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**CITY COUNCIL AGENDA
WEDNESDAY, MARCH 21, 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, Moment of Silence

Proclamations

Proclaiming April 16, 2018 as National Healthcare Decisions Day in the City of Grand Junction

Proclaiming April 8 - April 14, 2018 as National Public Safety Telecommunicator Week in the City of Grand Junction

Proclaiming March 31, 2018 as César Chávez Day in the City of Grand Junction

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. Summary of the March 5, 2018 Workshop
- b. Minutes of the March 7, 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 on the Regular Agenda.

- a. Legislative
 - i. 2018 Supplemental Appropriation Ordinance for Expansion of School Resource Officer Program and Setting a Hearing for April 4, 2018
 - ii. An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code regarding Ballot Title Protests and the Deadline for Write-in Candidate Affidavits and Setting a Public Hearing for April 4, 2018
 - iii. An Ordinance Amending Ordinance 4772 Concerning the Issuance of DDA Bonds and Setting a Public Hearing for April 4, 2018
- b. Quasi-judicial
 - i. Consider 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 York Annexation of 5.943 Acres, Located at 2122 H Road

3. Contracts

- a. Authorize the City Manager to Enter into a Community Solar Garden Subscription Agreement with Oak Leaf Solar XXXI LLC

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Two Rivers Convention Center Improvements Project

- b. A Resolution Authorizing and Ratifying a Contract with Sunshine Polishing

5. Other Action Items

- a. I-70 / 29 Road Interchange Memorandum of Understanding Between the City of Grand Junction and Mesa County

REGULAR AGENDA

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

6. Public Hearings

- a. Quasi-judicial
 - i. Public Hearing to consider a request by REgeneration LLC for review of a Service Plan for the proposed Lowell Village Metropolitan District
 - ii. A Resolution Accepting a Petition for the Annexation and Ordinances Annexing and Zoning the Camp Annexation CSR (Community Services and Recreation) and C-1 (Light Commercial), Located at 171 Lake Road

7. Other Action Items

- a. Consider a Request by Two R & D, LLC to Accept the Dedication of 15.06 Acres of Open Space in the Pinnacle Ridge Subdivision Instead of Payment of the City's Open Space Dedication In Lieu of Fee

8. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about any item and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

9. Other Business

10. Adjournment

Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, Advance Care Planning is the act of making decisions about the medical care you want to receive if you become unable to speak for yourself. These decisions are based on personal values, preferences, and discussions with loved ones; and

WHEREAS, heightening awareness in the 18-30 year old age group around the need for young people to create advance medical directives is critical; and

WHEREAS, only about 35 percent of people in Colorado have executed an advance directive. Moreover, it is estimated that less than 50 percent of severely or terminally ill patients have an advance directive; and

WHEREAS, it is likely that a significant reason for these low percentages is that there is both a lack of knowledge and considerable confusion in the public about advance directives; and

WHEREAS, one of the principal goals of National Health Care Decisions Day is to encourage medical professionals and others who are knowledgeable to volunteer their time and efforts to improve public knowledge and increase the number of Mesa County citizens with advance directives; and

WHEREAS, communicating end-of-life wishes involves introducing the conversation, exploring personal beliefs and choices, and defining and documenting these wishes; and

WHEREAS, the Mesa County Advance Care Planning Task Force is sponsoring a half day seminar on Thursday, April 26th at St. Mary's Hospital from 8:00 a.m – 12:30 p.m, as well as hosting several "Before I Die" interactive art exhibits at Colorado Mesa University, the Central Library, Rocky Mountain Health Plans/Crossroads Fitness Center, HopeWest, and at other venues in the Valley during the month of April to assist in raising awareness and educating the public about the importance of discussing health care choices and executing advance directives.

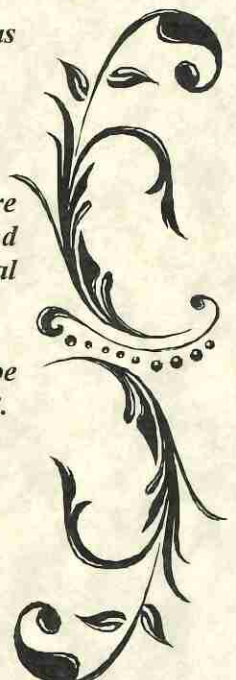
NOW, THEREFORE, I, Rick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 16, 2018 as

"National Health Care Decisions Day"

in the City of Grand Junction, and encourage citizens to create medical advance care directives that align with each individual's personal beliefs and preferences, and which will guide the individual's medical professionals during a time of medical need.

IN WITNESS WHEREOF, I hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21st day of March, 2018.

Mayor



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, the Grand Junction Regional Communication Center is the regional Public Safety Answering Point for all of Mesa County, serving over 150,000 residents and two million visitors annually and providing dispatch services to 23 public safety agencies within Mesa County; and

WHEREAS, it is the mission of the Grand Junction Regional Communication Center to serve those who protect, protect those who serve, help those in need, any time and every time by providing critical support to our nation's law enforcement, fire and rescue personnel; and

WHEREAS, availability of emergency services for police, fire and emergency medical care is paramount to citizen safety and community preservation; and

WHEREAS, a growing number of residents and visitors, including those with special needs and disabilities, require a high degree of care, compassion and focus, as well as a variety of communication services; and

WHEREAS, the telecommunicators of the Grand Junction Regional Communication Center work under challenging and stressful circumstances and truly are the initial first responders answering the call from citizens in need by providing a voice in the darkness and calm in the chaos; and

WHEREAS, 911 was established 50 years ago this year as the nationally recognized number to request immediate emergency assistance for police, fire and emergency medical services.

Now, therefore, I, J. Merritt Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of April 8 through April 14, 2018 as

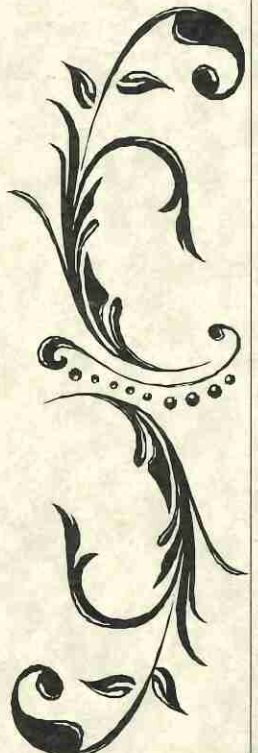
"National Public Safety Telecommunicator Week"

in the City of Grand Junction and call upon all citizens to help recognize and support the goals and ideals of National Public Safety Telecommunicators Week; honor and recognize the importance and contributions of the Nation's public safety communications professionals; and encourage the people of the United States and our community to remember the value of the work performed by public safety communications professionals.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21st day of March, 2018.



Mayor



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, César Chávez has become an enduring symbol of our nation's commitment to encourage progress, create opportunity, and expand development at the grass roots level in the developing world; and

WHEREAS, on his birthday we celebrate a man who reminded us, above all else, that we all share a common humanity, each of us having our own value and contributing to the same destiny, and we carry forward his legacy by echoing his peaceful and eloquent calls for a more just and equal society; and

WHEREAS, César Chávez demonstrated that true courage is revealed when the outlook is darkest and the resistance is strongest, and we will find it within ourselves to stand up for what we believe in; and

WHEREAS, in the face of extraordinary adversity and opposition, he stood up for the inherent dignity of every person, no matter their race, color, creed, or sexual orientation, and for the idea that when workers are treated fairly they give meaning to our founding ideals; and

WHEREAS, we will also keep up our efforts to reform our nation's broken immigration system so more people can contribute to our country's success; and

WHEREAS, today, we honor César Chávez by continuing to fight for what he believed in, including a living wage for workers and their right to unionize and provide for their family. Workers should have a safe workplace and the comfort of knowing that if they work hard, they can feed their families, earn decent benefits, and gain the skills they need to move up and get ahead.

NOW, THEREFORE, I, J. Merrick Taggart, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim March 31, 2018, as César Chávez Day.

Let us unite to reach for the America he knew as possible - one in which hard work is rewarded, prosperity is shared, and equal opportunity is the right of all our people.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 21st day March of 2018.



Mayor



GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
March 5, 2018 – Noticed Agenda Attached

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

Meeting Adjourned: 7:29 p.m.

City Councilmembers present: Councilmembers Boeschstein, Kennedy, McArthur, Norris, Traylor Smith, Wortmann, and Mayor Taggart.

Staff present: Caton, Shaver, LeBlanc, Romero, Bowman, Fogarty, Kemp, and Winkelmann.

Mayor Taggart called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Introduction of the New Grand Junction Regional Airport Authority Executive Director

Angela Padalecki, the new director of the Grand Junction Regional Airport, was introduced to the City Council. Ms. Padalecki stated she is excited to be in Grand Junction and outlined the priorities for the Airport:

1. Ensuring the airport has reliable facilities.
2. Improvements to the terminal.
3. Engaging airline partners.

Discussion ensued about the cost of flights out of Grand Junction versus traveling to Denver to save money on airfare.

Ms. Padalecki stated her willingness to come back in front of Council to provide information or answer questions.

Councilmember McArthur left the meeting at 5:50 p.m.

b. The Offering of Invocations at City Council Meetings

Mr. Caton stated that the purpose of this item is to review the current process regarding the offering of invocations prior to City Council meetings and discuss any changes City Council would like to make.

In 2008 Resolution No. 114-08 was adopted that provides definitions and outlines procedures regarding invocations. An invocation is defined as a verbal or written statement delivered at the beginning of a public meeting of the City Council (or other deliberative public body of the City). The invocation is the offering of a brief pronouncement of simple values intended to solemnize the occasion of the meeting.

Councilmember Kennedy stated that the current practice of invocations should not continue in its current form and believes a moment of silence would suffice.

Councilmember Traylor Smith noted the invocations are a part of the Grand Junction tradition and the method of selecting invocators is fair. She would like the current practice to continue.

Councilmember Boeschstein believes the system is very open since anyone can submit his or her name to be an invocator and the current practice should continue.

Councilmember Wortmann would like Council to stay the course.

Councilmember Norris stated the moments of silence are good for the City and believes the current practice of selecting invocators is fair to everyone. She believes the system should continue as it is.

Councilmember Kennedy noted the system is not fair when most of the invocators are from a Christian faith. Grand Junction is an outlier because of its invocation practice.

Mayor Taggart summarized the feedback from Councilmembers and four are in agreement to keep the current practice. Councilmember Traylor Smith stated she spoke with Councilmember McArthur earlier in the day and he is in favor of keeping the current practice.

Mayor Taggart described a recent phone call with a woman expressing her concern about invocations at City Council meetings. He outlined the process used in Grand Junction and the caller was satisfied with the explanation. Mayor Taggart thought improvement could be made to communicating the current practice.

Mr. Caton reviewed the current practice that is in place: staff conducts research in the phone book and online of area churches and adds them to the list. Also, staff advertises in the newspaper inviting individuals or groups to submit their name to be added to the list. Names are randomly drawn from the list and invocators are invited to a particular Council meeting. Moments of silence are substituted when an invocator is not available to attend the meeting.

Councilmember Kennedy questioned why the City is actively seeking invocators. Attorney Shaver noted this practice is outlined in the resolution and is inclusive.

Discussion ensued about the resolution discouraging invocators from proselytizing and Attorney Shaver reported a copy of the resolution is sent to every selected invocator.

Because the majority of Council is in favor of keeping the current practice, no formal discussion or action will be scheduled on a future agenda.

c. Lodging Tax Discussion

Mr. Caton noted that the City has coordinated with a working group of stakeholders to discuss how an increase in lodging tax could be used. This group, including representatives attending the workshop tonight from the Chamber of Commerce, Visit Grand Junction Advisory Board, Grand Junction Regional Air Service Alliance, and the Sports Commission, discussed a 3% overall increase to the lodging tax. Potential uses include 1% for airline support or partnerships, 0.75% support for the Greater Grand Junction Sports Commission, and 1.25% in additional funding for Visit Grand Junction's marketing efforts.

Mr. Caton discussed the possibility of a tax question being placed on the November 2018 ballot, or one could come forward at the April 2019 election. He stated an additional five hotels are scheduled to be built in the next 24-36 months.

Discussion ensued about the amount of lodging tax collected in other communities.

Mr. Caton outlined how additional lodging tax dollars could be spent:

1. New air service and marketing efforts.
2. Advertising on the Front Range and telegraphing Grand Junction's brand.
3. Special events.
4. Special projects.
5. More data analytics.

Representatives from the working group spoke about their involvement in the group, the potential increase in lodging tax, and how it could impact their operations.

Direction was received for staff to continue to work with stakeholders and return with possible ballot language for Council's consideration.

Agenda Topic 2. Next Workshop Topics

Next Workshop Topic on March 19, 2018: Update on the Recreation Center Feasibility Study

3. Other Business

Councilmember Norris stated that the Housing Authority approved a new project called Highlands II, which will serve senior citizens, veterans, and the widows of veterans.

Councilmember Kennedy inquired into the City's letter to be a Next Century City as the information has to be submitted by Friday, March 9. City Manager Caton responded that the application will be submitted by the deadline.

Mayor Taggart noted he is touring recreation facilities in other municipalities and invited Council to join him.

Adjournment

With no further business the meeting was adjourned.

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**GRAND JUNCTION CITY COUNCIL
MONDAY, MARCH 5, 2018**

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

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

Discussion Topics

- a. Introduction of the New Grand Junction Regional Airport Authority Executive Director
- b. The Offering of Invocations at City Council Meetings
- c. Lodging Tax Discussion

Next Workshop Topics

- a. March 19: Update on the Recreation Center Feasibility Study

Other Business

What is the purpose of a Workshop?

The purpose of a Workshop is for the presenter to provide information to City Council about an item or topic that they may be discussing at a future meeting. The less formal setting of a Workshop is intended to facilitate an interactive discussion among Councilmembers.

How can I provide my input about a topic on tonight's Workshop agenda?

Individuals wishing to provide input about Workshop topics can:

1. Send an email (addresses found here www.gjcity.org/city-government/) or call one or more members of City Council (970-244-1504);
 2. Provide information to the City Manager (citymanager@gjcity.org) for dissemination to the City Council. If your information is submitted prior to 3 p.m. on the date of the Workshop, copies will be provided to Council that evening. Information provided after 3 p.m. will be disseminated the next business day.
 3. Attend a Regular Council Meeting (generally held the 1st and 3rd Wednesdays of each month at 6 p.m. at City Hall) and provide comments during "Citizen Comments."
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GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

March 7, 2018

The City Council of the City of Grand Junction convened into regular session on the 7th day of March 2018 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Barbara Traylor Smith, Duke Wortmann, and Council President Rick Taggart. Councilmember Duncan McArthur 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 Wortmann led the Pledge of Allegiance which was followed by an invocation by Adrian de Lange, Senior Pastor of New Life Church.

Presentations - Economic Development Funding for the Grand Junction Economic Partnership, Business Incubator Center, Greater Grand Junction Sports Commission, Grand Junction Chamber of Commerce and Industrial Developments, Inc.

Council President Taggart presented the following businesses with checks for the purpose of Economic Development:

Business Incubator Center - \$102,600 which will be used for Makers Space, website design and upgrades, and general operating expenses.

Grand Junction Economic Partnership - \$189,000 which will be used for travel, prospects visits, trade and press visits, email marketing, website design and upgrades, advertising, trade show sponsorship and promotions, and general operating expenses.

Grand Junction Area Chamber of Commerce - \$30,000 which will be used for business round tables, tracking and communications, and publicizing success stories.

Industrial Developments Inc. - \$68,200 which will be used for incentives for job creation.

Greater Grand Junction Sports Commission - \$73,800 which will be used for a feasibility report, marketing, association memberships, operational costs, and trade shows.

Proclamation - Proclaiming March 2018 as Developmental Disabilities Awareness Month in the City of Grand Junction

Proclaiming March 2018 as Developmental Disabilities Awareness Month in the City of Grand Junction. Councilmember Traylor Smith read the proclamation. Doug Sorter,

Vice President of Business Operations & Development with Strive was present to accept the proclamation. Mr. Sorter thanked City Council for the proclamation, gave a history of Strive and explained their future goals.

Appointments - Ratify Appointment to the Mesa County Building Code Board of Appeals

Councilmember Kennedy moved to ratify Roy Anderson to the Mesa County Building Code Board of Appeals. Councilmember Traylor Smith seconded the motion. Appointment ratified by unanimous roll call vote.

Citizens Comments

There were none.

Council Reports

Councilmember Norris attended the Grand Junction Housing Authority meeting on February 26th and spoke of how that organization has done a lot for people in Grand Junction who are in need of housing. During this meeting they approved Highlands II, the second portion of center started last year which will be completed by 2019. This housing is for seniors, with an emphasis for Veterans and Veteran's widows. There were 400 people on the waiting list for the first portion of that center, so this housing is very much needed. She attended the special meeting by the Visit Grand Junction group where they discussed the 3% lodging tax to determine how to move forward. On the 28th she attended the Circulation Plan Open House at the main library where City staff did a great job answering questions.

Councilmember Traylor Smith attended the Grand Junction Regional Airport open house where they did a great job explaining the progress they are making and what their future plans are. On March 7th she attended the Grand Junction Area Chamber of Commerce Health Care Summit which was very informative.

Councilmember Kennedy attended many meetings revolving around educators and health care. He thanked community members who participated in the caucus on March 6th and spoke of the unique process in Grand Junction.

Councilmember Boeschstein attended the Incubator meeting where the Workforce Center had a presentation on Grand Junction's employment. He attended the Horizon Drive Association Business Improvement District meeting where Colorado Mesa University (CMU) students spoke about how dangerous the intersections are for pedestrians and bicyclists and proposed some solutions.

Councilmember Wortmann attended the Parks and Recreation Board Meeting and said there are great projects moving forward. Through his many travels he speaks to many people who are moving into this area and he is excited about hearing how they love Grand Junction. He also attended the Republican Caucus on March 6th.

Council President Taggart attended the dedication of a CMU building to Levi Lucero and his wife, which was a very nice event. He attended the airport open house and was pleased that many members of the community attended. He is thankful to have had the opportunity to thank Mark Aiken for his work and service to the Grand Junction Regional Airport Authority. On March 6th he sat through the PLACE (People for Local Activities and Community Enrichment) community meeting for a potential community recreation center. Earlier that day he attended the Rotary Club luncheon where they walked through the State of the City address.

Consent Agenda

Councilmember Kennedy moved to approve adoption of Consent Agenda items #1 through #4 and to move item 5.b. to the consent agenda for consideration at the March 21st Regular Meeting. Councilmember Traylor Smith seconded the motion. Motion carried by unanimous roll call vote.

1. Approval of Minutes

- a. Minutes of the February 21, 2018 Regular Meeting
- b. Minutes of the February 28, 2018 Special Session

2. Set Public Hearings

- a. Quasijudicial
 - i. Set a Hearing to Consider a Request by ReGeneration LLC for Review of a Service Plan for the Proposed Lowell Village Metropolitan District
 - ii. Introduction of an Ordinance Zoning the Camp Annexation CSR (Community Services and Recreation) and C1 (Light Commercial), Located at 171 Lake Road, and Setting a Hearing for March 21, 2018

3. Contracts

- a. Purchase of Three Side Load Trash Trucks

-
- b. Contract Approval for Construction Manager/General Contractor for the Two Rivers Convention Center Improvements Project

4. Resolutions

- a. Resolution Designating New Authorized Signatories for Water Resources and Power Development Authority Loan Agreement
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for the Development of Las Colonias Park.

Discussion and Possible Direction Regarding the School Resource Officer Program

City Manager Greg Caton presented the item. The discussion started a few weeks ago with the Florida school shootings.

The safety of our students is of the highest priority and they are best served through a comprehensive effort from all agencies and schools in the Grand Valley. While not a singular solution to a comprehensive issue, expanding the City's School Resource Officer (SRO) program will help to address the recent need for additional safety in schools. This will allow for two officers at Grand Junction High School and will provide one officer at each of the four middle schools within city limits. Expanding the SRO Program would improve the safety of students and the public, and would be a welcome and responsible investment in the community. This is an opportunity to discuss this issue and for City Council to provide direction on addressing public safety in our schools.

He addressed four Elements of School Safety:

1. School Resource Officer Program
2. School Security Officers
3. Infrastructure Improvements & Technology
4. School District 51 Safety Work Group

Mr. Caton's presentation emphasized element number one, as that is the primary role that the City can play in improving the safety of Grand Junction's schools. Expansion of the SRO Program would increase authorized SRO positions from 9 to 16 (countywide); two SROs in each high school and one in each middle school. The SROs are specially trained to handle school-related incidents and are a critical link between law

enforcement and the safety of the public within District Schools. There are currently four funded positions (of which one is unfilled) and the City needs to fund two more. The goal is to fill these positions by August 2018, although City Manager Caton and Chief Nordine have concerns about the ability to achieve this. City Manager Caton stressed that the SRO Program is proactive policing; SROs are in the schools to build trust, and relationships with the students. He said SROs are very different from Security Officers who are reactive to incidents where SROs are about mentoring and teaching students to have a relationship with officers.

City Manager Caton spoke of the other three elements and how he saw them as opportunities to work with the School District to improve our schools. He displayed a map of Mesa County with Mesa County Valley School District 51 school boundaries to demonstrate that it is a countywide issue. The City of Grand Junction's boundaries cross with many schools' boundaries.

He listed the next steps which were to expand the School Resource Officer Program, improve school facilities, and improve communication and collaboration with partners and community. Adding SRO's was a middle range goal for the City, but given circumstances and events, this is now being brought before City Council.

Councilmember Kennedy thanked the City Manager for the update. He believes SROs are a good move, and in the long run properly vetted police officers are the right path. He felt the current process is to triage the symptoms, but not addressing the core issues creating problems. Students should be in a safe, inviting environment free of violence, worries, and threats. Councilmember Kennedy said the school district itself has a lot to do. He noted the Public Information Spokesperson for the school district, Emily Shockley, said they are hiring private security guards as a temporary solution until Spring Break. Long term solutions include hiring two more security officers in the spring and two more over the summer, and adding more keyless entry points and security cameras. She said they are not considering arming teachers at this time. Councilmember Kennedy believes they are not addressing causality either. He spoke of the expense involved in hiring security guards versus hiring mental health counselors to be proactive in finding and addressing students with issues in elementary schools. He believes a conversation about long term solutions needs to take place. He supports the SROs but believes the community needs to do a lot more to get to the root problems and address them.

Councilmember Norris said this is an emotional national issue. As a Council, they need to do what they can to help the community with what they are presented with at the meeting. She believes SROs are effective and that they should expand the program. She thanked City Manager Caton and Chief Nordine. She believes the School Board is

doing their part to work with the different agencies to come up with the best solutions. She spoke of an incident around Fruita High School earlier that week and of the information available on the School District 51's website for parents. She spoke of it being a countywide issue, and how some of the new taxes that were passed last year could be contributed to agencies for more officers to keep the students safe. She supports expanding the program.

Councilmember Boeschstein said this is a difficult issue. Hiring more SROs is not the real solution, hiring more counselors is, although he is unsure how to fund it. He believes more mental health counselors should be hired, the campaign against bullying should be expanded, the ban on assault weapons should be renewed, the sale of guns to people under the age of 21 should be prohibited, and the sale of high capacity magazines should also be prohibited.

Councilmember Traylor Smith said the entire country has a mental health issue that is not being addressed. She validated other concerns that were voiced, but commended City staff for their work on the SRO Program. She feels the community can build upon tools to move toward solutions.

Council President Taggart opened the floor to citizen comments.

Joe Higgins, who worked 34 years with the Partners Program, endorsed the expansion of the SRO Program. He was involved with the training of the first resource officers in Grand Junction so he is aware of what they do. He told a story of a young man who was arrested by an SRO for bringing a fake pipe bomb to school because he wanted attention. The SRO maintained a relationship with the young man until his graduation as a role model and helped him become a business owner as an adult. Mr. Higgin's feels SROs are role models and mentors to students, not just police officers. He said SROs dedicate their lives to those students; they are not just people close to retirement.

City Manager Caton emphasized the proactiveness of SROs in reaching out to students. They are an investment in the community who are about mentorship and relationships.

Council President Taggart summarized council's direction to staff to move forward and requested a supplementary budget on what the expansion would cost at a future meeting.

Councilmember Kennedy also wants to see the County contribute to the cause. Council President Taggart said the County announced they were implementing six new SROs; City Manager Caton clarified that only two additional SROs were added.

Councilmember Wortmann said the community reacted very quickly and had the discussions that were needed in order to find a solution to keep students safe. He said as Councilmembers, it is their job to show the community “we have their backs” and by staffing those positions, that is what we are doing.

Councilmember Norris said this is not a fix, but rather a long-term solution for the students.

City Manager clarified the breakdown of the 16 SROs and how Mesa County agencies are contributing.

Councilmember Kennedy asked about the sense of urgency (if there are unfilled positions) and what is the timeline to have all the positions filled. City Manager Caton said the expansion is planned to be up and running by August 2018 and the unfilled positions are mainly due to the demand in other areas and resource allocation.

Chief Nordine spoke to the reality of staffing – patrol is down 15% (six officers on injury leave, and eight newly hired officers in training) and therefore there is an inability to staff the streets; they need officers to respond to 911 calls. The City is actively working to recruit and train officers.

Councilmember Norris asked about recruitment. Chief Nordine said they have done a good job, but the pool is drying up quickly. The goal is to find existing officers in order to negate the need for academy training. City Manager Caton said the City has had some success in attracting lateral moving officers.

Councilmember Kennedy moved to authorize the City Manager to present council with a supplementary budget request and a plan to increase officers to fulfill the expansion of the SRO Program. Councilmember Wortmann seconded the motion. Motion passed by unanimous roll call vote.

Consider a request by Two R & D, LLC to Accept the Dedication of 15.06 Acres of Open Space in the Pinnacle Ridge Subdivision Instead of Payment of the City’s Open Space Fee

This item was moved to the consent agenda for consideration at the March 21st regular meeting.

Contracts - Contract for the Las Colonias Business Park Phase 1 and 1A Project

The Las Colonias Planned Development zoning set the vision and provides guidance and establishes appropriate land uses for the 147-acre Las Colonias site. Conceptual design of the business park includes the development of approximately 10% of the

entire Las Colonias Park for the location of several businesses in a campus setting combined with public park amenities consistent with the Las Colonias Park Master Plan.

This project is the first phase of construction for the Riverfront at Las Colonias Park development that is being completed in partnership with the Downtown Development Authority.

Trent Prall, Director of Public Works, presented the Outline Development Plan for Las Colonias Park, gave a history of the property, and detailed the future plans for Phase 1 and 1A. Phase 1 is broken out from Phase 1A because of a grant that was awarded for a portion of the project. They are looking to break ground on March 30th and finishing the project August 30, 2019.

Councilmember Kennedy thanked Mr. Prall for his presentation and said it was nice to see the bids being so competitive. He asked if there were any anticipated delays in the project and Mr. Prall said he didn't.

Councilmember Boeschstein said he heard they are working towards a Google-like campus and asked about hiding parking with trees and planters to mitigate the amount of asphalt. Mr. Prall said the Google-like campus came into play on the design of the interiors of the businesses and well-manicured campus between the buildings. Parking hasn't been fully determined yet, but they are trying to balance parking with landscaping. Councilmember Boeschstein asked if MM Skyline Contracting, Inc is capable of this scope of project, and Mr. Prall said they are.

Council President Taggart asked if the \$2.8 million is close to the original estimate for 1A and Mr. Prall said it is.

Councilmember Traylor Smith asked if Skyline's bid is over or under the budget? Mr. Prall said it came in under the anticipated budget.

Councilmember Traylor Smith moved to authorize the City Purchasing Division to enter into a contract with MM Skyline Contracting, Inc. of Grand Junction, CO for the Las Colonias Business Park Phase 1 and 1A Project in the amount of \$2,845,692.

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

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Kennedy asked about the Development Corporation and City Manager Caton said that board has been established with five board members. Councilmember Norris is the Council Representative and they are up and running.

Adjournment

The meeting adjourned at 7:35 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: March 21, 2018

Presented By: Greg Caton, City Manager, Mike Nordine, Interim Police Chief, Jodi Romero, Finance Director

Department: Finance

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

2018 Supplemental Appropriation Ordinance for Expansion of School Resource Officer Program and Setting a Hearing for April 4, 2018

RECOMMENDATION:

Staff recommends setting a public hearing for April 4, 2018 for a 2018 Supplemental Appropriation Ordinance for the expansion of the School Resource Officer Program.

EXECUTIVE SUMMARY:

While not a singular solution to a comprehensive issue, expanding the City's School Resource Officer (SRO) program will help to address the recent need for additional safety in schools.

It is recommended that the addition of two School Resource Officers to the current program be authorized. This will allow for two officers at Grand Junction High School and will provide one officer at each of the four middle schools. Expanding the SRO Program would improve the safety of students and the public and would be a welcomed and responsible investment in the community.

This topic was discussed at the March 7th City Council meeting at which point there was consensus to bring forward a supplemental appropriation ordinance for the 2018 budget in order to fund two additional school resource officers.

BACKGROUND OR DETAILED INFORMATION:

The safety of our students is of the highest priority and they are best served through a comprehensive effort from all agencies and schools in the Grand Valley. The boundaries that dictate which schools children attend dissect and cross city and town limits. In addition to this, School District 51 supports giving parents and students a choice of where to attend in order to provide the best fit for the student and their families. The result is that many students attend schools in jurisdictions different from where their home is located. Through a coordinated effort based on the concept of mutual aid, the Grand Junction Police Department (GJPD) works with Palisade Police Department, Fruita Police Department, Mesa County Sheriff's Office, School District 51, and several charter and private schools to develop a strategy for improving safety for our students and families.

School District 51 announced recently that additional security officers will be stationed at five schools within the district as a precaution and in response to recent school shootings and threats. District 51 also announced the intent to hire security long-term to help fill gaps in coverage by current hired security firms and local law enforcement agencies.

The Grand Junction Police Department has a School Resource Officer (SRO) program that specializes in school safety in Grand Junction. This program began in the early 1980s, based in GJPD, with three officers assigned to cover the entire County. Since then, Fruita Police Department and Mesa County have added SRO programs with two SROs currently deployed for each agency. Currently, Palisade Police Department does not have a dedicated SRO. The Grand Junction SRO program, designed for four officers, is currently staffed with three. One officer is assigned to Grand Junction High School and the other two split their time between the other district schools within city limits. In previous years, the SRO program has been staffed by up to five officers.

While not a singular solution to a comprehensive issue, expanding the City's SRO program will help to address the recent need for additional safety in schools. It is recommended that we add two School Resource Officers to the four currently authorized. This will allow for two officers at Grand Junction High School and will provide one officer at each of the four middle schools. Expanding the SRO Program would improve the safety of students and the public and would be a welcomed and responsible investment in the community. With the addition of two sworn police officers, the SRO program could return to its intended level of staffing and better build a relationship with both students and school staff.

It is important to highlight the difference between a School Resource Officer and security guards. Security services, like the firm used by District 51, are intended to provide a security presence at events or public areas. These services offer both armed and unarmed personnel, depending on the perceived level of threat to the public.

Unlike these security services, school resource officers provide law enforcement services, critical incident response, and perform investigations. In addition to these core duties, SRO programs form relationships with students and build trust within the community. The officers act as a resource for students, the families of students, and District staff. They are a critical link between law enforcement and the safety of the public within District schools. Unlike hired security firms, school resource officers receive specialized training and are capable of responding to the types of incidents that might occur in schools. SRO programs are proven to be valued within communities and an effective method by which police departments can address school safety.

In addition to this staffing cost, the expansion of the SRO program would require equipment including additional vehicles. Estimated costs for two additional School Resource Officers is \$243,383 in the first year which includes a partial year of personnel costs as well as one-time costs for gear and vehicles. Ongoing costs are estimated to start at \$212,000 per year and would increase based on wage changes. Staff is currently in discussions with other schools in the community (Caprock Academy, Juniper Ridge, etc.). Should these other schools be interested in the program this would require additional officer expansion. For each additional officer that may be added would be \$54,000 in one-time costs and \$106,000 of ongoing costs.

In total, there are 52 schools within the County including 8 high schools and 9 middle schools. As mentioned, because of the crossing of school attendance and jurisdictional boundaries and the school of choice program, many students attend schools in jurisdictions different from where their home is located. Therefore, this is a county-wide issue and needs to be addressed as such.

FISCAL IMPACT:

Because of the priority of this program, the City will fund two additional resource officers within the existing General Fund revenues. The supplemental appropriation reflects the required increase to the General Fund budget in order to fund the positions including personnel costs and one-time vehicle and equipment costs for \$243,383.

In November 2017, Mesa County voters approved additional funding for public safety. These funds could also be used to expand the current school resource officer programs for the City and throughout Mesa County.

SUGGESTED MOTION:

I move to introduce a proposed ordinance making supplemental appropriations to the 2018 budget of the City Of Grand Junction, Colorado in order to expand the School Resource Officer Program.

Attachments

1. School Resource Officer Supplemental Appropriation Ordinance

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2018 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO IN ORDER TO EXPAND THE SCHOOL RESOURCE OFFICER PROGRAM

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2018, to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 243,383

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2018

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2018.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: March 21, 2018

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code regarding Ballot Title Protests and the Deadline for Write-in Candidate Affidavits and Setting a Public Hearing for April 4, 2018

RECOMMENDATION:

Staff recommends adoption of the ordinance.

EXECUTIVE SUMMARY:

The purpose of this item is for City Council to consider adding a provision to the Municipal Code that outlines the procedure for filing a protest of a ballot title.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction is a home rule municipality, established by Charter in 1909. Article XX of the Colorado Constitution confers upon home rule cities the power over all matters pertaining to municipal elections. Additionally, the City of Grand Junction has adopted the "Colorado Municipal Election Code of 1965" by reference (hereinafter "Election Code").

Ballot Title Protest

Due to a recent petition effort, City staff started reviewing the current City practices related to election procedures to identify opportunities for increasing citizen access and transparency. During that review, it was determined that the Grand Junction Municipal Code does not contain provisions related to ballot title protests, meaning that no process exists for how a citizen would protest the title of a ballot question. The Election

Code contemplates that protests concerning a ballot title shall be conducted as provided by local charter, ordinance, or resolution (CRS 31-11-111(4)).

As such, staff is recommending an amendment to Chapter 2 to identify a procedure for the submission of ballot title protests. Highlights of the procedure include:

1. The protestor must be a registered elector of Grand Junction;
2. The City Clerk provides a form for the protest;
3. The protest must be filed by noon on the Tuesday immediately preceding the hearing of the ordinance or resolution setting the ballot title;
4. City Council will hear the protest and provide a ruling prior to considering the ordinance or resolution setting the ballot title.

Deadline for Write-in Candidate Affidavit

By way of Senate Bill 16-142, the Colorado Municipal Election Code was amended to change the required date of filing for a write-in candidate affidavit from twenty days prior to the day of election to sixty-four days (CRS 31-10-306). Staff recommends amending the Grand Junction Municipal Code to match this timeline.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to introduce a proposed ordinance amending Chapter 2 of the Grand Junction Municipal Code concerning protest of ballot titles and/or submission clauses and the deadline to file write-in candidate affidavit.

Attachments

1. ORD - BALLOT TITLE PROTEST WRITE IN CANDIDATE
2. Ballot Title Protest Form

50 OF THE ORDINANCE OR RESOLUTION BEING PROTESTED; (3) WITH
51 PARTICULARITY, THE GROUNDS OF THE PROTEST; AND (4) ANY OTHER
52 INFORMATION REQUIRED BY THE CITY CLERK. SUCH PROTEST SHALL
53 BE HEARD, CONSIDERED AND RESOLVED BY THE CITY COUNCIL PRIOR
54 TO THE ADOPTION OF SAID ORDINANCE OR RESOLUTION. ANY LEGAL
55 CHALLENGE OF THE FORM OR CONTENT OF A CITY BALLOT TITLE
56 AND/OR SUBMISSION CLAUSE FOR ANY INITIATED OR REFERRED
57 MEASURE SHALL BE BROUGHT IN THE MESA COUNTY DISTRICT COURT
58 USING THE PROCEDURE SET FORTH IN, AND IN ACCORDANCE WITH,
59 SECTION 1-11-203.5, COLORADO REVISED STATUTES, AS AMENDED,
60 WHICH SHALL BE THE EXCLUSIVE MANNER FOR SUCH LEGAL
61 CHALLENGES.
62

63 **2.20.020 Amendments to the Colorado Municipal Election Code of 1965.**

64 As made applicative to elections in the City of Grand Junction:

65 ...
66 (c) No votes shall be counted for any write-in candidate at a regular or special
67 election unless he/she has first filed with the City Clerk ~~20~~ SIXTY-FOUR (64)
68 days before the election an affidavit of intent indicating that such person desires
69 the office and is qualified to assume the duties of the office if elected.
70

71
72
73 Introduced on first reading this ___ day of March 2018.
74

75
76 PASSED and ADOPTED this ___ day of April 2018.
77

78
79 _____
80 J. Merrick Taggart
81 Mayor and President of the City Council
82

83 ATTEST:
84

85
86 _____
87 Wanda Winkelmann
88 City Clerk
89

For City Clerk's Use Only: Date Filed: _____ Initials: _____

Return this completed form to:

City Clerk's Office, 250 North 5th Street, Grand Junction, CO, 81501, or email to cityclerk@gjcity.org

NOTICE OF BALLOT TITLE AND/OR SUBMISSION CLAUSE PROTEST

Protestor Information*: Name, address, telephone number(s), and email address of the protestor (who must be a registered elector)

Name:	Phone #:
Address:	Email:
Protestor's Signature:	Date of Proposed City Council Action:

GROUNDS FOR PROTEST

Protest of **Proposed Ballot Title and/or Submission Clause** (as permitted under Municipal Code Section 2.20.030).

Title of Ordinance or Resolution being protested:

The Grounds of the Protest (with particularity):

(Attach additional sheets as necessary)

A protest of proposed ballot title and/or submission clause, in accordance with Section 2.20.030, must be filed with the City Clerk no later than noon on the Tuesday immediately preceding the date upon which the City Council will consider the ordinance on First reading, or resolution, setting the ballot title and submission clause.

***If more than one protestor, please provide the name, address, telephone number(s), email address, and signature of each protestor on the back of this form or on additional sheets.**



Grand Junction City Council

Regular Session

Item #2.a.iii.

Meeting Date: March 21, 2018

Presented By: Jay Valentine, Deputy Finance Director

Department: Finance

Submitted By: Jay Valentine

Information

SUBJECT:

An Ordinance Amending Ordinance 4772 Concerning the Issuance of DDA Bonds and Setting a Public Hearing for April 4, 2018

RECOMMENDATION:

Staff recommends approval of proposed 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:

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.

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 introduce a proposed ordinance amending Ordinance No. 4772 relating to the issuance of the City Of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue and Refunding Bonds, Series 2017, and Tax Increment Revenue Bonds, Series 2018; and related matters and set a public hearing for April 4, 2018.

Attachments

1. Amending Bond Ordinance (48183219v1)

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 4772 RELATING TO THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE AND REFUNDING BONDS, SERIES 2017, AND TAX INCREMENT REVENUE BONDS, SERIES 2018; AND RELATED MATTERS.

WHEREAS, the City of Grand Junction, Colorado (the “City”) is a home rule city duly existing under the Constitution and laws of the State of Colorado and its City Charter; and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority (the “Authority”) was organized by the City pursuant to Title 31, Article 25, Part 8, of the Colorado Revised Statutes, as amended (the “Act”), as a “downtown development authority” for the purposes of the Act, including the improvement of that certain area (the “Plan of Development Area”) subject to the Downtown Development Authority Plan of Development (the “Plan”) approved by a resolution of the City Council of the City (the “Council”) adopted on December 16, 1981 (the “Resolution”); and

WHEREAS, the Authority proposed and submitted the Plan to the Council and the Plan was approved by the Council in the Resolution; and

WHEREAS, the Plan has been modified from time to time by amendments to the Resolution for the purpose of including additional property within the Plan of Development Area and other relevant changes; and

WHEREAS, the Plan provides for a division of taxes pursuant to Section 31-25-807(3) of the Act; and

WHEREAS, pursuant to Section 31-25-807(3)(a)(IV) of the Act and Ordinance No. 4494 duly adopted by the Council on January 4, 2012, such division of taxes (with the modifications required by Section 31-25-807(3)(a)(IV) of the Act) was extended for an additional twenty years beginning with the taxes levied in 2012 and collectible in 2013; and

WHEREAS, the Resolution established the Tax Increment Fund (defined below) for the deposit of the Tax Increments (defined below) resulting from such division of taxes; and

WHEREAS, the Tax Increments are defined as: (i) one hundred percent of the property taxes produced by the levy at the rate fixed each year by or for the City upon the valuation for assessment of taxable property within the boundaries of the Plan of Development Area which is in excess of the valuation for assessment of taxable property within the boundaries of the Plan of Development Area certified as the base amount by the Mesa County Assessor pursuant to Sections 31-25-807(3)(a)(IV) and 31-25-807(3)(f) of the Act and pledged herein for the repayment of and as security for the Bonds (defined herein); (ii) fifty percent, or such greater amount as may be set forth in an agreement negotiated between the City and the respective public bodies, of the property taxes produced by the levy at the rate fixed each year by or for each public body (excluding the City, which is covered by clause (i) of this definition) upon the valuation for assessment of taxable property within the boundaries of the Plan of Development Area which is in excess of the valuation for assessment of taxable property within the boundaries of the Plan of Development Area certified as the base amount by the County Assessor pursuant to Sections 31-25-807(3)(a)(IV) and 31-25-807(3)(f) of the Act and pledged herein for the repayment of and as security for the Bonds; and (iii) one hundred percent of the municipal sales taxes produced within each sales tax collection area within the Plan of Development Area which are in excess of the amount certified as the base amount for such collection area by the Finance Director of the City pursuant to Section 31-25-807(3) of the Act and pledged herein for the repayment of and as security for the Bonds. "Tax Increments" also include specific ownership taxes, if and to the extent received by the City in connection with the property tax increment described above; and

WHEREAS, pursuant to the Act, the City is permitted to issue securities made payable from the Tax Increments for the purposes of a project if the issuance of such bonds and the pledge of such revenues are first submitted for approval to the qualified electors of the Authority at a special election held for such purpose; and

WHEREAS, in addition, Article X, Section 20 of the Colorado Constitution requires voter approval in advance for the creation of any multiple-fiscal year direct or indirect debt or other financial obligation (except that refundings of existing debt at lower interest rates do not require an election); and

WHEREAS, at a special election held by the City within the boundaries of the Authority on April 3, 2007 (the “2007 Election”), a majority of the qualified electors of the Authority voting thereon authorized the City to issue bonds or other indebtedness not to exceed \$18,000,000, with a repayment cost of \$20,000,000, for the purpose of financing certain capital improvements within the Plan of Development Area and authorized the pledge of the Tax Increment Fund for payment of principal, interest and any premiums due in connection with such bonds or other indebtedness, said pledge of funds not to exceed the maximum time permitted by law; and

WHEREAS, the ballot question submitted to the qualified electors of the Authority at the 2007 Election was as follows:

SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000 WITH A REPAYMENT COST OF \$20,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW; AND IF THIS QUESTION IS APPROVED, THE AUTHORITY TO ISSUE DEBT PURSUANT TO BALLOT ISSUE 5T AT THE CITY’S NOVEMBER 2, 2004 ELECTION SHALL BE OF NO FURTHER EFFECT?

; and

WHEREAS, at a special election held by the City within the boundaries of the Authority on April 5, 2011 (the “2011 Election”), a majority of the qualified electors of the Authority voting thereon authorized the City to issue bonds or other indebtedness not to exceed

\$65,000,000, with a repayment cost of \$72,000,000, for the purpose of financing certain capital improvements within the Plan of Development Area and authorized the pledge of the Tax Increment Fund for payment of principal, interest and any premiums due in connection with such bonds or other indebtedness, said pledge of funds not to exceed the maximum time permitted by law; and

WHEREAS, the ballot question submitted to the qualified electors of the Authority at the 2011 Election was as follows:

SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED NOT TO EXCEED \$65,000,000 WITH A REPAYMENT COST OF \$72,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW?

; and

WHEREAS, the City has previously issued \$17,125,000 of the indebtedness authorized at the 2007 Election, which indebtedness was represented by: (i) its \$10,000,000 “City of Grand Junction, Colorado, Downtown Development Authority, Tax-Increment Revenue Bonds, Series 2009” (the “2009 Bonds”), all of which were repaid as of December 15, 2012; (ii) its \$4,070,000 “City of Grand Junction, Colorado, Downtown Development Authority, Tax-Exempt Tax Increment Revenue Bonds, Series 2012A” (the “2012A Bonds”), all of which were repaid with the proceeds of the 2017 Bonds (defined herein); and (iii) its \$3,055,000 City of Grand Junction, Colorado, Downtown Development Authority, Taxable Tax Increment Revenue Bonds, Series 2012B,” all of which were repaid as of December 15, 2017; and

WHEREAS, pursuant to Ordinance No. 4772 duly adopted by the Council on November 1, 2017 (“Ordinance No. 4772”) and the authority granted by the 2007 Election and/or the 2011 Election, the City issued its “City of Grand Junction, Colorado, Downtown Development Authority, Tax Increment Revenue and Refunding Bonds, Series 2017 (the “2017 Bonds”), in the aggregate principal amount of \$9,120,000 for the purpose of: (i) refunding the 2012A Bonds; (ii) financing (or reimbursing the costs of) certain additional improvements described in the Plan and the 2007 Election and/or the 2011 Election (the “Project”); (iii) funding a debt service reserve for the 2017 Bonds; and (iv) paying the costs of issuing the 2017 Bonds; and

WHEREAS, pursuant to Ordinance No. 4772 and the authority granted by the 2011 Election, the City also authorized the issuance of its “City of Grand Junction, Colorado, Downtown Development Authority, Tax Increment Revenue Bonds, Series 2018 (the “2018 Bonds,” and together with the 2017 Bonds, the “Bonds”) in the maximum aggregate principal amount of \$9,120,000 for the purpose of: (i) financing that portion of the Project not otherwise financed by the 2017 Bonds; (ii) funding a debt service reserve for the 2018 Bonds; and (iii) paying the costs of issuing the 2018 Bonds; and

WHEREAS, subsequent to the adoption of Ordinance No. 4772, the City determined that the 2017 Bonds could only be issued in the aggregate principal amount of \$9,120,000 and still maintain the status of the 2017 Bonds as “qualified tax-exempt obligations” under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the City desires to issue the 2018 Bonds in the maximum aggregate principal amount of \$10,000,000 in calendar year 2018 but Ordinance No. 4772 only authorized the issuance of the 2018 Bonds in a maximum aggregate principal amount of \$9,120,000; and

WHEREAS, the City desires to amend Ordinance No. 4772 to increase the maximum aggregate principal amount of the 2018 Bonds to \$10,000,000 and decrease the aggregate principal amount of the 2017 Bonds, which have already been issued, to \$9,120,000.

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

Section 1. Amendments to Ordinance No. 4772. Section 3 of Ordinance No. 4772 is hereby amended and restated to read as follows:

Section 3. Delegation and Parameters.

(a) Pursuant to Section 11-57-205 of the Supplemental Act, the Council hereby delegates to the President, the Financial Operations Manager, or any member of the Council the authority to make the following determinations relating to and contained in the Bonds and the Loan Agreements, subject to the restrictions contained in paragraph (b) of this Section 3:

(i) the interest rate on the 2017 Bonds and the 2017 Loan and the interest rate on the 2018 Bonds and the 2018 Loan;

(ii) the principal amount of the 2017 Bonds and the 2017 Loan and the principal amount of the 2018 Bonds and the 2018 Loan;

(iii) the amount of principal of the 2017 Bonds and the 2017 Loan maturing in any given year and the final maturity of the 2017 Bonds and the 2017 Loan, and the amount of principal of the 2018 Bonds and the 2018 Loan maturing in any given year and the final maturity of the 2018 Bonds and the 2018 Loan;

(iv) the conditions on which and the prices at which the 2017 Bonds and the 2017 Loan may be paid prior to maturity, and the conditions on which and the prices at which the 2018 Bonds and the 2018 Loan may be paid prior to maturity;

(v) the dates on which the principal of and interest on the 2017 Bonds and the 2017 Loan are paid, and the dates on which the principal of and interest on the 2018 Bonds and the 2018 Loan are paid; and

(vi) the existence and amount of reserve funds or capitalized interest for the 2017 Bonds and the 2017 Loan, if any, and the existence and amount of reserve funds or capitalized interest for the 2017 Bonds and the 2017 Loan, if any.

(b) The delegation in paragraph (a) of this Section 3 shall be subject to the following parameters and restrictions: (i) the interest rate on the 2017 Bonds and the 2017 Loan shall not exceed 3.36% (not to exceed 6%, if applicable, following a Determination of Taxability (as defined in the 2017 Loan

Agreement); (ii) the interest rate on the 2018 Bonds and the 2018 Loan shall not exceed 3.36% (not to exceed 6%, if applicable, following a Determination of Taxability (as defined in the 2018 Loan Agreement); (iii) the principal amount of the 2017 Bonds and the 2017 Loan shall not exceed \$9,120,000; (iv) the principal amount of the 2018 Bonds and the 2018 Loan shall not exceed \$10,000,000; (v) the Bonds shall be subject to redemption prior to maturity on any date at a redemption price of not more than 101% of the principal amount thereof; (vi) the respective reserve funds for the 2017 Bonds and the 2018 Bonds may not exceed the maximum amount permitted for each series of Bonds under the Internal Revenue Code of 1986, as amended; and (vii) the final maturity of the Bonds and the Loans shall not be later than December 31, 2032.

