

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**CITY COUNCIL AGENDA
WEDNESDAY, JANUARY 17, 2018
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

Call to Order, Pledge of Allegiance, Invocation

Andy Lovelace, Lead Pastor New Horizons Foursquare Church

The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future, and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand, or leave the room.

Presentations

Andy Hamilton, Chair of the Arts and Culture Commission, will recognize the recipient of the 2017 Champion of the Arts Award

Proclamations

Proclaiming January 2018 as "National Crime Stoppers Month" in the City of Grand Junction

Certificate of Appointments

To the Riverfront Commission

Citizen Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

Council Reports

CONSENT AGENDA

The Consent Agenda includes items that are considered routine and will be approved by a single motion. Items on the Consent Agenda will not be discussed by City Council, unless an item is removed for individual consideration.

1. Approval of Minutes

- a. Minutes of the January 3, 2018 Regular Meeting

2. Set Public Hearings

All ordinances require two readings. The first reading is the introduction of an ordinance and generally not discussed by City Council. Those are listed in Section 2 of the agenda. The second reading of the ordinance is a Public Hearing where public comment is taken. Those are listed in Section 5 of the agenda.

- a. Legislative
 - i. An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles and Set a Public Hearing for February 7, 2018
- b. Quasi-judicial
 - i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the 10.652 acre Camp Annexation, Located at 171 Lake Road, and Set a Public Hearing for March 21, 2018

3. Resolutions

- a. Water Treatment Plant Filter Upgrade Construction Final Acceptance

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

4. Public Hearings

a. Legislative

- i. Ordinance Amending Ordinance 4772 Concerning the Downtown Development Authority Tax Increment Debt Financing

5. Resolutions

- a. Resolution Adopting the City of Grand Junction 2018 Legislative Agenda

6. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about items that are not on tonight's agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

7. Other Business

8. Adjournment



Grand Junction City Council

Regular Session

Item #

Meeting Date: January 17, 2018

Presented By: Rob Schoeber, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Lorie Gregor, Recreation Coordinator

Information

SUBJECT:

Andy Hamilton, Chair of the Arts and Culture Commission, will recognize the recipient of the 2017 Champion of the Arts Award

RECOMMENDATION:

The Arts and Culture Commission has chosen KAFM Public Radio as the Champion of the Arts recipient for 2017 for their consistent support of arts and culture.

EXECUTIVE SUMMARY:

The Grand Junction Commission on Arts and Culture is recognizing the annual winner of the Champion of the Arts Award.

BACKGROUND OR DETAILED INFORMATION:

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

FISCAL IMPACT:

A \$720 piece of artwork was purchased utilizing 2017 budgeted funds.

SUGGESTED MOTION:

N/A

Attachments

None

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, crime is a menace to our society; it tears apart lives and causes feelings of fear, anger, and helplessness. As caring citizens, we are obligated to do everything in our power to ensure our communities are not victimized by criminals; and

WHEREAS, the Crime Stoppers of Mesa County program has empowered the citizens of Mesa County to take a stand against crime. This program brings together businesses, citizens, law enforcement, school grades K-12 and higher educational institutions, and the media to combat crime and make our communities safer; and

WHEREAS, combining media awareness, cash rewards, and anonymity for tipsters, Crime Stoppers of Mesa County has created an effective method for solving crimes and helping citizens take back control of their neighborhoods; and

WHEREAS, Crime Stoppers has been extremely effective in Mesa County since 1983 having received over 19,400 tips, which have led to 1,730 arrests and the recovery of over 9 million dollars in drugs and property. Anonymous Crime Stopper callers have been rewarded \$270,000 for their valuable information; and

WHEREAS, Crime Stoppers of Mesa County has built strong working relationships with all area law enforcement agencies including: Colorado State Patrol, Fruita Police Department, Grand Junction Police Department, Mesa County Sheriff's Office, Mesa County District Attorney's Office and the Palisade Police Department; and

WHEREAS, Crime Stoppers of Mesa County is working to increase awareness of community safety issues and crime prevention efforts.

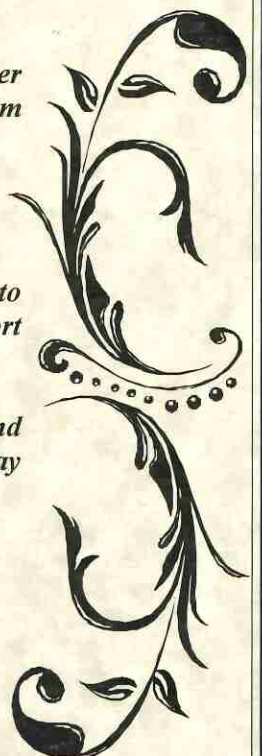
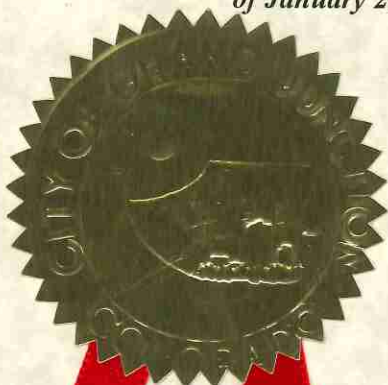
NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim January 2018 as

"National Crime Stoppers Month"

in the City of Grand Junction and encourage all citizens of Grand Junction to join Crime Stoppers of Mesa County to increase their participation in the effort to prevent crime, thereby strengthening the communities in which they live.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 17th day of January 2018.

Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: January 17, 2018
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Riverfront Commission

RECOMMENDATION:

Present certificate.

EXECUTIVE SUMMARY:

Jeffery Fleming was appointed to the Riverfront Commission for a partial term ending July 2018.

BACKGROUND OR DETAILED INFORMATION:

The appointment was approved by the Grand Junction City Council on December 20, 2017, the Fruita City Council on December 19, 2017, the Palisade Board of Trustees on December 12, 2017, and the Mesa County Commissioners on December 11, 2017.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None

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

January 3, 2018

The City Council of the City of Grand Junction convened into regular session on the 3rd day of January 2018 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Duncan McArthur, Duke Wortmann, and Council President Rick Taggart. Councilmember Barbara Traylor Smith was absent. 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 Kennedy led the Pledge of Alliance which was followed by a moment of silence.

Proclamation - Proclaiming January 15, 2018 as "Martin Luther King, Jr. Day" in the City of Grand Junction

Councilmember Boeschstein read the proclamation. David Combs, Eric Ward and Janielle Westermire were present to accept the proclamation. Mr. Combs spoke on behalf of the Martin Luther King, Jr. Day Committee, thanked Council, and described the events surrounding Martin Luther King, Jr. Day including the reading of the proclamation by Council President Taggart in front of City Hall at 1:00 p.m. on January 15th, a symbolic march in downtown Grand Junction, the presentation of the Fourth Annual Harry Butler Community Service Award, and an evening program with community leaders.

Citizens Comments

Bruce Lohmiller spoke of the need for Night Patrols to assist in taking people off the streets and getting them into shelters.

Kimberly Langston, a representative for PLACE (People for Local Activities and Community Enrichment), said the first community meeting for the Community Center feasibility study will be held at Faith Heights Church Thursday, January 18th at 5:30 p.m. She also encouraged people to join a Focus Group to find out what features the community would like in a Community Center. Input can also be given through the PLACE Facebook page.

Council Reports

Councilmember McArthur commented on the Martin Luther King, Jr. Day Proclamation and lauded Harry Butler for all his service to get the holiday recognized in the community.

Councilmember Wortmann said he had a good holiday and was ready to get back to work.

Councilmember Boeschenstein said he went to the great old cities of Norwalk, and Boston over the holiday, where he worked before moving to Grand Junction. He said these cities have redeveloped themselves and he had the opportunity to work extensively to improve those communities and he hopes to bring that experience to Grand Junction. Councilmember Boeschenstein echoed Councilmember McArthur's thoughts on recognizing minorities.

Councilmember Kennedy reminded that he withdrew from the congressional race due to his mother's illness and said that she had passed away on Christmas morning. He thanked his mother for her legacy; he will remember her sense of adventure and recalled a yearlong trip to Europe with her.

Councilmember Norris is glad to start a new year.

Council President Taggart said it had been quiet the last two weeks. The year had highs and lows that included his son having a major stroke. He hopes 2018 will be a good year with a significant amount of highs and a limited amount of lows.

Consent Agenda

Councilmember Kennedy moved to approve adoption of Consent Agenda items #1 through #3. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. Approval of Minutes

- a. Summary of the December 18, 2017 Workshop
- b. Minutes of the December 20, 2017 Executive Session
- c. Minutes of the December 20, 2017 Regular Meeting

2. Set Public Hearings

- a. Legislative

- i. Introduction of Ordinance Amending Ordinance 4772 Concerning the Downtown Development Authority Tax Increment Debt Financing and Setting a Public Hearing for January 17, 2018
- b. Quasi-judicial
 - i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Taurus Park Plaza Annexation of 40.414 Acres, Located at 789 23 Road, and Setting a Hearing for February 7, 2018
 - ii. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Adams Annexation, Approximately 13.159 Acres Located South of B ¼ Road, west of 27 ½ Road and just west of the County Fairgrounds, and Setting a Hearing for February 21, 2018

3. Resolutions

- a. Resolution Authorizing the City Manager to Submit a Grant Request to Great Outdoors Colorado (GOCO) for the School Yard Initiative grant program for Mesa View Elementary School
- b. A Resolution Designating the Location for the Posting of the Notice of Meetings, Establishing the 2018 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

Regular Agenda

Public Hearing - An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code Concerning Fees, Costs and Surcharges in Municipal Court

This ordinance establishes the fees and costs that may be charged in Grand Junction Municipal Court and for those to be changed over time by Resolution of the City Council.

City Attorney John Shaver explained if the ordinance is adopted, the Presiding Judge of the Municipal Court shall prepare a schedule of Court Costs; 2018 costs and fees are included in the report but are not part of the Ordinance.

Colorado law (C.R.S. 13-10-113(3)) provides that the municipal judge is empowered in his/her discretion to assess costs, as established by the municipal governing body by ordinance, against any defendant who pleads guilty or nolo contendere or who enters into a plea agreement or who, after trial is found guilty of an ordinance violation.

While the law provides that costs, including the costs of prosecution, may be imposed by ordinance, no method is established for how those costs (which may also be known as fees) may be changed. City Attorney Shaver noted the court is governed by Colorado Revised Statutes and Council is required to approve these additional costs that can be assessed. Details are in the ordinance which are representative of the costs that would be approved.

The public hearing was opened at 6:25 p.m.

There were no public comments.

The public hearing was closed at 6:25 p.m.

Councilmember Kennedy asked if these costs outlined in the ordinance are higher or lower from the norm. City Attorney Shaver said some fees are new, but the costs are in line with others, although they are increased slightly. He clarified that these are not fines.

Council President Taggart asked why the fee schedule is not part of the ordinance. City Attorney Shaver said the ordinance is enabling legislation and Council allows the approval of these fees, not the amounts. These numbers are the 2018 fees, but they can be changed.

Councilmember Boeschstein moved to approve Ordinance No. 4775 - An ordinance amending Chapter 2 of the Grand Junction Municipal Code concerning fees, costs and surcharges in Municipal Court on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Public Hearing - An Ordinance Amending Various Sections of the Zoning and Development Code Regarding Administration and Procedures, Setbacks, Cluster Development, Fences and Flood Damage Prevention

The Community Development Director is requesting amendments to various sections of the Zoning and Development (Z & D) Code to address issues of relevancy, clarity,

organizational changes and other minor corrections. The proposed changes include changes to Chapters 2, 3, 4 and 7 of the Zoning and Development Code.

Community Services Manager Kathy Portner said this item is to clean-up the Z & D Code and explained since the original adoption of the Z & D Code, the structure of the Department has changed from the Public Works and Planning Department to the Community Development Department. The proposed amendment would replace all references to the Public Works and Planning Department and/or Director with the Community Development Department and/or Director. In accordance with Section 21.02.140(c), an application for an amendment to the text of this Code shall address in writing the reasons for the proposed amendment. Ms. Portner then detailed the sections and proposed changes regarding administration and procedures, Zoning Districts, uses and Special Regulations.

Councilmember McArthur asked regarding the Administrative Development Permits and the changes to expedite this process. Ms. Portner said this is to clarify what is already in place as a procedure and that appeals will be handled the same way as they are currently. Councilmember McArthur asked about the limitations for retaining walls and if there are many are over four feet. Ms. Portner said there are not many, but this would allow the Director to have the authority to allow it in certain circumstances.

Councilmember Kennedy asked about the wording in Section 21.02.070(a) which reads, "addition to permit shall be amended through the process it was originally approved" and said the wording didn't sound correct to him. Ms. Portner agreed that it could be worded better.

Councilmember McArthur asked why when patio covers encroach on setbacks, are they required to not be attached to the house. Ms. Portner said the difference is that when it is not attached to the house it is considered an accessory structure and can meet accessory structure setbacks. Anything attached to the house must meet principle structure setbacks.

Councilmember Norris said she would go to the fence section for questions on fences and is concerned about moving a topic out of an area where it typically would be found. Ms. Portner said if a standard can't be met, Community Development should be consulted. The concern is not to have information in too many places which can cause inconsistencies. Ms. Portner said the average citizen does not read the Code, but rather contacts Community Development.

The recommendation by the Planning Commission is to approve the amendments to provide consistency and clarity to the Code.

Councilmember Boeschstein said Grand Junction has flash floods and therefore flood regulations are very important for flood insurance purposes. He thanked staff for bringing this forward.

City Manager Caton said that Councilmember Norris raised a good point and clarified that the fence section holds most information, but if a deviation is needed, it will fall under administrative variances and therefore does not need to be kept in the fence section. Councilmember Norris said she has heard 12 specific complaints from citizens regarding the Code. She said the average citizen should be able to read and understand the Code. City Manager Caton said other communication and education avenues can be looked at.

Council President Taggart agreed with Councilmember Norris, but understands the duplicity. He suggested a statement that would guide someone to the deviation section if needed.

City Attorney Shaver said cross references can be used, however variances are complicated and it could be a disservice to citizens. Councilmember Norris suggested adding a statement to contact the Community Development Department.

The public hearing was opened at 6:53 p.m.

There were no public comments.

The public hearing was closed at 6:53 p.m.

Councilmember McArthur said the Z & D Code is large, but the benefit is to make the process less arbitrary and this is the goal. He thanked staff.

Council President Taggart said he likes the cluster development concept, but has concerns the math is too liberal. He would like to reward developers willing to add open space, but is concerned how this may impact developments. Ms. Portner said the Planning Commission is grappling with this issue and believes they will have recommendations in the future.

City Manager Caton said this will be returned to Council, but this item is to correct the math.

Councilmember Norris noted cluster developments have come forward in the last few months and there has been a big impact to adjoining properties. She feels this should be put on hold until the whole issue can be looked at. City Manager Caton said they want to do their due diligence and provide a complete picture to Council and added the remaining land is challenging to develop; the easy properties have been built.

Councilmember McArthur said the negative economic aspect of breaking up land is that if the land is not going to generate enough revenue to make it profitable, it will not be developed. The City needs to be careful and not provide disincentives regarding cluster provisions. The State Demographer anticipates this area will grow and is concerned that the density of building projects is not sufficient.

Council President Taggart asked for clarification on whether the calculation presented is netted after the non-buildable area is taken out. Ms. Portner said it is based on the gross, not on the net. The 2010 Code allowed for density to be reduced. Bonuses were built in depending on the use of the land.

City Attorney Shaver said the dedication to the City must be based on open space.

Councilmember Norris asked for more education.

Ms. Porter said the item presented before them is to correct the math. There are no other proposed changes to this section.

Council President Taggart said he is not anxious to sign off on this with the current chart and asked if the Planning Commission could come back to address this. He is concerned that approving this ordinance would have the look of Council approving the Z & D Code as a whole. Councilmember Kennedy asked that the table be deleted.

Councilmember Norris is concerned with the fence area change and the cluster provision.

City Manager Caton said the chart math is not correct and should be addressed immediately; the methodology can be addressed later. He restated that the fence topic change could be addressed with a reference to redirect a citizen. He stated flyers could be used to educate and inform citizens with things like flyers.

Councilmember Boeschstein agreed with City Manager Caton and said that is very effective. Regarding the cluster provision, he doesn't believe it needs to be changed but thinks pictures of cluster developments (Ridges, Summer Hill, etc.) would be helpful. This is a great concept and protects geologically difficult areas.

Council President Taggart asked Ms. Portner if anything needs to be changed in the motion to address the reference. City Attorney Shaver said the motion does not need to be amended, staff can take direction to add that.

Councilmember Boeschstein moved to approve Ordinance No. 4778 - An ordinance amending various sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding administration and procedures, setbacks, cluster development, flood damage prevention and fences on final passage and ordered final

publication in pamphlet form. Councilmember Wortmann seconded the motion. Motion carried by roll call vote with Councilmember Norris voting NO.

Public Hearing - An Ordinance Rezoning Property Located at 2802 Patterson Road from R-4 (Residential, 4 du/ac) to MXOC (Mixed Use Opportunity Corridor)

The Applicant, 1st Church of the Nazarene, requests a rezone of 6.2 acres, located at 2802 Patterson Road, from R-4 (Residential-4 dwelling units per acre) to MXOC (Mixed Use Opportunity Corridor) zone district. The purpose of the rezone request is to enable the Applicant to erect signage consistent with a non-residential zone district. The MXOC zone district is consistent with the Future Land Use designation of Mixed Use Opportunity Corridor along this section of Patterson Road. The MXOC zone district allows for mixed use development and has specific site design and architectural standards to provide for a compatible transition to the surrounding residential neighborhoods. The signage standards require monument style signs not exceeding 15 feet in height and 300 square feet in size (based on the property's street frontage) and allow for digital displays, as desired by the Applicant.

Community Services Manager Kathy Portner reviewed the request, the surrounding area, the rezone criteria, and Findings of Fact and Conclusions.

Currently the property has a 24-square foot internally illuminated sign along the Patterson Road frontage. The applicant would like to replace the sign with a larger, more visible sign with digital display. However, Section 21.06.070(h)(1) of the Zoning and Development Code restricts permanent signs in a residential zone district to 24 square feet in size and does not allow digital display. The applicant requested a variance to that provision from the Zoning Board of Appeals, but was denied in a unanimous decision due to the lack of ability to demonstrate compliance with the required criteria. The applicant is now requesting a rezone to MXOC (Mixed Use Opportunity Corridor) to accommodate the proposed sign.

Councilmember Kennedy asked if the original request was rejected because they couldn't meet the criteria; he asked for specifics. Ms. Portner said the variance criteria is very specific and hard to meet; the applicant had to prove they were unique under the current zoning which they were unable to do.

The public hearing was opened at 7:17 p.m.

Council President Taggart asked for the applicant to speak. Larry Chovancek, Senior Pastor of Grand Junction 1st Church of the Nazarene, said the desire to change the 20-year-old sign stems from the it being rusted, wanting more information displayed and to elevate the sign for better visibility. He noted the church has no intention to sell the property.

The public hearing was closed at 7:20 p.m.

Councilmember Norris asked about neighborhood meetings. Two were held and no one showed up.

