

**FRUITA CITY COUNCIL
JANUARY 17, 2017
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

- A. PROCLAMATION – January 2017 as “National Crime Stoppers Month” in the City of Fruita to be accepted by Crime Stoppers of Mesa County**

5. PUBLIC PARTICIPATION

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. **Please limit comments to a five-minute period.**

6. CONSENT AGENDA

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single Public Hearing will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

- A. MINUTES – A request to approve the minutes from the November 1, 2016 City Council meeting**
- B. ASSOCIATE MUNICIPAL COURT JUDGE – A request to approve the appointment of an Associate Municipal Court Judge and approval of contract**
- C. RESOLUTION 2017-02 – A request to approve a Resolution designating the official posting place for notices of meetings**
- D. RESOLUTION 2017-03 – A request to approve a Resolution setting a hearing date to determine the eligibility of approximately 1.59 acres of property located at 1024 18 Road to be annexed into the City of Fruita and to consider initiation of annexation procedures**
- E. COLORADO RIVERFRONT TRAIL:**
- 1) **RESOLUTION 2017-04 – Accepting a Trail Easement located west of 15 Road and north of the Colorado River**
- 2) **ORDINANCE 2017-01 – First Reading – An introduction of an Ordinance accepting Right-of-Way for the west side of 15 Road south of the railroad tracks for publication of public hearing on February 7, 2017**

- F. **ORDINANCE 2017-02 – First Reading – An introduction of an Ordinance accepting right-of-way for future public street and public utility purposes for publication of public hearing on February 7, 2017**
- G. **PRELIMINARY DECEMBER 2016 FINANCIAL REPORTS – A request to approve the Preliminary December 2016 Financial Reports**

7. PUBLIC HEARINGS

Public Hearings are the formal opportunity for the city council to LISTEN to the public regarding the issue at hand. For land use hearings and liquor license hearings; the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial body must limit its consideration to matters which are placed into evidence and are part of the public record. The council must base their decision on the law and evidence presented at the hearing.

- 1) **Applicant Presentation (15 minutes max)** The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 2) **Staff presentation (15 minutes max)** Staff will present the comments and reports received from review agencies, and offer a recommendation.
- 3) **Public Input (limit of 5 minutes per person. If two people in the audience are willing to cede their time to the speaker, that speaker may receive a total of 10 minutes, referred to as banking time).** People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4) **Applicant Rebuttal (limited to 5 minutes)** The Mayor will ask for the applicant's rebuttal. During this brief time, the applicant should answer the questions raised by the public.
- 5) **The hearing is then closed to public comments.**
- 6) **Questions from the Council.** After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
- 7) **Make a motion.** A member of the City Council will make a motion on the issue.
- 8) **Discussion on the motion.** The City Council may discuss the motion.
- 9) **Vote.** The City Council will then vote on the motion.

8. ADMINISTRATIVE AGENDA

A. City Engineer Sam Atkins

- 1) Gateway Enhancement Conceptual Design Plan approval

B. Public Works Director Ken Haley

- 1) Lagoon Property Conceptual Design Plan approval

C. City Manager Mike Bennett

- 1) City Logo License Agreement

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

- A. **Sands Law Office, LLC – A request to authorize the Mayor to sign the Legal Representation and Fee Agreement with Sands Law Office, LLC**
- B. **Council Reports and Actions**
- C. **EXECUTIVE SESSION – Discussion and possible action to consider a motion to convene in Executive Session regarding personnel issues under C.R.S. Section 24-6-402(4)(F) (City Manager Review as per contract)**

11. ADJOURN

Proclamation

National Crime Stoppers Month January 2017

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

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

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

WHEREAS, Crime Stoppers has been particularly effective in Mesa County; since 1983 Crime Stoppers of Mesa County has received 18,550 tips, which have led to 1,720 arrests and 1,598 cases cleared. That effort has resulted in \$269,000 in rewards paid to anonymous tipsters and \$9,051,156 in property and drugs recovered as of December 2016; and

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

WHEREAS, Crime Stoppers of Mesa County is undertaking a monthly campaign to increase awareness of community safety issues as well as awareness of its successful crime prevention and reduction efforts,

NOW, THEREFORE, WE, THE FRUITA CITY COUNCIL ON BEHALF OF LORI BUCK, MAYOR, DO HEREBY PROCLAIM

JANUARY 2017 AS NATIONAL CRIME STOPPERS MONTH

in the City of Fruita and call on all citizens to increase their participation in the effort to prevent crime, thereby strengthening the communities in which we live by making them even safer.

Dated this 17th day of January, 2017

Bruce Bonar, Mayor Pro Tem of the City of Fruita



**FRUITA CITY COUNCIL
REGULAR MEETING
NOVEMBER 1, 2016**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was observed in lieu of the Invocation and the Pledge of Allegiance was recited.

2. CALL TO ORDER AND ROLL CALL

Council members present were Bruce Bonar, Dave Karisny, Kyle Harvey and Lou Brackett. Councilors Joel Kincaid and Ken Kreie were excused absent. Mayor Buck called the meeting to order at 7:00 p.m.

3. AGENDA – ADOPT/AMEND

Mayor Buck asked if there were any corrections or additions to the agenda. City Manager Mike Bennett stated that there were not.

- **COUNCILOR BONAR MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR KARISNY SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations on the agenda.

5. PUBLIC PARTICIPATION

Mr. Mel Mulder, 983 E. Pabor Ave., stated that if he had knows seven months ago what the campaign (of running for Mesa County Commissioner) was going to entail, he might have done things differently. He said that the campaign was long, drawn out and amazing.

Mr. Mulder stated that wherever he goes, he uses Fruita as his reference point. He continued that people at all ends of the valley are jealous of what Fruita has accomplished with little or nothing.

Mr. Mulder said he spent three hours at a County Commissioners' meeting the previous day which could have been done in Fruita in 30 minutes. He said it is going to be a long hard row if he is successful in his campaign.

Mr. Mulder stated that these things are important: de-brucing, making Mesa County a home-rule county, supporting a Foreign Trade Zone (as Fruita has done), supporting the Mesa County Workforce and supporting the Business Incubator. He said there are so many things that need to be taken care of at the county level.

Mr. Mulder said that what he has learned in Fruita during his time on the City Council has been very important to what is going on outside at the county level. He added that he appreciates the Fruita City Council and praised them for being able to sometimes keep meetings short.

There were no further comments from the public.

6. CONSENT AGENDA

- A. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A HOTEL AND RESTAURANT – MALT, VINOUS AND SPIRITUOUS LIQUOR LICENSE FOR DRAGON TREASURE CHINESE RESTAURANT LOCATED AT 576 KOKOPELLI BLVD.**
- B. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF BEV CARNETT TO THE ARTS AND CULTURE BOARD FOR A THREE-YEAR TERM TO EXPIRE IN NOVEMBER OF 2019**
- C. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF ED VIGIL TO THE POLICE COMMISSION TO FULFULL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN OCTOBER OF 2020**
- D. ORDINANCE 2016-11 - SECOND READING – A REQUEST TO APPROVE AN ORDINANCE ACCEPTING APPROXIMATELY 32.76 ACRES OF REAL PROPERTY LOCATED AT 1081 16 ROAD FOR PUBLIC TRAIL AND OTHER PUBLIC RECREATIONAL PURPOSES**
- E. ORDINANCE 2016-17 – FIRST READING - AN INTRODUCTION OF AN ORDINANCE ANNEXING PROPERTY LOCATED AT 965 18 ROAD CONTAINING 7.33 ACRES TO THE CITY OF FRUITA (ADOBE VIEW NORTH ANNEXATION) FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 6, 2016**
- F. ORDINANCE 2016-18 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA AND ZONING NEWLY ANNEXED PROPERTY LOCATED AT 965 18 ROAD TO SOUTH FRUITA RESIDENTIAL (ADOBE VIEW NORTH ANNEXATION) FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 6, 2016**
- G. RESOLUTION 2016-35 – A REQUEST TO APPROVE A RESOLUTION SUPPORTING AN APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM GREAT OUTDOORS COLORADO (GOCO) TO EXPAND LITTLE SALT WASH PARK**
- H. RESOLUTION 2016-36 – A REQUEST TO APPROVE A RESOLUTION FOR A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FLOOD PLAIN**

MAP REVISIONS, ECONOMIC DEVELOPMENT AND FRUITA COMMUNITY CENTER OPERATIONS

- I. RESOLUTION 2016-37 – A REQUEST TO APPROVE A RESOLUTION SUPPORTING A PLANNING GRANT APPLICATION TO GREAT OUTDOORS COLORADO (GOCO) FOR THE NORTH FRUITA DESERT**
- J. LAND DEDICATION FEES DISBURSEMENT – A REQUEST TO APPROVE THE DISBURSEMENT OF SCHOOL LAND DEDICATION FEES COLLECTED BY THE CITY OF FRUITA TO MESA COUNTY SCHOOL DISTRICT #51**

Mayor Buck opened the public hearing on the Consent Agenda. Hearing no comments from the public, she referred back to the City Council.

- COUNCILOR BRACKETT MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

7. PUBLIC HEARINGS

- A. ORDINANCE 2016-14 – SECOND READING – (CONTINUED FROM OCTOBER 18, 2016) AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF TAX EXEMPT AND TAXABLE HEALTH CARE REVENUE BONDS FOR THE COLORADO CANYONS HOSPITAL PROJECT, SERIES 2016, IN AN AMOUNT NOT TO EXCEED \$46 MILLION**

City Clerk/Finance Director Margaret Sell stated that this public hearing on Ordinance 2016-14 was continued from the last City Council meeting that was held on October 18, 2016. She noted that Family Health West/Colorado Canyons Hospital staff were at that meeting and were also present in the audience again.

Mrs. Sell explained that the bonds were to improve and expand the Colorado Canyons Hospital facility. The City of Fruita acts as a conduit for those bonds and allows the bonds to be issued with a tax exempt status.

Mayor Buck opened the public hearing on Ordinance 2016-14. Hearing no comments from the public, she closed the public hearing and referred back to the City Council.

- COUNCILOR BONAR MOVED TO ADOPT ORDINANCE 2016-14 – AUTHORIZING THE ISSUANCE OF THE COLORADO CANYONS HOSPITAL SERIES 2016 BONDS IN AN AMOUNT NOT TO EXCEED \$46 MILLION. COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

8. ADMINISTRATIVE AGENDA

A. 2017 BUDGET PRESENTATION**1) COMMUNITY CENTER FUND – TURE NYCUM, PARKS AND RECREATION DIRECTOR AND TOM CASAL, RECREATION SUPERINTENDENT**

Parks and Recreation Director Ture Nycum stated that Mr. Casal would be presenting the 2016 accomplishments of the Recreation Department and their 2017 Budget with a PowerPoint presentation.

Mr. Casal stated that the Fruita Community Center (FCC) is doing extremely well with the number of visits; they are on pace to have 10,000 more visits than 2015. He said 2016 has been the FCC's busiest year to date and June was the busiest month in its history. Mr. Casal noted that they are expecting the one millionth visitor to the facility in mid-November.

Mr. Casal reviewed the numbers of the different types of passes available at the FCC. Daily and annual passes make up the majority of passes issued at the facility as opposed to punch, Silver Fit/Silver Sneaker or 3-month passes.

Revenues at the FCC are on track to meet or exceed staff's revenue projections for the year. Mr. Casal presented a slide with the breakdown of revenues to include user fees, retail sales, concessions, program fees, room rental, transfers from the General Fund and sales and use tax revenues.

In regards to expenses, the FCC had some increases in aquatics due to some temp salaries when the outdoor pool operation hours were expanded in the summer.

2016 Capital Projects at the FCC included:

- New siding (half of the cost (appx. \$10,000) was paid for by the class action law suit that the City was part of)
- Shower partitions
- Concrete stain (inside)
- Fitness equipment replaced
- New play feature in pool
- ADA-compliant door and lift installed in pool
- Deck drain pumps
- Re-upholstered bench in play area

Mr. Casal stated that 2015 was the first year of the new Youth Volleyball program and 90 kids registered in the program. The Dinomites Summer Camp (moved to Shelledy Elementary) had 112 kids in 2015, but saw an increase of 82 kids and maxed out at 194. Senior Services was sold out on all overnight trips.

Mr. Casal stated that for 2017 revenue projections, staff is proposing a slight increase in user fees and estimating that retail sales will go up while concessions will stay flat. Program fees and room rentals are projected to see continued growth.

2017 Expense projections for the FCC are at approximately \$25,000 over from 2016 not including any Capital Projects. Expense highlights for next year include:

- The reclassification of Recreation Supervisors to Grade 11 (their salaries are currently at 30% below market)
- Adjusted overtime (due to new laws)
- Reduced pool chemicals
- Adjustment of part-time salaries for Youth Activities (to reflect the increase in Dinomites and Dino Days off)
- Reduced utilities
- Additional part-time custodian during the day

2017 Capital Projects at the FCC include:

- Rec Trac (software) upgrade
- Meeting room furniture
- Convert pools to CO2 and bleach (which are both safer and less expensive)
- Back up circulation pumps
- Outdoor pool lane line reel
- Additional security cameras
- Carpet replacement in childcare area
- Carpet replacement in Meeting Room hallway and Senior Center

Mr. Casal reviewed the challenges for the Recreation Department include:

- Department of Labor overtime rules (five Recreation Supervisors are no longer exempt and are now eligible for on-call and call-back time)
- Amendment 70 (Minimum wage will rise to \$9.30 per hour on January. Currently, lifeguards make \$9.06 per hour. Minimum wage will increase another .90 in one year and will be at \$12.00 per hour by the year 2020. 10 FCC positions will need to be increased)
- Space limitations (the FCC is running out of room for Dino Days Off, there is a crowded fitness area, there is no room for additional fitness equipment requests and gym/room space for athletics and programs)

Items that staff considered for the 2017 Budget include:

- A potential fee increase for the FCC (a .50 increase would net \$85,000 if no pass holders cancel their passes. A Family Pass for five members would go from \$57.50 per month to \$69.00, an increase of \$11.60 per month. Staff is analyzing the numbers to see if a .50 increase is even enough)

- Adjusting hours (closing early by one hour one day per week will save \$3,750 per year. Closing at 8 p.m. on Fridays, which average 1.65 visits on that day between 8 and 9 p.m. Closing at 7 p.m. on Saturdays is another option. There are an average of 2.98 visits from 7 – 8 p.m. on Saturdays)
- Credit Card Surcharge (the City pays \$26,000 per year in credit card fees at the FCC. A proposed \$2.00 surcharge has been considered to help offset costs with credit cards and will encourage patrons to use an auto-pay (ACH) system instead, which have minimal fees to the City. A 20% conversion from credit cards to auto-pay (ACH) would result in a savings of \$3,622 per year).

This concluded Mr. Casal's presentation.

Mayor Buck asked why staff did not begin using bleach and CO2 in the pools to begin with. Mr. Casal responded that at the time, the bleach was not readily available. Mr. Nycum added that bleach is not as readily available in large quantities on this area and just wasn't considered when the FCC was originally built, but is a viable option that staff should be looking at.

Councilor Karisny asked if patrons needed to be made aware of the change in the pool chemicals. Mr. Casal responded that the main agent in the pool is the chlorine, which comes from bleach and is the same thing that is being used now in a tablet. This tablet contains a lot of calcium and creates calcium hardness issues. Muriatic acid is also used in the pools. It is extremely low in ph, and staff constantly has to add sodium bicarbonate to bring the water's alkalinity back up. Mr. Casal said that the CO2 will bring the alkalinity levels back, will reduce a lot of chemical handling for staff and is economical.

Councilor Karisny asked if staff knew what the cost savings were going to be if the two chemicals were to be switched out.

Mr. Casal said that in his past experience, bleach was a lot cheaper, but he did not have the exact costs because he wasn't sure how much bleach the FCC would be using yet. He said staff is still working on a couple of different options as far as from where and how much bleach the City will be ordering.

Mr. Nycum pointed out that the Parks and Recreation Department did not have Mr. Casal's aquatics expertise when the City was going through the design process for the pools at the FCC.

Mayor Buck asked when staff would be making the decisions regarding closing the FCC an hour early or increasing fees.

City Manager Mike Bennett responded that in regards to the fee increase, staff will be looking at this more in depth in late 2017 or early 2018. In regards to adjusting the hours at the FCC, staff is still monitoring and evaluating the hours when the least amount of people are visiting the facility, but that this something that staff can look at doing sooner in 2017. In regards to the credit card surcharge fees, Mr. Bennett pointed out that this was already built into the 2017 Budget.

Mr. Nycum added that in regards to adjusting the hours at the FCC, staff was probably going to look at some type of seasonal schedule where the facility would close earlier during the summer months (on Fridays or Saturdays) when people are less likely to visit. He agreed with Mr. Bennett that the fees would not be raised until at least 2018, but even then, staff still wants to do more analysis because they are not certain that a .50 increase would be adequate and they do not want to have to implement another increase in another few years because it wasn't.

9. COUNCIL REPORTS AND ACTIONS

A. COUNCIL REPORTS AND ACTIONS

COUNCILOR BRACKETT

Councilor Brackett noted that on the Consent Agenda, the Council approved the appointment of Ed Vigil to the Police Commission and added that the next meeting of the Police Commission board would be held on November 16th. He also noted that Police Chief Judy Macy had voiced concerns over staffing on the Police Department and that she will be working on upgrading the staffing as much as the budget may allow. Councilor Brackett stated that Chief Macy had also given reports on Police activity within the City, which included mostly minor infractions except for a case where an extensive number of weapons were taken from a home in Fruita.

Councilor Brackett reported that the Parks and Recreation Advisory Board had a meeting scheduled for the following Monday and there was a full agenda to include the City's partnership with the BLM, the issue of non-motorized bicycles on trails and the affect of this on the City's grant applications, the Mack Ridge Trail development and the Lagoon Redevelopment Project update. Mr. Brackett noted that there was a land acquisition grant application for the Kokopelli section of the Riverfront Trail that the board will also be discussing, as well as an update on the Recreation Department's programming.

Councilor Brackett noted that the Parks and Recreation Advisory Board meetings have been changed from the first Thursday of the month to the first Monday of the month from now on.

COUNCILOR HARVEY

Councilor Harvey stated that his Boards and Commissions meetings would be held the following week.

COUNCILOR KARISNY

Councilor Karisny reported that he attended the Housing America Conference titled "Homeless, Hunger and Health" on October 19th. The conference was essentially made up of a coalition of agencies that work with housing needs and related issues.

Councilor Karisny noted that the coalition was represented by the Grand Junction Housing Authority, Homeward Bound of the Grand Valley, Grand Valley Catholic Outreach, Colorado First Home Buyer (CHFA), Habitat for Humanity, Hilltop Community Resources, Mesa County

Department of Human Resources, Kids Aid Colorado and Housing Resources of Western Colorado. There was a luncheon at the conference and a video was shown. The featured speaker was Mike Berry of Kids Aid, which is a program that assists children by sending home food over the weekends and other things. The program was initiated in 1999 and has quickly grown into 156 kids currently. There are over 2,200 bags of food that they distribute each week by 140 volunteers. Kids Aid also provides things during the summer; they follow the Lunch Lizard around and provide about 3,000 bags of food. They are trying to expand their services to non-public school kids such as preschoolers.

Councilor Karisny continued that the group at the conference asked what government could do about these types of issues. Grand Junction City Manager Greg Caton responded that there is kind of a “three-legged stool” made up of business, government and other agencies that would be involved in the programs.

Councilor Karisny said the group took a bus tour to about four different housing projects for seniors and the homeless.

Councilor Karisny also reported that he watched the Colorado Municipal League’s hour-long *Introduction to Municipal Courts* on CML’s website, which is an overview of municipal court procedures for elected officials. He added that because Fruita is a Home Rule City, elected officials can have a lot to say about hiring or monitoring the Municipal Court Judge and they can also require that the judge follow the Colorado Code of Judicial Conduct by including that in the Judge’s employment contract.

Councilor Karisny reported that he attended the Police Department’s public forum to discuss feral cat issues.

Councilor Karisny noted that the Intergovernmental Agreement was adopted at the Grand Valley Regional Transportation Committee (GVRTC) meeting at its current funding rate, which means that the City of Fruita will provide about \$39,000 for Grand Valley Transit services. The IGA is for one year only.

Councilor Karisny stated that there was discussion about Senate Bill 228 and Fast Track and it was noted that there may continue to be some potential funding for a number of transportation projects in Western Colorado. He added that the Volkswagen issue came up and Michael King from the Colorado Department of Transportation (CDOT) came to the GVRTC meeting to talk specifically about the VW settlement. Mr. King indicated that Volkswagen will have to provide about \$10.3 billion to buy back their cars or fix them. Councilor Karisny noted that there are about 1,000 Volkswagens in Mesa County. \$2.7 billion will have to be spent for environmental issues as well as \$2 billion in improvements for future cars. Colorado is expected to receive \$61.3 million of the allocation, which can only be spent on certain things that are transportation related.

Councilor Karisny continued that on November 7th, there would be a stakeholders’ meeting held by CDOT in the valley to discuss the matter. He said that it sounds like the distribution of the \$61.3 million may end up happening through Municipal Planning Offices such as the GVRTC.

Councilor Karisny concluded his report by saying that he also attending the Economic Development Summit at Cavalcade on October 26th.

Councilor Brackett asked Councilor Karisny if there were any discussions about homeless veterans at the Housing America Conference. Councilor Karisny responded that homeless veterans were not discussed at the conference, but that doesn't mean that there aren't some programs in place. He added that the conference seemed to be really abbreviated for the amount of information that they had and there were a lot of things that were skipped over. He also said that Sister Karen from Catholic Outreach seemed to be the most logical contact regarding homeless veteran issues, but that there are some questions concerning case management and coordination of all the services.

COUNCILOR BONAR

Councilor Bonar stated that the Historic Preservation Board would be meeting the following Monday and the Board of Adjustments would be meeting later in the month.

MAYOR BUCK

Mayor Buck stated that the Grand Junction Economic Partnership (GJEP) is currently working with 101 active prospects with 72 active leads (active leads are those prospects that are having dialogue with GJEP). She also gave the following reports:

- GJEP has assisted with expansion and job growth projects with 26 businesses in the Grand Valley in 2016. They worked with a total of 57 new companies in 2015 and 70 new businesses in 2016. The industries most represented are outdoor manufacturing at 24%, followed by the Agricultural and Food/Beverage at 15% and then IT/Tech at 14%.
- GJEP's top sources for prospects and leads are direct inquiries (48%), trade shows (27%) and local referrals (11%).
- GJEP has 568 targeted businesses that are part of an outreach and receive information provided by GJEP.

Mayor Buck continued that she and City Manager Mike Bennett met with a couple of people from *Gear Patrol*, which is a growing online and public hard print magazine out of New York that targets the high-end market in bicycling. The representatives get to travel and demo products and then write about them. The edition that *Gear Patrol* is working on now is for March 2017.

Mayor Buck also stated that she and Mr. Bennett spoke to a political sciences group at Colorado Mesa University to give an overview of how elected officials work with City Managers and City staff. She said that they also visited a class of first-graders.

Mayor Buck stated that she receives a lot of comments and questions from visitors at the Fruita Community Center who want to know if the City is considering opening the facility earlier in the morning at 5:30 a.m. She noted that she had a petition containing about 50 signatures from people who would like this to happen. Mayor Buck asked staff about the status of the matter.

City Manager Mike Bennett said it had been discussed with the Council before the last municipal election and the majority of the Council seemed to be okay with having the FCC opening at 5:30, but that not everybody was 100% on it. Staff looked at it but took no action in 2016, although it is definitely something that staff hears about as well.

Mr. Bennett continued that there was a public perception that the City was avoiding opening earlier because the Fruita Health Club opens early, although he thought they (the Health Club) opened at 4:30 a.m. He said that when it was last discussed in a public setting, the Fruita Health Club definitely voiced their concern that they didn't want the FCC to open any earlier than 6:00 a.m.

Mr. Bennett said that staff often hears from teachers or people in other professions that need to come in 30 minutes earlier than 6:00 a.m. to allow them to get in a workout before going to work. He said that staff has considered opening at 5:30 a.m. and would be able to do it, although there would be added cost. Staff then discussed closing earlier on some days in order to offset those costs.

Mayor Buck asked if the Council needed to discuss it at a workshop session to try and get a consensus.

Mr. Bennett said that staff really didn't need to have Council's approval on the issue, but that they wanted the approval because it has been a polarizing issue in the community. He said as a professional recommendation, it makes sense to open the FCC at 5:30 and close earlier when the facility is the least busy and staff would be happy to do that with the support of the Council.

Mayor Buck requested that the issue be placed on the agenda for a short discussion at the next workshop session. She added that it would be great if the change could be in effect on January 2nd when the FCC opens back up after the holidays.

10. CITY MANAGER'S REPORT

Mr. Bennett reported that Elevation Outdoors put out their digital copy of the print version of their November issue announcing that Fruita won the "Top Adventure Town" in the large category for the second year in a row. He said there is a write up of the things that are occurring in Fruita and places to go.

Mr. Bennett noted that Fruita Municipal Court begins at 4:30 on Wednesdays if the Council wanted to sit in. He added that Judge Robinson had asked to be allowed to give the Council an update on December 20th and also to consider going into Executive Session to do his mid-year review at that same meeting.

Mr. Bennett added that he received an e-mail from the Municipal Clerk, who described how the Judge was able to calmly and professionally handle a pretty rowdy bunch in the courtroom the previous week.

Mr. Bennett said that Judge Robinson also plans to occasionally share some simple reports that could be included in the weekly Friday Information Update.

Mayor Buck said that she and the other Council members should really try to attend a Municipal Court session.

- B. EXECUTIVE SESSION – DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION TO DETERMINE A POSITION RELATIVE TO A MATTER THAT MAY BE SUBJECT TO NEGOTIATION UNDER C.R.S SECTION 24-6-402 (4) (E).**
- **COUNCILOR BONAR MOVED TO MEET IN EXECUTIVE SESSION TO DETERMINE A POSITION RELATIVE TO A MATTER THAT MAY BE SUBJECT TO NEGOTIATION UNDER C.R.S. SECTION 24-6-402 (4) (E). COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

The Fruita City Council convened into Executive Session at 7:50 p.m. The regular meeting of the Fruita City Council reconvened at 8:25 p.m.

11. ADJOURN

With no further business before the Council, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR
DATE: JANUARY 17, 2017
RE: APPOINTMENT OF ASSOCIATE MUNICIPAL JUDGE AND APPROVAL OF CONTRACT

BACKGROUND

Pursuant to Article 5 of the Fruita City Charter, the City Council may appoint additional Associate Municipal Judges as may be necessary to act in case of temporary absence of the Presiding Municipal Judge. Compensation shall be fixed by the Council. The contract for the current Associate Municipal Judge, Greg Mueller, will expire on February 1, 2017. Associate Judge Mueller is interested in continuing his service with the City.

The Presiding Municipal Judge, Dan Robinson, indicates that Greg Mueller is an excellent fit for the Fruita Court in his absence and states that "Greg communicates well. His attitude and demeanor is respectful, friendly and fair, but firm. He is not arrogant which is something I like about him. He is also a smart and ethical lawyer."

Attached is a copy of the Personal Service Agreement for Associate Municipal Judge.. Compensation for the Associate Municipal Judge will remain at \$400 per session.

FISCAL IMPACT

This contract does not have any additional impact on the 2017 Budget. The budget includes additional funds for payment of the Associate Municipal Judge in the absence of the Presiding Municipal Judge

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The efficient and effective operations of Municipal Court help the city maintain its core services and provide for Quality of Place through the fair and impartial judgement on violations of city ordinances and other laws.

OPTIONS AVAILABLE TO THE COUNCIL

Approve, amend or deny the contract with the Associate Municipal Judge

RECOMMENDATION

It is the recommendation of the Municipal Judge that the Council:

APPROVE THE REAPPOINTMENT AND PERSONAL SERVICE AGREEMENT WITH GREG MUELLER AS ASSOCIATE MUNICIPAL JUDGE FOR A ONE YEAR TERM FROM FEBRUARY 1, 2017 TO JANUARY 31, 2018.

PERSONAL SERVICE AGREEMENT FOR ASSOCIATE MUNICIPAL JUDGE

The City of Fruita, whose address is 325 E. Aspen, Suite 155, Fruita, Colorado, 81521 County of Mesa, State of Colorado, herein referred to as City, hereby retains Greg Mueller whose address is 902 Colorado Avenue, Grand Junction, Colorado, 81501 herein referred to as Associate Municipal Judge.

SCOPE OF SERVICES

The Associate Municipal Judge shall hear and try all alleged violations of ordinance provisions of the City of Fruita brought before the Fruita Municipal Court in the absence of the Presiding Municipal Judge and agrees to faithfully perform the duties assigned to him to the best of his ability. Associate Municipal Judge shall maintain his license to practice law in the state of Colorado as required by the Fruita City Charter. Associate Municipal Judge shall have all the judicial powers relating to the operation of his court, subject to any rules of procedure governing the operation or conduct of municipal courts promulgated by the Colorado Supreme Court and shall have the authority to issue local rules of procedure consistent with any rules of procedure adopted by Presiding Municipal Judge and the Colorado Supreme Court. Matters not provided for governing the operation of the municipal court in the Fruita Municipal Code and Fruita City Charter shall be governed by the provisions of C.R.S. 13-10-103 thru 13-10-125.

COMPENSATION

Compensation for serving as Associate Municipal Judge shall be four hundred dollars (\$400) per session.

TERM

This agreement shall be in effect from February 1, 2017 until January 31, 2018. Pursuant to the Fruita City Charter, the Associate Municipal Judge shall serve at the pleasure of the Fruita City Council and is subject to annual review. Judge may terminate this agreement upon sixty (60) days written notice to the Fruita City Council. At the termination of this agreement in any manner, the payment to the Associate Municipal Judge of compensation earned to the date of such termination shall be in full satisfaction of all claims against City under this agreement.

PERSONAL SERVICE AGREEMENT FOR ASSOCIATE MUNICIPAL JUDGE
(continued)

OFFICE AND EQUIPMENT

The City shall furnish the Municipal Court with suitable courtroom facilities and sufficient funds for the acquisition of all necessary books, supplies and furniture for the proper conduct of the business of the court as determined by the City. City shall also provide a municipal court clerk and bailiff to assist the Associate Municipal Judge with municipal court proceedings and operations. The municipal court clerk and bailiff shall have such duties as delegated by law and court rule and shall work with the Associate Municipal Judge for the efficient and effective administration and operation of Municipal Court. Associate Municipal Judge shall work with the supervisors of the court clerk and/or bailiff to address any issues with the provision of said services.

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed at Fruita City Hall on this _____ day of _____, 2017.

Lori Buck, Mayor

Greg Mueller, Associate Municipal Judge

ATTEST:

Margaret Sell
City Clerk



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: JANUARY 17, 2017
RE: RESOLUTION 2017-02 - DESIGNATING THE PLACE FOR POSTING OF NOTICES OF MEETINGS FOR THE CITY OF FRUITA

BACKGROUND

State statute requires that the place for posting notices of meetings of the City of Fruita be designated annually at the first regular meeting of each year. The official posting place for notices of meetings is designated as the marquee on the east side of the Fruita Civic Center located at 325 E. Aspen. The City also posts meeting notices on the billboard in the parking lot of the Civic Center as well as on the City of Fruita's website at www.fruita.org.

FISCAL IMPACT:

N/A

APPLICABILITY TO CITY GOALS AND OBJECTIVES:

N/A

OPTIONS AVAILABLE TO THE COUNCIL:

1. Approve Resolution 2017-02
2. Amend the resolution by designating another official site for posting notices of meetings

RECOMMENDATION:

It is the recommendation of the Fruita City Staff that the Council by motion:

APPROVE RESOLUTION 2017-02 - DESIGNATING THE MARQUEE ON THE EAST SIDE OF THE CIVIC CENTER AS THE OFFICIAL POSTING PLACE FOR NOTICES OF MEETINGS OF THE FRUITA CITY COUNCIL AND BOARDS AND COMMISSIONS OF THE CITY OF FRUITA

RESOLUTION 2017-02

**A RESOLUTION DESIGNATING THE PLACE FOR POSTING OF NOTICE
OF MEETINGS FOR THE BOARDS AND COMMISSIONS
OF THE CITY OF FRUITA**

WHEREAS, Section 24-6-402 (2) (c), Colorado Revised Statutes, as amended requires that a place for posting of notices of meetings be designated annually at the local public body's first regular meeting of each year; and

WHEREAS, it is necessary to designate a place for posting of notices of meetings held by the Boards and Commissions of the City of Fruita for the 2017 calendar year;

NOW, THEREFORE, BE IT RESOLVED BY THE FRUITA CITY COUNCIL that the designated posting place for notices of Public Meetings held by the Boards and Commissions of the City of Fruita, City Council, and other City of Fruita Agencies shall be on the marquee located on the east side of the Fruita Civic Center, 325 E. Aspen.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 17th DAY OF JANUARY, 2017**

City of Fruita

Bruce Bonar, Mayor Pro Tem

ATTEST:

Margaret Sell, City Clerk



AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Community Development Department

DATE: January 17, 2017

RE: Resolution 2017-03, A Resolution of the Fruita City Council setting a hearing date to determine the eligibility of approximately 1.59 acres of property located at 1024 18 Road to be annexed into the City of Fruita and to consider initiation of annexation procedures.

(Selover Annexation, application #2016-28)

BACKGROUND

Kathleen Selover, the owner of approximately 1.59 acres of property located at 1024 18 Road, submitted an application to annex the property. The reason for annexation is due to the need to connect to the city's sewer service. Staff has reviewed this annexation request and finds that the property meets city and state laws that must be met to find a property eligible for annexation.

The property has at least 1/6th of its perimeter contiguous with existing city limits and it is within the city's Urban Growth Boundary. Urban development is adjacent to the property on the south and northeast, and the surrounding area is identified for urban development by the city's Master Plan.

This finding of eligibility is the first step in the annexation process. The second step is to annex the property and designate a city zoning district. The Planning Commission will be considering this annexation at their February 14, 2017 public hearing.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police protection and sewer service). The cost of providing services varies with each annexation. This Resolution is to set a hearing date to find the property eligible for annexation which does not create a fiscal impact.

Staff is continuing to review the annexation to determine if it meets all of the City's approval criteria that must be considered for annexations, including fiscal impacts.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure. This step in the annexation process simply finds the property eligible or ineligible for annexation.

Staff is continuing to review this annexation request to determine more clearly whether or not the annexation meets all of the city's goals and objectives.

OPTIONS AVAILABLE TO COUNCIL

1. Approve Resolution 2017-03, A Resolution of the Fruita City Council setting a hearing date to determine the eligibility of approximately 1.59 acres of property located at 1024 18 Road to be annexed into the City of Fruita and to consider initiation of annexation procedures.
2. Deny the Resolution.

RECOMMENDATION

Staff recommends that the Council approve Resolution 2017-03, A Resolution of the Fruita City Council setting a hearing date for February 21, 2017 to determine the eligibility of approximately 1.59 acres of property located at 1024 18 Road to be annexed into the City of Fruita and to consider initiation of annexation procedures.

RESOLUTION 2017-03

**A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A
HEARING DATE TO DETERMINE THE ELIGIBILITY OF 1.59 ACRES OF
PROPERTY LOCATED 1024 18 ROAD TO BE ANNEXED TO THE CITY OF FRUITA
AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES
(Selover Annexation, Application #2016-28)**

WHEREAS, the City of Fruita has received a petition for annexation of property into the city limits of Fruita which is signed by 100% of the property owners of the property requested to be annexed, and

WHEREAS, the property to be annexed is described and shown on attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE FRUITA CITY COUNCIL to hold a public hearing on February 21, 2017 at 7:00 p.m., at the Fruita City Hall, 325 E. Aspen, Fruita, Colorado, to determine if the real property described and shown on Exhibit A complies with Colorado Revised Statutes 31-12-104, 105 and 106 and is eligible for annexation and to consider the adoption of a Resolution to initiate procedures to annex said real property to the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 17th DAY OF JANUARY**

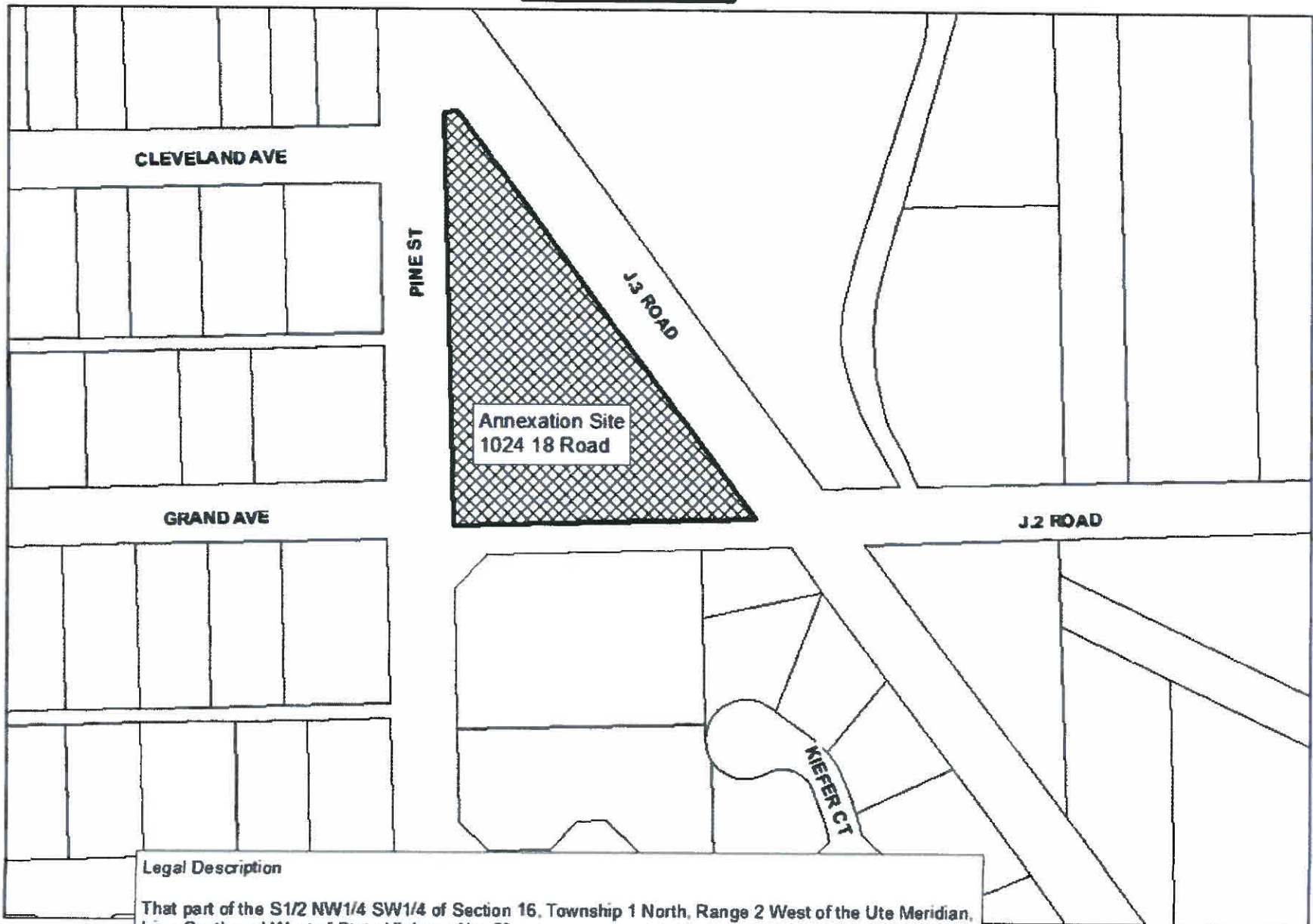
ATTEST:

City of Fruita

Margaret Sell, City Clerk

Lori Buck, Mayor

EXHIBIT A



Legal Description

That part of the S1/2 NW1/4 SW1/4 of Section 16, Township 1 North, Range 2 West of the Ute Meridian, lying South and West of State Highway No. 50. Except that portion described in Book 5175 Page 424 of the Mesa County Clerk and Records Office.



AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Community Development Department

DATE: January 17, 2017

RE: Resolution 2017 – 04, A Resolution of the Fruita City Council to Accept a Trail Easement Located West of 15 Road and North of the Colorado River

Ordinance 2017-01, 1st Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way for the West Side of 15 Road South of the Railroad Tracks

BACKGROUND

As part of the work to establish the next portion of the Riverfront Trail through Fruita, an additional easement is required across property located at the south end of 15 Road adjacent to the Colorado River. An additional four feet of right-of-way for the west side of 15 Road also is necessary for the trail and to resolve other access concerns. The property owners, Fruita Development LLC, have agreed to grant the requested easement and right-of-way to the city.

Attached is a resolution to accept the easement and an ordinance to accept the right-of-way. The documents attached include drawings showing the easement and the right-of-way.

FISCAL IMPACT

The acceptance of the easement and right-of-way are expected to have a positive fiscal impact on the city by allowing the Riverfront Trail to be constructed in a logical location to avoid unnecessary costs. The Riverfront Trail is a regional attraction and helps accomplish economic development goals.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The Riverfront Trail is identified in the City of Fruita Master Plan and the easement and right-of-way will allow the city to establish the trail in the location recommended by the Master Plan.

OPTIONS AVAILABLE TO COUNCIL

Easement

1. Approve Resolution 2017 – 04, A Resolution of the Fruita City Council to Accept a Trail Easement Located West of 15 Road and North of the Colorado River
2. Deny the Resolution.

Ordinance

1. Approval of Ordinance 2017-01, 1st Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way for the West Side of 15 Road South of the Railroad Tracks
2. Denial of the Ordinance.

RECOMMENDATION

Easement

Staff recommends that the Council move to approve Approve Resolution 2017 – 04, A Resolution of the Fruita City Council to Accept a Trail Easement Located West of 15 Road and North of the Colorado River

Ordinance

Staff recommends that the City Council move to publish a synopsis of

Ordinance 2017-01, 1st Reading, An Ordinance of the Fruita City Council Accepting Right-of-Way for the West Side of 15 Road South of the Railroad Tracks for the City Council public hearing on February 7, 2017.

Resolution 2017 - 04

**A RESOLUTION OF THE FRUITA CITY COUNCIL TO ACCEPT A TRAIL
EASEMENT LOCATED WEST OF 15 ROAD AND NORTH OF THE
COLORADO RIVER**

WHEREAS, an additional easement is necessary for the construction of the Riverfront Trail west of 15 Road and adjacent to the Colorado River, and

WHEREAS, the owners of the subject property, Fruita Development LLC, have provided a Trail Easement Agreement for this trail easement, and

WHEREAS, the Trail Easement Agreement for this trail easement is attached as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF FRUITA, COLORADO, THAT THE CITY COUNCIL FINDS AND
DETERMINES:**

THAT the Trail Easement Agreement attached as Exhibit A is hereby accepted by the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 17th DAY OF January, 2017.**

ATTEST:

City of Fruita

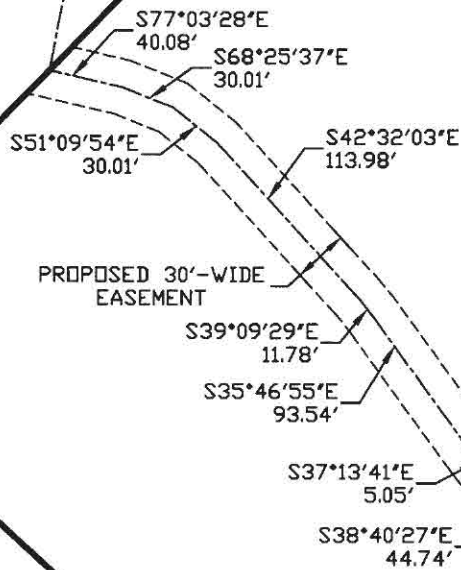
Margaret Sell, City Clerk

Lori Buck, Mayor

PROPOSE TRAIL ESMT.

1480 HWY. 6 & 50
CITY OF FRUITA
WASTEWATER RECLAMATION FACILITY

TIE TO EAST
1/4 CORNER OF SEC. 11
T1N R3W, UTE MERIDIAN
S10°36'02"W
1538.17'



56' 15 RD.
R.O.W.

1501 HWY. 6 & 50
OLDCASTLE SW GROUP INC.
GRAVEL PIT

LOT 1,
WESTFRAC SUBDIVISION



Proposed Trail Easement
Across Lot 1, Westfrac Subdivision
March 18, 2016

PROPOSED TRAIL ESMT.

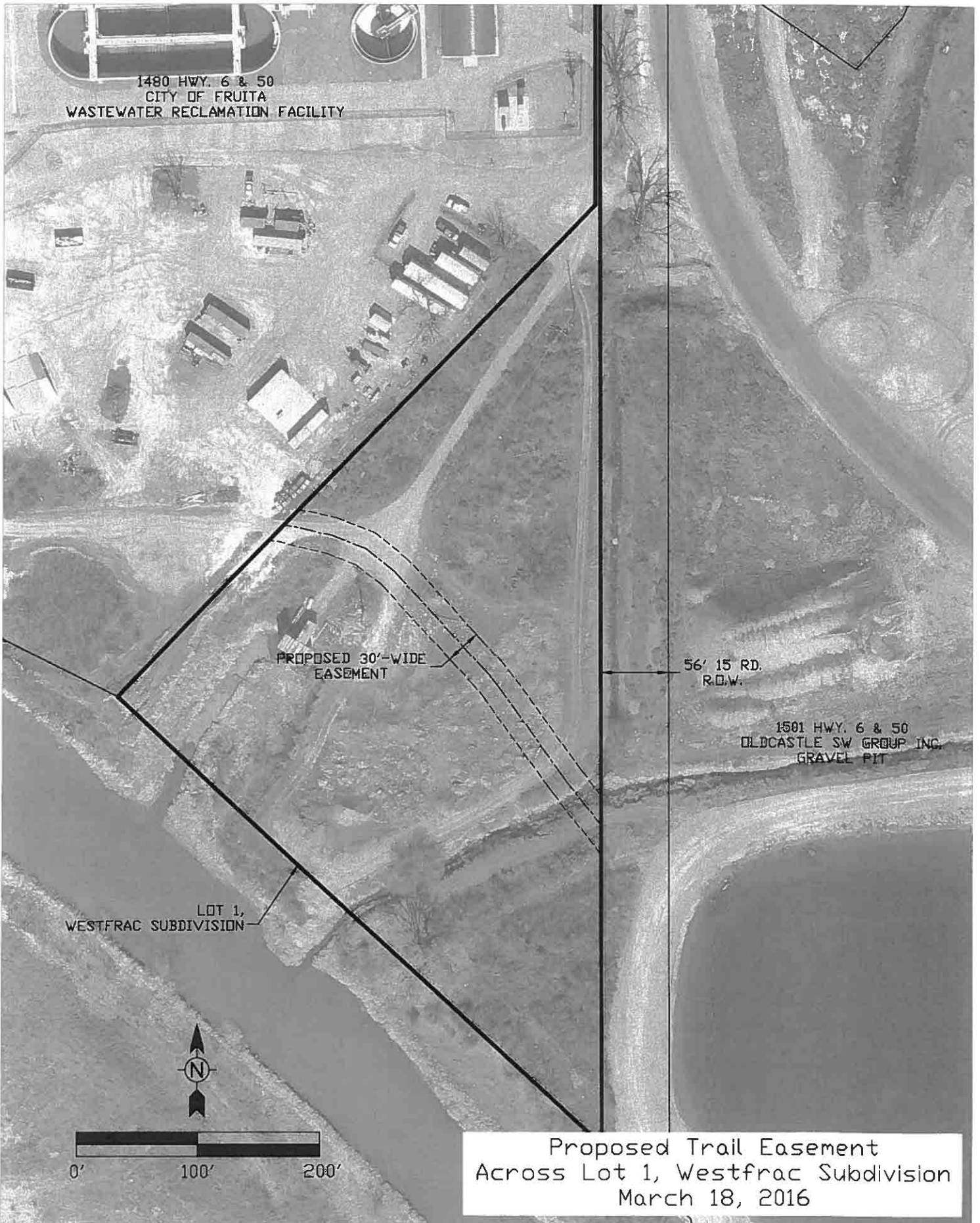


EXHIBIT A
(Resolution 2017-04)

**CITY OF FRUITA
TRAIL EASEMENT AGREEMENT**

THIS EASEMENT AGREEMENT is made and entered into this ____ day of _____, 2016, by and between Fruita Development LLC, whose address is 11990 San Vicente Blvd., Unit 200, Los Angeles, CA, ("Grantor"); and the CITY OF FRUITA, COLORADO, a Colorado municipal corporation, whose address is 325 East Aspen Avenue, Fruita, Colorado ("Grantee").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Grantor hereby grants and conveys to Grantee, its successors and assigns, a perpetual, exclusive easement for non-motorized vehicular and pedestrian travel by members of the public over, through and across property of Grantor, situate in the City of Fruita, County of Mesa, State of Colorado, more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference ("Easement").
2. Under the terms of such Easement, the City shall have the right to construct, reconstruct, repair, change, enlarge and maintain a trail for non-motorized and pedestrian travel within the above described Easement. The City shall have the right to remove any and all trees, brush, vegetation and obstructions within said Easement and shall have the right to pile spoils outside said Easement during construction and maintenance, when such is reasonably necessary for the implementation and use of the rights hereinabove granted. In areas where vegetation is disturbed by the construction, reconstruction or repair of said pedestrian and/or said bicycle path, the ground surface not occupied by said path shall be revegetated by Grantee, at Grantee's sole expense. Grantee shall be solely responsible for the repair and maintenance of all improvements constructed within the above described Easement.
3. Grantor agrees that all facilities installed by Grantee on the above described Easement shall remain the property of Grantee.
4. In accordance with Section 33-41-103, C.R.S., Grantor does not extend any assurance that use of the public access trail easement herein granted is safe for any purpose and does not assume responsibility or incur liability for any injury to person or property or for the death of any person caused by an act or omission of any person using the public trail access easement herein granted. To the extent liability is found, notwithstanding the preceding sentences, the total amount of damages that may be recovered from Grantor shall be for any injury to one person and any single occurrence, the amounts specified in Section 24-10-114(1)(a)(I), C.R.S., and for an injury to two (2) or more persons in any single occurrence the amount specified in Section 24-10-114(1)(a)(II), C.R.S. In addition, Grantee hereby indemnifies and holds harmless the Grantor, it heirs, successors and assigns, from and against all liability, claims and demands, including reasonable attorney's fees and costs, of every kind and nature for injury, loss or damages, including without limitation claims

arising from bodily injury, personal injury, sickness, disease, death, property loss, or damage, which arise out of or are in any manner connected with the Grantee's construction, installation, repair, and maintenance of improvements within the Easement herein conveyed, Grantee's use of said Easement, or the use of said Easement by members of the general public. Grantee further agrees to aid and defend Grantor, its heirs, successors and assigns, at the Grantee's expense in the event Grantor is named as a defendant in any action concerning the construction, installation, repair and maintenance of the improvements within such Easement or the use of such Easement by Grantee or members of the general public. The parties acknowledge that the Grantee is relying upon, and as to third parties, does not waive or intend to waive by any provision of this Agreement the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, Sections 24-10-101 *et. seq.*, C.R.S., as from time to time amended, or otherwise available to the Grantee, its officers or employees. The parties further acknowledge that, as to the Grantor, such Act does not apply to a contractual obligation such as this indemnity, and there is no intent to incorporate limitations of the Act into the contractual relationship between the parties to this Agreement.

5. Grantor covenants that it is the owner of the above described land and that said land is free and clear of all liens and encumbrances of whatsoever character, except those held by the following:

6. OTHER PROVISIONS

TO HAVE AND TO HOLD, said Easement, together with all the rights and privileges of appertaining thereto, unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

GRANTOR: FRUITA Development, LLC



Print Name: Douglas Brown

Title:

GRANTEE:

CITY OF FRUITA, COLORADO, a
municipal corporation

By: _____

Title:

ATTEST:

City Clerk

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

Subscribed and sworn to before me this ____ day of _____, 2016, by
_____.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires:

Notary Public

see attached

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

Subscribed and sworn to before me this ____ day of _____, 2016, by
Michael P. Bennett, City Manager; and Margaret Steelman, City Clerk; respectively, of the City of
Fruita, Colorado.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires:

Notary Public

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

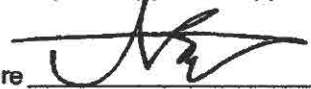
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Los Angeles

Subscribed and sworn to (or affirmed) before me
 on this 23rd day of August, 2016,
 by Date Month Year
 (1) Douglas Brown

(and (2) _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature 
 Signature of Notary Public



Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Trail Esut. Agreement
 Title or Type of Document: Arizona Non-Imputation Affidavit Document Date: 1/2017
 Number of Pages: 5 Signer(s) Other Than Named Above: _____

EXHIBIT A
LEGAL DESCRIPTION
Trail Easement Agreement

A 30'-wide easement for public non-motorized vehicle and pedestrian trail purposes located in section 11, T1N R3W, Ute Meridian, through a portion of Lot 1 of the Wesfrac Subdivision, being recorded at Plat Book 18, Pages 192 & 193, located in the City of Fruita, Mesa County, Colorado, its centerline being more particularly described below:

Beginning at a point along the boundary line of said Lot 1 whence the E 1/4 corner of Section 11, T1N R3W bears N 10° 36' 02" E for a distance of 1,538.17', basis of bearings being as shown on said plat for said Wesfrac Subdivision, said point being the true point of beginning of the aforementioned easement centerline, with the easement extending for 15' on either side of said centerline,

thence S 77° 03' 28" E for a distance of 40.08',

thence S 68° 25' 37" E for a distance of 30.01',

thence S 51° 09' 54" E for a distance of 30.01',

thence S 42° 32' 03" E for a distance of 113.98',

thence S 39° 09' 29" E for a distance of 11.78',

thence S 35° 46' 55" E for a distance of 93.54',

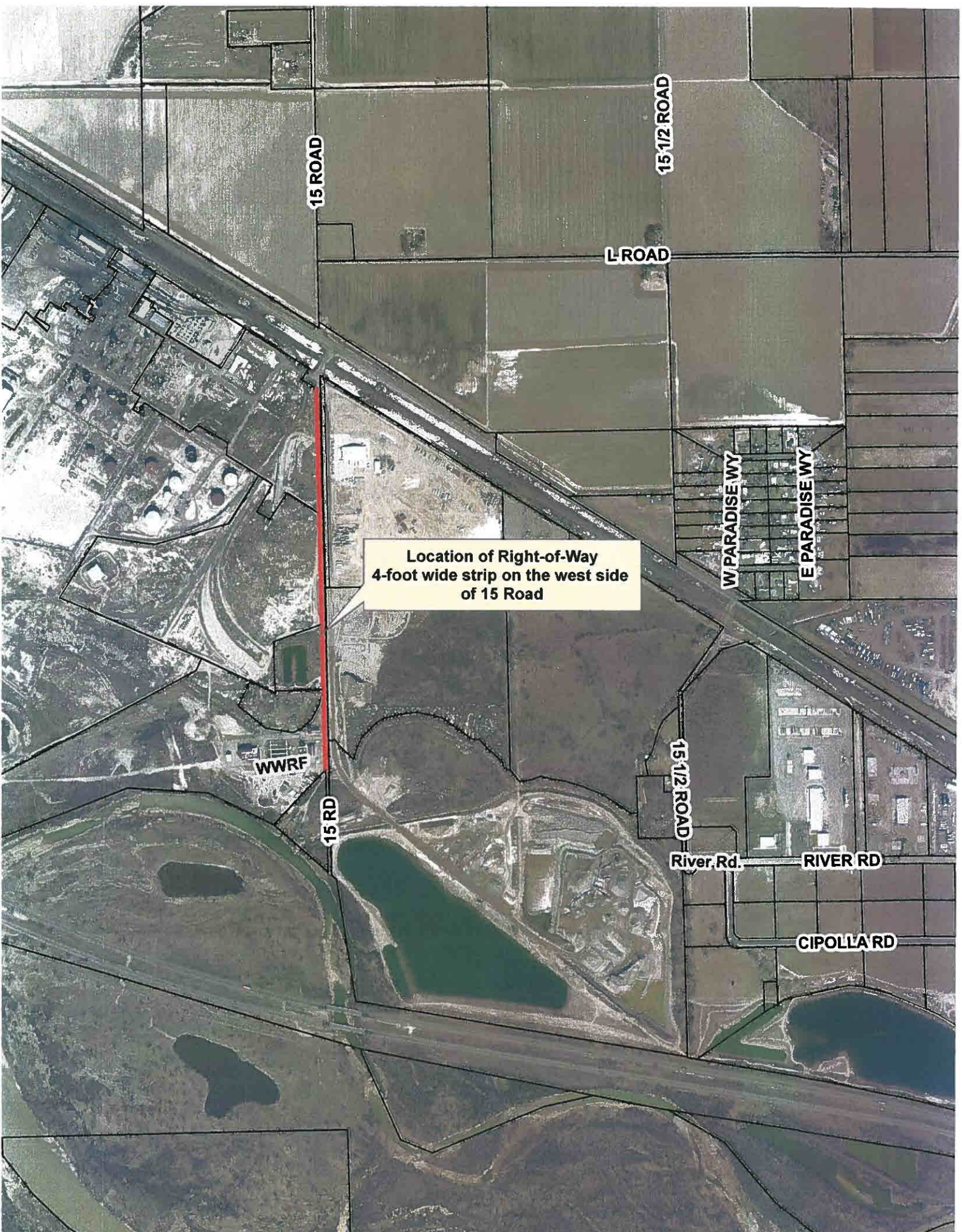
thence S 37° 13' 41" E for a distance of 5.05',

thence S 38° 40' 27" E for a distance of 44.74' to a point on the west edge of the right-of-way for 15 Rd.

Said easement contains:

Area: 11075.76 sf

Perimeter: 821.55'



15 ROAD

15 1/2 ROAD

L ROAD

W PARADISE WY

E PARADISE WY

Location of Right-of-Way
4-foot wide strip on the west side
of 15 Road

WWRF

15 RD

15 1/2 ROAD

River Rd.

RIVER RD

CIPOLLA RD

ORDINANCE 2017- 01

**AN ORDINANCE OF THE FRUITA CITY COUNCIL ACCEPTING RIGHT-OF-WAY FOR
THE WEST SIDE OF 15 ROAD SOUTH OF THE RAILROAD TRACKS**

WHEREAS, four feet of right-of-way for the west side of 15 Road south of the railroad tracks is necessary to provide adequate access to the properties along this road and to allow the construction of the Riverfront Trail along the river, and

WHEREAS, the property owners, Fruita Development LLC, has agreed to the deed the right-of-way to the City of Fruita, and

WHEREAS, the deed for the right-of-way is attached as Exhibit A.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the right-of-way for 15 Road as described on attached Exhibit A is hereby accepted by the Fruita City Council.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 7st DAY OF FEBRUARY, 2017.**

CITY OF FRUITA, COLORADO

ATTEST:

Lori Buck, Mayor

Margaret Sell, City Clerk

EXHIBIT A
(Ordinance # 2017-01)

General Warranty Deed

FRUITA DEVELOPMENT, LLC, a Colorado limited liability company, ("Grantor"), whose street address is, 11990 San Vicente Blvd., Unit 200, Los Angeles, CA, for the consideration of the sum of Ten Dollars and no cents (\$10.00) and other good and valuable consideration in hand paid and acknowledged, hereby grants, sells and conveys to, THE CITY OF FRUITA, COLORADO, a home rule municipal corporation, ("Grantee"), whose street address is, 325 East Aspen, Fruita, Colorado 81521, the following described real Property in the County of Mesa, State of Colorado, more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference ("Easement").

For public street right-of-way purposes and the location of public utilities only. The conveyance of the property described above is subject to an easement for an underground irrigation line in existence at the time of this conveyance for the use and benefit of Grantor. Provided, however, in the event the underground irrigation line needs substantial repairs or replacement in the future, Grantor and Grantee shall cooperate in relocating the underground irrigation line to a location mutually agreed upon by Grantor and Grantee.

Grantor and Grantee intend that the conveyance evidenced by this Deed be an absolute and irrevocable conveyance of title to the Property and that the conveyance was not and is not now intended as a mortgage, deed of trust, or security of any kind. By this Deed, Grantor conveys to Grantee all of Grantor's right of title and interest in the Property and simultaneously delivers possession of the Property to Grantee. Grantor does hereby covenant that it will WARRANT AND DEFEND all right, title and interest in and to the premises unto Grantee, its successors and assigns forever against all lawful claims whatsoever and warrants the title to the same, subject to property taxes for 2016 and subsequent years.

The preceding representations by Grantor are made for the benefit of Grantee and Grantee's successors and assigns with respect to the Property.

Signed this 6th day of June, 2016.

FRUITA DEVELOPMENT, LLC
a ~~Colorado~~ limited liability company

Wisconsin

By: 

STATE OF _____)
)
COUNTY OF _____)

ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by _____, _____ for Fruita Development, LLC, Grantor.

Witness my hand and official seal.

My commission expires: _____

[SEAL]

Notary Public

see attached

CITY OF FRUITA, a home rule
municipal corporation

ATTEST:

By: _____
Michael Bennett, City Manager

By: _____
Margaret Sell, Fruita City Clerk

STATE OF COLORADO)
)
COUNTY OF MESA)

ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Michael Bennett, City Manager and Margaret Sell, City Clerk of the City of Fruita, Colorado, Grantee.

Witness my hand and official seal.

My commission expires: _____

[SEAL]

Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On August 23, 2016 before me, Nicole Stanton, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Douglas Brown
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: General Warranty Deed Document Date: January 2017
Number of Pages: 4 Signer(s) Other Than Named Above: City of Fruits

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A
General Warranty Deed
for Public Roadway and Utility Purposes

A strip of land for road right-of-way, located in Section 11, Township 1 North, Range 3 West of the Ute Meridian, more particularly described as follows:

Commencing at the Northeast corner of Section 11, Township 1 North, Range 3 West of the Ute Meridian, whence the East Quarter corner (E1/4) of said Section 11 bears South 00° 07' 00" East, a distance of 2629.24 feet, for a basis of bearings, with all bearings contained herein relative thereto;

thence, along the East line of the Northeast Quarter (NE1/4) of said Section 11, South 00° 07' 00" East, a distance of 992.26 feet,

thence North 56° 41' 00" West, a distance of 31.16 feet to the POINT OF BEGINNING,

thence South 00° 07' 00" East, a distance of 3,675.85 feet,

thence North 47° 12' 04" West, a distance of 5.46 feet,

thence North 00° 06' 47" West, a distance of 770.63 feet,

thence North 00° 07' 00" West, a distance of 611.56 feet,

thence North 00° 06' 58" West, a distance of 499.07 feet,

thence North 00° 07' 00" West, a distance of 842.93 feet,

thence North 00° 07' 12" West, a distance of 950.58 feet,

thence South 56° 41' 00" East, a distance of 4.79', to the POINT OF BEGINNING.

Description Area: 14552.05 SF (.334± AC)

Description Perimeter: 7360.86'



AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Community Development Department

DATE: January 17, 2017

RE: Ordinance 2017-02 1st Reading, An ordinance of the Fruita City Council accepting right-of-way for future public street and public utility purposes.

BACKGROUND

Typically right-of-ways are dedicated to and accepted by the city through the signatures on and recording of a subdivision plat. In several instances, right-of-way is required for developments that do not involve a subdivision. In these circumstances, the deed for the right-of-way to be given to the city must be accepted formally by the city through an ordinance.

Attached is an ordinance regarding the right-of-way required as part of the development of a US Tractor and Harvest business. The right-of-way is necessary for future street and public utilities. The Colorado Department of Transportation (CDOT) has an access control plan with a future roadway in this location. This development was approved by City Council at the August 16, 2016 public hearing. The location of the future roadway is located on the north end of the property at 1984 Highway 6 & 50. The reason for the location of this roadway is to decrease the amount of future traffic on Highway 6 & 50.

FISCAL IMPACT

Acceptance of a right-of-way comes with a fiscal impact as the City will be responsible for policing and maintaining roads and sidewalks built within the right-of-way. The acceptance of this right-of-way is not expected to create a fiscal impact at this time because the road does not exist. The right-of-way would not be open for public travel at the time. As part of future development activity in this area, this road will be required to be improved by developers needing the roads to serve their development or transportation impact fees will be collected to help the City pay for improvement to these roads.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Acquiring right-of-way in appropriate area is necessary for a safe and efficient transportation system. The Colorado Department of Transportation (CDOT) Highway 6 & 50 Access Control Plan, which was also adopted by the City of Fruita, shows a future roadway in this location.

OPTIONS AVAILABLE TO THE COUNCIL

1. Approve Ordinance 2017-02 , 1st Reading, An Ordinance of the Fruita City Council accepting right-of-way for future street right-of-way purposes and public utilities.
2. Deny Ordinance 2017-02

RECOMMENDATION

Staff recommends that the City Council move to publish a synopsis of Ordinance 2017-02, 1st Reading, An Ordinance for accepting right-of-way for future public street and public utility purposes for the City Council public hearing on February 7, 2017.

ORDINANCE 2017-02

AN ORDINANCE OF THE FRUITA CITY COUNCIL ACCEPTING RIGHT-OF-WAY FOR FUTURE PUBLIC STREET AND PUBLIC UTILITY PURPOSES.

WHEREAS, right-of-way for future public street and public utility purposes located on the north side of the property at 1984 Highway 6 & 50 which is necessary for a safe and efficient transportation system in this area as it continues to develop, and

WHEREAS, as part of the approval for the US Tractor Site Design Review project, future right-of-way for a future road located on the north edge of 1984 Highway 6 & 50 is required to be dedicated to the City of Fruita, and

WHEREAS, the property owners have provided a deed to dedicate the required right-of-way to the City which is attached as Exhibit A.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the right-of-way for a future roadway is accepted by the Fruita City Council.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 7th DAY OF FEBRUARY, 2017**

CITY OF FRUITA, COLORADO

ATTEST:

Lori Buck, Mayor

Margaret Sell, City Clerk

CITY OF FRUITA, a home rule
municipal corporation

ATTEST:

By: _____
Michael Bennett, City Manager

By: _____
Margaret Sell, Fruita City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Michael Bennett, City Manager and Margaret Sell, City Clerk of the City of Fruita, Colorado, Grantee.

Witness my hand and official seal.

My commission expires: _____

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Notary Public

EXHIBIT A
To the General Warranty Deed

A tract of land for easement lying in that parcel of land located in the East Half of the Northeast Quarter (E½ NE¼) of Section 27, Township 1 North, Range 2 West of the Ute Meridian located in Mesa County, Colorado and being more particularly described as follows:

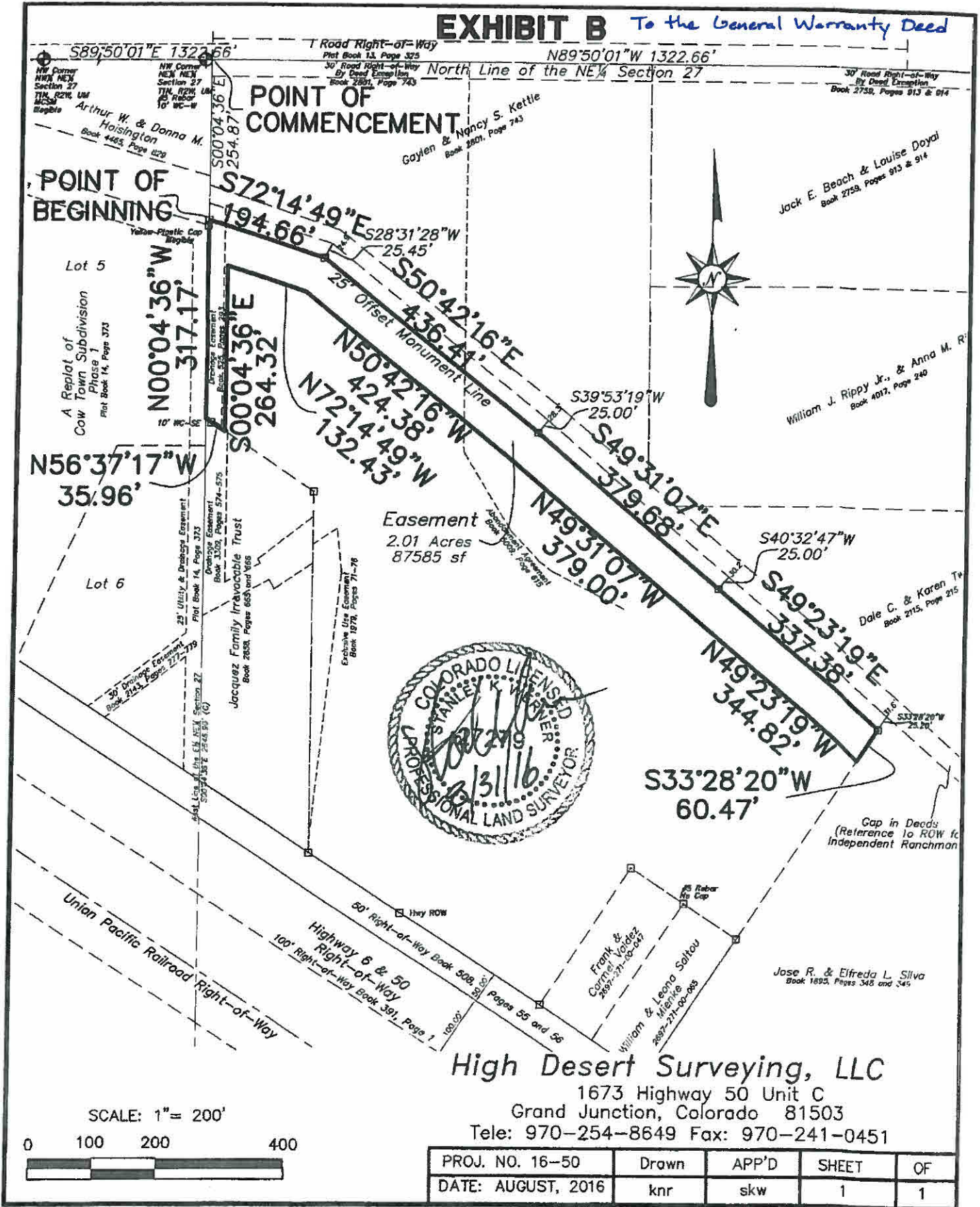
COMMENCING at the Northwest corner of said E½ NE¼ of Section 27, whence the Northeast corner of said E½ NE¼ of Section 27 bears South 89°50'01" East, a distance of 1322.66 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 00°04'36" East, a distance of 254.87 feet to the POINT OF BEGINNING; thence South 72°14'49" East, a distance of 194.66 feet; thence South 50°42'16" East, a distance of 436.41 feet; thence South 49°31'07" East, a distance of 379.68 feet; thence South 49°23'19" East, a distance of 337.38 feet; thence South 33°28'20" West, a distance of 60.47 feet; thence North 49°23'19" West, a distance of 344.82 feet; thence North 49°31'07" West, a distance of 379.00 feet; thence North 50°42'16" West, a distance of 424.38 feet; thence North 72°14'49" West, a distance of 132.43 feet; thence South 00°04'36" East, a distance of 264.32 feet; thence North 56°37'17" West, a distance of 35.96 feet; thence North 00°04'36" West, a distance of 317.17 feet to the POINT OF BEGINNING.

Said parcel containing an area of 2.01 Acres, as herein described.

16-50 North Easement.doc/rsk
Prepared by:
Stanley K. Werner PLS 27279
High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503



EXHIBIT B To the General Warranty Deed



High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

SCALE: 1" = 200'



PROJ. NO. 16-50	Drawn knr	APP'D skw	SHEET 1	OF 1
DATE: AUGUST, 2016				



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR
DATE: JANUARY 17, 2017
RE: PRELIMINARY December 2016 FINANCIAL REPORTS

BACKGROUND

Attached are copies of the PRELIMINARY December 2016 Financial Reports for the City of Fruita. These reports are preliminary and do not reflect year end adjustments and accruals for 2016.

Sales and Use Tax Revenues. The following chart is a summary of both the percentage and dollar changes in the most recent months collections of sales and use tax revenue compared to the same month last year, and the year to date collections compared to the same time frame for the prior year. City and County sales and use tax revenues are up year to date from the prior year by \$62,372 and ahead of budget by \$17,395.

Sales and Use Tax Revenues					
Type	Month	Percent (%) Change		Dollar (\$) Change	
		Month	Y-T-D	From prior year	Between actual and budget
City	Nov-16	8.17%	2.70%	\$ 36,514.43	\$ (17,575.27)
County	Nov-16	-5.28%	-2.93%	\$ (52,624.64)	\$ (106,471.21)
Use tax on Motor Vehicles	Dec-16	2.08%	-3.59%	\$ (19,863.79)	\$ 13,323.46
Use tax on Building Materials	Dec-16	-80.99%	93.87%	\$ 98,346.08	\$ 128,118.08
				\$ 62,372.08	\$ 17,395.06

Franchise Fees – December 2016. Revenues from franchise fees for gas, electricity and cable television services are down 5% from the prior year with a shortfall of \$23,444 from budgeted amounts.

Community Center Fund – November 2016. The combination of city sales and use tax revenues for the month reflect a 4.43% increase from 2015 revenues and are up 6.7% for the year which compares favorably to budgeted amounts which were projected to remain flat.

Marketing and Promotion Fund – November 2016. Lodging tax revenues are up 89% for the month and up 5.36% year to date. The 2016 budgeted amount reflects a decrease of 5% from



City of Fruita
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 www.fruita.org

2015.

General Fund Revenues – November 2016. The General Fund Revenue report is a detailed budget to actual revenue report. Revenues are on target with budgeted amounts at 100% of the budgeted amount for the year (12/12 = 100%).

Revenue vs Expense by Account Type – December 2016. This report presents summary information on revenues and expenses and budget comparisons for all funds. The report includes revenues and expenses by category or type of revenue/expense and also by department. The following is a summary of the report by fund showing actual revenues and expenses as a percentage of budget.

Revenues and Expenses as Percentage of Budget - PRELIMINARY December 2016		
	Revenues as a % Budget	Expenses as a % of Budget
General Fund	100%	89%
Conservation Trust Fund	118%	84%
Marketing	111%	92%
Community Center	103%	93%
Capital Projects	86%	90%
Debt Service	89%	100%
Irrigation Water	102%	95%
Sewer	101%	89%
Trash	93%	84%
Fleet Maintenance Fund	100%	98%
Total	98%	90%

FISCAL IMPACT

None.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

These reports provide financial information to the Council to monitor the City's financial position and may be used as a tool to hold staff accountable for accomplishing goals and objectives set forth in the Budget.

OPTIONS AVAILABLE TO THE COUNCIL

Approval of Financial Reports

Approval of Financial Reports with clarification on specific items



FRUITA
COLORADO

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RECOMMENDATION

It is the recommendation of Fruita City staff that the City Council, by motion:

ACCEPT THE PRELIMINARY DECEMBER 2016 FINANCIAL REPORTS AS PRESENTED.

