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**CITY COUNCIL AGENDA
WEDNESDAY, JUNE 1, 2022
250 NORTH 5TH STREET - AUDITORIUM
[VIRTUAL MEETING - LIVE STREAMED](#)
BROADCAST ON CABLE CHANNEL 191**

5:30 PM – REGULAR MEETING

Call to Order, Pledge of Allegiance, Moment of Silence

Presentations

Presentation of Appreciation Plaque to Outgoing President of the Council/Mayor
Chuck McDaniel

Proclamations

Proclaiming June as Immigrant Heritage Month in the City of Grand Junction

Proclaiming May 30th - June 3rd as The Week of Service and Understanding in the
City of Grand Junction

Citizen Comments

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

Citizens have four options for providing Citizen Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, June 1, 2022 or 4) submitting comments [online](#) until noon on Wednesday, June 1, 2022 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

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 May 16, 2022 Workshop
- b. Minutes of the May 18, 2022 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. An Ordinance Amending the Grand Junction Municipal Code Regarding Forestry Board Appointments and Setting a Public Hearing for June 15, 2022
- b. Quasi-judicial
 - i. An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-21 and Setting a Public Hearing for July 6, 2022

3. Continue Public Hearings

- a. An Ordinance Rezoning 2.17 Acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac), Located at 2730 B Road - **Continued to July 6, 2022**

4. Procurements

- a. Construction Contract for the Tiara Rado Force-main Replacement Project
- b. Contract for Street Maintenance - 2022 Asphalt Overlay Project
- c. Contract Approval for Chip Seal Road Oil - 2022

5. Resolutions

- a. A Resolution Declaring Intent to Create Alley Improvement District No. ST-22 and Setting a Public Hearing for July 6, 2022
- b. A Resolution Accepting the Dedication by Quit Claim Deed of Four County Tax Lien Properties from Mesa County Consisting of 4.06-Acres Available for City Ownership
- c. Resolution to Appoint a Cannabis Authority Hearing Officer and Rescind Resolution No. 40-22

REGULAR AGENDA

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

6. Public Hearings

- a. Legislative
 - i. Public Hearing for Two Ordinances to Amend the Grand Junction Municipal Code to establish a) Truck Routes and b) Regulate Compression Brakes
 - ii. An Ordinance Amending Sections 10.04.020 and 10.04.1412(1) and Adding Section 10.04.1412.5 to the Grand Junction Municipal Code Pertaining to Traffic Related Definitions and the Operation of Bicycles and Other Low Speed Conveyances and Pedestrians Approaching Controlled Intersections

7. Resolutions

- a. A Resolution Entering into Two Intergovernmental Agreements with the West Junction Metropolitan District Regarding Construction and Maintenance of Improvements Associated with a 177-Acre Mixed-Use Development Situated to the Northwest of Highway 6 and 50 and Patterson Road Intersection and South of G Road
- b. A Resolution Adopting the Grand Junction Housing Goal

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 of Regular Meeting and Reconvene Special Meeting Executive Session (if not previously adjourned)

The Special Meeting Executive Session was noticed for and commenced at 4:30 p.m. in the City Hall Administration Conference Room. If not previously adjourned, then that meeting will reconvene following adjournment of the Regular meeting. If not previously adjourned and therefore reconvened following the recess, then the Special Meeting Executive Session will adjourn following the completion of the noticed matters.

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

May 18, 2022

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 18th day of May 2022 at 5:30 p.m. Those present were Councilmembers Abe Herman, Chuck McDaniel (virtually), Phillip Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, Interim City Clerk Laura Bauer, Deputy City Clerk Selestina Sandoval, Deputy Police Chief Gary Marak, and Principal Planner David Thornton.

Council President Stout called the meeting to order. Councilmember Herman led those present in the Pledge of Allegiance, followed by a moment of silence.

Proclamations

Proclaiming May 15 - May 21, 2022 Emergency Medical Services Week in the City of Grand Junction

Councilmember Reitz read the proclamation. Emergency Medical Services Chief Mark McIntire and Fire Chief Ken Watkins accepted the proclamation.

Appointments

To the One Riverfront Commission

Councilmember Herman moved and Councilmember Pe'a seconded to reappoint Lou Patterson, to appoint George Manning, Stefanie Harville, and Nicole Grider to the One Riverfront Commission for terms ending July 2025, and to appoint Kate Ramsay to the One Riverfront Commission for a term ending July 2024. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller spoke regarding the school board meeting, running for Mesa County Sheriff, and a CBS News article on sex education.

Sharon Broker presented solutions to keep the City clean.

Pooka Campbell spoke regarding health equity, sanitation and City-wide access to

dumpsters and bathrooms.

Cheryl Garrett spoke of her experience being houseless.

City Manager Report

City Manager Caton spoke of the first of four community events that was held at Fire Station 6 and invited the public to the next event on July 19, 2022 at 5:30 p.m. at Riverside Park.

Council Reports

Councilmember Pe'a gave an update on the Parks and Recreation Advisory Board.

Councilmember Simpson gave an update on the Horizon Drive Association Business Improvement District and Grand Valley Regional Transportation Committee.

Councilmember Herman gave an update on the Urban Trails Committee, Grand Junction Economic Partnership, and Homeless Coalition.

Councilmember McDaniel attended the Newcomers Club event and a meeting with Mark Harrison, Chief Executive Officer of Intermountain Hospital.

Councilmember Reitz gave an update on the Historic Preservation Board, the Commission on Arts and Culture, and expressed excitement to join the Homeless Coalition.

Councilmember Taggart requested a timeline (calendar) of affordable housing efforts.

Council President Stout invited other Councilmembers to attend the Colorado Municipal League Conference in June.

CONSENT AGENDA

Councilmember Simpson asked for item 3.c. to be removed.

Councilmember Reitz moved and Councilmember Pe'a seconded to adopt Consent Agenda items #1 - #4 excluding item #3.c. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the May 2, 2022 Workshop

- b. Minutes of the May 4, 2022 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of Two Ordinances Establishing a) Truck Routes and b) Regulations on Compression Brakes and Setting a Public Hearing for June 1, 2022
 - ii. Introduction of an Ordinance Amending Sections 10.04.020 and 10.04.1412 of the Grand Junction Municipal Code Pertaining to Traffic Related Definitions and the Operation of Bicycles and Other Low Speed Conveyances and Pedestrians Approaching Controlled Intersections and Setting a Public Hearing for June 1, 2022
- b. Quasi-judicial
 - i. Introduction of an Ordinance Rezoning One Parcel Totaling 2.17 Acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) Located at 2730 B Road and Setting a Public Hearing for June 1, 2022

3. Procurements

- a. Daycare Center Electrical Improvements Project
- b. Daycare Center Plumbing Installation
- c. City Hall HVAC Replacement – **MOVED TO REGULAR AGENDA**
- d. Construction Observation for Hogchute Dam Improvements 2022

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Application for the Revitalizing Main Streets Grant Program for the 4th and 5th Street Corridor Enhancement Project
- b. A Resolution Appointing a Cannabis Hearing Officer
- c. A Resolution Ratifying the Sale Agreement for 2600 Riverside Parkway
- d. A Resolution Approving a Conveyance of a Utility Easement to Cynthia and Stephen Coop and Grand Valley Rural Power Lines Across City

Property/Property Located at/in the Vicinity of 4901 Purdy Mesa Road, Mesa County, Colorado

- e. A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

REGULAR AGENDA

City Hall HVAC Replacement

This project is part one of two to replace the aging HVAC units on City Hall. The current HVAC units on the roof have served their purpose for 22 years while having a life expectancy of 15 years. Since these units have a long lead time, the goal is to do a scheduled replacement to avoid a potentially catastrophic failure of the buildings' primary heating and cooling system.

Jay Valentine answered Council's questions regarding the process of choosing the providers in relation to OMNIA Partners, budgeting, and the funding of this project.

Councilmember Simpson moved and Councilmember Herman seconded to authorize Purchasing to enter into a contract with Trane for the Cityhall HVAC Replacement.

An Ordinance to Reenact Ordinance No. 4833 Regarding Camping on Public Property/Public Places with the Elimination of the Sunset Clause

Ordinance No. 4833 regarding camping on public property/public places was enacted on April 17, 2019 and included a sunset provision requiring action by City Council within sixty days of the third anniversary of the adoption of the ordinance or the ordinance terms will expire in their entirety. This ordinance will amend Ordinance No. 4833 with the elimination of the sunset clause.

City Attorney John Shaver presented this item and Deputy Police Chief Gary Marak spoke on how the ordinance has been applied by the Grand Junction Police Department (GJPD).

Council asked about the procedures used to connect the homeless community with resources. It was noted that only 14 citations were issued in three years where over 1,000 contacts were made. Concerns were expressed regarding substance abuse as a voluntary condition per the ordinance and how it relates to the violation of rules of the shelter that must be respected, and staff's challenge in balancing civil order and property rights. Staff was commended for their co-responder model for homelessness.

The public hearing opened at 6:30 p.m.

Eric Niederkruger spoke regarding the increase of the homeless community and the

need for a dedicated homeless camp.

Jan Luwells spoke of the challenge of homeless shelters for people with mental illness.

Cheryl Garrett gave her personal account with GJPD providing her with resources and her concern of the number of others experiencing homelessness and limited resources.

David Sauders suggested amending the sunset clause to be reviewed annually.

Pooka Campbell expressed concern with gaps in services for the homeless community.

Kim Smith shared her research of the Colorado Village Collaborative in Denver.

Estefania Vasquez asked if another sunset clause could be considered.

The public hearing closed at 6:50 p.m.

Conversation ensued regarding the need for the ordinance to preclude certain behaviors, the consideration of keeping the sunset clause, support for removing the sunset clause because the current process is working, how the City needs to focus on the overall homeless issue, and using annual reporting to ensure the program continues to work in lieu of the sunset clause.

Councilmember Simpson moved and Councilmember Herman seconded to adopt Ordinance No. 5071, an ordinance to amend Ordinance No. 4833 regarding camping on public property/places with a finding of the satisfaction and the elimination of the sunset clause on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Accepting the Petition for the Annexation of 2.37 Acres of Land and Ordinances Annexing and Zoning the Twenty Eighty Broadway Annexation to R-5 (Residential - 5 du/ac), Located at 2080 Broadway

The Applicant, Redlands Limited, requested annexation of 1 parcel of land and a zone of annexation to R-5 (Residential 5 du/ac) for the Twenty Eighty Broadway Annexation. The approximately 2.37-acre annexation is located at 2080 Broadway. The subject property has a residence on the southern portion of the property and the northern portion of the property is undeveloped.

The property is Annexable Development per the Persigo Agreement and is being sought in anticipation of developing the vacant portion of the property. The proposed zone district of R-5 is consistent with the Residential Low (2 to 5.5 du/ac) Land Use category of the Comprehensive Plan and the City R-4 and R-5 zoning nearby as well as adjacent Mesa County zoning of RSF-4 within the unincorporated area north of Broadway.

Principal Planner David Thornton presented this item.

Jeffrey Flemming with Colorado Land Advisors gave an applicant presentation.

The public hearing opened at 7:35 p.m.

Lynn Elliott spoke in opposition to the R-5 zoning and setback limits.

The public hearing closed at 7:39 p.m.

Conversation ensued regarding whether this annexation could be considered infill, minimum allowable homes of the R-5 zoning, and the criteria necessary in the findings of fact to move forward.

Councilmember Pe'a moved and Councilmember Reitz seconded to adopt Resolution No. 43-22, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Twenty Eighty Broadway Annexation, approximately 2.37 acres, located at 2080 Broadway, to adopt Ordinance No. 5072, an ordinance annexing territory to the City of Grand Junction, Colorado, Twenty Eighty Broadway Annexation, approximately 2.37 acres, located at 2080 Broadway, and adopt Ordinance No.5073, an ordinance zoning the Twenty Eighty Broadway Annexation to R-5 (Residential - 5 du/ac) zone district, from Mesa County RSF-4 (Residential Single Family 4 du/ac) on final passage and ordered final publication in pamphlet form.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:48 p.m.



Laura Bauer, MMC
Interim City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: June 1, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: Jamie B. Beard

Information

SUBJECT:

An Ordinance Amending the Grand Junction Municipal Code Regarding Forestry Board Appointments and Setting a Public Hearing for June 15, 2022

RECOMMENDATION:

Approval and set a Public Hearing for June 15, 2022

EXECUTIVE SUMMARY:

The Forestry Board will be expanded to include seven members with elimination of alternate member appointments.

BACKGROUND OR DETAILED INFORMATION:

Presently, the Board has five members and two alternates. The Board desires to expand to seven members, with five of the seven having certain educational or work experience, as described in the Code, and two members being lay people. There will be no alternate members. The Board is interested in seeking additional technical expertise on the Board and resolving, by abolishing alternate memberships on the Board any uncertainty about the roles and responsibilities of alternates, as or will be consistent with the bylaws of the Board as amended, increasing the membership of the Board to seven members to help it fulfill its mission.

If the ordinance is adopted as proposed, amendments to the Bylaws of the Forestry Board are necessary to reflect the changes to the Code.

FISCAL IMPACT:

This action has no direct fiscal impact.

SUGGESTED MOTION:

I move to introduce an ordinance to amend Section 2.36.010 of the Grand Junction Municipal Code pertaining to the composition of the Forestry Board.

Attachments

1. BDOC 16 Bylaws - Forestry Board track changes
2. BDOC 16 Bylaws - Forestry Board clean
3. ORD-Forestry to Seven 052522

Bylaws of the City of Grand Junction
Forestry Board

Article 1 — Purpose, Board, Place of Business

A. The Grand Junction Forestry Board reviews and determines professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. The Board, in accordance with City ordinances, gives written, oral and practical license examinations and issues licenses to qualified applicants. In addition, the Forestry Board serves in an advisory capacity to the Parks and Recreation Department Forestry Division by making recommendations to the City Council for the adoption of rules and regulations pertaining to the tree service business in the City. The Board may hear complaints from citizens relating to the tree service business. The Board may engage in community outreach and education in the area of trees and the urban forest.

B. The business and affairs of the Forestry Board shall be managed by a seven ~~five (75)~~ member board ~~with up to two (2) alternate members~~, appointed by the Grand Junction City Council. Service on the Board shall be consistent with these bylaws and the ordinances adopted by the City Council for the Forestry Board. ~~Alternate members shall serve when a vacancy occurs. Alternate members shall be designated "first alternate" and "second alternate" and shall be caused to setve in order.~~

C. The Forestry Board shall meet monthly on a date determined by the Board at a designated location.

Article 2 — Ethical Conduct

Board members shall comply with the City of Grand Junction Resolution No. 79-06, and as subsequently amended, which establishes ethical standards for members of the City's boards, commissions and similar groups.

Article 3 — Appointment of Members

A. The Grand Junction Forestry Board shall consist of seven ~~five (75)~~ voting members ~~and up to two alternates who shall be appointed by the City Council~~

B. Composition and selection:

1. The members of the Board shall be appointed by the Grand Junction City Council for individual terms of three (3) years.
2. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.
3. ~~FiveThree (53)~~ of the ~~sevenfive (75)~~ voting members ~~and at least one alternate~~ shall be selected from any of the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator or otherwise trained or certified in a plant health industry. One member should be a representative of the Colorado State Forest Service if possible. Two (2) of the members of the Board may be lay persons.
4. A representative of the City Parks and Recreation Department Forestry Division shall be a non-voting member of the Board and shall act as or designate a secretary of the Forestry Board. The City Financial Operations Director or his/her designee shall act as treasurer of the Board.

C. If requested by the Grand Junction City Council, the Board shall make a recommendation to the appointing body as to the expertise needed. The appointing body may consider this recommendation when making appointments.

Article 4 — Vacancies

Vacancies to the Forestry Board shall be filled in the manner set forth herein, following policies and procedures set forth by the City Council for the recruitment of potential candidates,

Article 5 — Officers

- A. At the first meeting of the Forestry Board each calendar year, members of the Board shall elect a chairperson and a vice-chairperson. Election of officers shall be held annually.
- B. The chair shall be a member of the Board, serve as head of the Board and preside at meetings of the Board. In the absence of the Board chairperson, the vice-chairperson shall preside at the Board meeting and perform the duties of the chair and when so acting, shall have the authority and duties of the chair.
- C. The secretary shall record the affairs of the Board and shall see to the correspondence of the Board.

Article 6 — Terms, Conditions

A. The term of each individual board member shall be three (3) years and the terms shall be staggered. Members shall serve until their successors have been appointed. A Board member may be appointed for two terms. An appointment to fill a partial term shall only be for the remainder of the full term. ~~Alternates may be appointed to fill vacancies at the discretion of the Grand Junction City Council. Time served as an alternate does not impact a board member's ability to serve two full terms.~~

B. A majority of the total members of the Board may recommend to the City Council that a member be removed upon such member's failure to routinely attend the meetings of the Board or to participate in the work and mission of the Board.

C. A member of the Board that is unable to attend meetings or has missed three (3) consecutive meetings may be asked, in writing, to resign from the Board. A special meeting will be scheduled for the purpose of discussing the request with all Board members in attendance.

Article 7 — Conflicts, Compensation, Expenses

A. No compensation shall be paid to any member of the Board for his/her services. The Board shall not enter into any contract with any member or pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to volunteer board members regarding conflicts of interest, disclosure, gifts and appearances of impropriety, as well as the City Resolution referred to in Article 2, shall apply to each member of the Board.

B. In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses that are allowed by motion of the Board prior to being incurred. Expenses so authorized must be incurred in the performance of the Board member's duties. All such expenses shall be paid with Board funds.

Article 8 — Meetings, Notice, Open Meetings

A. Regular meetings shall be held at least once a month, at the place designated by the Board. Regular meetings may be canceled at the discretion of the Board.

B. Any member may call a special meeting and it shall then be the duty of the secretary to cause notice of such meeting to be properly given. Special meetings may be held at any place within the City of Grand Junction.

C. Notice of any meeting of the Board, including the purpose thereof, shall be made in writing to each member by mail, facsimile, or e-mail at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Board shall be acceptance of notice by him/her of the time, place, and purpose thereof. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.

D. Any meeting may be held by telephone or video conference call upon arrival of a majority of the Board.

E. Affairs of the Board shall be governed by the Open Meetings Law and the Open Records Act, as amended, including but not limited to the posting of notices, designating annually the location for the posting of notices, and the taking of minutes.

Article 9 — Quorum

A majority of the voting members of the Board shall constitute a quorum for the transaction of business; however, if at any meeting a quorum is not present and available to vote, a majority of those present may adjourn the meeting. ~~Alternate members shall be considered in determining a quorum.~~ The act of a majority of the members present at a meeting in which a quorum is present shall be the act of the Board.

Article 10 — Contracts, Expenditures

The Board and its members do not have authority to bind the City, unless the City Council has specifically granted such authority in writing. Authority to bind the City shall be limited to the specific act(s) described in such writing. Expenditures on behalf of the Board and its work shall be granted such authority exclusively through the City Finance Department.

Article 11 — Notices

Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

Article 12 — Legal Advice, Finances and Insurance

The City Attorney shall serve as the legal advisor for the Board. The City's Financial Operations Director shall serve as the treasurer for the Board. The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member's actions are not malicious, criminal, or with deliberate intent to violate a law or regulation or with intent to injure. A Board member shall immediately contact the City Attorney if such losses, cost or expenses arise or if there are any questions about coverage.

Article 13 — Amendment of the Bylaws

The Board may, by the affirmative vote of a majority of its members, amend or alter the bylaws of the Board provided that no such alteration or amendment by the Board shall increase the powers of the Board or expose the City to any additional liabilities, responsibilities or expenses. The secretary of the Board, or any member, shall send a copy of proposed changes to the bylaws to the City Clerk prior to adoption by the Board.

Adopted by the City Council this 1st day of June 2022.

Anna M. Stout
President of City Council

Attest:

City Clerk

**Bylaws of the City of Grand Junction
Forestry Board**

Article 1 — Purpose, Board, Place of Business

- A.** The Grand Junction Forestry Board reviews and determines professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. The Board, in accordance with City ordinances, gives written, oral and practical license examinations and issues licenses to qualified applicants. In addition, the Forestry Board serves in an advisory capacity to the Parks and Recreation Department Forestry Division by making recommendations to the City Council for the adoption of rules and regulations pertaining to the tree service business in the City. The Board may hear complaints from citizens relating to the tree service business. The Board may engage in community outreach and education in the area of trees and the urban forest.
- B.** The business and affairs of the Forestry Board shall be managed by a seven (7) member board, appointed by the Grand Junction City Council. Service on the Board shall be consistent with these bylaws and the ordinances adopted by the City Council for the Forestry Board.
- C.** The Forestry Board shall meet monthly on a date determined by the Board at a designated location.

Article 2 — Ethical Conduct

Board members shall comply with the City of Grand Junction Resolution No. 79-06, and as subsequently amended, which establishes ethical standards for members of the City's boards, commissions and similar groups.

Article 3 — Appointment of Members

- A.** The Grand Junction Forestry Board shall consist of seven (7) voting members.
- B.** Composition and selection:
1. The members of the Board shall be appointed by the Grand Junction City Council for individual terms of three (3) years.
 2. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.
 3. Five (5) of the seven (7) voting members shall be selected from any of the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator or otherwise trained or certified in a plant health

industry. One member should be a representative of the Colorado State Forest Service if possible. Two (2) of the members of the Board may be lay persons.

4. A representative of the City Parks and Recreation Department Forestry Division shall be a non-voting member of the Board and shall act as or designate a secretary of the Forestry Board. The City Financial Operations Director or his/her designee shall act as treasurer of the Board.

C. If requested by the Grand Junction City Council, the Board shall make a recommendation to the appointing body as to the expertise needed. The appointing body may consider this recommendation when making appointments.

Article 4 — Vacancies

Vacancies to the Forestry Board shall be filled in the manner set forth herein, following policies and procedures set forth by the City Council for the recruitment of potential candidates.

Article 5 — Officers

A. At the first meeting of the Forestry Board each calendar year, members of the Board shall elect a chairperson and a vice-chairperson. Election of officers shall be held annually.

B. The chair shall be a member of the Board, serve as head of the Board and preside at meetings of the Board. In the absence of the Board chairperson, the vice-chairperson shall preside at the Board meeting and perform the duties of the chair and when so acting, shall have the authority and duties of the chair.

C. The secretary shall record the affairs of the Board and shall see to the correspondence of the Board.

Article 6 — Terms, Conditions

A. The term of each individual board member shall be three (3) years and the terms shall be staggered. Members shall serve until their successors have been appointed. A Board member may be appointed for two terms. An appointment to fill a partial term shall only be for the remainder of the full term.

B. A majority of the total members of the Board may recommend to the City Council that a member be removed upon such member's failure to routinely attend the meetings of the Board or to participate in the work and mission of the Board.

C. A member of the Board that is unable to attend meetings or has missed three (3) consecutive meetings may be asked, in writing, to resign from the Board. A special meeting will be scheduled for the purpose of discussing the request with all Board members in attendance.

Article 7 — Conflicts, Compensation, Expenses

A. No compensation shall be paid to any member of the Board for his/her services. The Board shall not enter into any contract with any member or pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to volunteer board members regarding conflicts of interest, disclosure, gifts and appearances of impropriety, as well as the City Resolution referred to in Article 2, shall apply to each member of the Board.

B. In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses that are allowed by motion of the Board prior to being incurred. Expenses so authorized must be incurred in the performance of the Board member's duties. All such expenses shall be paid with Board funds.

Article 8 — Meetings, Notice, Open Meetings

A. Regular meetings shall be held at least once a month, at the place designated by the Board. Regular meetings may be canceled at the discretion of the Board.

B. Any member may call a special meeting and it shall then be the duty of the secretary to cause notice of such meeting to be properly given. Special meetings may be held at any place within the City of Grand Junction.

C. Notice of any meeting of the Board, including the purpose thereof, shall be made in writing to each member by mail, facsimile, or e-mail at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Board shall be acceptance of notice by him/her of the time, place, and purpose thereof. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.

D. Any meeting may be held by telephone or video conference call upon arrival of a majority of the Board.

E. Affairs of the Board shall be governed by the Open Meetings Law and the Open Records Act, as amended, including but not limited to the posting of notices, designating annually the location for the posting of notices, and the taking of minutes.

Article 9 — Quorum

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The Board and its members do not have authority to bind the City, unless the City Council has specifically granted such authority in writing. Authority to bind the City shall be limited to the specific act(s) described in such writing. Expenditures on behalf of the Board and its work shall be granted such authority exclusively through the City Finance Department.

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Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

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The City Attorney shall serve as the legal advisor for the Board. The City's Financial Operations Director shall serve as the treasurer for the Board. The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member's actions are not malicious, criminal, or with deliberate intent to violate a law or regulation or with intent to injure. A Board member shall immediately contact the City Attorney if such losses, cost or expenses arise or if there are any questions about coverage.

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Adopted by the City Council this 1st day of June 2022.

Anna M. Stout
President of City Council

Attest:

City Clerk

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ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE GRAND JUNCTION MUNICIPAL CODE
REGARDING THE GRAND JUNCTION FORESTRY BOARD MEMBERSHIP**

RECITALS:

By and with this Ordinance the City Council amends the Grand Junction Municipal Code (GJMC or Code) to provide for the appointment of two additional members to the Grand Junction Forestry Board.

The Forestry Board (Board) was first established in 1914 and has been involved with the protection and management of the urban forest since then. The Board's purposes include acting as a reviewing body for determining professional qualifications and competence and licensing to engage in the business of cutting, trimming, pruning, spraying, or removing trees, making recommendation to the City Council for the adoption of rules and regulations pertaining to the tree service business in the City, and investigating complaints relating to tree service businesses and the practice of arboriculture.

Presently, the Board has five members and two alternates. The Board desires to expand to seven members, with five of the seven having certain educational or work experience, as described in the Code, and two members being lay people. There will be no alternate members. The Board is interested in seeking additional technical expertise on the Board and resolving, by abolishing alternate memberships on the Board any uncertainty about the roles and responsibilities of alternates, as or will be consistent with the bylaws of the Board as amended, increasing the membership of the Board to seven members to help it fulfill its mission.

At the ___ 2022 meeting the City Council considered this Ordinance and determined that amendment of the Code is necessary and proper and does for those reasons does adopt and approve this Ordinance as follows.

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

Section 2.36.010 of the Grand Junction Municipal Code is amended as shown (deletions ~~struck through~~; additions underlined):

2.36.010 Created – Composition – Terms - Officers.

(a) There is hereby created a board to be known as the Forestry Board. The Board shall be composed of ~~five~~ seven members ~~and up to two alternate members~~ who shall be appointed by the City Council. The Board shall include ~~three~~ five persons selected from the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator, otherwise trained or certified in a plant health industry

47 and include a representative of the State Forest Service if possible. The other two
48 members of the board may be lay persons. ~~The alternate members shall otherwise have~~
49 ~~the qualifications of other members of the Board and at least one of the alternates shall~~
50 ~~be selected from the categories listed: professional arborist, nursery professional,~~
51 ~~landscape designer, pesticide applicator, or otherwise trained or certified in a plant~~
52 ~~health industry. Each alternate member shall attend all meetings and shall serve during~~
53 ~~the temporary unavailability, including recusal, of any regular Board member as may be~~
54 ~~necessary or required. The alternate member, in addition to other duties prescribed by~~
55 ~~this code, shall be allowed to vote in the absence of a regular member. Terms of service~~
56 ~~shall be three years. When a regular member resigns, is removed or is no longer~~
57 ~~eligible to hold a seat on the Board, the City Council may or may not select an alternate~~
58 ~~to fill the vacancy if the alternate meets the same qualifications as the member to be~~
59 ~~replaced. If an alternate fills a seat of a regular member, then the City Council shall then~~
60 ~~name a replacement alternate. A chairperson and a vice-chairperson shall be elected~~
61 ~~each year and vacancies owing to death or resignation shall be filled by appointment for~~
62 ~~the unexpired term.~~

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65 All other provisions of Chapter 2.36 of the Grand Junction Municipal Code shall remain
66 in full force and effect.

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70 Anna M. Stout
71 President of the Council

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76 _____
Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: June 1, 2022
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-21 and Setting a Public Hearing for July 6, 2022

RECOMMENDATION:

Conduct a Public Hearing and Adopt Proposed Assessing Ordinance on Second Reading for Alley Improvement District ST-21.

EXECUTIVE SUMMARY:

Alley Improvement Districts are formed in partnership with property owners after a majority of owners petition the City for the district and corresponding alley improvements. The cost is then shared between the property owners and the City.

The alley running East to West from 8th to 9th Street, between Grand Avenue and Ouray Avenue has been improved under this structure. The ordinance approves the assessable costs to the property owners and real property.

BACKGROUND OR DETAILED INFORMATION:

People's Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. Assessment rates for alleys are based on percentages of total assessable costs the City will contribute for three property uses: 85% per abutting foot for residential single-family uses, 75% per abutting foot for residential multi-family uses, and 50% per abutting foot for non-residential uses.

A petition was received by the property owners along the frontage of this particular alley with a majority in support of the alley improvements. A summary of the process that followed submittal of the petition, as well as the upcoming steps, is provided below.

Date	Steps	Action
June 16, 2021	1.	City Council passed Resolution 48-21 declaring its intent to create an improvement district. The Resolution acknowledged receipt of the petition and gave notice of a public hearing.
July 21, 2021	2.	Council conducted a public hearing and passed Resolution 58-21 creating the Improvement District. The public hearing was for questions regarding validity of the submitted petitions.
October 13, 2021	3.	City Manager approves the construction contract.
October 19, 2021 - January 26, 2022	4.	Construction.
May 6, 2022	5.	After completion of construction and issuance of final payment, the Engineer issues a Statement of Completion identifying all costs associated with the Improvement District.
June 1, 2022	6.	Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
July 6, 2022	7.	Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
July 8, 2022	8.	The adopted Ordinance is published.
August 8, 2022	9.	The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments

		may be paid in full at anytime during the ten-year period.
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FISCAL IMPACT:

Expenses for this project are shared by the property owners and the City. The total cost of the project was \$154,521.17 with the owner's share being \$40,290.25 (26%) and the City's share being \$114,499.35 (74%). \$850,000 is budgeted in the Sales Tax Capital Improvement Fund, Alley Improvement District account.

The assessment of the property owners share can be paid in a lump sum or through annual installments for a ten year period, at 6% simple interest per year which is billed and collected through the Mesa County Treasurer's Office on the property tax notice.

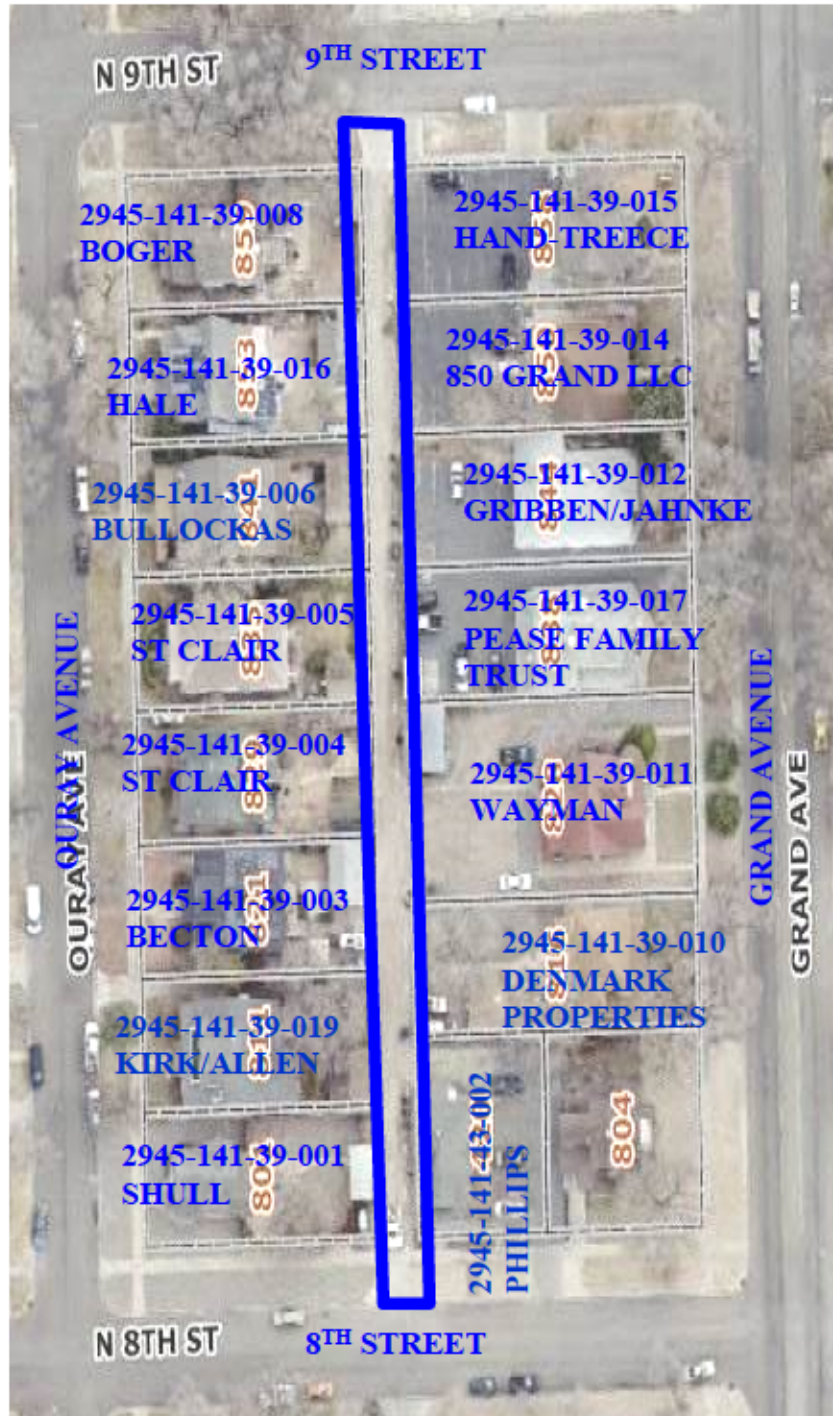
SUGGESTED MOTION:

I move to introduce an Ordinance approving the assessable cost of the improvements made in and for Alley Improvement District ST-21 and set a public hearing for July 6, 2022.

Attachments

1. 2021 Alley Improvement District Map
2. ORD-Alley Improvement District ST-21

**PROPOSED ALLEY IMPROVEMENT DISTRICT
8TH STREET TO 9TH STREET
GRAND AVENUE TO OURAY AVENUE**





ORDINANCE NO. ____

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-21, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICTS; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICTS; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement District No. ST-21, in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement District No. ST-21, and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement District No. ST-21, in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on April 6, 2022, and the last publication thereof appearing on April 10, 2022); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said Districts assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Alley Improvement District No. ST-21, duly

published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement District No. ST-21, be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$154,521.17; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

ALLEY 8TH STREET TO 9TH STREET, GRAND AVENUE TO OURAY AVENUE		
TAX SCHEDULE NO.	LEGAL DESCRIPTION	ASSESSMENT
2945-141-39-001	Lots 1 & 2, Block 70, City of Grand Junction	1,265.50
2945-141-39-019	Lots 3 & 4, Block 70, City of Grand Junction	2,109.50
2945-141-39-003	Lots 5 & 6, Block 70, City of Grand Junction	2,109.50
2945-141-39-004	Lots 7 & 8, Block 70, City of Grand Junction	1,265.50
2945-141-39-005	Lots 9 & 10, Block 70, City of Grand Junction	1,265.50
2945-141-39-006	Lots 11 & 12, Block 70, City of Grand Junction	1,265.50
2945-141-39-016	Lots 13 & 14, Block 70, City of Grand Junction	1,265.50
2945-141-39-008	Lots 15 & 16, Block 70, City of Grand Junction	1,265.50
2945-141-39-015	Lots 17 & 18, Block 70, City of Grand Junction	4,219.00
2945-141-39-014	Lots 19 & 20, Block 70, City of Grand Junction	4,219.00
2945-141-39-012	Lots 21 & 22, Block 70, City of Grand Junction	4,219.00
2945-141-39-017	Lots 23 & 24, Block 70, City of Grand Junction	4,219.00
2945-141-39-011	Lots 25, 26 & 27, Block 70, City of Grand Junction	3,164.25
2945-141-39-010	Lots 28 & 29, Block 70, City of Grand Junction	2,109.50
2945-141-43-002	Lot 2, Hunt Simple Subdivision	6,328.50
2945-141-39-001	Lots 1 & 2, Block 70, City of Grand Junction	1,265.50

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all the real estate in said District, and to and upon each lot or tract of land within said District ST-21 (District) and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance, constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 6 percent per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of 6 percent per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at 8 percent per annum as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty days after the final publication of this Ordinance, and an allowance of the six percent added for cost of collection and other incidentals shall be made on all payments made during said period of thirty days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement District No. ST-21, shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement District No. ST-21, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading shall be published once in full in the *Grand Junction Daily Sentinel*, the official newspaper of the City, at least ten days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced on first reading this 1st day of June 2022.

Passed and adopted and order published in pamphlet form this _____ day of _____, 2022

Anna M. Stout
President of the Council

Attest:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: June 1, 2022
Presented By: Daniella Acosta, Associate Planner
Department: Community Development
Submitted By: Dani Acosta, Associate Planner

Information

SUBJECT:

An Ordinance Rezoning 2.17 Acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac), Located at 2730 B Road - ***Continued to July 6, 2022***

RECOMMENDATION:

Planning Commission heard this request at its May 10, 2022 meeting and voted (7-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Harris Property Holdings, LLC, is requesting the rezone of one parcel totaling 2.71 acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) located at 2730 B Rd. The purpose of the rezone is to enable the creation of medium-high density housing, which could increase the stock of missing-middle housing typologies, such as townhomes, duplexes, fourplexes, cottage courts, etc.

The requested R-8 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential Medium. The R-8 zone district allows a mix of dwelling types including attached and detached dwellings, two-family dwellings and multifamily development within specified densities. Additionally, R-8 zone districts serve as a transitional district, which may act as a buffer between lower density single-family and commercial zones.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 2.71 acres situated at 2730 B Rd, just south of Hwy 50 and southwest of the Mesa County Fair Grounds. The property is within the area included in the 2014 Orchard Mesa Plan.

The subject site was annexed into the City in 2006 as part of the Harris Annexation #2 and rezoned from a County RSF-4 to a City RSF-4, under the 2006 Grand Junction Zoning and Development Code. In 2021, the property underwent a Simple Subdivision (SSU-2021-155) to split the original 6.45-acre lot into two parcels: Lot 1, 3.99 acres and the subject property, Lot 2, 2.17 acres.

As indicated, the subject site is currently zoned R-4 and at present contains a two-family dwelling and single-family detached home along with various accessory buildings. The subject site is primarily surrounded by single family residential neighborhoods, open space and undeveloped parcels.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property and several adjacent properties to the north and east as Residential Medium. The Comprehensive Plan classified the areas to the west and south of the subject site as Residential Low.

Under the Grand Junction Municipal Code, the zone districts that may implement the Residential Medium Land Use classification include R-8 (Residential 8 du/ac), R-12 (Residential 12 du/ac), CSR (Community Services and Recreation), MXR-3 (Mixed Use Residential-Medium), MXG-3 (Mixed Use General-Medium), and MXS-3 (Mixed Use Shopfront-Medium) zone districts.

The Applicant is now requesting a rezone to R-8, which could increase the availability of medium-high density housing stock within Orchard Mesa. According to the General Project Report, the objective of the rezone is to increase residential density for the potential development in the future to counter the housing shortage currently being experienced in the City.

If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held in-person on February 9th, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. In addition to City Staff, the landowner, and representative; there were 11 neighbors in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on February 25, 2022. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on April 29, 2022. The notice of the Planning Commission public hearing was published on May 3, 2022, in the Grand Junction Daily

Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

The Comprehensive Plan Land Use Map identifies the subject property as Residential Medium. The previous 2010 land use designation identified the property as both Residential Medium and Residential Medium Low. The applicant's proposed zoning of R-8 implements the 2020 Comprehensive Plan land use of Commercial.

The current zoning, R-4, is outside the range of allowable zone districts for Residential Medium. From a policy standpoint, the adoption of the 2020 Comprehensive Plan directs the proposed vision for development of the subject site, which is not implementable with the current zoning of R-4. However, adoption of the 2020 Comprehensive Plan is not a subsequent event that would invalidate the original premises or findings. Rather, as a policy document, it indicates the belief and communicates the aspiration that the area will develop in such a manner. Therefore, Staff does not find that this criterion has been met.

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

Since the subject site was initially annexed in 2006, there has been some development activity in the area surrounding or near the site. The most prominent development that has occurred near the property is the Shadow Mesa Subdivision on a 13.32-acre lot located west of 216 27 ½ Rd for 80 lots and a Final Plat for Filing 1 consisting of single-family homes and duplexes (SUB-2021-408). The Preliminary Plan and Final Subdivision Plat for Filing 1 were approved on November 12, 2021.

Additionally, the City received an application for the Reed Annexation (ANX-244-1450) to request and zone the 0.73 acres along the northern portion of 2733 B ¼ Rd lot from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-8 zone district. The annexation was approved on June 16th, 2021 by City Council and became effective on July 18, 2021. However, it is premature to conclude that the area has changed dramatically enough in character to warrant a rezone. As such, staff finds this criterion has not been met.

(3) Public and community facilities are adequate to serve the type and scope of land

use proposed; and/or

The stretch of B Rd adjacent to the subject site currently does not have curb and gutter. The property has access from B Rd, which is a major collector. The Active Transportation Corridor Plan identifies B Rd as an active transportation corridor for all modes of transportation (motor vehicle, bicycle, pedestrian, etc.). Therefore, multimodal access is adequate.

The subject site is within the Ute Water District and City of Grand Junction Sewer District, the Orchard Mesa Irrigation District, and within both the Xcel Energy area (western portion of the lot) and the Grand Valley Power energy area (eastern portion of the lot). The property is not within an established drainage district.

As stated earlier, water service is supplied by Ute Water. There is an existing water distribution system adjacent to the site, which includes an 8" C900 main in B Rd. The property is located within the 201 Persigo boundary. The existing sewage collection system adjacent to or near the site is an 8" VCP main in B Road. However, the 8" VCP sewer main in B Rd may not be deep enough to serve the entire property. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process.

Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that there are some challenges and constraints related to sanitary sewer. Therefore, Staff believes that it is premature to state that this criterion has been fully met.

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

There are some differences between the R-4 and R-8 zone districts as they relate to the types of permitted primary and secondary land uses and the general development characteristics. The R-8 zone district accounts for approximately nine percent of City zoned land, whereas the R-4 zone district accounts for approximately 10 percent of City zoned land.

Currently, there are 35 parcels to the north within 920 feet of the subject site that are zoned R-8. As such, there does not appear to be a deficit of zone districts that are also able to implement the Residential Medium Future Land Use Designation. Therefore, Staff finds that this criterion has not been met.

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

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff finds the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

The subject property is located within the Tier 1 – Urban Infill tier as identified in the City’s Growth Plan. Rezoning to R-8 opens up opportunities for more compact development and higher density uses in an area that the 2020 Comprehensive Plan identifies as a priority for infill. As stated in the 2020 Comprehensive Plan, development of parcels located within Tier 1 will provide development opportunities that do not require extension of infrastructure or the expansion of City Services (pg. 56). Rezoning to R-8 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

Plan Principle 5.1.c. Housing Types – Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.

As stated in the General Project Report, the intent of the proposal is to increase the density and development potential for the site to accommodate medium-high density housing and a greater diversity of housing types. Housing that could potentially develop under an R-8 zone district includes a mix of typologies that fall under missing middle housing, as well as affordable housing options, such as manufactured housing. The Congress for New Urbanism defines the missing middle as a spectrum of clustered or multi-unit housing types, which include duplexes, fourplexes, bungalow courts, etc., and which can serve a range of differing income and generational needs. Implementing this zone district will expand options in the future for redevelopment that aligns with the vision of strong neighborhoods and diverse housing stock as outlined in the Comprehensive Plan. The proposed amendment will benefit the community by establishing the right zoning conditions to expand choice and potentially create options for both affordable and attainable housing. Therefore, Staff finds this criterion has been met.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Harris Property Holdings Rezone, RZN-2022-110, rezoning one

parcel totaling 2.17 acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) for the property located at 2730 B Rd, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria has been met.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact as a result of this action.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5077, an ordinance rezoning one parcel totaling 2.17 acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) located at 2730 B Rd on final passage and order final publication in pamphlet form.

Attachments

1. Exhibit 1 - Development Application
2. Exhibit 2 - Neighborhood Meeting and Public Comment Documentation
3. Exhibit 3 - Maps & Exhibits
4. ORD-2730 B Road 051022

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation/Zone of Annexation ^{PD} Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:	
Existing Land Use Designation: _____	Existing Zoning: <u>R-4</u>
Proposed Land Use Designation: _____	Proposed Zoning: <u>R-8</u>

Property Information

Site Location: 2730 B Rd G) 81503 Site Acreage: 2.17

Site Tax No(s): 2945-253-48-002 Site Zoning: R-4

Project Description: Triangular piece north of B Rd.
 REZONE FROM R-4 TO R-P

Property Owner Information

Name: Jerry Harris

Street Address: 3421 D Rd

City/State/Zip: Palisade CO
81524

Business Phone #: _____

E-Mail: Kathy-harris1950@gmail

Fax #: _____

Contact Person: Kathy Harris

Contact Phone #: 970-234-3838

Applicant Information

Name: Jerry Harris

Street Address: 3421 D Rd

City/State/Zip: Palisade CO
81526

Business Phone #: _____

E-Mail: same

Fax #: _____

Contact Person: Kathy Harris

Contact Phone #: 970-234-3838

Representative Information

Name: Becca Posner

Street Address: 131 N 6th St

City/State/Zip: GU CO 81507

Business Phone #: _____

E-Mail: becca@posner-properties

Fax #: _____

Contact Person: Becca Posner

Contact Phone #: 970-424-7281

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application: Becca Posner Date: 12/29/21
 Signature of Legal Property Owner: Jerry Harris Date: 12-29-21

GENERAL PROJECT REPORT

RESPONSE TO COMMENTS

3-21-2022

2730 B Road Grand Junction, CO 81503

General Project Report:

2730 B Rd: Rezone from R-4R8

A: Project Description-

This submittal is to rezone the parcel from R-4 to R-8, in order to increase density for potential development.

B: Public Benefit –

By increasing the density to this parcel, the next developer will be able to build more homes per acre to help counter the housing shortage Grand Junction is currently experiencing.

C: Neighborhood Meeting –

Neighborhood Meeting happened on 2-10-22, Scott Peterson was City representative. No one had objections. The notes and sign-in sheet have been provided.

D: Project Compliance-

The higher density is inline with the Future Use Map and Zoning requirements. As well as , lots adjacent to this one have already been rezoned to R-8. There is a significant lack of R-8 zoning to accommodate higher density development.

E: Rezone Review Criteria –

Section 21.02.140(a)

(a) Approval Criteria. In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- a. Subsequent events have invalidated the original premises and findings; and/or **Adjacent properties have been rezoned to R-8**
- b. The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or **There have been an increase in higher density parcels in surrounding areas**
- c. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or **this rezone aligns with the future use map for GJ**
- d. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or **There is a push and need for higher density developments**

- e. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment. **This will create more housing for families near good schools and within the city limits**

5: Planning Fees:

These fees will be the expense of the next developer. The current owners will not be developing but will be selling the land to a developer and Buyer will be required to pay for these fees.

The Seller, Harrison Property Holdings, LLC of Parcel Number: 2945-253-48-002, is requesting a zoning change from R-4 to R-8, to increase the housing density of the available land for development. The rezoning aligns with the City of Grand Junction's future use plan. The properties north of this property have recently been rezoned recently from R-4 to R-8, which include: 2945-253-49-009, 2945-253-49-098, 2945-253-49-103, 2945-253-00-048, and 25 lots of B ¼ Rd that are ready for development.

Becca Posner

CBC – Prime Properties

970-424-2281

becca@posner.properties

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Jerry M Harris c/o Harris Property ("Entity") is the owner of the following property:
(b) 2730 B Rd Grand Junction Holdings LLC CO 81503

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) owner for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- My legal authority to bind the Entity both financially and concerning this property is unlimited.
My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

- The Entity is the sole owner of the property.
The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Owner

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

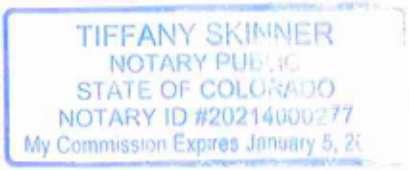
(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: [Signature]
Printed name of person signing: Jerry Harris

State of Colorado)
County of Mesa) ss.



Subscribed and sworn to before me on this 29th day of December, 2021
by Tiffany Skinner

Witness my hand and seal.

My Notary Commission expires on 01/05/2025

[Signature]
Notary Public Signature

Warranty Deed

RECORDING REQUESTED BY GRANTEE)
And GRANTEE ADDRESS)
HARRIS PROPERTY HOLDINGS, LLC)
3421 D Road)
Palisade, CO 81526)

WHEN RECORDED, RETURN TO:)
STONE LAW, LLC.)
PO Box 2534)
Grand Junction, CO 81502)

SPACE ABOVE FOR RECORDER'S USE

2730 B Road, Grand Junction 81503

For no consideration, GERALD M. HARRIS and KATHLEEN A. HARRIS do hereby grant, bargain, sell, convey and confirm to **HARRIS PROPERTY HOLDINGS, LLC**, all of their interest in and to the following described real property in the County of Mesa, State of Colorado:

Beginning 792.5 feet west of the Northeast Corner of the South Half of the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, thence West to the Northwest Corner of the said South Half of the Southeast Quarter of the Southwest Quarter, thence South to the Southwest Corner of the said South Half of the Southeast Quarter of the Southwest Quarter, thence East to the Orchard Mesa Canal, thence Northwesterly along said canal to a point 280 feet South of the North line of said South Half of the Southeast Quarter of the Southwest Quarter, thence East to a point South of Beginning, thence North to Beginning.

EXEMPT FROM DOCUMENTARY FEE PURSUANT TO C.R.S. 39-13-102(2)(A); CONSIDERATION LESS THAN \$500

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

February 11, 2020
Date

Gerald M. Harris
GERALD M. HARRIS
Kathleen A. Harris
KATHLEEN A. HARRIS

STATE OF COLORADO
COUNTY OF MESA

The foregoing instrument was acknowledged before me on February 11, 2020 by GERALD M. HARRIS and KATHLEEN A. HARRIS.

Marc Summers
Notary Public

June 16, 2022
Commission expiration

MARC SUMMERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064042990
MY COMMISSION EXPIRES JUNE 16, 2022

**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

Tax Parcel #(s): 2945-253-48-002
Property Address: 2730 B Rd Grand Junction CO 81503
Property Owner: Jerry M Harris
Contact Person: Jerry + Kathy Harris
Mailing Address: 3421 D Rd Palisade CO 81526
E-Mail Address: Kathy-harris1950@hotmail.com

Applicant: Jerry + Kathy Harris
Contact Person: "
Mailing Address: 3421 D Rd Palisade CO 81526
E-Mail Address: Kathy-harris1950@hotmail.com

Project Representative: Becca Posner
Contact Person: _____
Mailing Address: 131 N 6th St Grand Junction 81501
Phone Number: 970 424 2281
E-Mail Address: becca@posner.properties

***This request for labels and/or the name and address list MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR to a Neighborhood Meeting.**

The adjacent property mailing list is created by pulling all property owners within 500 feet and all registered Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens' groups on record with the City of Grand Junction Community Development Department.

Legal Description of Property:

Lot 2, Harris Holdings Subdivision – Reception Number 3000725, City of Grand Junction , Mesa County Colorado'

INVOICE (2022-02-17-18572)

BILLING CONTACT

Becca Posner
 131 N 6Th St
 Grand Junction, Co 81501



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
2022-02-17-18572	09/10/2021	10/10/2021	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	GL Account	TOTAL
RZN-2022-110	Rezone 2022	DEV - 100-310-010.4315	\$625.00
2730 B Rd Grand Junction, CO 81503			SUB TOTAL
			\$625.00

1231+1347

TOTAL \$625.00

2/9/2022

Becca Posner

CBC -Prime Properties

Becca@posner.properties

970-424-2281

Minutes from Re-Zoning Meeting at Cruisers on 2/9/2022.:

The Sign-In Sheet has been provided.

There were only a few neighbors that attended the meeting (5 all together). The meeting started promptly at 5:30. There were no objections at the meeting at this time, only questions about what type of developments can be considered with the rezoning from R4-R8. One neighbor that lives on the west side of the fence was worried that there would be tall apartment buildings towering over their backyard. After discussing more with the Owners, Myself, and the Planner, they were at ease. The other neighbor that lived several parcels to the west was concerned that his property would have to be annexed into the City. After discussion he too was at ease knowing this would not happen due to this development but could be annexed if all his surrounding neighbors annexed into the city. This was a civil meeting with no objections.

SIGN IN SHEET

2730 B Rd Rezoning Meeting on 2/9/2022:

1. Ben Posa
2. Randy Harris
3. [Signature]
4. Gulley Parsons
5. Doug [Signature]
6. Colin Ryan
7. Tom Huisjen
8. SCOTT PETERSON
9. Chandler Hallmark
10. Rex
11. [Signature]
12. _____
13. _____
14. _____
15. _____

198 RINCON LLC
2372 RANA RD
GRAND JUNCTION CO 81507-1584

ANDERSON JAMES C
ANDERSON CAROLE L
2729 B RD
GRAND JUNCTION CO 81503-2233

ARCIERI FAMILY LIMITED
PARTNERSHIP
2690 B 3/4 RD
GRAND JUNCTION CO 81503-1970

ARCIERI JAMES THOMAS
ARCIERI VAL JEAN
330 33 1/2 RD
PALISADE CO 81526-9511

ARCIERI WILLIAM J
ARCIERI FRANCINE K
197 SAND CT
GRAND JUNCTION CO 81503-2238

BAILEY PEGGY M
2719 B RD
GRAND JUNCTION CO 81503-2209

BAKER CHRISTINE D
BAKER JOHN
2729 B 1/4 RD
GRAND JUNCTION CO 81503-2256

BARBEE STEVEN R
BARBEE JOAN L
2738 SIERRA VISTA RD
GRAND JUNCTION CO 81503-3209

BENBOE KEITH R
BENBOE OLIVIA M
267 E PARKVIEW DR
GRAND JUNCTION CO 81503-2034

BOITIER PEGGY
2720 RINCON DR
GRAND JUNCTION CO 81503-2235

BOWEN AYERS D
OLIVER SUSANNA L
2721 RINCON DR
GRAND JUNCTION CO 81503-2234

BROWN STEVEN L
2731 B RD
GRAND JUNCTION CO 81503-2233

CARR DONALD
2716 RINCON DR
GRAND JUNCTION CO 81503-2235

CHANDLER F EDWARD II
CHANDLER BRENDA K
2734 B RD
GRAND JUNCTION CO 81503-2240

CHENEY JONATHAN MICHAEL
194 RINCON DR
GRAND JUNCTION CO 81503-2282

CITY OF GRAND JUNCTION
SCOTT PETERSON
250 N 5TH ST
GRAND JUNCTION CO 81501-2628

COHEN STACEY
2726 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

DYSON JOHN
DYSON JACQUELYN
194 CLYMER DR
GRAND JUNCTION CO 81503-2280

ETZLER BRADYN
ETZLER WENDY
2740 B RD
GRAND JUNCTION CO 81503-2239

FIELDS SHONTAY M
2723 RINCON DR
GRAND JUNCTION CO 81503-2226

GATHJE KRISTINA D
195 RINCON DR
GRAND JUNCTION CO 81503-2283

GAYTAN-GARCIA EDGAR
2733 B RD
GRAND JUNCTION CO 81503-2233

GITCHELL DAVID H JR
GITCHELL KIMBERLY A
2732 B RD
GRAND JUNCTION CO 81503-2240

GOODMAN JEROT
GOODMAN SARA H
199 CLYMER DR
GRAND JUNCTION CO 81503-2281

HARRIS JERRY M
HARRIS PROPERTY HOLDINGS LLC
3421 D RD
PALISADE CO 81526-9550

HENDRICKS STEVEN
HENDRICKS JO ANNE
2714 RINCON DR
GRAND JUNCTION CO 81503-2235

HOBBS SHANNON N
CARSTENS ANDREW W
199 RINCON DR
GRAND JUNCTION CO 81503-2283

HOON TODD H
HOON MILENA FIORELLA
196 RINCON DR
GRAND JUNCTION CO 81503-2282

HOWARD JOHN PAUL
HOWARD CYNTHIA ANN
2719 RINCON DR
GRAND JUNCTION CO 81503-2234

HUGHES CLOYD T
MARTINEZ JESICA
196 SEGO CT
GRAND JUNCTION CO 81503-2273

HUISJEN THOMAS MERLE
HUISJEN BONNIE JO
2716 1/2 RINCON DR
GRAND JUNCTION CO 81503-3030

KAHL FAMILY LIVING TRUST DATED
JAN 20 2016
2191 FREMONT DR
LAKE HAVASU CITY AZ 86406-8301

KERKMAN MARVIN J
KERKMAN ROBIN D
2741 B RD
GRAND JUNCTION CO 81503-3203

KING R MICHAEL
KING LAURIE M
196 SAND CT
GRAND JUNCTION CO 81503-2238

KINNEY BRETT
MILLER MIQUELA C
2720 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2231

KLEIN JAMES
KLEIN KRISTA
2717 RINCON DR
GRAND JUNCTION CO 81503-2234

KONRAD ANGELA DENISE
2728 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

LARSEN KEITH A SR
KARNASIEWICZ JUDITH C
925 22 1/2 RD
GRAND JUNCTION CO 81505-9363

LARUE JOSHUA
CSERNI TERESA L
2739 B RD
GRAND JUNCTION CO 81503-3203

LATCHAW DUSTIN W
LATCHAW JAMES K
2717 B RD
GRAND JUNCTION CO 81503-2209

LEBSOCK DENNIS D
LEBSOCK LORI D
2716 1/2 B RD
GRAND JUNCTION CO 81503-3042

LEDERER ERIC M
LEDERER JANET L
120 PONDEROSA DR
RIDGWAY CO 81432-9418

LOPEZ KATHERINE BAIRD
2734 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2218

LOVATO PHIL R
LOVATO ANGELA L
2724 RINCON DR
GRAND JUNCTION CO 81503-2227

MALLORY DAVID A
MALLORY ROYANN
2717 1/2 RINCON DR
GRAND JUNCTION CO 81503-3264

MARTIN VICKY L
GAY GEORGE F
197 CLYMER DR
GRAND JUNCTION CO 81503-2281

MCCARTER DON
WILSON RAINI
2718 RINCON DR
GRAND JUNCTION CO 81503-2235

MCCARTHY JAMES
WEIDNER SHARON L
2736 B RD
GRAND JUNCTION CO 81503-2240

MCKNIGHT DAVID A
192 RINCON DR
GRAND JUNCTION CO 81503-2282

MCLAIN TRAVIS
MCLAIN MARGARET GRIBBELL
137 WILLIAMS RANCH DR
ASPEN CO 81611-1584

MOFFAT MERCEYDES
195 CLYMER DR
GRAND JUNCTION CO 81503-2281

MORRIS DAVID MAX
MORRIS CHRISTINA LEE
2718 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2232

NOTTINGHAM LIVING TRUST
585 MILLS RANCH RD
WOODLAND PARK CO 80863-9460

PARMENTER TRACY ANNE
PARMENTER MARTY LORINE
220 GIGAX LN
GRAND JUNCTION CO 81503-1930

PARSONS GARY D
PARSONS SHELLEY T
2722 RINCON DR
GRAND JUNCTION CO 81503-2235

PETTIT WILLIAM EDWARD
PETTIT RACHEL ANN
2715 B RD
GRAND JUNCTION CO 81503-2209

PHUNG HA LAY
194 SEGO CT
GRAND JUNCTION CO 81503-2273

POLEN MARIA A
2737 1/2 B RD
GRAND JUNCTION CO 81503-3277

POSNER PROPERTIES
POSNER BECCA
131 N 6TH ST
GRAND JUNCTION CO 81501-2763

REED JESSE O
2730 B RD
GRAND JUNCTION CO 81503-2240

REED ROGER R
REED JONI C
2731 B 1/4 RD
GRAND JUNCTION CO 81503-2256

RIGHT SIDE UP CLYMNER LLC
679 MOONRIDGE CIR
GRAND JUNCTION CO 81505-1054

ROPER GLEN
ROPER KATHERINE M
200 27 RD
GRAND JUNCTION CO 81503

SEGELKEN HARRY C
SEGELKEN CHRISTINE D
2724 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

SIETAN LLC
218 EASTER HILL DR
GRAND JUNCTION CO 81507-1175

SUMMERS SCOTT L
195 SEGO CT
GRAND JUNCTION CO 81503-2273

THOMAS IRENE G
2738 B RD
GRAND JUNCTION CO 81503-2240

WOESSNER DEZARAY
WOESSNER JEREMY
2730 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

YATES ASHLEAH
YATES JUSTIN
2720 1/2 RINCON DR
GRAND JUNCTION CO 81503-3030

Daniella Acosta

From: vljanesmartin@charter.net
Sent: Monday, May 2, 2022 1:39 PM
To: Daniella Acosta
Subject: Harris Property Holdings Rezone

Importance: High

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

We are writing about the request to rezone property at 2730 B Road, Grand Junction, CO 81503.

As a long time resident (over 20 year) in the area of this property, we are voicing our opinion and denial of the rezoning, this is a single family community. We do not wish to see apartments or any multi family housing in this area. Not now nor in the future.

Thank you for your consideration of current residents and property owners.

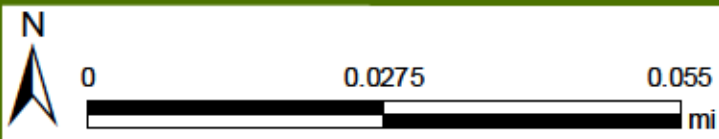
Vicky L Martin and George F Gay

197 Clymer Drive

Grand Junction, CO 81503

970-260-8113

Site Map

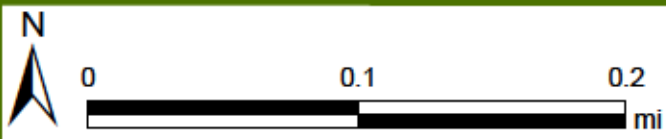


Printed: 5/3/2022

1 inch = 94 feet



Vicinity Map

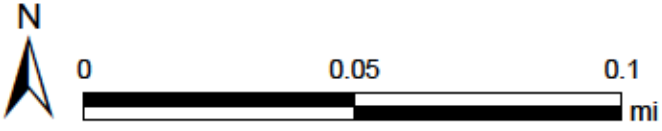


Printed: 5/3/2022

1 inch = 376 feet



Existing Zoning

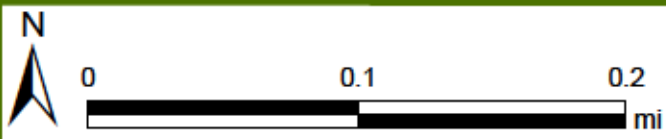
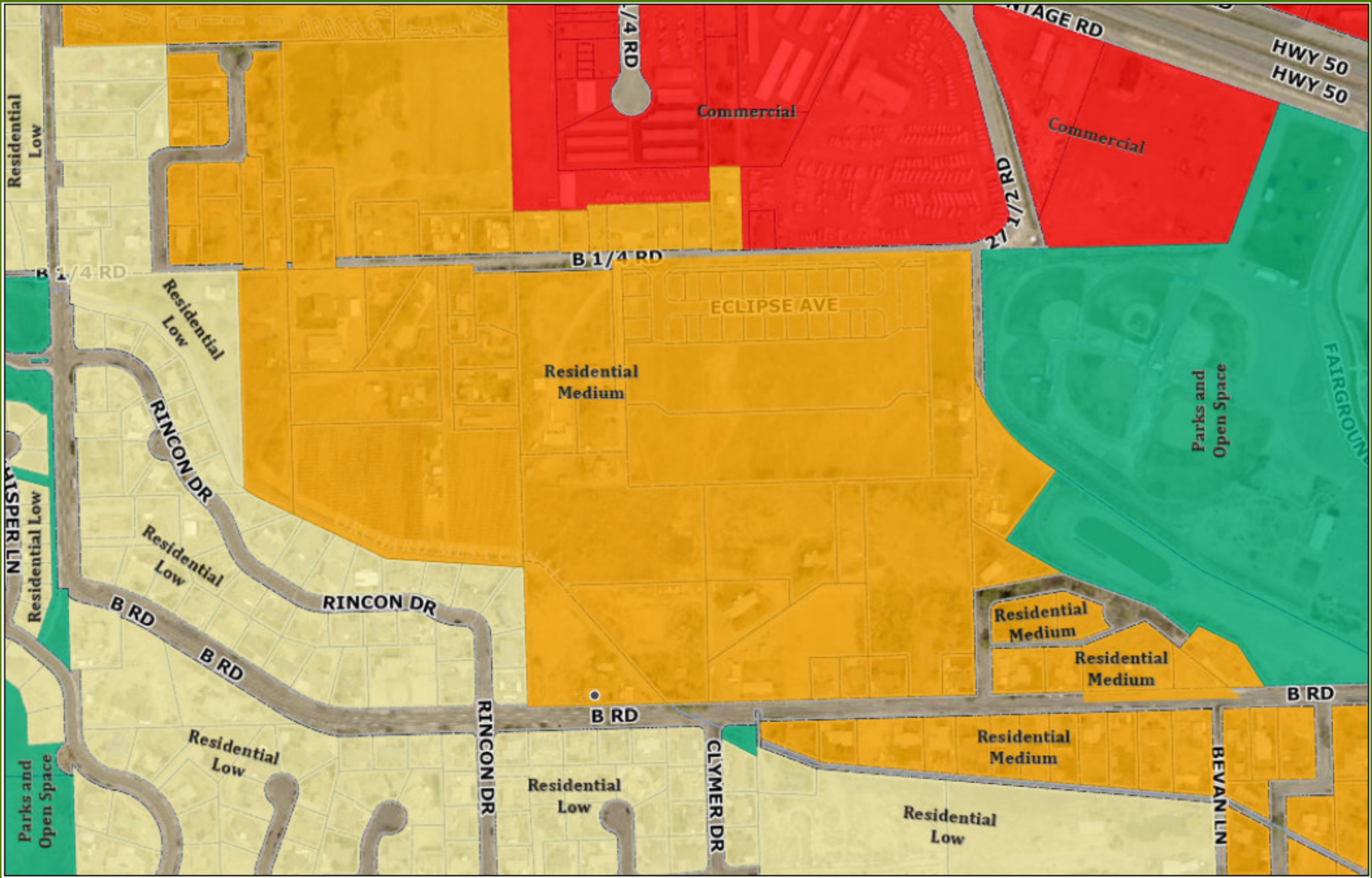


Printed: 5/3/2022

1 inch = 188 feet



Comprehensive FLU Map



Printed: 5/3/2022

1 inch = 376 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING LOT 2, HARRIS HOLDINGS SUBDIVISION 2730 B ROAD, GRAND JUNCTION COLORADO TO R-8 (RESIDENTIAL 8 DWELLING UNITS PER ACRE

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code ("Code"), the Grand Junction Planning Commission recommended zoning the Harris Holdings Property, Lot 2, Harris Holdings Subdivision, to the R-8 (Residential 8 du/ac) zone district. The Planning Commission found that the R-8 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Residential Medium of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential 8 du/ac) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 2, Harris Holdings Subdivision is and shall be zoned R-8 (Residential 8 du/ac) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 18th day of May 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

Amy Phillips
City Clerk

Anna M. Stout
President of City Council



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: June 1, 2022
Presented By: Randi Kim, Utilities Director
Department: Utilities
Submitted By: Lee Cooper, Project Engineer

Information

SUBJECT:

Construction Contract for the Tiara Rado Force-main Replacement Project

RECOMMENDATION:

Authorize the City Purchasing Division to Execute a Construction Contract with M.A. Concrete Construction, Inc. for the Construction of the Tiara Rado Force-main Replacement Project in the Amount of \$3,294,000.

EXECUTIVE SUMMARY:

This request is to award a Construction Contract for the Tiara Rado Force-main Replacement Project. This project will install approximately 4,850 lineal feet of new 12-inch Fusible HDPE pipe. The new HDPE force-main pipe will replace the aging 12-inch ductile iron force-main pipe that is currently in use. The current force-main pipe is about 38 years old and the Persigo Wastewater Treatment Plant (WWTP) has no ability to inspect the current force-main pipe to determine its condition. Installation of the new force-main pipe will start at the Tiara Rado wastewater lift station site and head north underneath the Colorado River channel, go underneath Interstate 70 through existing box culverts, and through the Persigo WWTP property to where the force-main pipe will discharge into the existing sewer collection system in River Road.

BACKGROUND OR DETAILED INFORMATION:

The current force-main pipe that is being replaced is made of ductile iron. The ductile iron pipe seems to be performing well at 38 years old. However, wastewater is a very corrosive liquid and the City has no ability to inspect the pipe to determine its condition. To date, the City has experienced one break on the current force-main pipe in 2008. The break occurred on Persigo wastewater treatment plant property and staff were able to visually see the break and make a repair. The current force-main pipe conveys

wastewater from the Tiara Rado pump station in the Redlands under the Colorado River channel and then underneath Interstate 70. Since there is only a single pipe that serves this sewer service area, it cannot be taken out of service for inspection to assess the condition of the pipe.

Given the age of the pipe, susceptibility to corrosion, the unknown condition of the pipe, and the potential consequences of a failure of the pipe (environmental impact to the Colorado River or structural impact to Interstate 70), Staff included the pipe in the sewer replacement plan. The replacement design includes a redundant pipe under the Colorado River channel to improve reliability and eliminate the need to work in the river channel in the foreseeable future. The estimated service of HDPE pipe is about 100 years.

This force-main replacement project is scheduled to begin no later than August 1, 2022 with an expected completion date around March 15, 2023. Construction will take place during the weekdays. The City acquired permits for working in the Colorado River channel from the U.S. Fish & Wildlife and the U.S. Army Corps. These Federal permits allow the project to work within the river channel between October 15, 2022 and February 28, 2023, as a result of the endangered fish species present in this section of the river.

A formal Invitation for Bids was issued via BidNet (an online site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractor's Association, and advertised in The Daily Sentinel. Two companies submitted formal bids, all of which were found to be responsive and responsible in the following amounts:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
M.A. Concrete Construction, Inc.	Grand Junction, CO	\$3,294,000.00
Oldcastle SW Group, dba United Companies	Grand Junction, CO	\$3,950,128.00

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funds for this are included in the 2022 Adopted Budget for the Sewer Fund within a project budget of \$5 million. Also in the project budget are costs for design, inspection, and testing for a total estimated project cost of \$3.5 million.

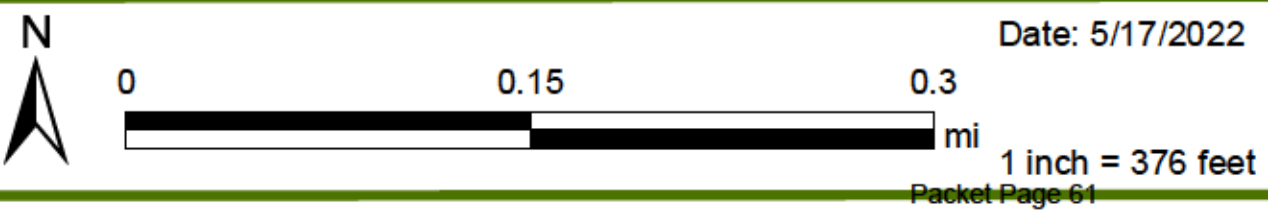
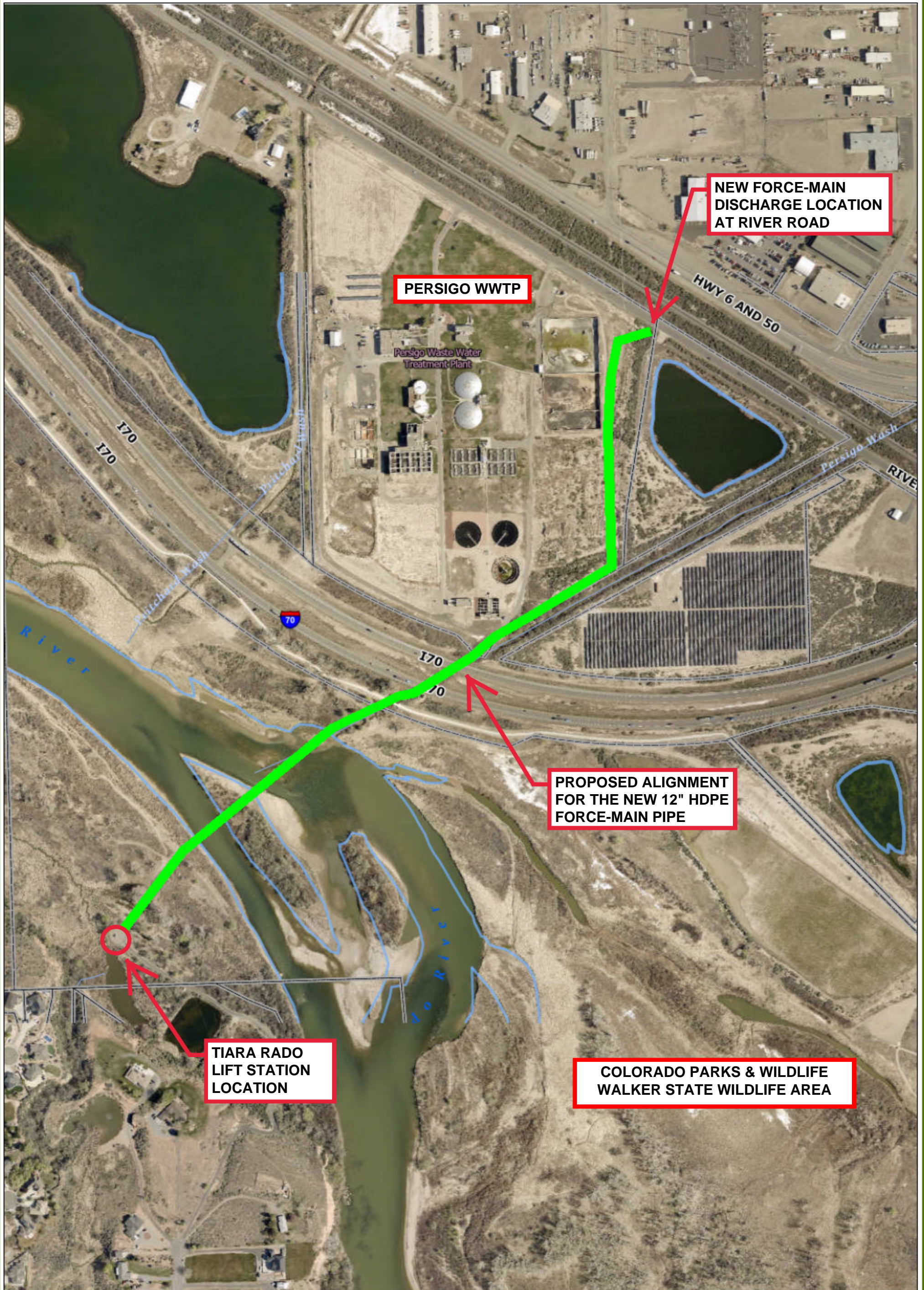
SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a Contract with M.A. Concrete Construction, Inc. for the Tiara Rado Force-main Replacement Project in the amount of \$3,294,000.

Attachments

1. City Council Staff Report Exhibit_2022-05-17

Tiara Rado Force-main Project





Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: June 1, 2022

Presented By: Trenton Prall, Public Works Director, Jay Valentine, General Services Director

Department: Public Works - Streets

Submitted By: Eric Rink, Project Engineer

Information

SUBJECT:

Contract for Street Maintenance - 2022 Asphalt Overlay Project

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a contract with Oldcastle SW Group, Inc. dba United Companies of Grand Junction, CO for the 2022 Contract Street Maintenance - Asphalt Overlays Project in the amount of \$1,988,583.26.

EXECUTIVE SUMMARY:

This contract with Oldcastle SW Group, Inc. dba United Companies, if approved, will overlay 5 roads, including selected concrete, curb, gutter, and sidewalk repairs, ADA upgrades, and shoulder widening along Redlands Parkway, including the addition of bike lanes as part of this year's annual street maintenance program.

BACKGROUND OR DETAILED INFORMATION:

This year's total street maintenance program is funded at \$4.3 million, with \$2.0 million remaining after awarding contracts for chip seal, road preservation, road reconstruction and a road network survey.

Roads throughout the City have been rated for condition and an asset management program is used to determine the road and the treatment list for the annual program. This contract consists of resurfacing (overlying) City streets with up to two inches of new asphalt pavement based on the conditions of the existing streets with select streets being reconstructed. Work items associated with the paving in this contract include milling of existing asphalt pavement where needed, leveling of failed sections of roadways, adjusting manhole lids and valve covers to grade, and placing shoulder

gravel on roads that do not have curb and gutter. Some selected streets will also have sections of concrete curb, gutter, and sidewalk replaced ahead of the overlay, as needed, to facilitate the overlay construction. Additionally, this contract will include improvements along Redlands Parkway.

The streets selected for this contract are provided in an attachment.

Pavement Condition Index (PCI) ratings are from the 2019 survey. The overlays will restore the streets to a PCI of high 80's to low 90's.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Two companies submitted formal bids, which were found to be responsive and responsible in the following amounts:

Firm	Elam Construction, INC.	Oldcastle SW Group, Inc. dba United Companies
Location	Grand Junction, CO	Grand Junction, CO
Base Bid Amount	\$2,582,463.97	\$1,868,890.80
Add Alt 1 (30 Road) Bid Amount	\$1,249,992.48	\$1,108,519.50
Add Alt 2 (Meadow Pt, Yucatan Ct) Bid Amount	\$514,204.00	\$366,215.00
Add Alt 3 (UnawEEP) Bid Amount	\$454,891.27	\$398,194.25
Add Alt 4 (27 Rd-Orchard Mesa) Bid Amount	\$182,841.01	\$119,692.46
Total Bid Amount	\$4,984,392.73	\$3,861,512.01

The Oldcastle SW Group, Inc. dba United Companies base bid and adding alternative 4 is recommended for award for a total of \$1,988,583.26. This contract includes 23,783 square yards of asphalt milling, 7,800 tons of hot mix asphalt placement totaling approximately 7 lane miles or 71,000 square yards of road surface. This project is scheduled to begin in mid summer with an expected completion of late fall.

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funding for this project is in the 2022 Adopted Budget in the Sales Tax Capital Improvement Fund's \$4.3 million Contract Street Maintenance project. Also on this agenda for consideration is the procurement of chip seal road oil for \$693,645 which is also in the Contract Street Maintenance project budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract with Oldcastle SW Group, Inc. dba United Companies of Grand Junction, CO for the 2022 Contract Street Maintenance - Asphalt Overlays Project in the amount of \$1,988,583.26.

Attachments

1. Selected Working Areas

City of Grand Junction

Overlay Street List for 2022

By Eric Rink

5/25/2022

Street	From	To
21 1/2 Rd	Hwy 6 & 50	848 21 1/2 Rd
25 1/2 Rd	Independent Ave	Patterson Rd
27 Rd	B 3/4 Rd	Unawweep Ave
Redlands Pkwy	CO 340 Roundabout	CO River Bridge
Fernwood Ct	Piazza Way	Cul-de-sac



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: June 1, 2022

Presented By: Trenton Prall, Public Works Director, Jay Valentine, General Services Director

Department: Public Works - Streets

Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

Contract Approval for Chip Seal Road Oil - 2022

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a contract to purchase Chip Seal Road Oil from COBITCO Inc. for the unit per gallon price of \$3.93. The total aggregate spend of the contract is estimated at \$693,645.

EXECUTIVE SUMMARY:

This request is to authorize the City Purchasing Division to enter into a contract to purchase Chip Seal Road Oil from COBITCO Inc at a cost of \$3.93 per gallon. The purchase is 100% funded by the City Street Maintenance allocation within the 0.75% sales tax for capital improvements. The total aggregate spending of the contract is estimated at \$693,645.

BACKGROUND OR DETAILED INFORMATION:

The City's street infrastructure is the community's single largest asset with a value of over \$266 million. One of the key tasks that protects the asset is the City's annual chip seal program. Each year, approximately 800,000 square yards, or approximately 1/12th of the City's street network is chip sealed. This involves laying down a layer of oil followed by a layer of 3/8" rock or "chips". The last step involves placement of another layer of oil referred to as a fog seal.

The contract calls for CRS-2P Cationic Rapid Setting Emulsified Asphalt Polymer Modified road oil for the City's 2022 Chip Seal Program.

Historically, the selected supplier also provided trucking as well, but last year the low bid did not have the trucking capacity. This year is the same, with the low bid not having the trucking capacity to meet the anticipated 10,000-15,000 gallons per day, with peaks up to 20,000 gallons per day, required for the program. Therefore, the City is developing another contract with AmeriGas Propane dba Propane Transport Int. to deliver the product. An estimated 176,500 gallons are required for the 2022 program.

This request is to authorize the City Purchasing Division to purchase chip seal road oil from COBITCO Inc for the unit price per gallon of \$3.93. The purchase is 100% funded by the City Street Maintenance allocation within the 0.75% sales tax. The contract award would allow for up to 3 additional, 1 year renewal options. This contract is being established for the purchase of the road oil only. As previously mentioned, the trucking of the oil will be established in a separate contract.

A formal Invitation for bid was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Two companies submitted a formal bid, which was found to be responsive and responsible in the following amounts.

Firm	Location	Price per gallon	Estimated Aggregate Price
COBITCO Inc	Denver CO	\$3.93	\$693,645
Vance Brothers	Denver CO	\$4.05	\$714,825

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funding for this is in the 2022 Adopted Budget in the Sales Tax Capital Improvement Fund's \$4.3 million Contract Street Maintenance project. Also on this agenda for consideration is the Asphalt Overlays Project in the amount of \$1,988,583.26, which is also in the Contract Street Maintenance project budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract to purchase Chip Seal Road Oil from COBITCO Inc for the unit price of \$3.93 per gallon. The estimated annual aggregate spend is \$693,645.

Attachments

None



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: June 1, 2022
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

A Resolution Declaring Intent to Create Alley Improvement District No. ST-22 and Setting a Public Hearing for July 6, 2022

RECOMMENDATION:

Staff Recommends approval of the resolution and to set a public hearing for July 6, 2022.

EXECUTIVE SUMMARY:

A successful petition has been submitted requesting a Local Improvement District be created to reconstruct the following alley:

- North/South Alley from Fairview Ave to Hale Ave, between Rockaway Avenue and Crawford Avenue

The public hearing to form the district is scheduled for July 6th as City code requires 30 days from the date of notification to the public hearing.

BACKGROUND OR DETAILED INFORMATION:

Alley Improvement District Program

People's Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. Assessment rates for alleys are based on percentages of total assessable costs the City will contribute for three property uses: 85% per abutting foot for residential single-family uses, 75% per abutting foot for residential multi-family uses, and 50% per abutting foot for non-residential uses.

A summary of the process that follows submittal of the petition is provided below.

Date	Steps	Action
June 1, 2022	1.	City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
Proposed for July 6, 2022	2.	Council conducts a public hearing and passes a Resolution creating the Improvement District. The public hearing is for questions regarding validity of the submitted petitions.
Proposed for October, 2022	3.	Council awards the construction contract.
October - November, 2022	4.	Construction.
December 2022	5.	After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
January 2023	6.	Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
February 2023	7.	Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
March 2023	8.	The adopted Ordinance is published.
	9.	The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

Petition and Right-of-Way

The City has received petition signatures from a majority of owners in support of the alley (representing 56% of the owners, 53% of the frontages in favor), thus technically satisfying the requirements for the City to consider the formation of the district. This alley differs from most other alleys in the City because there is no right-of-way for the entirety of the alley and relies on prescriptive easements for public access, including access for City trash services. City Staff have requested that the necessary right-of-way be formally dedicated prior to the construction of public improvements in the alley. Right-of-way exists, or has been secured, for 19 of the 25 properties with 6 remaining properties that have or may claim to have ownership to the center of the alley.