Section 2. Ratification and Approval of Prior Actions. All actions heretofore taken by the officers of the City and members of the Council, not inconsistent with the provisions of this Ordinance, including the adoption of Ordinance No. 4772 to the extent not inconsistent with this Ordinance, relating to the Bonds (as defined in Ordinance No. 4772), the Loan Agreements (as defined in Ordinance No. 4772), the Documents (as defined in Ordinance No. 4772), or actions to be taken in respect thereof, are hereby authorized, ratified, approved, and confirmed.

Section 3. Repealer. All acts, orders, ordinances, or resolutions, or parts thereof, including any inconsistent provisions of Ordinance No. 4772, in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

Section 5. Ordinance Irrepealable. After the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owners from time to time of the Bonds, and shall be and remain irrepealable until the Bonds and the interest thereon shall have been fully paid, satisfied, and discharged. No provisions of any constitution, statute, charter, ordinance, resolution, or other measure enacted after the issuance of the Bonds shall in any way

be construed as impairing the obligations of the City to keep and perform its covenants contained in this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect 30 days after publication following final passage provided the adoption thereof has also been consented to by the Lender (as defined in Ordinance No. 4772).

[The remainder of this page intentionally left blank.]

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 21st day of March, 2018.

CITY OF GRAND JUNCTION, COLORADO

[S E A L]

President of the City Council

Attest:

City Clerk

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 4th day of April, 2018.

CITY OF GRAND JUNCTION, COLORADO

[S E A L]

President of the City Council

Attest:

City Clerk

STATE OF COLORADO)

COUNTY OF MESA)
) SS.
)
 CITY OF GRAND JUNCTION)

I, Wanda Winkelman, the City Clerk of the City of Grand Junction, Colorado (the “City”) and Clerk to the City Council of the City (the “Council”), do hereby certify as follows:

(1) The foregoing pages are a true, correct and complete copy of an ordinance (the “Ordinance”) that was introduced, passed on first reading and ordered published in full by the Council at a regular meeting thereof held on March 21, 2018 and was duly adopted and ordered published in full by the Council at a regular meeting thereof held on April 4, 2018, which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

(2) The Ordinance was duly moved and seconded and the Ordinance was passed on first reading at the meeting of March 21, 2018, by an affirmative vote of a majority of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting “Aye”</u>	<u>Voting “Nay”</u>	<u>Absent</u>	<u>Abstaining</u>
Rick Taggart				
Bennett Boeschstein				
Phyllis Norris				
Barbara Traylor Smith				
Duke Wortmann				
Duncan McArthur				
Chris Kennedy				

(3) The Ordinance was duly moved and seconded and the Ordinance was finally passed on second reading at the meeting of April 4, 2018, by an affirmative vote of a majority of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting "Aye"</u>	<u>Voting "Nay"</u>	<u>Absent</u>	<u>Abstaining</u>
Rick Taggart				
Bennett Boeschstein				
Phyllis Norris				
Barbara Traylor Smith				
Duke Wortmann				
Duncan McArthur				
Chris Kennedy				

(4) The members of the Council were present at such meetings and voted on the passage of the Ordinance as set forth above.

(5) The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk, and recorded in the minutes of the Council.

(6) There are no bylaws, rules, or regulations of the Council that might prohibit the adoption of the Ordinance.

(7) Notices of the meetings of March 21, 2018 and April 4, 2018 in the forms attached hereto as Schedule I were posted at City Hall in accordance with law.

(8) The Ordinance was published in pamphlet form in The Daily Sentinel, a daily newspaper of general circulation in the City, on March __, 2018 and April __, 2018, as required by the City Charter. True and correct copies of the affidavits of publication are attached hereto as Schedule II.

WITNESS my hand and the seal of the City affixed this ____ day of April __, 2018.

City Clerk and Clerk to the Council

[S E A L]

SCHEDULE I

(Attach Notices of Meetings of March 21, 2018 and April 4, 2018)

SCHEDULE II

(Attach Notice of Meeting)



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: March 21, 2018

Presented By: Lori Bowers, Senior Planner

Department: Community Development

Submitted By: Lori Bowers

Information

SUBJECT:

Consider 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 York Annexation of 5.943 Acres, Located at 2122 H Road

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

The Applicants, Dale and Cindy York, have requested annexation of their 5.943 acres located at 2122 H Road. The proposed annexation will be conducted as a two-part "Serial Annexation" in order to gain one-sixth contiguity per State statute. The annexation will include 196.07 lineal feet of the developed H Road which is not currently dedicated as Right of Way. Right of Way dedication of the road (196 feet by 30 feet) will be required as part of this annexation, as shown on Exhibit A Map, attached to this report. The property is currently used as a large lot single-family residence. The owners are requesting annexation due to their desire to use the property in the future as an outdoor storage yard with a business residence for a traffic control business. Under the Persigo Agreement, these uses constitute "annexable development" and as such will be 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 York annexation consists of one 5.943-acre parcel of land located at 2122 H Road. The property is currently a single-family residence on a single lot. The Applicants purchased the property knowing that the Future Land Use Map shows the lot as a location for Commercial/Industrial use. A business residence with outdoor storage is an allowed use in the possible zoning ranges allowed by the Comprehensive Plan. Zoning will be considered in a future action and requires review and recommendation by the Planning Commission and final action by the City Council.

The property is currently not served by sanitary sewer. As part of their request they wish to apply for a sewer variance, which will be reviewed concurrently with a development application when it is submitted in the future.

The property is adjacent to existing city limits, within the Persigo 201 boundary and will be 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 require annexation by the City. The property owners have signed a petition for annexation of the property.

As part of the annexation, the Applicants will be required to dedicate 5,882 square feet of Right-of-Way for the H Road along. H Road is constructed in this area but the Applicants' property line currently extends to the center of the road and there is no dedicated right of way.

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 York 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. Generally speaking for every \$100,000 in actual value of residential property, \$57 in property tax is generated and for every \$100,000 in actual value of commercial property, \$232 in property tax is generated.

Annual maintenance cost for the 196 linear feet of roadway on H Road is estimated at approximately \$50/year. Future chipseal cost for the road is estimated at \$960 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 frontage to a collector (3 lane) road including sidewalks according to the Grand Valley Circulation Plan is estimated at \$172,000. No plans are in place for this major improvement.

SUGGESTED MOTION:

I move to (adopt or deny) Resolution No. 16-18, 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, York Annexation, approximately 5.943 Acres, located at 2122 H Road, and to introduce a proposed Ordinance annexing territory to the City of Grand Junction, Colorado, York Annexation, approximately 5.943 acres of land, located at 2122 H Road, and set a hearing for May 16, 2018.

Attachments

1. YORK ANNEXATION SCHEDULE
2. Maps Binder_York
3. Referring Petition Resolution York
4. York Annexation Ordinance.

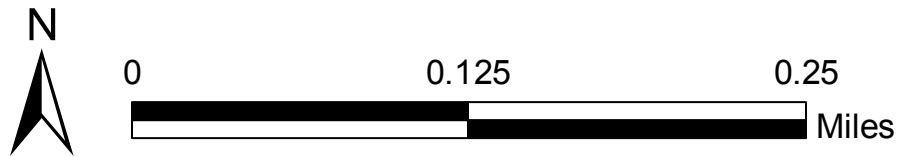
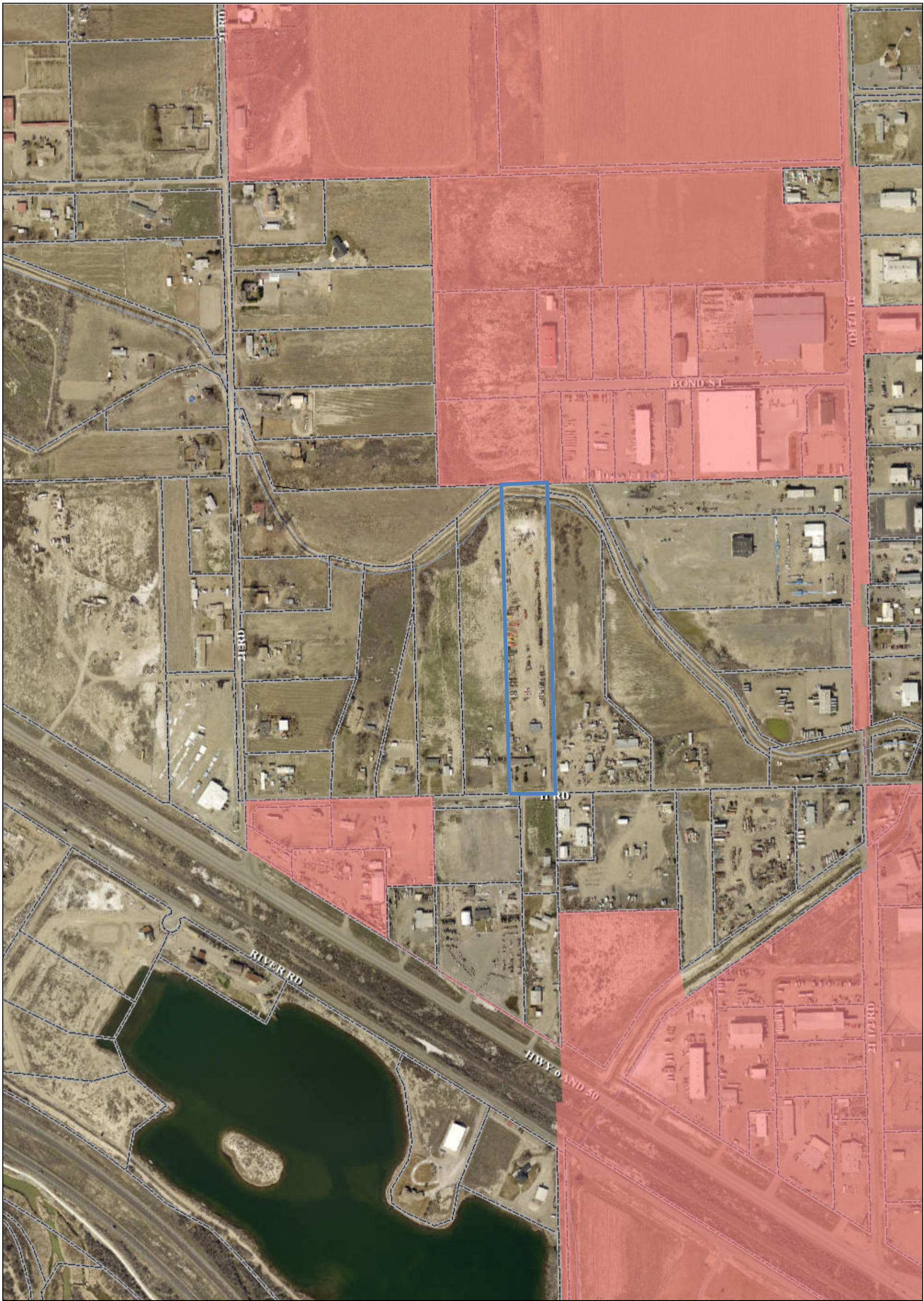
YORK ANNEXATION SCHEDULE

March 21, 2018	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
April 24, 2018	Planning Commission considers Zone of Annexation
May 2, 2018	Introduction of a Proposed Ordinance on Zoning by City Council
May 16, 2018	City Council Accept Petition/Annex and Zoning Public Hearing
June 17, 2018	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2018-110	
Location:	2122 H Road	
Tax ID Numbers:	2697-253-00-087	
# of Parcels:	1	
Existing Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	5.943	
Developable Acres Remaining:	5.943	
Right-of-way in Annexation:	5,882 square feet of H Road	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	I-1 (Light Industrial)	
Current Land Use:	Single-family large lot	
Future Land Use:	Commercial/Industrial	
Values:	Assessed:	\$2,690
	Actual:	\$186,070
Address Ranges:	2122 H Road	
Special Districts:	Water:	Ute
	Sewer:	201 Area – seek variance due to distance
	Fire:	Lower Valley Fire
	Irrigation/Drainage:	GVIC/GVDD
	School:	Fruita Middle School /Fruita Monument High School
	Pest:	Grand River Mosquito Control District

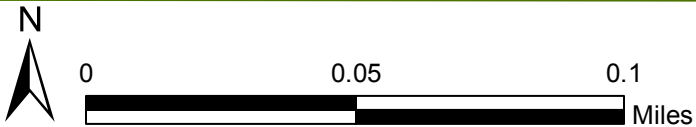
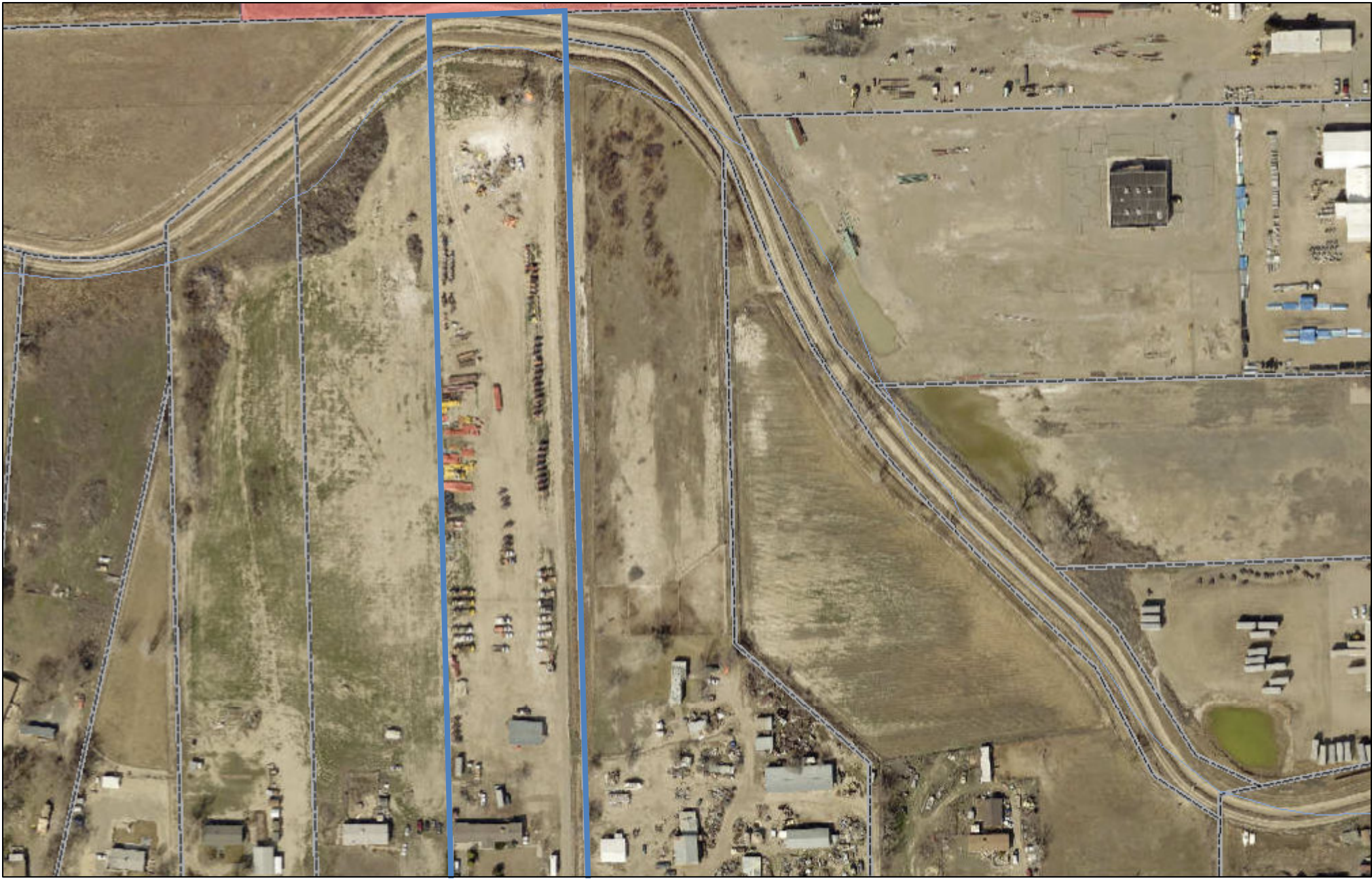
Expanded City Limits Location Map



Date: 3/8/2018

1 inch = 376 feet

York Annexation Area Map

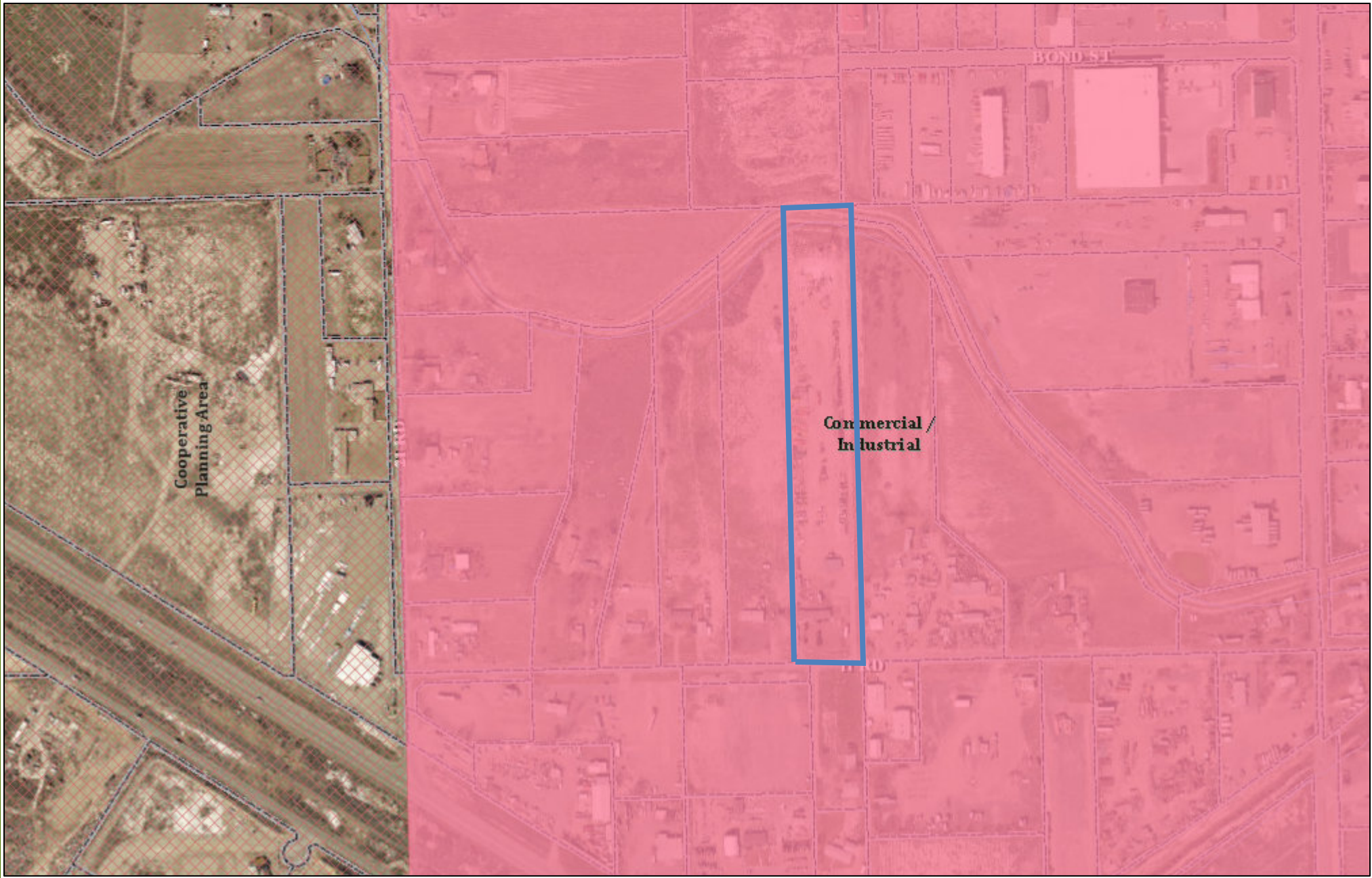


Printed: 3/8/2018

1 inch = 188 feet



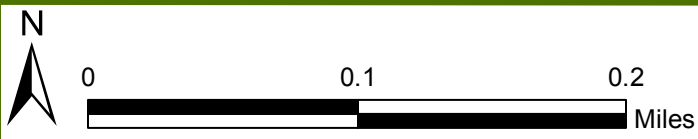
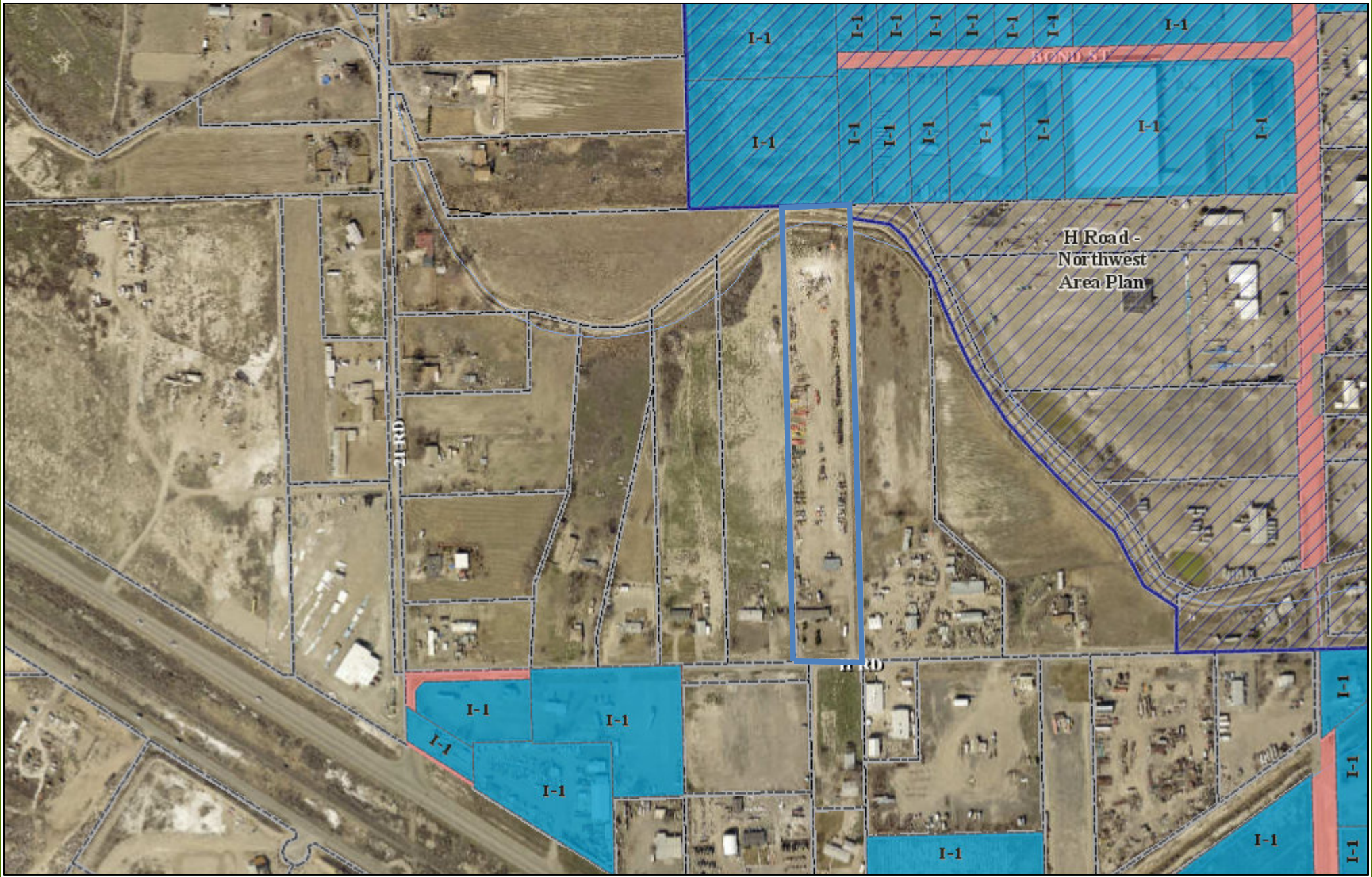
York Annexation Future Land Use Map



Printed: 3/8/2018

1 inch = 376 feet

York Annexation Zoning Map



Printed: 3/8/2018

1 inch = 376 feet

EXHIBIT "A"

DALE & CINDY YORK
2122 H ROAD
(BK 5668, PG 135)

500°01'26"W 1320.43' (BASIS OF BEARINGS)
EAST LINE OF SW 1/4 SW 1/4 SEC 25
TWP 1N, RGE 2W, UTE PRINCIPAL MERIDIAN



SOUTH LINE OF SW 1/4 SW 1/4 SEC 25
TWP 1N, RGE 2W, UTE PRINCIPAL MERIDIAN

N00°01'26"E
30.00'

S89°52'23"E 196.07'

500°01'26"W
30.00'

H ROAD

R.O.W. AREA = 5,882 SQ. FT.

N89°52'23"W 196.07'

55' PLATTED R/W

P.O.B.
SE CORNER SW 1/4 SW 1/4
SEC 25, TWP 1N, RGE 2W
UTE PRINCIPAL MERIDIAN

STATLER SUBDIVISION
BK 5268, PG 405

2697-362-00-070

2697-362-00-007

LOT 1

ABBREVIATIONS

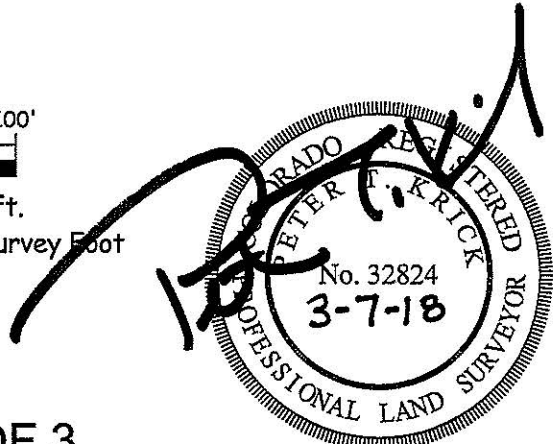
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN



1 inch = 100 ft.

Lineal Units = U.S. Survey Foot

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



SHEET 3 OF 3

DRAWN BY: P.T.K.
DATE: 03-07-2018
SCALE: 1" = 100'
APPR. BY: P.T.K.

H ROAD RIGHT OF WAY
DALE AND CINDY YORK
2122 H ROAD



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**

YORK ANNEXATION

LOCATED AT 2122 H ROAD

WHEREAS, on the 21st day of March, 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:

YORK ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet; thence N 89°58'34" W, a distance of 10.00 feet; thence N 00°01'26" E, a distance of 380.02 feet; thence N 89°51'42" W, a distance of 186.07 feet; thence N 00°01'26" E, a distance of 10.00 feet to a point on the North line of the SW 1/4 SW 1/4 of said Section 25; thence S 89°51'42" E, along said North line, a distance of 196.07 feet, more or less, to the Point of Beginning.

CONTAINING 5,671 Square Feet or 0.132 Acres, more or less, as described.

TOGETHER WITH -

YORK ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°01'26" W, along said East line, a distance of 930.43 feet to a point being the Southeast corner of the SW 1/4 SW 1/4 of said Section 25; thence N 89°52'23" W, along the South line of the SW 1/4 SW 1/4 of said Section 25, a distance of 196.07 feet; thence N 00°01'26" E, a distance of 1310.46 feet; thence S 89°51'42" E, along a line 10.00 feet South of and parallel with, the North line of the SW 1/4 SW 1/4 of said Section 25, a distance of 186.07 feet; thence S 00°01'26" W, along a line 10.00 feet West of and parallel with, the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 380.02 feet; thence S 89°58'34" E, a distance of 10.00 feet, more or less, to the Point of Beginning.

CONTAINING 253,139 Square Feet or 5.811 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 16th day of May, 2018, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2018.

President of the Council

Attest:

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

YORK ANNEXATION

APPROXIMATELY 5.943 ACRES LOCATED AT 2122 H ROAD

WHEREAS, on the 21st day of March 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 16th day of May 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:

YORK ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet; thence N 89°58'34" W, a distance of 10.00 feet; thence N 00°01'26" E, a distance of 380.02 feet; thence N 89°51'42" W, a distance of 186.07 feet; thence N 00°01'26" E, a distance of 10.00 feet to a point on the North line of the SW 1/4 SW 1/4 of said Section 25; thence S 89°51'42" E, along said North line, a distance of 196.07 feet, more or less, to the Point of Beginning.

CONTAINING 5,671 Square Feet or 0.132 Acres, more or less, as described, and as depicted on attached Exhibit A.

TOGETHER WITH -

YORK ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°01'26" W, along said East line, a distance of 930.43 feet to a point being the Southeast corner of the SW 1/4 SW 1/4 of said Section 25; thence N 89°52'23" W, along the South line of the SW 1/4 SW 1/4 of said Section 25, a distance of 196.07 feet; thence N 00°01'26" E, a distance of 1310.46 feet; thence S 89°51'42' E, along a line 10.00 feet South of and parallel with, the North line of the SW 1/4 SW 1/4 of said Section 25, a distance of 186.07 feet; thence S 00°01'26" W, along a line 10.00 feet West of and parallel with, the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 380.02 feet; thence S 89°58'34" E, a distance of 10.00 feet, more or less, to the Point of Beginning.

CONTAINING 253,139 Square Feet or 5.811 Acres, more or less, as described, and as depicted on attached Exhibit B.

INTRODUCED on first reading on the 21st day of March, 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



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: March 21, 2018

Presented By: Jay Valentine, Deputy Finance Director, John Shaver, City Attorney, Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

Authorize the City Manager to Enter into a Community Solar Garden Subscription Agreement with Oak Leaf Solar XXXI LLC

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Oak Leaf Energy Partners will be developing two solar garden projects, one at the Cameo site owned by the Town of Palisade and one in the City of Rifle. Oak Leaf is proposing that the City of Grand Junction subscribe to 35.75% of the power produced to serve the Police Department building and Water Treatment Plant, resulting in an estimated savings of approximately \$546,000 over the 20-year subscription period.

BACKGROUND OR DETAILED INFORMATION:

In 2012, Xcel Energy released its Solar* Rewards Community Program to provide incentives to stimulate the development of community solar gardens in its service territory. A community solar garden operates at a centralized location, generating energy that is sold directly to Xcel via an energy procurement agreement. Each kWh produced generates a "virtual net metering" credit and a renewable energy certificate. Subscribers to the solar garden purchase power from the solar provider and receive a credit from Xcel on their monthly utility statement. Subscribers to a solar garden are allowed to take up to 40% of the power produced, and must enter into a 20-year lease. 5% of any garden must be allocated to low-income subscribers.

The City is currently a subscriber to the first Community Solar Garden developed in Mesa County by Ecoplexus/Fresh Air Energy VIII, LLC, located on School District owned property in Pear Park (D ¼ Road and 29 Road). The City subscribes to 23% of the 2 MW project and has realized significant savings based on credits received from Xcel Energy for the subscribed accounts, approximately \$80,000 annual savings.

Oak Leaf Energy Partners was awarded a total of 4 MW for solar garden projects in or adjacent to Mesa County by Xcel Energy. The Town of Palisade is leasing 12 acres of the Cameo site for the placement of a 2 MW system, consisting of 5,715 solar panels, to be developed by Oak Leaf, with a plan to have the project constructed in the summer of 2018. Oak Leaf will be developing a second 2 MW garden on City of Rifle owned land.

The City has received a proposal from Oak Leaf to be a subscriber to the two proposed Community Solar Gardens. The subscription would be for 32% of the energy produced at the Cameo site garden and 3.75% of the energy produced at the Rifle site. The price and subscription agreements are identical for both gardens. The proposal is to utilize two meters, the Police building and the Water Treatment Plant with a subscription price of \$0.0649 per kWh. The Xcel credit varies from \$.06662 to \$.07029 based on the type of meter, with the Water Treatment Plant meter offering a higher credit, resulting in an estimated savings of approximately \$546,000 over the 20-year subscription period (see attached table). The proposed subscription agreement would provide for 57% of the Police building's energy usage and 100% of the Water Treatment Plant's remaining energy usage that is not already covered by the on-site solar system.

FISCAL IMPACT:

This Community Solar Garden opportunity will save the City approximately \$547,000 over the 20 year period. The payment to Oak Leaf in year 1 is approximately \$93,000 and assumes a 1.35% price increase annually. The average credit to the City from Xcel is approximately \$100,000 in year 1 and assumes a 3.1% annual credit increase.

SUGGESTED MOTION:

I move to (approve or deny) the request to authorize the City Manager to enter into a Community Solar Garden Subscription Agreement with Oak Leaf Solar XXXI LLC.

Attachments

1. Solar Garden Subscription Proposal



oakleaf
ENERGY PARTNERS



City of Grand Junction Community Solar Garden

Version: Original

March 6, 2018



Oak Leaf Energy Partners

2645 E. 2nd Avenue, Suite 206 Denver, CO 80206

City of Grand Junction Community Solar

1 Executive Summary

March 6, 2018

Ms. Kathy Portner, AICP
Community Development
City of Grand Junction
250 N Fifth Street
Grand Junction, CO 81501

Dear Kathy,

Please see below updated tables reflecting the updated pricing for the Cameo garden and for our second garden in Rifle. The increased subscription generates an additional \$100k in net savings for the City compared to the lower kWh in the March 5th proposal. In total the City would subscribe to approximately 1.42 million kWh annually.

We are excited about this opportunity and look forward to working with the City.

Sincerely,

Michael McCabe
Partner
Oak Leaf Energy Partners
303-893-6945
mike@oakleafep.com



City of Grand Junction Community Solar

2 Economics

Oak Leaf is offering the City a subscription to each of our western slope gardens. The first garden is located on Town of Palisade land at the old Cameo complex. The second garden is located along I-70 just west of Rifle. The price and subscription agreements are identical for both gardens. The Palisade garden assumes the City uses two meters: the Police Station at 555 Ute Avenue and the Water Treatment Plant at 244 26 1/4 Rd. The reason to include the water treatment plant is because it is on an SGL meter and will provide substantially better economics to the City. This subscription represents ~32% of the Palisade garden and increases the City's savings by about \$75k.

City's Subscription Opportunity – Palisade – Increased kWh

Year	Subscriber kWh	Average Xcel Bill Credit ¹	Total Xcel Bill Credits to Subscriber	Oak Leaf Subscription Price ²	Subscriber Payments to Oak Leaf	Savings
1	1,276,633	\$0.07029	\$89,731	\$0.0649	\$82,853	\$6,878
2	1,270,250	\$0.07247	\$92,050	\$0.0658	\$83,552	\$8,498
3	1,263,898	\$0.07471	\$94,429	\$0.0667	\$84,257	\$10,173
4	1,257,579	\$0.07703	\$96,870	\$0.0676	\$84,967	\$11,903
5	1,251,291	\$0.07942	\$99,374	\$0.0685	\$85,684	\$13,690
6	1,245,035	\$0.08188	\$101,942	\$0.0694	\$86,406	\$15,536
7	1,238,809	\$0.08442	\$104,577	\$0.0703	\$87,135	\$17,442
8	1,232,615	\$0.08703	\$107,279	\$0.0713	\$87,870	\$19,410
9	1,226,452	\$0.08973	\$110,052	\$0.0722	\$88,611	\$21,441
10	1,220,320	\$0.09251	\$112,896	\$0.0732	\$89,358	\$23,539
11	1,214,218	\$0.09538	\$115,814	\$0.0742	\$90,111	\$25,703
12	1,208,147	\$0.09834	\$118,807	\$0.0752	\$90,871	\$27,936
13	1,202,107	\$0.10139	\$121,878	\$0.0762	\$91,637	\$30,241
14	1,196,096	\$0.10453	\$125,028	\$0.0773	\$92,410	\$32,618
15	1,190,116	\$0.10777	\$128,259	\$0.0783	\$93,189	\$35,070
16	1,184,165	\$0.11111	\$131,574	\$0.0794	\$93,975	\$37,599
17	1,178,244	\$0.11456	\$134,975	\$0.0804	\$94,768	\$40,207
18	1,172,353	\$0.11811	\$138,463	\$0.0815	\$95,567	\$42,896
19	1,166,491	\$0.12177	\$142,042	\$0.0826	\$96,373	\$45,669
20	1,160,659	\$0.12554	\$145,713	\$0.0837	\$97,185	\$48,527
Total	24,355,478	\$0.09540	\$2,311,753		\$1,796,779	\$514,975

¹Assumes Xcel bill credit increases 3.1% annually

²Assumes Oak Leaf price increases 1.35% annually



City of Grand Junction Community Solar

The second garden opportunity would leverage the same subscription agreement and meter (the Police Station Meter) as the Palisade garden. The subscription is smaller than the Palisade garden but there is very little incremental effort to enter into and maintain the second garden subscription. This equals approximately 3.75% of the total garden.

City's Subscription Opportunity – Second Garden Opportunity

Year	Subscriber kWh	Average Xcel Bill Credit ¹	Total Xcel Bill Credits to Subscriber	Oak Leaf Subscription Price ²	Subscriber Payments to Oak Leaf	Savings
1	150,000	\$0.06662	\$9,993	\$0.0649	\$9,735	\$258
2	149,250	\$0.06829	\$10,192	\$0.0658	\$9,817	\$375
3	148,504	\$0.06999	\$10,394	\$0.0667	\$9,900	\$494
4	147,761	\$0.07174	\$10,601	\$0.0676	\$9,983	\$617
5	147,022	\$0.07354	\$10,811	\$0.0685	\$10,068	\$744
6	146,287	\$0.07537	\$11,026	\$0.0694	\$10,152	\$874
7	145,556	\$0.07726	\$11,245	\$0.0703	\$10,238	\$1,007
8	144,828	\$0.07919	\$11,469	\$0.0713	\$10,324	\$1,145
9	144,104	\$0.08117	\$11,697	\$0.0722	\$10,411	\$1,285
10	143,383	\$0.08320	\$11,929	\$0.0732	\$10,499	\$1,430
11	142,667	\$0.08528	\$12,166	\$0.0742	\$10,588	\$1,579
12	141,953	\$0.08741	\$12,408	\$0.0752	\$10,677	\$1,731
13	141,243	\$0.08960	\$12,655	\$0.0762	\$10,767	\$1,888
14	140,537	\$0.09184	\$12,906	\$0.0773	\$10,858	\$2,049
15	139,835	\$0.09413	\$13,163	\$0.0783	\$10,949	\$2,214
16	139,135	\$0.09649	\$13,425	\$0.0794	\$11,042	\$2,383
17	138,440	\$0.09890	\$13,691	\$0.0804	\$11,135	\$2,557
18	137,747	\$0.10137	\$13,963	\$0.0815	\$11,229	\$2,735
19	137,059	\$0.10390	\$14,241	\$0.0826	\$11,323	\$2,918
20	136,373	\$0.10650	\$14,524	\$0.0837	\$11,419	\$3,105
Total	2,861,686		\$242,502		\$211,115	\$31,386

¹Assumes Xcel bill credit increases 3.1% annually

²Assumes Oak Leaf price increases 1.35% annually





oakleaf
ENERGY PARTNERS



Oak Leaf Energy Partners

2645 E. 2nd Avenue, Suite 206

Denver, CO 80206

Telephone: 303-893-6945

Mobile: 720-496-4342



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: March 21, 2018

Presented By: Greg Caton, City Manager

Department: City Manager

Submitted By: Jay Valentine

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Two Rivers Convention Center Improvements Project

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

This request is for authorization to submit a request to the Colorado Department of Local Affairs for a \$1 million grant, with a local match of \$6 million, for expansion and improvements to Two Rivers Convention Center.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction is partnering with the Downtown Development Authority (DDA), Pinnacle Venue Services and Reimer Hotel Corporation to finance approximately \$7,000,000 for capital improvements to Two Rivers Convention Center (TRCC).

The improvements to the Convention Center will include roof repairs, upgrades to the water distribution system, kitchen upgrades, exterior repairs, and various other improvements. The most significant impact however will be the construction of a corridor that will connect the Convention Center to a Jr. Ballroom located within the future hotel.

Based on the conditions and current restrictions of the facility, many conventions, conferences and other events cannot be accommodated at TRCC. The proposed upgrades and especially the addition of a Jr. Ballroom, will solve many of the issues facing the facility with regards to functionality and efficiency.

FISCAL IMPACT:

\$3 million is currently budgeted for this project in 2018 with an additional \$3 million planned for 2019.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 17-18, a resolution authorizing the City Manager to submit a grant request to the Colorado Department of Local Affairs (DOLA) Energy and Mineral Impact Assistance Program for the Two Rivers Convention Center Improvements Project.

Attachments

1. Resolution



**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ____-18**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT
REQUEST TO THE COLORADO DEPARTMENT OF LOCAL AFFAIRS' (DOLA)
ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM FOR THE TWO
RIVERS CONVENTION CENTER IMPROVEMENTS PROJECT**

RECITALS.

The City of Grand Junction is partnering with the Downtown Development Authority (DDA), Pinnacle Venue Services and Reimer Hotel Corporation to finance approximately \$7,000,000 for capital improvements to Two Rivers Convention Center (TRCC).

The improvements to the Convention Center will include roof repairs, upgrades to the water distribution system, kitchen upgrades, exterior repairs, and various other improvements. The most significant impact however will be the construction of a corridor that will connect the Convention Center to a Jr. Ballroom located within the future hotel.

Based on the conditions and current restrictions of the facility, many conventions, conferences and other events cannot be accommodated at TRCC. The proposed upgrades and especially the addition of a Jr. Ballroom, will solve many of the issues facing the facility with regards to functionality and efficiency. The grant request to DOLA for \$1 million, with a \$1 million match would be used for a portion of the public improvements required for the completion of the east end of Las Colonias Park.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction does hereby authorize the City Manager to submit a \$1 million grant request in accordance with and pursuant to the recitals stated above to the Department of Local Affairs' Energy and Mineral Impact Assistance Program for the Two Rivers Convention Center Improvements Project.

Dated this ____ day of _____ 2018.

Rick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: March 21, 2018

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: Greg LeBlanc, Assistant to the City Manager

Information

SUBJECT:

A Resolution Authorizing and Ratifying a Contract with Sunshine Polishing

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The City of Grand Junction committed to resolve the problems with the property sold to Sunshine Polishing Technology Inc. in the Jarvis Subdivision (now known as the Riverfront at Dos Rios) in 2017. The Sunshine Polishing project is important to the City because it represents the first development/reuse of the long vacant Riverfront at Dos Rios property and with the development by Sunshine Polishing additional opportunities for new and different uses and further redevelopment of the area are likely.

The contract has been drafted, negotiated and agreed to in discussions with Sunshine Polishing and its attorney, and the City Manager and City Attorney.

BACKGROUND OR DETAILED INFORMATION:

In 2017, the City Council entered into an agreement concerning the sale of real property in the Jarvis Subdivision (now known as the Riverfront at Dos Rios) in Grand Junction. Through the course of concerted effort by Sunshine Polishing and the City, it was determined that Lot 5 of the subdivision, the parcel identified by Sunshine for the location of its company to Grand Junction, would not meet the needs of Sunshine Polishing. Rather than abandoning the project, Sunshine Polishing and the City committed to resolve the problems with the property and location for Sunshine

Polishing's new business, and now propose that Sunshine Polishing locate on Lot 12, Filing 3 of the subdivision. In addition to authorizing the conveyance of Lot 12, Resolution ___-18 authorizes the re-purchase of Lot 5 and the City's financial participation in making Lot 12 developable for Sunshine Polishing.

The contract has been drafted, negotiated and agreed to in discussions with Sunshine Polishing and its attorney, and the City Manager and City Attorney.

The Sunshine Polishing project is important to the City because it represents the first development/reuse of the long vacant Riverfront at Dos Rios property and with the development by Sunshine Polishing additional opportunities for new and different uses and further redevelopment of the area are likely. For these and other reasons the City Council has considered the terms of the proposed sale, re-purchase and incentive award all in accordance with the attached agreement.

The City Manager is authorized and directed to execute the contract, in the form of an offer to buy and sell real property as described in the agreement all located in the Jarvis Subdivision (now known as the Riverfront at Dos Rios) located in Grand Junction, Colorado. All actions heretofore taken by the City Manager and City Attorney and other officers, employees and agents of the City relating to the purchase and sale of the property and the offering of incentive funding, which are consistent with the provisions of the contract are ratified, approved and confirmed by Resolution ___-18.

FISCAL IMPACT:

The direct fiscal impact is \$57,500.00; other indirect costs have been incurred. The redevelopment of the property and having it in private ownership/taxable is a positive economic benefit.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 18-18, a Resolution authorizing the City Manager to execute a contract with Sunshine Polishing Technology Inc. for the sale and purchase of real property in the City of Grand Junction, Colorado and for the offering of an Economic Incentive.

Attachments

1. Resolution Contract Sunshine Polishing

RESOLUTION NO. __-18

A Resolution Authorizing the City Manager to Execute a Contract with Sunshine Polishing Technology Inc. for the Sale and Purchase of Real Property in the City of Grand Junction, Colorado and for the Offering of an Economic Incentive

Recitals:

In 2017 the City Council entered into an agreement concerning the sale of real property in the Jarvis Subdivision (now known as the Riverfront at Dos Rios) in Grand Junction. Through the course of concerted effort by Sunshine and the City it was determined that Lot 5 of the subdivision, the parcel identified by Sunshine for the location of its company to Grand Junction, would not meet the needs of Sunshine.

Rather than abandoning the project, Sunshine and the City committed to resolve the problems with the property/the location for Sunshine's new business and now propose that Sunshine locate on Lot 12, Filing 3 of the subdivision. In addition to authorizing the conveyance of Lot 12, this resolution authorizes the re-purchase of Lot 5 and the City's financial participation in making Lot 12 developable for Sunshine.

The attached contract has been drafted, negotiated and agreed to in discussions with Sunshine and her attorney and the City Manager and City Attorney.

The Sunshine project is important to the City because it represents the first development/reuse of the long vacant Riverfront at Dos Rios property and with the development by Sunshine additional opportunities for new and different use(s) and/or further redevelopment of the area are likely.

For these and other reasons the City Council has considered the terms of the proposed sale, re-purchase and incentive award all in accordance with the attached agreement.

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

1. The City Manager is authorized and directed to execute the contract, in the form of an offer to buy and sell real property as described in the agreement all located in the Jarvis Subdivision (now known as the Riverfront at Dos Rios) located in Grand Junction, Colorado; and,
2. All actions heretofore taken by the City Manager and City Attorney and other officers, employees and agents of the City relating to the purchase and sale of the property and the offering of incentive funding, which are consistent with the provisions of the contract and this Resolution are hereby ratified, approved and confirmed.

PASSED AND APPROVED this 21st day of March 2018.

J. Merrick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: March 21, 2018

Presented By: Trent Prall, Public Works Director

Department: Public Works - Engineering

Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

I-70 / 29 Road Interchange Memorandum of Understanding Between the City of Grand Junction and Mesa County

RECOMMENDATION:

Authorize the Mayor to sign a Memorandum of Understanding with Mesa County for a preliminary environmental study for the proposed I-70 / 29 Road Interchange.

EXECUTIVE SUMMARY:

The proposed memorandum defines the partnership between Mesa County and the City of Grand Junction for a preliminary environmental study for a proposed interchange on I-70 at 29 Road.

BACKGROUND OR DETAILED INFORMATION:

The purpose of this Memorandum of Understanding (MOU) is to establish the lines of communications and responsibility for the various work items necessary to accomplish a Planning and Environmental Linkages (PEL) study of 29 Road from Patterson Road (F Road), crossing I-70 and landing on a new connecting road North of I-70 to the airport. This MOU also establishes the intention of both the CITY and COUNTY to cooperatively fund their share of the Project.

The PEL study is a precursor that will be used to identify transportation issues and environmental concerns with the Project. The intent of the PEL study is to develop the purpose and need for the Project, determine Project size, and develop and refine a range of alternatives. The PEL study will link planning to environmental issues and

result in useful information that can be carried forward into the National Environmental Policy Act (NEPA) process as part of CDOT's Policy Directive 1601 Planning Process.

This PEL study is planned for completion by Fall 2018.

FISCAL IMPACT:

The cost of the study is \$400,000 to be split evenly between Mesa County and the City of Grand Junction.

This item is currently not in the 2018 budget and therefore will be proposed for inclusion in the 2018 Supplemental Appropriation later this spring.

SUGGESTED MOTION:

I move to (approve/deny) the request for the Mayor to sign the attached Memorandum of Understanding with Mesa County for a preliminary environmental study for a proposed interchange at I-70 and 29 Road.

Attachments

1. MOU 29 Rd - I70 Interchange PEL only 20180307

MEMORANDUM OF UNDERSTANDING
between
The City of Grand Junction and Mesa County, Colorado
for the
PLANNING OF THE 29 ROAD AND I70 INTERCHANGE

The parties to this Memorandum of Understanding (“AGREEMENT”) are Mesa County, Colorado, a political subdivision of the State of Colorado, acting through the Board of County Commissioners of Mesa County, Colorado (“COUNTY”), and the City of Grand Junction, Colorado, a Colorado Municipality, acting through the City Council of the City of Grand Junction, Colorado (“CITY”).

