

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

August 5, 2020

Call to Order. Pledge of Allegiance. Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 5th day of August 2020 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Rick Taggart and Council President Duke Wortmann.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

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

Presentations

2019 Auditor's Report to City Council - Ty Holman, Haynie & Company

Haynie & Company Partner Ty Holman reviewed the City's Audit Report's scope and methodology, required communications, financial highlights and general observations.

Mr. Holman clarified the "client" to whom his firm reports is City Council.

City Manager Caton recognized City Finance Director Jodi Welch, Finance Supervisor Tatiana Gilbertson and Accountant/Analyst II Ashley McGowen for their work on the audit.

Councilmember Stout moved to accept the Auditor's Report and Financial Statements for the City of Grand Junction, Colorado for the year ended December 31, 2019. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

Appointments

To the Parks and Recreation Advisory Board

Councilmember Pe'a moved to reappoint Byron Wiehe for a three-year term ending June 2023 and appoint Lisa Whalin for a two-year term ending June 2022 to the Parks and Recreation Advisory Board. Councilmember Andrews seconded the motion. Motion carried by unanimous voice vote.

To the Grand Junction Downtown Development Authority/Business Improvement District

Councilmember Stout moved to reappoint Vance Wagner and appoint Cole Hanson to the Downtown Development Authority/Downtown Grand Junction Business Improvement District Boards for four-year terms ending June 2024. Councilmember Andrews seconded the motion. Motion carried by unanimous voice vote.

Citizen Comments

Jay Freeman expressed concerns regarding the Latino Chamber of Commerce's request for funds.

Ken Herrera thanked City staff for their dedication and support.

Geneva Smith said she would like to be more involved in local government and work toward progress.

Steve Moore came to show support and unity for neighbors, community and City Council and would like to work toward a common goal.

Melinda Brown thanked City Council and City staff and encouraged Council to hear everyone.

Don Pettygrove asked everyone to work together and understand that compromises need to be made.

Ron Arellano said he doesn't want local rioting and expressed concerns regarding the goals of the Black Lives Matter founders.

Bob Jackson expressed concerns regarding the local political climate and the safety of his business.

Mary Lou Lawson thanked local law enforcement and City Council.

Marc Coutu said the local Patriots group represent the community's core which is made up of patriotic, hardworking, tax paying citizens and are not adversarial.

Mike Anton said he has been actively involved in many local organizations, thanked City Council and expressed concerns regarding the local discontent.

Matt Crowe said he and fellow RAW (Right and Wrong) members are peaceful but are not content with the status quo; he would like to see policies that support minorities.

Jeff McCloskey spoke about COVID-19, that the government's response is disproportionate to the threat and inaccurate testing, all of which have negatively affected the economy.

Sarah Covell said America was founded on liberty, justice and freedom and has been a bastion of hope to many, however our country and this hope is being threatened by a vocal minority that does not represent the majority.

Council Reports

Councilmember Stout said she was encouraged by citizen messages of unity and said the purpose of the (yet to be named) "task force" is to bring disparate community/institution members together in order to implement system changes that will ensure equal access for the community as a whole. She noted this organization has the power to listen but is still in the forming stages and asked citizens to be patient while it gets established.

Councilmember Norris said in May the City funded \$540,000 to the COVID-19 related Business Stabilization and Recovery Loan program for local business and noted several minority owned businesses applied for and benefited from this program. She then encouraged the Latino Chamber of Commerce (LCC) to communicate this information (funds are still available) and to become involved with the Grand Junction Economic Partnership.

Mayor Wortmann thanked citizens for attending the meeting and announced a City proclamation was issued for National Health Center Week.

City Manager Report

City Manager Greg Caton said he and former Mayor Taggart met with the LCC last year and as the City is starting the budget process for 2021 encouraged them to submit a request for non-profit business-related grants. He then explained the purpose and goals of City allocated economic development funds. Also, in response to Mr. Jackson's citizen comment Mr. Caton noted the City is here to listen and serve the community.

City Manager Caton also reported a City Wildland Fire Team has been deployed to the Apple Fire in Riverside County California.

CONSENT AGENDA

Councilmember Andrews moved to adopt Consent Agenda items #1 - #3. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

1. **Approval of Minutes**
 - a. Summary of the July 13, 2020 Workshop

- b. Minutes of the July 15, 2020 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance to Vacate the Platted Public Right-of-Way of West Cliff Drive as Identified on the 2nd Addition to O'Nan Subdivision Located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street and Set a Public Hearing for August 19, 2020

3. Resolutions

- a. A Resolution to Designate the Colorado Fruit and Commercial Association Building at 601 Pitkin Avenue in the City Register of Historic Structures, Sites and Districts

REGULAR AGENDA

An Ordinance Expanding the Boundaries for the Downtown Grand Junction Business Improvement District to Include Property Known as 863 Colorado Avenue into the Boundaries of the Business Improvement District and an Ordinance Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Property Known as 863 Colorado Avenue into the Boundaries of the Downtown Development Authority

Consideration of a request by Anton and Theresa Englbrecht for the property located 863 Colorado Avenue to be included in the boundaries of the Downtown Grand Junction Business Improvement District (BID) and the Downtown Development Authority (DDA).

City Attorney John Shaver provided legal background of the DDA/BID entities and City Manager Greg Caton reviewed the property mil rates for the DDA/BID.

Discussion included that this petitioned inclusion was approved by the DDA Board.

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

There were no public comments.

The public hearing closed at 7:11 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4945, an ordinance expanding the boundary of and including property located at and known as 863 Colorado Avenue into the Downtown Grand Junction Business Improvement District; and Ordinance No. 4946, an ordinance expanding the boundary of the Grand Junction, Colorado Downtown Development Authority to include the property located at and known as 863 Colorado Avenue on final passage and ordered final publications in pamphlet form. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance for Supplemental Appropriations

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and expenditure must be appropriated.