Council President Taggart said the church has been at this location for 20 years and asked how they have been able to operate all that time in an R-4 zone. He also noted it seems odd to change the zoning for the purpose of a sign. Ms. Portner said the vast majority of churches are in residential zones. Ms. Portner said a rezone request for the purpose of a sign is unusual and it would be inappropriate if the church was located in a quiet residential area, but since it is on a busy corridor of Patterson, the rezoning is appropriate.

Councilmember McArthur asked if this zoning change will apply to the total site or just the noted cross-hatched area on the map. Ms. Portner said it applied to the total site. He asked if this issue could be addressed through the sign code. Ms. Portner said it is something they could take a look at.

City Attorney Shaver said that he would recommend making the change through a function of the sign code.

Council President Taggart agreed.

Councilmember Wortmann moved to approve Ordinance No. 4780 - An ordinance rezoning property located at 2802 Patterson Road from R4 (Residential, 4 du/ac) to MXOC (Mixed Use Opportunity Corridor) on final passage and ordered final publication in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Public Hearing - An Ordinance Vacating the East-West Alley Right-of-Way of Block 123 of the Original City Plat between 2nd and 3rd Streets and between Colorado Avenue and Ute Avenue

The Applicant, Western Hospitality, LLC, is requesting to vacate the entire alley right-of-way of Block 123 of the original City plat between 2nd and 3rd Streets, between Colorado Avenue and Ute Avenue. The proposed vacation would vacate the public access but would require retaining it as a utility easement for the full length of the alley as well as providing access easements on the east and west ends of the alley for areas that have adjoining properties under different ownership. This request has been brought forth to be able to help facilitate the implementation of the Applicant's preferred site plan for a new hotel (Hilton Tru) at 243 Colorado Avenue.

Senior Planner Lori Bowers reviewed the request, the criteria, and the Planning Commission recommendation.

The Applicant has assembled approximately 1.2 acres of currently vacant land between 2nd and 3rd Streets and Colorado and Ute Avenues to develop a new hotel. The properties combined form a reverse “L” shape, with the southernmost property line bounding Ute Avenue, and the western most property line bounding 2nd Street. The proposed alley vacation will facilitate the Applicant’s desired traffic flow for the new hotel parking lot. The Applicant plans on fencing the parking lot to increase security and safety for hotel guests and their vehicles. Currently there is significant transient foot traffic through this area which is a concern for the Applicant.

A neighborhood meeting was held on September 20, 2017. Three neighbors (adjacent property owners) were present at the meeting. The Applicant also indicated that they had spoken in person, by phone and by email with other property owners adjacent to the alley regarding the proposal. All comments were supportive of the proposal and did not object to the alley vacation.

Staff finds this request conforms with the Zoning and Development Code and Planning Commission concurred with this finding.

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

There were no public comments.

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

Councilmember Kennedy moved to approve Ordinance No. 4781 - An ordinance vacating the east-west alley right-of-way between 2nd and 3rd Streets, south of Colorado Avenue on final passage and ordered final publication in pamphlet form.

Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing - A Resolution to Amend the Comprehensive Plan Future Land Use Map from "Neighborhood Center Mixed Use" to "BPMP (Business Park Mixed Use)" and an Ordinance Zoning Properties to I-O (Industrial/Office Park), Located at 2202 and 2202 ½ H Road

The Applicants, Jerry Patterson and TEK Leasing, LLC, are requesting an amendment to the Comprehensive Plan Future Land Use Map designation for properties located at 2202 and 2202 ½ H Road from "Neighborhood Center Mixed Use" to "Business Park Mixed Use" and to rezone the properties from MXG-3 (Mixed Use General-Low) to I-O (Industrial/Office Park) zone district on 8.59 acres, in anticipation of future development. The allowed uses in the MXG-3 zone district do not allow for outdoor storage which the properties owners would like to develop and the I-O zone district does support. The requested rezone to I-O is currently not supported by the underlying Comprehensive Plan designation of Neighborhood Center which has resulted in a two-part request to

first amend the current Comprehensive Plan designation to Business Park Mixed Use followed by a request to rezone the property to I-O.

Senior Planner Lori Bowers described the request in more detail.

The Applicants held a neighborhood meeting on October 18, 2017 at Appleton Elementary School. Four citizens attended the meeting. There were a few general questions about the description of the proposed Comprehensive Plan Amendment/ Rezone to (BPMU Business Park Mixed Use/I-O Industrial/Office Park). There was one objection to the requested rezone. The attendee in opposition expressed concerns about the sale of his own property having to compete with the rezoned properties, which he felt would make their property more attractive to potential buyers than his.

Councilmember McArthur looked at area designations and asked about neighborhood centers. Ms. Bowers said there is a neighborhood center on 1st and Patterson and 29 and D Roads among others. She noted that they have allowed for several neighborhood centers so that in the future one won't be missed if this designation change is approved.

Councilmember Norris asked if the sewer expansion for this rezone is in the City's budget. Ms. Bowers said it would be the developer's responsibility to pay for that.

Councilmember Kennedy asked if they would change the designation for all neighborhood centers, or just the two parcels presented. Ms. Bowers said it was only for the two parcels before Council.

Councilmember Norris commented that there are a lot of buildings out there and this will fit in well.

The public hearing was opened at 7:47 p.m.

Marcy Johnson spoke in favor of the change. She agrees with staff and hopes this is passed.

The public hearing was closed at 7:49 p.m.

Councilmember Wortmann said this is his work neighborhood and he is in full support.

Councilmember Kennedy moved to approve Resolution No. 05-18 - A resolution amending the Comprehensive Plan Future Land Use Map of the City of Grand Junction from Neighborhood Center Mixed Use to Business Park Mixed Use, located at 2202 and 2202 ½ H Road and Ordinance No. 4782 - An ordinance zoning properties located at 2202 and 2202 ½ H Road to I/O (Industrial/Office Park) on final passage and ordered final publication in pamphlet form. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Change in Use Incentive Grant Request in the Amount of \$2,746.21 from Thai Number Nine, LLC, Located at 539 N. 1st Street

Thai Number Nine, a proposed restaurant to be located at 539 N. 1st Street, has submitted an application for consideration of a grant for \$2,746.21 from the Change in Use Incentive Grant program. The amount requested is for 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use. The request is consistent with the purpose of the Change in Use Incentive Grant Pilot Program as established by the City Council in January 2017 to fund 25% of the sewer wastewater Plant Investment Fee (PIF), up to \$10,000 for the conversion of an existing building in the Greater Downtown Planning Area to a restaurant use. The purpose of the program is to maintain and enhance the viability of downtown and encourage the reuse of existing buildings as restaurants.

Community Services Manager Kathy Portner reviewed this item. Thai Number Nine was previously approved for a Change in Use Incentive Grant for the reuse of a building located at 126 N. 7th Street. However, the water line size serving the building was inadequate to serve the required fire suppression system and the cost to upgrade the line was prohibitive. The restaurant is now proposed to be located in the building located at 539 N. 1st Street, a building previously used as a retail establishment (formerly eBricks). The estimated maximum Plant Investment Fee (PIF) for the conversion is \$10,984.84, based on the additional impact to the sewer system of a restaurant use. However, the PIF might be able to be reduced based on the monitoring of water consumption for the first six months of operation. If approved, the grant amount would not exceed 25% of the final PIF or a maximum of \$2,746.21. The request meets the purpose and requirements of the Change in Use Incentive Grant program.

The location of this restaurant is within the Downtown District of the Planning Area which qualifies it for the City's 25% grant. However, this building is outside of the Downtown Development Authority's boundary which means they do not qualify to seek an additional 25% grant from the DDA for assistance with the Plant Investment Fees.

Councilmember Kennedy said he is glad to see interest in the grant so early in the year.

Council President Taggart is glad to see other use in this area and looks forward to seeing more businesses move there.

Councilmember Boeschstein moved to approve the Change in Use Incentive Grant request from Thai Number Nine, LLC, located at 539 N. 1st Street, in the amount not to exceed \$2,746.21. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:54 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: January 17, 2018

Presented By: John Shaver, City Attorney, Rob Schoeber, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Rob Schoeber, Parks and Recreation Director

Information

SUBJECT:

An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles and Set a Public Hearing for February 7, 2018

RECOMMENDATION:

Parks and Recreation Advisory Board unanimously supported this ordinance revision at their April 27, 2017 meeting.

EXECUTIVE SUMMARY:

City Council formally considered this item at the December 20, 2017 Regular City Council meeting and the ordinance was not adopted on second reading. Since that time, the Mayor and members of Council have requested that this item be brought back for Council discussion.

The City of Grand Junction currently maintains a trail system approximately 21 miles in length, including Riverfront, Ridges and Urban Trails. These developed hard surface trails are utilized for non-motorized activities such as walking, running and cycling. Other power driven mobility devices (OPDMDs) may be operated on any of these trails by individuals with mobility disabilities.

E-bikes, or electric assisted bicycles, use a small electric engine to boost rider's speeds. They are popular among riders of all ages and are designed to enhance a rider's pedaling with limited engine power.

During the recent Colorado legislative session, HB 17-1151 was approved by the legislature. In summary, this bill removes electrical assisted bicycles from the definition of motorized vehicles and creates three classes of E-bikes. The three classifications are defined according to the maximum speed of the electrical power in relationship to the pedaling by the rider.

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided significant capital funding for trails in the Grand Valley, primarily the Riverfront Trail. In general, GOCO opposes motorized uses on all of their grant funded trails. Recently, however GOCO has stated that they view E-bikes differently than motorized uses, and are leaving these decisions up to the local communities.

During a City Council workshop on June 5, 2017, this topic was discussed with members of the Riverfront Commission. The Commission stated that they continue to support the ban of motorized equipment on the Riverfront Trail, with the exception of ADA compliant devices. They also stated that while they support the ban, they would not oppose the exception of E-bikes if the City chose to allow them.

The proposed ordinance revision would continue to ban all OPDMDs on City trails with the exception of ADA approved devices, and would also exclude Class I and Class II E-bikes from the definition of motorized devices.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction currently restricts the use of motorized devices (with exception of ADA approved) on developed trails throughout the community. The trail system encompasses approximately 21 miles of hard surface trails in the Ridges, along the Riverfront and throughout subdivisions and parks.

Electric assist bicycles are battery powered devices that can be operated either by power or pedaling. Depending upon the battery packs, E-bikes can range in speeds from 12 to 28 miles per hour. Earlier in 2017, the Colorado Legislature adopted House

Bill 17-1151. This bill excludes E-bikes from the traditional definition of motorized devices, and defines them into three different categories according to maximum speed of the electrical power in relationship to pedaling by the rider. The classifications are as follows:

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided on-going grants for the development of the Riverfront Trail. This funding is contingent upon the trails being utilized for non-motorized uses only. In recognition of HB – 17-1511 however, GOCO has recently stated that local governments should develop policies that best fit their communities, and would support the allowance of E-bikes on GOCO funded trails.

The Riverfront Commission is made up of 11 members that are appointed by the City of Grand Junction, Town of Palisade, Mesa County and City of Fruita. In a letter dated September, 2016, the Commission expressed their concern about the use E-bikes on the Riverfront Trail and recommended the continued ban of all motorized devices on the trail (with the exception of ADA compliant devices). City Manager Greg Caton responded to their recommendation through a letter dated April, 2017, and encouraged the Commission to further study and evaluate the use of E-bikes on the trails. He cited several Colorado Communities who either allow their use or are exploring their uses on public trails. Several members of the Riverfront Commission attended a City Council workshop on June 5, 2017. They continued to support a full ban on motorized devices on the Riverfront Trail, however indicated that they would not oppose an exception for E-bikes if any of the local entities chose to allow exclude them from the ban.

The City of Grand Junction maintains a portion of the Riverfront Trail through an Intergovernmental Agreement with the City of Fruita, Town of Palisade, Mesa County and Colorado State Parks. Currently, the State is drafting a similar exception for Class I and Class II E-bikes, and the Town of Palisade continues to support the full ban.

The proposed ordinance revision would allow the use of Class I and Class II E-bikes on City trails. Class III E-bikes would be permitted on City streets.

FISCAL IMPACT:

Appropriate signage would be installed by Parks Department (estimate: \$300).

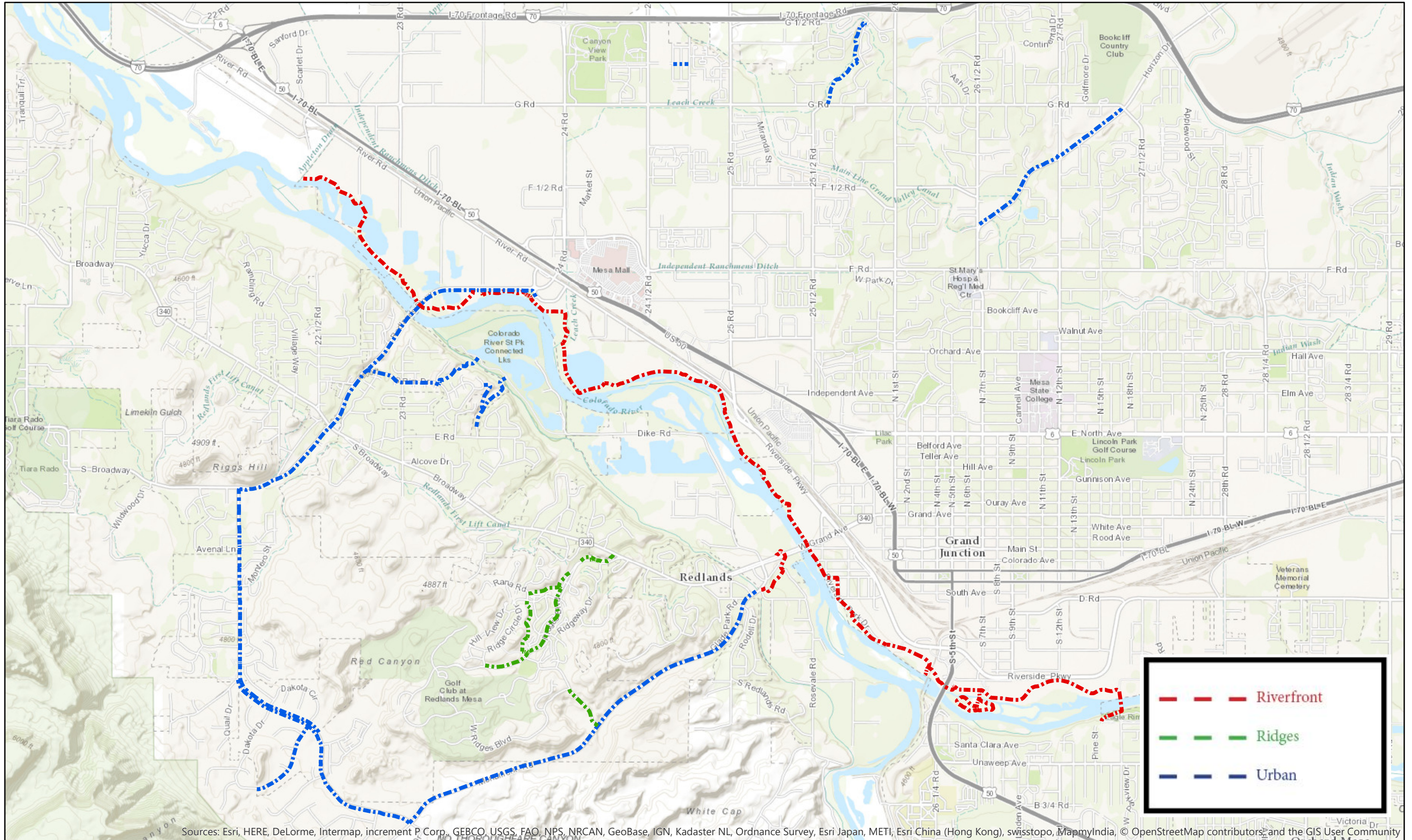
SUGGESTED MOTION:

I move to introduce a proposed ordinance amending Chapter 12 of the Grand Junction Municipal Code concerning Riverfront and other trail regulations concerning the operation of electrical assisted bicycles and set a public hearing for February 7, 2018.

Attachments

1. Trails Map
2. House Bill 17 - 1151
3. Riverfront Commission Letter 9-20-16
4. City Manager Letter 4-20-17
5. Ordinance E Bikes
6. Trail Mileage
7. Urban Trails Map
8. Riverfront Trails Map
9. Ridges Map

All Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

An Act

HOUSE BILL 17-1151

BY REPRESENTATIVE(S) Hansen and Willett, Becker K., Buckner, Ginal, Hooton, Kennedy, Lontine, Mitsch Bush, Valdez, Winter, Young, Singer;
also SENATOR(S) Kerr and Hill, Gardner, Kagan.

CONCERNING THE REGULATION OF ELECTRICAL ASSISTED BICYCLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-1-102, amend (28.5) and (58) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(28.5) "Electrical assisted bicycle" means a vehicle having two tandem wheels or two parallel ~~THREE~~ wheels, and one forward wheel; fully operable pedals, AND an electric motor not exceeding seven hundred fifty watts of power. and a top motor-powered speed of twenty miles per hour. ~~ELECTRICAL ASSISTED BICYCLES ARE FURTHER REQUIRED TO CONFORM TO ONE OF THREE CLASSES AS FOLLOWS:~~

(a) "CLASS 1 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL

ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(b) "CLASS 2 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE REGARDLESS OF WHETHER THE RIDER IS PEDALING BUT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(c) "CLASS 3 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY-EIGHT MILES PER HOUR.

(58) "Motor vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include ELECTRICAL ASSISTED BICYCLES, low-power scooters, wheelchairs, or vehicles moved solely by human power. For the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and off-highway vehicles, as defined in section 33-14.5-101 (3), ~~C.R.S.~~, operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle. For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter.

SECTION 2. In Colorado Revised Statutes, 42-3-103, amend (1)(b) introductory portion and (1)(b)(I) as follows:

42-3-103. Registration required - exemptions. (1) (b) This subsection (1) shall DOES not apply to the following:

(I) A bicycle, ~~electric~~ ELECTRICAL assisted bicycle, or other human-powered vehicle;

SECTION 3. In Colorado Revised Statutes, 42-4-111, **amend** (1) introductory portion and (1)(dd) as follows:

42-4-111. Powers of local authorities. (1) Except as otherwise provided in subsection (2) of this section, this ~~article~~ ARTICLE 4 does not prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(dd) Authorizing OR PROHIBITING the use of ~~the electrical motor on an electrical assisted bicycle on a bike or pedestrian path~~ IN ACCORDANCE WITH SECTION 42-4-1412;

SECTION 4. In Colorado Revised Statutes, 42-4-221, **amend** (9); and **add** (10) and (11) as follows:

42-4-221. Bicycle and personal mobility device equipment. (9) (a) ~~Any person who violates any provision of this section commits a class B traffic infraction~~ ON OR AFTER JANUARY 1, 2018, EVERY MANUFACTURER OR DISTRIBUTOR OF NEW ELECTRICAL ASSISTED BICYCLES INTENDED FOR SALE OR DISTRIBUTION IN THIS STATE SHALL PERMANENTLY AFFIX TO EACH ELECTRICAL ASSISTED BICYCLE, IN A PROMINENT LOCATION, A LABEL THAT CONTAINS THE CLASSIFICATION NUMBER, TOP ASSISTED SPEED, AND MOTOR WATTAGE OF THE ELECTRICAL ASSISTED BICYCLE. THE LABEL MUST BE PRINTED IN THE ARIAL FONT IN AT LEAST NINE-POINT TYPE.