GENERAL FUND 2% CITY SALES TAX REVENUES - JANUARY 9, 2017

	2010	2011	2012	2013	2014	2015	2016	\$ Variance	% Variance
Jan	98,322.29	89,314.15	101,419.74	110,204.24	107,894.03	108,459.92	102,654.47	-5,805.45	-5.35%
Feb	84,525.46	95,295.86	110,489.69	96,957.80	117,630.56	107,188.89	109,027.57	1,838.68	1.72%
Mar	100,841.31	99,780.60	107,316.93	116,327.45	151,397.66	122,437.25	122,491.87	54.62	0.04%
Apr	102,872.82	120,678.35	142,421.79	131,340.78	130,473.13	119,605.83	130,968.87	11,363.04	9.50%
May	110,519.20	110,761.47	96,366.93	139,145.24	146,354.29	141,096.11	146,283.09	5,186.98	3.68%
Jun	113,710.31	121,036.54	153,521.01	134,614.06	145,170.75	142,137.11	143,707.98	1,570.87	1.11%
Jul	106,381.35	111,666.79	117,642.13	119,997.86	128,914.77	129,557.37	119,795.39	-9,761.98	-7.53%
Aug	106,951.08	108,226.15	117,891.22	132,205.95	139,363.95	116,732.34	142,278.27	25,545.93	21.88%
Sep	109,072.31	127,962.44	136,662.04	119,797.21	137,994.97	141,331.25	126,602.05	-14,729.20	-10.42%
Oct	100,306.58	105,477.56	118,473.48	131,267.83	123,354.93	116,359.62	128,845.80	12,486.18	10.73%
Nov	92,589.67	102,290.50	89,760.11	118,140.73	116,620.45	107,336.71	116,101.47	8,764.76	8.17%
Dec	108,661.53	110,977.83	111,679.39	123,646.37	123,855.91	111,500.58			
TOTAL	1,234,753.91	1,303,468.24	1,403,644.46	1,473,645.52	1,569,025.40	1,463,742.98	1,388,756.83	36,514.43	2.70%
%	3.14%	5.57%	7.69%	4.99%	6.47%	-6.71%			

2016 Budget= \$1,525,000, 4% increase from 2015 Actual Revenues

1,352,242.40 1,388,756.83 36,514.43 2.70%

1,126,092.38 1,192,490.41 1,291,965.07 1,349,999.15 1,445,169.49 1,352,242.40 1,388,756.83

COUNTY SALES TAX REVENUES- JANUARY 11, 2017

	2010	2011	2012	2013	2014	2015	2016	\$ Variance	% Variance
Jan	113,058.19	120,360.46	139,025.37	134,836.51	130,571.18	143,816.00	143,233.57	-582.43	-0.40%
Feb	118,275.57	128,907.44	141,496.92	132,354.45	136,453.63	139,681.16	140,142.92	461.76	0.33%
Mar	139,649.23	147,913.58	160,249.88	152,973.96	156,998.09	166,560.39	155,984.45	-10,575.94	-6.35%
Apr	133,088.63	143,042.21	160,533.08	151,855.18	154,276.05	159,563.89	159,418.10	-145.79	-0.09%
May	147,139.03	153,133.55	154,553.36	160,201.04	162,075.43	176,074.56	162,276.46	-13,798.10	-7.84%
Jun	119,282.18	162,878.08	161,305.05	163,671.23	165,562.44	176,818.44	177,343.44	525.00	0.30%
Jul	143,771.76	152,964.04	147,950.00	155,143.98	166,412.21	168,785.26	150,780.84	-18,004.42	-10.67%
Aug	151,631.97	166,457.23	162,644.66	160,891.70	167,517.03	169,601.48	173,859.59	4,258.11	2.51%
Sep	148,068.43	155,015.91	151,264.37	158,830.58	169,036.62	175,746.65	164,868.76	-10,877.89	-6.19%
Oct	145,127.53	134,741.13	147,651.90	156,348.63	156,686.58	151,764.08	156,669.81	4,905.73	3.23%
Nov	144,375.13	153,895.13	141,634.37	149,817.01	153,873.00	166,473.69	157,683.02	-8,790.67	-5.28%
Dec	170,647.84	181,793.63	173,798.76	177,187.35	194,349.22	184,665.83			
TOTAL	1,674,115.49	1,801,102.39	1,842,107.72	1,854,111.62	1,913,811.48	1,979,551.43	1,742,260.96	-52,624.64	-2.93%
%	-4.18%	7.59%	2.28%	0.65%	3.22%	3.44%			

2016 Budget=\$2,040,000, 3% increase from 2015 actual revenue

Use Tax on Vehicles - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	2016	Variance	% Change
JAN	20,721.07	21,010.53	28,474.28	30,152.69	27,942.83	56,070.39	34,956.67	28,122.91	-6,833.76	-19.55%
FEB	22,901.63	23,512.06	32,236.80	25,415.92	38,537.86	36,000.06	50,225.73	36,471.71	-13,754.02	-27.38%
MAR	34,251.57	31,711.06	33,956.87	36,496.12	43,071.73	38,156.08	26,009.96	40,528.67	14,518.71	55.82%
APR	32,178.98	25,064.54	24,077.10	40,616.59	36,939.81	52,092.34	32,776.89	47,068.73	14,291.84	43.60%
MAY	28,991.09	27,124.89	41,212.91	45,918.39	41,984.05	42,159.85	42,823.62	43,755.86	932.24	2.18%
JUN	31,756.88	26,232.32	38,459.02	41,628.76	44,597.09	42,893.54	41,419.11	63,513.86	22,094.75	53.34%
JUL	27,302.19	31,988.69	39,392.08	40,487.84	38,899.29	46,697.95	52,885.65	54,218.60	1,332.95	2.52%
AUG	26,662.40	32,405.36	39,759.24	47,323.03	48,828.89	52,311.48	64,714.85	45,673.29	-19,041.56	-29.42%
SEP	31,920.89	39,773.57	35,811.70	30,358.71	45,580.49	37,084.71	58,410.57	44,344.61	-14,065.96	-24.08%
OCT	27,699.09	25,993.80	30,785.97	47,064.75	43,843.87	60,005.46	53,854.48	36,179.44	-17,675.04	-32.82%
NOV	17,431.56	26,057.48	28,049.93	25,419.72	41,660.04	29,508.89	46,492.91	43,817.97	-2,674.94	-5.75%
DEC	25,156.62	22,964.99	37,661.47	37,047.69	50,357.95	50,261.97	48,616.81	49,627.81	1,011.00	2.08%
YTD	326,973.97	333,839.29	409,877.37	447,930.21	502,243.90	543,242.72	553,187.25	533,323.46	(19,863.79)	-3.59%
%	-41.02%	2.10%	22.78%	9.28%	12.13%	8.16%	1.83%			
							553,187.25	533,323.46	(19,863.79)	-3.59%

2016 Budget = \$520,000 - 5.4% decrease from 2015 actual revenues

Use Tax on Building Materials - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	2016	Variance	% Change
JAN	3,558.19	18,147.60	5,439.12	26,313.85	20,923.45	13,167.04	14,735.14	3,256.46	-11,478.68	-77.90%
FEB	4,047.25	8,504.62	16,282.90	16,100.01	14,788.93	11,632.38	2,458.97	14,608.11	12,149.14	494.07%
MAR	6,919.27	6,162.62	30,509.68	25,506.73	10,552.31	7,307.73	8,211.61	14,726.17	6,514.56	79.33%
APR	8,919.35	35,306.94	9,839.22	14,732.71	26,597.25	14,357.92	7,344.73	34,284.04	26,939.31	366.78%
MAY	9,562.65	16,486.49	7,073.59	12,539.25	13,725.38	12,874.85	3,720.34	29,705.49	25,985.15	698.46%
JUN	13,956.59	11,810.90	3,208.84	21,515.83	11,902.04	13,891.13	6,139.39	12,846.67	6,707.28	109.25%
JUL	17,372.54	16,884.69	7,956.54	18,255.65	15,093.09	24,526.19	9,501.34	13,947.52	4,446.18	46.80%
AUG	25,575.83	9,649.66	7,344.90	16,064.36	27,974.64	12,311.44	7,115.25	8,116.85	1,001.60	14.08%
SEP	11,542.90	4,380.71	13,268.39	24,727.66	13,947.63	21,844.73	7,596.69	49,757.18	42,160.49	554.99%
OCT	14,667.33	11,302.35	17,526.21	17,943.01	23,497.04	9,547.81	8,877.79	7,552.64	-1,325.15	-14.93%
NOV	6,436.47	14,520.62	8,709.93	5,819.74	10,256.27	9,042.11	9,442.56	10,585.97	1,143.41	12.11%
DEC	11,833.53	3,754.79	2,630.75	14,482.99	4,810.32	13,018.26	19,628.19	3,730.98	-15,897.21	-80.99%
YTD	134,391.90	156,911.99	129,790.07	214,001.79	194,068.35	163,521.59	104,772.00	203,118.08	98,346.08	93.87%
%	-53.64%	16.76%	-17.28%	64.88%	-9.31%	-15.74%	-35.93%	93.87%		
							104,772.00	203,118.08	98,346.08	93.87%

2016 Budget - \$75,000 - 28% reduction from 2015 actual revenues

2016 COMMUNITY CENTER FUND TAX REVENUES
1% Sales and Use Tax Revenues - January 11, 2017

	2009 Total	2010 Total	2011 Total	2012 Total	2013 Total	2014 Total	2015 Total	City Sales Tax	Use Tax on Motor Vehicles	Use Tax on Building Materials	2016 Total	\$ Change	% Chg
Jan	56,593.55	68,740.22	61,514.93	78,943.15	79,535.26	88,565.74	79,075.86	51,327.24	14,061.46	1,628.23	67,016.93	-12,058.93	-15.25%
Feb	58,002.09	58,148.39	71,825.86	76,002.81	75,142.30	82,631.50	79,936.78	54,513.78	18,235.85	7,304.05	80,053.68	116.90	0.15%
Mar	67,748.11	69,072.06	81,884.01	84,659.89	84,975.73	98,430.74	78,329.40	61,245.94	20,264.33	7,363.09	88,873.36	10,543.96	13.46%
Apr	75,033.32	81,620.90	77,165.81	98,885.55	97,438.92	98,461.69	79,863.73	65,484.43	23,534.36	17,142.02	106,160.81	26,297.08	32.93%
May	73,839.15	77,162.18	79,523.99	77,412.30	97,427.34	100,694.49	93,820.03	73,141.55	21,877.93	14,852.75	109,872.23	16,052.20	17.11%
Jun	73,538.22	75,828.93	81,352.21	108,332.79	95,556.60	100,977.70	94,847.80	71,853.99	31,756.93	6,423.34	110,034.26	15,186.46	16.01%
Jul	67,544.66	77,627.37	79,507.70	88,192.80	86,995.11	100,069.45	95,972.19	59,897.70	27,109.30	6,973.76	93,980.76	-1,991.43	-2.08%
Aug	74,268.70	74,500.07	77,665.14	90,639.31	104,504.75	101,993.43	94,281.22	71,139.13	22,836.64	4,058.43	98,034.20	3,752.98	3.98%
Sep	80,243.54	76,613.29	87,316.31	95,874.21	89,662.68	98,462.20	103,669.26	63,301.03	22,172.30	24,878.59	110,351.92	6,682.66	6.45%
Oct	68,996.64	68,780.04	76,894.86	91,740.61	99,304.36	96,454.10	89,545.94	64,422.90	18,089.72	3,776.32	86,288.94	-3,257.00	-3.64%
Nov	53,157.55	66,475.61	69,525.19	60,499.78	85,028.51	77,585.72	81,636.09	58,050.74	21,908.98	5,292.99	85,252.71	3,616.62	4.43%
Dec	70,957.51	67,542.34	75,635.02	81,605.04	89,407.32	93,568.08	89,872.79		24,813.91	1,865.49			
TOTAL	819,923.04	862,111.40	919,811.03	1,032,788.24	1,084,978.88	1,137,894.84	1,060,851.09	694,378.43	266,661.71	101,559.06	1,035,919.80	64,941.50	6.69%
% +/-		5%	6.69%	12.28%	5.05%	4.88%	-6.77%						
2016 Budget								762,500.00	260,000.00	37,500.00	1,060,000.00		
% of Budget								91.07%	102.56%	270.82%	97.73%		

970,978.30

1035919.80

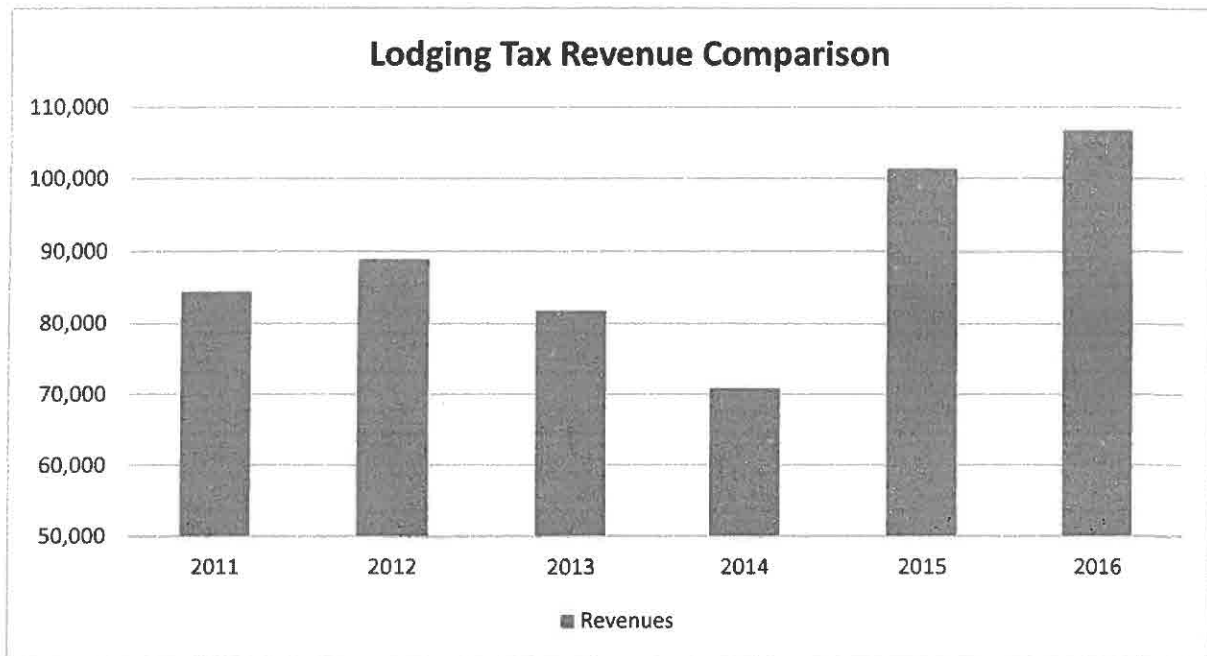
64941.50

6.69%

MARKETING AND PROMOTION FUND
3% Lodging Tax Revenues - January 11, 2017

	2011	2012	2013	2014	2015	2016	Difference	%
Jan	3,338.63	2,076.12	1,865.42	3,835.87	3,295.72	3,009.89	-285.83	-8.67%
Feb	3,706.38	5,076.82	3,188.23	1,782.08	3,688.48	3,649.96	-38.52	-1.04%
Mar	5,794.48	7,102.70	4,233.87	6,250.18	7,582.11	7,755.49	173.38	2.29%
Apr	8,841.90	8,604.24	12,736.42	9,984.25	9,261.50	9,030.79	-230.71	-2.49%
May	11,733.32	11,886.54	13,101.84	13,393.62	13,948.38	14,533.96	585.58	4.20%
Jun	11,893.86	12,811.34	12,179.20	8,646.09	14,742.08	14,671.78	-70.30	-0.48%
Jul	9,621.68	10,697.76	7,045.91	8,991.16	11,676.25	12,857.52	1,181.27	10.12%
Aug	10,462.73	11,478.01	8,063.40	7,171.28	11,237.25	12,209.99	972.74	8.66%
Sep	10,956.22	11,061.65	7,074.25	7,753.38	12,311.19	14,161.61	1,850.42	15.03%
Oct	8,141.23	8,189.25	12,413.50	3,106.86	9,543.11	7,154.79	-2,388.32	-25.03%
Nov	5,119.32	2,957.31	3,536.66	17,384.48	4,118.50	7,800.87	3,682.37	89.41%
Dec	3,902.25	5,164.09	14,224.16	4,401.91	5,290.61			
TOTAL	93,512.00	97,105.83	99,662.86	92,701.16	106,695.18	106,836.65	5,432.08	5.36%
	-5.58%	3.84%	2.63%	-6.99%	15.10%			
	84,490.43	88,984.43	81,902.04	70,914.77	101,404.57	106,836.65	5,432.08	5.36%

2016 Budget - \$101,500 - 4.87% decrease from 2015 actual revenues



General Ledger

General Fund Revenues

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 Period 12 - 12
 Fiscal Year 2016

Account Number	Description	Current Month End Bal		Budget	% Received
110-000-00-3110	Property Tax	\$ (4,618.22)	\$ (1,096,363.13)	\$ (1,097,500.00)	99.90%
110-000-00-3120	Specific Ownership Tax	\$ (10,590.22)	\$ (138,509.02)	\$ (142,600.00)	97.13%
110-000-00-3130	County Sales Tax	\$ (164,868.76)	\$ (1,930,811.73)	\$ (2,040,000.00)	94.65%
110-000-00-3131	City Sales Tax	\$ (128,845.80)	\$ (1,491,492.65)	\$ (1,525,000.00)	97.80%
110-000-00-3132	Use Tax on Vehicles	\$ (43,817.97)	\$ (532,312.46)	\$ (520,000.00)	102.37%
110-000-00-3133	Use Tax on Building Materials	\$ (3,734.98)	\$ (203,110.08)	\$ (75,000.00)	270.81%
110-000-00-3142	Cigarette Tax	\$ (860.59)	\$ (10,509.28)	\$ (11,000.00)	95.54%
110-000-00-3182	Franchise Fees	\$ (41,635.77)	\$ (381,555.80)	\$ (405,000.00)	94.21%
110-000-00-3190	Penalties and Interest Taxes	\$ (319.77)	\$ (1,572.34)	\$ (3,000.00)	52.41%
		\$ (399,292.08)	\$ (5,786,236.49)	\$ (5,819,100.00)	99.44%
110-000-00-3210	Business Licenses	\$ (6,925.00)	\$ (16,887.50)	\$ (18,500.00)	91.28%
110-000-00-3211	Liquor Licenses	\$ (3,150.00)	\$ (10,900.00)	\$ (8,500.00)	128.24%
110-000-00-3220	Street Excavation Permits	\$ (90.00)	\$ (840.00)	\$ (1,500.00)	56.00%
110-000-00-3221	Other Permits Licenses and permits	\$ (125.00)	\$ (2,585.00)	\$ (1,500.00)	172.33%
		\$ (10,290.00)	\$ (31,212.50)	\$ (30,000.00)	104.04%
110-000-00-3330	Severance & Mineral Leasing Ta	\$ -	\$ (136,860.97)	\$ (150,000.00)	91.24%
110-000-00-3342	Energy Impact Grant	\$ -	\$ (3,125.00)	\$ (11,250.00)	27.78%
110-000-00-3351	Add. Motor Vehicle Reg Fees	\$ (1,639.50)	\$ (20,157.00)	\$ (19,000.00)	106.09%
110-000-00-3352	State Highway Users Tax	\$ (32,793.62)	\$ (388,055.71)	\$ (372,000.00)	104.32%
110-000-00-3353	App. Motor Vehicle Reg Fees	\$ (2,380.00)	\$ (28,512.50)	\$ (27,500.00)	103.68%
110-000-00-3370	Tree Grants	\$ -	\$ (400.00)	\$ -	0.00%
110-000-00-3371	Mesa County Grants	\$ -	\$ (2,585.20)	\$ (2,550.00)	101.38%
110-000-00-3373	Local Agency Police Grants	\$ -	\$ (12,837.40)	\$ (12,825.00)	100.10%
110-000-00-3375	AGNC Grant	\$ -	\$ -	\$ (5,000.00)	0.00%
110-000-00-3377	Grand Valley Drainage District	\$ -	\$ (10,000.00)	\$ -	0.00%
110-000-00-3380	Mesa County Road & Bridge Tax Intergovernmental revenue	\$ (105.65)	\$ (23,490.17)	\$ (24,000.00)	97.88%
		\$ (36,918.77)	\$ (626,023.95)	\$ (624,125.00)	100.30%
110-000-00-3413	Planning Fees	\$ (2,622.00)	\$ (29,484.25)	\$ (13,000.00)	226.80%
110-000-00-3421	Vehicle Inspection Fees	\$ (145.00)	\$ (1,599.00)	\$ (1,100.00)	145.36%
110-000-00-3455	Impound Fees	\$ -	\$ -	\$ (100.00)	0.00%
110-000-00-3470	Recreation Registration Fees	\$ (9,385.07)	\$ (88,888.11)	\$ (77,000.00)	115.44%
110-000-00-3472	Special Event Appl & Booth Fee	\$ (90.00)	\$ (8,032.50)	\$ (5,500.00)	146.05%
110-000-00-3473	Retail Sales	\$ (195.56)	\$ (9,178.15)	\$ (9,000.00)	101.98%
110-000-00-3475	Internet sales	\$ (66.50)	\$ (1,356.54)	\$ (1,000.00)	135.65%
110-000-00-3477	Park Rentals	\$ -	\$ (16,750.00)	\$ (11,000.00)	152.27%
110-000-00-3478	Shipping and Handling Charges	\$ (13.40)	\$ (15.60)	\$ (50.00)	31.20%
110-000-00-3479	Scholorship Program	\$ (286.00)	\$ (14,930.00)	\$ (13,100.00)	113.97%
110-000-00-3480	Manpower and other charges	\$ (4,009.00)	\$ (20,109.71)	\$ (7,775.00)	258.65%

Account Number	Description	Current Month End Bal		Budget	% Received
110-000-00-3483	Penalties	\$ (1,367.97)	\$ (22,228.67)	\$ (19,000.00)	116.99%
110-000-00-3484	Developer Contribution - Parks	\$ -	\$ -	\$ -	0.00%
	Charges for services	\$ (18,180.50)	\$ (212,572.53)	\$ (157,625.00)	134.86%
110-000-00-3510	City and County Court	\$ (1,074.29)	\$ (18,854.08)	\$ (26,000.00)	72.52%
110-000-00-3511	Penalty Assessments	\$ (1,060.00)	\$ (11,677.00)	\$ (14,500.00)	80.53%
110-000-00-3512	Restitution to City	\$ -	\$ (50.69)	\$ -	0.00%
110-000-00-3513	Misdemeanor Fee	\$ (120.00)	\$ (1,815.00)	\$ (1,500.00)	121.00%
	Fines and forfeitures	\$ (2,254.29)	\$ (32,396.77)	\$ (42,000.00)	77.14%
110-000-00-3610	Interest on deposits	\$ (2,758.02)	\$ (30,481.21)	\$ (8,000.00)	381.02%
110-000-00-3613	Gain (Loss) on investments	\$ (104.50)	\$ (130.96)	\$ -	0.00%
	Interest	\$ (2,862.52)	\$ (30,612.17)	\$ (8,000.00)	382.65%
110-000-00-3640	Senior Center Donations	\$ (69.92)	\$ (1,087.35)	\$ (550.00)	197.70%
110-000-00-3641	Miscellaneous Donations	\$ -	\$ (2,500.00)	\$ (2,500.00)	100.00%
110-000-00-3642	Recreation Donations	\$ -	\$ (6,727.18)	\$ (6,325.00)	106.36%
110-000-00-3645	Special Event Donations	\$ -	\$ (19,000.00)	\$ (19,000.00)	100.00%
	Donations	\$ (69.92)	\$ (29,314.53)	\$ (28,375.00)	103.31%
110-000-00-3680	Miscellaneous	\$ (1,487.82)	\$ (5,482.96)	\$ (3,000.00)	182.77%
110-000-00-3681	Cash Over (Short)	\$ -	\$ 18.49	\$ -	0.00%
110-000-00-3682	Refunds	\$ -	\$ (161.97)	\$ -	0.00%
	Miscellaneous	\$ (1,487.82)	\$ (5,626.44)	\$ (3,000.00)	187.55%
110-000-00-3911	Transfer from Sewer Fund	\$ (40,000.00)	\$ (160,000.00)	\$ (160,000.00)	100.00%
110-000-00-3912	Transfer from Trash Fund	\$ (12,750.00)	\$ (51,000.00)	\$ (51,000.00)	100.00%
110-000-00-3915	Transfer from Irrigation Fund	\$ (2,500.00)	\$ (10,000.00)	\$ (10,000.00)	100.00%
110-000-00-3917	Transfer from Retirement Fund	\$ -	\$ -	\$ (60,000.00)	0.00%
	Transfers from other funds	\$ (55,250.00)	\$ (221,000.00)	\$ (281,000.00)	78.65%
110-000-00-3950	Sale of Equipment	\$ (1,950.00)	\$ (3,442.00)	\$ -	0.00%
110-000-00-3960	Insurance payments	\$ (315.31)	\$ (4,294.36)	\$ (2,675.00)	160.54%
	Other financing sources	\$ (2,265.31)	\$ (7,736.36)	\$ (2,675.00)	289.21%
110-000-00-3625	Rent on Lands and Water	\$ (2,399.01)	\$ (32,342.72)	\$ (29,000.00)	111.53%
110-000-00-3626	Facility Rentals	\$ (40.00)	\$ (2,085.00)	\$ (1,800.00)	115.83%
	Rents	\$ (2,439.01)	\$ (34,427.72)	\$ (30,800.00)	111.78%
Revenue Total		\$ (531,310.22)	\$ (7,017,159.46)	\$ (7,026,700.00)	-100.00%

General Ledger
Actual vs Budget Report



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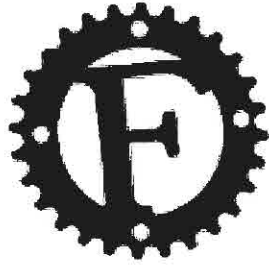
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Period 12 - 12
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
110	General Fund					
000						
R01	Taxes	-399,292.08	-5,786,236.49	-5,819,100.00	-32,863.51	99.44
R02	Licenses and permits	-10,290.00	-31,212.50	-30,000.00	1,212.50	104.04
R03	Intergovernmental revenue	-36,918.77	-626,023.95	-624,125.00	1,898.95	100.30
R04	Charges for services	-18,180.50	-212,572.53	-157,625.00	54,947.53	134.86
R05	Fines and forfeitures	-2,254.29	-32,396.77	-42,000.00	-9,603.23	77.14
R06	Interest	-2,862.52	-30,612.17	-8,000.00	22,612.17	382.65
R07	Donations	-69.92	-29,314.53	-28,375.00	939.53	103.31
R08	Miscellaneous	-1,487.82	-5,626.44	-3,000.00	2,626.44	187.55
R09	Transfers from other funds	-55,250.00	-221,000.00	-281,000.00	-60,000.00	78.65
R10	Other financing sources	-2,265.31	-7,736.36	-2,675.00	5,061.36	289.21
R12	Rents	-2,439.01	-34,427.72	-30,800.00	3,627.72	111.78
000		-531,310.22	-7,017,159.46	-7,026,700.00	-9,540.54	99.86
410	General Government					
	Department					
E01	Personnel services, salaries	12,307.61	178,400.24	186,725.00	8,324.76	95.54
E02	Personnel services, benefits	1,715.00	41,931.82	43,600.00	1,668.18	96.17
E03	Purchased professional service	7,342.93	52,507.92	63,250.00	10,742.08	83.02
E04	Purchased property services	369.24	6,259.10	6,600.00	340.90	94.83
E05	Other purchased services	361.33	6,128.41	8,475.00	2,346.59	72.31
E06	Supplies	0.00	9,750.77	14,050.00	4,299.23	69.40
E07	Capital	0.00	2,220.00	2,225.00	5.00	99.78
E08	Special projects	70.67	47,549.83	77,200.00	29,650.17	61.59
410	General Government	22,166.78	344,748.09	402,125.00	57,376.91	85.73
	Department					
415	Administration Department					
E01	Personnel services, salaries	20,846.34	282,016.70	285,600.00	3,583.30	98.75
E02	Personnel services, benefits	2,475.61	89,220.65	91,850.00	2,629.35	97.14
E03	Purchased professional service	7,194.32	76,039.67	80,525.00	4,485.33	94.43
E04	Purchased property services	0.00	82,963.77	92,400.00	9,436.23	89.79
E05	Other purchased services	5,377.59	29,534.99	31,250.00	1,715.01	94.51
E06	Supplies	1,904.07	51,218.88	55,375.00	4,156.12	92.49

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
E07	Capital	3,300.00	25,493.15	26,700.00	1,206.85	95.48
E08	Special projects	0.00	6,250.00	15,000.00	8,750.00	41.67
415	<i>Administration Department</i>	<i>41,097.93</i>	<i>642,737.81</i>	<i>678,700.00</i>	<i>35,962.19</i>	<i>94.70</i>
418	<i>Engineering Department</i>					
E01	Personnel services, salaries	14,380.80	188,450.43	188,875.00	424.57	99.78
E02	Personnel services, benefits	1,760.29	75,527.94	76,175.00	647.06	99.15
E03	Purchased professional service	25.89	3,557.23	24,000.00	20,442.77	14.82
E04	Purchased property services	0.00	6,418.98	6,725.00	306.02	95.45
E05	Other purchased services	543.70	1,686.46	3,250.00	1,563.54	51.89
E06	Supplies	4,931.97	6,357.27	3,100.00	-3,257.27	205.07
E07	Capital	0.00	6,788.19	12,300.00	5,511.81	55.19
418	<i>Engineering Department</i>	<i>21,642.65</i>	<i>288,786.50</i>	<i>314,425.00</i>	<i>25,638.50</i>	<i>91.85</i>
419	<i>Community Development Dpmt</i>					
E01	Personnel services, salaries	12,137.40	160,722.05	161,375.00	652.95	99.60
E02	Personnel services, benefits	1,483.69	73,645.48	75,750.00	2,104.52	97.22
E03	Purchased professional service	66.72	1,845.60	2,850.00	1,004.40	64.76
E04	Purchased property services	0.00	4,379.10	4,725.00	345.90	92.68
E05	Other purchased services	1,694.32	5,889.84	8,300.00	2,410.16	70.96
E06	Supplies	1,193.68	4,507.90	8,275.00	3,767.10	54.48
E08	Special projects	2,010.00	5,020.00	10,000.00	4,980.00	50.20
419	<i>Community Development Dpmt</i>	<i>18,585.81</i>	<i>256,009.97</i>	<i>271,275.00</i>	<i>15,265.03</i>	<i>94.37</i>
421	<i>Police Department</i>					
E01	Personnel services, salaries	92,681.92	1,183,078.87	1,238,075.00	54,996.13	95.56
E02	Personnel services, benefits	12,950.21	485,242.51	494,875.00	9,632.49	98.05
E03	Purchased professional service	427.50	21,948.36	28,575.00	6,626.64	76.81
E04	Purchased property services	1,520.60	79,758.66	85,725.00	5,966.34	93.04
E05	Other purchased services	29,662.99	297,010.66	303,525.00	6,514.34	97.85
E06	Supplies	10,720.67	43,787.22	72,400.00	28,612.78	60.48
E07	Capital	33,704.41	64,354.71	79,875.00	15,520.29	80.57
421	<i>Police Department</i>	<i>181,668.30</i>	<i>2,175,180.99</i>	<i>2,303,050.00</i>	<i>127,869.01</i>	<i>94.45</i>
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	35,369.59	470,013.15	471,800.00	1,786.85	99.62
E02	Personnel services, benefits	4,185.16	186,020.48	184,475.00	-1,545.48	100.84
E03	Purchased professional service	22,947.00	49,366.03	55,000.00	5,633.97	89.76
E04	Purchased property services	4,842.75	331,438.92	363,150.00	31,711.08	91.27
E05	Other purchased services	487.38	2,551.47	3,150.00	598.53	81.00
E06	Supplies	36,604.87	330,141.51	351,775.00	21,633.49	93.85
E07	Capital	7,110.00	444,978.59	497,025.00	52,046.41	89.53
431	<i>Public Works Department</i>	<i>111,546.75</i>	<i>1,814,510.15</i>	<i>1,926,375.00</i>	<i>111,864.85</i>	<i>94.19</i>

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
451	<i>Parks and Recreation Dept</i>					
E01	Personnel services, salaries	35,852.04	497,821.23	510,800.00	12,978.77	97.46
E02	Personnel services, benefits	3,904.51	163,383.37	178,525.00	15,141.63	91.52
E03	Purchased professional service	1,511.35	26,884.99	28,175.00	1,290.01	95.42
E04	Purchased property services	1,228.92	77,525.30	78,455.00	929.70	98.81
E05	Other purchased services	3,738.12	12,141.01	13,950.00	1,808.99	87.03
E06	Supplies	5,891.34	141,218.91	155,725.00	14,506.09	90.68
E07	Capital	1,293.50	27,700.53	28,145.00	444.47	98.42
E08	Special projects	8,366.36	40,069.36	49,600.00	9,530.64	80.79
451	<i>Parks and Recreation Dept</i>	<i>61,786.14</i>	<i>986,744.70</i>	<i>1,043,375.00</i>	<i>56,630.30</i>	<i>94.57</i>
490	<i>Non-Departmental Expenses</i>					
E02	Personnel services, benefits	3,000.00	19,340.02	22,475.00	3,134.98	86.05
E03	Purchased professional service	138.97	32,725.85	35,400.00	2,674.15	92.45
E04	Purchased property services	488.64	20,396.05	22,000.00	1,603.95	92.71
E05	Other purchased services	121.04	146,981.75	163,725.00	16,743.25	89.77
E08	Special projects	0.00	41,489.00	42,000.00	511.00	98.78
E11	Contingency	0.00	0.00	165,000.00	165,000.00	0.00
E12	Transfers to other funds	236,794.20	477,893.20	779,075.00	301,181.80	61.34
490	<i>Non-Departmental Expenses</i>	<i>240,542.85</i>	<i>738,825.87</i>	<i>1,229,675.00</i>	<i>490,849.13</i>	<i>60.08</i>
Revenue Total		-531,310.22	-7,017,159.46	-7,026,700.00	-9,540.54	-1.00
Expense Total		699,037.21	7,247,544.08	8,169,000.00	921,455.92	0.89
110	General Fund	167,726.99	230,384.62	1,142,300.00	911,915.38	20.17

General Ledger
Actual vs Budget Report



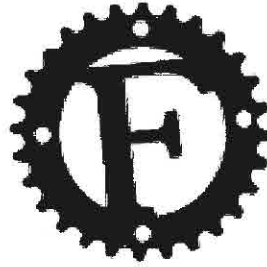
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Period 12 - 12
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
121	Conservation Trust Fund					
000						
R03	Intergovernmental revenue	-34,000.28	-141,498.29	-120,000.00	21,498.29	117.92
000		-34,000.28	-141,498.29	-120,000.00	21,498.29	117.92
880	<i>Purchase of Dev Rights</i>					
E08	Special projects	0.00	0.00	26,000.00	26,000.00	0.00
E12	Transfers to other funds	1,535.52	177,426.90	184,100.00	6,673.10	96.38
880	<i>Purchase of Dev Rights</i>	1,535.52	177,426.90	210,100.00	32,673.10	84.45
	Revenue Total	-34,000.28	-141,498.29	-120,000.00	21,498.29	-1.18
	Expense Total	1,535.52	177,426.90	210,100.00	32,673.10	0.84
121	Conservation Trust Fund	-32,464.76	35,928.61	90,100.00	54,171.39	39.88

General Ledger
Actual vs Budget Report



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Period 12 - 12
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
125	Marketing and Promotion Fund					
<i>000</i>						
R01	Taxes	-7,800.87	-112,127.26	-101,500.00	10,627.26	110.47
R04	Charges for services	0.00	-72.00	0.00	72.00	0.00
<i>000</i>		<i>-7,800.87</i>	<i>-112,199.26</i>	<i>-101,500.00</i>	<i>10,699.26</i>	<i>110.54</i>
<i>465</i>	<i>Marketing Operations</i>					
E01	Personnel services, salaries	1,983.08	13,983.04	14,000.00	16.96	99.88
E02	Personnel services, benefits	240.82	4,354.19	4,600.00	245.81	94.66
E04	Purchased property services	27.40	165.67	300.00	134.33	55.22
E05	Other purchased services	7,186.00	54,551.26	62,225.00	7,673.74	87.67
E06	Supplies	780.00	3,499.43	3,500.00	0.57	99.98
E08	Special projects	0.00	21,500.00	22,500.00	1,000.00	95.56
<i>465</i>	<i>Marketing Operations</i>	<i>10,217.30</i>	<i>98,053.59</i>	<i>107,125.00</i>	<i>9,071.41</i>	<i>91.53</i>
Revenue Total		-7,800.87	-112,199.26	-101,500.00	10,699.26	-1.11
Expense Total		10,217.30	98,053.59	107,125.00	9,071.41	0.92
125	Marketing and Promotion Fund	2,416.43	-14,145.67	5,625.00	19,770.67	-251.48

General Ledger
Actual vs Budget Report



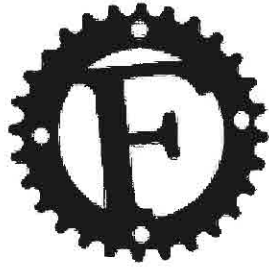
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Period 12 - 12
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
127	Community Center Fund					
000						
R01	Taxes	-88,193.37	-1,113,457.60	-1,077,000.00	36,457.60	103.39
R03	Intergovernmental revenue	0.00	-2,000.00	-2,000.00	0.00	100.00
R04	Charges for services	-79,909.36	-1,066,729.87	-1,046,500.00	20,229.87	101.93
R06	Interest	-552.43	-618.81	0.00	618.81	0.00
R07	Donations	-75.00	-2,100.00	-1,700.00	400.00	123.53
R08	Miscellaneous	-72.87	-1,478.68	0.00	1,478.68	0.00
R09	Transfers from other funds	-23,750.00	-95,000.00	-95,000.00	0.00	100.00
R10	Other financing sources	0.00	-24,839.36	-24,800.00	39.36	100.16
R12	Rents	-1,300.00	-43,740.00	-40,000.00	3,740.00	109.35
000		-193,853.03	-2,349,964.32	-2,287,000.00	62,964.32	102.75
451	<i>Parks and Recreation Dept</i>					
E01	Personnel services, salaries	63,650.17	910,764.31	917,575.00	6,810.69	99.26
E02	Personnel services, benefits	5,354.36	184,373.41	185,650.00	1,276.59	99.31
E03	Purchased professional service	2,132.12	44,073.07	46,850.00	2,776.93	94.07
E04	Purchased property services	3,655.82	92,065.78	98,175.00	6,109.22	93.78
E05	Other purchased services	4,891.77	44,174.05	45,050.00	875.95	98.06
E06	Supplies	18,118.45	279,988.74	298,225.00	18,236.26	93.89
E07	Capital	13,816.18	93,155.67	108,400.00	15,244.33	85.94
E12	Transfers to other funds	4,545.00	618,849.30	738,200.00	119,350.70	83.83
451	<i>Parks and Recreation Dept</i>	116,163.87	2,267,444.33	2,438,125.00	170,680.67	93.00
Revenue Total		-193,853.03	-2,349,964.32	-2,287,000.00	62,964.32	-1.03
Expense Total		116,163.87	2,267,444.33	2,438,125.00	170,680.67	0.93
127	Community Center Fund	-77,689.16	-82,519.99	151,125.00	233,644.99	-54.60

General Ledger
Actual vs Budget Report



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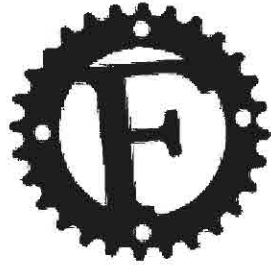
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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
130	Capital Projects Fund					
000						
R03	Intergovernmental revenue	0.00	-80,000.00	0.00	80,000.00	0.00
R05	Fines and forfeitures	0.00	0.00	0.00	0.00	0.00
R06	Interest	-620.53	-6,054.44	0.00	6,054.44	0.00
000		-620.53	-86,054.44	0.00	86,054.44	0.00
700	<i>Contingency</i>					
E11	Contingency	0.00	0.00	62,500.00	62,500.00	0.00
R09	Transfers from other funds	0.00	0.00	-62,500.00	-62,500.00	0.00
700	<i>Contingency</i>	0.00	0.00	0.00	0.00	0.00
708	<i>Downtown Improvements</i>					
E03	Purchased professional service	1,615.00	10,010.00	50,000.00	39,990.00	20.02
E07	Capital	5,600.00	22,603.74	20,000.00	-2,603.74	113.02
R03	Intergovernmental revenue	0.00	0.00	-25,000.00	-25,000.00	0.00
R09	Transfers from other funds	0.00	-12,592.00	-45,000.00	-32,408.00	27.98
708	<i>Downtown Improvements</i>	7,215.00	20,021.74	0.00	-20,021.74	0.00
733	<i>Sidewalk Replacement</i>					
E07	Capital	0.00	31,453.08	40,000.00	8,546.92	78.63
R05	Fines and forfeitures	0.00	-5,237.06	0.00	5,237.06	0.00
R09	Transfers from other funds	0.00	-26,216.02	-40,000.00	-13,783.98	65.54
733	<i>Sidewalk Replacement</i>	0.00	0.00	0.00	0.00	0.00
735	<i>Overlays</i>					
E07	Capital	24.79	442,217.26	472,950.00	30,732.74	93.50
R03	Intergovernmental revenue	-51,746.38	-251,746.38	-251,725.00	21.38	100.01
R09	Transfers from other funds	-190,446.09	-190,446.09	-221,225.00	-30,778.91	86.09
735	<i>Overlays</i>	-242,167.68	24.79	0.00	-24.79	0.00
742	<i>Hwy 340 and I-70 Improvements</i>					
E03	Purchased professional service	11,880.00	36,886.34	38,300.00	1,413.66	96.31
E07	Capital	0.00	0.00	30,000.00	30,000.00	0.00
R03	Intergovernmental revenue	0.00	-2,788.60	-20,000.00	-17,211.40	13.94