I. Introduction

Both the City and the County (“the Parties” or “Parties”) have responsibilities for developing and implementing transportation plans and authorizing capital improvements under their respective jurisdictions. The Parties recognize that transportation related improvement decisions by one party effect similar decisions by the other and that cooperative planning and spending can maximize the community’s resources that are available for improvements. The Parties further recognize the need to make improvements to the 29 Road Corridor (“the Project”). Portions of the 29 Road Corridor from Patterson Road (F Road) to I-70 straddle the meandering City/County limits line. It is further recognized that it is in the best interests of the Parties to work cooperatively in the planning for the Project.

II. Purpose

The purpose of this AGREEMENT is to establish the lines of communications and responsibility for the various work items necessary to accomplish the Planning and Environmental Linkages (PEL) study of 29 Road from Patterson Road (F Road), crossing I70 and landing on a new connecting road North of I70 to the airport. This AGREEMENT also establishes the intention of both the CITY and COUNTY to cooperatively fund their share of the Project.

The PEL study is a precursor that will be used to identify transportation issues and environmental concerns with the Project. The intent of the PEL study is to develop the purpose and need for the Project, determine Project size, and develop and refine a range of alternatives. The PEL study will link planning to environmental issues and result in useful information that can be carried forward into the National Environmental Policy Act (NEPA) process as part of CDOT’s Policy Directive 1601 Planning Process.

This PEL study is planned for completion by Fall 2018.

III. Procedure

Now, therefore, it is agreed that the Parties will:

- 1) Include funds in their respective budgets for the cost of the PEL study, the Parties will make every effort to budget funds as shown below:

Project Budget:

Fund Source	PEL 2018
City	\$200,000
County	\$200,000
TOTAL	\$400,000

- 2) If the PEL is not completed in 2018, the Parties agree to carry over any unexpended funds for the Project to the following year.
- 3) The COUNTY shall select and contract with a Consultant to prepare the PEL study in accordance with CDOT and FHWA standards.
- 4) The CITY and COUNTY will co-manage the PEL study. The Project Management Team will consist of the respective Public Works Director for both the CITY and COUNTY. The COUNTY will provide a Project Manager. The City will provide a representative. Both the City and County will perform their respective public relations coordinated through the Project Manager.
- 5) To minimize the effect of receiving revenue limitations under TABOR, the consultant contract may be written so that payments may be made directly to the consultant(s) by either the CITY or the COUNTY in amounts determined by mutual agreement of the Parties.
- 6) The CITY and the COUNTY may not necessarily pay exactly equal shares of every individual portion of the Project; however, both Parties agree that the total local share of the Project actual cost will be divided equally. Should either Parties receive a grant for this Project, the grant money will be applied to the project as a whole, thereby reducing each Parties shares equally. The Parties further agree that the total funding expected of either party will not exceed the amount shown in the table in paragraph 1) except by mutual, written modification of this AGREEMENT.
- 7) The Project will generally include PEL study for construction of an interchange at 29 Road and I-70 as well as construction of a principal arterial on 29 Road from Patterson north to the interchange and a

connecting collector road to Horizon Drive. The general configuration of the design will not be changed except by mutual, written modification of this AGREEMENT. All work will be in accordance with FHWA and CDOT requirements / standards.

IV. Administration

- A) Nothing in this AGREEMENT will be construed as limiting or affecting in any way the authority or legal responsibility of the COUNTY and/or the CITY, or as binding either Party to perform beyond the respective authority of each, or as requiring either Party to assume or expend any sum in the excess of appropriations available.
- B) This AGREEMENT shall become effective when signed by the Parties hereto. The Parties may amend the AGREEMENT by mutual written attachment as the need arises. Any Party may terminate this AGREEMENT after 30 days notice in writing to the other in the intention to do so and fulfillment of all outstanding legal obligations.
- C) The COUNTY will advertise, receive proposals, and award the proposal upon recommendation of the Project Management Team. The COUNTY shall include all the terms and conditions regarding bonding, insurance and indemnification provisions as part of the COUNTY'S contract so that the Project is protected.

In Witness whereof, the parties herein have cause this document to be executed as of the date of the last signature shown below.

MESA COUNTY

John Justman, Chair
Mesa County Board of Commissioners

ATTEST: Sheila Reiner, Clerk
Date: _____

CITY OF GRAND JUNCTION

Rick Taggart, Mayor
Grand Junction City Council

ATTEST: Wanda Winkelmann, Clerk
Date: _____



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: March 21, 2018

Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Senior Planner

Information

SUBJECT:

Public Hearing to consider a request by REgeneration LLC for review of a Service Plan for the proposed Lowell Village Metropolitan District

RECOMMENDATION:

Planning Commission recommended Conditional Approval of the Lowell Village Metropolitan District Service Plan

EXECUTIVE SUMMARY:

The Applicant, ReGeneration LLC, is planning for the proposed Lowell Village project to be constructed on the easterly two-thirds (approximately 1.64 acres) of Block 84 of the Original City Plat also known as the R-5 High School Block located at 310 North 7th Street. Per conceptual plans reviewed by the City, the development will consist of 36 townhome units, each with the potential for an accessory dwelling unit above a garage on each lot. As a means of generating capital for the construction and on-going maintenance of the proposed public improvements within the development, the Applicant is proposing to form a Metropolitan District. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City.

BACKGROUND OR DETAILED INFORMATION:

Special districts are quasi-municipal corporations and political subdivisions that are organized to act for a particular purpose. A metropolitan district is a special district that provides any two or more services which may include fire protection, parks and recreation, safety protection, sanitation, solid waste, street improvements or water, to

name a few. A district has the ability to acquire bonds for the construction of the improvements and to levy taxes to the area within their boundaries to repay those bonds. The financing, construction, and operation and maintenance of improvements and services to support new development is legally the responsibility of the district if formed. In many jurisdictions, both municipalities and counties, special districts have been used as an implementation tool to harness private investment to achieve a city's planning, redevelopment, infill and economic goals.

The trend with special district legislation has been to allow general purpose local governments to exert greater control over the formation and operation of special districts. The service plan approval process is the key to exercising that control.

The legislative declaration found in Article 1 of Title 32 refers to "the Coordination and orderly creation of special districts" and the logical extension of special district services throughout the state." It further declares that the review procedures in Part 2 (the "Control Act") are created to "prevent unnecessary proliferation and fragmentation of local government and to avoid excessive diffusion of local tax sources." Also cited as reasons for these measures are "the elimination of the overlapping services provided by local governments" and efforts to "reduce duplication, overlapping and fragmentation of the functions and facilities of special districts."

Service Plans and statements of purposes in effect create binding agreements between the special district and the approval authority. ("Upon final approval by the court for the organization of the special district, the facilities, services, and financial arrangements of the special district shall conform so far as practicable to the approved Service Plan." (C.R.S. §32-1-201(1))).

The jurisdiction may request the filing of an annual report of any special district. This report must be made available to the Division of Local Affairs and to all "interested parties" as defined in C.R.S. §32-1-207(3)(c)(d). The statute does not specify what an annual report should consist of; therefore, should the jurisdiction desire an annual report, it should provide guidelines and rationale for the request. Section VII of the proposed Service Plan does include the requirement for an Annual Report as well as outlines requirements for its contents.

The formation of a special district entails a three-part process that requires: 1) obtaining review and approval from the local governmental jurisdiction; 2) review by district court; and 3) a special election. The Grand Junction Municipal Code does not contain specific provisions related to the review of service plans therefore the process of submittal and review of the plans must be in compliance with requirements contained in Title 32 of the Colorado Revised Statutes. Those statutory requirements include submittal of the service plans to the clerk for the city council, referral of the plans to the planning commission for review and recommendation (if consistent with City policy), referral to

City Council within thirty (30) days of plan submittal, and a public hearing with the City Council not more than thirty (30) days after setting the public hearing date.

In summary, metropolitan districts are formed and operated as follows:

- City Council must vote to approve a district service plan based on statutory approval criteria
- Affected property owners must vote to approve district formation by a simple majority
- Sale of municipal bonds generates funding for infrastructure and amenities
- As development occurs and property values increase, bonds are repaid by homeowners within the district via the additional taxes paid by district residents. The district does not tax anyone outside of its boundaries
- The developer maintains oversight of the district, an annual outside audit is conducted of the district, and annual transparency reports are submitted to the City and State and made publicly available
- The City has no legal or financial liability during the life of the district; it does not reduce current or future tax revenues of other public agencies and it does not draw from the City's capital improvement budget or capital reserves

The Applicant submitted and requested review of the Service Plan for the proposed Lowell Village Metropolitan District on February 2, 2018. The Service Plan proposes to serve the Lowell Village development, a 36-unit development with potentially 36 accessory dwelling units on 1.64 acres in a B-2 (Downtown Business) zone district. At the time of composing this report, the Applicant had recently submitted a Preliminary Plat and Plan for its proposed project (submitted February 8, 2018) which has not been reviewed or approved by the City. This results in a review of the Service Plan without an accompanying Approved Development Plan as defined by the Service Plan.

The area defined as the boundary of the District includes the easterly two-thirds of Block 84 of the Original City Plat also known as the R-5 block located at 310 North 7th Street. However, the Service Plan states: "It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to §32-1-401, et seq., C.R.S., and §32-1-501, et seq., C.R.S., subject to the limitations set forth in Article V of the service plan."

As proposed, the primary purpose of the District is to provide for the Public Improvements associated with development and, if applicable, regional needs, and operate and maintain Public Improvements not conveyed to the City, other appropriate jurisdiction or an owners' association. Statutory requirements in §32-1-103 (10) C.R.S state that a Metropolitan District may include any of the following services, but is required to provide at least two of the following services that benefit the public:

- a) Fire Protection;
- b) Mosquito Control;

- c) Parks and recreation;
- d) Safety protection;
- e) Sanitation;
- f) Solid Waste disposal facilities or collection and transportation of solid waste;
- g) Street improvement;
- h) Television relay and translation;
- i) Transportation; or
- j) Water.

The Service Plan for the Lowell Village Metropolitan District is to construct and provide on-going maintenance of:

- Community Greenhouse/Gardens, Community Recycling/Composting and Public Event Space (mini-plaza) east of historic school building (a parks and recreation service),
- Solid waste disposal facilities or collection and transportation of solid waste (a sanitation service),
- Public Roads and Private Drives (a streets improvement service), and
- Domestic water lines (a water service).

For purposes of a service plan, “public” is defined as those receiving services from the district which are the “property owners/inhabitants of the development that are subject to the metropolitan district mill levy.”

The Service Plan includes a detailed cost estimate of these improvements totaling \$1,585,915. The Service Plan proposes a total Anticipated Mill Levy of 55.277 Mills for debt and operations. This is in addition to the current rate of 75.501 mills; resulting in a total levy for property owners within the district boundaries of up to 130.778 mills. For reference, an additional mill of 55.277 equates to approximately \$994 per year in taxes on an assessed valuation of \$250,000.

ZONING AND ADJACENT USES

The property is zoned B-2 (Downtown Business) which allows for a mix of uses, including multifamily residential such as the townhomes proposed. The block is also within the Greater Downtown Overlay which includes development guidelines and standards for new construction. While the property is also a part of the North Seventh Street Historic Residential District, the guidelines and standards adopted for that district are advisory only.

As indicated on the Applicant’s preliminary concept plan in the Service Plan, the density of the development will be approximately 22 dwelling units per acre. This density is consistent with existing multifamily development to the north and east that is zoned RO (Residential Office). Properties to the south and west are also zoned B-2

and are developed as downtown commercial uses, primarily offices.

NOTIFICATION REQUIREMENTS

In compliance with statutory requirements, the following steps have or will occur as the Service Plan review proceeds:

- 1) City Clerk received a petition for review of a service plan for the Lowell Village Metropolitan District on February 2, 2018.
- 2) The City Clerk reported the filing to the Colorado Department of Local Affairs on February 5, 2018.
- 3) The City Clerk provided notification of the public hearing on February 26, 2018.
- 4) City Council set a date for a hearing on the Service Plan on March 7, 2018.
- 5) The City Clerk provided written notice of the hearing to the Department of Local Affairs on February 5, 2018.

ANALYSIS

Statutory Compliance of Submittal Elements

The required submittal elements for a service plan included in C.R.S. §32-1-202 (2) are listed below.

(a) A description of the proposed services;

The Service Plan provides a list of potential services but also states that these may or may not be services that the district provides. The plan states that “The District shall have the power and authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, operation and maintenance of Public Improvements within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein.” The specific services proposed in the Lowell Village Service Plan are: 1) Community Greenhouse/Gardens, Community Recycling/Composting and Public Event Space (mini-plaza) east of historic school building (a parks and recreation service); 2) Solid waste disposal facilities or collection and transportation of solid waste (a sanitation service); 3) Public Roads and Private Drives (a streets improvement service); and 4) Domestic Water Lines.

(b) A financial plan showing how the proposed services are to be financed, including the proposed operating revenue derived from property taxes for the first budget year of

the district, which shall not be materially exceeded except as authorized pursuant to § 32-1-207 or §29-1-302, C.R.S. All proposed indebtedness for the district shall be displayed together with a schedule indicating the year or years in which the debt is scheduled to be issued. The board of directors of the district shall notify the board of county commissioners or the governing body of the municipality of any alteration or revision of the proposed schedule of debt issuance set forth in the financial plan;

A financial plan was included in the Service Plan. The financial plan was reviewed the City's Deputy Finance Director, Jay Valentine. The financing assumptions in the plan were modeled by D.A. Davidson and Company. Mr. Valentine commented that the financing plan pertaining to the Lowell Village Metropolitan District, specifically the revenues acquired through the issuance of debt, appears to be insufficient to construct the public improvements within the District. Within the service plan, the estimated cost of the Public Improvements is \$1,600,000 while the revenue generated by the issuance of debt is \$697,000. The plan does not discuss how this funding gap is expected to be closed but the applicant provided additional information regarding funding options for the gap which was acceptable to Mr. Valentine.

The repayment of the estimated \$697,000 debt is proposed to be achieved by imposing a mill levy targeted at 55.277 mills on the taxable property of this District. The mill levy rate may be increased or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt. Although the mill levy will be the District's primary source of revenue for the debt, the District will also have the discretion and power to assess fees, rates or charges. The District is not pledging any revenue or property of the City as security for the debt and it is stated that approval of the Service Plan shall not be construed as a grantee by the City of payment of any of the District's obligations.

(c) A preliminary engineering or architectural survey showing how the proposed services are to be provided;

Preliminary Plans have been included in the Service Plan. These plans were submitted by the developer for review by the City on February 8, 2018 but have not received approval nor do they constitute the Approved Development Plan as defined in the Service Plan. The Preliminary Plans in the Service Plan generally depict the proposed construction from which cost estimates were developed. The Preliminary Plans do not specifically show which improvements and services are to be provided within the proposed District – e.g. the Service Plan boundaries are not shown on the plans. Instead, the plans show the ultimate build-out of the site, including areas that are not being proposed as part of the initial District boundaries as well as areas that are within City public rights-of-way and not within the District boundaries. Thus, this requirement has not been met; and the recommendation is that if a District is approved, an approved Preliminary Plan consistent with the GJMC shall be reviewed and approved by the City prior to the Metropolitan District Service Plan becoming effective.

(d) A map of the proposed special district boundaries and an estimate of the population and valuation for assessment of the proposed special district;

A map of the proposed district boundaries was provided as Exhibit A in the Service Plan and the valuation for assessment of the 36 residential units is included. The population at build-out is estimated to be approximately ninety (90) persons based on projected market demand. The map however is inconsistent with the legal description stated in the Service Plan since, per the Map and the subsequent Preliminary Plans and listing of site improvements, it appears the District is intended to include the public alley rights-of-way but the legal description does not include the alley rights-of-way. The Preliminary Plans do not indicate the boundaries of the District so it is unclear what improvements are actually to be included in the Service Plan. In addition, lots stated in the legal description do not exist as of the composing of this staff report until a new subdivision plat has been recorded. Thus, this element has not been met as it is inconsistent with the legal description and must be modified prior to approval.

(e) A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the proposed special district are compatible with facility and service standards of any county within which all or any portion of the proposed special district is to be located, and of municipalities and special districts which are interested parties pursuant to C.R.S. §32-1-204.

Standards for the proposed construction were discussed and a statement was included in the Construction Standards Limitation section V.c. of the Service Plan “The District will ensure that any Public Improvements are designed and constructed in accordance with the applicable standards and specifications of the City and of other governmental or non-governmental entities having proper jurisdiction consistent with the Approved Preliminary Plan. Where such standards and specifications may not be optimal given the project type, context, or constraints, the District will ensure that any variances from said standards and specifications are subject to the applicable variance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction.”

The facilities to be constructed include landscaping, community gardens and event space, private drives and public alleys including street lighting, sanitary sewer, storm sewer, domestic water and electrical distribution. While the Service Plan gives a description, it is unclear from the Preliminary Plans included in the Service Plan the extent of which/what/where facilities are to be provided via the District.

(f) A general description of the estimated cost of acquiring land, engineering services, legal services, administrative service, initial proposed indebtedness and estimated

proposed maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the district.

There are no costs associated with the acquisition of the land. The plan provides estimated costs for engineering, surveyor and construction management of the project as well as the construction of improvements based on the submitted conceptual maps. It is important to note that where these initial estimates might vary from the actual costs developed from detailed design and review, the actual cost of development shall be based on the engineer's cost estimates associated with the Development Improvements Agreement that will be required for this project as part of the Final Plan, and not those estimates contained within the service plan. This statement has been included in the Service Plan thus, this submittal element has been met.

(g) A description of any arrangement or proposed agreement with any political subdivision for the performance of any services between the proposed special district and such other political subdivision, and, if the form contract to be used is available, it shall be attached to the service plan;

The Applicant does not anticipate the need for an agreement for the performance of services between the City and the district. The Service Plan provides "Although it is anticipated that the District will not operate and maintain public street improvements, the District is expressly authorized, but not obligated, to supplement such operations and maintenance to the extent that the Board in its sole discretion may determine is appropriate. With respect to any Public Improvements which remain under District ownership, if any, the District shall be authorized to enter into one or more agreements with owners' associations pursuant to which an owners' association may operate and maintain such Public Improvements."

However, the need for intergovernmental or private agreements to address construction and maintenance of site improvements shown on the Preliminary Plans that are not within the proposed boundaries of the District has been identified. Much of the landscaping and other improvements shown on the Preliminary Plans that are to be constructed and maintained by the District are within the public rights-of-way of interior alleys and perimeter streets. Similarly, the Stormwater Detention Bio-Swales shown on the Preliminary Plans are on private property outside of the proposed District Boundaries. Public alley rights-of-way are located within the District's boundaries and an agreement should make clear obligation for construction and maintenance of these alleys. Agreements, easements and the like that are needed to address the construction and maintenance of these improvements outside the District boundaries were not attached to the Service Plan.

(h) Information, along with other evidence presented at the hearing, satisfactory to establish that each of the criteria set forth in section 32-1-203, if applicable, is met;

Statutory Criteria for Action

C.R.S. §32-1-203 contains the criteria for action on a service plan. These are listed below.

(2) The jurisdiction shall disapprove the service plan unless evidence satisfactory to the Council of each of the following is presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed special district.

The Lowell Village property is an infill development site within downtown Grand Junction. The Applicant is proposing Community Greenhouse/Gardens, Community Recycling/Composting and Public Event Space (mini-plaza) as a parks and recreation service; solid waste disposal facilities or collection and transportation of solid waste as a sanitation service; Public Roads and Private Drives as a streets improvement service, and Domestic water lines as water service. Many of these services are redundant with those that are already provided within the City. For example, utility services exist to and within the perimeter rights-of-way that can be improved and extended to serve any proposed development, the City and other organizations provide parks and recreation benefits, and the City and other private entities provide solid waste disposal.

The Applicant provides that “there are currently no other governmental entities, including the city, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, operation and maintenance of the Public Improvements needed for the project.” The Applicant provides, the “formation of the district is therefore necessary in order for the Public Improvements required for the project to be provided in the most economical manner possible.”

(b) The existing service in the area to be served by the proposed special district is inadequate for present and projected needs.

Being an infill site in downtown, the site is not currently developed so the existing services are inadequate. However, services such as water, sewer and roads currently exist and the City anticipates that the service can and will be provided in a form that is adequate for the projected needs. As stated above, the Applicant is proposing parks and recreation, sanitation, roads and private drives and water services. As represented (despite inconsistencies with maps and legal descriptions) some of these are not services the City would provide internal to the private property (e.g. gardens or water service lines) and therefore it could be assumed that the City’s service will be inadequate to address the needs that the Applicant is proposing are essential to the

projected needs of this development.

(c) The proposed special district is capable of providing economical and sufficient service to the area within its proposed boundaries.

The Service Plan has demonstrated that the Applicant is capable of providing economical and sufficient service to the development to be constructed within the district boundaries.

(d) The area to be included in the proposed special district has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

Based upon an economic analysis performed by the City Deputy Finance Director and additional information provided by the applicant, it appears that the district should have the ability to discharge the proposed debt.

(2.5) The jurisdiction may disapprove the service plan if evidence satisfactory to the Council of any of the following, at the discretion of the Council, is not presented:

(a) Adequate service is not, or will not be, available to the area through the City or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis.

The Lowell Village property is an infill development site within downtown Grand Junction. Utility services exist to and within the perimeter rights-of-way that can be improved and extended to serve any proposed project. While construction and on-going maintenance costs of the improvements will primarily be borne by the Applicant, the utilities mains do exist while private services lines do not and are not a piece of infrastructure typically provided by the City. Similarly, the City provides park and recreation services but does not provide these services for small facilities internal to a project and for green spaces intended only for a development's residents versus the general public. This is also the case for private road infrastructure; the City does not construct or maintain infrastructure intended for private use.

The Applicant is proposing parks and recreation, sanitation, roads and private drives and water services that could be redundant with those that are already provided within the City. However, the Applicant implies that because the City does not provide these services for private development, that, in fact, adequate service (for parks, recreation, roads, solid waste, water lines) will not be available to the project.

(b) The facility and service standards of the proposed special district are compatible with the facility and service standards of the jurisdiction within which the proposed special district is to be located and each municipality which is an interested party under

C.R.S. §32-1-204(1).

The Construction Standards Limitation section of the proposed Lowell Village Metropolitan District Service Plan does include language such that: “The District will ensure that the Public Improvements are designed and constructed in accordance with the applicable standards and specifications of the City and of other governmental or non-governmental entities having proper jurisdiction consistent with the Approved Preliminary Plan. Where such standards and specifications may not be optimal given the project type, context, or constraints, the District will ensure that any variances from said standards and specifications are subject to the applicable variance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction. The District will be required to obtain the City’s approval of civil engineering plans and will be required to obtain applicable permits for construction and installation of Public Improvements prior to performing such work. The conveyance of Public Improvements shall be subject to applicable acceptance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction.

(c) The proposal is in substantial compliance with a master plan adopted pursuant to C.R.S. §30-28-106, C.R.S.

The property is within an area designated as Downtown Mixed Use on the City’s Future Land Use Map of the Comprehensive Plan. The proposed development is consistent with the following goals of the Comprehensive Plan.

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

Goal 5: Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

The proposed Lowell Village Townhomes project will develop a vacant and underutilized block in the downtown area and will provide a housing product that complements existing residential downtown neighborhoods, thereby meeting these goals of the Comprehensive Plan.

(d) The proposal is in compliance with any duly adopted county, regional, or state long-range water quality management plan for the area.

The City has an adopted Stormwater Management Manual with the purpose of promoting public health, safety, and general welfare and to minimize public and private losses due to flooding by adopting policies, procedures, standards, and criteria for storm drainage. The proposed Lowell Village project will be required to meet or exceed all requirements for adequate storm drainage system analysis and appropriate

drainage system design. This will be reviewed through the Preliminary and Final Plan phases of the development application. Staff believes this criterion has been met.

(e) The creation of the proposed special district will be in the best interests of the area proposed to be served.

The creation of the Lowell Village Metropolitan District appears to be for the primary purpose of generating capital for initial construction of public improvements on the site, most of which are standard requirements for the City's development process. The District may not be in the best interests of the future residents of the District given the additional tax burden to be shared by potentially only 36 property owners that is greater than the taxes paid on surrounding residential properties. However, benefit will be provided by offering new opportunities for expanded housing choices and downtown living options that currently do not exist.

(i) Such additional information as the jurisdiction may require by resolution on which to base its findings pursuant to section 32-1-203;

The last two statutory requirements (h) and (i) give the City Council broad power to establish requirements for service plan approval that exceed or enhance those specifically cited in the statutes. The requirement that these be enacted by resolution formalizes the request for additional information, and makes the demands for information uniform for all applicants (where the information request is relevant to the proposed services). For this proposed Service Plan, some areas for additional information were originally proposed in the Planning Commission staff report which resulted in 8 conditions of approval. Subsequently, the applicant provided additional information prior to and at the Planning Commission meeting that satisfied 5 of the 8 conditions.

FISCAL IMPACT:

The City has no legal or financial liability during the life of the Metropolitan District; it does not reduce current or future tax revenues of other public agencies; and it does not draw from the City's capital improvement budget or capital reserves.

A financial plan was included in the Service Plan. The financial plan was reviewed by the City's Deputy Finance Director, Jay Valentine. The financing assumptions in the plan were modeled by D.A. Davidson and Company. Mr. Valentine commented that the financing plan pertaining to the Lowell Village Metropolitan District, specifically the revenues acquired through the issuance of debt, appears to be insufficient to construct the public improvements within the District. Within the service plan, the estimated cost of the Public Improvements is \$1,600,000 while the revenue generated by the issuance of debt is \$697,000. The plan does not discuss how this funding gap is expected to be closed.

The repayment of the estimated \$697,000 debt is proposed to be achieved by imposing a mill levy targeted at 55.277 mills on the taxable property of this District. The mill levy rate may be increased or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt. Although the mill levy will be the District's primary source of revenue for the debt, the District will also have the discretion and power to assess fees, rates or charges. The District is not pledging any revenue or property of the City as security for the debt and it is stated that approval of the Service Plan shall not be construed as a grantee by the City of payment of any of the District's obligations.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 19-18, a resolution approving the service plan for the Lowell Village Metropolitan District with the following 3 conditions that shall be met prior to the District becoming effective. The effective date being the date which the election results are certified by the Colorado Department of Local Affairs.

1) Revise legal description and boundary map within the Service Plan that correlate to each other and accurately depict the location of the services to be provided and an accurate map of Areas of Operations and Maintenance that clearly show the areas within which the services will be provided by the District and whether the areas are within or outside the District Boundaries.

2) An Approved Development Plan

3) An Intergovernmental Agreement and such other agreements needed as acceptable to the City for the performance of any services (e.g. water acquisition, treatment and delivery; transportation systems; road and drainage systems and recreation facilities, parks and open space) between the proposed District and the City that is to be attached to the Service Plan.

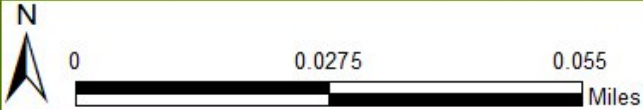
Attachments

1. Lowell Village Metro District Maps
2. Notice of Filing to DOLA Lowell Village Metro District
3. Lowell Metro District Additional Finance Information
4. Letters of Support Provided by Applicant
5. Additional Info from Applicant PC Meeting
6. Resolution and Service Plan

Block 84 (R-5) Vicinity Map



Block 84 (R-5) Future Land Use Map

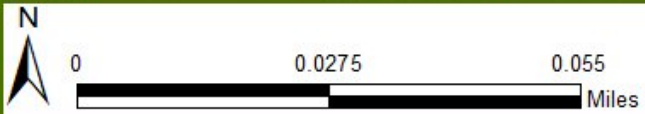


Printed: 1/21/2018

1 inch = 94 feet



Block 84 (R-5) Existing Zoning Map



Printed: 1/21/2018

1 inch = 94 feet





NOTICE OF FILING OF SPECIAL DISTRICT SERVICE PLAN

Pursuant to CRS 32-1-202(1), the County Clerk and Recorder or Municipal Clerk shall notify the Division of Local Government within five days after the filing of a service plan for the formation of a new Special District. Please provide the information indicated and return this form to the Division of Local Government.

Petitioner Information

Lowell Village Metropolitan District	February 2, 2018
Name of Proposed District	Filing Date
Metropolitan District	City of Grand Junction, CO Wanda Winkelmann, City Clerk
Type of Proposed District	Approving Authority Receiving Plan
Jeremy Nelson, Managing Member Downtown Grand Junction Regeneration, LLC	415-425-9848 jnelson@REgenerationDevelopment.com
Contact Person Filing Service Plan	Phone/Email

Hearing Information¹

City Hall Auditorium, 250 North 5th Street, Grand Junction, CO 81501	
Location of Hearing	6:00 p.m.
6:00 p.m.	Wednesday, March 21, 2018
Time of Hearing	Date of Hearing
<i>Wanda Winkelmann</i>	February 5, 2018
Clerk Signature	Date

¹Pursuant to C.R.S. 32-1-202(1) the board of county commissioners shall provide written notice of the date, time, and location of the hearing on the service plan to the division. Hearing information may be provided when submitting this notice of filing of service plan if known.

DLG 60 (Rev. 6/16)



Kristen Ashbeck

From: Jay Valentine
Sent: Tuesday, February 20, 2018 12:28 PM
To: Kristen Ashbeck
Subject: Re: Lowell Village Metro District: Question re Condition #5 of staff report

Kris,

Because these lenders have analyzed the risk and support the project from a financing standpoint, I am satisfied and do not have any further concern.

Jay Valentine

Deputy Finance Director
City of Grand Junction
970-244-1517

From: Kristen Ashbeck
Sent: Tuesday, February 20, 2018 10:52 AM
To: Jay Valentine
Subject: FW: Lowell Village Metro District: Question re Condition #5 of staff report

Can you also suggest a response to the highlighted question unless you think they have adequately responded with these letters?

From: Jeremy Nelson [mailto:jnelson@regenerationdevelopment.com]
Sent: Monday, February 19, 2018 3:54 PM
To: Kristen Ashbeck <kristena@gjcity.org>
Cc: John Shaver <johns@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Brandon Stam <brandon@downtowngj.org>; Chris Bremner <christopherabremner@gmail.com>; Pete Smith <mail@petesmithlaw.com>
Subject: Lowell Village Metro District: Question re Condition #5 of staff report
Importance: High

Hi Kris-

Staff's proposed Condition #5 of the Final Staff Report (downloaded from the Planning Commission's website on 2/16) states: "Provide evidence of commitment from a qualified lender or investment banking firm."

After we saw this condition in the Draft Staff Report (provided to us on 2/13), we sent letters from the Denver office of DA Davidson (sent on 2/14) and the Grand Junction office of ANB Bank (sent on 2/15). Both letters are attached for reference.

Kristen Ashbeck

From: Jay Valentine
Sent: Tuesday, February 20, 2018 12:18 PM
To: Kristen Ashbeck
Subject: Re: Lowell Village Metro District: Question re Condition #4 of staff report

Hi Kris,

The applicant's response, although very general and not very definitive, does address the funding gap. The funding methods are valid however it is subject to loan approval, additional bond financing and/or townhome sales.

Jay

Jay Valentine

Deputy Finance Director
City of Grand Junction
970-244-1517

From: Kristen Ashbeck
Sent: Tuesday, February 20, 2018 10:43 AM
To: Jay Valentine
Subject: FW: Lowell Village Metro District: Question re Condition #4 of staff report

Hi Jay,
Just wondering if you could give us a little feedback/professional opinion on this. The applicant for Lowell Village Metro District has stated that he thinks they have satisfactorily addressed the funding gap question with a response they provided (highlighted) below.
Any input would be very valuable – hearing is tonight.
Thanks,
Kris

From: Jeremy Nelson [mailto:jnelson@regenerationdevelopment.com]
Sent: Monday, February 19, 2018 3:55 PM
To: Kristen Ashbeck <kristena@gjcity.org>
Cc: John Shaver <johns@gjcity.org>; Tamra Allen <tamraa@gjcity.org>; Brandon Stam <brandon@downtowngj.org>; Pete Smith <mail@petesmithlaw.com>; Chris Bremner <christopherabremner@gmail.com>
Subject: Lowell Village Metro District: Question re Condition #4 of staff report
Importance: High

H Kris-

exhibit



Jeremy Nelson

place: San Francisco | Denver | Durango
e-mail: jnelson@REgenerationDevelopment.com
mobile: 415.425.9848
connect: [LinkedIn](#)
www: REgenerationDevelopment.com
@REgeneration: [Twitter/Facebook/LinkedIn](#)

Confidential, proprietary business information, not subject to disclosure pursuant to C.R.S. Section 24-72-201 et. seq.

From: Jeremy Nelson <jnelson@REgenerationDevelopment.com>
Date: Tuesday, January 23, 2018 at 4:31 PM
To: "Kristen (Kris) Ashbeck" <kristena@gjcity.org>
Cc: John Shaver <johns@gjcity.org>, Pete Smith <mail@petesmithlaw.com>, Chris Bremner <christopherabremner@gmail.com>, Brandon Stam <brandon@downtowngj.org>, Tamra Allen <tamraa@gjcity.org>
Subject: Lowell Village Metro District: Response to City's 1/18 Service Plan Redline

Hi Kris-

We have responded to all City's 1/18/18 comments on our 12/1/17 Service Plan, and redline version is here: [https://www.dropbox.com/s/u6u16dx3xnr802m/R-5%20Townhomes Metro%20District Service%20Plan City%20Submittal REVISED%20COMPLETE 3rd%20Draft.docx?dl=0](https://www.dropbox.com/s/u6u16dx3xnr802m/R-5%20Townhomes%20Metro%20District%20Service%20Plan%20City%20Submittal%20REVISED%20COMPLETE%203rd%20Draft.docx?dl=0)

As requested in one of the City's comments in the document: the fully executed Purchase and Sale Agreement between the DDA and Downtown Grand Junction REgeneration LLC is attached.

As requested in the your email below, here's our response to the Finance's Department's comment: "It's typical that the initial or even total assessed values of development in a Metro District do not fully cover total infrastructure costs to serve that development. Furthermore, the infrastructure cost estimates included in our Service Plan are conservative assumptions and the revenue projections are standard assumptions. So while the projected bond revenues do not currently cover the projected infrastructure costs, all these numbers are assumptions and will be refined prior to bond issuance at which point the financial delta may be reduced. However, if the bond revenues at the time of bond issuance don't fully cover 100% of infrastructure costs for the one or more development phases, then those bond revenues will be supplemented from other funding sources such as: conventional bank loans, proceeds from sale of townhomes in previous phases, and/or additional bond revenues from the inclusion of the Lowell School building into the Metro District (since the title to that building conveys to us once we have received CO on 4 townhomes). Finally, the construction of infrastructure will be phased in close alignment with the development program phasing, so that infrastructure costs for future phases can be paid for incrementally as additional funds from sources such as those identified above are accrued."

It looks like the PDF of the document was converted to a Word doc at some point, so the document formatting is looking a little ganky in some places. As soon as we are able to finalize the Service Plan content with the

Subject: Please Approve the Lowell Village Metro District Service Plan (Case # SDS-2017-558).

Date: Thursday, February 1, 2018 at 8:49:20 PM Pacific Standard Time

From: Aaron Young <aaron@kaartgroup.com>

To: kristena@gjcity.org <kristena@gjcity.org>

Dear Miss Ashbeck,

I am writing in support of the metro district for the Lowell Village at the old R5 site. As a property owner in the Main Street corridor I see this as a positive benefit to the community and the city. This is an innovative and beneficial means of develop for our city.

Aaron Young | Kaart Group | 970.314.3808 | aaron@kaartgroup.com

KAART CONFIDENTIAL

This message (including attachments if any) is for the private use of the addressee only and may contain confidential or privileged information. If you have received this message by mistake please notify the sender by return e-mail and delete this message and any attachments from your system. Any unauthorized use or dissemination of this message, and any attachments in whole or in part is strictly prohibited.

Subject: Great to see you last week!

Date: Monday, February 5, 2018 at 2:03:55 PM Pacific Standard Time

From: Jamie Shapiro <outreach@downtowncoloradoinc.org>

To: kristena@gjcity.org <kristena@gjcity.org>

CC: Jeremy Nelson <jnelson@regenerationdevelopment.com>

Hi Kristen,

Great to see you last week at Saving Places! It was so good to hear some of your insight on the HSA grant, and to see Lowell school with you. Wanted to follow up to say:

1. Please Approve the Lowell Village Metro District Service Plan (Case # SDS-2017-558)

It seems to me that a Metro District would be the best way to finance the infrastructure necessary for this project. Not only will the Metro District be likely more efficient than an HOA for homeowners, but it will be a great benefit to the City and community, who will receive the infrastructure improvements. I believe that this kind of infill infrastructure is critical for cities moving forward.

2. I will send you the HSA application draft later this week if you are able to review / edit / give feedback.

3. We would love to see you at the Downtown Colorado, Inc. Annual Conference, [April 10-13 \(IN THE GAME\)](#) in Boulder. Our early bird registration ends February 15.

Best,

Jamie

--

Jamie Shapiro
Rural Outreach Specialist
Downtown Colorado, Inc.
1420 Ogden St., Suite G-1, Denver CO
303.282.0625

Join us at DCI's

[IN THE GAME Vibrant Downtowns Event, April 10-13, 2018](#)

[Register Now!](#)

[Sponsorship Opportunities Available Now!](#)



February 15, 2018

Grand Junction Planning Commission

Re: Lowell Village Metropolitan District

Ladies and Gentlemen,

My name is Steve Ammentorp and I'm writing to lend support for the Regeneration Development group's Service Plan for the Lowell Village Metropolitan district. As Community Bank President for ANB Bank I have been in communication with Regeneration since their initial community presentation last year and as a Bank have a strong interest in the subject to include infrastructure, vertical construction and permanent financing of the proposed townhome units and loft apartments in the R-5 building located at 7th and Grand.

The proposed Metro District may be an unfamiliar tool in the Grand Valley, however we believe it is a legitimate approach to promoting economic development in our area. This approach will also support the developer's proposal to build and maintain infrastructure and amenities of the highest quality for the Lowell Village subdivision on this challenging infill development site.

In closing, as a Bank we are bullish on the revitalization of the downtown area and believe there is strong demand for the project as currently presented. While ANB and Regeneration still have additional due diligence to perform we are optimistic about the concept and its potential economic impact.



February 14, 2018

Pool Creek Builders, LLC
744 Lab Court
Grand Junction, CO 81505

Dear Grand Junction City Council,

As a local Home Builder who has built and sold multiple homes in the Valley, I'm interested in partnering with the City of Grand Junction and Regeneration to add 36 new townhome units in the Lowell Village Subdivision. While there is an obvious need for affordable Multi-Family Housing in the Downtown District, this project will create jobs, provide a solution to the vacant land and help stimulate the local and national economy. Please consider accepting Regeneration's Metro District Proposal to subdivide and install building infrastructure on the land around the former R-5 High School.

Cordially Yours,

Treece Bohall



February 13, 2018

Kristen Ashbeck AICP
Senior Planner / CDBG Administrator
City of Grand Junction, Colorado

RE: Proposed Lowell Village Metropolitan District

To Whom It May Concern:

We are engaged as investment banker for the proposed Lowell Village Metropolitan District. We have reviewed the service plan and the cash flow analyses, which demonstrate the feasibility of the financing based on assumptions provided by the developer.

Based on our work thus far and our understanding of, and experience with, the financial markets, we believe the debt assumptions included in the financial analysis are reasonable. Our engagement provides that we will serve as underwriter to the District's voter authorized debt once sufficient credit support can be identified based on assessed value, guarantees provided by the Developer and/or other forms of credit enhancement.

Please do not hesitate to contact me with questions.

Sincerely,

Zach Bishop
Managing Director

Kristen Ashbeck

From: rob bleiberg <rob.bleiberg@gmail.com>
Sent: Tuesday, February 20, 2018 1:05 PM
To: Kristen Ashbeck
Subject: Please Approve the Lowell Village Metro District Service Plan (Case # SDS-2017-558)

Kristen,

I am emailing to voice my support for the Lowell Village Metro District Service plan that is coming before the Planning Commission this evening.

The Lowell Village project will be a tremendous project for our community. It will provide much-needed downtown housing, it will get land onto to the tax roles, and will provide an example of in-fill development. The project will promote down-town revitalization and reinvest.

Our community is projected to see tens of thousands of new residents in the coming decades. Infill and compact development is critical to our community's future quality of life.

The project advances the City's Downtown Plan and will be a wonderful addition for our community.

Thank you for your consideration.

Regards,
Rob

Rob Bleiberg
970.261.6970

Subject: Metro District Taxes

Date: Monday, February 19, 2018 at 9:40:51 PM Pacific Standard Time

From: Max Hutcheson <max@durangorealproperty.com>

To: Jeremy Nelson <jnelson@regenerationdevelopment.com>

Hi Jeremy,

Per our early conversation, below is a summary of my experience with a Metro District Mill Levy:

I have been selling homes in a Durango neighborhood, Three Springs, since 2010 and have represented sixty percent of home sales in this neighborhood over the last eight years. The Three Springs neighborhood was annexed into the City limits in 2002. It is a large development which currently has approximately 500 residences. Based on what the market demands, Three Springs will ultimately have anywhere from 1600 to 2200 residences.

The Three Springs mill levy for the Metro District is 50 mills. The City mill levy is about 33 mills, which makes the Three Springs mill levy approximately 83 mills. In my experience, this additional tax expense has not been a barrier to entry for potential buyers at Three Springs. To further illustrate, new homeowners are asked to sign an acknowledgement form which is attached to each Real Estate contract. I also attach a formula so buyers can estimate their own taxes. This helps lenders and home buyers accurately estimate monthly expenses.

In total, property taxes at Three Springs are more than double that of similar properties in the rest of the and County and City. When selling a property in Three Springs, we go to great lengths to ensure buyers understand the tax difference prior to purchasing a home. We have not seen a lot of push back from potential buyers in the neighborhood due to the taxes. When issues around taxes have come up, it has primarily been with investors, as the higher taxes make the numbers tighter for rental properties.

Thanks,

Max

Max Hutcheson
Broker Associate
The Wells Group
Cell: 970-769-7392





**DOWNTOWN
COLORADO, INC.**

1420 Ogden Street, Suite G-1, Denver, Colorado 80218, P 303.282.0625, F 303.282.0658
www.downtowncoloradoinc.org

February 15, 2018

Dear Grand Junction Planning Commission,

As a statewide organization dedicated to Colorado's downtowns, Downtown Colorado, Inc. (DCI) is proud to support Grand Junction, a longtime DCI member. Throughout Colorado, communities have consistently reported housing as one of their key concerns. In response, DCI now has a program aimed at assisting communities form action plans to address these housing challenges. During 2017, DCI held workshops in Grand County, Buena Vista, and Idaho Springs.

We would like to offer our support for Regeneration Development as a trusted partner who we have worked with on many projects. Regeneration Development has served on DCI advisory teams, been referred to our membership, and has always provided meaningful advice and delivered useful proposals to our members.

In our work with local leaders in public, nonprofit, and private entities working on housing development, we have been consistently reminded of the challenges facing infill housing development in much of the state. We often find that a metro district represents an innovative approach to a challenging financing environment. While DCI is not familiar with the details of the proposed metro district to support housing in Grand Junction, we do encourage this as an option. If this option is pursued, we also encourage strategic and deliberate planning around the composition of the metro district board to ensure that leadership of this entity is in communication and alignment with other taxing entities in the area.

We are so excited about all of the amazing work happening in Grand Junction! Please let us know if you have any questions, or if we can assist with additional resources.

Sincerely,

Jamie Shapiro
Rural Outreach Specialist
Downtown Colorado, Inc.

Exhibit 6



To: City of Grand Junction Planning Commissioners

Cc: Tamara Allen (Director, City of Grand Junction Community Development Department)
 Kristen Ashbeck (Senior Planner, City of Grand Junction Community Development Department)
 Brandon Stam (Executive Director, Grand Junction Downtown Development Authority)
 John Shaver (City Attorney, City of Grand Junction / Legal Counsel, Grand Junction Downtown Development Authority)

From: Jeremy Nelson (Applicant, Managing Member, Downtown Grand Junction REgeneration LLC)
 Chris Bremner (Metro District Consultant, Freeheel LLC)
 Pete Smith (Project Attorney, Pete Smith Law LLC)

Date: 2/19/18

Re: Applicant Response Letter to Final Staff Report on Lowell Village Metro District Service Plan

Dear Commissioners:

Below are our responses to the Final Staff Report that we downloaded from the Planning Commission website on 2/16.

For any Commissioners that don't have a chance to review these responses prior to the 2/20 Planning Commission hearing, we'll be happy to provide the highlights and answer any questions at the discretion of the Commission.

We look forward to discussing our proposed Metro District to provide infrastructure and amenities necessary to support the first market-rate housing in downtown in nearly 20 years, all accomplished via private-sector initiative and without any risk, obligation, or liability to the City or its taxpayers.

More information about the proposed Lowell Village development is available on the project website at www.LowellVillage.co

Thank you in advance for your time and consideration of our proposal.

Sincerely,

Jeremy Nelson
 Managing Member
 Downtown Grand Junction REgeneration LLC

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Applicant Responses to City Staff General Concerns, Evaluation of C.R.S. Approval Criteria, and Proposed Conditions of Approval

Staff General Concerns

Page 3: "This results in a review of the Service Plan without an accompanying Approved Development Plan as defined by the Service Plan."

- Having an Approved Development Plan is not a C.R.S. approval criteria for a Service Plan. In fact, it is not unheard for the Approved Development Plan to trail the Service Plan. This is because C.R.S. intends for a Service Plan to function as a high-level framework of the intended infrastructure required to serve the proposed development.
- The key components of the proposed development program (including 36 for-sale townhome units, a circulation system consisting of alleys and private drives, and a community gardens landscape plan) have not changed since April 2017 General Meeting with the City and Community Meeting open to the public.
- The detailed engineering exhibits in the Service Plan showing the "Site Improvements" (Exhibit C) and "Areas of Operations and Maintenance" (Exhibit D) are the exact same exhibits as contained in Preliminary Subdivision Application.
- Some aspects of the proposed infrastructure plan currently shown in our Preliminary Subdivision Application may change as we go through the City review and approval process. But the Service Plan makes clear that approval of the Service Plan does not constitute city approval of the Final Development Plan (Section IV) and that final infrastructure will be based off of the city-approved Final Development Plan (Section V).
- See also response to staff proposed Condition of Approval #2.

Page 3: "The statutes do not define 'public.' The Applicant provides that the statute implies that 'public' receiving services from this district will be the "property owners/inhabitants of the development that are subject to the metropolitan district mill levy."

- We respectfully disagree with staff that C.R.S doesn't define public. CRS 32-1-102 "Legislative declaration" states: "The general assembly hereby declares that the organization of special districts providing the services and having the purposes, powers, and authority provided in this article will serve a public use and will promote the health, safety, prosperity, security, and general welfare of the inhabitants of such districts and of the people of the state of Colorado."
- Title 32 of C.R.S. further clarifies that *before* a special district is established, the 'public' is primarily defined as everyone or anyone in the general vicinity of the proposed District, including the current property owner of land within the proposed district. *After* a special district

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is established, the 'public' is primarily defined as property owners within boundaries of the district.

- The creation of the proposed Metro District therefore does serve the C.R.S. definition of the 'public' as follows:
 - Future inhabitants of the Metro District who benefit from the developer building and maintaining high-quality infrastructure and amenities that serve their community but that are paid by homeowner's via an amortized, income tax deductible annual assessment (versus paying via upfront increased purchase price or monthly HOA dues, neither of which are tax deductible).
 - Current and future neighbors of the project who benefit from the potential increase to their property values due the developing building and maintaining high-quality infrastructure and amenities without siphoning their existing taxes or future increase to their taxes.
 - The citizens of the State of Colorado (specifically those residing in Grand Junction) who benefit from the developer maintaining high-quality infrastructure and amenities for the project, some of which would otherwise be the responsibility of Grand Junction taxpayers.

Page 9: "The creation of the Lowell Village Metropolitan District appears to be for the primary purpose of generating capital for initial construction of public improvements on the site, most of which are standard requirements for the City's development process."

- We respectfully disagree with this assertion which is unsupported by the evidence. In fact, the increased costs for building and maintaining infrastructure of the type and quality that we are proposing as necessary to support infill development does in fact demonstrate the need for the formation of the Metro District (unless some other public agency is prepared to implement the required circulation improvements, public open spaces, etc.). Regardless, the legislature's intent in authorizing Metro Districts was explicitly for the purpose of providing a financing tool to assist developers with the costs of building and maintain infrastructure to support development, and is therefore not in violation of C.R.S.

Page 9: "The District may not be in the best interests of the future residents of the District given the additional tax burden to be shared by potentially only 36 property owners that is greater than the taxes paid on surrounding residential properties."