However, such claim would be subject to the City's claim of a prescriptive easement..

The only comments the City has received from property owners opposed to the project are related to the cost of the improvements and claims of financial hardship that would make it difficult to afford the assessments. Options do exist within the improvement district program to pay for the necessary right-of-way acquisitions and incorporate them into the cost of the district, but it may cause concerns about equity between neighbors who have already dedicated their property and would further increase the assessment costs.

Options Available to Council

1. Adopt Resolution No. 38-22, a resolution declaring the intention of the City Council of the City of Grand Junction, Colorado, to create within said City Alley Improvement District No. ST- 22 and authorizing the City engineer to prepare details and specifications for the same and set a public hearing for July 6, 2022.

2. Deny Resolution No. 38-22 and do not schedule a public hearing for July 6, 2022 based on the finding that the petition is unsuccessful without resolution of right-of-way necessary for alley improvement district.

3. Due to the issues with right-of-way, potential issues with financial hardship of the property owners, and the fact that this particular district would only recover 18% from the property owners, one option would be for the City to consider paying for the entirety of the improvements if all right-of-way is dedicated. This option would eliminate the need to create an improvement district altogether and reduce the City's costs associated with collection of fees.

FISCAL IMPACT:

The project is currently budgeted within the City's 2022 Adopted Budget with offsetting revenues for property owner's share estimated to cover 12% of the total cost.

SUGGESTED MOTION:

I move to adopt Resolution No. 38-22, a resolution declaring the intention of the City Council of the City of Grand Junction, Colorado, to create within said City Alley Improvement District No. ST- 22 and authorizing the City engineer to prepare details and specifications for the same and set a public hearing for July 6, 2022.

Attachments

1. Intent to Create ST22 - Summary and Exhibit
2. Resolution and Notice

SUMMARY OF ESTIMATED COSTS

PROPOSED ALLEY IMPROVEMENT DISTRICT ROCKAWAY AVENUE TO CRAWFORD AVENUE HALE AVENUE TO FAIRVIEW AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
* Gene Levy	25	31.50	787.50
Kevin F. and Kathleen O. Birch	25	31.50	787.50
* Mean Kitty Investments, LLC	25	31.50	787.50
* Mean Kitty Investments, LLC	43.81	31.50	1,380.01
* Mean Kitty Investments, LLC	43.81	31.50	1,380.01
* McLaughlin Real Estate, LLC	37.5	31.50	1,181.25
* Walter C. Smith	110	105.00	11,550.00
* Walter C. Smith	25	31.50	787.50
* Peebles DeJarnatt Living Trust	50	31.50	1,575.00
Collin Douglas & Valencia Marissa Page	75	31.50	2,362.50
Charles A. & Joan Cordova	85	31.50	2,677.50
Larry J. Badini & George E. Wheeler	12.5	31.50	393.75
* 409 Crawford LLC	50	31.50	1,575.00
Justo & Manuela Reyes Leon	50	31.50	1,575.00
* Tracy M. DiGesualdo	43.81	31.50	1,380.01
* Tracy M. DiGesualdo	43.81	31.50	1,380.01
* Derek E. Williams	50.07	31.50	1,577.20
Adelmo Nestor Gallegos	37.5	31.50	1,074.00
Hilda M. & Eduardo Landeros	37.5	31.50	1,074.00
Garth E. & Carla A. Gardner	37.5	31.50	1,074.00
Marco Antonio Beltran	37.5	31.50	1,074.00
* Tevin Freitas	50	31.50	1,575.00
Alberto & Josefina Ibarra	100	31.50	3,150.00
* Derek E. Williams & Tracy M. DiGesualdo	50	31.50	1,575.00
Reona J. Beltran	75	31.50	<u>2,362.50</u>
ASSESSABLE FOOTAGE	TOTAL	1,220.31	46,095.74

Estimated Cost to Construct	\$ 256,200.00
Maximum Cost to Owners	<u>\$ 46,095.74</u>
Estimated Cost to City	\$ 210,104.26

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 6% per annum on the declining balance.

* Represent owners signing in favor of the improvements are 14/25 owners or 56% of the owners representing or 53% of the assessable footage.

RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE CITY ALLEY IMPROVEMENT DISTRICT NO. ST- 22 AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Municipal Code, as amended, and People's Ordinance No. 33, to create an Alley Improvement District for the construction of improvements as follows:

Location of Improvements:

- North/South Alley between Rockway Avenue and Crawford Avenue from Hale Avenue and Fairview Avenue

Type of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary steps and proceedings to and for the creation of a Local Improvement District ("District.")

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

1. That the District lands to be assessed are described as follows:

Lots 1 through 5, inclusive, Calle Olvidada Subdivision, City of Grand Junction,
AND ALSO;

Lots 1 through 5, inclusive, and Lots 15 through 48, inclusive, Block 2; Amended Plat Joseph A.K. Crawford and Thomas B. Crawford Subdivision;
All in the City of Grand Junction, and Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 1,110.31 feet and the total amount of assessable footage for properties receiving the non-residential rate is 110 feet.

3. That the assessments to be levied against the properties in the District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's office, which shall be added to the principal payable in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 6 percent per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-22, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "NOTICE".

NOTICE

OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-22, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-22, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

Lots 1 through 5, inclusive, Calle Olvidada Subdivision, City of Grand Junction,
AND ALSO;

Lots 1 through 5, inclusive, and Lots 15 through 48, inclusive, Block 2; Amended Plat Joseph A.K. Crawford and Thomas B. Crawford Subdivision;

All in the City of Grand Junction, and Mesa County, Colorado.

Location of Improvements:

- North/South Alley between Rockway Avenue and Crawford Avenue from Hale Avenue and Fairview Avenue

Type of Improvements: To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

The assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed 50 percent of the assessable cost per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of 25 percent of the assessable cost per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of 25 percent of the assessable cost per abutting foot.

Properties located in a single-family residential zone shall be assessed at 15 percent of the assessable cost per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 1,110.31 feet and the total amount of assessable footage for properties receiving the non-residential rate is 110 feet.

To the total assessable cost of \$46,095.74 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's Office, which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of six (6) percent per annum shall be charged on unpaid installments.

On July 6th, 2022, at the hour of 5:30 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this _____ day of _____, 2022.

**BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO**

By: _____
City Clerk

PASSED and ADOPTED this ____ day of _____, 2022.

President of the City Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #5.b.

Meeting Date: June 1, 2022
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

A Resolution Accepting the Dedication by Quit Claim Deed of Four County Tax Lien Properties from Mesa County Consisting of 4.06-Acres Available for City Ownership

RECOMMENDATION:

Staff recommends acceptance of these properties.

EXECUTIVE SUMMARY:

Mesa County Board of County Commissioners have approved a resolution which allows for the City to accept the tax deeds obtained and issued by Mesa County Treasurer for four properties including properties with property tax identification numbers 2945-233-00-024; 2945-094-00-142; 2945-081-00-122; and 2945-244-00-242. The total land area of the four properties is 4.06-acres. The four properties were not acquired through a tax lien sale by the general public and therefore are available for ownership to the City of Grand Junction by tax deed from Mesa County.

BACKGROUND OR DETAILED INFORMATION:

Mesa County has corresponded with City staff about the City accepting certain properties that the County is taking ownership of due to outstanding tax liens. City staff reviewed four properties with the City Council Property Subcommittee and found them all to be of interest to the City. The four properties were not acquired at the previous tax lien sales and are available for ownership to the City of Grand Junction by tax deed from Mesa County.

The Mesa County Board of County Commissioners passed Resolution No. 2022-20, an authorization for the County to obtain tax deeds issued by the Treasurer for parcels of land held with certificates of purchase for tax liens held for three years or more and

transfer ownership of these four properties to a third party, the City of Grand Junction. The County will transfer ownership of the properties to the City by Quit Claim deeds.

General Descriptions of Properties

Area 1 - Tax Parcel 2945-081-00-122:

This 0.35 acre property is located in the river channel of the Colorado River. The City owns the parcel adjacent to the east as part of the Colorado Riverfront trail and open space system.

Area 2 - Tax Parcel 2945-094-00-142:

This 2.4 acre property is located within the Colorado River floodway and is surrounded by other City and Mesa County owned parcels within this area of the river. A small channel of the river runs through it, but most of the area is a portion of a river island.

Area 3 - Tax Parcel 2945-233-00-024:

This 0.49 acre property is triangular and located at the confluence of the Colorado and Gunnison Rivers. It slopes to the river from east to west and lies west of the railroad tracks with the Gunnison River along its west bank and the Colorado River along its north bank. The City owns the land north of this site across the Colorado River, in the area known as Dos Rios. The Bureau of Reclamation owns the land across the Gunnison River to the west and land on the bluff east of the railroad tracks is privately owned.

Area 4 - Tax Parcel 2945-244-00-242:

This 0.82 acre property is adjacent to the City-owned Eagle Rim Park property located to the west. The property includes mostly the bluff line and drops off toward the Colorado River. The terrain is steep as the elevation of the property drops approximately forty-four feet.

Additional information on these four properties, including photos of the sites, is attached to this staff report.

FISCAL IMPACT:

If accepted by the City, future maintenance responsibilities of the properties would fall upon the City which would be planned for and budgeted annually.

SUGGESTED MOTION:

I move to adopt Resolution No. 45-22, a resolution to accept Quit Claim deeds for four County Tax Lien properties consisting of a total of 4.06-Acres for City ownership.

Attachments

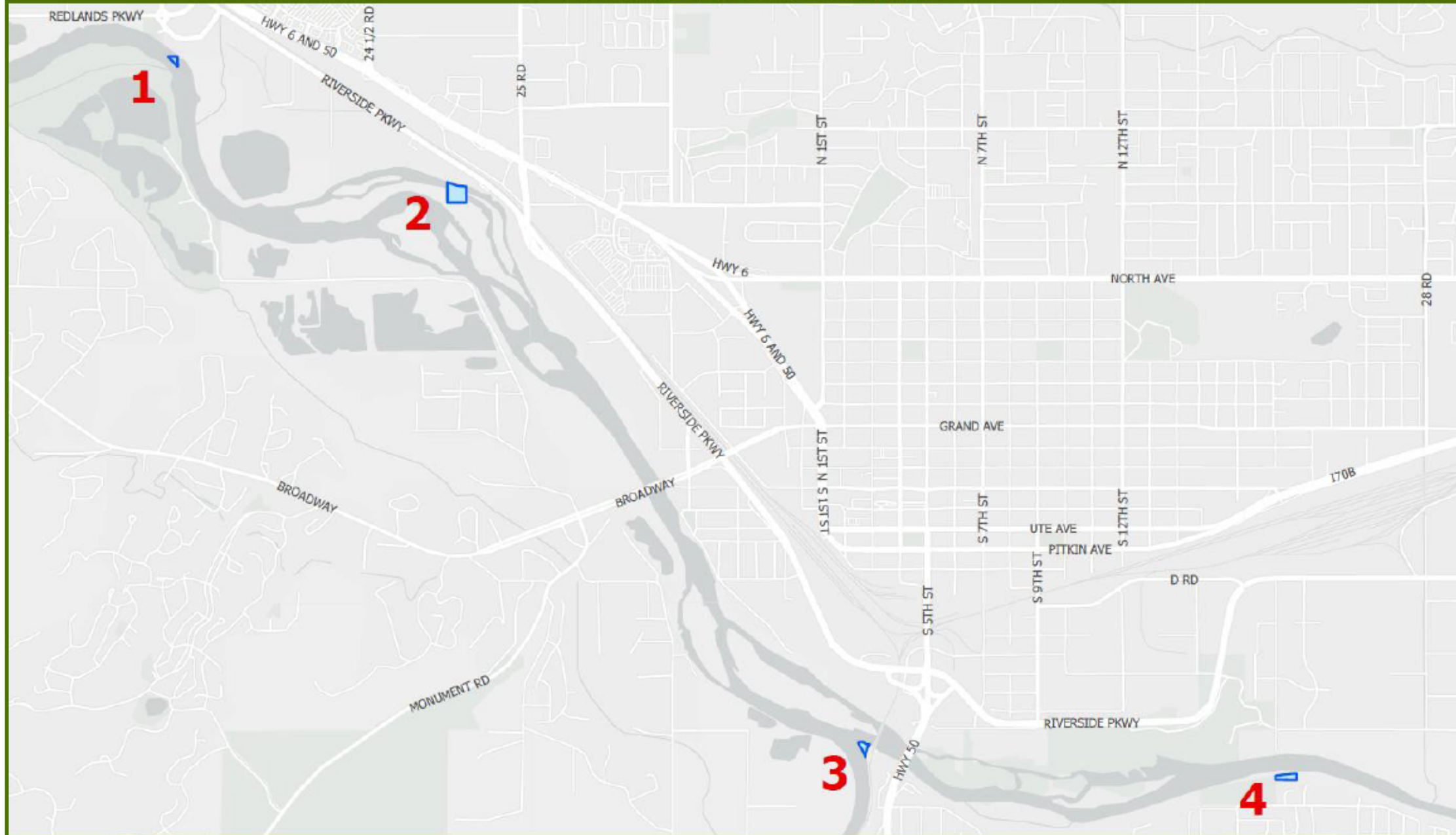
1. Information on Tax Lien Properties

2. County Resolution No 2022-20
3. RES-Tax Strikeoffs 2022 052422

Mesa County Tax Lien Properties

Mesa County Tax Lien Properties

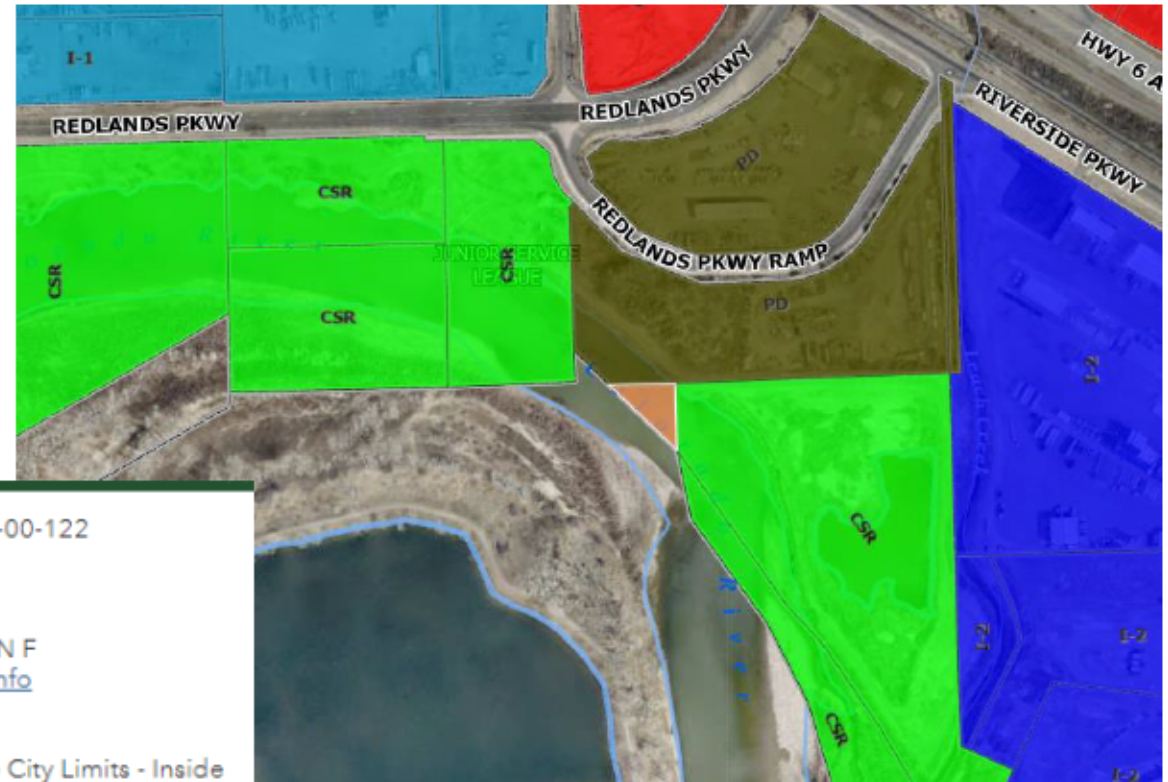
Vicinity
Map



0 0.25 0.5 1 Miles

Property 1

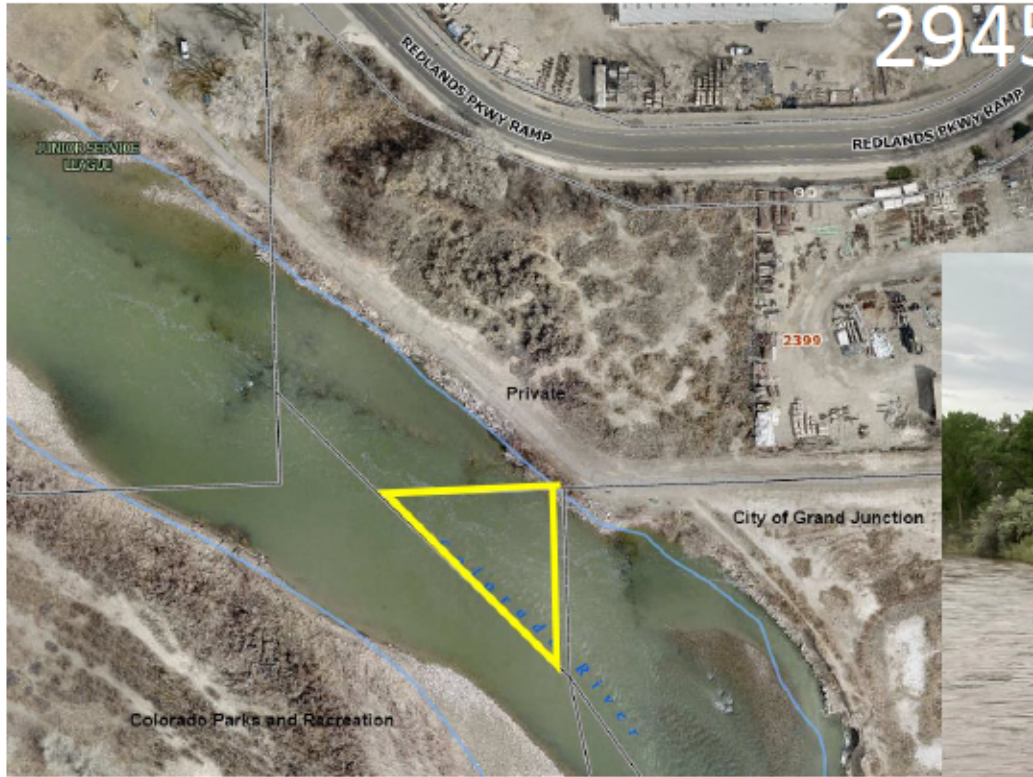
2945-081-00-122



Parcel Number: 2945-081-00-122
Mailing Zip: 81501
Location Zip: 81505
Owner: FOUST LILLY L
Joint Owner: FOUST JOHN F
URL: [Click here for more info](#)
Zoning: RSF-R
Acres: 0.352463
City Limits Status: Outside City Limits - Inside Mesa County

[Zoom to](#)

Site Map - Showing Surrounding Ownership

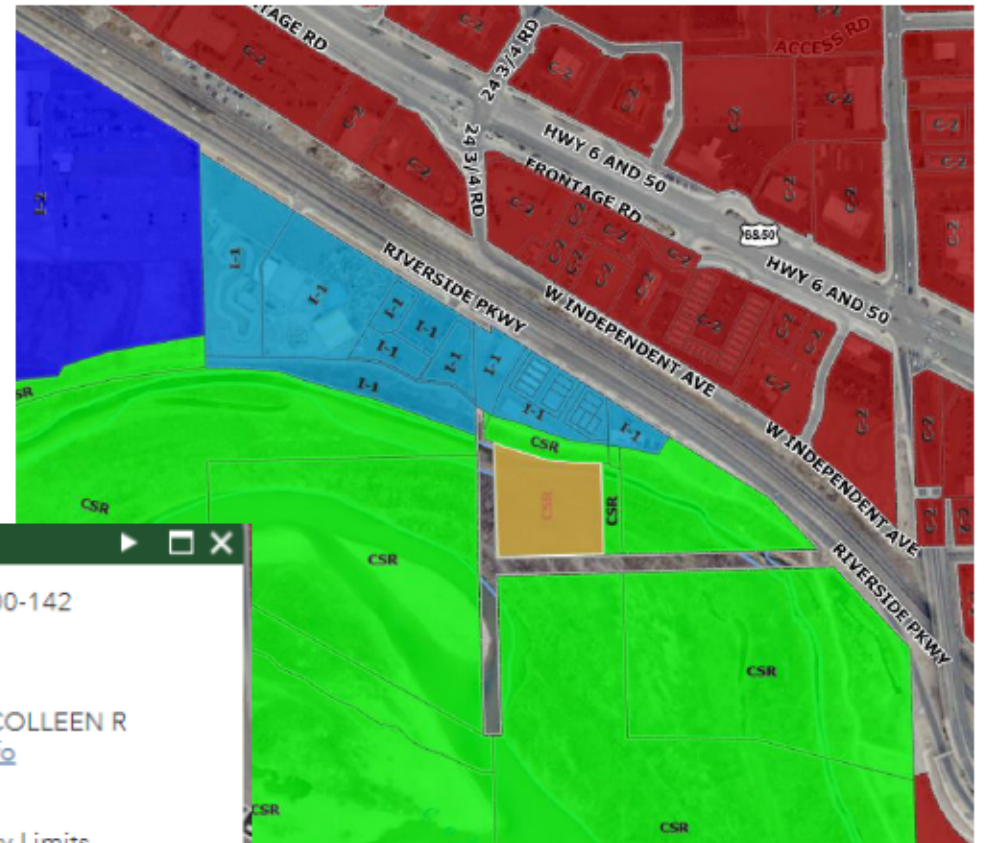


And Photo of Area....



Property 2

2945-094-00-142



Parcels (1 of 2)

Parcel Number: 2945-094-00-142
Mailing Zip: 81507-9757
Location Zip: 81507
Owner: MATTHEWS K C
Joint Owner: MATTHEWS COLLEEN R
URL: [Click here for more info](#)
Zoning: CSR
Acres: 2.405705
City Limits Status: Inside City Limits

[Zoom to](#) Packet Page 83

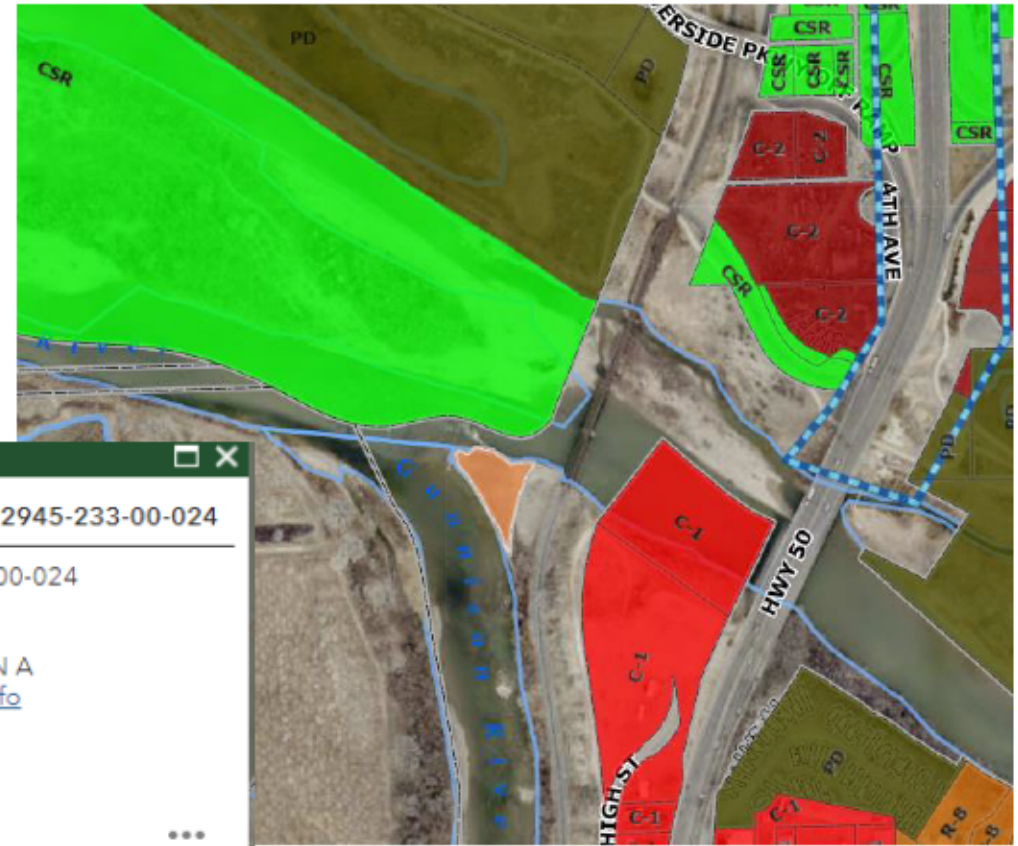
Site Map – Showing Surrounding Ownership



And Photos....

Property 3

2945-233-00-024

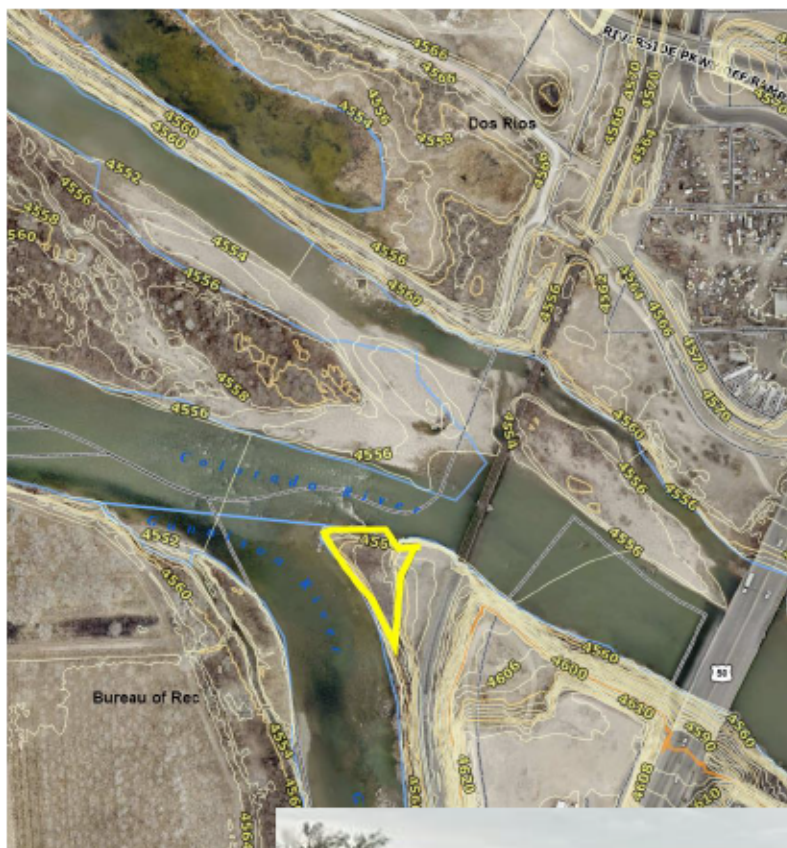


Parcels by Parcel Number: 2945-233-00-024

Parcel Number: 2945-233-00-024
Location Zip: 81503
Owner: DAY HUNLEY S
Joint Owner: MOON IRWIN A
URL: [Click here for more info](#)
Zoning: I-2
Acres: 0.48534963

[Zoom to](#)

Site Map - Showing Ownership and Elevations



And Photos....

Property 4

2945-244-00-242



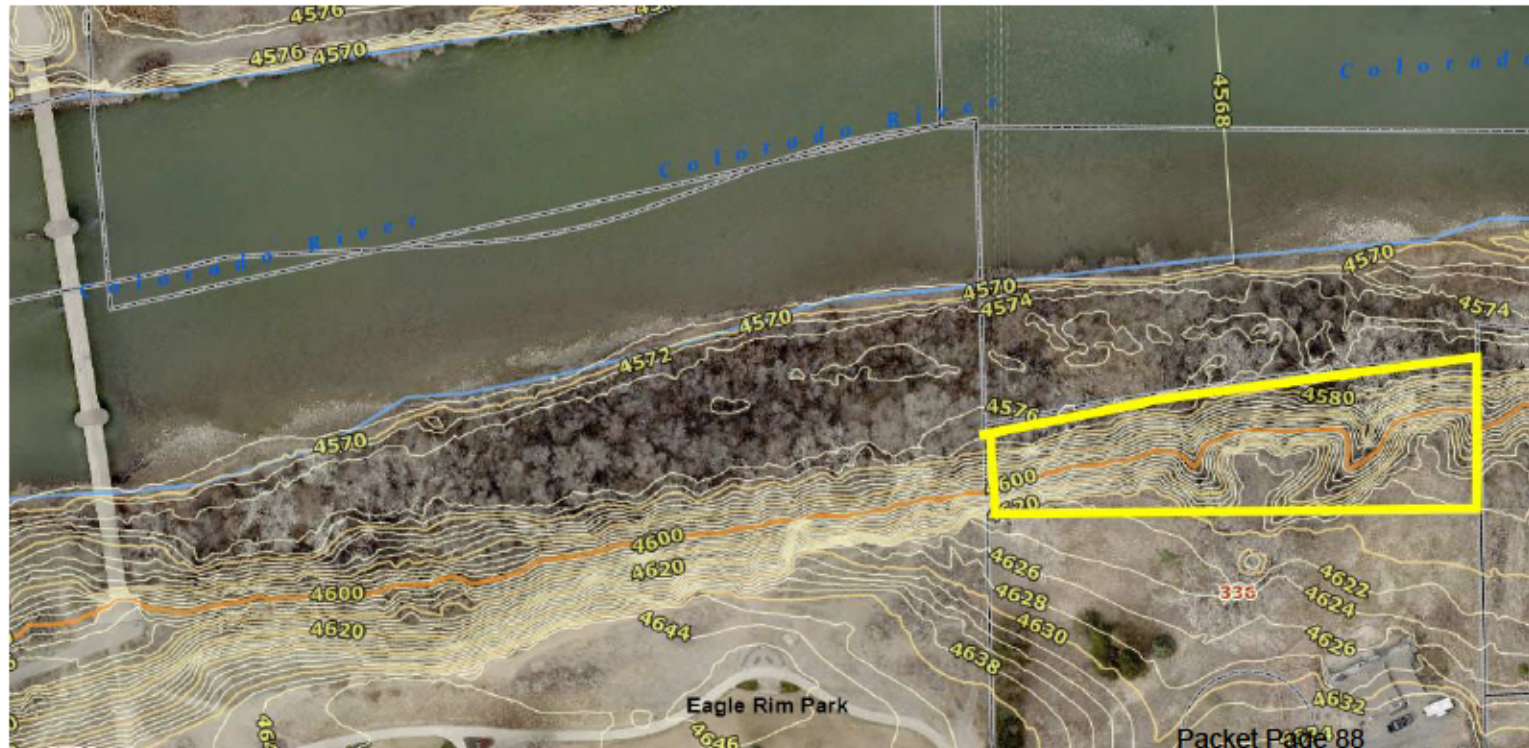
Parcel Number: 2945-244-00-242
Mailing Zip: 80132
Location Zip: 81503
Owner: BRINKLEY JOHN JR
Joint Owner: BRINKLEY ALLENE M
URL: [Click here for more info](#)
Zoning: R-5
Acres: 0.81514
City Limits Status: Inside City Limits

[Zoom to](#)

Site Map - Showing Elevations



And Photos....



RESOLUTION No 2022-20

RESOLUTION AUTHORIZING THE MESA COUNTY TREASURER TO ISSUE A TAX DEED AND CONVEY REAL ESTATE TO CURE UNWANTED COUNTY HELD TAX LIENS

WHEREAS, C.R.S. 39-11-142 authorizes the County to obtain tax deeds issued by the Treasurer for parcels of land with county held certificates of purchase for tax liens held for three years or more; and

WHEREAS, the Board, acting on behalf of Mesa County, Colorado, is authorized to hold and sell real property as provided in C.R.S. 30-11-101; and

WHEREAS, certain parcels of land with County held certificates of purchase have been identified by the Treasurer as either being created in error or as erroneously not being transferred to a particular third party. The Treasurer has determined that due to the parcels' size, shape, location, and/or other characteristics, the parcels generally have no value or public purpose other than to be joined with adjacent parcels of land or to be transferred to the identified third parties; and

WHEREAS, it is in the County's and the public's interest to correct these apparent errors and facilitate the transfer of these parcels to the identified third party.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA:

1. The below identified parcels have certificates of purchase held by the County for tax liens for longer than three years.
2. The Mesa County Treasurer has found sufficient evidence to establish that the parcels had been created or otherwise had failed to be transferred to the named individual by apparent mistake. The Treasurer's position is supported by the size, shape, location, and/or other characteristics of the parcels. The identified parcels are found to have no value or serve any public purpose except to be transferred to the named recipient.
3. The Mesa County Treasurer is authorized to follow the requirements set forth in Colo. Rev. Stat. §39-11-142(1)-(4) to issue a tax deed to Mesa County.
4. Upon issuance of the tax deed, the Treasurer is authorized to correct the original error that led to the County-held certificates of purchase by conducting a sale pursuant to Colo. Rev. Stat. §39-11-142(5) and §39-11-143(4). Should no person purchase the parcel, or should no potential buyer offer a value of at least the appraised value and the bid is rejected by the Treasurer, the Treasurer shall transfer the parcel to the named recipient by way of a quitclaim deed.
5. The identified parcels of land subject to this resolution are:

Parcel	Quit Claim Deed to:
2945-233-00-024	City of Grand Junction
2945-094-00-142	City of Grand Junction
2945-081-00-122	City of Grand Junction
2945-244-00-242	City of Grand Junction

DULY MOVED, SECONDED, and PASSED this 10 day of May, 2022.




Cody Davis, Chair
Board of Mesa County Commissioners

ATTEST:


Tina Peters
Mesa County Clerk & Recorder

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY OF GRAND JUNCTION TO ACCEPT QUIT CLAIM DEEDS FOR FOUR MESA COUNTY TAX LIEN PROPERTIES OF APPROXIMATELY 4.06 ACRES WITH CURRENT TAX PARCEL NUMBERS 2945-081-00-122, 2945-094-00-142, 2945-233-00-024 AND 2945-244-00-242

WHEREAS, the Mesa County Board of Commissioners has authorized by Resolution 2022-20 the County to transfer by Quit Claim Deed to the City of Grand Junction certain properties identified by Mesa County as parcels of land with County held certificates of purchase for tax liens held for three years or more (Properties); and,

WHEREAS, Mesa County has corresponded with City staff about the City accepting the Properties; and,

WHEREAS, the City Council Property Committee has duly considered accepting the Properties, and the Property Committee recommends that the City accept the Properties totaling approximately 4.06 acres with current Mesa County tax parcel numbers 2945-081-00-122, 2945-094-00-142, 2945-233-00-024 and 2945-244-00-242 and generally described by Mesa County as follows:

2945-081-00-122 - SE4NE4 SEC 8 1S 1W N OF RIVER EXC E 725FT THEREOF - 0.37AC

2945-094-00-142 - LOT 9 RIVERSIDE SUB SEC 9 1S 1W EXC THAT PT TAKEN BY MATTHEWS SUB-A REPLAT OF PT OF LOT 9 & 10 RIVERSIDE SUB & EXC BEG NW COR SD LOT 9 S 56DEG30'02SEC E 165.63 FT S 33DEG29'58SEC W 130FT S 24DEG11'59SEC W 161.75FT N 0DEG0'39SEC E 347.3FT TO BEG

2945-233-00-024 - GOV LOT 7 SEC 23 1S 1W EXC A TRACT DESC AS COMM AT A PT IN THE CTR OF THE D & RG RR CO'S 3RD DIV MAIN TRACK KNOWN AS STATION 89+87.3 MILE POST 423+2321.4 OF RR CO'S MILEAGE SD PT BEING 421FT MEASURED SLY ALG CTR OF TRACK FROM S END OF RR CO'S GRAND RIVER BRIDGE #423-A N 83DEG13' AT RT ANGLES TO TRACK 100FT TO COR #1 ON ELY ROW LI OF RR CO NELY ALG SD ROW LI ON A CRV TO RT RAD 616.8FT 92.8FT TO COR #2 N 82DEG8' E 109.8FT TO COR #3 S 56DEG32' E 117FT TO COR #4 S 06DEG47' E PARA WITH TRACK 271FT TO COR #5 SLY PARA WITH TRACK ON CRV TO RT RAD 1738.7FT 114.5FT TO A PT S 17DEG41' W 55.8FT TO A PT S 88DEG44' W AT RT ANGLES TO TRACK 184FT TO COR #7 ON SD ELY ROW LI NELY ALG SD ROW LI CRV TO LT RAD 1532.7FT DIST OF 147.5FT TO COR #8 N 06DEG47' W ALG SD ROW LI 252.3FT TO COR #1 POB & EXC MOON AND DAY'S ADDITION TO ORCHARD MESA HEIGHTS AS DESC IN B-3 P-11 RECP NO 78188 & ALSO EXC RR ROW PER STATUTE DATED 3/3/1875 CHAP 152 SEC

1 18 STAT 482 THIS SECTION BEING 100FT ON EACH SIDE OF CTR LINE - 0.48+/-

2945-244-00-242 - WASTE LAND LYG S OF COLO RIVER TO N LI OF TRACT B DESC FOLL BEG 30FT N OF SW COR GLO LOT 7 SEC 24 1S 1W E 192FT N 203FT S 88DEG04' E 67.6FT S 36DEG16' E 73.4FT E 65FT TO NW COR LOT 8 MOORE SUB N 276.75FT TO NW COR SD MOORE SUB N 89DEG05' W 368.05FT TO W LI SD GLO LOT 7 S 424.14FT TO POB

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

That the City accepts the conveyance by Quit Claim Deed from Mesa County, Colorado to the City of Grand Junction, Colorado of the Properties generally described above and more particularly described in the deeds thereto.

ADOPTED the 1st day of June 2022.

Anna M. Stout
President of the Council

Attest:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #5.c.

Meeting Date: June 1, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

Resolution to Appoint a Cannabis Authority Hearing Officer and Rescind Resolution No. 40-22

RECOMMENDATION:

Staff recommends approval of the resolution.

EXECUTIVE SUMMARY:

With adoption of this Resolution, the City Council will appoint a Hearing Officer for the Cannabis Licensing Authority and rescind the appointment made by Resolution No. 40-22.

BACKGROUND OR DETAILED INFORMATION:

On April 8, 2022, City Council adopted Ordinance No. 5064 establishing a local Cannabis Licensing Authority (Authority) for the licensing of cannabis stores and enforcement of cannabis regulations within the City. In accordance with the Ordinance, City Council shall appoint a Hearing Officer for the Authority.

The Hearing Officer shall be a resident of the City and have an active Colorado law license. The Hearing Officer shall conduct all hearings required by the City's Code, rules and regulations, and codes construing and implementing the same. Hearings shall include matters about initial licenses, renewals of licenses, proposed change of ownership of licenses and changes in corporate structure of a license, proposed changes of location of licensed premises or modification of premises, and alleged violations of the codes or regulations. The Hearing Officer may promulgate rules and regulations concerning the procedures of hearings for the Authority.

The City Attorney recommends that City Council appoint Stephanie Rubinstein as Hearing Officer for the Authority. Ms. Rubinstein is a resident of the City and is licensed to practice law in Colorado. Ms. Rubinstein is employed in private practice; however, she has extensive experience as a State Court Magistrate.

With the approval of this Resolution, the City Council will be rescinding Resolution No. 40-22. Recission of Resolution No. 40-22 is proper in light of a question of satisfaction of the residency requirement of the Ordinance with respect to the appointment of Barbara Butler made with Resolution No. 40-22. The City extends its appreciation to Ms. Butler for her interest in serving.

FISCAL IMPACT:

There is no direct fiscal impact from approval of the Resolution. The expense for the Hearing Officer will be budgeted in the Cannabis Tax Fund.

SUGGESTED MOTION:

I move to adopt Resolution No. 46-22, a resolution appointing Stephanie Rubinstein as Cannabis Hearing Officer for the Grand Junction Cannabis Licensing Authority.

Attachments

1. RES-Cannabis Hearing Officer - 060122

RESOLUTION NO. ____-22

A RESOLUTION TO APPOINT A HEARING OFFICER IN AND FOR THE CITY OF GRAND JUNCTION, COLORADO CANNABIS LICENSING AUTHORITY AND RESCINDING RESOLUTION NO. 40-22

Recitals.

Ordinance No. 5064 provides for and establishes a local Cannabis Licensing Authority for hearing and deciding certain matters related to cannabis licensing and enforcement in the City. The Ordinance, which is in accordance with the Colorado Constitution and Colorado law creates and vests the Hearing Officer with certain authority. The vesting of that authority follows from and with the City Council appointment of the Cannabis Licensing Authority.

By and with this Resolution the City Council being duly advised does appoint Stephanie Rubinstein as the Hearing Officer for the Grand Junction Cannabis Licensing Authority.

Ms. Rubinstein is a private attorney in the City and has many years of judicial experience as a State Court magistrate; she has no actual or apparent conflicts of interest and is ready, willing, and capable of serving to administer the law relative to cannabis business licensing and operations.

With this Resolution the City Council rescinds Resolution No. 40-22.

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

Stephanie Rubinstein is hereby appointed as Hearing Officer for the Cannabis Licensing Authority in and for the City of Grand Junction, in accordance with Title 5 Chapter 13 of the Grand Junction Municipal Code, the Colorado Constitution, Colorado Revised Statutes and the regulations promulgated thereunder, and Resolution No. 40-22 is rescinded.

PASSED AND ADOPTED this 1st day of June 2022.

ATTEST:

Anna M. Stout
President of City Council

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Workshop Session

Item #6.a.i.

