations. The City and Authority will identify specific locations for future parking facilities and acquire and maintain these properties as development staging areas to encourage and provide incentive to future development.

11. Construct Parking Facilities. The City and Authority will build parking facilities (surface or multi-level) on appropriate designated sites to accommodate parking demand created by new development.

12. Expansion of the Museum of Western Colorado. The City and Authority will assist the Museum in identifying and acquiring a site to permit the expansion of the Museum facility. This could involve acquisition and resale or a long term property lease.

13. Public Building Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for the development of public buildings individually or in cooperation with other agencies desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan. Public buildings could include a state office building, City Hall, performing arts/civic events center, County offices and others.

14. Redevelopment Sites. The City and DDA will identify, acquire and assemble sites or key parcels appropriate for redevelopment projects (commercial, office, hotel, housing, etc.) for resale or lease to public or private developers desiring to undertake projects consistent with the objectives of this Plan and within the redevelopment areas designated in this Plan.

15. Utilities. The City will expand or replace municipal utilities (water distributions, sanitary sewer, storm sewer, lighting) where necessary and appropriate, and desirable to accommodate the utilities demands of redevelopment projects provided funds are available.

16. Right-Of-Way Acquisition. The City will acquire rights-of-way or easements where necessary to accommodate utility relocations and roadway and traffic circulation improvements.

17. Parks. The City and Authority will acquire sites for and develop parks, plazas, fountains and pedestrian walkways between parking areas and activity centers in accordance with the Downtown Development Strategy Plan and subsequent landscaping, public improvement and redevelopment plans.

18. Improvements to First Street. In cooperation with the State Highway Department, First Street will be landscaped and intersections improved to accommodate pedestrian traffic across First Street without adversely affecting traffic flow.

#### C. PRELIMINARY COST ESTIMATES

1. The following cost estimates are for typical block or work areas for several of the public improvement projects listed and are based upon current (October 30, 1981) construction costs. The individual unit costs used are slightly inflated to include approximately 10% contingency to cover related work but not itemized. These estimates were prepared without the aid of accurate existing condition surveys or detailed development plans. The estimates do not include any allowance for major underground work except as noted, or for unforeseen construction problems.

2. TYPICAL UNIT AND PER BLOCK COSTS

a. Main Street Shopping Park Upgrade Cost Estimate - Typical Block

1.) Work Items	Units	Cost/Unit	Total
Remove dead trees	6 EA	\$ 50.00 EA	\$ 300.00
Install low plantings planters	6 EA	150.00 EA	900.00
Remove existing planters	6 EA	150.00 EA	900.00
Prune existing trees	12 EA	80.00 EA	960.00
Paint existing shelters	Allow	500.00	500.00
Reconstruct brickwork	Allow	2,000.00	2,000.00
		Subtotal	<u>\$5,560.00</u>
		+ 25% contingency and general conditions:	<u>1,390.00</u>
			<u>\$6,950.00</u>
		Say:	\$7,000.00

2.) Construct Small Fountain Feature

Allow \$12,000 to \$25,000 each

b. Typical Alley Treatment Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove alley pavement	940 SY	6.00 SY	5,640.00
Miscellaneous removals	Allow	1,000.00	<u>1,000.00</u>
			<u>\$6,640.00</u>

Utilities

Adjust existing m.h. covers	5 EA	100.00 EA	500.00
New inlets	2 EA	1,500.00 EA	<u>3,000.00</u>
			<u>\$3,500.00</u>

Sitework

New bituminous paint	620 SY	15.00 SY	9,300.00
New special concrete	2,900 SF	5.00 SF	14,500.00
Screen wall	210 LF	180.00 LF	37,800.00
Curb/seat wall	210 LF	50.00 LF	10,500.00
Entry trellis	Allow	5,000.00	5,000.00
Entry difectory	Allow	3,000.00	3,000.00
Pedestrian lights	7 EA	2,000.00 EA	<u>14,000.00</u>
			<u>\$84,100.00</u>

Landscape Furnishings

Flowering trees	10 EA	\$ 200.00 EA	\$ 2,000.00
Planting bed	1,260 SF	4.00 EA	5,040.00
Bench units	5 EA	400.00 EA	2,000.00
Irrigation	Allow	4,000.00	4,000.00
			<u>\$ 13,040.00</u>
		TOTAL:	<u>\$107,280.00</u>

Budget ranges from \$105,000 to \$135,000 per block.

Utility  
 Transformer  
 Secondary distribution  
 Allow

Budget ranges from \$45,000 to \$55,000 per block.

c. Road and Colorado Avenue Improvements Cost Estimate - Typical Block

1.) Site Improvements

Site Preparation

Remove existing street	1,130 SY	8.00 SY	9,040.00
Remove existing curb	1,040 LF	4.00 LF	4,160.00
Remove existing sidewalks	180 SY	5.00 SY	900.00
Remove existing lights	10 EA	250.00 EA	2,500.00
			<u>16,600.00</u>

Utilities

Adjust existing m.h. covers	16 EA	100.00 EA	1,600.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	14 EA	1,500.00 EA	21,000.00
Miscellaneous	Allow	3,000.00	3,000.00
			<u>26,500.00</u>

Sitework

Concrete curbs	1,060 LF	10.00 LF	10,600.00
New brick/concrete walks	7,800 SF	4.50 LF	35,100.00
Concrete replacement	1,600 SF	2.00 SF	3,200.00
Street patching	100 SY	15.00 SY	1,500.00
30' lights	10 EA	3,000.00 EA	30,000.00
Brick crosswalks	1,600 SF	8.00 SF	12,800.00
			<u>93,200.00</u>

Landscape/Furnishings

Street trees	36 EA	500.00 EA	18,000.00
Tree grates	36 EA	350.00 EA	12,600.00
Benches	6 EA	800.00 EA	4,800.00
Trash receptacles	6 EA	350.00 EA	2,100.00
Low planters	8 EA	1,000.00	8,000.00
			<u>45,500.00</u>
		Subtotal	\$ 182,000.00

Budget ranges from \$180,000 to \$225,000 per block.

d. Seventh Street Boulevard Improvements Cost Estimate - Typical Block

1.) Site Improvements	<u>Units</u>	<u>Cost/Unit</u>	<u>Total</u>
<u>Site Preparation</u>			
Remove existing street	1,450 SY	\$ 8.00 SY	\$ 11,600.00
Remove existing curb	800 LF	4.00 LF	3,200.00
Remove existing walks (20%)	180 SY	5.00 SY	900.00
			<u>\$ 14,800.00</u>
 <u>Utilities</u>			
Adjust existing m.h.	10 EA	100.00 EA	1,000.00
Abandon existing inlets	6 EA	150.00 EA	9,000.00
New inlets and pipe	8 EA	1,500.00 EA	12,000.00
Miscellaneous	Allow	2,000.00	2,000.00
			<u>\$ 24,000.00</u>
 <u>Sitework</u>			
Concrete curbs	1,300 LF	10.00 LF	13,000.00
New brick/concrete walks	7,200 SF	4.50 SF	32,400.00
Brick crosswalks	2,400 SF	8.00 SF	19,200.00
30' lights	6 EA	3,000.00 EA	18,000.00
Median lights	4 EA	2,000.00 EA	8,000.00
Irrigation	Allow	4,000.00	4,000.00
			<u>\$ 94,000.00</u>
 <u>Landscape/Furnishings</u>			
Street trees (5" cal.)	18 EA	500.00 EA	9,000.00
Tree grates	18 EA	350.00 EA	6,300.00
Benches	4 EA	800.00 EA	3,200.00
Trash receptacles	4 EA	350.00 EA	1,400.00
Lawn planting	300 SY	3.00 SY	900.00
Low planters	6 EA	1,000.00 EA	6,000.00
			<u>\$ 21,400.00</u>
		Subtotal:	\$154,800.00

Budget ranges from \$155,000 to \$195,000 per block.

2.) New Traffic Signalization

Budget ranges from \$25,000 to \$32,000 per block.

3. ESTIMATED TOTAL COSTS FOR SAMPLE PROJECTS

The final cost figures are given in a range from the base estimated cost to a figure escalated 25% to cover many of the unknown conditions and requirements that often occur on projects of these types. Actual costs will not be known until specific project development plans have been completed and projects are ready for construction.

- a. Shopping Park Improvements, for the four block area on Main Street between Seventh and Third, including two small fountains:

\$22,000 - \$28,000  
24,000 - 50,000  
\$46,000 - \$78,000

- b. Alleyway Improvements, for the four blocks of alleys north and south of Main Street between Fourth and Sixth.

\$420,000 - \$540,000

- c. Rood Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- d. Colorado Avenue Improvements between Fourth and Sixth

\$360,000 - \$450,000

- e. Alleyway Improvements north and South of Main between Sixth and Seventh, and Third and Fourth

\$420,000 - \$540,000

- f. Seventh Street Improvements, from Grand to Colorado, not including signal support changes

\$620,000 - \$780,000

- g. Rood Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

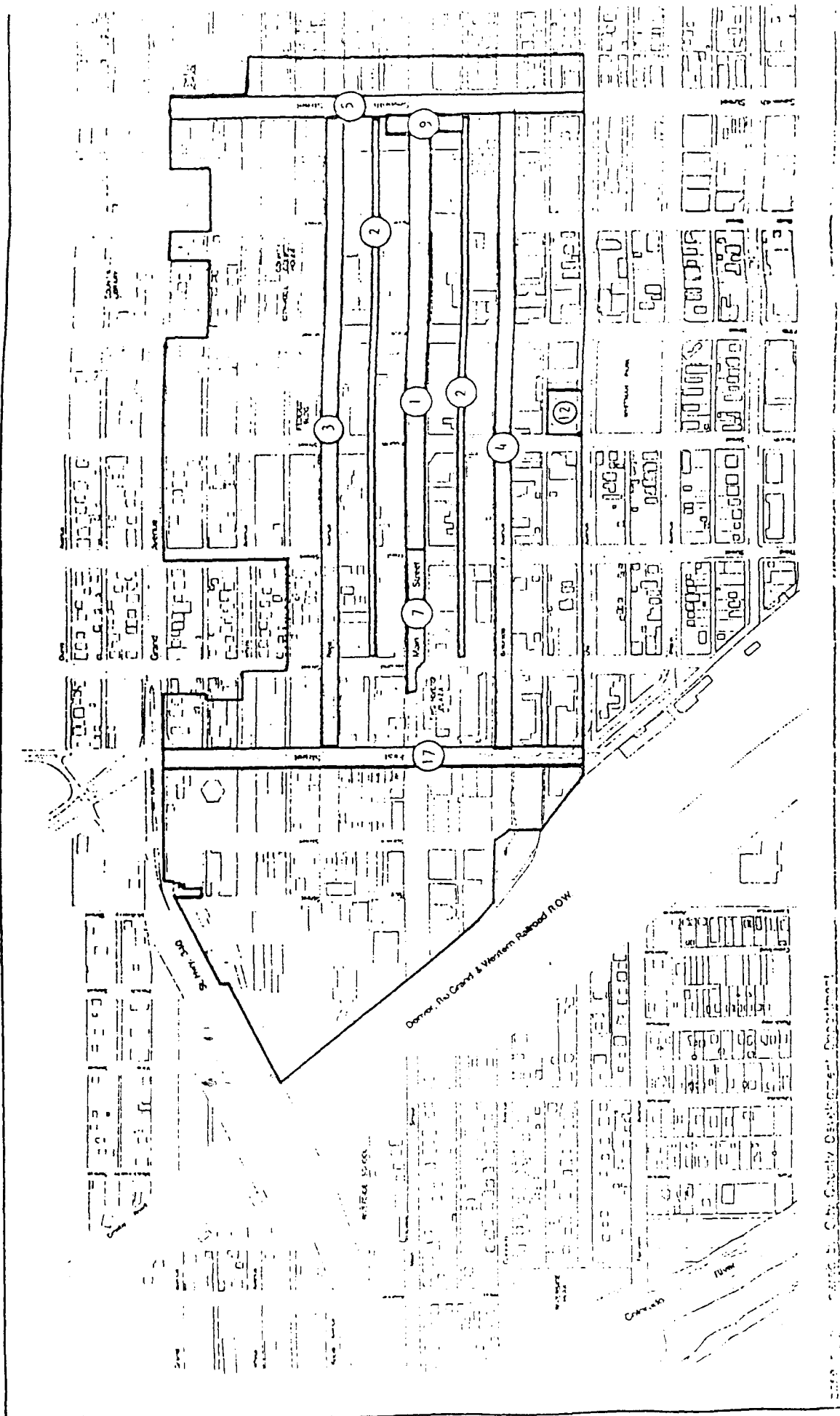
- h. Colorado Avenue Improvements between Seventh and Sixth, and First and Fourth

\$720,000 - \$900,000

- i. Seventh Street Improvements, from Colorado to Railroad Tracks

\$550,000 - \$685,000

As mentioned above, detailed costs of these and other projects will not be known until project specific planning and design has been accomplished. The cost of individual project planning and design has not been included in these estimates, but shall be included in the calculation of total cost for each project and may be financed in conjunction with the financing of the public improvement projects.



City of Denver, Public Works Department

EXHIBIT E PUBLIC IMPROVEMENT PROJECT LOCATIONS (NUMBERS REFER TO SOME OF THE PROJECTS LISTED IN SECTION VII, B.) DECEMBER, 1981

SECTION VIII  
REDEVELOPMENT AND RENOVATION PROJECT AREAS

A. GENERAL

1. The public facilities and improvements described in Section VII will provide some, but not all, of the needed incentives to the private sector to undertake desired redevelopment projects. Because of the difficulty in assembling small parcels with mixed ownerships into the large parcels necessary for redevelopment projects, the Authority and City will acquire key parcels and entire sites for priority redevelopment projects. Property so acquired can be cleared and prepared with utilities, surface treatment, landscaping and other amenities for lease or sale at fair value to redevelopers desiring to undertake a redevelopment project. Only qualified redevelopers submitting project plans consistent with this Plan and with any project specific criteria as determined by the Authority will be allowed to participate in projects on land acquired by the Authority and City.

2. The redevelopment areas, shown on the map in Exhibit F, establish a long-range land use and circulation framework for the future of the DDA Plan of Development area. Within each of the areas shown, redevelopment, both public and private, is intended to be predominantly concentrated within a certain type and to allow and provide for the redevelopment of properties at levels of intensity and density appropriate for the commercial and office center of the community. This Plan presents a flexible management concept for the downtown; the boundaries of the proposed areas make sense in light of today's opportunities, but must be regarded as indications of an intended future, not their literal representation.

3. This Plan will accommodate growth and change in two ways; by providing for the renovation and creative use of adaptable structures and properties which continue the community's heritage; and by providing for the redevelopment of properties unsuitable to further productive use and not providing a strong link to our heritage. It will concurrently balance downtown growth along both of these paths and proposes policies and programs which provide investment opportunities and returns to the community along both tracks.



4. The placement of public facilities, services and utilities described in Section VII will reflect this dual potential and future and provide a balance of incentives and management assistance.

5. Within each of the various areas shown in Exhibit F, growth management policies need to reflect the community's interests in sound property development. Sound principles of land planning need to be applied, and development concepts for district-wide areas need to be examined and re-examined.

6. The City and Authority, in accordance with Item A. 14. in Section VI of this Plan will acquire sites or key parcels appropriate for redevelopment projects. All purchasers of said sites or key parcels shall be obligated to develop the property in accordance with the provisions of this Plan and any design or development standards or criteria subsequently established by the City or Authority, to begin and complete the development of the property within a period of time which the Authority fixes as reasonable, and to comply with such other conditions as the City or Authority deem necessary to assure the achievement of the purposes of this Plan.

#### B. DESCRIPTIONS OF REDEVELOPMENT AREAS

1. Commercial Renovation District. The Shopping Park along Main Street is designated as a renovation district rather than redevelopment area, since the structures on Main Street provide strong opportunities for renovation rather than replacement. Historic district designation will be investigated, with the preservation of key structures a possibility in this area. Good building rehabilitation opportunities do exist. Restorations need to preserve architectural integrity, materials, sense of color, signage and the alignment of similar buildings elements.

2. Commercial Center Redevelopment Area. The Rood and Colorado corridors between Third and Seventh should be redeveloped with high intensity commercial emphasizing retail and service uses. Some properties will be appropriate for restoration or renovation work. This area is appropriate for the compatible integration of individual different uses.

3. Mixed-Use Redevelopment Area. Two Rivers Plaza provides an appropriate focus for a mixed-use development at the western terminus of the Shopping Park. This Plan calls for the combination of hotel, office and convention facilities

in a multi-block property, and proposes the use of parking lots for the staging and phasing of development and to insure flexibility in the trade and exchange of land. A multi-block project in this location could also provide for the performing arts or new state office facility. However, major projects in the mixed-use area will require an upgrading and replacement of current utility systems.

4. Primary Government and Professional Office Redevelopment Area. The existing City Hall, County Courthouse, Federal Building, Valley Federal building and Post Office, all north of Rood between Third and Sixth, offer the opportunities for significant massing of new government and professional office related buildings, the establishment of promenades and skyways connecting these buildings, and the location of a high-rise element for the skyline.

5. Secondary Government and Professional Office Redevelopment Area. The existing Police Station, Sheriff's Office, jail and Fire Station and available land offer the opportunity for new public safety, criminal justice, general government and associated professional office development.

6. Medium and Low Density Office Redevelopment Area. These areas should be developed at a smaller scale and intensity than the more central redevelopment areas with on-site parking and setbacks to provide a transition to existing older neighborhoods. Multi-family housing would be a compatible use in this area if the design is compatible.

7. Entrance Development District. The area west of First Street, south of State Highway 340 and north of Colorado is owned primarily in large parcels and would be appropriate for a large scale planned redevelopment project. This property is well enough located and large enough for development of a research or office park, high density housing, a regional transportation center, and a downtown food market. As an office or research park, it can provide a complement to the Two Rivers Plaza area immediately to the east. As a redevelopment parcel, it should be planned as a complete unit, with full mind given to the views it can provide of the downtown to those arriving from the west. Ultimate uses in this area will depend on the market analyses and site planning for the area.

#### C. REDEVELOPMENT AREA BOUNDARIES

1. It should be reiterated that the boundaries and descriptions of the

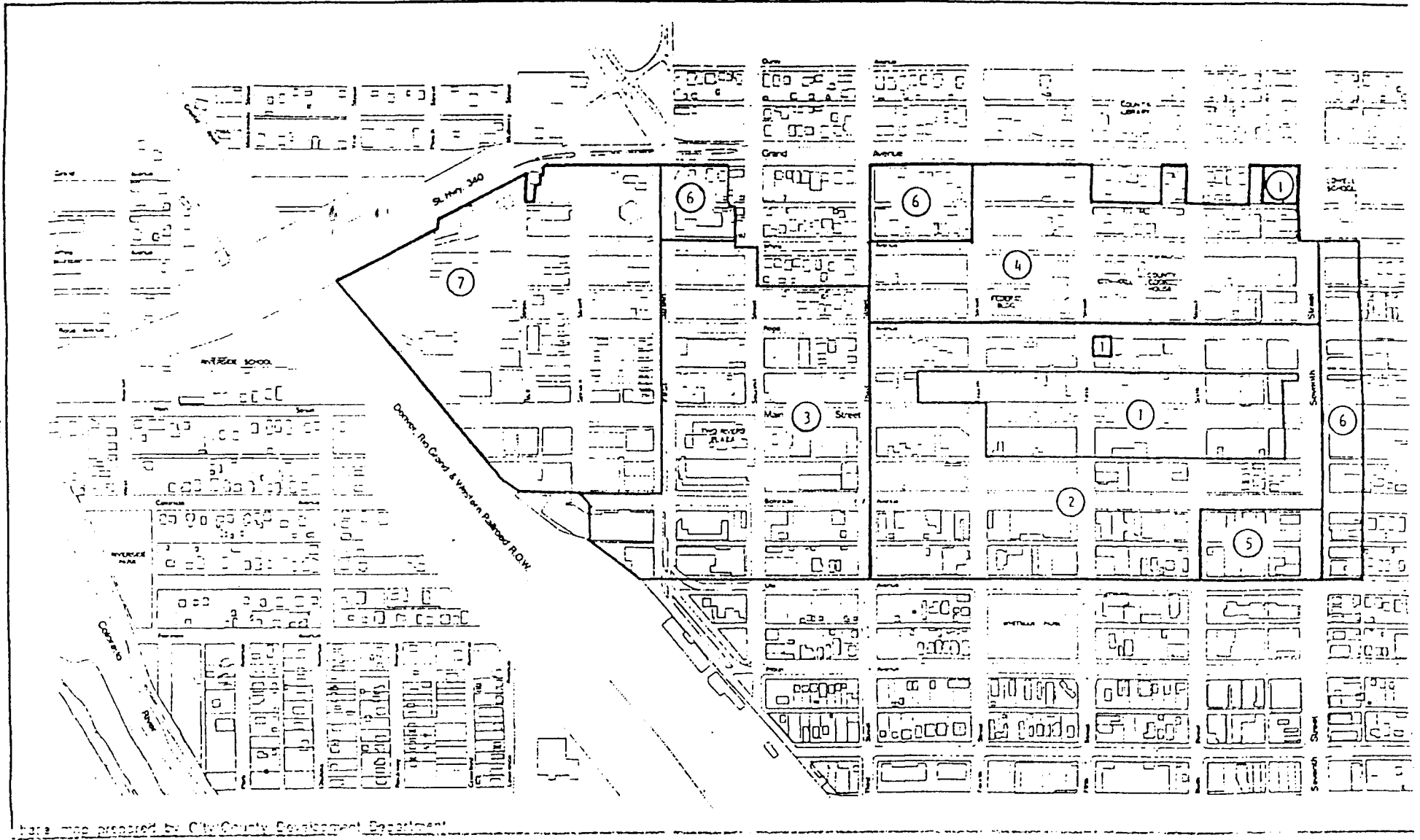
renovation areas described in this section and shown in Exhibit F are general. Actual redevelopment projects may not entirely conform to the uses or areas designated for each area. Redevelopment projects, however, will be compatible with adjacent and surrounding uses. Various development incentives described in this Plan will be used to encourage redevelopment projects in appropriate locations. Revised zoning regulations called for and discussed in the Plan to be undertaken subsequent to adoption of this Plan will reference and reflect the redevelopment area boundaries and descriptions contained in this Section VIII.

2. The Commercial Renovation District, designated by the Number 1 on Exhibit F, consists of both sides of Main Street in a majority of the Shopping Park and two sites separate from Main Street. The Main Street properties and the other two sites (the IOOF Building and the two large residences on the southwest corner of Seventh and Grand) have been designated for commercial renovation because:

a. The structures therein comply with the criteria prescribed in S39-5-105 C.R.S. 1973 as amended, for the application of the five year deferral.

b. The structures therein exemplify the history of the development of Grand Junction and contribute significantly to the physical and visual character of the downtown.

c. Many of the structures therein, because of their age and lack of proper maintenance, contribute to life, health, and fire safety problems. The provision of the five year deferral on increases in assessed value resulting from renovation will provide an incentive to alleviate the safety problems and retain the visual character of the buildings.



Map prepared by City County Development Department

**EXHIBIT F**

**DDA PLAN OF DEVELOPMENT REDEVELOPMENT AREAS (NUMBERS REFER TO THE DESCRIPTIONS LISTED IN SECTION VIII. B. DECEMBER 1981)**

SECTION IX  
PROJECT FINANCING

A. FINANCING MECHANISMS


1. Any and all methods legally available to the City and/or Authority may be used to finance the public improvements described or anticipated in this Plan. Those methods include but are not limited to:

- a. Property tax increment financing
- b. Sales tax increment financing
- c. General obligation bond financing
- d. Municipal revenue bond financing
- e. General improvement district financing
- f. Local improvement district and special assessment financing
- g. Mall improvement and maintenance district financing
- h. Tax anticipation notes and warrants
- i. Installment purchasing
- j. Short term notes and loans
- k. Tax exempt mortgage financing
- l. Industrial development revenue bond financing
- m. Conventional financing

2. These methods can be combined to finance individual portions of projects or whole projects as the City and Authority deem appropriate at the time projects are undertaken. These methods can also be used insofar as legally allowable to pay the principal of and interest on and to establish reserves for indebtedness (whether funded, refunded, assumed or otherwise) incurred by the City or Authority to finance or refinance in whole or in part, the projects contained in this Plan.

B. TAX INCREMENT FINANCING

1. Colorado Statute in S31-25-807 C.R.S. 1973 as amended, provides for the Authority and City, through the adoption of a Plan of Development to create a Plan of Development area utilizing either or both property and municipal sales taxes for a period not to exceed twenty-five years. Both property and municipal sales tax increments derived from the Plan of Development area will be used to redeem bonds issued to finance all or a portion of the cost of



projects within the Plan of Development area as described in this Plan. The following information describes the division of funds necessary to implement the tax increment mechanism for the City of Grand Junction and Grand Junction Downtown Development Authority under this Plan. This description relates to all property and municipal sales taxes generated within the Plan of Development area.

a. The effective date of this Plan shall be December 16, 1981, that date being subsequent to September 9, 1981, the last date of certification of valuation for assessment of taxable property within the boundaries of the Plan of Development area. The base year for property tax valuation shall be 1981.

b. The City shall establish, in the first calendar quarter of 1982, a tax increment revenue fund for the deposit of all funds generated pursuant to the division of property and municipal sales tax revenue described in this Section IX.B., other funds generated by tax increment financed projects, and any other funds so designated by the City and the Authority.

c. Municipal sales taxes collected in the Plan of Development area for the twelve month period ending on the last day of the month (November 30, 1981) prior to the effective date of this Plan (December 16, 1981) shall be calculated by the City Finance Director and certified to the City and Authority prior to April 1, 1982. The twelve month period base year for the division of sales taxes shall be December 1, 1980 through November 30, 1981.

d. The property and municipal sales tax shall be divided according to S31-25-807, C.R.S. 1973 as amended, for a period of twenty-five years from the effective date of this Plan unless the City and Authority deem that all of the projects anticipated in this Plan have been accomplished and all debts incurred to finance those projects have been repaid or otherwise disposed of in which event the City and Authority may declare the Plan implemented. Thenceforward, all taxes upon taxable property and total municipal sales tax collections derived from the Plan of Development area shall be paid into the funds of the respective public bodies.

e. The division of municipal sales taxes generated and collected from within the Plan of Development area after November 30, 1981, shall be:

1.) The base year amount shall be paid into the funds of the City annually commencing on December 1, of each year.

2.) Twenty percent (20%) of the incremental amount in excess of the base year amount shall be paid into the funds of the municipality.

3.) Eighty percent (80%) of the incremental amount in excess of the base year amount shall be paid into the tax increment revenue fund.

4.) Payment of incremental funds into the tax increment revenue fund shall commence only after the base year amount has been collected and paid into the funds of the municipality. Thereafter and until November 30 of each year the percentages described in subsections 2. and 3. above shall be paid into the funds of the municipality and the tax increment revenue fund.

5.) All interest earned on the deposit or investment of funds allocated to the tax increment revenue fund shall be paid into the tax increment revenue fund.

f. All tax increment revenues described in this Section IX.B. will be irrevocably pledged by the City for the payment of the principal of the interest on and any premiums due in connection with bonds, loans, advances and indebtedness of the City and Authority only after the question of issuing such bonds or otherwise providing for such loans, advances, or indebtedness and the question of any such intended pledge are first submitted for approval to the qualified electors of the Downtown Development Authority district at a special election to be held for that purpose. Any such election shall be called by resolution of the Board of the Authority adopted at a regular or special meeting thereof and approved by the City Council by a vote of a majority of the members thereof at least 30 days prior to such election. It is anticipated that such election shall be held in the second half of calendar year 1982, or the first half of calendar year 1983. Any and all funds paid into the tax increment revenue fund prior to the approval of the debt question at a special election shall be retained in the tax increment fund until such election has been held and debt authorized.

g. Subsequent to authorization of debt and issuance of bonds, the City shall establish such other funds and accounts as may be necessary to:

- 1.) Service the debt on bonds, loans, notes and advances
- 2.) Create a debt service reserve to cover a portion of the debt service on bonds, notes, loans or advances

2. Pursuant to an election authorizing the issuance of tax increment bonds,

the City Council shall by ordinance authorize the issuance of bonds. Said ordinance shall adequately describe the flow of funds and priority of expenditures associated with each issue and relating to prior or subsequent issues.

C. COMMERCIAL RENOVATION DISTRICT DESIGNATION

1. Colorado Statute S39-5-105 C.R.S. 1973 as amended, provides for a five year deferral in the increase of assessed value of a property more than thirty years old as a result of any renovation done to the property. The commercial renovation districts called for in this Plan are described in Exhibit C and in Section VIII.C. The designation of the commercial renovation areas will result in property owners being able to save the amount their property tax liability would have increased due to the renovation for a period of five years. The amount saved could be used to amortize the cost of the renovation thereby acting as an incentive for commercial renovations within the designated areas.

2. With the adoption of this Plan, the areas described in Exhibit C shall be designated commercial renovation areas under S39-5-105 C.R.S. 1973 as amended. Any renovations undertaken to property within the commercial renovation districts after the effective date of this Plan shall not result in any increase in the assessed value of the properties so renovated for a period of five years from the date of completion of the renovation unless the property is sold.



SECTION X

AMENDMENTS TO THE PLAN OF DEVELOPMENT  
AND FUTURE INCLUSIONS TO THE DOWNTOWN  
DEVELOPMENT AUTHORITY DISTRICT

anticipated in this Plan to be flexible and allows future decisions to deal with future needs must, therefore, be flexible and allow for minor variations and amendments.

B. MODIFICATIONS TO AND VARIATION FROM THE APPROVED PLAN

1. This Plan may be modified pursuant to the provisions of the Colorado Downtown Development Authority Law governing such modifications, including S31-25-807 C.R.S. 1973 as amended.

2. Where a literal enforcement of the provisions contained in this Plan would constitute an unreasonable limitation beyond the intent and purpose of these provisions, the Authority and City may in specific cases allow minor variances from these provisions.

C. FUTURE INCLUSIONS OF PROPERTY TO THE AUTHORITY DISTRICT

1. Colorado law allows new property to be added to the Downtown Development Authority if such property is adjacent to existing property, and the property owner requests inclusion and provides proof of ownership. The Downtown Development Authority has already included several properties at owner request.

2. As Johnson, Johnson & Roy, Inc., indicated in their Downtown Development Strategy, the problems of the Grand Junction central business district are closely tied to the Grand Junction Downtown Development Strategy Plan area, described as the area within the City limits of Grand Junction, circumscribed by Ouray Avenue on the north, Twelfth Street on the east, the alley south of South Street on the south, and the railroad tracks on the west. Hopefully, the boundaries of the two may one day coincide so that management and planning can be facilitated.

3. However, until that time, guidelines need to be established to direct the growth of the Downtown Development Authority. Therefore, future inclusions should satisfy the following criteria as much as possible.

a. Included property should be property that faces the same problems as that property already within the Downtown Development Authority.

b. Included property should be adjacent to the Downtown Development Authority, but need not be adjacent at more than one point.

c. A patchwork effect should be avoided, however, inclusions which tend to reach areas with a community of interest similar to that of property within the Downtown Development Authority will be encouraged.

d. It is anticipated that inclusions may be more rapid along corridors into the Downtown Development Authority and these should be encouraged to facilitate management of the entry areas to downtown.

e. Inclusions between corridors should be allowed when they tend to show a uniform pattern of filling the area between corridors already included.

f. Areas outside the downtown area, as defined in the Downtown Development Strategy, should not be allowed.

g. Inclusions which would strengthen the character and economic base of the central business district, even though not of commercial property, should be encouraged.

h. Each inclusion, at the time a petition is considered by the Authority Board of Directors, should be designated for inclusion as:

1.) A Commercial Renovation District

2.) An inclusion to the Plan of Development area within which tax increment financing is utilized under this Plan of Development.

3.) An inclusion without designation, which inclusion may become part of a future Plan of Development area.

4. Commercial renovation districts allowing the tax deferral and the Plan of Development area are mutually exclusive, and therefore, it is anticipated that no new renovation areas can be created within the perimeter of the initial tax increment district. However, commercial renovation areas may be created if new property is subsequently added to the Downtown Development Authority in accordance with Section X.C.3. above, provided the building conditions prescribed in C.R.S. 39-5-105, 1973 as amended, exist at the time the property is included and a commercial renovation area designation will further the purposes of and assist in the implementation of this Plan as it exists at the time of the inclusion.

5. This Plan of Development designates areas in which tax increment financing will be used. Once the district boundaries are formed, additions may be made by complying with the necessary procedures to amend the Plan of Development. However, it is anticipated that once there is an election to pledge tax increment revenues, it could become burdensome to amend the boundaries of the tax increment district. Therefore, any subsequent inclusions to the Authority district which will also be included in the initial tax increment district should be accomplished according to the procedures in C.R.S. S31-25-807 and 822 and by this Section X of this Plan.

6. With these guidelines, the Downtown Development Authority can, hopefully, grow to a size necessary to assist in meeting the challenges of the future, but do so within a framework of controlled expansion.



GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY  
INTERIM PLAN OF DEVELOPMENT  
RELATING TO STREET VENDORS

The Grand Junction Downtown Development Authority supports and encourages the permitting of street vendors, sidewalk cafes, and special entertainment events on the public right-of-way in the downtown Shopping Park. Vendors, sidewalk cafes, and special events assist in creating an atmosphere in the downtown that will draw people. Special street activities should appropriately be located in the Shopping Park where the public right-of-way of Main Street has been substantially altered in physical form so as to be conducive to allow for semi-permanent structures, kiosks, carts and the like, and because traffic on Main Street within the Shopping Park is controlled at low speeds with stops at intersections and at mid-block, allowing for street vendors and other activities on public property. Street activity of this nature will generate additional pedestrian and vehicular traffic into and within the downtown area. Additional traffic will enhance the image of the entire downtown area and will help to generate increased retail sales.

The Downtown Development Authority, as a separate part of the plan of development, is recommending a preferred mix of retail opportunities in the downtown area, so as to balance the city-wide and downtown retail market opportunities. The street vendors, special events, and special use permits described in this part will assist in establishing a preferred retail mix in the downtown. In the short term, street vendors will augment the availability of retail merchandise in the downtown. It is the express intent of the street vendor program to supplement and complement existing retail businesses, rather than to supplant them. The Shopping Park has been used by the City, downtown merchants, service clubs, and other organizations for parades, special fund raising events, etc. since it was constructed in 1963 for these same purposes.