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
R09	Transfers from other funds	0.00	0.00	-48,300.00	-48,300.00	0.00
742	<i>Hwy 340 and I-70 Improvements</i>	<i>11,880.00</i>	<i>34,097.74</i>	<i>0.00</i>	<i>-34,097.74</i>	<i>0.00</i>
745	<i>J.2 Road Improvements</i>					
E07	Capital	0.00	259,116.03	258,725.00	-391.03	100.15
R03	Intergovernmental revenue	0.00	-50,942.17	-50,575.00	367.17	100.73
R11	Development impact fees	0.00	-208,173.86	-208,150.00	23.86	100.01
745	<i>J.2 Road Improvements</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
781	<i>Shop Improvements</i>					
E07	Capital	1,316.61	219,784.26	224,450.00	4,665.74	97.92
R03	Intergovernmental revenue	0.00	-115,000.01	-115,000.00	0.01	100.00
R09	Transfers from other funds	-4,038.43	-103,467.64	-109,450.00	-5,982.36	94.53
781	<i>Shop Improvements</i>	<i>-2,721.82</i>	<i>1,316.61</i>	<i>0.00</i>	<i>-1,316.61</i>	<i>0.00</i>
790	<i>Kokopelli Trail</i>					
E03	Purchased professional service	35,183.37	195,193.75	259,400.00	64,206.25	75.25
R03	Intergovernmental revenue	0.00	-74,516.20	-160,000.00	-85,483.80	46.57
R09	Transfers from other funds	0.00	-27,443.23	-99,400.00	-71,956.77	27.61
790	<i>Kokopelli Trail</i>	<i>35,183.37</i>	<i>93,234.32</i>	<i>0.00</i>	<i>-93,234.32</i>	<i>0.00</i>
791	<i>Lower Little Salt Wash Trail</i>					
E03	Purchased professional service	6,690.69	9,866.15	28,000.00	18,133.85	35.24
E07	Capital	18,237.00	1,230,666.09	1,260,000.00	29,333.91	97.67
R03	Intergovernmental revenue	0.00	-849,540.00	-849,500.00	40.00	100.00
R09	Transfers from other funds	-22,027.32	-172,889.09	-220,500.00	-47,610.91	78.41
R11	Development impact fees	-3,175.46	-3,175.46	-28,000.00	-24,824.54	11.34
791	<i>Lower Little Salt Wash Trail</i>	<i>-275.09</i>	<i>214,927.69</i>	<i>190,000.00</i>	<i>-24,927.69</i>	<i>113.12</i>
794	<i>Little Salt Wash Park</i>					
E07	Capital	0.00	11,419.48	11,250.00	-169.48	101.51
R07	Donations	-169.48	-169.48	0.00	169.48	0.00
R09	Transfers from other funds	-35.52	-11,250.00	-11,250.00	0.00	100.00
794	<i>Little Salt Wash Park</i>	<i>-205.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
798	<i>Community Recreation Center</i>					
E07	Capital	0.00	39,391.00	42,850.00	3,459.00	91.93
R09	Transfers from other funds	-4,545.00	-39,391.00	-42,850.00	-3,459.00	91.93
798	<i>Community Recreation Center</i>	<i>-4,545.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>
802	<i>Veterans Memorial Park</i>					
E07	Capital	0.00	19,483.67	20,000.00	516.33	97.42
R09	Transfers from other funds	-1,500.00	-19,483.67	-20,000.00	-516.33	97.42

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
802	Veterans Memorial Park	-1,500.00	0.00	0.00	0.00	0.00
803	General Park Improvements					
E07	Capital	0.00	8,225.00	8,500.00	275.00	96.76
R07	Donations	169.48	-8,330.52	-8,500.00	-169.48	98.01
803	General Park Improvements	169.48	-105.52	0.00	105.52	0.00
Revenue Total		-278,134.73	-2,258,852.92	-2,636,925.00	-378,072.08	-0.86
Expense Total		80,547.46	2,536,315.85	2,826,925.00	290,609.15	0.90
130	Capital Projects Fund	-197,587.27	277,462.93	190,000.00	-87,462.93	146.03

General Ledger
Actual vs Budget Report



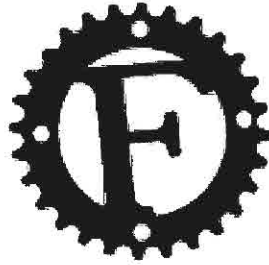
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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
140	Debt Service Fund					
<i>000</i>						
R03	Intergovernmental revenue	0.00	-248,466.54	-248,450.00	16.54	100.01
R06	Interest	-5,148.23	-12,452.62	-4,350.00	8,102.62	286.27
R09	Transfers from other funds	0.00	-579,458.30	-695,350.00	-115,891.70	83.33
<i>000</i>		<i>-5,148.23</i>	<i>-840,377.46</i>	<i>-948,150.00</i>	<i>-107,772.54</i>	<i>88.63</i>
<i>470</i>	<i>Debt Service</i>					
E09	Debt service principal	0.00	60,000.00	60,000.00	0.00	100.00
E10	Debt interest & bond issuance	0.00	888,137.50	888,150.00	12.50	100.00
<i>470</i>	<i>Debt Service</i>	<i>0.00</i>	<i>948,137.50</i>	<i>948,150.00</i>	<i>12.50</i>	<i>100.00</i>
Revenue Total		-5,148.23	-840,377.46	-948,150.00	-107,772.54	-0.89
Expense Total		0.00	948,137.50	948,150.00	12.50	1.00
140	Debt Service Fund	-5,148.23	107,760.04	0.00	-107,760.04	0.00

General Ledger
Actual vs Budget Report



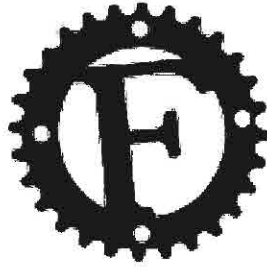
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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
211	Irrigation Water Fund					
000						
R04	Charges for services	-500.00	-105,667.43	-103,525.00	2,142.43	102.07
000		-500.00	-105,667.43	-103,525.00	2,142.43	102.07
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	1,597.64	49,231.74	49,450.00	218.26	99.56
E02	Personnel services, benefits	189.75	17,400.30	19,475.00	2,074.70	89.35
E04	Purchased property services	0.00	1,500.00	1,500.00	0.00	100.00
E05	Other purchased services	2,625.67	5,861.97	6,025.00	163.03	97.29
E06	Supplies	251.99	13,889.63	14,900.00	1,010.37	93.22
E07	Capital	0.00	0.00	2,175.00	2,175.00	0.00
E12	Transfers to other funds	2,500.00	10,000.00	10,000.00	0.00	100.00
431	<i>Public Works Department</i>	7,165.05	97,883.64	103,525.00	5,641.36	94.55
Revenue Total		-500.00	-105,667.43	-103,525.00	2,142.43	-1.02
Expense Total		7,165.05	97,883.64	103,525.00	5,641.36	0.95
211	Irrigation Water Fund	6,665.05	-7,783.79	0.00	7,783.79	0.00

General Ledger
Actual vs Budget Report



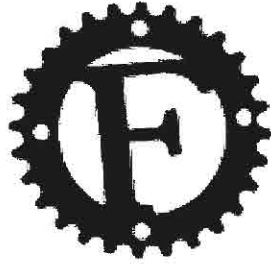
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Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
212	Sewer Fund					
000						
R04	Charges for services	-14,346.94	-3,066,082.54	-3,038,000.00	28,082.54	100.92
R06	Interest	-2,065.38	-19,561.43	-4,300.00	15,261.43	454.92
R08	Miscellaneous	0.00	0.00	-100.00	-100.00	0.00
R10	Other financing sources	-200.00	-200.00	0.00	200.00	0.00
000		-16,612.32	-3,085,843.97	-3,042,400.00	43,443.97	101.43
433	Sewer					
E01	Personnel services, salaries	31,542.79	425,272.94	478,725.00	53,452.06	88.83
E02	Personnel services, benefits	3,835.32	180,071.60	196,075.00	16,003.40	91.84
E03	Purchased professional service	1,273.76	49,989.55	64,000.00	14,010.45	78.11
E04	Purchased property services	365.45	78,658.69	81,250.00	2,591.31	96.81
E05	Other purchased services	1,233.70	111,344.37	120,450.00	9,105.63	92.44
E06	Supplies	49,245.22	315,505.89	365,325.00	49,819.11	86.36
E07	Capital	0.00	411,798.43	412,150.00	351.57	99.91
E08	Special projects	0.00	0.00	30,000.00	30,000.00	0.00
E09	Debt service principal	0.00	630,000.00	630,000.00	0.00	100.00
E10	Debt interest & bond issuance	0.00	562,843.70	562,850.00	6.30	100.00
E12	Transfers to other funds	43,467.64	163,467.64	169,450.00	5,982.36	96.47
433	Sewer	130,963.88	2,928,952.81	3,110,275.00	181,322.19	94.17
603	Sewer Line Upgrades					
E07	Capital	0.00	88,880.09	262,250.00	173,369.91	33.89
603	Sewer Line Upgrades	0.00	88,880.09	262,250.00	173,369.91	33.89
607	Section 2					
E04	Purchased property services	0.00	0.00	28,000.00	28,000.00	0.00
607	Section 2	0.00	0.00	28,000.00	28,000.00	0.00
Revenue Total		-16,612.32	-3,085,843.97	-3,042,400.00	43,443.97	-1.01
Expense Total		130,963.88	3,017,832.90	3,400,525.00	382,692.10	0.89
212	Sewer Fund	114,351.56	-68,011.07	358,125.00	426,136.07	-18.99

General Ledger
Actual vs Budget Report



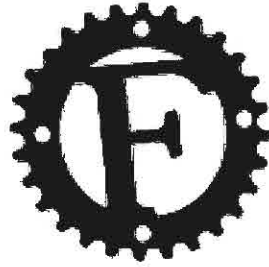
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Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
215	Trash Fund					
000						
R04	Charges for services	-412.92	-628,006.51	-677,000.00	-48,993.49	92.76
000		-412.92	-628,006.51	-677,000.00	-48,993.49	92.76
432	<i>Sanitation Department</i>					
E05	Other purchased services	52,039.49	519,405.67	626,000.00	106,594.33	82.97
E12	Transfers to other funds	12,750.00	51,000.00	51,000.00	0.00	100.00
432	<i>Sanitation Department</i>	64,789.49	570,405.67	677,000.00	106,594.33	84.25
	Revenue Total	-412.92	-628,006.51	-677,000.00	-48,993.49	-0.93
	Expense Total	64,789.49	570,405.67	677,000.00	106,594.33	0.84
215	Trash Fund	64,376.57	-57,600.84	0.00	57,600.84	0.00

General Ledger
Actual vs Budget Report



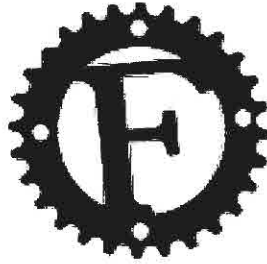
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Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
220	Fleet Maintenance Fund					
000						
R04	Charges for services	0.00	-290,375.00	-290,375.00	0.00	100.00
R10	Other financing sources	0.00	-794.33	0.00	794.33	0.00
000		0.00	-291,169.33	-290,375.00	794.33	100.27
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	10,287.46	130,107.18	129,275.00	-832.18	100.64
E02	Personnel services, benefits	1,080.68	39,535.00	40,100.00	565.00	98.59
E03	Purchased professional service	1,296.00	1,967.00	2,200.00	233.00	89.41
E04	Purchased property services	4,002.27	22,110.95	21,000.00	-1,110.95	105.29
E06	Supplies	24,937.46	90,862.77	97,800.00	6,937.23	92.91
431	<i>Public Works Department</i>	41,603.87	284,582.90	290,375.00	5,792.10	98.01
<i>Revenue Total</i>		0.00	-291,169.33	-290,375.00	794.33	-1.00
<i>Expense Total</i>		41,603.87	284,582.90	290,375.00	5,792.10	0.98
220	Fleet Maintenance Fund	41,603.87	-6,586.43	0.00	6,586.43	0.00

General Ledger
Actual vs Budget Report



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<u>Sort Level</u>	<u>Description</u>	<u>Period Amt</u>	<u>End Bal</u>	<u>Budget</u>	<u>Variance</u>	<u>% Expend/Collect</u>
<i>Revenue Total</i>		-1,067,772.60	-16,830,738.95	-17,233,575.00	-402,836.05	-0.98
<i>Expense Total</i>		1,152,023.65	17,245,627.36	19,170,850.00	1,925,222.64	0.90



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL MAYOR
FROM: SAM ATKINS, CITY ENGINEER
DATE: JANUARY 17, 2017
RE: GATEWAY ENHANCEMENTS CONCEPTUAL DESIGN

BACKGROUND

The City of Fruita has identified the need to improve the appearance of the entrance to the City, mainly the on and off ramps to Interstate 70 along with the section of Highway 340 from Raptor Road to Aspen Avenue. Last year, a public input process was developed with help from the University Technical Assistance Program (UTA). UTA developed input packets that were available online, at various local businesses, and at the City's Civil Center and Community Center. 88 input packets were received back from the public. UTA reviewed the input received and compiled the results in a Summary Analysis. 97 percent of the responses were from the Grand Valley with 82 percent from the Fruita area.

Strong themes were:

- Landscaping
- Roundabout Enhancement
- Bridge Enhancement
- Signage
- Sense of Community (Fruita)

Given the magnitude of the possibilities for improvements, staff decided to have concepts developed that would establish and prioritize smaller projects and their costs along with an overall theme that would allow the City to complete the Gateway Improvements over time and in a logical manner.

The City solicited the design firm of Ciavonne Roberts & Associates (CRA) to develop the concept themes based on the results of the input packets. CRA developed some initial ideas and presented that material in an open house held September 19, 2016. Limited public attendance and input was provided, but was used to move forward with a draft final Gateway Enhancements Conceptual Design. This draft was presented to the Arts & Culture Board and the City Council during December and January. Final modifications to the Gateway Enhancements Conceptual Design are being finalized and will be sent out and posted on Monday, January 16, 2017 and presented during the City Council meeting on Jan. 17.

FISCAL IMPACT

This planning project is allocated in the Capital Projects Fund and matched with a grant from the Department of Local Affairs. No funding has been identified for construction of any physical improvements or implementation of the plan.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This planning project is intended to identify the appearance of the gateway to the City that will help attract potential customers for local businesses, improve safety, and enhance the appearance of the City's main entrance.

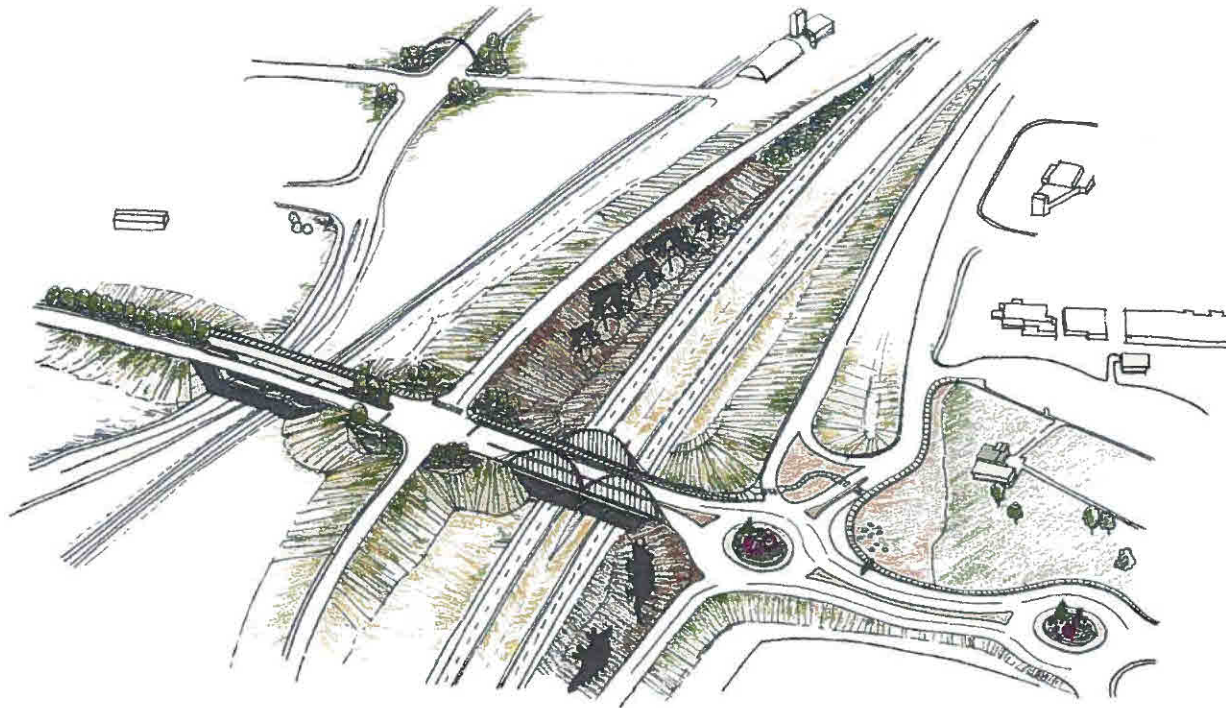
OPTIONS AVAILABLE TO COUNCIL

1. Approve the Gateway Enhancements Conceptual Design.
2. Deny the Gateway Enhancements Conceptual Design.
3. Approve the Gateway Enhancements Conceptual Design with specific modifications.

RECOMMENDATION

Staff recommends City Council approve the Gateway Enhancements Conceptual Design.

GATEWAY ENHANCEMENT CONCEPTUAL DESIGN FOR THE CITY OF FRUITA



FRUITA
COLORADO



322 North 7th Street Grand Junction, CO 81501
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Fruita Gateway Enhancement and Wayfinding

Project Overview

The City of Fruita is located in Mesa County, approximately 10 miles northwest of Grand Junction, Colorado, and lies in close proximity to the Colorado National Monument as well as other scenic outdoor attractions. Fruita is known nationally as a recreational mountain bike area, but it also provides ample hiking, climbing, and rafting opportunities, as well as archaeological and paleontological experiences. Because of Fruita's pleasant climate and recreational opportunities, along with the unique character of the town, it has become one of the fastest growing cities on the western slope. This growth has challenged Fruita to adapt, while still providing the services expected and promoting quality development.

In 2012, the Fruita City Council identified the need to develop the full potential of a strong downtown as a top priority and worked towards a conceptual master plan for downtown streetscape improvements that was adopted in late 2013. The creation of this downtown master plan included the involvement of numerous businesses, residents, and community groups, and summarized the vision for how the streetscape and public spaces in the downtown area might develop.

The downtown streetscape improvement master plan included a Fruita Framework Plan that briefly addressed the need for creating defined gateways and better entry experiences from Interstate 70 and US 6/50 to the historic downtown area. It suggested the apparent and inviting use of high quality bridge design, directional signage, enhanced landscaping, and sculptural elements.

This 2016 Conceptual Design for Gateway Enhancement and Wayfinding Study is an outgrowth of the Framework Plan developed in 2013. It embraces the recommendations to create a more pleasant entry experience, but in addition it:

- expands the 'framework' beyond the City entrances from I-70 and 6/50, to also include Highway 340 ... from Raptor Road north to Aspen Avenue;
- recognizes that both the historic Downtown and Southside Marketplace are visitor destinations that require good wayfinding;
- addresses landscape enhancement opportunities for highway ramp slopes and bridge abutments;
- identifies the proposed enhancements based on 'first impressions', 'biggest bang for the buck', and 'future' customers;
- provides wayfinding concepts and potential design themes that range from 'traditional' to 'unique'.

In summary, this Study identifies projects that will have a significant impact ... largely founded in 'views' and 'first impressions', as well as projects that might have a higher priority ... largely founded in 'theme' and 'wayfinding'. It might go without saying, but the impact projects are larger, more costly, and intended to 'capture' the customer; whereas the priority projects are smaller, more affordable and phase-able, and are intended to 'direct' the customer.

Resources used for this Gateway Enhancement Study included existing documentation and resources from GIS mapping and aerial photography, input from City Staff, Colorado Department of Transportation (CDOT) construction drawings for the Highway 340 improvements within the study area, and community input from the 'Design Input Packet Analysis'.

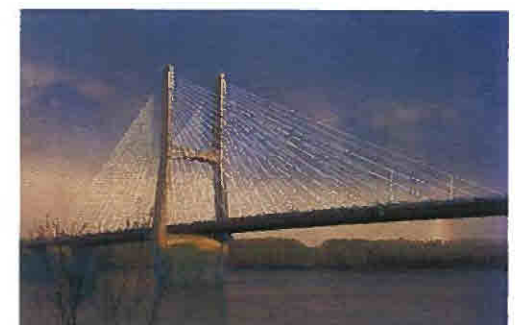
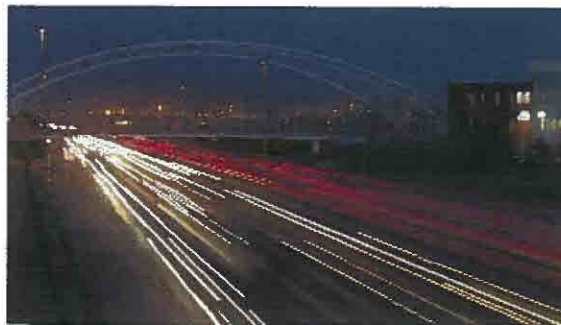


Conceptual Layout and Design

The parameters of this project can be most simply defined as "Landscape and wayfinding enhancements from Raptor Road to Aspen Avenue, and at the intersection of Mesa Street and 6/50." However, this is too simple. We really want to start with the '5,280 foot view' of this project.

Question: Where is the first spot that the City of Fruita can make the BIGGEST first impression on the 'first time' visitor?

Answer: It is between one mile and ½ mile away from the Highway 340 Bridge crossing of Interstate 70. This is where you can first capture some interest, well ahead of the "Exit 19 - Fruita - Next Right" decision point for taking the off-ramp. From the 'biggest bang for your buck' standpoint, the view of this bridge could be and should be memorable



The above exemplifies the examination of impact used for this project: what is visible; when it is visible; how long it is visible; and its role in wayfinding. Certainly 'cost' must be considered, but on a project of this scale, even the simplest of solutions can be expensive.

What does the 'viewer' first see?

- The 'Initial view' from I-70 is the Highway 340 Bridge over the Interstate ...
- then the entry to the off-ramps (Exit 19), and its surrounds ...
- then the views from being up on Highway 340, and associated wayfinding.

When is 'what' viewed?

- The Highway 340 Bridge over I-70 is visible from one half to one mile away;
- The entry to the off-ramps, signed as Exit 19, are viewed from approximately one quarter mile away, and are 'fast views' requiring a decision on whether you exit or not.
- If you chose to exit, the view of the off-ramp surrounds are generally 'superior views' ... meaning that you are above looking down, or across to other areas.
 - It is at the top of the ramp where you slow down, absorb the wayfinding, and best appreciate any level of detail.
 - The 'Top of Ramp' experience at Exit 19 is much different between eastbound and westbound.
- The views from Highway 340 to the immediate surrounds are intermittent and fairly temporary as you travel along the corridor.

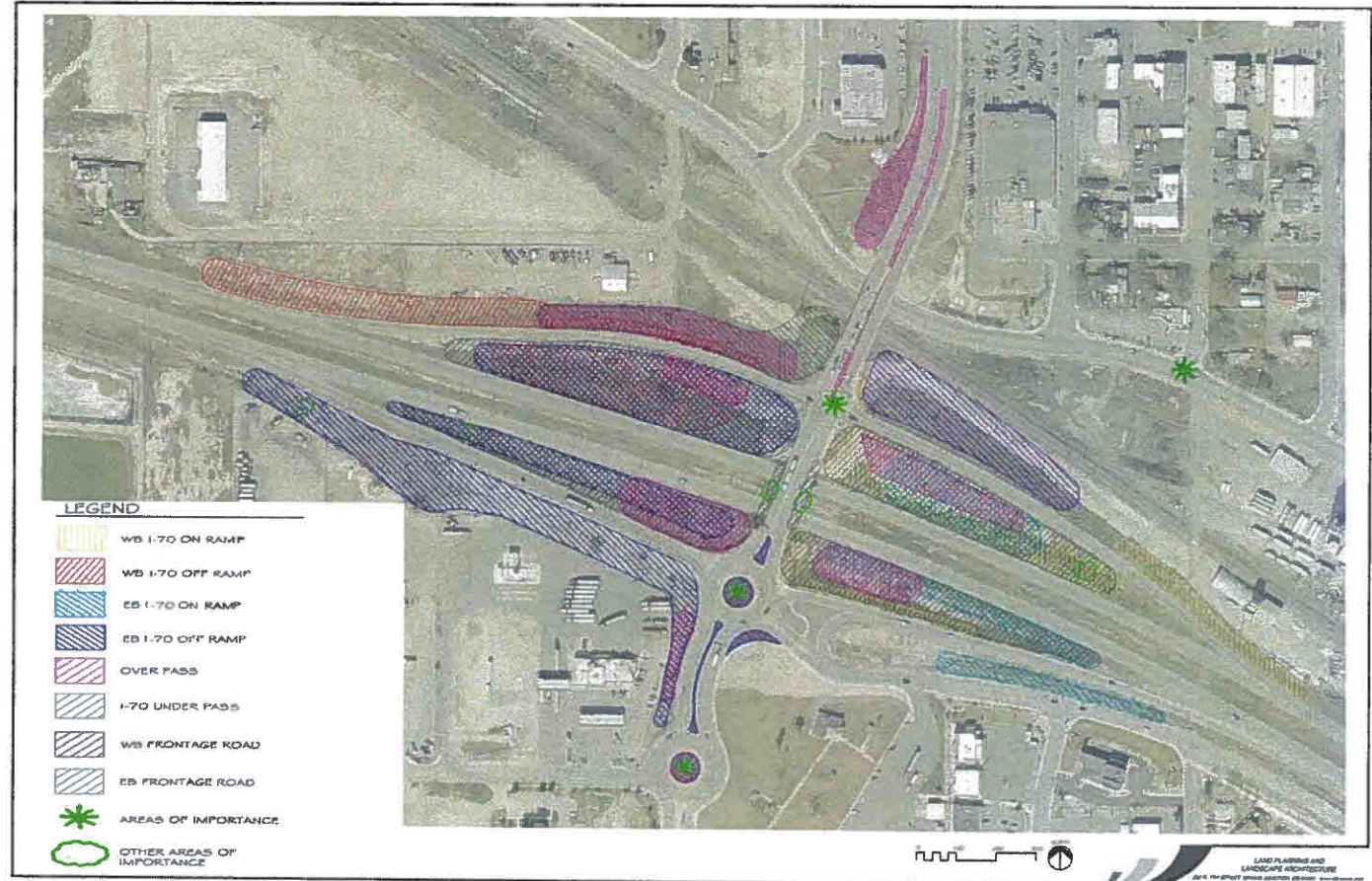
What 'views' are most important?

- Those areas that are most frequently viewed;
- Those areas that are 'First Impressions'
 - The Highway 340 overpass
 - The off ramps
 - The top of the off ramps
- The wayfinding and experience within the Highway 340 corridor ... the detail!

What 'views' are least important?

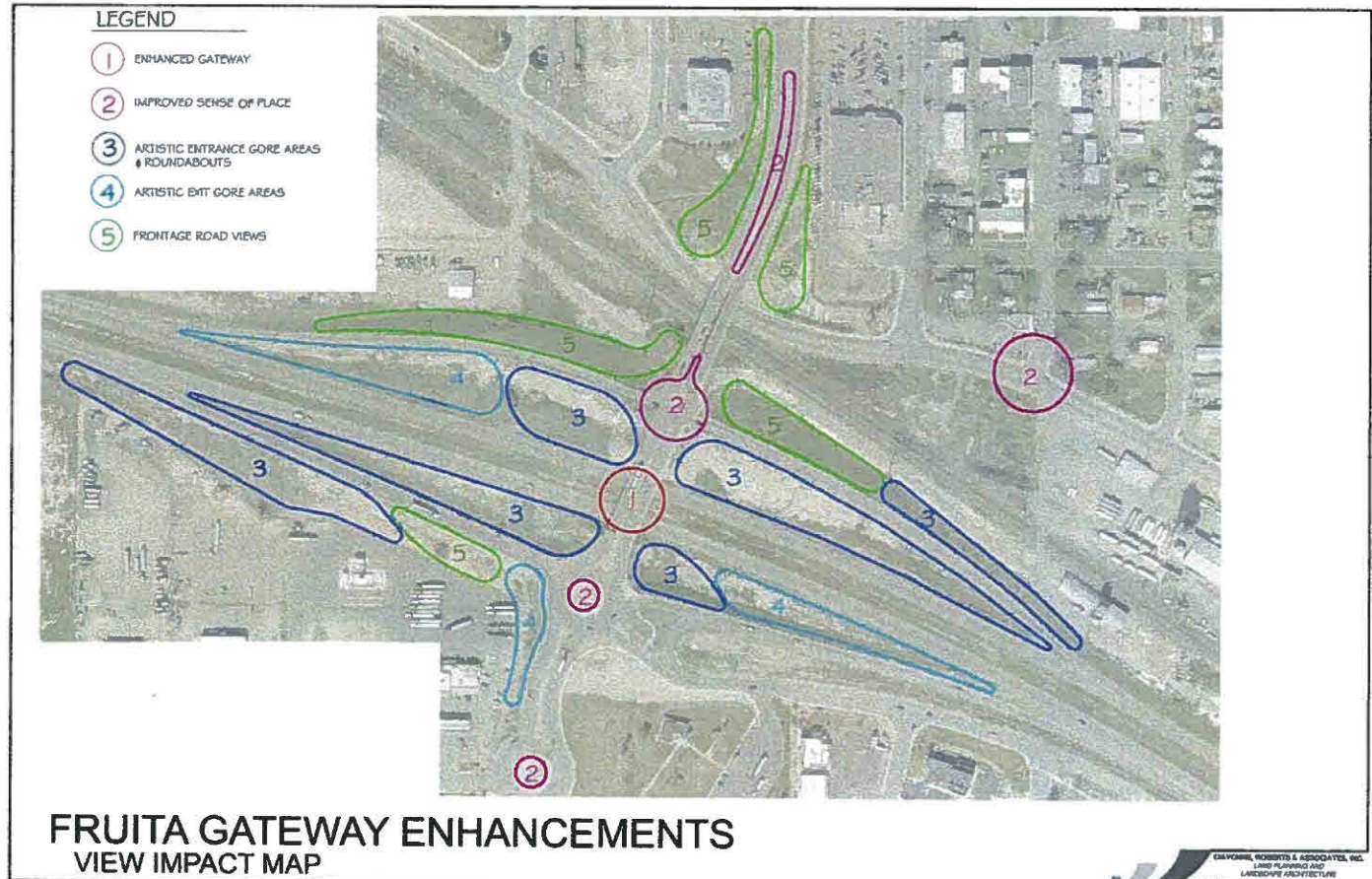
- Those areas that are least frequently viewed;
- How about "Last Impressions"?
 - Those who continue along I-70 and drive past the Exit 19 off ramps;
 - Maybe those leaving the City of Fruita – those using the on ramps to I-70.

The View Analysis Map for this project corridor was developed to identify much of what was previously discussed; to analyze the impacts; and to then synthesize the information into areas of importance. Although this analysis is a combination of 'art' and 'science', the outcome can aid in quantifying the varying areas, denoting what areas have the highest impact, and assessing what it might cost to provide differing levels of enhancements. This map recognizes that there are areas that are rarely viewed and areas that are frequently viewed. To this we can identify views seen while stopped or traveling slow, and views that are sped by. Ultimately we can start to identify the views that have more importance from views that have less importance: if it is seen often, from close up, at a slow speed ... it is likely to have a higher impact than if it is rarely seen, and/or seen from farther away, and/or while speeding by.



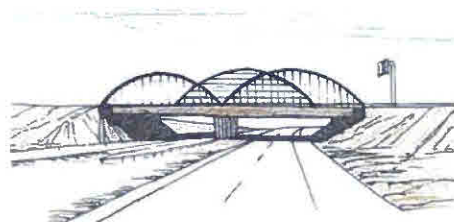
The combinations and permutations are many, but have been simplified into the following 'View Impact Areas' with noted attributes:

- ONE(s) – First views; big first impressions; significant feature(s); possible initiation of 'Theme'; subject to significant CDOT constraints;
- TWO(s) – Expansion on first impressions; orientation and wayfinding available with slower speeds; reinforcement of 'Theme'; subject to significant CDOT constraints;
- THREE(s) – Off ramp 'Edges' first impressions; high speed / decreasing speed by landscape (detail not seen); also pass through visibility; subject to CDOT constraints;
- FOUR(s) – On ramp 'Edges' last impressions; low / increasing speed landscape (detail not seen); also pass through visibility ... mostly to note "You missed it!" or "Come back soon"; subject to CDOT constraints;
- FIVES(s) – Restoration: rarely viewed areas; low impact for expenditures;

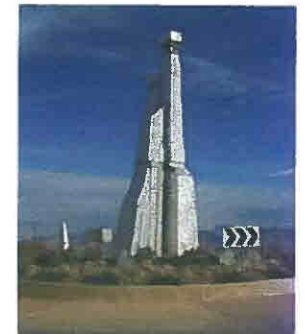
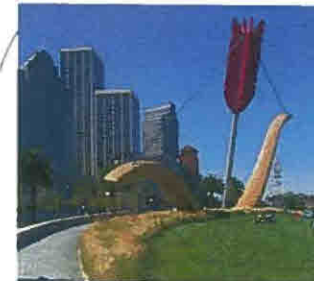
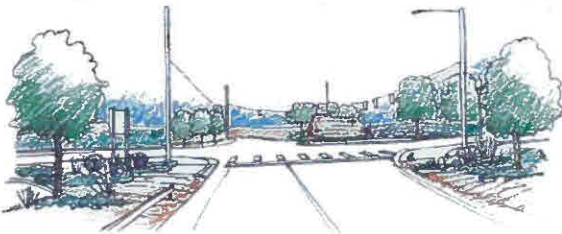


Conceptual Image Area 'Treatments' – What others are doing; What Fruita could do;

IMPACT ONE AREA(S) – The I-70 Overpass. Unique bridge structure and bridge railings; possible iconic columns; possible 'Theme' orientation. Expect significant costs (\$\$\$\$\$).



IMPACT TWO AREA(S) –The Roundabouts and Mesa/6&50. Large art in roundabouts; create a sense-of-place; orientation / wayfinding at tops of off ramps; Theme support. Expect large, but variable costs (\$\$\$\$).



IMPACT THREE AREA(S) – Off Ramp Highway Slopes. Limited irrigated landscape with 'bullet-proof' plant varieties; artistic landscape rock designs. Potential CDOT limitations. Costs appear high due to the expanse of the treated areas (\$\$\$)

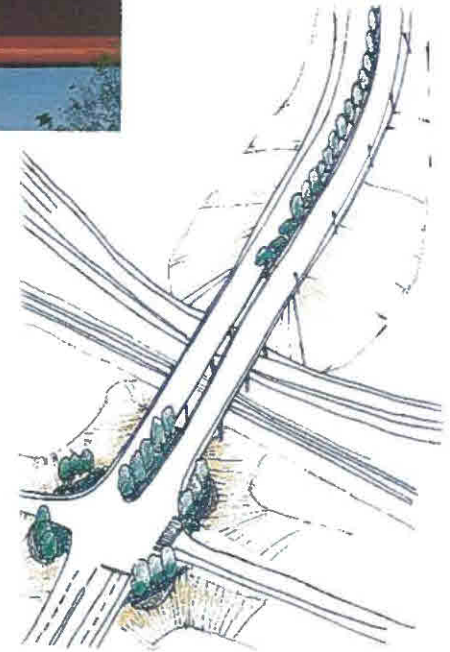


IMPACT FOUR AREA(S) – On Ramp Highway Slopes. Native grasses (irrigated); limited landscape on rock slopes. Potential CDOT limitations. Costs appear high due to the expanse of the area (\$\$\$).



IMPACT FIVE AREA(S) – Less Seen Highway Slopes. Rehabilitation landscape area (probably irrigated) (\$\$).

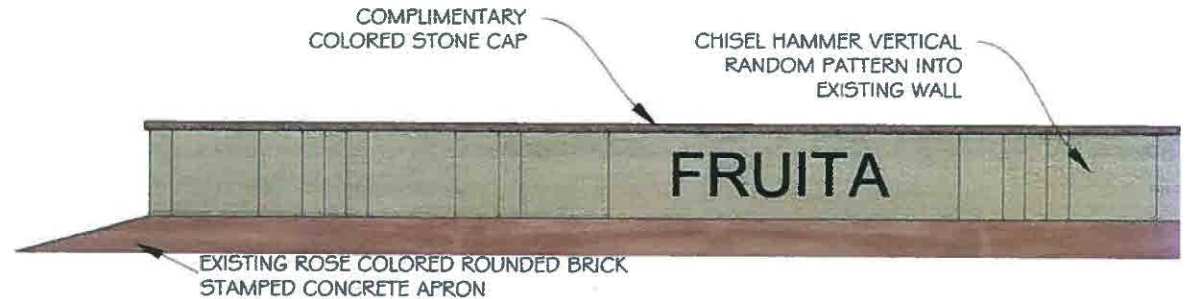
PEDESTRIAN FACILITIES – The addressing of Pedestrian Facilities fits into both the View Impact and Wayfinding Priority components of this study. It includes improving the pedestrian access from the Visitor Center in the Southside Market Place to Aspen Avenue in historic Downtown Fruita. More than half of this distance is adequate pedestrian width, however two bridges (I-70 and 6/50/railroad) are inadequate in width and should consider cantilevering outward about four feet. Additional improvements would include railings on both sides of the path and lighting. Railings could add to the art along the corridor. Potential CDOT limitations. Costs are high due to the cantilevers and railings, (\$\$\$\$)



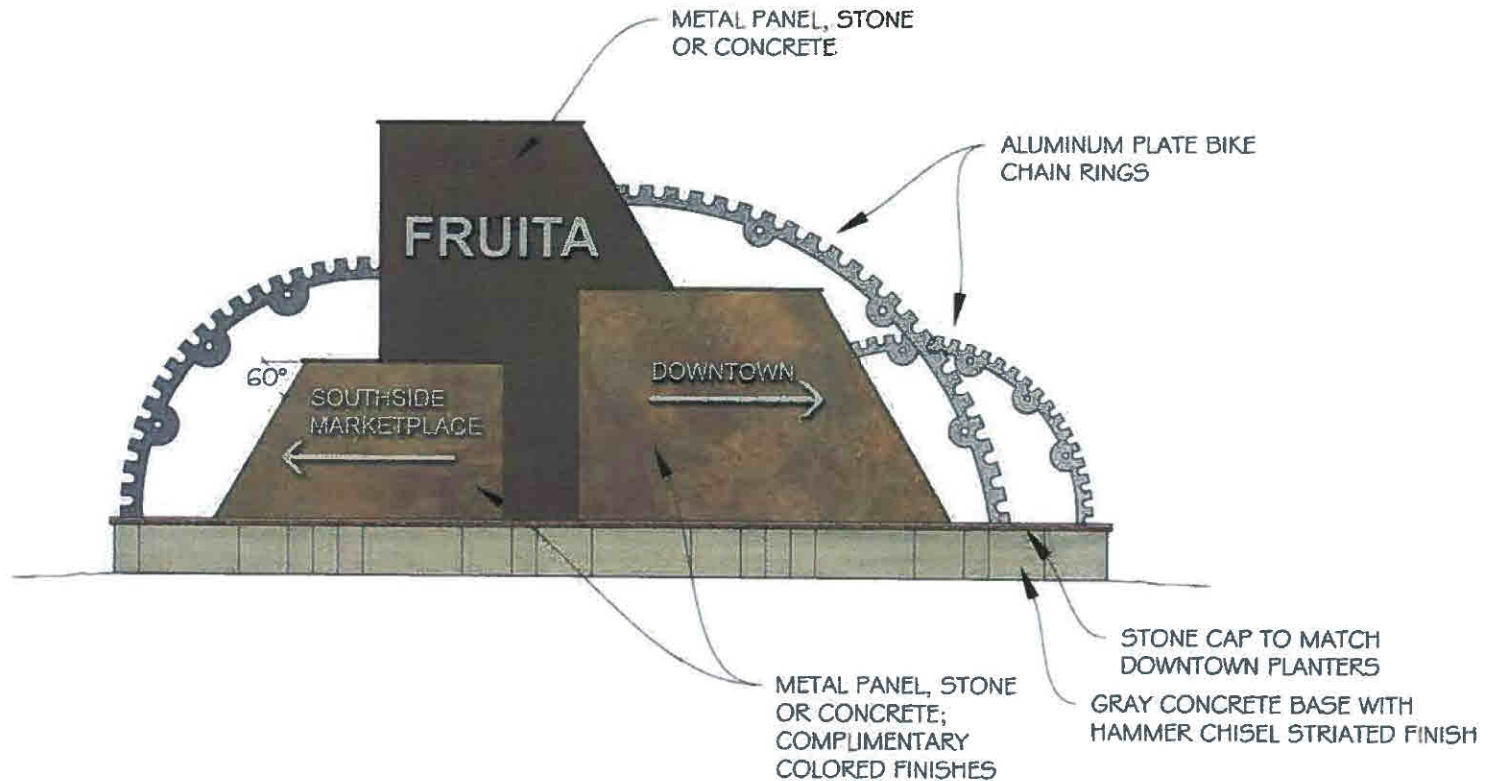
Conceptual Wayfinding Priorities – Theme Based for Fruita

Wayfinding Priorities – The ‘VIEW IMPACT’ areas described above are often large in scale and cost; potential solutions include significant structures, and / or cover expansive areas. Their importance should remain at the forefront, while recognizing that any of them will likely become a ‘long term’ project with regards to funding and implementation. Recognizing this, the Study addresses some Wayfinding ‘PRIORITIES’ that intermix throughout the ‘VIEW IMPACT’ areas along Highway 340 and elsewhere within Fruita. These have been labeled ‘PRIORITIES’ as they (1) address immediate wayfinding deficiencies, (2) are provided as a ‘family’ of features with a unified theme, (3) are significantly more affordable, and (4) provide an ease in phased implementation due to their size and versatility. Throughout the graphic and pictorial examples displayed above in this study there are numerous examples of the more traditional wayfinding components, which are attractive and are ‘valid’ candidates for use in Fruita. But Fruita has a unique identity defined by its setting, its established reputation, and its people. With this in mind a unique family of Fruita Theme Based Wayfinding Components is suggested below.