(b) A PERSON SHALL NOT KNOWINGLY MODIFY AN ELECTRICAL ASSISTED BICYCLE SO AS TO CHANGE THE SPEED CAPABILITY OR MOTOR ENGAGEMENT OF THE ELECTRICAL ASSISTED BICYCLE WITHOUT ALSO APPROPRIATELY REPLACING, OR CAUSING TO BE REPLACED, THE LABEL INDICATING THE CLASSIFICATION REQUIRED BY SUBSECTION (9)(a) OF THIS SECTION.

(10) (a) AN ELECTRICAL ASSISTED BICYCLE MUST COMPLY WITH THE EQUIPMENT AND MANUFACTURING REQUIREMENTS FOR BICYCLES ADOPTED BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION AND CODIFIED AT 16 CFR 1512 OR ITS SUCCESSOR REGULATION.

(b) A CLASS 2 ELECTRICAL ASSISTED BICYCLE MUST OPERATE IN A MANNER SO THAT THE ELECTRIC MOTOR IS DISENGAGED OR CEASES TO FUNCTION WHEN THE BRAKES ARE APPLIED. CLASS 1 AND CLASS 3

ELECTRICAL ASSISTED BICYCLES MUST BE EQUIPPED WITH A MECHANISM OR CIRCUIT THAT CANNOT BE BYPASSED AND THAT CAUSES THE ELECTRIC MOTOR TO DISENGAGE OR CEASE TO FUNCTION WHEN THE RIDER STOPS PEDALING.

(c) A CLASS 3 ELECTRICAL ASSISTED BICYCLE MUST BE EQUIPPED WITH A SPEEDOMETER THAT DISPLAYS, IN MILES PER HOUR, THE SPEED THE ELECTRICAL ASSISTED BICYCLE IS TRAVELING.

(11) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC INFRACTION.

SECTION 5. In Colorado Revised Statutes, 42-4-1412, amend (14); and add (15) as follows:

42-4-1412. Operation of bicycles and other human-powered vehicles. (14) (a) (I) ~~Except as authorized by section 42-4-111, the rider of an electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path~~ A PERSON MAY RIDE A CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH WHERE BICYCLES ARE AUTHORIZED TO TRAVEL.

(II) A LOCAL AUTHORITY MAY PROHIBIT THE OPERATION OF A CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNDER ITS JURISDICTION.

(b) A PERSON SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNLESS:

(I) THE PATH IS WITHIN A STREET OR HIGHWAY; OR

(II) THE LOCAL AUTHORITY PERMITS THE OPERATION OF A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A PATH UNDER ITS JURISDICTION.

(15) (a) A PERSON UNDER SIXTEEN YEARS OF AGE SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE UPON ANY STREET, HIGHWAY, OR BIKE OR PEDESTRIAN PATH; EXCEPT THAT A PERSON UNDER SIXTEEN YEARS OF AGE MAY RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE THAT IS DESIGNED TO ACCOMMODATE PASSENGERS.

(b) A PERSON SHALL NOT OPERATE OR RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE UNLESS:

(I) EACH PERSON UNDER EIGHTEEN YEARS OF AGE IS WEARING A PROTECTIVE HELMET OF A TYPE AND DESIGN MANUFACTURED FOR USE BY OPERATORS OF BICYCLES;

(II) THE PROTECTIVE HELMET CONFORMS TO THE DESIGN AND SPECIFICATIONS SET FORTH BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE AMERICAN SOCIETY FOR TESTING AND MATERIALS; AND

(III) THE PROTECTIVE HELMET IS SECURED PROPERLY ON THE PERSON'S HEAD WITH A CHIN STRAP WHILE THE CLASS 3 ELECTRICAL ASSISTED BICYCLE IS IN MOTION.

(c) A VIOLATION OF SUBSECTION (15)(b) OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE OR NEGLIGENCE PER SE IN THE CONTEXT OF ANY CIVIL PERSONAL INJURY CLAIM OR LAWSUIT SEEKING DAMAGES.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Kevin J. Grantham
PRESIDENT OF
THE SENATE

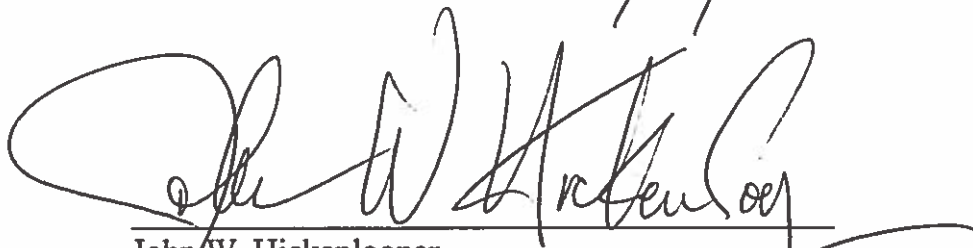


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Effie Ameen
SECRETARY OF
THE SENATE

APPROVED 1:45 Pm 4/4/17



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
Palisade

September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Members of the City of Grand Junction City Council:

The Colorado Riverfront Commission is an advisory board to the Riverfront Trail partners; the City of Grand Junction, the City of Fruita, Mesa County, Colorado Parks and Wildlife and the Town of Palisade. As such, we feel very strongly that we must advocate for the continuing ban of motorized vehicles on the Riverfront Trail. This ban does not include ADA compliant devices such as motorized wheelchairs, but refers to recreational vehicles such as electric bicycles (e-bikes), motorized scooters, Segways and all-terrain vehicles. Of particular concern are e-bikes since retailers have become increasingly vocal in their advocacy of trail use by their customers.

Recently the City of Durango dealt with this issue and cited the following concerns:

- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for years on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten ~\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles – golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric bikes from the Trail.

Sincerely,

Frank Watt
Co-Chair
Riverfront Commission

Brad Taylor
Co-Chair
Riverfront Commission

April 20, 2017

Riverfront Commission
P.O. Box 2477
Grand Junction, CO 81502

RE: E-bikes on Riverfront Trail

The City of Grand Junction offers diverse recreational amenities that allow both citizens and visitors to enjoy the type that best suits his or her abilities. Previously, the Riverfront Commission sent a letter to the members of Grand Junction's City Council, expressing its support for banning electric bikes (e-bikes) from the Riverfront Trail. The letter is attached below. In October of 2016, Great Outdoors Colorado (GOCO) Board members discussed and agreed to grant deference to local governments, allowing municipalities to make their own determination of use on trails based on research and demand of their community. The new position on e-bikes is in reference to trails funded with local government purpose funds. As a result, I encourage the Riverfront Commission to study and evaluate the use of e-bikes on the Riverfront Trail.

Grand Junction's peer cities, particularly those on the Western Slope, are addressing the use of e-bikes on public multi-use trails. All municipalities require e-bike users to follow standard trail and bicycle etiquette. Some municipalities are entering into a trial period, while other have established rules regulating e-bikes. The following are some examples of peer city regulations:

- Earlier this year, the City of Durango issued [e-bike policy recommendations](#) for the City's trail system. The recommendations restrict e-bikes to only pedal assist Class I models and limit use to certain multi-use hard and soft surface trails.
- The City of Boulder [permits e-bikes](#) on certain multi-use paths in the City. E-bikes must comply with existing use multi-use path rules, including a 15 mph speed limit, travel and passing lanes, audible alerts, and use of lights and reflective materials.
- The Town of Vail's [Ordinance No. 9](#) set a trial period that allows e-bikes on paved recreation trails. The ordinance limits motors to 500 watts, limits the speed of the e-bike, and requires riders to be 16 years of age or older.
- Steamboat Springs wants its Parks and Recreation Commission to consider allowing some types of e-bikes on both hard and soft surface trails. A [pilot program](#) for the City's Yampa River Core Trail is set to begin this summer.

[Research](#) by Portland State University found that 60% of electric bicycle riders surveyed bought an electric bicycle to enable trips in hilly areas and 73% rode to different destinations than with a standard bicycle. 65% of respondents in that survey said replacing car trips was a main reason to get an electric bicycle. PSU has also created an interactive [map](#) detailing e-bike laws by state and province in North America.

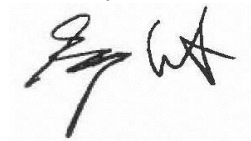
A [study](#) by Navigent Research describes a global e-bike market that is well-positioned for continued growth. The group predicts global sales of e-bikes will grow from over \$15.7 billion in 2016 to \$24 billion by 2025. The report also examines key drivers of growth, including government influence on the market. Further, the League of American Bicyclists examined [e-bikes and public policy](#) and highlighted how national sales exceeded 200,000 in 2015.

While I understand the Commission's concern that allowing e-bikes might set a precedent for allowing other types of motorized vehicles on trails, e-bikes can be viewed differently. Benefits of e-bikes include cost-savings, improved public health, and ease of convenience.

- **E-bikes are not necessarily quicker than traditional bikes.** The average e-bike speed is 15 mph, within most urban and multi-use trails' speed limits. Compared to traditional bikes, where a professional cyclist can reach speeds of 30 mph, e-bikes are designed to provide motorized assistance up to speeds of 20 mph.
- **E-bikes still count as exercise.** Although e-bikes deliver pedal-assisted power, a [study by the University of Colorado, Boulder](#) suggests that e-bikes can still improve cardiovascular health. The CU study measured the improvements in various aspects of health of twenty sedentary commuters through the use of e-bikes. It is important to note that the riders in the study rode at an average speed of 12.5 mph and reported no crashes.
- **E-bikes provide ease of convenience.** E-bikes allow individuals to move farther and easier. Pedal assisted motors provide riders with increased mechanical advantage which aids the rider in moving heavier loads. The pedal assist also helps commuters reduce exertion, generating less sweat, and helps individuals with physical or medical challenges to pedal the bicycle easier.
- **E-bikes reduce cars on the road.** Through the use of e-bikes, the burden on our roadways is lessened. This improves air-quality, eases traffic, reduces road maintenance costs, reduces vehicle accidents, and lowers our community's carbon footprint. By offsetting vehicles on the road with e-bikes, the overall health of the community is improved.

GOCO's stance regarding e-bikes has driven local policy for years. With GOCO's change in position with deference to local governments, communities across the state have evaluated the allowance of e-bikes. We owe it to our businesses and community members to assess their potential use on the Riverfront Trail.

Sincerely,



Greg Caton
City Manager

C: City Council
Rob Schoeber, Parks and Recreation Director



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
Palisade

September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Members of the City of Grand Junction City Council:

The Colorado Riverfront Commission is an advisory board to the Riverfront Trail partners; the City of Grand Junction, the City of Fruita, Mesa County, Colorado Parks and Wildlife and the Town of Palisade. As such, we feel very strongly that we must advocate for the continuing ban of motorized vehicles on the Riverfront Trail. This ban does not include ADA compliant devices such as motorized wheelchairs, but refers to recreational vehicles such as electric bicycles (e-bikes), motorized scooters, Segways and all-terrain vehicles. Of particular concern are e-bikes since retailers have become increasingly vocal in their advocacy of trail use by their customers.

Recently the City of Durango dealt with this issue and cited the following concerns:

- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for years on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten ~\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles – golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric bikes from the Trail.

Sincerely,

Frank Watt
Co-Chair
Riverfront Commission

Brad Taylor
Co-Chair
Riverfront Commission

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 12 OF THE GRAND JUNCTION
MUNICIPAL CODE CONCERNING RIVERFRONT AND OTHER TRAIL
REGULATIONS CONCERNING THE OPERATION OF ELECTRICAL ASSISTED
BICYCLES**

RECITALS:

The City Council has recently considered a modification to the City's code concerning electrical assisted bicycles also known as "E-bikes." The proposed change is to allow certain types or classes of E-bikes, as defined by this ordinance and Colorado law, to be operated on certain trails and all roads within the City. While the proposed change will create consistency between the Grand Junction Municipal Code and the Colorado Revised Statutes, it also furthers the opportunities for users of non-traditional bicycles to access certain trails and all streets in turn reducing automobile usage.

In 1992 the City Council adopted Ordinance 2606 which, among other things, authorized the Parks and Recreation Advisory Board to promulgate regulations for the usage of the Riverfront Trails as the same are depicted and described in that ordinance. Among other things that ordinance, and the regulations subsequently adopted by the PRAB, prohibited motorized vehicles on the trails. Since 1992, battery technology and the expertise to adapt that technology to transportation has resulted in a burgeoning of electrical transportation including electrical assisted bicycles. The growth of the E-bike industry and the popularity of the products resulted in the Colorado Legislature approving, and Governor Hickenlooper signing into law, House Bill 17-1151. The House Bill regulates electrical assisted bicycles by, among other things creating three classes of E-bikes, amending the definition of "motor vehicle" to exclude electrical assisted bicycles and authorized local jurisdictions to authorize (or prohibit) E-bikes as those jurisdictions determine. With this ordinance the City Council does authorize electrical assisted bicycles to be used in the City; however, such use is subject to the following rules and regulations which are applicable to the specified trails and locations.

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

That Sections 12.08.010 and 12.08.140 of the Grand Junction Municipal Code are amended as follows: (Additions are shown in ALL CAPS changes/deletions are shown in strikethrough)

12.08.010 Definition – Incorporation of ~~riverfront~~ TRAILS map(S).

"Riverfront," "riverfront trails" or "trails" means those areas, facilities, lands and waters as identified on the mapS entitled "Riverfront Map", "RIDGES MAP" AND "URBAN MAP," COLLECTIVELY "TRAILS MAPS," which mapS ARE incorporated in this article by this reference. The City Manager or his designee shall provide to the Parks and Recreation Advisory Board updated and revised maps of the TRAILS ~~riverfront~~ as additional trails, lands, lakes or facilities are acquired, placed or constructed. The most current mapS shall be on file on the City's Geographical Information System (GIS) and incorporated by reference into this chapter and shall constitute the riverfront AND

51 TRAILS mapS. The substitution of maps and incorporation thereof by reference shall
52 not necessitate re-adoption of this chapter.

53

54 12.08.140 Regulations relating to TRAILS ~~riverfront~~ trails, lands and waters.

55

56 (b) No person shall:

57 (1) Operate any motor vehicle OR OTHER POWER DRIVEN MOBILITY DEVICE(S)
58 (OPDMD) on any ~~of the riverfront~~ CITY trail(s) or land(s) ~~of the riverfront~~ AS THOSE
59 ARE DEPICTED AND DESCRIBED ON THE "TRAILS MAP(S)" except MAINTENANCE
60 OR EMERGENCY VEHICLE(S) OR as may be authorized by the City or by signs AND
61 ~~or~~ except for A "COMMON WHEELCHAIR" WHICH IS DEFINED AS A MANUALLY
62 OPERATED OR POWER DRIVEN DEVICE DESIGNED PRIMARILY FOR USE BY A
63 PERSON WITH A MOBILITY DISABILITY FOR THE PURPOSE OF INDOOR, OR OF
64 BOTH INDOOR AND OUTDOOR LOCOMOTION. AN ELECTRIC MOTORIZED
65 SCOOTER/POWER CHAIR MEETS THIS DEFINITION, PROVIDED IT MEETS
66 SECTION 37.3 OF THE U.S. DEPARTMENT OF TRANSPORTATION'S
67 REGULATIONS IMPLEMENTING THE ADA (49 CFR PARTS 27, 37, AND 38).

68

69 AN OPDMD IS DEFINED AS ANY MOBILITY DEVICE POWERED BY BATTERIES,
70 FUEL, OR OTHER ENGINE(S), WHETHER OR NOT DESIGNED PRIMARILY FOR
71 USE BY PERSONS WITH MOBILITY DISABILITIES THAT IS USED BY PERSONS
72 WITH MOBILITY DISABILITIES FOR THE PURPOSE OF LOCOMOTION, INCLUDING
73 GOLF CARS, ELECTRIC PERSONAL ASSISTANCE MOBILITY DEVICES (EPAMDS),
74 SUCH AS THE SEGWAY PT® OR ANY MOBILITY DEVICE DESIGNED TO OPERATE
75 IN AREAS WITHOUT DEFINED PEDESTRIAN ROUTES, BUT THAT IS NOT A
76 COMMON WHEELCHAIR WITHIN THE MEANING OF THIS SECTION.

77

78 ~~motorized wheelchairs, maintenance or emergency vehicles.~~ Motor vehicle shall be as
79 defined in § 42-1-101, 42-1-102(58) C.R.S. et seq. EPAMDS SHALL BE AS DEFINED
80 IN §42-1-102(28.7).

81

82 (C) WITH THE EXCEPTION OF A COMMON WHEELCHAIR, AN ELECTRIC
83 MOTORIZED SCOOTER AND CLASS I AND CLASS II E-BIKES, NO MOTOR
84 VEHICLE OR OPDMD IS ALLOWED ON THE TRAILS, AS THE SAME ARE
85 DEPICTED AND DESCRIBED BY ORDINANCE 2606 AND THESE ADOPTED
86 REGULATIONS.

87

88 (1) A CLASS I ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED PEDAL-
89 ASSIST ELECTRIC BICYCLE IS A TWO-WHEELED BICYCLE EQUIPPED
90 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
91 IS PEDALING, AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
92 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR. A
93 CLASS I ELECTRICAL ASSISTED BICYCLE MOTOR SHALL NOT EXCEED
94 750 WATTS OF POWER;

95

96 (2) A CLASS II ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED
97 THROTTLE-ASSISTED ELECTRIC BICYCLE IS A BICYCLE EQUIPPED

98 WITH A MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE
99 BICYCLE AND IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN
100 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR;

101
102 (3) A CLASS III ELECTRICAL ASSISTED BICYCLE IS A BICYCLE EQUIPPED
103 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
104 IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
105 THE BICYCLE REACHES A SPEED OF 28 MILES PER HOUR.

106
107 (A) CLASS III ELECTRICAL ASSISTED BICYCLES ARE ALLOWED
108 ONLY ON STREETS/BIKE LANES ADJACENT TO STREETS (NOT
109 TRAILS, PATHS OR SIDEWALKS.)

110
111 (B) CLASS III ELECTRICAL ASSISTED BICYCLES MAY NOT BE
112 OPERATED BY A PERSON UNDER 16 YEARS OF AGE; A PERSON
113 UNDER 16 YEARS OF AGE MAY RIDE AS A PASSENGER ON A
114 CLASS III ELECTRICAL ASSISTED BICYCLE THAT IS
115 MANUFACTURED TO ACCOMMODATE A PASSENGER(S).

116
117 (4) ANY PERSON UNDER 18 YEARS OF AGE RIDING OR A PASSENGER ON
118 A CLASS III ELECTRICAL ASSISTED BICYCLE SHALL WEAR AN
119 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) OR
120 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION
121 (USCPS) APPROVED HELMET OF A TYPE AND DESIGN MANUFACTUED
122 FOR USE BY RIDERS OF BICYCLES. THE PROTECTIVE HELMET SHALL
123 BE PROPERLY SECURED ON THE PERSON'S HEAD WITH THE STRAP
124 FASTENED WHILE THE CLASS III ELECTRICAL ASSISTED BICYCLE IS IN
125 MOTION.