1. Because of the wider sidewalks in many locations on the Shopping Park, restaurants are encouraged to expand their seating areas onto the sidewalk where space permits. Existing restaurants are encouraged to do this in order to integrate the interior of their establishments and the atmosphere of a restaurant with the Shopping Park. Because existing restaurants maintain the necessary Department of Health and Department of Revenue permits to undertake such an activity and because they maintain existing food and beverage preparation facilities, it will be relatively easy for existing establishments to expand. In no event will the width of the sidewalk be reduced beyond ten feet or will any sidewalk seating area be allowed to constrain or unnecessarily restrict pedestrian traffic. All requirements for sidewalk eating areas established by the Department of Health and the Department of Revenue shall be complied with.

2. The street vendor program encourages street vending carts, semi-permanent kiosk structures, pedestrian vendors and roving entertainers. The mode the individual vendor determines is most suitable to him and for the sale of his merchandise within these categories is acceptable provided that the number of permits for carts, kiosks, and pedestrian vendors does not exceed the number of locations specified in this part.

3. Because it is the intent of the DDA to balance the retail mix of the downtown area, it is important that the location of and merchandise sold by street vendors complement rather than conflict with businesses located in permanent structures on private property. Therefore, it would be inappropriate for a street vendor to be selling the same merchandise lines on a public right-of-way as those being sold by a business immediately adjacent located in a private permanent structure. Prior to the issuance of a permit, a vendor applying for a kiosk, mobile vending cart or sidewalk restaurant permit will be required to receive the written concurrence of not less than 2/3 of the operating businesses within a 75 foot radius of the location in which he would establish his vending operation.

4. Permits will be allowed to vendors based upon the line of merchandise a vendor proposed to sell. Any change in merchandise lines will void the permit. Types of goods sold by street vendors will be limited in accordance with the preferred retail mix. In general, because of the semi-permanent nature of street vendor operations, the lack of space for storing inventory and displaying merchandise and because the intent of the program is to complement existing retail opportunities, merchandise lines to be permitted for sale will be limited to perishable goods, foodstuffs, hand-crafted products, artworks, sundries (candy, cigarettes, newspapers, magazines, etc.), and novelty items.

5. All vendors shall sell from the specific location or zone permitted as shown on the map in this part. Merchandise lines shall be specified in the issuance of a permit. Plans and specifications, including the design, color, size, and position of carts and temporary kiosks, will be submitted and reviewed for compliance with design guidelines for the downtown prior to the issuance of a permit. Vendors will not be allowed to utilize audio inducements to advertise their merchandise or to encourage sales, because audio inducements and advertising will adversely affect the tranquility of the Shopping Park. Permitted street entertainers will be excepted from this provision.

6. Because the Downtown Development Authority is encouraging small business entrepreneurship in the downtown and a diversity in business ownership, any individual or organization may obtain only one vending permit (excluding special use permits) to be effective at the same point in time. Special use permits, because of their very short duration, will be excluded from limitation. Special use permits, however, shall be awarded in accordance with traditional special uses of the Shopping Park, i.e., Farm and Ranch Days, Pancake Breakfast, -

Art Festival, etc. Conflicting special use permits will not be issued. Coterminal special permits that will complement each other and the downtown will be issued.

7. Special use permits and vendor permits will be available at no cost to non-profit and charitable organizations undertaking their efforts with volunteers, provided that the gross proceeds are contributed to a charitable purpose.

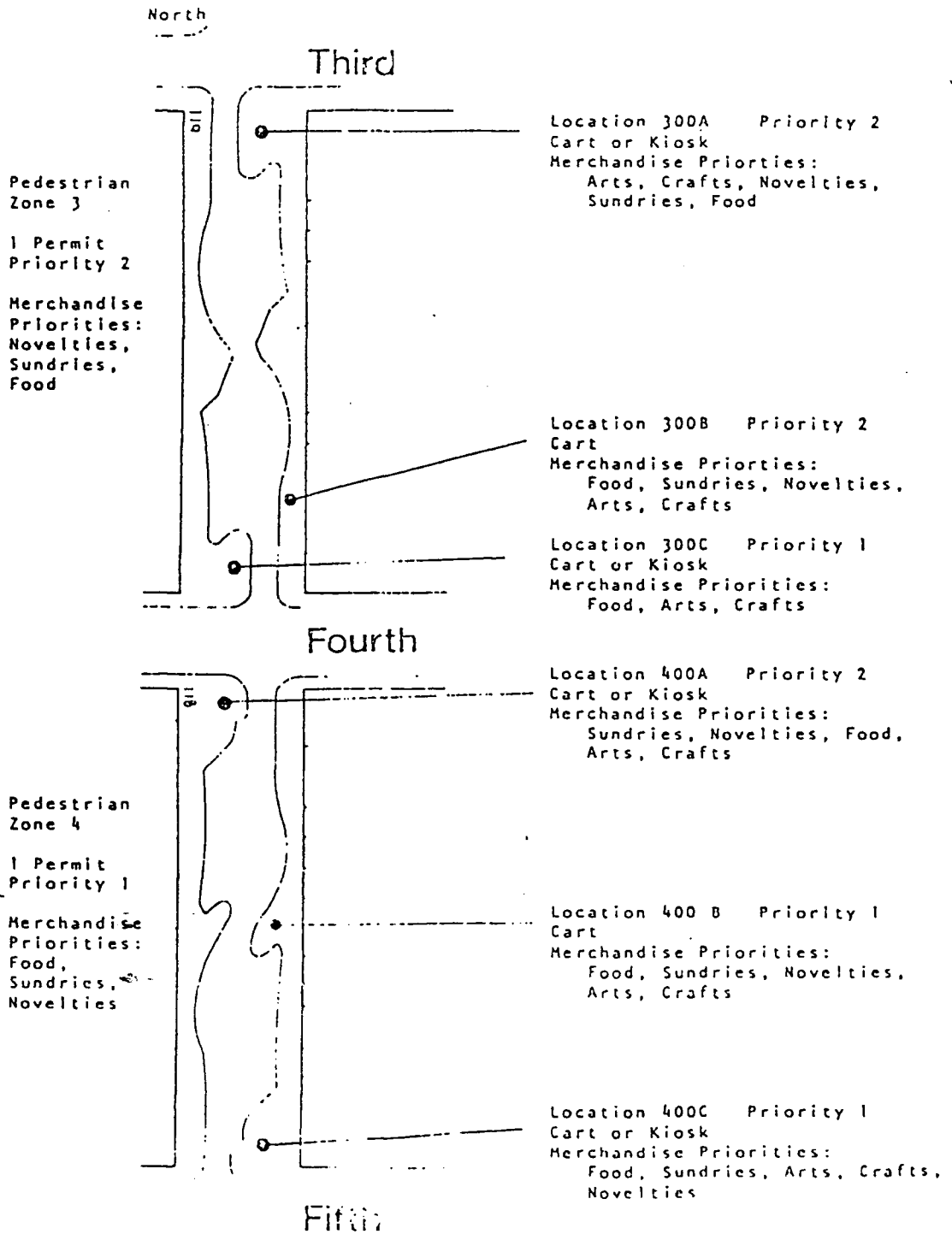
8. Individuals and/or organizations receiving permits may renew permits by reapplying and submitting the fee any number of times except: 1) when a permit has not been used for a majority of the time for which it was issued, 2) when a permit is not used in accordance with the terms of its issuance, 3) when reasonable complaints are received relating to the permittee or permitted operation, and, 4) for failure to comply with the ordained provisions relating to insurance, maintenance of the area, etc. If it is determined that a permitted vending operation creates congestion of sidewalks or streets or in any other way interferes with activity on Main Street through no fault of the vendor, a permit may be re-issued for the remaining period of time authorized by the first permit at a different location at no cost.

9. Attachment 1A indicates the locations and zones for which kiosk, cart and pedestrian vendor permits will be used. The locations for kiosk and cart permits, three per block, are those that were determined would create the least pedestrian interference and cause the least amount of interference with existing street activities. These locations may need to be changed from time to time as street activities change and needs and demands are adjusted. As retail operations relocate on the Shopping Park, the potential for conflicts with street vendors will occur; therefore, changes in the locations of the vendors will be undertaken through the relocation of the vending permit rather than revocation.

10. The priority uses by merchandise line at each vendor location are also shown on Attachment 1A. The uses listed were determined after considering the existing retail activities and pedestrian traffic generators in each area. The uses specified in each location will enhance pedestrian activities within the Shopping Park, but may need to be adjusted as the retail mix in the downtown changes or as pedestrian traffic patterns change.

ATTACHMENT 1A

Zones 3 and 4

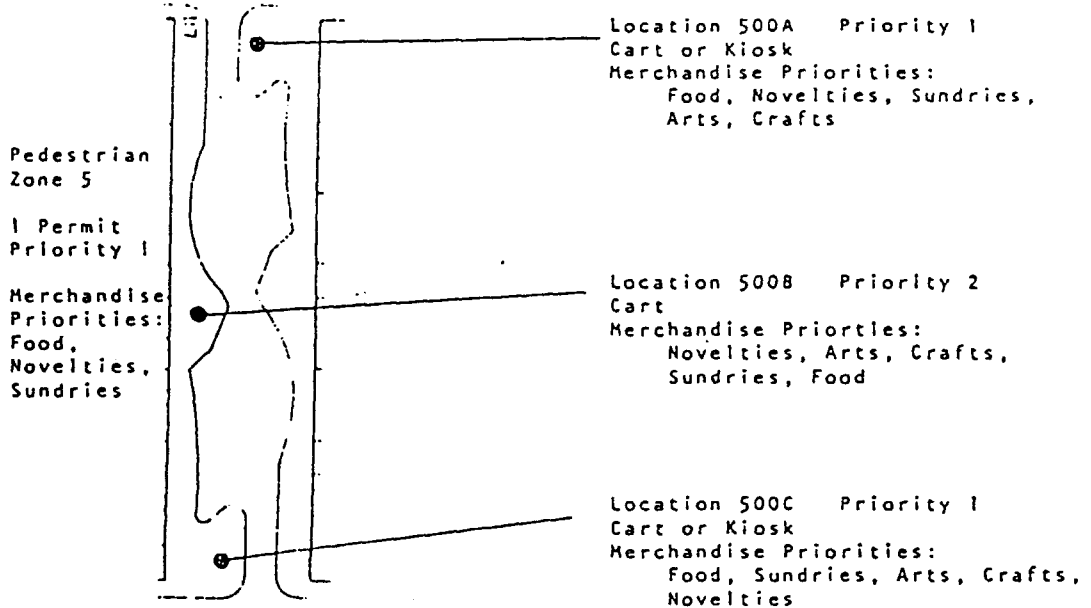


ATTACHMENT 1A

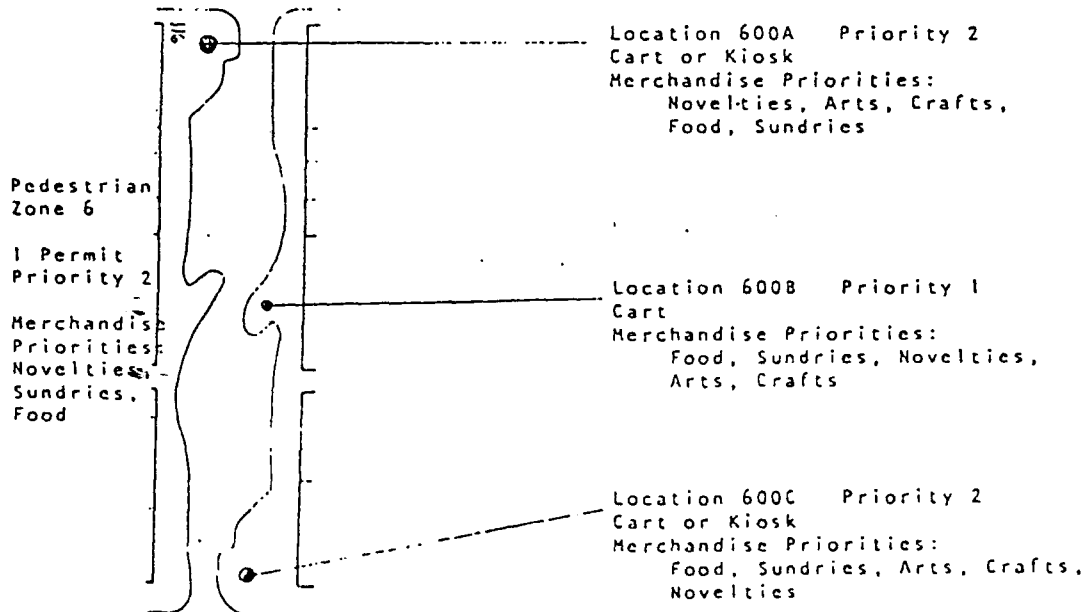
Zones 5 and 6

North

Fifth



Sixth



Seventh



Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

Grand Junction, Colorado 81502

Phone (303) 245-2926

March 15, 1983

MEMO

TO: Jim Wysocki  
FROM: Skip Grkovic *Skip*  
SUBJECT: 1983 Amendments to the DDA Plan of  
Development

At the time the DDA Plan of Development was adopted, it was anticipated that periodic amendments to the Plan would be necessary as new property was included in the DDA district boundary, state laws were changed, general conditions in the downtown changed, or as project priorities were adjusted. The first amendment was made last April and, because of the long drawn out process required to amend the Plan, it was decided to amend the Plan only once a year. The amendment should occur prior to May 1 of each year because that is the annual deadline for adding property to the district tax roll in the Assessor's office. Amendments to the Plan require both an ordinance to amend the DDA boundary and a Council Resolution adopting the Plan amendments.

We would like to schedule both the ordinance and the resolution in April. The schedule is proposed as follows:

- |                     |  |
|---------------------|--|
| Friday, March 25    | DDA Board  |
|                     | 1) Accepts additional Petitions for Inclusion and requests City Council to amend the DDA boundary.                                 |
|                     | 2) Adopts amendments to the DDA Plan of Development.   |
| Wednesday, April 6  | City Council   |
|                     | 1) Considers the ordinance amending the DDA boundary on first reading.   |
|                     | 2) Accepts the submission of the Plan of Development amendments and refers them to the Planning Commission for review and comment. |
| Tuesday, April 12   | Planning Commission  |
|                     | 1) Reviews and comments on DDA Plan of Development amendments.   |
| Wednesday, April 20 | City Council   |
|                     | 1) Considers the ordinance amending the DDA boundary on second reading.  |
|                     | 2) After a public hearing, considers a resolution adopting the 1983 Amendments to the DDA Plan of Development.                     |

Memo to Jim Wysocki  
March 15, 1983  
Page 2

This year's amendments to the DDA Plan of Development include three major items,

1. Expansion of the Tax Increment District boundary to coincide with the expanded boundaries of the DDA due to new inclusions.
2. Elimination of the Commercial Renovation District designations (except for the Henry, Mayo, Berry property). The Legislature is repealing the statute which allows for Commercial Renovation Tax incentives because the constitutional amendment passed last October called for it. (Henry, Mayo and Berry are the only property owners to take advantage of the five-year renovation tax incentive and we are hoping they will be allowed to keep it.)
3. Inclusion of the property which was in the Commercial Renovation Districts into the Property and Sales Tax Increment Districts. This will probably require a modification in the base year for the Sales Tax Increment District - John Tasker is working with me on it.

If you have any questions, please give me a call.

GMG:lo

cc: DDA Board  
Joe Skinner  
Neva Lockhart  
Jerry Ashby  
John Tasker

4-11

Grand Junction  
Downtown Development Authority

200 North Sixth Street, Suite 204 P.O. Box 296

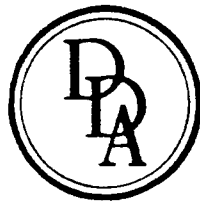
Grand Junction, Colorado 81502

Phone (303) 245-2926

AMENDMENT  
TO THE  
DOWNTOWN DEVELOPMENT AUTHORITY  
PLAN OF DEVELOPMENT  
FOR GRAND JUNCTION, COLORADO

Including The Designation Of  
Commercial Renovation Districts  
And A Plan Of Development Area  
Within Which  
Tax Increment Financing Will Be Utilized

PREPARED BY:  
Grand Junction  
Downtown Development Authority



EFFECTIVE DATE OF PLAN: DECEMBER 16, 1981

EFFECTIVE DATE OF AMENDMENT: JUNE 2, 1982

RESOLUTION No. 35-82  
APPROVING AMENDMENTS TO THE PLAN OF DEVELOPMENT  
FOR THE GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority (the Authority) has adopted a Plan of Development for the central business district within the boundaries of the Authority and such plan of development was approved by the Grand Junction, Colorado, City Council (the Council) on December 16, 1981; and

WHEREAS, since the approval of such plan of development, several individuals, pursuant to C.R.S. 1973, §31-25-822, as amended, and Article X of the Authority's Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority, and the boundaries of the Grand Junction, Colorado, Downtown Development Authority were expanded by the Council by Ordinance 2045; and

WHEREAS, on May 7, 1982, the Board of the Authority passed a Resolution amending the Plan of Development to show such boundary changes and to make other minor changes in the Plan of Development; and

WHEREAS, such amendments were submitted to the Council on May 19, 1982, at which time the Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of Development, which recommendations are attached hereto as Exhibit F; and

WHEREAS, a Notice of Public Hearing before the City Council was given by publication once by one publication during the week immediately preceeding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on May 28, 1982; and

WHEREAS, a Public Hearing was held before the City Council on June 2, 1982, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire Plan of Development area designated in the amendments to the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the amendments of the Plan of

Development of the provision for the utilization of tax increment financing and, furthermore, has petitioned for the inclusion of its property within the boundaries of the authority; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the amendments of the Plan of Development, public hearing on the amendments to the Plan of Development, the evidence presented, and the Plan of Development previously adopted, a review of the previous Resolution passed, and personal knowledge of the members of the Council,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado, that:

1. The findings made by the Council in the Resolution adopting the Plan of Development on December 16, 1981, concerning the existence of blight within the authority within the meaning of §31-25-802(1.5), of Colorado Revised Statutes, 1973, as amended, still exist - there being no substantial change within such area between December 16, 1981, and June 2, 1982.

2. The Council hereby finds and determines that the approval of the amendments to the Plan of Development 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 within said central business district; will halt or prevent the growth of blighted areas within said district; will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of specific benefit to the property to be included within the amended boundaries of the Authority.

3. The amendments to the Plan of Development are hereby approved by the Council, and the Authority is authorized to undertake development projects as described in the amended Plan of Development.

4. The Plan of Development is hereby amended in the following respects:

A. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached Exhibit "A", and Pages 8, 9 and 10 of the Plan of Development are amended by substituting Pages 8(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

B. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a), 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

C. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

D. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

E. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

F. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

5. The separate special fund of the City created by the Resolution by the Council of December 16, 1981, and designated as the "Tax Increment Fund" shall continue to receive the deposit of the ad valorem and municipal sales tax increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, and derived from and attributable to development and redevelopment within the Plan of Development Area, as amended, in which tax increment financing is used. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax

Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council on September 1, 1982, the valuation for assessment of such Plan of Development Area as of the date of the last certification. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before September 1, 1982, the amount of municipal sales taxes collected within such Plan of Development Area for the period from June 1, 1981, to May 31, 1982.

6. Those parcels described on page 14a of the amended Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

7. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has received any pecuniary benefit from the Plan of Development or any such contract.

8. If any provision of this Resolution 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.

9. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this 2 day of June, 1982.

CITY OF GRAND JUNCTION, COLORADO

By: James P. Beach  
President, City Council

( CITY )  
( SEAL )

ATTEST:

Barbara E. Johnston  
City Clerk

RESOLUTION  
BY THE BOARD OF DIRECTORS OF THE  
GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY  
AMENDING THE PLAN OF DEVELOPMENT

WHEREAS, the City Council of the City of Grand Junction, Colorado, on December 16, 1981, adopted and approved a resolution approving the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, since that time, several individuals, pursuant to C.R.S. 1973, §31-25-322, as amended, and Article X of the Downtown Development Authority Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority; and

WHEREAS, such petitions have been approved by the Board of the Grand Junction Downtown Development Authority and the City Council of the City of Grand Junction, Colorado; and

WHEREAS, conditions within the Downtown Development Authority exist in substantially the same manner as described in Section IV of the Plan of Development; and

WHEREAS, it is appropriate and desirable to update the Plan of Development to show the inclusion of such property, to show further work done toward a bond election, and to show other minor changes in the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire area of development designated in the Plan of Development lies, has continued to participate in an advisory capacity with respect to the inclusion in the Plan of Development of the provision for utilization of tax increment financing;

IT IS, THEREFORE, RESOLVED THAT:

1. The Board finds all property included within the boundaries of the Downtown Development Authority since the adoption of the Plan of Development are subject to and exist in areas of blight within the meaning of C.R.S. 1973, §31-25-302(1.5) as amended, based upon the findings of this Board by that Resolution passed December 2, 1981, adopting a Plan of Development.

2. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached



Exhibit "A", and Pages 3, 9 and 10 of the Plan of Development are amended by substituting Pages 3(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

3. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a) 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

4. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

5. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

6. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown of the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

7. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20 is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off street parking facilities."

3. The Plan of Development for the Grand Junction, Colorado, Downtown Development Authority is amended as stated herein subject to the approval of the City Council of Grand Junction, Colorado.

9. Such Plan of Development amendments shall be submitted to the City Council of Grand Junction, Colorado, with a request that they immediately submit said Plan of Development amendments to the Planning Commission for their written recommendations; and that the City Council hold a public hearing on such Plan of Development amendments, after public notice, and that the City council be requested to approve such

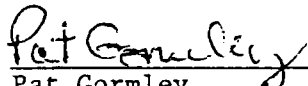
Plan of Development amendments and incorporate said amendments into the Plan of Development.

10. The City Council is requested to ask the County Assessor to certify to the City Council the valuation for assesment of the new property included within the Plan of Development area as of the date of the last certification, and the City Council is further requested to direct the City Finance Director to certify on or before September 1, 1982, the amount of municipal sales taxes collected within the new inclusions to the Plan of Development area for the period from June 1, 1981 to May 31, 1982.

11. No Board member nor any employee of the Board with a specific financial interest, as defined in C.R.S. 1973, §31-25-819, as amended, in the adoption of this Resolution has voted thereon or otherwise participated in its preparation or failed to make such interest known to the Board.

12. If any part of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not effect the remaining provisions, it being the intention of the Board that the provisions hereof are severable.

INTRODUCED, READ, PASSED AND ADOPTED this 7th day of May, 1982.

  
\_\_\_\_\_  
Pat Gormley,  
Chairman of the Board  
Grand Junction, Colorado  
Downtown Development Authority

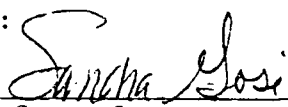
ATTEST:   
\_\_\_\_\_  
Sandra Gose, Secretary  
Grand Junction, Colorado  
Downtown Development Authority

EXHIBIT "A"  
BOUNDARIES OF THE GRAND JUNCTION, COLORADO  
DOWNTOWN DEVELOPMENT AUTHORITY

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the East-West alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15

and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line

of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93,

City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106, City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line

of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340;

thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South  $44^{\circ}11'$  West 901.66 feet and South  $0^{\circ}01'$  East 197.50 feet from East  $\frac{1}{4}$  corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}58'$  West 126.00 feet; thence South  $0^{\circ}01'$  East 150.00 feet; thence South  $89^{\circ}58'$  East 126.00 feet; thence North  $0^{\circ}01'$  West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.



EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN  
WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southernly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the EastWest alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street;

thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence

North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 32, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction, thence North along the West line of Lot 13, Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93, City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106,

City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the

North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South  $41^{\circ}03'$  East 68.97 feet from the Northeast Corner of the Southeast  $1/4$  Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $89^{\circ}57'$  West for 271.8 feet along a line parallel to the North line of the Southeast  $1/4$  of the Southeast  $1/4$  of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North  $53^{\circ}03'$  West 16.66 feet; thence North  $53^{\circ}03'$  West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point  $7\frac{1}{2}$  feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South 44°11' West 901.66 feet and South 0°01' East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89°58' West 126.00 feet; thence South 0°01' East 150.00 feet; thence South 89°58' East 126.00 feet; thence North 0°01' West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said tract 9 on the East thereof.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in

Block 118, and Lots 1 to 11 in Block 84, all in the City of  
Grand Junction, Mesa County, Colorado.

EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2, and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, and Lots 1 to 11 in Block 84, all in the City of Grand Junction, Mesa County, Colorado.



EXHIBIT "E"

B. DATE OF ACTION                      C. STATUTORY REQUIREMENTS                      D. OPTIONAL ACTIVITIES

(Continued)

22. 12-31-81                      Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan 31-25-807(3)

23. 5-7-82                      Resolution of DDA Board to amend Plan of Development to show recent approved inclusions of property and make other minor changes and referral to City Council for approval

SCHEDULED FUTURE ACTIONS

24. 5-19-82                      City Council review of Plan of Development amendments and referral to Planning Commission

25. 5-25-82                      Planning Commission review and comment on Plan of Development amendments

26. 5-26-82                      Publish notice of public meeting before City Council on Plan of Development amendments

27. 6-2-82                      City Council public hearing on Plan of Development and adoption of resolution adopting Plan of Development amendments

28. 6-4-82                      Resolution of DDA Board to have election for pledging of tax increment funds 35-25-807(3)(b)

29. 6-16-82                      Approval by City Council of election at least 30 days prior to election 35-25-807(3)(b)

30. 7-23-82                      Publication of Public Notice of Election

31. 8-3-82 Election - qualified electors of district 35-25-807(3)(b)
- 32 8-4-82 Canvass of votes
33. To be determined during 1982 City Council adoption of ordinance authorizing the issuance of bonds
34. To be determined during 1982 Bonds issued for project

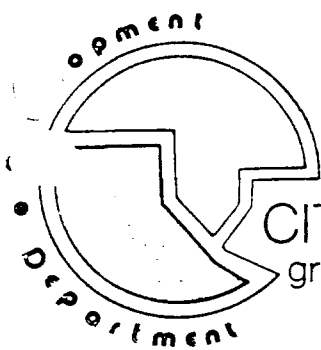


EXHIBIT "F"

CITY - COUNTY PLANNING

grand junction-mesa county 559 white ave. rm. 60 grand jct.,colo. 81501

(303) 244-1628

MEMORANDUM

TO: GRAND JUNCTION CITY COUNCIL  
 FROM: GRAND JUNCTION PLANNING COMMISSION  
 DATE: MAY 25 , 1982

RE: AMENDMENTS TO THE PLAN OF DEVELOPMENT OF THE GRAND JUNCTION,  
 COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

On May 19, 1982, the Grand Junction City Council, pursuant to C.R.S. 1973, S31-25-807(4) (b) submitted amendments to the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

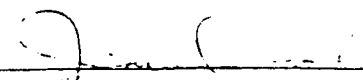
We have reviewed the proposed amendments in light of the Plan of Development as adopted by the City and the Downtown Development Authority and we have considered these amendments in light of the comments of the employees of the Planning Department, and in light of past policies for development and renovation and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

1. The proposed amendments to the Plan of Development are consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.
2. The proposed amendments to include other areas within the boundary of the Downtown Development Authority are largely technical in nature, and the properties sought to be included are within the limits of the ultimate DDA boundary as defined in the Downtown Development Strategy and the DDA Plan of Development.

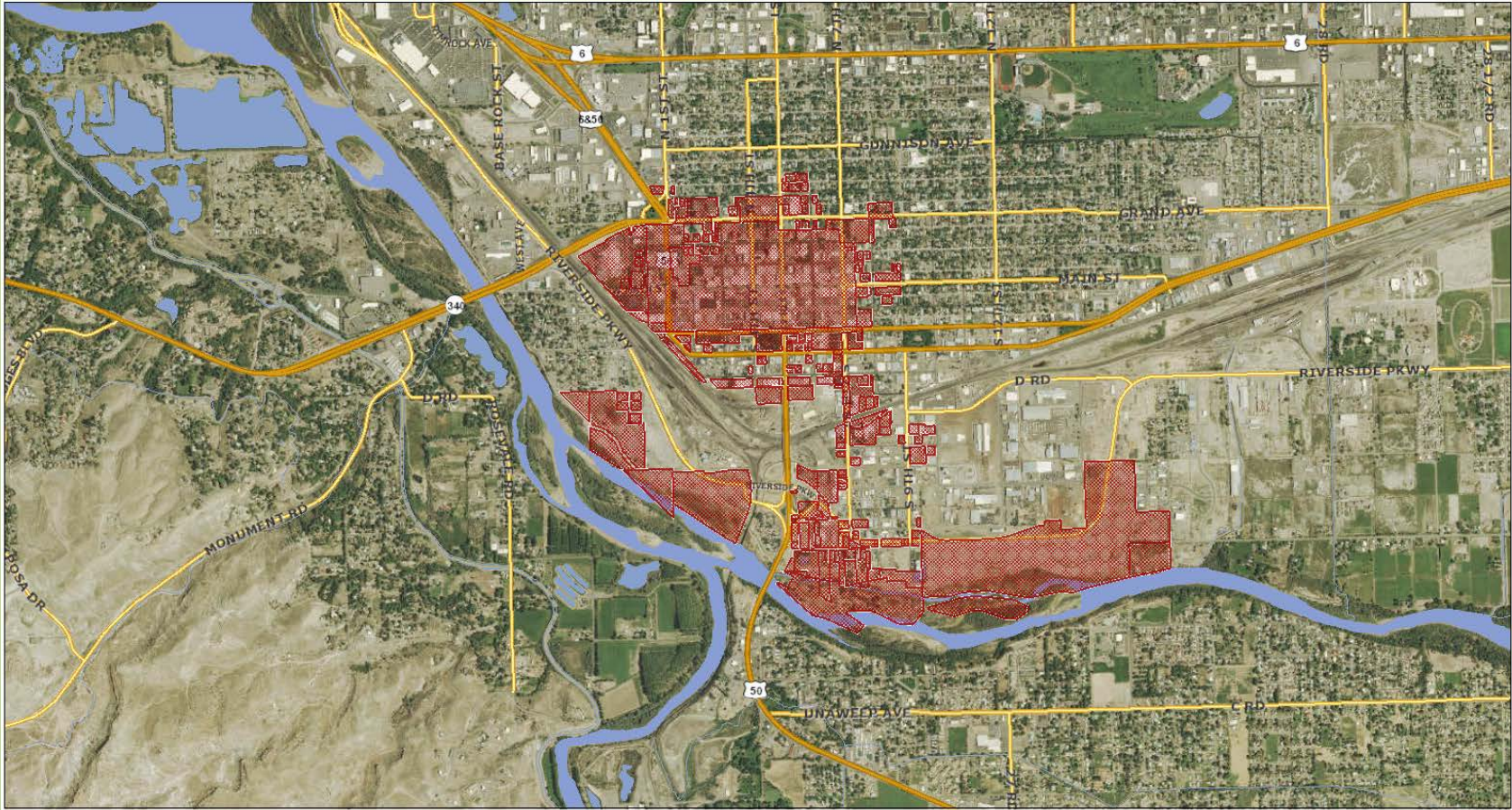
On the basis of this review, we find the proposed amendments to the Plan of Development to be consistent with existing City policies and not in conflict with development patterns on a City-wide basis.

We, therefore, endorse the proposed amendments to the Plan of Development as being consistent with existing City policies and recommend that the City Council hold a Public Hearing on these amendments to the Plan of Development.

RESPECTFULLY SUBMITTED,

  
 \_\_\_\_\_  
 Jane Quinlan

# City of Grand Junction-DDA Boundary



Date: 9/12/2017

1 inch = 1,465 feet

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE DOWNTOWN DEVELOPMENT AUTHORITY  
PLAN OF DEVELOPMENT TO INCLUDE THE LAS COLONIAS BUSINESS PARK**

Recitals

The Plan of Development for the DDA was originally adopted in 1981 and needs to be updated to address the recent development opportunities along the Riverfront corridor. The Plan of Development identifies public improvements to the Las Colonias area including providing parks and other public improvements such as streetscape improvements and parking, but does not explicitly identify the proposed business-related improvements. The proposed amendment to the Plan of Development would identify the Las Colonias Business Park as a project under Section VII of the Plan of Development.

Pursuant to C.R.S. 31-25-807(4)(b), Prior to its approval of a plan of development, the governing body shall submit such plan to the planning board of the municipality, if any, for review and recommendations. The planning board shall submit its written recommendations with respect to the proposed plan of development to the governing body within thirty days after receipt of the plan for review.

After public notice and public hearing, the Planning Commission recommended approval of the amendment to the Plan of Development and the City Council finds that the proposed amendment is consistent with the approved Outline Development Plan for Las Colonias, as well as the City's overall vision, as included in the Comprehensive Plan, for this River District area. Further, the City Council finds that the plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
GRAND JUNCTION THAT THE DOWNTOWN DEVELOPMENT AUTHORITY PLAN  
OF DEVELOPMENT BE AMENDED AS FOLLOWS:**

The Las Colonias Business Park will be added to page 38 of Section VII of the Plan of Development as project number 19 as proposed below:

*19. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities, including lakes and green spaces for public and*

*private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.*

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2017 and ordered published in pamphlet form.

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

ATTEST:

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

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



## Grand Junction City Council

### Regular Session

Item #2.b.i.

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**Meeting Date:** September 20, 2017

**Presented By:** David Thornton, Principal Planner

**Department:** Community Development

**Submitted By:** David Thornton, Principal Planner

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### **Information**

#### **SUBJECT:**

Ordinance Rezoning property located at 382 and 384 High Ridge Drive from PD (Planned Development - 2 Dwelling Units Per Acre) to R-2 (Residential - 2 Dwelling Units Per Acre) and set a Hearing for October 4, 2017

#### **RECOMMENDATION:**

Planning Commission heard this item at their August 22, 2017 meeting and forwarded a recommendation of approval to City Council (7-0)

#### **EXECUTIVE SUMMARY:**

The Community Development Director is initiating a rezone of a lapsed Planned Development (PD) for the Ridges Mesa Planned Development because the PD has not been completed in accordance with the approved development schedule.

Section 21.02.150(f) of the Zoning and Development Code regarding Planned Developments provides "*If a planned development, or any portion thereof, has not been completed in accordance with the approved development schedule, a 'lapse' shall have occurred and the terms of all approved plans for incomplete portions of the PD shall be null and void. If lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD.*"

The lapse is the result of the applicant withdrawing their development submittal for Ridges Mesa PD and therefore not meeting the Outline Development Plan (ODP) development schedule and associated requirements.

Pursuant to these code provisions, the Director is initiating a rezone of properties

consisting of 51.03 acres, located at 382 and 384 High Ridge Drive, currently known as Ridges Mesa, from PD (Planned Development) to R-2 (Residential up to 2/dwelling units per acre) zone district which was the zoning district applied to the property immediately before the rezoning to PD.