- We respectfully disagree with this assertion which is unsupported by the evidence we've provided, including:

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- A comparison showing our proposed Metro District fee is less than the proposed HOA dues for a townhome project currently under construction; and
- A letter of support from a realtor who have sold homes to homebuyers in Metro Districts.
- Metro Districts construct and maintain infrastructure that is paid for only by the homebuyers that directly benefit from that infrastructure.
- In addition, annual Metro District fees are a form of property tax. As such Metro District fees are an eligible deduction on a homebuyers' income taxes (unlike HOA dues) thereby further reducing any perceived financial burden.

Staff Evaluation of C.R.S. Required Submittal Elements, Statutory Criteria for Action, and Approval Criteria

Pages 4-5: "(b) A financial plan showing how the proposed services are to be financed, including the proposed operating revenue derived from property taxes for the first budget year of the district, which shall not be materially exceeded except as authorized pursuant to § 32-1-207 or §29-1-302, C.R.S.

[...]

Generally, it appears that the financial statements were composed correctly, however there is a funding gap that should be addressed by the Applicant prior to considering approval of the Service Plan."

- This concern has been previously addressed. It isn't uncommon for projected infrastructure costs in a Metro District Service Plan to exceed initial projected bond revenues. Please see response to proposed Condition of Approval #4 for more detail.
- C.R.S. does not state any initial "gap" as a Service Plan approval criteria. Therefore this issue should not delay consideration of approval of the proposed Service Plan.

Page 5: "(c) A preliminary engineering or architectural survey showing how the proposed services are to be provided; The Preliminary Plans do not specifically show which improvements and services are to be provided within the proposed District – e.g. the Service Plan boundaries are not shown on the plans. Instead, the plans show the ultimate build-out of the site, including areas that are not being proposed as part of the initial District boundaries as well as areas that are within City public rights-of-way and not within the District boundaries. Thus, staff believes this requirement has not been met; and is recommending that if a District is approved, an approved Preliminary Plan consistent with the GJMC shall be reviewed and approved by the City prior to the Metropolitan District Service Plan becoming effective."

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- We respectfully disagree that that this requirement hasn't been met, but are happy to work with staff to reformat exhibits clarify any potential confusion prior to City Council consideration of the Service Plan for approval.
- C.R.S. requires the Service Plan to show the boundaries and describe the legal description of the proposed Metro District. Exhibit A shows both the Service Plan boundaries and describes the legal description. There is no conflict between the boundary map and the legal description, and this Exhibit is in full compliance with C.R.S. requirements. Our Metro District consultant and project attorney both concur that the format of all the exhibits is fully compliant with C.R.S. requirements.
- Please see response to requirement (d) and proposed Condition of Approval #1 below for more detail.

Page 5: "(d) A map of the proposed special district boundaries and an estimate of the population and valuation for assessment of the proposed special district;

[...]

The map however is inconsistent with the legal description stated in the Service Plan since, per the Map and the subsequent Preliminary Plans and listing of site improvements, it appears the District is intended to include the public alley rights-of-way but the legal description does not include the alley rights-of-way. The Preliminary Plans do not indicate the boundaries of the District so it is unclear what improvements are actually to be included in the Service Plan. In addition, lots stated in the legal description do not exist as of the composing of this staff report until a new subdivision plat has been recorded. Thus, this element has not been met as it is inconsistent with the legal description and must be modified prior to approval."

- We respectfully disagree that that this requirement hasn't been met, but are happy to work with staff to reformat exhibits clarify any potential confusion prior to City Council consideration of the Service Plan for approval.
- The statement that "lots stated in the legal description do not exist as of the composing if this staff report" is confusing to us. We were specifically directed by staff to not use the legal description based off the old plat map that was included in previous drafts of the Service Plan, and to instead used the legal description from new plat map. We did this in compliance with staff request. The new plat map was approved by the City on 1/24 and will be recorded imminently and certainly prior to City Council consideration of the Service Plan for approval.
- Please see response to criteria (c) above and response to proposed Condition of Approval #1 below for more details.

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Page 6: “(e) A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the proposed special district are compatible with facility and service standards of any county within which all or any portion of the proposed special district is to be located, and of municipalities and special districts which are interested parties pursuant to C.R.S. §32-1-204.

[...]

While the Service Plan gives a description, it is unclear from the Preliminary Plans included in the Service Plan the extent of which/what/where facilities are to be provided via the District. Thus, Staff concludes this submittal element has not been met.”

- We respectfully disagree that that this requirement hasn’t been met, but are happy to work with staff to reformat exhibits clarify any potential confusion prior to City Council consideration of the Service Plan for approval.
- Please see response to criteria (c) and (d) above and response to proposed Condition of Approval #1 below for more details.

Page 6: “(g) A description of any arrangement or proposed agreement with any political subdivision for the performance of any services between the proposed special district and such other political subdivision, and, if the form contract to be used is available, it shall be attached to the service plan; The Applicant does not anticipate the need for an agreement for the performance of services between the City and the district. [...] Staff believes this submittal element has not been met and recommends that such agreements be submitted and reviewed prior to approval of the Service Plan.”

- We respectfully disagree that that this requirement hasn’t been met.
- We also dispute the statement that the Service Plan doesn’t anticipate the Metro District entering into Intergovernmental Agreements or other contracts. In fact the Service Plan expressly authorized the Metro district to do and state the intent that Metro District will do so.
- As we’ve discussed and documented with staff previously, we can’t legally comply with the statement “such agreements be submitted and reviewed prior to approval of the Service Plan.” This is because the Metro District can’t negotiate or execute an Intergovernmental Agreement with the City (or a contract of any kind) until we are a legally-recognized entity by the State of Colorado. We can’t be a legally-recognized entity by the State of Colorado until the City Council approves the proposed Service Plan.
- Please see response to proposed Condition of Approval #3 below for more details.

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Staff Proposed Conditions of Approval

Page 11: "...the Planning Commission forward a recommendation of denial, conditional approval, or approval with the following eight (8) conditions that shall be met prior to the Metropolitan District Service Plan becoming effective:

- Regarding the phrase "conditions that shall be met prior to the Metropolitan District Service Plan becoming effective": we request that the phrase "prior to the Metropolitan Service Plan becoming effective" be changed to "prior to the construction of infrastructure and amenities proposed in the final Approved Development Plan."
 - Leaving the language as is will cause us to miss C.R.S. statutorily-defined deadlines for formation of the Metro District at the next available May 2018 election date. Missing the May 2018 election will push back the required election to November 2018. Waiting until the November 2018 election will significantly delay the construction of infrastructure as well as the constructing of townhomes that the infrastructure supports.
1. *Revise legal description and boundary map within the Service Plan that correlate to each other and accurately depict the location of the services to be provided and an accurate map of Operations and Maintenance that clearly show the areas within which the services will be provided by the District and whether the areas are within or outside the District Boundaries.*
- **We do NOT support this proposed Condition of Approval being included in the motion as currently written. The legal description and boundary map provided in the Service Plan are consistent with C.R.S. requirements. We DO agree to work with staff to make changes to formatting and/or text annotations on the Service Plan exhibits to clarify any potential confusion prior to City Council consideration of the Service Plan for approval.**
 - C.R.S. requires the Service Plan to show the boundaries and describe the legal description of the proposed Metro District. Exhibit A shows both the Service Plan boundaries and describes the legal description. There is no conflict between the boundary map and the legal description, and the exhibits in full compliance with C.R.S. requirements.
 - This engineering exhibits in the current draft of the Service Plan was changed at the request of Staff. Given the additional engineering detail requested, the Metro District boundary was not added to these exhibits but the legal description governs. Our Metro District consultant and project attorney both concur that the format of all the exhibits is fully compliant with C.R.S. requirements.
 - As we've discussed and documented with staff previously, C.R.S. requires that the legal description for the Metro District only include the parcels that are subject to the proposed mill levy property tax assessment. In other words, we can't legally include publicly-owned properties within the legal description of the Metro District as these properties are publicly-owned at this time, tax exempt, and therefore can't be not subject to the proposed mill levy property tax assessment.

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- As we've discussed and documented with staff previously, we can and do show public rights-of-ways within the proposed Metro District boundary exhibit. We can and do define with engineering diagrams and text annotations on the Site Improvements and Areas of Operations and Maintenance exhibits what infrastructure is proposed to be built and/or maintained by the Metro District on these public rights-of-ways, subject to negotiations of the final Approved Development Plan and Intergovernmental Agreement. Nothing in C.R.S. prevents this scenario.
- As we've discussed and documented with staff previously, our engineering drawings can and do show future improvements to Lot 5 which we don't currently own and which is not currently in the Metro District boundaries, subject to property owner's written permission. As discussed elsewhere in this document, we requested an agreement for stormwater detention treatments on Lot 5 and were told by the City to wait until the entitlement approvals process to execute an agreement providing this permission. Nothing in C.R.S. prevents this scenario.

2. *An Approved Development Plan*

- **We DO support this proposed Condition of Approval being included in the motion as currently written, IF the "becoming effective" clause in the proposed motion language is revised as proposed above.**
- As discussed above, an Approved Development Plan is not a C.R.S. approval criteria for a Service Plan. In fact, it is not uncommon for the Approved Development Plan to trail the Service Plan. This is because C.R.S. intends for a Service Plan to function as a high-level framework of the intended infrastructure required to serve the proposed development.

3. *An Intergovernmental Agreement [IGA] acceptable to the City for the performance of any services (e.g. water acquisition, treatment and delivery; transportation systems; road and drainage systems and recreation facilities, parks and open space) between the proposed District and the City that is to be attached to the Service Plan.*

- **We DO support this proposed Condition of Approval being included in the motion as currently written, IF the "becoming effective" clause in the proposed motion language is revised as proposed above.**
- Per C.R.S. 29-1-203 & 203.5, Section V of the Service Plan specifically states that the Metro District has the authority to enter into IGAs and intends to enter into IGAs as needed.
- However, we can't negotiate or execute an IGA at this time given that C.R.S 29-1-202 legally prevents us from entering into an IGA with the City until after the Metro District is formed and given that the responsibilities outlined in the IGA between the will tier off of the final infrastructure and services contained in the Approved Development Plan.

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- The City requested on 1/25 that we provide a draft IGA for inclusion in the draft Service Plan for City approval. On 1/26 we responded that the Metro District will be executing an IGA with the City but that an IGA was premature at this time, not required for Service Plan approval, and in fact can't be executed until after the Service Plan is approved and the Metro District is formed.
 - Our 1/26 response is produced verbatim as follows: "We understand the need for an IGA before the district begins providing any services, but the project's Metro District consultant and the project's attorney both concur that the IGA should be executed once we have an approved Service Plan and an approved development plan. This is because the district can't legally enter into an IGA with the City at this time given that the Metro District isn't currently a recognized governmental entity by the State of Colorado, In fact, the district can't enter into legally-binding contracts of any kind, since the district doesn't officially exist until the Service Plan is approved, the election is held, the election results are certified, the district formation documentation is submitted to the State, and we receive the district recognition documentation back from the State."
4. *Provide a written explanation of how the funding gap will be met that is satisfactory to the City's Deputy Finance Director.*
- **We believe this proposed Condition of Approval has already been addressed in the previously submitted comments to the City as described below, and is therefore not necessary to include in the motion. If City staff or Planning Commission disagrees, we'd look for guidance on specific language that the City would like us to include.**
 - This info was first requested by the City on 1/18. We provided a written explanation via email on 1/23 and reiterated the same explanation at a 1/24 in-person meeting with City staff. Our explanation from our 1/23 email is reproduced verbatim as follows:
 - "It's typical that the initial or even total assessed values of development in a Metro District do not fully cover total infrastructure costs to serve that development. Furthermore, the infrastructure cost estimates included in our Service Plan are conservative assumptions and the revenue projections are standard assumptions. So while the projected bond revenues do not currently cover the projected infrastructure costs, all these numbers are assumptions and will be refined prior to bond issuance at which point the financial delta may be reduced. However, if the bond revenues at the time of bond issuance don't fully cover 100% of infrastructure costs for the one or more development phases, then

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those bond revenues will be supplemented from other funding sources such as: conventional bank loans, proceeds from sale of townhomes in previous phases, and/or additional bond revenues from the inclusion of the Lowell School building into the Metro District (since the title to that building conveys to us once we have received CO on 4 townhomes). Finally, the construction of infrastructure will be phased in close alignment with the development program phasing, so that infrastructure costs for future phases can be paid for incrementally as additional funds from sources such as those identified above are accrued.”

- When the City requested that we officially submit our Service Plan we therefore assumed our explanation had been deemed adequate.
- The City at no point asked us to include this requested explanation in the Service Plan itself and the experts on our team advised that it was inappropriate to do so.

5. *Provide evidence of commitment from a qualified lender or investment banking firm.*

- **We believe this proposed Condition of Approval has already been addressed in the previously submitted Service Plan as described below, and is therefore not necessary to include in the motion. If City staff or Planning Commission disagrees, we’d look for guidance on specific language that the City would like us to include.**
- This is the first time this info been requested. However if we understand the request correctly, this is addressed by two letters included in the agenda packet:
 - A letter sent to the City on 2/14 from Zach Bishop, Managing Director of the Denver office of DA Davidson, an investment banking firm.
 - A letter sent to the City on 2/15 from Steve Ammentorp, Community Bank President of the Grand Junction office of ANB Bank, a qualified lender.
- We believe that these letters provide the requested “evidence of commitment” and that we have satisfied this proposed condition of approval. We can also provide additional letters of a similar nature from the Denver office of Colorado Business Bank and the Grand Junction office of Bank of Colorado, both of whom have expressed interest in underwriting the Metro District bond issuance.

6. *Include a sunset clause in the Service Plan to address dissolution of the district in the event that development activity ceases or the district fails to provide services. The clause shall make reference to statutorily prescribed dissolution procedures, and any such dissolution procedures shall be carried out accordingly.*

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- **We do NOT support this proposed Condition of Approval being included in the motion as currently written, but we DO agree to make the change described below prior to City Council consideration of the Service Plan for approval.**
 - Section IX of the Service Plan contains detailed language governing the potential future dissolution of the Metro District. This section was previously revised to respond to earlier input from staff.
 - In regards to: “a sunset clause to address dissolution of the district in the event that development activity ceases or the district fails to provide services.” This is the first time this specific language around a sunset clause of this type has been requested. If we understand the request correctly, we can’t legally add this language to the Service Plan. This is because per C.R.S. and the Section IX of the Service Plan, the Metro District can’t legally dissolve until “the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes.”
 - In regards to “make reference to statutorily prescribed dissolution procedures, and any such dissolution procedures shall be carried out accordingly”: the Metro District is by default governed by C.R.S. Part 7 (“Dissolution”) which outlines procedures and requirements for dissolution of any and all special districts in the State of Colorado. If we understand the request correctly, we will add language to Section IX of the Service Plan that explicitly states that any potential future dissolution of the Metro District is subject to Part 7 of C.R.S.
7. *Specify in the Service Plan what is to be considered a “material modification” as described in C.R.S. §32-1-207(2).*
- **We believe this proposed Condition of Approval has already been addressed in the previously submitted Service Plan as described below, and is therefore not necessary to include in the motion. If City staff or Planning Commission disagrees, we’d look for guidance on specific language that the City would like us to include.**
 - This is the first time this info been requested. However, if we understand the request correctly, this is already addressed in Sections V and X of the submitted Service Plan, as follows:
 - Per C.R.S., Section V of the Service Plan states that material modification includes: “Any issuance of debt [...] that exceeds the maximum debt mill levy...”
 - Per C.R.S., Section X of the Service Plan states: that material modification includes: “Changes of a basic or essential nature, including but not limited to the following:
 - Any addition to the types of services provided by the District;

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- Any decrease in the level of services provided by the District;
 - Any decrease in the financial ability of the District to discharge any existing or proposed indebtedness; or
 - Any decrease in the existing or projected need for organized service in the existing or proposed District boundaries.”
- Per C.R.S, Section V of the Service Plan states:
 - Any material modifications of the Service Plan must be submitted to the City as a Service Plan Amendment; and
 - Any Service Plan Amendments can’t take effect until they are approved by a separate affirmative vote of City Council in a similar process as the approval of the original Service Plan.
8. *Specify in the Service Plan the District’s policy(ies) for inclusion of new areas, including criteria to be employed in extending services.*
- **We believe this proposed Condition of Approval has already been addressed in the previously submitted Service Plan as described below, and is therefore not necessary to include in the motion. If City staff or Planning Commission disagrees, we’d look for guidance on specific language that the City would like us to include.**
 - For Planning Commission reference and as we have previously discussed with and documented to staff:
 - The only additional parcel that would ever be included in the currently proposed Metro District is the actual Lowell School building and the lawn area in front of the building (comprising Lot 5 of the City-approved subdivision replat). This would be done to allow for the infrastructure such as stormwater detention proposed for Lot 5 that will serve both the townhome development (Lots 1-4) and the redevelopment of the Lowell School (Lot 5) to be built and maintained by the Metro District.
 - We’d prefer to include the Lowell School building and lawn (Lot 5) into the Metro District now. However we legally can’t at this time since the DDA is the current property owner, per the phased development approach in our purchase and sale agreement with the DDA. As discussed elsewhere in this letter, we can’t legally include any publicly-owned property in a special district, as publicly-owned parcels are exempt from property tax assessments.
 - With the exception of Lot 5 as discussed above, we don’t intend to include any other parcels into the Metro District in the future.

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- In terms of including in the Service Plan “policies for inclusion of new areas”: This is the first time this info been requested. However, if we understand the request correctly, this is addressed in Section V.d of the submitted Service Plan. Section V.d states that any property included into the Metro District in the future requires either:
 - 100% of the owners of said property to vote in the affirmative to be included (via the same public election process required for the initial formation of the District); or
 - Separate affirmative vote of City Council.

- In terms of including in the Service Plan “criteria to be employed in extending services”:
 - This is the first time this info been requested. However if we understand the request correctly, the concern is about the Metro District constructing and/or maintaining improvements outside of the current Metro District boundaries shown in the Service Plan. As discussed elsewhere in this response, our engineering drawings can and do show future improvements to Lot 5 which we don’t currently own and which is not currently in the Metro District boundaries, subject to property owner’s written permission. Therefore, criteria to be employed in extending services to included parcel or non-included parcels are governed by same C.R.S. criteria for the initial improvements on parcels within the Metro District boundaries, with the addition of obtaining written permission from property owners of non-included parcels prior to constructing said improvements.
 - Related to this issue: during the entitlement process, we have already agreed to enter into a mutual use agreement with the DDA for implementation of stormwater detention treatments on Lot 5 in advance of owning Lot 5. City staff have stipulated in writing that they will credit any stormwater treatments implemented on Lot 5 prior to our ownership towards the City’s stormwater requirements for development of Lots 1-4.

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CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. _____
A RESOLUTION APPROVING THE SERVICE PLAN FOR THE LOWELL VLLAGE
METROPOLITAN DISTRICT

A. Pursuant to §32-1-204.5, C.R.S., as amended, a Service Plan (“**Service Plan**”) for the proposed Lowell Village Metropolitan District (“**District**”) has been submitted to the City Council (“**Council**”) of the City of Grand Junction, Colorado (“**City**”). A copy of the **Service Plan** is attached hereto as Exhibit “A”.

B. Pursuant to the provisions of Title 32, Article 1, Colorado Revised Statutes (C.R.S.), as amended, and the Grand Junction Municipal Code (“GJMC”) on March 7, 2018 the Council scheduled a public hearing on the **Service Plan** for March 21, 2018.

C. Notice of the hearing before the Council on March 21, 2018 was duly published in the *Daily Sentinel*, a newspaper of general circulation within the City, on February 26, 2018 (minimum 20 days prior to hearing), as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Department of Local Affairs, and the governing body of each municipality and Title 32 Special District that has levied *ad valorem* tax within the next preceding tax year and that has boundaries within a radius of three miles of the District.

D. The Council has considered the **Service Plan** and all other testimony and evidence presented at the hearing.

E. The Council finds that the **Service Plan** shall be approved with the following conditions which shall be met prior to the Metropolitan District Service Plan becoming effective, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended. For purposes of this Resolution, the effective date is the date which the election results are accepted/certified by the Colorado Department of Local Affairs:

- 1) Revise legal description and boundary map within the **Service Plan** so that each correlate to the other and accurately depict the location of the services to be provided and an accurate map of Areas of Operations and Maintenance that clearly shows the area(s) within which the services will be provided by the District and whether the area(s) are within or outside the District Boundaries; and,
- 2) An Approved Development Plan be on file with the City; and,
- 3) An Intergovernmental Agreement and such other agreement(s) as deemed necessary or required and in a form(s) acceptable to the City describing the performance of any services (e.g. water acquisition, treatment and delivery; transportation systems; road and drainage systems; and recreation facilities, parks and open space) by and between the proposed District and the City be attached to the **Service Plan**.

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

1. The Council hereby determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the **Service Plan** for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law.

2. The Council further determines that all pertinent facts, matters and issues were submitted at the public hearing; that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the Council of each of the following was presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;

(b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;

(c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

3 This Resolution shall be filed in the records of the City and a copy thereof submitted to the petitioners for the District for filing in the District Court of Mesa County, Colorado.

4. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.

PASSED, ADOPTED AND APPROVED this 21st day of March 2018.

Bennett Boeschstein, Mayor *pro tem*

ATTEST:

Wanda Winkelmann, City Clerk

SERVICE PLAN

FOR

LOWELL VILLAGE METROPOLITAN DISTRICT

CITY OF GRAND JUNCTION

MESA COUNTY, COLORADO

Prepared by:

DEVELOPER

Jeremy Nelson, Managing Member, Downtown Grand Junction REgeneration LLC

OWNER'S REPRESENTATIVE

Christopher Bremner, Founding Principal, Freeheel Development Services LLC

ATTORNEY

Pete Smith, Attorney At Law, Pete Smith Law LLC

Date of Filing with City Clerk:

2/2/18

LIST OF EXHIBITS

EXHIBIT A	District Boundary Map and Legal Description
EXHIBIT B	Vicinity Map
EXHIBIT C	Site Improvements
EXHIBIT D	Areas of Operations and Maintenance
EXHIBIT E	Cost Estimates
EXHIBIT F	Financial Plan
EXHIBIT G	Sample Disclosure Statement to Purchasers

I. INTRODUCTION

a. Purpose and Intent.

The District is an independent unit of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Service Plan, its activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Service Plan. It is intended that the District will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the District. The primary purposes of the District will be to finance the construction of the Public Improvements and provide ongoing operation and maintenance services as more specifically set forth in this Service Plan.

b. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, operation and maintenance of the Public Improvements needed for the Project. Formation of the District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible. It is also necessary in order to not burden the City or the surrounding neighborhoods with the additional maintenance and operation costs associated with the development of the parcel.

c. Objective of the City Regarding District's Service Plan.

The City's objective in approving the Service Plan is to authorize the District to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment and financing of the Public Improvements from the proceeds of Debt to be issued by the District and other legally available revenues of the District. All Debt is expected to be repaid by taxes imposed and collected at a mill levy no higher than the Maximum Debt Mill Levy and/or Fees. Debt which is issued within these parameters and, as further described in the Financial Plan, will insulate property owners from excessive tax and Fee burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

The primary purpose of the District is to provide for the Public Improvements associated with development and, if applicable, regional needs, and operate and maintain Public Improvements not conveyed to the City, other appropriate jurisdiction or an owners' association. This Service Plan is intended to establish a limited purpose for the District and explicit financial constraints that are not to be violated under any circumstances. Under no circumstance(s) is the City agreeing or undertaking to be financially responsible for the Debt or the construction of Public Improvements.

II. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless

the context hereof clearly requires otherwise:

Approved Development Plan: means an Approved Preliminary Plan as approved by the City pursuant to City Code(s) that, among other things, identifies Public Improvements necessary for facilitating development of property within the District.

Board: means the board of directors of the District.

Board of Trustees: means the Board of Trustees of the City of Grand Junction.

Bond, Bonds or Debt: means bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy, and/or collect Fee revenue.

City: means the City of Grand Junction, Colorado.

DDA: means the Grand Junction Downtown Development Authority in Grand Junction Colorado.

Developer: means Downtown Grand Junction REgeneration LLC, Colorado limited liability company or a successor entity..

District: means Lowell Village Metropolitan District.

District Boundaries: means the boundaries of the area legally described and depicted on the District Boundary Map in **Exhibit A**.

District Boundary Map: means the map attached hereto as **Exhibit A**, depicting the District’s boundaries.

Fees: means any fee imposed and/or received by the District for services, programs or facilities provided by the District.

Financial Plan: means the Financial Plan described in Section VI which describes

(i) how the Public Improvements are to be financed; (ii) how the Debt is expected to be incurred; and (iii) the estimated operating revenue derived from property taxes for the first budget year.

Maximum Debt Mill Levy: means the maximum mill levy the District is permitted to impose for payment of Debt as set forth in Section VI.C below.

Project: means the development or property commonly referred to as “R-5 Redevelopment Site, Undeveloped Land for Townhomes Portion” in the executed Purchase and Sale Agreement between the DDA and the Developer.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped, and financed as generally described in the Special District Act, except as specifically limited in Section V

below, to serve the future taxpayers and inhabitants of the District as determined by the Board.

Service Area: means the area legally described and depicted on the map attached hereto as **Exhibit A**.

Service Plan: means this Service Plan for the District approved by City Council.

Service Plan Amendment: means an amendment to the Service Plan approved by the Board of Trustees in accordance with applicable law.

Special District Act: means Section 32-1-101, *et seq.*, of the Colorado Revised Statutes, as amended from time to time.

State: means the State of Colorado.

Taxable Property: means real or personal property subject to *ad valorem* taxes imposed by the District.

Total Debt Issuance Limit: means the maximum amount of general obligation Debt the District may issue, which amount shall be One Million Six Hundred Thousand Dollars (\$1,600,000).

III. BOUNDARIES

The initial District Boundaries include approximately 1.64 acres. A legal description of the District Boundaries and a map of the District Boundary is attached hereto as **Exhibit A**. A vicinity map is attached hereto as **Exhibit B**. It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to Section 32-1-401, *et seq.*, C.R.S., and Section 32-1-501, *et seq.*, C.R.S., subject to the limitations set forth in Article V below.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The Project consists of approximately 1.64 acres of residential land. Based on a January 2017 appraisal, the current assessed valuation of property within the District is approximately \$55,595.00 for purposes of this Service Plan and, at build-out, is expected to be sufficient to reasonably discharge the Debt under the Financial Plan. The population of the District at build-out is estimated to be approximately ninety (90) people based on projected market demand.

Approval of this Service Plan by the City does not imply approval of the development of a specific area within the District, nor does it imply approval of the number of residential units identified in this Service Plan or any of the exhibits attached thereto, unless the same is contained within an Approved Development Plan.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

a. Types of Improvements.

The District shall have the power and authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, operation and maintenance of Public Improvements within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein. Without limiting the foregoing, following is a general description of the types of Public Improvements and services the District shall be authorized to provide. The proposed types of improvements, but not limited to, is attached hereto as **Exhibit C**.

1. Street Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain street and roadway improvements including, but not limited to, related landscaping, curbs, gutters, sidewalks, culverts and other drainage facilities, pedestrian ways, bridges, overpasses, interchanges, signage, median islands, alleys, parking facilities, paving, lighting, grading and irrigation structures, and fiber optic cable conduit, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that street improvements not conveyed to the City, other appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

2. Water Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain potable, non-potable and irrigation water systems including, but not limited to, transmission lines, distribution mains and laterals, storage and treatment facilities, water right acquisition, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that water improvements not conveyed to the City, other appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

3. Sanitation Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain sanitation improvements including, but not limited to, sanitary sewer transmission lines, wastewater treatment, storm drainage, detention/retention ponds, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that sanitation improvements not conveyed to the City, other appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

4. Safety Protection Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain traffic and safety controls and devices on streets, highways and railroad crossings including, but not limited to, signalization, signage and striping, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that safety protection improvements not conveyed to the City, other

appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

5. Park and Recreation Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain park and recreation facilities and programs including, but not limited to, parks, pedestrian ways, bike paths, bike storage facilities, signage, interpretive kiosks and facilities, open space, landscaping, cultural activities, community centers, recreational centers, water bodies, wildlife preservation and mitigation areas, irrigation facilities, playgrounds, pocket parks, swimming pools, and other active and passive recreational facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that park and recreation improvements not conveyed to the City, other appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

6. Transportation Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain a system to transport the public by bus, rail or any other means of conveyance, or any combination thereof, including, but not limited to, bus stops and shelters, park-and-ride facilities, parking facilities, bike storage facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that transportation improvements not conveyed to the City, other appropriate jurisdiction or an owners' association, if any, may be owned and maintained by the District.

7. Mosquito Control. The District shall have the power to provide for the eradication and control of mosquitos, including but not limited to elimination or treatment of breeding grounds and the purchase, lease, contracting or other use of equipment or supplies for mosquito control.

8. Fire Protection. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop and (on a supplemental basis) operate and maintain improvements for fire protection and emergency response services, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities. It is anticipated that fire protection and emergency response services will be provided to the Project by the City or other appropriate jurisdiction, but not the District.

9. Television Relay and Translation Improvements. The District shall have the power and authority to plan, design, acquire, construct, install, relocate, redevelop, operate and maintain television relay and translation facilities and programs, together with all necessary, incidental and appurtenant facilities, land and easements, and all extensions of and improvements to said facilities.

b. Other Powers.

Operations and Maintenance. The District shall be authorized to operate and maintain Public Improvements not conveyed to the City or other governmental entities having proper jurisdiction in a manner consistent with the Approved Preliminary Plan. Although it is anticipated that the

District will not operate and maintain public street improvements, the District is expressly authorized, but not obligated, to supplement such operations and maintenance to the extent that the Board in its sole discretion may determine is appropriate. With respect to any Public Improvements which remain under District ownership, if any, the District shall be authorized to enter into one or more agreements with owners' associations pursuant to which an owners' association may operate and maintain such Public Improvements. The proposed types of operations and maintenance, includes but is not limited too, is attached hereto as **Exhibit D**.

1. Security Services. Subject to the provisions of Section 32-1-1004(7), C.R.S., the District shall have the power to furnish security services within the District.

2. Covenant Enforcement. Subject to the provisions of Section 32-1-1004(8), C.R.S., the District shall have the power to furnish covenant enforcement and design review services within the District.

3. Phasing; Deferral. Except as may be limited herein, the District shall have the right, without having to amend this Service Plan, to defer, delay, reschedule, re-phase or restructure the financing and/or construction of the Public Improvements to accommodate the pace of development within the Project, resource availability and the funding capability of the District.

4. Service Plan Amendment. The District shall have the authority to amend or modify this Service Plan, as needed, subject to the applicable statutory procedures.

5. Additional Services. Except as specifically provided herein, the District shall be authorized to provide such additional services and exercise such powers as are expressly or impliedly granted by Colorado law.

6. Subdistricts. The District shall have the authority pursuant to Section 32-1-1101(1)(f), C.R.S., and Sections 32-1-1101(1.5)(a)-(e), C.R.S., to divide the District into one or more areas consistent with the services, programs and facilities to be furnished therein. The exercise of such authority shall not be deemed a material modification of this Service Plan.

7. Special Improvement District. The District shall have the authority pursuant to Section 32-1-1101.7, C.R.S., to establish one or more special improvement districts within the boundaries of the District, including the power to levy assessments.

8. Intergovernmental Agreements. At such time as the District has been recognized as a governmental agency under Colorado law, the District shall then have the authority to enter into such intergovernmental agreements as may be necessary to perform the functions for which the District has been organized, including the provision of Public Improvements required by any Approved Development Plan. Furthermore, it is the intent of the District to enter into such intergovernmental agreements as may be necessary to perform the functions for which the District has been organized including the provision of Public Improvements required by any Approved Development Plan.

c. Construction Standards Limitation. The District will ensure that the Public Improvements are designed and constructed in accordance with the applicable standards and

specifications of the City and of other governmental or non-governmental entities having proper jurisdiction consistent with the Approved Preliminary Plan. Where such standards and specifications may not be optimal given the project type, context, or constraints, the District will ensure that any variances from said standards and specifications are subject to the applicable variance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work. The conveyance of Public Improvements shall be subject to applicable acceptance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction.

d. Inclusion Limitation. The District shall not include within any its boundaries any property outside the Service Area without the prior written consent of the City except upon petition of the fee owner or owners of one hundred percent (100%) of such property as provided in Section 32-1-401(1)(a), C.R.S.

e. Total Debt Issuance Limitation. The District shall not issue Debt in excess of the Total Debt Issuance Limit; provided, however, any refunding Debt shall not count against the Total Debt Issuance Limit. Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S., and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

f. Estimate of Public Improvement Costs. The District shall have the authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance and financing of the Public Improvements within and adjacent to the boundaries of the District, to be more specifically defined in a Approved Development Plan. An estimate of the costs of the Public Improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed was prepared based upon a preliminary engineering survey and estimates derived from the zoning on the property in the District and is approximately One Million Six Hundred Thousand Dollars (\$1,600,000.00) in 2017 dollars, as further described in **Exhibit E**. All construction cost estimates are based on the assumption that construction conforms to applicable local, State or Federal requirements or that construction should reasonably qualify for variances from said requirements subject to the applicable variance procedures of the City and of other governmental or non-governmental entities having proper jurisdiction. Actual Public Improvements to be constructed and their costs may vary, and increase or decrease the costs of any category of Public Improvements to serve the Project as development occurs without the necessity of amending this Service Plan. Costs for development will be based on the Approved Development Plan and associated Development Improvements Agreement (DIA) rather than the initial cost estimate of the Metropolitan District Service Plan.

VI. FINANCIAL PLAN

a. General.

The District shall be authorized to provide for the planning, design, acquisition,

construction, installation, relocation and/or redevelopment of the Public Improvements from its revenues and by and through the proceeds of Debt to be issued by the District. The Financial Plan for the District shall be to issue such Debt as the District can reasonably pay from revenues derived from the Maximum Debt Mill Levy, Fees and other legally available revenues. The total Debt that the District shall be permitted to issue shall not exceed the Total Debt Issuance Limit and shall be permitted to be issued on a schedule and in such year or years as the District determines shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. All bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general *ad valorem* taxes to be imposed upon all Taxable Property of the District (and associated specific ownership tax revenues) and Fees. The District will also rely upon various other revenue sources authorized by law. These will include the power to assess Fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1), C.R.S., as amended from time to time. The Financial Plan attached hereto as **Exhibit F** provides hypothetical assumptions for financing the Public Improvements and is provided for illustrative purposes only. Subject to the limitations set forth herein, the District shall be permitted to issue Debt on a schedule and in such years as the District determines shall meet the needs of the District and phased to serve development as it occurs.

Prior to the issuance of Debt, it is anticipated that the Developer may advance funds, and/or contractual or in-kind services to the District to pay the organizational costs of the District and costs for constructing and installing Public Improvements. The District shall be authorized to reimburse such Developer advances with interest from Debt proceeds or other legally available revenues.

b. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed eighteen percent (18%). The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Service Plan, State law and Federal law as then applicable to the issuance of public securities.

c. Maximum Debt Mill Levy.

The “Maximum Debt Mill Levy” shall be the maximum mill levy the District is permitted to impose upon the Taxable Property of the District for payment of Debt, and shall be determined as follows:

1. For any District Debt which exceeds fifty percent (50%) of the District’s assessed valuation, the Maximum Debt Mill Levy for such Debt shall be sixty-five (65) mills less the number of mills necessary to pay unlimited mill levy Debt described in Section VI.C.2 below; provided that if, on or after January 1, 2018, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement, the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2018, are neither diminished nor

enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

2. For any District Debt which is equal to or less than fifty percent (50%) of the District's assessed valuation, either on the date of issuance or at any time thereafter, the mill levy to be imposed to repay such Debt shall not be subject to the Maximum Debt Mill Levy and, as a result, the mill levy may be such amount as is necessary to pay the Debt service on such Debt, without limitation of rate.

3. For purposes of the foregoing, once Debt has been determined to be within Section VI.C.2 above, so that the District is entitled to pledge to its payment an unlimited *ad valorem* mill levy, the District may provide that such Debt shall remain secured by such unlimited mill levy, notwithstanding any subsequent change in the District's Debt to assessed ratio. All Debt issued by the District must be issued in compliance with the requirements of Section 32-1-1101, C.R.S. and all other requirements of State law.

To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term "District" as used herein shall be deemed to refer to the District and to each such subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

d. Debt Repayment Sources.

The District may impose a mill levy as a primary source of revenue for repayment of debt service and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the power to assess fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(l), C.R.S., as amended from time to time. In no event shall the debt service mill levy in the District exceed the Maximum Debt Mill Levy, except as provided in Section VI.C.2 above.

e. Security for Debt.

The District shall not pledge any revenue or property of the City as security for the indebtedness set forth in this Service Plan. Approval of this Service Plan shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Service Plan be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

f. District's Operating Costs.

The estimated cost of acquiring land, engineering and planning services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, are anticipated to be approximately One Hundred Thousand Dollars (\$100,000), which will be eligible for reimbursement from Debt proceeds.

In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be

constructed and maintained. The first year's operating budget is estimated to be approximately Fifty Thousand Dollars (\$50,000) which is anticipated to be derived from property taxes and other revenues.

The Maximum Debt Mill Levy for the repayment of Debt shall not apply to the District's ability to increase its mill levy as necessary for provision of operation and maintenance services to its taxpayers and service users.

It is anticipated that the Developer may advance funds and/or contractual or in-kind services to the District to pay its operating costs until such time as the District has sufficient revenue from its operation and maintenance mill levy. The District shall be authorized to reimburse the Developer for such advances with interest.

VII. ANNUAL REPORT

a. General.

The District shall be responsible for submitting an annual report to the City no later than August 1st of each year following the year in which the Order and Decree creating the District has been issued.

b. Annual Reporting Requirements.

The annual report to the City shall include information as to any of the following:

1. Boundary changes made or proposed to the District's boundaries as of December 31 of the prior year.
2. Intergovernmental Agreements either entered into or proposed as of December 31 of the prior year.
3. A summary of any litigation which involves the District Public Improvements as of December 31 of the prior year.
4. Status of the District's construction of the Public Improvements as of December 31 of the prior year.
5. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.
6. The assessed valuation of the District for the current year.
7. Current year budget.
8. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

VIII. DISCLOSURE TO PURCHASERS

The District will record or cause to be recorded against property within the District information regarding the District, including its authority to impose and collect property taxes, rates, fees, tolls and charges. The District will disclose to all potential purchasers of real property that the property is in a special taxing district and where the purchaser can obtain information online about the District's ability to impose and collect property taxes, rates, fees, tolls and charges per the sample disclosure statement to purchasers in **Exhibit G**. These disclosure protocols exceed current disclosure requirements of C.R.S. Section 38-35.7-101 (at the time of this writing) that only require disclosure that the subject property *may* be in a special taxing district and where the purchaser can obtain information to confirm whether the property is in fact in a special taxing district.

IX. DISSOLUTION

In no event shall the District be dissolved until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes. The District shall only dissolve upon payment or defeasance of all Debt incurred or upon a court determination that adequate provision has been made for the payment of all Debt. However, if the District has authorized operation/maintenance functions under this Service Plan, or if by agreement with the City it is desired that the District shall continue to exist, then the District shall continue to exist and shall not dissolve but shall retain the power necessary to impose and collect taxes or fees to pay for the cost of operation and maintenance and/or to perform the agreement(s) with the City; upon satisfaction of any agreement(s) with the City the District may then dissolve.

X. MODIFICATION

Material modifications of the Service Plan as originally approved may be made by the governing body of the District only by petition to and approval by City Council that has adopted a resolution of approval of the District pursuant to CRS sections 32-1-204.5 or 32-1-204.7 in substantially the same manner as is provided for the approval of the original Service Plan. Such approval of modifications shall be required only with regard to changes of a basic or essential nature, including but not limited to the following: a) any addition to the types of services provided by the District; b) any decrease in the level of services provided by the District; c) any decrease in the financial ability of the District to discharge any existing or proposed indebtedness; or d) any decrease in the existing or projected need for organized service in the existing or proposed District boundaries.

XI. INCORPORATION OF CITY APPROVAL IN SERVICE PLAN

This Service Plan for the District, as approved by City Council, shall be the terms by which the District shall operate.

XII. CONCLUSION

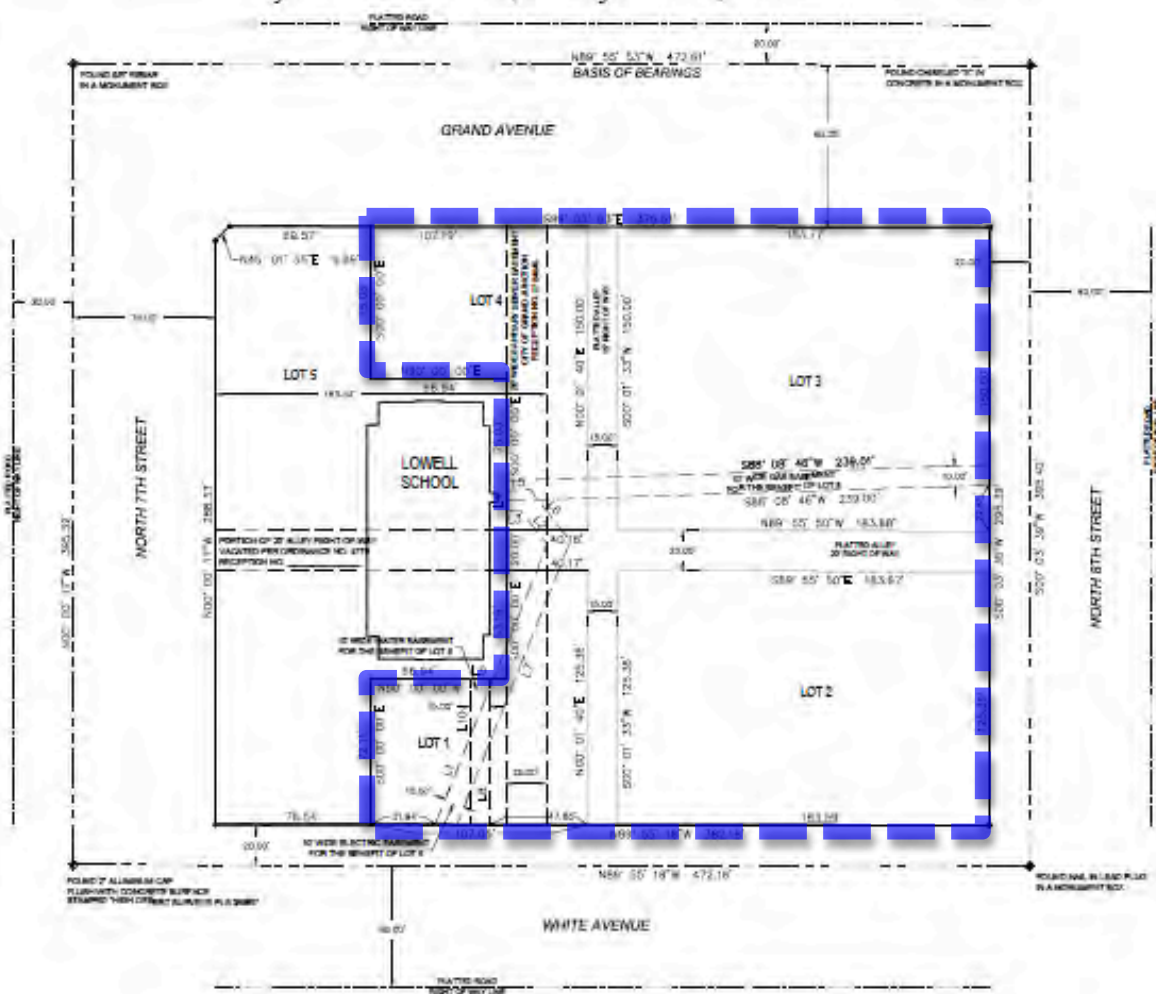
It is submitted that this Service Plan for the District, as required by Section 32-1-203(2), C.R.S., establishes that:

1. There is sufficient existing and projected need for organized service in the area to be serviced by the District;
2. The existing service in the area to be served by the District is inadequate for present and projected needs;
3. The District is capable of providing economical and sufficient service to the area within its proposed boundaries; and
4. The area to be included in the District does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

EXHIBIT A

District Boundary Map and Legal Description

Legal Description: Lots 1-4, Block 84, Plat of Resurvey of Second Division of City of Grand Junction, Plat Book 2, Page 37 Located within the SE 1/4 of Section 14, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado.



BASES OF BEARINGS

The bearing between the City Block Monument a chiseled "X" in concrete found at the road intersection of Grand Avenue and North 8th Street and a City Block Monument a 5/8" rebar found at the road intersection of Grand Avenue and North 7th Street is N89°55'53"W, this bearing corresponds with grid north of the Mesa County Local Coordinate System. Both City Block Monuments are in Monument Boxes.