126
127 (5) NO PERSON SHALL OPERATE AN ELECTRICAL ASSISTED BICYCLE IN
128 ANY PLACE WHERE THERE ARE ONE OR MORE SIGNS POSTED
129 PROHIBITING SUCH ACTIVITY. NO PERSON SHALL OPERATE AN
130 ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC PLACE IN A MANNER
131 WHICH CAUSES INJURY TO ANY PERSON OR DAMAGE TO PUBLIC OR
132 PRIVATE PROPERTY.

133
134 (6) A PERSON USING AN ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC
135 PLACE WITHIN THE CITY SHALL USE THE SAME IN A CAREFUL AND
136 PRUDENT MANNER AND AT A RATE OF SPEED NO GREATER THAN IS
137 REASONABLE AND PRUDENT UNDER THE CONDITIONS EXISTING AT
138 THE PLACE AND TIME OF OPERATION, TAKING INTO ACCOUNT THE
139 AMOUNT AND CHARACTER OF PEDESTRIAN TRAFFIC, GRADE AND
140 WIDTH OF THE PATH, TRAIL OR RIGHT-OF-WAY AND CONDITION OF

141 THE SURFACE THEREOF AND SHALL OBEY ALL TRAFFIC CONTROL
142 DEVICES.

143
144 (7) EVERY PERSON RIDING AN ELECTRICAL ASSISTED BICYCLE UPON A
145 PUBLIC PATH, TRAIL OR OTHER RIGHT-OF-WAY SHALL YIELD THE
146 RIGHT-OF-WAY TO ANY PEDESTRIAN THEREON.

147
148 (8) TO THE EXTENT NOT INCONSISTENT HERewith, HOUSE BILL 17-1151
149 AMENDING VARIOUS SECTIONS OF THE COLORADO REVISED
150 STATUTES IS INCORPORATED BY THIS REFERENCE.

151
152 (9) WITHIN SIXTY DAYS OF THE THIRD ANNIVERSARY OF THE ADOPTION
153 OF THIS ORDINANCE THE CITY COUNCIL SHALL CONSIDER THE
154 EFFECTIVENESS OF THE ORDINANCE AT ACHIEVING ITS STATED
155 PURPOSES. WITHOUT FURTHER ACTION BY THE CITY COUNCIL, THE
156 TERMS AND PROVISIONS OF THIS ORDINANCE SHALL EXPIRE ON THE
157 THIRD ANNIVERSARY OF THE EFFECTIVE DATE HEREOF. THE CITY
158 COUNCIL MAY DETERMINE THAT THE ORDINANCE IS EFFECTIVE AS
159 WRITTEN AND REINSTATE IT OR MAY AMEND IT AS IT DETERMINES IN
160 ITS SOUND DISCRETION.

161
162
163
164 Introduced on first reading this ___ day of December 2017.

165
166
167 PASSED and ADOPTED this ___ day of December 2017.

168
169
170 _____
171 J. Merrick Taggart
172 Mayor and President of the City Council

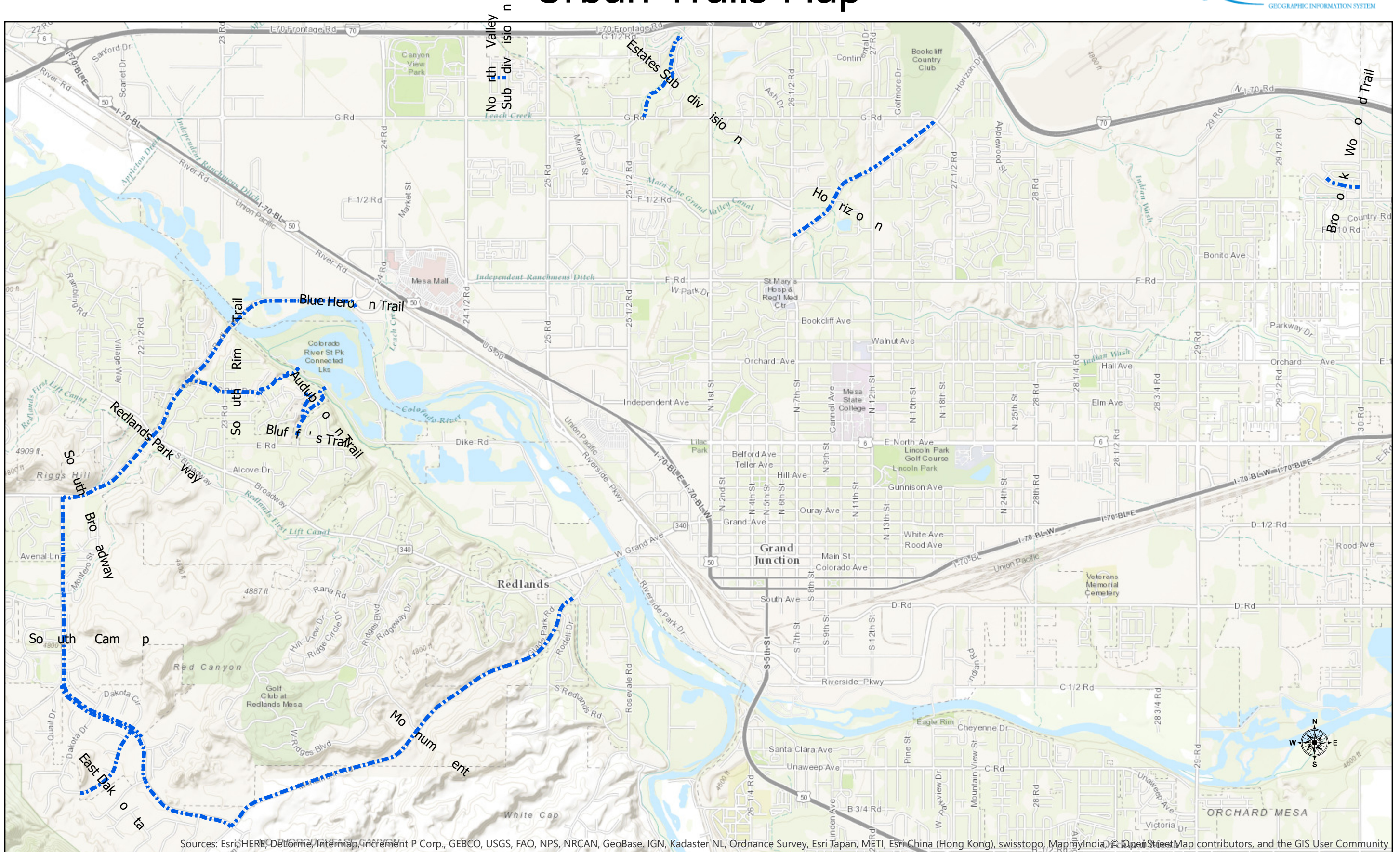
173
174 ATTEST:

175
176
177 _____
178 Wanda Winkelmann
179 City Clerk

TRAIL MILEAGE AS OF 2017

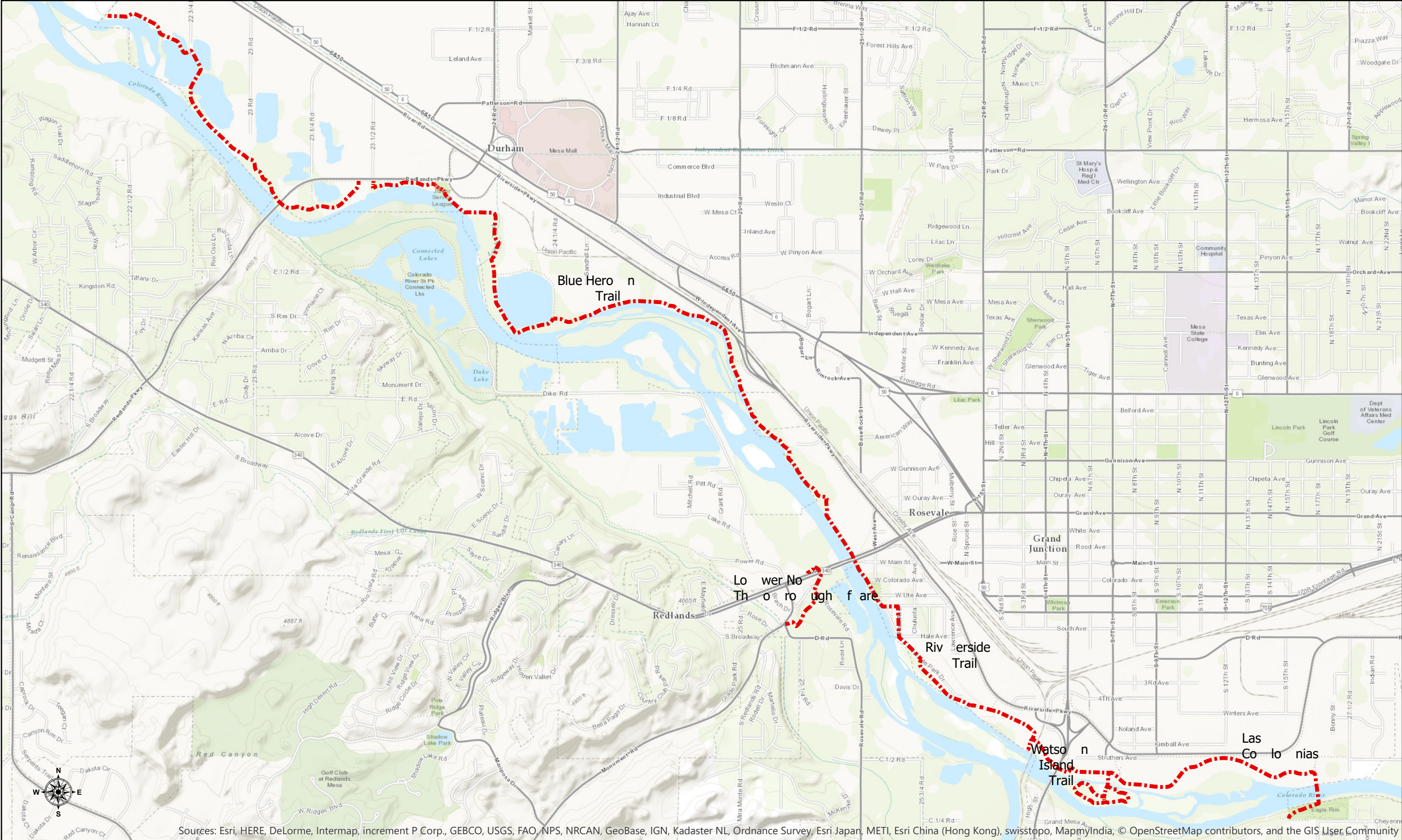
Eagle Rim to Botanical Gardens Las Colonias Section 7924'	1.50 miles
Watson Island Loop 3540'	.67
Botanical Garden to Riverside Park Jarvis Property 8295'	1.75
Riverside Park to Jr. Service League Park Blue Heron Section 16015'	3.03
Jr. Service League to Boat Ramp Along the River 2200'	.41
Jr. Service League to Colorado River Bridge Along Redlands Parkway 3973'	.75
Monument View Boat Ramp to Appleton Drain	1.5
Colorado River Bridge to South Rim Drive Along Redlands Parkway 2810'	.53
Lower no Thoroughfare 2087'	.39
RIVERFRONT TOTAL	10.53
South Rim Trail Head to Power Canal 1460'	.28
Promontory Point Trail Head to Power Canal 2292'	.43
Bluffs Trail Head to Power Canal 1865'	.35
South Rim to Broadway (340) Along Redlands Parkway	.40
Broadway to South Camp Along South Broadway	.71
South Broadway to Wingate Elementary Along South Camp	1.10
Wingate Elementary to Monument Road Along South Camp	1.52
East Dakota Dr. 2774'	.52
East Side of South Camp	1.10
Horizon Drive 7 th to 12 th	.61
Horizon Drive 12 th to G Road	.51
Brook Wood Subdivision	.48
North Valley Subdivision	.10
Estates Subdivision	.36
URBAN TRAIL TOTAL	8.47
Ridges Trails	
Ridges Blvd. to Rana Rd. 1712'	.32
Rana to Hill View 601'	.11
Duck Pond to 340 Underpass 1327'	.25
Ridge Blvd. School Ridge to bus stop 4559'	.86
Ridge Circle to Desert Trail Dr. 1507'	.29
Mariposa Dr. to Monument Rd. 1578'	.29
RIDGES TRAIL TOTAL	2.12
TOTALS	21.12 MILES

Urban Trails Map



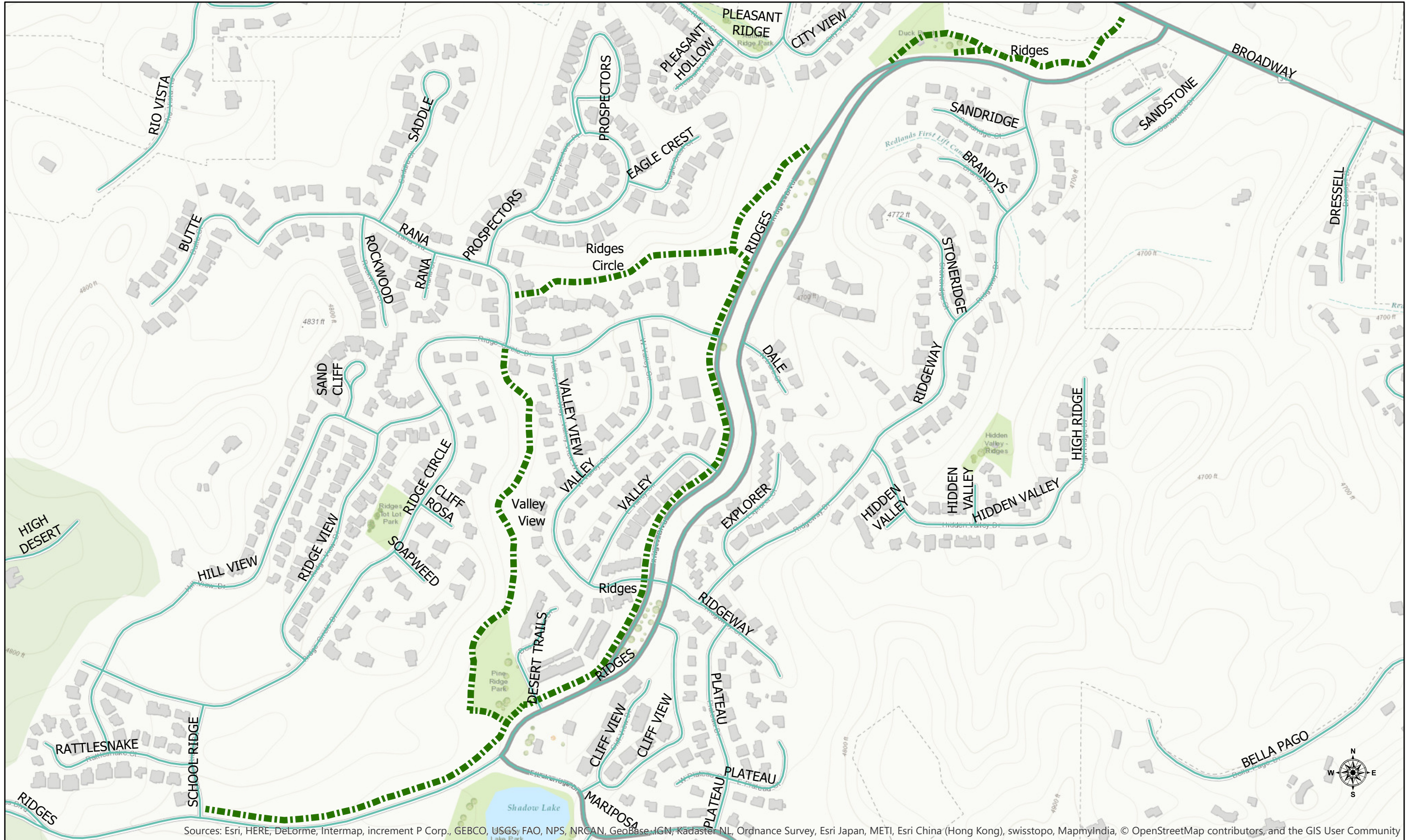
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Riverfront Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapnyIndia, © OpenStreetMap contributors, and the GIS User Community

Ridges Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: January 17, 2018

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the 10.652 acre Camp Annexation, Located at 171 Lake Road, and Set a Public Hearing for March 21, 2018

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Camp Annexation, introducing the proposed Ordinance and setting a hearing for March 21, 2018.

EXECUTIVE SUMMARY:

The Applicants, Mirror Pond, LLC, have requested annexation of their 10.652 acres located at 171 Lake Road. The proposed annexation also includes all of the right-of-way of variable width of Power Road (approximately 750 linear feet), Dike Road (approximately 652 linear feet), and Lake Road (approximately 532 linear feet). The property is currently used as a primitive campground for special events under a Special Use Permit issued by Mesa County. The owner is requesting annexation for future development of the property, which is anticipated to constitute "annexable development" and as such is required to annex in accordance with the Persigo Agreement. Consideration for zoning of this annexation will be heard in a future action.

BACKGROUND OR DETAILED INFORMATION:

The Camp annexation consists of one 10.652 acre parcel of land located at 171 Lake

Road. The property is currently used as a primitive campground for special events under a Special Use Permit issued by Mesa County. The Applicant plans to continue to operate the campground under the terms of the original permit, but is requesting annexation at this time in anticipation of further development of the property. The Applicant will be requesting two different zoning designations for the property including CSR (Community Services and Recreation) and C-1 (Light Commercial). These designations are consistent with the Comprehensive Plan Future Land Use Designation and the flood hazard areas located on the property. Zoning will be considered in a future action and requires review and recommendation by the Planning Commission.

The property is adjacent to existing city limits, within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owners have signed a petition for annexation of the property, which includes all of the right-of-way of variable width of Power Road (approximately 750 linear feet), Dike Road (approximately 652 linear feet), and Lake Road (approximately 532 linear feet).

Staff has found, 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 Camp Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

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

FISCAL IMPACT:

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

Annual maintenance cost for the 536 linear feet of pavement on Lake Road, 538 linear feet of pavement on Dike Road, and 550 linear feet of pavement on Power Road is estimated at approximately \$480/year. Future chipseal cost for the roads is estimated at \$3,200 and would be planned as part of this area's normal chip seal cycle in the next six years.

The cost to improve the road frontages to a local road according to the Grand Valley Circulation Plan is estimated at \$1.1 million. No plans are in place for this major improvement.

