

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4964

AN ORDINANCE CONCERNING LINCOLN PARK, SAM SUPLIZIO FIELD, AND RALPH STOCKER STADIUM AND IN CONNECTION THEREWITH AUTHORIZING THE REFINANCING OF CERTAIN OUTSTANDING FINANCIAL OBLIGATIONS AND THE FINANCING OF IMPROVEMENTS AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A GROUND LEASE AND AMENDMENT TO A LEASE PURCHASE AGREEMENT AND THE APPROVAL OF CERTAIN OTHER DOCUMENTS AND MATTERS RELATED THERETO.

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

**Section 1. Recitals:**

(A) The City of Grand Junction, Colorado (the "City"), is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the City (the "Charter").

(B) Members of the City Council of the City (the "City Council") have been duly elected or appointed and qualified.

(C) The City has the power, pursuant to Section 2(f) of Article I of the Charter and Sections 31-1-102 and 31-15-713(c) of the Colorado Revised Statutes, as amended, to lease any real estate owned by the City, together with any facilities thereon, when deemed by the City Council to be in the best interest of the City.

(D) Pursuant to such authority, and in order to construct certain public improvements (the "2010 Project") to Lincoln Park, Sam Suplizio Field, and Ralph Stocker Stadium (collectively, the "Property"), the City has entered into a Ground and Improvement Lease Agreement, dated as of November 15, 2010, as amended by a First Amendment to Ground and Improvement Lease, dated as of December 1, 2011 (collectively, the "2010 Ground Lease") pursuant to which the City leased to Grand Junction Public Finance Corporation, a Colorado non-profit corporation (the "Corporation"), certain real property owned by the City (the "Leased Property"), which Leased Property was leased back to the City by the Corporation pursuant to the terms of a Lease Purchase Agreement dated as of November 15, 2010 as amended by a First Amendment to Lease Purchase Agreement, dated as of December 1, 2011 (collectively, the "2010 Lease").

(E) In order to finance the 2010 Project, pursuant to a Mortgage and Indenture of Trust, between the Corporation and Zions First National Bank, now Zions Bancorporation, National Association (the "Trustee"), dated as of November 15, 2010 as amended by a First Amendment to Mortgage and Indenture of Trust, dated as of December 1, 2011 (collectively, the "2010 Indenture") there were issued "Certificates of

Participation, Series 2010, Representing Assignments of the Right to Receive Certain Revenues Pursuant to a Lease Purchase Agreement, dated as of November 15, 2010, between the Grand Junction Public Finance Corporation and the City of Grand Junction, Colorado” in the aggregate original principal amount of \$7,770,000 (the “2010 Certificates”).

(F) Pursuant to Section 2.12 of the 2010 Indenture, under certain conditions Additional Certificates (as defined in the 2010 Indenture) may be executed and delivered under the terms of the 2010 Indenture for the purpose of, among other things, refunding or refinancing all or any portion of the 2010 Certificates or financing capital projects as the City deems necessary or desirable.

(G) Pursuant to Section 9.01 and 9.05 of the 2010 Indenture, the 2010 Indenture, the 2010 Ground Lease and the 2010 Lease may be amended, without the consent or notice to the owners of the 2010 Certificates, to authorize the execution and delivery of Additional Certificates for the purposes and under the conditions set forth in Section 2.12 of the 2010 Indenture.

(H) The Council has determined that it is in the best interest of the City and its inhabitants to amend the 2010 Lease (the “Second Amendment to Lease” and, together with the 2010 Lease, the “Lease”) and the 2010 Ground Lease (the “Second Amendment to Ground Lease” and, together with the 2010 Ground Lease, the “Ground Lease”) so that the Corporation may, pursuant to an amendment to the 2010 Indenture (the “Second Amendment to Indenture” and, together with the 2010 Indenture, the “Indenture”), authorize the execution and delivery of certain Certificates of Participation, Series 2021 (the “2021 Certificates”), the proceeds of which will be used to refund and discharge that portion of the 2010 Certificates as set forth in a sale certificate (the “2021 Refunding Project”) and to finance improvements to the Property (the “2021 Improvement Project”, together with the 2021 Refunding Project, the “2021 Project”).