LAND AREA SUMMARY

- Lot 1 = 9,561 SQ.FT. (0.226 ACRES)
- Lot 2 = 23,022 SQ.FT. (0.528 ACRES)
- Lot 3 = 27,556 SQ.FT. (0.632 ACRES)
- Lot 4 = 11,054 SQ.FT. (0.254 ACRES)
- Lot 5 = 32,503 SQ.FT. (0.746 ACRES)
- Alley = 8,905 SQ.FT. (0.204 ACRES)

Total area of Subdivision = 112,903 SQ.FT. (2.592 ACRES)

CLERK AND RECORDER'S CERTIFICATE
STATE OF COLORADO

EXHIBIT B

Vicinity Map

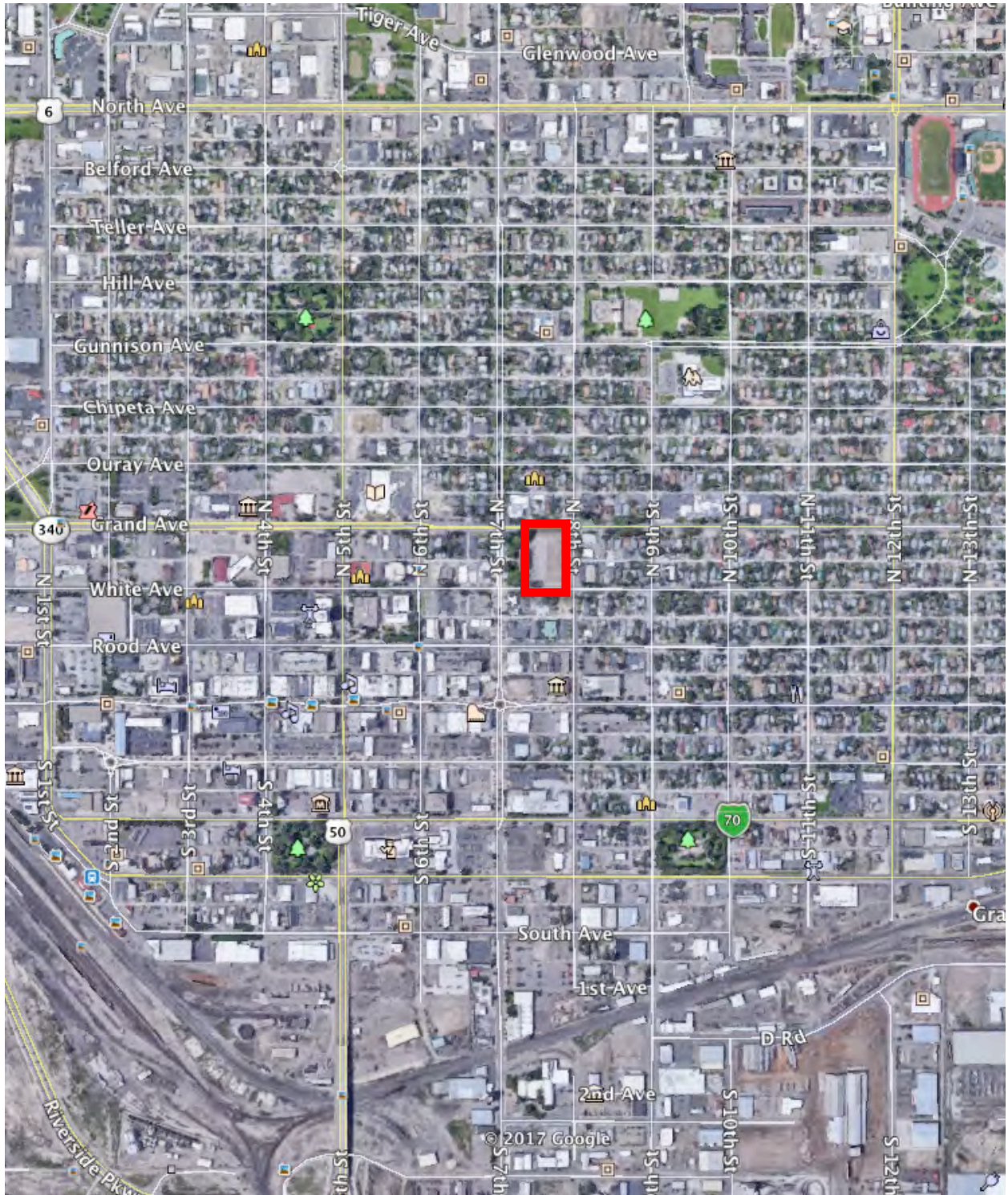


EXHIBIT C

Site Improvements

LOWELL VILLAGE TOWNHOMES
at 7th and Grand
Grand Junction, Colorado

Client: REgeneration
e-mail: jnelson@REgenerationDevelopment.com
mobile: 415.425.9848

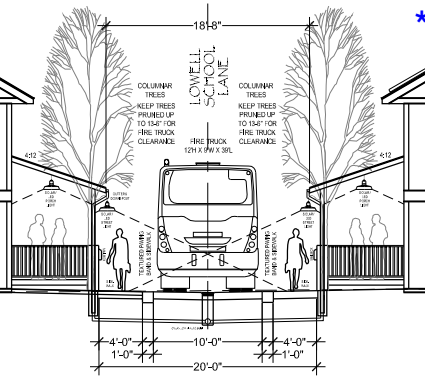
Landscape Architect: **VISION DESIGN STUDIO, INC.**
1448 20 Road - Fruita, Colorado 81521
Phone: 970.210.2153 E-mail: info@vdsi.biz
Web: www.vdsi.biz

Architect:

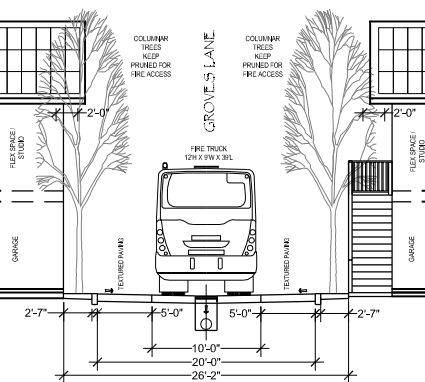
Proposed Site Improvements

- A. Community Food Forest**
- B. Front Porches**
- C. Public Lawn Area**
- D. Community Greenhouse**
- E. Community Garden**
- F. Public Event Space / Decorative Paving**
- G. Perennial Community Food Beds**
- H. Tree Lined Streets with Parallel Parking**
- I. Storm Water Bio-Swale**
- J. Community Composting / Recycling**
- K. Existing Bus Stop**
- L. Art on the Corner**

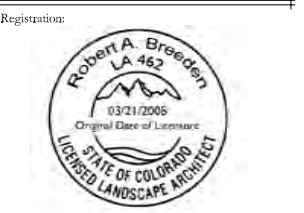
- * Community Landscaping/Gardens/Greenhouse
- * Community Food Forest/Perennial Beds
- * Community Composting / Recycling
- * Stormwater Detention Bio-Swale
- * On-Site ROW Lighting
- * Public Event Space
- * Public Art



1 Cross Section - Lowell School Lane
SCALE 1/8" = 1'-0"



2 Cross Section - Groves Lane
SCALE 1/8" = 1'-0"



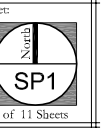
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Revisions:

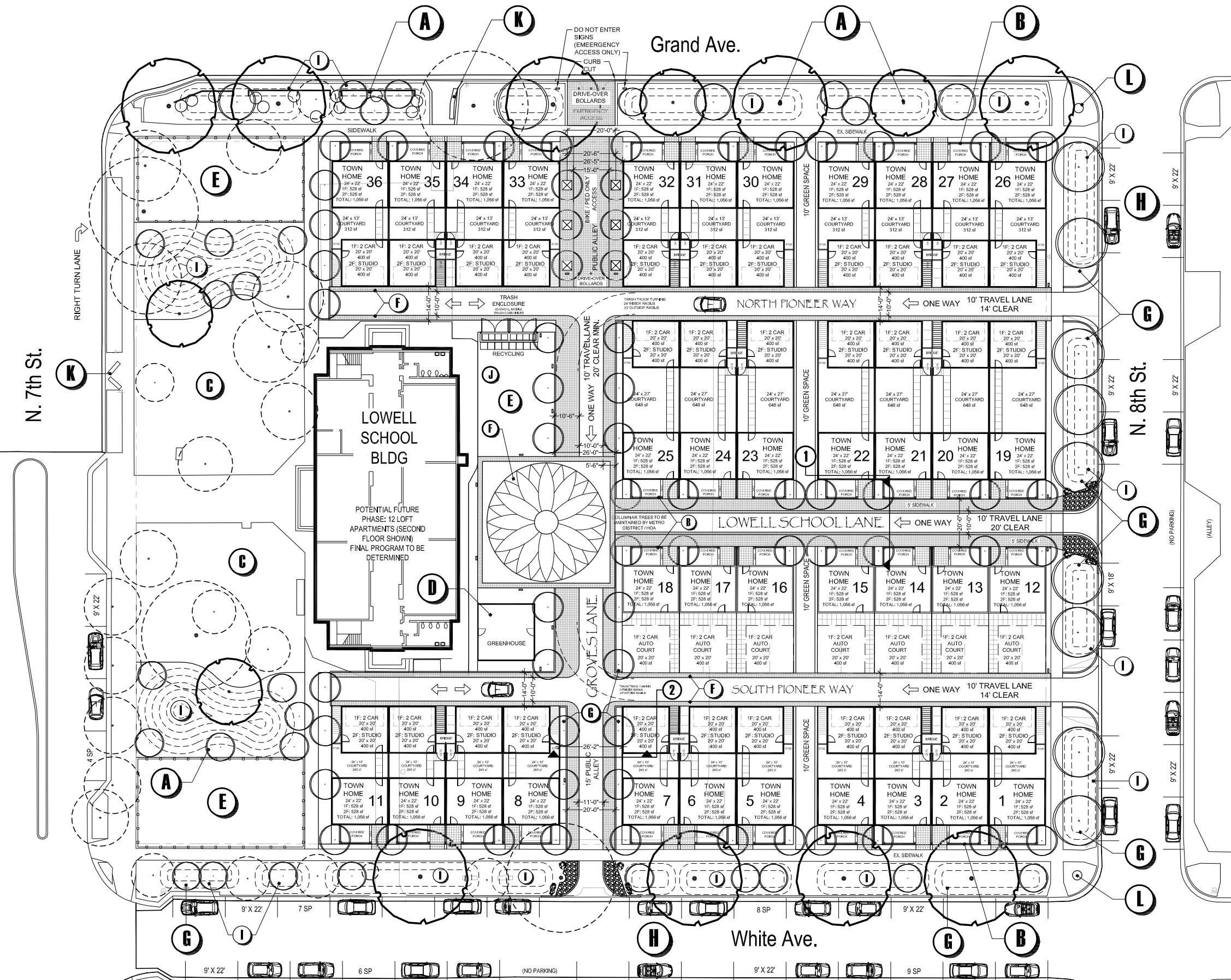
No.	Description	Date

Sheet Title: **Preliminary Site Plan**

Project: Lowell Village TH
Date: January 31, 2018
Scale: 1" = 20'



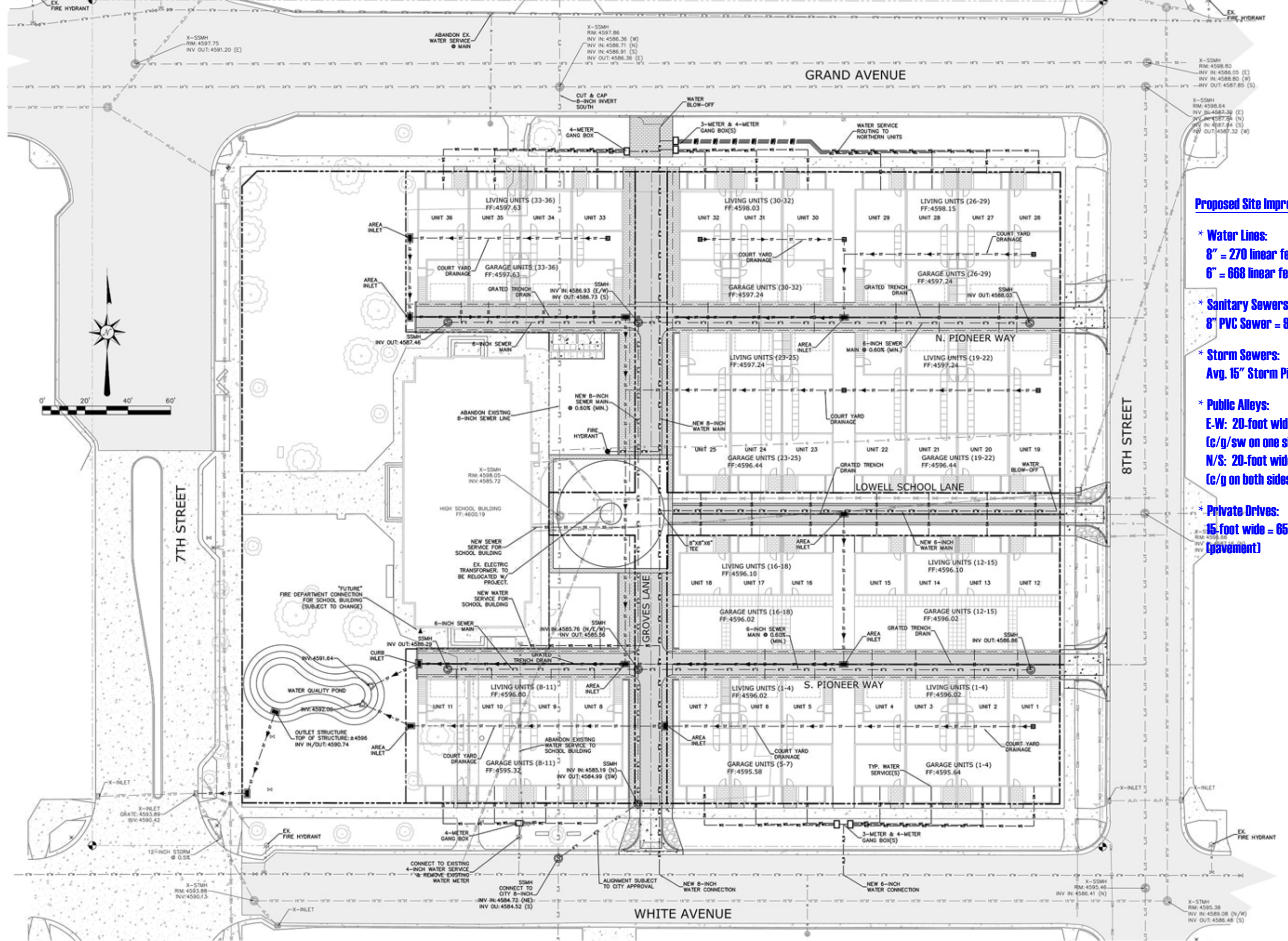
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Not For Construction



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CITY PLANNER _____ DATE _____

SCALE: 1" = 20'
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Project Name:
LOWELL VILLAGE TOWNHOMES
 at 7th and Grand
 Grand Junction, Colorado

Client:

 e-mail: jnelson@EgenerationDevelopment.com
 mobile: 415.425.9848

Landscape Architect:

 1448 20 Road - Fruita, Colorado 81521
 Phone: 970.210.2155 Email: rv@nvisi.biz
 Website: www.nvisi.biz
 landscape architecture • visual simulation • graphic design

Civil Engineer:

 Land Planning • Civil Engineering • Development Services
 103 N. 17th Street, Suite 305 • Grand Junction, Colorado 81501
 970.249.2549

Proposed Site Improvements

- * **Water Lines:**
 8" = 270 linear feet
 6" = 668 linear feet
- * **Sanitary Sewers:**
 8" PVC Sewer = 951 linear feet
- * **Storm Sewers:**
 Avg. 15" Storm Pipe = 1,050 linear feet
- * **Public Alleys:**
 E-W: 20-foot wide = 225 linear feet
 (c/g/sw on one side and other side c/g)
 N/S: 20-foot wide = 240 linear feet
 (c/g on both sides)
- * **Private Drives:**
 15-foot wide = 650 linear feet
 (pavement)



Revisions:

Sheet Title:
Overall Utility Composite

Project:
 Lowell Village TH
 Date:
 January 31, 2018
 Scale:

Preliminary
Not For Construction

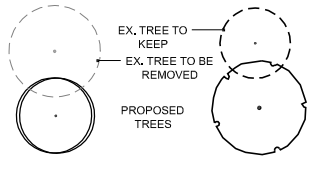


Proposed Site Improvements

LOWELL VILLAGE TOWNHOMES at 7th and Grand Grand Junction, Colorado

Client: **REgeneration**
 e-mail: jnelson@REgenerationDevelopment.com
 mobile: 415.425.9848

Architect: **VISION DESIGN STUDIO, INC.**
 1428 20 Road - Frisco, Colorado 81521
 Phone: 970.210.2155 Email: info@vdsi.biz
 Web: www.vdsi.biz
 Landscape Architecture • Visual Circulation • Graphic Design

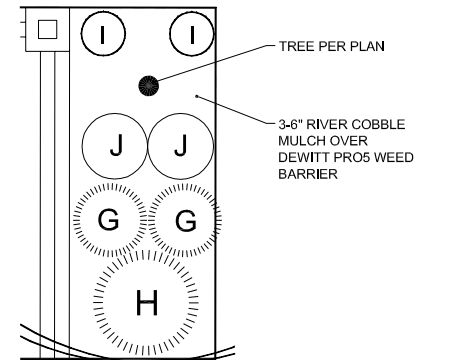


Plant Calculations

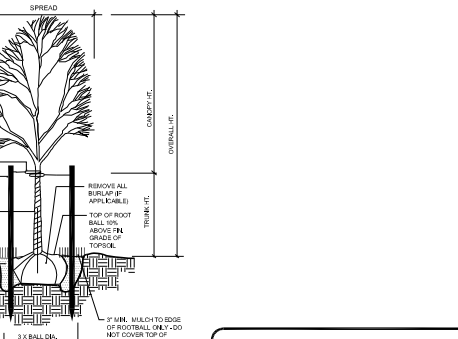
Category	Req'd	Proposed
Landscape Calculations	B-2	
Zoning District	9,961 SF	
Site Area Lot 1	23,022 SF	
Site Area Lot 2	27,558 SF	
Site Area Lot 3	11,054 SF	
Site Area Lot 4	71,495 SF	
Total On-Site Improved Area:		71,495 SF
On-Site Coverage Requirement	71,495 SF	Per Plan
On-Site Trees Required	29 EA	63
1 Tree per 2500 sq ft of Improved Area	23 EA	
Shade Trees	6 EA	63
Om./Ex. Trees (20% Max.)	29 EA	63
Total On-Site Trees Required:		29 EA 63
*Note: Due to the compact site plan we are proposing all narrow, columnar trees on site.		
On-Site Shrubs Required	239 EA	252
1 Shrub (5 Gal) per 300 sq ft		
Total On-Site Shrubs Required:		239 EA 252

Plant Schedule

KEY	COMMON NAME	BOTANICAL NAME	H'	W'	SIZE	TYPE	QTY
TREES							
Deciduous Trees:							
A	Upright European Hornbeam	Carpinus betulus 'Fastigiata'	40	10	2" Cal.	B&B	10
B	Dawson Gold Birch	Fagus sylvatica 'Dawson Gold'	40	10	2" Cal.	B&B	10
C	Upright European Beech	Fagus sylvatica 'Fastigiata'	40	10	2" Cal.	B&B	11
D	Fastigate Ginkgo	Ginkgo biloba 'Fastigiata'	40	10	2" Cal.	B&B	11
E	Lombardy Poplar	Populus nigra 'Italica'	40	10	2" Cal.	B&B	7
F	Upright Ornamental Pear	Pyrus calleryana 'Capital'	40	10	2" Cal.	B&B	14
							Total Trees: 63
SHRUBS							
Ornamental Grasses - Small to Medium (2'-6")							
G	Feather Reed Grass	Calamagrostis acutiflora 'Kat Forester'	4	3	5 gal.	Cont.	72
H	Maiden grass	Miscanthus 'Gracillimus'	5	4	5 gal.	Cont.	36
Deciduous Shrubs - Small (1'-2")							
I	Little Gem Crapemyrtle	Colonyea adpressus 'Little Gem'	1	2	1 gal.	Cont.	72
J	Dwarf Fountain Grass	Pennisetum alopecuroides	2	2	1 gal.	Cont.	72
							Total Shrubs: 252



1 Typical Front Yard Planting (Each Unit)
 SCALE: 1/2" = 1'-0"



SEE SHEET L2 FOR R.O.W. PLANTING

N. 8th St.

SEE SHEET L2 FOR R.O.W. PLANTING

White Ave.

SEE SHEET L2 FOR R.O.W. PLANTING

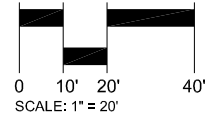
SEE SHEET L2 FOR R.O.W. PLANTING

Key Notes

- ANNUAL & PERENNIAL FOOD BEDS - VEGETABLES, HERBS, FRUIT AND FLOWER VINES, ETC.
- EX. PLANTING TO REMAIN
- REPLACE EX. GRASS - SEE SHEET L2

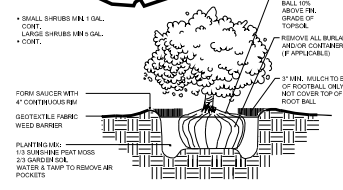
ACCEPTANCE BLOCK
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CITY PLANNER _____ DATE _____

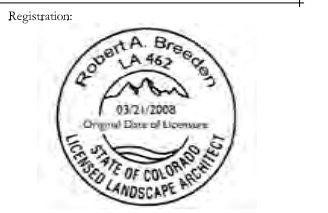
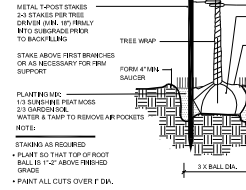


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2 Shrub & Ornamental Grass Planting NTS



3 Deciduous Tree Planting NTS



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Revisions:

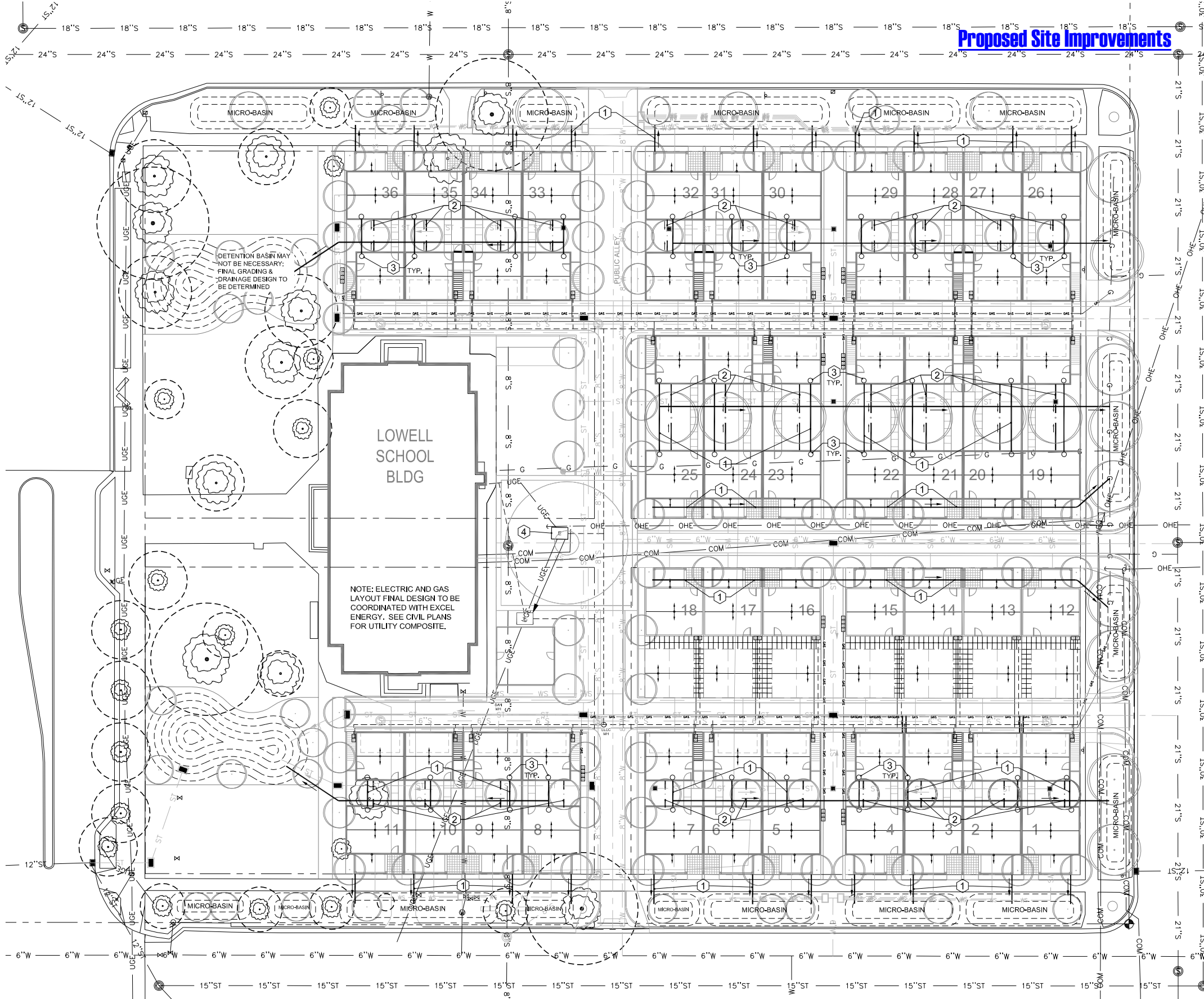
No.	Description

Sheet Title: **Preliminary Landscape Plan**

Project: Lowell Village TH
 Date: January 31, 2018
 Scale: 1" = 20'

Sheet: **L1**
 of 11 Sheets

Preliminary Not For Construction



Proposed Site Improvements

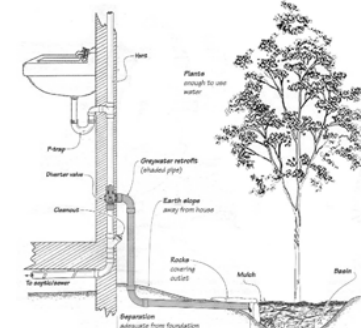
Key Rules

- 1 ROOF DOWNSPOUTS SHALL BE DIRECTED TO MICRO-BASINS
- 2 GREYWATER TO BE DIRECTED TO MULCH BASIN AND TREES IN COURTYARDS
- 3 2 (55 GAL.) RAIN COLLECTION BARRELS PER UNIT OR PER CURRENT COLORADO STATE LAW
- 4 ELEC TRANSFORMER TO BE RELOCATED IN PHASE 2

Greywater Concept

WE ARE PROPOSING A SIMPLE GREYWATER DRAIN SYSTEM THAT WILL DRAIN TO A TREE WITH A MULCH BASIN IN EACH OF THE PRIVATE COURTYARD SPACES.

DRAIN TO MULCH BASIN
 THE DRAIN TO MULCH BASIN IS A SIMPLE SYSTEM FOR EASILY MAKING THE BEST USE OF GREYWATER, PROBABLY 90% OF THE GREYWATER SYSTEMS IN THE WORLD ARE NO MORE THAN DRAINS THAT POINT OUT THE BACK OF THE HOUSE, SOME ARE GROSS, AND MOST DON'T REUSE THE WATER FOR IRRIGATION, THE SIMPLE REFINEMENT OF ADDING A MULCH-FILLED BASIN OR SLOPING CHANNEL WHERE THE PIPE DUMPS ELIMINATES MOST GROSSNESS, CULTIVATING PLANTS THERE WHOSE IRRIGATION NEEDS MATCH THE WATER SOURCE CAN EFFICIENTLY REUSE THE WATER, COVER THE GREYWATER OUTLET WITH ROCKS AND MULCH, AND INSTALL A SCREEN OVER THE DRAIN (OR A VENT AND FILTER TO PREVENT DEBRIS ENTERING THE HOUSE VIA THE DRAINPIPE, LINES CAN RUN ANY DISTANCE WITH CONTINUOUS DOWNHILL SLOPE, CAUTION: IN CLAY SOILS, APPLYING GREYWATER TOO NEAR THE HOUSE FOUNDATION MAY CAUSE PROBLEMS (FOLLOW SPECIFIC RECOMMENDATIONS FROM GEOTECH REPORT).



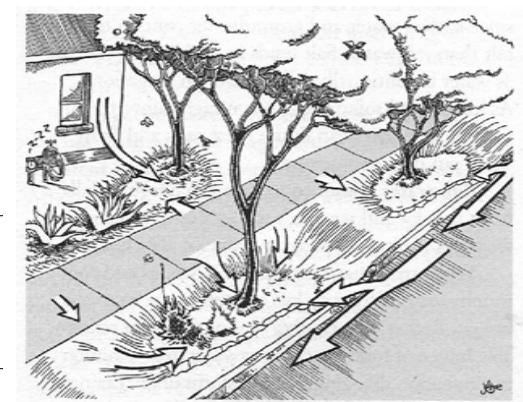
Rain Water / Micro-Basin Concept

WE ARE PROPOSING A SERIES OF MICRO-BASINS IN THE PUBLIC RIGHT-OF-WAY AREAS THAT WILL ASSIST IN THE HANDLING OF RAINWATER AND STORM RUNOFF FROM ON-SITE AS WELL AS FROM THE ADJACENT PUBLIC STREETS. WE WILL UTILIZE THESE BASINS FOR GROWING PERENNIAL AND ANNUAL FOOD PLANTS AS A PART OF OUR OVERALL COMMUNITY GARDEN CONCEPT WHICH WILL BE MANAGED BY A FULL-TIME ON-SITE MANAGER. THE GOAL IS TO CREATE A LANDSCAPE OF "ABUNDANCE" WHERE RAIN, RUNOFF, LEAF DROP, AND TOPSOIL ARE HARVESTED AND UTILIZED WITHIN THE LANDSCAPE CONTRIBUTING TO FLOOD CONTROL AND ENHANCED WATER QUALITY. THIS SYSTEM IS SELF-FERTILIZING WITH HARVESTED ORGANIC MATTER.

- THE EIGHT PRINCIPLES OF SUCCESSFUL WATER HARVESTING
1. BEGIN WITH LONG AND THOUGHTFUL OBSERVATION. USE ALL YOUR SENSES TO SEE WHERE THE WATER FLOWS AND HOW, WHAT IS WORKING, WHAT IS NOT? BUILD ON WHAT WORKS.
 2. START AT THE TOP (HIGHPOINT) OF YOUR WATERSHED AND WORK YOUR WAY DOWN. WATER TRAVELS DOWNHILL, SO COLLECT WATER AT YOUR HIGH POINTS FOR MORE IMMEDIATE INFILTRATION AND EASY GRAVITY-FED DISTRIBUTION. START AT THE TOP WHERE THERE IS LESS VOLUME AND VELOCITY OF WATER.

ORIG. CREDIT: ©2009 CREATE AN OASIS WITH GREYWATER BY ART LUDWIG MODIFIED SLIGHTLY BY NVISION DESIGN STUDIO, INC.

3. START SMALL AND SIMPLE. WORK AT THE HUMAN SCALE SO YOU CAN BUILD AND REPAIR EVERYTHING. MANY SMALL STRATEGIES ARE FAR MORE EFFECTIVE THAN ONE BIG ONE WHEN YOU ARE TRYING TO INFILTRATE WATER INTO THE SOIL.
4. SLOW, SPREAD, AND INFILTRATE THE FLOW OF WATER. RATHER THAN HAVING WATER RUN EROSIVLY OFF THE LAND'S SURFACE, ENCOURAGE IT TO STICK AROUND, "WALK" AROUND, AND INFILTRATE INTO THE SOIL. SLOW IT, SPREAD IT, SINK IT.
5. ALWAYS PLAN AN OVERFLOW ROUTE, AND MANAGE THAT OVERFLOW AS A RESOURCE. ALWAYS HAVE AN OVERFLOW ROUTE FOR THE WATER IN TIMES OF EXTRA HEAVY RAINS, AND WHERE POSSIBLE, USE THE OVERFLOW AS A RESOURCE.
6. MAXIMIZE LIVING AND ORGANIC GROUND COVER. CREATE A LIVING SPONGE SO THE HARVESTED WATER IS USED TO CREATE MORE RESOURCES, WHILE THE SOIL'S ABILITY TO INFILTRATE AND HOLD WATER STEADILY IMPROVES.
7. MAXIMIZE BENEFICIAL RELATIONSHIPS AND EFFICIENCY BY "STACKING FUNCTIONS." GET YOUR WATER HARVESTING STRATEGIES TO DO MORE THAN HOLD WATER. BERMS CAN DOUBLE AS NOTE: HIGH-AND-DRY RAISED PATHS. PLANTINGS CAN BE PLACED TO COOL BUILDINGS IN SUMMER. VEGETATION CAN BE SELECTED TO PROVIDE FOOD.
8. CONTINUALLY REASSESS YOUR SYSTEM: THE "FEEDBACK LOOP." OBSERVE HOW YOUR WORK AFFECTS THE SITE, BEGINNING AGAIN WITH THE FIRST PRINCIPLE. MAKE ANY NEEDED CHANGES, USING THE PRINCIPLES TO GUIDE YOU.



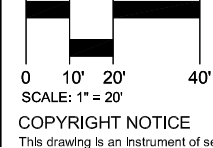
ORIG. CREDIT: ©2017 RAINWATER HARVESTING FOR DRYLANDS AND BEYOND BY BRAD LANCASTER

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PRINCIPLES 2, 4, 5, AND 6 ARE BASED ON THOSE DEVELOPED AND PROMOTED BY PELUM, THE PARTICIPATORY ECOLOGICAL LAND-USE MANAGEMENT ASSOCIATION OF EAST AND SOUTHERN AFRICA. PRINCIPLES 1, 3, 7, AND 8 ARE BASED ON MY OWN EXPERIENCES AND INSIGHTS GAINED FROM OTHER WATER HARVESTERS.

THESE PRINCIPLES ARE THE CORE OF SUCCESSFUL WATER HARVESTING. THEY APPLY EQUALLY TO THE CONCEPTUALIZATION, DESIGN, AND IMPLEMENTATION OF ALL WATER-HARVESTING LANDSCAPES. YOU MUST INTEGRATE ALL PRINCIPLES, NOT JUST YOUR FAVORITES, TO REALIZE A SITE'S FULL POTENTIAL. USED TOGETHER, THESE PRINCIPLES GREATLY ENHANCE SUCCESS, DRAMATICALLY REDUCE RISKS, AND ENABLE YOU TO ADAPT AND INTEGRATE A RANGE OF STRATEGIES TO MEET SITE NEEDS. WHILE THE PRINCIPLES REMAIN CONSTANT, THE STRATEGIES YOU USE TO ACHIEVE THEM WILL VARY WITH EACH UNIQUE SITE.

FOR A THOROUGH INTRODUCTORY DESCRIPTION OF WATER-HARVESTING PRINCIPLES AND ADDITIONAL ETHICS SEE RAINWATER HARVESTING FOR DRYLANDS AND BEYOND, VOLUME 1 (RAINSOURCE PRESS, REV. 2017). CREDIT: ©2017 RAINWATER HARVESTING FOR DRYLANDS AND BEYOND BY BRAD LANCASTER

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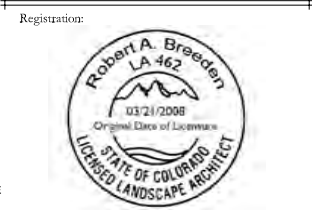
LOWELL VILLAGE TOWNHOMES

at 7th and Grand
 Grand Junction, Colorado

Client:
 ERegeneration
 e-mail: jnebon@ERegenerationDevelopment.com
 mobile: 415.425.9848



Architect:

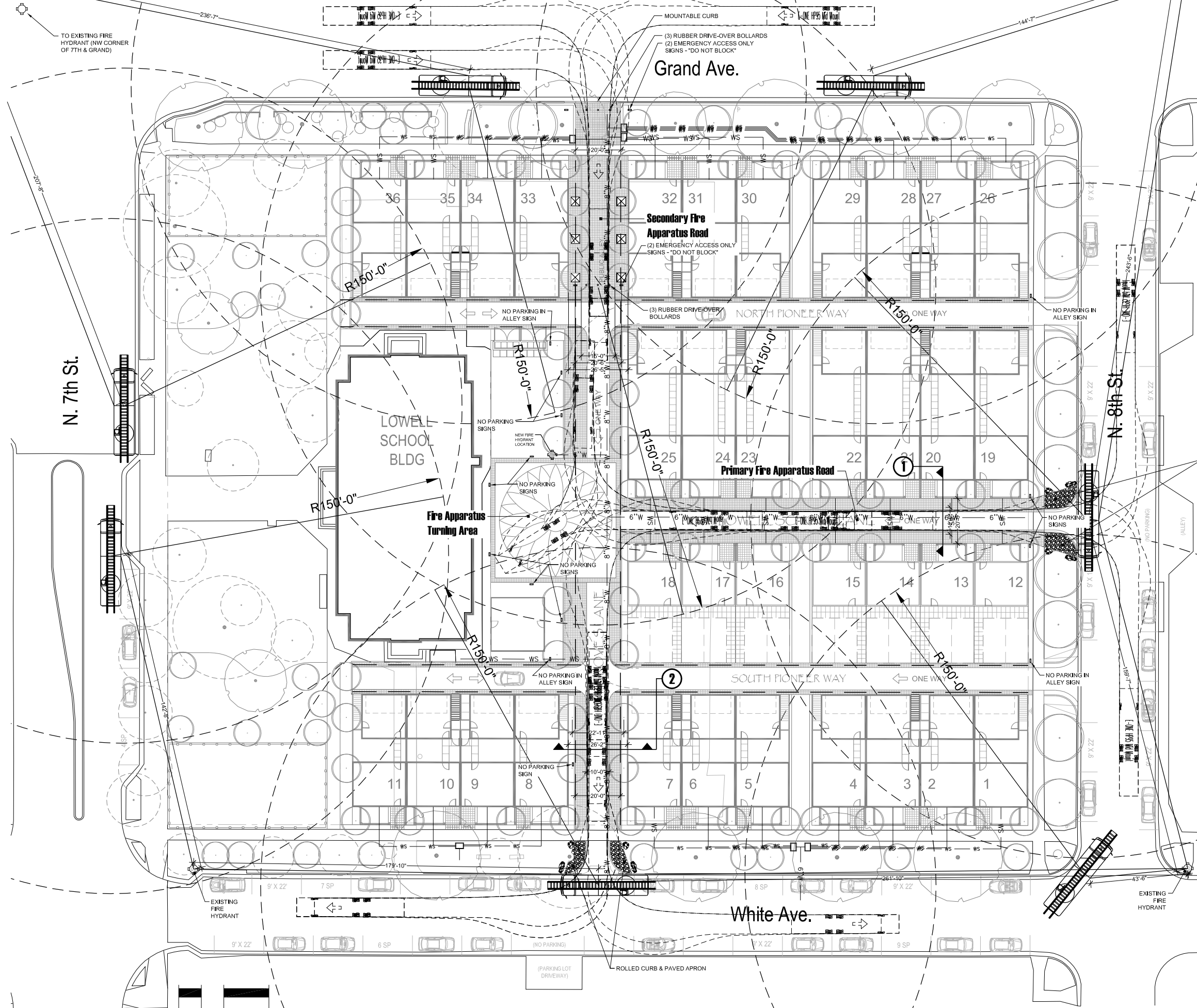


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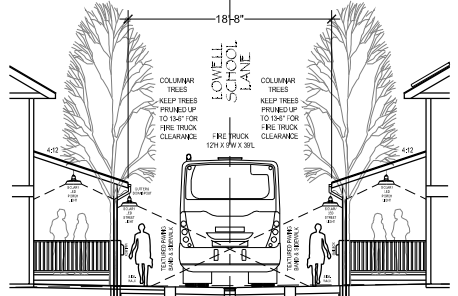
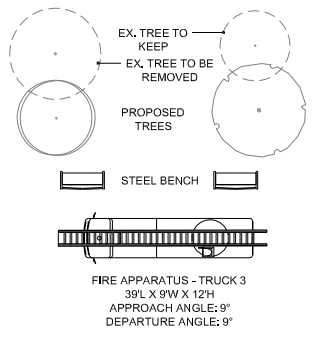
Grey Water/Rain Water Plan

Project: Lowell Village TH
 Date: January 31, 2018
 Scale: 1" = 20'

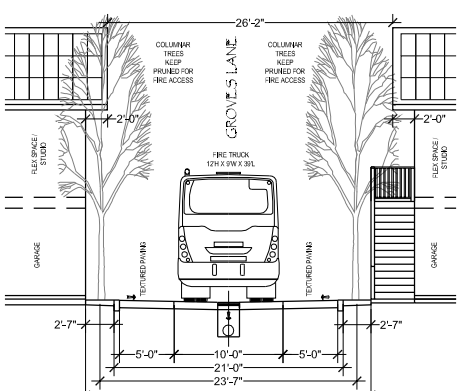
Sheet: 1 of 11 Sheets



Legend



1 Site Cross Section - Lowell School Lane
SCALE: 1/8" = 1'-0" (NO CURB OPTION)



2 Site Cross Section - Groves Lane
SCALE: 1/8" = 1'-0"

Fire Related Notes:

- ALL TOWNHOME UNITS SHALL BE RATED AS TYPE V-B CONSTRUCTION (OR V-4 DEPENDING ON VARIOUS NOMENCLATURE), WITH RATED ELEMENTS FOR PARTY WALLS, GARAGES AND SEPARATIONS LESS THAN 5'.
- THESE TOWNHOMES WOULD BE GOVERNED BY THE IRC, AND UNDER THE IRC, PER TABLE R302.1 - 1 HOUR WALLS <5' SEPARATION, 0 HOUR >5', AND WITH A 2 HOUR SEPARATION BETWEEN UNITS (TWO 1-HOUR WALLS, 2 HOUR SHAFT WALL BETWEEN UNRATED WALLS OR 2 HOUR WALL) AND A 1 HOUR SEPARATION BETWEEN GARAGES AND ANY ADJACENT LIVING SPACE. CHANGES TO THE LOWELL SCHOOL BUILDING ARE NOT INCLUDED IN THIS APPLICATION. SPECIFIC FIRE RELATED ITEMS WILL BE PROVIDED IN A FUTURE SUBMITTAL.
- THIS PLAN CERTIFIES THAT ALL NEW AND TEMPORARY FIRE APPARATUS ACCESS ROADS AND TURNAROUNDS SHALL MEET GVW 75,000 LBS. MINIMUM H-20 LOADING, ALL-WEATHER REQUIREMENTS. ROAD BASE WITHOUT AN APPROPRIATE TOPPING OR BINDING MATERIAL DOES NOT SATISFY THE ALL-WEATHER REQUIREMENT.
- PER SOILS REPORT RECOMMENDATIONS: LOCAL ROADS AND STREETS SHALL HAVE AN ALL-WEATHER SURFACE AND CARRY AUTOMOBILE AND LIGHT TRUCK TRAFFIC ALL YEAR. THEY SHALL HAVE A SUBGRADE OF CUT OR FILL SOIL MATERIAL, A BASE OF GRAVEL, CRUSHED ROCK, OR SOIL MATERIAL STABILIZED BY LIME OR CEMENT, AND A SURFACE OF FLEXIBLE MATERIAL (ASPHALT), RIGID MATERIAL (CONCRETE), OR GRAVEL WITH A BINDER. THE RATINGS ARE BASED ON THE SOIL PROPERTIES THAT AFFECT THE EASE OF EXCAVATION AND GRADING AND THE TRAFFIC-SUPPORTING CAPACITY. THE PROPERTIES THAT AFFECT THE EASE OF EXCAVATION AND GRADING ARE DEPTH TO BEDROCK OR A CEMENTED PAN, HARDNESS OF BEDROCK OR A CEMENTED PAN, DEPTH TO A WATER TABLE, PONDING, FLOODING, THE AMOUNT OF LARGE STONES, AND SLOPE. THE PROPERTIES THAT AFFECT THE TRAFFIC-SUPPORTING CAPACITY ARE SOIL STRENGTH (AS INFERRED FROM THE AASHTO GROUP INDEX NUMBER), SUBSIDENCE, LINEAR EXTENSIBILITY (SHRINK-SWELL POTENTIAL), THE POTENTIAL FOR FROST ACTION, DEPTH TO A WATER TABLE, AND PONDING.

LOWELL VILLAGE TOWNHOMES
at 7th and Grand
Grand Junction, Colorado

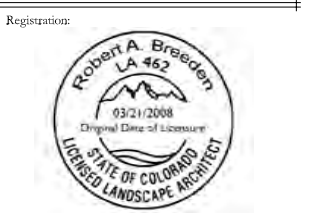
Client:
e-mail: jnelson@REgenerationDevelopment.com
mobile: 415.425.9848
Landscape Architect:



Architect:

Proposed Site Improvements

- * On-Site Fire Hydrant
- * Emergency Access Drive-Over Bollards
- * Emergency Access Only Signage



NOTE:
1. THIS DRAWING SHALL BE USED FOR ILLUSTRATION PURPOSES ONLY AND IS NOT INTENDED FOR SITE-SPECIFIC CONSTRUCTION.
2. BASE PLAN INFORMATION SHOWN ON THIS DRAWING IS INTERPOLATED FROM AERIAL PHOTOGRAPHS. A FIELD SURVEY SHALL BE REQUIRED TO VERIFY ALL EXISTING CONDITIONS.
3. THE FINAL SITE PLAN SHALL BE CREATED UPON COMMENTS TO THIS PRELIMINARY PLAN AND SUBMITTED AT A FUTURE DATE.

Revisions:

Fire Access Plan

Project: Lowell Village TH	Sheet: FP1
Date: January 31, 2018	of 11 Sheets
Scale: 1" = 20'	

Preliminary
Not For Construction

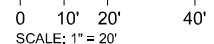


EXHIBIT D

Areas of Operations and Maintenance

**LOWELL VILLAGE
TOWNHOMES**
at 7th and Grand
Grand Junction, Colorado

Client:
REgeneration
e-mail: jnelson@REgenerationDevelopment.com
mobile: 415.425.9848

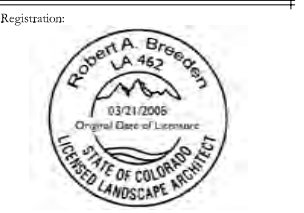
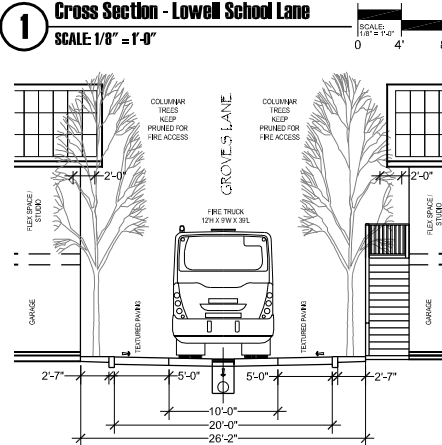
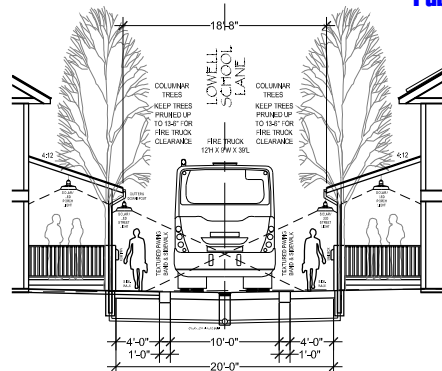
Landscape Architect:
VISION DESIGN STUDIO, INC.
1448 20 Road - Fruita, Colorado 81521
Phone: 970.210.2153 E-mail: info@vdsi.com
Web: www.vdsi.com

Architect:

Proposed Areas of Operations & Maintenance

- * Community Landscaping/Gardens/Greenhouse
- * Community Food Forest/Perennial Beds
- * Community Composting / Recycling
- * Stormwater Detention Bio-Swale
- * Private Drives (North/South Pioneer Way)
- * Private ROW Lighting
- * Public Event Space
- * Public Art

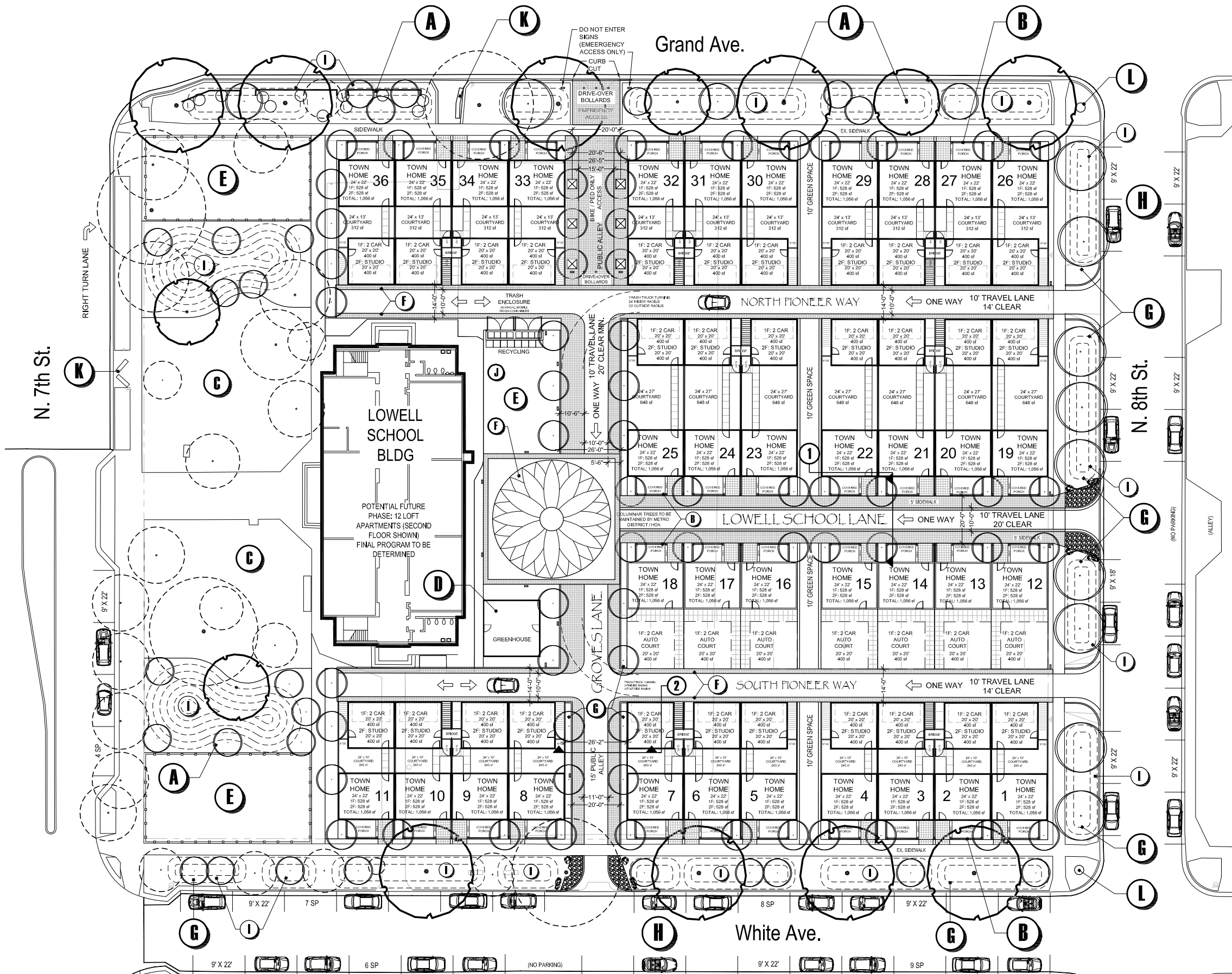
- A. Community Food Forest**
- B. Front Porches**
- C. Public Lawn Area**
- D. Community Greenhouse**
- E. Community Garden**
- F. Public Event Space /
Decorative Paving**
- G. Perennial Community
Food Beds**
- H. Tree Lined Streets with
Parallel Parking**
- I. Storm Water Bio-Swale**
- J. Community Composting /
Recycling**
- K. Existing Bus Stop**
- L. Art on the Corner**



NOTE:
1. THIS DRAWING SHALL BE USED FOR ILLUSTRATION PURPOSES ONLY AND IS NOT INTENDED FOR SITE SPECIFIC CONSTRUCTION. BASE PLAN INFORMATION SHOWN ON THIS DRAWING IS INTERPOLATED FROM AERIAL PHOTOGRAPHS. A FIELD SURVEY SHALL BE REQUIRED TO VERIFY ALL EXISTING CONDITIONS.
2. THE FINAL SITE PLAN SHALL BE CREATED UPON COMMENTS TO THIS PRELIMINARY PLAN AND SUBMITTED AT A FUTURE DATE.