SUGGESTED MOTION:

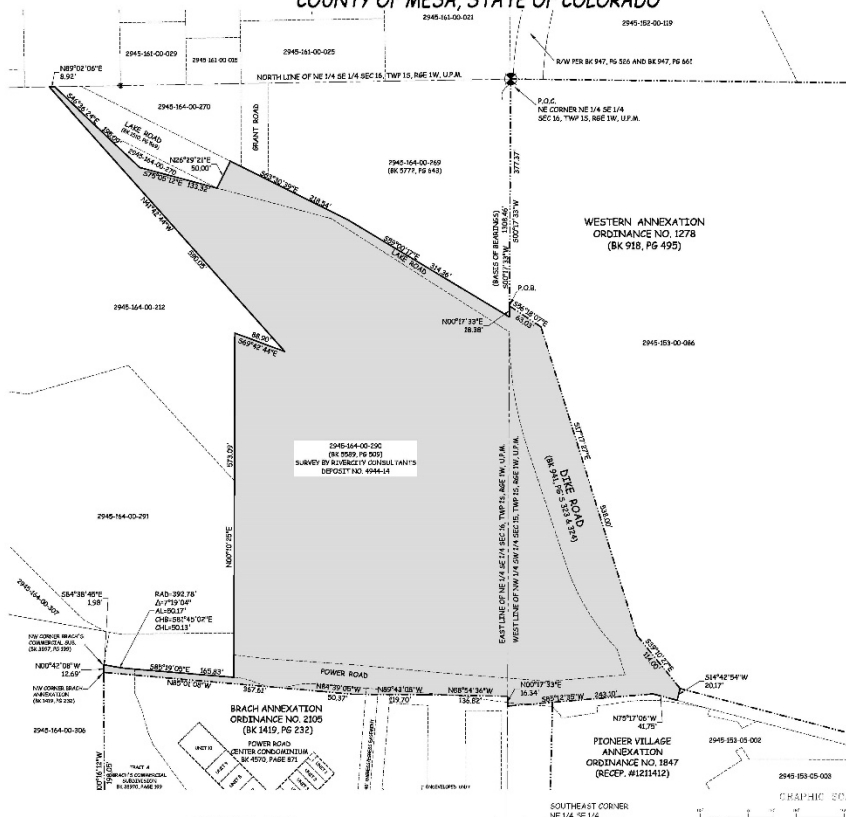
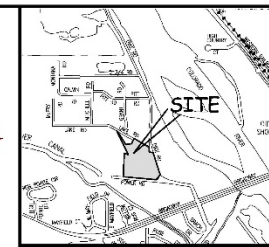
I move to adopt Resolution No. 06-18 - A Resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation, and Exercising land Use Control, introduce a proposed Ordinance annexing territory to the City of Grand Junction, Colorado, Camp Annexation, approximately 10.652 Acres, located at 171 Lake Road, and set a public hearing for March 21, 2018.

Attachments

1. Maps
2. Annexation Background Information Schedule and Summary
3. Proposed Resolution
4. Proposed Ordinance

CAMP ANNEXATION

LYING IN THE NW 1/4 SW 1/4 OF SECTION 15 AND NE 1/4 SE 1/4 SECTION 16
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 15 and the Northeast Quarter of the Southwest Quarter (NE 1/4 SE 1/4) of Section 16, all in Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 15 and assuming the East line of the NE 1/4 SE 1/4 of said Section 15 bears S 00°17'33" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°17'33" W along the East line of the NE 1/4 SE 1/4 of said Section 15, also being the West line of the Western Annexation, Ordinance No. 1278, as same is recorded in Book 918, Page 495, Public Records of Mesa County, Colorado, a distance of 377.37 feet to the POINT OF BEGINNING; thence continuing along the easterly line of said Western Annexation the following three (3) courses:

- 1) S 56°38'07" E, a distance of 63.03 feet; thence;
- 2) S 73°17'27" E, a distance of 538.00 feet; thence;
- 3) S 59°10'27" E, a distance of 141.00 feet; thence along the Northerly limits of the Pioneer Village Annexation, Ordinance No. 1847, as same is recorded in Reception No. 1211412; the following three (3) courses:
 - 1) S 14°42'54" W, a distance of 20.34 feet; thence;
 - 2) N 79°17'06" W, a distance of 43.75 feet; thence;
 - 3) S 69°12'35" W, a distance of 231.76 feet; more or less, to a point on the West line of the NW 1/4 SW 1/4 of said Section 15, thence along the Northerly limits of the Brush Annexation, Ordinance No. 2300, as same is recorded in Book 1419, Page 232, Public Records of Mesa County, Colorado, the following five (5) courses:
 - 1) N 00°17'33" E, along said West line, a distance of 15.34 feet; thence;
 - 2) N 88°54'56" W, a distance of 134.82 feet; thence;
 - 3) N 89°41'08" W, a distance of 199.70 feet; thence;
 - 4) N 84°39'09" W, a distance of 50.31 feet; thence;
 - 5) N 00°02'09" W, a distance of 337.64 feet to a point being the Northeast corner of said Brush Annexation; thence N 00°42'08" W, a distance of 13.69 feet; more or less, to a point being the Northeast corner of Block's Commercial Subdivision, as same is recorded in Book 3897, Page 199, Public Records of Mesa County, Colorado; thence S 64°38'45" E, a distance of 1.98 feet to a point being the beginning of a 392.76 foot radius curve, concave North, whose long chord bears S 81°40'02" E with a long chord length of 503.15 feet; thence easterly along the arc of said curve, thru a central angle of 07°19'04" on an arc length of 503.15 feet; thence S 50°19'09" E, a distance of 180.83 feet; more or less, to a point being the Southern projection of the West line of that certain parcel of land, the description of which is recorded within a Personal Representative's Deed recorded in Book 5593, Page 559, Public Records of Mesa County, Colorado, and parcel surveyed and destroyed by Beverly G. Gumbert's Survey Report 4944-54; thence N 03°10'78" E, along said West line, a distance of 873.09 feet; thence S 69°47'46" E, a distance of 66.90 feet; thence N 41°42'44" W, a distance of 590.05 feet; more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°02'08" E, along said North line, a distance of 8.92 feet; thence S 43°31'20" E, a distance of 193.09 feet; thence S 79°09'12" E, a distance of 133.32 feet; thence N 26°29'22" E, a distance of 50.00 feet to a point on the Northerly right of way for Lake Road, as same is recorded in Book 1853, Page 549, Public Records of Mesa County, Colorado; thence S 43°30'39" E, along said Northerly line, a distance of 238.84 feet; thence S 59°03'17" E, along said Northerly line, a distance of 314.36 feet; more or less, to a point on the East line of the NE 1/4 SE 1/4 of said Section 16; thence N 03°17'33" E, along said East line, a distance of 18.38 feet; more or less, to the Point of Beginning.

ABBREVIATION	MEANING
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.D.	POINT OF DISCONTINUITY
P.O.F.	POINT OF FIXITY
P.O.M.	POINT OF MEASUREMENT
P.O.R.	POINT OF REVISION
P.O.S.	POINT OF SURVEY
P.O.T.	POINT OF TANGENCY
P.O.V.	POINT OF VIEW
P.O.W.	POINT OF WORK
P.O.Y.	POINT OF YIELD
P.O.Z.	POINT OF ZERO
P.O.∞	POINT OF INFINITY
P.O.∅	POINT OF NULL
P.O.∞∞	POINT OF INFINITY INFINITY
P.O.∅∅	POINT OF NULL NULL
P.O.∞∅	POINT OF INFINITY NULL
P.O.∅∞	POINT OF NULL INFINITY
P.O.∞∞∞	POINT OF INFINITY INFINITY INFINITY
P.O.∞∞∅	POINT OF INFINITY INFINITY NULL
P.O.∞∅∞	POINT OF INFINITY NULL INFINITY
P.O.∅∞∞	POINT OF NULL INFINITY INFINITY
P.O.∞∞∞∞	POINT OF INFINITY INFINITY INFINITY INFINITY
P.O.∞∞∞∅	POINT OF INFINITY INFINITY INFINITY NULL
P.O.∞∞∅∞	POINT OF INFINITY INFINITY NULL INFINITY
P.O.∞∅∞∞	POINT OF INFINITY NULL INFINITY INFINITY
P.O.∅∞∞∞	POINT OF NULL INFINITY INFINITY INFINITY

The description of this annexation herein was taken verbatim from a subdivision plat and such descriptions as they appear in the office of the Mesa County Clerk and Records. This plat does not constitute a legal survey, and is not intended to be used as a basis for establishing or modifying property boundaries.

AREA OF ANNEXATION

EFFECTIVE DATE
????

ORDINANCE NO.
????

DESIGNED BY P.T.K. **DATE** 10-30-2017 **SCALE** 1" = 60'

CHECKED BY P.T.K. **DATE** _____

APPROVED BY _____ **DATE** _____

LEGEND

CONTOUR MARKING

ADDITIONAL NOTES

OTHER



THIS IS NOT A BOUNDARY SURVEY



PUBLIC WORKS
AND UTILITIES
ENGINEERING DIVISION
SURVEY DEPARTMENT

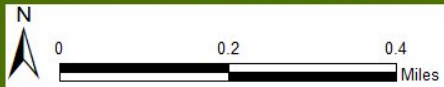
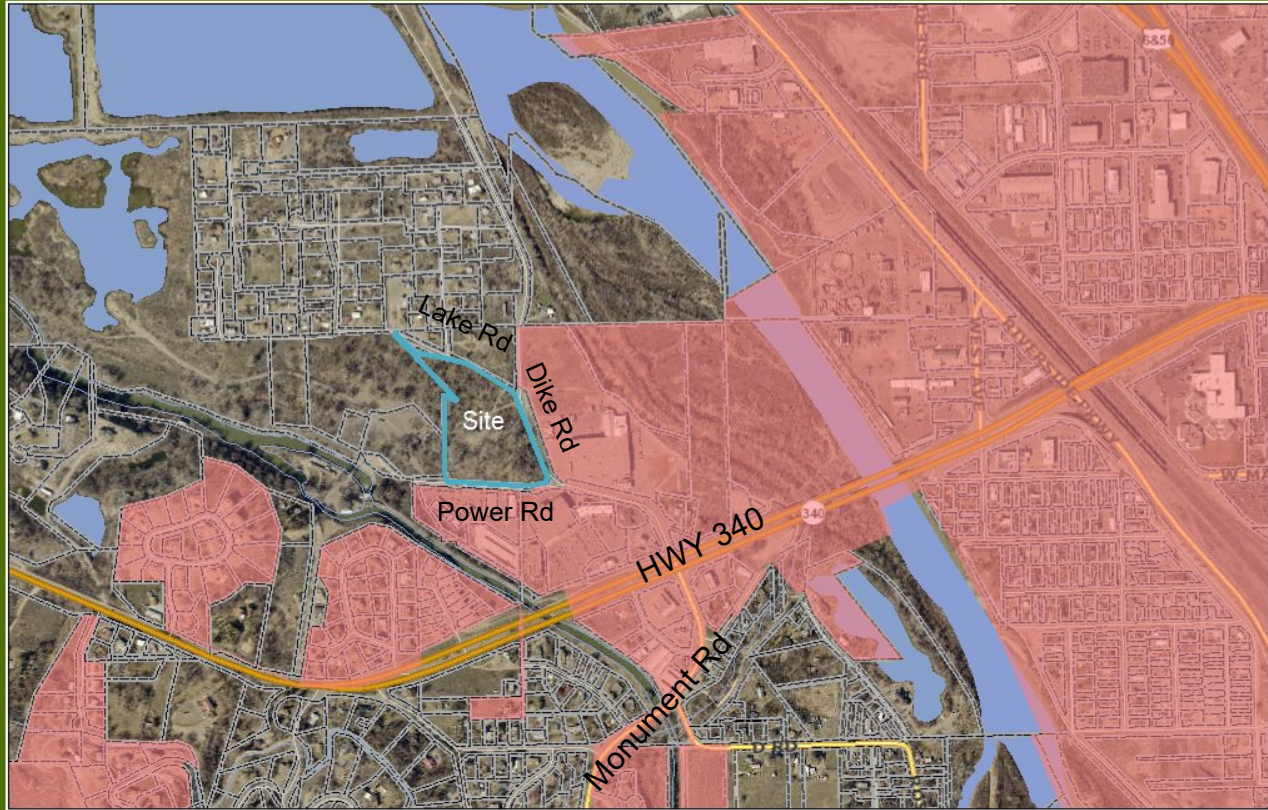
PRELIMINARY

MESA COUNTY CLERK AND RECORDS
30300
COUNTY OF MESA, COLORADO

CAMP ANNEXATION

1 OF 1

Expanded City Limits Location Map

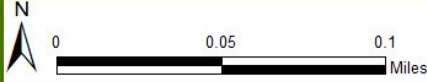
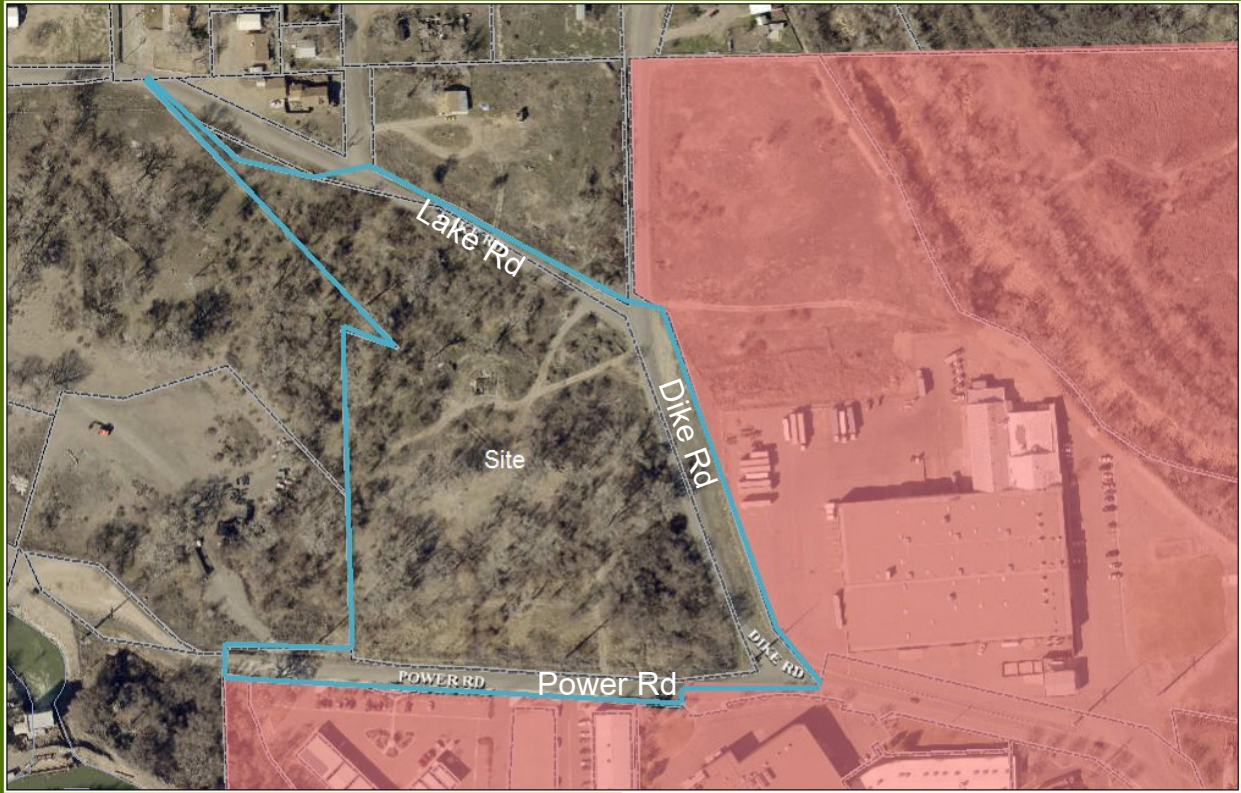


Printed: 1/4/2018

1 inch = 752 feet



Camp Annexation

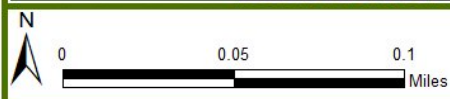
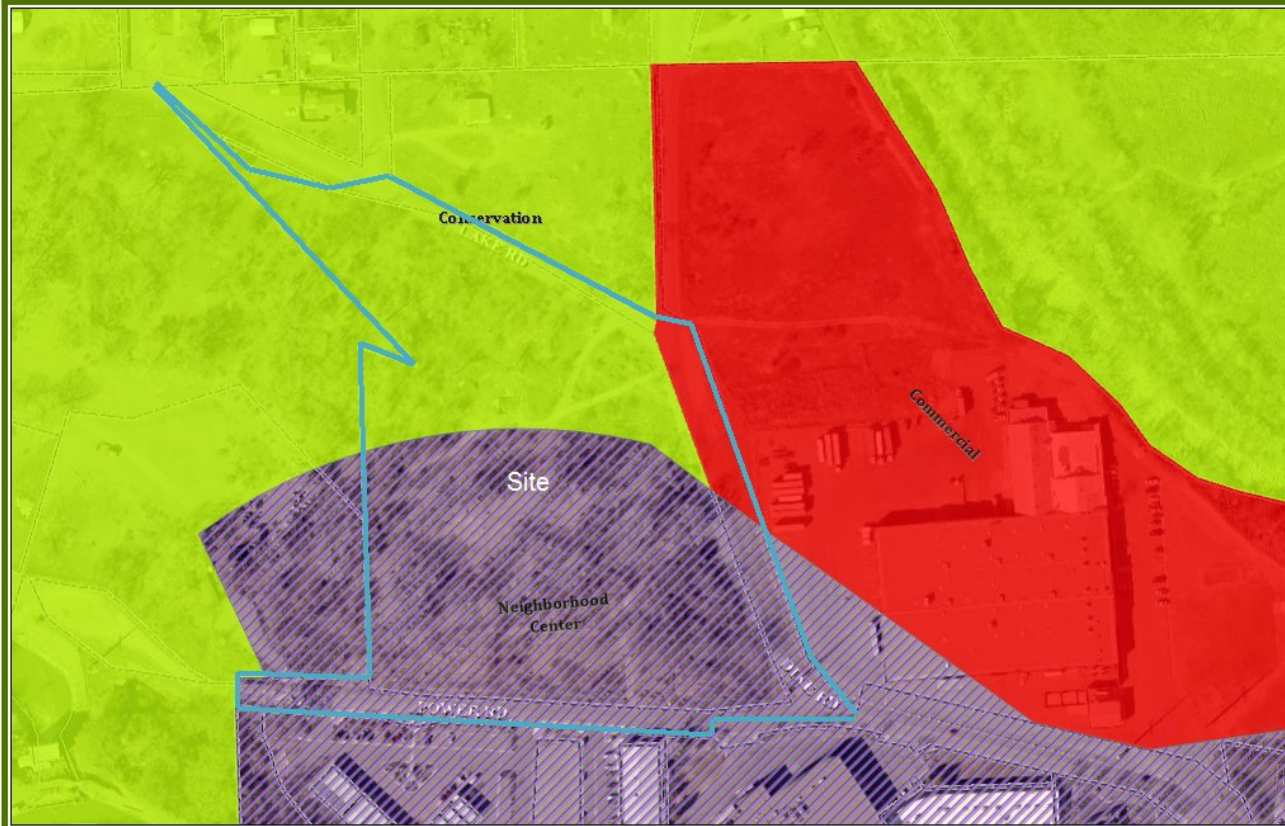