Meeting Date: June 1, 2022
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

Public Hearing for Two Ordinances to Amend the Grand Junction Municipal Code to establish a) Truck Routes and b) Regulate Compression Brakes

EXECUTIVE SUMMARY:

The City has currently identified recommended truck routes with a map designating primary and secondary routes being available to the public in print and online. The proposed ordinance would allow for the designation and enforcement of truck routes. Law enforcement could cite a driver for driving a truck in a non-designated area without proper reasoning and/or documentation. Local deliveries would be exempt. The other proposed ordinance, if adopted, will prohibit compression (aka Jake) brakes. Both ordinances will amend the Grand Junction Municipal Code (GJMC).

BACKGROUND OR DETAILED INFORMATION:

The Grand Junction area is the regional economic center for much of western Colorado and eastern Utah. Trucks are the primary delivery system for the majority of consumer goods brought into the community. Locally, trucks provide additional services such as trash pick-up, construction of roads, schools, businesses and homes. Trucks share the roads with personal automobiles; however, the size and weight of trucks are a cause for concern for motorists, bicyclists, and pedestrians.

Truck Routes – To address these concerns, a plan was developed in the mid-1990s to identify a network of truck routes that support safe and efficient truck operations while satisfying the public need for adequate protection and separation. The City of Grand Junction has currently identified recommended truck routes throughout the city. A map designating primary and secondary routes is available to the public in print and online. The primary routes are recommended for use by trucks that have no origin or destination within the city, while secondary routes are designated as requested routes

for trucks until the closest point to their destination.

The primary objective of these truck routes is to provide for the safe, effective, and efficient movement of goods and services within and through the urban area. They are intended to direct truck movement to the major arterial system and minimize the intrusion of large trucks into residential areas. The routes are located on roads that are structurally able to withstand the heavier loads.

With the current growth of the city, the delineation between commercial, industrial, and residential areas has become closer and more blurred. This also increases the potential for conflict between trucks and regular vehicles, pedestrians, bicycles, and other micromobility-types of transportation. With global positioning systems recommending routes in real time prioritizing reducing travel times, there are occasions when trucks have utilized streets not intended for regular truck traffic. As these routes are only recommendations, a truck driver could not be ticketed or otherwise reprimanded for deviating from these routes.

Complaints and Truck Route Enforcement – Complaints about truck traffic are common. Many complaints are received regarding the United States Postal Service (USPS) contracted trucks that use G Road and 25 ½ Road to access the USPS facility on 25 ½ & Patterson at all hours for operations. Staff outreach to the USPS has been unproductive, yielding no solutions to the issue. In a 2018 letter addressing one of the complainants, USPS Colorado/Wyoming District Consumer Affairs Office wrote, “given the fact that there are no road or route restrictions, current access to the plant is legal and permissible.”

Several cities and municipalities throughout Colorado and elsewhere have adopted ordinances to enable law enforcement staff to enforce truck routes within their jurisdictions. More specifically, other home-rule municipalities within Colorado have adopted enforceable truck route ordinances including Rifle, Colorado Springs, Fruita, Loveland (Larimer County), Fort Collins (Larimer County), and Longmont.

Staff proposes adopting an ordinance that would allow for the enforcement of truck routes. Law enforcement could cite a driver for driving a truck in a non-designated area without proper reasoning and/or documentation. Local deliveries would be exempt.

Based on review and research of several existing truck route ordinances within the state, the following considerations should be taken when drafting a potential truck route ordinance for the City of Grand Junction:

- The definition of “Truck” should be carefully considered, specifying the class (length and weight) of vehicle.
- The specific streets (and extents) designated as truck routes should be explicitly defined within the ordinance language.
- Designated truck routes should be posted appropriately.

- Trucks should be permitted to use streets not designated as truck routes for local delivery, service, and access, provided they utilize the shortest possible route.
- Further restricted roadways beyond the aforementioned conditions should be posted appropriately.
- Truck drivers should be required to have in their possession evidence (logbook, manifest, delivery slip, etc.) to justify their vehicle's presence on a restricted or prohibited route.

For outreach to industry, staff met with the Colorado Motor Carriers Association on February 24. Comments were positive and requested clear definitions of a truck as well as exemption of local deliveries to subdivisions under construction. Specific outreach to the United States Postal Service was held on April 26, 2022.

Compression (Jake) Brakes

Jake Brakes got their name from Jacobs Vehicle System inc., the company that created them. This type of brake is technically called a compression release engine brake, but it has many different names, including Jacobs Brake, Jake Brake, Jake, and engine brake.

The use of engine compression brakes may cause a vehicle to make a loud "growling", "machine gun" or "jackhammer" like exhaust noise, especially vehicles having no mufflers, which has led many communities in the United States and Canada to prohibit compression braking within municipal limits. Drivers are notified by roadside signs with legends such as "Brake Retarders Prohibited," "No Engine Brake," "No Jake Brakes," "Compression Braking Prohibited," or "Unmuffled Engine Braking Prohibited," and enforcement is typically through traffic fines. Such prohibitions have led to the development of new types of mufflers and turbochargers to better silence braking noise.

Based again on citizen concerns, City staff is proposing a strengthening of the City's noise ordinance to specifically prohibit compression brakes.

Pending council authorization, staff suggests the following schedule:

May 20 - 1st Reading of Proposed Ordinance(s)

June 1 - 2nd Reading, Public Hearing and consideration of proposed ordinance(s)

July 1 - Ordinance(s) takes effect

FISCAL IMPACT:

Fiscal impact is minimal with law enforcement working through a complaint-based program. Warnings would be utilized for first time offenders, fines would be levied against recalcitrant offenders. Revenue generated would be contingent upon the number of tickets issued and the severity of fines. Assuming \$250/ticket x 20 tickets annually, revenue for the year would be \$5,000.

SUGGESTED ACTION:

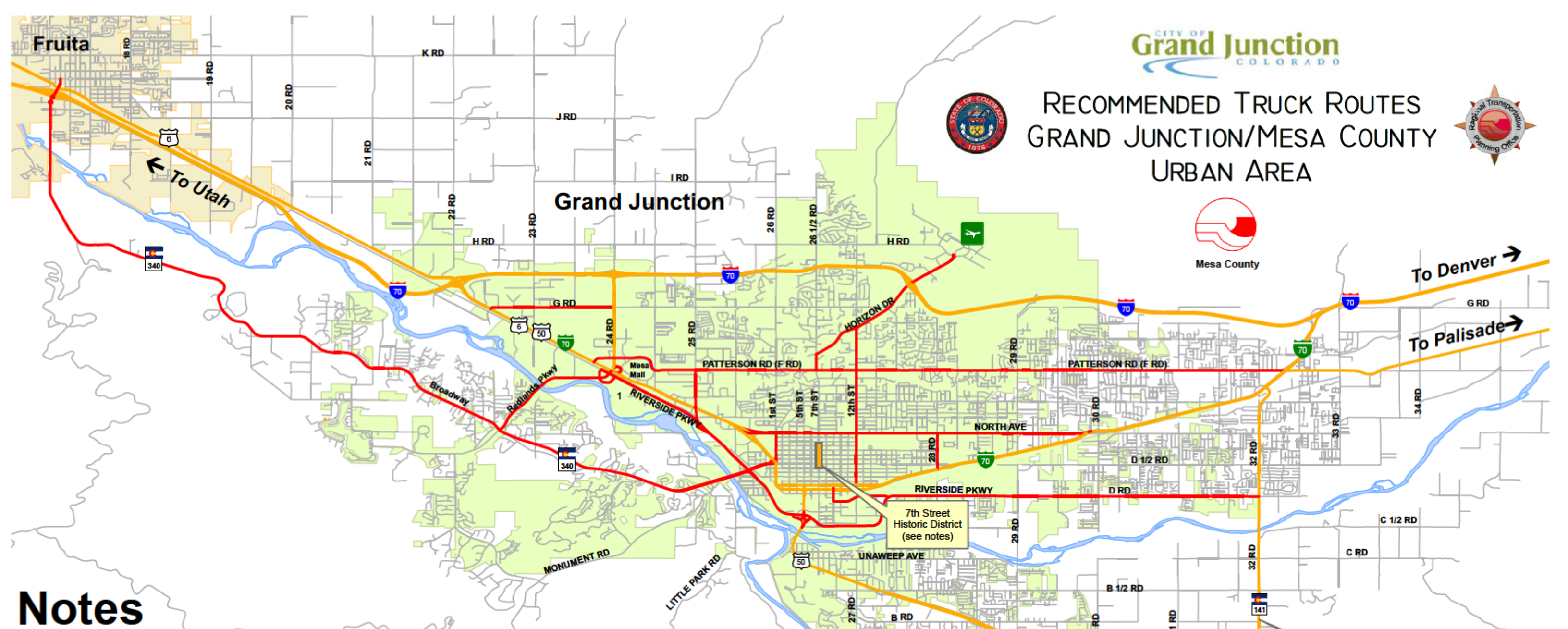
I move (adopt/deny) Ordinance No. 5074, an ordinance to amend the GJMC to establish truck routes on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No. 5075, an ordinance to amend the GJMC to regulate compression brakes on final passage and order final publication in pamphlet form.

Attachments

1. Current Recommended Truck Route Map
2. ORD-Truck Route 042122
3. ORD-Compression Brake 042222

RECOMMENDED TRUCK ROUTES GRAND JUNCTION/MESA COUNTY URBAN AREA



Notes

<p>Truck Route Definitions</p> <p>Primary Truck Routes These routes are to be used by trucks that have no origin or destination within the Grand Junction/Mesa County urban area.</p> <p>Secondary Truck Routes These routes are to be used by trucks that have an origin or destination within the Grand Junction/Mesa County urban area. Trucks with an origin or destination within the urban area are requested to remain on these routes until reaching a point closest to their destination.</p> <p>Historic District Truckers - Please Note The 7th Street Historic District is located on 7th Street between Teller Avenue and White Avenue, and is of great value to the community. Please refrain from using this section of 7th Street except for pick-ups and deliveries in the area.</p>	<p>Hazardous Materials Routes</p> <p>The Colorado State Patrol has designated the following State Highways as Hazardous Material Routes</p> <ol style="list-style-type: none"> 1. Interstate 70 2. I-70 Business Loop from Highway 141 to I-70 Business Loop 3. Highway 141 from Highway 50 north to I-70 Business Loop 4. Highway 50 south of the north junction of Highway 141 <p>No other streets, roads or highway within the Grand Junction/Mesa County urban area are designated as Hazardous Material Routes.</p> <p>For additional information and maps contact the Colorado State Patrol Hazardous Materials Unit at (303) 273-1900 or visit the CSP Hazardous Materials website at www.csp.state.co.us/hazmat.html</p> <p>Information</p> <p>You can get permits, weather information, road conditions and much more information on the CDOT website at www.dot.state.co.us. For information by telephone regarding road & weather conditions on Colorado's highways, call 511 or (303) 639-1111 from within Denver or from out-of-state. For inquiries from within Colorado but outside the Denver area, call toll free 1-877-315-7623 or 511.</p> <p>For information on Colorado trucking rules and regulation, contact the Colorado Motor Carriers Association at (303) 433-3375 or visit their website at www.cmca.com</p> <p>For information on this map or other traffic related issues, contact the City of Grand Junction, Division of Transportation Engineering at (970) 256-4110 or visit our website at www.gjcity.org.</p>
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Truck Routes Legend

- Secondary Truck Route
- Primary Truck Route
- Streets
- Fruita City Limits
- Grand Junction City Limits

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING CHAPTER 10.06 OF THE GRAND JUNCTION
MUNICIPAL CODE REGARDING TRUCK ROUTES**

RECITALS:

The City of Grand Junction ("City") is charged with protecting the health, welfare, and safety of its citizens. Due to the City's size and expectation for growth, City Council finds it is necessary to regulate the orderly operation of trucks on the streets of the City.

Trucks are the primary delivery system for most consumer goods brought into the community. Trucks share the roads with automobiles, bicyclists, and pedestrians and due to the size and number of trucks on City roads, the City, with this ordinance seeks to facilitate the continued orderly transfer of goods and services by trucks and to preserve and protect the quality of life for other users of the streets. Considerations that favor the adoption of truck routes include: enhancing the safety of the streets; avoidance of unreasonable and/or unnecessary disturbance or reduction of property values due to truck noise, protection against the deterioration of streets not designated for truck traffic; minimizing pavement damage and the consequent maintenance and reconstruction costs in conjunction with truck traffic; and truck drivers/truck services knowing that the City recognizes the importance of and has due regard for efficient operations.

Colorado law (C.R.S. 42-4-111(g)) recognizes that local authorities may exercise reasonable police powers within their jurisdictions on streets and highways by designating truck routes and restricting the use of highways.

For the foregoing reasons, the City Council finds and determines that this ordinance, which establishes truck routes in the City, and which follows the guidance contained in the City's 2020 Comprehensive Plan and is supported by the foregoing Recitals, does designate suitable routes for through trucks and reasonable access for trucks to access in-City destinations.

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

Chapter 10.06 of the Grand Junction Municipal Code, which shall be in accordance with the *Recitals* hereof, is hereby established as follows:

Chapter 10.06 TRUCK ROUTES

10.06.010. Definitions.

The following definitions apply to this chapter.

Local delivery truck. Any truck defined herein having its origin and destination for pickup and/or delivery point(s) within the City.

Most direct route. The path or route from the point on the nearest Truck Route which is closest to the delivery or pickup location which is safe and suitable for use by the truck making the pickup and/or delivery.

Primary truck route. The route to be used by trucks defined herein that have no origin or destination within the City.

Secondary truck route. The route to be used by a truck defined herein that has an origin and/or destination in the City.

Through truck. Any truck, as defined herein, not having its origin, destination, pick up, or delivery point within the City.

Truck. Any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical and/or electric power and used upon the highways or streets in the transportation of property as defined by the Federal Highway Administration ("FHWA") as set forth in the FHWA 13-Category Rule Set that is of the Class Group 8 or higher. See Figure 1 FHWA 13 Vehicle Category Classification ("Truck.").

A type(s) of Truck(s) is(are) determined by vehicle characteristics that can be easily identified visually and are further described as follows:

Truck tractor units traveling without a trailer are considered single-unit trucks. Single unit trucks and single frame vehicles are not included within the definition of Truck for this chapter;

Truck tractor units consisting of two or more units one of which is a tractor or straight truck power unit are included within the definition of Truck for this chapter;

A truck tractor unit pulling other such units in a saddle mount configuration will be considered one single-unit and will be defined only by the axles on the pulling unit;

A Truck is further defined by the number of axles in contact with the road. Therefore, floating axles are counted only when in the down position; and

The term "trailer" includes both semi- and full trailers.

Trucks included in the Class Group 8 or higher are as follows:

Four or Fewer Axle Single-Trailer Trucks – All vehicles with four or fewer axles consisting of two units, one of which is a tractor or straight truck power unit.

Five-Axle Single-Trailer Trucks – All five-axle vehicles consisting of two units, one of which is a tractor or straight truck power unit.



































Six or More Axle Single-Trailer Trucks – All vehicles with six or more axles consisting of two units, one of which is a tractor or straight truck power unit.

Five or Fewer Axle Multi-Trailer Trucks – All vehicles with five or fewer axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Six-Axle Multi-Trailer Trucks – All six-axle vehicles consisting of three or more units, one of which is a tractor or straight truck power unit.

Seven or More Axle Multi-Trailer Trucks – All vehicles with seven or more axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Figure 1 FHWA 13 VEHICLE CATEGORY CLASSIFICATION

Class 1 Motorcycles		Class 7 Four or more axle, single unit	
Class 2 Passenger cars		Class 8 Four or less axle, single trailer	
			
			
			
Class 3 Four tire, single unit		Class 9 5-Axle tractor semitrailer	
			
			
Class 4 Buses		Class 10 Six or more axle, single trailer	
			
		Class 11 Five or less axle, multi trailer	
Class 5 Two axle, six tire, single unit		Class 12 Six axle, multi-trailer	
			
		Class 13 Seven or more axle, multi-trailer	
Class 6 Three axle, single unit			
			
			

10.06.20 Truck Routes Established.

(1) There is established within the City the following Truck Routes. All Trucks within the City shall be operated only over and along the Truck Routes and on other streets as permitted by the exceptions. The following streets shall be used for Primary Truck Routes and Secondary Truck

Routes as designated herein and on the Truck Route Map designated by the City Manager and published on the City's web site.

Primary Truck Routes:

Interstate 70 ("I-70")
24 Road south of I-70 to Highway ("Hwy") 6 & 50
Hwy 6 & 50
Hwy 6
Hwy 50
I-70 Business Loop ("I-70B")
Hwy 141 (32 Road)

Secondary Truck Routes:

Horizon Drive from Patterson Road to H Road
G Road between Hwy 6 & 50, I-70B and 24 Road
Patterson Road (F Road)
12th Street from Horizon Drive to Ute St.
25 Road from Patterson Road to Riverside Parkway
North Avenue from Hwy 6 & 50, I-70B west side to I-70B on the east side
S 1st Street south of North Avenue to Hwy 6 & 50, I-70B
28 Road south of North Avenue to I-70B
S 9th Street from I-70B to D Road
D Road east of S 9th to 32 Road
Hwy 340 (Broadway)
Redlands Parkway
Riverside Parkway

There are no local delivery truck routes designated within the City. Drivers of Trucks within the City who are or who purport to be operating as a local delivery truck, shall travel on the designated Truck Routes and may only deviate from that route to proceed to and from the origination, delivery or pickup point(s) and destination using the most direct route possible and available.

(2) The City Manager shall have the authority to designate all or portions of those streets, highways, public ways, and roadways upon which Trucks shall operate. The City Manager shall have the additional authority to restrict truck route operations. The designation and restrictions shall be based upon traffic engineering investigations and studies, public safety, environmental considerations, economic factors affecting trucking and the trucking industry, desires of the inhabitants and neighborhood characteristics of affected areas.

(3) The City Manager shall maintain maps designating Truck Routes. Copies of the maps shall be made available to trucking interests and the public through the City's web site. Any change to Truck Routes shall be published on the City's web site, no less than 14 days prior to the effective date of the change(s).

(4) The City Manager shall post with appropriate signs the Truck Routes. Truck Route maps shall be made available to all persons upon request. The posting of signs shall not be required for enforcement of this chapter.

10.06.30 Presumptions and exceptions.

(1) Any person operating a Truck on any street or highway within the City which is not designated as a Truck Route shall have in his/her possession for the inspection of police officers his/her logbook or evidence of his/her destination and point of origin to justify the presence of said Truck on such street. Failure to have such logbook or evidence in his/her possession shall not be a separate offense but shall create a presumption that such person is unlawfully operating the Truck.

(2) It is presumed that the person operating a Truck on any street or highway within the City has familiarized himself/herself with the Truck Routes and has taken the time to ascertain the most direct point from those routes to the pick up or delivery location prior to entering the City. Ignorance of the most direct route will not be a defense to a violation under this chapter.

(3) The driving of a Truck upon a street or highway not designated as a Truck Route and not on the most direct path from a designated Truck Route to the point of pick up or delivery will not be a violation of this chapter in any of the following situations:

- a. The pick up or delivery of merchandise at a location not situated on the designated Truck Route, provided the Truck leaves, and returns to the designated Truck Route by the most direct route available and at no point does the Truck deviate from the most direct route;
- b. Traveling to or from a service or repair shop for repairs or service to be performed on the Truck, provided the Truck leaves, and returns to the designated Truck Route by the most direct route available and at no point does the Truck deviate from the most direct route;
- c. A Truck shall not be required to enter or exit directly onto the designated Truck Route if such entry or exit would be unsafe from a traffic safety standpoint as determined by the Chief of Police; and
- d. The provisions of this chapter shall not be construed to prohibit the use of any street, alley, or other area by vehicles of any government agency or any public utility company while in the performance of official or normal duties.
- e. Authorized emergency vehicles and vehicles used as emergency vehicles for the purpose of responding to a temporarily declared emergency.

10.06.040 Signage.

Truck Routes within the City shall be clearly designated by signs as Truck Routes as directed by the City Manager.

10.06.050 Violations.

Any person violating any provision(s) of this chapter or disobeying any signs or markings installed pursuant thereto shall be guilty of a traffic infraction. Every person convicted of an infraction for a violation of the provisions of this chapter shall be punished by a fine as follows:

1st violation is \$250.00
2nd violation is \$500.00
3rd or any subsequent violation is \$750.00.

Severability. It is the intention of the City Council that the provisions of this ordinance are not severable. If any provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall invalidate all the provisions of the ordinance.

Introduced on first reading this _____ day of _____ 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____ 2022 and ordered published in pamphlet form.

Anna M. Stout
President of City Council

ATTEST:

Amy Phillips
City Clerk

ORDINANCE NO. _____

**AN ORDINANCE PROHIBITING THE USE OF ENGINE RETARDING
COMPRESSION BRAKES IN THE CITY OF GRAND JUNCTION**

RECITALS:

The City of Grand Junction ("City") is charged with protecting the health, welfare, and safety of its citizens. City Council has considered whether the use of engine retarding compression brakes is inconsistent with the public health safety and welfare and with and after due deliberation finds that the use of a vehicle brake system that alters the normal compression of the vehicle's engine, commonly known as a "jake brake", disturbs and disrupts the public peace and quiet as the usage of such a vehicle brake system causes loud and/or unusual noise, and further that such noise adversely affects City residents' peace and enjoyment of their property. Therefore, City Council finds and determines that it is in the best interest of the public health, welfare, and safety of the City and its residents to prohibit the use of engine retarding compression brakes within the City limits.

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

The following definition is added to the Grand Junction Municipal Code ("GJMC") in Section 10.04.020.

Engine retarding brake. Any engine retarding brake system, transmission brake, or any other retarding brake system that alters normal compression, including but not limited to DYNAMIC BRAKE, JAKE BRAKE, JACOBS BRAKE, C-BRAKE, PACCAR BRAKE, or any other make or model of engine braking system, or other braking system(s) that is(are) activated or operated to alter the normal compression of the engine and subsequently release that compression.

and

Section 10.04.223 of the Grand Junction Municipal Code is hereby amended to include the following:

(3) Engine Retarding Brake.

(a) It shall be unlawful on any public street or highway for the driver of any vehicle to use or operate or cause to be used or operated within the City any engine retarding brake, compression brake or mechanical exhaust device designed to aid in the braking or

deceleration of any vehicle unless such use is necessary to avoid immediate physical harm to persons or property.

(b) Signage. The City shall erect signs at such intervals and locations as deemed appropriate by the City Manager, which signs shall state "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" to advise drivers of the prohibitions established by this section. No sign stating "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" shall be installed on a state highway without the approval from the Colorado Department of Transportation.

(c) Exceptions. Emergency vehicles shall be exempt from the application of the prohibition on use an of engine retarding rake.

All other provisions of Chapter 10.04 shall remain in full force and effect.

Introduced on first reading this _____ day of _____ 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____ 2022 and ordered published in pamphlet form.

Anna M. Stout
President of City Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #6.a.ii.

Meeting Date: June 1, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver, City Attorney

Information

SUBJECT:

An Ordinance Amending Sections 10.04.020 and 10.04.1412(1) and Adding Section 10.04.1412.5 to the Grand Junction Municipal Code Pertaining to Traffic Related Definitions and the Operation of Bicycles and Other Low Speed Conveyances and Pedestrians Approaching Controlled Intersections

RECOMMENDATION:

Staff recommends a public hearing be held to consider the Ordinance, that the City Council adopt the Ordinance on final passage, and order final publication in pamphlet form.

EXECUTIVE SUMMARY:

House Bill 22-1028 ("Bill" or "the Bill"), which was signed by Governor Polis on April 13, 2022, regulates persons approaching controlled intersections who are not operating motor vehicles and allows most of such persons to pass through a stop sign controlled intersection without stopping, if after slowing to a reasonable speed and yielding the right of way if required, such persons may proceed cautiously through the intersection. In addition, the Bill further provides that such persons shall stop at any illuminated red traffic signal before entering the intersection and after stopping and yielding the right of way, such persons may cautiously proceed in the same direction of travel through the intersection or may make a right turn. If the traffic signal is illuminated, such persons shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of such persons. This ordinance will amend Grand Junction Municipal Code Section 10.04.1412 to reflect and incorporate the provisions of the Bill.

BACKGROUND OR DETAILED INFORMATION:

House Bill 22-1028 ("Bill" or "the Bill"), which was signed by Governor Polis on April 13, 2022, regulates persons approaching controlled intersections who are not operating motor vehicles and allows most of such persons to pass through a stop sign controlled intersection without stopping, if after slowing to a reasonable speed and yielding the right of way if required, such persons may proceed cautiously through the intersection.

The Bill further provides that such persons shall stop at any illuminated red traffic signal before entering the intersection and after stopping and yielding the right of way, such persons may cautiously proceed in the same direction of travel through the intersection or may make a right turn. If the traffic signal is illuminated, such persons shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of such persons.

The General Assembly found and declared that the regulations provided for in the Bill are a matter of mixed State and Local concern, and with the signing of the Bill, the regulations are a matter of Statewide concern and the City's regulations are preempted; however, the City Council has determined that the Grand Junction Municipal Code ("GJMC") shall be amended to reflect and incorporate the provisions of the Bill, and that any inconsistency between the two be resolved by amendment of the GJMC.

FISCAL IMPACT:

This action has no direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5076, an ordinance to amend Sections 10.04.020 and 10.04.1412 of the Grand Junction Municipal Code pertaining to traffic related definitions and the operation of bicycles and other low speed conveyances and pedestrians approaching controlled intersections on final passage and order final publication in pamphlet form.

Attachments

1. ORD-Bicycle Safety Stop 052422

- 40
- 41 (ii) a low-power scooter;
- 42
- 43 (iii) a low-speed electric vehicle;
- 44
- 45 (iv) a toy vehicle that is exclusively human-powered; or
- 46
- 47 (v) an electric personal mobility device or EPAMD, or a device that would be
- 48 an electric personal assistance mobility device or EPAMD but for the fact
- 49 that it has fewer or more than two wheels or has tandem wheels.

50 Section 10.04.1412(1) is amended as follows:

51 (1) Every person riding a bicycle or electrical assisted bicycle shall have all of the rights

52 and duties applicable to the driver of any other vehicle under this chapter, except as to

53 special regulations in this chapter, **except as provided in section 10.04.1412.5**, and

54 except as to those provisions which by their nature can have no application. Said riders

55 shall comply with the rules set forth in this section and GJMC [10.04.221](#).

56 Section 10.04.1412.5 shall be added as follows (additions are shown in **bold print** and

57 deletions marked with ~~strike through~~ notations):

58 **Section 10.04.1412.5 Regulation of certain persons approaching intersections who**

59 **are not operating motor vehicles**

60 (1) **Reserved.**

61 (2)(a)(I) **A pedestrian or a person who is fifteen years of age or older or who is**

62 **under fifteen years of age and accompanied by an adult and who is operating a**

63 **low-speed conveyance and a controlled intersection with a stop sign shall slow**

64 **down and, if required for safety, stop before entering the intersection. If a stop is**

65 **not required for safety, the pedestrian or person operating a low-speed conveyance**

66 **shall slow to a reasonable speed and yield the right-of-way to any traffic or**

67 **pedestrian in or approaching the intersection. After the pedestrian or person**

68 **operating a low-speed conveyance has slowed to a reasonable speed and yielded**

69 **the right-of-way if required, the pedestrian or person operating a low-speed**

70 **conveyance may cautiously make a turn or proceed through the intersection**

71 **without stopping.**

72 (II) **For purposes of this subsection (2)(a), a reasonable speed is ten miles per hour**

73 **or less. The City may raise the maximum reasonable speed to twenty miles per**

74 **hour if the City also posts signs at the intersection(s) stating a higher speed**

75 **limitation.**

76 (b) **A person who is fifteen years of age or older or who is under fifteen years of**

77 **age and is accompanied by an adult and who is operating a low-speed conveyance**

78 and approaching a controlled intersection with an illuminated red traffic control
79 signal shall stop before entering the intersection and shall yield to all other traffic
80 and pedestrians. Once the person operating a low-speed conveyance has yielded,
81 the person operating a low-speed conveyance may cautiously proceed in the same
82 direction through the intersection or make a right-hand turn. When a red traffic
83 control signal is illuminated, a person operating a low-speed conveyance shall not
84 proceed through the intersection or turn right if an oncoming vehicle is turning or
85 preparing to turn left in front of the person operating a low-speed conveyance.

86 (c) A person who is fifteen years of age or older or who is under fifteen years of
87 age and is accompanied by an adult and who is operating a low-speed conveyance
88 approaching an intersection of a roadway with an illuminated red traffic control
89 signal may make a left-hand turn only if turning onto a one-way street and only
90 after stopping and yielding to other traffic and pedestrians. However, a person
91 operating a low-speed conveyance shall not turn left if an oncoming vehicle is
92 turning or preparing to turn right.

93 (d) Notwithstanding any other provision of this section, if the City has placed a
94 traffic sign or a traffic control signal at a controlled intersection and the traffic sign
95 or traffic control signal provides instructions only to one or more specified types
96 of low-speed conveyances, the operator of a low-speed conveyance to which the
97 traffic sign or traffic control signal is directed shall obey the instructions provided
98 by the sign or traffic control signal.

99 (3) This section does not create any right for a pedestrian or the operator of a low-
100 speed conveyance to travel on any portion of a roadway where travel is otherwise
101 prohibited by law. This section is intended to solely govern the regulation of
102 bicycles, electric assisted bicycles, low-speed conveyances, and pedestrians
103 approaching a controlled intersection.

104 (4) Any person riding a bicycle, electric assisted bicycle or low-speed conveyance
105 who violates any provision of this chapter other than section 10.04.1412 which is
106 applicable to such a vehicle and for which a penalty is specified shall be subject to
107 the same specified penalty as any other vehicle; except that § 42-2-127, C.R.S. shall
108 not apply.

109 **ALL OTHER PROVISIONS OF CHAPTER 10.04 SHALL REMAIN IN FULL FORCE**
110 **AND EFFECT. THIS ORDINANCE SHALL AMEND ORDINANCE NO. 4759 AND AS**
111 **NECESSARY REPEAL ANY PART INCONSISTENT THEREWITH.**

112
113 Introduced on first reading the 18th day of May 2022 and ordered published in pamphlet
114 form.

115
116 Adopted on second reading this 1st day of June 2022 and ordered published in pamphlet
117 form.

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ATTEST:

Amy Phillips
City Clerk

Anna M. Stout
President of the Council

DRAFT



Grand Junction City Council

Regular Session

Item #7.a.

Meeting Date: June 1, 2022
Presented By: Jace Hochwalt, Senior Planner
Department: Community Development
Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

A Resolution Entering into Two Intergovernmental Agreements with the West Junction Metropolitan District Regarding Construction and Maintenance of Improvements Associated with a 177-Acre Mixed-Use Development Situated to the Northwest of Highway 6 and 50 and Patterson Road Intersection and South of G Road

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

In August of 2020, City Council conditionally approved the West Junction Metropolitan District Service Plan ("Service Plan"). The condition of Service Plan approval was the agreement and execution of one or more Intergovernmental Agreements (IGA's) describing the improvements and responsibilities of the City of Grand Junction ("City") and the West Junction Metropolitan District ("District"). The District has presented two IGA's to the City. The first IGA sets forth the obligations of, and benefits to, the City and the District in relation to maintenance activities associated with Public Improvements located within and adjacent to the Service Area as outlined in the Service Plan. The second IGA defines and describes roadway construction and financing mechanisms between the City and the District as it specifically pertains to rights-of-way within and adjacent to the District boundaries.

BACKGROUND OR DETAILED INFORMATION:

THE COMMUNITY PLANNED DEVELOPMENT

In May of 2019, the 177-acre property situated northwest of the Highway 6 and 50 and Patterson Road intersection with a northern boundary of G Road, southern boundary of Highway 6 and 50, eastern boundary of 23 ¾ Road, and western boundary of 23 ¼

Road, known as “The Community”, was zoned as Planned Development (PD) and an Outline Development Plan (ODP) was approved. The property was proposed to be developed into four distinct areas (or pods), with each pod having specific use and bulk standards. The PD and ODP were adopted by Ordinance 4855 (Exhibit #1). Following PD and ODP approval in 2019, the former owner sold the entirety of the property to a new developer.

WEST JUNCTION METROPOLITAN DISTRICT & SERVICE PLAN

Following the sale, the new owner and developer (Foothills Housing 2, LLC) proposed a metropolitan district for the property, known as the West Junction Metropolitan District. Under Title 31 of the Colorado Revised Statute, a metropolitan district can be formed and must provide two or more public services. In addition, a metropolitan district can also serve as a financing mechanism to provide their services, and in this case, the proposed District would provide funding for a significant amount of infrastructure that would be required within the property boundaries upon further development. The proposed District would raise funds by the sale of general obligation (GO) bonds, using the sale proceeds to design, construct, and finance certain public improvements. In early 2020, discussions about the metropolitan district formation and service plan began between the property owner and City staff, and in August of 2020, City Council conditionally approved the West Junction Metropolitan District Service Plan (Exhibit 4). The condition was the approval and execution of one or more Intergovernmental Agreements (IGA’s) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

The Service Area encompasses the extent of “The Community” PD (177 acres). Uses proposed include single-family and multi-family residential, as well as commercial and industrial uses. As indicated in the West Junction Metropolitan District Service Plan, the District will provide for the design and construction of infrastructure services including streets, traffic and safety controls, water (both domestic and non-potable irrigation), and storm and sanitary sewer. In addition, the Service Plan provides that both parks and recreation facilities will be provided, including public parks, open space, bike paths, and a recreation facility. The District was authorized to operate and maintain the services that are not conveyed to the City or other governmental entities having jurisdiction. Approval of the Service Plan by the City Council constituted the City’s agreement that the District may perform the operation and maintenance functions as described in the plan.

Per the Service Plan, the District may impose mill levies on taxable property within its boundaries as a primary source of revenue for repayment of debt service, capital improvements, administrative expenses, and operations and maintenance of Public Improvements. The Service Plan includes a detailed cost estimate of these improvements and proposes a Maximum Debt Mill Levy of 50 mills. In addition to the Maximum Debt Mill Levy applicable to the District’s debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District for such purposes. This rate is anticipated to be 10 mills. Notably, the Service

Plan states the debt is not backed by any pledge of revenue from the City and approval of the Plan is not a guarantee of debt repayment by the City. The repayment of the debt incurred is proposed to be achieved by imposing the previously mentioned mill levy on the taxable property of this district for the repayment of General Obligation (GO) Bonds. The mill levy rate may be increased up to the maximum or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt.

The District is organized to serve as a method by which development can occur with the City in such a way as to eliminate economic risk to the City, provide economic benefits to the property owners, and place the risk of development on property developers. The Financial Plan has been designed to assure that at no time will the City have any legal responsibility for District obligations and to assure that the risk of development remains with the developer until a sufficient tax base has been achieved to pay the District debt through mill levy assessments. Mill levy assessments will be imposed only on properties within the boundaries of the District.

PROPOSED INTERGOVERNMENTAL AGREEMENTS

The purpose of the two proposed IGAs are to set forth the obligations of and benefits to the City and the District ("Parties") in relation to maintenance activities associated with Public Improvements located within the Service Area. The Parties recognize that the public rights-of-way and private property within the District Boundaries are also within the City limits.

Contractual Obligation IGA

Exhibit 6 sets forth the obligations of and benefits to the City and the District in relation to maintenance activities associated with Public Improvements located within and adjacent to the Service Area. The District shall have the power and authority to provide for the acquisition, design, finance, construction, installation, repair and replacement of Public Improvements and related operation and maintenance services as listed below.

- Streets and roadway rights-of-way
- Traffic and safety control facilities
- Domestic water supply systems
- Irrigation water supply systems
- Storm sewer facilities
- Sanitary sewer facilities
- Parks, trails, and recreation facilities
- Other public improvements approved by the City

The City agrees to perform all services typically provided by the City, except those to be provided by the District in accordance with the proposed IGA, in a manner and frequency consistent with similar services provided by the City throughout the City. Certain Public Improvements will be conveyed to the City, Ute Water, Colorado Department of Transportation (CDOT), or other governmental entities for the use and benefit of the general public. The District shall be authorized to operate and maintain Public Improvements not conveyed to the City, Water District, CDOT or other

governmental entity having proper jurisdiction.

The District will ensure that the Public Improvements it finances, designs, installs and constructs are built in accordance with the applicable standards and specifications of the City, or to the standards and specifications of other governmental entities having proper jurisdiction. All Public Improvements conveyed or otherwise dedicated to the City, Water District or CDOT shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the applicable jurisdiction's acceptance and warranty procedures.

Roadway Construction and Financing IGA

Exhibit 7 defines roadway construction and financing mechanisms between the City and the District as it specifically pertains to rights-of-way within and adjacent to the Service Area. There is a substantial amount of street improvements required within the Service Area boundary, and this IGA defines the roadway responsibility allocations between the City and the Metropolitan District. More specifically, it defines the roadway improvements that the City is financially responsible for (City Street Responsibilities) and the roadway improvements that the Metropolitan District is financially responsible for (Developer Street Obligations). Per the proposed IGA, the Parties have determined and agreed that 100% of the TCP Revenue collected by the City solely from development within the District boundaries shall be allocated to the District for repayment of City Street Responsibilities (consistent with the City's adopted Circulation Plan and related Code) until the District is fully reimbursed all costs and expenses associated with City Street Responsibilities.

In August of 2020, when the West Junction Metropolitan District Service Plan was conditionally approved, there were discussions about proposed public parks, open space, bike paths, and a recreation facility within the Service Area; however, at this time, no IGA has been proposed related to parks and recreation.

FISCAL IMPACT:

The City has no legal or financial liability during the life of the District; it does not reduce current or future tax revenues of other public agencies; and it does not draw from the City's capital improvement budget or capital reserves. City services that are excluded from the IGAs are typically performed by the City, and therefore will be provided to the West Junction Metropolitan District include but are not limited to police, fire, and emergency medical services.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 47-22, a resolution entering into two intergovernmental agreements with the West Junction Metropolitan District regarding the construction and ongoing maintenance of Public Improvements associated with the future development within and adjacent to the District boundaries.

Attachments

1. Exhibit 1 - Ordinance 4855 (May 2019)
2. Exhibit 2 - August 2020 Staff Report
3. Exhibit 3 - August 2020 Signed Resolution
4. Exhibit 4 - Metro District Service Plan (August 2020)
5. Exhibit 5 - Resolution to Sign IGAs
6. Exhibit 6 - Contractural IGA
7. Exhibit 7 - Roadway Improvement IGA

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4855

AN ORDINANCE AMENDING PLANNED DEVELOPMENT ZONING ORDINANCE NO. 4676 AND AMENDING THE OUTLINE DEVELOPMENT PLAN FOR "ONEWEST" DEVELOPMENT, NOW KNOWN AS "THE COMMUNITY" PLANNED DEVELOPMENT, LOCATED AT 2350 HIGHWAY 6 AND 50 BETWEEN 23 ¼ AND 23 ¾ ROADS, FROM G ROAD TO HIGHWAY 6 AND 50

Recitals:

The owner of approximately 177 acres of property located at 2350 Highway 6 and 50 has requested an amendment to the PD zoning and to the Outline Development Plan (ODP) applicable to the property.

The amendments revise the standards, default zoning and development schedule established by Ordinance No. 4676 and amend the Outline Development Plan as follows:

1. Allows the following additional land uses in Pods in accordance with the table (found in Section G) in this ordinance:
 - a. Single Family detached
 - b. Single Family attached (Townhomes)
 - c. Accessory Dwelling Units
 - d. Duplexes
 - e. Business Residence
 - f. Retail (small and large box)
 - g. Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales
 - h. Government and Public Purpose Facilities
 - i. Parks and Open Space
 - j. Agricultural Uses
2. Limits the total acreage in each Pod for Single Family detached, Single Family attached, and Duplexes and require a minimum density of 5.5 du/ac for these land uses.
3. Some land uses consistent with the overall PD character that were restricted to certain pods are allowed in other Pods as well.
4. Updates the ODP map showing changes to the default zones by Pod, reconfigures 23 ½ Road and its intersection with F ½ Road, and adjusts Pod acreage.
5. Revises the bulk standards of the PD zone including deviations from the default standards for street setback, lot width, minimum lot area, and maximum height; and establishes a multi-family minimum density.

6. Removes redundancy in the Performance Standards and clarifies decision making by the City.
7. Establishes a new Development and Phasing Schedule.

In recommending and approving Ordinance No. 4676 and the ODP adopted therewith, the Planning Commission and City Council determined that the PD zoning ordinance and ODP satisfied the criteria of the Code, was consistent with the purpose and intent of the Comprehensive Plan, and achieved long-term community benefits through the provision of more effective infrastructure.

The Planning Commission found in a public hearing held on April 23, 2019, and the City Council hereby finds, that the proposed amendments likewise satisfy the applicable criteria of the Zoning and Development Code, are consistent with the purpose and intent of the Comprehensive Plan, and achieve the same long-term community benefits as the previously adopted ODP. In addition, the amended PD and Plan also achieve additional "long-term community benefits" by providing needed housing types and mix and reducing traffic demands.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONES AND STANDARDS:

- A. ALL of Lot 2, Centennial Commercial Center, City of Grand Junction, Mesa County, Colorado.
- B. "The Community" Outline Development Plan (ODP) is approved with the Findings of Fact/Conclusions, and Conditions listed in the Staff Report dated April 23, 2019 and including attachments and Exhibit A and Exhibit B attached to this ordinance.
- C. Purpose

The proposed Planned Development will provide for a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

- D. Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Detached sidewalks, where appropriate, along the arterial frontages are intended to provide for a safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the

development to other existing and future points of interest adjacent to the subject property.

E. Default Zones

The default land use zones are as follows:

Pods One, Two and Three: BP (Business Park Mixed Use) with deviations contained within this Ordinance.

Pod Four: C-2 (General Commercial) with deviations contained within this Ordinance.

F. Pod Character

The property will be developed into four distinct areas (Pods) within the development that have a character similar to the following primary uses as more particularly detailed in the Pod Use Table:

Pod 1: Default zone – BP; POD 1 will generally consist of Medical Office/Clinic, Group Living, Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in POD 1. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 2: Default zone – BP; POD 2 will generally consist of Medical Office/Clinic, Group Living, Retail Sales and Services, Personal Care, General Offices; Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 40% of the acreage in POD 2. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 3: Default zone – BP POD 3 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, General Offices, Contractor Shops w/ Outdoor Storage, Auto Service, Retail Sales and Services. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 55% of the acreage in POD 3. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 4: Default zone – C-2, POD 4 will generally consist of Shopping Center (Small and Big Box), Restaurants, Retail Sales and Services, Auto Service, General Offices and Manufacturing and Production; Freight Movement and Storage; Mixed-Use Multifamily//Commercial/Retail. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

G. Authorized Uses

1. The list of authorized uses allowed within the BP and C-2 zone is hereby amended to include only the following, which are allowed without the need for approval of a conditional use permit.