Supplemental appropriations are requested for two projects; the Riverfront at Dos Rios Phase II project \$8,457,118 and for the Fire Station 3 Replacement project, \$5,500,000.

Finance Director Jodi Welch presented this item.

Discussion included the total cost for Fire Station 3 (\$5.5 million to be transferred from General Fund Reserves to the Capital Fund), the grant amount to be requested from DOLA (maximum of \$1 million to be returned to General Fund Reserves), that Council approval is required before the grant application submission, concern budget requests are submitted outside of the City's annual budget process, that Fire Station 3 is included in both the Five and Ten Year Capital Improvement Plans and the Five Year Plan is balanced, that after the First Responder tax was approved the City planned to open three new fire stations every other even numbered year in order to stagger staff implementation, employee health and safety concerns moved Station 3 up in priority to 2021 and how COVID-19 affected the funding strategy and some aspects of timing for this project.

The public hearing opened at 7:22 p.m.

There were no public comments.

The public hearing closed at 7:22 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4947, an ordinance making Supplemental Appropriations to the 2020 Budget of the City of Grand Junction, Colorado and the Downtown Development Authority for the year beginning January 1, 2020 and ending December 31, 2020 on final passage and ordered final publication in pamphlet form.

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

An Ordinance by the City of Grand Junction to Amend Ordinance No. 4929 Vacating Portions of Public Right-of-Way Within the Proposed Riverfront at Dos Rios Development

The City of Grand Junction, as applicant, requested an amendment to Ordinance No. 4929, which conditionally vacated seven portions of public right-of-way within or adjacent to the Riverfront at Dos Rios planned development. The requested amendment would revise the vacation of those portions of the Lawrence Street and Lila Avenue rights-of-way that are adjacent to property not owned by the City.

Principal Planner Kris Ashbeck presented this item.

Discussion included that Ordinance No. 4929 included property the City was in the process of purchasing but was unsuccessful and thus necessitated the amendments, that the parcels will stay intact and the Riverside residents were notified through outreach meetings which were noticed through a mailing and community communications.

The public hearing opened at 7:30 p.m.

Sonya Gutierrez who helped facilitate communications between the City and property owners during the aforementioned sale negotiations felt if the Riverside residents were better informed of the Dos Rios Development Project it would have been more favorably received by the neighborhood.

The public hearing closed at 7:38 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4948, an ordinance amending Ordinance No. 4929 vacating previously-platted public rights-of-way within the Riverfront at Dos Rios Development located along the northeast bank of the Colorado River between Hale Avenue and near the 5th Street/Highway 50 viaduct on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

A Resolution to Approve a Service Plan for the Proposed West Junction Metropolitan District on 177 Acres Northwest of the Highway 6 and 50 and Patterson Road Intersection

Applicant Foothills Housing 2, LLC proposed to form a Metropolitan District called the West Junction Metropolitan District. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City. Prior to consideration by the City Council and in accordance

with State statute, the Council must take action to set a date for the public hearing to consider the formation of the Service Plan for the Metropolitan District. The actual composition and distribution of future development shall be reflected in site development approvals to be issued by the City and nothing in the proposed Metropolitan District Service Plan shall be construed as the City granting prior approval for any site development.

Associate Planner Jace Hochwalt and applicant representatives Stuart Borne (Foothills Housing 2, LLC), Michael Lund (Stifel), Ted Steers (Vail Real Estate Center) and Joan Fritsche (Fritsche Law) presented this item.

Discussion included if the required Intergovernmental Agreements (IGA) will come before Council (administrative procedure unless determined otherwise), that the recreational IGA may come to Council since it will be more operational in nature, that the mill levy will start at 50 but may drop with continued investment, the District must become a legal entity (Service Plan approved locally, filed with District Court and TABOR questions voter approved (intended to be on 11/3 ballot)) before it can enter into an agreement, that the District cannot get financing until the required IGA's are complete, how the City will cost share some of the project's infrastructure in order to eliminate phased construction of roads, that IGA two and three come back before Council and that large projects be presented at Council Workshops before being on the regular meeting agenda.

The public hearing opened at 8:41 p.m.

Joseph Coleman spoke on behalf of the property owners and said they are in favor of the project.

The public hearing closed at 8:45 p.m.

Councilmember McDaniel moved to adopt Resolution No. 49-20, a resolution approving the Service Plan for the West Junction Metropolitan District with the following condition that shall be met prior to the District Service Plan becoming effective and before the proposed District may exercise the powers and authority described herein: Condition 1: Approval and execution of one or more Intergovernmental Agreement describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Amending Ordinance No. 4938 Annexing Territory to the City of Grand Junction, Colorado for the Annexation Known as the Magnus Court Annexation of 45.543-Acres, Located at the West End of Magnus Court

Ordinance No. 4938, and specifically the exhibit and plat regarding the Magnus Court Annexation are being amended to include the work prepared by City Surveyor Renee Parent.

Senior Planner Scott Peterson presented this item.

The public hearing opened at 8:50 p.m.

There were no public comments.

The public hearing closed at 8:50 p.m.

Councilmember Andrews moved to adopt Ordinance No. 4949, an ordinance amending Ordinance No. 4938 concerning the Magnus Court Annexation of approximately 45.543-acres, located at the West End of Magnus Court, to the City of Grand Junction, Colorado on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

President of the Latino Chamber of Commerce Jorge Pantoja requested the City be more transparent and to speak with staff.

Sonya Gutierrez expressed concerns regarding the City's grant application process and would like the Latino Chamber of Commerce to be included with the other economic development partners that receive City funds.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:59 p.m.

Wanda Winkelmann, MMC
City Clerk