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Future Land Use

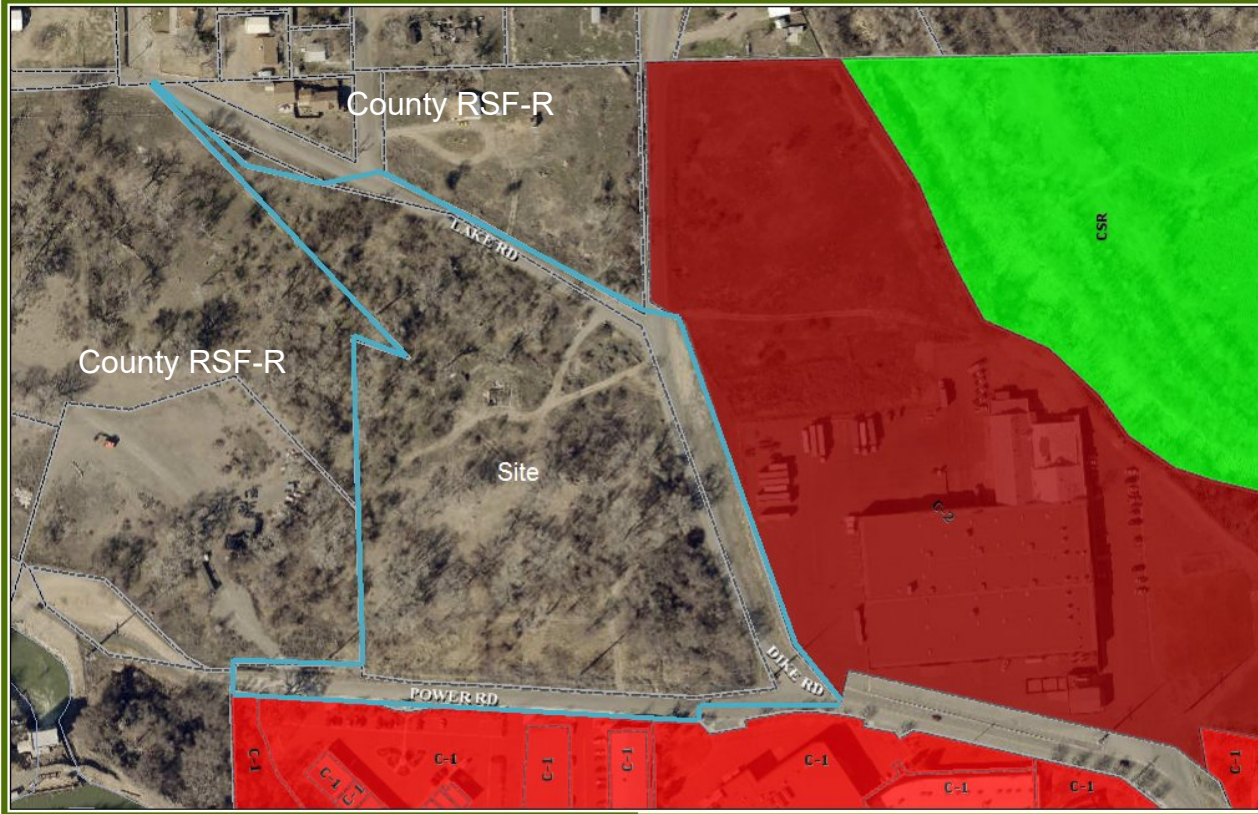


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Zoning



Printed: 1/4/2018

1 inch = 188 feet



THE CAMP ANNEXATION SCHEDULE

January 17, 2018	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
February 27, 2018	Planning Commission considers Zone of Annexation
March 7, 2018	Introduction of a Proposed Ordinance on Zoning by City Council
March 21, 2018	Acceptance of Petition and Public Hearing on Annexation by City Council
April 22, 2018	Effective date of Annexation
March 21, 2018	City Council considers Zone of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2017-611	
Location:	171 Lake Road	
Tax ID Numbers:	2945-164-00-290	
# of Parcels:	1	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	10.652	
Developable Acres Remaining:	10.652	
Right-of-way in Annexation:	83,512 s.f.	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	CSR and C-1	
Current Land Use:	Primitive Campground	
Future Land Use:	Primitive Campground	
Values:	Assessed:	\$34,060
	Actual:	\$117,450
Address Ranges:	171 Lake Road	
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/Drainage:	Redlands Water and Power
	School:	Fruita Monument HS / Redlands Middle / Scenic Elementary
	Pest:	Grand River Mosquito Control District

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 17th day of January 2018, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

CAMP ANNEXATION

APPROXIMATELY 10.652 ACRES LOCATED AT 171 LAKE ROAD

WHEREAS, on the 17th day of January 2018, 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:

CAMP ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 15 and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all in Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°17'33" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°17'33" W along the East line of the NE 1/4 SE 1/4 of said Section 16, also being the West line of the Western Annexation, Ordinance No. 1278, as same is recorded in Book 918, Page 495, Public Records of Mesa County, Colorado, a distance of 377.37 feet to the POINT OF BEGINNING; thence continuing along the Westerly line of said Western Annexation the following three (3) courses:

- 1.) S 56°18'07" E, a distance of 63.03 feet, thence...
- 2.) S 17°17'27" E, a distance of 538.00 feet, thence...
- 3.) S 39°10'27" E, a distance of 114.00 feet, thence along the Northerly limits of the Pioneer Village Annexation, Ordinance No. 1847, as same is recorded with Reception No. 1211412 the following three (3) courses:
 - 1.) S 14°42'54" W, a distance of 20.14 feet, thence...
 - 2.) N 75°17'06" W, a distance of 41.75 feet, thence...
 - 3.) S 85°12'35" W, a distance of 243.10 feet, more or less, to a point on the West line of the NW 1/4 SW 1/4 of said Section 15, thence along the Northerly limits of the

Brach Annexation, Ordinance No. 2105, as same is recorded in Book 1419, Page 232, Public Records of Mesa County, Colorado the following five (5) courses:

- 1.) N 00°17'33" E, along said West line, a distance of 16.34 feet, thence...
- 2.) N 88°54'36" W, a distance of 136.82 feet, thence...
- 3.) N 89°43'08" W, a distance of 119.70 feet, thence...
- 4.) N 84°39'05" W, a distance of 50.37 feet, thence...
- 5.) N 85°01'08" W, a distance of 367.61 feet to a point being the Northwest corner of said Brach Annexation;

thence N 00°42'08" W, a distance of 12.69 feet, more or less, to a point being the Northwest corner of Brach's Commercial Subdivision, as same is recorded in Book 3897, Page 199, Public Records of Mesa County, Colorado; thence S 84°38'45" E, a distance of 1.98 feet to a point being the beginning of a 392.78 foot radius curve, concave North, whose long chord bears S 81°45'02" E with a long chord length of 50.13 feet; thence Easterly along the arc of said curve, thru a central angle of 07°19'04" an arc length of 50.17 feet; thence S 85°19'05" E, a distance of 165.83 feet, more or less, to a point being the Southerly projection of the West line of that certain parcel of land, the description of which is recorded within a Personal Representative's Deed recorded in Book 5589, Page 509, Public Records of Mesa County, Colorado, said parcel surveyed and described by RiverCity Consultants, Survey Deposit 4944-14; thence N 00°10'25" E, along said West line, a distance of 573.09 feet; thence S 69°42'44" E, a distance of 88.90 feet; thence N 41°42'44" W, a distance of 590.05 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°02'06" E, along said North line, a distance of 8.92 feet; thence S 46°36'24" E, a distance of 195.09 feet; thence S 75°05'12" E, a distance of 133.32 feet; thence N 26°29'21" E, a distance of 50.00 feet to a point on the Northerly right of way for Lake Road, as same is recorded in Book 1510, Page 569, Public Records of Mesa County, Colorado; thence S 63°30'39" E, along said Northerly line, a distance of 218.54 feet; thence S 59°00'17" E, along said Northerly line, a distance of 314.36 feet, more or less, to a point on the East line of the NE 1/4 SE 1/4 of said Section 16; thence N 00°17'33" E, along said East line, a distance of 18.38 feet, more or less, to the Point of Beginning.

CONTAINING 463,986 Square Feet or 10.652 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 21st day of March, 2018, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists

between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 2018.

President of the Council

Attest:

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
January 19, 2018
January 26, 2018
February 2, 2018
February 9, 2018

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

CAMP ANNEXATION

APPROXIMATELY 10.652 ACRES LOCATED AT 171 LAKE ROAD

WHEREAS, on the 17th day of January 2018, 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 21st day of March 2018; 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:

CAMP ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 15 and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all in Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°17'33" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°17'33" W along the East line of the NE 1/4 SE 1/4 of said Section 16, also being the West line of the Western Annexation, Ordinance No. 1278, as same is recorded in Book 918, Page 495, Public Records of Mesa County, Colorado, a distance of 377.37 feet to the POINT OF BEGINNING; thence continuing along the Westerly line of said Western Annexation the following three (3) courses:

- 1.) S 56°18'07" E, a distance of 63.03 feet, thence...
- 2.) S 17°17'27" E, a distance of 538.00 feet, thence...

3.) S 39°10'27" E, a distance of 114.00 feet, thence along the Northerly limits of the Pioneer Village Annexation, Ordinance No. 1847, as same is recorded with Reception No. 1211412 the following three (3) courses:

1.) S 14°42'54" W, a distance of 20.14 feet, thence...

2.) N 75°17'06" W, a distance of 41.75 feet, thence...

3.) S 85°12'35" W, a distance of 243.10 feet, more or less, to a point on the West line of the NW 1/4 SW 1/4 of said Section 15, thence along the Northerly limits of the Brach Annexation, Ordinance No. 2105, as same is recorded in Book 1419, Page 232, Public Records of Mesa County, Colorado the following five (5) courses:

1.) N 00°17'33" E, along said West line, a distance of 16.34 feet, thence...

2.) N 88°54'36" W, a distance of 136.82 feet, thence...

3.) N 89°43'08" W, a distance of 119.70 feet, thence...

4.) N 84°39'05" W, a distance of 50.37 feet, thence...

5.) N 85°01'08" W, a distance of 367.61 feet to a point being the Northwest corner of said Brach Annexation;

thence N 00°42'08" W, a distance of 12.69 feet, more or less, to a point being the Northwest corner of Brach's Commercial Subdivision, as same is recorded in Book 3897, Page 199, Public Records of Mesa County, Colorado; thence S 84°38'45" E, a distance of 1.98 feet to a point being the beginning of a 392.78 foot radius curve, concave North, whose long chord bears S 81°45'02" E with a long chord length of 50.13 feet; thence Easterly along the arc of said curve, thru a central angle of 07°19'04" an arc length of 50.17 feet; thence S 85°19'05" E, a distance of 165.83 feet, more or less, to a point being the Southerly projection of the West line of that certain parcel of land, the description of which is recorded within a Personal Representative's Deed recorded in Book 5589, Page 509, Public Records of Mesa County, Colorado, said parcel surveyed and described by RiverCity Consultants, Survey Deposit 4944-14; thence N 00°10'25" E, along said West line, a distance of 573.09 feet; thence S 69°42'44" E, a distance of 88.90 feet; thence N 41°42'44" W, a distance of 590.05 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°02'06" E, along said North line, a distance of 8.92 feet; thence S 46°36'24" E, a distance of 195.09 feet; thence S 75°05'12" E, a distance of 133.32 feet; thence N 26°29'21" E, a distance of 50.00 feet to a point on the Northerly right of way for Lake Road, as same is recorded in Book 1510, Page 569, Public Records of Mesa County, Colorado; thence S 63°30'39" E, along said Northerly line, a distance of 218.54 feet; thence S 59°00'17" E, along said Northerly line, a distance of 314.36 feet, more or less, to a point on the East line of the NE 1/4 SE 1/4 of said Section 16; thence N 00°17'33" E, along said East line, a distance of 18.38 feet, more or less, to the Point of Beginning. (Exhibit A)

CONTAINING 463,986 Square Feet or 10.652 Acres, more or less, as described.

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

INTRODUCED on first reading on the 17th day of January 2018 and ordered published in pamphlet form.

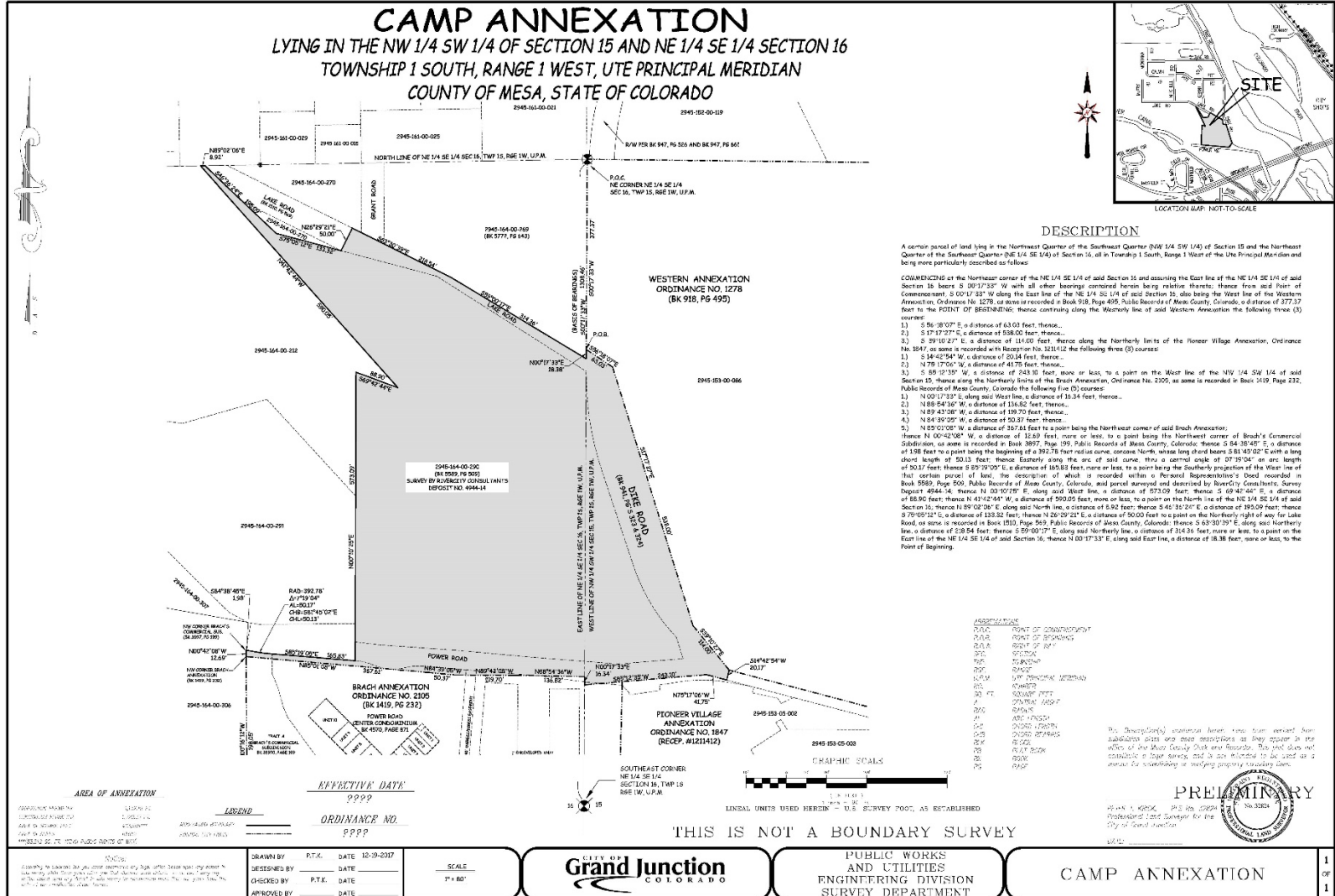
ADOPTED on second reading the _____ day of _____, 2018 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: January 17, 2018
Presented By: Trent Prall, Engineering Manager
Department: Public Works - Utilities
Submitted By: John Eklund

Information

SUBJECT:

Water Treatment Plant Filter Upgrade Construction Final Acceptance

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The City Water Department commenced on the rehabilitation of the treatment plant filtration system in November 2016. This project was funded by a loan from Colorado Water Resources and Power Development Authority (CWRPDA) State Revolving Fund (SRF) which was executed November 17, 2016 in the amount of \$1,615,100.00. The project was substantially completed in April 2017 when all upgraded filters became operational. The CWRPDA requires a resolution that accepts the completed construction in order to close out the project.

BACKGROUND OR DETAILED INFORMATION:

The City Water Department received a loan from the Colorado Water Resources and Power Development Authority, State Revolving Fund, to facilitate rehabilitation of the filtration system at the City Water Plant.

Design began in spring of 2016. Final design was approved and the Loan was executed November 17, 2016.

Moltz Construction, Inc, the low bidder was awarded a contract and began construction November 28, 2016. Substantial completion of the project was issued in April 2017.

The last portion of work required for final completion, painting of the gullets between each filter was delayed until November and December 2017. The painting is complete and has been accepted by the project engineer. The design engineer, JVA Consulting Engineers, has submitted Construction Certification to CWRPDA. Moltz Construction completed the work slightly under budget in the amount of \$867,220.00.

No other issues have been identified.

FISCAL IMPACT:

Since the total project cost came in under the original loan amount of \$1,615,100, savings in the amount of \$245,812 will be applied against the loan principle and re-amortized over the 20 year life of the loan. After the project savings are applied, the principal balance of the loan will be \$1,369,288.

SUGGESTED MOTION:

I move to adopt Resolution No. 07-18 - A resolution ratifying acceptance of completed construction of the Water Treatment Plant Filter Upgrade Project by Moltz Construction, Inc.

Attachments

1. Resolution of Final Acceptance of Construction

RESOLUTION NO. ____-18

A RESOLUTION RATIFYING ACCEPTANCE OF COMPLETED CONSTRUCTION OF THE WATER TREATMENT PLANT FILTER UPGRADE PROJECT BY MOLTZ CONSTRUCTION, INC.

Recitals:

WHEREAS, the City entered into a Construction Contract with Moltz Construction, Inc. (Moltz) for the project known as the Installation for Water Treatment Plant Filter Upgrade IFB-4285-16-DH (WTP Filter Upgrade) executed the 17th day of November 2016; and

WHEREAS, Moltz completed the work specified in the Notice of Award and in accordance with the Contract Documents, Work Change Requests, Field Orders, and Change Orders as of the 22nd day of December 2017 and the completed work has been accepted by City staff.

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

The actions of the officers, employees and agents of the City relating to the acceptance of the work performed by Moltz Construction, Inc. in completing the WTP Filter Upgrade are hereby ratified, approved, and confirmed.

PASSED and ADOPTED this ____ day of _____, 2018.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #4.a.i.

Meeting Date: January 17, 2018

Presented By: Jay Valentine, Deputy Finance Director

Department: Finance

Submitted By: Jay Valentine, Deputy Finance Director

Information

SUBJECT:

Ordinance Amending Ordinance 4772 Concerning the Downtown Development Authority Tax Increment Debt Financing

RECOMMENDATION:

Staff recommends approval of the Ordinance.

EXECUTIVE SUMMARY:

With Ordinance 4772 City Council authorized the issuance of Downtown Development Authority (DDA) Tax Increment and Refunding Bonds, Series 2017 and Series 2018. Ordinance 4772 approved a total of \$19.12 million; \$10 million to be issued in 2017 and \$9.12 million in 2018; however, to keep both bonds bank-qualified the order of the issuances was reversed and \$9.12 million was issued in 2017 and the \$10 million issuance will occur in 2018.