**BACKGROUND OR DETAILED INFORMATION:**

Ordinance 4163 rezoned this property from R-2 to PD (planned Development) on January 14, 2008. With that ordinance, an Outline Development Plan (ODP) for Ridges Mesa development was also approved. In 2009 the ODP received approval to extend the Ridges Mesa "Development Schedule" to the end of 2016. The applicant for Ridges Mesa submitted their application for Ridges Mesa in December of 2016 securing and extending their right to continue future development under the 2008 approved ODP.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired. The Applicant for Ridges Mesa filings 2 and 3 is no longer interested in pursuing their project with a PD zone and with the current ODP. The lapse of the PD is the result of the applicant withdrawing their development submittals for Ridges Mesa filings 2 and 3 (see attached letter) and therefore not meeting the ODP development schedule and requirements.

**FISCAL IMPACT:**

This land use action does not have any direct fiscal impact. Subsequent actions such as future development and related construction might have direct fiscal impact varying with the type of use.

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance Zoning Properties at 382 and 384 High Ridge Drive from a PD (Planned Development - 2 units per acre) to R-2 (Residential - 2 units per acre) zone district and Set a Hearing for October 4, 2017.

**Attachments**

1. Planning Commission Report
2. Letter from Property Owner/Developer
3. Vicinity, Future Land Use and Zoning Maps
4. Proposed Ordinance



## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Ridges Mesa Rezone  
**Applicant:** Community Development Director  
**Representative:** N/A  
**Address:** 382 and 384 High Ridge Drive  
**Zoning:** Planned Development (PD)

### I. SUBJECT

Consideration of a request for the Planning Commission to 1) revoke all previous approvals associated with the Ridges Mesa PD, and 2) consider a zoning change on the lapsed PD to the previous R-2 zone district.

### II. EXECUTIVE SUMMARY

The Applicant is requesting the Planning Commission 1) revoke all previous approvals associated with the Ridges Mesa PD, and 2) consider a zoning change on the lapsed PD to the previous R-2 zone district.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired and has submitted a letter on August 4, 2017 requesting the City revoke or recognize that a “lapse” of approval has occurred. The property owner’s intent is to no longer be bound to the previously approved ODP plan and to revert the property back to the original zoning of R-2.

The Zoning and Development Code provides that “The Director may initiate, without owner consent, a zoning change on a lapsed PD to another zone district.” It also provides that “If [a] lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD.”

Pursuant to these code provisions, the Director is initiating a rezone of properties consisting of 51.03 acres, located at 382 and 384 High Ridge Drive, currently known as Ridges Mesa, from PD (Planned Development) to R-2 (Residential up to 2/dwelling units per acre) zone district.

### III. BACKGROUND

Ordinance 4163 rezoned this property from R-2 to PD (planned Development) on January 14, 2008. With that ordinance, an Outline Development Plan (ODP) for Ridges Mesa development was also approved. In 2009 the ODP received approval to extend the Ridges Mesa “Development Schedule” to the end of 2016. The applicant for Ridges Mesa submitted their application for Ridges Mesa in December of 2016 securing and extending their right to continue future development under the 2008 approved ODP.

The request by the property owner to develop under the 2008 ODP under the zoning of PD is no longer desired. The Applicant for Ridges Mesa filings 2 and 3 currently under review by the City, has requested this lapse to occur since they are no longer interested in pursuing this project with a PD zone and with the current ODP. The lapse is the

result of the applicant withdrawing their development submittals for Ridges Mesa (see attached letter) and therefore not meeting the ODP development schedule and requirements.

#### **IV. ANALYSIS**

Section 21.02.150(f) of the Zoning and Development Code regarding Planned Developments provides:

*“Lapse of Plan and Rezone. If a planned development, or any portion thereof, has not been completed in accordance with the approved development schedule, a “lapse” shall have occurred and the terms of all approved plans for incomplete portions of the PD shall be null and void. If lapse occurs, the property shall be governed by the zoning district applied to the property immediately before the rezoning to PD, or an applicant may request hearing before the Planning Commission at which time a revocation of all prior approvals shall be considered. If the Planning Commission determines that a lapse has occurred, the Director shall record an appropriate legal notice. The Director may initiate, without owner consent, a zoning change on a lapsed PD to another zone district.”*

In accordance with this section of the Zoning and Development Code, the Applicant has requested a hearing before the Planning Commission to 1) revoke all previous approvals and 2) consider a zoning change to revert the property to the previous R-2 zone district. The maximum density approved as part of the 2008 ODP was 101 dwelling units. The R-2 zone is compatible with (1) the Comprehensive Plan Future Land Use Map of Residential Low (RL); and the surrounding City and Mesa County Zoning.

Section 21.02.150(f) of the Zoning and Development Code clearly provides that the property will revert back to the R-2 zone district. However, under Section 21.02.010 and Section 21.02.020 the Planning Commission has the designated responsibility of making recommendation to change to the Zoning Map and the City Council maintains the authority to “decide all requirements for making changes to zones and the zoning maps...” Because the City Council is the only entity that can modify the Zoning Map, the reversion to the R-2 zone district must be considered by both bodies.

#### **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Ridges Mesa Rezone, RZN-20176-361, a request to revoke previous approvals and revert to the previous R-2 zone District for the project known as Ridges Mesa; a project of 51.04 acres and currently zoned PD (planned Development)), the following findings of fact have been made:

1. Pursuant to Section 21.02.150(f) of the Zoning and Development Code, the Applicant has demonstrated that a lapse has occurred;
2. Pursuant to Section 21.02.150(f) of the Zoning and Development Code it has been discovered in Ordinance 4163 that the property, prior to the PD designation, was zoned R-2; an action that occurred on January 14, 2008.

Therefore, Staff recommends approval of the request to acknowledge the lapse of the Planned Development zone district and to revert the property to the R-2 (Residential – 2 du/ac) zone district.

**VI. RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on the Rezone request RZN-2017-361, I move that the Planning Commission forward a recommendation of approval for the Ridges Mesa Rezone consisting of properties located at 382 and 384 High Ridge Drive from a PD (Planned Development – 2 units per acre) to R-2 (Residential – 2 units/acre) zone district with the findings of fact listed in the staff report.

**ATTACHMENTS:**

1. Letter from Ridges Mesa Developer
2. 2008 approved Rezone to PD Ordinance & Outline Development Plan (ODP)
3. Site Location Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Proposed Zoning Ordinance

A ■ C ■ G

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## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

August 4, 2017

Mr. David Thornton  
City of Grand Junction Planning  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Ridges Mesa Planned Development  
PLD-2016-600 & PLD-2017-151**

Dear Mr. Thornton:

The purpose of this letter is to request the above major subdivision applications be withdrawn from the City of Grand Junction's development review process and allow the Ridges Mesa Planned Development approval to lapse.

Austin Civil Group, Inc. (ACG) are the Owner' Representatives for Dennis and Alice McCary and McCary Development, LLC, who currently own the property. The owners understand the Ridges Mesa Planned Development schedule has not been met and the original Planned Development project will lapse. They also understand because the Planned Development will lapse, the property zoning will default back to R-2 zoning in the City of Grand Junction.

ACG is working with the McCary's to develop a new subdivision plan for the property with utilizing the R-2 zoning. We will be making a new pre-application submittal for the proposed layout and look forward to a fresh start in developing this challenging site. If you have any additional questions or concerns, please give me a call at 970-242-7540.

Sincerely,



**Austin Civil Group, Inc.**

Mark Austin, P.E.  
President

cc: Dennis McCary

123 n. 7th street ■ suite 300 ■ grand junction, colorado 81501 ■ 970-242-7540 phone ■ 970-255-1212 fax

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4163**

**AN ORDINANCE REZONING APPROXIMATELY 51.04 ACRES FROM R-2 TO PD  
(PLANNED DEVELOPMENT)**

**THE RIDGES MESA PLANNED DEVELOPMENT  
LOCATED EAST OF HIDDEN VALLEY DRIVE AND HIGH RIDGE DRIVE**

Recitals:

A request for a Rezone and Outline Development Plan approval has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 51.04 acres located east of Hidden Valley Drive, High Ridge Drive and north of Bella Pago, be rezoned from R-2 (Residential, 2 units per acre) to PD (Planned Development) retaining R-2 as the default zoning designation.

The PD zoning ordinance will establish the default zoning and maximum and minimum number of dwelling units. It also shows approximate areas of proposed open space and areas of slopes greater than 30%. Possible roadway connections and trails are also shown. Deviations from the R-2 bulk standards, specific design standards and entrance signage details shall be established with the preliminary plan for each phase, if required.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Rezone and Outline Development Plan approval and determined that it satisfied the criteria as set forth and established in Section 2.12.B.2 of the Zoning and Development Code and the proposed Rezone and Outline Development Plan is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REZONED FROM R-2 TO PD WITH AN R-2 DEFAULT ZONE:

Property to be Rezoned:

Tax Parcel Number 2945-212-17-007; Lot 7, Ridge Point Filing 1, recorded at Plat Book 14, Pages 348-350 of the Mesa County Clerk and Recorders Office.

PD Phases:

See Attached Exhibit A, Outline Development Plan

- Phase 1 – Maximum number of residential units – 28 / totaling 14.16 acres
- Phase 2 – Maximum number of residential units – 45 / totaling 22.58 acres
- Phase 3 – Maximum number of residential units – 28 / totaling 14.30 acres

The minimum number of dwelling units will be at a density of 0.5 dwelling units per acre.

The public benefit to be obtained by the Planned Development will be that the applicants have committed to a trail system within the open space areas that will be available for public use. This trail system is not shown on the Urban Trails Master Plan, and therefore is above and beyond the Code requirements. The Open Space provided will exceed that required by the Code in single-family residential developments.

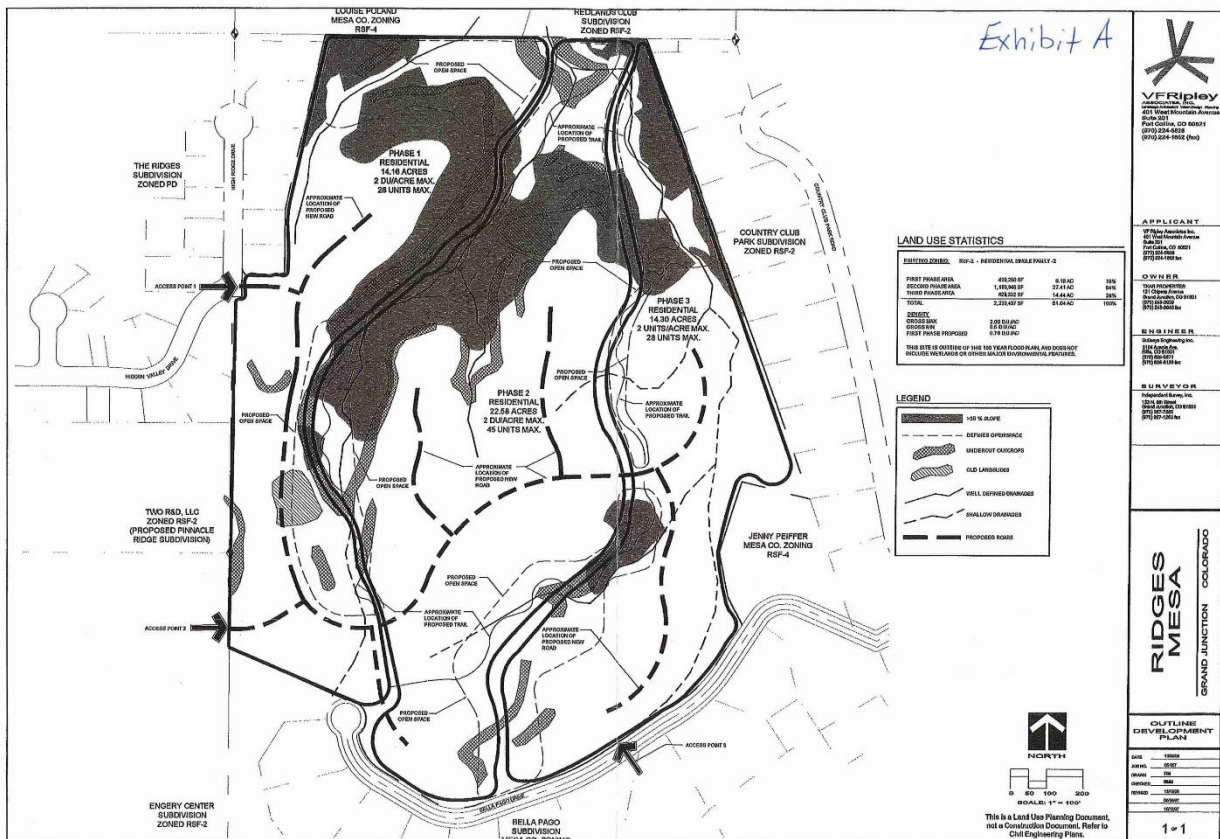
**INTRODUCED** on first reading on the 17<sup>th</sup> day of December, 2007 and ordered published.

**ADOPTED** on second reading this 14<sup>th</sup> day of January, 2008.

ATTEST:

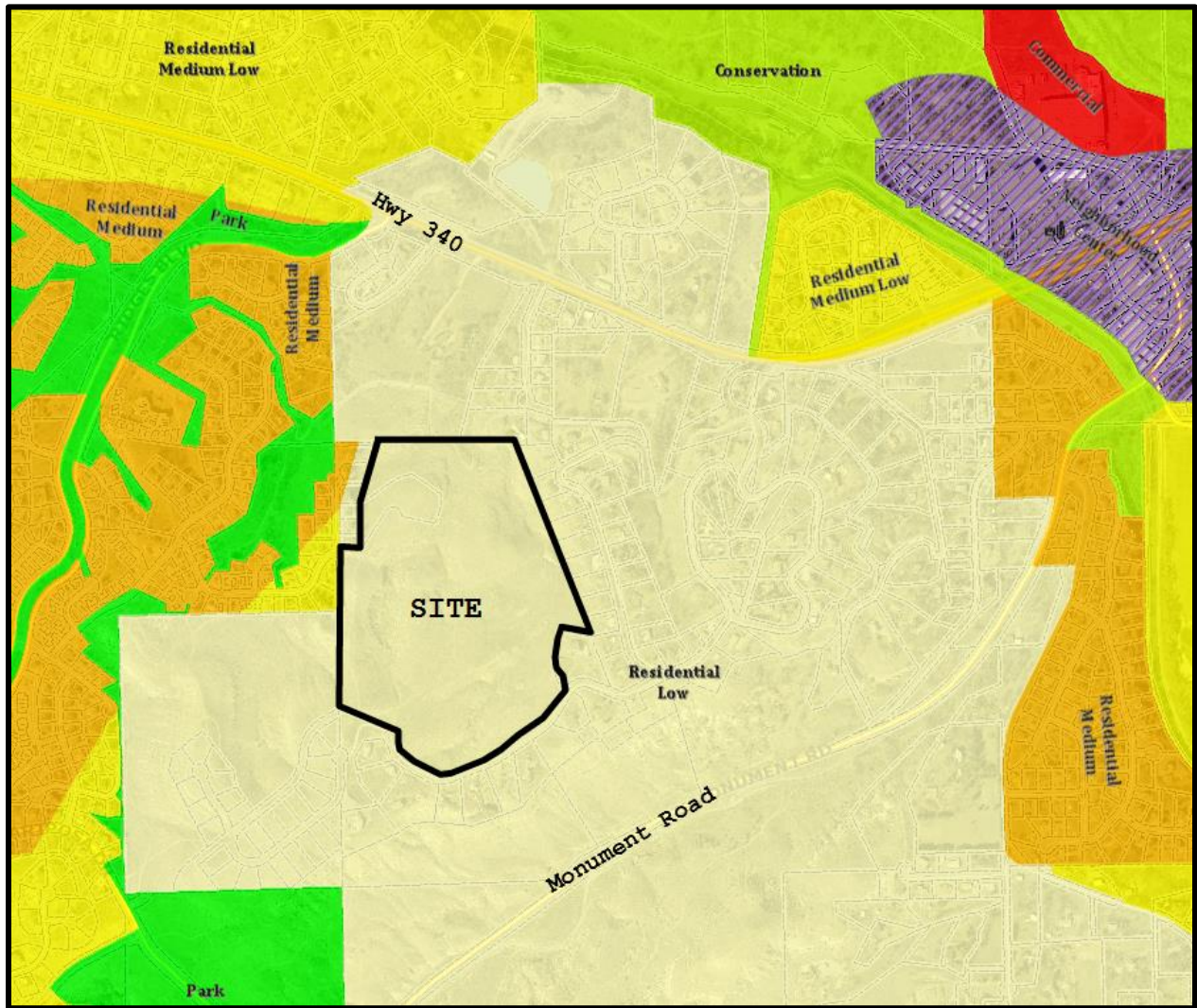
/s/ James J. Doody  
President of Council

/s/ Stephanie Tuin  
City Clerk



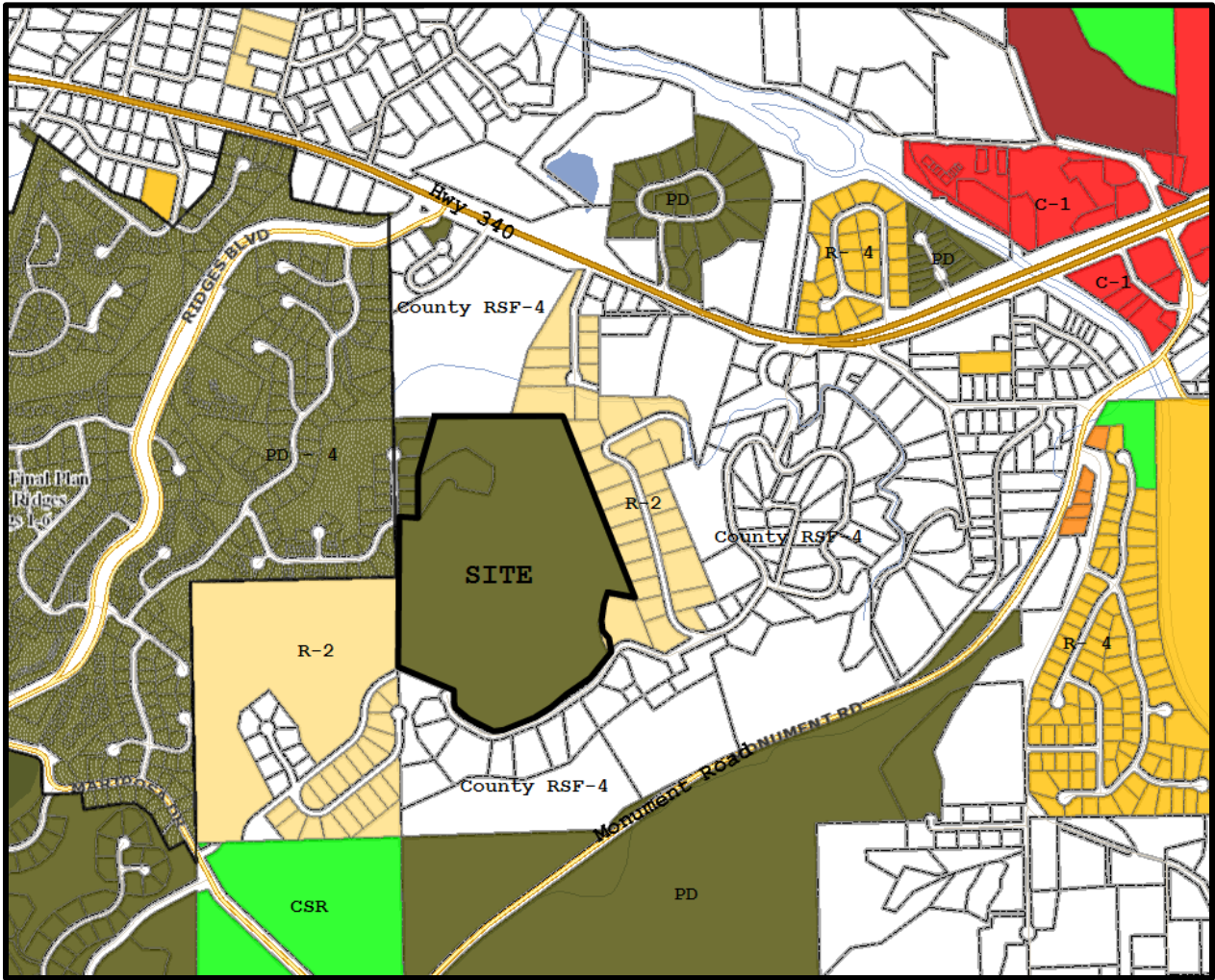


**Site Location Map**



**Comprehensive Plan Future Land Use Map**





**Existing Zoning Map**

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ZONING PROPERTIES AT 382 AND 384 HIGH RIDGE DRIVE TO R-2 (RESIDENTIAL – 2 DWELLING UNITS PER ACRE)**

Recitals:

The properties located at 382 and 384 High Ridge Drive were zoned “planned development” (PD) and an outline development plan (ODP) adopted by Ordinance No. 4163 on January 14, 2008. The ODP has lapsed by virtue of the fact that the property owner has failed to develop a final plan within the time period prescribed by the Zoning and Development Code.

In the event of a lapse of an ODP, the Zoning and Development Code, Section 21.02.150(f), provides that zoning shall default to the previous zone district, which in this case is the same as the underlying zone district (R-2).

The current property owner does not object to the proposed rezone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Ridges Mesa located at 382 and 384 High Ridge Drive to the R-2 (Residential – 2 dwelling units per acre) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and complies with Section 21.02.150(f) governing lapse of outline development plans.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 dwelling units per acre) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and meets the Code provision governing lapsed ODP.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED R-2 (RESIDENTIAL 2 DWELLING UNITS PER ACRE):

PARCEL 1 (384 High Ridge Drive): LOT 1 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 2.35AC, COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2 (382 High Ridge Drive): LOT 2 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 48.69AC, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this 20<sup>th</sup> day of September, 2017 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

A ■ C ■ G

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## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

August 4, 2017

Mr. David Thornton  
City of Grand Junction Planning  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Ridges Mesa Planned Development**  
**PLD-2016-600 & PLD-2017-151**

Dear Mr. Thornton:

The purpose of this letter is to request the above major subdivision applications be withdrawn from the City of Grand Junction's development review process and allow the Ridges Mesa Planned Development approval to lapse.

Austin Civil Group, Inc. (ACG) are the Owner' Representatives for Dennis and Alice McCary and McCary Development, LLC, who currently own the property. The owners understand the Ridges Mesa Planned Development schedule has not been met and the original Planned Development project will lapse. They also understand because the Planned Development will lapse, the property zoning will default back to R-2 zoning in the City of Grand Junction.

ACG is working with the McCary's to develop a new subdivision plan for the property with utilizing the R-2 zoning. We will be making a new pre-application submittal for the proposed layout and look forward to a fresh start in developing this challenging site. If you have any additional questions or concerns, please give me a call at 970-242-7540.

Sincerely,

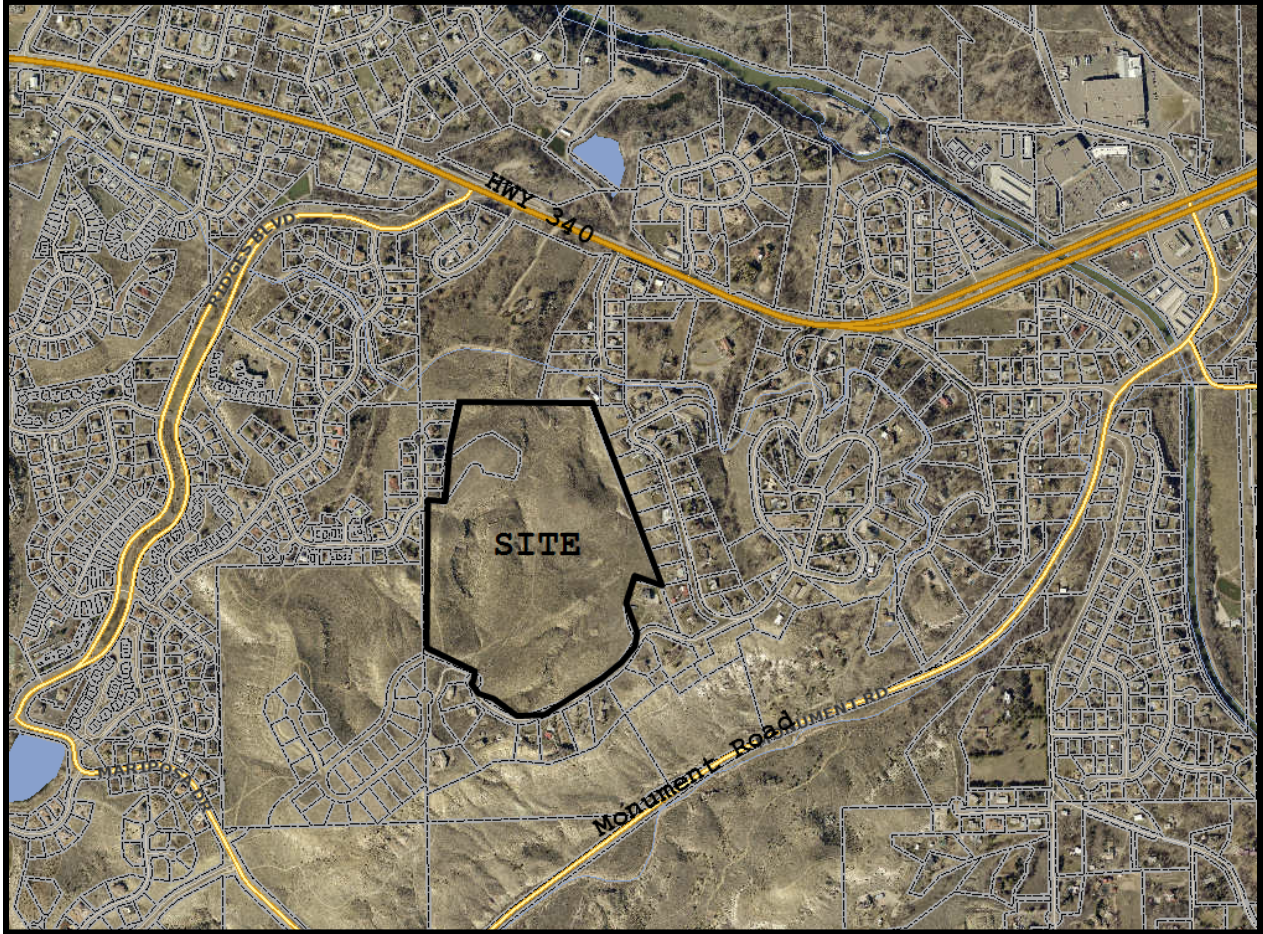


**Austin Civil Group, Inc.**

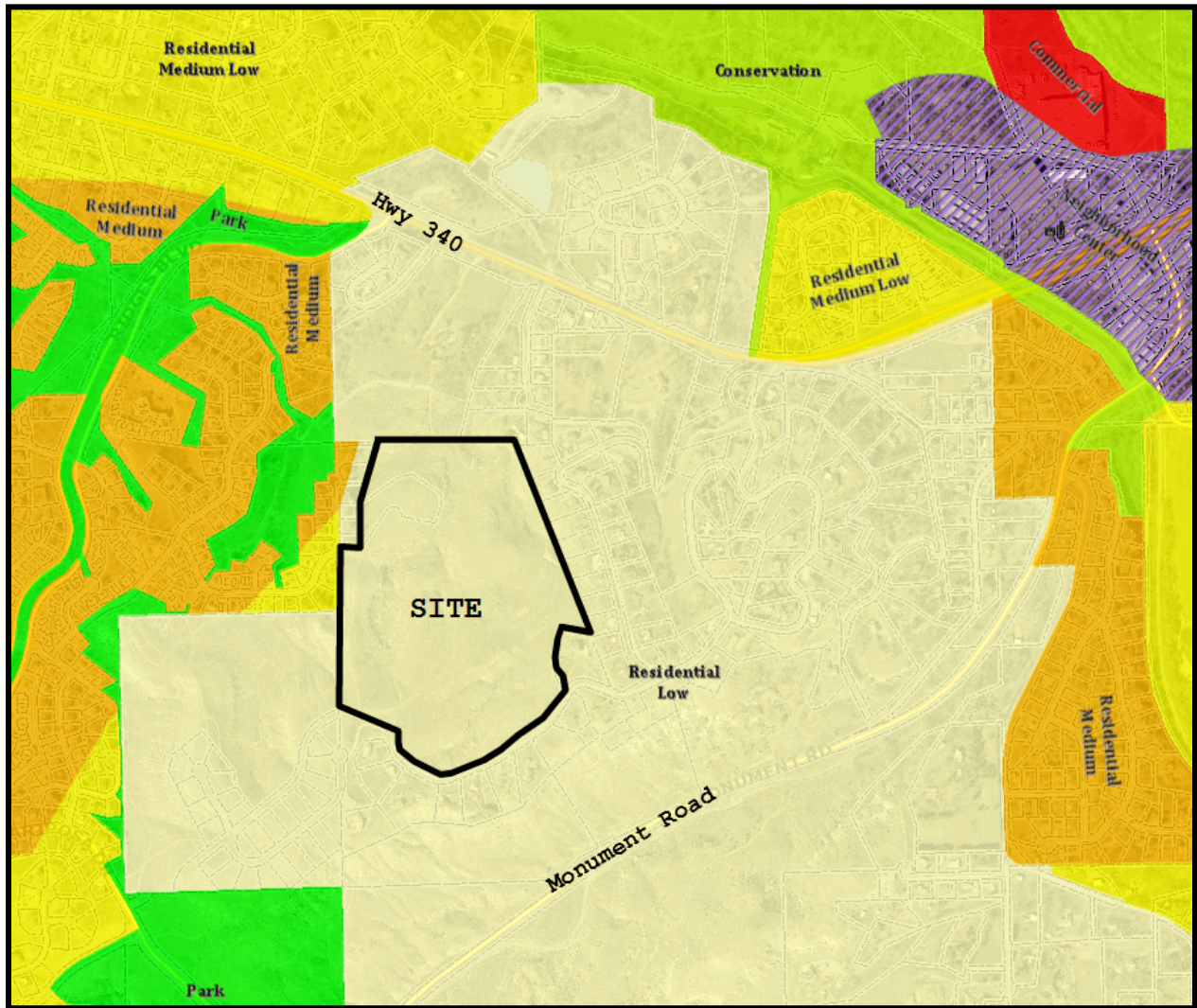
Mark Austin, P.E.  
President

cc: Dennis McCary

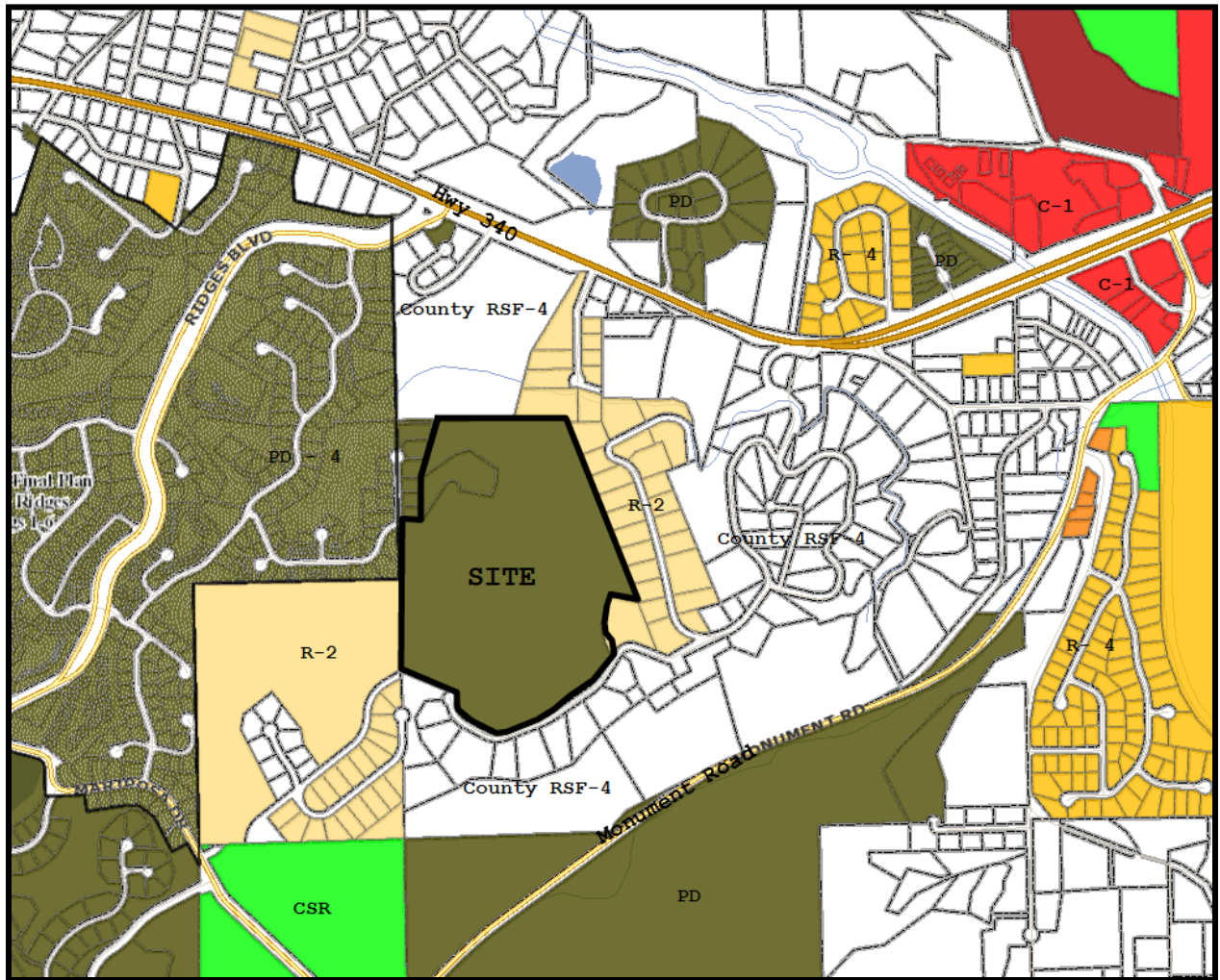
123 n. 7th street ■ suite 300 ■ grand junction, colorado 81501 ■ 970-242-7540 phone ■ 970-255-1212 fax



**Site Location Map**



**Comprehensive Plan Future Land Use Map**



**Existing Zoning Map**

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING PROPERTIES AT 382 AND 384 HIGH RIDGE DRIVE FROM PD (PLANNED DEVELOPMENT) TO R-2 (RESIDENTIAL – 2 DWELLING UNITS PER ACRE)**

Recitals:

The properties located at 382 and 384 High Ridge Drive were zoned “planned development” (PD) and an outline development plan (ODP) adopted by Ordinance No. 4163 on January 14, 2008. The ODP has lapsed by virtue of the fact that the property owner has failed to develop a final plan within the time period prescribed by the Zoning and Development Code.