Revisions:
Sheet Title:
Preliminary Site Plan
Project: Lowell Village TH
Date: January 31, 2018
Scale: 1" = 20'
Sheet: SP1 of 11 Sheets

**Preliminary
Not For Construction**



ACCEPTANCE BLOCK:
THIS CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD. CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.
CITY PLANNER _____ DATE _____

SCALE: 1" = 20'
COPYRIGHT NOTICE
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EXHIBIT E

Cost Estimates

DESCRIPTION	TOTAL COST
Planning	\$ 45,000.00
Environmental Consult. SWMP	\$ 8,000.00
Civil Engineering	\$ 54,721.00
Survey	\$ 9,450.00
Soil Engineering	\$ 53,296.62
Construction Management	\$ 61,444.08
Legal	\$ -
Bonds	\$ -
Demolition	\$ -
Over- Ex Grading	\$ -
Grading	\$ 30,351.41
Erosion Control	\$ 6,984.44
Underdrain	\$ -
Sanitary Sewer	\$ 118,287.60
Storm Sewer	\$ 144,000.00
Domestic Water	\$ 163,705.38
Irrigation Mains	\$ -
Utility Crossings	\$ 50,000.00
Electrical Distribution	\$ 90,000.00
Street Lights	\$ 11,250.00
Traffic Lights	\$ -
Gas Distribution	\$ 30,600.00
Concrete	\$ 223,507.56
Paving	\$ 80,418.00
Signage	\$ 2,000.00
Fencing and Monumentation	\$ 65,125.00
Landscaping	\$ 150,000.00
Mailboxes	\$ 3,500.00
Traffic Control	\$ -
Clean up	\$ 7,200.00
Retaining Walls	\$ -
Permitting and Inspections	\$ 32,899.41
Special Construction	\$ -
Contingency	\$ -
SUBTOTAL COST	\$ 1,441,740.51
CONTINGENCY	\$ 144,174.05
TOTAL BUDGET	\$ 1,585,914.56

EXHIBIT F
Financial Plan

GRAND JUNCTION R-5 METROPOLITAN DISTRICT

Development Projection at 55.277 (target) District Mills for Debt Service -- 11/07/2017

Series 2021A, G.O. Bonds, 130x, Assumes Investment Grade, 30-yr. Maturity; plus Ser. 2021B Cash-Flow Subs

YEAR	<<<<<<< Residential >>>>>>>>			< Platted/Developed Lots >			Total Assessed Value	District	District	District	Total Available Revenue
	Mkt Value		As'ed Value	As'ed Value		D/S Mill Levy		D/S Mill Levy	S.O. Taxes		
	Total Res'l Units	Biennial Reasses'mt @ 2.0%	Cumulative Market Value	@ 7.20% of Market (2-yr lag)	@ 29.00% of Market (2-yr lag)	[55.277 Target] [55.277 Cap]		Collections @ 98%	Collected @ 6%		
2017	0		0		0						\$0
2018	0	0	0		360,000						0
2019	12		3,745,440	0	360,000	0	\$0				0
2020	12	74,909	7,640,698	0	360,000	104,400	104,400		\$0	\$0	0
2021	12		11,537,453	269,672	0	104,400	374,072	55.277	20,264	1,216	21,480
2022	0	230,749	11,768,202	550,130	0	104,400	654,530	55.277	35,457	2,127	37,584
2023	0		11,768,202	830,697	0	0	830,697	55.277	45,000	2,700	47,700
2024	0	235,364	12,003,566	847,311	0	0	847,311	55.277	45,900	2,754	48,654
2025	0		12,003,566	847,311	0	0	847,311	55.277	45,900	2,754	48,654
2026	0	240,071	12,243,638	864,257	0	0	864,257	55.277	46,818	2,809	49,627
2027	0		12,243,638	864,257	0	0	864,257	55.277	46,818	2,809	49,627
2028	0	244,873	12,488,511	881,542	0	0	881,542	55.277	47,754	2,865	50,620
2029	0		12,488,511	881,542	0	0	881,542	55.277	47,754	2,865	50,620
2030	0	249,770	12,738,281	899,173	0	0	899,173	55.277	48,710	2,923	51,632
2031	0		12,738,281	899,173	0	0	899,173	55.277	48,710	2,923	51,632
2032	0	254,766	12,993,046	917,156	0	0	917,156	55.277	49,684	2,981	52,665
2033	0		12,993,046	917,156	0	0	917,156	55.277	49,684	2,981	52,665
2034	0	259,861	13,252,907	935,499	0	0	935,499	55.277	50,677	3,041	53,718
2035	0		13,252,907	935,499	0	0	935,499	55.277	50,677	3,041	53,718
2036	0	265,058	13,517,965	954,209	0	0	954,209	55.277	51,691	3,101	54,792
2037	0		13,517,965	954,209	0	0	954,209	55.277	51,691	3,101	54,792
2038		270,359	13,788,325	973,294	0	0	973,294	55.277	52,725	3,163	55,888
2039			13,788,325	973,294	0	0	973,294	55.277	52,725	3,163	55,888
2040		275,766	14,064,091	992,759	0	0	992,759	55.277	53,779	3,227	57,006
2041			14,064,091	992,759	0	0	992,759	55.277	53,779	3,227	57,006
2042		281,282	14,345,373	1,012,615	0	0	1,012,615	55.277	54,855	3,291	58,146
2043			14,345,373	1,012,615	0	0	1,012,615	55.277	54,855	3,291	58,146
2044		286,907	14,632,281	1,032,867	0	0	1,032,867	55.277	55,952	3,357	59,309
2045			14,632,281	1,032,867	0	0	1,032,867	55.277	55,952	3,357	59,309
2046		292,646	14,924,926	1,053,524	0	0	1,053,524	55.277	57,071	3,424	60,495
2047			14,924,926	1,053,524	0	0	1,053,524	55.277	57,071	3,424	60,495
2048		298,499	15,223,425	1,074,595	0	0	1,074,595	55.277	58,212	3,493	61,705
2049			15,223,425	1,074,595	0	0	1,074,595	55.277	58,212	3,493	61,705
2050		304,468	15,527,893	1,096,087	0	0	1,096,087	55.277	59,377	3,563	62,939
2051			15,527,893	1,096,087	0	0	1,096,087	55.277	59,377	3,563	62,939
		36	4,065,349						1,567,130	94,028	1,661,158

GRAND JUNCTION R-5 METROPOLITAN DISTRICT

Development Projection at 55.277 (target) District Mills for Debt Service -- 11/07/2017

Series 2021A, G.O. Bonds, 130x, Assumes Investment Grade, 30-yr. Maturity; plus Ser. 2021B Cash-Flow Subs

YEAR	Net Available for Debt Svc	Ser. 2021A \$520,000 Par [Net \$0.399 MM] Net Debt Service	Surplus			Debt/ Assessed Ratio	Debt/ Act'l Value Ratio	Cov. of Net DS: @ 55.277 target	Cov. of Net DS: @ 55.277 Cap
			Annual Surplus	Release @ to \$52,000	Cumulative Surplus \$52,000 Target				
2017	\$0		n/a		\$0				
2018	0		n/a		0	n/a	n/a	0%	0%
2019	0		n/a		0	0%	0%	0%	0%
2020	0		n/a		0	0%	0%	0%	0%
2021	21,480	\$0	\$21,480		21,480	79%	4%	0%	0%
2022	37,584	26,000	11,584	\$0	33,064	63%	4%	145%	145%
2023	47,700	36,000	11,700	0	44,764	60%	4%	133%	133%
2024	48,654	35,500	13,154	5,918	52,000	59%	4%	137%	137%
2025	48,654	35,000	13,654	13,654	52,000	57%	4%	139%	139%
2026	49,627	34,500	15,127	15,127	52,000	56%	4%	144%	144%
2027	49,627	34,000	15,627	15,627	52,000	53%	4%	146%	146%
2028	50,620	33,500	17,120	17,120	52,000	52%	4%	151%	151%
2029	50,620	33,000	17,620	17,620	52,000	50%	4%	153%	153%
2030	51,632	32,500	19,132	19,132	52,000	49%	3%	159%	159%
2031	51,632	32,000	19,632	19,632	52,000	47%	3%	161%	161%
2032	52,665	31,500	21,165	21,165	52,000	46%	3%	167%	167%
2033	52,665	36,000	16,665	16,665	52,000	43%	3%	146%	146%
2034	53,718	35,250	18,468	18,468	52,000	42%	3%	152%	152%
2035	53,718	34,500	19,218	19,218	52,000	39%	3%	156%	156%
2036	54,792	33,750	21,042	21,042	52,000	38%	3%	162%	162%
2037	54,792	33,000	21,792	21,792	52,000	35%	3%	166%	166%
2038	55,888	32,250	23,638	23,638	52,000	34%	2%	173%	173%
2039	55,888	36,500	19,388	19,388	52,000	31%	2%	153%	153%
2040	57,006	35,500	21,506	21,506	52,000	29%	2%	161%	161%
2041	57,006	34,500	22,506	22,506	52,000	27%	2%	165%	165%
2042	58,146	33,500	24,646	24,646	52,000	25%	2%	174%	174%
2043	58,146	32,500	25,646	25,646	52,000	22%	2%	179%	179%
2044	59,309	31,500	27,809	27,809	52,000	20%	1%	188%	188%
2045	59,309	35,500	23,809	23,809	52,000	18%	1%	167%	167%
2046	60,495	34,250	26,245	26,245	52,000	15%	1%	177%	177%
2047	60,495	33,000	27,495	27,495	52,000	13%	1%	183%	183%
2048	61,705	31,750	29,955	29,955	52,000	10%	1%	194%	194%
2049	61,705	35,500	26,205	26,205	52,000	7%	1%	174%	174%
2050	62,939	34,000	28,939	28,939	52,000	5%	0%	185%	185%
2051	62,939	34,250	28,689	80,689	0	0%	0%	184%	184%
	1,661,158	1,010,500	650,658	650,658					

[ANov0717 21iglbA]



GRAND JUNCTION R-5 METROPOLITAN DISTRICT

Development Projection at 55.277 (target) District Mills for Debt Service -- 11/07/2017

Series 2021A, G.O. Bonds, 130x, Assumes Investment Grade, 30-yr. Maturity; plus Ser. 2021B Cash-Flow Subs

Cash-Flow Subs. > > >

YEAR	Surplus Available for Sub Debt Service	Application of Prior Year Surplus	Date Bonds Issued	Total Available for Sub Debt Service	Sub Bond Interest on Balance 8.00%	Less Payments Toward Sub Bond Interest	Accrued Interest + Int. on Bal. @ 8.00%	Less Payments Toward Accrued Interest	Balance of Accrued Interest	Sub Bonds Principal Issued	Less Payments Toward Bond Principal	Balance of Sub Bond Principal	Total Sub. Debt Pmts.	Surplus Cash Flow	Surplus Release	Cum. Surplus
2017																
2018																
2019																
2020																
2021	\$0		12/1/21	\$0	\$551	\$0	\$551	\$0	\$551	\$177,000	\$0	\$177,000	\$0	\$0		\$0
2022	0	\$0		0	14,160	0	14,204	0	14,755		0	177,000	0	0	\$0	0
2023	0	0		0	14,160	0	15,340	0	30,095		0	177,000	0	0	0	0
2024	5,918	0		5,918	14,160	5,918	10,649	0	40,744		0	177,000	5,918	0	0	0
2025	13,654	0		13,654	14,160	13,654	3,766	0	44,510		0	177,000	13,654	0	0	0
2026	15,127	0		15,127	14,160	14,160	3,561	967	47,104		0	177,000	15,127	0	0	0
2027	15,627	0		15,627	14,160	14,160	3,768	1,467	49,405		0	177,000	15,627	0	0	0
2028	17,120	0		17,120	14,160	14,160	3,952	2,960	50,398		0	177,000	17,120	0	0	0
2029	17,620	0		17,620	14,160	14,160	4,032	3,460	50,970		0	177,000	17,620	0	0	0
2030	19,132	0		19,132	14,160	14,160	4,078	4,972	50,075		0	177,000	19,132	0	0	0
2031	19,632	0		19,632	14,160	14,160	4,006	5,472	48,609		0	177,000	19,632	0	0	0
2032	21,165	0		21,165	14,160	14,160	3,889	7,005	45,493		0	177,000	21,165	0	0	0
2033	16,665	0		16,665	14,160	14,160	3,639	2,505	46,628		0	177,000	16,665	0	0	0
2034	18,468	0		18,468	14,160	14,160	3,730	4,308	46,050		0	177,000	18,468	0	0	0
2035	19,218	0		19,218	14,160	14,160	3,684	5,058	44,676		0	177,000	19,218	0	0	0
2036	21,042	0		21,042	14,160	14,160	3,574	6,882	41,368		0	177,000	21,042	0	0	0
2037	21,792	0		21,792	14,160	14,160	3,309	7,632	37,045		0	177,000	21,792	0	0	0
2038	23,638	0		23,638	14,160	14,160	2,964	9,478	30,530		0	177,000	23,638	0	0	0
2039	19,388	0		19,388	14,160	14,160	2,442	5,228	27,744		0	177,000	19,388	0	0	0
2040	21,506	0		21,506	14,160	14,160	2,220	7,346	22,618		0	177,000	21,506	0	0	0
2041	22,506	0		22,506	14,160	14,160	1,809	8,346	16,081		0	177,000	22,506	0	0	0
2042	24,646	0		24,646	14,160	14,160	1,287	10,486	6,882		0	177,000	24,646	0	0	0
2043	25,646	0		25,646	14,160	14,160	551	7,432	0		4,000	173,000	25,592	54	0	54
2044	27,809	54		27,863	13,840	13,840	0	0	0		14,000	159,000	27,840	(31)	0	23
2045	23,809	23		23,832	12,720	12,720	0	0	0		11,000	148,000	23,720	89	0	112
2046	26,245	112		26,357	11,840	11,840	0	0	0		14,000	134,000	25,840	405	0	517
2047	27,495	517		28,012	10,720	10,720	0	0	0		17,000	117,000	27,720	(225)	0	292
2048	29,955	292		30,247	9,360	9,360	0	0	0		20,000	97,000	29,360	595	0	887
2049	26,205	887		27,092	7,760	7,760	0	0	0		19,000	78,000	26,760	(555)	0	332
2050	28,939	332		29,272	6,240	6,240	0	0	0		23,000	55,000	29,240	(301)	0	32
2051	80,689	0		80,689	4,400	4,400	0	0	0		55,000	0	59,400	21,289	21,321	0
	650,658	2,217		652,875	388,951	351,332	101,005	101,005		177,000	177,000		629,337	21,321	21,321	

COI (est.): 5,310
Proceeds: 171,690

GRAND JUNCTION R-5 METROPOLITAN DISTRICT



Development Projection -- Buildout Plan (updated 11/7/17)

YEAR	Residential Development					Residential Summary			
	# Lots Devel'd	Incr/(Decr) in Finished Lot Value @ 10%	# Units Completed 36 target	Price Inflated @ 2%	Market Value	Total Residential Market Value	Total Res'l Units	Value of Platted & Developed Lots	
Adjustment ¹								Adjusted Value	
2017	0	0		\$300,000	0	\$0	0	0	0
2018	12	360,000		306,000	0	0	0	0	360,000
2019	12	0	12	312,120	3,745,440	3,745,440	12	0	0
2020	12	0	12	318,362	3,820,349	3,820,349	12	0	0
2021	0	(360,000)	12	324,730	3,896,756	3,896,756	12	0	(360,000)
2022	0	0	0	331,224	0	0	0	0	0
2023	0	0	0	337,849	0	0	0	0	0
2024	0	0	0	344,606	0	0	0	0	0
2025	0	0	0	351,498	0	0	0	0	0
2026	0	0	0	358,528	0	0	0	0	0
2027	0	0	0	365,698	0	0	0	0	0
2028	0	0	0	373,012	0	0	0	0	0
2029	0	0	0	380,473	0	0	0	0	0
2030	0	0	0	388,082	0	0	0	0	0
2031	0	0	0	395,844	0	0	0	0	0
2032	0	0	0	403,761	0	0	0	0	0
2033	0	0	0	411,836	0	0	0	0	0
2034	0	0	0	420,072	0	0	0	0	0
2035	0	0	0	428,474	0	0	0	0	0
2036	0	0	0	437,043	0	0	0	0	0
2037		0	0	445,784	0	0	0	0	0
	36	0	36		11,462,545	11,462,545	36	0	0

[1] Adj. to actual/prelim. AV

SOURCES AND USES OF FUNDS

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
Combined Results**

~~~~~  
**GENERAL OBLIGATION BONDS, SERIES 2021A  
SUBORDINATE BONDS, SERIES 2021B**  
~~~~~

[Preliminary -- for discussion only]

Dated Date 12/01/2021
Delivery Date 12/01/2021

Sources:	SERIES 2021A	SERIES 2021B	Total
Bond Proceeds:			
Par Amount	520,000.00	177,000.00	697,000.00
	520,000.00	177,000.00	697,000.00
<hr/>			
Uses:	SERIES 2021A	SERIES 2021B	Total
Project Fund Deposits:			
Project Fund	399,150.00	171,690.00	570,840.00
Other Fund Deposits:			
Debt Service Reserve Fund	18,250.00		18,250.00
Cost of Issuance:			
Other Cost of Issuance	100,000.00		100,000.00
Delivery Date Expenses:			
Underwriter's Discount	2,600.00	5,310.00	7,910.00
	520,000.00	177,000.00	697,000.00
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SOURCES AND USES OF FUNDS

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
GENERAL OBLIGATION BONDS, SERIES 2021A
55.277 (target) Mills
Assumes Investment Grade, 130x, 30-yr. Maturity
(Full Growth / No Reassessment*)
[Preliminary -- for discussion only]**

Dated Date 12/01/2021
Delivery Date 12/01/2021

Sources:

Bond Proceeds:	
Par Amount	520,000.00
	520,000.00
	520,000.00

Uses:

Project Fund Deposits:	
Project Fund	399,150.00
Other Fund Deposits:	
Debt Service Reserve Fund	18,250.00
Cost of Issuance:	
Other Cost of Issuance	100,000.00
Delivery Date Expenses:	
Underwriter's Discount	2,600.00
	520,000.00
	520,000.00

Note: [*] Assumes 2% Bi-Reassessment thru Issuance date, No Bi-Reassessment thereafter.

BOND SUMMARY STATISTICS

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
GENERAL OBLIGATION BONDS, SERIES 2021A
55.277 (target) Mills
Assumes Investment Grade, 130x, 30-yr. Maturity
(Full Growth / No Reassessment*)
[Preliminary -- for discussion only]**

Dated Date	12/01/2021
Delivery Date	12/01/2021
First Coupon	06/01/2022
Last Maturity	12/01/2051
Arbitrage Yield	5.000000%
True Interest Cost (TIC)	5.042878%
Net Interest Cost (NIC)	5.025553%
All-In TIC	6.995674%
Average Coupon	5.000000%
Average Life (years)	19.567
Weighted Average Maturity (years)	19.567
Duration of Issue (years)	11.969
Par Amount	520,000.00
Bond Proceeds	520,000.00
Total Interest	508,750.00
Net Interest	511,350.00
Bond Years from Dated Date	10,175,000.00
Bond Years from Delivery Date	10,175,000.00
Total Debt Service	1,028,750.00
Maximum Annual Debt Service	52,500.00
Average Annual Debt Service	34,291.67
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	5.000000
Total Underwriter's Discount	5.000000
Bid Price	99.500000

Bond Component	Par Value	Price	Average Coupon	Average Life	Average Maturity Date	PV of 1 bp change
Term Bond due 2051	520,000.00	100.000	5.000%	19.567	06/25/2041	806.00
	520,000.00			19.567		806.00

	TIC	All-In TIC	Arbitrage Yield
Par Value	520,000.00	520,000.00	520,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-2,600.00	-2,600.00	
- Cost of Issuance Expense		-100,000.00	
- Other Amounts			
Target Value	517,400.00	417,400.00	520,000.00
Target Date	12/01/2021	12/01/2021	12/01/2021
Yield	5.042878%	6.995674%	5.000000%

BOND DEBT SERVICE

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
GENERAL OBLIGATION BONDS, SERIES 2021A
55.277 (target) Mills
Assumes Investment Grade, 130x, 30-yr. Maturity
(Full Growth / No Reassessment*)
[Preliminary -- for discussion only]**

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/01/2022			13,000	13,000	
12/01/2022			13,000	13,000	26,000
06/01/2023			13,000	13,000	
12/01/2023	10,000	5.000%	13,000	23,000	36,000
06/01/2024			12,750	12,750	
12/01/2024	10,000	5.000%	12,750	22,750	35,500
06/01/2025			12,500	12,500	
12/01/2025	10,000	5.000%	12,500	22,500	35,000
06/01/2026			12,250	12,250	
12/01/2026	10,000	5.000%	12,250	22,250	34,500
06/01/2027			12,000	12,000	
12/01/2027	10,000	5.000%	12,000	22,000	34,000
06/01/2028			11,750	11,750	
12/01/2028	10,000	5.000%	11,750	21,750	33,500
06/01/2029			11,500	11,500	
12/01/2029	10,000	5.000%	11,500	21,500	33,000
06/01/2030			11,250	11,250	
12/01/2030	10,000	5.000%	11,250	21,250	32,500
06/01/2031			11,000	11,000	
12/01/2031	10,000	5.000%	11,000	21,000	32,000
06/01/2032			10,750	10,750	
12/01/2032	10,000	5.000%	10,750	20,750	31,500
06/01/2033			10,500	10,500	
12/01/2033	15,000	5.000%	10,500	25,500	36,000
06/01/2034			10,125	10,125	
12/01/2034	15,000	5.000%	10,125	25,125	35,250
06/01/2035			9,750	9,750	
12/01/2035	15,000	5.000%	9,750	24,750	34,500
06/01/2036			9,375	9,375	
12/01/2036	15,000	5.000%	9,375	24,375	33,750
06/01/2037			9,000	9,000	
12/01/2037	15,000	5.000%	9,000	24,000	33,000
06/01/2038			8,625	8,625	
12/01/2038	15,000	5.000%	8,625	23,625	32,250
06/01/2039			8,250	8,250	
12/01/2039	20,000	5.000%	8,250	28,250	36,500
06/01/2040			7,750	7,750	
12/01/2040	20,000	5.000%	7,750	27,750	35,500
06/01/2041			7,250	7,250	
12/01/2041	20,000	5.000%	7,250	27,250	34,500
06/01/2042			6,750	6,750	
12/01/2042	20,000	5.000%	6,750	26,750	33,500
06/01/2043			6,250	6,250	
12/01/2043	20,000	5.000%	6,250	26,250	32,500
06/01/2044			5,750	5,750	
12/01/2044	20,000	5.000%	5,750	25,750	31,500
06/01/2045			5,250	5,250	
12/01/2045	25,000	5.000%	5,250	30,250	35,500
06/01/2046			4,625	4,625	
12/01/2046	25,000	5.000%	4,625	29,625	34,250
06/01/2047			4,000	4,000	
12/01/2047	25,000	5.000%	4,000	29,000	33,000
06/01/2048			3,375	3,375	
12/01/2048	25,000	5.000%	3,375	28,375	31,750
06/01/2049			2,750	2,750	
12/01/2049	30,000	5.000%	2,750	32,750	35,500
06/01/2050			2,000	2,000	
12/01/2050	30,000	5.000%	2,000	32,000	34,000
06/01/2051			1,250	1,250	
12/01/2051	50,000	5.000%	1,250	51,250	52,500
	520,000		508,750	1,028,750	1,028,750

NET DEBT SERVICE

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
GENERAL OBLIGATION BONDS, SERIES 2021A
55.277 (target) Mills
Assumes Investment Grade, 130x, 30-yr. Maturity
(Full Growth / No Reassessment*)
[Preliminary -- for discussion only]**

Period Ending	Principal	Interest	Total Debt Service	Debt Service Reserve Fund	Net Debt Service
12/01/2022		26,000	26,000		26,000
12/01/2023	10,000	26,000	36,000		36,000
12/01/2024	10,000	25,500	35,500		35,500
12/01/2025	10,000	25,000	35,000		35,000
12/01/2026	10,000	24,500	34,500		34,500
12/01/2027	10,000	24,000	34,000		34,000
12/01/2028	10,000	23,500	33,500		33,500
12/01/2029	10,000	23,000	33,000		33,000
12/01/2030	10,000	22,500	32,500		32,500
12/01/2031	10,000	22,000	32,000		32,000
12/01/2032	10,000	21,500	31,500		31,500
12/01/2033	15,000	21,000	36,000		36,000
12/01/2034	15,000	20,250	35,250		35,250
12/01/2035	15,000	19,500	34,500		34,500
12/01/2036	15,000	18,750	33,750		33,750
12/01/2037	15,000	18,000	33,000		33,000
12/01/2038	15,000	17,250	32,250		32,250
12/01/2039	20,000	16,500	36,500		36,500
12/01/2040	20,000	15,500	35,500		35,500
12/01/2041	20,000	14,500	34,500		34,500
12/01/2042	20,000	13,500	33,500		33,500
12/01/2043	20,000	12,500	32,500		32,500
12/01/2044	20,000	11,500	31,500		31,500
12/01/2045	25,000	10,500	35,500		35,500
12/01/2046	25,000	9,250	34,250		34,250
12/01/2047	25,000	8,000	33,000		33,000
12/01/2048	25,000	6,750	31,750		31,750
12/01/2049	30,000	5,500	35,500		35,500
12/01/2050	30,000	4,000	34,000		34,000
12/01/2051	50,000	2,500	52,500	18,250	34,250
	520,000	508,750	1,028,750	18,250	1,010,500

BOND SOLUTION

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
GENERAL OBLIGATION BONDS, SERIES 2021A
55.277 (target) Mills
Assumes Investment Grade, 130x, 30-yr. Maturity
(Full Growth / No Reassessment*)
[Preliminary -- for discussion only]**

Period Ending	Proposed Principal	Proposed Debt Service	Debt Service Adjustments	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
12/01/2022		26,000		26,000	37,584	11,584	144.55488%
12/01/2023	10,000	36,000		36,000	47,700	11,700	132.50014%
12/01/2024	10,000	35,500		35,500	47,700	12,200	134.36634%
12/01/2025	10,000	35,000		35,000	47,700	12,700	136.28586%
12/01/2026	10,000	34,500		34,500	47,700	13,200	138.26101%
12/01/2027	10,000	34,000		34,000	47,700	13,700	140.29426%
12/01/2028	10,000	33,500		33,500	47,700	14,200	142.38821%
12/01/2029	10,000	33,000		33,000	47,700	14,700	144.54561%
12/01/2030	10,000	32,500		32,500	47,700	15,200	146.76938%
12/01/2031	10,000	32,000		32,000	47,700	15,700	149.06266%
12/01/2032	10,000	31,500		31,500	47,700	16,200	151.42873%
12/01/2033	15,000	36,000		36,000	47,700	11,700	132.50014%
12/01/2034	15,000	35,250		35,250	47,700	12,450	135.31929%
12/01/2035	15,000	34,500		34,500	47,700	13,200	138.26101%
12/01/2036	15,000	33,750		33,750	47,700	13,950	141.33348%
12/01/2037	15,000	33,000		33,000	47,700	14,700	144.54561%
12/01/2038	15,000	32,250		32,250	47,700	15,450	147.90713%
12/01/2039	20,000	36,500		36,500	47,700	11,200	130.68507%
12/01/2040	20,000	35,500		35,500	47,700	12,200	134.36634%
12/01/2041	20,000	34,500		34,500	47,700	13,200	138.26101%
12/01/2042	20,000	33,500		33,500	47,700	14,200	142.38821%
12/01/2043	20,000	32,500		32,500	47,700	15,200	146.76938%
12/01/2044	20,000	31,500		31,500	47,700	16,200	151.42873%
12/01/2045	25,000	35,500		35,500	47,700	12,200	134.36634%
12/01/2046	25,000	34,250		34,250	47,700	13,450	139.27022%
12/01/2047	25,000	33,000		33,000	47,700	14,700	144.54561%
12/01/2048	25,000	31,750		31,750	47,700	15,950	150.23638%
12/01/2049	30,000	35,500		35,500	47,700	12,200	134.36634%
12/01/2050	30,000	34,000		34,000	47,700	13,700	140.29426%
12/01/2051	50,000	52,500	-18,250	34,250	47,700	13,450	139.27022%
	520,000	1,028,750	-18,250	1,010,500	1,420,886	410,386	

SOURCES AND USES OF FUNDS

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
SUBORDINATE BONDS, SERIES 2021B
Non-Rated, Cash-Flow Bonds, Annual Pay, 12/15/2051 (Stated) Maturity
[Preliminary -- for discussion only]**

Dated Date	12/01/2021
Delivery Date	12/01/2021

Sources:

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Bond Proceeds:	
Par Amount	177,000.00
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	177,000.00
	<hr/> <hr/>

Uses:

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Project Fund Deposits:	
Project Fund	171,690.00
Delivery Date Expenses:	
Underwriter's Discount	5,310.00
	<hr/>
	177,000.00
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BOND PRICING

**GRAND JUNCTION R-5 METROPOLITAN DISTRICT
SUBORDINATE BONDS, SERIES 2021B
Non-Rated, Cash-Flow Bonds, Annual Pay, 12/15/2051 (Stated) Maturity
[Preliminary -- for discussion only]**

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond due 2051:	12/15/2051	177,000	8.000%	8.000%	100.000
		177,000			

Dated Date	12/01/2021		
Delivery Date	12/01/2021		
First Coupon	12/15/2021		
Par Amount	177,000.00		
Original Issue Discount			
Production	177,000.00	100.000000%	
Underwriter's Discount	-5,310.00	-3.000000%	
Purchase Price	171,690.00	97.000000%	
Accrued Interest			
Net Proceeds	171,690.00		

EXHIBIT G

Sample Disclosure Statement to Purchasers

Below is sample language (preliminary, may be refined) for a “disclosure statement” addendum to all sales contracts for townhome lots and/or townhome units:

Special taxing districts may be subject to general obligation indebtedness that is paid by revenues produced from annual tax levies on the taxable property within such districts. Property owners in such districts may be placed at risk for increased mill levies and excessive tax burdens to support the servicing of such debt where circumstances arise resulting in the inability of such a district to discharge such indebtedness without such an increase in mill levies. Buyer should investigate the debt financing requirements of the authorized general obligation indebtedness of such districts, existing mill levies of such district(s) servicing such indebtedness, and the potential for an increase in such mill levies. More information can be obtained online at www.lowellvillage.co.



Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: March 21, 2018

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

A Resolution Accepting a Petition for the Annexation and Ordinances Annexing and Zoning the Camp Annexation CSR (Community Services and Recreation) and C-1 (Light Commercial), Located at 171 Lake Road

RECOMMENDATION:

The Planning Commission recommended approval of the requested zoning at their February 27, 2018 meeting.

EXECUTIVE SUMMARY:

The Applicants, Mirror Pond, LLC, have requested annexation of their 8.626 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 Applicant 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.

The request also includes zoning of 4.445 acres of the property to CSR (Community Services and Recreation) and zoning to C-1 (Light Commercial) for 4.181 acres of the property. The proposed split zoning is consistent with the Comprehensive Plan Future Land Use Map and recognizes the constraints of the special flood hazard areas on the property.

BACKGROUND OR DETAILED INFORMATION:

The Camp annexation consists of one 8.626 acre parcel of land and 2.026 acres of adjacent right-of-way. 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.

Use of the property as a primitive campground for special events was originally approved by Mesa County in 2015 to provide camping facilities during area events, with a calendar of events being approved annually. There is an existing residential structure on the site that is used for an on-site caretaker. The campground operates from April through October and provides temporary toilets, trash, security and on-site personnel. Operation of the campground was approved for 18 events in 2017 by Mesa County and the same number of events are proposed for 2018.

The property is currently zoned RSF-R (Residential Single Family, Rural) in the County. The Applicant is requesting a split zoning of CSR (Community Services and Recreation) for 4.445 acres and C-1 (Light Commercial) for 4.181 acres. The CSR zone district allows primitive campgrounds and both the CSR and C-1 zone districts also allow non-primitive campgrounds, amongst other uses. The use as it was approved by Mesa County will be allowed to continue until such time as additional development or a major revision is proposed. The proposed split zoning of CSR and C-1 is consistent with the Comprehensive Plan Future Land Use Map that dedicates these two areas as Conservation and Neighborhood Center. The CSR zone district is intended for uses such as parks, open space and recreational uses and can be applied to environmentally sensitive lands and in this case would apply to the portion of the property within the Floodway and with a Future Land Use Designation of Conservation. The C-1 zone district is a district for the primary use as Office, retail and services and is proposed for the portion of the property along Power Road, which has a Future Land Use Designation of Neighborhood Center. The area proposed for C-1 zoning is located within the designated 100-year floodplain which requires any proposed buildings to be elevated one foot above the flood elevation.

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 201 service 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).

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on October 10, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Eight citizens attended the meeting along with the Applicant, Applicant's representative and City Staff. The Applicant discussed the proposed annexation and zoning and the plan to continue operating the primitive campground as originally approved. Attendees expressed their concern with transient activity in the area. There was also some discussion of potential future use of the property.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on February 16, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published February 20, 2018 in the Grand Junction Sentinel.

ANNEXATION ANALYSIS

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.

ZONING ANALYSIS

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

(1) Subsequent events have invalidated the original premises and findings; and/or

The current zoning in unincorporated Mesa County is RSF-R (Residential Single Family, Rural), which is inconsistent with the Comprehensive Plan Future Land Use Map designation that was adopted subsequent to the original zoning. The Future Land Use Map adopted in 2010, designated the south half of the property as Neighborhood Center, which can be implemented by the requested C-1 zone district, and the north half of the property as Conservation, which can be implemented by the requested CSR zone district. Though the current zoning is not in the City, the subsequent event of adopting the 2010 Comprehensive Plan and its associated land use designations has invalidated the current/original zoning and therefore Staff finds that this criterion has been met.

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

Properties to the north and west of the Camp Annexation are still outside the City limits and zoned RSF-R with single family homes or vacant property. Properties to the east and south are inside the City limits and zoned C-1 and C-2. Development on those properties consist of the Pepsi warehouse and the Safeway Shopping Center that have been there for 20 plus years.

Staff has not found that the character of the area has changed and therefore finds this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve future development of uses allowed with the CSR and C-1 zone districts. Ute Water and City sanitary sewer are both presently available in Power Road. Property can also be served by Xcel Energy natural gas and electric. Due to the proximity and availability of services and facilities, staff finds this criterion has been met.

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

The portion of this property that is proposed for C-1 zoning is within the Neighborhood Center identified on the Future Land Use Map of the Comprehensive Plan. Neighborhood Centers were identified throughout the community to serve the needs of the immediate neighborhoods with a mix of residential and commercial uses. Though there is C-1 located to the South and east of the property, the Future Land Use Map calls for additional area to be designated for a mix of uses, including commercial uses allowed within the C-1 zone district in this area.

The CSR zoning proposed is specific to the constraints of the portion of the property located within the regulated Floodway. Because there exist properties that have significant constraints such as this property from the special flood hazard area Floodway delineation, it could be implied that until all such properties are appropriately zoned that there is an inadequate supply of the CSR zone district designation.

Staff finds that there is an inadequate supply of these zoning designations in this area and, therefore, has found this criterion to have been met.

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

The area and community, in general, would derive benefits from the proposed zoning of this property as it would provide mixed use opportunities in an identified Neighborhood Center and preserve and protect the designated Floodway. This principle is supported and encouraged by the Comprehensive Plan and furthers the goal of promoting infill development. Because the community and area will derive benefits, staff has found this criterion has been met.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

The Comprehensive Plan Future Land Use Map designates the property as Neighborhood Center and Conservation. The request for a C-1 zone district is consistent with the Neighborhood Center designation and the request for a CSR zone district is consistent with the Conservation designation and works to implement the Comprehensive Plan. Further, the zoning request is consistent with the following goal of the Comprehensive Plan:

Goal 3 / Policy A.: To create large and small “centers” throughout the community that provide services and commercial area.

Section 21.02.160(f) of the Grand Junction Municipal Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan shows this area to develop in the Neighborhood Center and Conservation categories. The Applicant's request to zone the property to C-1 and CSR is consistent with the Comprehensive Plan.

After reviewing the Zoning of the Camp Annexation, ANX-2017-611, a request to zone the 8.626 -acre property to the C-1 zone district (4.181 acres) and CSR zone district (4.445 acres), the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. More than one of the applicable review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.
3. The applicable review criteria in Section 21.02.160(f) of the Grand Junction Municipal Code have been met.

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 \$560/year. Future chipseal cost for the roads is estimated at \$5,216 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 \$950,000. No plans are in place for this major improvement.

This area is currently in the Grand Junction Rural Fire District and receives fire and emergency medical services from the Grand Junction Fire Department by contract. Primary fire and emergency medical response to this area is from Fire Station 1 and secondary from Fire Station 5. The area is within recommended National Fire Protection Association response time standards from either station. The current use has minimal impact on fire and EMS services, but that could change depending on future development. This annexation does create a fiscal impact in loss of tax revenue to the Grand Junction Rural Fire Protection Redlands Sub-District, which in turn is a

revenue reduction to the City based on the fire district contract.

The Police Department review of the site indicates that it is currently well managed and that there are no recorded calls for service in the last year. Therefore, impact to Police Department Operations will be minimal. However, future development of commercial property could change that impact based on the type and size of development.

SUGGESTED MOTION:

I move to (adopt or deny) Resolution No. 20-18, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Camp Annexation, located at 171 Lake Road is eligible for annexation, and to (adopt/deny) Ordinance No. 4792 an Ordinance annexing territory to the City Of Grand Junction, Colorado, Camp Annexation, approximately 10.652 acres, located at 171 Lake Road, on final passage and order final publication in pamphlet form and to (adopt/deny) Ordinance No. 4793, an Ordinance zoning the Camp Annexation to CSR (Community Services and Recreation) and C-1 (Light Commercial) located at 171 Lake Road on final passage and order final publication in pamphlet form.

Attachments

1. The Camp Annexation Schedule
2. Site Maps
3. Site Photos
4. Applicant letter
5. Public Comment
6. Public Comment
7. Resolution
8. Annexation Ordinance
9. Camp Zoning Ordinance

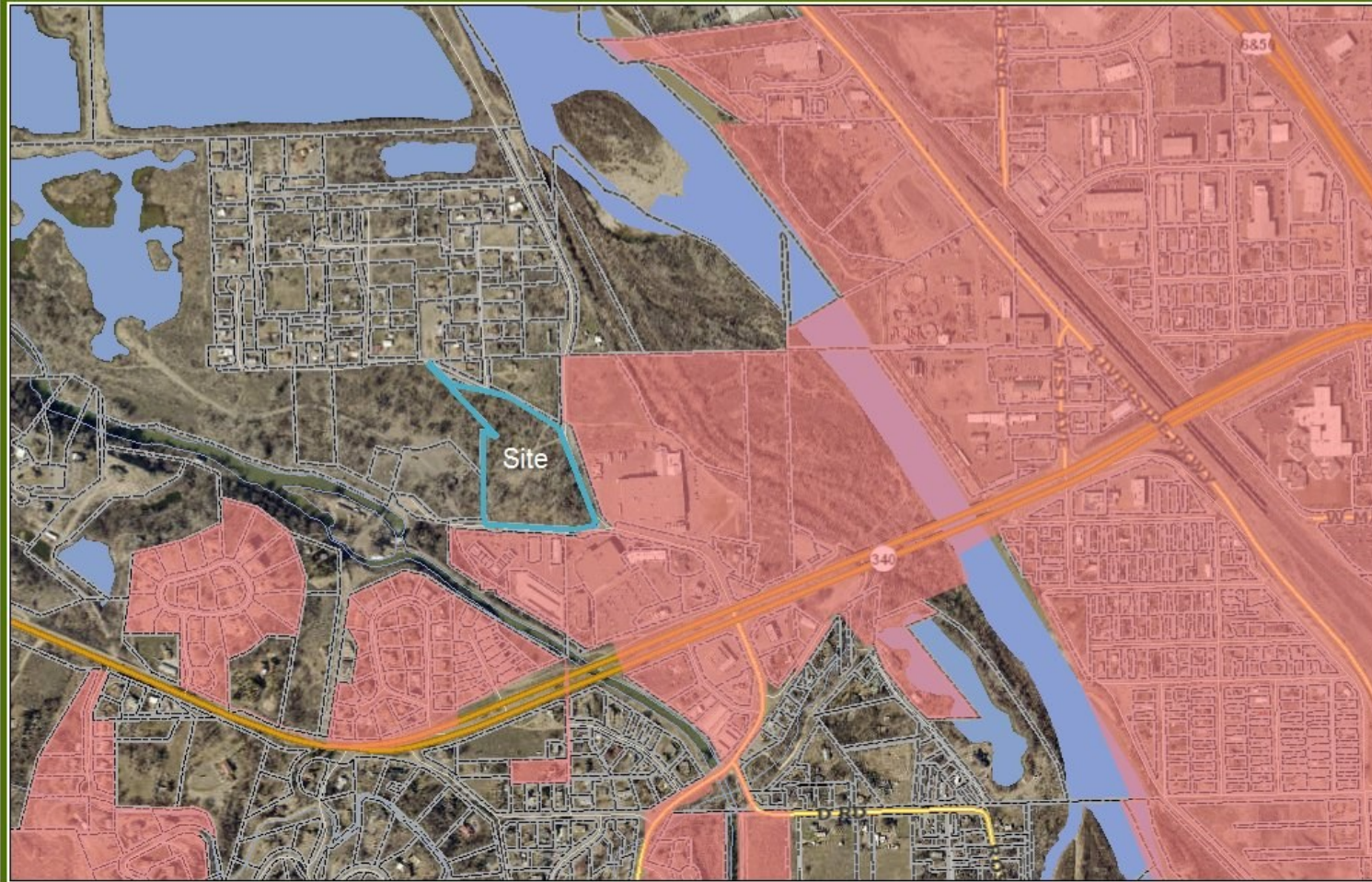
THE CAMP ANNEXATION SCHEDULE

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

Expanded City Limits Location Map

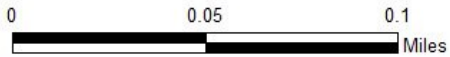
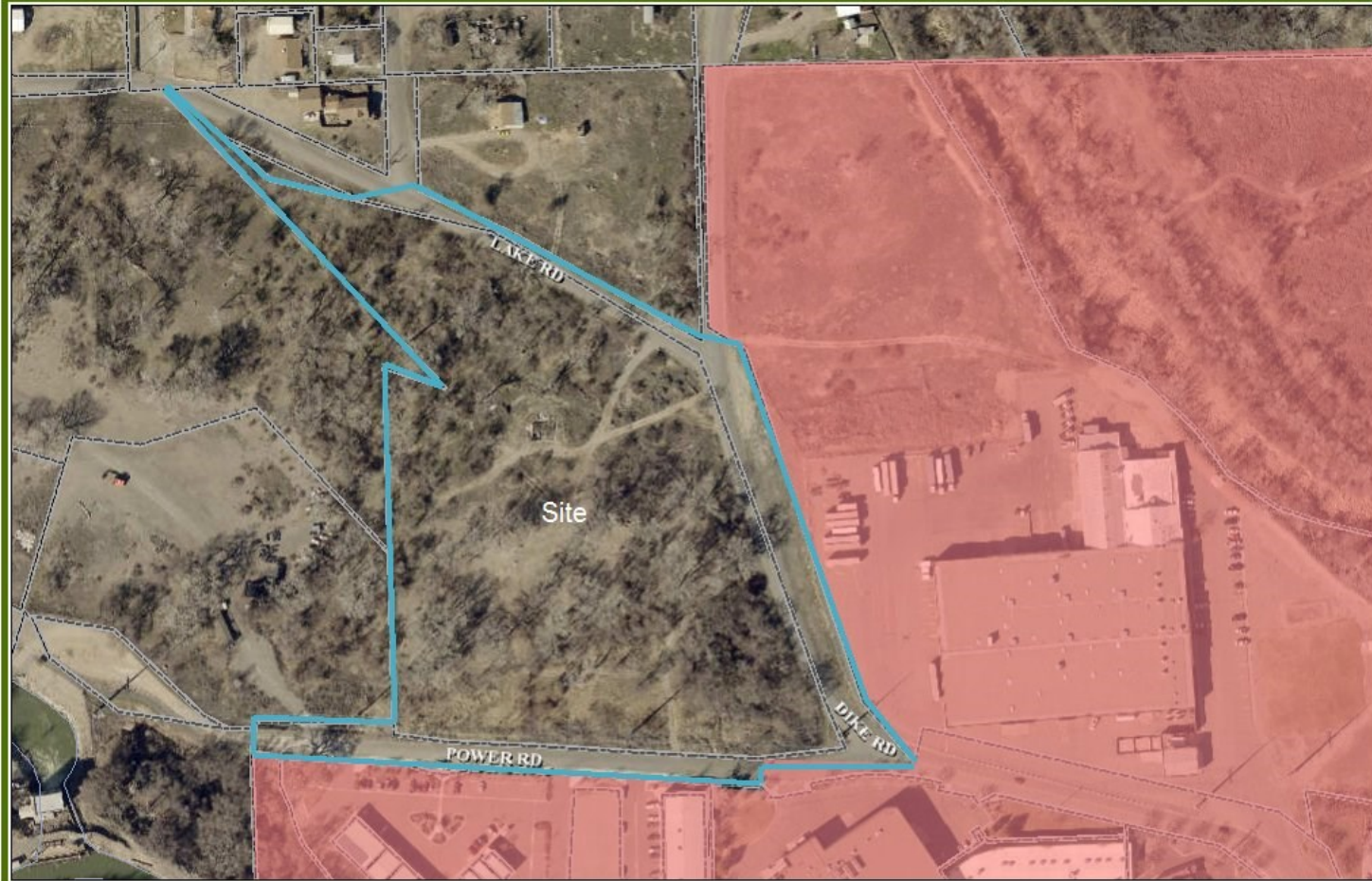


Printed: 1/4/2018

1 inch = 752 feet



Camp Annexation

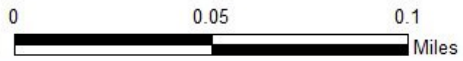
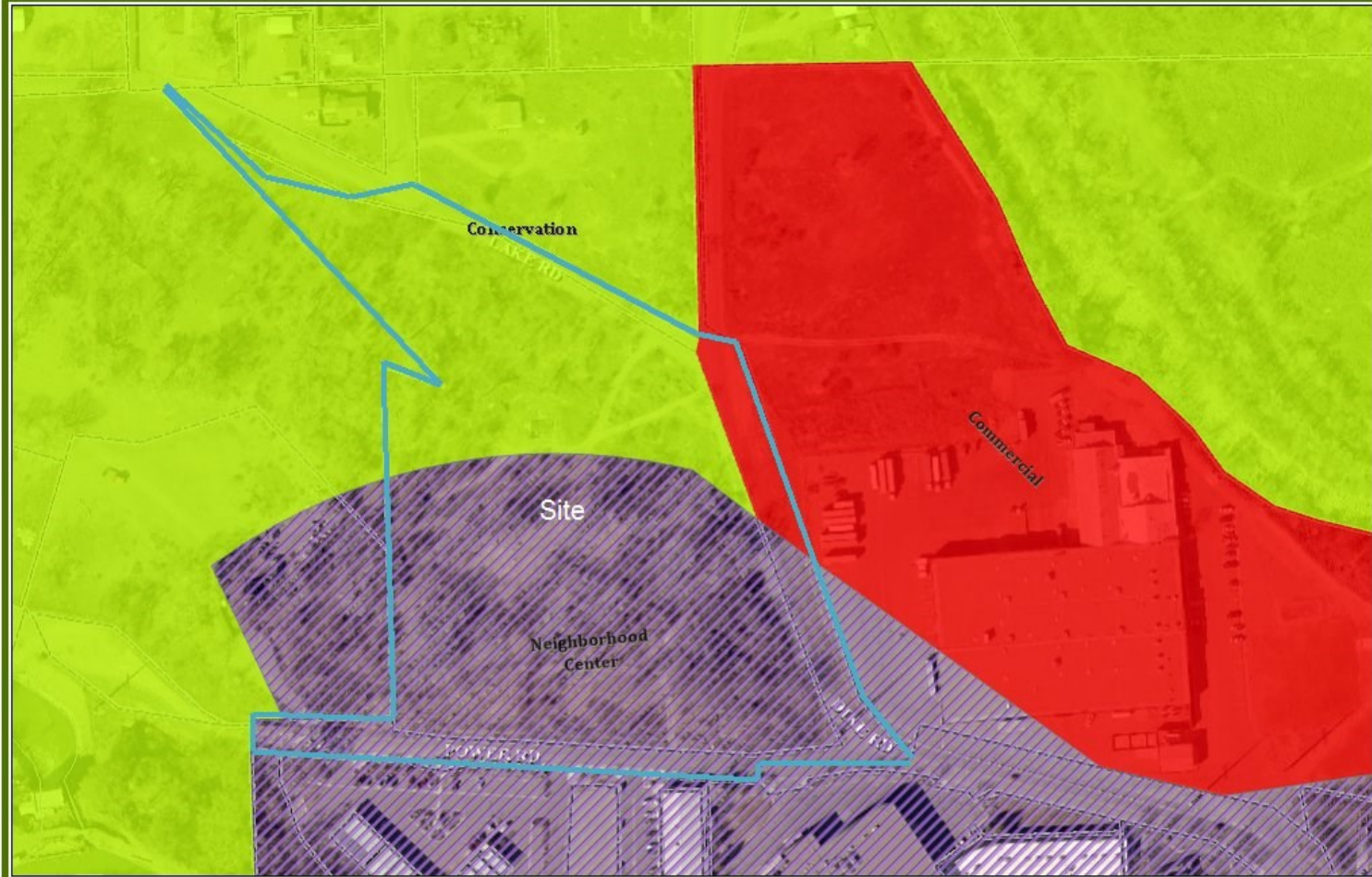


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Future Land Use

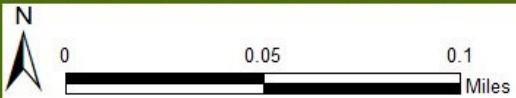


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Zoning

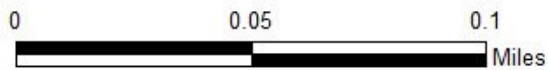
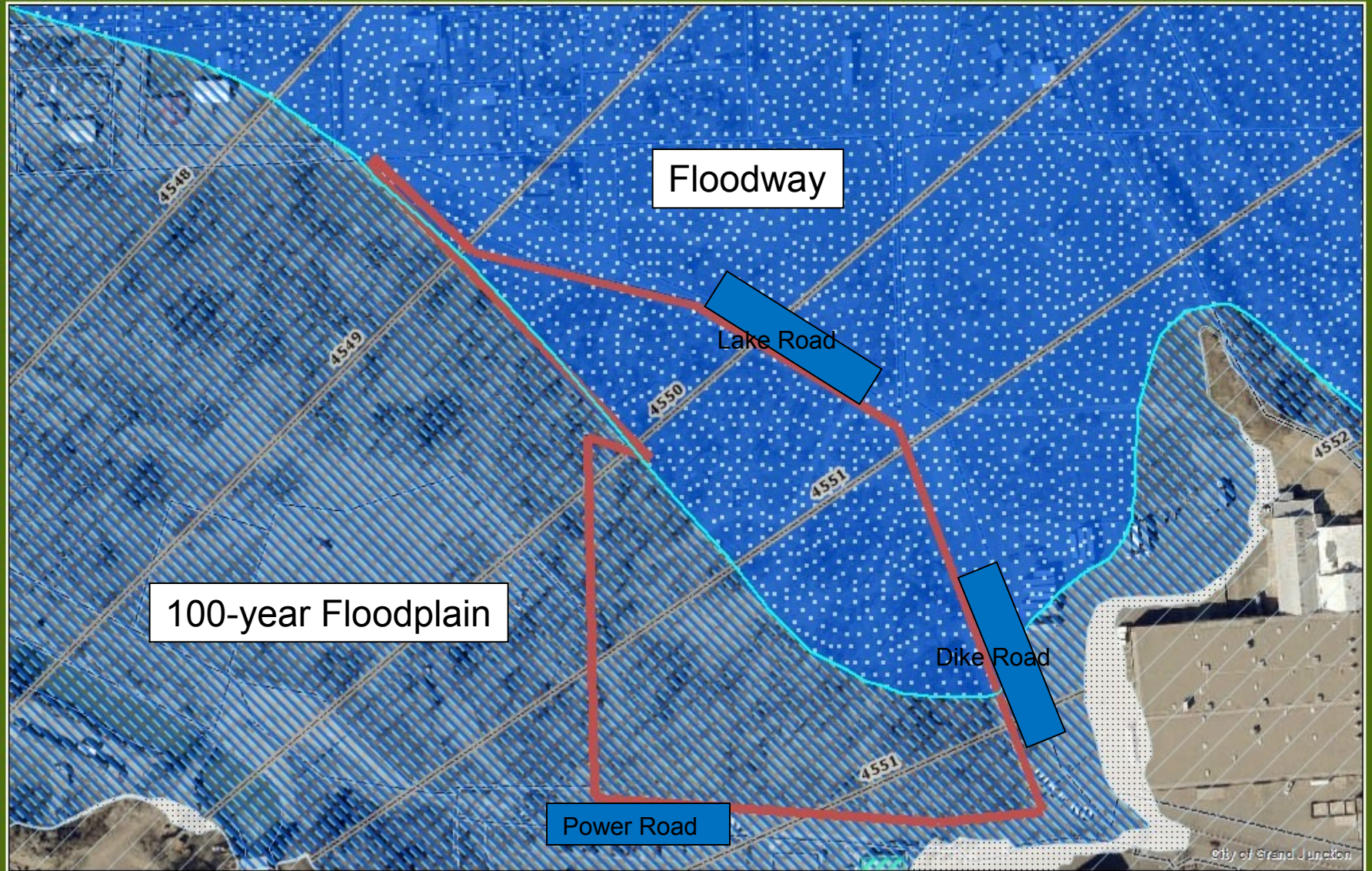


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Flood Hazard Areas



Printed: 2/5/2018

1 inch = 188 feet

The Camp caretaker house along Lake Road



The Camp property along Dike Road



The Camp entrance from Power Road





March 14, 2018

Kathy Portner
City of Grand Junction
Community Development

RE: The Camp Annexation

Dear Kathy,

I thought it would be helpful to share this letter with you in regards to our annexation of the property at 171 Lake Road. Unfortunately I will be out of town for the public hearing but thought it might be useful to understand the history of the property, our current use, and the potential for future development on the property.