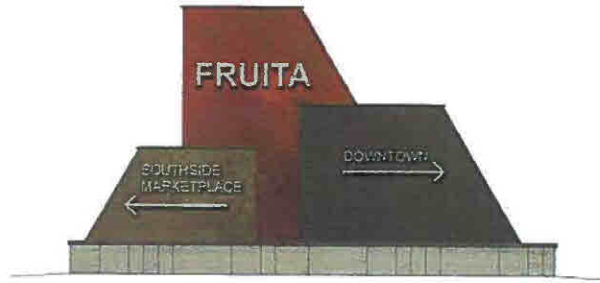
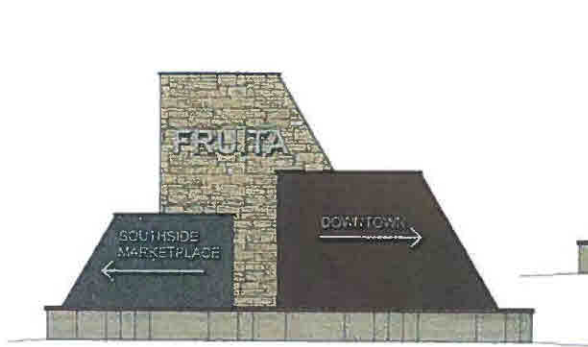
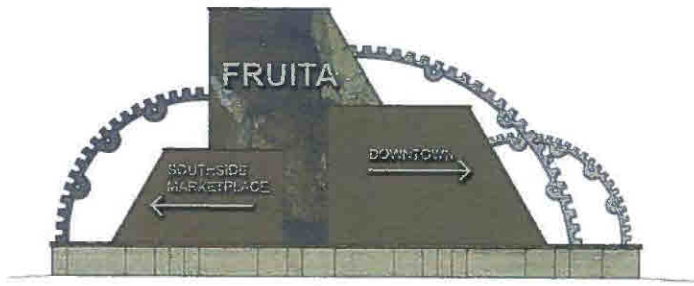
- Existing Roundabout Wall Enhancements** – As you first approach the existing Highway 340 Roundabouts coming eastbound from Utah, northbound from Colorado National Monument, or southbound across the bridge over I-70, the roundabouts are highlighted by fairly prominent plain concrete walls. Setting aside the need for sculpture and/or landscape within these currently barren roundabouts, the plain ‘white’ concrete walls encircled with the rounded brick stamped rose colored aprons are visually dominant ... and which can attractively influence the colors, materials, and theme for this Highway 340 corridor. Some reasonable enhancements to these raised walls are suggested, which aid in making these walls part of the ‘family’ of wayfinding components. These reasonable enhancements include limited scoring and/or chisel hammering of the walls to add texture; the addition of a natural stone cap that introduces the existing stone used on Aspen Avenue and is complimentary to the existing rose colored stamped concrete aprons and medians; and the identification of having arrived at Fruita. This modified wall can now be incorporated into the family of wayfinding components.



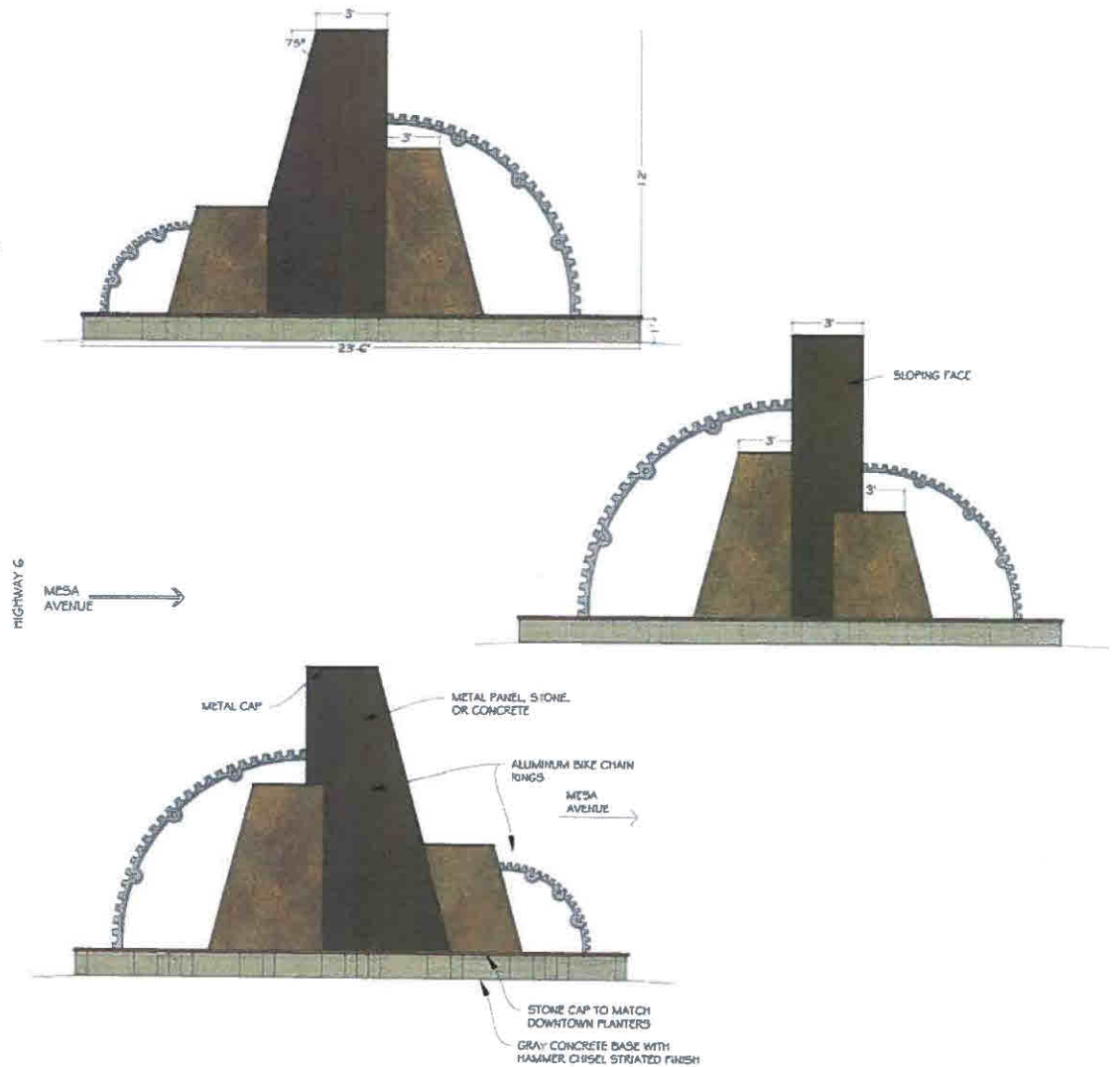
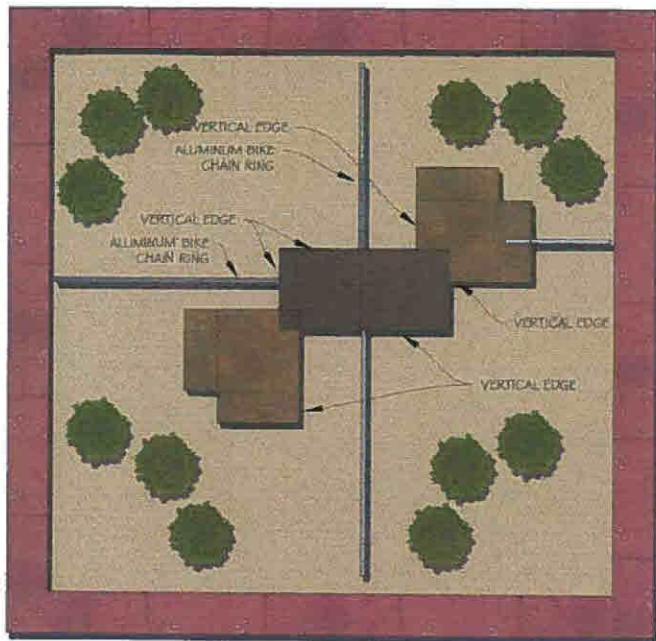
- Primary Directional Sign** – Possibly having the largest potential for immediate results is directional signage at the top of the westbound I-70 off ramp to Fruita. The intersection of this ramp with Highway 340 is in need of wayfinding, aesthetics, and a feeling of sense-of-place. All four corners of this intersection should be enlarged (via limited retaining walls) and enhanced (via limited landscape), and significant directional signage utilizing and establishing thematic materials, forms, and colors is critical. The concept for this feature takes the enhanced forms and treatments from the above roundabout walls, and introduces new forms to be carried through many of the wayfinding features ... including the Fruita 'Gear Icon' from the new Fruita logo. The upright panels, which can be flexible in both material and color, represent the geologic landforms that are iconic to the area and in particular to Fruita with its close proximity to Colorado National Monument; the 'gears' are shown as aluminum or chrome, and represent the new and modern recreational paradise that Fruita has become known for. The following page provides a number of color options for the upright panels, with and without the 'gears', each having a slightly different feel. As depicted below, this wayfinding theme is unique, strong, and contemporary, but still warrants more detailed input and study if it is to move forward.



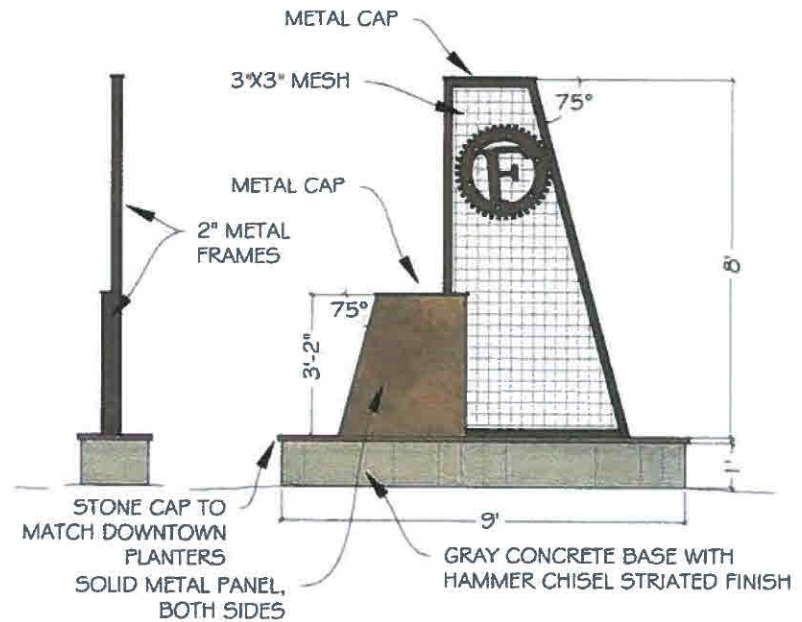
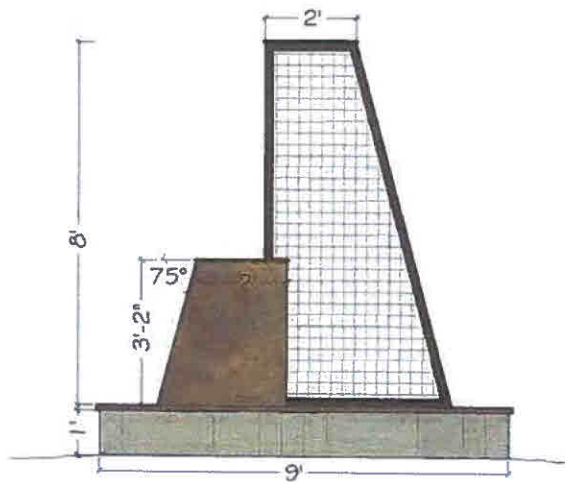
The recommended placement of this directional feature is within the existing median that originates at this ramp top intersection and extends north within Highway 340 to its intersection with Aspen Avenue.



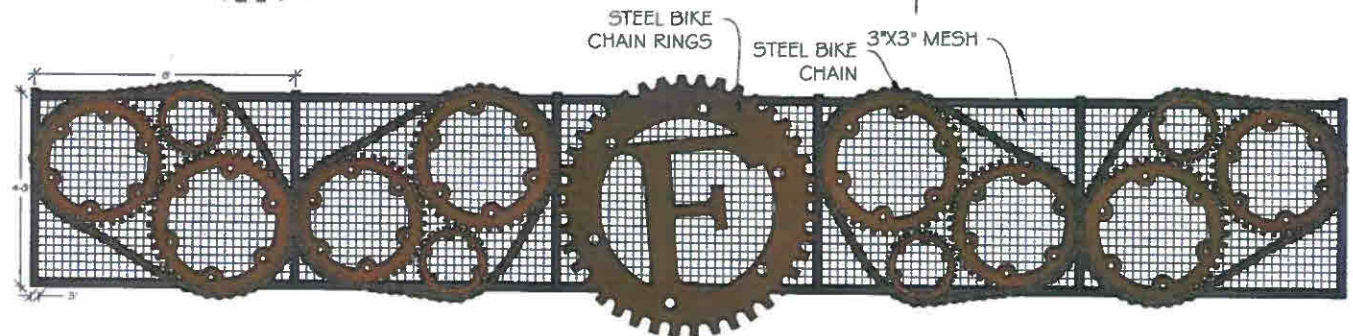
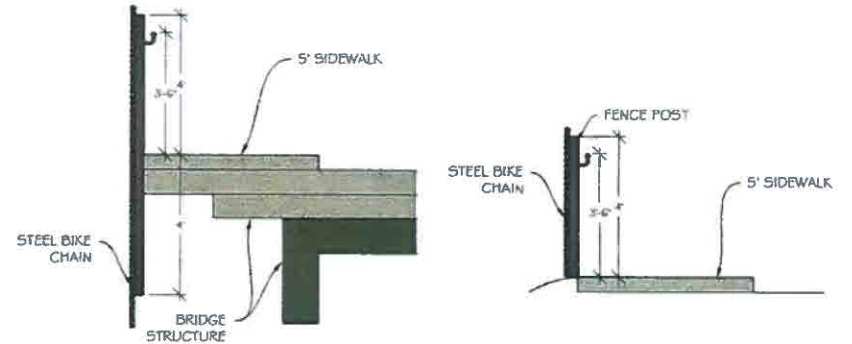
- Entry Monuments** – The Study recognizes the need for a visual ‘beacon’ at the intersection of Mesa Street with Highway 6 & 50 ... something to relay a visual cue that you have arrived. This feature needs to be more three dimensional as it is viewed from multiple directions. The proposed entry monument is larger than the Primary Directional Sign described above, but again uses the base wall, theme forms, and ‘gear icon’ components described above. Although this entry monument is suggested for use at Mesa and 6 & 50, if desired it could be reused at multiple other locations ... maybe to the east of the High School along 6 & 50, or west of the 6 & 50 crossing of Little Salt Wash, and possibly south on highway 340 in the vicinity of Dinosaur Hill.



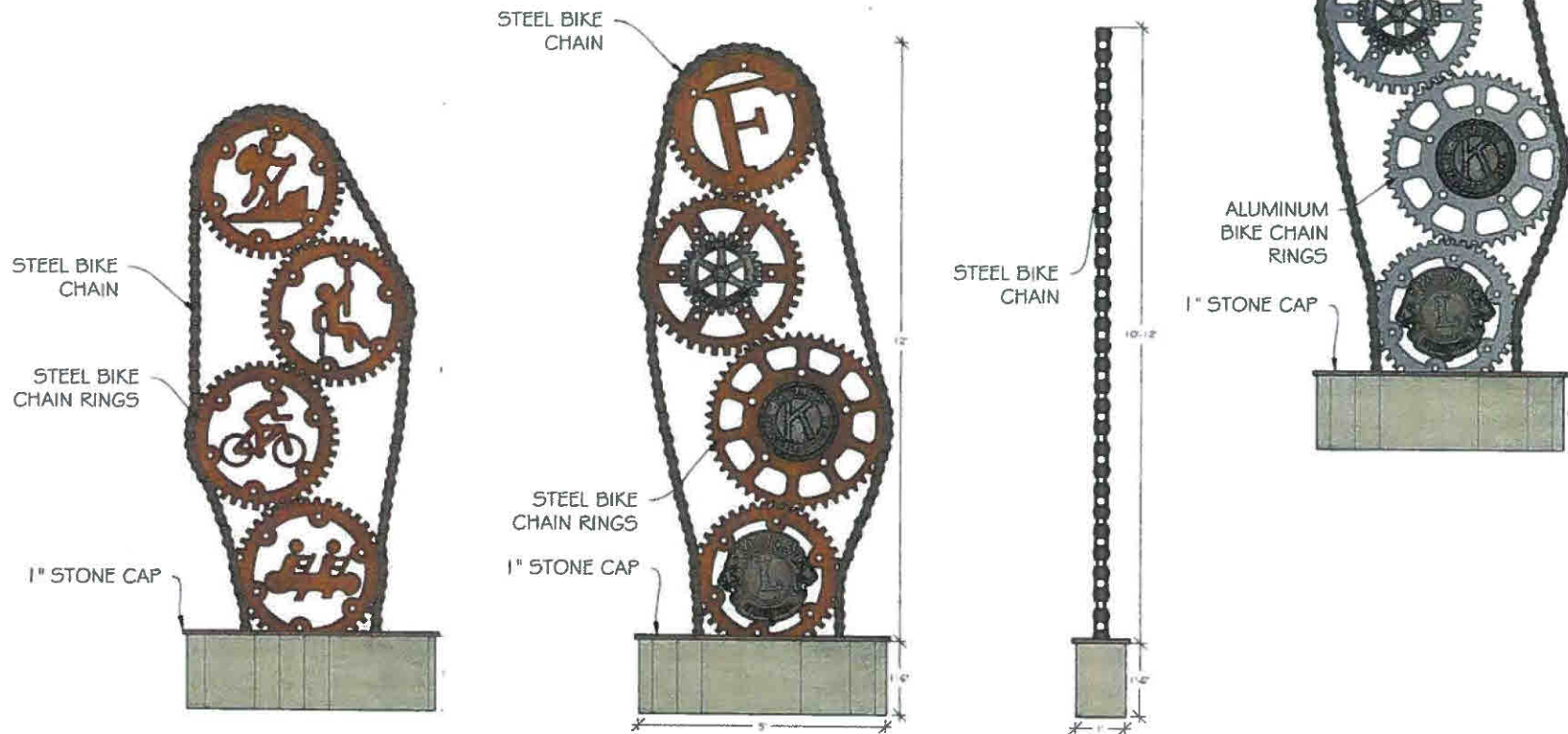
- **Theme Monuments** – At present, the study only promotes the use of these Theme Monuments within the medians along Highway 340; approximately six Theme Monuments from about the Visitor Center north towards Aspen Avenue. However their scale and affordability allows them to be used throughout the community. These Wayfinding 'Theme Monuments' draw from the character and features of the above wayfinding components, including the base wall, as well as materials from the Pedestrian and Bridge Fencing materials described below. These smaller monuments help to support and repeat the theme for the 'family' of features being sought. The taller form frames a mesh fabric to allow a purposeful transparency with regards to traffic safety, and can incorporate the Fruita logo entirely, selectively, or not at all.



- Pedestrian Fencing / Bridge Fencing** – Impact Area One, discussed above, provided existing and conceptual examples of new bridge façades which are impressive, and expensive. Additionally, the Pedestrian Facilities section above identified contemporary or ‘artsy’ railings that might be considered possibly with the widening of the existing walkways over the two bridges. For purposes of addressing the Wayfinding Priorities, this portion the Study is not concerning itself with the need to cantilever the bridge walkways or not, but rather addresses the railing opportunities for the pedestrian areas. The concept works on approximate four foot by eight foot modules for use as the bridge security fencing, and as fencing along the steep hill east of Highway 340 between the off ramp and Aspen Avenue. In addition, if it was determined that this bridge fencing would also be desirable as the bridge façade the modular size might then increase to eight feet by sixteen feet, thereby providing approximately four feet above the bridge deck and four feet below the bridge deck. A modular gear arrangement with large ‘chain’ added to further promote ‘biking’, can be easily rotated to add interest. As noted above the gears could be rusted steel or aluminum, and the frame and metal mesh could be finished to promote a level of transparency and/or accentuate the final design.



- Kiosks** – At present, Fruita has a couple of ‘messages’ that could be easily presented in Kiosk form. These messages include the multiple recreational opportunities within the Fruita area, and the multiple Service Clubs that contribute to Fruita. The kiosks utilize the base wall, the ‘gears’ and chain, and icons to exemplify the variety of recreational Activities in and around Fruita, and the Service Clubs. The Service Club Kiosks could replace the current worn out signs at the approximate same locations; the Recreational Activities Kiosk could be randomly placed throughout the community at key locations. Again the gears could be finished to rust, painted, or cut from aluminum. These recreational icons could also be considered for the use within the railings noted above.

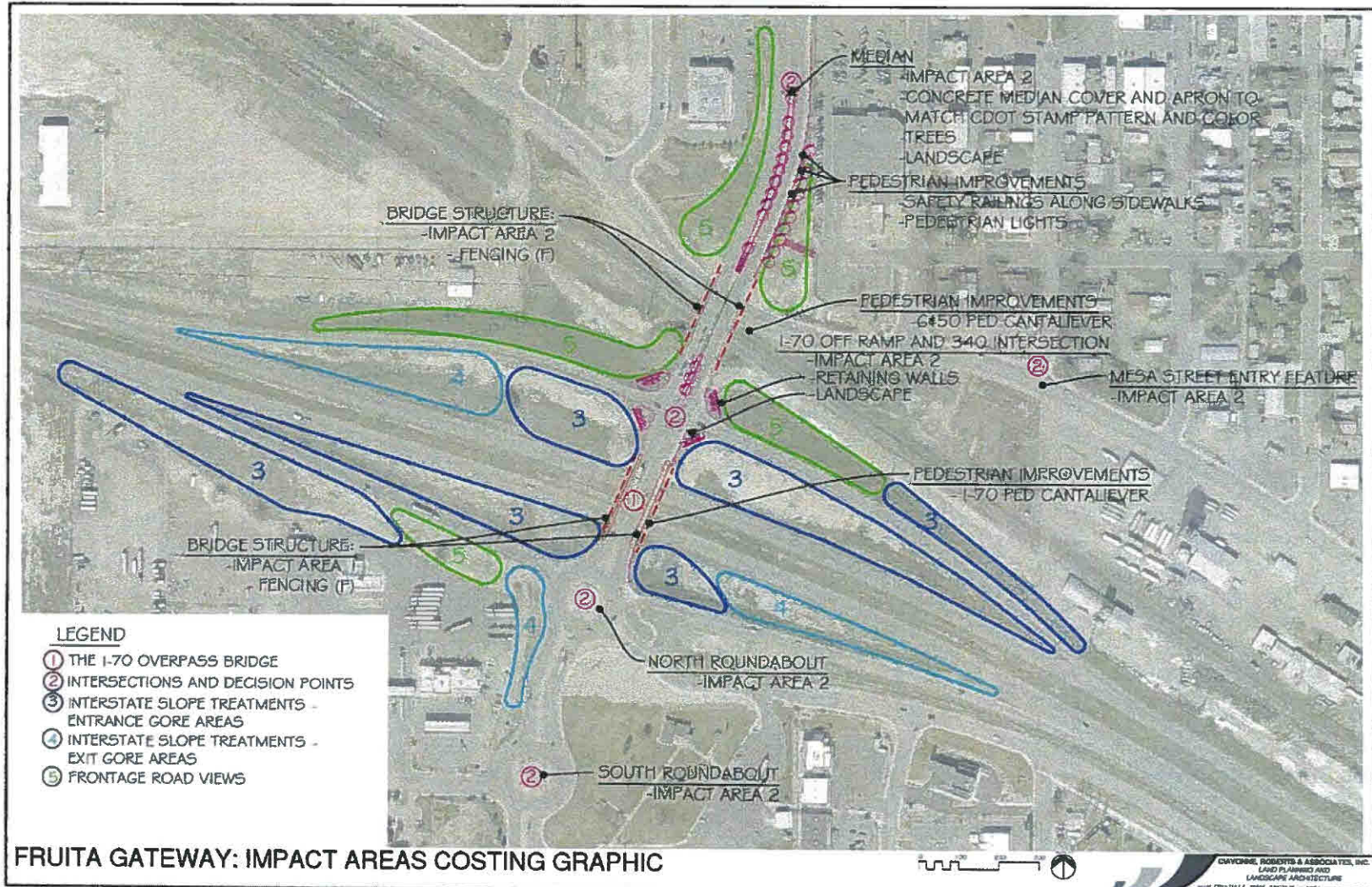


Project Cost Estimates

Two cost estimates, and associated Costing Graphics are provided; the first is for the View Impact Areas, the second is for the Wayfinding Priorities.

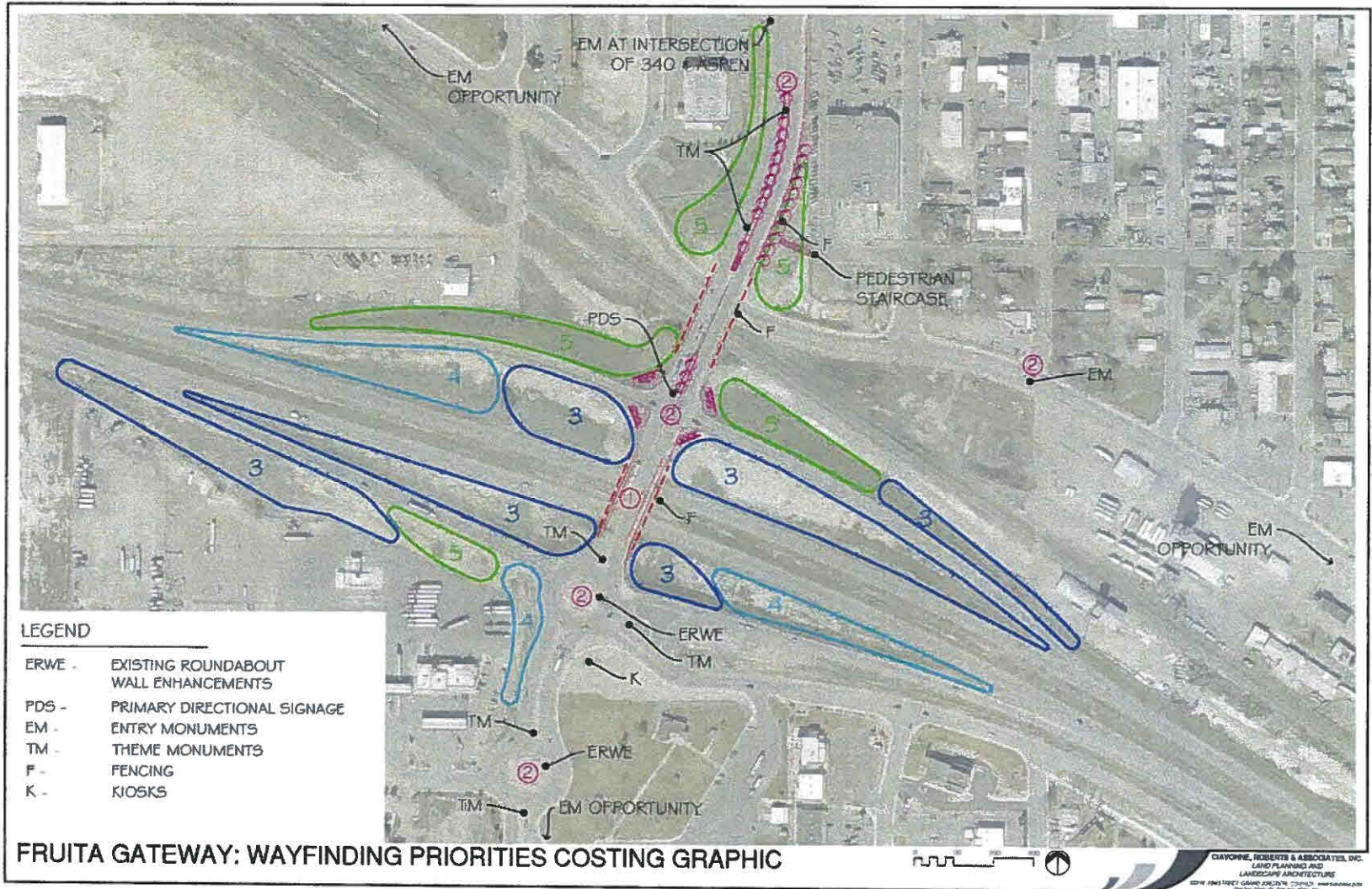
View Impact Areas: Much of this project involves large artwork that could extend into large bridge facades and cantilevered bridge railings. Subsequently, the estimated Lump Sums for many of the proposed View Impact Area amenities could be significantly different upon more detailed study. Costs have been categorized to correlate to the View Impact Areas, and a High-Low Range is provided. A 20% contingency has been incorporated into each Impact Area summary cost. A Costing Graphic for the Impact Area follows this spreadsheet.

ESTIMATE OF PROBABLE COST Date 12/1/2016						
Fruita Gateway Enhancements, Conceptual Cost Estimate for VIEW IMPACT AREAS						
City of Fruita Engineering						
Clavonne, Roberts & Associates						
	QUANTITY	UNIT	COST/UNIT	COST/ITEM	HIGH COST	LOW COST
IMPACT AREA 1 - The I-70 Overpass Bridge						
Detached Structure from Bridge	2	SUM	\$750,000.00	\$1,500,000	\$1,500,000	\$1,500,000
Impact Area 1 Cost Range w/ 20% Cont.					\$1,800,000	\$1,800,000
IMPACT AREA 2 - Intersections and Decision Points						
South Roundabout						
Option A All Landscape & Boulders	1	LS	\$19,740.00	\$19,740		\$19,740
Option B Art & Landscape	1	LS	\$175,000.00	\$175,000	\$175,000	
South Roundabout Cost Range w/ 20% Cont.					\$210,000	\$23,688
North Roundabout						
Option A All Landscape & Boulders	1	LS	\$19,740.00	\$19,740		\$19,740
Option B Art & Landscape	1	LS	\$175,000.00	\$175,000	\$175,000	
North Roundabout Cost Range w/ 20% Cont.					\$210,000	\$23,688
Westbound Ramp Intersection with Hyw 340						
Landscape Areas	33,000	SF	\$4.00	\$132,000		
Trees	12	EA	\$450.00	\$5,400		
Retaining Walls	1,440	FF	\$40.00	\$57,600	\$195,000	\$195,000
WB Ramp Intersection with 340 Cost Range w/ 20% Cont.					\$234,000	\$234,000
Median from Westbound Ramp Intersection to Aspen Avenue						
Concrete Median Cover	1,776	SF	\$20.00	\$35,520		
Landscape Areas	6,523	SF	\$4.00	\$26,092		
Trees	20	EA	\$450.00	\$9,000		
Pedestrian lights	20	EA	\$2,500.00	\$50,000	\$120,612	\$120,612
WB Ramp to Aspen Median Cost Range w/ 20% Cont.					\$144,734	\$144,734
Mesa Street Entry Feature						
All Landscape	1	LS	\$40,000.00	\$40,000		\$40,000
Mesa Street Entry Cost Range w/ 20% Cont.					\$0	\$48,000
Impact Area 2 Cost Range w/ 20% Cont.					\$798,734	\$474,110
IMPACT AREA 3 - I-70 Slope Treatments - Entrance Gore Areas						
Option 3A Native Grass with Enhanced Landscape entry points	351,000	SF	\$1.25	\$438,750		\$578,750
Enhanced Landscape entry points	35,000	SF	\$4.00	\$140,000		
Option 3B Artistic Landscape Rock Treatment	351,000	SF	\$2.25	\$789,750	\$929,750	
Enhanced Landscape entry points	35,000	SF	\$4.00	\$140,000		
Impact Area 3 Cost Range w/ 20% Cont.					\$1,115,700	\$694,500
IMPACT AREA 4 - Interstate Slope Treatments - Exit Gore Areas						
Option 4A - Native Grass	122,577	SF	\$1.25	\$153,221		\$153,221
Option 4B Artistic Landscape Rock Treatment	122,577	SF	\$2.25	\$275,798	\$275,798	
Impact Area 4 Cost Range w/ 20% Cont.					\$330,958	\$183,886
IMPACT AREA 5 - Frontage Road Views						
Native Grass	213,346	SF	\$1.25	\$266,683	\$266,683	\$266,683
Impact Area 5 Cost Range w/ 20% Cont.					\$320,019	\$320,019
Estimated Cost Range w 20% Contingency					\$4,365,411	\$3,472,495



Wayfinding Priorities: The components within the wayfinding priorities are more tangible, and therefore the estimated costs are more discernable. As noted, the final choice of materials and finishes can vary, and with these decisions the costs will vary. The use of plate steel, vs. stainless steel, vs. aluminum will impact cost, and in some cases the size of the finished product aids in determining the most economic material and metal cutting technique. Costs have been provided for each of the seven components in the proposed wayfinding family. Some of the components are single- that is there is only one; others are modular and can be repeatedly used. For the modular components a 'per each' cost is provided. A 20% contingency has been incorporated into each Wayfinding Priority component cost. A Costing Graphic for the Wayfinding Priorities follows this spreadsheet.

ESTIMATE OF PROBABLE COST Date 12/1/2016					
Fruita Gateway Enhancements, Conceptual Cost Estimate for WAYFINDING PRIORITIES					
City of Fruita Engineering					
Ciavonne, Roberts & Associates					
	QUANTITY	UNIT	COST/UNIT	COST/ITEM	TOTAL
EXISTING ROUNDABOUT WALL ENHANCMENTS					
South Roundabout					
Wall Scoring / Chisel / Hammer	400.0	LF	\$1.50	\$600	\$600
Cap Rock	250.0	LF	\$45.00	\$11,250	\$11,250
Lettering	1.0	LS	\$2,000.00	\$2,000	\$2,000
South Roundabout Cost Range w/ 20% Cont.					\$16,620
North Roundabout					
Wall Scoring / Chisel / Hammer	400.0	LF	\$1.50	\$600	\$600
Cap Rock	250.0	LF	\$45.00	\$11,250	\$11,250
Lettering	1.0	LS	\$2,000.00	\$2,000	\$2,000
North Roundabout Cost Range w/ 20% Cont.					\$16,620
PRIMARY DIRECTIONAL SIGNAGE					
Westbound Ramp Intersection with Hyw 340					
Concrete Base	4.5	CY	\$400.00	\$1,800	\$1,800
Caprock	21.0	LF	\$45.00	\$945	\$945
Sign Mass Metalwork (Enamel Paint)	1.0	LS	\$11,000.00	\$11,000	\$11,000
Sprockets (Aluminum)	1.0	LS	\$6,200.00	\$6,200	\$6,200
Lettering	1.0	LS	\$1,000.00	\$1,000	\$1,000
WB Ramp Intersection with 340 Cost Range w/ 20% Cont.					\$25,134
THEME MONUMENTS (Estimated cost per EACH ... 5 suggested)					
Concrete Base	1.0	CY	\$400.00	\$400	\$400
Caprock	1.0	LF	\$45.00	\$45	\$45
Sign Mass Metalwork (Enamel Paint)	1.0	LS	\$4,100.00	\$4,100	\$4,100
WB Ramp to Aspen Median Cost Range w/ 20% Cont.					\$5,454
ENTRY MONUMENTS (Estimated cost for 1 ... 4 suggested)					
Concrete Base	15.0	CY	\$400.00	\$6,000	\$6,000
Caprock	100.0	LF	\$45.00	\$4,500	\$4,500
Sign Mass Metalwork (Enamel Paint)	1.0	LS	\$14,500.00	\$14,500	\$14,500
Sprockets (Aluminum)	1.0	LS	\$8,250.00	\$8,250	\$8,250
Mesa Street Entry Cost Range w/ 20% Cont.					\$39,900
PEDESTRIAN FENCING / BRIDGE FENCING					
Ped: 4' x 8' Mesh Fence Panel with Theme Gear (Aluminum)	630.0	LF	\$129.00	\$81,270	\$81,270
Bridges: 4' x 8' Mesh Fence Panel with Theme Gear (Aluminum)	1,000.0	LF	\$120.00	\$120,000	\$120,000
ALT - Bridges: 8' x 16' Mesh Fence Panel with Theme Gear (Aluminum)	1,000.0	LF	\$240.00	\$240,000	\$240,000
Impact Area 3 Cost Range w/ 20% Cont.					\$241,524
KIOSKS (Estimated cost per EACH)					
Concrete Base	1.0	CY	\$400.00	\$400	\$400
Caprock	5.5	LF	\$45.00	\$248	\$248
Sprockets (Steel) and Chain (Real)	1.0	LS	\$8,000.00	\$8,000	\$8,000
Impact Area 4 Cost Range w/ 20% Cont.					\$10,377
Estimated Cost Range including 20% Contingency					\$355,629



Summary

There is a lot of support both inside and outside of the Community for the Paleontology (Dinosaurs) and Recreational (Bike Riding and much more) features that are associated with the City of Fruita. The recreational support is further exemplified in the new City logo. For this reason you have seen a continuation of those potential 'themes' throughout this document, with the Paleontological examples suggested within the larger Impact Areas and the Recreational examples suggested within the Wayfinding Priorities. Although Fruita has a strong association with Paleontology and Recreation, the City also notes that it is a place for families. Be it dinosaurs, bike riders, or laughing children, the 'icon' will be strongest via the large art that will be within the roundabouts.

When 'art' becomes the means of developing and enhancing a community, it is a wonderful opportunity for unique identification. It is also 'touchy' because one person's definition of art will often differ from another's. There are artistic components within both the Impact Areas (Large Sculpture / Highway Slope Treatments) and the Wayfinding Priority Areas (Final Design Details). This is an opportunity for Community Leaders to gather and better define the permanent large art for Fruita, possibly considering using a nationwide art search called Call for Art in soliciting artwork that would best represent the desired Fruita image; and to work through the final design details for the 'family' of Wayfinding components. The Call for Art process is relatively inexpensive, however the commitment to the funding of the desired large art can be quite expensive and must be in place to move forward with the call for art. In the meantime, the City may want to consider some sort of interim / disposable landscape treatment within the medians ... possibly through the use of large boulders, 'on loan' sculpture, flags, or living landscape. These unfinished roundabout areas are quite large in size, and so scale and visibility should be considered even with temporary solutions.