In the event of a lapse of an ODP, the Zoning and Development Code, Section 21.02.150(f), provides that zoning shall default to the previous zone district, which in this case is the same as the underlying zone district (R-2).

The current property owner does not object to the proposed rezone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Ridges Mesa located at 382 and 384 High Ridge Drive to the R-2 (Residential – 2 dwelling units per acre) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low. is compatible with land uses located in the surrounding area, and complies with Section 21.02.150(f) governing lapse of outline development plans.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 dwelling units per acre) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Residential Low, is compatible with land uses located in the surrounding area, and meets the Code provision governing lapsed ODP.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTY SHALL BE ZONED R-2 (RESIDENTIAL 2 DWELLING UNITS PER ACRE):

PARCEL 1 (384 High Ridge Drive): LOT 1 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 2.35AC, COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2 (382 High Ridge Drive): LOT 2 RIDGES MESA SEC 21 1S 1W UM RECD R-757612 MESA CO RECDS - 48.69AC, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this 20<sup>th</sup> day of September, 2017 and ordered published in pamphlet form.



Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #2.b.ii.

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**Meeting Date:** September 20, 2017

**Presented By:** Kathy Portner, Planning Manager

**Department:** Community Development

**Submitted By:** Kathy Portner, Planning Manager

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### **Information**

#### **SUBJECT:**

Ordinance amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership, and Set a Hearing for October 4, 2017

#### **RECOMMENDATION:**

Planning Commission, at their August 22, 2017 hearing, recommended approval.

#### **EXECUTIVE SUMMARY:**

Due to the infrequency of meetings and a historic lack of interest in serving on this Board, staff is proposing to amend Section 21.02.030 of the Zoning and Development Code to reduce the number of members of the Zoning Board of Appeals (ZBOA) from five members to three members. To avoid the challenge of finding new members, the three members are proposed to be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

#### **BACKGROUND OR DETAILED INFORMATION:**

The ZBOA has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. A variance is a departure from the dimensional or numerical requirements of the Code. A variance is not a right and may only be granted if the applicant establishes that strict adherence to the Code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district.

The Code calls for the ZBOA to consist of five members, including the Chairman of the Planning Commission, the two designated Planning Commission alternates and two at-large members. The two at-large member seats are currently vacant. Given a number of factors, including the infrequency of Variance requests, the difficulty in recruiting members, and keeping members adequately trained, staff believes it would be helpful to reduce the number of Board members from five to three. In addition, it is proposed that the composition of the membership be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates which will ensure that the ZBOA has a seated and trained membership for meetings that are held. Requests heard by the ZBOA are separate and distinct from those heard by the Planning Commission, so there would not be a conflict with the members acting in their capacity on each of the two Boards.

The Zoning and Development Code adopted in 2010 established the authority for the Director to grant Administrative Adjustments, including a 10% deviation from any bulk standard and consideration of the placement of accessory structures, subject to specific criteria. This code revision has resulted in a significant reduction in the number of Variance requests received by the City. Since 2010, the Board has only met 3 times, with the last one being in 2013.

There are no specific criteria in the Zoning and Development Code for considering amendments to the Zoning and Development Code.

Currently, there are no adopted bylaws for the ZBOA. Bylaws are being drafted and will be presented with the second reading of the Code amendment ordinance for City Council consideration.

**FISCAL IMPACT:**

This action has no direct fiscal impact.

**SUGGESTED MOTION:**

I move to introduce Ordinance No. \_\_\_\_\_ amending Section 21.02.030 of the Zoning and Development Code regarding Zoning Board of Appeals Membership and set a hearing for October 4, 2017.

**Attachments**

1. Ordinance



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING ZONING BOARD OF APPEALS MEMBERSHIP**

**Recitals:**

The Zoning Board of Appeals (ZBOA) has the power and duty to decide requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations, relief from the nonconforming provisions, and variances to any provision of the Code not otherwise assigned to another review body. A variance is a departure from the dimensional or numerical requirements of the Code. A variance is not a right and may only be granted if the applicant establishes that strict adherence to the Code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district.

The 2010 Zoning and Development Code established the authority for the Director to grant Administrative Adjustments, including a 10% deviation from any bulk standard and consideration of the placement of accessory structures, subject to specific criteria, resulting in a significant reduction in the number of Variance requests. Since 2010, the Board has only met 3 times, with the last one being in 2013.

The current Code calls for the Zoning Board of Appeals to consist of five members, including the Chairman of the Planning Commission, the two designated Planning Commission alternates and two at-large members. The two at-large member seats are currently vacant. Given the infrequency of Variance requests and the need for the ZBOA to meet and the difficulty in recruiting members and keeping them adequately trained, staff recommends reducing the number of Board members from five to three, to be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

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

**Section 21.02.030 *Zoning Board of Appeals* is amended as follows (additions underlined, deletions struck through):**

**21.02.030 Zoning Board of Appeals (ZBOA).**

(a) **Composition.** The Zoning Board of Appeals for the City shall consist of three members, each of whom shall be a City resident and shall represent the interests of the City as a whole. The City Council shall consider citizens with experience in the fields of

engineering, law, surveying, development, planning, architecture and construction, as well as citizens at large.

(b) **Identity of Members.** The membership of the Board shall be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.

(c) **Term.** Members of the Board shall serve terms of four years coincident to their terms on the Planning Commission. Members are limited to two consecutive terms.

(d) **Vacancies.** All vacancies shall be filled by appointment of the City Council. A member's seat on the Board shall be vacant when the member ceases to reside in the City.

(e) **Removal.** The City Council may remove any member of the Board after public hearing for good cause including inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for the removal prior to said public hearing.

(f) **Meetings.** The Board shall meet at least once a month, provided there is business to be brought before the Board. Special meetings may be held as provided by rules of procedure adopted by the Board. Two members constitute a quorum.

(g) **Voting.** A majority of a quorum of the Board shall be sufficient to conduct the business of the Board. A lesser number than a quorum may act to adjourn or continue a meeting.

(h) **Compensation.** Members shall be compensated as the City Council deems appropriate by resolution.

**All other parts of Section 21.02.030 shall remain in effect and are not modified by this text amendment.**

INTRODUCED on first reading the \_\_\_\_ day of \_\_\_\_\_, 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



## Grand Junction City Council

### Regular Session

Item #2.b.iii.

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**Meeting Date:** September 20, 2017

**Presented By:** Kristen Ashbeck, Senior Planner/ CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck, Senior Planner

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### **Information**

#### **SUBJECT:**

Ordinance Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial) and set a hearing for October 4, 2017

#### **RECOMMENDATION:**

Planning Commission, at their August 22, 2017 meeting, recommended approval of the proposed rezone.

#### **EXECUTIVE SUMMARY:**

The Applicants are requesting approval to rezone two properties, located at 703 23-2/10 Road and 2350 G Road, from I-2 (General Industrial) to the I-1 (Light Industrial) zone district. The property located at 703 23-2/10 Road is 1.3 acres in size and currently has a vacant office building on it. The second property located at 2350 G Road is 1.9 acres and is developed with an office building that is also currently vacant. The property owners are seeking the rezone to allow for more flexibility in the types of non-industrial uses that could occupy the existing office structures on the properties.

#### **BACKGROUND OR DETAILED INFORMATION:**

The subject properties, located at 703 23-2/10 Road and 2350 G Road, each have existing structures on them under separate ownership. The owners have applied for the rezone of the properties in a single application. Both properties have office structures on them that have been unoccupied for several years. The two buildings are primarily designed for office use; however, the existing General Industrial (I-2) zone district does not allow for the buildings to be used solely for office purposes. The requested Light Industrial (I-1) district would allow for more office-related uses to utilize the buildings.

Properties adjacent to the subject properties to north, east and west are heavy commercial and industrial uses on larger parcels with outdoor storage and operations. To the south, there are large, vacant parcels that are zoned I-1 and Planned Development (PD).

A Neighborhood Meeting regarding the proposed zone change was held on July 19, 2017. Six citizens along with the Applicant, the Applicants' representative and City planning staff were in attendance. Area residents/property owners in attendance voiced no objections to the application to rezone the two parcels from I-2 to I-1. Staff has since received one letter of support for this rezone request.

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the rezone criteria.

**FISCAL IMPACT:**

The two subject properties are currently developed though unoccupied. There is no direct fiscal impact from the consideration of a rezone for these properties. If the properties become occupied or redevelopment occurs property, sales, and use taxes will apply accordingly.

**SUGGESTED MOTION:**

I move to approve Ordinance No. \_\_\_\_ Rezoning Properties Located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial) on first reading and set a hearing for October 4, 2017.

**Attachments**

1. Planning Commission Staff Report
2. Industrial Properties Rezone Maps
3. Industrial Properties Rezone Correspondence from Citizens
4. Proposed Ordinance

## **PLANNING COMMISSION AGENDA ITEM**

**Project Name:** Industrial Properties Rezone  
**Applicant:** RJ Properties and ZZYZ LLC  
**Representative:** Theresa Englbrecht, Bray Real Estate - Commercial  
**Address:** 703 23-2/10 Road and 2350 G Road  
**Zoning:** I-2: General Industrial

### **I. SUBJECT**

Consider a request by RJ Properties (703 23-2/10 Road) and ZZYZ LLC (2350 G Road) to rezone properties from I-2: General Industrial to I-1: Light Industrial.

### **II. EXECUTIVE SUMMARY**

The Applicants are requesting approval to rezone two properties, located at 703 23-2/10 Road and 2350 G Road from I-2 (General Industrial) to the I-1 (Light Industrial) zone district. The property located at 703 23-2/10 Road is 1.3 acres in size and currently has a vacant office building on it. The second property located at 2350 G Road is 1.9 acres and currently is also developed with an office building that is currently unoccupied. The property owners are seeking the rezone to provide more flexibility in the types of uses that could occupy the existing office structures on the properties.

### **III. BACKGROUND**

The subject properties, located at 703 23-2/10 Road and 2350 G Road, each have existing structures on them under separate ownership. The owners have applied for the rezone of the properties in a single application. Both properties have office structures on them that have been unoccupied for several years. The two buildings are primarily designed for office use, however, the existing General Industrial (I-2) zone district does not allow for the buildings to be used solely for office purposes. The requested Light Industrial (I-1) district would allow for more office-related uses to utilize the buildings.

Properties adjacent to the subject properties to north, east and west are heavy commercial and industrial uses on larger parcels with outdoor storage and operations. To the south, there are large, vacant parcels that are zoned I-1 and Planned Development (PD).

A Neighborhood Meeting regarding the proposed zone change was held on July 19, 2017. 6 citizens along with the Applicant, the Applicants' representative and City planning staff were in attendance. Area residents/property owners in attendance voiced no objections to the application to rezone the two parcels from I-2 to I-1.

### **IV. ANALYSIS**

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria:



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

These properties as well as others in the area primarily supported the boom in the oil and gas industry in the early to mid-2000s (703 23-2/1 constructed in 2005 and 2350 G Road constructed in 2003). This industry presence has since been greatly reduced in the valley and the buildings have been vacant for several years (approximately 2 to 3 years). There is currently a greater need for these buildings to be occupied by office-oriented uses that are not allowed in the General Industrial (I-2) zone district. Staff believes this criterion has been met.

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

Staff has seen the land use character within the immediate vicinity of the proposed rezone change over time and anticipates that it will continue to change to include a broader mix of uses. Due to changes in the character of the area, Staff anticipates this area may begin to see pressures for uses other than those allowed within the I-2 zone district, such as those uses promoted by the 24 Road Corridor Plan that covers properties on the south side of G Road across from the properties requested to be rezoned. The recent construction of the new Community Hospital and Medical Office Building complex west of the southwest corner of 24 and G Roads (1/4-1/2 mile from subject properties) has significantly impacted land use in the area and will likely make it more conducive for the buildings on these two parcels to be used for offices to support the hospital campus rather than for strictly industrial uses. Staff believes this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the future use of these properties. The nearby major streets (23, 24 and G Roads) have all been improved with recent development such as the Community Hospital Campus. In addition, both properties to be rezoned are already developed and have access to adequate services. Staff believes this criterion has been met.

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

There is three times more acreage within the City that is zoned I-1 (1,601 acres) versus I-2 (597 acres). However, many of the uses appropriate for I-2 are beginning to shift north, particularly since completion of the Community Hospital Campus and there are very few office buildings in the area that can accommodate uses to support the Campus. Thus, while there may be an adequate supply of I-1 zoned property, it may not be in a location that is conducive to redevelopment in this changing area of the City. Staff believes this criterion has not been met.

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

The proposed I-1 zone district would create an opportunity for greater flexibility in uses that can occupy these existing buildings. The community will benefit by the ability of owners to sell or lease these properties to companies or businesses that will add jobs and taxes to the community. In addition, the rezone of these properties will facilitate the reuse of existing buildings for uses that can support and help sustain surrounding development that improves the City's economy. Staff believes this criterion has been met.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan

**Future Land Use Map:** The Comprehensive Plan Future Land Use Map for the area is Industrial, within which both the I-1 and I-2 zone districts may implement the land use plan. Thus, the proposed I-1 zone district is compatible with the Comprehensive Plan Future Land Use Map, The proposed rezone is also compatible with the surrounding I-2, I-1, BP, MU and Planned Development zoning as well as the and surrounding mix of commercial and industrial land uses.

After review of the Comprehensive Plan, Staff believes that the proposed rezone meets the following Comprehensive Plan goals and policies:

**Goal 6:** Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

**Policy A:** In making land use and development decisions, the City and County will balance the needs of the community.

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

## **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Industrial Properties Rezone, RZN-2017-298, a request to zone two properties totaling 3.2 acres from I-2 (General Industrial) to an I-1 (Light Industrial) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Municipal Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request to rezone the properties located at 703 23 2/10 Road and 2350 G Road from I-2 (General Industrial) to I-1 (Light Industrial).

## **VI. RECOMMENDED MOTION**

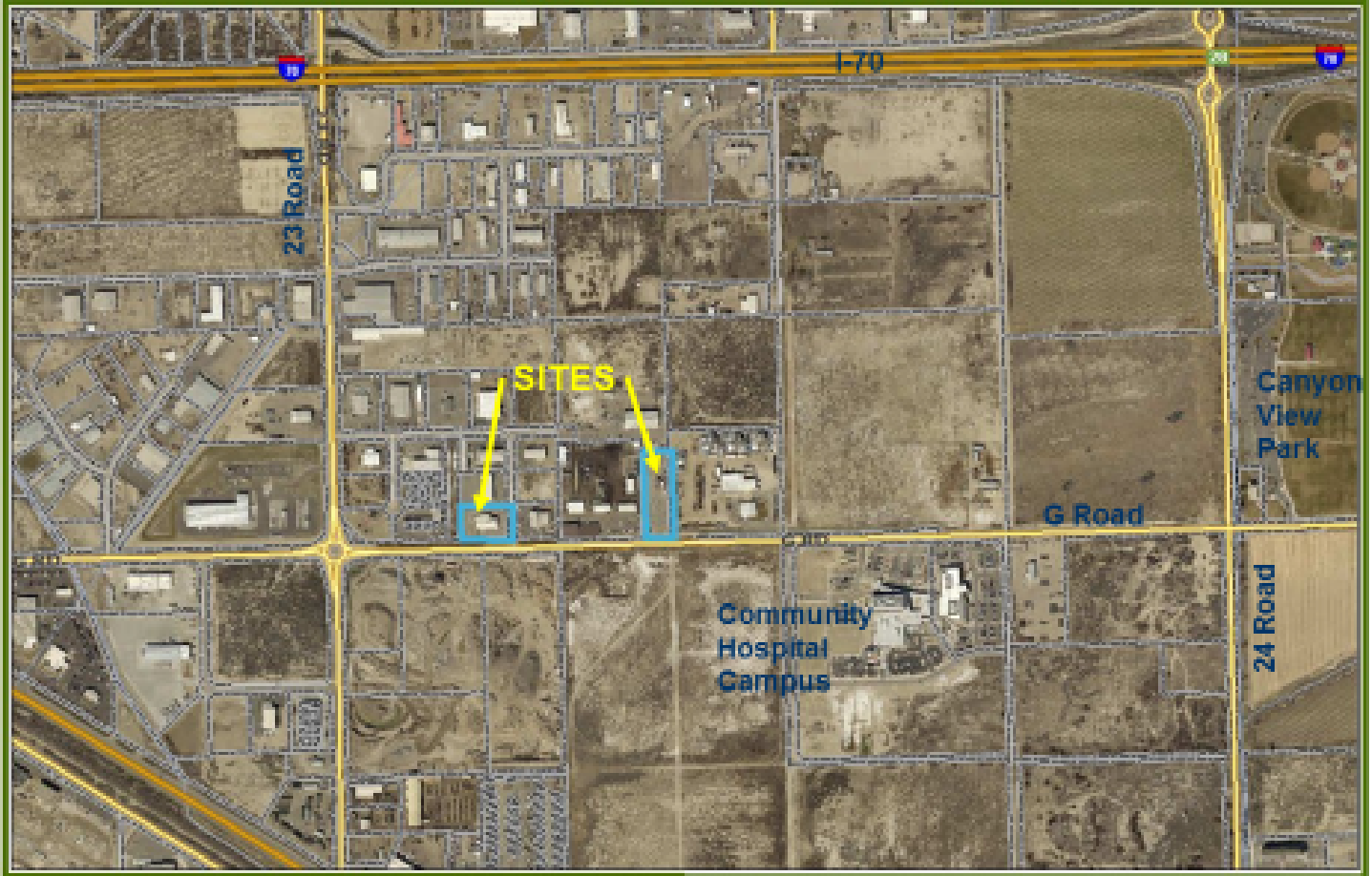
Madam Chairman, on the Rezone request RZN-2017-298, I move that the Planning Commission forward a recommendation of approval for the Industrial Properties Rezone of parcels located at 703 23-2/10 Road and 2350 G Road from an I-2 (General

Industrial) to and I-1 (Light Industrial) zone district with the findings of fact as listed in the staff report.

**Attachments:**

1. Vicinity Map
2. Site Location Map
3. Comprehensive Plan Future Land Use Map
4. Existing Zoning Map
5. Correspondence Received from the Public
6. Proposed Zoning Ordinance

# 703 23-2/10 Road and 2350 G Road Vicinity Map



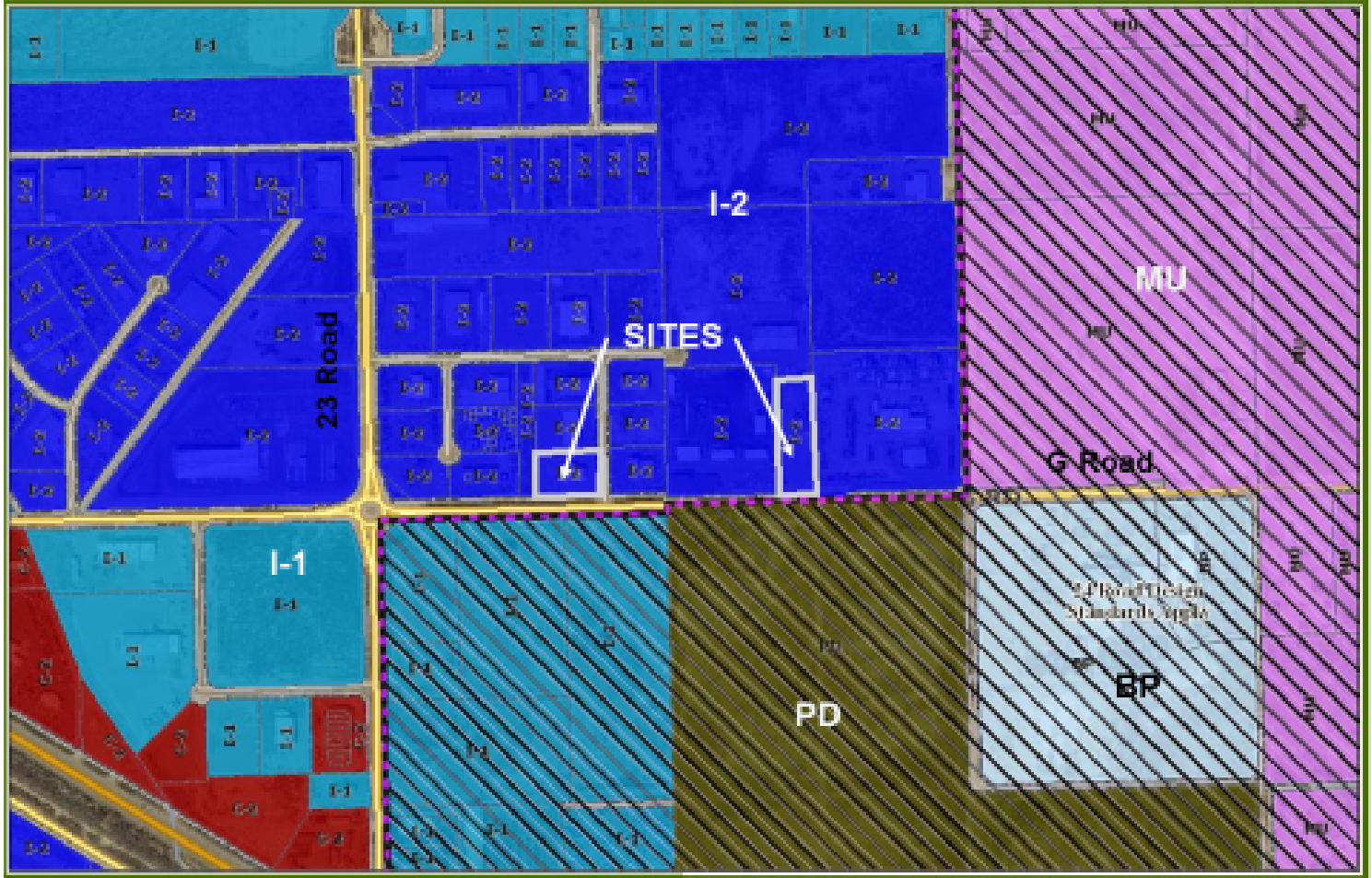
703 23-2/10 Rd and 2350 G Rd Site Location Map



703 23-2/10 Rd and 2350 G Rd Future Land Use Map



# 703 23-2/10 Road and 2350 G Road Existing Zoning Map



## Scott Peterson

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**From:** Jerry Paul <jerry.paulcfa@gmail.com>  
**Sent:** Wednesday, July 05, 2017 4:37 PM  
**To:** theresa@brayandco.com; Scott Peterson; Ray@gjproperties.com  
**Cc:** Timothy Whitney  
**Subject:** G Road Property Rezoning

As the manager for Arctodus Realty, an owner of 4 properties in the area of rezoning, my partners and I fully support the rezoning request being made by our neighbor.

--

Sincerely,

Jerry Paul CFA

<http://www.linkedin.com/in/jerrypaul/>

303-956-7821

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING PROPERTIES LOCATED AT 703 23-2/10 ROAD  
AND 2350 G ROAD FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT  
INDUSTRIAL)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Industrial Properties Rezone located at 703 23-2/10 Road and 2350 G Road to the I-1 (Light Industrial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Future Land Use Map designation of Industrial, the goals and policies of the Comprehensive Plan, and is generally compatible with land uses located in the surrounding area.

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING PROPERTIES SHALL BE ZONED I-1 (LIGHT INDUSTRIAL):

PARCEL 1: LOT 9 BLK 2 GRAND PARK SOUTH SEC 32 1N 1W - 1.29 AC

PARCEL 2: LOT 1 BLUE STAR PARK SIMPLE SUBDIVISION SEC 32 1N 1W - 1.81 AC

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.

ATTEST:

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

\_\_\_\_\_  
Mayor





## Grand Junction City Council

### Regular Session

Item #2.b.iv.

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**Meeting Date:** September 20, 2017

**Presented By:** Scott D. Peterson, Senior Planner

**Department:** Community Development

**Submitted By:** Scott D. Peterson

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### **Information**

#### **SUBJECT:**

Introduction of an Ordinance Rezoning the Proposed Fossil Trace, Located at 465 Meadows Way, to R-2 (Residential-2 DU/AC) and Set a Hearing for October 4, 2017

#### **RECOMMENDATION:**

Planning Commission heard this item at its August 22, 2017 meeting and forwarded a recommendation of approval to City Council.

#### **EXECUTIVE SUMMARY:**

The Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 +/- acres), located at 465 Meadows Way, from the R-R (Residential - Rural) to the R-2 (Residential - 2 du/ac) zone district for the purpose of future subdivision.

#### **BACKGROUND OR DETAILED INFORMATION:**

The subject property (Lot 3, Rump Subdivision) is located at 465 Meadows Way in the Redlands area across the road from Riggs Hill. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain. The Applicant, Fossil Trace Holdings LLC, is requesting to rezone the property to R-2 (2 du/acre) from its current zoning of R-R (Residential-Rural: 1 unit/5 acres). The Applicant is interested in developing a residential single-family subdivision to meet the R-2 zone district densities and might utilize the cluster provisions of the Zoning & Development Code to preserve the environmentally sensitive and open space areas of the property.

The property was annexed into the City in 2000 as part of the Desert Hills Estates Annexation No. 2. During the annexation process, the property was zoned R-R (Residential – Rural) which was in conformance with the Estate (1 – 3 acres) designation of the City’s Growth Plan at the time.

In 2010, the City and County adopted the Comprehensive Plan’s Future Land Use Map as well as the Blended Residential Land Use Categories Map (“Blended Map”). The current Future Land Use Map continues to designate the area where the property is located as Estate and identifies the Blended Residential Land Use Map category as Residential Low. The Residential Low designation within the Blended Map allows for the application of the any one of the following zone districts (R-R, R-E, R-1, R-2, R-4 and R-5) to implement the Estate future land use category, resulting in an allowance of up to five dwelling units per acre which is consistent with the R-2 zone district.

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the rezone criteria.

A Neighborhood Meeting regarding the proposed zone change and subdivision application was held on May 22, 2017. Approximately 16 citizens along with the Applicant, the Applicant’s representatives and City planning staff were in attendance. Area residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils and increased traffic on Meadows Way and S. Broadway. Written correspondence was received and is attached for review.

Although not the subject of the rezone hearing, Staff continues to receive calls to date about the future subdivision and development of this property, related to the above mentioned concerns expressed at the Neighborhood Meeting. These items will be addressed further at time of official subdivision application and review, should this application move forward.

**FISCAL IMPACT:**

This land use action does not have any direct fiscal impact. Subsequent actions such as future development and related construction may have direct fiscal impact and will vary depending upon type of use.

**SUGGESTED MOTION:**

I move to introduce Ordinance \_\_\_\_\_ an Ordinance Approving a Rezone to R-2 (Residential – 2 du/ac) for Lot 3, Rump Subdivision and Set a Hearing for October 4, 2017.

## **Attachments**

1. Planning Commission Staff Report
2. Site Location and Zoning Maps
3. Public Correspondence Recieved
4. Ordinance

## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Fossil Trace Rezone  
**Applicant:** Fossil Trace LLC  
**Representative:** River City Consultants Inc  
**Address:** 465 Meadows Way  
**Zoning:** Rural-Residential (R-R)

### I. SUBJECT

Consider a request by the Applicant, Fossil Trace LLC to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac).

### II. EXECUTIVE SUMMARY

The Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 +/- acres), located at 465 Meadows Way from the R-R (Residential - Rural) to the R-2 (Residential - 2 du/ac) zone district for the purpose of future subdivision.

### III. BACKGROUND

The subject property (Lot 3, Rump Subdivision) is located at 465 Meadows Way in the Redlands area across the road from Riggs Hill. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain. The Applicant, Fossil Trace Holdings LLC, is requesting to rezone the property to R-2 (2 du/acre) from its current zoning of R-R (Residential-Rural: 1 unit/5 acres). The Applicant is interested in developing a residential single-family detached subdivision to meet the R-2 zone district densities and may utilize the cluster provisions of the Zoning & Development Code to preserve the environmentally sensitive and open space areas of the property.

The property was annexed into the City in 2000 as part of the Desert Hills Estates Annexation No. 2. During the annexation process, the property was zoned R-R (Residential – Rural) which was in conformance with the Estate (1 – 3 acres) designation of the City’s Growth Plan at the time.

In 2010, the City and County adopted the Comprehensive Plan’s Future Land Use Map as well as the Blended Residential Land Use Categories Map (“Blended Map”). The current Future Land Use Map continues to designate the area where the property is located as Estate and identifies the Blended Residential Land Use Map category as Residential Low. The Residential Low designation within the Blended Map allows for the application of the any one of the following zone districts (R-R, R-E, R-1, R-2, R-4 and R-5) to implement the Estate future land use category, resulting in an allowance of up to five dwelling units per acre.

Properties adjacent to the subject property to the north is Riggs Hill, which is owned by the Museum of Western Colorado. To the south and east are single-family detached

residential subdivisions of Peregrine Estates and Monument Meadows. To the west are single-family detached homes located on larger acreage.

A Neighborhood Meeting regarding the proposed zone change and subdivision application was held on May 22, 2017. Approximately 16 citizens along with the Applicant, the Applicant's representatives and City planning staff were in attendance. Area residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils and increased traffic on Meadows Way and S. Broadway. Written correspondence was received and is attached for review.

Although not the subject of the rezone hearing, Staff continues to receive calls to date about the future subdivision and development of this property, related to the above mentioned concerns expressed at the Neighborhood Meeting. These items will be addressed further at time of official subdivision application and review, should this application move forward.

#### **IV. ANALYSIS**

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

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

The existing property was annexed and zoned Residential-Rural in 2000. In 2010 the City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan, replacing the Growth Plan and establishing new land use designations. The Comprehensive Plan includes a Future Land Use Map and a Blended Residential Land Use Categories Map ("Blended Map"). The Blended Map blends compatible residential densities into three categories (Low, Medium and High), allowing overlapping of zones to provide flexibility to accommodate residential market preferences and trends, streamline the development process and support the Comprehensive Plan's vision. The overlap of zones allows for a mix of density for an area without being limited to a specific land use designation and does not create higher densities than what would be incompatible with adjacent development.

The adoption of the Blended Map in 2010 is a subsequent event or change that allows the property to be rezoned to a higher zone district which is compatible with the existing zoning in the area. The request to rezone to R-2 is both compatible and consistent with adjacent properties' zoning of R-2.

Therefore, this criterion has been met.

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

The residential character within the immediate vicinity of the proposed rezone has not changed significantly since the area first developed in the 1970's with the exception of the adjacent Peregrine Estates and the Desert Hills Subdivision which developed in 2005 and 2000 respectfully. Peregrine Estates was annexed and

zoned R-2 and developed as a 25 lot residential subdivision located on 17.84 +/- acres.

Though the character and/or condition of the immediate vicinity of the property has not changed significantly within the last 40 years, the broader area has seen growth since the property was annexed and zoned in 2000. However, the requested zone district is compatible with the surrounding single family uses/densities and is consistent with the Comprehensive Plan.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the residential land uses allowed in the R-2 zone district. Ute Water and City sanitary sewer are presently located within Meadows Way. The property can also be served by Xcel Energy electric and natural gas. Located within the vicinity and along Broadway (Hwy. 340), is a neighborhood commercial center that includes an office complex, bank, medical clinic, veterinary clinic, convenience store and car wash. In addition, Grand Junction Redlands Fire Station No. 5 is located within 2 miles of the property and the property is located nearby to Broadway Elementary School, Redlands Middle School and Wingate Elementary School.

Therefore, this criterion has been met.

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

There is not an adequate supply of suitably designed land available in the community as the R-2 zone district comprises only 4% of the overall total acreage zoned within the City limits (residential, commercial and industrial). The R-2 zone district is, however, the fourth highest residential zone in the City, trailing only the R-4, R-5 and R-8 zone districts for the amount of residential acreage designated within the City limits (Less than 900 +/- acres within the City limits is zoned R-2).

Therefore, this criterion has been met.

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

The community will derive benefits from the proposed amendment by creating an opportunity for future residential development on this property which will provide additional residential housing opportunities for residents of the community. The property is located within the highly desirable Redlands area and near neighborhood commercial centers, elementary and junior high schools, which could contribute positively to employers' ability to attract and retain employees.

Therefore, this criterion has been met.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

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

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

**Goal 5:** To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

**Policy A:** In making land use and development decisions, the City will balance the needs of the community.

**Policy C:** Increasing the capacity of housing developers to meet housing demand.

## **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Fossil Trace Rezone, RZN-2017-296, a request to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request to rezone the property located at 465 Meadows Way from R-R (Residential - Rural) to an R-2 (Residential – 2 du/ac) zone district.