We had been looking at this property for many years before purchasing the property in 2014. Prior to purchasing the property we met with City and County staff, informally met with some of the neighbors and completed a CLOMR-F with FEMA as part of the process of understanding the future potential of the property. We purchased the property as a long-term hold believing that in the future, maybe 10 years down the road, the property would be appropriate for multifamily development. The property's location next to a neighborhood commercial center, close to downtown, and directly adjacent to the riverfront trail to connected lakes were all positive factors for future multifamily development.

We felt that in time, the residential neighborhood to the west may evolve into a higher and better use as it has such a central and convenient location near the same amenities but vertical development there would be a challenge with the lack of sewer and difficulties of development in the floodway.

Even though we had studied the property for several months and visited the property several times we were surprised to find a large occupied transient camp that was buried deep in the trees and dense foliage that existed on the property. There were several other abandoned camps across the property and in cleaning these up and removing them, as well as other trash on the property, several 30 yard roll-off containers were filled and hauled to the dump. In the past the County had an inmate program that would assist in the cleanup but had changed policy because of the health hazard associated.

It was clear that we needed an interim use to discourage this activity and over time an idea evolved to open as a primitive campground for select weekends during other events in town and establish a presence on the site. Initially the inspiration came from a combination of the Grand Junction Off-road and Country Jam but over the years it has grown to accommodate other events in town. The first weekend we were open it was lightly attended but a huge success. The customers who came were all pleasantly surprised by the amount of trees and space on the site as well as its convenient location to downtown. For all the years we had been looking at the property we never heard locals refer to it the

way people were after our first event. After the event we had several locals tell us the property was a “gem”. Not only was the use helpful in establishing a presence on the site and discouraging unhealthy occupation of the site, but it was clear now that it was changing the perception of the property and perhaps the neighborhood as well.

Over time we have continued to make small improvements to the site including re-establishing our irrigation feed from the Redlands Power Canal, installing a potable water supply, and rebuilding a home on the property complete with bathrooms for our campers during event weekends. In the past we’ve kept the property occupied with camp hosts for the season, however this year, with completion of the house, we will be able to maintain a presence on the site year-round.

The Camp is not just a campground but also a place where events can be held. In 2017 we hosted the inaugural Grand Enduro put on by local pro Noah Sears and race organizer John Klish of MAD Racing, an epic mountain bike race sending riders on series of timed sections in the nearby Tabeguache/Lunch Loops/Three sisters area. The Camp hosted the first Grand Valley Bike Swap put on by local professional photographer and mountain biking advocate Devon Balet and the local COPMOBA chapter. The Camp was also considered as a potential site for the Colorado Outdoor Leadership Summit as well as a Big Agnes “Tent City” that was being planned in conjunction with that event.

Although we have yet to make a profit, and may not for a long time, we believe that the interim use has been a benefit not only to the site but also to the neighborhood as a whole. Our intent is to continue this interim use until such time that development of the property is appropriate. Although we do not have a crystal ball, we believe that the future development of the site could likely be multifamily development or storage units. Its also possible that the interim use could evolve over time to be a more permanent use with more permanent facilities, RV hookups, park models, etc. Of the three scenarios we prefer the evolution of the camp as a permanent facility but only time will tell if that is a feasible long-term use for the property.

For 2018 we plan to continue to build relationships with event promoters, increase our grass groundcover across the property, improve our common-area, pump track and trail, and add wifi to the property. We will continue to operate as a good neighbor to both residential and commercial neighbors, be a benefit to visitors to our area wanting to be close to shopping and restaurants, and be an example of how an interim use can be a catalyst for an area to be looked at from a new and positive perspective. We appreciate your consideration of our application for annexation and look forward to the future evolution of this property as a real asset to the community.

Sincerely,

Kevin Bray, Manager

Mirror Pond LLC

The Camp comments

John M. Klish <klishy@madracingcolorado.com>

Thu 3/15/2018 7:18 AM

To: Katherine Portner <kathyp@gjcity.org>;

Hey Kathy,

I was requested to put in some comments regarding The Camp since Kevin said they're annexing the property and wanted me to send over comments to you yesterday. I didn't get his request until this morning, so I'm sending it over anyway in case you still can take them.

Anyway, The Camp has been a great venue location for the Grand Enduro and many other events - we're looking forward to many more fun activities there as we continue to grow our events in GJ. They are the key to the new GJ as it's unique and provides a great camping experience.

Best MADness,

John M. Klish || CEO

Event Solutions || Timing || Registration || Results || MAD Events

Grand Junction, CO

p: [\(970\) 744-4450](tel:9707444450) || e: klishy@madracingcolorado.com || w: www.madracingcolorado.com

The Camp Observation

Ryan Lewis <ryan@thelewisagencyllc.com>

Thu 3/15/2018 7:15 AM

To: Katherine Portner <kathyp@gjcity.org>;

Good morning Kathy!

My name is Ryan Lewis, Owner and Brand Strategist of the Lewis Agency. My business resides next to the Camp. I moved to that location prior to the camp moving in. We had big issues with transient traffic and hangouts. The Camp moved in with Bray and Porter as leaders and we have seen a huge decrease of issues. They have cleaned up the property and it looks great. That is my two cents. Thank you for your time!

The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

February 22, 2018

Community Development
250 North 5th Street
Grand Junction, CO 81501-2628

Attn: Kathy Portner, Planner
Subject: ANX-2017-611, The Camp Annexation

Comments/Questions on the Proposed Annexation of approximately 8.5 acres, 171 Lake Road.

1. The Bigger Picture...

To the north of this requested annexation lies a small neighborhood that is in the City but NOT in the City limits. There are approximately 100+ homes that are on un-incorporated County land. No sidewalks, curbs, gutters, no sewer, a barely acceptable potable water supply. The annexation as proposed will push commercial property further into this struggling, neglected neighborhood. Realtors will profit, developers will profit, contractors will profit, City coffers will plump from fees. The situation of these local residents will be the same after the annexation as it was before. You have granted a building permit (17-01648) for a building on the elevated remains of a burned out house present on the property, thus assuring the current owners that they can sell as RSF-R if not C-1 Commercial. You allowed this house to be connected to a sewer lift that is near capacity. A low cost connection for the developer that neglects the bigger issues.

2. Nothing New...

I have occupied property to the south of this requested annexation for 55 years. The old Bowers property has been problematic my entire life, it is the acme of neglected properties. It is the "border" between developed property and the stricken neighborhood discussed above. When this property came for sale I was interested, as was my brother, and several other people I know inquired about it. We were all told the same thing by City Planning: Prior to ANY development this property would be annexed into the City and ALL improvements along Power Road and Dike (Lake) Road would have to be made. At one point the asking price for this property was \$1,000,000 – it sold for \$47,000... Less than 5% of the original asking price. You have allowed considerable development on this property WITHOUT requiring the upgrades you told others would be mandatory?

3. Community Service – Really...?

The split between C-1 and CSR zoning appears to be an attempt on the part of the developer to eliminate the required improvements along Power Road. I have reviewed the approximately 180 parcels that carry the CSR designation in Mesa County. It's clear the CSR designation was NOT intended as a way for someone to operate a for-profit-business on property that would get favored tax status from a CSR designation. Very few CSR parcels are owned by private individuals or companies, those that are appear to be involved in mineral (gravel) extraction. If approximately half of the property can be eliminated from required improvements then the half

that becomes C-1 would be worth much more than if not. Four acres of commercial property on the Redlands is worth the current asking price of \$450,000, 10 times the purchase price.

4. A place to call Home...?

Displacing homeless people hardly counts as Community Service. I have watched these people be displaced for five decades, they will be back, and they didn't go far, check the other side of the fence to the west. The developer did not house these people, find them jobs, food, health care, only displaced them, a common approach in the place we live. Cleaning up the property is a big benefit to all surrounding parcels. Visit the website for The Camp, read the reviews left by attendees. This is NOT a good place to camp. Under high voltage power lines, in a floodway, surrounded by un-maintained cottonwood trees of unusual height. These trees can be dangerous, does the power company easement allow for campers in their right of way? Does it allow for a property entrance driveway under the power lines, near the power poles?

5. Use the Front Entrance please...

This property is addressed as 171 Lake Road (sometimes 171 Dike Road), that's where the entrance is and should be, including any camp grounds. The Camp has cut an impromptu driveway entrance to their property from Power Road. This is a problem, there is no deceleration or turn lane from Power Road. Traffic on Power Road dictates that this entrance be dramatically improved – or ELIMINATED. There are no sidewalks, curbs, gutters, on the north side of Power Road, not required?

6. Back to #1 above. It is time to address expansion into a part of the City that is NOT part of the City. The purpose of annexation is to improve a given area, improve services, and improve the quality of life. This neighborhood deserves more than allowing developers to pick low hanging fruit, connect to existing services, ignore their responsibilities, and take the profits.

Dave F. Brach
2499 Power Road
Grand Junction, CO 81507
970-242-0117
brachd@msn.com

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A PETITION
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
MAKING CERTAIN FINDINGS,
AND DETERMINING THAT PROPERTY KNOWN AS THE
CAMP ANNEXATION, LOCATED AT 171 LAKE ROAD
IS ELIGIBLE FOR ANNEXATION**

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, a hearing on the petition was duly held after proper notice on the 21st day of March, 2018; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

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

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.

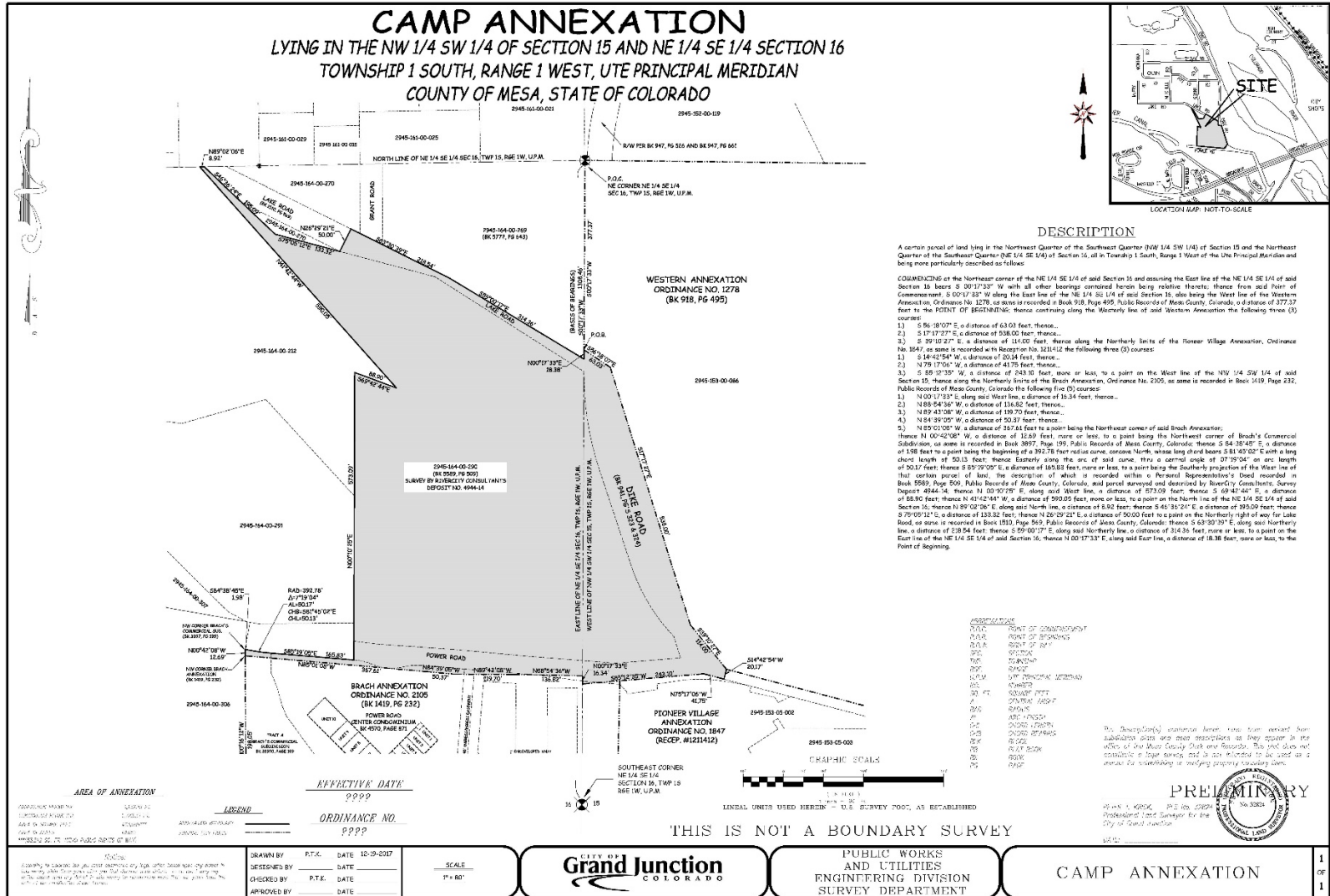
ADOPTED on second reading the ____ day of _____, 2018 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE CAMP ANNEXATION
CSR (COMMUNITY SERVICES AND RECREATION) AND C-1 (LIGHT COMMERCIAL)**

LOCATED AT 171 LAKE ROAD

Recitals

The Applicant is requesting zoning of CSR (Community Services and Recreation) for 4.445 acres and C-1 (Light Commercial) for 4.181 acres of the property located at 171 Lake Road currently being considered for annexation. The proposed split zoning is consistent with the Comprehensive Plan Future Land Use Map and recognizes the constraints of the special flood hazard areas on the property. The property is currently being used as a primitive campground for special events under a Special Use Permit issued by Mesa County. The owner has requested 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.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Camp Annexation to the CSR (Community Services and Recreation) and C-1 (Light Commercial) zone districts, finding that it conforms with the designation of Conservation and Neighborhood Center as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the CSR (Community Services and Recreation) and C-1 (Light Commercial)s zone districts are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property be zoned CSR (Community Services and Recreation):

A portion of that parcel of land described at Reception Number 1084692 of the Mesa County records, situated in the NE1/4 SE1/4 of Section 16 and the NW1/4 SW1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said portion being more particularly described as follows:

Commencing at the southwest corner of said Section 15, a #6 rebar with a 2½" aluminum cap marked "PLS 24320, 2002" in a monument box whence the quarter corner common to said Sections 16 and 15, Mesa County Survey Marker #114 bears North 00°14'19" East, with all bearings herein relative thereto;

Thence North 03°26'35" East, a distance of 1832.76 feet to the Point of Beginning at the intersection of the westerly right of way of Dike Road as described in documents recorded in Mesa County at Reception Numbers 980386 and 980387 with a line five feet southerly and southwesterly of the mapped floodway limits as described in FEMA CLOMR-F Case No.: 14-08-0035C;

Thence along a line approximately five feet (5.00') southwesterly of the southwesterly floodway limits of the Colorado River as defined on Flood Insurance Rate Map 08077C0804G the following seven (7) courses:

1. North 88°28'42" West, a distance of 54.36 feet;
2. North 84°40'41" West, a distance of 53.94 feet;
3. North 67°51'58" West, a distance of 61.48 feet;
4. North 60°32'06" West, a distance of 92.23 feet;
5. North 43°24'41" West, a distance of 85.96 feet;
6. North 36°19'43" West, a distance of 102.68 feet;
7. North 39°36'15" West, a distance of 208.87 feet to the westerly boundary of said parcel;

Thence along the boundary of said parcel South 69°42'44" East, a distance of 24.72 feet;

Thence North 41°42'44" West, a distance of 589.96 feet to the north line of the NE1/4 SE1/4 of said Section 16;

Thence along said north line North 89°02'06" East, a distance of 8.93 feet;

Thence departing said north line South 46°36'24" East, a distance of 194.99 feet;

Thence South 75°05'12" East, a distance of 330.00 feet;

Thence South 57°32'17" East, a distance of 352.63 feet to the line common to said Section 16 and said Section 15 and the westerly right of way of said Dike Road;

Thence along said line South 00°14'19" West, a distance of 4.04 feet;

Thence departing said section line and continuing along said right -of-way 193.95 feet along the arc of a 597.96 foot radius tangent curve to the left, through a central angle of 18°35'01", with a chord bearing South 09°03'12" East, a distance of 193.10 feet;

Thence continuing along said right of way South 18°20'41" East tangent to said curve, a distance of 200.20 feet to a point being on a 383.10 foot radius non-tangent curve to the left, whence the radius point bears North 71°39'19" East;

Thence 21.42 feet along the arc of a 383.10 foot radius tangent curve to the left, through a central angle of 3°12'15", with a chord bearing South 19°56'49" East, a distance of 21.42 feet to the Point of Beginning.

Containing 4.445 acres, more or less. See Exhibit A.

The following property be zoned C-1 (Light Commercial):

A portion of that parcel of land described at Reception Number 1084692 of the Mesa County records, situated in the NE1/4 SE1/4 of Section 16 and the NW1/4 SW1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said portion being more particularly described as follows:

Commencing at the southwest corner of said Section 15, a #6 rebar with a 2½" aluminum cap marked "PLS 24320, 2002" in a monument box whence the quarter corner common to said Sections 16 and 15, Mesa County Survey Marker #114 bears North 00°14'19" East, with all bearings herein relative thereto;

Thence North 03°26'35" East, a distance of 1832.76 feet to the Point of Beginning at the intersection of the westerly right of way of Dike Road as described in documents recorded in Mesa County at Reception Numbers 980386 and 980387 with a line five feet southerly and southwesterly of the mapped floodway limits as described in FEMA CLOMR-F Case No.: 14-08-0035C, being on a 383.10 foot radius non-tangent curve to the left, whence the radius point bears North 68°27'04" East;

Thence with the boundary of said parcel and the right of way of Dike Road and Power Road the following eight (8) courses:

1. 146.60 feet along the arc of said curve, through a central angle of 21°55'30", with a chord bearing South 32°30'41" East, a distance of 145.70 feet;
2. South 17°27'41" East, a distance of 44.84 feet;
3. South 85°15'52" West, a distance of 129.40 feet;
4. North 85°28'41" West, a distance of 174.92 feet;
5. North 84°45'37" West, a distance of 152.64 feet;
6. North 86°02'48" West, a distance of 117.12 feet;
7. North 85°41'04" West, a distance of 31.95 feet;
8. North 83°22'23" West, a distance of 48.23 feet;

Thence continuing along said parcel boundary North 00°10'25" East, a distance of 535.88 feet;

Thence South 69°42'44" East, a distance of 64.18 feet;

Thence departing said boundary and along said line approximately five feet (5.00') southwesterly of the southwesterly floodway limits of the Colorado River as defined on Flood Insurance Rate Map 08077C0804G the following seven (7) courses:

1. Thence South 39°36'15" East, a distance of 208.87 feet;
2. Thence South 36°19'43" East, a distance of 102.68 feet;
3. Thence South 43°24'41" East, a distance of 85.96 feet;
4. Thence South 60°32'06" East, a distance of 92.23 feet;
5. Thence South 67°51'58" East, a distance of 61.48 feet;
6. Thence South 84°40'41" East, a distance of 53.94 feet;
7. Thence South 88°28'42" East, a distance of 54.36 feet to the Point of Beginning.

Containing 4.181 acres, more or less. See Exhibit A.

INTRODUCED on first reading this ____ day of ____, 2018 and ordered published in pamphlet form.

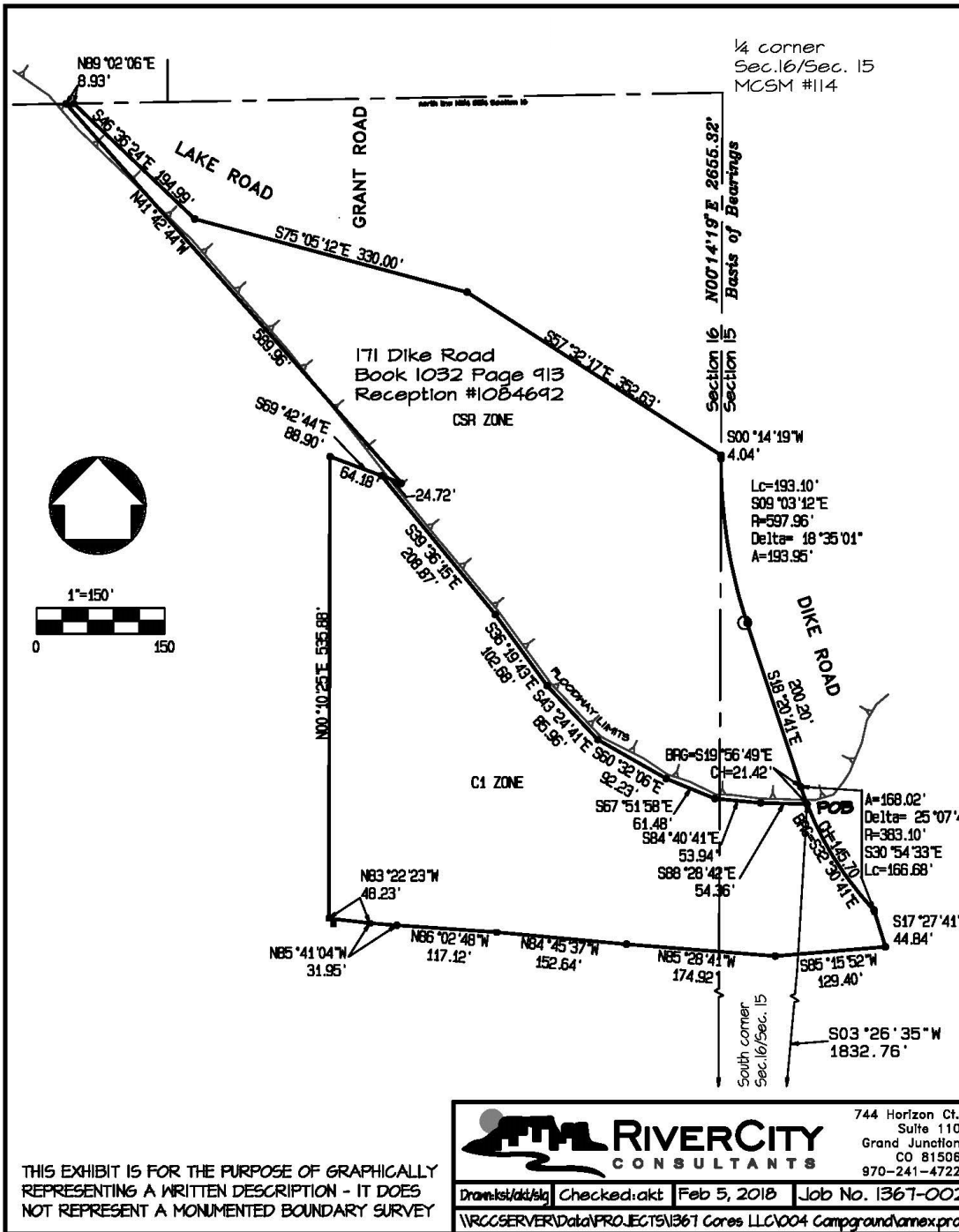
ADOPTED on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #7.a.

Meeting Date: March 21, 2018

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a Request by Two R & D, LLC to Accept the Dedication of 15.06 Acres of Open Space in the Pinnacle Ridge Subdivision Instead of Payment of the City's Open Space Dedication In Lieu of Fee

RECOMMENDATION:

At its January 4, 2018 meeting, the Parks and Recreation Advisory Board recommended that the City accept payment of a fee in-lieu instead of accepting public dedication of the 15.06 acres of open space. The Community Development staff does not have a recommendation, but presents herein factors for consideration.

EXECUTIVE SUMMARY:

The Applicant, Two R & D, LLC, proposed that the City accept dedication of 15.06 acres of open space within Pinnacle Ridge Subdivision to satisfy its obligations arising out of its development being a "cluster" development under the Zoning and Development Code. To satisfy the open space requirement, the Applicant may (1) dedicate the open space to the City or to another entity charged with maintaining and holding the land as open space, (2) deed the open space to a property owners' association (HOA) with a public easement over it (which the Applicant does not want to do because of HOA and homeowner liability concerns, (3) dedicate discreet public trail easements within the open space area to be owned by the HOA (which the Applicant may be amenable to depending upon the scope and nature of the easements and the ability to limit liability), or (3) pay a fee-in-lieu (which the Applicant is willing to do). The Applicant's preferred option is for the City to accept dedication of the 15.06 acres of open space. The proposed open space is adjacent to the City-owned open space along Mariposa and Monument Road and would provide connections to the open space in

the Ridges and Redlands Mesa developments. The area is already used by the public for hiking and mountain biking, as indicated by a robust trail system on the property.

BACKGROUND OR DETAILED INFORMATION:

A preliminary plan for 72 single-family lots has been approved for the Pinnacle Ridge Subdivision, located east of Mariposa Drive in the Redlands. The development utilizes the cluster provisions of the Zoning and Development Code, which allows more density in certain areas of the development with preservation of at least 20% of open space over the whole developing area. The Applicant proposes to preserve approximately 15 acres of open space, which is 33% of the 45-acre property, which consists of mostly steep and difficult terrain. Filings 1 and 2 have been conditionally approved with 21 lots and the plats are ready for recording.

The Director interprets that the clustering open space requirement – to be distinguished from the normal subdivision open space requirement – is for the benefit of the public and not just for the benefit of the subdivision under review. Hence, the requirement in the Code that the open space be offered to the City or to an entity that will maintain and conserve it as open space for the public. However, if the City does not agree to accept dedication of the open space, the Applicant argues that it is too great a burden for an HOA to maintain and insure a large area of land for the public use, and/or that it would be “double dipping” for the City to require a public easement over the entire open space area while also collecting a fee-in-lieu of dedication. Therefore, the Applicant is requesting that the City accept public dedication of the 15.06 acres of open space. If the City elects not to accept dedication of the open space, the Applicant is willing to pay the fee but not willing to dedicate a public easement over the entire 15.06 acres.

The Director requested input from the Parks Department, which is typically responsible for maintaining City-owned open space. The Parks and Recreation Advisory Board was asked to submit a recommendation as to whether the City should accept dedication of the open space, and it recommended not doing so because of the increased maintenance burden associated with such acceptance.

Section 21.03.060 (d) and (g) of the Cluster provisions of the Code provide that, unless the Director approves otherwise, public open space shall abut or provide easy access to or protect other public land, especially federal land and the open space in a cluster shall be offered as a dedication to the City or, at the election of the City, to a nonprofit trust or conservancy approved by the City. Open space design and developer constructed improvements shall be linked to existing and planned public open spaces, constructed areas and trails as the Director deems possible, maximize access and use by residents of the cluster development, and provide trails, paths and walkways to recreation areas, schools, commercial areas and other public facilities. Developments utilizing the Cluster development provisions must provide at 20% of the overall project as open space.

The proposed open space will have access from two internal subdivision streets, Aiguille Drive and Elysium Drive, and is directly adjacent to open space owned by the City along Mariposa Drive and Monument Road (247 acres total). Trails have been established on the City property providing access to the Tabaguache trailhead and the Lunch Loop areas across Monument Road.

The Pinnacle Ridge property has been used for hiking and biking and has a number of established trails on it, even though the property is privately held with no public easement having been dedicated or otherwise conveyed. Should the City accept the open space dedication, this public use and its informal trail system would continue to be available as an extension of the adjacent City open space and the open space systems in the Ridges and Redlands Mesa developments.

Section 21.06.020(b)(1) of the Zoning and Development Code states; "The owner of any residential development of 10 or more lots or dwelling units shall dedicate 10 percent of the gross acreage of the property or the equivalent of 10 percent of the value of the property. The decision as to whether to accept money or land as required by this section shall be made by the Director."

The Director, however, does not have the ability to accept the dedication and the acceptance of the dedication is reserved for the City Council pursuant to Section 21.06.020(b)(4) that states; "The City Council may accept the dedication of land in lieu of payment so long as the fair market value of the land dedicated to the City is not less than 10 percent of the value of the property." Because, only the City Council can accept the dedication of land, the Director has not provided a decision as to whether or not to accept money or land for this project.

The Applicant did complete an MAI appraisal of the property and it was determined that the 15.06 acres had a value of \$272,240. Consistent with the Code, for purposes of the appraisal, "the property shall be considered the total acreage notwithstanding the fact that the owner may develop or propose to develop the property in filings or phases." In other words, the appraisal takes into consideration the total acreage, and is not specific to the open space which is largely located on steep slopes of which some are unbuildable.

The proposed dedication of open space was considered by the Parks and Recreation Advisory Board at its December 7, 2017 and January 4, 2018 meetings. After a site visit, the Board recommended accepting a fee-in-lieu of land dedication to the City, citing concerns that the topography would be challenging and that there was minimal benefit to the community. Board meeting minutes are attached.

The Applicant continues to request the City accept the 15.06 acres of open space to be dedicated with the Pinnacle Ridge Subdivision Filing 1 plat and future filings in-lieu of

the required open space payment and is requesting a City Council determination of this request.

The City Council may either accept dedication of the 15.06 acres or decline to do so and require the developer to pay a fee-in-lieu.

Should the City accept the dedication, some costs may be incurred by the City related to land maintenance. Cost estimates are attached ("City Maintenance Cost Estimates").

Should the City Council decline to accept dedication of the open space, and instead accept a fee-in-lieu, there would be no required public access provided to the informal trail system on that currently exists on the property. However, if the City finds value and public benefit in preserving this trail system for public benefit there may be the ability to negotiate with the Applicant to provide for a public pedestrian easement for the trails. The City's obligation would likely include surveying the area to establish a connected trail route, developing easement exhibits, and negotiation of a credit for a portion of the in lieu fee payment.

FISCAL IMPACT:

In accordance with the Code, payment of a fee in lieu of open space dedication can be considered so long as the fee is at least 10 percent of the appraised value of the property (appraised as vacant land). The required open space fee for the Pinnacle Ridge property would be \$82,000 (10% of the appraised land value of \$820,000). Based on the appraisal of \$18,077 per acre, the value of the 15.06 acres of open space is \$272,240, which exceeds the 10% open space fee.

Potential fiscal impacts of accepting the land dedication are described in the "City Maintenance Cost Estimates" attachment.

SUGGESTED MOTION:

I move to (approve or deny) the request to accept the dedication of open space land in the Pinnacle Ridge Subdivision in-lieu of open space payment.

Attachments

1. Open Space Dedication Request by Applicant (City Council)
2. Applicants Letter to Mayor Taggart
3. Aerial Photo of Proposed Open Space Area
4. Open Space Map
5. Grand Valley Trails Alliance Letter of Support
6. City Maintenance Cost Estimates
7. Photos of Open Space - Trails
8. PRAB Minutes - 2017 - December 7

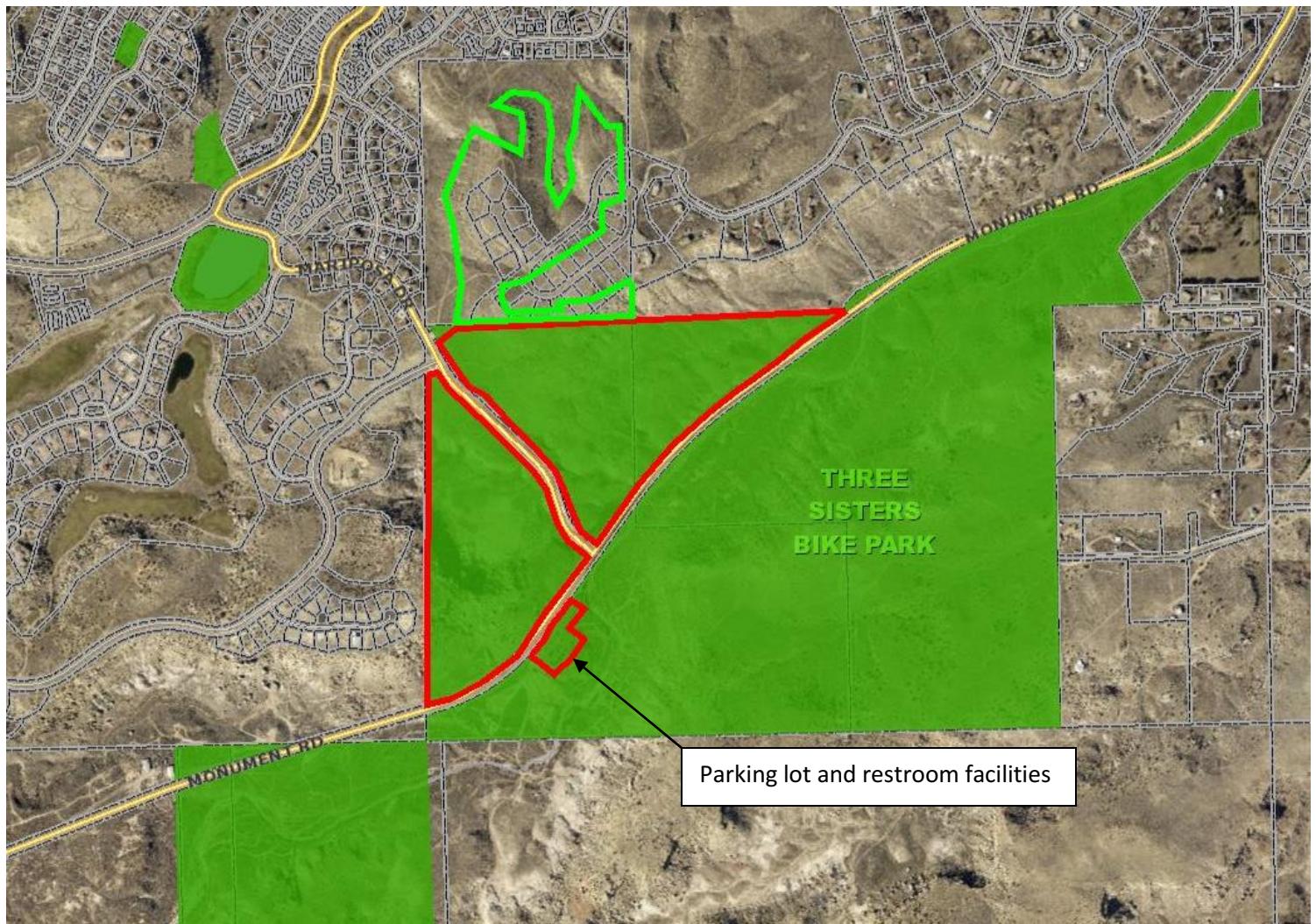
9. PRAB Minutes - 2018 - January 4
10. Pinnacle Ridge Final Subdivision Plat - Filing 1
11. Pinnacle Ridge Final Subdivision Plat - Filing 2

Pinnacle Ridge Subdivision – Open Space Dedication

The majority of the open space in the Pinnacle Ridge subdivision will be platted as Tract B with Filings 1 and 4. This tract contains 15.06 acres and will be accessed by public right-of-way with construction of Aiguille Drive and Elysium Drive. Tract B (shown in green on map below) is adjacent to open space land owned by the City of Grand Junction (shown in red on the map below). The City's open space land is contiguous with Mariposa Drive and Monument Road and provides parking and bathroom facilities for the popular Lunch Loop bike trail and the Three Sisters Bike Park.

Adding the Pinnacle Ridge open space to the City's existing open space would be a natural extension of the City's park system. Picturesque views from the Pinnacle Ridge open space are unparalleled. Little to no maintenance for the open space is anticipated.

For years this privately owned area has been used by area residents to hike, walk pets and to enjoy the outdoors. More recently, single track bike trails have been established on the City's open space land that is contiguous on the southern property line of the Pinnacle Ridge open space. These trails make a natural connection from the top of the Pinnacle Ridge open space to the bike trails in the Three Sisters Bike Park.



February 20, 2018

Mayor Rick Taggart
Grand Junction City Council
250 N. 5th Street
Grand Junction, CO 81501

Re: Offer of dedication of 15.06 acres Open Space – Pinnacle Ridge subdivision

Dear Mayor Taggart,

An application was submitted on June 9, 2017 for Final Plat and Plan approval of Pinnacle Ridge, Filing 1. The Grand Junction Municipal Code requires that the owner of any residential development of 10 or more lots or dwelling units, dedicate 10 percent of the gross acreage of the property, or the equivalent of 10 percent of the value of the property. The Open Space fee for the Pinnacle Ridge subdivision (for all filings) is \$82,000; however, as part of the original submittal the applicant proposed dedication of 15.06 acres of open space to the City of Grand Junction for the use and enjoyment of the general public. The proposed dedication represents 33% of the gross acreage of the property, far exceeding the requirement of 10% of the gross acreage.

Section 21.06.020(b)(4) of the Code states “The required dedication and/or payment shall be subject to and made in accordance with this Code. The City Council may accept the dedication of land in lieu of payment so long as the fair market value of the land dedicated to the City is not less than 10 percent of the value of the property.” Based on the appraised value of \$820,000 of this land, the actual dedication value is equal to \$272,240.00. City staff calculated this value using the following formula: \$820,000 appraised value of vacant land for the property/45.36 acres total = \$18,077 per acre. \$18,077 per acre x 15.06 acres for Tract B (offered dedication to the City) = \$272,240.00, which exceeds the 10% Open Space Fee required by the Code.

City staff has reviewed the MAI appraisal of the property to be dedicated and found the fair market value meets the requirements of Section 21.06.020(b). Therefore, please accept this letter as a formal request of acceptance of the 15.06 acres of open space in the Pinnacle Ridge subdivision by the City of Grand Junction.

It is my understanding that the offer to dedicate the 15.06 acres will be considered by City Council at their March 7, 2018 meeting. Please let me know if there is any further information that I can provide to assist in the processing of this request.

Please don't hesitate to contact me at (970) 245-9051 or by email at rjones@vortexeng.us should you have any questions. Thank you.

Sincerely,
Vortex Engineering, Inc.

A handwritten signature in black ink, appearing to read "Robert W. Jones II". The signature is written in a cursive style with a large, stylized "R" at the beginning.

Robert W. Jones II, P.E.

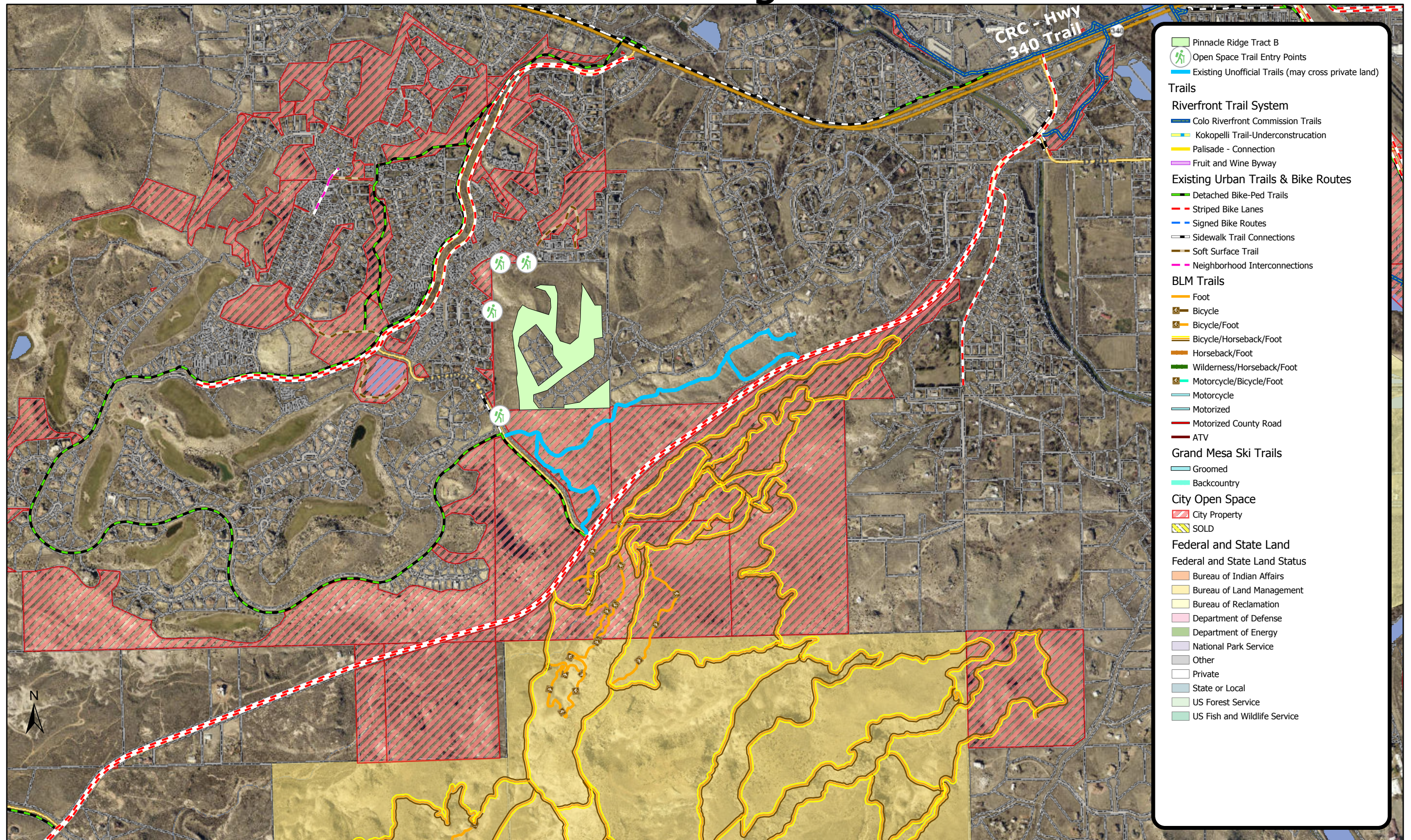
cc: File



**Tract B proposed
dedication to City
of GJ Parks Dept.**

City of Grand Junction Open Space

Pinnacle Ridge Area





Federal Non-Profit Organization
EIN: 46-0658735

City of Grand Junction
Parks Advisory Board
1340 Gunnison Ave
Grand Junction, CO 81501

Thursday, December 7, 2017

RE: Letter of Support for the Pinnacle Ridge Open Space Donation

Members of the Parks Advisory Board:

The board of the Grand Valley Trails Alliance (GVTA) was asked whether our organization would consider support for the donation of an open space parcel within the Pinnacle Ridge development, as presented in the attached subdivision map. In determining our level of support of this donation, we assumed that the subdivision map accurately presents the relevant facts.

As the voice of trails in the Grand Valley, we support the establishment of residential developments that include open space trail components as part of the development. We contend that open space and trails integrated into the design of residential and commercial developments offer residents and the entire community increased home values, better work/life balance, increased opportunities for individual and community health, and a stronger sense of a community identity. Accordingly, the board is pleased to endorse the open space land donation within the Pinnacle Ridge development to the City of Grand Junction. The donation of this 15-acre open space parcel and the opportunities it presents to maintain and develop multi-modal connectivity between and through the Pinnacle Ridge development, surrounding neighborhoods, and the existing public trail system of the Lunch Loops are consistent with GVTA's mission and vision for our community.

GVTA works with trails organizations, land managers, and the public in efforts to sustain and enhance trails within the Grand Valley. Our efforts include all types of trails, for all types of trail users, motorized and non-motorized alike, with the ultimate goal of helping our community, the region, and the world recognize the

Our Mission:

Based in the Trails Capital of Colorado, the Grand Valley Trails Alliance works with user groups, communities and land managers to develop resources and collaborative frameworks which enhance and sustain our outstanding trails system.

PO Box 1032, Grand Junction, CO 81502
970-462-7151 | www.gvtrails.com



Page 2 of 2
City of Grand Junction
Parks Advisory Board
December 7, 2017

Grand Valley as the Trails Capital of Colorado.

Connecting the Pinnacle Ridge subdivision, its surrounding neighbors, and the public lands of the Lunch Loops trail system warrants our support and we encourage the Parks Advisory Board to join us in recommending the City of Grand Junction accept this donation and include it within the open space lands managed by the City.

Sincerely,

Dave Grossman, founder and board member
on behalf of the Board of Directors of the Grand Valley Trails Alliance

Our Mission:

Based in the Trails Capital of Colorado, the Grand Valley Trails Alliance works with user groups, communities and land managers to develop resources and collaborative frameworks which enhance and sustain our outstanding trails system.

PO Box 1032, Grand Junction, CO 81502
970-462-7151 | www.gvtrails.com



Pinnacle Ridge Proposed Open Space Dedication

Maintenance Cost Estimates

All cost estimates include applicable labor

Onetime startup costs:

• Install trash receptacles	\$575
• Install pet pick up stations	\$875
• Trail first initial clean up, repairs/resurfacing, weed control	<u>\$1,800</u>
Total onetime costs to open trails to the public	\$3,250

Annual maintenance costs include all materials/supplies and applicable labor:

• Twice weekly inspections and maintenance	\$7,800
• Monthly weed/vegetation control	\$1,300
• Materials and supplies	<u>\$1,500</u>
Total annual maintenance costs	\$10,600

Site amenities

- As properties are transitioned into City owned, we typically receive requests for improvements including picnic tables, shade structures and/or restrooms. The annual cost of a portable restroom would be \$1,100. These are unsightly and would not be popular with adjacent homeowners.