(I) Pursuant to the Lease, and subject to the right of the City to terminate the Lease and other limitations as therein provided, the City will pay certain Base Rentals and Additional Rentals (as such terms are defined in the Lease) in consideration for the right of the City to use the Leased Property.

(J) The City’s obligation under the Lease to pay Base Rentals and Additional Rentals shall be from year to year only; shall constitute currently budgeted expenditures of the City; shall not constitute a mandatory charge or requirement in any ensuing budget year; and shall not constitute a general obligation or other indebtedness or multiple fiscal year financial obligation of the City within the meaning of any constitutional, statutory or Charter limitation or requirement concerning the creation of indebtedness or multiple fiscal year financial obligation, nor a mandatory payment obligation of the City in any ensuing fiscal year beyond any fiscal year during which the Lease shall be in effect.

(K) Pursuant to the Second Amendment to Indenture, there are expected to be executed and delivered the 2021 Certificates, dated as of their date of

delivery, that shall evidence proportionate interests in the right to receive certain Revenues (as defined in the Lease) and shall not directly or indirectly obligate the City to make any payments beyond those appropriated for any fiscal year during which the Lease shall be in effect.

(L) The net proceeds of the 2021 Certificates are expected to be used to provide funds in an amount sufficient to affect the 2021 Project.

(M) There has been presented to the Council and are on file at the City offices the following: (i) the proposed form of the Second Amendment to Ground Lease; (ii) the proposed form of the Second Amendment to Lease; and (iii) the proposed form of the Continuing Disclosure Certificate to be provided by the City (the "Disclosure Certificate").

(N) No member of the Council has any conflict of interest or is interested in any pecuniary manner in the transactions contemplated by this ordinance.

**Section 2. Short Title.**

This ordinance shall be known and may be cited by the short title "2021 COP Ordinance."

**Section 3. Ratification and Approval of Prior Actions:**

All action heretofore taken (not inconsistent with the provisions of this ordinance) by the Council or the officers, agents or employees of the Council or the City relating to the Ground Lease, the Lease, the implementation of the 2021 Project, the execution and delivery of the Second Amendment to Ground Lease, the Second Amendment to Lease, and the execution and delivery of the 2021 Certificates is hereby ratified, approved and confirmed.

**Section 4. Finding of Best Interests:**

The City Council hereby finds and determines, pursuant to the Constitution, the laws of the State of Colorado and the Charter, that the 2021 Project under the terms and provisions set forth in the Second Amendment to Ground Lease, the Second Amendment to Lease and the Second Amendment to Indenture is necessary, convenient and in furtherance of the City's purposes and is in the best interests of the inhabitants of the City and the City Council hereby authorizes and approves the same.

**Section 5. Supplemental Act; Parameters:**

The Council hereby elects to apply all of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, Colorado Revised Statutes (the "Supplemental Act") to the Second Amendment to Ground Lease and the Second Amendment to Lease and in connection therewith delegates to any of the President of the City Council (the "President"), the City Manager of the City (the "City Manager") or the Finance Director of the City (the "Finance Director") the independent authority to make any determination

delegable pursuant to Section 11-57-205(1)(a-i) of the Supplemental Act in relation to the Second Amendment to Ground Lease and the Second Amendment to Lease, and to execute a sale certificate (the "Sale Certificate") setting forth such determinations, including without limitation, the term of the Ground Lease, the rental amount to be paid by the Corporation pursuant to the Ground Lease, the term of the Lease and the rental amount to be paid by the City pursuant to the Lease, subject to the following parameters and restrictions:

- (a) the Ground Lease Term shall not extend beyond December 31, 2045;
- (b) the Lease Term shall not extend beyond December 31, 2045;
- (c) the aggregate principal amount of the Base Rentals payable by the City pursuant to the Lease shall not exceed \$13,500,000;
- (d) the maximum annual repayment amount of Base Rentals payable by the City pursuant to the Lease shall not exceed \$750,000;
- (e) the maximum total repayment amount of Base Rentals payable by the City pursuant to the Lease shall not exceed \$18,750,000;
- (f) the maximum net effective interest rate on the interest component of the Base Rentals relating to the 2021 Certificates shall not exceed 5.00%; and
- (g) the net present value savings to the City as a result of the 2021 Refunding Project shall be at least 3.0% of the refunded principal amount.