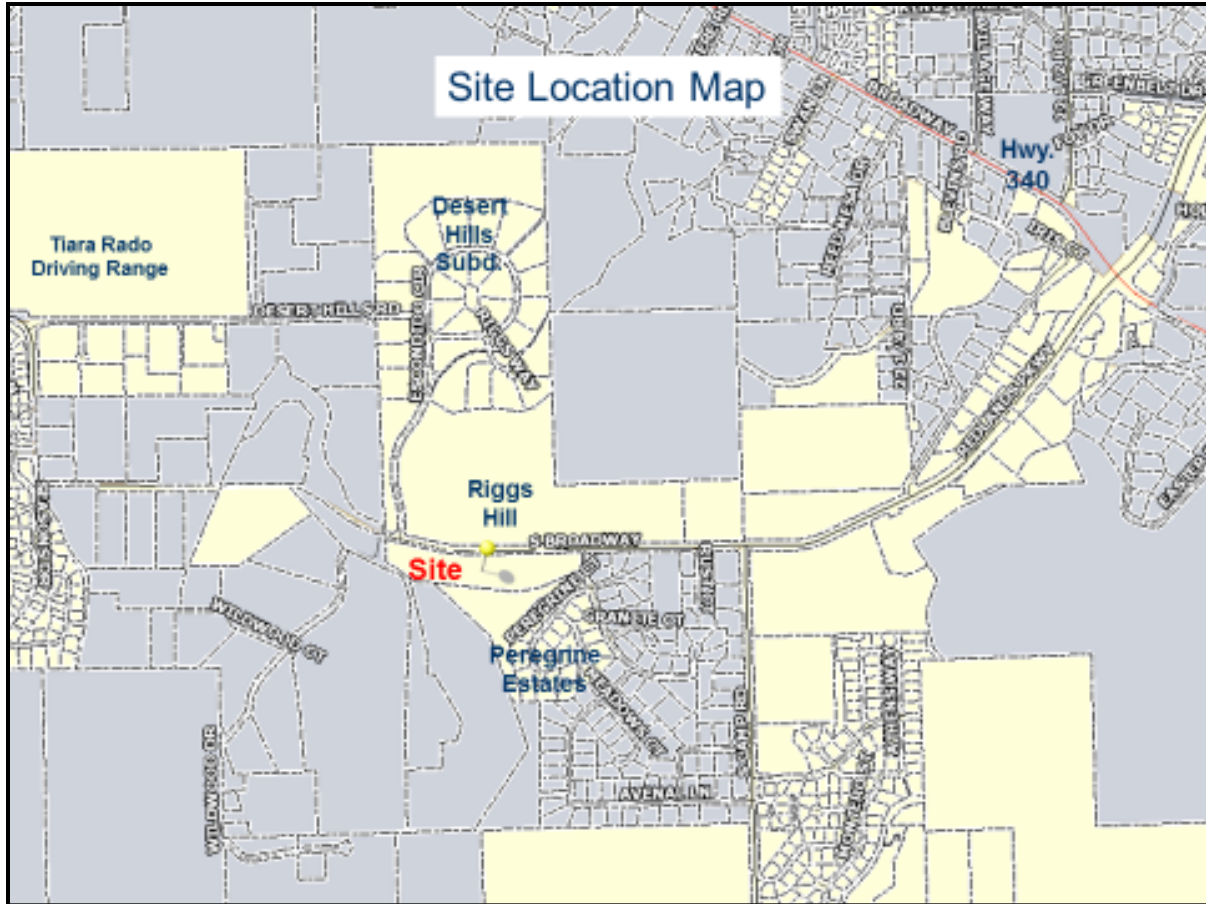
## **VI. RECOMMENDED MOTION**

Madam Chairman, on the Rezone request RZN-2017-296, I move that the Planning Commission forward a recommendation of approval for the rezone of 465 Meadows Way from R-R (Residential – Rural) to R-2 (Residential – 2 du/ac) zone district with the findings of fact listed in the staff report.

### **Attachments:**

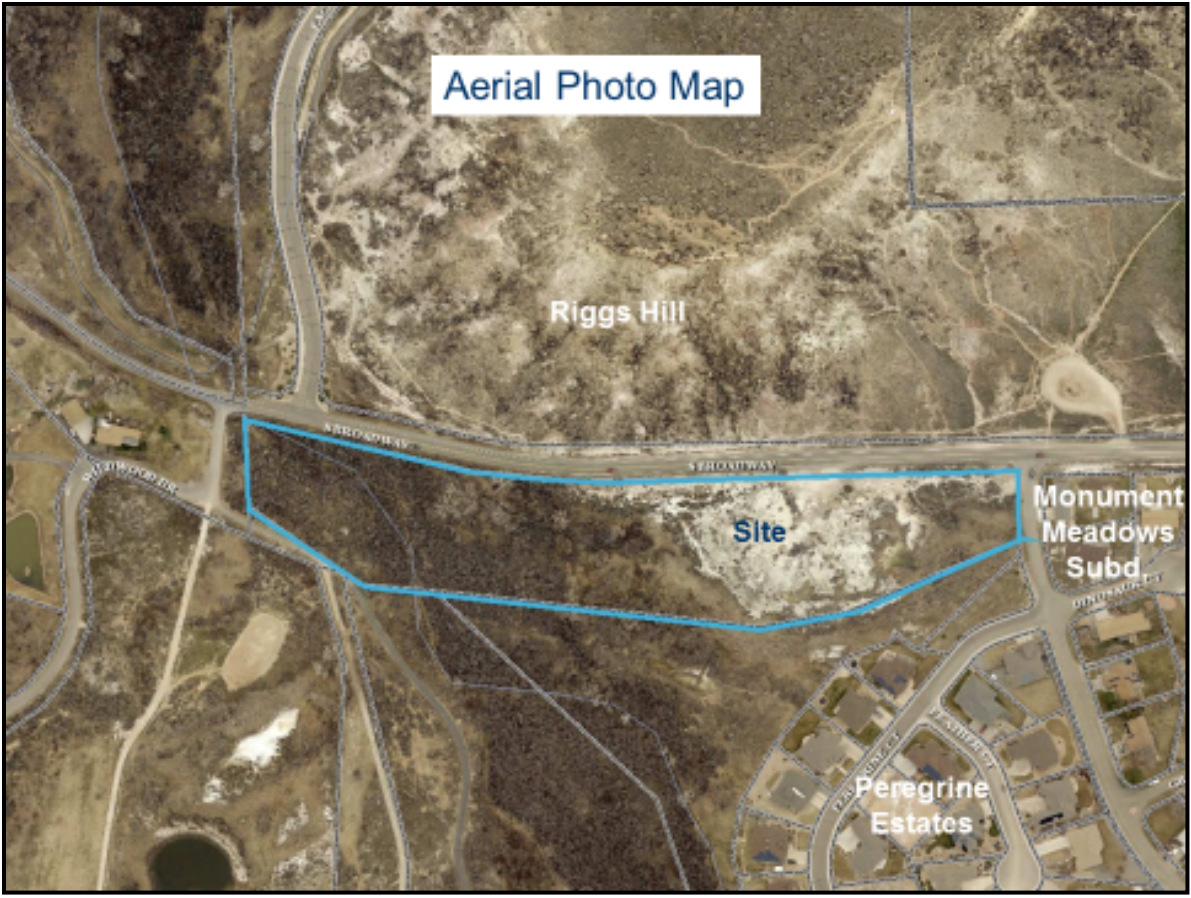
1. Site Location Map
2. Aerial Photo Map
3. Comprehensive Plan Future Land Use Map
4. Blended Residential Land Use Categories Map
5. Existing Zoning Map
6. Correspondence received from the public
7. Ordinance

# Site Location Map





Aerial Photo Map



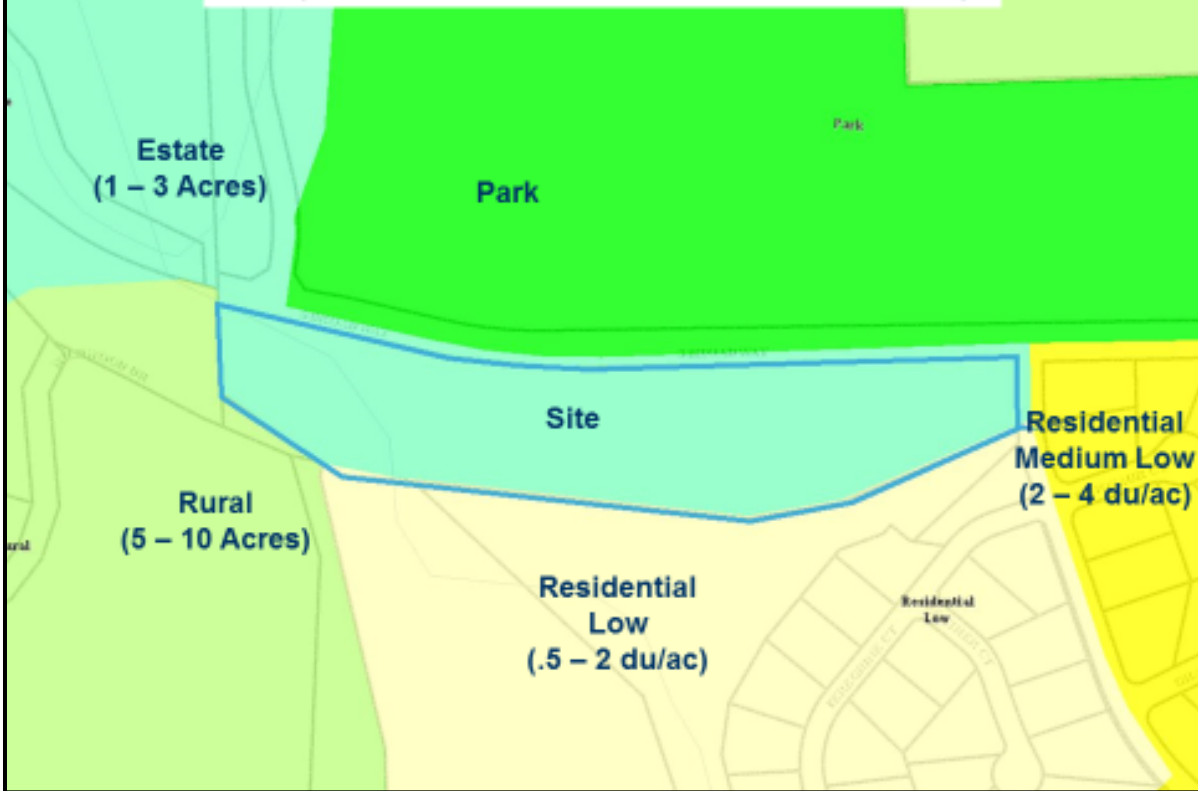
Riggs Hill

Site

Monument  
Meadows  
Subd

Peregrine  
Estates

# Comprehensive Plan Future Land Use Map



# Blended Residential Map

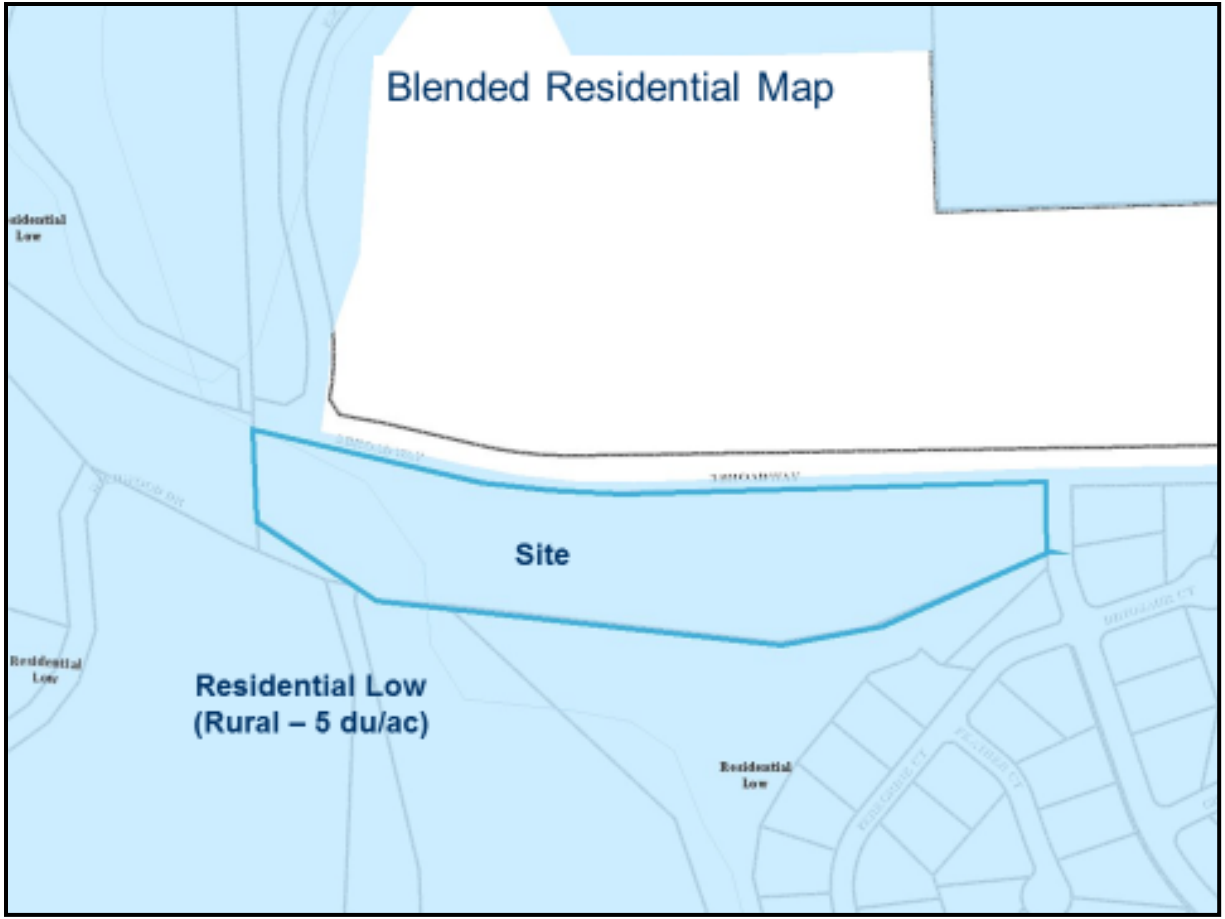
Residential Low

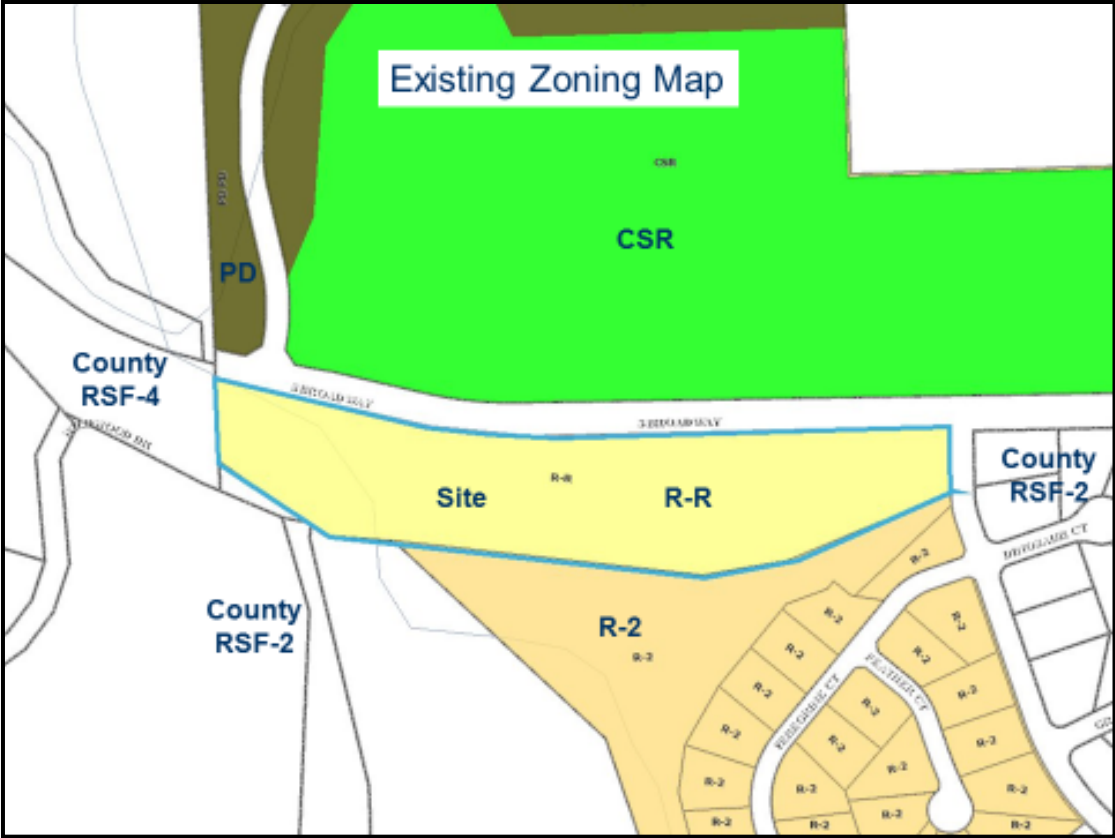
Residential Low

**Residential Low  
(Rural - 5 du/ac)**

**Site**

Residential Low





June 2, 2017

Peregrine Estates HOA  
c/o 460 Feather Court  
Grand Junction, CO 81507

City of Grand Junction

Attn: Scott Peterson, Senior Planner, Planning Department

250 North 5<sup>th</sup> Street

Grand Junction, CO 81501

via email [scottp@gjcity.org](mailto:scottp@gjcity.org)

Dear Scott:

Thanks for taking the time at the May 22 meeting, at Tiara Rado, to discuss and answer our questions, regarding the proposed Fossil Trace Subdivision, which would be adjacent to our HOA. To increase efficiency, with solidarity, we are sending one HOA letter to go on record with our concerns related to Fossil Trace.

- Water
  - While we have many concerns, this is the most important, as there is a history of drainage issues during heavy downpour event. Will their system handle an event like had 2-3 years ago...two events in span 2-3 months? Also, will their system not further slow the drainage of water from LimeKiln Creek to Colorado River.
  - There is a grave concern about further raising underground water table. There is underground spring which flows from SE out of Meadows development underneath NE corner, then just about down center of Peregrine Ct. and then turns NW about on the north side of 2172 Peregrine Court (Wilding residence) into the marsh area.
  - Wetlands – will this development protect the area?
- Traffic
  - Having the entrance road for new development so close to intersection of So. Broadway and Meadows Way, it is a concern for the children of the neighborhood and the likelihood of rear end incidents, backups at stop sign and, possibly during egress onto S.

Broadway, cars will likely creep out of Fossil Trace and block southbound on Meadows Way. Also, to be neighborly, the property at 464 Meadows Way, on the corner of S. Broadway, will be opposite the proposed development, will experience a high volume of traffic and the continuous nuisance of direct vehicle headlights.

- o Home Density
  - o Peregrine Estates, as well as surrounding neighborhoods, have low density housing. We are concerned about the incongruity of the number of homes proposed, as well as small lot sizes. This affects not only the appearance of the area, but will likely impact the value of our homes.
- o Open Space
  - o While we cannot dictate development or not, we all purchased here to enjoy the open space feel, which will be destroyed with this development
- o Landscape
  - o The perimeter of Peregrine Estates has a "sheer barrier" of trees, including many Russian Olives. This barrier provides a sound shield from S. Broadway, as well a bit of privacy. What is the proposal related to the trees and landscape?
- o Long Term
  - o While we have many concerns, if this development is approved – what is the long term plan for the community to prevent water issues or remediate if subsequent issues occur? Who will be responsible for this? Will their HOA assess enough and have reserves to restore and fix, if anything happens? Water is a grave concern, as homes on the north side of Peregrine Court currently have continually water issues. Their homes are at risk in many ways, with the potential of disturbing the water table, as are many of the other PEHOA homes.

While we understand Grand Junction is a growing community and appreciate economic development, we all disagree with Fossil Trace being approved because of the aforementioned reasons. This letter is being submitted on behalf of the 25 homes/lots /owners in Peregrine Estates HOA. We want to be notified of any planning meetings, to attend and voice our concerns. As well, we are available to further discuss any of the above issues with you.

Thank you for your time, please contact us if you need anything or have any questions.

Sincerely,



Kirk Gage, Treasurer PEHOA, 460 Feather Court

(See next page for residents who provided electronic approval, as signors in agreement with this letter)

Peregrine Estates Residents Providing E-Approval to this Letter

Patrick Gage, 460 Feather Court

Tim Donovan, President PEHOA, 457 Feather Court

Lynne O'Connell, 457 Feather Court

Susan Kendrick, Secretary PEHOA, 2171 Peregrine Court

Steven Kendrick, PEHOA, 2171 Peregrine Court

Sam Stirlen, PEHOA ACC Committee, 2161 Peregrine Court

Theresa Stirlen, 2161 Peregrine Court

Andy Smith, PEHOA ACC Committee, 2175 Peregrine Court

Miranda Smith, 2175 Peregrine Court

Val Samii, 2168 Peregrine Court

Don Krueger, 2168 Peregrine Court

Pamela Williams, 454 Feather Court

Rick Wilding, 2172 Peregrine Court

Janey Wilding, 2172 Peregrine Court

Karen Saef, 2162 Peregrine Court

Jerold Saef, 2162 Peregrine Court

Jim Majors, 450 Feather Court

Kira Funderburk, 2170 Peregrine Court

Joe Funderburk, 2170 Peregrine Court

Sasha Bourkovski, 2160 Peregrine Court

Heather Bourkovski, 2160 Peregrine Court

John Flanagan, 456 Feather Court

Jen Roller, 456 Feather Court

John Cassity, 2174 Peregrine Court

Tisha Reed Cassity, 2174 Peregrine Court

Cindy Wilbur, 458 Feather Court

John Whiteside, 458 Feather Court

Christopher Taggart, 452 Feather Court

Sudy Jahangiri, 452 Feather Court

Monument Meadows Property Owners Association  
PO Box 1894  
Grand Junction, CO 81502  
MMPOAGJ@Gmail.Com

July 14, 2017

City of Grand Junction  
Scott Peterson, City Planner  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Fossil Trace Subdivision, 2947-262-32-003, 465 Meadows Way, Grand Junction, CO 81507**

Mr. Peterson:

Thank you for allowing Monument Meadows Property Owners Association to comment on the proposed Fossil Trace Subdivision. We have some concerns that we would like to see addressed in the process of this proposed project. We recognize that this application is in the beginning stages regarding changing the zoning to RR to R2. Specific details are not revealed in the Applicants Development Application package regarding traffic, wetland delineation, geologic conditions poorly suited for building or construction, erosion control measures and drainage issues. We have many questions and issues regarding these topics. Maybe our comments will not be taken into consideration during this current phase of the rezoning measures and proposal, but we would like this comment letter to be considered for the rezoning procedure as well as the planning phase of the Fossil Trace Subdivision, where more details will be available to the public.

**Issue #1- Traffic**

One of two entrances to our subdivision is Meadows Way where the proposed subdivision entrance will obtain access. We are concerned that the proposed entrance will create a safety issue for traffic turning onto Meadows Way from the west and east and also traffic coming out of the Peregrine Subdivision and Dinosaur Court. We request that a traffic study be prepared to acknowledge the impacts of traffic on Meadows Way. There is already limited site distance from South Broadway and the house located at 464 Meadows Way blocks views from the east. There are 68 homes in the Monument Meadows Subdivision and 23 homes in the Peregrine Subdivision that all use the Meadows Way access road into this area. The Meadows Way entrance is already quite busy. Maybe a better option to consider is to have the entrance to Fossil Trace Subdivision be accessed from Wildwood Drive to the West. In addition, according to the preliminary drawing the proposed entrance to the development is where there is currently a sign that says "This area is protected by the Clean Water Act". We do hope this will be addressed, but will address this issue in another concern we have with Wetland Delineation.



**Issue #2- Wetland Delineation**

To comply with Federal and State rules regarding the Clean Water Act and wetland/riparian areas, we request that a Wetland Delineation Study be conducted to ensure that Section 404 of the Clean Water Act is followed and enacted. This area has the potential to be a jurisdictional wetland. We also request that when this study is completed by the Army Corps of Engineers that we are made aware of the document and can review it as a part of the public record.

**Issue #3- Geologic Conditions**

There are several Geologists that live in Monuments Meadows Subdivision that know the area well and has been confirmed in the past that most if not all of the 8.41 acre parcel proposed as a subdivision sits on the Morrison Formation which is consists of Bentonite Soils. In fact, one home site across the street near Riggs Hill was abandoned during the construction process due this type of soil. One of the Rules outlined in 21.02.070(q)(15) of the City's Review Criteria states that restriction of building in areas poorly suited for building or construction and (16) states that preventing loss and injury from landslides, mudflows and other geologic hazards. We do not feel as if this would be an ideal location to build homes due to pure negligence in recognizing the hazards to potential foundation problems. It would be really unfair to future homeowners to have their foundations crack within one year of building their home. We recognize that the foundations would have to be a special engineered foundation, but the price is extremely high for that type of foundation. From our understanding, there was a Geotechnical Survey completed at this parcel in 2007 that deemed the property unbuildable. We request that a Geotechnical Survey be completed. History also reveals that a packaged Sewer Treatment plant once was located on the parcel of land that is proposed to be the Fossil Trace Subdivision. We do hope you look into that.

**Issue #4- Erosion Control Measures and Drainage Issues**

To the east of the proposed development, there are rumors that there is a French drain under the area of Dinosaur Court. We request that this be looked into further, for it could cause some issues to the properties on Dinosaur Court. We would also like to see a plan for internal drainage for the streets. Based on Rule 21.02.070(q)(13)&(14) it states that a proposed development such as a subdivision requires to prevent and control of erosion, sedimentation and other pollution of surface and subsurface water and prevent flood damage to persons and properties. We request that these items be addressed in the proposed development.

**Issue #4- Wildlife**

This area is known to have deer, pheasant's, quail, coyotes, foxes and even mountain lions and bears. We hope this the proposed area will not have negative impacts to these wildlife species. If there is a possibility to have a wildlife survey to address the potential impacts, we would like to be aware of such a study

Thank you again for giving us the opportunity to comment on our concerns regarding the Fossil Trace Subdivision. If you have any questions or need to reach us, the best way would be through our Association's email at [mmpoagi@gmail.com](mailto:mmpoagi@gmail.com)

Also, please keep us informed of meetings or public hearings regarding this development.

Sincerely,



Stephanie Mitchell, Dave Alstatt and Henry Snyder  
Monument Meadows Property Owners Association

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING THE PROPOSED FOSSIL TRACE  
TO R-2 (RESIDENTIAL – 2 DU/AC)**

**LOCATED AT 465 MEADOWS WAY**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Fossil Trace Rezone to the R-2 (Residential – 2 du/ac) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Estate and the Blended Residential Land Use Map category of Residential Low of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-2 (Residential – 2 du/ac) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned R-2 (Residential – 2 du/ac):

Lot 3, Rump Subdivision as identified in Reception # 1992762 in the Office of the Mesa County Clerk and Recorder.

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.

ATTEST:

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #3.a.

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**Meeting Date:** September 20, 2017

**Presented By:** Kristen Ashbeck, Senior Planner/ CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck, Senior Planner/CDBG Admin

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### **Information**

#### **SUBJECT:**

2017 CDBG Subrecipient Agreement between the Counseling and Education Center (CEC) and the City of Grand Junction

#### **RECOMMENDATION:**

Staff recommends approval.

#### **EXECUTIVE SUMMARY:**

The Subrecipient Contract formalizes the City's award of CDBG funds to the Counseling and Education Center (CEC), allocated from the City's 2017 CDBG Program Year as approved by City Council at its May 17, 2017 meeting. The \$6,000 grant to CEC is to pay for 80 hours of counseling sessions for an estimated 30 clients for low income counseling services. The contract outlines the duties and responsibilities of the agency and ensures that the subrecipient complies with all Federal rules and regulations governing the use of the funds.

#### **BACKGROUND OR DETAILED INFORMATION:**

CDBG funds are a Department of Housing and Urban Development (HUD) entitlement grant to the City of Grand Junction which became eligible for the funding in 1996. The City has received \$400,521 for the 2017 Program Year and Council approved amendments to Action Plans of previous program years to utilize a total of \$14,938 remaining funds to be allocated with the 2017 funds for a total allocation of \$415,459. The final funding decision of 11 projects was made by the City Council at its hearing on May 17, 2017. The City's 2017 Program Year began on September 1, 2017 therefore, contracts between the City and the agencies may now be executed.

CEC Low Income Counseling Services

This program provides counseling services for low income citizens. Funds are requested to help pay for 80 more hours of counseling sessions for an estimated 30 more clients seeking counseling. The number of persons served is directly related to the amount of funding received.

CEC is considered a "subrecipient" to the City. The City will "pass through" a portion of its 2017 Program Year CDBG funds to the agency but the City remains responsible for the use of these funds. The contract outlines the duties and responsibilities of the agency and ensure that the subrecipient complies with all Federal rules and regulations governing the use of the funds. The contract must be approved before the subrecipient may obligate or spend any of the Federal funds. The Subrecipient Agreement with CEC contains the specifics of the project and how the money will be used by the subrecipient.

**FISCAL IMPACT:**

Previously approved 2017 CDBG Program Year Budget:

2017 CDBG Allocation:	\$400,521
Remainder Previous Years:	\$14,938
Total Funding Allocated:	\$415,459

Total allocation includes \$75,000 for program administrative costs (\$25,000) and pre-development engineering and planning for the Las Colonias Business Park (\$50,000).

The City will "pass through" \$6,000 of its 2017 Program Year CDBG funds to CEC.

**SUGGESTED MOTION:**

I move to (approve or deny) authorization for the City Manager to Sign the Subrecipient Contract between the City of Grand Junction and the Counseling and Education Center (CEC) for funding through the City's 2017 Community Development Block Grant (CDBG) Program Year.

**Attachments**

1. 2017 CEC Subrecipient Agreement

**2017 SUBRECIPIENT CONTRACT  
CITY OF GRAND JUNCTION, COLORADO AS GRANTEE  
UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**Date Approved: September 20, 2017**  
**Amount of Grant: \$6,000**  
**Subrecipient: Counseling and Education Center**  
**Completion Date: December 31, 2018**

**I. AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2017 by and between the CITY OF GRAND JUNCTION, COLORADO (hereinafter referred to as "*City*"), and the Counseling and Education Center, a not-for-profit agency (hereinafter referred to as "*Subrecipient*").

***Recitals:***

The *City* as an entitlement recipient and grantee of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program does hereby enter this Agreement with the *Subrecipient* for the expenditure of CDBG funds in accordance with Title 24, Part 570 of the Code of Federal Regulations (24 CFR 570.000 *et. seq.* hereinafter referred to as *CDBG Regulations* and the *Uniform Requirements* in accordance with Title 2 Part 200 of the Code of Federal Regulations (2 CFR 200 *et. seq.*)

Pursuant to such Agreement the City has awarded the Subrecipient CDBG funds to undertake certain activities necessary for the execution of certain projects the City deems necessary, desirable and in furtherance of the purposes of the program. To accomplish those goals, the City does agree to disburse funds to the Subrecipient to execute its project in accordance with the CDBG Regulations and this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals which are a substantive part of this Agreement and the following provisions which are approved by the City and the Subrecipient, they mutually agree as follows:

**II. SUBRECIPIENT OBLIGATIONS AND SCOPE OF SERVICES**

**A. Activities**

The sub-granting of CDBG funds to and the scope of services to be rendered by the Subrecipient shall be for the provision of the services described in Exhibit A attached hereto and made a part of this Agreement. Subrecipient agrees to perform the work described in Exhibit A in compliance with all provisions of this Agreement and it agrees to conduct all activities of the Subrecipient, whether funded in whole or in part by CDBG funds from the City in accordance with the provisions contained in 24 CFR 85 and 570 *et. seq.* and *inter alia*. Subrecipient warrants and represents that it has the requisite authority and capacity to perform all terms and conditions to be performed hereunder as required by this Agreement or by law and that there is adequate consideration to support the making and enforcement of this Agreement.

## **B. National Objectives**

Subrecipient certifies that the activities carried out with funds provided under this Agreement meet one or more of the CDBG program's National Objectives. The specific National Objective to be met and how it will be met by the Subrecipient is described in Exhibit A attached to and incorporated by reference into this Agreement.

## **C. Client Data**

The Subrecipient shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility and description of service provided. Such information shall be made available to the City or its designees for review upon request.

## **III. RESPONSIBILITY OF THE CITY**

The City shall designate representative(s) of the City who will be authorized to make all necessary decisions required of the City on behalf of the City in connection with the execution of this Agreement and disbursing funds in connection with the program in accordance with the Agreement.

## **IV. PAYMENT**

If Subrecipient is not in default hereunder, and subject to City's receipt of the Department of Housing and Urban Development Community Development Block Grant funds and provided that the Agreement and Scope of Services are eligible expenditures of Community Development Block Grant funds, the City agrees to pay the Subrecipient a total dollar amount that is described on Exhibit A of this Agreement. Payment shall be made upon presentation of invoices which Subrecipient certifies are true and correct copies of payments due on behalf of the Subrecipient, for an activity covered by this Agreement and made in accordance and compliance with the Scope of Services. Payment may be withheld by the City in the event of non-performance by Subrecipient. The City may, at its sole discretion, retain 10% of each disbursement with final payment made upon successful completion of the project including satisfactory compliance with all City, state and federal requirements.

## **V. GENERAL CONDITIONS**

### **A. General Compliance**

The Subrecipient also agrees to comply with all other applicable federal, state and local laws, regulations and policies governing the funds provided under and the obligations imposed by this Agreement. The Subrecipient further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

### **B. Independent Contractor**

Nothing contained in this Agreement is intended to or shall be construed in any manner as creating or establishing the relationship of employer/employee or a partnership or joint venture between the parties. The Subrecipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The City shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the Subrecipient is an independent Subrecipient.

### **C. Hold Harmless**

The Subrecipient shall hold harmless, defend and indemnify the City from any and all claims, suits, charges, damages, costs, fees, expenses and judgments whatsoever that arise out of the Subrecipient's performance or nonperformance of the services or other subject matter called for or otherwise provided in this Agreement.

### **D. Workers' Compensation**

The Subrecipient shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement.

### **E. Insurance and Bonding**

The Subrecipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to the total cash advances from the City.

### **F. Amendments**

The City or Subrecipient may amend this Agreement at any time provided that such amendment(s) make specific reference to this Agreement and are executed in writing, signed by a duly authorized representative of both organizations and approved by the City Council. Such amendment(s) shall not invalidate this Agreement nor relieve or release the City or Subrecipient from its obligations under this Agreement.

The City may, in its discretion, amend this Agreement to conform with federal, state or local governmental law, rules, guidelines, regulations, policies and/or available funding amounts or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both the City and Subrecipient.

### **G. Suspension or Termination**

Either party may terminate this Agreement at any time by giving written notice to the other party of termination and specifying the effective date thereof, at least 30 days before the effective date of such termination. Partial terminations of the Scope of Service may only be undertaken with the prior written approval of the City. In the event of any termination for convenience, all finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials prepared by the Subrecipient under this Agreement shall, at the option of the City, become the property of the City and the Subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to termination.

In accordance with 24 CFR 85.43 and 44 the City may suspend or terminate this Agreement, in whole or in part, if the Subrecipient materially fails to comply with any term of this Agreement, or with any of the law, rules, regulations or provisions referred to herein and the City may declare the Subrecipient ineligible for any further participation in the City's contracts, in addition to other remedies as provided by law. In the event there is reason to believe the Subrecipient is in noncompliance with any applicable law, rules or regulations, the City may withhold up to fifteen (15) percent of said contract funds until such time as the



Subrecipient is found to be in compliance by the City or is otherwise found by the City to be in compliance.

## **VI. ADMINISTRATIVE REQUIREMENTS**

### **A. Uniform Administrative Requirements**

#### **1. Accounting Standards**

The Subrecipient agrees to comply with the *Uniform Requirements* for accounting principles and procedures required therein, to utilize adequate internal controls and maintain necessary source documentation for all costs incurred. Subrecipient shall comply and/or cause compliance with all audit reports required by the City and in conformity with 2 CFR 200.501 *et. seq.* as applicable. (See also B. 7 below)

#### **2. Cost Principles**

The Subrecipient shall administer its program in conformance with the *Uniform Requirements* pertaining to cost as applicable. These principles shall be applied for all costs incurred.