Maintenance considerations:

- Access to the City properties/trails. There are currently other open space properties that are isolated similar to Pinnacle Ridge. Residents complain that public users access this space via their private property. It would also be very challenging for staff to access all points of the property for maintenance.
- Existing trails are not designed for public use, and once taken over by the City they would have to be brought up to public trail standards.
- We have a number of similar open space areas that are adjacent to residential homes. Often times, these undeveloped areas become dumping grounds by the adjacent homeowner (i.e. trash, yard waste, etc.)
- We have numerous cases whereby homeowners have encroached onto City undeveloped property. Examples include gardens, landscaping, sheds, outdoor storage, etc.







02/28/2018 18:43



02/28/2018 18:43







Parks and Recreation Advisory Board Minutes

Regular Meeting – December 7, 2017

Meeting Location: Hospitality Suite, Hamilton Tower - Stadium

Roll Call

Board Members Present: William Findlay
Abby Landmeier
Marc Litzen
Gary Schroen
Barbara Traylor Smith
Byron Wiehe
Bob Wiig

Board Members Absent: Sam Susuras

City Staff Present: Rob Schoeber, Director Parks and Recreation
Traci Wieland, Recreation Superintendent
Marc Mancuso, Parks Supervisor
Rick Dorris, City of Grand Junction Development Engineer
Scott Peterson, City of Grand Junction Senior Planner
Trent Prall, City of Grand Junction Engineering Manager
David Thornton, City of Grand Junction Principal Planner
Tricia Rothwell, Recreation Coordinator

Guests Present: Kevin Bray, TV Holdings LLC
Dave Grossman, Grand Valley Trails Alliance
Robert Jones, Managing Member of Two R & D LLC

Item 1: Meeting called to order by Mark Litzen at 12:00 pm

Item 2: Approve minutes from the November 2, 2017 Parks and Recreation Advisory Board Meeting

Bob Wiig made a motion to approve the minutes with the following change: Special Meeting be removed. The motion was seconded by Gary Schroen and carried unanimously.

Motion approved by the Parks and Recreation Advisory Board: Yes 6 No 0

Item 3: Introduce New Parks and Recreation Advisory Board Member

Mark Litzen introduced William Findlay, and then asked all board members and staff present to introduce themselves.

Item 4: Update: Thunder Valley Subdivision Land Donation Request

Scott Peterson summarized that the Thunder Valley Subdivision is proposing to donate 1.78 acres to meet their open space requirement. Scott Peterson showed a map of the area. Bob Wiig motioned to accept the land contingent upon safety concerns being addressed. The motion was seconded by Gary Schroen and carried unanimously.

Motion approved by the Parks and Recreation Advisory Board: Yes 6 No 0

Item 5: Pinnacle Ridge Subdivision

Scott Peterson presented a map and description of 15 acres that the Pinnacle Ridge Subdivision is proposing to donate to meet their open space requirement. Robert Jones was invited to speak and offered his knowledge of the property. Dave Grossman of the Grand Valley Trails Alliance addressed the Board. Dave Grossman expressed that the group is in favor of accepting the land and presented a letter of support. By acclamation, the Board decided to gather at the proposed site for more information, and to discuss this further at the next Parks and Recreation Advisory Board meeting.

Item 6: Mosaic Planned Development

David Thornton presented maps and information regarding the Mosaic Planned Development. The developer proposes to develop a portion of open space and then donate it to the City of Grand Junction. Bob Wiig made a motion to accept a 2.7 acre parcel to be used for public park space. This parcel will be developed by the developer with the total value being counted against the 10% park dedication requirement. The motion was seconded by Byron Wiehe and carried unanimously.

Motion approved by the Parks and Recreation Advisory Board: Yes 6 No 0

Item 7: Update: Lunch Loop Trail

Trent Prall presented an update on the Lunch Loops Trailhead redesign. The City of Grand Junction was awarded \$1,517,045 from Great Outdoors Colorado for this project which is scheduled to begin in late 2018.

Item 8: For The Good of the Community

Gary Schroen posed the question of whether or not guns were allowed in City of Grand Junction parks. Rob Schoeber clarified that open carry is allowed.

Item 9: Elect Officers

For the position of Chair of the Parks and Recreation Advisory Board, Gary Schroen nominated Bob Wiig. The nomination was seconded by Mark Litzen and carried unanimously.

Nomination approved by the Parks and Recreation Advisory Board: Yes 6 No 0

For the position of Vice Chair, Mark Litzen nominated Gary Schroen. The nomination was seconded by Bob Wiig and carried unanimously.

Nomination approved by the Parks and Recreation Advisory Board: Yes 6 No 0

Item 10: Confirm 2018 Meeting Dates

All dates were confirmed with the understanding that the July 5, 2018 meeting date would be addressed closer to that time if needed.

Item 11: Adjourn

The meeting adjourned at 1:30 pm by acclamation.

Respectfully submitted,
Tricia Rothwell
Recreation Coordinator

Parks and Recreation Advisory Board Minutes

Regular Meeting – January 4, 2018

Meeting Location: Parks and Recreation Office Conference Room

Roll Call

Board Members Present: William Findlay
Gary Schroen
Sam Susuras
Byron Wiehe
Bob Wiig

Board Members Absent: Abby Landmeier
Marc Litzen
Barbara Traylor Smith

City Staff Present: Traci Wieland, Recreation Superintendent
Mike Vendegna, Parks Superintendent
Scott Peterson, City of Grand Junction Senior Planner
Allison Little, Administrative Specialist

Guests Present: Richard VanGytenbeek, Grand Valley Trails Alliance
Robert Jones, Managing Member of Two R & D LLC

Item 1: Meeting called to order by Bob Wiig at 12:00 pm

Item 2: Approve minutes from the December 7, 2017 Parks and Recreation Advisory Board Meeting

Sam Susuras made a motion to approve the minutes. The motion was seconded by William Findlay and carried unanimously.

Motion approved by the Parks and Recreation Advisory Board: Yes 5 No 0

Item 3: Update: Pinnacle Ridge Subdivision

Robert Jones provided a map of the Pinnacle Ridge Area to highlight existing formal and informal trails in the area of the Pinnacle Ridge development. The Board discussed their site visit at the Pinnacle Ridge development. After being in the area the Board felt the topography would be challenging and there was minimal benefit to the community as a whole. Sam Susuras made a motion that the Board recommend the City accept the fees, instead of land, for this development. The motion was seconded by Gary Schroen and carried unanimously. Richard VanGytenbeek of the Grand Valley Trails alliance spoke to the board after the motion carried, advocating for the connectivity to the Lunch Loop area and requesting the board recommend the HOA keep access and connectivity available.

Motion approved by the Parks and Recreation Advisory Board: Yes: 5 No: 0

Item 4: Golf Open House

Traci Wieland talked with the Board about an Open House at Tiara Rado honoring Mike Mendelson who has accepted a position in Spearfish, South Dakota. The Board appreciates Mike Mendelson's years of service, dedication, and accomplishments in the Golf Division and wish him well on his journey to Spearfish.

Item 5: Project Updates

Traci Wieland talked with the Board about the vacancy in Golf. Staff is exploring a number of options for the operation of the Golf Division moving forward. In the interim, Shon Birch, Recreation Coordinator, is helping with the operational side while the 1st and 2nd Assistant Pros will continue their Golf Operation duties.

Traci talked with the Board about an upcoming public meeting on January 18 from 5:30- 7:00 p.m. at Faith Heights Church on Patterson, adjacent to Matchett Park. This meeting is a part of the Feasibility Study process for a community recreation center.

Byron Wiehe inquired about the training process for SCORE camp staff. Traci Wieland indicated that staff works hard to balance skills and sports activities in this camp which is utilized by kids with a wide range of exposure to each sport.

Mike Vendegna talked with the Board about upcoming park projects. The Parks division has been working on some landscaping, and lighting changes in the breezeway on Main Street between 4th and 5th Streets in an effort to deter transient activity.

Mike Vendegna advised the Board about a recent accident in Greeley involving an ADA swing at a school. A child was caught in the restraint straps and killed. Parks staff has inventoried and had all the ADA swings in the park system inspected by a staff member certified in playground inspection. None has cloth restraint straps. Following this incident School District #51 removed several swings that were constructed with similar strap devices.

Mike Vendegna talked with the Board about Department water usage. The unusually dry weather could potentially have a large impact on plantings and turf throughout the park system.

Item 6: For The Good of the Community

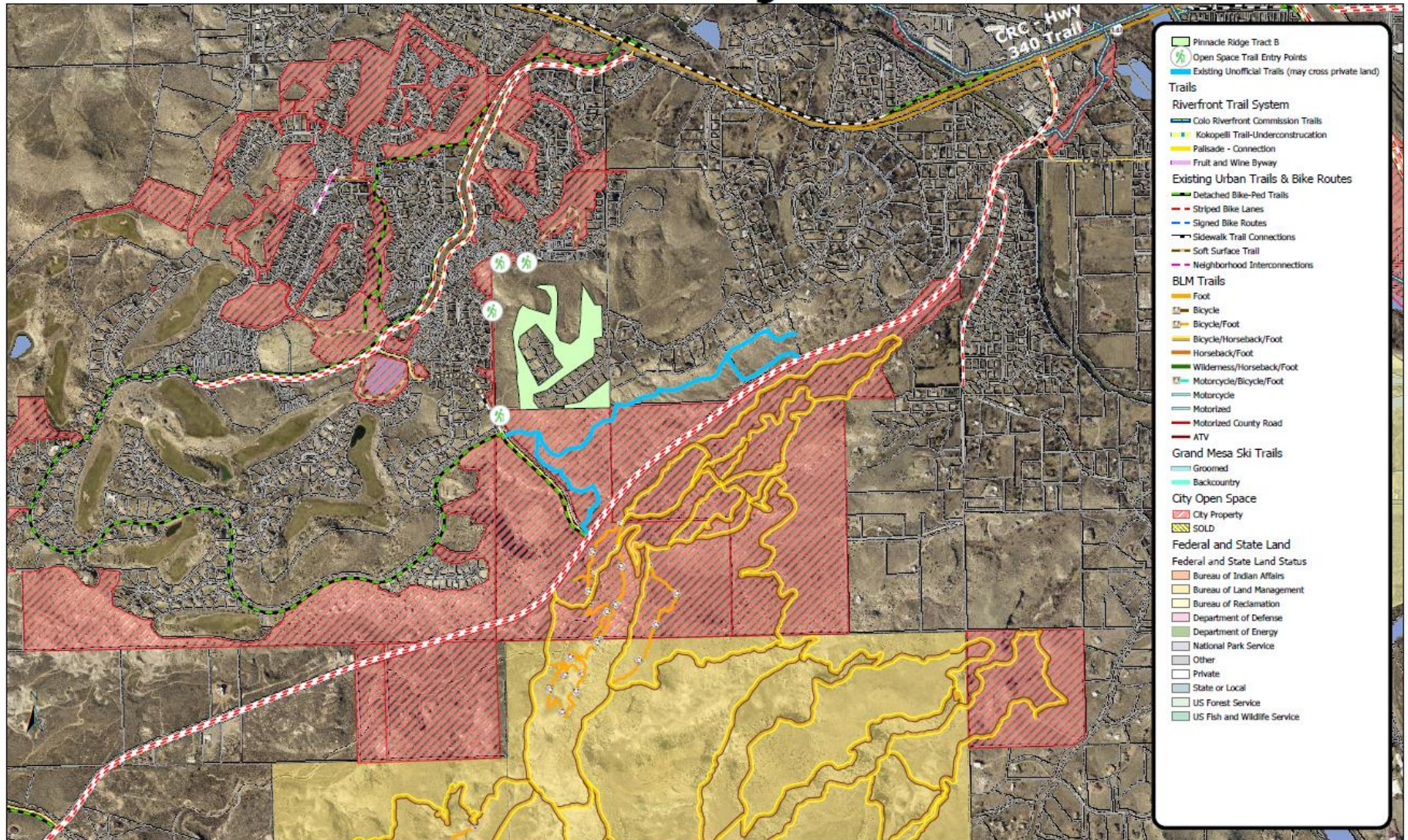
Bob Wiig invited the Board to the dedication of the new Colorado Discover Ability building on January 18 at 10 a.m. There will be an open house of the building until 4:00 p.m.

Item 11: Adjourn

The meeting adjourned at 1:00 pm by acclimation.

Respectfully submitted,
Allison Little
Administrative Specialist

Pinnacle Ridge Area



Published 12/27/2017

G:\GIS\EXTERNAL\CustomPaidMaps\Vortex20171227\MapForVortex.aprx

PINNACLE RIDGE SUBDIVISION, FILING 1

W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M.
City of Grand Junction, Mesa County, Colorado

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, TWO R & D, LLC a Colorado limited liability company is the owner of that real property situate in the SW 1/4 NW 1/4, the south 10 acres of the NW 1/4 NW 1/4, Section 21, Township 1 South, Range 1 West of the Ute Meridian and a portion of the Energy Center Subdivision recorded under Reception No. 644620, City of Grand Junction, Mesa County, Colorado; being more particularly described as follows:

Beginning at the W 1/4 corner of said Section 21;
thence N00°16'04"E, being the basis of bearing, a distance of 1317.18 feet to the W 1/16 corner of said Section 21;
thence N00°15'21"E a distance of 334.95 feet along the west line of said south 10 acres;
thence S89°46'08"E a distance of 1300.69 feet along the north line of said south 10 acres;
thence S00°33'00"W a distance of 335.15 feet to the NW 1/16 corner of said Section 21;
thence S00°25'55"W a distance of 240.76 feet along the east line of said SW 1/4 NW 1/4;
thence S51°16'33"W a distance of 124.51 feet;
thence along the arc of a curve to the left 266.66 feet, having a central angle of 61°00'00" and a radius of 250.47 feet, the chord of which bears S30°46'33"W a distance of 254.25 feet;
thence along the arc of a curve to the right 208.13 feet, having a central angle of 53°00'00" and a radius of 225.00 feet, the chord of which bears S26°46'33"W a distance of 200.79 feet;
thence S53°16'33"W a distance of 249.38 feet;
thence N33°55'49"W a distance of 175.52 feet;
thence N03°09'01"W a distance of 100.00 feet;
thence N36°13'29"W a distance of 300.00 feet;
thence S53°46'33"W a distance of 230.00 feet;
thence S12°16'33"W a distance of 100.00 feet;
thence S25°13'27"E a distance of 505.16 feet;
thence S53°16'33"W a distance of 157.53 feet;
thence along the arc of a curve to the left 195.51 feet, having a central angle of 53°00'20" and a radius of 211.33 feet, the chord of which bears S26°46'23"W a distance of 188.61 feet to the south line of said SW 1/4 NW 1/4;
thence N89°43'25"W a distance of 290.18 feet to the point of beginning.
Said parcel contains 32.70 acres more or less.

Said Owner has by these presents laid out, platted and subdivided the above-described real property into Lots, and Tracts as shown hereon, and designated the same as PINNACLE RIDGE SUBDIVISION, FILING 1 in the City of Grand Junction, County of Mesa, State of Colorado, and does hereby offer the following dedications and grants:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

All Multipurpose Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Utility Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

A Drainage Easement over Tract A is dedicated to the City of Grand Junction as a perpetual easement for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenances thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain and repair the detention and drainage facilities.

All other Drainage easement are granted to the Homeowner's Association by separate instrument.

Robert W. Jones II, Managing Member

STATE OF COLORADO)
)ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this ____ day of _____

2017 A.D. by TWO R & D, LLC, Robert W. Jones II, Managing Member.

Witness my hand and official seal: _____
Notary Public

My commission expires: _____

CITY APPROVAL

This plat of PINNACLE RIDGE SUBDIVISION, FILING 1, a subdivision of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted on the ____ day of _____, 2017 A.D.

City Manager

City Mayor

TITLE CERTIFICATION

State of Colorado
County of Mesa

We, Heritage Title Company, a title insurance company, as duly licensed in the State of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Two R & D, LLC, a Colorado limited liability company; that the current taxes have been paid; that all mortgages not satisfied or released of record or otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and right-of-ways of record are shown hereon.

Date: _____ By: _____

LIENHOLDERS RATIFICATION OF PLAT

The undersigned, hereby certifies that it is a holder of a security interest upon the property hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof and agree that its security interest which is recorded under Reception No. 2236040, 2310515, 2422221, 2422230, 2439195, 2488454, 2654494, 2351449, 2351450, 2439196, 2488457, 2654493 of the public records of Mesa County, Colorado shall be subordinated to the dedications shown hereon.

By: _____ FOR: Alpine Bank

STATE OF COLORADO)
)ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this ____ day of _____
2017 A.D. by _____

Witness my hand and official seal: _____
Notary Public

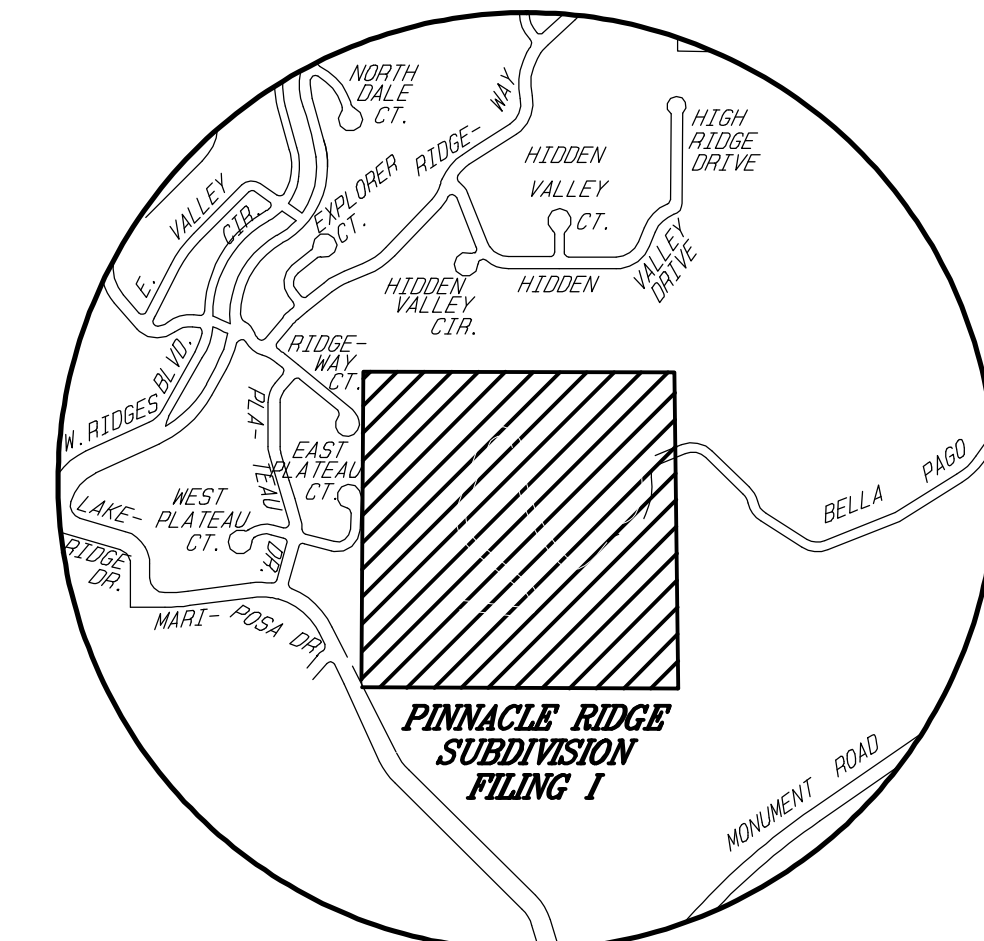
My commission expires: _____

CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado at _____ o'clock _____, on this ____ day of _____, 2017 A.D., and was recorded at Reception No. _____, Drawer No. _____, and Fees _____.

Clerk and Recorder

Deputy



VICINITY MAP
N.T.S.

To be completed by the City of Grand Junction personnel.
The accuracy of this information is the responsibility of the City of Grand Junction.
Declaration of Covenants, Restrictions and Conditions of the Pinnacle Ridge Homeowner's Association, Inc.
recorded under Reception No. _____
Tracts A and B are conveyed to the Pinnacle Ridge Homeowner's Association, Inc.
recorded under Reception No. _____
Drainage and Ingress & Egress Easements are conveyed to the Pinnacle Ridge Homeowner's Association
recorded under Reception No. _____

SURVEYOR'S STATEMENT

I, Michael W. Drissel, a registered Professional Land Surveyor in the State of Colorado, do hereby state that this survey was performed by me or under my direct responsibility, supervision, and checking. It is based upon my professional knowledge, information and belief according to applicable standards of practice. This is not a guarantee or warranty, either expressed or implied. Title research was supplied by Heritage Title Company under FILE NUMBER: 598-H050223-500-670.

FOR REVIEW

**PINNACLE RIDGE SUBDIVISION
FILING 1**

LOCATED IN THE
W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M.

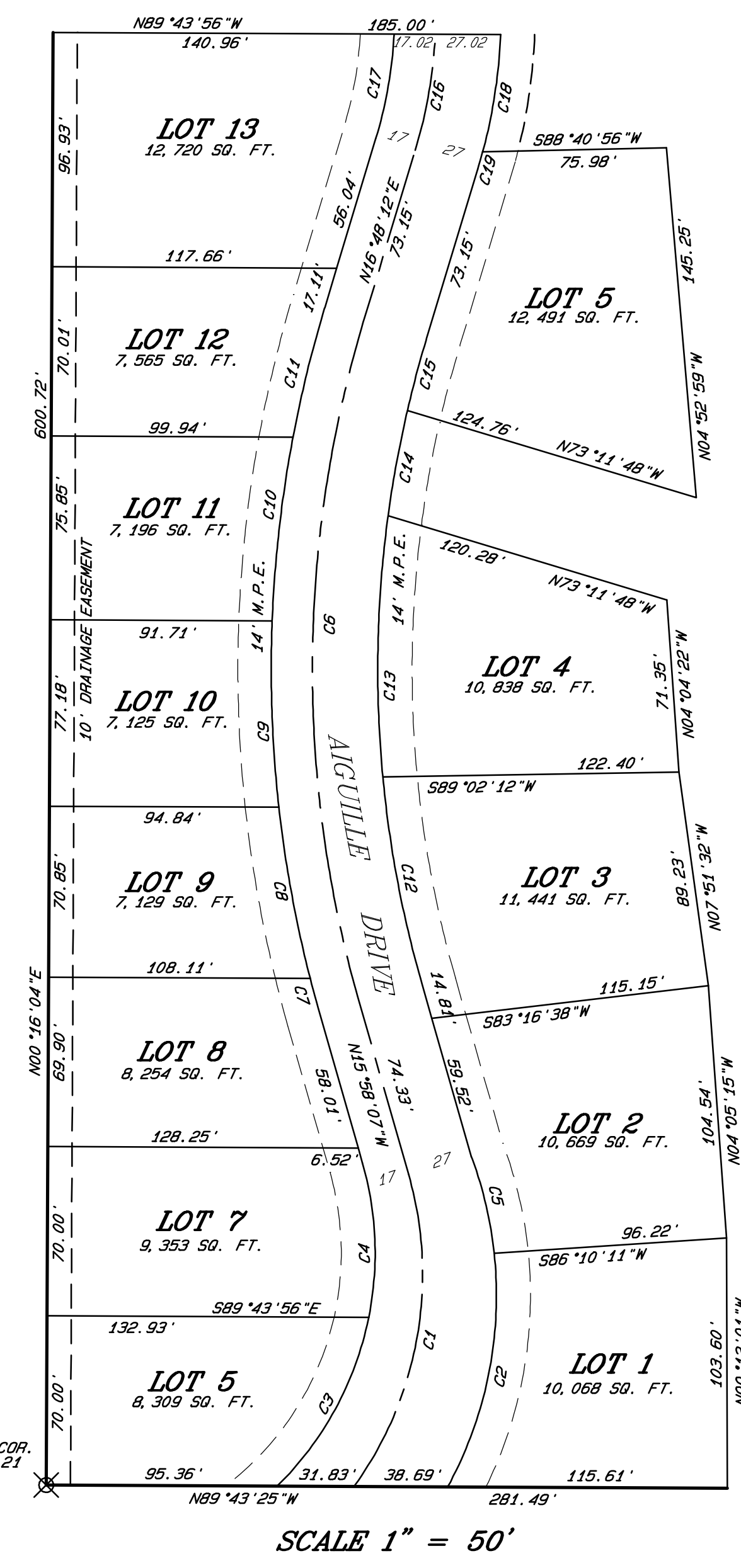
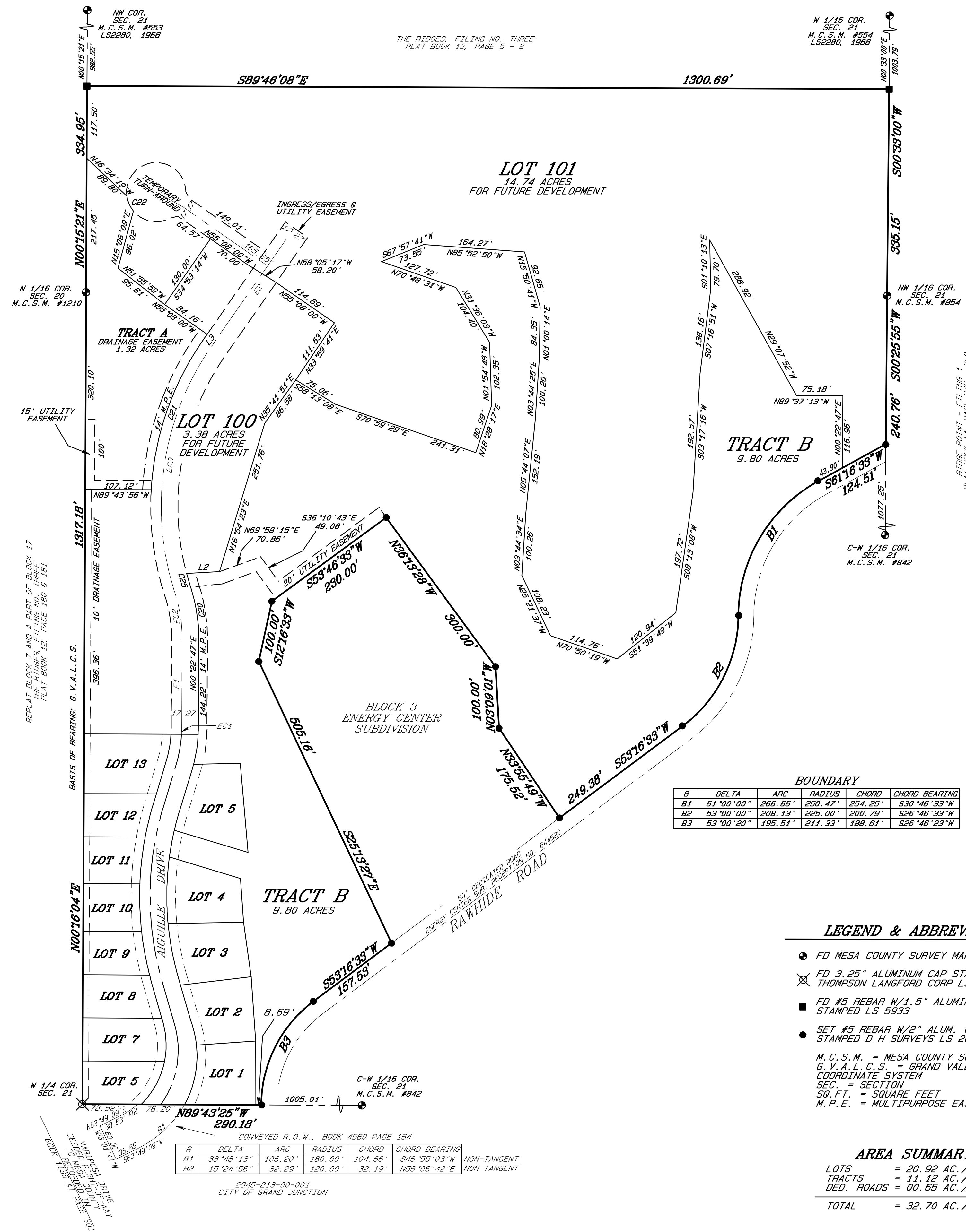
D H SURVEYS INC.
118 OURAY AVE. - GRAND JUNCTION, CO.
(970) 245-8749

DESIGNED BY	M. W. D.	CHECKED BY	E. E. B.	JOB NO.	129-04-03
DATE	MAY 2017	SHEET	1 OF 2		

NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of this certification/statement shown hereon.

PINNACLE RIDGE SUBDIVISION, FILING 1

W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M., City of Grand Junction, Mesa County, Colorado



LOT & CENTER LINE DIMENSIONS

L/C	DELTA	ARC	RADIUS	CHORD	CHORD BEARING
C1	51'45.39"	135.51	150.00	130.95	S03°54'43"W
C2	34'44.09"	100.03	165.00	98.51	S11°15'38"W
C3	34'13.41"	80.65	135.00	79.45	N28°28'58"E
C4	27'20.14"	64.41	135.00	63.80	N02°18'00"W
C5	14'18.25"	41.20	165.00	41.09	S13°15'41"E
C6	32'46.18"	285.99	500.00	282.11	S00°25'03"W
C7	1'38.41"	14.84	517.00	14.84	N15°08'46"W
C8	7'59.00"	72.04	517.00	71.98	N10°19'55"W
C9	8'33.07"	77.17	517.00	77.10	N02°03'52"W
C10	8'28.47"	76.51	517.00	76.44	N06°27'05"E
C11	6'06.43"	55.15	517.00	55.12	N13°44'50"E
C12	10'33.49"	87.21	473.00	87.08	S10°41'12"E
C13	13'06.47"	108.25	473.00	108.02	S01°09'06"W
C14	5'21.55"	44.29	473.00	44.28	S10°23'27"W
C15	3'43.47"	30.79	473.00	30.79	S14°56'18"W
C16	13'59.35"	48.84	200.00	48.72	S09°48'24"W
C17	13'45.24"	43.94	183.00	43.83	N09°55'30"E
C18	12'25.26"	49.22	227.00	49.13	S08°43'11"W
C19	1'52.18"	7.42	227.00	7.42	N15°52'03"E
C20	18'18.09"	86.88	271.98	86.51	S08°46'17"E
C21	31'36.19"	260.36	472.00	267.07	S19°03'51"W
L2		53.58			S85°44'38"W
C22	31'33.47"	26.44	48.00	26.11	N24°00'53"W
L3		11.70			N34°52'00"E
C23	14'45.44"	58.74	228.00	58.58	S46°08'11"W
C25	03'11.16"	23.81	428.00	23.81	S16°19'43"E

INGRESS/EGRESS EASEMENT (varied width)

#	DELTA	ARC	RADIUS	CHORD	CHORD BEARING
EC1	2'25.50"	8.48	200.00	8.48	N01°35'42"E
E1		144.22			S00°22'47"W
EC2	18'18.09"	78.26	244.98	77.93	S08°46'17"E
EC3	52'47.22"	419.21	455.00	404.54	S08°28'20"W
E2		233.78			N34°52'00"E

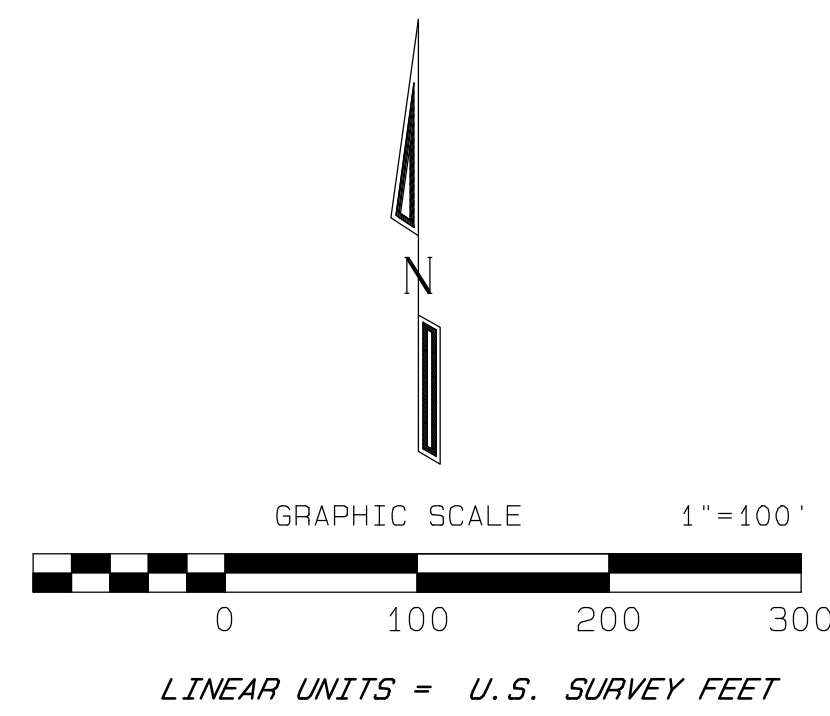
BOUNDARY

B	DELTA	ARC	RADIUS	CHORD	CHORD BEARING
B1	61'00.00"	266.66	250.47	254.25	S30°46'33"W
B2	53'00.00"	208.13	225.00	200.79	S26°46'33"W
B3	53'00.20"	195.51	211.33	188.81	S26°46'23"W

- LEGEND & ABBREVIATIONS**
- FD MESA COUNTY SURVEY MARKER
 - FD 3.25" ALUMINUM CAP STAMPED THOMPSON LANGFORD CORP LS 18480
 - FD #5 REBAR W/1.5" ALUMINUM CAP STAMPED LS 5933
 - SET #5 REBAR W/2" ALUM. CAP STAMPED D.H. SURVEYS LS 20677
 - M.C.S.M. = MESA COUNTY SURVEY MARKER
 - G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM
 - SEC. = SECTION
 - SQ. FT. = SQUARE FEET
 - M.P.E. = MULTIPURPOSE EASEMENT

AREA SUMMARY

LOTS	= 20.92 AC./64%
TRACTS	= 11.12 AC./34%
DED. ROADS	= 00.65 AC./102%
TOTAL	= 32.70 AC./100%



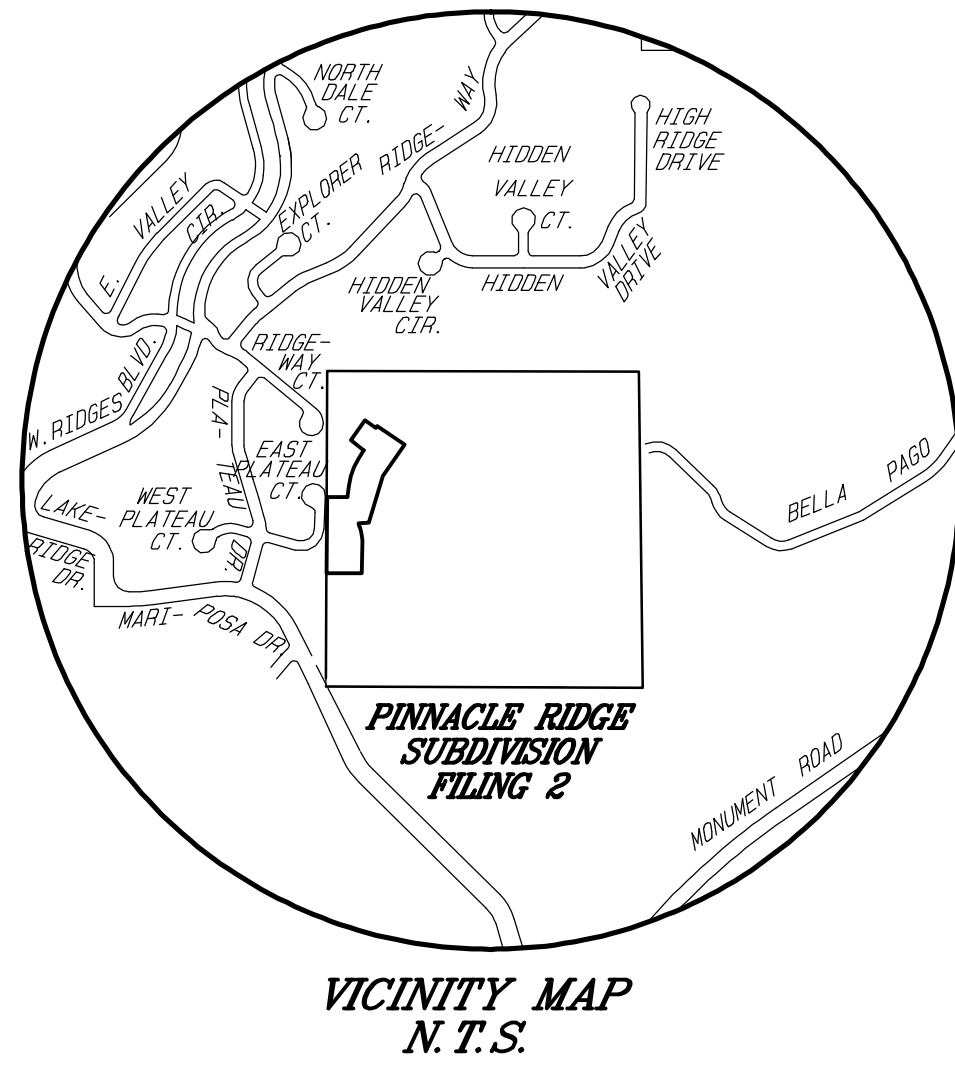
FOR REVIEW

**PINNACLE RIDGE SUBDIVISION
FILING 1**
LOCATED IN THE
W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M.
D H SURVEYS INC.
118 OURAY AVE. - GRAND JUNCTION, CO.
(970) 245-8749

DESIGNED BY M.W.D. CHECKED BY E.E.B. JOB NO. 129-04-03
REVISED 07/27/17
REVISED 09/27/17
REVISED 11/10/17
DRAWN BY TMODEL DATE MAY 2017 SHEET 2 OF 2

PINNACLE RIDGE SUBDIVISION, FILING 2

A REPLAT OF LOT 100, PINNACLE RIDGE SUBDIVISION FILING 1, Reception No. ***** W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M.
City of Grand Junction, Mesa County, Colorado



LEGEND & ABBREVIATIONS

- FD MESA COUNTY SURVEY MARKER
- ⊗ FD 3.25" ALUMINUM CAP STAMPED THOMPSON LANGFORD CORP LS 18480
- FD #5 REBAR W/1.5" ALUMINUM CAP STAMPED LS 5333
- SET #5 REBAR W/2" ALUM. CAP STAMPED D H SURVEYS LS 20677
- M.C.S.M. = MESA COUNTY SURVEY MARKER
- G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM
- M.P.E. = MULTIPURPOSE EASEMENT
- SEC. = SECTION
- DED. = DEDICATED
- SQ.FT. = SQUARE FEET

To be completed by the City of Grand Junction personnel. The accuracy of this information is the responsibility of the City of Grand Junction.
Declaration of Covenants, Restrictions and Conditions of the Pinnacle Ridge Homeowner's Association, Inc.
recorded under Reception No. _____
Drainage Easements are conveyed to the Pinnacle Ridge Homeowner's Association
recorded under Reception No. _____

CITY APPROVAL

This plat of PINNACLE RIDGE SUBDIVISION, FILING 2, a subdivision of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted on the _____ day of _____, 2017 A.D.

City Manager City Mayor

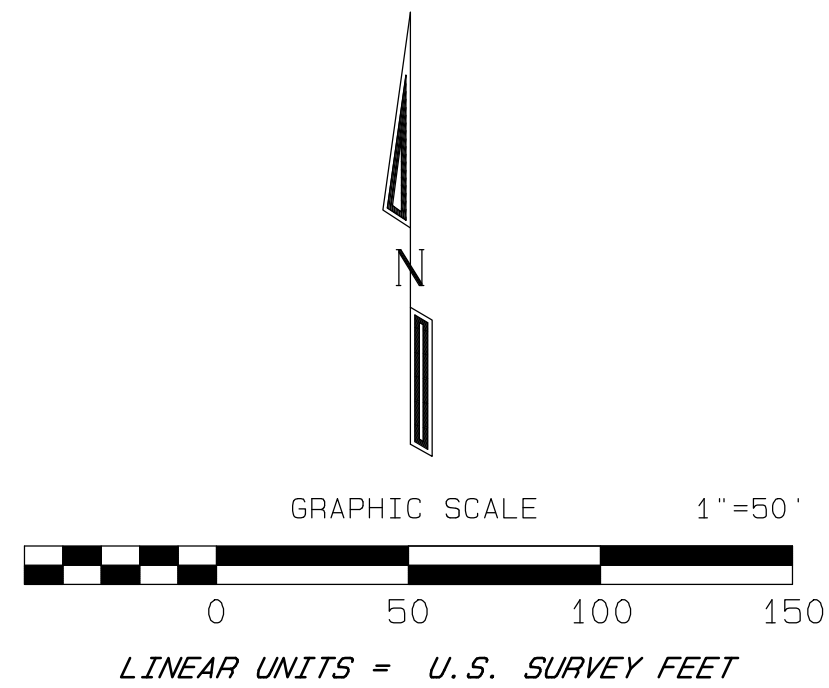
CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado at _____ o'clock _____ M., on this _____ day of _____, 2017 A.D., and was recorded at Reception No. _____, Drawer No. _____ and Fees _____.

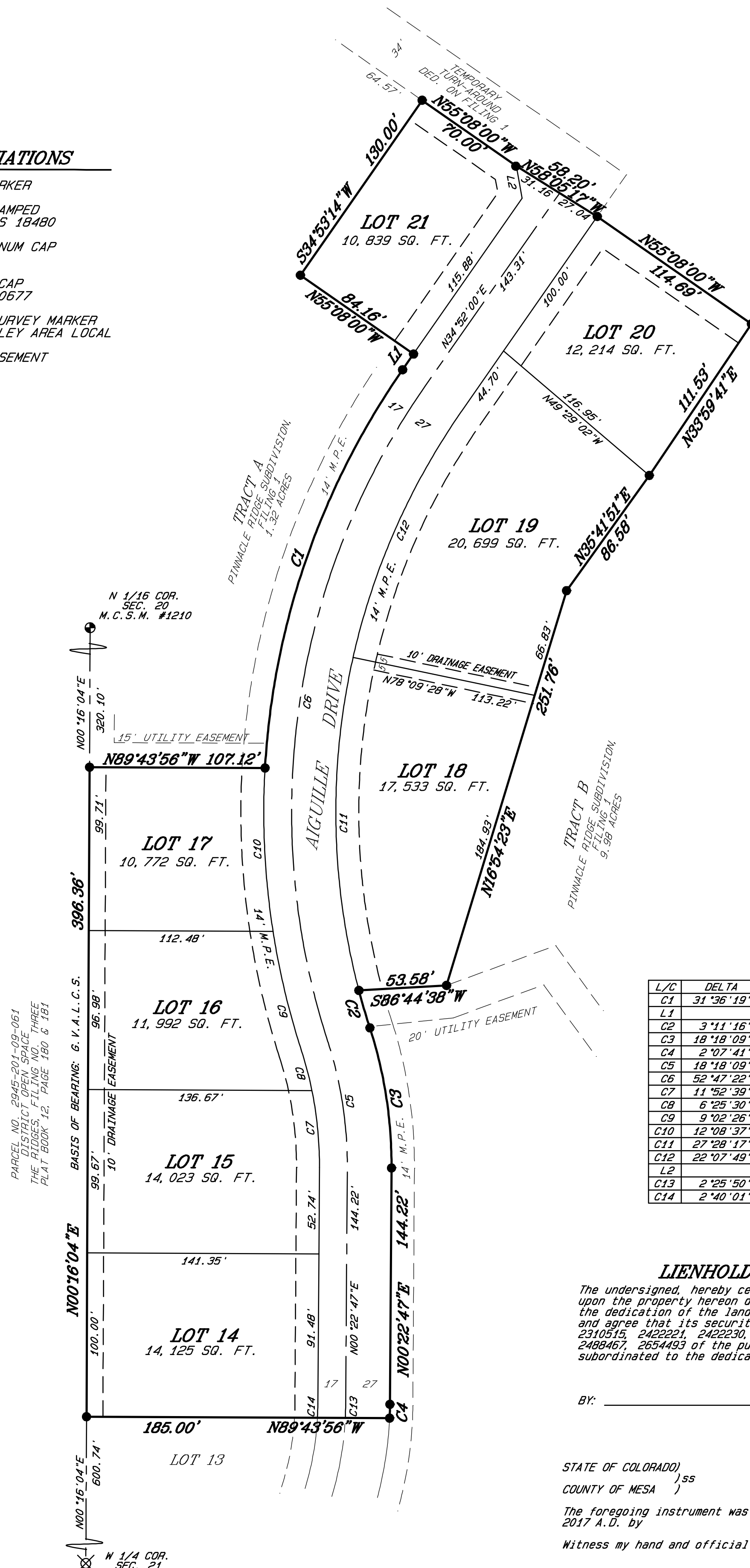
Clerk and Recorder Deputy

AREA SUMMARY

LOTS = 2.58 AC. / 77%
DED. ROADS = 0.80 AC. / 23%
TOTAL = 3.38 AC. / 100%



NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of this certification/statement shown hereon.



L/C	DELTA	ARC/TANG	RADIUS	CHORD	CHORD BEARING
C1	31°36'19"	260.36'	472.00'	257.07'	N19°03'51"E
L1		11.70'			S34°52'02"W
C2	3°11'16"	23.81'	428.00'	23.81'	S16°19'43"E
C3	18°18'09"	86.88'	271.98'	86.51'	S08°46'17"E
C4	2°07'41"	8.43'	227.00'	8.43'	S01°26'37"W
C5	18°18'09"	78.26'	244.98'	77.93'	S08°46'17"E
C6	52°47'22"	419.21'	455.00'	404.54'	S08°28'20"W
C7	11°52'39"	47.26'	237.98'	47.18'	N09°33'32"W
C8	6°25'30"	25.57'	227.98'	25.55'	N14°42'35"W
C9	9°02'26"	74.48'	472.00'	74.40'	N13°24'08"W
C10	12°08'37"	100.04'	472.00'	95.85'	N02°48'37"W
C11	27°28'17"	205.21'	428.00'	203.25'	S00°59'57"E
C12	22°07'49"	165.31'	428.00'	164.29'	S23°48'06"W
L2		19.97'			S10°08'00"E
C13	2°25'50"	8.48'	208.00'	8.48'	S01°35'42"W
C14	2°40'01"	8.52'	183.00'	8.52'	N01°42'47"E

LIENHOLDERS RATIFICATION OF PLAT

The undersigned, hereby certifies that it is a holder of a security interest upon the property hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof and agree that its security interest which is recorded under Reception No. 2236040, 2310315, 2425251, 2425230, 2435153, 2488494, 2534484, 2531445, 2351400, 2435196, 2488467, 2654493 of the public records of Mesa County, Colorado shall be subordinated to the dedications shown hereon.

BY: _____ FOR: Alpine Bank

STATE OF COLORADO)
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017 A.D. by _____

Witness my hand and official seal: _____
Notary Public

My commission expires: _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, TWO R & D, LLC a Colorado limited liability company is the owner of that real property situate in the W 1/2 NW 1/4 of Section 21, Township 1 South, Range 1 of the Ute Meridian, City of Grand Junction, Mesa County, Colorado; being more particularly described as follows:

Lot 100, Pinnacle Ridge Subdivision, Filing 1, Reception No. _____

Said parcel contains 3.37 acres more or less.

Said Owner has by these presents laid out, platted and subdivided the above-described real property into Lots, and Tracts as shown hereon, and designated the same as PINNACLE RIDGE SUBDIVISION, FILING 2 in the City of Grand Junction, County of Mesa, State of Colorado, and does hereby offer the following dedications and grants:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

All Multipurpose Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Drainage Easements are granted to the Homeowner's Association by separate instrument.

Robert W. Jones II, Managing Member

STATE OF COLORADO)
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this _____ day of _____

2017 A.D. by TWO R & D, LLC, Robert W. Jones II, Managing Member.

Witness my hand and official seal: _____
Notary Public

My commission expires: _____

TITLE CERTIFICATION

State of Colorado
County of Mesa

We, Heritage Title Company, a title insurance company, as duly licensed in the State of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to TWO R & D, LLC, a Colorado limited liability company; that the current taxes have been paid; that all mortgages not satisfied or released of record or otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and right-of-ways of record are shown hereon.

Date: _____ By: _____

SURVEYOR'S STATEMENT

I, Michael W. Drisse, a registered Professional Land Surveyor in the State of Colorado, do hereby state that this survey was performed by me or under my direct responsibility, supervision and checking. It is based upon my professional knowledge, information and belief according to applicable standards of practice. This is not a guarantee or warranty, either expressed or implied. Title research was supplied by Heritage Title Company under FILE NUMBER: 598-H0502823-900-670.

FOR REVIEW

PINNACLE RIDGE SUBDIVISION
FILING 2

LOCATED IN THE
W 1/2 NW 1/4, SEC. 21, T1S, R1W, U.M.

D H SURVEYS INC.
118 OURAY AVE. - GRAND JUNCTION, CO.
(970) 245-8749

Designed By	M. W. D.	Checked By	E. E. B.	Job No.	129-04-03
Drawn By	TMODEL	Date	MAY 2017	Sheet	1 OF 1

REVISED 07/28/17
REVISED 09/27/17
REVISED 11/20/17