Uses	POD 1 BP Default	POD 2 BP Default	POD 3 BP Default	POD 4 C-2 Default
Multi-family	X	X	X	X
Single-family detached	X	X	X	
Single-family attached (Townhomes)	X	X	X	
Accessory Dwelling Units	X	X	X	
Duplexes	X	X	X	
Business Residence	X	X	X	X
Group Living	X	X	X	
Colleges and Universities	X	X	X	
Vocational, Technical and Trade Schools	X	X	X	
Community Activity Building	X	X	X	
All other Community Service	X	X	X	
Museums, Art Galleries, Opera Houses, Libraries	X	X	X	
General Day Care	X	X	X	X
Medical and Dental Clinics	X	X	X	X
Physical and Mental Rehabilitation (Resident)	X	X	X	X
All other Health Care	X	X	X	X
Religious Assembly	X	X	X	X
Funeral Homes, Mortuaries, Crematories	X	X	X	X
Public Safety and Emergency Response Services			X	X
Hotels, Motels and Lodging	X	X	X	X
General Offices	X	X	X	X
Health Club	X	X	X	X
Alcohol Sales, Retail			X	X
Bar/Nightclub			X	X
Drive Through Restaurants	X	X	X	X
Drive Through Retail	X	X	X	X
Retail (small and large box)				X
Food Service, Catering	X	X	X	X
Food Service, Restaurant (Including Alcohol Sales)	X	X	X	X
Fuel Sales, Automotive/Appliance			X	X

General Retail Sales, Indoor Operations, Display and Storage	X	X	X	X
General Retail Sales, Outdoor Operations, Display or Storage	X	X	X	X
Repair, Small Appliance				X
Personal Services	X	X	X	X
All other Retail Sales and Services	X	X	X	X
Manufacturing and Production – Indoor Operations and Storage	X	X	X	X
Manufacturing and Production – Indoor Operations with Outdoor Storage	X	X	X	X
Mini-Warehouse			X	X
Auto and Light Truck Mechanical Repair			X	
Car Wash, Gasoline Service Station, Quick Lube			X	X
Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales			X	X
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials (indoor and/or Outdoor Operations and Storage)			X	X
Warehouse and Freight Movement – Indoor Operations, Storage and Loading with Outdoor Loading Docks			X	X
Wholesale Business (excluding highly flammable Materials/Liquids)			X	X
Bus/Commuter Stops	X	X	X	X
Government and Public Purpose Facilities	X	X	X	X
Parks and Open Space	X	X	X	X
Agricultural Uses*	X	X	X	X
* Agricultural Uses including indoor or outdoor activities primarily involving raising, producing or keeping plants or animals but excluding uses such as industrialized agricultural for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous. This use is intended to be interim in nature.				

e) Uses Not Mentioned

- 1) To change uses from those specified above, the developer must request an amendment consistent to the Zoning and Development Code as amended, to allow a use which is not currently an allowed use for a particular pod.
- 2) If a question or interpretation arises regarding where, how or whether a proposed use fits into the list of uses found in this section, the Director shall decide if a use not specifically mentioned can reasonably be interpreted to fit into a principal use category or a general use category where similar uses are described as found in the Use Table within the City's Zoning and Development Code.

H. Dimensional and Intensity Standards

Minimum Lot Area	
Pod 1, 2 and 3	1,800 sf
Pod 4	No minimum

Minimum Lot Width	
Pod 1, 2 and 3	20 feet
Pod 4	No minimum

Minimum Street Frontage	
Pod 1, 2, 3, and 4	No minimum

Minimum Setbacks	Principle Structure / Accessory Structure
Pod 1, 2, 3 and 4	
Street (see footnote 1)	10' / 25'
Side / Rear yard	0'

Density (Minimum/Maximum)	
Pod 1, 2 and 3	5.5 du/ac min. density for Single Family Attached, Single Family Detached, Townhomes, and Duplexes 12 du/ac to 24 du/ac max. for Multi-Family
Pods 4	12 du/ac min./24 du/ac max

Maximum Height	
Pod 1, 2, and 3	65 feet
Pod 4	65 feet

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from "Arterial" designated right-of-ways.

I. Deviations from bulk standards from default zones.

1. To provide for flexibility necessary for the unique, efficient and effective design of the site, the following deviations from the default zone standards shall be applied to the site:

- a. Minimum lot size shall be 1800 sf.
- b. Minimum lot width shall be 20'.
- c. Maximum height shall be 65'.
- d. Front (street) yard setback shall be 10'.
- e. Rear yard setback shall be 0'.

J. Development Schedule, Extensions and Lapse of Plan

1. Development and Phasing Schedule

Phase	Pod	Threshold 1	Threshold 2
1	Any one Pod	Preliminary Development Plan approval within 4 years from date of approved PD ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
2	Any second Pod	Preliminary Development Plan approval within 7 years from date of approved PD Ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
3	Remaining two Pods	Preliminary Development Plan approval within 10 years from date of approved PD Ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
The area(s) required as determined by the City for the regional drainage facilities shall be dedicated to the City at the time the first plat is recorded for any land included within the ODP.			

2. Should the Development and Phasing Schedule need to be extended, the city shall consider and hear the request consistent with the provisions of the Code in place at that time. A request for extension shall be timely in that the request shall be received by the City prior to the lapse or expiration of one of the established phasing Thresholds.
3. Failure to develop the PD and ODP as shown in the adopted Development and Phasing Schedule will result in the lapse of approval of the PD and ODP. Upon lapse, the zoning of the property will revert back to MU (Mixed-Use) and C-2 (Heavy Commercial) as shown in Exhibits A & B.

K. Other Regulations

1. Title 25, 24 Road Corridor Standards of the Zoning and Development Code shall apply, unless otherwise amended by the City.
2. Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as

may be amended including any applicable overlay zones apply to this PD and ODP, except the following:

There are no hours of operations limitations for uses in all Pods

3. Signage regulations and standards contained within Section 21.06 of the GJMC shall apply with the following modifications:
 - a. A sign package will be required as part of each Final Development Plan and/or Site Plan.
 - b. The existing billboards located within Pod Four may remain as nonconforming uses until such time as site development activity begins on Pod Four.

New Outdoor Advertising Signs (Billboards) within the PD will not be permitted.

L. All applications for the development of the property (subdivision, site plans, etc.) shall be subject to the Code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance as may be amended.

Introduced for first reading on this 1st day of May, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this 15th day of May, 2019 and ordered published in pamphlet form.

ATTEST:



President of City Council



City Clerk



EXHIBIT A

Outline Development Plan (ODP)

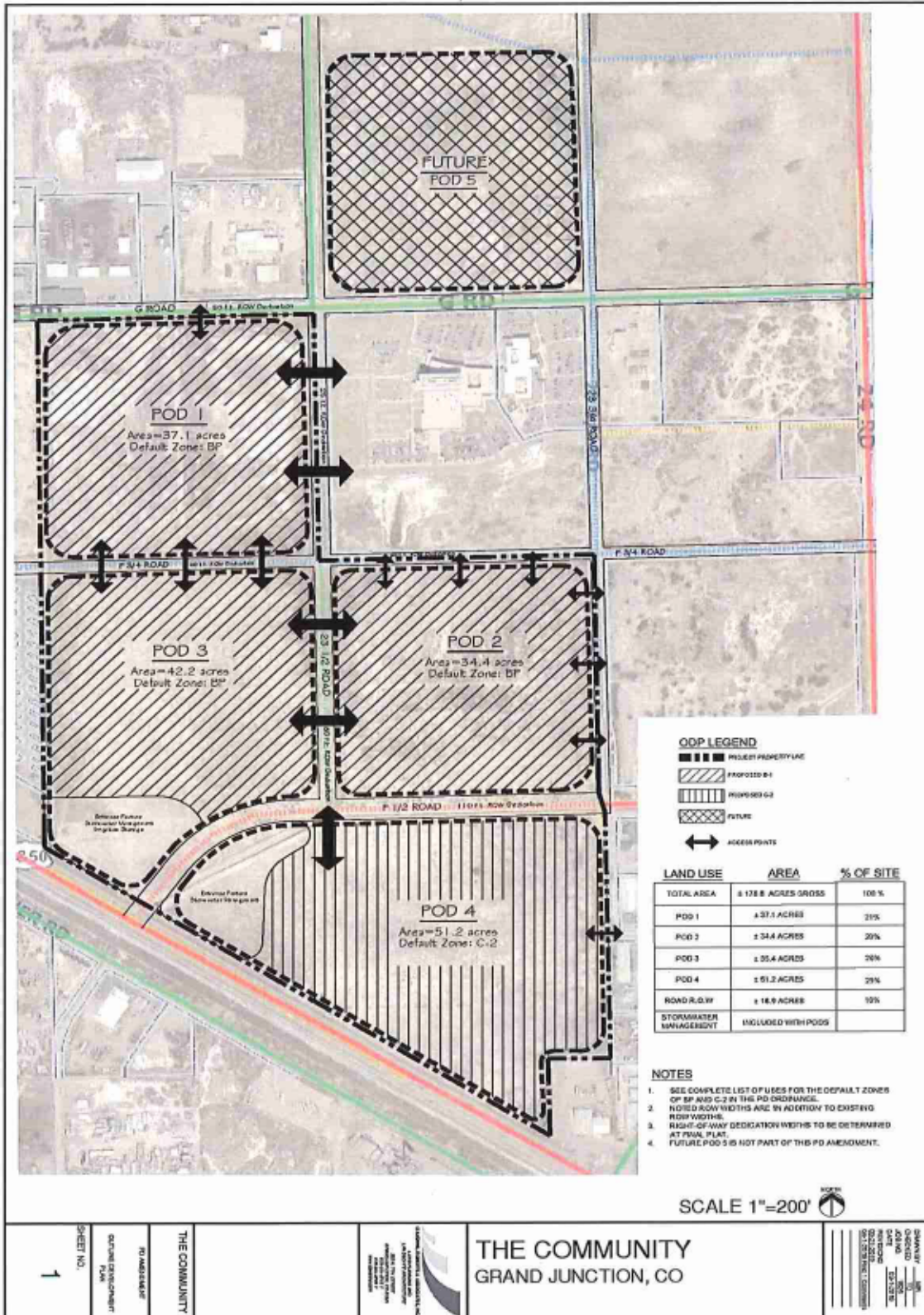


EXHIBIT B
Default Zones



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4855 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1st day of May, 2019 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 15th day of May, 2019, at which Ordinance No. 4855 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 17th day of May, 2019.


Deputy City Clerk

Published: May 3, 2019
Published: May 17, 2019
Effective: June 16, 2019



Grand Junction City Council

Regular Session

Item #4.b.ii.

Meeting Date: August 5, 2020
Presented By: Jace Hochwalt, Associate Planner
Department: Community Development
Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

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

RECOMMENDATION:

The Planning Commission heard this request at their July 28, 2020 meeting and voted (6-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Foothills Housing 2, LLC ("Applicant") is proposing 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.

The service area encompasses approximately 177 acres of land with a northern boundary of G Road, southern boundary of Highway 6 and 50, eastern boundary of 23 ¾ Road, and western boundary of 23 ¼ Road. The service area comprises one unaddressed parcel known as Mesa County parcel number 2945-051-14-003. Uses proposed include single-family and multi-family residential, as well as commercial and

industrial uses. The Service Plan will provide for the construction of infrastructure services including streets, traffic and safety controls, water, and storm and sanitary sewer. In addition, the Service Plan provides that both parks and recreation facilities will be provided, including public parks, open space, bike paths, and a recreation facility. The District will be authorized to operate and maintain the services that are not conveyed to the City or other governmental entities having proper jurisdiction.

BACKGROUND OR DETAILED INFORMATION:

Special districts are quasi-municipal corporations and political subdivisions that are organized to act for a particular purpose. A metropolitan district is a special district that provides any two or more services which may include fire protection, parks and recreation, safety protection, sanitation, solid waste, street improvements or water, to name a few. A district may issue bonds for the construction of the improvements and levy taxes within the Service Plan Boundaries to repay those bonds. The financing, construction, and operation and maintenance of improvements and services to support new development is legally the responsibility of the district, if formed. In many jurisdictions, both municipalities and counties, special districts have been used as a tool to harness private investment to achieve a city's planning, redevelopment, infill, and economic goals.

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

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

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

The jurisdiction may request the filing of an annual report of any special district. This report must be made available to the Division of Local Affairs and to all "interested parties" as defined in C.R.S. §32-1-207(3)(c)(d). The statute does not specify what an annual report should consist of; therefore, should the jurisdiction desire an annual

report, it should provide guidelines and rationale for the request. Article III of the proposed Service Plan does include the requirement for an Annual Report to be submitted to the City no later than August 1st of each year as well as outlines requirements for its contents. This requirement will be reiterated in the Intergovernmental Agreement (IGA).

The formation of a special district entails a three-part process that requires: 1) obtaining review and approval from the local governmental jurisdiction; 2) review by district court; and 3) a special election. The Grand Junction Municipal Code does not contain specific provisions related to the review of service plans, therefore the process of submittal and review of the plans must be in compliance with requirements of Title 32 of the Colorado Revised Statutes. Those statutory requirements include submittal of the service plans to the Clerk for the City Council, referral of the plans to the Planning Commission for review and recommendation (if consistent with City policy), referral to City Council within thirty (30) days of plan submittal, and a public hearing with the City Council not more than thirty (30) days after setting the public hearing date.

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

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

The Applicant submitted and requested review of its proposed Service Plan on June 16, 2020 and it was provided to the City Clerk for notification to the Colorado Department of Local Affairs (DOLA) on June 17, 2020. The Service Plan proposes to serve the West Junction development, which consists of approximately 177 acres of land. This district area is also defined as Pods 1 through 4 of The Community Planned Development, which was approved in two parts as a five-pod (approximately 30-40 acres each) development of approximately 217 acres. The West Junction development is anticipated to be developed to include single-family units, multi-family units, commercial and industrial areas. The estimated population within the district boundaries at build-out is expected to be approximately 2,453 persons. In addition, the

district will include various commercial and light industrial uses.

While an Outline Development Plan (ODP) does exist for the development, it is limited to zoning and allowed uses as well as basic circulation patterns, drainage and greenways. At this time, it does not include a specific site plan per pod.

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

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

The Service Plan for the West Junction Metropolitan District is being established to finance the construction, acquisition, and/or operation of the Projects' Public Improvements and all necessary appurtenances as listed below.

- Streets and roadway rights-of-way
- Traffic and safety control facilities
- Domestic water supply systems
- Irrigation water supply systems
- Storm sewer facilities
- Sanitary sewer facilities
- Landscaping
- Parks and trails
- Recreation facilities
- Other public improvements approved by the City

Certain Public Improvements will be conveyed to the City, Ute Water, Colorado Department of Transportation (CDOT), or other governmental entities for the use and benefit of the general public. At the discretion of the Board of Directors of the District, some Public Improvements may remain with the Districts, and some Public

Improvements may be deeded to one or more property owners' associations. Generally, the "public" receiving services from the districts will be the "property owners/inhabitants of the development that are subject to the metropolitan district mill levy."

The Service Plan has been designed with sufficient flexibility to enable the District to provide required Public Improvements for the project under evolving circumstances without the need for numerous amendments. Modification of the types of Public Improvements, as well as changes in proposed configurations, locations, dimensions of facilities and improvements will be permitted to accommodate development needs consistent with City zoning and planning for the Project.

The Service Plan proposes a single district structure pursuant to the requirements of the Special District Act §32-1-101, et seq., C.R.S.. General provisions of the Service Plan will apply to the West Junction Metropolitan District except when specifically noted. The District will be responsible for the financing and construction of Public Improvements, some of which will be conveyed to the City, Ute Water, CDOT, or other governmental entities and others will either remain with the District or will be given to property owners associations for maintenance and operation.

The Service Plan states the debt is not backed by any pledge of revenue from the City and approval of the Plan is not a guarantee of debt repayment by the City. The mill levy dedicated to repayment of the bonds is 50 mills for the General Obligation (GO) bonds.

The Service Plan includes a detailed cost estimate of these improvements totaling \$65,208,829 and proposes a Maximum Debt Mill Levy of 50 Mills. This rate in addition to the current rate of 64.967 mills for Tax District-10301 result in a total levy within the district boundaries of up to 114.967 mills. In addition to the Maximum Debt Mill Levy applicable to the District's debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District for such purposes. This rate is anticipated to be 10 mills.

To finance Public Improvements, the Developer is requesting that the City authorize the Service Plan for the District and provide the District with the authority to utilize General Obligation Bonds. The Service Plan established the specific location and size of the District, including the legal description and boundary map.

The proposed District is organized to serve as a method by which development can occur with the City in such a way as to eliminate economic risk to the City, provide economic benefits to the property owners, and place the risk of development on property developers. The Financial Plan has been designed to assure that at no time will the City have any legal responsibility for District obligations and to assure that the

risk of development remains with the developer until a sufficient tax base has been achieved to pay the District debt through mill levy assessments. Mill levy assessments will be imposed only on properties within the boundaries of the Districts.

Land Use and Zoning

The property is currently situated in the City limits with a zoning designation of Planned Development (PD). An Outline Development Plan is in place, known as “The Community” and as further described in City Ordinance No. 4676 and amended in City Ordinance No. 4855. Allowed land uses include single-family attached and detached, duplexes, business residences, retail, landscaping (greenhouses), government and public purpose facilities, parks and open space, and agricultural uses. The Planned Development will provide a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

NOTIFICATION REQUIREMENTS

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

- 1) City Clerk received a petition for review of a service plan for the West Junction Metropolitan District on June 17, 2020.
- 2) The City Clerk reported the filing to the Colorado Department of Local Affairs on June 17, 2020.
- 3) The City shall provide notification of the public hearing no less than 20 days prior to the hearing.
- 4) City Council shall set a date for a meeting for a hearing on the Service Plan that must be within 30 days of the first meeting.
- 5) The City shall provide written notice of the hearing to the Department of Local Affairs.

ANALYSIS

Statutory Compliance of Submittal Elements

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

(a) A description of the proposed services;

The Service Plan provides a list of potential services, to provide public and semi-private services, but also states that these may or may not be services that the district provides. The Service Plan provides the District to have the authority to provide for the acquisition, design, finance, construction, installation, repair, and replacement of Public Improvements and related operation and maintenance services within the boundaries of the District. The exact design, phasing of construction and location of the Public Improvements will be determined at the time of and pursuant to City approval of Approved Development Plans and such decisions shall not be considered material modifications of the Service Plan.

An estimate of the costs of the improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed is based upon Preliminary Engineering Surveys and estimates. The Service Plan states that total debt issuance shall not exceed \$65,000,000. The specific services proposed in the West Junction Metropolitan District Service Plan for the residential and commercial development, parks and open space include: 1) Streets and roadway rights-of-way; 2) traffic and safety controls and facilities; 3) Domestic water supply systems; 4) Irrigation water supply systems 5) Storm sewer facilities; 6) Sanitary sewer facilities; 7) Landscaping; 8) Parks and trails; 9) Recreation facilities; and 10) Such other public improvements approved by the City for the development of the project.

Exhibit D of the Service Plan includes Preliminary Utility Plans (conceptual) which adequately depict the locations of these proposed improvements throughout the District.

Staff concludes this element has been met.

(b) A financial plan showing how the proposed services are to be financed, including the proposed operating revenue derived from property taxes for the first budget year of the district, which shall not be materially exceeded except as authorized pursuant to § 32-1-207 or §29-1-302, C.R.S. All proposed indebtedness for the district shall be displayed together with a schedule indicating the year or years in which the debt is scheduled to be issued. The board of directors of the district shall notify the board of county commissioners or the governing body of the municipality of any alteration or revision of the proposed schedule of debt issuance set forth in the financial plan;

A financial plan was included in the Service Plan. It proposes the total debt that the District shall be permitted to issue shall not exceed \$65,000,000 and shall be permitted to be issued on a schedule as provided in the Service Plan. The Financial Plan was reviewed by the City's Director of General Services, Jay Valentine. In his review, Mr. Valentine noted the petition states the debt is not backed by any pledge of revenue

from the City and approval of the Service Plan is not a guarantee of debt repayment by the City. Mr. Valentine's summary and analysis are below.

- The public improvements will be primarily financed by the issuance of General Obligation (GO) bonds secured by 50 mills ad valorem tax. Bonds will be issued in two separate series; Series 2021 will include a Par amount of \$46,025,000 and Series 2026 will include a Par amount of \$56,520,000.
 - o Both Series 2021 and 2026 will be 30-year terms.
 - o The proposed maximum interest rate on any debt may not exceed 12% and the maximum underwriting discount will not exceed 3%.
 - o The debt service coverage on Series 2021 and 2026 are 1.3 and 1.25 respectively.
 - o Net bond proceeds are expected to be \$32.9 million on the 2021 series and \$48.7 on 2026 series.
- Buildout of the district is anticipated in to be completed in 2025.
- A commercial building valued at \$600,000 will have a property tax payment to the district in the amount of \$10,440.
- A residential home valued at \$300,000 will have a property tax payment to the district in the amount of \$1,431.

The repayment of the debt incurred is proposed to be achieved by imposing a mill levy of up to 50 mills each, on the taxable property of this district for the repayment of General Obligation Bonds. The mill levy rate may be increased up to the maximum or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt. Although the mill levy will be the District's primary source of revenue for the debt, the District will also have the discretion and power to assess fees, rates or charges. The District is not pledging any revenue or property of the City as security for the debt; and approval of the Service Plan shall not be construed as a grantee by the City of payment of any of the District's obligations or as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

Staff concludes this element has been met.

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

Preliminary Utility Plans for Public Improvements were included as Exhibit D in the Service Plan. Conceptually, the Surveys depict the various services to be provided and generally illustrate where the improvements will occur throughout the District, as well as conceptually illustrate the ultimate build-out of the development. These general drawings provide an overall conceptual design for the construction of improvements from which cost estimates included in the financial plan of the Service Plan were

developed.

The City Development Engineer reviewed the Preliminary Utility Plans included in the Service Plan and has deemed them acceptable for purposes of organization of the District. As plans proceed for the West Junction Metropolitan District, the developer will submit plans in much greater detail to show that improvements will be constructed per City standards. The Development Plans in the Service Plan generally depict the proposed construction from which cost estimates were developed.

Staff concludes this element has been met.

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

A Boundary Map and legal description was included in the Service Plan as Exhibit B. While number of residential units and total square footage of commercial and industrial space has not been provided at this point, the Service Plan provides an assessed value estimate of \$80,277,979 at build out. Additionally, there will be an estimated population within the District Boundaries at build out of approximately 2,453 persons.

Staff concludes this element has been met.

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

The Service Plan states, "The District will ensure that the Public Improvements it finances, designs, installs and constructs are in accordance with the applicable standards and specifications of the City, including without limitation any Subdivision Improvement Agreement(s) with the City applicable to such Public Improvements, and of other governmental entities having proper jurisdiction. All facilities conveyed or otherwise dedicated to the City shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the City's standard warranty procedures."

As previously stated, more detailed plans such as the recreational facility(ies) will be submitted to the City for review either a part of the Intergovernmental Agreement development and/or at the time of subdivision or site plan review. Such specific facilities include those listed in criterion (a) above. The Preliminary Utility Plans conceptually depict facilities proposed in the West Junction Service Plan.

Staff concludes this element has been met.

(f) A general description of the estimated cost of acquiring land, engineering services, legal services, administrative service, initial proposed indebtedness and estimated proposed maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the district.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of each District's organization and initial operations, is part of the estimated cost of Public Improvements, which will be eligible for reimbursement from Debt proceeds. In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The first year's operating budget for the District is anticipated to be approximately \$100,000 and will be derived from District revenues (including Developer advances and other payments). In addition to the Maximum Debt Mill Levy (of 50 Mills) applicable to the District's debt service mill levy, an Operating Mill Levy (anticipated at 10 mills) will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District or such purposes, as shown in Exhibit D of the Service Plan.

The estimated total cost of the improvements including public sanitary sewer, water, streets, storm drainage facilities, irrigation, and landscaping excluding related soft costs (collectively the "Public Improvements") is approximately \$65,208,869 (2020).

Staff concludes this element has been met.

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

The Applicant has not proposed an Intergovernmental Agreement (IGA) for the performance of services between the City and the district. The Applicant has indicated via a separate memo attached herein as "Attachment 3 – IGA Memo" that three separate IGAs will be proposed and submitted to the City for review/negotiation in the future. All proposed IGAs will be a condition of Service Plan approval, and included in the agreement(s) should be language stating that the District will dedicate the Public Improvements (as defined in the Service Plan) to the City or other appropriate jurisdiction or owners' association in a manner consistent with the Service Plan and other rules and regulations of the City and applicable provisions of the City Code. The District is expected to undertake all ownership, operations and maintenance responsibilities for the Public Improvements that are not conveyed to the City or other

governmental entities as appropriate and will do so either itself or by contract with owner associations. If the District operates the facilities, revenue to pay the expenses of operations may be obtained from ad valorem tax revenues or from the assessment of rates, fees, tolls, and charges imposed pursuant to the Colorado Special District Act. User fees for use of recreational facilities may be different for residents of the District than for outside users. Approval of the Service Plan by the City constitutes the City's agreement that the District may perform these functions. The District will acquire by easement or plat dedication all real property interests for construction of public improvements that will be conveyed to the City by the District.

In conclusion, while this element has not been met at this time, a condition of approval for the Service Plan will be the City review and approval of one or more IGAs.

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

This statutory requirement gives the City Council broad power to establish requirements for service plan approval that exceed or enhance those specifically cited in the statutes. The requirement that these be enacted by resolution formalizes the request for additional information and makes the demands for information uniform for all applications (where the information request is relevant to the proposed services). For this proposed Service Plan, Staff and other review agencies/reviewers did not identify the need for any additional information in order to render a sound decision on the proposed district and Service Plan.

STAFF FINDINGS OF FACT

In accordance with Law, the findings of the City shall be based solely upon the Service Plan and evidence presented at the hearing by the petitioners, planning commission, and any interested party.

Pursuant to C.R.S. §32-1-203 the City Council may:

- Approve the Service Plan without condition or modification;
- Disapprove the Service Plan; or
- Conditionally approve the Service Plan subject to the submission of additional information relating to or the modification of the proposed Service Plan.

In accordance with Law, the City may conditionally approve the service plan of a proposed special district upon satisfactory evidence that it does not comply with one or more of the criteria; final approval shall be contingent upon modification of the Service Plan to include such changes or additional information as shall be specifically stated in the findings of the City Council.

After reviewing SDS-2020-322, a request to consider formation of a metropolitan

district service plan for the West Junction development to be developed on 177 acres northwest of the Highway 6 and 50 and Patterson Road intersection, the following findings of fact may reasonably be made by the Planning Commission:

1. The West Junction Metropolitan District Service Plan is consistent with the Comprehensive Plan; and
2. The West Junction Metropolitan District Service Plan meets Title 32 of the Colorado Revised Statutes for formation of a metropolitan district.

FISCAL IMPACT:

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

SUGGESTED MOTION:

I move to (adopt/deny) 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 (IGA) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

Attachments

1. West Junction Metropolitan District Service Plan
2. Maps and Exhibits
3. IGA Memo
4. Notice of Filing to DOLA
5. Organizational Calendar
6. Ute Water Conservancy District Comments
7. Proposed Resolution
8. West Junction Metropolitan District - Minutes - Planning Commission - 2020 - July 28

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 49-20

**A RESOLUTION APPROVING THE SERVICE PLAN FOR
THE WEST JUNCTION METROPOLITAN DISTRICT**

A. Pursuant to §32-1-204.5, C.R.S., as amended, a Service Plan for the proposed West Junction Metropolitan District ("District") has been submitted to the City Council ("Council") of the City of Grand Junction, Colorado ("City"). A copy of the Service Plan including all exhibits is attached hereto as Exhibit "A".

B. Pursuant to the provisions of Title 32, Article 1, Colorado Revised Statutes (C.R.S.), as amended, and the Grand Junction Municipal Code ("GJMC") on May 20, 2020 the Council scheduled a public hearing on the Service Plan for August 5, 2020.

C. Notice of the hearing before the Council on August 5, 2020 was duly published in the *Daily Sentinel*, a newspaper of general circulation within the City, on July 10, 2020 (minimum 20 days prior to hearing), as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Department of Local Affairs, and the governing body of each municipality and Title 32 Special District that has levied *ad valorem* tax within the next preceding tax year and that has boundaries within a radius of three miles of the District.

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

E. The Council finds that the Service Plan shall be approved with the following conditions which shall be met prior to the West Junction Metropolitan District Service Plan becoming effective and before the proposed District may exercise the powers and authority described therein, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended:

1. Condition 1: Approval and execution of one or more Intergovernmental Agreement (IGA) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

F. For purposes of this Resolution, the effective date is the date which the election results are accepted/certified by the Colorado Department of Local Affairs.

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

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

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

- (a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;
- (b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;
- (c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and
- (d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

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

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

PASSED, ADOPTED AND APPROVED this 5th day of August 2020.


C.E. Duke Wortmann, Mayor

ATTEST:


Wanda Winkelmann, City Clerk



To Whom It May Concern:

State of Colorado)
)
County of Mesa) ss
)
City of Grand Junction)

I hereby certify the attached copy of Resolution No. 49-20 to be a true, complete, and genuine copy of such Resolution adopted and approved by the Grand Junction City Council on August 5, 2020.

In witness whereof, I affix my hand and official seal this 6th day of August 2020.

W Winkelmann

Wanda K. Winkelmann, City Clerk



SERVICE PLAN

WEST JUNCTION METROPOLITAN DISTRICT

CITY OF GRAND JUNCTION, COLORADO

Prepared by:

**FRITSCHÉ LAW LLC
1888 SHERMAN STREET, SUITE 200
DENVER, CO 80203**

Approved: August 5, 2020

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I. INTRODUCTION

A. Purpose and Intent.

The District is an independent unit of local government, separate and distinct from the City of Grand Junction and, except as may otherwise be provided for by state or local law or this Service Plan, its activities are subject to review by the City if it deviates in a material way from the requirements of the Service Plan. It is intended that the District will provide a part or all of the various Public Improvements, as described in Section V.A.1, necessary and appropriate for the development of the Project within the City. The Public Improvements will be constructed for the use and benefit of all anticipated inhabitants and taxpayers of the District and the general public, subject to such policies, rules and regulations as may be permitted under applicable law. A primary purpose of the District will be to finance the construction and installation of the Public Improvements and to provide ongoing operations and maintenance services as specifically set forth in this Service Plan.

B. Need for the District.

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that have the means or desire to undertake the planning, design, acquisition, construction, installation, and financing of the Public Improvements needed for the Project. Formation of the District is necessary in order for the Public Improvements required for the Project to be provided in the most economical manner possible.

C. Objective of the City Regarding District Service Plan.

The City's objective in approving the Service Plan for the District is to authorize the District to provide for the financing, planning, design, acquisition, construction, and installation of the Public Improvements from the proceeds of Debt to be issued by the District. All Debt is expected to be repaid by taxes imposed and collected at a mill levy no higher than the Maximum Debt Mill Levy and from other legally available revenues. Debt, issued within these parameters and as further described in the Financial Plan, will result in a timely and reasonable discharge of the Debt. Under no circumstances is the City agreeing or undertaking to be financially responsible for the Debt or the construction of Public Improvements.

Further, the objective of the City is to authorize the District to undertake operations and maintenance functions for Public Improvements that are not dedicated to the City, Ute Water Conservancy District ("Water District"), Colorado Department of Transportation ("CDOT"), or to another appropriate governmental entity to perform such functions. The District intends to own and maintain certain park and recreation improvements, including a multi-purpose recreation facility that shall be operated by the City under a separate intergovernmental agreement with the City. All of the other Public Improvements are anticipated to be dedicated to the City, Water District or CDOT for ownership, operations and maintenance.

The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from tax revenues collected from a mill levy which shall not exceed the

Maximum Debt Mill Levy together with other legally available revenues, which may include, without limitation, fees, rates, tolls, charges and penalties. The cost of Public Improvements beyond the Debt capacity of the District shall be considered Developer contributions.

II. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Approved Development Plan: means a recorded plat, ODP, PD amendment or subdivision improvement agreement approved by the City.

Board: means the Board of Directors of the District.

Bond, Bonds or Debt: means bonds, notes, debentures, certificates, contracts, capital leases or other multiple-fiscal year obligations for the payment of which the District has promised to impose an ad valorem tax or pledge of fees or other revenue source, not subject to annual appropriation.

City: means the City of Grand Junction, Colorado.

C.R.S.: means the Colorado Revised Statutes.

Developer: means Foothills Housing 2, LLC or successor entities.

District: means the West Junction Metropolitan District.

District Activities: means any and all services, functions, and powers that special districts organized under the Special District Act may provide, perform or exercise as of the date of this Service Plan, except that the District shall not be authorized to provide fire protection facilities or services, nor shall it be authorized to provide operations for domestic water and/or sanitary sewer service.

External Financial Advisor: means a consultant that: (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the District and (iv) has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Financial Plan: means the Financial Plan found in Section VI and Exhibit D of this Service Plan, which describes the following, based on current estimates which may change based on market conditions and subject to the limitations and requirements of this Service Plan: (i) how the Public Improvements are to be financed; (ii) how the Debt is expected to be

incurred; and (iii) repayment of Debt derived from property tax revenues. Any change to the Financial Plan, within the limitations of this Service Plan, shall not constitute a material modification of this Service Plan.

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

Operating Mill Levy: means the mill levy the District is permitted to impose to fund administrative, operating, and facilities maintenance expenses, as set forth in Section VI.F below.

Project: means a portion of the development or property known as The Community Planned Development and as shown on the District Boundary Map.

Public Improvements: means those improvements permitted under the Special District Act, subject to any limitations established in this Service Plan, and limitations or requirements set forth in Approved Development Plans addressing improvements required for the Project that the District is authorized to provide as described in Section V.A below.

Service Area: means the District boundaries as shown on the District Boundary Map.

Service Plan: means the District's service plan as approved by City Council.

Service Plan Amendment: means a material modification to the Service Plan approved by City Council in accordance with Section 32-1-207(2), C.R.S.

Special District Act or Act: means Sections 32-1-101, et seq., of the Colorado Revised Statutes.

State: means the State of Colorado.

TABOR: means Article X, Section 20 of the Colorado Constitution.

Total Debt Issuance Limit: means the maximum amount of general obligation Debt the District may issue, as stated in Section VI.C below.

III. BOUNDARIES

A vicinity map depicting the location of the Project is attached hereto as Exhibit A and a legal description and map of the property located within the District Boundaries is attached hereto as Exhibit B.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The Project area and District boundaries consists of approximately one hundred seventy-seven (177) acres of land. The Project is zoned for single and multi-family residential and commercial and industrial uses. The assessed valuation of the Project area is assumed to be zero dollars for purposes of this Service Plan and, at build out, is expected to be approximately Eighty Million Two Hundred Seventy-Seven Thousand Nine Hundred Seventy-Nine Dollars (\$80,277,979), which amount is expected to be sufficient to reasonably discharge the Debt to be incurred by the District. The estimated population within the District Boundaries at build out is expected to be approximately 2,453 persons.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Service Plan Amendment

The District shall have the power and authority to provide for the acquisition, design, finance, construction, installation, repair and replacement of Public Improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the state constitution, subject to the limitations set forth herein. The Capital Cost Estimate attached as Exhibit C lists the anticipated types of Public Improvements the District may provide with estimated costs in current dollars. The exact design, phasing of construction and location of the Public Improvements will be determined at the time of and pursuant to City approval of Approved Development Plans and such decisions shall not be considered material modifications of the Service Plan. The District shall be authorized to finance and construct such Public Improvements without the necessity to seek an amendment of this Service Plan.

1. General Powers.

Streets. Streets, curbs, gutters, culverts, other drainage facilities, sidewalks, bridges, parking facilities, paving, lighting, grading, monumentation, signage, streetscapes and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Traffic and Safety Controls. Traffic and safety protection facilities and services provided through traffic and safety controls and devices on streets, highways and at railroad crossings, including traffic signals and signage, striping, area identification signs, directional assistance, driver information signs, lighting, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Water. Potable domestic water supply system, including water rights, storage facilities, transmission and distribution lines, fire hydrants, meters, facilities, and equipment, together with all necessary, incidental and appurtenant facilities, equipment,

land and easements, and extensions of and improvements to such facilities.

Nonpotable irrigation water supply system, including water rights, storage facilities, transmission and distribution lines, meters, facilities, equipment, and related landscaping improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Storm and Sanitary Sewer. Storm and sanitary sewer collection and transmission improvements, including storage facilities, collection mains and laterals, transmission lines, storm sewer, flood and surface drainage facilities and systems, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Parks and Recreation. Public park, open space, and recreation facilities and services, including a recreation facility with a fieldhouse, pool, and other amenities, parks, bike paths, pedestrian ways, signage, monumentation, playground areas, public area landscaping and weed control, streetscaping, perimeter fencing, outdoor lighting of all types, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

2. Operations and Maintenance. The District shall be authorized to operate and maintain Public Improvements not conveyed to the City, Water District, CDOT or other governmental entity having proper jurisdiction. It is anticipated by the City and Developer that the District will own, operate and maintain certain parks, trails, open space and common areas, and the District will own a multi-purpose recreation facility designed in collaboration with the City's Parks and Recreation Department to be operated by the City through a separate intergovernmental agreement, and providing a separate tier schedule and pricing structure for District residents and taxpayers.

3. Construction Standards Limitation. The District will ensure that the Public Improvements it finances, designs, installs and constructs are built in accordance with the applicable standards and specifications of the City, including without limitation any development improvement agreements or to the standards and specifications of other governmental entities having proper jurisdiction. All Public Improvements conveyed or otherwise dedicated to the City, Water District or CDOT shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the applicable jurisdiction's acceptance and warranty procedures.

4. Privately Placed Debt Limitation. Prior to the issuance of any privately placed Debt to the Project Developer or its affiliated entities, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan. We [I] certify that (1) the net effective interest rate

(calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

5. Inclusion/Exclusion Limitation. The District shall not include additional property within its Boundaries without the prior written consent of the City given by the City Council. For any proposed exclusion, the District shall give the City Attorney thirty (30) days advance written notice of any proposed exclusion hearing. City approval of the exclusion may be given by the City Manager and any action on such exclusion shall be completed promptly by the City Attorney following the hearing at which the District considers the exclusion.

6. Total Debt Issuance Limitation. The District shall not issue Debt, collectively, in excess of Sixty-Five Million Dollars (\$65,000,000), and the District may issue Debt on a schedule and in such year or years as the District determines and phased to serve development as it occurs. Refunded Debt shall not count against the Total Debt Issuance Limitation.

7. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other grant funds available from or through governmental or non-profit entities that the City is eligible to apply for and has applied for, except pursuant to approval of the City.

8. Bankruptcy Limitation. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

- a. Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and
- b. Are, together with all other requirements of Colorado law, including in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable non-bankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

9. Service Plan Amendment Requirement. This Service Plan has been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances without the need for amendment. Actions of the District which violate the Service Plan shall be deemed to be material modifications to this Service Plan and the City shall be entitled to all remedies available under state and local law to enjoin such actions of

the District, and to seek other remedies provided in law or in equity. The Financial Plan and specific Public Improvements presented herein are estimates only and are subject to change due to market conditions at the time of issuance. Any such change, within the limitations of this Service Plan, shall not constitute a material modification of the Service Plan.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the financing, planning, design, acquisition, construction, installation and maintenance of the Public Improvements within and without the Boundaries of the District, as more specifically defined by Approved Development Plans. Such Public Improvements will benefit District taxpayers and residents through the provision of financing shared transportation access, water, wastewater, storm water systems and recreation facilities. A description of the Public Improvements necessary for the Project and eligible for District financing was prepared based upon a preliminary capital cost estimate of Sixty-Five Million Two Hundred and Eight Thousand Eight Hundred Sixty-Nine Dollars (\$65,208,869), as shown in Exhibit C attached hereto. The Public Improvements and associated costs shown in Exhibit C are subject to change based on future development approvals and market costs at the time of construction and any such variations from Exhibit C shall not constitute a material modification of this Service Plan.

All Public Improvements shall meet the standards and specifications adopted and/or required by the City, Water District, CDOT or other governmental entity having jurisdiction over such Public Improvements.

VI. FINANCIAL PLAN

A. General.

The District shall be authorized to finance the planning, design, acquisition, construction, and/or installation of the Public Improvements from any lawful revenue source, including but not limited to the proceeds of Debt to be issued by the District. A Financial Plan, attached as Exhibit D, includes the estimated indebtedness, timing, and interest rates of Debt anticipated to be issued by the District. The Financial Plan is one projection of Debt to be issued by the District, and it is expected that the terms of Debt when issued by the District may vary from the Financial Plan based on market conditions and other factors at the time of issuance. Such variations shall not constitute a material modification of this Service Plan. The total Debt that the District shall be permitted to issue shall not exceed the Total Debt Issuance Limit and shall be permitted to be issued on a schedule and in such year or years as the District determines and phased to serve development as it occurs; provided, however, refundings shall not count against the Total Debt Issuance Limit. All Bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general *ad valorem* taxes and Fees to be imposed upon all Taxable Property of the District. The District may also rely upon various other revenue sources authorized by law. These may include, but not be limited to, revenues from fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1)(j), C.R.S. It is anticipated that the Developer of the Project and/or other parties may incur costs for Public Improvements, either in the form of direct payments for such costs, or by means of advances to the District; these direct

payments and/or advances shall be reimbursable by the District from Debt, contractual reimbursement agreements and/or any legally available revenue source.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. The proposed maximum interest rate on any Debt may not exceed twelve percent (12%). The maximum underwriting discount will not exceed three percent (3%). Debt, when issued, will comply with all relevant requirements of this Service Plan and state and Federal law.