BACKGROUND OR DETAILED INFORMATION:

Bank-qualified bonds were created in 1986 to encourage banks to invest in tax-exempt bonds from smaller, less-frequent municipal bond issuers and to also provide municipalities with access to the lower borrowing costs. Governments issuing \$10 million or less in bonds per calendar year can designate those bonds as bank-qualified, which allow them to by-pass the traditional underwriting system and sell tax-exempt bonds directly to local banks.

Because a current (2017) one-year lease with Dell Financial Services (for computer equipment) was considered by the City's bond counsel as a bank-qualified transaction,

the DDA issuances, as initially provided for in Ordinance 4772 were adjusted within the authority of the Ordinance to maintain the overall bank qualification of the DDA financings (\$9.12 million in 2017 and the \$10 million in 2018.) With adoption of this ordinance, Ordinance 4772 will be formally amended to confirm the reordering of the issuances.

FISCAL IMPACT:

Selling bank-qualified bonds directly to banks decreases debt issuance costs by an estimated 25-40 basis points which over the life of this debt issuance will save \$442,000 to \$710,000.

SUGGESTED MOTION:

I move to (adopt or deny) Ordinance No. 4783 - An ordinance amending Ordinance No. 4772 concerning the issuance of Downtown Development Authority Tax Increment and Refunding Bonds on final passage and order final publication in pamphlet form.

Attachments

1. ORD-Amending4772.docx

ORDINANCE NO. ____

AN ORDINANCE AMENDING ORDINANCE 4772 CONCERNING THE ISSUANCE OF DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT AND REFUNDING BONDS

Recitals:

Ordinance 4772 authorized the issuance of Downtown Development Authority Tax Increment and Refunding Bonds, Series 2017 and Series 2018. That Ordinance approved a total of \$19.12 million, \$10 million to be issued in 2017 and \$9.12 million in 2018. In order to keep both bonds bank-qualified the sequence of the issuances was reversed and \$9.12 million was issued in 2017 and the \$10 million issuance will occur in 2018.

After the passage of Ordinance 4772, it was determined that a one-year lease with Dell Financial Services for computer equipment qualified as a bank-qualified transaction. Because of this, in order to keep both DDA issuances bank-qualified, \$9.12 million of the \$19.12 authorized by Ordinance 4772 was issued in 2017 and the balance (\$10 million) will issue in 2018.

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

That Ordinance 4772 is and shall be amended by the adoption of Ordinance ____ and that the actions taken heretofore concerning the issuance of Downtown Development Authority Tax Increment and Refunding bonds Series 2017 and 2018 are confirmed, ratified and adopted and that all other matters provided for by and pursuant to Ordinance 4772 are and remain unchanged.

INTRODUCED ON FIRST READING AND ORDERED PUBLISHED in pamphlet form this 3rd day of January 2018.

PASSED, ADOPTED, and ordered published in pamphlet form this 17th day of January 2018.

J. Merrick Taggart
Mayor and President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: January 17, 2018

Presented By: Greg Caton, City Manager

Department: City Manager

Submitted By: Greg LeBlanc

Information

SUBJECT:

Resolution Adopting the City of Grand Junction 2018 Legislative Agenda

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The 2018 Legislative Agenda identifies the recommended legislative priorities of the City in the upcoming state legislative session and will aid in guiding the City's lobbying activities. Due to the unknown nature of bills introduced in the State Legislature, it is important that the Legislative Agenda remain flexible. General concepts and direction are provided for discussion and more specific information can be provided after bills are officially introduced. The issues discussed in this agenda are based on the needs of the City and anticipated legislation for 2018.

BACKGROUND OR DETAILED INFORMATION:

The 2018 Legislative Agenda identifies the recommended legislative priorities of the City in the upcoming state legislative session and will aid in guiding the City's lobbying activities. Due to the unknown nature of bills introduced in the State Legislature, it is important that the Legislative Agenda remain flexible. General concepts and direction are provided for discussion and more specific information can be provided after bills are officially introduced. The issues discussed in this agenda are based on the needs of the City and anticipated legislation for 2018.

Council Policy and Legislative Monitoring – It is recommended that City Council

adopt a resolution to establish protocols for its legislative priorities. For state legislative efforts, the Council currently uses staff and designates a Councilmember as Council Liaison to legislative and policy groups. These guidelines serve as a policy direction for those representing the City.

City Council legislative liaison, Councilmember Duncan McArthur, will work closely with Assistant to the City Manager, Greg LeBlanc throughout the legislative session to address the variety of issues and bills that will arise. The legislative efforts of the Council Liaison or City staff will be coordinated with the Colorado Municipal League and legislative calendar.

Colorado Municipal League – Council’s intergovernmental liaison will work closely with the Colorado Municipal League (CML) regarding state legislative issues for a stronger Colorado. CML produces a policy statement for each legislative session which directs the CML Executive Board, committees, and advocacy teams during the legislative session, and will guide the League in its lobbying efforts on behalf of all cities and towns in the state.

The 71st General Assembly Calendar & Process – Regular sessions of the Legislature begin no later than the second Wednesday in January and last no more than 120 days. Special sessions may be called at any time by the Governor or upon written request of two-thirds of the members of each house. A number of committees, including some ongoing, statutory year-round committees, meet during the interim months of May through December. The 71st General Assembly will convene on Wednesday, January 10, 2018. The legislative schedule and updates on legislative activity will be provided periodically throughout the session.

In order to meet strict deadlines, joint procedural rules of the two chambers require most legislation to be introduced early in the legislative session. These same rules also limit each legislator to introducing five bills per year and limit the ability of members to introduce new bills at constituent request once the legislative session has begun. Unless stated otherwise, bills adopted by the General Assembly take effect on July 1 following the legislative session. Bills without this “safety clause” are subject to referendum prior to taking effect.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (adopt or deny) Resolution No. 08-18 - A resolution concerning the 2018 Colorado General Assembly and the Legislative Policy Agenda of the City Council.

Attachments

1. 2018 Legislative Agenda
2. Resolution
3. 2017-2018 CML Policy Statement

2018 Legislative Agenda

The following paragraphs provide the key elements of the 2018 Legislative Agenda. Although the legislative agenda should remain flexible due to the unknown nature of bills introduced in the State Legislature, the general concepts and direction are provided here.

Partnerships & Intergovernmental Relationships – The City views partnership in its broadest sense and not only through the lens of delivering municipal services. Therefore, the City will focus on these areas:

Local Control – In order to consider local conditions and address local desires, community issues and needs should be addressed locally. State government interference can undermine home rule and local control. It is in the City's best interest to preserve its own local control on issues that affect its citizens and therefore, the City will endorse legislation that supports and sustains this principle and oppose legislation that conflicts with the autonomy of cities and towns.

Intergovernmental Cooperation – Citizens are best served when officials of all levels of government respect the roles of each entity and work toward common solutions. The City will support increased dialogue and cooperation among federal, state and local officials (including other municipalities, counties, special districts and school districts) and the development of cooperative intergovernmental solutions to common problems.

Fiscal Responsibility – Fiscal responsibility is paramount to City operations and the City must be as effective in identifying sources of revenues as it is in prioritizing spending.

Sales & Use Tax – The primary revenue sources for municipalities are local sales and use taxes. Sales and use taxes have enabled municipalities to fund public services and improvements and keep municipal property taxes relatively low. Appropriate actions at federal, state and local levels should preserve or enhance these local revenues. The City will support the retention of authority for all municipalities to set local tax rates and for home rule municipalities to collect their own taxes and determine their own tax base.

Property Tax & the Gallagher Amendment – Recent forecasts by legislative economists expect the residential assessment rate to fall again in 2019. In Western Colorado, where home values are growing more slowly than the along Front Range, homeowners will see the tax rate lower without a commensurate increase in property value. This will strain the budgets of local governments and special districts that rely on property taxes to provide public services. The City will support measures that help to bridge the property tax divide between the Front Range and the Western Slope.

Public Safety & Emergency Services – Grand Junction is a stand-alone regional hub with urban challenges not common in other communities on the Western Slope of Colorado. Establishing public safety programs to meet current and anticipate future needs will require the City to partner with other agencies, analyze best practices, and evaluate current workloads. The City will support local control of local emergency services and involvement of the state as a resources to local governments in the areas of information, coordination, funding, and training. The City will also encourage measures that promote assistance programs that address the needs and contributing factors of homelessness.

Economic Development – The City will take proactive steps to help mitigate the effects of peaks and valleys in economic activity and will continue to outsource economic development activities through

support of its economic development partners. The City will support efforts that promote economic development and any comprehensive efforts among state and local governments and the private sector for economic development.

Broadband – Communication and technology infrastructure was identified by City Council as an essential tool for the development of commerce and industry leading to long-term economic competitiveness for the City of Grand Junction. Grand Junction voters approved an override of Colorado Senate Bill 05-152 in April 2015 by a majority, allowing the City to use City resources and infrastructure to provide broadband capabilities that compete with private providers. The City will continue to support measures that improve broadband service to our area.

Resolution No.____-18

A RESOLUTION CONCERNING THE 2018 COLORADO GENERAL ASSEMBLY AND THE LEGISLATIVE POLICY AGENDA OF THE CITY COUNCIL.

RECITALS:

The 2018 session of the Colorado General Assembly, convened on January 10th; the General Assembly considers and acts on a wide array of issues, many of which have or may have a direct and indirect effect on the City, its operations and the services delivered to the citizens.

With this Resolution the City Council sets, adopts and determines its priorities regarding anticipated State legislative matters and outlines which issues the City has an interest in involving itself. Furthermore, the City Council establishes a procedure for participation in those matters; participation which may include, but not be limited to writing letters, making calls, testifying or otherwise appropriately expressing the City's position relative to any hearing, bill or other matter before the General Assembly.

The City has a long and strong relationship with the Colorado Municipal League (CML) and 2018 is expected to be no different. The 2017-2018 CML Policy Statement is attached and incorporated by this reference as if fully set forth. While CML has an excellent perspective on what is important to municipalities, it represents 269 municipalities, many of which are on the Front Range and may have a different perspective on legislative/policy needs that others.

While the instances over many years have been few that CML's position is divergent from Grand Junction's, the City Council continues to rely on staff and a member of Council to monitor legislative and policy action during the General Assembly sessions. The 2018 session is no exception.

City Councilmember Duncan McArthur, who presently serves on the CML Policy Committee, shall be the designated Council Liaison and Assistant to the City Manager Greg LeBlanc is the designated staff member for the 2018 session. In addition to Mr. LeBlanc, the other professional City staff will be providing their expertise to evaluate actions proposed by, coming to or pending before the General Assembly in 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND JUNCTION CITY COUNCIL THAT the City does hereby express its support for the CML 2017-2018 Policy Statement as guidance for the 2018 legislative policy of the Grand Junction City Council; and,

FURTHERMORE, be it resolved that the City Council does authorize and direct Councilmember McArthur, with the assistance of City staff to work with CML in support of the policy agenda as the same is reflected in bills, resolutions and measures before the Colorado General Assembly during its 2018 session(s).

GRAND JUNCTION CITY COUNCIL

J. Merrick Taggart
Mayor and President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk



Colorado Municipal League
 1144 Sherman Street
 Denver, CO 80203
 303-831-6411 / 866-578-0936
www.cml.org

2017-2018 POLICY STATEMENT

About the CML policy statement

CML provides a strong partnership with Colorado's cities and towns. CML employs a dedicated advocacy team, a reliable source of information about legislative issues and their impact on Colorado's cities and towns and their residents.

The CML Policy Statement has evolved throughout the history of CML and guides the CML Executive Board, committees, and advocacy team during the legislative session and throughout the year. The CML Policy Committee, which is open to representation from each municipal member and CML section, is charged with developing policy recommendations and proposing amendments to the Policy Statement. During the business meeting (held each year at the CML Annual Conference), CML members consider any recommendations and adopt the Policy Statement for the next year.

The CML Policy Statement consists of several major policy items, but is not all inclusive. When legislation or policy issues are considered, the CML staff by statement to develop found within the Policy Statement, then the Policy Committee and the Executive Board will consider and establish a CML position, if any.

We welcome input and suggestions from members on CML policy and positions. We remain proud to be your source for advocacy, information, and training.

If you have questions or comments about CML policies, please contact Kevin Bommer, legislative advocacy manager, at kbommer@cml.org, 303-831-6411, or 866-578-8175.

Local control and municipal home rule

In order to consider local conditions and address local desires, community issues and needs should be addressed locally. State and federal government interference can undermine home rule and local control. Therefore, the League:

- address local problems without interference from the state and federal government.
- Urges congress and the executive branch to respect the roles and responsibilities of states and local governments and
- Supports state enabling legislation that provides municipalities
- Recognizes the desire of the citizens statewide and in many local communities, with adoption of a constitutional amendment in 1902 and expanded amendments approved in 1912 and 1970, to establish municipal home rule and opposes state action that attempts to weaken home rule authority

Intergovernmental cooperation

Local government (including municipalities, counties, special districts and school districts) respect the roles of each entity and work toward common solutions. Therefore, the League:

- Supports increased dialogue and cooperation among federal, state intergovernmental solutions to common problems.

State and federal mandates

Programs and regulations mandated by the state or federal government These costs, if not paid by the state or federal government, prevent the League:

- Burdens on municipalities and their citizens.
- Supports the statutory requirement for the General Assembly and Congress to reimburse municipalities for the cost of state mandates, and to make clearer this requirement in state Assembly and Congress.

State fiscal fair play

greatly help municipalities and their citizens. Therefore, the League:

- fiscal crises caused by the interaction of various constitutional amendments and the economy.

- Supports continued state sharing with municipalities of equitable portions of existing and future revenues derived from traditional state-collected, municipally-shared sources.
- Urges the state to avoid or exercise restraint in relying on fees, charges and other cash funding of programs that affect municipalities, especially in the areas of technical assistance, in programs where municipal participation is mandated by state law, and in regulatory programs that affect municipalities.
- Opposes state granted exemptions or other state actions that erode municipal sales, use, property and other revenues unless the state provides adequate replacement revenues.
- Opposes the state utilizing local funds or requiring local governments to collect state revenues in order to fund state programs.

Sales and use taxes

The primary revenue sources for municipalities are local sales and use taxes. Statewide, municipalities generate more than \$5 in these taxes to every \$1 of property taxes. Sales and use taxes have enabled municipalities to fund public services and improvements and keep municipal property taxes relatively low. Appropriate actions at federal, state and local levels should preserve or enhance these local revenues. Therefore, the League:

- Supports retention of authority for all municipalities to set local tax rates and for home rule municipalities to collect their own taxes and determine their own tax base.
- Supports broadening the state sales and use tax base.
- Supports appropriate legislation or court action allowing state and local governments to require businesses to collect state and local sales and use taxes on remote sales.
- Supports cooperative efforts among municipalities to standardize municipal sales and use tax practices and utilization of technology for the convenience of taxpayers, the business community, and municipalities.
- Opposes further reductions in the state and local sales and use tax base.
- Opposes legislation that would preempt the authority of state and local governments to apply their sales and use taxes to remote sales.

Miscellaneous finance issues

Capital financing

The League:

- Opposes any efforts to abolish or impair the effectiveness of the municipal bond interest exemption.
- Supports enhancement of municipalities' ability to raise revenues.

Double taxation

The League supports state legislation and local practices that eliminate double taxation on municipal residents for county services that are provided primarily or solely to residents in unincorporated areas.

Federal policies

The League:

- Supports distribution of federal funds to municipal governments with a minimum of red tape and without excessive diversion at the federal and state levels.
- Supports establishment of advisory committees comprised of local government representatives to advise on the state assumption and administration of federal programs that affect local governments.
- Supports continued funding of the Community Development Block Grant program.
- Supports continued direct funding of federal housing programs.
- Supports funding the Energy Block Grant program.
- Supports repeal of the Davis-Bacon Act or revisions thereto, including raising the project exemption amount, to eliminate wasteful red tape and enable state and local governments to stretch tax dollars for public works projects.
- Supports repeal or revisions in the application of the Fair Labor Standards Act to local governments to avoid the Act's costly and burdensome impacts on local government operations.
- Encourages recognition of Colorado's unique economic, social and physical characteristics when federal action affects programs or projects of local concern.
- Opposes the direct or indirect taxation of the activities and operations of municipal government.
- Opposes tax reform proposals that would exacerbate the federal income tax burden on local governments or interfere with traditional state and local tax systems or preempt the deductibility of state and local taxes.
- Opposes the denial of funds based upon a state's or municipality's failure to meet requirements of an unrelated program or because of factors beyond the control of the state or municipality.
- Opposes cuts in federal programs that disproportionately affect municipalities.
- Opposes imposition of federal standards upon local government operations and employees that do not apply equally to federal and state government operations and employees.
- Opposes federal actions that would reduce local input.

Consolidation of governments

The League supports voluntary consolidation of local government entities and services by mutual agreement.

Criminal justice

The League:

- Supports state- and community-based intervention, prevention and rehabilitation programs and state initiatives that respect the key role of communities and local govern
-
- in implementing federal and state criminal justice programs. arms within municipalities.

Economic development

The League:

- Encourages the state to provide adequate funds and staff for a strong, multifaceted program to promote the economic vitality of Colorado. of local economies, including support for existing business, creation of new jobs and promotion of tourism. The program should be closely coordinated with local ic development project against the wishes of the community or communities most directly affected by the project.
- Encourages the federal government to support state and local government activities promoting economic development.
- Encourages a continued comprehensive effort among state and local governments and the private sector to manage a coordinated tourism promotion program.

Education

The League believes an effective education system supplies our municipalities with an educated and well-trained community and workforce who will both allow existing businesses to expand and attract new business investment. The most effective programs are those partnerships among our educational institutions, local stakeholder and local governments. Due to its importance to our communities, the League supports education as , the League:

- Supports state and local policies and initiatives that encourage greater early learning, K-12, higher education, workforce training opportunities and lifelong learning opportunities.
- Supports access to information and resources that help parents and caregivers give students the greatest chances to learn and grow in safe and healthy ways.
- Supports state initiatives that enhance creative and innovative partnership opportunities with businesses and educational ers, and enhanced programming.
- Supports funding of education in the State in a balanced manner which takes into consideration the needs of all sectors of the economy and yet not at the expense of municipal revenues.

Electric and natural gas services

The League:

- Opposes federal or state restrictions that would limit the ability of municipalities to create new municipally-owned utilities.
- Opposes federal restrictions that would dictate territorial service areas or restrict the ability of municipally owned utilities to service customers within their municipalities, including newly annexed areas.
- Opposes federal legislation requiring states to implement retail competition.
- Opposes federal or state restructuring of the electric or natural gas industry if such restructuring restricts municipal authority to regulate the use of rights-of-way and to franchise and tax utilities and services, interferes with services provided by municipally owned utilities, fails to protect interests of all es protected under existing regulatory policies.
- Opposes efforts to prevent municipalities from extending utility services to newly annexed areas or providing utility services to customers in unincorporated county properties adjacent to the municipality.