Within the pictorial examples displayed in the Impact Area portion of this study there are numerous examples of wayfinding components that are tried and tested, are attractive and affordable, and are 'valid' candidates for use in Fruita. But in recognizing Fruita as having a unique identity defined by its setting, its established reputation, and its people, a one-of-a-kind 'family' of Fruita Theme Based Wayfinding Components has been suggested. The proposed theme of the monoliths and gears is unique, strong, and contemporary, but what is also important to the proposed features is consistency, compatibility, cost, and maintenance. One of the more subtle, yet important means of consistency and compatibility is the modifications of the existing roundabout walls with scoring, lettering, and a capstone. This is one of the more affordable and quickly attainable 'tasks' that improves the appearance of the roundabouts, provides a level of wayfinding, and sets a design basis that can be carried into future forthcoming wayfinding components. Maybe the concepts provided are spot on; maybe they need some tweaking; maybe they identify and establish the various wayfinding needs of Fruita but can be accomplished with a differing conceptual theme. Regardless, the Wayfinding Priorities should be a cohesive 'family' of components.

Within this study 'Gateway Enhancements' have been better defined, prioritized, and cost estimated. Ideas and concepts have been presented, but they can and do remain flexible. With the support of the City of Fruita decision makers, this document can be used as the framework to enter into discussions with the Colorado Department of Transportation (CDOT) on required permitting in implementing the concepts within CDOT ROW, as well as potential funding sources available through CDOT. With the majority of the proposed improvements lying within CDOT ROW, this is critical to the design development and final design moving forward.



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: KEN HALEY, PUBLIC WORKS DIRECTOR
DATE: JANUARY 17, 2017
RE: LAGOON SITE REDEVELOPMENT CONCEPT PLAN

BACKGROUND

The City of Fruita owns properties located at the west end of Raptor Road with riverfront access to the Colorado River & Little Salt Wash, as well as having potential commercial uses along the I-70 frontage. The properties served mainly as the site of the City's sewer treatment lagoons from 1967 to 2011. The lagoons have since been decommissioned and a riverfront trail has been constructed through the properties. The City of Fruita recognizes that these undeveloped areas of City-owned properties along the Colorado River have a great deal of potential that could support the goals of the City if redeveloped.

In order to determine the best utilization of the property, the City has been working on gathering public feedback and developing a conceptual plan for the site. Two draft concept plans were presented to City Council on November 15, 2016 with discussions on ideas for the property. One concept plan has been further refined based on the direction received from City Council and the public feedback. Staff will present a final draft of this Concept Plan at this meeting.

FISCAL IMPACT

This planning project was allocated in the 2016 Capital Projects Fund and matched with a grant from the Associated Governments of Northern Colorado. No funding has been identified for construction of any physical improvements or implementation of the plan.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This planning project is intended to identify utilization of City property to best meet City goals and help further discussions on priorities as opportunities arise.

OPTIONS AVAILABLE TO COUNCIL

1. Approve the Lagoon Site Redevelopment Concept Plan.
2. Deny the Lagoon Site Redevelopment Concept Plan.
3. Approve the Lagoon Site Redevelopment Concept Plan with specific modifications.

RECOMMENDATION

Staff recommends City Council approve the Lagoon site Redevelopment Concept Plan.

CONCEPT
PLAN

FRUITA LAGOON SITE
REDEVELOPMENT



JANUARY 17, 2017



FRUITA
COLORADO

FRUITA LAGOON SITE REDEVELOPMENT

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FRUITA LAGOON SITE REDEVELOPMENT

I. INTRODUCTION

The City of Fruita is focused on actions that positively influence the quality of place, economic health, and lifestyle of the community. These outcomes are built upon a base of providing quality core services that are expected by the City's residents, businesses, and visitors. Although the ability to provide these services, and the associated levels of service, are often controlled by the amount of resources available, the City strives to maximize the use of available funds, assets, and staff to provide high quality services. One such asset is the City owned land along the Colorado River that has the potential to support the goals of the City if redeveloped. The purpose of this planning study was to determine the best use of this property and develop a conceptual plan for the site that could be implemented as opportunities for redevelopment arise in the future and as a guide for short-term decisions on what to do with the land.

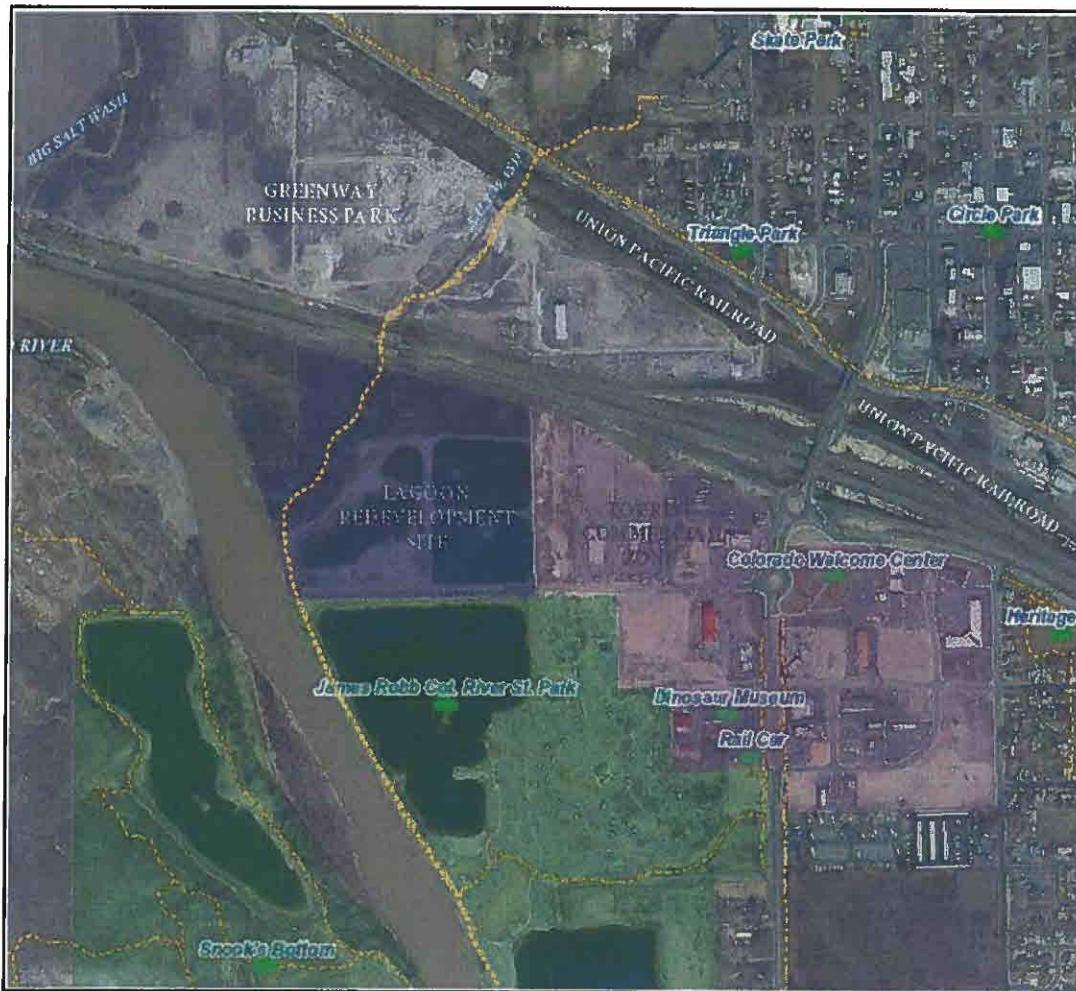


Figure 1 – Vicinity Map

FRUITA LAGOON SITE REDEVELOPMENT

II. THE PROPERTY

The subject site is located at the west end of Raptor Road and is bounded by I-70 on the north, the Colorado River & Little Salt Wash on the west, the James M. Robb Colorado River State Park to the south, and commercial land uses to the east. The major portion of the subject property includes a 25-acre parcel owned by the City of Fruita that served as the location for sewer lagoons from 1967 to 2011, when a new sewer treatment facility was constructed further west. These sewer lagoons have since been fully decommissioned and cleaned up to an environmentally safe condition. The site now consists primarily of undeveloped land with four large depressions remaining with the surrounding grounds being used for outdoor storage and a small tree farm.

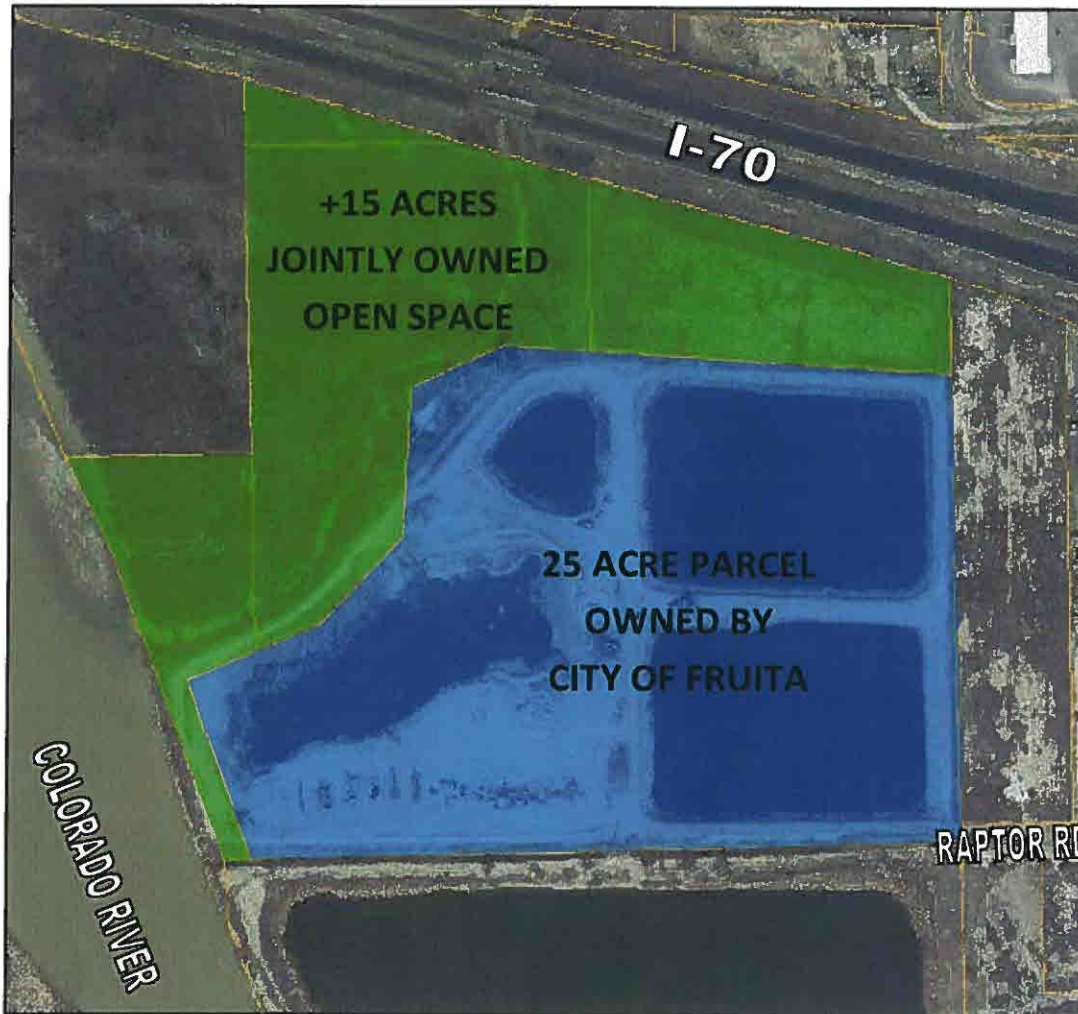


Figure 2 – Property Ownership Map

FRUITA LAGOON SITE REDEVELOPMENT

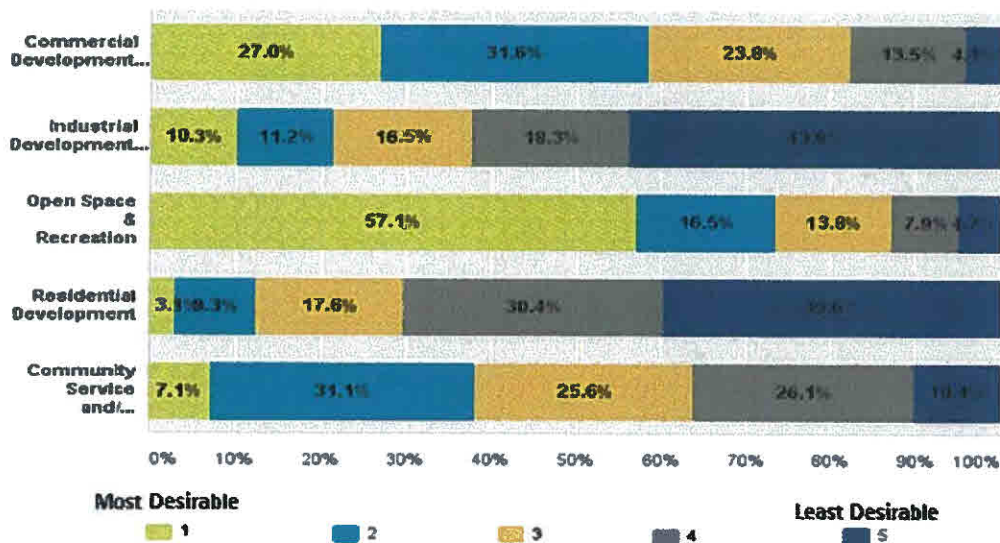
In addition to the lagoon parcel, the City also has partial ownership in over 15 acres of adjacent vacant land along Little Salt Wash in partnership with Mesa County and The Colorado Riverfront Foundation. These properties were acquired for the construction of the Little Salt Wash Trail that was completed in 2016 and serves as a vital segment of the Colorado Riverfront Trail system that is continuing to expand.

This study considered the best use of all 40+ acres while acknowledging the compatibility to surrounding land uses, needs of the community, potential economic impacts, and major physical factors of the site.

III. CREATING THE PLAN

Developing a conceptual plan is a process that involves many steps, which for this project included engaging the public & various stakeholder groups, preparing alternative development options, and creation of a shared vision for the property.

- The public engagement process started in July of 2016 when the community was asked to participate in an online survey focused primarily on types of land uses for the property. These efforts resulted in receiving 318 survey responses (refer to Appendix B for survey data).
- Information from the public survey showed strong support for redeveloping the property with a mix of open space, recreational, & commercial uses.



- The City of Fruita solicited Ciavonne Roberts & Associates using a matching grant through the Associated Governments of Northern Colorado to assist in development of conceptual plans.

FRUITA LAGOON SITE REDEVELOPMENT

- 3 concept alternatives were developed in August of 2016 showing a various mixture of land uses.
- Concept alternatives were published on the City's website and sent to the all the City's Boards & Commissions for input. The concepts were specifically presented to the following stakeholder groups in the months of October & November of 2016 to gather further input.
 - Fruita Planning Commission
 - Fruita Parks & Recreation Advisory Board
 - The Riverfront Foundation
 - Mesa County Facilities Staff
 - Colorado Parks & Wildlife Staff
 - Southside Marketplace Business Group
- Concept alternatives were revised based on public input and presented to City Council on November 15, 2016.
- The Grand Junction Daily Sentinel assisted in engaging the public by publishing an article about the need for additional public input on the project on November 20, 2016.
- A single concept plan was further refined that considered direction from City Council and all the public feedback.

The result of this process included development of a single conceptual plan supported by a vision for the property that can be used as a basis for future opportunities.

IV. SITE DESIGN CONTEXT

While the subject property has potential to redevelop in a manner that would support the goals of the City, the development of a concept plan also needs to consider the major physical and land use factors for the site. This includes evaluating both the advantages and the constraints of the site for different land uses.

ADVANTAGES

The biggest benefit of the subject property is its *prime location*. It is centrally located to the Fruita area, has high visibility from I-70, is directly adjacent to the Colorado River State Park, and direct access to the Colorado River & riverfront trail system. It also has *scenic views* looking south toward the Colorado River State Park or west across the Colorado River toward McInnis Canyons National Conservation Area. With this location, the property is well suited for a wide variety of uses. Most *utilities* are extended to, or in close proximity to, the site; including sewer, water, electric, & gas facilities. There is also a sizable (25 cfs) water right on the Colorado River that is owned by the City and could be further developed at the site for irrigation or other purposes.

FRUITA LAGOON SITE REDEVELOPMENT

The site also is one of the few properties within the City limits that is right up against open space areas and the riverfront trail system, as well as commercial areas. The desire for recreational activity on the subject property can enhance, and be enhanced by, **connectivity** from the commercial areas to the existing trails and open space.

The ownership of the property also may be one of the biggest attributes of the intended development to meet City goals. Having a **city-owned property** allows the City to control the initial type of development that might occur and also helps opens up the door for prospective public/private partnership development opportunities and provides for more integration between individual developments than what might normally occur. This does not mean that the City has to, or will want to, control the property in perpetuity, but it does give the City more control over development that might otherwise occur if the property was privately owned.

CONSTRAINTS

One of the biggest challenges that has prevented the redevelopment of lagoon site from gaining traction over the past five years since it was decommissioned is related to the **high costs** anticipated with filling in the holes and extending public infrastructure. The initial thoughts at the time the lagoons were decommissioned considered filling in the old lagoons to restore the property to flat, buildable ground. However, the cost to purchase and import this amount of fill materials was estimated at over \$2 million. In addition, it is also anticipated that there would be even more expenses associated with potential offsite road and utility improvements. Most of these costs, though, are highly dependent on the type of development proposed. Until a plan is developed that identifies the best use of the property, it has not made sense to spend funding to flatten the property or install infrastructure.

Although the location is one of the biggest advantages of the property, it also comes with some draw backs. Being located directly next to the river means that there are potential **floodplain impacts** that will need to be considered when building on the site. This will predominantly affect the site grading and the elevations of any structures constructed in the floodplain fringe. This will primarily be of importance on the western half of the parcel that is closer to the river and around the existing southwestern pond.

FRUITA LAGOON SITE REDEVELOPMENT



Figure 3 – Floodplain Map

The other challenge in developing along the wash or river is the potential for negative **environmental impacts** to sensitive natural areas. These impacts, and the associated environmental permitting, might be mitigated to a large extent if the development can avoid environmental sensitive riparian areas. It is not anticipated that there will be significant environmental constraints associated with the old lagoon ponds on the site since they have already been decommissioned through the Colorado Department of Public Health & Environment and the ponds are not anticipated to be classified as wetlands.

If development occurs on the ±15 acres of property owned jointly for open space & recreational uses, the City will need to consider if these changes in use would also require approval by, or reimbursement to, the other riverfront partners according the **existing property agreements**. Both Mesa County and The Colorado Riverfront Foundation have indicated that they support maintaining the riverfront trail and open space areas along the riparian areas, and would not object to the type of development identified by this concept plan because it accommodates and potentially enhances the riverfront trail & adjacent open space. However, neither organization has a strong

FRUITA LAGOON SITE REDEVELOPMENT

desire to actually own the property and would prefer that the City of Fruita purchase their share in the properties if developed.

It should be noted that the 25-acre lagoon parcel owned by the City is held as an asset of the Sewer Fund and would need to be transferred to the General Fund if redeveloped for other purposes.

There are no other known restrictions on the property ownership. However, a change in use of the property that the City will need to consider is the potential *loss of municipal areas*. While the City no longer uses the pond areas, it does make use of roughly 2 ½ acres of the property for outdoor storage and operates a ½ acre tree farm for City parks. If these areas are no longer available for municipal use, then the City will need to identify alternate locations for these uses.

V. OPPORTUNITIES

Through the conceptual plan process, a variety of ideas and opportunities were identified. Many of these ideas identified specific design features or site layout alternatives that were considered, while other ideas were focused more on how the process of developing the property might occur. Some of the key opportunities that have been incorporated in the conceptual plan are described below.

MAINTAIN BODIES OF WATER

Early on in the process of this plan, the concept of maintaining some bodies of water on the site rather than filling them in was considered. As the plans evolved, it became evident that incorporating lakes into the development plan would provide an amenity consistent with the



proposed recreation and commercial uses, as well as significantly reduce development costs. In addition to creating desirable lakefront type properties, these bodies of water also could provide other functional benefits such as improving stormwater quality, providing irrigation water storage, and creating additional recreational opportunities. The City should be aware that having lakefront properties on the site may require the bodies of water to be lined, aerated, circulated, or other measures depending on the

FRUITA LAGOON SITE REDEVELOPMENT

intended uses. It is anticipated that, at a minimum, some of these measures will need to be implemented to manage odors and control other biological processes in the lakes. While the lakes are not intended to have a swim beach or be used for swimming at this time, swimming in the lakes would require further measures to control pollutants and pathogens in the water, which could include extensive monitoring and treatment efforts. As an alternative, reduced levels of treatment would be required if the lakes are limited to small water craft, fishing, or other uses that have lower potential health risks.



EMBRACE THE RIVER

The Colorado River and the Little Salt Wash are both extremely valuable assets to the community and the feedback received strongly supports opportunities to enhance these waterways. This should include preserving the

riparian areas that provide habitat to a wide variety of wildlife, as well as providing public access to this amenity in an environmentally sensitive manner. The Colorado Riverfront partners and many communities have examples of how they have balanced these uses through urban areas that could be used as a reference.

Proposed in this concept plan, is a pedestrian bridge over the Colorado River which would connect the lagoon site with Snooks Bottom Open Space, owned and maintained by the City of Fruita. Providing this connectivity is supported in the City of Fruita's Parks, Open Space and Trail Master Plan and would provide a direct link, not only to Snooks Bottom, but also to McInnis Canyons National Conservation Area where visitors can hike and generally experience Fruita's natural wonders.

EXPANDED PROGRAMMING / EVENTS

Identifying open space and recreational uses at the site also spurred ideas related to other opportunities that might be created. The ideas of encouraging a development that would provide an outdoor venue for sports fields, special events and entertainment was strongly supported, as was the concept to provide outdoor education. Incorporating open space areas on the site could further support existing special events like the 4th of July Celebration, as well as provide new opportunities for run/bike events, concerts, festivals, etc. While an outdoor setting is important for outdoor education, it may also be valuable to incorporate indoor education space that could be interconnected.

FRUITA LAGOON SITE REDEVELOPMENT

The City of Fruita over the past several years has increased recreation programming and has seen positive community response from program offerings. Youth athletics in particular have grown significantly and use at Little Salt Wash Park, the City's current sports complex has been filled to



capacity. Adding additional turf areas for athletics would help alleviate scheduling and capacity concerns as well as provides an opportunity to expand existing programs. The development of an indoor field house would provide the opportunity to offer year-round programming to the community.

Given the natural setting and outdoor recreation opportunities available due to the region's landscapes, the City of Fruita has a great opportunity to develop and provide outdoor recreation programming for the community. Connecting community members, especially the areas youth, to nature through outdoor recreation is important as kids are becoming more sedentary and screen oriented. Outdoor recreation programming would further enhance the City of Fruita's goals of providing Quality of Place and enhancing Lifestyle as well as further encourage the tourism industry. Special Events aimed at attracting outdoor recreation enthusiasts are popular in the Fruita community as illustrated by the success of the Rim Rock Marathon, Fat Tire Festival, Desert Rat races, and many other events. Providing an events staging area at this site along the Colorado River, the Colorado Riverfront Trail and with unparalleled views of McInnis Canyons National Conservation Area could spur larger, significant events that would positively impact the local economy.

Expanding and providing additional recreation programming opportunities could be developed in a variety ways. With additional facilities, the City of Fruita would have the opportunity to expand existing programs allowing for greater participation levels. New programming opportunities could also be developed 'in-house' but there is opportunity to create public/private partnerships to offer outdoor recreation programs, including water-oriented programs, rock climbing classes, fishing and hunting education programs, mountain bike classes, and so on.

FRUITA LAGOON SITE REDEVELOPMENT

VI. THE VISION

The conceptual plan process is intended to begin the discussion regarding the enormous potential that the property has for redevelopment to create lasting impacts on the community. The result is a culmination of maps and text contained in this document that are intended to convey the vision for how the property might be used in the future. The vision includes recommendations on preferred land uses, site layout, and features that will help guide future decisions and future opportunities for development. The concept plan itself is just that, a concept. Although it depicts a general layout for the site and shapes/sizes of certain features, it is intended to be conceptual in nature and will need to remain fluid as discussions continue and opportunities arise. What should not deviate are the overarching vision for the land uses and features of the property that were developed based on the collaborative efforts of the community.



LAND USES

The site is well suited to support a combination of open space, recreational, and commercial uses. It is preferred that these uses be integrated to provide a destination for residents and visitors. It also is preferred that the open space & recreational uses be the predominant use on the site based on the public feedback received. Ideally, the commercial components of the property would be focused toward outdoor recreation and tourist interests. This might include businesses such as restaurants, hotels, retail shopping, or recreational outfitters. It is expected that commercial office spaces and personal services would be attracted to this area as well and needed to allow the

FRUITA LAGOON SITE REDEVELOPMENT

intended development to thrive. These uses also should complement the activity in the area and support the economic sustainability for the development.

There is a need for additional residential housing types and industrial job offerings in the Fruita area. However, it was determined that these uses may not be compatible with the surrounding properties or the best use of the site. Residential uses should be considered at this site only if they are fully incorporated into a comprehensive mixed use development plan that focuses on the preferred uses.

SITE LAYOUT

The vision for the property will require more than just changing the zoning to allow for the preferred land uses. There are several other key factors that were identified in creation of the concept plan that should be incorporated into the development.

Other Key Factors

- Family-friendly parkland
- Mobility for bikes, pedestrians, and motorized vehicles
- Land for developing public gathering spaces
- Takes advantage of views to the west and south
- Provides an inviting entrance from Raptor Road

Some of these factors are depicted in the site layout on the concept plan, but most will need to be refined further as design details progress. The preferred **Concept Plan (Figure 4)** is intended to represent the following main features:

Main Design Features

- Maintain public open space areas along the river & wash
- Four (4) acres of new turf area for public open space and parkland
- Maintain over five (5) acres of Ponds on the Site
- Provides space for over 91,000 square feet of Commercial Ground Space
- Field House large enough for an indoor sports field

The rationale behind the main design features selected is described further below.

The principal design feature incorporated into the layout shown on the concept plan includes the desire to keep open space as a buffer to commercial areas along the Colorado River and Little Salt Wash. The plan tries to represent this by having the large open space areas on the west side of the property with the commercial buildings further to the east. This arrangement also provides some separation between the passive and active recreational uses on the site, as well as provides flexibility for a wide variety of recreational and event programming opportunities.

FRUITA LAGOON SITE REDEVELOPMENT

The concept plan shows lakefront buildings around one main body of water on the east side of the property. This east side location was determined to be well-suited for commercial land uses and requires the least amount of grading on the site since it is in rough proximity to the two largest existing lagoon depressions. A smaller body of water also was incorporated into the plan near the field house with the intent of being used for active recreational purposes and also corresponds with the location of an old lagoon area. All bodies of water shown on the property are intended to be open to public access and serve as an amenity to the site. The preferred uses for the bodies of water should maximize public safety while minimizing fiscal impacts to the City. As such, providing swimming opportunities would not fit within this concept as it may require the City to provide lifeguards at swim beaches. Water-oriented activities that the City feels fits within this concept plan, would include fishing and boating or activities that include water-craft.

The initial concept alternatives showed various amounts of commercial uses on the site and most stakeholder input suggested limiting the commercial areas to the east side of the property. However, the size, shape, and even amount of commercial space will vary from the concept plan to some extent depending on the opportunities presented and further discussion and refinement of the plans for the property. The commercial opportunities on the site would allow for multi-story buildings with the taller buildings being well suited on the east and north of the property to take advantage of views to the southwest. With the construction of any buildings around the lake, the City would expect some of the businesses to take advantage of direct lakefront opportunities (patio dining, decks, etc.), while other businesses may benefit from having more pedestrian traffic and public spaces between the buildings and the lake. Either of these arrangements would be supported by the City and it is expected that a combination of direct lakefront commercial areas mixed with public water access areas would be of the greatest value.

Proposed on this concept is a multipurpose field house intended to promote year-round recreation activity at the site, attracting a constant flow of visitors who could then patronize the adjacent commercial businesses. A field house is envisioned to support outdoor recreation activities including programs such as river-rafting education, rock climbing classes, mountain bike classes, and programs to promote fishing and hunting in the region. A field house would also be a facility that could support large events at the site. Event staging and race start and finish lines could be supported out of a field house. During the winter months, it is envisioned this facility could expand current, and create new, programs by housing indoor soccer, lacrosse, and other athletic activities. Also off the north side, a lake is planned where winter ice skating could take place when sufficiently iced over.

FRUITA LAGOON SITE REDEVELOPMENT

While this concept plan shows some general surface construction, it is not intended to be all-inclusive of the infrastructure needs or amenities that might be provided to support this type of development. The conceptual transportation network has been laid out to provide circulation through the site in a manner that is intended to accommodate bikes, pedestrians, and motorized vehicles. The details for this will have to be refined further as building locations, parking needs, access, and other site needs are refined. The parking areas shown on the concept plan have been approximated based on general retail uses of the commercial areas shown and standard park usage factors for multi-story buildings. However, the amount of motorized vehicle, and bicycle, parking actually needed could vary greatly depending on the type and size of commercial uses. It also will be dependent on what type of programmed or special events that the City would like to accommodate parking.

VII. IMPLEMENTATION

This Concept Plan is one of the first steps in the discussion about the future use of the city-owned lagoon property and the adjacent publicly-owned property. As a strategic land use and preliminary transportation plan incorporating concerns for taking advantage of aesthetic views to and from the property, this Concept Plan provides the broad and long term basic framework around which more detailed discussions and more detailed planning work can take place regarding land uses, subdivision and land ownership, transportation, parks and open space, design standards, infrastructure, amenities, and other development concerns.

This Concept Plan also will help guide the City in discussions with private developers about any development opportunities for the properties. The City's willingness to partner with private entities in the near term will be especially important due to the constraints on public resources to implement the types of improvements reflected on the concept plan. Public-private partnerships (PPP) are becoming more common throughout the United States for this reason and can provide alternative benefits to implementing projects that create long-term value to the community. There are many different ways that PPP's can be structured depending on the priorities of the City and the private entities. Since PPP's are not something that the City of Fruita has experience in using to this scale, it will be important that the City understand the potential benefits and risks associated with these types of agreements, and should make sure that the impacts to the community are considered.

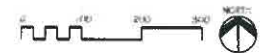
No matter how the plan is implemented, it is expected that it will need to be constructed in a phased approach. When redevelopment opportunities do arise, it is expected that development on the south side of the property will occur prior to the north side due to

FRUITA LAGOON SITE REDEVELOPMENT

the costs associated with extending infrastructure. Ideally, the City would identify some type of commercial anchor for the site in one of the first phases that could attract other commercial interests. Until opportunities arise, this Concept Plan will help guide short term decisions such as where and how existing uses on the property should be accommodated (such as the tree farm and other outdoor storage), and where fill dirt should be placed (west side ponds, not east side).



FRUITA LAGOON REDEVELOPMENT CONCEPT PLAN - EXHIBIT A

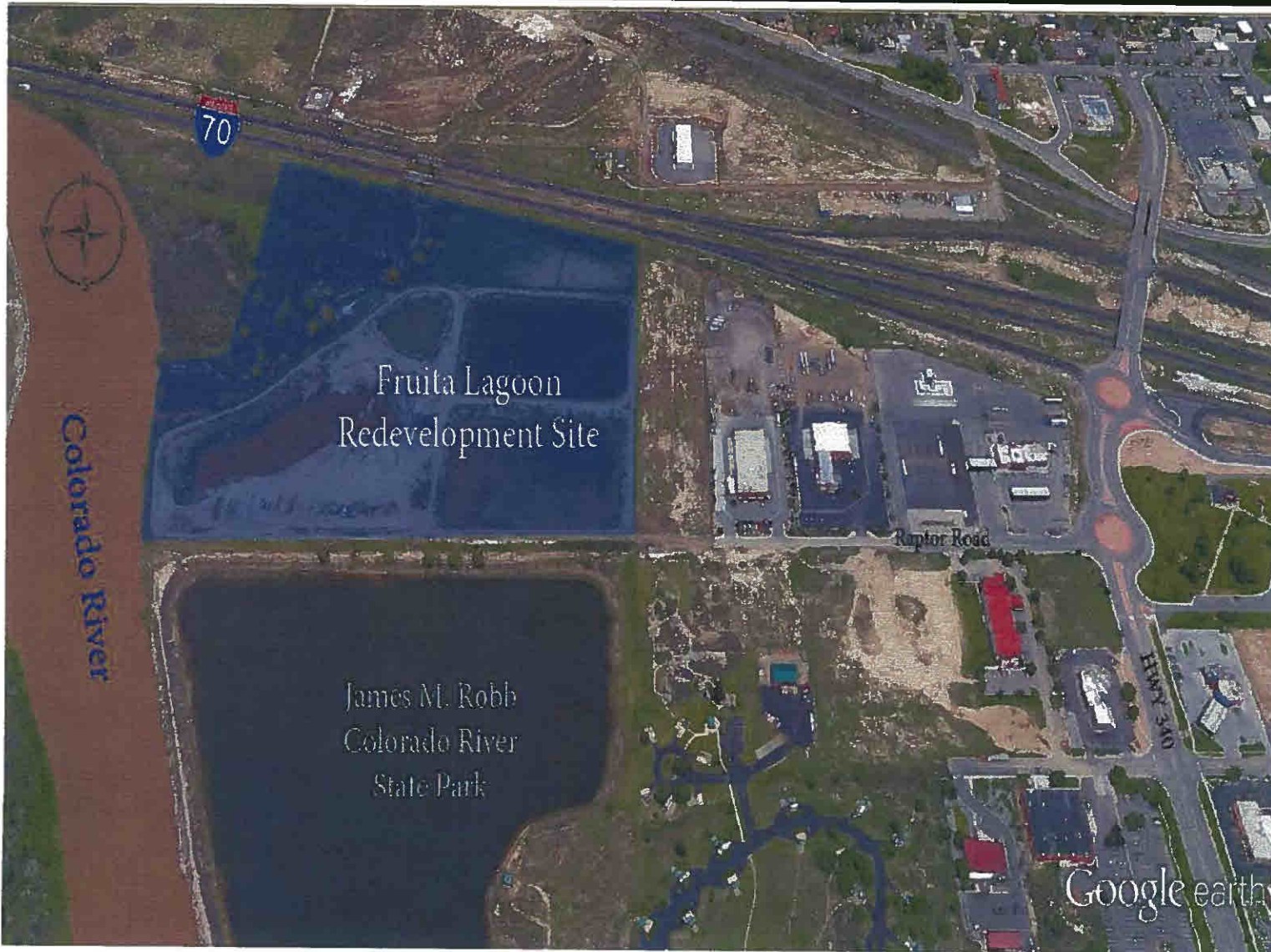


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FRUITA LAGOON SITE REDEVELOPMENT

EXHIBIT B
SURVEY DATA

Fruita Lagoon Redevelopment Survey Results

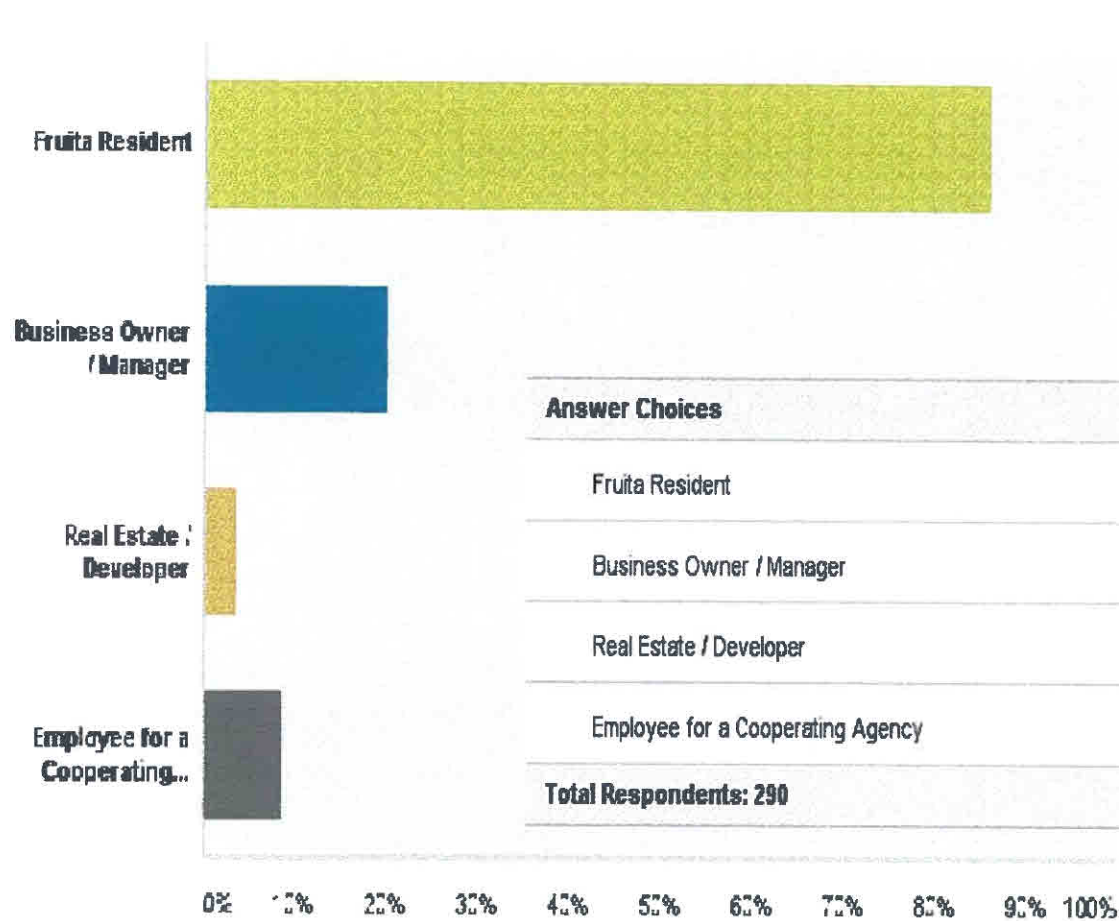


To gather ideas from the community that can be used to develop a conceptual master plan for the site and provide the City with direction as opportunities arise.