C. Maximum Debt Mill Levy.

The Maximum Debt Mill Levy shall be fifty (50) mills, provided that if, on or after January 1, 2020, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement, the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2020, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

Prior to the issuance of Debt, the District shall obtain an opinion of an underwriter, if the District has engaged an underwriter for the proposed Debt transaction, and an opinion of a nationally recognized bond counsel. All issuances of general obligation Bonds shall be deemed to be in compliance with the Financial Plan so long as the Minimum Criteria, as hereinafter defined, have been met. "Minimum Criteria" shall mean that the general obligation Bonds are: (1) subject to the Maximum Debt Mill Levy, if required by this Service Plan; (2) together with other outstanding general obligation Bonds of the District, not in excess of the Total Debt Issuance Limitation set forth in this Service Plan, as may be amended; (3) together with other outstanding general obligation Bonds of the District, not in excess of the general obligation debt authority provided by the District's electorate; and (4) issued in compliance with the applicable requirements of Section 32-1-1101(6), C.R.S. Any issuance of general obligation Bonds that does not satisfy the Minimum Criteria shall constitute a material modification of this Service Plan.

The costs of constructing the Public Improvements may be paid from available District mill levy revenues, Debt and/or advances from the Developer of the Project. The District shall be authorized to reimburse Developer advances, if any, with interest at a market reasonable rate from District mill levy revenues and/or proceeds from Debt privately placed with the Developer, and other legally available revenues of the District. Any such privately placed Debt shall be subject to the limitations set forth in Section V.A.4. and the Minimum Criteria.

In the event that the District determines that it is in the best interests of the District and its taxpayers to issue general obligation Bonds to parties other than the Developer to: (i) reimburse the Developer for Developer advances; (ii) refund or restructure Debt previously placed with the Developer; or (iii) finance Public Improvements, the District shall prepare a plan of finance for the

purpose of determining whether the proposed issuance satisfies the Minimum Criteria. The plan of finance will include the amount of Bonds to be issued, uses of proceeds therefrom (including, if any, capitalized interest and costs of issuance), sources of revenues securing repayment of the Bonds and the repayment schedule for the Bonds. At least thirty (30) calendar days prior to any such issuance, the District shall submit the plan of finance together with an opinion of an underwriter or bond counsel to the City for review to determine whether the proposed issuance satisfies the Minimum Criteria. If the City does not provide the District with written objections to the proposed issuance concerning conforming to the Minimum Criteria within the thirty (30) day review period, City consent to the proposed issuance shall be deemed given.

Any Debt issued by the District with a pledge or which results in a pledge that exceeds the Maximum Debt Mill Levy shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

D. Security for Debt.

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

E. TABOR Compliance.

The District will comply with the provisions of TABOR.

F. District Operating Costs and Operating Mill Levy.

The first year's operating budget is estimated to be \$100,000, which is anticipated to be derived from other District revenues (including Developer advances or other payments). The first year's operating budget is an estimate only, and variations from this estimate shall not be considered a material modification of this Service Plan.

In addition to the Maximum Debt Mill Levy applicable to the District's debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the repayment of any advances provided to the District for such purposes, as shown in Exhibit D.

VII. ANNUAL REPORT

A. General.

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

District has been issued.

B. Reporting of Significant Events.

The annual report shall include information as to any of the following as of December 31st of the prior year:

1. Boundary changes made to the District's Boundaries.
2. Intergovernmental agreements with other governmental entities entered into.
3. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City or other governmental entity.
4. The assessed valuation of the District for the current year.
5. Current year budget including a description of the Public Improvements to be constructed in such year.
6. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles, if required by law, or an Audit Exemption.
7. Notice of any uncured events of default by the District under any Debt instrument, which continue beyond a ninety (90) day period.
8. Summary of any litigation where the District is a party (including a list of the parties or anticipated parties, claims or anticipated claims, etc.).

VIII. DISSOLUTION

The District is not intended to dissolve because it will continue to own and maintain certain park and recreation Public Improvements. However, upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution, pursuant to §§ 32-1-701, et seq., C.R.S. In no event shall a dissolution occur until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required by the Special District Act and that any ownership, operations, maintenance, repair and replacement obligations for District owned and/or operated Public Improvements have been conveyed to another public entity.

IX. DISCLOSURE TO PURCHASERS

In addition to recording the Court Order and Decree forming the District against all property within the District boundaries, the District will use reasonable efforts to assure that property owners provide written notice to initial end user purchasers regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect

rates, fees, tolls and charges. The form of notice shall be filed with the City, which filing shall be deemed satisfied upon the filing of the annual disclosure form (§ 32-1-809, C.R.S.) with the Division of Local Government.

X. INTERGOVERNMENTAL AGREEMENTS

Upon District formation, the District and City shall execute multiple intergovernmental agreements (the "City IGAs") for the purposes of: (1) creating a contractual relationship between the parties; (2) addressing the terms of the operation and maintenance of the recreation facility; and (3) a cost allocation and district financing reimbursement agreement using City fee revenue sharing to complete in a timely manner and finance City obligation street improvements required by City Ordinance #4878. The District shall not incur any Debt or impose any taxes or fees until its Board has approved and executed the City IGAs, as applicable.

XI. CONCLUSION

It is submitted that this Service Plan for the District meets the requirements of the Special District Control Act, §§ 32-1-201, et seq., C.R.S., the applicable requirements of the Colorado Constitution, and those of the City. It is further submitted that this Service Plan meets the criteria set forth in § 32-1-203(2), C.R.S., establishing that:

A. There is sufficient existing and projected need for organized service in the area to be serviced by the District. The District will provide basic public infrastructure to service the Project and will provide a sought-after amenity in the form of the recreation facility, all of which will add value to the Project and surrounding properties.

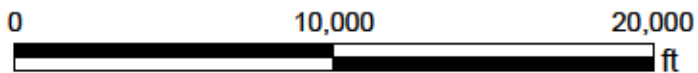
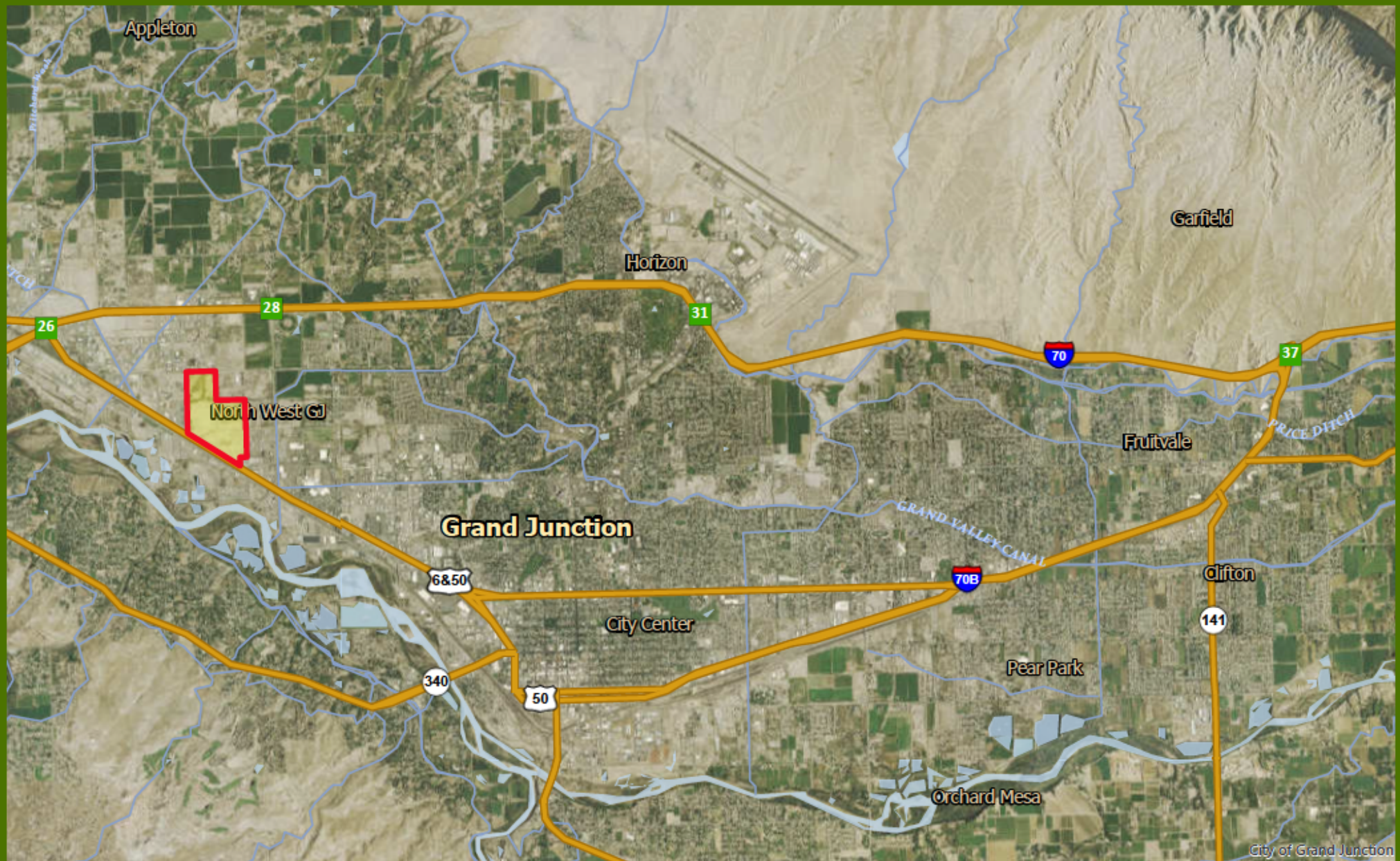
B. The existing service in the area to be served by the District is inadequate for present and projected needs. The current status of the property is undeveloped land. No other public entity, including the City, is willing to construct and provide public services to this Project. It is cost prohibitive for the Developer to pass along the costs of public infrastructure installed to last for decades to the first home buyers and property owners. Growth should pay its way over the life of the infrastructure.

C. The District is capable of providing economical and sufficient service to the proposed development within its boundaries. The Capital Cost Estimate and Financial Plan attached as exhibits to the Service Plan demonstrate the District's ability to finance, design, construct and acquire the necessary public infrastructure in an economical and timely fashion for dedication to public entities.

D. The area to be included within the District does have and will have the financial ability to discharge the proposed indebtedness on a reasonable basis. The Financial Plan attached hereto utilizes a conservative approach to estimating the debt capacity of the District to finance the Public Infrastructure.

EXHIBIT A
VICINITY MAP

EXHIBIT A VICINITY MAP



Printed: 7/7/2020
1 inch equals 6,019 feet
Scale: 1:72,224
Packet Page 163

EXHIBIT B

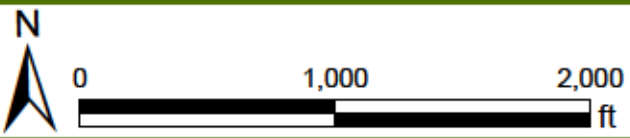
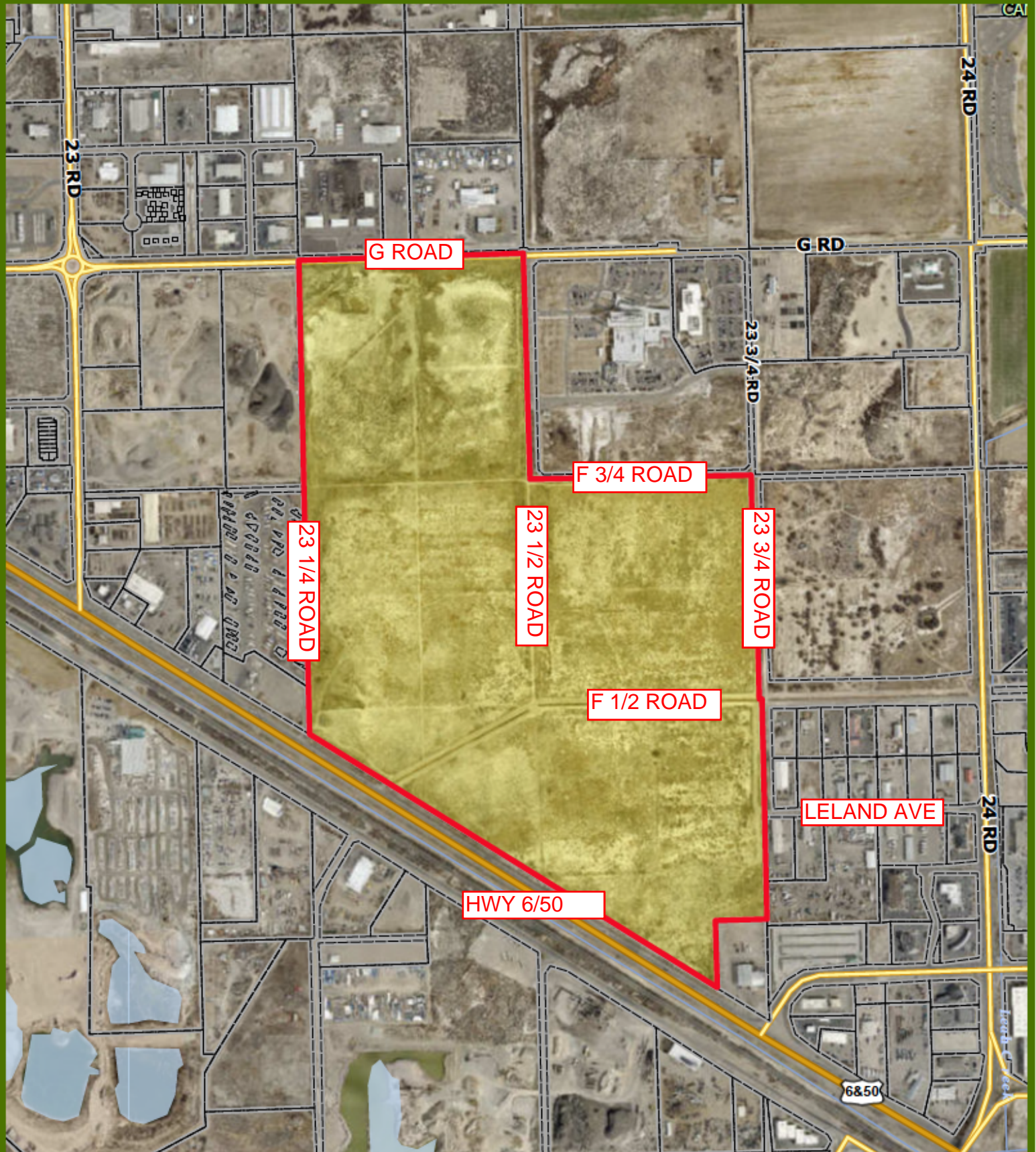
DISTRICT BOUNDARY MAP AND LEGAL DESCRIPTION

LEGAL DESCRIPTION

LOT 2 OF CENTENNIAL COMMERCIAL CENTER, COUNTY OF MESA, STATE OF COLORADO.

ALSO KNOWN AS: PARCEL NO. 2945-0511-4003, COUNTY OF MESA, STATE OF COLORADO.

EXHIBIT B - BOUNDARY MAP



Printed: 7/6/2020
1 inch equals 752 feet
Scale: 1:9,028



EXHIBIT C
CAPITAL COST ESTIMATE

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
A. SANITARY SEWER					
1	12" PVC Sanitary Sewer Main	LF	1,350	\$ 35.00	\$ 47,250.00
2	10" PVC Sanitary Sewer Main	LF			\$ -
3	8" PVC Sanitary Sewer Main	LF	48,582	\$ 32.00	\$ 1,554,624.00
4	6" PVC Sanitary Sewer Main	LF			\$ -
5	5' DIA Sewer Manhole	EA			\$ -
6	4' DIA Sewer Manhole	EA	114	\$ 4,200.00	\$ 480,748.80
7	Sewer Clean Out w/Cover	EA			\$ -
8	Sanitary Sewer Drop Manhole	EA			\$ -
9	Sewer services	LF			\$ -
10	Connection to Existing Manhole	EA	5	\$ 1,500.00	\$ 7,500.00
11	Manhole Stabilization (20%)	EA	46	\$ 3,500.00	\$ 160,249.60
12	Trench Stabilization (25%)	LF	51,215	\$ 15.00	\$ 768,225.00
13	Concrete Encasement	CY	300	\$ 110.00	\$ 33,000.00
Subtotal Part A Sanitary Sewer					\$ 3,051,597.40
B1. DOMESTIC WATER					
1	12" PVC Water Main	LF			\$ -
2	10" PVC Water Main	LF	10,018	\$ 32.00	\$ 320,576.00
3	8" PVC Water Main	LF	55,150	\$ 28.00	\$ 1,544,200.00
4	6" PVC Water Main	LF			\$ -
5	4" PVC Water Main	LF			\$ -
6	2" PVC Water Main	LF			\$ -
7	12" Gatevalve	EA			\$ -
8	10" Gatevalve	EA	28	\$ 2,000.00	\$ 56,000.00
9	8" Gatevalve	EA	80	\$ 1,700.00	\$ 136,000.00
10	6" Gatevalve	EA			\$ -
11	4" Gatevalve	EA			\$ -
12	2" Gatevalve	EA			\$ -
13	Water Services	EA			\$ -
14	Connect to Existing Water Line	EA	4	\$ 1,500.00	\$ 6,000.00
15	Fire Hydrant with Valve	EA	113	\$ 5,100.00	\$ 578,666.40
16	Wet Taps On Main By Ute	EA	4	\$ 2,500.00	\$ 10,000.00
17	12" Above Ground Double Check Valve w/Enclosure	EA			
18	Utility Adjustments	EA			\$ -
19	Blowoff	EA			\$ -
20	Flushing and Testing	EA	20	\$ 1,200.00	\$ 24,000.00
Subtotal Part B1 - Domestic Water					\$ 2,675,442.40
B2. IRRIGATION WATER					
1	12" Irrigation Pipe	LF			\$ -
2	10" Irrigation Pipe	LF	4,000	\$ 42.00	\$ 168,000.00

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
3	8" Irrigation Pipe	LF			\$ -
4	6" Irrigation Pipe	LF	14,829	\$ 22.00	\$ 326,238.00
5	4" Irrigation Pipe	LF	4,190	\$ 20.00	\$ 83,800.00
6	3" Irrigation Pipe	LF			\$ -
7	12" Irrigation Valve	EA			\$ -
8	10" Irrigation Valve	EA	3	\$ 1,100.00	\$ 3,300.00
9	8" Irrigation Valve	EA			\$ -
10	6" Irrigation Valve	EA	10	\$ 900.00	\$ 9,000.00
11	4" Irrigation Valve	EA	42	\$ 400.00	\$ 16,800.00
12	3" Irrigation Valve	EA			\$ -
13	Irrigation Manhole	EA	15	\$ 2,500.00	
14	6" Air Vac	EA	3	\$ 1,200.00	\$ 3,600.00
15	4" Air Vac	EA			\$ -
16	Irrigation Lot Service Connections	EA	1	\$ 800.00	\$ 800.00
17	Concrete Sediment Pond Structure	EA	1	\$ 45,000.00	\$ 45,000.00
18	Pond Aeration	LS			\$ -
19	Pond Edge Treatment	LF			\$ -
20	Pond Liner	SF			\$ -
21	Pressure Pump and Control System	EA	1	\$ 65,000.00	\$ 65,000.00
22	Irrigation Clock / Timer System	EA	10	\$ 1,000.00	\$ 10,000.00
					\$ -
					\$ -
	Subtotal Part B2 - Irrigation Water				\$ 731,538.00
C1	STREETS				
1	10" PVC Utility sleeves	LF			\$ -
2	6" PVC Utility sleeves	LF			\$ -
3	4" PVC Utility sleeves	LF	18,000	\$ 7.00	\$ 126,000.00
4	Subgrade Reconditioning	SY	239,430	\$ 2.00	\$ 478,860.67
5	Subgrade Stabilization - Remove 2' Unsuitable, Replace with 2-ft Class 3 W/Geogrid (ASSUMED 30% OF ROADS)	SY	71,829	\$ 32.00	\$ 2,298,531.20
6	24" Class 3 Subbase Material	SY			\$ -
7	18" Class 3 Subbase Material	SY			\$ -
8	14" Class 3 Subbase Material	SY	329,805	\$ 12.00	\$ 3,957,660.00
9	12" Class 3 Subbase Material	SY			\$ -
10	Class VI-ABC - 16" Compacted Thickness	SY			\$ -
11	Class VI-ABC - 13" Compacted Thickness	SY			\$ -
12	Class VI-ABC - 10" Compacted Thickness	SY			\$ -
13	Class VI-ABC - 8" Compacted Thickness	SY			\$ -
14	Class VI-ABC - 6" Compacted Thickness	SY	329,805	\$ 9.00	\$ 2,968,245.00
15	5" HBP ASPHALT, PG-64-22, 75 GYRATION Arterial Street	SY	37,401	\$ 34.00	\$ 1,271,634.00

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
16	4" HBP ASPHALT, PG-64-22, 75 GYRATION Collectors	SY	139,390	\$ 27.00	\$ 3,763,539.00
17	3" HBP ASPHALT, PG-64-22, 75 GYRATION Local Streets	SY			\$ -
18	8" Thk Concrete Pavement (Class P)	SY			\$ -
19	6" Thk Concrete Pavement (Class P)	SY			\$ -
20	4" Thk Concrete - Class GV-B	SY			\$ -
21	Geotextile	SY	239,430	\$ 4.00	\$ 957,721.33
22	2-ft Concrete Curb and Gutter	LF	4,190	\$ 13.50	\$ 56,565.00
23	1.5-ft Concrete Curb and Gutter	LF			\$ -
24	1.5-ft Concrete Barrier Curb (8" Tall)	LF	4,652	\$ 13.50	\$ 62,802.00
25	7-ft Monolithic Vertical Curb/Gutter/Walk	LF	78,155	\$ 39.00	\$ 3,048,045.00
26	7-ft Monolithic Commercial Driveway Section (8" Thk) Vertical Curb/Gutter/Walk	LF			\$ -
27	7-ft Monolithic Residential Driveway Section (6" Thk) Vertical Curb/Gutter/Walk	LF			\$ -
28	6.5-ft Monolithic Drive Over Curb/Gutter/Walk	LF			\$ -
29	Concrete Corner Fillet (29 @ 1600 SF)	SY	10,310	\$ 72.00	\$ 742,320.00
30	Concrete Curb Ramp	EA			\$ -
31	Alternate Ramp	EA			\$ -
32	Sidewalk Drain Thru	LF			\$ -
33	Retaining Walls	LF			\$ -
34	Stop Signs	EA	79	\$ 250.00	\$ 19,750.00
35	Speed Limit Signs	EA	10	\$ 250.00	\$ 2,500.00
36	Misc Signs	EA	30	\$ 250.00	\$ 7,500.00
37	Striping (New, Remove/Replace)	LF			\$ -
38	Street Lights	EA	300	\$ 4,000.00	\$ 1,199,146.67
39	Pedestrian Street Lights	EA	256	\$ 2,800.00	\$ 716,856.00
40	End of Roadway Markers/Signs	EA	6	\$ 250.00	\$ 1,500.00
41	Flowable Fill	CY			\$ -
					\$ -
					\$ -
C2	BRIDGES				
					\$ -
1	Box Culvert Pre-Cast	LS			\$ -
2	Box Culvert Cast-in-Place	LS			\$ -
3	Wingwalls	LS			\$ -
4	Parapet Wall	LS			\$ -
5	Railing (handrail, guardrail)	LS			\$ -
C3	OFFSITE IMPROVEMENTS				
8	Traffic Signal / Lanes @ F-1/2 & Hwy 50	LS	1.00	\$ 1,500,000	\$ 1,500,000.00
9	Right in / Right Out Highway 50	LS	1.00	\$ 500,000	\$ 500,000.00

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
Subtotal Part C - Streets, Bridges, & Offsite					\$ 23,679,175.87
D1	EARTHWORK				
1	Mobilization	LS	1	\$ 60,000.00	\$ 60,000.00
2	Clearing and Grubbing	AC	30	\$ 1,500.00	\$ 45,000.00
3	Unclassified Excavation - Cut	CY	209,336	\$ 6.00	\$ 1,256,013.42
4	Unclassified Embankment	CY			\$ -
	Finish Grading	SY	239,430	\$ 2.00	\$ 478,860.67
5	Utility Trenching	LF	82,345	\$ 6.00	\$ 494,070.00
D2	REMOVALS AND RESETTING				
1	Removal of Asphalt	SY	1,600	\$ 5.00	\$ 8,000.00
2	Removal of Miscellaneous Concrete	SY			\$ -
3	Remove Curb and Gutter	LF			\$ -
4	Removal of Culverts	LF			\$ -
5	Remove Structures	EA			\$ -
6	Remove Signs	EA			\$ -
7	Remove Fence	LF	4,000	\$ 3.00	\$ 12,000.00
8	Adjust Manhole	EA	14	\$ 500.00	\$ 7,000.00
9	Adjust Valvebox	EA	12	\$ 200.00	\$ 2,400.00
10	Relocate or Adjust Utilities	LS			\$ -
D3	EROSION CONTROL, SEEDING, AND SOIL RETENTION				
1	Sod	SY			\$ -
2	Seeding (Native)	AC	10	\$ 3,500.00	\$ 35,000.00
3	Seeding (Bluegrass/Lawn)	SF			\$ -
4	Hydraulic Seed and Mulching	AC	15	\$ 1,500.00	\$ 22,500.00
5	Soil Retention Blanket	SY			\$ -
6	Silt Fence	LF			\$ -
7	Straw Waddles	LF			\$ -
8	Temporary Berms	LF	6,000	\$ 2.00	\$ 12,000.00
9	Inlet Protection	EA	135	\$ 300.00	\$ 40,449.00
10	Sediment Trap/Basin	EA			\$ -
11	Monthly Maintenance/Inspection	Month	32	\$ 1,100.00	\$ 35,200.00
12	Watering (Dust Control)	LS	1	\$ 30,000.00	\$ 30,000.00
13	Temporary Irrigation				\$ -
D4	STORM DRAINAGE FACILITIES				
1	60" Storm Drain Pipe	LF	2,410	\$ 200.00	\$ 482,000.00
2	54" Storm Drain Pipe	LF			\$ -
3	48" Storm Drain Pipe	LF			\$ -

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
4	32" Storm Drain Pipe	LF			\$ -
5	24" Storm Drain Pipe	LF	4,712	\$ 74.00	\$ 348,688.00
6	18" Storm Drain Pipe	LF	5,933	\$ 37.00	\$ 219,521.00
7	12" Storm Drain Pipe	LF			\$ -
8	8" Storm Drain Pipe	LF			\$ -
9	6" Storm Drain Pipe	LF			\$ -
10	60" Flared End Section	EA	1	\$ 4,000.00	\$ 4,000.00
11	24" Flared End Section	EA	2	\$ 2,000.00	\$ 4,000.00
12	18" Flared End Section	EA	2	\$ 1,100.00	\$ 2,200.00
13	7.5' Dia Storm Drain Manhole	EA	7	\$ 5,800.00	\$ 40,600.00
14	6' Storm Drain Manhole	EA			\$ -
15	5' Storm Drain Manhole	EA	9	\$ 3,900.00	\$ 35,100.00
16	4' Storm Drain Manhole	EA	26	\$ 3,200.00	\$ 83,200.00
17	Connection to Existing MH	EA	2	\$ 2,000.00	\$ 4,000.00
18	Single Curb Opening Storm Drain	EA	33	\$ 2,900.00	\$ 95,700.00
19	Double Curb Opening Storm Drain	EA	5	\$ 3,800.00	\$ 19,000.00
20	Large Area Inlet Storm Drain	EA			\$ -
21	Small Area Storm Drain	EA			\$ -
22	CDOT Type R Inlet	EA			\$ -
23	CDOT Type 13 Inlet	EA			\$ -
24	Detention Area Outlet structure	EA	1	\$ 15,000.00	\$ 15,000.00
25	Rip-Rap D ₅₀ = ____"	CY			\$ -
26	3-ft Wide Concrete V-Pan 8" Thk w/6" Class VI ABC	LF	1,000	\$ 24.00	\$ 24,000.00
27	2-ft Wide Concrete V-Pan 8" Thk w/6" Class VI ABC	LF			\$ -
28	Stormwater Pump Systems including Electrical	LS			\$ -
Subtotal Part D - Grading and Drainage					\$ 3,915,502.08
E1	PARK, RECREATION AND OPEN SPACE				
1	Shrub Beds/Rock Mulch/Fabric/Drip	SF	640,000	\$ 3.75	\$ 2,400,000.00
2	Trees - 2" Caliper	EA	1,129	\$ 650.00	\$ 733,525.00
3	Shrubs - 5 Gallon Mind	EA			\$ -
4	Warranty	LS			\$ -
5	Offsite Landscape Areas	SF	73,000	\$ 1.00	\$ 73,000.00
6	Perimeter Fencing	LF	30,000	\$ 30.00	\$ 900,000.00
7	Entry Monument Signs - Major Areas	LS	1	\$ 60,000.00	\$ 60,000.00
8	Entry Monument Signs - Minor Areas	LS	2	\$ 30,000.00	\$ 60,000.00
9	Clubhouse Amenity	LS			\$ -
E2	RECREATION / EVENT CENTER				
1	SEE SEPARATE COST ESTIMATE				
Subtotal Part E - Park, Recreation and Open Space					\$ 4,226,525.00
Subtotal Construction Costs					\$ 38,279,780.75

EXHIBIT C - CAPITAL COST ESTIMATE

Proposed West Junction Metropolitan District

DATE: AUGUST 14, 2020

LOCATION: 23 1/2 and F-1/2 Road

PREPARED BY: Mark Austin, P.E., Austin Civil Group, Inc.

Item #	Item Description	Unit	Quantity	Unit Price	Extended Price
F. Miscellaneous Items					
1	Construction staking/surveying	%	0.50	\$ 38,279,781	\$ 191,398.90
2	Developer's inspection cost	%	0.50	\$ 38,279,781	\$ 191,398.90
3	General construction supervsn	%	0.50	\$ 38,279,781	\$ 191,398.90
4	Quality control testing	%	0.50	\$ 38,279,781	\$ 191,398.90
5	Construction traffic control	%	1.00	\$ 38,279,781	\$ 382,797.81
6	City inspection fees	%	0.20	\$ 38,279,781	\$ 76,559.56
7	As-builts	%	0.10	\$ 38,279,781	\$ 38,279.78
Subtotal Part F - Miscellaneous Items					\$ 1,263,232.76
G. COST SUMMARY					
1	Total Improvement Costs				\$ 39,543,013.51
2	CONTINENCY	20%			\$ 7,908,602.70
3	Total*				\$ 47,451,616.22
F. CITY OF GRAND JUNCTION STREET CONTRIBUTION (ORDINANCE #: 4878)					
					\$ 4,288,559.47
1	G Road			\$ 170,233.93	
2	23-1/2 Rd			\$ 457,809.33	
3	F-3/4 Rd			\$ 313,304.28	
4	F-1/2 Road			\$ 1,277,384.31	
5	23-3/4 Road			\$ 569,827.62	
6	F-1/2 Rd Intersection W/ Highway 6/50			\$ 1,500,000	
* = ESTIMATE EXCLUDED RECREATION FACILITY COSTS					

Recreation Facility - Total \$17,757,253

Base Budget - \$14,757,253

Recreation Activity Construction Contingency \$3,000,000

City permitting cost and impact fees are not included.

Site layout is TBD and we took total area of building/parking and the remaining was allocated to landscaping. This is estimated for a full site develop of 14 acres.

- Asphalt 4" thick approx. 336,900 SF with 12" of soil improvements/9" class 6 road base
- Landscaping Budgeted approx. 89,496 SF
- Sidewalk 5" thick approx. 23,916 SF with 12" of soil improvements/6" of class 6 road base
- Bldg. Slab 5" thick approx. 100,000 SF with 12" of soil improvements/24" of pit run/6" of class 6 road base/4" of ¾ crush rock
- 8" Stemwall with Footers with 24" of pit run, approx. 600 LF
- Footing Pads at PEMB point loads
- Cross Ties approx. 4,200 LF at PEMB Steel Lines
- Slab around pool 5" thick approx. 26,080 SF with 24" of pit run and 6" of class 6 road base
- Estimated 4,000 LF of Curb/Gutter until G&D is complete
- Helical Piers, Estimated at 35' in depth
- 10" and 6" Fire Line approx. 1,750 LF
- Fire Hydrants (4ea)
- 6" Storm Sewer approx. 1,000 LF
- Catch Basins (6ea)
- 8" and 6" Sanitary Sewer approx. 1,385 LF
- 4" Elect and Tele to Bldg. approx. 750 LF each
- 4" Elect for Site Lighting approx. 2,250 LF (10ea pole bases)
- Gas Line Trench and Backfill approx. 750 LF
- Trash Enclosure (2ea)
- Bike Racks (10ea)

The main building design is budgeted with 28' eave height, insulated wall panels and metal roof, with R-30 simple saver insulation system. An additional 20,000 SF has eave height at 20', to allow for variation in the building with walls and roof line. We included a portion of the exterior building for storefront glazing for the common areas, concessions, etc. Also included a few overhead doors for the loading and unloading for events.

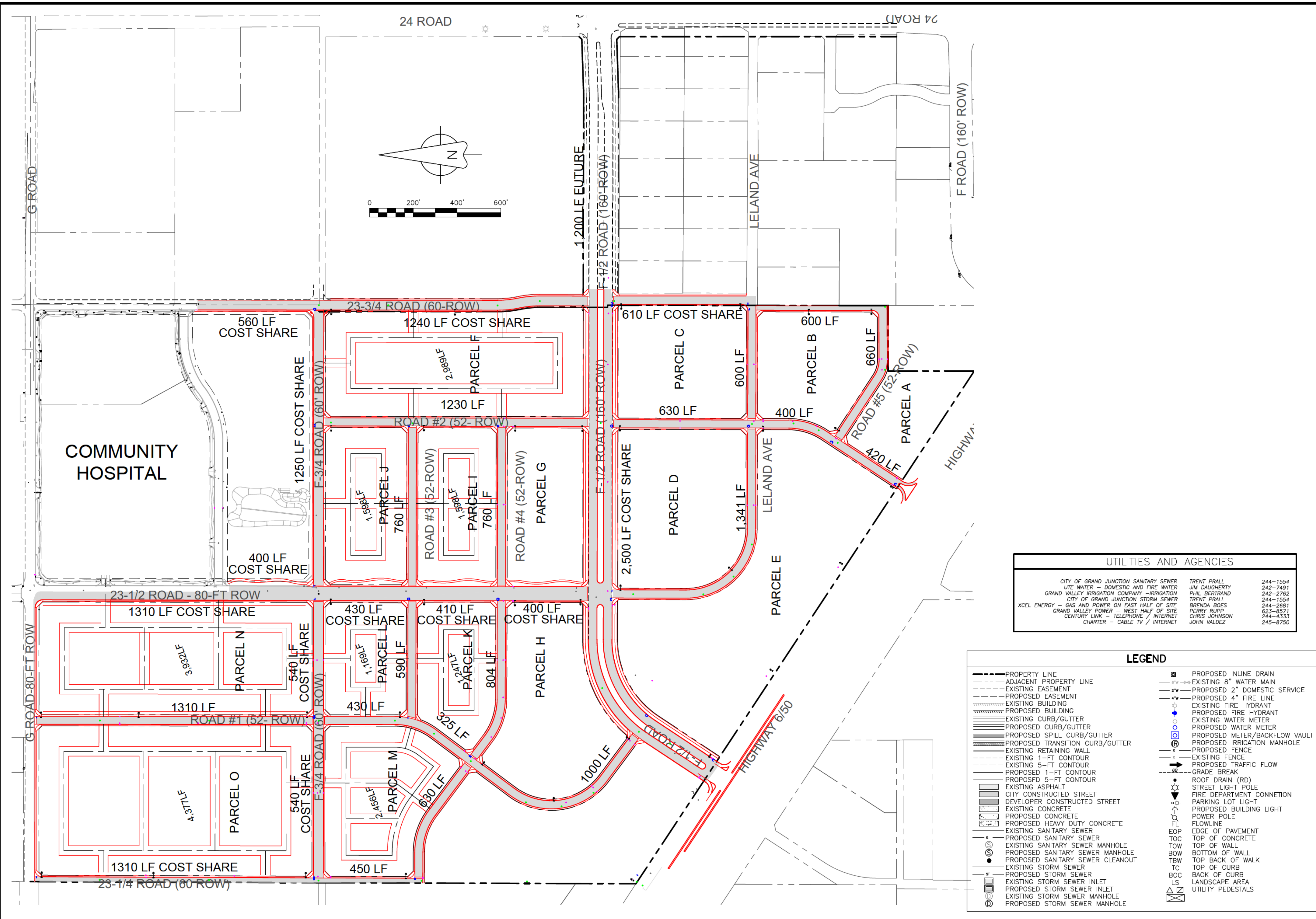
- Insulated Wall Panel 3" thick (7.2/inch = R-21.6)
- Roof Standing Seam CRF 24ga with Simple Saver R-30
- Pipe Bollards to deter damage to the building at overhead doors
- Steel Stairs/Railings (2sets)
- Storefront Drs 6070 (12ea)
- Storefront Glass Budget approx. 1,600 SF
- OVRDR 12x14 (2ea)
- HM Drs 6070 (12ea)
- Full Finish Bld. Out Allowance 48,000 SF (\$28.75/SF+10% Design Allowance)
- PEMB Package Erected (\$3.1 Million+10% Design Allowance), Material Package (Budget \$14.50/SF)
- Plumbing Restroom Fixtures 216ea

- Plumbing Throughout Facility Allowance (\$2.87/SF+10% Design Allowance)
- Ice System (Budget \$287,000+10% Allowance)
- HVAC Budget (\$9.20/SF+10% Design Allowance)
- De-Humidification System Budget (\$287K)
- Fire Sprinkler (\$5.81/SF+10% Design Allowance)
- Electrical (\$10.35/SF+10% Design Allowance)
- Fire Alarm (\$4.00/SF+10% Design Allowance)
- Phone/Data (\$0.75/SF+10% Design Allowance)
- Pool 184 x 64 (Budget \$460,000+10% Allowance)

Parking based off of area and City Code. The City Code does not define parking requirements for an outdoor pool and states decision is up to the City Planner. We have allotted 1 space/500 SF of area for budgeting purposes. We have estimated total parking spaces at approx. 1,123 spaces including handicap.

EXHIBIT D
PRELIMINARY UTILITY PLANS

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UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER	TRENT PRALL	244-1554
UTE WATER - DOMESTIC AND FIRE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY - IRRIGATION	PHIL BERTRAND	242-2762
CITY OF GRAND JUNCTION STORM SEWER	TRENT PRALL	244-1554
XCEL ENERGY - GAS AND POWER ON EAST HALF OF SITE	BRENDA BOES	244-2681
GRAND VALLEY POWER - WEST HALF OF SITE	PERRY RUPP	623-8571
CENTURY LINK - TELEPHONE / INTERNET	CHRIS JOHNSON	244-4333
CHARTER - CABLE TV / INTERNET	JOHN VALDEZ	245-8750

LEGEND	
---	PROPERTY LINE
- - -	ADJACENT PROPERTY LINE
- - -	EXISTING EASEMENT
- - -	PROPOSED EASEMENT
▒	EXISTING BUILDING
▒	PROPOSED BUILDING
▒	EXISTING CURB/GUTTER
▒	PROPOSED CURB/GUTTER
▒	PROPOSED SPILL CURB/GUTTER
▒	PROPOSED TRANSITION CURB/GUTTER
▒	EXISTING RETAINING WALL
▒	EXISTING 1-FT CONTOUR
▒	EXISTING 5-FT CONTOUR
▒	PROPOSED 1-FT CONTOUR
▒	PROPOSED 5-FT CONTOUR
▒	EXISTING ASPHALT
▒	CITY CONSTRUCTED STREET
▒	DEVELOPER CONSTRUCTED STREET
▒	EXISTING CONCRETE
▒	PROPOSED CONCRETE
▒	PROPOSED HEAVY DUTY CONCRETE
⊙	EXISTING SANITARY SEWER
⊙	PROPOSED SANITARY SEWER
⊙	EXISTING SANITARY SEWER MANHOLE
⊙	PROPOSED SANITARY SEWER MANHOLE
⊙	EXISTING SANITARY SEWER CLEANOUT
⊙	PROPOSED SANITARY SEWER CLEANOUT
⊙	EXISTING STORM SEWER
⊙	PROPOSED STORM SEWER
⊙	EXISTING STORM SEWER INLET
⊙	PROPOSED STORM SEWER INLET
⊙	EXISTING STORM SEWER MANHOLE
⊙	PROPOSED STORM SEWER MANHOLE
⊙	PROPOSED INLINE DRAIN
⊙	EXISTING 8" WATER MAIN
⊙	PROPOSED 2" DOMESTIC SERVICE
⊙	PROPOSED 4" FIRE LINE
⊙	EXISTING FIRE HYDRANT
⊙	PROPOSED FIRE HYDRANT
⊙	EXISTING WATER METER
⊙	PROPOSED WATER METER
⊙	PROPOSED METER/BACKFLOW VAULT
⊙	PROPOSED IRRIGATION MANHOLE
⊙	PROPOSED FENCE
⊙	EXISTING FENCE
⊙	PROPOSED TRAFFIC FLOW
⊙	GRADE BREAK
⊙	ROOF DRAIN (RD)
⊙	STREET LIGHT POLE
⊙	FIRE DEPARTMENT CONNECTION
⊙	PARKING LOT LIGHT
⊙	PROPOSED BUILDING LIGHT
⊙	POWER POLE
⊙	FLOWLINE
⊙	EDGE OF PAVEMENT
⊙	TOP OF CONCRETE
⊙	TOW
⊙	TOP OF WALL
⊙	BOW
⊙	BOTTOM OF WALL
⊙	TBW
⊙	TOP BACK OF WALK
⊙	TC
⊙	TOP OF CURB
⊙	BOC
⊙	BACK OF CURB
⊙	LS
⊙	LANDSCAPE AREA
⊙	UTILITY PEDESTALS

811

Know what's below.
Call before you dig.