### **B. Documentation and Record-Keeping**

#### **1. Records to be Maintained**

The Subrecipient shall maintain all required records required specified in 24 CFR Part 570.506. Such records shall include but not be limited to:

- a. Records providing a full description of each activity undertaken;
- b. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG Program;
- c. Records required to determine the eligibility of activities;
- d. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- e. Records documenting compliance with the fair housing and equal opportunity components of the CDBG Program;
- f. Financial records as required by 24 CFR Part 570.502, and 2 CFR Part 200 *et.seq.* and
- g. Other records necessary to document compliance with Subpart K of 24 CFR 570.

#### **2. Retention**

The Subrecipient shall retain all required records incurred under this Agreement for a period of three (3) years after the termination of all activities funded under this Agreement. Records for non-expendable property acquired with funds under this Agreement shall be retained for four (4) years after final disposition of such property. Records for any displaced person must be kept for four (4) years after he/she has received final payment. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and the same has started before the expiration of the three-year period, then such records must be retained until completion of the action(s) and resolution of all issues or the expiration of the three-year period, whichever occurs later.

#### **3. Disclosure**

The Subrecipient understands that client information collected under this Agreement is private and the unauthorized use or disclosure of such information, when not directly

connected with the administration of the City's or Subrecipient's responsibilities with respect to services provided under this contract, is prohibited except as allowed or provided by law.

#### **4. Access to Records**

The Subrecipient shall furnish and cause each of its own subrecipients and/or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the City, HUD or its agent or other authorized officials for purposes of investigation to ascertain compliance with the law, rule, regulations and provisions stated herein. The Subrecipient understands that the City, the Comptroller General and the Secretary of HUD shall have access to all records related to this project.

#### **5. Reversion of Assets**

The Subrecipient shall describe in writing in a form established by the City, all CDBG Assets to be obtained as a result of the funded activity. CDBG Asset shall mean an asset(s) purchased in whole or in part with CDBG funds or improved in whole or in part with CDBG funds and having a fair market value of \$ NA or greater.

The City shall have a security interest in any and all CDBG Assets and after being obtained by the Subrecipient the City's security interest shall be perfected by means of: a) a deed of trust for real estate, encumbering the Subrecipient's equity in the real estate; or b) a lien notation on the certificate of title for a motor vehicle(s); or c) a security agreement and financing statement for personal property; or d) an assignment of accounts receivable for accounts receivable. The deed of trust shall be recorded with the Mesa County Clerk, the lien with the Colorado Department of Revenue and the financing statement and assignment of accounts recorded with the Colorado Secretary of State. The account debtors will be notified in writing of the assignment of accounts receivable. The Subrecipient shall transfer to the City any Community Development Block Grant funds related to this project on hand at the time of expiration of this Agreement and/or any accounts receivable of Community Development Block Grant funds related to this project. The instruments necessary to perfect the security interest will be prepared by the City Attorney. The Subrecipient shall pay all recording fees and mailing costs with other than CDBG funds.

If the Subrecipient ceases to use a CDBG Asset for CDBG purposes, the City may, in its discretion, direct the Subrecipient to convey the CDBG Asset to the City or require the Subrecipient to repay the CDBG funds that were used in whole or in part to acquire the CDBG Asset. The instruments necessary to convey the CDBG Asset will be prepared by the City Attorney.

In accordance with 24 CFR 570.503(b)(7) any real property under the Subrecipient's control that was acquired or improved, in whole or in part, with CDBG Funds (including CDBG funds provided to the Subrecipient in the form of a loan) shall, at the option of the City either a) be used for an eligible CDBG activity, as determined by the City and as provide for in a legal instrument(s) creating the interest, for a period of at least 5 years after the expiration of this Agreement or such longer period as the City may require or b) be disposed of in a manner that results in the City's being reimbursed in the lesser amount of the CDBG funds that were expended on the real property or the

current fair market value of the property, less any portion of the value attributable to the expenditure of non-CDBG funds for acquisition or improvement(s) to the property.

The Subrecipient agrees to use all improvements made to the real property, with CDBG funds, as set forth in Exhibit "A."

## **6. Program Income**

The Subrecipient agrees that it shall not use CDBG funds in any manner which shall provide income to the Subrecipient. Any interest income earned on funds generated through the use of investment of funds received from CDBG shall be cause, in the sole discretion of the City, for recapture of such income and/or the full amount of funds granted to the Subrecipient.

The Subrecipient shall report quarterly all program income (as defined by 24 CFR 570.500(a)) generated by activities carried out with CDBG funds made available under this Agreement. The use of program income by the Subrecipient shall comply with the requirements set forth at 24 CFR 570.504. By way of further limitation, the Subrecipient may use such income during the contract period for activities permitted under this Agreement and shall reduce requests for additional funds by the amount of any such program balance(s) on hand. All unexpended program income shall be returned to the City at the end of the contract period as required by 24 CFR 570.503(b)(7). Any interest earned on cash advances from the US Treasury and from funds held in a revolving fund account is not program income and shall be remitted promptly to the City.

## **7. Audits and Inspections**

All Subrecipient records with respect to any matters covered by the Agreement shall be made available to the City, their designees and/or the federal government, at any time during normal business hours, as often as the City deems necessary, to audit, examine and make excerpts or transcripts of all data. Any deficiencies noted in audit reports must be fully cleared by the Subrecipient within 30 days after receipt of notice of deficiency. Failure of the Subrecipient to comply with the above audit requirements constitutes a violation of this Agreement and may result in the withholding of payment(s). The Subrecipient hereby agrees to have an annual agency audit conducted in accordance with City policy and, as applicable, the *Uniform Requirements*.

## **C. Reporting, Payment and Procurement Procedures**

### **1. Indirect Costs**

Indirect costs are not allowed and shall not be charged. The Subrecipient shall not develop an indirect cost allocation plan for determining the appropriate Subrecipient's share of administrative costs and shall not submit such plan to the City for approval, in a form specified by the City.

### **2. Payment Procedures**

The City will pay to the Subrecipient funds available under this agreement based upon information submitted by the Subrecipient and consistent with the approved budget and any City policies concerning payments. With the exception of certain advances,

payments will be made for eligible expenses actually incurred by the Subrecipient, and not to exceed the actual grant award. In addition, the City reserves the right to liquidate funds available under this agreement for costs incurred by the City on behalf of the Subrecipient.

### **3. Progress Reports**

The Subrecipient shall submit Progress Reports to the City in the time and manner specified in Exhibit A of this Agreement.

#### **D. Procurement – Uniform Requirements**

The Subrecipient shall procure all materials, property or services in accordance with the *Uniform Requirements* of 2 CFR Part 200 *et. seq.*

## **VII. RELOCATION, REAL PROPERTY ACQUISITION, AND ONE-FOR-ONE HOUSING REPLACEMENT**

The Subrecipient and the City agree that no persons are being displaced. But if they were Subrecipient agrees to comply with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and implementing regulations of 49 CFR Part 24 and 24 CFR 570.606(b); (b) the requirements of 24 CFR 570.606(c) governing the Residential Antidisplacement and Relocation Assistance Plan under section 104(d) of the HCD Act; and (c) the requirements in §570.606(d) governing optional relocation policies. The Subrecipient shall provide relocation assistance to persons who are displaced as a direct result of acquisition, rehabilitation, demolition or conversion for a CDBG-assisted project.

## **VIII. PERSONNEL AND PARTICIPANT CONDITIONS**

### **A. Civil Rights**

#### **1. Compliance**

The Subrecipient agrees to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and with Executive Order 11246 as amended by Executive Orders 11375 and 12086.

#### **2. Nondiscrimination**

The Subrecipient shall not discriminate against any person, employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. The Subrecipient will take affirmative action to ensure that all employment practices are free from such discrimination. Such employment practices include but are not limited to: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Subrecipient agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

#### **3. Land Covenants**

This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and 24 CFR 570.601 and 602. In regard to the sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this contract, the Subrecipient shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the City and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant and will not itself discriminate.

#### **4. Section 504**

The Subrecipient agrees to comply with any federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 706) which prohibits discrimination against the handicapped in any federally assisted program.

### **B. Affirmative Action**

#### **1. Approved Plan**

The Subrecipient agrees that it shall be committed to carry out pursuant to the City's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1965. The Subrecipient shall submit a plan for an Affirmative Action Program for approval by the City.

#### **2. W/MBE**

The Subrecipient will use its best efforts to afford minority and women-owned business enterprises the maximum practicable opportunity to participate in the performance of this Agreement. As used in this Agreement, the term "minority and women-owned business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. The Subrecipient may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

#### **3. EEO/AA Statement**

The Subrecipient will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action employer.

#### **4. Subcontractor Provisions**

The Subrecipient shall include the provisions of Paragraphs VIII A, Civil Rights, and B, Affirmative Action, in every subcontract or purchase order, specifically or by reference, so that such provisions will be binding upon each of its own subrecipients or subcontractors.

### **C. Employment Restrictions-Prohibited Activity**

The Subrecipient is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; sectarian or religious activities; lobbying, political patronage and nepotism activities.

## **D. Conduct**

### **1. Assignability**

The Subrecipient shall not assign or transfer any interest in this Agreement without the prior written consent of the City; provided, however, that claims for money due to the Subrecipient from the City under this Agreement may be assigned to a bank, trust company or other financial institution without such approval. Notice of assignment or transfer to a bank or other financial institution shall be furnished promptly to the City.

### **2. Subcontracts**

a. The Subrecipient shall not enter into any subcontracts with any agency or individual in the performance of this Agreement without the written consent of the City. b. The Subrecipient understands that the City and/or HUD will monitor the Subrecipient for compliance with this Agreement. c. The Subrecipient shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement. d. The Subrecipient shall undertake to ensure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis. Executed copies of all subcontracts shall be forwarded to the City along with documentation concerning the selection process.

### **3. Hatch Act**

The Subrecipient agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V United States Code.

### **4. Conflict of Interest**

The Subrecipient agrees to abide by the provisions of 24 CFR 570.611 with respect to conflicts of interest, and covenants that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement. The Subrecipient further covenants that in the performance of this Agreement no person having such a financial interest shall be employed or retained by the Subrecipient hereunder. These conflict of interest provisions apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the City, or of any designated public agencies or subrecipients which are receiving funds under the CDBG Entitlement program.

### **5. Lobbying**

**The Subrecipient certifies that:**

a. No federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the

entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement;

b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "*Disclosure Form to Report Lobbying*," in accordance with instructions;

c. It will require that the language of paragraph (d) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly; and

d. Lobbying Certification - Paragraph d - This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each failure.

## **6. Copyright**

If this Agreement results in any copyrightable material or inventions, the City and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for government purposes.

## **7. Religious Organization**

The Subrecipient agrees that funds provided under this Agreement will not be utilized for religious activities, to promote religious interests, or for the benefit of a religious organization in accordance with the federal regulations specified in 24 CFR 570.200(j).

## **E. "Section 3" Clause**

### **1. Compliance**

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this contract, shall be a condition of the federal financial assistance provided under this agreement and binding upon the City, the Subrecipient and any of the Subrecipient's subrecipients and subcontractors. Failure to fulfill these requirements shall subject the City, the Subrecipient and any of the Subrecipient's subrecipients and subcontractors, their successors and assigns, to those sanctions specified by the Agreement through which federal assistance is provided. The Subrecipient certifies and agrees that no contractual or other disability exists which would prevent compliance with these requirements.



The Subrecipient further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this Agreement:

"The work to be performed under this Agreement is a project assisted under a program providing direct federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 as amended, 12 U.S.C. 1701. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area and contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for the low- and very low-income persons residing in the metropolitan area in which the project is located."

The Subrecipient further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation, housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation, housing construction, or other public construction project are given to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to business concerns which provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs.

The Subrecipient certifies and agrees that no contractual or other legal incapacity exists which would prevent compliance with these requirements.

## **2. Subcontracts**

The Subrecipient shall include the foregoing Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The Subrecipient will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

## **IX. ENVIRONMENTAL CONDITIONS**

### **A. Air and Water**

The Subrecipient agrees to comply with the following insofar as they apply to the performance of this Agreement. (The Subrecipient does not assume the City's environmental responsibilities described in §570.604 nor does it assume the responsibility for initiating the review process under 24 CFR Part 52.) *Clean Air Act*, 42 U.S.C., 7401, et seq.; *Water Pollution Control Act*, as amended, 33 U.S.C. 1251, et seq., as amended, 1319

relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder and Environmental Protection Agency (EPA) regulations pursuant to 40 C.F.R., Part 50, as amended.

#### **B. Flood Disaster Protection**

In accordance with the requirements of the *Flood Disaster Protection Act* of 1973 (42 USC 4001), the Subrecipient shall assure that for activities located in an area identified by FEMA as having special flood hazards, flood insurance under the National Flood Insurance Program is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

#### **C. Lead-Based Paint**

The Subrecipient agrees that any construction or rehabilitation of residential structures with assistance provided under this agreement shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608, and 24 CFR Part 35. Such regulations pertain to all HUD-assisted housing and require that all owners, prospective owners and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken.

#### **D. Historic Preservation**

The Subrecipient agrees to comply with the Historic Preservation requirements set forth in the *National Historic Preservation Act* of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR, Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a federal, state, or local historic property list.

### **X. CONSTRUCTION CONDITIONS**

#### **A. Labor Standards**

The Subrecipient agrees to comply with the requirements of the Secretary of Labor in accordance with the *Davis-Bacon Act* as amended, the provisions of *Contract Work Hours and Safety Standards Act*, the *Copeland Anti-Kickback Act* (40 USC 276a-276a-5; 40 USC 327 and 40 USC 276 c) and all other applicable federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subrecipient shall maintain documentation which demonstrates compliance with hour and wage requirements. Such documentation shall be made available to the City for review upon request.

The Subrecipient agrees that, except with respect to the rehabilitation or construction of

residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000 for construction, renovation or repair work financed in whole or in part with assistance provided under this agreement, shall comply with federal requirements adopted by the City pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided, that if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the Subrecipient of its obligation, if any, to require payment of the higher wage. The Subrecipient shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

**B. Asbestos**

The Contractor/Subrecipient where undertaking renovation, rehabilitation, or demolition actions shall follow the notification and strict work practices for asbestos handling, removal, storage and transport as required under 40 CFR Part 61, Subpart m and 40 CFR Part 763 as well as for worker protection standards and exposures as required under 29 CFR 1910.1001 (non-construction), 1926.58 (construction), 40 CFR Part 763, Subpart G, and any applicable local regulations.

**C. Energy Efficiency**

The Contractor/Subrecipient shall comply with the *1989 Model Energy Code*, incorporated herein by this reference, for all new buildings constructed under this Agreement to address federal energy efficiency requirements found at 24 CFR 85.36 (i) (13) incorporated herein by this reference.

**XI. SEVERABILITY**

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

**XII. ENTIRE AGREEMENT**

The provisions set forth in items I-XI, and all attachments to this Agreement which includes the Subrecipient's lease with the City, constitute the entire Agreement between the parties hereto and no statement, promise, conditions, understanding, inducement or representation, oral or written, express or implied, which is not contained herein shall be binding or valid.

IN WITNESS WHEREOF, the Subrecipient and the City have executed this Agreement as of the date first above written and under the laws of the State of Colorado.

CITY OF GRAND JUNCTION, COLORADO

BY:

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

SUBRECIPIENT:

BY: \_\_\_\_\_  
Signature Title

ATTEST: \_\_\_\_\_

**2017 SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
EXHIBIT A  
SCOPE OF SERVICES**

**Date Approved: September 20, 2017**

**Amount of Grant: \$6,000**

**Subrecipient: Counseling and Education Center**

**Completion Date: December 31, 2018**

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$6,000 from its 2017 Program Year CDBG Entitlement Funds to provide counseling services to low and moderate income persons in Grand Junction, Colorado ("Property").
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit 570.201(e). It shall meet this objective by providing the above-referenced counseling services in Grand Junction, Colorado.
3. This project consists of providing counseling services to low and moderate income persons that reside within the City limits. It is understood that \$6,000 of City CDBG funds shall be used only for the services described in this agreement. Costs associated with any other elements of the project or above and beyond this amount shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2017 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$363,961 as follows:

CDBG Funds: \$6,000    Other Funds: \$357,961
6. This project will provide approximately 80 more hours of counseling sessions to an estimated 30 clients.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

\_\_\_\_\_ Subrecipient

\_\_\_\_\_ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

\_\_\_\_\_ Subrecipient

\_\_\_\_\_ City of Grand Junction

Attachment 1 – Performance Measures

**1. Output Measures**

- A. Total Number of unduplicated clients anticipated to be served during the contract: 30
- B. Number of unduplicated LMI City residents to be served during the contract: 30
- C. Of the City residents to be served, how many will: i) have new or continued access to the service/benefit: 30; ii) have improved access to the service or benefit\_\_\_\_ ; and iii) receive the service or benefit that is improved/no longer substandard\_\_\_\_\_.

**2.) Schedule of Performance**

Estimate the number of unduplicated City residents to be served per quarter of the contract:

Q1 6 Q2 6 Q3    Q4   

**3) Payment Schedule**

During the contract, funds will be drawn Q1 50% Q2 50% Q3    Q4   

**4) Outcome Measures**

**Activity** (select one)    Senior Service    Youth Service    Homeless Service  
   Disabled Service X LMI Service    Fair Housing Service    Housing    Other  
(insert specify)

**Primary Objective** (select one) X Create a suitable living environment    Provide decent, affordable housing    Create economic opportunity(ies)

**Primary Outcome Measurement** (select one)    Availability/Accessibility    Affordability  
X Sustainability

*Summarize the means by which outcomes will be tracked, measured and reported*  
Eligibility and pay rate are determined through the client intake process, when household income is verified by pay stub or income tax return. Clients are charged for services on an

income-based sliding fee scale, although no client is turned away due to inability to pay.

\_\_\_\_\_ Subrecipient

\_\_\_\_\_ City of Grand Junction





## Grand Junction City Council

### Regular Session

Item #3.b.

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**Meeting Date:** September 20, 2017

**Presented By:** John Camper, Police Chief

**Department:** Police

**Submitted By:** Jamie B. Beard

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### **Information**

#### **SUBJECT:**

2017 Agreement with Mesa County for Animal Control Services

#### **RECOMMENDATION:**

Approve and authorize the City Council President to sign the 2017 agreement between Mesa County and the City of Grand Junction for Animal Services.

#### **EXECUTIVE SUMMARY:**

The City has an ongoing, annually renewable agreement with Mesa County for animal control services within the City limits. The County was late in providing the terms for the 2017 contract to the City, but both parties have operated with the expectation that the agreement would be approved. The City pays the County a percentage of the Animal Services budget based upon the City's percentage of total calls for service from the previous fiscal year.

#### **BACKGROUND OR DETAILED INFORMATION:**

Since 1983, the City and Mesa County have combined forces for animal control services.

The Agreement is based upon actual service figures and costs that occurred during the County's fiscal year which ran from July 1, 2015 through June 30, 2016. The actual costs for animal control services during that time period was \$694,226.66. The City's share of that cost is 42.1% or \$292,269.42.

**FISCAL IMPACT:**

The 2017 Police Department budget includes the City's share of the City-County animal control program.

**SUGGESTED MOTION:**

I move we approve the 2017 Mesa County Animal Services Agreement and authorize the Mayor to execute the same.

**Attachments**

1. 2017 Mesa County Animal Services Agreement

**AGREEMENT  
BETWEEN MESA COUNTY, COLORADO, A POLITICAL SUBDIVISION OF THE  
STATE OF COLORADO, BY AND THROUGH THE MESA COUNTY BOARD OF  
COUNTY COMMISSIONERS, FOR THE BENEFIT OF MESA COUNTY ANIMAL  
SERVICES AND THE CITY OF GRAND JUNCTION, A COLORADO HOME RULE  
MUNICIPALITY,  
PERTAINING TO ANIMAL SERVICES.**

The City of Grand Junction, a Colorado home rule municipality ("City"), and Mesa County, Colorado, a Political Subdivision of the State of Colorado, by and through the Mesa County Board of County Commissioners, for the benefit of Mesa County Animal Services ("Mesa County" or "County") have determined that Mesa County shall provide animal services within the City. Those services will be pursuant to the City's home rule powers and under the provisions of §29-1-201, et seq., C.R.S. as amended. This Agreement, dated \_\_\_\_\_, 2017, effective as of January 1, 2017, for animal services for the year January 1, 2017 through December 31, 2017.

**AGREEMENT**

(1) The City has adopted Title 6 of the Grand Junction Municipal Code ("Code" or "the Code") for the control of animals within the City. The City hereby agrees to provide the County with the authority necessary to administer and enforce City regulations ("Code"), relating to animal control, within the City.

(2) The County agrees to enforce the Code as now codified and hereafter amended, in accordance with its provisions, consistent with proper enforcement practice and on a uniform basis throughout the City.

(3) During the term hereof, the City will pay to the County, Two Hundred Ninety-two Thousand, Two Hundred Sixty-nine and 42/100, (\$292,269.42). One-fourth of that amount, Seventy-three Thousand, Sixty-seven and 35/100, (\$73,067.35) shall be paid quarterly. All fines and shelter/impoundment revenues derived from enforcement under this Agreement shall be paid to the County as additional consideration for the services rendered.

(4) The consideration paid by the City to the County is sufficient to support this Agreement and the same is determined as follows:

a. Mesa County's actual expenses for animal services from July 1, 2015 through June 30, 2016, along with Mesa County OMB Circular A-87 Cost Allocation Plan – 2015 Actual Numbers shall be reduced by actual revenues

from July 1, 2015 through June 30, 2016. The resulting amount represents the cost of the overall combined City-County animal services program. The City and County recognize and acknowledge that the County will occasionally incur capital expenditures related to the County facilities, equipment and/or tooling utilized in providing the services referenced in this Agreement. The only capital expenditures that would be permitted in the formula identified in paragraph (4)c hereof are capital expenditures that have been agreed to in writing by both the City and County prior to such costs for capital expenditures actually being expended.

b. As part of this Agreement, the County's dispatch and patrol stops are logged within a database. The percentage of animal services attributable to the City is calculated from this data after administrative stops have been deleted.

c. Multiplying the Cost of the Program by the percentage of the workload attributable to enforcement activity within the City yields an amount representing the cost of providing service to the City. The resulting figure is the amount due Mesa County under this Agreement for providing animal control services in 2017.

Listed below is the 2017 calculation:

\$ 643,969.91	personnel expenditures 7/1/15 to 6/30/16
\$ 132,409.75	operating expenditures 7/1/15 through 6/30/16
\$ 264,660.00	Mesa County A-87 Cost Allocation Plan 2015 Actual Expenditures
\$ 0.00	Capital expenditures
\$ 346,813.00	revenues from 7/1/15 through 6/30/16
\$ 694,226.66	cost of city-county program
X 42.1	City's percentage of Animal Control Responses 7/1/15 through 6/30/16
\$ 292,269.42	contract amount due Mesa County in 2017.
\$ 73,067.35	QUARTERLY PAYMENTS DUE Mesa County. Contract amount divided by four (4) quarterly payments.

(5) The County shall provide animal services pursuant to this Agreement during those hours best suited, as determined by the County, for enforcement. The County shall provide a standby system for emergency calls for all other hours. In situations that cannot be handled solely by the County, the Grand Junction Police Department may be called by the County to assist.

(6) The County will select and supervise the personnel providing animal services under this Agreement. Mesa County shall provide to the City all necessary or required reports on the activities of the animal services officers.

(7) Enforcement actions arising out of or under the Code shall be prosecuted in the Grand Junction Municipal Court in the same manner as other enforcement actions as determined by the City prosecutor. The City agrees to reasonably cooperate with the County in enforcement and prosecution activities.

(8) Each party understands and agrees that each may be protected by and will rely on and do not waive or intend to waive by any provision of this Agreement the limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, 24-1-101, et seq., C.R.S. and as amended. Each party shall be responsible for its own acts and results thereof and shall not be responsible for the acts of the other party and the results thereof. Any person(s) employed by the City or the County that performs work hereunder shall remain employee(s) of the respective party and not agent(s) and/or employee(s) of the other party.

(9) This Agreement shall terminate upon six-months written notice of intent to terminate, or on December 31, 2017 if the parties to this Agreement enter into a new agreement for the provision of animal control services in the succeeding year as set forth below. Notice to terminate, if issued, shall be sent to the appropriate signatory of this Agreement by certified mail.

(10) It shall be the responsibility of the County to provide the City with a proposed animal services Agreement for 2018 services no later than November 1, 2017. After review of the proposed Agreement, the City will on or before December 1, 2017, either issue a preliminary acceptance of the proposed Agreement or a written notice of termination of the existing Agreement and a statement of the City's intention not to enter into the proposed Agreement for animal services in the succeeding calendar year.

(11) If preliminary acceptance has been given, the proposed Agreement shall not become effective until expiration of the then existing Agreement and until signed by the parties. The City's preliminary acceptance may be withdrawn at any time prior to signing of the Agreement by notification of termination being sent to the County as

specified in paragraph 9. If preliminary acceptance is withdrawn by a notice of termination, the City will pay for, and the County will provide, animal services for six (6) months from the date of the notice of termination.

(12) The terms and rates for the six (6) months service continuation period after notice of termination shall be those agreed to by the parties in the 2017 Agreement, unless the six months extends beyond December 31, 2017, in which case the remainder of the six months shall be controlled by the terms and rates of the proposed Agreement, which shall be effective during the service period following December, 2017 until the completion of the six-months termination period.

(13) If terms and conditions of the proposed Agreement are not accepted by the parties in the form of a signed written Agreement on or before December 31, 2017, the provision of animal services to the City shall cease June 30, 2018.

Attest:

CITY OF GRAND JUNCTION

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

\_\_\_\_\_  
Mayor:

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

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

Attest:

COUNTY OF MESA

\_\_\_\_\_  
County Clerk:

\_\_\_\_\_  
Board of County Commissioners  
Chairperson:

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

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



## Grand Junction City Council

### Regular Session

Item #4.a.

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**Meeting Date:** September 20, 2017

**Presented By:** Jodi Romero, Finance Director, Greg Caton, City Manager

**Department:** Finance

**Submitted By:** Jodi Romero, Finance Director

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### **Information**

#### **SUBJECT:**

Assignment of the City's 2017 Private Activity Bond Allocation to The Housing Authority of the City of Fort Collins dba Housing Catalyst

#### **RECOMMENDATION:**

Staff recommends approval of the assignment of the City's 2017 Private Activity Bond Allocation to The Housing Authority of the City of Fort Collins, dba Housing Catalyst and adoption of Resolution No. 54-17.

#### **EXECUTIVE SUMMARY:**

Each year the State of Colorado allocates directly to local governments whose population warrants an allocation of \$1 million or more, the authority to issue tax exempt Private Activity Bonds (PABs). These bonds may be used for housing projects and certain types of eligible development (i.e. small manufacturing). If the local government does not have a designated use of the PABs each year, they are required to either turn back the funds for Statewide use or assign the allocation to another issuer. The City has been receiving a direct allocation of PABs since 1997. The 2017 allocation is \$3,188,750 and there is not an eligible project identified this year.

The Housing Authority of the City of Fort Collins, dba Housing Catalyst is requesting assignment of the City's 2017 PAB allocation to be used for partial financing in a \$50 million low-income housing project. Housing Catalyst is partnering with Pedcor Investments LLC to build 180 workforce and family apartment units in Fort Collins. The intention is to fund \$30 million with tax exempt bonds and Housing Catalyst has requested assignment of PABs from jurisdictions across the State. They have secured assignments from Broomfield, Louisville, and Fremont County.

## **BACKGROUND OR DETAILED INFORMATION:**

Each year the State of Colorado allocates directly to local governments whose population warrants an allocation of \$1 million or more, the authority to issue tax exempt Private Activity Bonds (PABs). These bonds may be used for housing projects and certain types of eligible development (i.e. small manufacturing). If the local government does not have a designated use of the PABs each year, they are required to either turn back the funds for Statewide use or assign the allocation to another issuer. The City has been receiving a direct allocation of PABs since 1997. The 2017 allocation is \$3,188,750 and there is not an eligible project identified this year.

The Housing Authority of the City of Fort Collins, dba Housing Catalyst is requesting assignment of the City's 2017 PAB allocation to be used for partial financing in a \$50 million low-income housing project. Housing Catalyst is partnering with Pedcor Investments LLC to build 180 workforce and family apartment units in Fort Collins. The intention is to fund \$30 million with tax exempt bonds and Housing Catalyst has requested assignment of PABs from jurisdictions across the State. They have secured assignments from Broomfield, Louisville, and Fremont County.

In years past, the City has assigned it's allocation to the Grand Junction Housing Authority and the Colorado Housing and Finance Authority. If in the future, the City has an eligible project and is in need of additional PAB allocation, we also can request assignment from other jurisdictions including those we have assigned to previously. If the allocation is not assigned it falls back to the Statewide balance where projects across the State compete for the allocation.

## **FISCAL IMPACT:**

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

## **SUGGESTED MOTION:**

I move to approve resolution No. 54-17 assigning the City's 2017 Private Activity Bond Allocation to the Housing Authority of the City of Fort Collins, dba Housing Catalyst.

## **Attachments**

1. PAB - Assignment
2. PAB - Certificate
3. PAB - Resolution



## ASSIGNMENT OF ALLOCATION

This Assignment of Allocation (the "Assignment"), dated this 20th day of September, 2017, is between the City of Grand Junction (the "Assignor") and the Housing Authority of the City of Fort Collins, dba Housing Catalyst (the "Assignee").

### WITNESSETH:

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, per Resolution No. 54-17, the City Council of the Assignor has determined to assign to the Assignee \$3,188,750 of its 2017 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

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

1. The Assignor hereby assigns to the Assignee \$3,188,750 of its 2017 Allocation, subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.

2. The Assignee hereby accepts the assignment to it by the Assignor of \$3,188,750 of Assignor's 2017 Allocation, subject to the terms and conditions contained herein. The Assignee intends to finance the rehabilitation of a rental housing project known as Lakeview on the Rise located in the City of Fort Collins, Larimer County, Colorado (the "Project"). The Project will be designed to qualify as a "project" within the meaning of Title 29, Article 4, Part 2, Colorado Revised Statutes, as amended (the "Act").

3. The Assignee intends to provide for the issuance of its Multifamily Housing Revenue Bonds ("Proposed Bonds"), pursuant to the provisions of the Act for the purpose of financing the Project.

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

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

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment on the date first written above.

**CITY OF GRAND JUNCTION**

[S E A L]

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

Greg Caton

Title: City Manager

ATTEST:

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

**Housing Authority of City of Fort Collins,  
dba Housing Catalyst, as Assignee**

[S E A L]

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

Executive Director

ATTEST:

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

CERTIFICATE OF CITY OF GRAND JUNCTION CONCERNING ASSIGNMENT OF  
PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION  
TO THE HOUSING AUTHORITY OF THE CITY OF FORT COLLINS DBA HOUSING  
CATALYST

I, the undersigned, hereby certify that I am the duly chosen, qualified and acting Mayor and President of the City Council of the City of Grand Junction, Colorado (the "City") and that:

1. The City is a home rule municipality, duly organized and existing under the constitution and laws of the State of Colorado and the Charter of the City of Grand Junction.

2. The City has been previously notified that, pursuant to Section 24-32-1706 of the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), it has an allocation of a portion of the State ceiling (as defined in the Allocation Act) for 2017 in the amount of \$3,188,750.00.

3. Attached hereto as Exhibit A is a true and correct copy of a resolution and the related minutes thereto ("Resolution") authorizing the assignment to the Housing Authority of the City of Fort Collins, dba Housing Catalyst ("Authority") of all of such allocation of the 2017 State ceiling in the amount of \$3,188,750.00 (the "Assigned Allocation"), and authorizing the execution and delivery of an Assignment of Allocation dated as of September 20, 2017 (the "Assignment of Allocation") between the City and the Authority in connection therewith, which Resolution was duly adopted by the City Council of the City at a meeting thereof held on September 20, 2017, at which meeting a quorum was present and acting throughout and which Resolution has not been revoked, rescinded, repealed, amended or modified and is in full force and effect on the date hereof.

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

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

6. The Assignment of Allocation, attached hereto as Exhibit B, is in the form presented to and approved by the City Council at the meeting thereof held on September 20, 2017.

7. On or after the date hereof, the City Manager of the City and the Executive Director of the Authority have or will have officially executed counterparts of the Assignment of Allocation.

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

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

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

[The remainder of this page is intentionally left blank]

WITNESS my hand this 20<sup>th</sup> day of September, 2017.

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J. Merrick Taggart  
Mayor and President of the City Council

[Signature Page to Certificate of City of Grand Junction]

**EXHIBIT A**  
**RESOLUTION**

**EXHIBIT B**  
**ASSIGNMENT OF ALLOCATION**

RESOLUTION NO. 54-17

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

RECITALS:

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

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

Pursuant to an allocation under Section 24-32-1706 of the Allocation Act the City has an allocation of the 2017 Ceiling for the issuance of a specified principal amount of Private Activity Bonds (the "2017 Allocation"). The Housing Authority of the City of Fort Collins, dba Housing Catalyst ("Authority") has requested that the City assign all of the 2017 Allocation in the amount of \$3,188,750 for the purpose in assisting in the financing of the low income rental housing project to be known as Lakeview on the Rise located in the City of Fort Collins, Larimer County, Colorado.

The City has determined that, in order to increase the availability of adequate affordable housing for low and moderate-income persons and families it is necessary or desirable to provide for the utilization of all or a portion of the 2017 Allocation.

With the Resolution the City has determined that the 2017 Allocation, or a portion thereof, can be utilized by assigning it to the Authority to issue Private Activity Bonds for the purpose of financing the Lakeview on the Rise for low and moderate-income persons and families. By, through and with this Resolution the City Council of the City of Grand Junction, Colorado has determined to assign \$3,188,750 of its 2017 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The assignment to the Authority of \$3,188,750 of the City's 2017 Allocation is hereby approved.
2. The form and substance of the Assignment of Allocation are hereby approved; provided, however, that the City Manager and City Attorney are authorized to make such technical



variations, additions or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.

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

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

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

PASSED, ADOPTED AND APPROVED this 20<sup>th</sup> day of September 2017.

CITY COUNCIL OF THE  
CITY OF GRAND JUNCTION

---

J. Merrick Taggart  
Mayor and President of the Council

ATTEST:

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Wanda Winklemann  
City Clerk



## Grand Junction City Council

### Regular Session

Item #5.a.i.