July 18 – Aug 8, 2016

318 Total Responses

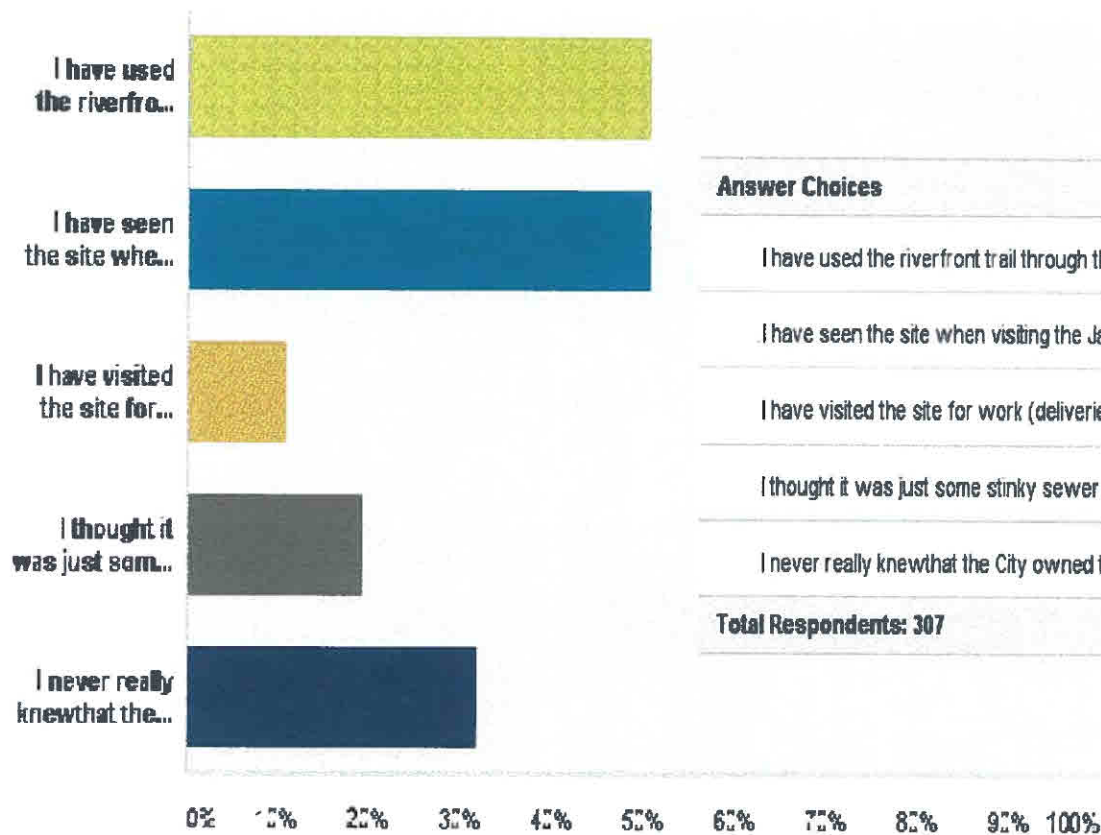
Q1: Which of the following describes your interests in the subject property? (select all that apply)



Other Responses (28)
 Grand Valley Resident (8)
 Visits Fruita (9)

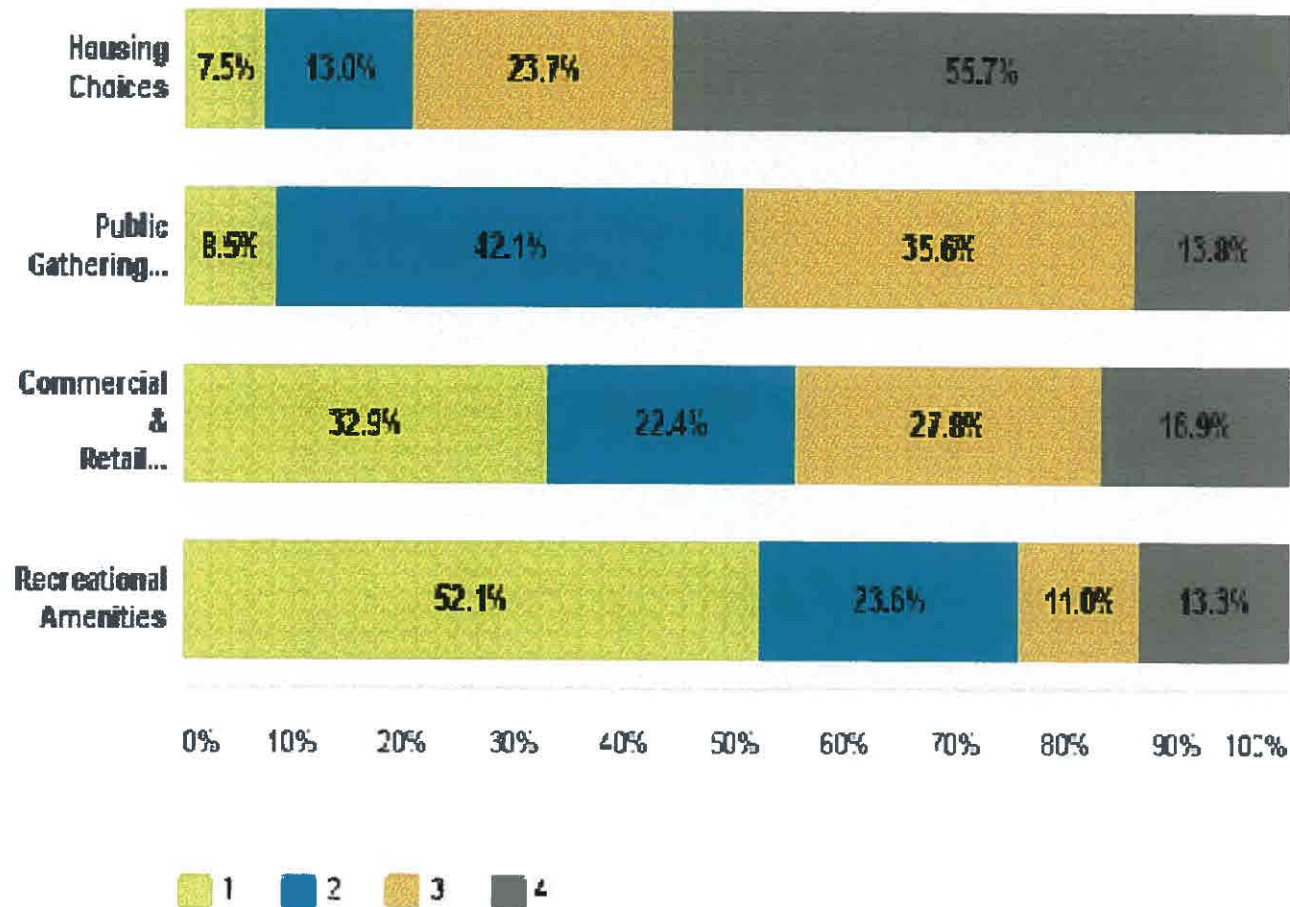
Answer Choices	Responses
Fruita Resident	85.86% 249
Business Owner / Manager	20.00% 58
Real Estate / Developer	3.45% 10
Employee for a Cooperating Agency	8.62% 25
Total Respondents: 290	

Q2: Please describe your familiarity with the subject property prior to this survey.



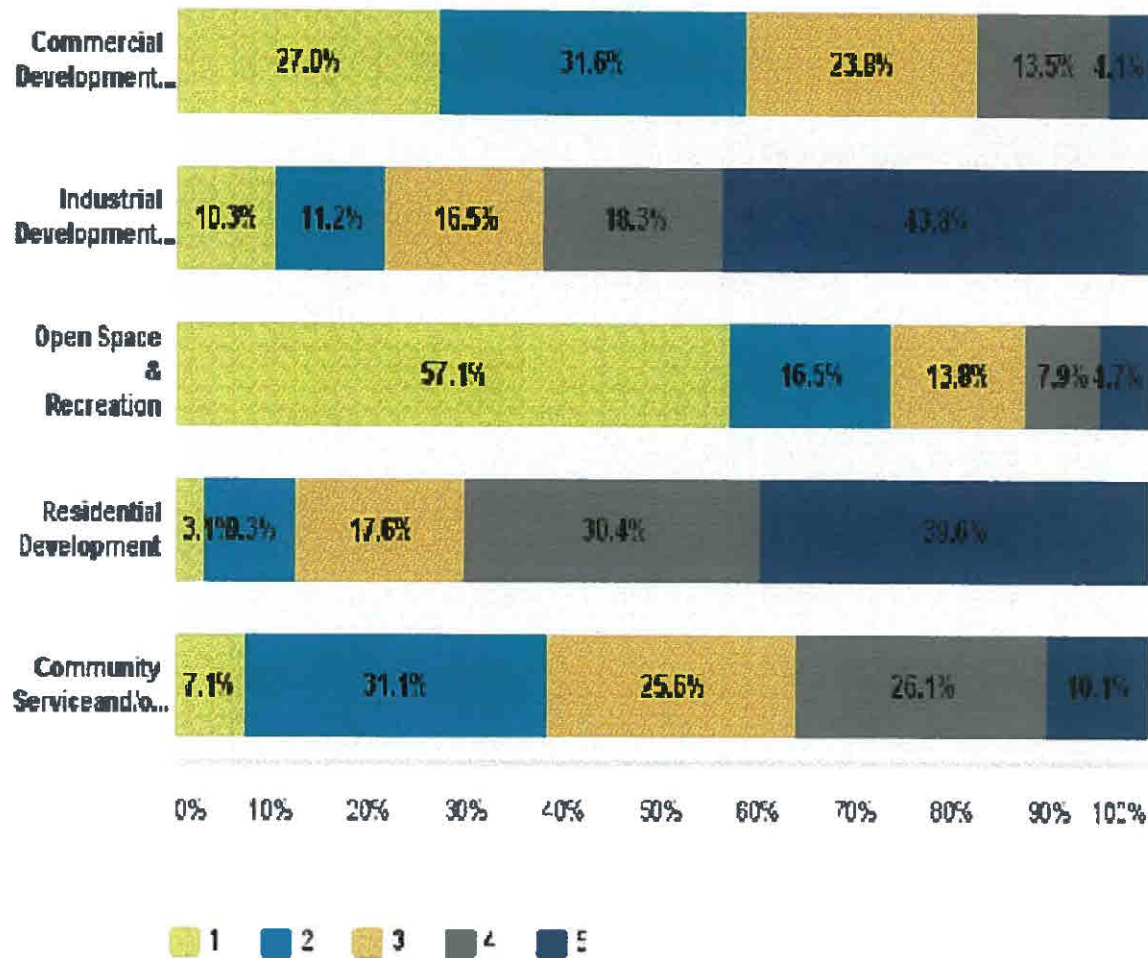
Answer Choices	Responses
I have used the riverfront trail through this area.	50.49% 155
I have seen the site when visiting the James M. Robt. Coltrane River State Park.	50.49% 155
I have visited the site for work (deliveries, maintenance, storage, etc.)	10.75% 33
I thought it was just some stinky sewer lagoons.	19.22% 59
I never really knew that the City owned this property.	31.60% 97
Total Respondents: 307	

Q3: Please rank which of the following amenities or services you feel are most needed in Fruita? (1 is most needed, 4 is least needed)



Over Half of Respondents think Housing is LEAST Needed Amenity/Service in Fruita.

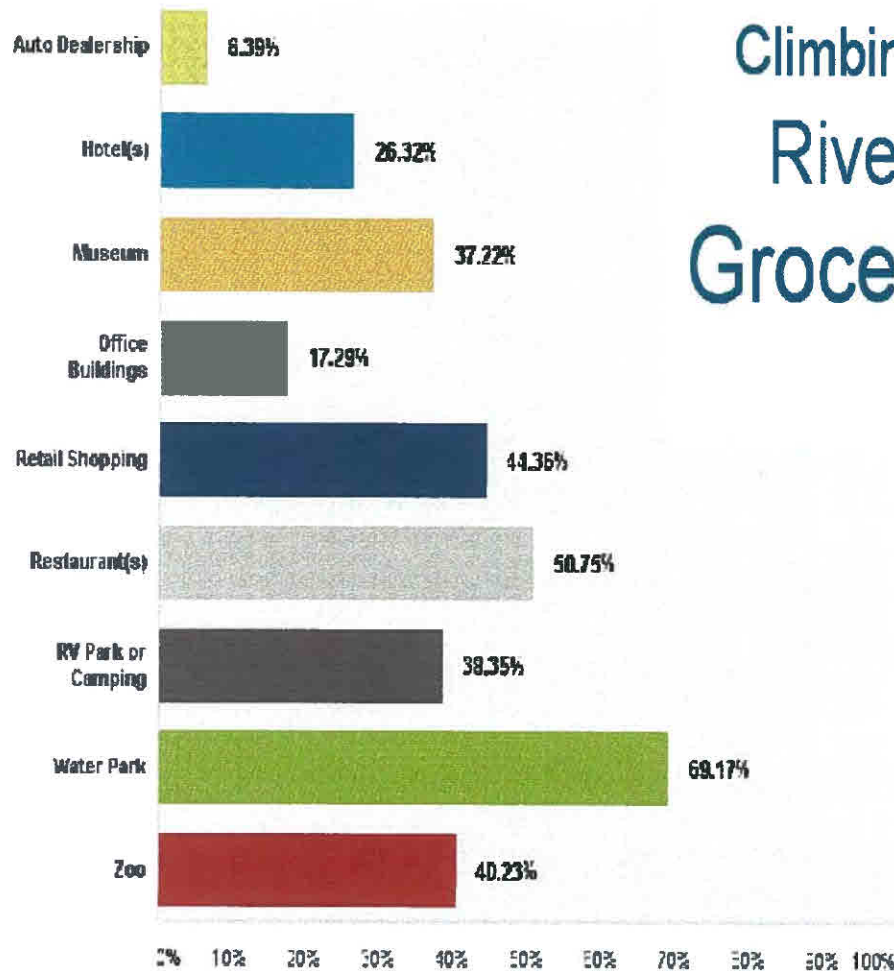
Q4: Please rank the types of uses that you think would be most appropriate for the lagoon properties.



Commercial or Open Space & Recreation uses are most desired.

Industrial or Residential uses are least desired.

Q5: Which Commercial uses do you feel might be appropriate if the lagoon property were redeveloped?

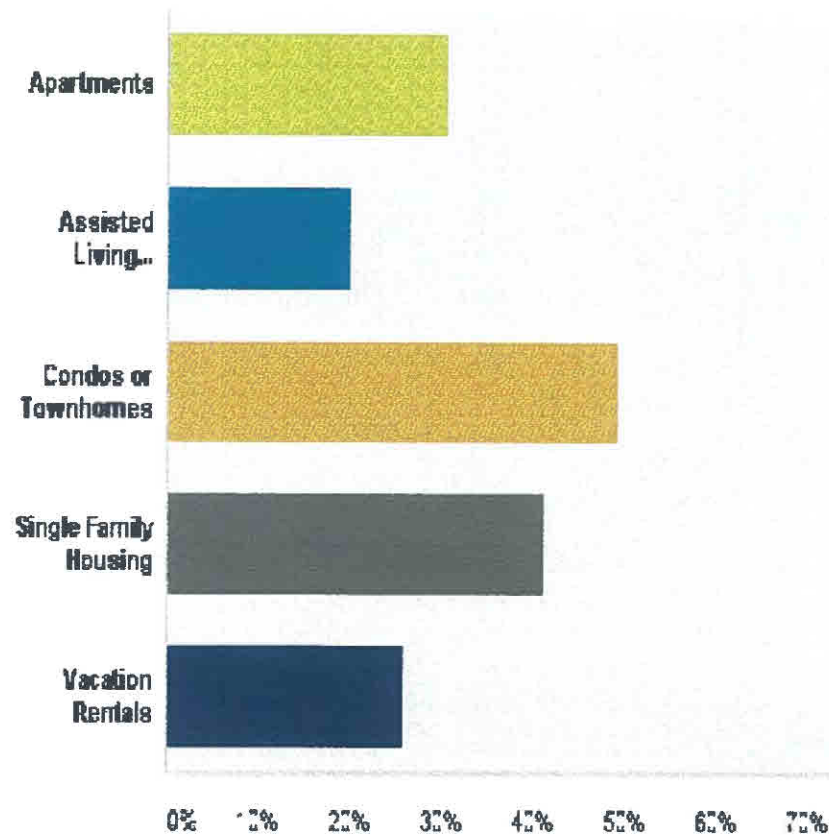


Climbing Walls Zoo Movie Theater Mixed
 River Supermarket **Park** Recreation
 Grocery Family Center Zip Activities Golf
 Retail Shopping

Comment Summary (48 Received)

- 16 Respondents suggested some type of Retail Anchor
- 8 Respondents suggested some type of Mixed Use

Q6: Which Residential Uses do you feel might be appropriate if the lagoon property were redeveloped?



Question Summary (47 comments)

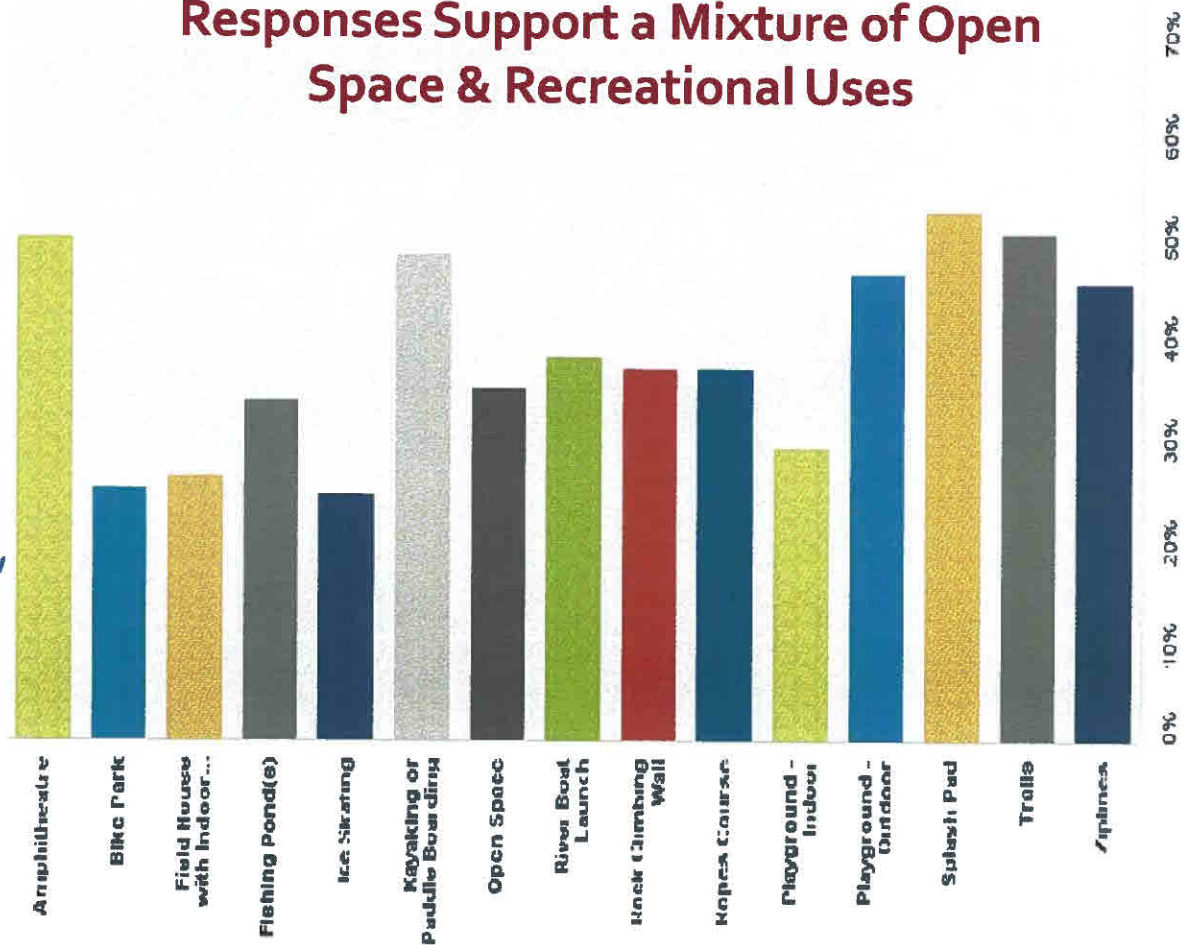
- 102 Respondents skipped question
- 38 Comments Received suggesting that Residential Not Appropriate
- 4 Comments suggest Residential in Mixed Use Development

Q7: Which types of Recreational amenities would you like to see developed at the lagoon property?

Comment Summary (39)

- Dog Park (7)
- Swim Beach (3)
- Nature Center
- Provide Shade (2)
- Public Lands
Information Area
- Recreational Amenities that compliment, and not compete with, State Park (2)
- Year-Round Amenities

Responses Support a Mixture of Open Space & Recreational Uses



Q8: Do you have any specific ideas on what you would like to see developed at the lagoon property that was not included in your previous responses?

Similar Facility River Front Big Open Space

Industry Splash Pad Natural Nice Museum

Fruita Little Salt Wash Park Commercial

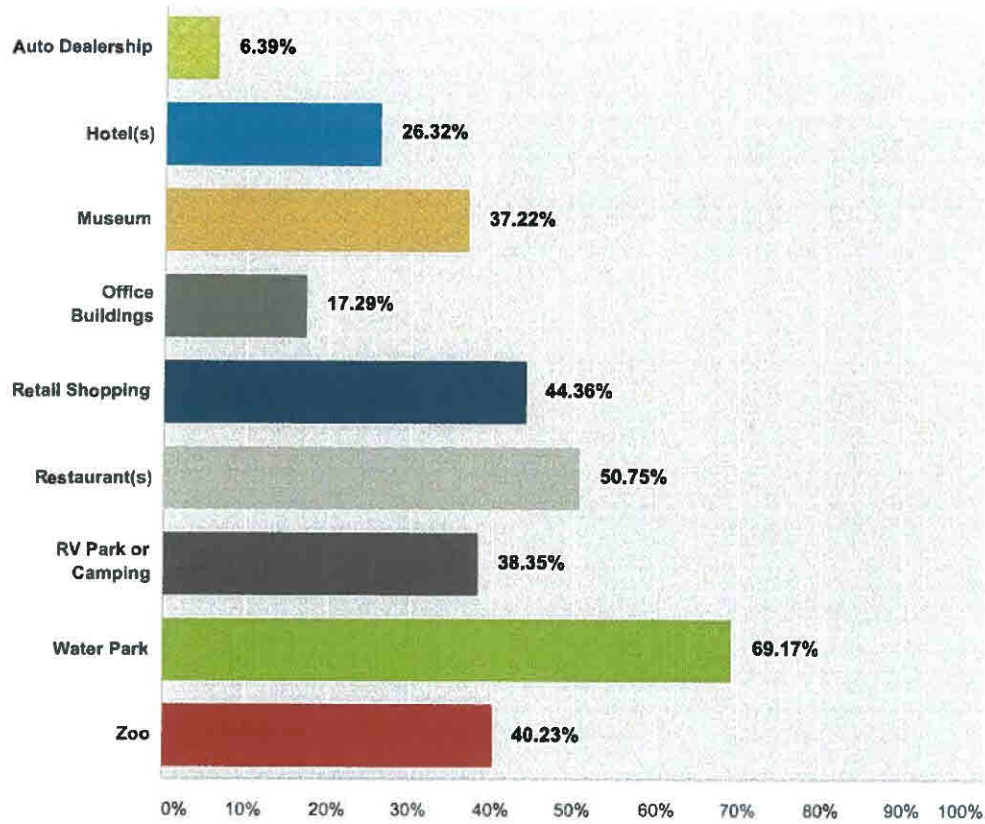
Family Boat Launch Businesses Homeless

Mixed Natural Outdoor Recreation Love Place

Fruita Lagoon Redevelopment Survey

Q5 Which Commercial uses do you feel might be appropriate if the lagoon property were redeveloped?

Answered: 266 Skipped: 52



Answer Choices	Responses
Auto Dealership	6.39% 17
Hotel(s)	26.32% 70
Museum	37.22% 99
Office Buildings	17.29% 46
Retail Shopping	44.36% 118
Restaurant(s)	50.75% 135
RV Park or Camping	38.35% 102
Water Park	69.17% 184
Zoo	40.23% 107
Total Respondents: 266	

#	Other (please specify)	Date
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Fruita Lagoon Redevelopment Survey

1	Family Friendly Family type things that are NOT mountain bike related	8/5/2016 7:58 AM
2	Commercial/Retail Retail Anchor Bowling alley, movie theater, fun park	8/5/2016 7:55 AM
3	anything related to the existing State Park	8/4/2016 6:07 PM
4	Nature center	8/4/2016 2:32 PM
5	Zip Lines (this is for Mayor Buck)	8/3/2016 2:17 PM
6	Small Retail Small retailer like coffee shop and dinner	8/3/2016 5:32 AM
7	Kayak Park	8/2/2016 6:43 PM
8	Don't do a zoo, do an animal sanctuary.	7/28/2016 6:14 PM
9	Climbing walls/rope courses	7/28/2016 4:54 PM
10	Mixed Use incorporate a river walk that includes some of the listings	7/28/2016 4:48 PM
11	Literally anything but bicycles.	7/28/2016 4:44 PM
12	Outdoor activities i.e. Ropes course, educational nature walk area,	7/28/2016 3:21 PM
13	Grocery Retail Anchor Grocery store	7/28/2016 2:05 PM
14	Grocery Retail Anchor Supermarket	7/28/2016 10:40 AM
15	Miniature golf/climbing gym	7/28/2016 10:22 AM
16	Grocery Retail Anchor Grocery Store	7/28/2016 9:40 AM
17	Other Rec activities	7/28/2016 7:10 AM
18	Adventure center (high/low ropes, zip line, climbing walls etc), racquetball courts, mini goff, interactive playgrounds, anything active!	7/27/2016 9:58 PM
19	Mixed Use Small Retail In addition to small but upscale housing, super small retail.	7/26/2016 9:36 PM
20	Mixed Use mixed use....go commercial on bottom and residential above for the Monument and river views.	7/25/2016 5:24 PM
21	Mixed Use Boardwalk style design with retail shopping, restaurants/bars with venue for outdoor events in the center, such as music and/or festivals	7/25/2016 11:07 AM
22	Cant see eating at the old sewer lagoon	7/25/2016 10:41 AM
23	Grocery Retail Anchor Grocery Store	7/25/2016 8:31 AM
24	low income housing for homeless	7/25/2016 8:04 AM
25	Mixed Use Retail Shopping, Restaurants, Office Building complex	7/24/2016 10:19 AM
26	Grocery Retail Anchor Fruita needs a different competitive grocery store	7/23/2016 10:29 PM
27	Mixed Use Look at the Woodlands area of Houston Texas. Gorgeous multi use that offers all of the above	7/23/2016 3:39 PM
28	Grocery Retail Anchor Grocery Store	7/23/2016 3:06 PM
29	Retail Anchor Movie theater	7/23/2016 10:18 AM
30	Grocery Retail Anchor Grocery store!	7/23/2016 8:06 AM
31	Grocery Retail Anchor A larger grocery store. NOT NOT walmart!	7/23/2016 6:40 AM
32	Mixed Use mixed use	7/22/2016 8:20 PM
33	commercial recreation	7/22/2016 4:29 PM
34	Instead of a zoo, a natural history facility that celebrates the flora, fauna and heritage of the upper Colorado River Basin.	7/22/2016 11:24 AM
35	Event Center	7/22/2016 10:21 AM
36	Drive-in movie	7/22/2016 9:23 AM
37	Mixed Use White water park with restaurants and shops riverside	7/21/2016 10:25 PM
38	RV/Camping shouldn't compete with State Park	7/21/2016 9:57 PM
39	Family Friendly Family oriented activities	7/21/2016 9:18 PM

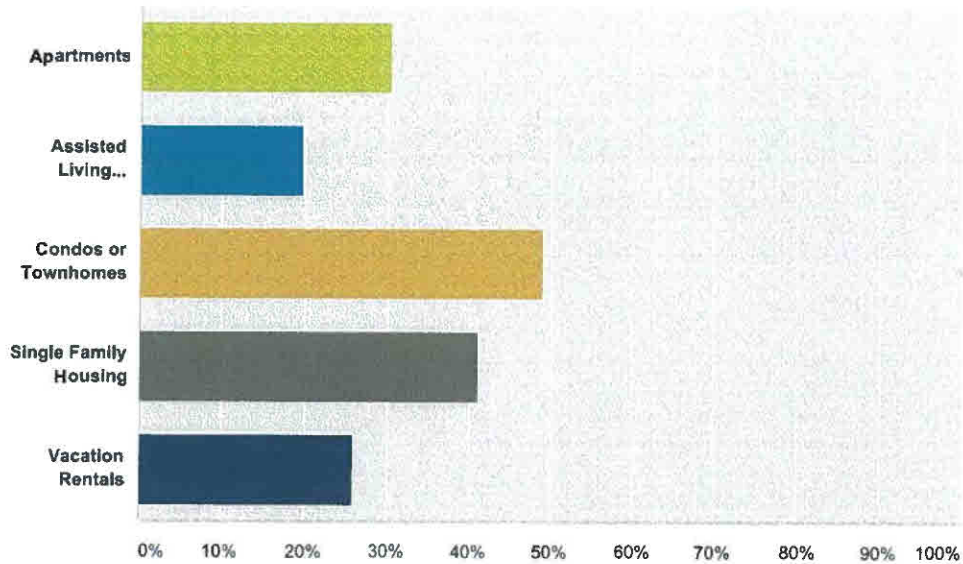
Fruita Lagoon Redevelopment Survey

40	Grocery Retail Anchor Grocery Store	7/21/2016 8:54 PM
41	Family Friendly Retail Anchor Wal-mart would be amazing. Or a splash pad/ park for kids!	7/21/2016 6:57 PM
42	Grocery Retail Anchor Bigger grocery store!	7/21/2016 6:22 PM
43	Grocery Retail Anchor We NEED a decent grocery store in town. The City Market in town just isn't enough to sustain the community.	7/21/2016 5:45 PM
44	Riverwalk type businesses, cafes and galleries	7/21/2016 3:01 PM
45	Retail Anchor Costco / outlet mall	7/21/2016 2:49 PM
46	Grocery Retail Anchor Walmart supermarket	7/21/2016 12:48 PM
47	Outdoor Recreation Venues	7/21/2016 12:36 PM
48	Restaurant only if it incorporates the Colo. River somehow	7/20/2016 5:21 PM

Fruita Lagoon Redevelopment Survey

Q6 Which Residential Uses do you feel might be appropriate if the lagoon property were redeveloped?

Answered: 216 Skipped: 102



Answer Choices	Responses	Count
Apartments	30.56%	66
Assisted Living Facilities	19.91%	43
Condos or Townhomes	49.07%	106
Single Family Housing	41.20%	89
Vacation Rentals	25.93%	56
Total Respondents: 216		

#	Other (please specify)	Date
1	No Residential none	8/5/2016 9:38 AM
2	affordable Affordable housing that looks nice and isn't trashed	8/5/2016 7:59 AM
3	No Residential None	8/5/2016 7:55 AM
4	No Residential none	8/4/2016 6:07 PM
5	No Residential none	8/3/2016 4:28 PM
6	No Residential I don't think residential would be the best use for this property	8/3/2016 2:18 PM
7	No Residential None of the above	8/3/2016 10:02 AM
8	No Residential None in that area	8/3/2016 5:32 AM
9	No Residential none	8/2/2016 7:25 PM
10	No Residential None	8/2/2016 5:08 PM
11	relocate all the trailer parks there or put in homes to raise the overall property values here	7/28/2016 6:17 PM

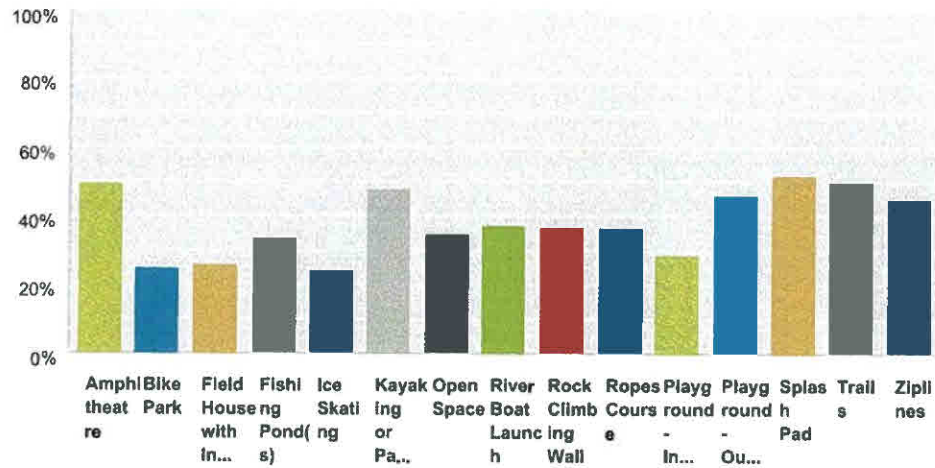
Fruita Lagoon Redevelopment Survey

12	A crack den would be better than bicycles.	7/28/2016 4:45 PM
13	No Residential none	7/28/2016 11:23 AM
14	No Residential Nobody wants to live next to I70 and a truck stop	7/28/2016 10:41 AM
15	No Residential No housing there	7/28/2016 10:22 AM
16	No Residential None	7/28/2016 10:04 AM
17	No Residential None	7/28/2016 9:47 AM
18	No Residential With that water table....none!	7/28/2016 9:41 AM
19	No Residential Inappropriate location for residential development	7/27/2016 8:57 AM
20	Mixed Use 600-800 sq/ft residences—mixed use.	7/26/2016 9:37 PM
21	Mixed Use Residential above commercial	7/26/2016 8:03 PM
22	Mixed Use Blend it, go mixed use with some office space but primarily residential	7/25/2016 5:24 PM
23	No Residential None	7/23/2016 6:40 AM
24	No Residential I feel there are other areas better than this one for residential.	7/23/2016 1:16 AM
25	Mixed Use higher density development to take advantage of nearby commercial and recreational uses	7/22/2016 4:30 PM
26	No Residential none of the above	7/22/2016 12:33 PM
27	affordable affordable housing - combination single-family and apartment/townhomes	7/22/2016 11:31 AM
28	No Residential none of the above	7/22/2016 11:28 AM
29	No Residential None, there are enough available housing development properties in Fruita	7/22/2016 10:22 AM
30	No Residential None	7/22/2016 9:53 AM
31	No Residential None of the above, not suitable for residential	7/22/2016 9:23 AM
32	No Residential None	7/22/2016 8:55 AM
33	No Residential no residential at this site	7/22/2016 8:54 AM
34	No Residential None probably in the floodway and would require addition insurance requirements	7/22/2016 8:43 AM
35	No Residential None!	7/21/2016 11:48 PM
36	No Residential none	7/21/2016 9:18 PM
37	No Residential None	7/21/2016 8:54 PM
38	No Residential Not a good place for housing next to the interstate.	7/21/2016 8:01 PM
39	No Residential None	7/21/2016 5:45 PM
40	Smaller affordable homes, NOT mega homes!	7/21/2016 4:54 PM
41	No Residential None	7/21/2016 4:37 PM
42	No Residential Na	7/21/2016 3:35 PM
43	No Residential none	7/21/2016 1:36 PM
44	No Residential None	7/21/2016 1:31 PM
45	No Residential none at that location	7/21/2016 1:11 PM
46	No Residential none	7/21/2016 1:10 PM
47	No Residential None, Build on the North Side	7/21/2016 12:36 PM

Fruita Lagoon Redevelopment Survey

Q7 Which types of Recreational amenities would you like to see developed at the lagoon property?

Answered: 257 Skipped: 61



Answer Choices	Responses
Amphitheatre	49.42% 127
Bike Park	24.90% 64
Field House with Indoor Sports Fields	26.07% 67
Fishing Pond(s)	33.46% 86
Ice Skating	24.12% 62
Kayaking or Paddle Boarding	47.86% 123
Open Space	34.63% 89
River Boat Launch	37.74% 97
Rock Climbing Wall	36.58% 94
Ropes Course	36.58% 94
Playground - Indoor	28.79% 74
Playground - Outdoor	45.91% 118
Splash Pad	52.14% 134
Trails	49.81% 128
Ziplines	45.14% 116
Total Respondents: 257	

#	Other (please specify)	Date
1	none	8/5/2016 9:38 AM

Fruita Lagoon Redevelopment Survey

2	Shade Playground! I will not go to Reed. Little Salt Wash Park is nice, but small. Canyon View has great options, but with no trees for shade, the sun is brutal and my kidson can't touch anything without getting burned.	8/5/2016 8:02 AM
3	Bowling alley, go cart track	8/5/2016 7:57 AM
4	State Park something related to the museum or State Park	8/4/2016 6:08 PM
5	none	8/3/2016 4:28 PM
6	Dog Park Off-leash dog park	8/2/2016 4:36 PM
7	We need a much better boat launch.	7/28/2016 6:18 PM
8	I think you already know my answer here.	7/28/2016 4:46 PM
9	Gold's Gym!!!	7/28/2016 12:36 PM
10	none	7/28/2016 11:23 AM
11	Miniature golf	7/28/2016 10:22 AM
12	Dog Park Large off leash dog area	7/28/2016 9:59 AM
13	A place where people can float in a maze (river (in a controlled environment. Much like Lagoon a beach at Lagoon Water Park.	7/28/2016 9:49 AM
14	Nature Center	7/28/2016 9:42 AM
15	Mini golf	7/27/2016 10:00 PM
16	water park	7/27/2016 8:58 AM
17	A mixture of above	7/24/2016 10:21 AM
18	Develop recreation amenities that can share spaces or rotate by season...i.e. large fieldhouse that can be used for rafting, rigging, etc in the summer and then indoor soccer, lacrosse, etc in the winter. Fishing in the summer, ice skating in the winter. Multi use! Educational classrooms for out door rec would be good too - hunter safety classes, wilderness first aid, etc. A public lands information area would be great so NPS, BLM, NF, CPW could disseminate and provide information on recreational opportunities on their lands...	7/23/2016 4:10 PM
19	Horse back riding trails	7/23/2016 3:40 PM
20	None of the above	7/23/2016 10:19 AM
21	Dog Park Fenced Dog Park: Could use access to the water to create and inexpensive swimming hole for the dogs like GJ's Canyon View Park	7/22/2016 6:11 PM
22	something you can see from interstate	7/22/2016 4:42 PM
23	developed open space (picnic tables, shelters, trails, etc.) The property is big enough for more than one, but should include some passive areas.	7/22/2016 4:32 PM
24	none of the above	7/22/2016 12:33 PM
25	Dog Park Dog Park	7/22/2016 12:01 PM
26	Swimming Swimming pond	7/22/2016 11:32 AM
27	Event Center	7/22/2016 10:23 AM
28	*Handicap accessible recreational opportunities	7/22/2016 5:43 AM
29	Swimming Swimming	7/21/2016 10:46 PM
30	Kayak/surf park in the river.	7/21/2016 10:25 PM
31	State Park State Park already has amphitheatre and boat launch	7/21/2016 10:00 PM
32	Dog Park Dog park	7/21/2016 9:46 PM
33	Dog Park Off leash dog park	7/21/2016 9:20 PM
34	indoor/outdoor bike park/skate park	7/21/2016 9:19 PM
35	Swimming Swim beach during summer, unique destination for riverfront trail users	7/21/2016 2:55 PM
36	Dog Park Dog Park	7/21/2016 2:44 PM
37	Drive in movie or IMax	7/21/2016 1:24 PM

Fruita Lagoon Redevelopment Survey

38	Shade Shaded playgrounds, splash pad would be amazing. Parks need more shade over the play areas as the equipment gets too hot to quick to enjoy	7/21/2016 12:49 PM
39	NO SPLASH PAD!	7/21/2016 12:37 PM

Fruita Lagoon Redevelopment Survey

Q8 Do you have any specific ideas on what you would like to see developed at the lagoon property that was not included in your previous responses?