SCALE VERIFICATION
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NO.	REVISIONS DESCRIPTION	DATE	BY

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(970) 242-7540

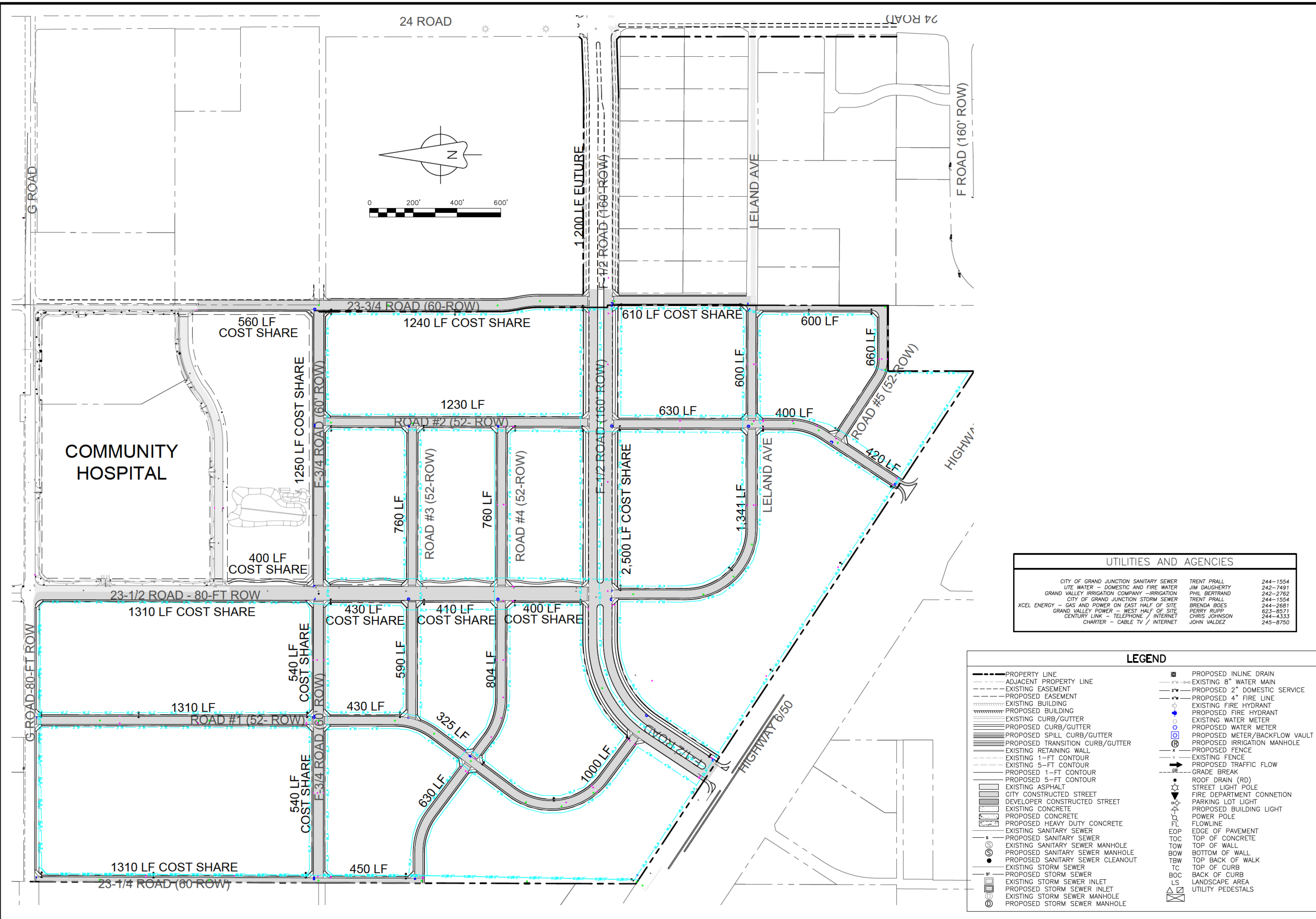
HALANDRAS PROPERTY

STREET PLAN

prepared for
Denver Law Group

DRAWN BY: MRH	DESIGNED BY: MRH	CHECKED BY: MRA	APPROVED BY: MRA
JOB NUMBER: 1399.0001			
DATE: 06-10-20			
SCALE: 1"=300'			
SHEET NO: C-4			

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UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER	TRENT PRALL	244-1554
UTE WATER - DOMESTIC AND FIRE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY - IRRIGATION	PHIL BERTRAND	242-2762
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CHARTER - CABLE TV / INTERNET	JOHN VALDEZ	245-8750

LEGEND	
---	PROPOSED INLINE DRAIN
---	EXISTING 8" WATER MAIN
---	PROPOSED 2" DOMESTIC SERVICE
---	PROPOSED 4" FIRE LINE
---	EXISTING FIRE HYDRANT
---	PROPOSED FIRE HYDRANT
---	EXISTING WATER METER
---	PROPOSED WATER METER
---	PROPOSED METER/BACKFLOW VAULT
---	PROPOSED IRRIGATION MANHOLE
---	PROPOSED FENCE
---	EXISTING FENCE
---	PROPOSED TRAFFIC FLOW
---	GRADE BREAK
---	ROOF DRAIN (RD)
---	STREET LIGHT POLE
---	FIRE DEPARTMENT CONNECTION
---	PARKING LOT LIGHT
---	PROPOSED BUILDING LIGHT
---	POWER POLE
---	FLOWLINE
---	EDGE OF PAVEMENT
---	TOP OF CONCRETE
---	TOP OF WALL
---	BOW BOTTOM OF WALL
---	TBW TOP OF WALK
---	TC TOP OF CURB
---	BOC BACK OF CURB
---	LS LANDSCAPE AREA
---	UTILITY PEDESTALS

811

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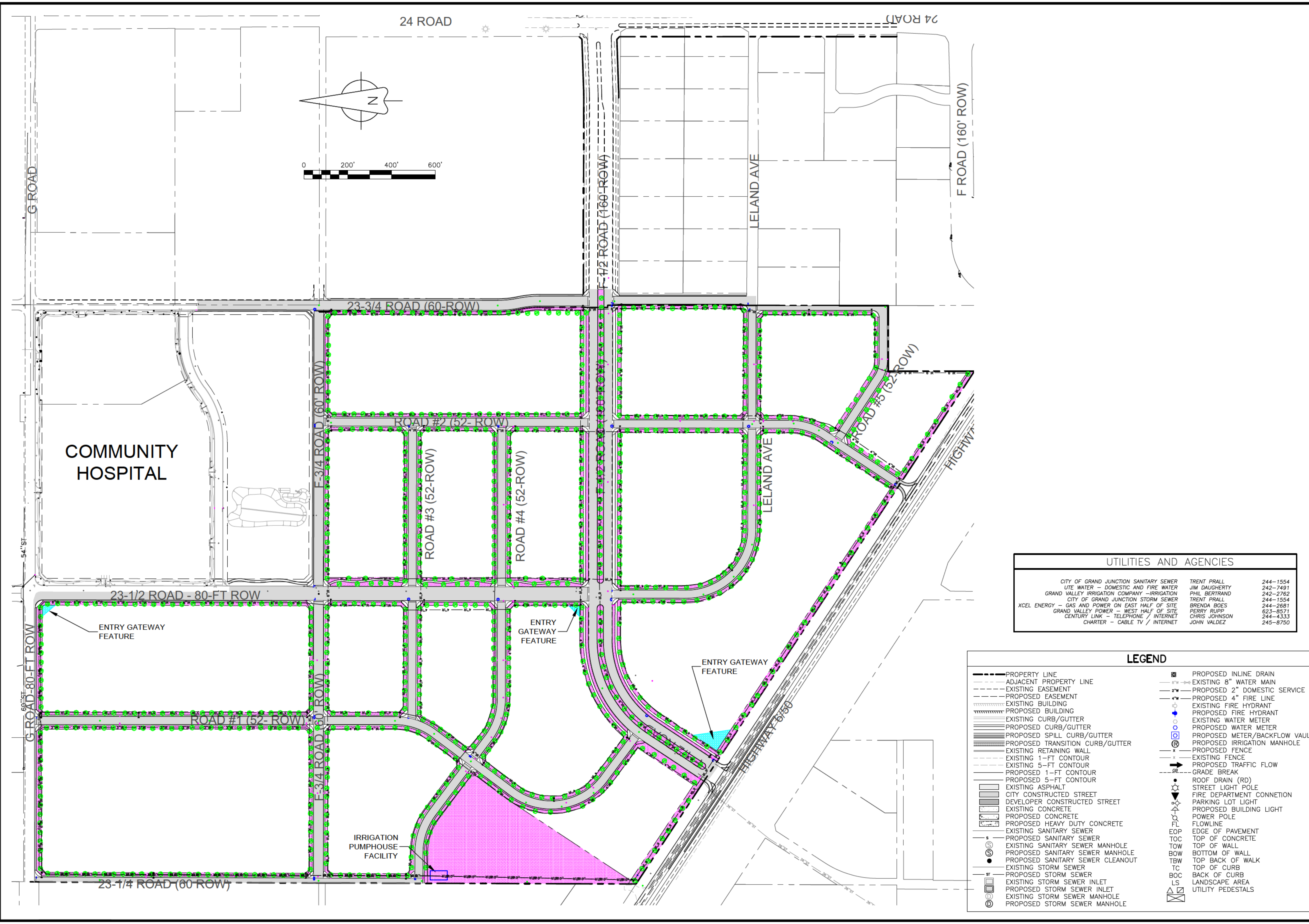
HALANDRAS PROPERTY

Irrigation Plan

prepared for
Denver Law Group

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JOB NUMBER: 1399.0001			
DATE: 06-10-20			
SCALE: 1"=300'			
SHEET NO: C-4			

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UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER	TRENT PRALL	244-1554
UTE WATER - DOMESTIC AND FIRE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY - IRRIGATION	PHIL BERTRAND	242-2762
CITY OF GRAND JUNCTION STORM SEWER	TRENT PRALL	244-1554
XCEL ENERGY - GAS AND POWER ON EAST HALF OF SITE	BRENDA BOES	244-2681
GRAND VALLEY POWER - WEST HALF OF SITE	PERRY RUPP	623-8571
CENTURY LINK - TELEPHONE / INTERNET	CHRIS JOHNSON	244-4333
CHARTER - CABLE TV / INTERNET	JOHN VALDEZ	245-8750

LEGEND	
---	PROPOSED INLINE DRAIN
---	EXISTING 8" WATER MAIN
---	PROPOSED 2" DOMESTIC SERVICE
---	PROPOSED 4" FIRE LINE
---	EXISTING FIRE HYDRANT
---	PROPOSED FIRE HYDRANT
---	EXISTING WATER METER
---	PROPOSED WATER METER
---	PROPOSED METER/BACKFLOW VAULT
---	PROPOSED IRRIGATION MANHOLE
---	PROPOSED FENCE
---	EXISTING FENCE
---	PROPOSED TRAFFIC FLOW
---	GRADE BREAK
---	ROOF DRAIN (RD)
---	STREET LIGHT POLE
---	FIRE DEPARTMENT CONNECTION
---	PARKING LOT LIGHT
---	PROPOSED BUILDING LIGHT
---	POWER POLE
---	FLOWLINE
---	EDGE OF PAVEMENT
---	TOP OF CONCRETE
---	TOP OF WALL
---	BOW BOTTOM OF WALL
---	TBW TOP OF WALK
---	TC TOP OF CURB
---	BOC BACK OF CURB
---	LS LANDSCAPE AREA
---	UTILITY PEDESTALS

HALANDRAS PROPERTY
LANDSCAPE

prepared for
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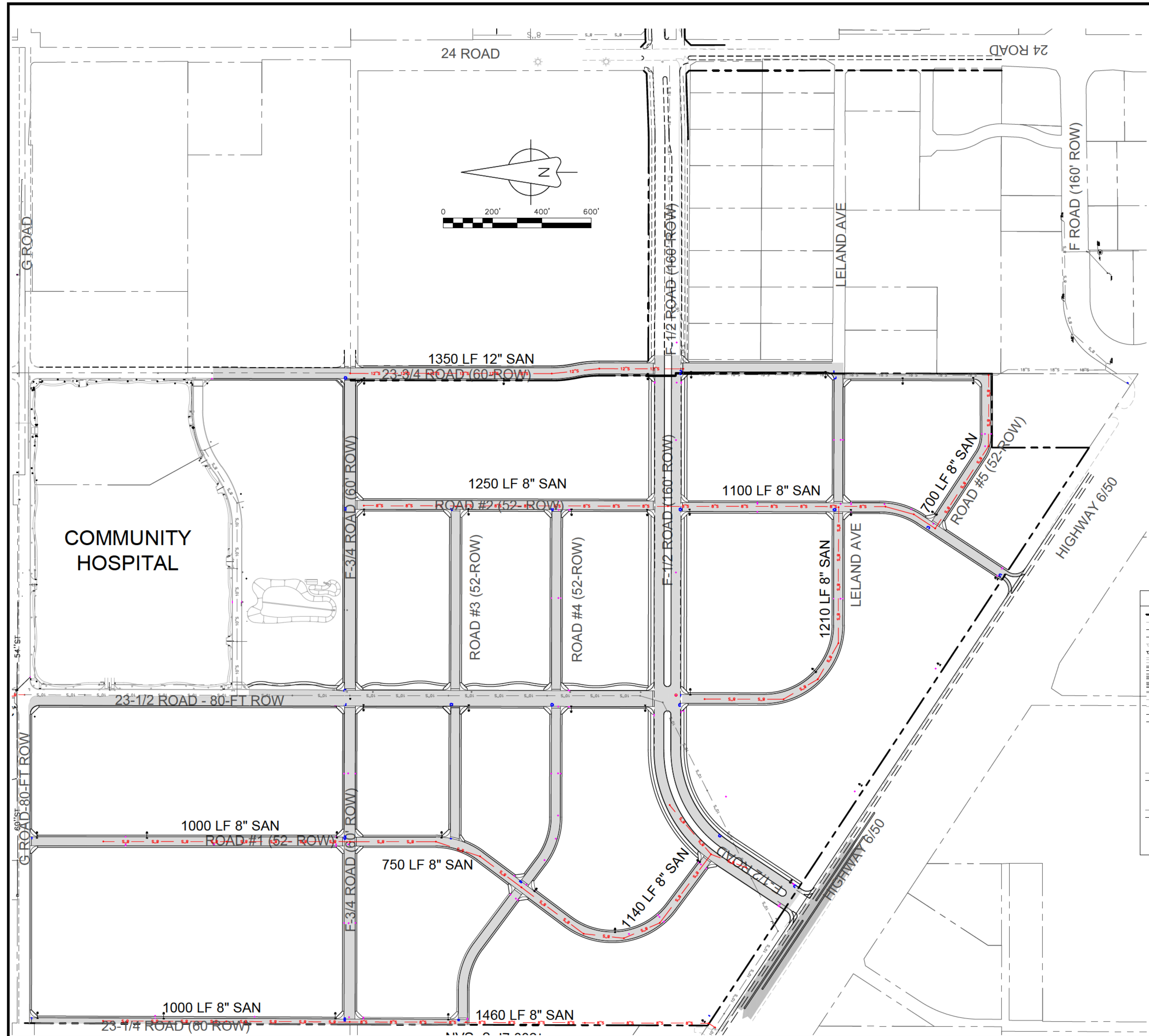
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LEGEND

---	PROPERTY LINE	---	PROPOSED INLINE DRAIN
- - -	ADJACENT PROPERTY LINE	---	EXISTING 8" WATER MAIN
- - -	EXISTING EASEMENT	---	PROPOSED 2" DOMESTIC SERVICE
- - -	PROPOSED EASEMENT	---	PROPOSED 4" FIRE LINE
	EXISTING BUILDING	---	EXISTING FIRE HYDRANT
	PROPOSED BUILDING	---	PROPOSED FIRE HYDRANT
	EXISTING CURB/GUTTER	---	EXISTING WATER METER
	PROPOSED CURB/GUTTER	---	PROPOSED WATER METER
	PROPOSED SPILL CURB/GUTTER	---	PROPOSED METER/BACKFLOW VAULT
	PROPOSED TRANSITION CURB/GUTTER	---	PROPOSED IRRIGATION MANHOLE
	EXISTING RETAINING WALL	---	PROPOSED FENCE
---	EXISTING 1-FIT CONTOUR	---	EXISTING FENCE
---	EXISTING 5-FIT CONTOUR	---	PROPOSED TRAFFIC FLOW
---	PROPOSED 1-FIT CONTOUR	---	GRADE BREAK
---	PROPOSED 5-FIT CONTOUR	---	ROOF DRAIN (RD)
---	EXISTING ASPHALT	---	STREET LIGHT POLE
---	CITY CONSTRUCTED STREET	---	FIRE DEPARTMENT CONNECTION
---	DEVELOPER CONSTRUCTED STREET	---	PARKING LOT LIGHT
---	EXISTING CONCRETE	---	PROPOSED BUILDING LIGHT
---	PROPOSED CONCRETE	---	POWER POLE
---	PROPOSED HEAVY DUTY CONCRETE	---	FLOWLINE
---	EXISTING SANITARY SEWER	---	EDGE OF PAVEMENT
---	PROPOSED SANITARY SEWER	---	TOP OF CONCRETE
---	EXISTING SANITARY SEWER MANHOLE	---	TOP OF WALL
---	PROPOSED SANITARY SEWER MANHOLE	---	BOW
---	PROPOSED SANITARY SEWER CLEANOUT	---	TBW
---	EXISTING STORM SEWER	---	TOP BACK OF WALK
---	PROPOSED STORM SEWER	---	TOP OF CURB
---	EXISTING STORM SEWER INLET	---	BOC
---	PROPOSED STORM SEWER INLET	---	LS
---	EXISTING STORM SEWER MANHOLE	---	LANDSCAPE AREA
---	PROPOSED STORM SEWER MANHOLE	---	UTILITY PEDESTALS

UTILITIES AND AGENCIES

CITY OF GRAND JUNCTION SANITARY SEWER	TRENT PRALL	244-1554
UTE WATER - DOMESTIC AND FIRE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY - IRRIGATION	PHIL BERTRAND	242-2762
CITY OF GRAND JUNCTION STORM SEWER	TRENT PRALL	244-1554
GRAND VALLEY POWER - WEST HALF OF SITE	BRENDA BOES	244-2681
CENTURY LINK - TELEPHONE / INTERNET	PERRY RUPP	623-8571
CHARTER - CABLE TV / INTERNET	CHRIS JOHNSON	244-4333
	JOHN VALDEZ	245-8750

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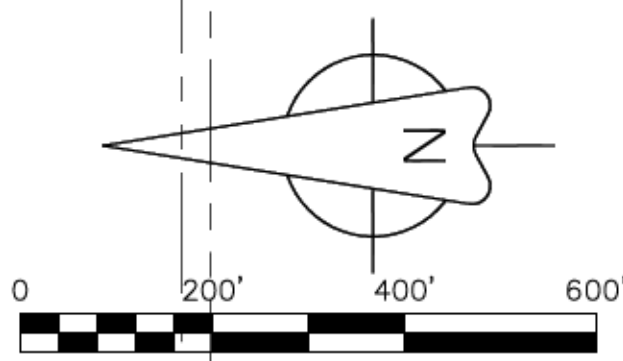
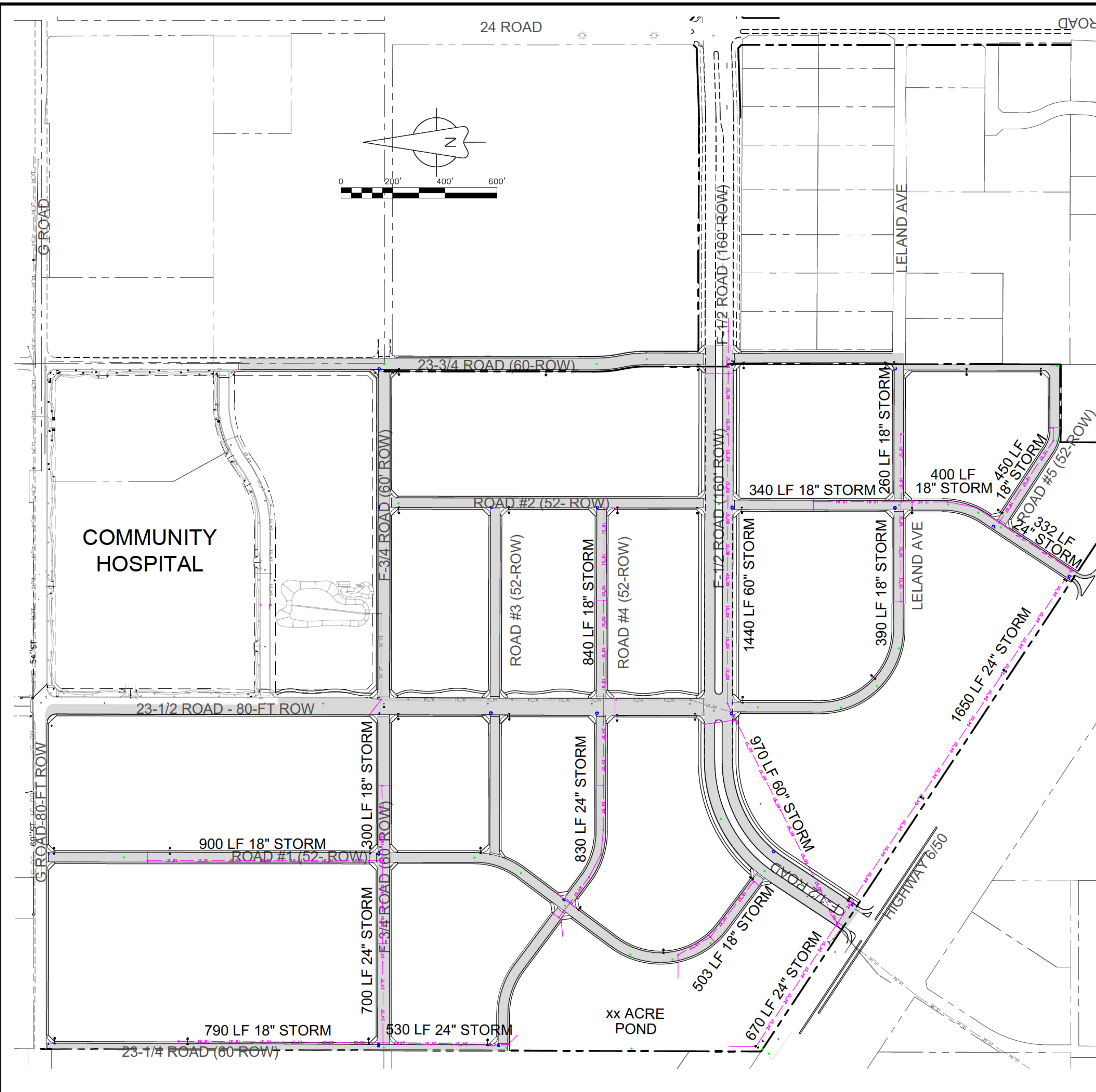
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HALANDRAS PROPERTY
SANITARY SEWER MAIN PLAN

DESIGNED BY: MRH
CHECKED BY: MRH
DATE: 1399.0001
SCALE: 06-10-20
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PREPARED BY: MRA
Denver Law Group

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LEGEND			
---	PROPERTY LINE	—	PROPOSED INLINE DRAIN
- - -	ADJACENT PROPERTY LINE	—	EXISTING 8" WATER MAIN
- · - · -	EXISTING EASEMENT	—	PROPOSED 2" DOMESTIC SERVICE
- · - · -	PROPOSED EASEMENT	—	PROPOSED 4" FIRE LINE
▭	EXISTING BUILDING	—	EXISTING FIRE HYDRANT
▭	PROPOSED BUILDING	—	PROPOSED FIRE HYDRANT
▭	EXISTING CURB/GUTTER	—	EXISTING WATER METER
▭	PROPOSED CURB/GUTTER	—	PROPOSED WATER METER
▭	PROPOSED SPILL CURB/GUTTER	—	PROPOSED METER/BACKFLOW VAULT
▭	PROPOSED TRANSITION CURB/GUTTER	—	PROPOSED IRRIGATION MANHOLE
▭	EXISTING RETAINING WALL	—	PROPOSED FENCE
▭	EXISTING 1-FT CONTOUR	—	EXISTING FENCE
▭	EXISTING 5-FT CONTOUR	—	PROPOSED TRAFFIC FLOW
▭	PROPOSED 1-FT CONTOUR	—	GRADE BREAK
▭	PROPOSED 5-FT CONTOUR	—	ROOF DRAIN (RD)
▭	EXISTING ASPHALT	—	STREET LIGHT POLE
▭	CITY CONSTRUCTED STREET	—	FIRE DEPARTMENT CONNECTION
▭	DEVELOPER CONSTRUCTED STREET	—	PARKING LOT LIGHT
▭	EXISTING CONCRETE	—	PROPOSED BUILDING LIGHT
▭	PROPOSED CONCRETE	—	POWER POLE
▭	PROPOSED HEAVY DUTY CONCRETE	—	FLOWLINE
▭	EXISTING SANITARY SEWER	—	EDGE OF PAVEMENT
▭	PROPOSED SANITARY SEWER	—	TOC TOP OF CONCRETE
▭	EXISTING SANITARY SEWER MANHOLE	—	TOW TOP OF WALL
▭	PROPOSED SANITARY SEWER MANHOLE	—	BOW BOTTOM OF WALL
▭	PROPOSED SANITARY SEWER CLEANOUT	—	TBW TOP BACK OF WALK
▭	EXISTING STORM SEWER	—	TC TOP OF CURB
▭	PROPOSED STORM SEWER	—	BOC BACK OF CURB
▭	EXISTING STORM SEWER INLET	—	LS LANDSCAPE AREA
▭	PROPOSED STORM SEWER INLET	—	UTILITY PEDESTALS
▭	EXISTING STORM SEWER MANHOLE	—	
▭	PROPOSED STORM SEWER MANHOLE	—	

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CHARTER - GABLE TV / INTERNET	JOHN VALDEZ	245-8750

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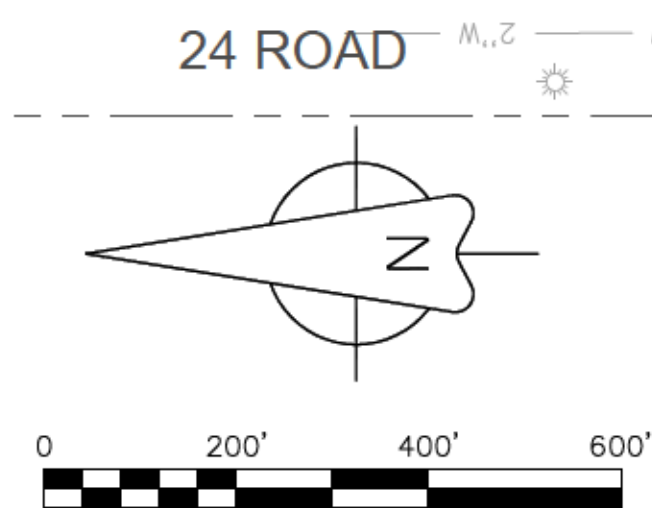
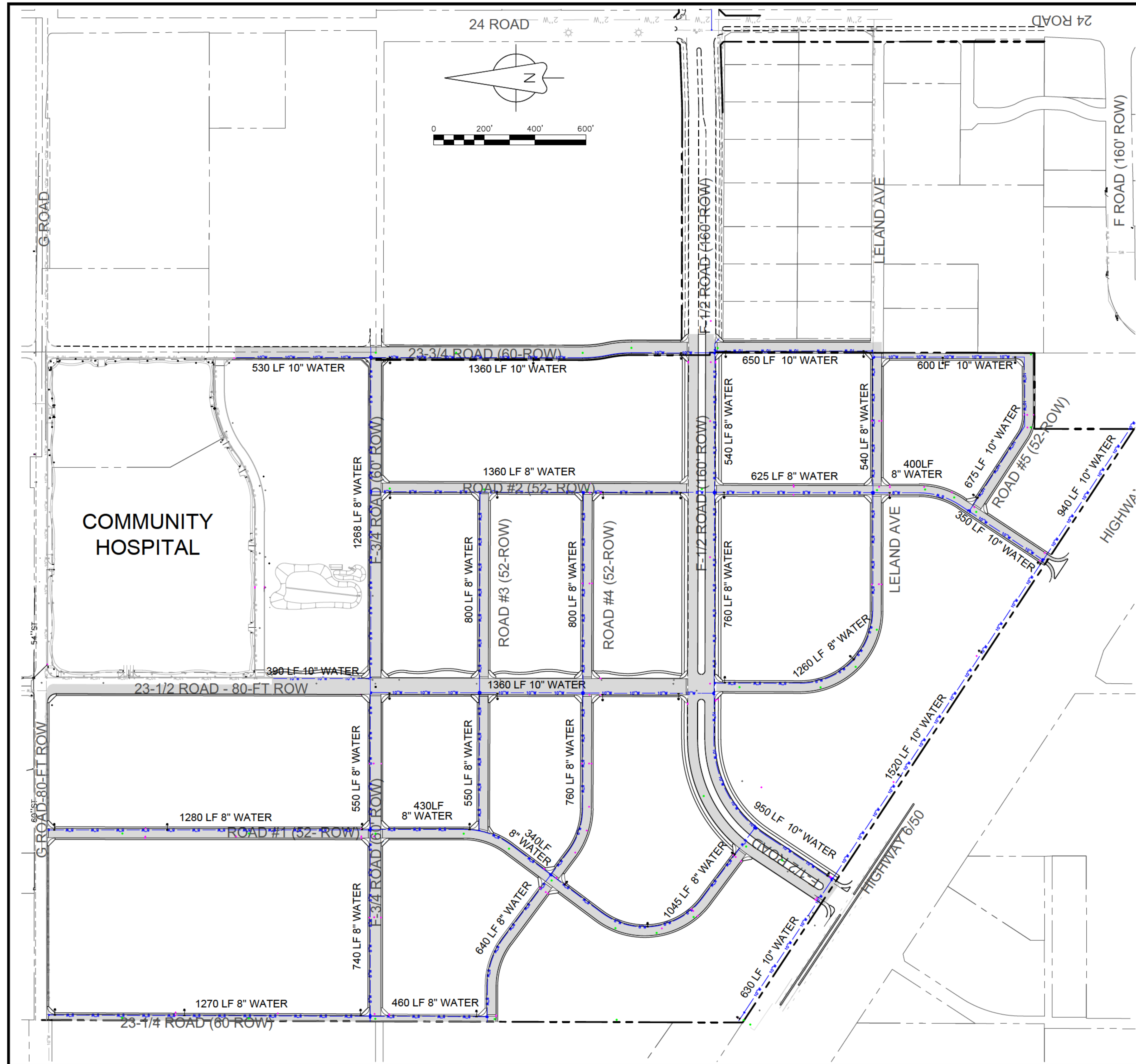
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STORM SEWER MAIN PLAN

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LEGEND	
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---	ADJACENT PROPERTY LINE
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---	PROPOSED EASEMENT
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---	PROPOSED BUILDING
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---	PROPOSED SANITARY SEWER MANHOLE
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HALANDRAS PROPERTY	WATER MAIN PLAN
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CHECKED BY: MRH	APPROVED BY: MRA
JOB NUMBER: 1399.0001	DATE: 06-10-20
SCALE: 1"=200'	SHEET NO: C-4

EXHIBIT E
FINANCIAL PLAN

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Cover

June 16, 2020

Table of Schedules

Assumptions		Non-Rated 30 Year, Fixed Rate
Preliminary as of June 16, 2020		Assumes 98% of Revenue Available for Debt Service
Series 2021	5.50%	
Series 2026	5.00%	
50 Mills of Debt Service		
10 Mills for O&M		

Issue	Term	Repayment Source	Par Amount	Project Fund Proceeds
Series 2021	30 Year	Residential & Commercial	\$46,025,000	\$32,913,483
Series 2026	30 Year	Residential & Commercial	\$56,520,000	\$6,219,423
Total:			\$102,545,000	\$39,132,906

- 1 . Cover Page
- 2 . Bonding Capacity
- 3 . O&M Revenues
- 4 . Assessed Valuation
- 5 . Commercial Development
- 6 . Residential Development
- 7 . Estimated Lot Values

Series 2021 & Series 2026

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Bonding Capacity

Year	Revenue Summary					\$46,025,000 SERIES 2021 BONDS (New Money)						\$56,520,000 SERIES 2026 BONDS (Refunding Series 2021 and New Money)									
	Assessed Value	Bond Levy	Property Tax Revenue ⁽¹⁾	SO Tax ⁽¹⁾	Net Prop Tax Revenue	Principal	Coupon	Interest	CAPI	DSRF ⁽¹⁾	Net Debt Service	Coverage	Surplus/ (Deficit)	Principal	Coupon	Interest	DSRF ⁽¹⁾	Net Debt Service	Coverage	Surplus/ (Deficit)	
2021	-	50.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2022	343,638	50.0	16,838	1,010	17,849	-	-	2,531,375	(2,531,375)	(43,469)	(43,469)	-0.41	61,317	-	-	-	-	-	-	-	
2023	4,836,256	50.0	236,977	14,219	251,195	-	-	2,531,375	(2,531,375)	(43,469)	(43,469)	-5.78	294,664	-	-	-	-	-	-	-	
2024	18,191,256	50.0	891,372	53,482	944,854	-	-	2,531,375	(2,531,375)	(43,469)	(43,469)	-21.74	988,323	-	-	-	-	-	-	-	
2025	33,432,739	50.0	1,736,204	104,172	1,840,376	-	-	2,531,375	-	(43,469)	2,487,906	0.74	(647,530)	-	-	-	-	-	-	-	
2026	57,127,603	50.0	2,799,233	167,953	2,967,208	-	-	2,531,375	-	(43,469)	2,487,906	1.19	479,302	665,000	5.00%	706,500	(48,904)	1,322,596	1.15	378,924	
2027	76,547,847	50.0	3,750,845	225,051	3,975,895	370,000	5.50%	2,531,375	-	(43,469)	3,057,906	1.30	917,989	435,000	5.00%	2,792,750	(48,904)	3,178,846	1.25	797,049	
2028	78,078,804	50.0	3,825,861	229,552	4,055,413	660,000	5.50%	2,500,025	-	(43,469)	3,116,556	1.30	938,857	520,000	5.00%	2,771,000	(48,904)	3,242,096	1.25	813,317	
2029	78,078,804	50.0	3,825,861	229,552	4,055,413	695,000	5.50%	2,463,725	-	(43,469)	3,115,256	1.30	940,157	545,000	5.00%	2,745,000	(48,904)	3,241,096	1.25	814,317	
2030	79,640,380	50.0	3,902,379	234,143	4,136,521	795,000	5.50%	2,423,500	-	(43,469)	3,177,031	1.30	959,490	640,000	5.00%	2,717,750	(48,904)	3,308,846	1.25	827,675	
2031	79,640,380	50.0	3,902,379	234,143	4,136,521	840,000	5.50%	2,381,775	-	(43,469)	3,178,306	1.30	958,215	670,000	5.00%	2,685,750	(48,904)	3,306,846	1.25	829,675	
2032	81,233,188	50.0	3,980,426	238,826	4,219,252	950,000	5.50%	2,335,575	-	(43,469)	3,242,106	1.30	977,146	770,000	5.00%	2,652,250	(48,904)	3,373,346	1.25	845,905	
2033	81,233,188	50.0	3,980,426	238,826	4,219,252	1,005,000	5.50%	2,283,325	-	(43,469)	3,244,856	1.30	974,396	810,000	5.00%	2,613,750	(48,904)	3,374,846	1.25	844,405	
2034	82,857,852	50.0	4,060,035	243,602	4,303,637	1,125,000	5.50%	2,228,050	-	(43,469)	3,309,581	1.30	994,056	915,000	5.00%	2,573,250	(48,904)	3,439,346	1.25	864,290	
2035	82,857,852	50.0	4,060,035	243,602	4,303,637	1,185,000	5.50%	2,166,175	-	(43,469)	3,307,706	1.30	995,931	960,000	5.00%	2,527,500	(48,904)	3,438,596	1.25	865,040	
2036	84,515,009	50.0	4,141,235	248,474	4,389,710	1,315,000	5.50%	2,101,000	-	(43,469)	3,372,531	1.30	1,017,178	1,080,000	5.00%	2,479,500	(48,904)	3,510,596	1.25	879,113	
2037	84,515,009	50.0	4,141,235	248,474	4,389,710	1,390,000	5.50%	2,028,675	-	(43,469)	3,375,206	1.30	1,014,503	1,130,000	5.00%	2,425,500	(48,904)	3,506,596	1.25	883,113	
2038	86,205,309	50.0	4,224,060	253,444	4,477,504	1,535,000	5.50%	1,952,225	-	(43,469)	3,443,756	1.30	1,033,748	1,260,000	5.00%	2,369,000	(48,904)	3,580,096	1.25	897,407	
2039	86,205,309	50.0	4,224,060	253,444	4,477,504	1,615,000	5.50%	1,867,800	-	(43,469)	3,439,331	1.30	1,038,173	1,320,000	5.00%	2,306,000	(48,904)	3,577,096	1.25	900,407	
2040	87,929,415	50.0	4,308,541	258,512	4,567,054	1,775,000	5.50%	1,778,975	-	(43,469)	3,510,506	1.30	1,056,548	1,460,000	5.00%	2,240,000	(48,904)	3,651,096	1.25	915,957	
2041	87,929,415	50.0	4,308,541	258,512	4,567,054	1,875,000	5.50%	1,681,350	-	(43,469)	3,512,581	1.30	1,054,173	1,535,000	5.00%	2,167,000	(48,904)	3,653,096	1.25	913,957	
2042	89,688,004	50.0	4,394,712	263,683	4,658,395	2,045,000	5.50%	1,578,225	-	(43,469)	3,579,756	1.30	1,078,639	1,685,000	5.00%	2,090,250	(48,904)	3,726,346	1.25	932,049	
2043	89,688,004	50.0	4,394,712	263,683	4,658,395	2,160,000	5.50%	1,465,750	-	(43,469)	3,582,281	1.30	1,076,114	1,765,000	5.00%	2,006,000	(48,904)	3,722,096	1.25	936,299	
2044	91,481,764	50.0	4,482,606	268,956	4,751,563	2,350,000	5.50%	1,346,950	-	(43,469)	3,653,481	1.30	1,098,082	1,930,000	5.00%	1,917,750	(48,904)	3,798,846	1.25	952,716	
2045	91,481,764	50.0	4,482,606	268,956	4,751,563	2,480,000	5.50%	1,217,700	-	(43,469)	3,654,231	1.30	1,097,332	2,025,000	5.00%	1,821,250	(48,904)	3,797,346	1.25	954,216	
2046	93,311,399	50.0	4,572,259	274,336	4,846,594	2,690,000	5.50%	1,081,300	-	(43,469)	3,727,831	1.30	1,118,763	2,205,000	5.00%	1,720,000	(48,904)	3,876,096	1.25	970,498	
2047	93,311,399	50.0	4,572,259	274,336	4,846,594	2,835,000	5.50%	933,350	-	(43,469)	3,724,881	1.30	1,121,713	2,315,000	5.00%	1,609,750	(48,904)	3,875,846	1.25	970,748	
2048	95,177,627	50.0	4,663,704	279,822	4,943,526	3,065,000	5.50%	777,425	-	(43,469)	3,798,956	1.30	1,144,570	2,505,000	5.00%	1,494,000	(48,904)	3,950,096	1.25	993,430	
2049	95,177,627	50.0	4,663,704	279,822	4,943,526	3,235,000	5.50%	608,850	-	(43,469)	3,800,381	1.30	1,143,145	2,630,000	5.00%	1,368,750	(48,904)	3,949,846	1.25	993,680	
2050	97,081,179	50.0	4,756,978	285,419	5,042,396	7,835,000	5.50%	430,925	(4,390,361)	(43,469)	3,875,564	1.30	1,166,833	2,845,000	5.00%	1,237,250	(48,904)	4,033,346	1.25	1,009,050	
2051	97,081,179	50.0	4,756,978	285,419	5,042,396	-	-	-	-	-	-	-	-	2,985,000	5.00%	1,095,000	(48,904)	4,031,096	1.25	1,011,300	
2052	99,022,803	50.0	4,852,117	291,127	5,143,244	-	-	-	-	-	-	-	-	3,215,000	5.00%	945,750	(48,904)	4,111,846	1.25	1,031,398	
2053	99,022,803	50.0	4,852,117	291,127	5,143,244	-	-	-	-	-	-	-	-	3,375,000	5.00%	785,000	(48,904)	4,111,096	1.25	1,032,148	
2054	101,003,259	50.0	4,949,160	296,950	5,246,109	-	-	-	-	-	-	-	-	3,625,000	5.00%	616,250	(48,904)	4,192,346	1.25	1,053,763	
2055	101,003,259	50.0	4,949,160	296,950	5,246,109	-	-	-	-	-	-	-	-	8,700,000	5.00%	435,000	(4,939,267)	4,195,733	1.25	1,050,376	
Totals:						46,025,000		34,822,900	-7,594,125			87,646,284		56,520,000		57,914,500			108,077,028		

Notes:

- (1) Estimated SO Tax: 6.00%
- (2) Estimated Collection Fees: 2.00%
- (3) Estimate Int Earnings: 1.00%

Series 2021:	
Par Amount	46,025,000
Net Proceeds	32,913,483
DSRF-Requirement	4,346,892
Capitalized Interest	7,594,125

Series 2026:	
Par Amount	56,520,000
Net Proceeds	6,219,423
Escrow for Series 2021 Bonds	48,659,306
DSRF-Requirement	4,890,363

Notes: Preliminary and subject to change; Interest rate assumptions are based on current market conditions and similar credits; issuer's actual results may differ, and Stifel makes no commitment to underwrite at these levels; and costs of issuance and underwriter's discount are estimates for discussion purposes.