The Council hereby agrees and acknowledges that the proceeds of the 2021 Certificates will be used to finance the costs of the 2021 Project and to pay other costs of execution and delivery of the 2021 Certificates.

The City hereby consents to and acknowledges the execution and delivery of the Second Amendment to Indenture by the Corporation and the Trustee and the use of the proceeds of the 2021 Certificates to affect the 2021 Project.

**Section 6. Approval of Documents:**

The Second Amendment to Ground Lease, the Second Amendment to Lease, and the Disclosure Certificate, in substantially the forms presented to the Council and on file with the City, are in all respects approved, authorized and confirmed, and the President of the City Council is hereby authorized and directed for and on behalf of the City to execute and deliver the Second Amendment to Ground Lease, the Second Amendment to Lease, and the Disclosure Certificate in substantially the forms and with substantially the same contents as presented to the Council, provided that such

documents may be completed, corrected or revised as deemed necessary by the parties thereto in order to carry out the purposes of this ordinance.

**Section 7. Approval of Official Statement:**

The City Finance Director and City Attorney are authorized to prepare or cause to be prepared a Preliminary Official Statement, in substantially the form of the Preliminary Official Statement dated May 3, 2019, prepared in connection with the Refunding Certificates of Participation, Series 2019, with such changes, updates and modifications as are necessary to describe the terms of the 2021 Certificates, the 2021 Project, the documents approved in Section 6 hereof, the City's current financial circumstances, and other material information. A final Official Statement, in substantially the form of the Preliminary Official Statement, with such changes, updates and modifications as hereafter directed and approved by authorized officers of the City, is in all respects approved and authorized.

**Section 8. Authorization to Execute Collateral Documents:**

The President and City Clerk and other appropriate officials or employees of the City are hereby authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, instruments and other papers, and to perform all other acts that they deem necessary or appropriate, in order to implement and carry out the transactions and other matters authorized by this ordinance. The City Clerk is hereby authorized and directed to attest all signatures and acts of any official of the City in connection with the matters authorized by this ordinance and to place the seal of the City on any document authorized and approved by this ordinance. The appropriate officers of the City are authorized to execute on behalf of the City agreements concerning the deposit and investment of funds in connection with the transactions contemplated by this ordinance and are specifically authorized and directed hereby to invest such funds in Permitted Investments as are defined and provided in the Indenture. The execution of any instrument by the aforementioned officers or members of the City Council shall be conclusive evidence of the approval by the City of such instrument in accordance with the terms hereof and thereof.

**Section 9. No General Obligation Debt:**

No provision of this ordinance, the Ground Lease, the Lease, the Indenture, the 2021 Certificates, the Preliminary Official Statement, or the final Official Statement shall be construed as creating or constituting a general obligation or other indebtedness or multiple fiscal year financial obligation of the City within the meaning of any constitutional, statutory or home rule charter provision, nor a mandatory charge or requirement against the City in any ensuing fiscal year beyond the then current fiscal year. The City shall have no obligation to make any payment with respect to the 2021 Certificates except in connection with the payment of the Base Rentals (as defined in the Lease) and certain other payments under the Lease, which payments may be terminated by the City in accordance with the provisions of the Lease. Neither the Lease nor the 2021 Certificates shall constitute a mandatory charge or requirement of the City in any

ensuing fiscal year beyond the then current fiscal year or constitute or give rise to a general obligation or other indebtedness or multiple fiscal year financial obligation of the City within the meaning of any constitutional, statutory or Charter debt limitation and shall not constitute a multiple fiscal year direct or indirect debt or other financial obligation whatsoever. No provision of the Ground Lease, the Lease or the 2021 Certificates shall be construed or interpreted as creating an unlawful delegation of governmental powers nor as a donation by or a lending of the credit of the City within the meaning of Sections 1 or 2 of Article XI of the Colorado Constitution. Neither the Lease nor the 2021 Certificates shall directly or indirectly obligate the City to make any payments beyond those budgeted and appropriated for the City's then current fiscal year.