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**Meeting Date:** September 20, 2017

**Presented By:** Lori Bowers, Senior Planner

**Department:** Community Development

**Submitted By:** Lori Bowers, Senior Planner

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### **Information**

#### **SUBJECT:**

Resolution Accepting the Petition for Annexation and Ordinances Annexing and Zoning the Caballero Annexation, Located at 3149 D 1/2 Road

#### **RECOMMENDATION:**

Planning Commission recommended approval of the R-8 Zoning designation at their meeting held on August 22, 2017.

#### **EXECUTIVE SUMMARY:**

The property owners have requested annexation into the City and a zoning designation of R-8 (Residential – 8 du/ac). An R-8 zoning designation will allow them to expand their existing home-based day care facility as well as plan for a future residential subdivision of their property. Under the 1998 Persigo Agreement with Mesa County, developments within the 201 service area boundary which require land use review, are subject to annexation into the City.

This annexation will create two enclaves. One enclave is located at 3148 D 1/2 Road. This parcel is approximately 0.94 acres in size. The second enclave is part of the Brookdale Subdivision. There are 19 single-family residences in this subdivision which was platted in 1984 and encompasses approximately 3.77 acres. The second enclave would also include the annexation of three rights of way including Cripple Creek Court, Clear Creek Drive and Cascade Creek Court. Notification has been mailed to each property owner notifying them of the potential enclave and the required action to annex, should the enclave occur. Pursuant to State Statutes, enclaves may be annexed after 3 years of being enclaved and, pursuant to the Persigo Agreement, must be annexed within 5 years.

## **BACKGROUND OR DETAILED INFORMATION:**

The property at 3149 D ½ Road is adjacent to existing city limits, within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. The property owners have signed an Annexation petition for annexation. This annexation area consists of 5.093 acres of land and is comprised of one parcel.

A portion of D ½ Road, directly adjacent to the property will be annexed. D ½ Road is 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 Caballero 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 4.89-acre Caballero Annexation consists of one parcel located at 3149 D ½ Road.

The property owners have requested annexation into the City and a zoning of R-8 (Residential – 8 du/ac) to allow for an expansion of their current day care use as well as a future subdivision of property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment 201 boundary requires annexation and review by the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone district that is either identical to current County zoning or to a zone district that implements the City's Comprehensive Plan Future Land Use Map. The proposed zoning of R-8 implements the Future Land Use Map, which has designated the property as Residential Medium.

Properties adjacent to and surrounding the subject parcel are all residential. The nearest commercial uses are approximately ½ mile away.

A Neighborhood Meeting was held on July 6, 2017. Seven citizens were present at the meeting. Weeds and traffic in the area were the main discussion topic but these conversations were not specific to the subject parcel, they were more directed to the general area. The neighborhood seemed in favor of the proposal. Staff has received no additional comments from the public since the meeting.

This annexation will create two enclaves. One enclave is located at 3148 D 1/2 Road. This parcel is approximately 0.94 acres in size. The second enclave is part of the Brookdale Subdivision. There are 19 single-family residences in this subdivision which was platted in 1984 and encompasses approximately 3.77 acres. The second enclave would also include the annexation of three rights of way including Cripple Creek Court, Clear Creek Drive and Cascade Creek Court. Notification has been mailed to each property owner notifying them of the potential enclave and the required action to annex, should the enclave occur. Pursuant to State Statutes, enclaves may be annexed after 3 years of being enclaved and, pursuant to the Persigo Agreement, must be annexed within 5 years.

#### **FISCAL IMPACT:**

The Caballero annexation will include approximately 262 linear feet (LF) of curb and gutter on the south side and 83 feet of curb and gutter on the north side of D 1/2 Road along with 559 square yards of pavement. Curb, gutter, sidewalk was already constructed by Mesa County in 2012.

Given the condition of the roads a chipseal will be required in 2 years (as part of planned cycle), and an overlay in 12 years at value of \$1,300, and \$9,000 respectively.

Annual costs including street sweeping, snow and ice control, signage and striping, snow removal, and storm drain maintenance are approximately \$153/year. There

currently are no street lights along this road section and therefore they have not been included in this analysis.

The annexation creates two enclaves and have the following impacts:

1. 3148 D 1/2 Rd - The frontage of this property is already included in the Caballero annexation and therefore there are no additional costs.
2. Brookdale Subdivision: This enclave includes approximately 1290 linear feet (LF) of curb and gutter on Clear Creek Drive, Cripple Creek Ct and along Cascade Ct with 3156 square yards of pavement. Curb and gutter was already constructed by the subdivision; there are no sidewalks present. Given the condition of the roads would be chipsealed within a year of annexation, and an overlay approximately 7 years after that at value of \$6,000, and \$47,000 respectively. Annual costs including street sweeping, snow and ice control, signage and striping, snow removal, and storm drain maintenance are approximately \$568/year. There are two street lights that would cost \$17 per month each for a total of \$408/year.

This action does not directly impact revenue. As the land is developed, property taxes and sales and use taxes will apply as appropriate. Generally speaking for property tax revenue every \$100,000 actual value of residential development generates \$58 annually and every \$100,000 actual value of commercial development generates \$232 annually.

### **SUGGESTED MOTION:**

I move to (adopt or deny), Resolution No. 55-17 - A Resolution Accepting 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, Caballero Annexation, Located at 3149 D ½ Road, Ordinance No. 4763 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Caballero Annexation, Approximately 5.093 Acres, Located at 3149 D ½ Road, and Ordinance No. 4764 - An Ordinance Zoning the Caballero Annexation to R-8 (Residential – 8 du/ac), Located at 3149 D ½ Road on Final Passage and Order Final Publication in Pamphlet Form.

### **Attachments**

1. Planning Commission Staff Report
2. Annexation and Enclave Maps
3. Resolution Accepting Annex Petition
4. Caballero Annexation Ordinance
5. Caballero Zoning Ordinance

## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Zone of Caballero Annexation  
**Applicant:** Audel and Guadalupe Caballero  
**Representative:** Jose and/or Alicia Caballero  
**Address:** 3149 D ½ Road  
**Zoning:** County Single Family Residential – Rural (RSF-R)

### I. SUBJECT

Consider a request by the Applicants Audel and Guadalupe Caballero to zone 4.89 acres from County RSF-R (Residential Single Family – Rural) to a City R-8 (Residential – 8 du/ac) zone district. The property is located at 3149 D ½ Road.

### II. EXECUTIVE SUMMARY

The Applicant has requested annexation into the City of a 4.89-acre parcel and a zoning designation for the annexed property of Residential-8 (up to 8 du/acre). The property is located at 3149 D ½ Road. The annexation is being compelled by the Persigo Agreement due to the Applicant's interest in expanding their existing in-home day care facility as well as future subdivision of the property. Under the 1998 Persigo Agreement, developments within the 201 service area boundary which require a public hearing or land use review, are subject to annexation into the City.

### III. BACKGROUND

The 4.89-acre Caballero Annexation consists of one parcel located at 3149 D ½ Road. The property owners have requested annexation into the City and a zoning of R-8 (Residential – 8 du/ac) to allow for an expansion of their current day care use as well as a future subdivision of property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment 201 boundary requires annexation and review by the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone district that is either identical to current County zoning or to a zone district that implements the City's Comprehensive Plan Future Land Use Map. The proposed zoning of R-8 implements the Future Land Use Map, which has designated the property as Residential Medium.

Properties adjacent to and surrounding the subject parcel are all residential. The nearest commercial uses are approximately ½ mile away.

A Neighborhood Meeting was held on July 6, 2017. Seven citizens were present at the meeting. Weeds and traffic in the area were the main discussion topic but these conversations were not specific to the subject parcel, they were more directed to the general area. The neighborhood seemed in favor of the proposal. Staff has received no additional comments from the public since the meeting.

#### **IV. ANALYSIS**

Pursuant to Section 21.02.140(a) of the Grand Junction Municipal Code the City may rezone a property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

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

The current zoning in unincorporated Mesa County is RSF-R (Residential Single Family Rural), which is inconsistent with the Comprehensive Plan Future Land Use Map designation that was adopted subsequent to the original zoning. The Future Land Use Map, adopted in 2010, has designated the property as Residential Medium (4-8 du/ac) which is consistent with the requested zone district. Staff believes this criterion has been met.

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

As seen in the attached aerial photographs, this area could be described as a patchwork of developed properties, some in the City and some under County jurisdiction. The latest development in this area occurred in 2006, Chatfield III Subdivision, which is located northeast of the subject site, is within the City limits and is zoned R-5. This zoning designation is in conformance with the Comprehensive Plan. To the east is Dove Creek Subdivision, constructed in 2005. Dove Creek is not within the City limits but it's County zoning of RMF-5 is in conformance with the Comprehensive Plan. To the west is Brookdale Subdivision. Homes in this area were constructed in the '80s, and are not within the City limits except the undeveloped portion on the south. This portion is a large vacant parcel with R-5 zoning and is in conformance with the Plan. On the south end of the property is Grove Creek Subdivision, platted in 2001 and is not within the City limits. It too is zoned RMF-5, meeting conformance with the Comprehensive Plan.

As these larger lots are no longer used for agricultural purposes, the owners see the potential for further residential subdivisions which require annexation into the City. The parcel adjacent to the subject parcel on the east, is also currently zoned RSF-R, which is not in conformance with the Comprehensive Plan. There are a few larger parcels to the east and the west, that have been annexed and zoned in conformance with the Comprehensive Plan, in anticipation of new residential subdivisions. When the economy turned in 2008, these potential subdivisions were

abandoned. As the economy is regenerating, interest in development is returning for this area. Staff believes this criterion has been met.

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

There are adequate public utilities available in D ½ Road, which serves as the access to this parcel. Utilities include potable water provided by the Clifton Water District, sanitary sewer service maintained by the City and electricity from Xcel Energy (a franchise utility). Utility mains and/or individual service connections will be extended into the property as part of future development of the parcel(s).

The property is within the Chatfield Elementary school attendance boundary; Grand Mesa Middle School and Central High School. There is sidewalk extending down D ½ Road to Chatfield Elementary.

The property will remain served by the Clifton Fire Protection District, under an agreement with the City of Grand Junction. The Clifton Fire Station is just over two miles northeast on F Road.

Commercial uses, primarily convenience oriented, are located along 32 Road, one-half mile to the east. Staff believes this criterion has been met.

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

Nine percent of the City's area is zoned R-8 (1,8680.48 acres). Of the that nine percent, only 19 percent remains vacant. An estimated 32% of the R-8 zoned parcels are under-utilized (593.37 acres) therefore the need for more R-8 zoned parcels to be subdivided for future development is desirable. In this area of the City, R-5 zoning is the predominant zoning designation on either side of D ½ Road between 30 and 32 Road. There is some R-8 zoning across the street to the west along Duffy Drive, Summit View Meadows Subdivision, which is built out. Therefore, more R-8 zoning for this area is a desirable designation for land in this area. Staff believes this criterion has been met.

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

The R-8 zone district allows for a day care to have up to twelve individuals in a home-based day care as a by right use. There is significant and immediate benefit to the community to allow for a day care use considering the demand and current void in this area of this use. Staff believes this criterion has been met.



The rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Section 21.02.160(f) of the Grand Junction Municipal Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The Comprehensive Plan shows this area to develop in the Residential Medium category which allows a density range of four to eight dwelling units per acre. The Applicant's request to rezone the property to R-8 fits into this density range. The Applicant will be able to expand their day care, which is an asset to this local community since a larger day care facility recently closed in this area. The Applicant will also be able to further subdivide the property for additional residential lots.

#### **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Caballero Annexation, ANX-2017-211, for a request to zone the 4.89-acre property to R-8 zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.
3. The applicable review criteria in Section 21.02.160(f) of the Grand Junction Municipal Code have been met.

Therefore, Staff recommends approval of the request to zone the Caballero Annexation at 3149 D ½ Road of 4.89 acres to Residential-8 (R-8).

#### **VI. RECOMMENDED MOTION**

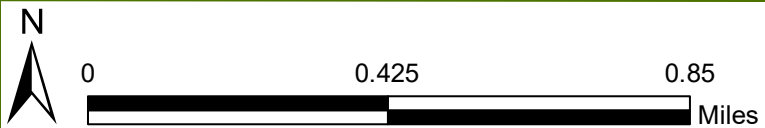
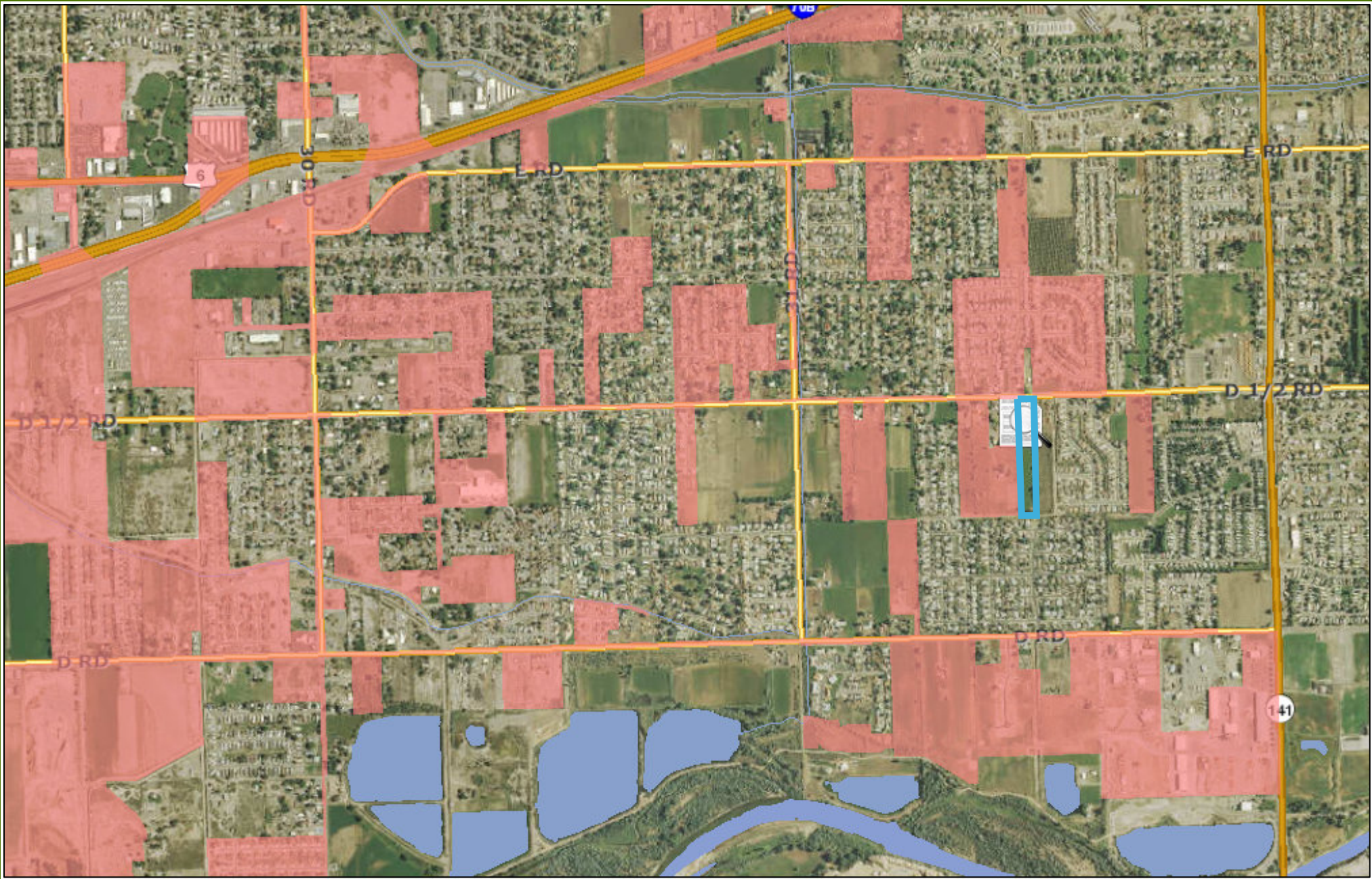
Madam Chairman, on the Caballero Zone of Annexation, ANX-2017-211, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-8 (Residential-8 du/ac) zone district for the Caballero Annexation with the findings of fact listed in the staff report.

#### **Attachments:**

1. Expanded City Limits Location Map
2. Annexation boundary Map
3. Close in City Limits Map

4. Comprehensive Plan Future Land Use Map
5. Existing City and County Zoning Map
6. Ordinance

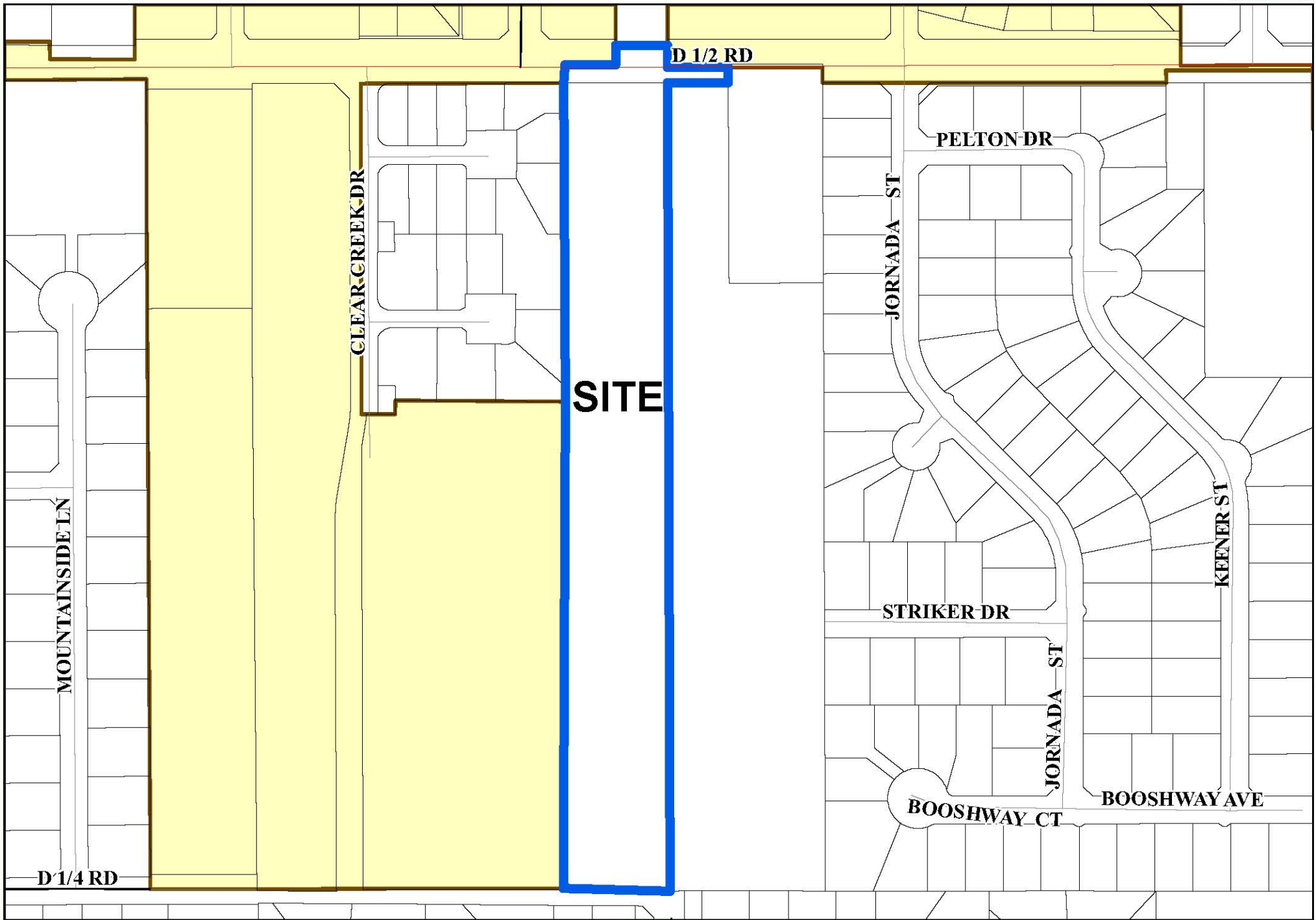
# City of Grand Junction - City Limits shown in pink



Printed: 7/19/2017

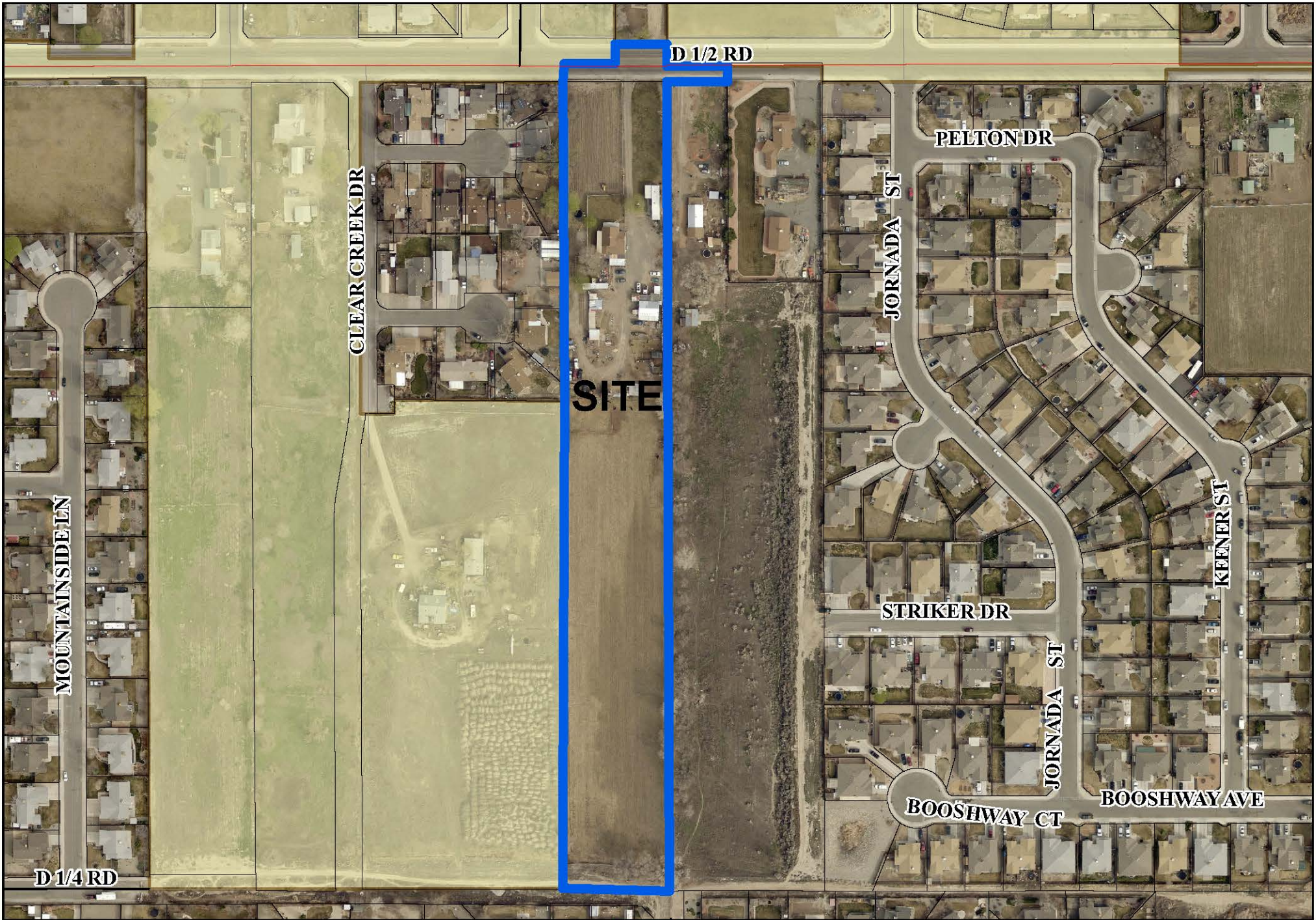
1 inch = 1,433 feet

# Caballero Annexation



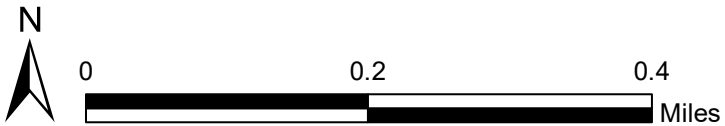
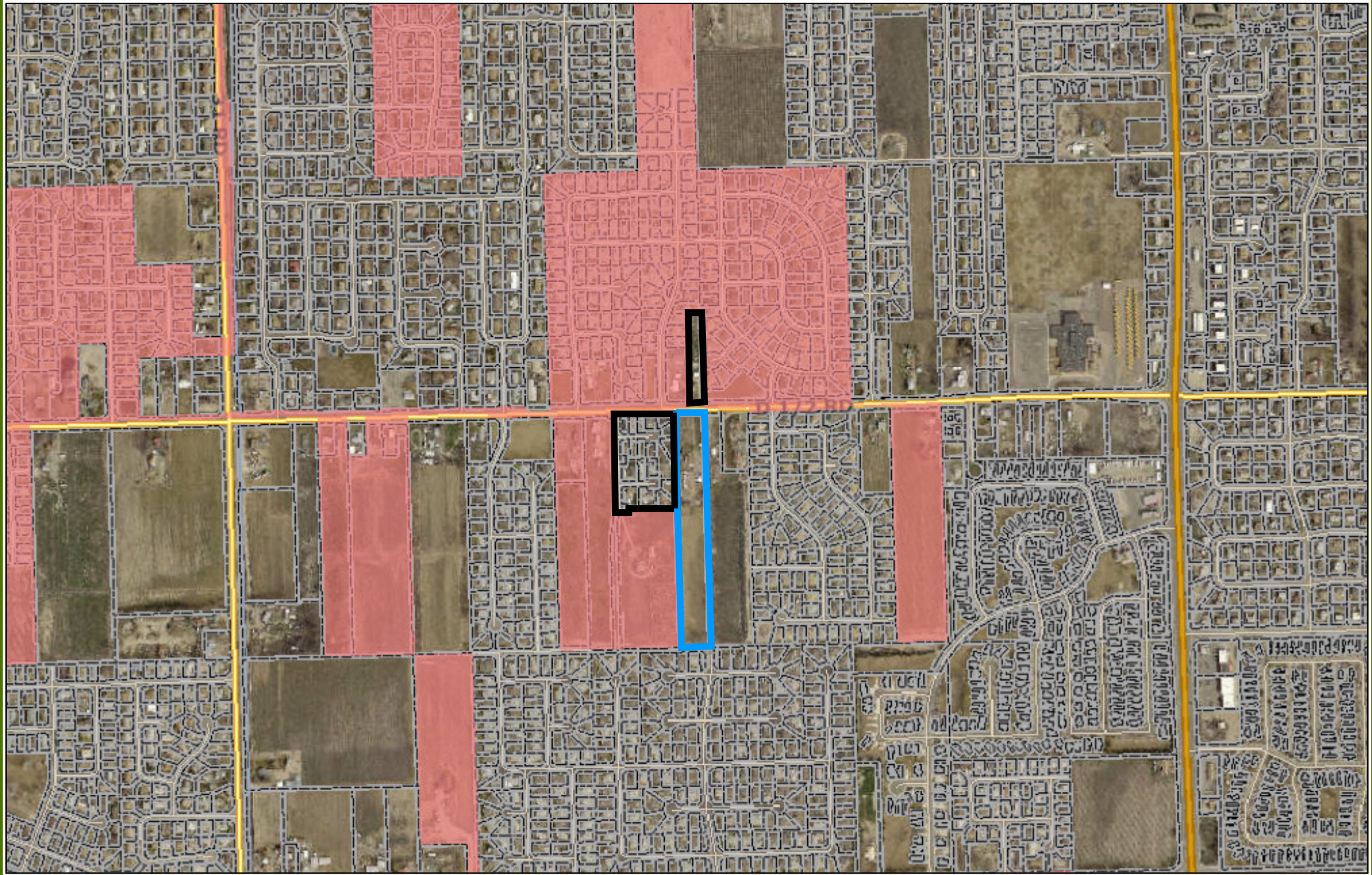
 City Limits  Annexation Boundary

# Caballero Annexation



 City Limits  Annexation Boundary

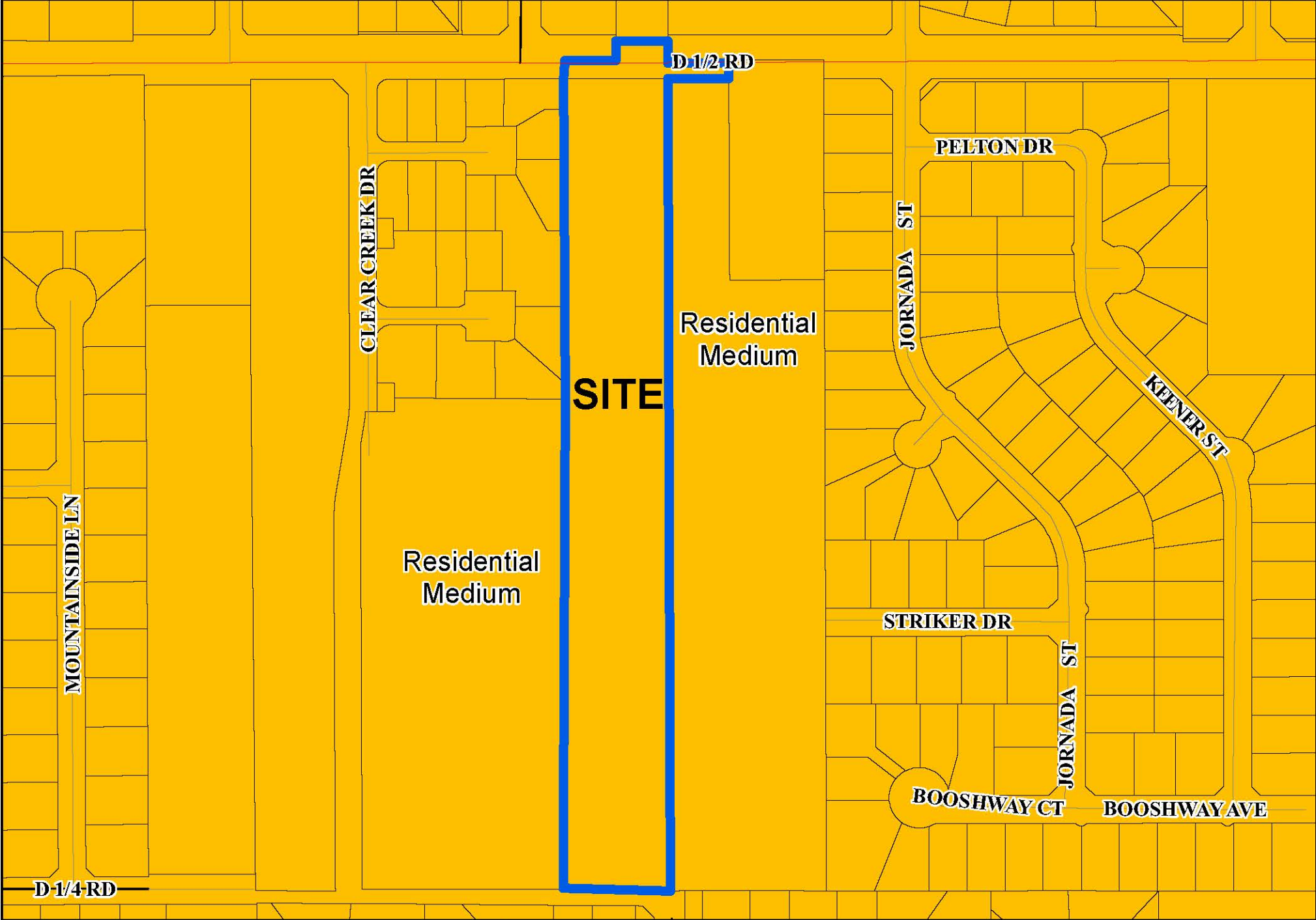
# City Limits and Enclaved Parcels



Printed: 8/24/2017

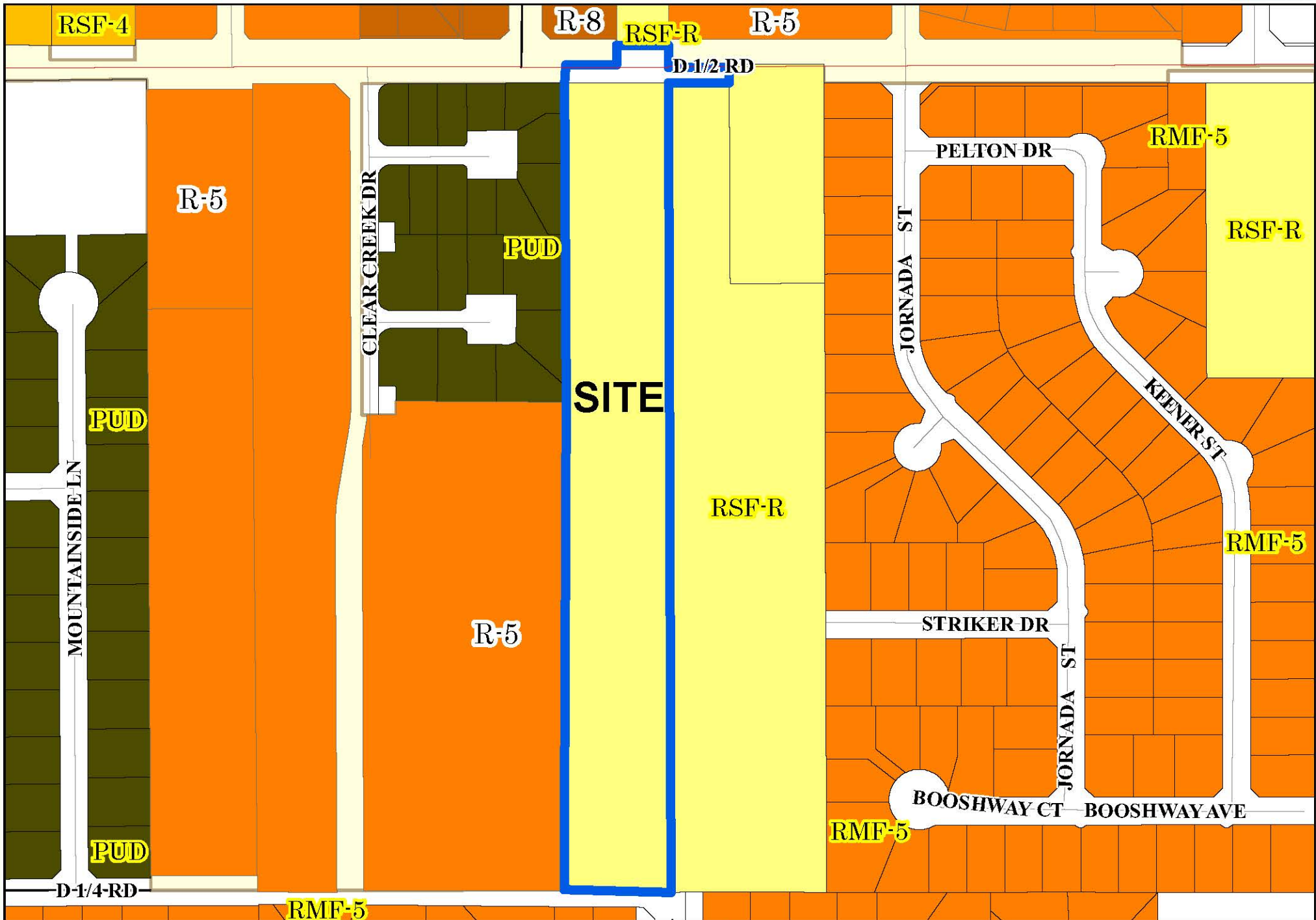
1 inch = 716 feet

# Caballero Annexation - Future Land Use



 Annexation Boundary

# Caballero Annexation - Zoning



CITY ZONING    COUNTY ZONING     Annexation Boundary



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION  
ACCEPTING 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**