Answered: 94 Skipped: 224

#	Responses	Date
1	restore to natural condition and maintain as open space	8/8/2016 1:28 PM
2	Something that isn't seasonal would be nice. Enough mountain bike stuff already. A lot of us want safe, family options that we can do year round that don't involve man bikes. Indoor/outdoor playground type option sounds great.	8/5/2016 8:04 AM
3	I actually worry about the structural soundness of any place built on that land. It's a giant sink hole waiting to happen and doesn't seem like a wise spot to put a building	8/5/2016 7:58 AM
4	Something related to the existing State Park or Museum	8/4/2016 6:09 PM
5	Plant trees!!!	8/4/2016 12:25 PM
6	Not currently	8/3/2016 9:21 AM
7	Mixed Use City park with small retailers or maybe a food truck lane	8/3/2016 5:34 AM
8	No	8/2/2016 7:25 PM
9	Walmart, Dave and Busters, Texas Roadhouse !	8/2/2016 6:19 PM
10	Insure that what is provided is in tune with Fruita's Master Plan and enhances the Quality of Place.	8/2/2016 5:41 PM
11	Mixed Use Live/work facilities. Businesses on ground level and affordable housing above.	8/2/2016 4:55 PM
12	A feasible boat launch in Fruita would increase traffic for local businesses and create options for those who do not have a state parks pass.	8/2/2016 4:03 PM
13	No	8/2/2016 2:06 PM
14	Mixed Use I see a mixed use "masterplan" area similar to what you see in the outskirts of other big cities like Chicago and Houston, that accommodates new business with office space and ability to move employees directly there - complemented with retail and hospitality.	8/2/2016 1:49 PM
15	Mixed Use I would like to see a true "mixed use" community in that location complete with ground floor commercial, upper level offices and residential, trails, open space, park, etc. A community that faces the river instead of turning its back on it. As a Landscape Architect and Planner I would love to do the planning and design for such a community! Rob Breeden-Nvision Design Studio, Inc. - rb@nviz.biz	7/29/2016 4:32 PM
16	Nah	7/28/2016 10:54 PM
17	If its retail please put in a grocery store. Maybe an outdoor mall for the property. If outdoor recreation, put a NICE boat ramp in please. or use the property to build the world's biggest dinosaur statue.	7/28/2016 6:36 PM
18	While I'm sure my efforts here were all in vain, please do focus on anything but turning Fruita into Moab.	7/28/2016 4:47 PM
19	Family friendly activities	7/28/2016 12:17 PM
20	movie theatre	7/28/2016 11:46 AM
21	A water park or indoor park would be great!	7/28/2016 10:59 AM
22	I'd like to see another supermarket in the area. City market in fruta is the worst. Never carries anything good. Give it competitors and let's see them raise their standards	7/28/2016 10:43 AM
23	Something different from what is already offered. I live on the south side of I-70, need a mini golf, rock climbing, zip lining, ropes course with a splash pad and paddle boarding area.	7/28/2016 10:24 AM
24	Off leash dog area	7/28/2016 10:00 AM
25	Would love a zoo.	7/28/2016 9:49 AM
26	Family Small, child friendly water park similar to pirates cove in denver.	7/28/2016 9:13 AM

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27	Family I would like to see a recreational park that would give our children and families another choice in activities.	7/28/2016 6:04 AM
28	The city of Castle Rock has a wonderful outdoor/indoor recreation site that would be awesome to see Fruita emulate. http://co-castlerock2.civicplus.com/2049/Miller-Activity-Complex-MAC	7/27/2016 10:20 AM
29	No.	7/27/2016 9:38 AM
30	develop one pond for fishing and general rest area for bike riders, walking, and jogging. Provide benches, and picnic tables for family use.	7/27/2016 9:01 AM
31	Mixed Use I would like to see small apartment sized housing, but not branded as "affordable housing". This is the future trend. It attracts creative and community minded people. They can hop on their bike and ride on the path right in iver to downtown. A mix of vacation rentals(with limits because we want some full time residents) would be nice. Small supporting retail could be nice. But, community spaces might be better. I believe there is huge potential in this property! The connection to the river is Fruita's connection to river sports and that may be the more relevant small retail business for the area.	7/26/2016 9:42 PM
32	no	7/26/2016 1:46 PM
33	No	7/25/2016 5:26 PM
34	Mixed Use Multi Use Commercial/Residential with Trail Connections	7/25/2016 3:42 PM
35	Mixed Use Using the space to generate tax revenue, serve residents and tourists, and promote outdoor activity all with a river front theme would be my thought.	7/25/2016 11:10 AM
36	I would like them to be settling ponds for river water and pumped to the city of Fruita irrigation system	7/25/2016 10:43 AM
37	Amphitheater	7/25/2016 9:40 AM
38	Homes for the homeless, keep them off the streets	7/25/2016 8:06 AM
39	no	7/25/2016 7:44 AM
40	No	7/24/2016 10:21 AM
41	Again, a public lands information area would be great, coupled by multi-use areas for outdoor recreation.	7/23/2016 4:11 PM
42	Mixed Use Easy access for disabled users, good parking access, linked to the already developed bike paths. Mix of private and public use	7/23/2016 3:43 PM
43	When can we have a City Market like the one in 24rd? There's a severe need. If there were a good City Market in the lagoon, it would draw the tourists to the river front trail too.	7/23/2016 6:43 AM
44	Mixed Use A multiuse plan with trails connecting to the riverfront trail and one connecting to the little salt wash system. Commercial dev along the North edge and recreation going to the river. Maybe a water park along the river.	7/23/2016 1:23 AM
45	Tree plantation	7/22/2016 6:55 PM
46	Drive in where kids could show their cars and have a place to hang out. So they wouldn't have to go to Junction.	7/22/2016 6:54 PM
47	Another Park including Dog Park & Play Ground (both fenced!) and perhaps a soccer field. Above all at no cost. We don't need another Riverside Park that involves a fee.	7/22/2016 6:13 PM
48	Fruita would do well to develop industry. Specifically, the technology industry could be extremely beneficial here. Because it usually attracts young people that like to "play", this could be a wonderful spot for them to relocate. There are wonderful hiking/biking trails right outside their window!	7/22/2016 5:37 PM
49	a bigger city market would be nice.	7/22/2016 4:56 PM
50	Shelter for homeless cats.	7/22/2016 4:32 PM
51	Public park with Dog park included	7/22/2016 12:02 PM
52	More water stuff like a water park or swim beach. A place for families to gather.	7/22/2016 11:29 AM
53	Natural History facility that celebrates the Flora, Fauna and Heritage of Western Colorado. As an example, look at the High Desert Museum in Bend Oregon and the Arizona-Sonora Desert Museum in Tucson Arizona.	7/22/2016 11:27 AM
54	Mixed Use Mixture of housing, business & retail would be nice.	7/22/2016 11:13 AM
55	The site has great visibility from I-70. It has easy access from the interchange. The site should really serve as a tax generator. A master plan for the south side including the Kokopelli Center, Museum, State Park, etc. should be conducted. There is a real opportunity with this site and the entire south side could use a vision.	7/22/2016 10:26 AM

Fruita Lagoon Redevelopment Survey

56	Fruita needs an event/meeting center that will hold both smaller meetings for conferences as well as a larger room for events.	7/22/2016 10:25 AM
57	Mixed Use amusement or water park - something that benefits the community AND draws tourists to stop off the interstate. biking trails and open space could still be incorporated around the parameters.	7/22/2016 10:11 AM
58	A lake that is better than highline. Highline is known to be tiny, crowded waste dump.	7/22/2016 9:55 AM
59	Fruita needs a better park	7/22/2016 9:43 AM
60	boat launch!	7/22/2016 8:59 AM
61	Mixed Use mixed use	7/22/2016 8:53 AM
62	Something that makes use of the natural beauty or continues the tourist oriented use (similar to Dinosaur Journey).	7/22/2016 8:43 AM
63	What about a dog park?!	7/22/2016 7:11 AM
64	No	7/22/2016 12:08 AM
65	Any kind of water park is much needed in this heat!	7/22/2016 12:03 AM
66	Mixed Use Copy Montrose River park but with riverside restaurants and shops/hotels	7/21/2016 10:26 PM
67	nope	7/21/2016 10:16 PM
68	Fruita Lagoon Water Park	7/21/2016 10:05 PM
69	Keep open space along river!	7/21/2016 10:01 PM
70	Family An indoor play center for families with young kids is MUCH needed! Especially something where they can play make believe!	7/21/2016 9:32 PM
71	Stay true to Fruita! Don't redevelop with more housing or businesses!	7/21/2016 9:31 PM
72	Off leash dog park with parking	7/21/2016 9:20 PM
73	I think retail spaces should be continued to be developed in downtown Fruita and this space should be used for outdoor recreation	7/21/2016 9:19 PM
74	Beach	7/21/2016 9:02 PM
75	Off leash dog park	7/21/2016 9:02 PM
76	Splash pad	7/21/2016 7:25 PM
77	Splash pad	7/21/2016 7:22 PM
78	Family I truly believe that Fruita residents would benefit from having a wal-mart that is near by. I also think that a splash pad or water park would attract tourists as well as keep Fruita's youth occupied and out of trouble. Either one would make our family very excited! Can't wait to see what happens!	7/21/2016 7:01 PM
79	Swim beaches would be fun!	7/21/2016 6:58 PM
80	A huge Mall	7/21/2016 6:41 PM
81	Cracker Barrel	7/21/2016 6:23 PM
82	Only that a larger grocery store with adequate parking is desperately needed in this town.	7/21/2016 5:46 PM
83	If you put the RFT on Raptor Rd then you would have to use the roundabouts to get to it if traveling east to west. The Fruita trail was built to AVOID the roundabouts.	7/21/2016 4:47 PM
84	No	7/21/2016 3:36 PM
85	Mixed Use I think a Riverwalk type area would be nice with cafes and galleries and then family-type recreational things like the splash-pad and rock wall.	7/21/2016 3:04 PM
86	Swim beach with paddle boards and kayaks. A unique destination in the valley, great access for families and bikes in riverfront path. Similar to Highline's beach, but much easier to access.	7/21/2016 2:56 PM
87	Big open area that club/groups could use/rent, IE... Car clubs, Jeep clubs, Scouts, Recreation dealers, Bike clubs... You get the idea.	7/21/2016 2:47 PM
88	Industry or manufacturing amt that would bring jobs and help stabilize economy even more	7/21/2016 2:12 PM
89	I would like to see a connector bike path from Raptor Rd to the Little Salt Wash bike path through the lagoon property.	7/21/2016 1:38 PM

Fruita Lagoon Redevelopment Survey

90	Recycling facility	7/21/2016 1:25 PM
91	Regardless of what gets developed here, it would be very helpful and convenient to have a multi-user paved path through this property that would connect Raptor Road with the new Little Salt Wash Trail. This would allow trail users, particularly cyclists, to go to and from the Little Salt Wash Trail without having to go through the James M. Robb State Park. I noticed the need for this connector to Raptor Road the very first time I rode the Little Salt Wash Trail. By the way, the Little Salt Wash Trail is a fantastic trail and a great addition to Fruita. Thanks for asking for my ideas!	7/21/2016 1:15 PM
92	no	7/21/2016 1:11 PM
93	Community gardens, off-leash dog park.	7/21/2016 1:03 PM
94	My biggest suggestion is shade! There isn't enough shade over play equipment for the children resulting in it being too hot to play on and burned legs and butts from slides. I think a multipurpose park would be amazing. playground, splash pad, fields and a bike/skate area would be amazing!	7/21/2016 12:53 PM

EXHIBIT C
SUMMARY OF
STAKEHOLDER FEEDBACK

**LAGOON REDEVELOPMENT SITE
CONCEPTUAL PLANNING
SUMMARY OF STAKEHOLDER FEEDBACK**



**FRUITA PARKS & RECREATION ADVISORY BOARD
October 10, 2016**

- Incorporate Event Space
- Like more Open Space & Rec. than Commercial, but realize the need to consider economics necessary for implementation
- Open Fields and Bodies of Water are appealing and provide flexibility
- Opportunities to develop along Little Salt Wash (invite people to the water)
- Like Field House concept
 - Make sure use is as flexible as possible
 - Focus on outdoor programming and offerings
 - Seasonal benefits to wide variety of programs
- Preserve View sheds (have field near River rather than Field House or structures)
- Improve view corridor from Raptor Road. Make inviting...not just a dead end road.
- Don't like commercial uses along the River
- May be opportunities for birding or other passive user groups
- Also like the idea of active recreation areas like ziplines.
- May need to separate passive and active areas.
- Potential benefits in having mixed uses that could provide revenue generation.

December 5, 2016 (Additional discussion & comments)

- Like open space near river that is shown on revised concepts.
- Like clustered parking areas.
- Support for looped road.
- Liked connected lake ideas, strongly suggest water be circulated.
- Increase size of Field House to accommodate 35 yard x 55 yard indoor sports field.
- Discussed need for dedicated synthetic sports field vs. just having turf space that could be more flexible.

SOUTHSIDE MARKET PLACE

October 17, 2016

- Like idea of "tourist oriented" destination
- Would like to see commercial limited so that it is not economically taking away from Kokopelli businesses.
- Discussed types of retail business that would complement existing businesses
 - Tourist focus, increase activity and traffic to south side, etc.
- Asked about City's priority in constructing improvements and timing, which are unknown at this time.
- Development needs inviting entrance from Raptor Road
- Could be good venue for July fireworks, but would probably take away from existing family event in Kokopelli

FRUITA PLANNING COMMISSION

October 11, 2016

- HH – More Recreation, does not like Commercial concept
- RH & DK – Concerned with amount of money that would be required to implement plans
- KS – Suggested developing lake and “sit on” property until a developer comes along.
- KS – Needs to be compatible with others along Raptor Road , does not know if promoting walking near truck stop is wise.
- DK – Suggested incorporating more open space that could be used for staging events (maybe near River)
- HE – Need to Embrace River!
- HE & RH – Would be a nice setting for sports fields or complex
 - Does school district have a need for this type of space?
- RS – Prefers Recreation Concept, does not want to promote something that takes away from other businesses. Promote and enhance businesses, create synergy.
- KS – Would like to see amount of land area maximized, more valuable to sell.
- KS – Does not see the value in having bodies of water.
- DK – Prefers any commercial land be toward North or East, Rec. toward River.
- No real preference on alternative road circulation concepts. Dead end roads would promote more walking, but looped road would be nice for motorized users.

RIVERFRONT FOUNDATION BOARD MEETING

October 27, 2016

- Primary interest is in riverfront trail and maintaining open space along the river.
- Supportive of having commercial integrated into development as long as buffered from the river.
- Not interested in being property owners and would like compensated for their portion of the properties that might be used for other uses.
 - Opportunity for reinvesting into other riverfront areas.
- Supported uses that would provide access to, and promote, the riverfront trail.

COLORADO PARKS & WILDLIFE STAFF

- No objections to the types of uses being proposed
- Would be nice if property had amenities that would appeal to State Park users rather than just encourage more unpaid walk-in users in the State Park.
- Would like to limit site lighting and noise (after 10:00 pm) that may impact campers in State Park, especially near southeast corner of the lagoon property.
- Potentially permitting and environmental impacts with discharging lakes directly to River, will need to coordinate with US Fish & Wildlife.
- Discussed opportunities to combine lakes, amenities, or other services with State Park, but struggled to identify ideas that would be feasible.
- Prefer to limit pedestrian access (i.e. LSW trail and maybe east near Raptor Road)
- OK with piping N. Young Drain, habitat refuge along north side of lake not performing as originally intended.

CITY COUNCIL

November 15, 2016

- Preferred location/orientation of Anchor Store shown in Concept 1.
- Preferred a looped road system rather than two dead ends, but do not want it to feel like a busy road that is not pedestrian friendly. Maybe one-way traffic only.
- DK – Expressed concern that left turning movement out of the development may be difficult during large events. One-way traffic may help resolve this.
- Would like to keep the plan flexible realizing that this is going to be opportunity driven and going to need to change based on business needs.
- No objection to the types of uses being presented.



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MICHAEL BENNETT, CITY MANAGER
DATE: JANUARY 17, 2017
RE: LOGO TRADEMARK LICENSE AGREEMENT

BACKGROUND

After the adoption and rollout of the new City logo during 2016, a variety of local businesses have expressed an interest in being able to gain permission from the City to sell merchandise that displays the City logo. During discussions with City staff and City Council, it has been determined to be in the interest of the City to allow willing businesses to sell suitable merchandise displaying the City logo via a trademark license agreement with no fee owed to the City, with the exception of applicable sales tax.

Attached is a trademark license agreement that has been reviewed, edited and approved by the City's attorney. The agreement provides license of the City's logo to businesses with agreed upon uses of the logo and quality control. The agreement also provides provisions for Indemnity, Enforcement, Default & Termination and a three-year term of the agreement that may be renewed.

Included in the agreement are two Exhibits. Exhibit A details the logo specifications. Exhibit B details the license purpose sought by the Licensee. The Licensee is required to detail an exhaustive list of potential products and services being contemplated to incorporate the logo, request any anticipated manner of incorporating the logo into their own design or logo (if desired) and identifies the locations of where products and services will be sold or advertised.

Under the direction of the City Manager, staff will manage the advertising of, review of and administration of the logo trademark license agreement. Staff is currently working on a web-based application process to be on www.fruita.org to simplify the process.

FISCAL IMPACT

There is no direct cost or fiscal impact. Local businesses selling merchandise with the City logo will remit sales tax to the City.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Allowing businesses to create and sell their own merchandise that displays the City's logo assists the City in further exposure of the City's brand by providing more effective avenues for residents and visitors to obtain such merchandise. Proceeding in this manner also drives the business of those seeking such merchandise to participating local businesses which is more in line with the City Council's priorities on positively impacting *Quality of Place, Economic*

Health and Lifestyle.

OPTIONS AVAILABLE TO COUNCIL

1. Approve the use of the attached logo trademark license agreement.
2. Deny the use of the attached logo trademark license agreement.
3. Approve the use of the attached logo trademark license agreement with specific modifications.

RECOMMENDATION

Staff recommends City Council approve the use of the attached trademark logo license agreement.



FRUITA COLORADO

TRADEMARK LICENSE AGREEMENT

This Trademark License Agreement (Agreement) is entered into by and between the City of Fruita, Colorado, a municipal corporation, at 325 East Aspen Ave. 81521 (the City), and [Name of Corporation/Legal Entity:] _____

[Address] _____ [Phone Number] _____

[E-mail Address] _____ (Licensee), effective as of the date of last signature (the Effective Date).

Whereas, the City holds exclusive rights in certain trademarks and related designs as shown in Exhibit A attached hereto; and

Whereas, Licensee desires to use the City's trademarks and related designs in association with the purpose listed in Exhibit B attached hereto;

Now therefore, in consideration of the mutual covenants and undertakings set forth in this Agreement, and other good and valuable consideration, the parties agree as follows:

Section 1. Definitions

1.1 The term Licensed Marks, as used in this Agreement, means those marks identified on Exhibit A and attached to this Agreement.

1.2 The term License Purpose, as used in this Agreement, shall mean those products, services, and other purposes listed in Exhibit B and attached to this Agreement;

1.3 The term Licensed Products or Licensed Services shall mean those products or services authorized in accordance with the License Purpose and actually developed, sold or marketed by Licensee.

Section 2. License Grant

2.1 Subject to the terms of this Agreement, the City grants to Licensee a limited, revocable, non-exclusive, royalty-free license to use the Licensed Marks only in association with the License Purpose. The parties acknowledge and agree that the grant of this license does not otherwise entitle the Licensee to do business with or within the City without obtaining permits and licenses otherwise ordinarily required.

2.2 Licensee shall have no right to assign or sublicense any rights to use the Licensed Marks. Licensee may not transfer the rights under this Agreement to any other party without prior approval from the City.

2.3 Subject to the terms of this Agreement, Licensee may authorize manufacturers to produce products bearing the Licensed Marks in accordance with the License Purpose. Licensee is responsible for ensuring that any products developed and any actions taken by the manufacturers satisfy all the requirements of this Agreement. Licensee assumes all responsibility for any manufacturers' actions relating to the use of the Licensed Marks and the manufacture, sale or distribution of Licensed Products or Services.

Section 3. Use of Licensed Marks and Quality Control

3.1 Licensee agrees that in the exercise of its rights under this Agreement, it will not state or imply either directly or indirectly that Licensee or Licensee's activities are supported, endorsed or sponsored by the City, except where required by this Agreement. Licensee agrees not to use the name or trademarks of the City in its business or affairs other than in the performance of its rights and obligations under this Agreement.

3.2 Licensee agrees to abide by City's Logo Specifications found in **Exhibit A**.

3.3 Licensee agrees that it will not alter, modify, dilute or otherwise misuse the Licensed Marks, or bring them into disrepute. Licensee may incorporate the City's Licensed Marks into Licensee's own design or logo only with the advanced written permission of the City. Failure to obtain such permission shall constitute a default under this Agreement and shall constitute grounds for termination.

3.4 All Licensed Products and Services must be of a quality acceptable to the City. The City has a right through its employee(s) or designated representative(s) during normal business hours to inspect the facilities and product inventory of Licensee to ensure that Licensee is maintaining an acceptable level of quality and to verify compliance with this Agreement.

3.5 Licensee acknowledges that products or services affiliated with the Licensed Marks of inferior quality in design, material, workmanship or service would impair the substantial goodwill that the City possesses in the Licensed Marks. To ensure Licensed Products and Services are of sufficient quality to preserve such goodwill, upon the City's request, Licensee must supply the City, at no cost and with no obligation to return, suitable specimens of its use of the Licensed Marks. The City will have two (2) weeks from receipt of such samples in which to reject the sample. In absence of rejection, or upon written acceptance, the sample will be deemed accepted as sufficient in quality under this Agreement. The Licensee may apply the Licensed Marks to products and services manufactured or provided in accordance with corresponding samples previously accepted by the City and which have substantially the same relative quality as the samples. Provided, however, that the Licensee may request alteration by furnishing to the City further samples in accordance with this provision of any product or service that it desires to change the quality, style, and/or appearance thereof.

3.6 Licensee agrees that its use of the Licensed Marks inures to the benefit of the City and that Licensee acquires no rights in the Licensed Marks.

Section 4. Default and Termination

4.1 In the event Licensee becomes insolvent, makes any assignment for the benefits of creditors, or is subject to any bankruptcy or receivership proceedings, or in the event either party fails to comply with its obligations under this Agreement, the other party may serve a Notice of Default on the defaulting

party. If the default is not cured within thirty (30) days from the service of the Notice of Default, the other party may then serve its Notice of Termination, and this Agreement will be automatically terminated upon service of said Notice of Termination.

4.2 Either Party may terminate this Agreement at any time without cause with thirty (30) days written Notice of Intent to Terminate. In such event, this Agreement will automatically terminate thirty (30) days after service of said Notice of Intent to Terminate. Provided, however, Licensee shall be permitted to retain and sell any products in possession of Licensee bearing the City's Licensed Marks that are in compliance with this Agreement at the time the Notice of Termination is received by Licensee.

4.3 Unless sooner terminated pursuant to the above provisions, this Agreement shall remain in effect through the License Term described in Section 9, below.

4.4 Upon material breach of the provisions specified in this Agreement, the City may terminate this Agreement immediately with written notice.

Section 5. Effect of Termination

5.1 Upon expiration or termination of this Agreement, all rights granted to Licensee hereunder will cease, and Licensee must refrain from further use of Licensed Marks or any other mark or name the City reasonably deems to be similar to the Licensed Marks. Licensee acknowledges that failure to comply with this provision will result in immediate and irreparable harm affording injunctive and any and all other appropriate relief to the City.

5.2 Upon expiration or termination of this Agreement, Licensee shall not operate its business in any manner that would falsely suggest to the public that this Agreement is still in force, or that any relationship exists between Licensee and the City.

Section 6. Enforcement

6.1 Licensee shall not institute any proceedings for infringement of the Licensed Marks.

6.2 Licensee must cooperate fully and in good faith with the City in the event any infringement proceedings by or against any third party arising out of or related to any use of the Licensed Marks. Licensee shall not challenge, directly or indirectly, the City's right, title, or interest in the Licensed Marks.

Section 7. Indemnity

7.1 Licensee agrees that it is wholly responsible for all products or services manufactured, offered or rendered by it, and that the City shall have no liability for any items, including any Licensed Product or Service, manufactured, offered or rendered by Licensee.

7.2 Licensee agrees to indemnify and hold harmless the City, its officers, employees, and agents thereof, from any claims, demands, causes of action, and damages, including reasonable attorney's fees, caused by or arising out of use of any Licensed Mark or workmanship, material or design of any product or service related to the Licensed Marks, including without limitation claims or actions for product liability, patent, or copyright infringement.

Section 8. Representations and Warranties

8.1 Each party represents and warrants that its entry into this Agreement has been duly authorized by all necessary action, is lawful, and does not violate any other agreement to which it is a party.

8.2 Each party further represents and warrants that its business conduct in performing under this Agreement will conform to all applicable and valid laws, rules, and regulations.

8.3 To the knowledge of the City, the Licensed Marks are subsisting and have not been adjudged invalid or unenforceable, in whole or in part, and each Licensed Mark is valid and enforceable.

Section 9. License Term

9.1 This Agreement shall continue in full force and effect for three (3) years from the Effective Date unless otherwise terminated by operation of law or by the acts of the parties in accordance with the terms of this Agreement; provided that Licensee is in good standing and is in compliance with all terms of the Agreement.

Section 10. Notices

10.1 All notices, requests, demands, deliveries and other communications which are required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given when delivered personally, or when mailed, registered or certified first class postage pre-paid, set forth below:

If to the City, to:

City of Fruita

325 East Aspen Avenue

Fruita, Colorado, 81521

Attn: Odette Brach, Director of

Human Resources

If to Licensee, to:

**EXHIBIT A
LICENSED MARKS**

City of Fruita Logo Specifications

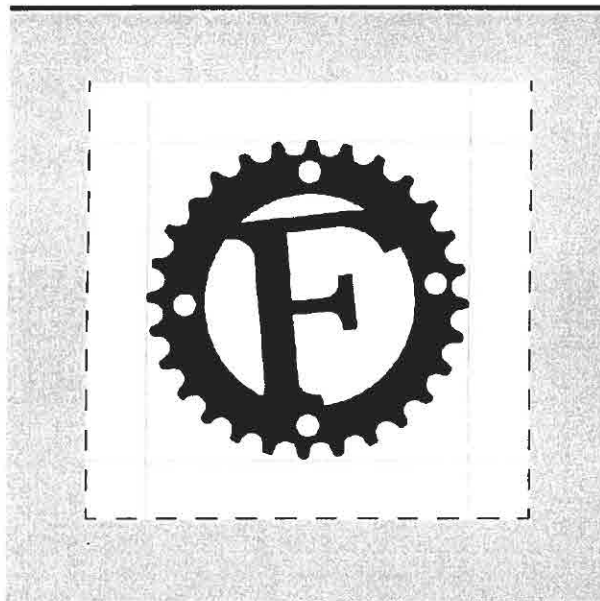
BRAND LOGO — MAIN VERSION



The inner white area indicates Clear Space. This area must be kept free of other elements.

Grey padding indicates the Safe Zone; this is an area where other elements can be positioned safely without encroaching on the logos Clear Space: think personal bubble.

BRAND MARK / ICON



PRIMARY COLOUR PALETTE — 1 Color PANTONE, CMYK, RGB AND HTML



Pantone Black
C O M O Y O K O
R O G O B O
HTML #000000

The above Pantone colours specification should be used where ever possible.

When Pantone colours are not available for real-world application then use the CMYK values indicated.

When designing for the web then the above RGB or HTML values can be used.

Fonts:

FRUITA
COLORADO

Proxima Nova Semi Bold
Proxima Nova Light

City of Fruita Logo Specifications

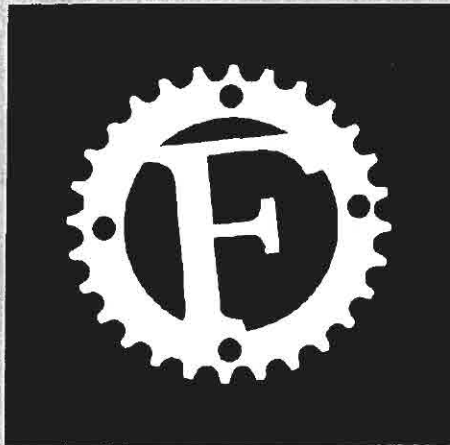
BRAND LOGO — REVERSED VERSION



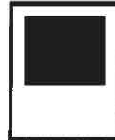
The inner black area indicates Clear Space. This area must be kept free of other elements.

Grey padding indicates the Safe Zone; this is an area where other elements can be positioned safely without encroaching on the logos Clear Space; think personal bubble.

BRAND MARK / ICON REVERSED



PRIMARY COLOUR PALETTE — 1 Color PANTONE, CMYK, RGB AND HTML



Pantone Black
C O M O Y O K O
R O G O B O
HTML #000000

The above Pantone colours specification should be used where ever possible.

When Pantone colours are not available for real-world application then use the CMYK values indicated.

When designing for the web then the above RGB or HTML values can be used.

Fonts:

FRUITA
COLORADO

Proxima Nova Semi Bold
Proxima Nova Light

**EXHIBIT B
LICENSE PURPOSE**

The Purpose of this License is:

In contemplation of that purpose, the following is an exhaustive list of potential products and services contemplated by the Agreement:

If requesting to incorporate the City's Licensed Marks into Licensee's own design or logo, the following is a detailed description of how this will be accomplished:

Location of where the products and services will be sold or advertised:

Physical address: _____

Internet (web address): _____

Notwithstanding anything in the Agreement or this Exhibit to the contrary, in recognition of the Purpose, stated above, and the City's goodwill in the Licensed Marks, the following items are excluded from the Agreement and may not be used with any of the Licensed Marks:

- Items for official City business purposes and official City meetings or ceremonies,
- Alcoholic beverages;
- Tobacco and smoking products;
- Food products;
- Sexually oriented goods;
- Health-care products and toiletries;
- Goods and services related to gambling, lotteries, sweepstakes;
- Religious or burial goods and services;
- Products and services of a political nature;
- Goods making unfavorable references to race, religion, sex, national origins or handicaps;
- Firearms and weapons;
- Taxi or transport services.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR
DATE: JANUARY 17, 2017
RE: LEGAL REPRESENTATION AND FEE AGREEMENT WITH SANDS LAW OFFICE, LLC CONTRACT

BACKGROUND

Pursuant to Article 4 of the Fruita City Charter, the City Council shall appoint an attorney or legal firm licensed to practice law in the State of Colorado who shall serve at the pleasure of the Council and perform duties determined by the Council. Compensation of the City Attorney shall be fixed by the City Council. The City of Fruita has retained Ed Sands of Sands Law Office, LLC to perform the duties of the City Attorney and he has served in this position since July 1, 1994.

Sands Law Office, LLC submitted a memorandum and notice of fee increases in October 2016 and these increases were incorporated into the Adopted 2017 Budget. Effective January 1, 2017 fees for municipal attorney services are increased from \$170 to \$190 per hour for general legal work and from \$190 to \$210 an hour for land use and development related work. Paralegal fees for general work increase from \$70 to \$80 per hour and for land use and development related work from \$82.50 to \$90.00 per hour. The City Attorney serves at the pleasure of the Council and there is no specific term associated with the Agreement.

Attached is a copy of the Legal Representation and Fee Agreement letter to formalize the Agreement with Sands Law Office as City Attorney and fees for services.

FISCAL IMPACT

This contract does increase costs of legal services approximately 12%. These increases have been incorporated into the 2017 Budget.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The provision of legal services to the City Council and City staff is necessary for the efficient and effective operations of the City. The City Attorney advises city officials and departments on their day-to-day functions regarding legal issues.

OPTIONS AVAILABLE TO THE COUNCIL

Authorize the Mayor to sign the Legal Representation and Fee Agreement as presented or with amendments or modifications.

RECOMMENDATION

It is the recommendation of City Staff that the Council:

AUTHORIZE THE MAYOR TO SIGN THE LEGAL REPRESENTATION AND FEE AGREEMENT WITH SANDS LAW OFFICE, LLC.



Sands Law Office, LLC

Attorney at Law
Edward P. Sands

450 West Avenue
Suite 204
Rifle, Colorado 81650

Telephone: 970-625-1075
Facsimile: 970-625-3989
Email: ed@sandslawoffice.com

December 30, 2016

Mayor Lori Buck, and
Members of the Fruita City Council
c/o Michael Bennett, City Manager
325 East Aspen #155
Fruita, Colorado 81521

RE: LEGAL REPRESENTATION AND FEE AGREEMENT

Dear Mayor Buck and Members of the Fruita City Council:

1. **Scope of Engagement; Service as City Attorney:** Thank you for the opportunity to continue to represent you as Fruita City Attorney. I am always committed to providing efficient and responsive service to my municipal clients in an atmosphere of mutual trust, confidentiality and candid communication. In that spirit, this letter sets forth my agreement with you regarding my engagement and the firm's billing practices. Please note that I do not represent the City in regard to water rights matters.

2. **Fees and Staffing; I Bill By The Hour:** Effective January 1, 2017 the rates for my services as Fruita City Attorney are: for general legal services \$190.00 per hour; for development and land use matters where the applicant is required to reimburse the City for legal fees and consultant costs \$210.00 per hour. Paralegal services will be billed at \$80.00 per hour for general municipal work and \$90.00 per hour for development and land use matters. From time to time, I will assign my paralegal for discrete tasks. I agree to keep records of all time spent; and, unless otherwise advised, you will be billed monthly. Unless otherwise agreed, you will be billed for professionals' time in increments of 1/10 hour. There is a minimum charge of 2 ½ hours for time spent in Fruita. My rates and fees are based on factors set forth in Rule 1.5(a) of the Colorado Rules of Professional Conduct, applicable to all Colorado attorneys, however I provide my municipal clients a substantial discount. I may periodically increase the hourly rates for myself and my paralegal in response to rising costs, market conditions or other factors law firms typically take into account. However, no further increases are anticipated at this time. You agree that I may increase my billing rates on 30 days' written notice to you, during the preparation of the

Serving Western Colorado Since 1980

City's annual budget not to exceed 15% on an annual basis, and such rate increases shall become effective for the City's next budget year. It is agreed and understood that we have not limited the fees and costs that may be incurred in any litigation.

3. **Expenses; You Will Reimburse Me For Expenditures On Your Behalf:** You agree to pay promptly for such legal services and to pay all expenses incurred in connection therewith, such as long distance, court reporters, data compilation and management, office copying service, postage, Federal Express or other overnight carriers, filing fees, recording fees, and the like allocated to the City. I do not bill for drive time to and from Fruita but do charge mileage at the I.R.S. approved rate. In certain matters, I may need to retain consultants, vendors and experts on your behalf, but will always advise the City Council first. In lieu of advancing costs, we may request funds from you for the payment of anticipated costs, which will be kept in my COLTAF Trust Account until the costs are incurred.

4. **Litigation; We Cannot Guarantee Success:** If my representation of you involves a contested or adversarial matter, I intend to assert the City Council's position vigorously and efficiently. However, you must understand that, in representing any client in a contested or adversarial matter, I cannot promise or guarantee the ultimate success of your position, whether in a lawsuit, arbitration or any other forum. My performance also depends, in large part, upon your cooperation and particularly upon prompt receipt of information and instructions from you from time to time as the matter progresses. Further, the level of activity may, in large measure, depend on the steps the other parties may take and their willingness, if any, to resolve the dispute without a full-scale trial. My representation of you also is subject to limitations upon all lawyers under the Colorado Rules of Professional Conduct. I hereby advise you of the existence of alternative forms of dispute resolution which might reasonably be pursued to attempt to resolve the legal dispute or to reach the legal objective sought.

5. **Payment; We Charge Interest on Late Payments, Fee Disputes Are Resolved by Arbitration:** If you are billed for any legal services or expenses, you agree that payment must be made within 30 days of the date of any such bill. You will be charged compounded interest at a periodic monthly rate of 1.0% (this is an annual percentage rate of 12%) on any balance unpaid after 60 days, but in no event less than a 1.0% periodic monthly rate. All disputes concerning the amount of legal fees and/or costs owed will be submitted to confidential and binding arbitration in accordance with rules and procedures of the Colorado and Denver Bar Association Legal Fee Arbitration Committee ("LFAC") or if such entity is no longer functioning, its successor or such other entity most nearly performing the same function in Colorado. In the event that you do not pay an invoice within sixty (60) days and no information has been brought to my attention regarding a dispute as to the amount owed, I may elect without further notice to you to forego LFAC and take legal action including a collection lawsuit to recover my unpaid legal fees and costs and accrued interest. Under such circumstances you agree to pay my reasonable legal fees and costs incurred in such collection activity and you further agree to submit to the jurisdiction of the County or District Court in Mesa County.

6. **Privacy; Your Assurance of Confidentiality, When Disclosures Are Permitted:** Please be assured I always protect my clients' privacy. In particular, I adhere to professional and ethical standards regarding attorney-client privilege and the confidentiality requirements governing local governments under Colorado law. Confidential information may be shared with other attorneys, paralegals, contract attorneys or legal assistants and outside consultants retained on your behalf whose services are necessary in the course of my representation. Confidential information may also be disclosed to third parties where such disclosure is authorized by the governing body. I protect all such information with physical, electronic, and procedural safeguards that comply with my office's professional standards.

7. **Insurance; We Are Not Responsible for Insurance You May Have:** It is possible you may have insurance policies relating to a certain matter wherein you have requested my assistance. You should carefully check all policies and, if coverage may be available, notify the insurance company about the matter as soon as possible. If any insurance company undertakes the payment of any portion of my billing statements, you will still remain responsible for any amounts not paid by the insurance company.

8. **File Retention Policy; When Your Files May Be Disposed Of:** My office reserves the right to dispose of any file seven (7) years after the legal matters described therein have been resolved or seven (7) years after the last work on the matter has been performed, whichever is first. If you wish to obtain your file, please do so by written request within said seven (7) year period.

Please acknowledge your acceptance of the terms set forth herein by executing this letter and returning it to me or send it back in electronic format. Thanks. I look forward to continuing as your City Attorney.

Yours truly,

SANDS LAW OFFICE, LLC


Edward P. Sands

AGREED TO: By the City of Fruita,
Acting by and through its City Council

Lori Buck, Mayor

ATTEST:

Margaret Sell, City Clerk



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: MARGARET SELL, FINANCE DIRECTOR/CITY CLERK

DATE: JANUARY 17, 2017

RE: DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL ISSUES UNDER C.R.S. SECTION 24-6-402(4)(F) (CITY MANAGER REVIEW AS PER CONTRACT)

<u>BACKGROUND</u>	
	The City Council has reason to convene in Executive Session to discuss a personnel matter. To convene in executive session, state law requires that a motion with specific language requesting the executive session be passed with 2/3 of the governing body voting in the affirmative for said motion.
<u>FISCAL IMPACT</u>	
	N/A
<u>APPLICABILITY TO CITY GOALS AND OBJECTIVES</u>	
	N/A
<u>OPTIONS AVAILABLE TO THE COUNCIL</u>	
	N/A
<u>RECOMMENDATION</u>	
	It is the recommendation of the Fruita City Staff that the Council: MOVE TO MEET IN EXECUTIVE SESSION TO DISCUSS ISSUES RELATED TO PERSONNEL MATTERS UNDERSTANDING THAT DISCUSSIONS OF SUCH ISSUES IN EXECUTIVE SESSION ARE SPECIFICALLY PERMITTED BY THE STATE'S OPEN MEETING LAW CRS 24-6-402(4)(F).

ANNOUNCEMENT NO. 1

***ANNOUNCEMENT TO BE MADE BY CHAIRMAN
AT THE BEGINNING OF THE EXECUTIVE SESSION
(MAKE SURE THE TAPE RECORDER IS TURNED ON;
DO NOT TURN IT OFF DURING THE EXECUTIVE SESSION
UNLESS SO ADVISED BY LEGAL COUNSEL.)***

It's January 17, 2017 and the time is _____. For the record, I am the Mayor, Lori Buck. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

_____.

This is an executive session for the following purpose:

To discuss issues related to personnel matters understanding that discussions of such issues in Executive Session are specifically permitted by the State's Open Meeting Law CRS 24-6-402(4)(f).

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

ANNOUNCEMENT NO. 2

***ANNOUNCEMENT TO BE MADE BY THE CHAIRMAN
BEFORE CONCLUDING THE EXECUTIVE SESSION
(WHILE THE TAPE RECORDER IS STILL ON)***

I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.

_____ I will have the Deputy City Clerk retain the recording for a 90-day period.

OR

***(if Executive Director was the
subject of the session and
was not present at the session)***

_____ I will retain the tape in my possession for a 90-day period.

The time is now _____, and we now conclude the executive session and return to the open meeting.

(turn off tape and return to open meeting)