**Section 10. Reasonableness of Rentals:**

The Council hereby determines and declares that the Base Rentals due under the Lease, in the maximum amounts authorized pursuant to Section 5 hereof, constitute the fair rental value of the Leased Property and do not exceed a reasonable amount so as to place the City under an economic compulsion to renew the Lease or to exercise its option to purchase the Corporation's leasehold interest in the Leased Property pursuant to the Lease. The Council hereby determines and declares that the period during which the City has an option to purchase the Corporation's leasehold interest in the Leased Property (i.e., the entire maximum term of the Lease) does not exceed the useful life of the Leased Property. The Council hereby further determines that the amount of rental payments to be received by the City from the Corporation pursuant to the Ground Lease is reasonable consideration for the leasing of the Leased Property to the Corporation for the term of the Ground Lease as provided therein.

**Section 11. Exercise of Option; Direction to Trustee:**

In order to affect the 2021 Refunding Project, the City Council does hereby declare its intent to exercise on the behalf and in the name of the City its option to redeem certain of the outstanding 2010 Certificates set forth in the Sale Certificate on the earliest applicable redemption date.

**Section 12. No Recourse against Officers and Agents:**

Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the City Council, or any officer or agent of the City acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal, interest or prior redemption premiums on the 2021 Certificates. Such recourse shall not be available either directly or indirectly through the City Council or the City, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the 2021 Certificates and as a part of the consideration of their sale or purchase, any person purchasing or selling such certificate specifically waives any such recourse.

**Section 13. Repealer:**

All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent with this ordinance or with any of the documents hereby approved are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance of the City, or part thereof, heretofore repealed. All rules of the City Council, if any, which might prevent the final passage and adoption of this ordinance as an emergency measure at this meeting of the City Council be, and the same hereby are, suspended.

**Section 14. Severability:**

If any section, subsection, paragraph, clause or provision of this ordinance or the documents hereby authorized and approved (other than provisions as to the payment of Base Rentals by the City during the Lease Term, provisions for the quiet enjoyment of the Leased Property by the City during the Lease Term and provisions for the conveyance of the Leased Property to the City under the conditions provided in the Lease) shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance or such documents, the intent being that the same are severable.

**Section 15. Charter Controls:**

Pursuant to Article XX of the State Constitution and the Charter, all State statutes that might otherwise apply in connection with the provisions of this ordinance are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance and the Sale Certificate authorized hereby and such statutes. Any such inconsistency or conflict is intended by the Council and shall be deemed made pursuant to the authority of Article XX of the State Constitution and the Charter.

**Section 16. Effective Date, Recording and Authentication:**

This ordinance shall be in full force and effect 30 days after its final passage and final publication pursuant to Section 136 of Article XVI of the Charter.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM THIS 4<sup>th</sup> DAY OF November, 2020.

CITY OF GRAND JUNCTION, COLORADO

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



W Winkelman  
City Clerk

PASSED ON SECOND READING, APPROVED AND ORDERED  
PUBLISHED IN PAMPHLET FORM THIS 18<sup>th</sup> DAY OF November, 2020.



(SEAL)

CITY OF GRAND JUNCTION, COLORADO

C. S. [Signature]  
President of the City Council

ATTEST:

W Winkelman  
City Clerk



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

I, Wanda Winkelmann, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado (the "City") do hereby certify:

1. That the foregoing pages are a true, correct, and complete copy of an ordinance (the "Ordinance") which was introduced, passed on first reading, and ordered published in pamphlet form by the City Council (the "Council") of the City at a regular meeting of the Council held at the City Hall on November 4, 2020, and was duly adopted on second reading and ordered published in pamphlet form by the Council at a regular meeting held on November 18, 2020, which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The passage of the Ordinance on first reading on November 4, 2020, was duly moved and seconded and the Ordinance was approved by an affirmative vote of a majority of the members of the Council as follows:

Name	"Aye"	"Nay"	Absent	Abstain
C.E. "Duke" Wortmann, President of the City Council	X			
Kraig Andrews, Vice President of the City Council	X			
Phillip Pe'a	X			
Anna Stout			X	
Phyllis Norris	X			
Chuck McDaniel	X			
Rick Taggart	X			

3. The passage of the Ordinance on second and final reading on November 18, 2020, was duly moved and seconded and the Ordinance was approved by an affirmative vote of a majority of the members of the Council as follows:

Name	"Aye"	"Nay"	Absent	Abstain
C. E. "Duke" Wortmann, President of the City Council	X			
Kraig Andrews, Vice President of the City Council	X			
Phillip Pe'a	X			
Anna Stout	X			
Phyllis Norris	X			
Chuck McDaniel	X			
Rick Taggart	X			

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

5. The Ordinance has been signed by the President, sealed with the corporate seal of the City, attested by me as City Clerk, and duly recorded in the books of the City; and that the same remains of record in the book of records of the City.

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

7. Notices of the meetings of November 4, 2020 and November 18, 2020, in the forms attached hereto as Exhibit A, were duly given to the Council members and were posted in a designated public place within the boundaries of the City no less than twenty-four hours prior to the meeting as required by law.

8. The ordinance was published in pamphlet form in The Daily Sentinel, a daily newspaper of general circulation in the City, on November 6, 2020 and November 20, 2020, as required by the Charter. The affidavits of publication are attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 20<sup>th</sup> day of November, 2020.



*W Winkelmann*  
\_\_\_\_\_  
City Clerk

EXHIBIT A  
(Attach Notices of Meetings)

To access the Agenda and Backup Materials electronically, go to [www.gjcity.org](http://www.gjcity.org)



CITY COUNCIL AGENDA  
WEDNESDAY, NOVEMBER 4, 2020  
250 NORTH 5<sup>TH</sup> STREET  
5:00 PM – DINNER  
5:20 PM – PRE-MEETING – CITY HALL AUDITORIUM  
5:30 PM – REGULAR MEETING – CITY HALL AUDITORIUM

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

**Call to Order, Pledge of Allegiance, Invocation**

Pastor Laura Stephenson, St. Matthew's Episcopal Church

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

**Citizen Comments**

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

**Proclamations**

Proclaiming November 11, 2020 as A Salute to All Veterans 2020 in the City of Grand Junction

Proclaiming November 9 -13, 2020 as Law Enforcement Records Personnel Week in the City of Grand Junction

**Appointments**

To the Grand Junction Housing Authority

**Presentations**

- a. Summary of November Election Results: Ballot Question Related to Removing Revenue and Spending Limitations

## **City Manager Report**

## **Council Reports**

### **CONSENT AGENDA**

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

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

- a. Summary of the October 19, 2020 Workshop
- b. Minutes of the October 21, 2020 Regular Meeting

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

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

- a. Quasi-judicial
  - i. Introduction of an Ordinance to Rezone Two Parcels Totaling 2.97 Acres from I-O (Industrial Office) to BP (Business Park Mixed Use) Located at the Southwest Corner of Fracture Lane and 25 ½ Road and Set a Public Hearing for November 18, 2020
  - ii. Introduction of an Ordinance in Regards to the Refunding (Refinancing) of \$5,540,000 Certificates of Participation, Series 2010, Increasing the Certificates of Participation Payments, extending the term to 2045, and Set Public Hearing for November 18, 2020

#### **3. Contracts**

- a. CDBG 2020 Program Year Subrecipient Agreements between the Counseling and Education Center, HomewardBound of the Grand Valley, HopeWest, Hilltop Community Resources, Inc., the Community Food Bank and the City of Grand Junction

#### 4. Resolutions

- a. A Resolution Adopting the 29 Road at I-70 Interchange Planning and Environmental Linkages Study

### REGULAR AGENDA

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

#### 5. Contracts

- a. Taser/AXON Body Camera and Taser Contract

#### 6. Resolutions

- a. A Resolution Authorizing the Business Incubator/Small Business Development Center Grant Program for Small Businesses