**CABALLERO ANNEXATION**

**LOCATED AT 3149 D 1/2 ROAD.**

WHEREAS, on the 2nd day of August, 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:

**CABALLERO ANNEXATION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4), the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 15 and assuming the North line of the NE 1/4 SW 1/4 of said Section 15 bears S 89°54'30" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'13" E, along the East line of the NE 1/4 SW 1/4 of said Section 15 and the West line of Fox Meadows Annexation No. 1, Ordinance No. 4687, as same is recorded with Reception No. 2751924, Public Records of Mesa County, Colorado, a distance of 5.00 feet; thence S 89°54'16" E, along the South line of said Fox Meadows Annexation No. 1, a distance of 97.01 feet; thence S 00°01'13" E, a distance of 25.00 feet to a point on the South right of way for D-1/2 Road, per deed recorded in Book 5262, Page 881, Public Records of Mesa County, Colorado; thence N 89°54'16" W, along said South right of way, a distance of 97.00 feet to a point on the East line of the NE 1/4 SW 1/4 of said Section 15; thence S 00°01'13" E, along said East line, a distance of 1,289.60 feet, more or less, to a point being the Southeast corner of the NE 1/4 SW 1/4 of said Section 15; thence N 89°54'11" W, along the South line of the NE 1/4 SW 1/4 of said Section 15, a distance of 163.75 feet, more or less, to the Southeast corner of Third Replat of Brookdale, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado and the Southeast corner of Ingle Annexation, Ordinance No. 4149, as same is recorded in Book 4562,

Page 637, Public Records of Mesa County, Colorado; thence N 00°04'40" W, along the East line of said Third Replat of Brookdale, the East line of said Ingle Annexation and the East line of Replat of Brookdale, as same is recorded in Plat Book 13, Pages 262 and 263, Public Records of Mesa County, Colorado, a distance of 1319.59 feet, more or less, to a point on the North line of the NE 1/4 SW 1/4 of said Section 15; thence S 89°54'30" E, along said North line, a distance of 82.61 feet; thence N 00°05'30" E, a distance of 30.00 feet; thence S 89°54'30" E, along the North right of way for D-1/2 Road, per deed recorded in Book 5262, Page 884, Public Records of Mesa County, Colorado, a distance of 82.50 feet; thence S 00°05'30" W, a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINING 221,880 Square Feet or 5.093 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 20th day of September, 2017, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Attest:

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President of the Council

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City Clerk



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**CABALLERO ANNEXATION**

**APPROXIMATELY 5.093 ACRES**

**LOCATED AT 3149 D 1/2 ROAD**

**WHEREAS**, on the 2nd day of August, 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 20th day of September, 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:

**CABALLERO ANNEXATION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4), the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 15 and assuming the North line of the NE 1/4 SW 1/4 of said Section 15 bears S 89°54'30" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'13" E, along the East line of the NE 1/4 SW 1/4 of said Section 15 and the West line of Fox Meadows Annexation No. 1, Ordinance No. 4687, as same is recorded with Reception No. 2751924, Public Records of Mesa County, Colorado, a distance of 5.00 feet; thence S 89°54'16" E, along the South line of said Fox Meadows Annexation No. 1, a distance of 97.01 feet; thence S 00°01'13" E, a distance of 25.00 feet to a point on the South right of way for D-1/2 Road, per deed recorded in Book 5262, Page 881, Public Records of Mesa County, Colorado;

thence N 89°54'16" W, along said South right of way, a distance of 97.00 feet to a point on the East line of the NE 1/4 SW 1/4 of said Section 15; thence S 00°01'13" E, along said East line, a distance of 1,289.60 feet, more or less, to a point being the Southeast corner of the NE 1/4 SW 1/4 of said Section 15; thence N 89°54'11" W, along the South line of the NE 1/4 SW 1/4 of said Section 15, a distance of 163.75 feet, more or less, to the Southeast corner of Third Replat of Brookdale, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado and the Southeast corner of Ingle Annexation, Ordinance No. 4149, as same is recorded in Book 4562, Page 637, Public Records of Mesa County, Colorado; thence N 00°04'40" W, along the East line of said Third Replat of Brookdale, the East line of said Ingle Annexation and the East line of Replat of Brookdale, as same is recorded in Plat Book 13, Pages 262 and 263, Public Records of Mesa County, Colorado, a distance of 1319.59 feet, more or less, to a point on the North line of the NE 1/4 SW 1/4 of said Section 15; thence S 89°54'30" E, along said North line, a distance of 82.61 feet; thence N 00°05'30" E, a distance of 30.00 feet; thence S 89°54'30" E, along the North right of way for D-1/2 Road, per deed recorded in Book 5262, Page 884, Public Records of Mesa County, Colorado, a distance of 82.50 feet; thence S 00°05'30" W, a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINING 221,880 Square Feet or 5.093 Acres, more or less, as described.

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

**INTRODUCED** on first reading on the 16<sup>th</sup> day of August, 2017 and ordered published in pamphlet form.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE CABALLERO ANNEXATION  
TO R-8 (RESIDENTIAL – 8 DU/AC)**

**LOCATED AT 3149 D ½ ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Caballero Annexation to the R-8 (Residential – 8 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 (Residential – 8 du/ac) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property be zoned R-8 (Residential – 8 du/ac).

**CABALLERO ANNEXATION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4), the Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 15 and assuming the North line of the NE 1/4 SW 1/4 of said Section 15 bears S 89°54'30" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'13" E, along the East line of the NE 1/4 SW 1/4 of said Section 15 and the West line of Fox Meadows Annexation No. 1, Ordinance No. 4687, as same is recorded with Reception No. 2751924, Public Records of Mesa County, Colorado, a distance of 5.00 feet; thence S 89°54'16" E, along the South line of said Fox Meadows Annexation No. 1, a distance of 97.01 feet; thence S 00°01'13" E, a distance of 25.00 feet to a point on the South right of way for D-1/2 Road, per deed recorded in Book 5262, Page 881, Public Records of Mesa County, Colorado; thence N 89°54'16" W, along said South right of way, a distance of 97.00 feet to a point

on the East line of the NE 1/4 SW 1/4 of said Section 15; thence S 00°01'13" E, along said East line, a distance of 1,289.60 feet, more or less, to a point being the Southeast corner of the NE 1/4 SW 1/4 of said Section 15; thence N 89°54'11" W, along the South line of the NE 1/4 SW 1/4 of said Section 15, a distance of 163.75 feet, more or less, to the Southeast corner of Third Replat of Brookdale, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado and the Southeast corner of Ingle Annexation, Ordinance No. 4149, as same is recorded in Book 4562, Page 637, Public Records of Mesa County, Colorado; thence N 00°04'40" W, along the East line of said Third Replat of Brookdale, the East line of said Ingle Annexation and the East line of Replat of Brookdale, as same is recorded in Plat Book 13, Pages 262 and 263, Public Records of Mesa County, Colorado, a distance of 1319.59 feet, more or less, to a point on the North line of the NE 1/4 SW 1/4 of said Section 15; thence S 89°54'30" E, along said North line, a distance of 82.61 feet; thence N 00°05'30" E, a distance of 30.00 feet; thence S 89°54'30" E, along the North right of way for D-1/2 Road, per deed recorded in Book 5262, Page 884, Public Records of Mesa County, Colorado, a distance of 82.50 feet; thence S 00°05'30" W, a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINING 221,880 Square Feet or 5.093 Acres, more or less, as described.

**INTRODUCED** on first reading the 6th day of September, 2017 and ordered published in pamphlet form.

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

ATTEST:

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

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





**Grand Junction City Council**

**Regular Session**

**Item #6.a.**

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**Meeting Date:** September 20, 2017

**Presented By:** John Camper, Police Chief

**Department:** Police

**Submitted By:** Kimberly Swindle

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**Information**

**SUBJECT:**

Application for US Department of Justice Annual Justice Assistance Grant for Safety and Operating Equipment

**RECOMMENDATION:**

Authorize the City Manager to Apply for these Funds, and if Awarded, to Manage \$27,310.

**EXECUTIVE SUMMARY:**

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice to apply for an annual grant for 2017 in the amount of \$27,310. If awarded, these funds will be used toward the purchase of safety and operating equipment.

As part of the application process, the Bureau of Justice Assistance requires that City Council review and authorize receipt of the grant, and provide an opportunity for public comment. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

**BACKGROUND OR DETAILED INFORMATION:**

These funds will be used to purchase an ATF explosive magazine for the Bomb team to store explosives evidence, bicycles to replace aging equipment, replace a 2006 Computer Voice Stress Analyzer (CVSA), a canine training bite suit, binoculars, gun racks, tactical face shields and computer monitors for video editing station to be placed in the Evidence unit.

The Grand Junction Police Department has been the recipient of funding from this annual formula grant for many years and has benefitted from the funding for various projects. The funding level changes each year as the Bureau of Justice Assistance calculates, for each State and Territory, an allocation based upon the statutory JAG formula (U.S.C. 3755(d)(2)(B)). Funds received in prior years ranged from \$14,000 to \$254,568.

**FISCAL IMPACT:**

The revenue and expense for these funds will be budgeted in the upcoming 2018 budget.

**SUGGESTED MOTION:**

I move to (authorize or deny) the City Manager to apply for these funds, and if awarded, to manage \$27,310.

**Attachments**

None



## Grand Junction City Council

### Regular Session

Item #6.b.

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**Meeting Date:** September 20, 2017

**Presented By:** Greg Caton, City Manager

**Department:** City Manager

**Submitted By:** Greg Caton

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### **Information**

#### **SUBJECT:**

Letter of Intent Regarding Property for Hotel at Two Rivers Convention Center at 159 Main/120 S. 1st Streets, Grand Junction, Colorado

#### **RECOMMENDATION:**

Staff recommends approval as presented.

#### **EXECUTIVE SUMMARY:**

A letter of intent, contingent on City Council's ratification, was sent to Western Hospitality outlining the proposed terms and conditions for the Reimer's use of a portion of Two Rivers Convention Center's property for a 100+ room national franchise full-service hotel. This proposed hotel project includes dedicated convention, exhibition and meeting space (Ballroom), all adjacent and connected to the existing Two Rivers Convention Center. The current estimated cost of the project is \$12.5 million dollars.

The City will also contract for various renovations to and improvements of Two Rivers Convention Center enabling the design and connection to the Ballroom. The current estimated cost of the renovation and improvement project is estimated to total \$6 million; however the LOI outlines a minimum of \$4.5 million dollars.

#### **BACKGROUND OR DETAILED INFORMATION:**

Two Rivers Convention Center (TRCC) is an approximately 23,000 square foot convention center owned by the City of Grand Junction that sits on approximately 2 acres of land. Centrally located in downtown Grand Junction, TRCC serves as a premier location for hosting events in the City.

It is proposed that the City partners with Western Hospitality, or any entity to be formed, to allow their use of a portion of TRCC property for the construction of a 100+ room national franchise full service hotel, including dedicated convention, exhibition and meeting space (the Ballroom) all adjacent and connected to the existing convention center. The current estimated cost of the project is \$12.5 million dollars.

The City will also contract for various renovations to and improvements of TRCC including enabling the design and construction of the connection of the Junior Ballroom to the convention center. TRCC improvements are currently estimated to cost approximately \$4.5 million dollars. Additionally, the City will provide the furniture, fixtures and equipment for the Junior Ballroom and TRCC improvements, which is expect to toal \$6 million dollars. Staffing, operations, and functional considerations for the Ballroom will be determined by mutual agreement in a separate agreement.

A letter of intent was sent to Western Hospitality outlining the proposed terms and conditions for Western Hospitality's, or any entity to be formed, use of a portion of Two Rivers Convention Center's property for the hotel and ballroom project.

**FISCAL IMPACT:**

The City is proposing to share in the costs of the improvements with the DDA. It is proposed that the two organizations will equally share in the \$6 million improvements, so the cost to the City is expected to be \$3 million dollars. In exchange for the use of the City land for construction of the hotel, the Reimer's will construct the Ballroom for the primary use by the TRCC. Also under consideration is purchasing 261 Ute Avenue by the City for \$200,000.

**SUGGESTED MOTION:**

I move to ratify the action by the City Manager regarding the letter of intent and to take further action consistent therewith in support of the project.

**Attachments**

1. Letter of Intent
2. Project Design Renderings

September 15, 2017

Steve and Kevin Reimer  
2009 South Broadway  
Grand Junction, CO 81507

Via Hand Delivery

Re: Letter of Intent Regarding Property for Hotel at Two Rivers Convention Center at 159 Main/120 S. 1<sup>st</sup> Streets, Grand Junction, Colorado

Dear Kevin and Steve,

I am pleased with the progress that our discussions have taken so far and believe that it is now time to reduce some of those matters to writing. Set forth below is an outline of the proposed terms and conditions for your use of a portion of the City's convention center property for a new 100+ room, national franchise, full-service hotel ("Hotel") including dedicated convention, exhibition and meeting space ("Ballroom") all adjacent and connected to the existing Two Rivers Convention Center ("TRCC.") The construction and development of the Hotel and Ballroom will be collectively referred to as "the Project" or "Project;" separate elements of the Project will, as the context requires, be referred to as "the Hotel" or "Hotel" and "the Ballroom" or "Ballroom." The current estimated cost of the Project is \$12.5 million dollars.

Contemporaneously with your Project the City will contract for various renovations to and improvements of TRCC including enabling the design and construction of the connection to TRCC and the Ballroom ("TRCC Improvements.") The TRCC Improvements are currently estimated to cost \$4.5 million dollars. In addition, the City will provide the furniture, fixtures and equipment for the Ballroom and the TRCC Improvements. Staffing and operations/functional considerations for the Ballroom will be determined by mutual agreement in a separate agreement.

As you know, the TRCC property is comprised of approximately 2 acres of which approximately 30,000 +/- square feet, not including shared ingress/egress and parking, will be necessary for the Project. As planning and design for the Project proceeds, a site survey and specific legal description will be prepared ("Project Property.") In exchange for the City selling you the Project Property for nominal consideration, which will be determined by mutual agreement of Western Hospitality and the City as a condition precedent to sale, Western Hospitality (or a successor entity) will construct and provide for the City's exclusive use, for a term of no less than 99 years, the Ballroom and the access to and from it as described below.

While I understand that the design is still being developed, we have discussed that the Project will have a North-South orientation with a finished, heated and cooled corridor, lobby or entresol connection to TRCC, which may serve as a gathering/service area also known as a pre-function space. The connection between the Project and TRCC will be included in the City's use rights.

While I am unaware of any subsurface geotechnical or environmental contamination, any agreement is expressly conditioned on soil and/or ground water sampling being performed and found to be suitable for the intended Project. If the Project is constructed with a North-South orientation access and parking will need to be carefully designed and permitted and may include review/approval by the Colorado Department of Transportation (CDOT).

While the City believes that the site and/or geotechnical and/or other design and engineering will not pose insurmountable problems, if you or the City determine otherwise then the City shall not be liable to you for any cost or expense you incur and/or for any lost profit, lost advantage or lost opportunity that occurs because the Project does not proceed.

In support of the Project you have provided me with a draft of the architectural rendering/elevation(s) for the Project. Those materials are incorporated by this reference as if fully set forth; because those concepts will need to be further defined and agreed to by the City you must update the City if or as the information changes and in any event prior to making any commitments to that (or any other) design. The City will also rely on any oral representations that you make or have made regarding the Project and your commitment to carry out agreements pertaining to it.

This letter sets forth certain terms which shall serve as the basis for a binding written real estate contract between the parties. The contract, which will be subject to ratification by the City Council, will provide for the sale of some portion of the TRCC property that would be suitable for the Project. In order to ensure that the Ballroom is operated as a public amenity the City will expect that the contract contain an option for the City to reacquire the TRCC Property and/or acquire the Project if it is offered for sale by you or any successor in interest. Additionally, you have offered to sell to the City the property located at 261 Ute Avenue for the sum of \$200,000.00. Closing on that property will occur on or before January 31, 2018.

This letter reflects the present understanding of the parties regarding some basic terms of the likely forthcoming contract. It further evidences the desire of the parties to reach a final and complete contract, but does not constitute, nor may it be construed to constitute, a contract at this time. This letter shall be superseded by the contract between the parties, if any. In the event that a contract is not executed by the parties, this letter, at the option of either party to the letter, may be rescinded, revoked and canceled and of no further effect. Nothing herein may be deemed to obligate or bind any party to any terms, conditions or agreements and no party shall assert a claim or incur any liability arising out of the execution of this letter.

Subject to the foregoing, I am prepared to recommend that the City Council contract with you as follows:

1) The City will convey to you or an entity that you form, no less than approximately 30,000 square feet exclusive of shared parking and ingress/egress as the Project Property, for the purpose of constructing the Project. The City will allow you reasonable entry to perform any and all diligence necessary in anticipation of design and/or construction. The City will provide no assurances or warranties that the site is environmentally or otherwise suitable for the Project; you shall have the right to explore research and confirm the environmental condition of the property and/or ascertain information about the developability of the site for the Project to your satisfaction. If the City Council authorizes a contract the City will survey, plat and subdivide the TRCC Property. Completion of that process is an express contingency to this letter of intent and/or further contractual agreement.

2) You will have until July 31, 2021 to complete the construction of the Project subject to circumstances beyond your control *i.e.*, acts of God, strikes, delays caused by local, federal or state regulatory approvals. Occupancy and use of the Project shall occur as soon thereafter as regulatory approvals allow. The Project shall be designed, constructed and used as a multi-use event venue at no cost to the City. The Ballroom shall be sized in accordance with approved final design and be between 8500 and 14,000 square feet and in any event no less than 8500 square feet, exclusive of the corridor/pre-function space. Staffing and operations/functional considerations for the Ballroom will be determined by mutual agreement in a separate agreement. The Project shall be of good to above average quality construction and to the extent reasonably practicable, it shall use recognized means of energy conservation and "green" building practices.

3) The Project shall comply with all applicable City codes, rules and regulations.

4) The City reserves the right, upon reasonable request, to review and approve the contract(s) and the proposed covenants, conditions and restrictions and other operational documents for the Project as it affects the City's use of the Ballroom and/or its duty to comply with affirmative action and other applicable state and local law, codes, rules or regulations.

5) The City may act on the contract only by and through its City Council.

6) You will manage and pay for the construction of the Project. The City may offer and you may consider input from the City about the means and methods of construction but you (except as required by applicable law) shall not be bound to act on the same.

a) You shall manage the Project by providing architecture, site planning, construction management and engineering oversight by a Colorado licensed professional engineer in good standing. The construction management and engineering review and oversight shall be in

accordance with the construction plans, generally accepted engineering practices and if applicable, the standards set by the City.

b) The City, by and through its personnel, shall be responsible for reviewing and approving the subdivision and site plan for the Project. Site plan review and approval shall be in conformance with City code. The parties understand and agree that time is of the essence and accordingly the City agrees to prosecute the work in a timely manner.

7) The City will agree subject to final terms that are mutually acceptable to both parties, to maintain the landscaping for the Project. You shall install and maintain the landscaping until it is established and accepted by the City.

If the general terms and conditions set forth above are acceptable to you, please sign and date the enclosed copy of this Letter and return the same to us on or before September 30, 2017. If I may be of assistance or should you need further clarification, please do not hesitate to call.

CITY OF GRAND JUNCTION

by: 

Greg Caton  
City Manager  
250 N. 5<sup>th</sup> Street

Grand Junction, Colorado 81501

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#### Acknowledgement and Acceptance

I, Kevin Reimer, have read, understand and agree to the terms, agreement and understandings stated in the foregoing letter of intent.

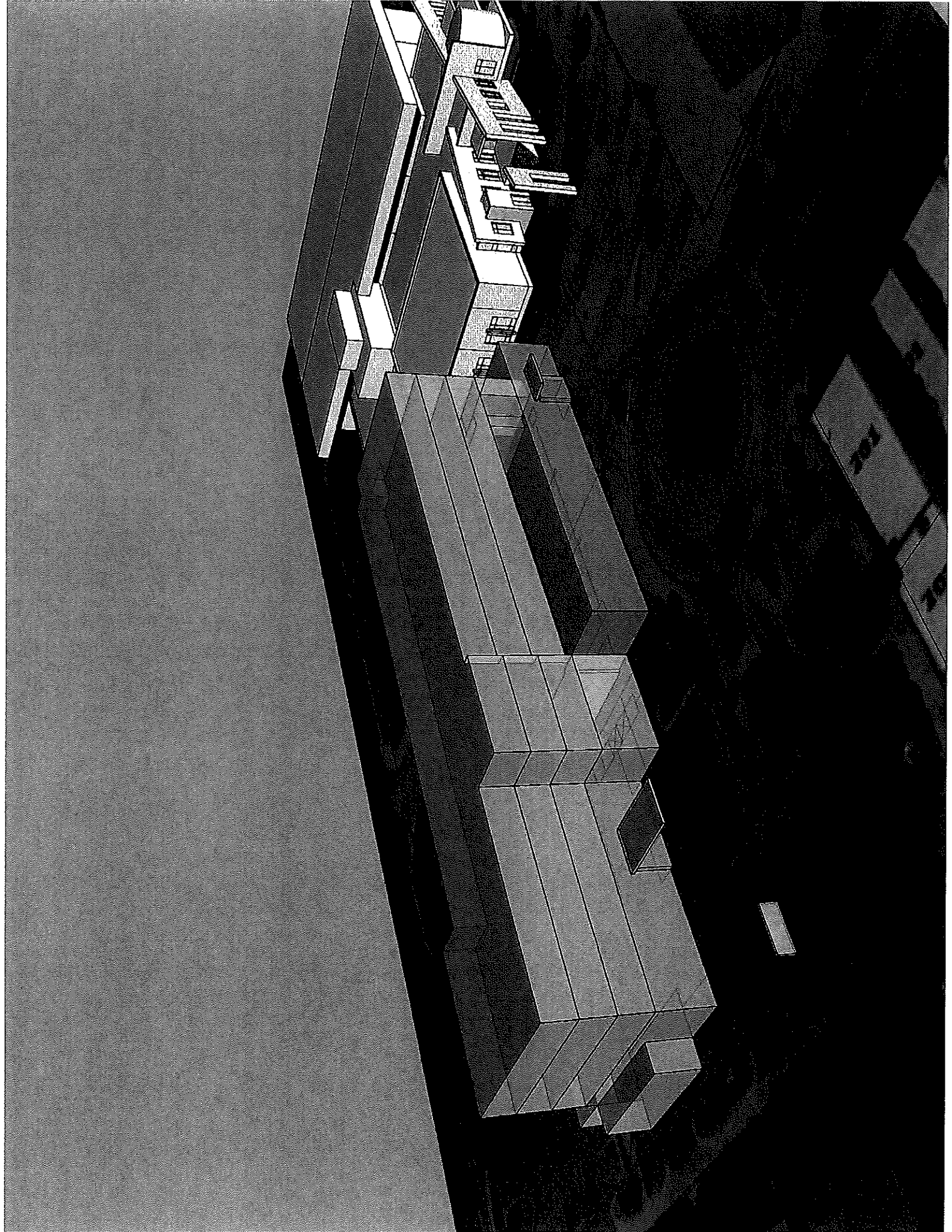
\_\_\_\_\_  
Kevin Reimer                      date

I, Steve Reimer, have read, understand and agree to the terms, agreement and understandings stated in the foregoing letter of intent.

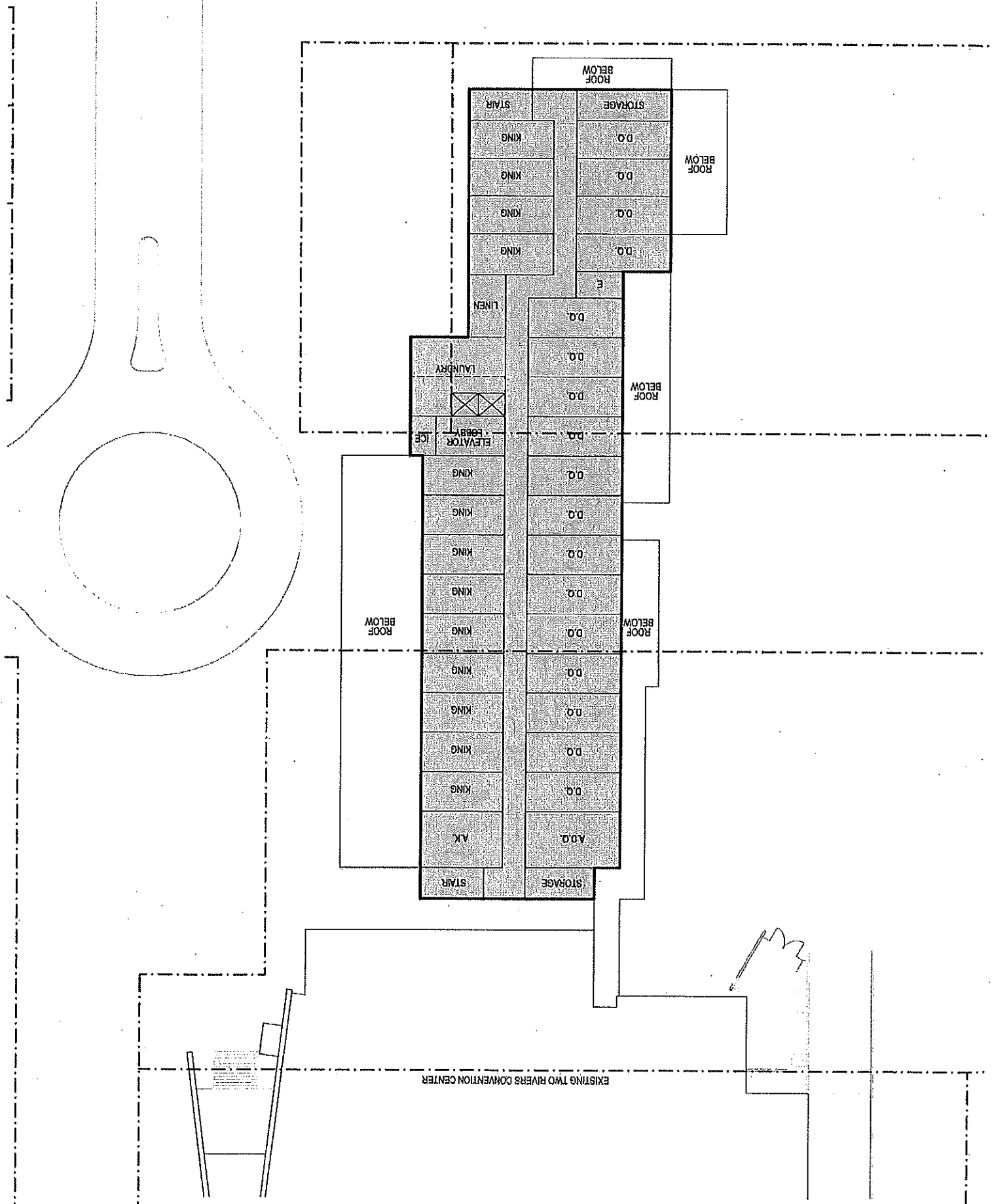
\_\_\_\_\_  
Steve Reimer                      date

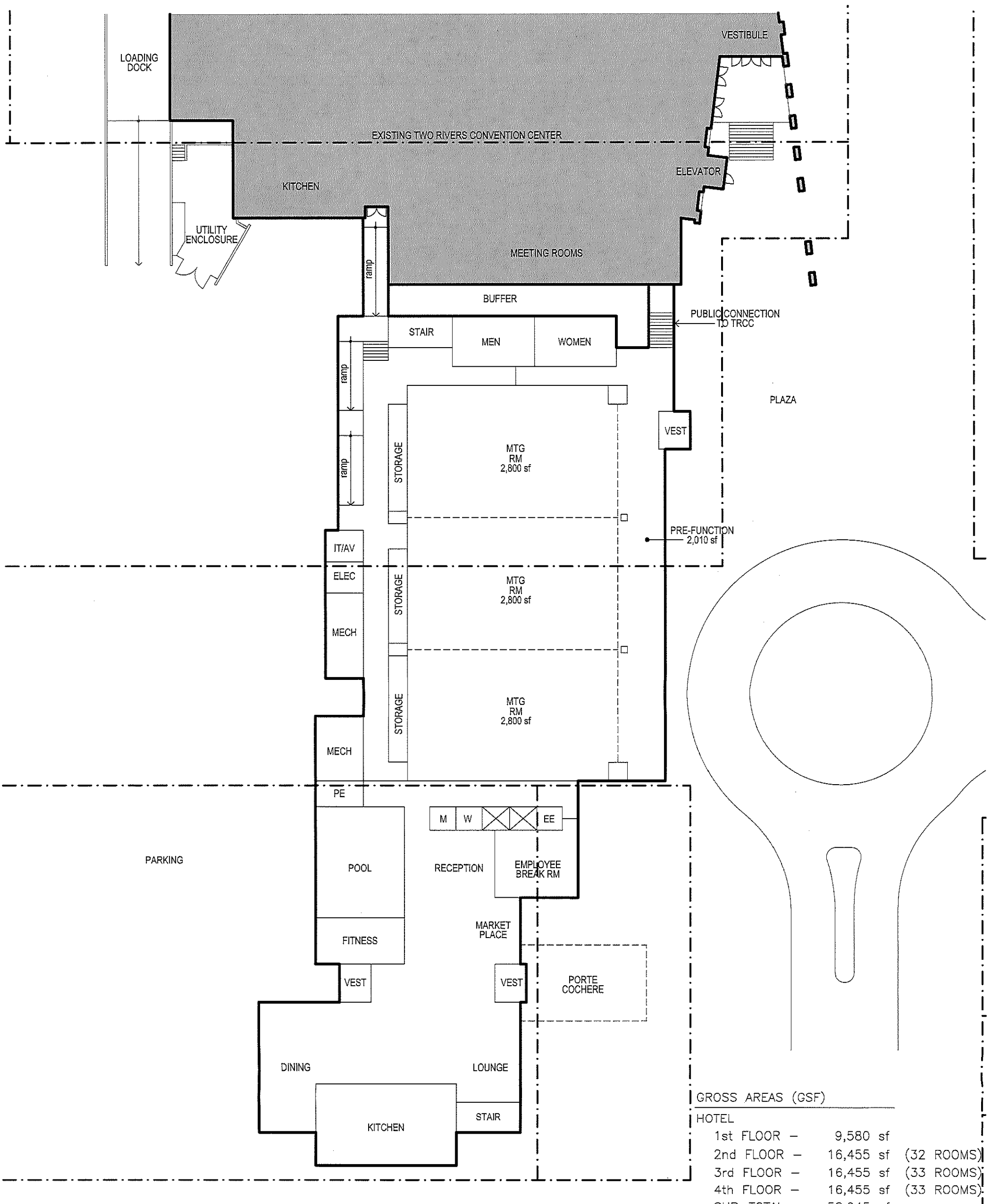
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EXISTING TWO RIVERS CONVENTION CENTER





GROSS AREAS (GSF)	
<b>HOTEL</b>	
1st FLOOR	9,580 sf
2nd FLOOR	16,455 sf (32 ROOMS)
3rd FLOOR	16,455 sf (33 ROOMS)
4th FLOOR	16,455 sf (33 ROOMS)
SUB-TOTAL	58,945 sf
TRCC	15,495 sf
<b>TOTAL</b>	<b>74,440 sf</b>



CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: \_\_\_\_\_  
Citizen's Name: DeeDee Schmitt  
Address: 11111 11111  
Phone Number: \_\_\_\_\_  
Subject: Water Pater

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17  
Citizen's Name: Stephanie Tura  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: Retiree Health Plan

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9-20-17  
Citizen's Name: Bryan Mick  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: North Avenue Name Change

*Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your*

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17  
Citizen's Name: KAREN PETERSON  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: Retiree Health

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9-20-17  
Citizen's Name: RON ARELLANO  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: ND AVE

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/2017  
Citizen's Name: Sheryl Harmon  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: North Avenue Name Change

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/21/17

Citizen's Name: JAMIE RICHARDSON

Address: \_\_\_\_\_

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

Subject: RETIREE HEALTH

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: Sept 20, 2017

Citizen's Name: Charles Mike Best

Address: Grand Vct. Colorado

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

Subject: Retiree health

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17

Citizen's Name: Eileen Gers

Address: \_\_\_\_\_

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

Subject: Changes to City Retiree Health Insurance Program

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: SEPT 20, 2017  
Citizen's Name: JODY KUSKA  
Address: \_\_\_\_\_ GT  
Phone Number: \_\_\_\_\_  
Subject: RETIREE HEALTH INSURANCE

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/2017  
Citizen's Name: Lisa Cox  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: Retiree Health Insurance

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17  
Citizen's Name: ~~Dennis Simpson~~ DENNIS SIMPSON  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Subject: DECISION MAKING PROCESS

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9-20-17

Citizen's Name: Michael G. Weimer

Address: \_\_\_\_\_

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

Subject: North Name Change (county voice)

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17

Citizen's Name: Tom Bjorklund

Address: \_\_\_\_\_

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

Subject: Street Name Change.

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

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 9/20/17

Citizen's Name: JACKIE AGUILAR

Address: \_\_\_\_\_

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

Subject: NORTH AVE. NAME CHANGE

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



[northavenuenow.com](http://northavenuenow.com)