Emergency services

The League:

- Supports local control of local emergency services and involvement of the state as a resource to local government in the areas of information, coordination and training.
- Supports state funds for those state agencies that serve as a resource to local emergency services. program.
-
- Supports close cooperation at all levels of government and increased federal funding to assist local government homeland

Energy

Energy planning

The League recognizes several compelling reasons for developing a comprehensive energy policy. Energy conservation saves dollars. Energy conservation and renewable energy production creates jobs and supports local economic development efforts. Energy conservation reduces our nation's dependence upon foreign oil and improves our energy security. Municipalities are in a position to lead by example. Municipalities are able to provide education and access to information that advocates the economic . Therefore, the League:

- Supports the development of a balanced, long-term statewide energy plan with an overall goal of reducing greenhouse gas emissions through a mix of non-renewable fossil fuels, renewable programs.
- Supports the creation and expansion of statewide goals that provide targets and incentives for the implementation of renewable energy strategies and that also recognize the unique concerns of municipal electric and gas systems.
- Supports municipal efforts to reduce energy consumption and in their communities as a part of their energy conservation plans.
- Supports the development of energy conservation technologies; policies that enhance municipal energy conservation; and programs that promote the generation of alternative energy sources.
- Supports working with appropriate state and local agencies to encourage energy conservation codes.

Natural resource production

Municipalities are directly and indirectly affected by the impacts of energy extraction activity and understand the boom and bust nature of it. The League also acknowledges the importance of the extraction industry to the state's economy. Therefore, the League:

- Supports enhanced local input and mitigation powers of municipalities in addressing the environmental and economic impacts of energy extraction.
- Supports the State Oil and Gas Conservation Commission involving substantively local governments affected by energy extraction, including a recognition of local health and environmental impacts.
- Supports a continued dialogue with local governments regarding the collection and distribution of severance tax and federal mineral lease revenues.
- Supports raising the severance tax rate and removing severance tax exemptions in order to generate additional revenue for local governments.
- Supports DOLA's continuing administration of the Energy Impact Loan and Grant program to assure greater transparency and accountability of the funds.
- Supports the development of a permanent trust fund using a portion of existing and/or any new revenues from severance taxes and/or federal mineral lease revenues so long as such revenues in a trust fund can be made available to municipalities and counties impacted by energy extraction.
- Opposes any reduction in the existing revenue streams of severance tax and federal mineral lease revenue to counties and municipalities.
- Opposes any reduction in the existing revenue streams of severance tax and federal mineral lease revenue to counties and municipalities affected by the development of coal, oil shale, and other natural resources to permit planning for, and provision of, municipal services and facilities.
- Opposes the appropriation of energy impact and mineral lease funds to state programs and administrative costs of state government.

Environment

In addressing environmental concerns, the League:

- Supports federal and state programs that encourage cleanup and environmental protection.
- Supports full federal funding for cleanup of contaminated federally owned or managed sites, such as Rocky Flats.
- Opposes increases in the proportion of municipal cash funding support for state environmental programs.
- Opposes state preemption of local government authority to adopt environmental ordinances.
- Supports the concept of sustainability and sustainable solutions that are aimed to meet the needs of the present population without compromising the ability of future generations to meet their needs.
- Supports reasonable and practical application of air and water pollution control laws by federal and state administrative agencies.

Particularly in the area of water quality, enforcement should be correlated with the availability of funds necessary to achieve stated goals.

- Supports adequate state regulation and enforcement of drilling and mining sites, production facilities and waste product storage and disposal facilities; supports practices to assure citizen safety, environmental protection and the protection of domestic water sources; and opposes state preemption of local land use and watershed regulations.

Housing

The availability and affordability of decent housing is an important concern to Colorado's municipalities. Therefore, the League:

- Supports an adequate supply of good housing, regardless of income level, and continued public- and private-sector support for such an effort.

- Supports programs that address the housing needs of low- and moderate-income families.
- Supports the development of a housing loan and grant program for low- and moderate-income housing.
- Supports the continued efforts of the Colorado Housing Finance Authority to work with municipalities on the Authority's various housing loan programs.
- Supports the preservation, revitalization and redevelopment of existing neighborhoods.
- Opposes efforts to restrict the needs of the homeless.
- Supports programs that involve municipalities in addressing foreclosures.
- Opposes efforts to restrict the use of a housing trust fund.

Human rights

The League supports programs that protect the rights and dignity of the individual and encourages programs that address such issues as employment, housing, health care, substance abuse and equal opportunity.

Initiative reform

The League

- Supports efforts to reform the state's initiative and referendum procedures by increasing the number of signatures required to place a constitutional amendment citizen initiative on the ballot.
- Supports efforts to maintain the state constitution as a basic framework for government rather than an embodiment of statutory law while maintaining the citizen lawmaking process by supporting additional protections for statutory law made by citizen initiative.

Lottery

The League supports preserving all lottery proceeds for park, recreation, open space and wildlife purposes pursuant to the Great Outdoors Colorado program adopted by Colorado voters.

Municipal court operations

The League:

- Opposes efforts to restrict the use of state funds for the purpose of funding state programs.
- Opposes limitations on the authority of municipalities to enforce their own ordinances in municipal courts.

Municipal development and land use

The League supports local control and determination of local land use issues. In general, the League supports state laws and policies that encourage new residential, commercial and industrial development to occur within existing municipalities and that discourage the sprawl of urban, suburban or exurban development into rural and unincorporated areas of the state. In addition,

- Supports prohibition of the incorporation of new cities and towns adjacent to, or within the service areas of, existing municipalities.
- Supports increased municipal and, within unincorporated areas, county controls over the formation of special districts, placing additional limitations on the powers exercised by such districts and, where practicable, providing for the dissolution or phasing out of special districts.
- Supports appropriate efforts to permit application and enforcement of municipal ordinance codes, subdivision regulations and zoning ordinances, to buildings and improvements proposed to be constructed by government entities.
- Supports municipal discretion concerning the imposition of development fees and requirements.
- Supports the clear authority of municipalities to collect an impact fee for schools.
- Opposes efforts to restrict the use of state funds in the areas of planning and land use.
- Supports municipalities, when appropriate, in utilizing sub-local organizations and homeowners' associations) in developing and implementing solutions to special district issues.
- Encourages measures that promote intergovernmental cooperation on land use issues.
- Encourages coordination of land use and transportation planning.
- Opposes efforts to restrict the use of state funds to promote communication and intergovernmental cooperation with affected local governments.
- Generally opposes efforts to restrict municipal authority to annex territory.
- Opposes delegation of municipal land use authority to state agencies or preemption of municipal land use controls.
- Opposes federal or state restrictions, beyond those constitutional provisions, on the ability of federal, state or local governments to regulate private property or to exercise the power of eminent domain.
- Opposes unreasonable restrictions on urban renewal authorities.

Natural disasters

The League:

- Supports Taxpayer's Bill of Rights (TABOR) provisions that require the legislature to specify the amount of time for repayment of any TABOR reserve dollars spent, and to create clarity to ensure stable TABOR revenue and spending limitations.
- Supports state and local disaster mitigation in their communities.
- Opposes federal or state preemption of municipal land use within the wildland urban interface.

Police, fire, and other pension and employee benefits

The League:

- Supports continuation of state matching funds to assist in retiring unfunded liabilities that accrued under the old police and firefighters' pensions.
- Opposes mandates that increase the cost of or create inequities among municipal employee pension, workers' compensation, and health care.
- Opposes mandated Social Security or Medicare coverage for public employees, or other unreasonable burdens or restrictions in connection with the standards for municipal employee pension plans, or other unreasonable burdens or restrictions in connection with the standards for municipal employee pension plans, or other unreasonable burdens or restrictions in connection with the standards for municipal employee pension plans.
- Opposes federal or state preemption of municipal prerogatives in the management and budget prerogatives of local governments.

Postal service

The League supports legislation and administrative action by the United States Postal Service requiring use of mailing addresses and ZIP codes in order to eliminate confusion among citizens and businesses and to reinforce community identities.

Privatization

The League supports the use of private-sector businesses to provide public services in the public interest.

Public employment

The League opposes efforts to interfere with a municipality's ability to determine the terms and conditions of municipal employment.

Public liability

The League opposes efforts to increase municipal liability by the increasing number of lawsuits against municipalities and to assure that municipal liability does not impair the provision of necessary services to the public, and to ensure that municipal liability does not impair the provision of necessary services to the public.

The League:

- Supports the availability of public liability insurance at reasonable costs and the ability of municipalities to reduce such costs through self insurance or other reasonable means.
- Supports reasonable federal limitations on and reduction in the liability for monetary damages payable by public entities and public employees in suits brought under federal laws.
- Supports limitations on the liability of municipalities and the liability of public employees.
- Opposes efforts to expand the liability of public entities and public employees.

Purchasing

The League supports legislation to streamline local purchasing and contracting procedures.

Telecommunications

The League:

- Supports the retention of municipal regulatory authority over cable television systems.
- Supports affordable access by all municipalities to state-of-the-art telecommunication and information services.
- Opposes federal or state restrictions on local control of municipal rights-of-way or on the authority of local governments to develop or acquire their own telecommunications infrastructure.
- Opposes federal or state restrictions on municipal franchising, regulatory and taxing authority over telecommunications systems.

Transportation

The League:

- is returned to cities and towns.
- Supports state Department of Transportation assumption of street lighting and general maintenance costs on state highways within municipalities.
- Supports limitations on “off the top” diversions from the Highway Users Tax Fund.
- Supports preservation of the constitutional requirement that highway user revenues be used for the construction, maintenance and supervision of the public highways of the state, comprising all modes including facilities for air, transit, bicycle, and pedestrian travel.
-
- dal transportation systems.
- local governmental authority to protect the safety and environment of citizens.
- Supports preservation of the federal funding guarantees for transportation and allocation of all federal transportation taxes and funds for their intended transportation purposes.
- Supports efforts to improve air transportation throughout Colorado.
- Supports close cooperation among Colorado Department of Transportation, counties, municipalities and interested stakeholders in improving Colorado’s multi-modal transportation system.
- Encourages a balanced state transportation policy that addresses the need to maintain and expand roadway, bicycle, pedestrian, transit, carpool/vanpool and demand management options to improve Colorado’s transportation system by supporting:
 - Close cooperation among Colorado Department of Transportation, counties, municipalities and interested stakeholders in improving Colorado’s multi-modal transportation system;
 - Preservation of the constitutional requirement that highway user revenues be used for the construction, maintenance and supervision of the public highways of the state, comprising all modes including facilities for air, transit, bicycle, and pedestrian travel, and;
- portation systems.

Water

In addressing statewide water concerns, the League:

- Supports water policies that protect Colorado water resources.
- Supports the constitutional doctrine of prior appropriation and the constitutional priority given to domestic water use.
- Supports the inventorying and protection by municipalities of their water rights.
- Supports appropriate water conservation efforts and sustainable water resource management practices by all users.
- Supports efforts to increase knowledge of water-related issues of concern around the state to municipalities.
- Supports participation in statewide discussions of water use and distribution.
- Supports appropriate coordination of municipal water use with other uses including agriculture, mineral resource development, energy development, recreation and open space.
- smaller municipalities, with the construction and improvement of water systems to protect water quality and to comply with federal and state mandates.
- Supports continued federal and state funding for wastewater treatment and drinking water facilities to reduce local costs and expedite construction of necessary treatment and collection facilities.
- Supports stakeholder input and involvement in developing laws and regulations related to water and wastewater issues.
- Encourages on-going communication by federal land managers with affected municipalities regarding the leasing of federal lands that might impact local land use and environmental policies including, but not limited to, local watershed ordinances.

Youth

The League:

- Supports municipal and other efforts to address youth issues and needs.
- governmental jurisdictions have on the development of youth.
- Encourages utilization by public schools in cooperation with local governments of League-published or other civics curriculum to educate students in state and local government.

The Colorado Municipal League

CML was founded in 1923 to provide technical assistance and advocacy on behalf of our municipal membership. There are 269 cities and towns that are members of the League.

The CML Policy Committee is responsible for developing policy recommendations and recommended positions on legislation. Every municipal member has the option to have a representative on the CML Policy Committee.

A 21-member Executive Board governs the operations of the organization. The League

chiefs, city managers) and 14 regional districts that provide input and technical expertise in development of League policy.

Executive Board Officers

President Carol Dodge, Northglenn mayor
pro tem

Vice President David Edwards, Palisade
mayor pro tem

Secretary/Treasurer Wade Troxell, Fort Collins
mayor

Immediate Past President William Bell,
Montrose city manager

Ronnald Akey, Wray mayor

Larry Atencio, Pueblo councilmember

Shannon Bird, Westminster councilmember

Kendra Black, Denver councilmember

Robb Casseday, Greeley councilmember

Barbara Cleland, Aurora councilmember

Jim Collins, Las Animas mayor

Daniel Dick, Federal Heights mayor

Liz Hensley, Alamosa councilmember

Kathy Hodgson, Lakewood city manager

Matt LeCerf, Frederick town manager

Samantha Meiring, Firestone trustee

Kathleen Ann Sickles, Cedaredge town
administrator

Dave Stone, Limon town manager

Kirby Wallin, Brighton councilmember

Robert "Bob" Widner, Centennial city attorney

Colorado Municipal Facts

Number of incorporated municipalities: 272

Population (2015 estimates)

State: 5,456,584

Municipal: 4,035,604

Municipal as percent of state: 74%

Range in municipal population:

Lakeside: 8 Denver: 683,096

Municipalities with CML membership: 269

Structure of Colorado municipal governments

Structure	#	Population	% of Muni. Pop.
Home Rule	101	3,742,330	92.733%
Statutory	170	292,230	7.241%
Territorial Charter	1	1,044	0.026%

**Number of municipalities with city/town
manager or administrator:** 180

Municipal elected officials

Mayors, councilmembers, trustees: 1,820
35%

Sources of municipal tax revenue (2013)

Total tax revenue:	\$3,648,480,234	
Property taxes:	\$679,451,787	18.6%
Sales/use taxes:	\$2,530,153,986	69.3%
Total taxes as % of total revenue		65.8%

Property tax (2016)

Assessed Valuations

State: \$105.28 billion

Municipal: \$65.15 billion

Municipal as percent of state: 62%

Sales tax (2017)

Total municipalities levying a local sales tax: 222

Municipalities with self-collected sales tax: 70

Low: 1% High: 7%

Municipal elections (1993-April 2017)

Ballot Issues	Passed	Failed	% Passed
TABOR Revenue and Spending Changes	482	76	86%
Municipal Tax/Tax Rate	546	372	60%
Municipal Debt/Obligation	294	131	69%
Term-Limits	121	89	58%

Compiled by the Colorado Municipal League, April 2017

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 1-17-18
Citizen's Name	Tom ACKER Joe Kellerby	
Subject	Western Slope Human Trafficking Against	
Phone Number (optional)		Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 01/17/18
Citizen's Name	Cory Wilcox	
Subject	Burnt down house across the street	
Phone Number (optional)		Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

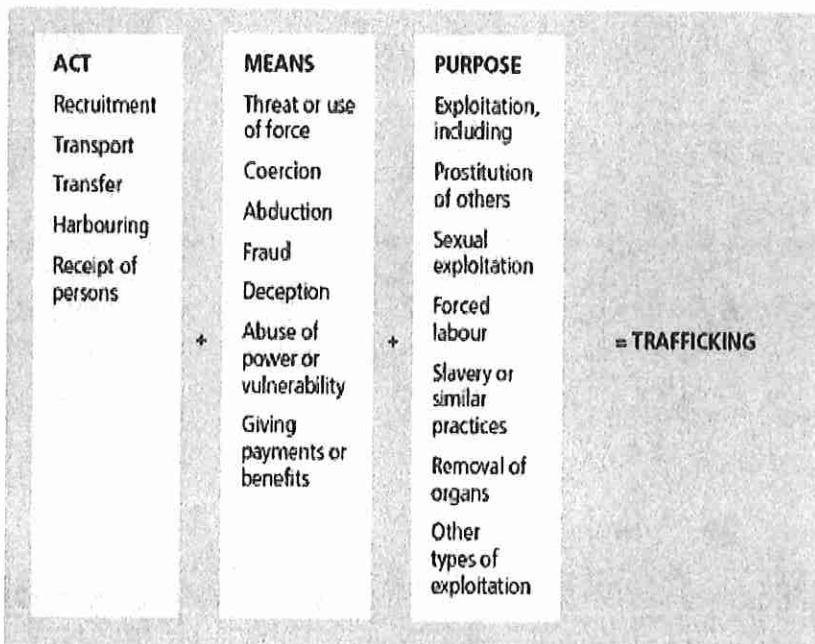
from my house

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date Jan 17 2018
Citizen's Name	Bruce Lohmiller	
Subject	Wheat Patrol Comprehensive Security Education	
Phone Number (optional)	PS. all Violence Reports M-1 Hold	Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!

January is National Slavery and Human Trafficking Prevention Month

Human Trafficking or slavery is too common but at the same time, hidden though in plain view. Part of the problem is that too few people recognize it.

The definition of human trafficking is



Recent statistics indicate that there are 20.9 million victims of HT in the world (ILO). According to HT investigations carried out by the Dept. of Justice, there have been 1800 investigations opened in 2016 in the US. In the Denver metropolitan area 152 HT investigations have been opened. Of the victims recovered, 15 were males, 108 were women. In 2016 the FBI in Denver initiated 8 investigations and arrest 15 people for trafficking foreign adults (Dept of State Trafficking in Persons Report, 2016).

The Colorado Human Trafficking Council is in its 3rd year. This year's focus will be on developing public awareness and continuing to train community members to recognize HT and know what to do in the event they encounter a HT situation.

WSAT (Western slope Against Trafficking) will be scheduling trainings throughout the year at various times and at various venues with the hope that a larger cross section of community members get informed about this crime. The next training will be at Catholic Outreach Tues Feb 6, 1pm. 2.5 hrs. Certificate of training provided to participants from the CO Human Trafficking Council.

Prevention is the greatest tool for stopping HT.

Thomas Acker

Western Slope Against Trafficking (WSAT)

970-260-9465; ocoa_1953@yahoo.com

of night patrols??????? whos down???

https://



Bruce H



Cindy Steele

16 hrs ·

Random acts of night patrols??????? whos down???

All Violence Reports
M-1 Holds

Like

Comment

1



Bruce Lohmiller City Council Funding ??

Like · Reply · 16h



Cindy Steele you got that yet Bruce Lohmiller???

Like · Reply · 16h

View more replies

OUR WHOLE LIVES:

COMPREHENSIVE SEXUALITY EDUCATION FOR KINDERGARTNERS AND 1ST GRADERS



Children learn about sexuality every day. They learn regardless of what parents, teachers or other adults tell them or *don't* tell them. With a holistic approach, Our Whole Lives provides accurate, developmentally appropriate information about a range of topics. Eight sessions, Sundays 1-2 pm beginning Feb. 11.

Parent Information Meetings!

Open to all!

January 28, 2018, 3-4 pm

January 31, 2018, 6-7 pm

UUCGV, 536 Ouray Ave.

Parent/Child Orientation

This mandatory session is for all families that sign up for the program.

Childcare will be available for siblings

Saturday, Feb. 3, 1:00—3:30 pm

UUCGV, 536 Ouray Ave.

Contact Mallory Rice or Shari
Daly-Miller at 970-257-0772
or [administrator@
grandvalleyuu.org](mailto:administrator@grandvalleyuu.org).

Learn more at uua.org/re/owl

Why talk about sexuality with children this young? Studies show that children who are educated about healthy bodies and healthy sexuality are better protected from abuse and exploitation. Knowledge is protection!