#### 7. Public Hearings

- a. Quasi-judicial
  - i. A Resolution Approving and Accepting the Improvements Connected with the Victor Drive Sanitary Sewer Improvement District No. SS-20, Giving Notice of a Public Hearing, and Introduction of an Ordinance Approving the Assessable Cost and Set a Public Hearing for December 16, 2020

#### 8. Non-Scheduled Citizens & Visitors

*This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.*

#### 9. Other Business

#### 10. Adjournment



To access the Agenda and Backup Materials electronically, go to [www.gjcity.org](http://www.gjcity.org)



CITY COUNCIL AGENDA  
WEDNESDAY, NOVEMBER 18, 2020  
250 NORTH 5<sup>TH</sup> STREET  
5:00 PM – DINNER  
5:20 PM – PRE-MEETING – CITY HALL AUDITORIUM  
5:30 PM – REGULAR MEETING – CITY HALL AUDITORIUM

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

### **Call to Order, Pledge of Allegiance, Invocation**

Rev. Wendy Jones, Unitarian Universalist Congregation of the Grand Valley

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

### **Citizen Comments**

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

### **Proclamations**

Proclaiming November 28, 2020 as Small Business Saturday in the City of Grand Junction

Proclaiming November 3, 2020 as Sister City Day in the City of Grand Junction

### **Appointments**

To the Visit Grand Junction Board

### **City Manager Report**

### **Council Reports**



## CONSENT AGENDA

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

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

- a. Summary of the November 2, 2020 Workshop
- b. Minutes of the November 4, 2020 Regular Meeting

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

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

- a. Legislative
  - i. Introduction of an Ordinance to Amend and Extend Ordinance 4923 Amending the Grand Junction Municipal Code Regarding Neighborhood Meetings and to Allow for Alternative Hearing Procedures for Land Use Applications and Set a Public Hearing for December 2, 2020
  - ii. Introduction of an Ordinance Making Supplemental Appropriations for 2020 in the Downtown Development Authority and Golf Funds and Set a Public Hearing for December 2, 2020
- b. Quasi-judicial
  - i. Introduction of an Ordinance to Rezone 0.144 Acres from C-1 (Light Commercial) to R-O (Residential Office) Located at 1032 Belford Avenue and Set a Public Hearing for December 2, 2020
  - ii. Introduction of an Ordinance Expanding the Boundaries of the Grand Junction, Colorado Downtown Development Authority and Set a Public Hearing for December 2, 2020

**REGULAR AGENDA**

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

**3. Public Hearings**

a. Legislative

- i. Introducing the Appropriation Ordinance for the 2021 Budget, Presentation, First Public Hearing and Set a Second Public Hearing for December 2, 2020
- ii. An Ordinance in Regards to the Refunding (Refinancing) of \$5,540,000 Certificates of Participation, Series 2010, Increasing the Certificates of Participation Payments, Extending the Term to 2045 and a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Hearing

b. Quasi-judicial

- i. An Ordinance Rezoning Two Parcels Totaling 2.97 Acres from I-O (Industrial Office) to BP (Business Park Mixed Use) Located Generally at the Southwest Corner of Fracture Lane and 25 ½ Road - [Staff Presentation](#)

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

*This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.*

**5. Other Business**

**6. Adjournment**

EXHIBIT B

(Attach Affidavits of Publication)

Grand Junction Daily Sentinel  
734 S 7th St #7737  
(970) 242-1313

I, Terry Flanagan, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Secretary of Grand Junction Daily Sentinel, a publication that is a "legal newspaper" as that phrase is defined for the city of Grand Junction, for the County of Mesa, in the state of Colorado, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**

Nov. 6, 2020

Notice ID: Mlw9lbnm2pmowUCze5sB

Publisher ID: BW # 77485

Notice Name: Proposed Ord Refinancing of Stocker

**PUBLICATION FEE:** \$23.72

Terry Flanagan  
Legal Secretary

**VERIFICATION**

STATE OF COLORADO  
COUNTY OF MESA

Signed or attested before me on this

6th day of November, A.D. 2020.

Diawn Lee Beach Document Authentication Number  
Notary Public 20204014519-132309

My Commission Expires: April 22, 2024

**NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN THAT: The City Council of the City of Grand Junction, Colorado, at its regular convened meeting on November 4, 2020, passed on first reading the following entitled proposed ordinance:**

**AN ORDINANCE CONCERNING LINCOLN PARK, SAM SUPLIZIO FIELD, AND RALPH STOCKER STADIUM AND IN CONNECTION THEREWITH AUTHORIZING THE REFINANCING OF CERTAIN OUTSTANDING FINANCIAL OBLIGATIONS AND THE FINANCING OF IMPROVEMENTS AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A GROUND LEASE AND AMENDMENT TO A LEASE PURCHASE AGREEMENT AND THE APPROVAL OF CERTAIN OTHER DOCUMENTS AND MATTERS RELATED THERETO**

and authorized the publication in pamphlet form.

**NOTICE IS FURTHER GIVEN THAT the public hearing will be held November 18, 2020 at 5:30 p.m. in the City Hall Auditorium, 250 North 5th Street, at which time public comments will be taken and considered before the final adoption of the proposed ordinance.**

Copies of the proposed ordinance are available for public inspection in the City Clerk's Office, 250 North 5th Street, City Hall, at any time Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or on the web at [www.gjcity.org](http://www.gjcity.org).

**BY THE ORDER OF THE CITY COUNCIL**

/s/ Wanda Winkelmann

City Clerk

Published: November 6, 2020.

**Grand Junction Daily Sentinel**  
734 S 7th St #7737  
(970) 242-1313

I, Terry Flanagan, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Secretary of Grand Junction Daily Sentinel, a publication that is a "legal newspaper" as that phrase is defined for the city of Grand Junction, for the County of Mesa, in the state of Colorado, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**

Nov. 20, 2020

**Notice ID:** 2RZW2lgJXFLe5p0gEQEB

**Publisher ID:** BW # 78850

**Notice Name:** Ordinance 4964

**PUBLICATION FEE:** \$20.81

*Terry Flanagan*

Legal Secretary

**VERIFICATION**

STATE OF COLORADO

COUNTY OF MESA

Signed or attested before me on this

20th day of November, A.D. 2020.

*Diawn Lee Beach* Document Authentication Number  
Notary Public 20204014519-308699

**My Commission Expires:** April 22, 2024

**NOTICE OF ADOPTION OF ORDINANCE NO. 4964**

**AN ORDINANCE OF THE CITY OF GRAND JUNCTION TO BE PUBLISHED IN PAMPHLET FORM NOTICE IS HEREBY GIVEN:**

That on the 18th day of November 2020, at 5:30 p.m. in the City Hall Auditorium, 250 N. 5th Street, Grand Junction, Colorado, the City Council of the City of Grand Junction held a public hearing, after proper notice, to consider the final passage of an Ordinance, the title of which is:

**AN ORDINANCE CONCERNING LINCOLN PARK, SAM SUPLIZIO FIELD, AND RALPH STOCKER STADIUM AND IN CONNECTION THEREWITH AUTHORIZING THE REFINANCING OF CERTAIN OUTSTANDING FINANCIAL OBLIGATIONS AND THE FINANCING OF IMPROVEMENTS AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A GROUND LEASE AND AMENDMENT TO A LEASE PURCHASE AGREEMENT AND THE APPROVAL OF CERTAIN OTHER DOCUMENTS AND MATTERS RELATED THERETO**

Copies of the adopted ordinance are available for public inspection in the City Clerk's Office, 250 North 5th Street, City Hall, at any time Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or on the web at [www.gjcity.org](http://www.gjcity.org).

/s/ Wanda Winkelmann  
City Clerk

Published: November 20, 2020.

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4964 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 4<sup>th</sup> day of November 2020 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 18<sup>th</sup> day of November 2020, at which Ordinance No. 4964 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 20<sup>th</sup> day of November 2020.

  
Deputy City Clerk

Published: November 6, 2020  
Published: November 20, 2020  
Effective: December 20, 2020