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Operations and Maintenance Revenue

Collection	Assessed Value	DISTRICT REVENUE SUMMARY FOR OPERATIONS			
		Mill Levy	Property Tax Revenue ⁽²⁾	SO Tax ⁽¹⁾	Revenue for Operations
2021	-	10.000	-	-	-
2022	343,638	10.000	3,368	202	3,570
2023	4,836,256	10.000	47,395	2,844	50,239
2024	18,191,256	10.000	178,274	10,696	188,971
2025	35,432,739	10.000	347,241	20,834	368,075
2026	57,127,603	10.000	559,851	33,591	593,442
2027	76,547,847	10.000	750,169	45,010	795,179
2028	78,078,804	10.000	765,172	45,910	811,083
2029	78,078,804	10.000	765,172	45,910	811,083
2030	79,640,380	10.000	780,476	46,829	827,304
2031	79,640,380	10.000	780,476	46,829	827,304
2032	81,233,188	10.000	796,085	47,765	843,850
2033	81,233,188	10.000	796,085	47,765	843,850
2034	82,857,852	10.000	812,007	48,720	860,727
2035	82,857,852	10.000	812,007	48,720	860,727
2036	84,515,009	10.000	828,247	49,695	877,942
2037	84,515,009	10.000	828,247	49,695	877,942
2038	86,205,309	10.000	844,812	50,689	895,501
2039	86,205,309	10.000	844,812	50,689	895,501
2040	87,929,415	10.000	861,708	51,702	913,411
2041	87,929,415	10.000	861,708	51,702	913,411
2042	89,688,004	10.000	878,942	52,737	931,679
2043	89,688,004	10.000	878,942	52,737	931,679
2044	91,481,764	10.000	896,521	53,791	950,313
2045	91,481,764	10.000	896,521	53,791	950,313
2046	93,311,399	10.000	914,452	54,867	969,319
2047	93,311,399	10.000	914,452	54,867	969,319
2048	95,177,627	10.000	932,741	55,964	988,705
2049	95,177,627	10.000	932,741	55,964	988,705
2050	97,081,179	10.000	951,396	57,084	1,008,479

Total:

Notes:

(1) Estimated SO Tax : 6.00%

(2) Estimated Collection Fees: 2.00%

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Assessed Valuation Summary

Completion Year	Assessment Year	Collection Year	Residential AV		Commercial AV	Cumulative Assessed Value		
			Lot AV	Home Sale AV	Const. Value	Incremental AV	Biennial Assessment ⁽¹⁾	Cumulative AV
	2020	2021	-	-	-	-	-	-
2020	2021	2022	343,638	-	-	343,638	-	343,638
2021	2022	2023	872,248	1,705,930	1,914,439	4,492,618	-	4,836,256
2022	2023	2024	369,808	6,053,919	6,834,548	13,258,275	96,725	18,191,256
2023	2024	2025	376,035	7,902,425	8,963,022	17,241,482	-	35,432,739
2024	2025	2026	53,975	9,758,334	11,173,901	20,986,210	708,655	57,127,603
2025	2026	2027	(2,015,704)	10,038,569	11,397,379	19,420,244	-	76,547,847
2026	2027	2028	-	-	-	-	1,530,957	78,078,804
2027	2028	2029	-	-	-	-	-	78,078,804
2028	2029	2030	-	-	-	-	1,561,576	79,640,380
2029	2030	2031	-	-	-	-	-	79,640,380
2030	2031	2032	-	-	-	-	1,592,808	81,233,188
2031	2032	2033	-	-	-	-	-	81,233,188
2032	2033	2034	-	-	-	-	1,624,664	82,857,852
2033	2034	2035	-	-	-	-	-	82,857,852
2034	2035	2036	-	-	-	-	1,657,157	84,515,009
2035	2036	2037	-	-	-	-	-	84,515,009
2036	2037	2038	-	-	-	-	1,690,300	86,205,309
2037	2038	2039	-	-	-	-	-	86,205,309
2038	2039	2040	-	-	-	-	1,724,106	87,929,415
2039	2040	2041	-	-	-	-	-	87,929,415
2040	2041	2042	-	-	-	-	1,758,588	89,688,004
2041	2042	2043	-	-	-	-	-	89,688,004
2042	2043	2044	-	-	-	-	1,793,760	91,481,764
2043	2044	2045	-	-	-	-	-	91,481,764
2044	2045	2046	-	-	-	-	1,829,635	93,311,399
2045	2046	2047	-	-	-	-	-	93,311,399
2046	2047	2048	-	-	-	-	1,866,228	95,177,627
2047	2048	2049	-	-	-	-	-	95,177,627
2048	2049	2050	-	-	-	-	1,903,553	97,081,179
2049	2050	2051	-	-	-	-	-	97,081,179
2050	2051	2052	-	-	-	-	1,941,624	99,022,803
2051	2052	2053	-	-	-	-	-	99,022,803
2052	2053	2054	-	-	-	-	1,980,456	101,003,259
2053	2054	2055	-	-	-	-	-	101,003,259

Total:

Notes:

(1) Biennial Reassessment

2%

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Commercial Development

Completion/Assessment/Collection			Commercial Mix (Office/Warehouse)		Mix Commercial		Commercial/Retail		Mix Use (Office/Retail)		Assessed	
Year	Year	Year	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Sq Feet	Value/ Sq Ft	Const. Value	29.00%
	2020	2021	-	-							-	-
2020	2021	2022	-	-							-	-
2021	2022	2023	10,977	150	5,554	200	10,727	200	8,494	200	6,601,515	1,914,439
2022	2023	2024	38,420	153	19,439	204	37,543	204	29,730	204	23,567,409	6,834,548
2023	2024	2025	49,397	156	24,993	208	48,270	208	38,224	208	30,906,973	8,963,022
2024	2025	2026	60,374	159	30,546	212	58,997	212	46,718	212	38,530,693	11,173,901
2025	2026	2027	60,374	162	30,546	216	58,997	216	46,718	216	39,301,307	11,397,379
TOTAL			219,542		111,078		214,533		169,884			

Notes:

(1) Inflation 2%

*Values and absorption schedule provided by the Developer.

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Residential Development

Completion Assesmer Collection			Townhomes 3-Story		Townhomes 2-Story		Multi-Family		Senior Apartments		Active Living		Multi-Family Residential		Age-In-Place Residential		Residential	Assessed
Year	Year	Year	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Units	Price	Const Value	7.15%
	2020	2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2020	2021	2022	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2021	2022	2023	18	337,500	10	337,500	16	291,667	13	262,500	13	160,000	10	300,000	4	312,500	23,859,167	1,705,930
2022	2023	2024	61	344,250	34	344,250	57	297,500	46	267,750	46	163,200	34	306,000	15	318,750	84,670,200	6,053,919
2023	2024	2025	79	351,135	43	351,135	73	303,450	59	273,105	59	166,464	43	312,120	19	325,125	110,523,426	7,902,425
2024	2025	2026	96	358,158	53	358,158	89	309,519	70	278,567	70	169,793	52	318,362	23	331,628	136,480,192	9,758,334
2025	2026	2027	96	365,321	52	365,321	90	315,709	72	284,138	72	173,189	53	324,730	23	338,260	140,399,569	10,038,569
TOTAL			350		192		325		260		260		192		84			

Notes:

(1) Home Price Inflation 2%

*Home values and absorption schedule provided by the Developer.

West Junction Metropolitan District

Limited Tax General Obligation Bonds

Lot Values

Completion/Assessment/Collection			Townhomes 3-Story			Townhomes 2-Story			Multi-Family			Senior Apartments			Active Living			Multi-Family Residential			Age-In-Place Residential			Improved Lot	Assessed	
Year	Year	Year	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Lots	Units	Value per	Value per	29%	
	2020	2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2020	2021	2022	18	-	16,875	10	-	16,875	16	-	14,583	13	-	13,125	12	-	8,000	10	-	15,000	4	-	15,625	1,184,958	343,638	
2021	2022	2023	61	18	17,213	34	10	17,213	57	16	14,875	46	13	13,388	41	12	8,160	34	10	15,300	15	4	15,938	4,192,710	1,215,886	
2022	2023	2024	79	61	17,557	43	34	17,557	73	57	15,173	59	46	13,655	52	41	8,323	43	34	15,606	19	15	16,256	5,467,909	1,585,694	
2023	2024	2025	96	79	17,908	53	43	17,908	89	73	15,476	70	59	13,928	63	52	8,490	52	43	15,918	23	19	16,581	6,764,582	1,961,729	
2024	2025	2026	96	96	18,266	52	53	18,266	90	89	15,785	72	70	14,207	64	63	8,659	53	52	16,236	23	23	16,913	6,950,703	2,015,704	
2025	2026	2027	-	96	-	-	52	-	-	90	-	-	72	-	-	64	-	-	53	-	-	23	-	-	-	-
2026	2027	2028	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL			350			192			325			260			232			192			84					

(1) Lot Values as % of Sale Price 5%

*Lot values and absorption schedule provided by the Developer.

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Limited Tax General Obligation Bonds, Series 2021**

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SOURCES AND USES OF FUNDS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021**

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

Sources:

Bond Proceeds:	
Par Amount	46,025,000.00
	<hr/>
	46,025,000.00

Uses:

Project Fund Deposits:	
Project Fund	32,913,482.76
Other Fund Deposits:	
Debt Service Reserve Fund	4,346,892.24
Capitalized Interest Fund	7,594,125.00
	<hr/>
	11,941,017.24
Cost of Issuance:	
Other Cost of Issuance	250,000.00
Delivery Date Expenses:	
Underwriter's Discount	920,500.00
	<hr/>
	46,025,000.00

BOND PRICING

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021**

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond:	12/01/2050	46,025,000	5.500%	5.500%	100.000
		46,025,000			

Dated Date	12/01/2021		
Delivery Date	12/01/2021		
First Coupon	06/01/2022		
Par Amount	46,025,000.00		
Original Issue Discount			
Production	46,025,000.00	100.000000%	
Underwriter's Discount	-920,500.00	-2.000000%	
Purchase Price	45,104,500.00	98.000000%	
Accrued Interest			
Net Proceeds	45,104,500.00		

BOND DEBT SERVICE

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021**

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2022			2,531,375	2,531,375
12/01/2023			2,531,375	2,531,375
12/01/2024			2,531,375	2,531,375
12/01/2025			2,531,375	2,531,375
12/01/2026			2,531,375	2,531,375
12/01/2027	570,000	5.500%	2,531,375	3,101,375
12/01/2028	660,000	5.500%	2,500,025	3,160,025
12/01/2029	695,000	5.500%	2,463,725	3,158,725
12/01/2030	795,000	5.500%	2,425,500	3,220,500
12/01/2031	840,000	5.500%	2,381,775	3,221,775
12/01/2032	950,000	5.500%	2,335,575	3,285,575
12/01/2033	1,005,000	5.500%	2,283,325	3,288,325
12/01/2034	1,125,000	5.500%	2,228,050	3,353,050
12/01/2035	1,185,000	5.500%	2,166,175	3,351,175
12/01/2036	1,315,000	5.500%	2,101,000	3,416,000
12/01/2037	1,390,000	5.500%	2,028,675	3,418,675
12/01/2038	1,535,000	5.500%	1,952,225	3,487,225
12/01/2039	1,615,000	5.500%	1,867,800	3,482,800
12/01/2040	1,775,000	5.500%	1,778,975	3,553,975
12/01/2041	1,875,000	5.500%	1,681,350	3,556,350
12/01/2042	2,045,000	5.500%	1,578,225	3,623,225
12/01/2043	2,160,000	5.500%	1,465,750	3,625,750
12/01/2044	2,350,000	5.500%	1,346,950	3,696,950
12/01/2045	2,480,000	5.500%	1,217,700	3,697,700
12/01/2046	2,690,000	5.500%	1,081,300	3,771,300
12/01/2047	2,835,000	5.500%	933,350	3,768,350
12/01/2048	3,065,000	5.500%	777,425	3,842,425
12/01/2049	3,235,000	5.500%	608,850	3,843,850
12/01/2050	7,835,000	5.500%	430,925	8,265,925
	46,025,000		54,822,900	100,847,900

BOND SUMMARY STATISTICS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2021**

Dated Date	12/01/2021
Delivery Date	12/01/2021
First Coupon	06/01/2022
Last Maturity	12/01/2050
Arbitrage Yield	5.500000%
True Interest Cost (TIC)	5.666613%
Net Interest Cost (NIC)	5.592347%
All-In TIC	5.712736%
Average Coupon	5.500000%
Average Life (years)	21.657
Duration of Issue (years)	12.409
Par Amount	46,025,000.00
Bond Proceeds	46,025,000.00
Total Interest	54,822,900.00
Net Interest	55,743,400.00
Total Debt Service	100,847,900.00
Maximum Annual Debt Service	8,265,925.00
Average Annual Debt Service	3,477,513.79
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	20.000000
Total Underwriter's Discount	20.000000
Bid Price	98.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Term Bond	46,025,000.00	100.000	5.500%	21.657	66,276.00
	46,025,000.00			21.657	66,276.00

	TIC	All-In TIC	Arbitrage Yield
Par Value	46,025,000.00	46,025,000.00	46,025,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-920,500.00	-920,500.00	
- Cost of Issuance Expense		-250,000.00	
- Other Amounts			
Target Value	45,104,500.00	44,854,500.00	46,025,000.00
Target Date	12/01/2021	12/01/2021	12/01/2021
Yield	5.666613%	5.712736%	5.500000%

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SOURCES AND USES OF FUNDS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Dated Date 09/01/2026
Delivery Date 09/01/2026

Sources:

<hr/>	
Bond Proceeds:	
Par Amount	56,520,000.00
Other Sources of Funds:	
Debt Service Reserve Fund	4,346,892.24
	<hr/>
	60,866,892.24
	<hr/> <hr/>

Uses:

<hr/>	
Project Fund Deposits:	
Project Fund	6,219,422.99
Refunding Escrow Deposits:	
Cash Deposit	1.00
SLGS Purchases	48,659,305.00
	<hr/>
	48,659,306.00
Other Fund Deposits:	
Debt Service Reserve Fund	4,890,363.25
Cost of Issuance:	
Other Cost of Issuance	250,000.00
Delivery Date Expenses:	
Underwriter's Discount	847,800.00
	<hr/>
	60,866,892.24
	<hr/> <hr/>

BOND PRICING

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond:	12/01/2055	56,520,000	5.000%	5.000%	100.000
		56,520,000			

Dated Date	09/01/2026		
Delivery Date	09/01/2026		
First Coupon	12/01/2026		
Par Amount	56,520,000.00		
Original Issue Discount			
Production	56,520,000.00	100.000000%	
Underwriter's Discount	-847,800.00	-1.500000%	
Purchase Price	55,672,200.00	98.500000%	
Accrued Interest			
Net Proceeds	55,672,200.00		

BOND DEBT SERVICE

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2026	665,000	5.000%	706,500	1,371,500
12/01/2027	435,000	5.000%	2,792,750	3,227,750
12/01/2028	520,000	5.000%	2,771,000	3,291,000
12/01/2029	545,000	5.000%	2,745,000	3,290,000
12/01/2030	640,000	5.000%	2,717,750	3,357,750
12/01/2031	670,000	5.000%	2,685,750	3,355,750
12/01/2032	770,000	5.000%	2,652,250	3,422,250
12/01/2033	810,000	5.000%	2,613,750	3,423,750
12/01/2034	915,000	5.000%	2,573,250	3,488,250
12/01/2035	960,000	5.000%	2,527,500	3,487,500
12/01/2036	1,080,000	5.000%	2,479,500	3,559,500
12/01/2037	1,130,000	5.000%	2,425,500	3,555,500
12/01/2038	1,260,000	5.000%	2,369,000	3,629,000
12/01/2039	1,320,000	5.000%	2,306,000	3,626,000
12/01/2040	1,460,000	5.000%	2,240,000	3,700,000
12/01/2041	1,535,000	5.000%	2,167,000	3,702,000
12/01/2042	1,685,000	5.000%	2,090,250	3,775,250
12/01/2043	1,765,000	5.000%	2,006,000	3,771,000
12/01/2044	1,930,000	5.000%	1,917,750	3,847,750
12/01/2045	2,025,000	5.000%	1,821,250	3,846,250
12/01/2046	2,205,000	5.000%	1,720,000	3,925,000
12/01/2047	2,315,000	5.000%	1,609,750	3,924,750
12/01/2048	2,505,000	5.000%	1,494,000	3,999,000
12/01/2049	2,630,000	5.000%	1,368,750	3,998,750
12/01/2050	2,845,000	5.000%	1,237,250	4,082,250
12/01/2051	2,985,000	5.000%	1,095,000	4,080,000
12/01/2052	3,215,000	5.000%	945,750	4,160,750
12/01/2053	3,375,000	5.000%	785,000	4,160,000
12/01/2054	3,625,000	5.000%	616,250	4,241,250
12/01/2055	8,700,000	5.000%	435,000	9,135,000
	56,520,000		57,914,500	114,434,500

BOND SUMMARY STATISTICS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Dated Date	09/01/2026
Delivery Date	09/01/2026
First Coupon	12/01/2026
Last Maturity	12/01/2055
Arbitrage Yield	5.000629%
True Interest Cost (TIC)	5.125917%
Net Interest Cost (NIC)	5.073194%
All-In TIC	5.163416%
Average Coupon	5.000000%
Average Life (years)	20.493
Duration of Issue (years)	12.324
Par Amount	56,520,000.00
Bond Proceeds	56,520,000.00
Total Interest	57,914,500.00
Net Interest	58,762,300.00
Total Debt Service	114,434,500.00
Maximum Annual Debt Service	9,135,000.00
Average Annual Debt Service	3,912,290.60
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	15.000000
Total Underwriter's Discount	15.000000
Bid Price	98.500000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Term Bond	56,520,000.00	100.000	5.000%	20.493	86,475.60
	56,520,000.00			20.493	86,475.60

	TIC	All-In TIC	Arbitrage Yield
Par Value	56,520,000.00	56,520,000.00	56,520,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-847,800.00	-847,800.00	
- Cost of Issuance Expense		-250,000.00	
- Other Amounts			
Target Value	55,672,200.00	55,422,200.00	56,520,000.00
Target Date	09/01/2026	09/01/2026	09/01/2026
Yield	5.125917%	5.163416%	5.000629%

SUMMARY OF BONDS REFUNDED

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Limited Tax General Obligation Bonds, Series 2021, 2021, TERM:	12/01/2050	5.500%	46,025,000.00	12/01/2026	103.000
			46,025,000.00		

SUMMARY OF REFUNDING RESULTS**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Dated Date	09/01/2026
Delivery Date	09/01/2026
Arbitrage yield	5.000629%
Escrow yield	0.099738%
Value of Negative Arbitrage	585,160.45
Bond Par Amount	56,520,000.00
True Interest Cost	5.125917%
Net Interest Cost	5.073194%
Average Coupon	5.000000%
Average Life	20.493
Par amount of refunded bonds	46,025,000.00
Average coupon of refunded bonds	5.500000%
Average life of refunded bonds	16.907
PV of prior debt to 09/01/2026 @ 5.000629%	49,144,645.22
Net PV Savings	-612,460.78
Percentage savings of refunded bonds	-1.330713%
Percentage savings of refunding bonds	-1.083618%

SAVINGS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 09/01/2026 @ 5.0006293%
12/01/2026	1,265,687.50	1,371,500.00	-105,812.50	-104,513.98
12/01/2027	3,101,375.00	3,227,750.00	-126,375.00	-121,880.64
12/01/2028	3,160,025.00	3,291,000.00	-130,975.00	-120,230.61
12/01/2029	3,158,725.00	3,290,000.00	-131,275.00	-114,801.70
12/01/2030	3,220,500.00	3,357,750.00	-137,250.00	-114,224.13
12/01/2031	3,221,775.00	3,355,750.00	-133,975.00	-106,305.65
12/01/2032	3,285,575.00	3,422,250.00	-136,675.00	-103,282.12
12/01/2033	3,288,325.00	3,423,750.00	-135,425.00	-97,551.20
12/01/2034	3,353,050.00	3,488,250.00	-135,200.00	-92,823.26
12/01/2035	3,351,175.00	3,487,500.00	-136,325.00	-89,190.05
12/01/2036	3,416,000.00	3,559,500.00	-143,500.00	-89,345.97
12/01/2037	3,418,675.00	3,555,500.00	-136,825.00	-81,342.25
12/01/2038	3,487,225.00	3,629,000.00	-141,775.00	-80,261.39
12/01/2039	3,482,800.00	3,626,000.00	-143,200.00	-77,273.31
12/01/2040	3,553,975.00	3,700,000.00	-146,025.00	-75,088.05
12/01/2041	3,556,350.00	3,702,000.00	-145,650.00	-71,437.83
12/01/2042	3,623,225.00	3,775,250.00	-152,025.00	-70,999.91
12/01/2043	3,625,750.00	3,771,000.00	-145,250.00	-64,838.89
12/01/2044	3,696,950.00	3,847,750.00	-150,800.00	-64,122.60
12/01/2045	3,697,700.00	3,846,250.00	-148,550.00	-60,321.17
12/01/2046	3,771,300.00	3,925,000.00	-153,700.00	-59,470.08
12/01/2047	3,768,350.00	3,924,750.00	-156,400.00	-57,714.37
12/01/2048	3,842,425.00	3,999,000.00	-156,575.00	-55,158.71
12/01/2049	3,843,850.00	3,998,750.00	-154,900.00	-52,141.07
12/01/2050	8,265,925.00	4,082,250.00	4,183,675.00	1,259,905.98
12/01/2051		4,080,000.00	-4,080,000.00	-1,176,230.24
12/01/2052		4,160,750.00	-4,160,750.00	-1,141,119.31
12/01/2053		4,160,000.00	-4,160,000.00	-1,085,408.78
12/01/2054		4,241,250.00	-4,241,250.00	-1,052,708.95
12/01/2055		9,135,000.00	-9,135,000.00	-2,155,474.54
	89,456,712.50	114,434,500.00	-24,977,787.50	-7,375,354.78

Savings Summary

PV of savings from cash flow	-7,375,354.78
Less: Prior funds on hand	-4,346,892.24
Plus: Refunding funds on hand	11,109,786.24
Net PV Savings	-612,460.78

PRIOR BOND DEBT SERVICE

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Period Ending	Principal	Coupon	Interest	Debt Service
12/01/2026			1,265,687.50	1,265,687.50
12/01/2027	570,000	5.500%	2,531,375.00	3,101,375.00
12/01/2028	660,000	5.500%	2,500,025.00	3,160,025.00
12/01/2029	695,000	5.500%	2,463,725.00	3,158,725.00
12/01/2030	795,000	5.500%	2,425,500.00	3,220,500.00
12/01/2031	840,000	5.500%	2,381,775.00	3,221,775.00
12/01/2032	950,000	5.500%	2,335,575.00	3,285,575.00
12/01/2033	1,005,000	5.500%	2,283,325.00	3,288,325.00
12/01/2034	1,125,000	5.500%	2,228,050.00	3,353,050.00
12/01/2035	1,185,000	5.500%	2,166,175.00	3,351,175.00
12/01/2036	1,315,000	5.500%	2,101,000.00	3,416,000.00
12/01/2037	1,390,000	5.500%	2,028,675.00	3,418,675.00
12/01/2038	1,535,000	5.500%	1,952,225.00	3,487,225.00
12/01/2039	1,615,000	5.500%	1,867,800.00	3,482,800.00
12/01/2040	1,775,000	5.500%	1,778,975.00	3,553,975.00
12/01/2041	1,875,000	5.500%	1,681,350.00	3,556,350.00
12/01/2042	2,045,000	5.500%	1,578,225.00	3,623,225.00
12/01/2043	2,160,000	5.500%	1,465,750.00	3,625,750.00
12/01/2044	2,350,000	5.500%	1,346,950.00	3,696,950.00
12/01/2045	2,480,000	5.500%	1,217,700.00	3,697,700.00
12/01/2046	2,690,000	5.500%	1,081,300.00	3,771,300.00
12/01/2047	2,835,000	5.500%	933,350.00	3,768,350.00
12/01/2048	3,065,000	5.500%	777,425.00	3,842,425.00
12/01/2049	3,235,000	5.500%	608,850.00	3,843,850.00
12/01/2050	7,835,000	5.500%	430,925.00	8,265,925.00
	46,025,000		43,431,712.50	89,456,712.50

ESCROW REQUIREMENTS

**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Period Ending	Interest	Principal Redeemed	Redemption Premium	Total
12/01/2026	1,265,687.50	46,025,000.00	1,380,750.00	48,671,437.50
	1,265,687.50	46,025,000.00	1,380,750.00	48,671,437.50

GENERAL INFORMATION EXCLUSION DISCLOSURE**West Junction Metropolitan District
Limited Tax General Obligation Bonds, Series 2026**

Stifel, Nicolaus & Company, Incorporated ("Stifel") has prepared the attached materials. Such material consists of factual or general information (as defined in the SEC's Municipal Advisor Rule). Stifel is not hereby providing a municipal entity or obligated person with any advice or making any recommendation as to action concerning the structure, timing or terms of any issuance of municipal securities or municipal financial products. To the extent that Stifel provides any alternatives, options, calculations or examples in the attached information, such information is not intended to express any view that the municipal entity or obligated person could achieve particular results in any municipal securities transaction, and those alternatives, options, calculations or examples do not constitute a recommendation that any municipal issuer or obligated person should effect any municipal securities transaction. Stifel is acting in its own interests, is not acting as your municipal advisor and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934, as amended, to the municipal entity or obligated party with respect to the information and materials contained in this communication.

Stifel is providing information and is declaring to the proposed municipal issuer and any obligated person that it has done so within the regulatory framework of MSRB Rule G-23 as an underwriter (by definition also including the role of placement agent) and not as a financial advisor, as defined therein, with respect to the referenced proposed issuance of municipal securities. The primary role of Stifel, as an underwriter, is to purchase securities for resale to investors in an arm's-length commercial transaction. Serving in the role of underwriter, Stifel has financial and other interests that differ from those of the issuer. The issuer should consult with its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate.

These materials have been prepared by Stifel for the client or potential client to whom such materials are directly addressed and delivered for discussion purposes only. All terms and conditions are subject to further discussion and negotiation. Stifel does not express any view as to whether financing options presented in these materials are achievable or will be available at the time of any contemplated transaction. These materials do not constitute an offer or solicitation to sell or purchase any securities and are not a commitment by Stifel to provide or arrange any financing for any transaction or to purchase any security in connection therewith and may not be relied upon as an indication that such an offer will be provided in the future. Where indicated, this presentation may contain information derived from sources other than Stifel. While we believe such information to be accurate and complete, Stifel does not guarantee the accuracy of this information. This material is based on information currently available to Stifel or its sources and is subject to change without notice. Stifel does not provide accounting, tax or legal advice; however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and /or counsel as you deem appropriate.

EXHIBIT F
CITY RESOLUTION OF APPROVAL

To Whom It May Concern:

State of Colorado)
)
County of Mesa) ss
)
City of Grand Junction)

I hereby certify the attached copy of Resolution No. 49-20 to be a true, complete, and genuine copy of such Resolution adopted and approved by the Grand Junction City Council on August 5, 2020.

In witness whereof, I affix my hand and official seal this 6th day of August 2020.

W Winkelmann

Wanda K. Winkelmann, City Clerk



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 49-20

**A RESOLUTION APPROVING THE SERVICE PLAN FOR
THE WEST JUNCTION METROPOLITAN DISTRICT**

A. Pursuant to §32-1-204.5, C.R.S., as amended, a Service Plan for the proposed West Junction Metropolitan District ("District") has been submitted to the City Council ("Council") of the City of Grand Junction, Colorado ("City"). A copy of the Service Plan including all exhibits is attached hereto as Exhibit "A".

B. Pursuant to the provisions of Title 32, Article 1, Colorado Revised Statutes (C.R.S.), as amended, and the Grand Junction Municipal Code ("GJMC") on May 20, 2020 the Council scheduled a public hearing on the Service Plan for August 5, 2020.

C. Notice of the hearing before the Council on August 5, 2020 was duly published in the *Daily Sentinel*, a newspaper of general circulation within the City, on July 10, 2020 (minimum 20 days prior to hearing), as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Department of Local Affairs, and the governing body of each municipality and Title 32 Special District that has levied *ad valorem* tax within the next preceding tax year and that has boundaries within a radius of three miles of the District.

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

E. The Council finds that the Service Plan shall be approved with the following conditions which shall be met prior to the West Junction Metropolitan District Service Plan becoming effective and before the proposed District may exercise the powers and authority described therein, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended:

1. Condition 1: Approval and execution of one or more Intergovernmental Agreement (IGA) describing the improvements and responsibilities of the City of Grand Junction and the West Junction Metropolitan District.

F. For purposes of this Resolution, the effective date is the date which the election results are accepted/certified by the Colorado Department of Local Affairs.

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

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

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

- (a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;
- (b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;
- (c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and
- (d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

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

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

PASSED, ADOPTED AND APPROVED this 5th day of August 2020.


C.E. Duke Wortmann, Mayor

ATTEST:


Wanda Winkelmann, City Clerk



RESOLUTION NO. ____-22

A RESOLUTION ENTERING INTO TWO INTERGOVERNMENTAL AGREEMENTS WITH THE WEST JUNCTION METROPOLITAN DISTRICT REGARDING CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE 1776-ACRE MIXED USE DEVELOPMENT SITUATED TO THE NORTHWEST OF THE HIGHWAY 6 AND 50 AND PATTERSON ROAD INTERSECTION

Recitals:

In August 2020, City Council conditionally approved the West Junction Metropolitan District Service Plan ("Service Plan"). The condition of Service Plan approval was the agreement and execution of one or more Intergovernmental Agreements (IGA's) describing the improvements and responsibilities of the City of Grand Junction ("City") and the West Junction Metropolitan District ("District"). The District has presented two IGA's to the City. The first IGA is a contractual IGA which sets forth the obligations of and benefits to the City and the District in relation to maintenance activities associated with Public Improvements located within and adjacent to the Service Area as outlined in the Service Plan. The second IGA defines roadway construction and financing mechanisms between the City and the District as it specifically pertains to rights-of-way within and adjacent to the District boundaries.

The purpose of the proposed IGA's is to set forth the obligations of and benefits to the City and the District ("Parties") in relation to maintenance activities associated with Public Improvements located within the Service Area. The Parties recognize that the public rights-of-way and private property within the District Boundaries are also within the City limits. ~~These IGA's identify the specific services and maintenance obligations within and adjacent to the Service Area that will be provided by the Districts.~~

A primary purpose of the District is to plan for, design, acquire, construct, install, relocate, redevelop, procure, contract for, operate, maintain, and finance certain Public Improvements. Approval of the Service Plan by the City Council constitutes the City's agreement that the District may perform the operation and maintenance functions described in this Agreement. Those services will be within a defined and described geographic boundary, which consists of the Service Area on the date of this Agreement.

Per the conditionally approved Service Plan, the District may impose mill levies on taxable property within its boundaries as a primary source of revenue for repayment of debt service, capital improvements, administrative expenses, and operations and maintenance of Public Improvements.

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

City Council hereby accepts the agreements and authorizes the ~~City Manager~~President of City Council to execute and enter into the two Intergovernmental Agreements with the West Junction Metropolitan District.

Passed and Approved this _____ day of _____, 2022.

President of City Council

ATTEST:

City Clerk

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF GRAND JUNCTION
AND
WEST JUNCTION METROPOLITAN DISTRICT**

THIS AGREEMENT is made and entered into effective _____, 2022 by and between the City of Grand Junction, a municipal corporation of the State of Colorado ("City"), and West Junction Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District").

RECITALS

WHEREAS, the District was organized to provide those services and to exercise powers as are more specifically set forth in the District's Service Plan approved by the City on August 5, 2020 ("Service Plan"); and

WHEREAS, the Service Plan requires the execution of an intergovernmental agreement between the City and the District; and

WHEREAS, the City and the District have determined it to be in their best interests to enter into this Intergovernmental Agreement ("Agreement").

NOW, THEREFORE, for and in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

COVENANTS AND AGREEMENTS

1. Service Plan Provisions. The District agrees to comply with all provisions of the Service Plan, as stated below:

DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the District and Service Plan Amendment.

The District shall have the power and authority to provide for the acquisition, design, finance, construction, installation, repair and replacement of Public Improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is described in the Special District Act, and other applicable statutes, common law and the state constitution, subject to the limitations set forth herein. The Capital Cost Estimate attached as Exhibit C to the Service Plan lists the anticipated types of Public Improvements the District may provide with estimated costs in current dollars. The exact design, phasing of construction and location of the Public Improvements will

be determined at the time of and pursuant to City approval of Approved Development Plans and such decisions shall not be considered material modifications of the Service Plan. The District shall be authorized to finance and construct such Public Improvements without the necessity to seek an amendment of this Service Plan.

1. General Powers.

Streets. Streets, curbs, gutters, culverts, other drainage facilities, sidewalks, bridges, parking facilities, paving, lighting, grading, monumentation, signage, streetscapes and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Traffic and Safety Controls. Traffic and safety protection facilities and services provided through traffic and safety controls and devices on streets, highways and at railroad crossings, including traffic signals and signage, striping, area identification signs, directional assistance, driver information signs, lighting, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Water. Potable domestic water supply system, including water rights, storage facilities, transmission and distribution lines, fire hydrants, meters, facilities, and equipment, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Nonpotable irrigation water supply system, including water rights, storage facilities, transmission and distribution lines, meters, facilities, equipment, and related landscaping improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

Storm and Sanitary Sewer. Storm and sanitary sewer collection and transmission improvements, including storage facilities, collection mains and laterals, transmission lines, storm sewer, flood and surface drainage facilities and systems, and related landscaping and irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements and extensions of and improvements to such facilities.

Parks and Recreation. Public park, open space, and recreation facilities and services, including a recreation facility with a fieldhouse, pool, and other amenities, parks, bike paths, pedestrian ways, signage, monumentation, playground areas, public area landscaping and weed control, streetscaping, perimeter fencing, outdoor lighting of all types, and related landscaping and

irrigation improvements, together with all necessary, incidental and appurtenant facilities, equipment, land and easements, and extensions of and improvements to such facilities.

2. Operations and Maintenance. The District shall be authorized to operate and maintain Public Improvements not conveyed to the City, Water District, CDOT or other governmental entity having proper jurisdiction. It is anticipated by the City and Developer that the District will own, operate and maintain certain parks, trails, open space and common areas, and the District will own a multi-purpose recreation facility designed in collaboration with the City's Parks and Recreation Department to be operated by the City through a separate intergovernmental agreement, and providing a separate tier schedule and pricing structure for District residents and taxpayers.

3. Construction Standards Limitation. The District will ensure that the Public Improvements it finances, designs, installs and constructs are built in accordance with the applicable standards and specifications of the City, including without limitation any development improvement agreements or to the standards and specifications of other governmental entities having proper jurisdiction. All Public Improvements conveyed or otherwise dedicated to the City, Water District or CDOT shall be free and clear of any lien, claim, encumbrance or demand and shall be subject to the applicable jurisdiction's acceptance and warranty procedures.

4. Privately Placed Debt Limitation. Prior to the issuance of any privately placed Debt to the Project Developer or its affiliated entities, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan. We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

5. Inclusion/Exclusion Limitation. The District shall not include additional property within its Boundaries without the prior written consent of the City given by the City Council. For any proposed exclusion, the District shall give the City Attorney thirty (30) days advance written notice of any proposed exclusion hearing. City approval of the exclusion may be given by the City Manager and any action on such exclusion shall be completed promptly by the City Attorney following the hearing at which the District considers the exclusion.

6. Total Debt Issuance Limitation. The District shall not issue Debt, collectively, in excess of Sixty-Five Million Dollars (\$65,000,000), and the District may issue Debt on a schedule and in such year or years as the District determines and phased to serve development as it occurs. Refunded Debt shall not count against the Total Debt Issuance Limitation.

7. Monies from Other Governmental Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other grant funds available from or through governmental or non-profit entities that the City is eligible to apply for and has applied for, except pursuant to approval of the City.

8. Bankruptcy Limitation. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

- a. Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and
- b. Are, together with all other requirements of Colorado law, including in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable non-bankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

9. Service Plan Amendment Requirement. This Service Plan has been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances without the need for amendment. Actions of the District which violate the Service Plan shall be deemed to be material modifications to this Service Plan and the City shall be entitled to all remedies available under state and local law to enjoin such actions of the District, and to seek other remedies provided in law or in equity. The Financial Plan and specific Public Improvements presented herein are estimates only and are subject to change due to market conditions at the time of issuance. Any such change, within the limitations of this Service Plan, shall not constitute a material modification of the Service Plan.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the financing, planning, design, acquisition, construction, installation and maintenance of the Public Improvements within and without the Boundaries of the District, as more specifically defined by

Approved Development Plans. Such Public Improvements will benefit District taxpayers and residents through the provision of financing shared transportation access, water, wastewater, storm water systems and recreation facilities. A description of the Public Improvements necessary for the Project and eligible for District financing was prepared based upon a preliminary capital cost estimate of Sixty-Five Million Two Hundred and Eight Thousand Eight Hundred Sixty-Nine Dollars (\$65,208,869), as shown in Exhibit C to the Service Plan. The Public Improvements and associated costs shown in Exhibit C are subject to change based on future development approvals and market costs at the time of construction and any such variations from Exhibit C shall not constitute a material modification of this Service Plan.

All Public Improvements shall meet the standards and specifications adopted and/or required by the City, Water District, CDOT or other governmental entity having jurisdiction over such Public Improvements.

FINANCIAL PLAN

A. General.

The District shall be authorized to finance the planning, design, acquisition, construction, and/or installation of the Public Improvements from any lawful revenue source, including but not limited to the proceeds of Debt to be issued by the District. A Financial Plan, attached as Exhibit D to the Service Plan, includes the estimated indebtedness, timing, and interest rates of Debt anticipated to be issued by the District. The Financial Plan is one projection of Debt to be issued by the District, and it is expected that the terms of Debt when issued by the District may vary from the Financial Plan based on market conditions and other factors at the time of issuance. Such variations shall not constitute a material modification of this Service Plan. The total Debt that the District shall be permitted to issue shall not exceed the Total Debt Issuance Limit and shall be permitted to be issued on a schedule and in such year or years as the District determines and phased to serve development as it occurs; provided, however, refundings shall not count against the Total Debt Issuance Limit. All Bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general *ad valorem* taxes and Fees to be imposed upon all Taxable Property of the District. The District may also rely upon various other revenue sources authorized by law. These may include, but not be limited to, revenues from fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1)(j), C.R.S. It is anticipated that the Developer of the Project and/or other parties may incur costs for Public Improvements, either in the form of direct payments for such costs, or by means of advances to the District; these direct payments and/or advances shall be reimbursable by the District from Debt, contractual reimbursement agreements and/or any legally available revenue source.

B. Maximum Voted Interest Rate and Maximum Underwriting

Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. The proposed maximum interest rate on any Debt may not exceed twelve percent (12%). The maximum underwriting discount will not exceed three percent (3%). Debt, when issued, will comply with all relevant requirements of this Service Plan and state and Federal law.

C. Maximum Debt Mill Levy.

The Maximum Debt Mill Levy shall be fifty (50) mills, provided that if, on or after January 1, 2020, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement, the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the mill levy, as adjusted for changes occurring after January 1, 2020, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

Prior to the issuance of Debt, the District shall obtain an opinion of an underwriter, if the District has engaged an underwriter for the proposed Debt transaction, and an opinion of a nationally recognized bond counsel. All issuances of general obligation Bonds shall be deemed to be in compliance with the Financial Plan so long as the Minimum Criteria, as hereinafter defined, have been met. "Minimum Criteria" shall mean that the general obligation Bonds are: (1) subject to the Maximum Debt Mill Levy, if required by this Service Plan; (2) together with other outstanding general obligation Bonds of the District, not in excess of the Total Debt Issuance Limitation set forth in this Service Plan, as may be amended; (3) together with other outstanding general obligation Bonds of the District, not in excess of the general obligation debt authority provided by the District's electorate; and (4) issued in compliance with the applicable requirements of Section 32-1-1101(6), C.R.S. Any issuance of general obligation Bonds that does not satisfy the Minimum Criteria shall constitute a material modification of this Service Plan.

The costs of constructing the Public Improvements may be paid from available District mill levy revenues, Debt and/or advances from the Developer of the Project. The District shall be authorized to reimburse Developer advances, if any, with interest at a market reasonable rate from District mill levy revenues and/or proceeds from Debt privately placed with the Developer, and other legally available revenues of the District. Any such privately placed Debt shall be subject to the limitations set forth in Section V.A.4. and the Minimum Criteria.

In the event that the District determines that it is in the best interests of the District and its taxpayers to issue general obligation Bonds to parties other than the

Developer to: (i) reimburse the Developer for Developer advances; (ii) refund or restructure Debt previously placed with the Developer; or (iii) finance Public Improvements, the District shall prepare a plan of finance for the purpose of determining whether the proposed issuance satisfies the Minimum Criteria. The plan of finance will include the amount of Bonds to be issued, uses of proceeds therefrom (including, if any, capitalized interest and costs of issuance), sources of revenues securing repayment of the Bonds and the repayment schedule for the Bonds. At least thirty (30) calendar days prior to any such issuance, the District shall submit the plan of finance together with an opinion of an underwriter or bond counsel to the City for review to determine whether the proposed issuance satisfies the Minimum Criteria. If the City does not provide the District with written objections to the proposed issuance concerning conforming to the Minimum Criteria within the thirty (30) day review period, City consent to the proposed issuance shall be deemed given.

Any Debt issued by the District with a pledge or which results in a pledge that exceeds the Maximum Debt Mill Levy shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S. and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

D. Security for Debt.

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

E. TABOR Compliance.

The District will comply with the provisions of TABOR.

F. District Operating Costs and Operating Mill Levy.

The first year's operating budget is estimated to be \$100,000, which is anticipated to be derived from other District revenues (including Developer advances or other payments). The first year's operating budget is an estimate only, and variations from this estimate shall not be considered a material modification of this Service Plan.

In addition to the Maximum Debt Mill Levy applicable to the District's debt service mill levy, an Operating Mill Levy will be imposed by the District to fund administrative, operating, and facilities maintenance expenses, including the

repayment of any advances provided to the District for such purposes, as shown in Exhibit D to the Service Plan.

ANNUAL REPORT

A. General.

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

B. Reporting of Significant Events.

The annual report shall include information as to any of the following as of December 31st of the prior year:

1. Boundary changes made to the District's Boundaries.
2. Intergovernmental agreements with other governmental entities entered into.
3. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City or other governmental entity.
4. The assessed valuation of the District for the current year.
5. Current year budget including a description of the Public Improvements to be constructed in such year.
6. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles, if required by law, or an Audit Exemption.
7. Notice of any uncured events of default by the District under any Debt instrument, which continue beyond a ninety (90) day period.
8. Summary of any litigation where the District is a party (including a list of the parties or anticipated parties, claims or anticipated claims, etc.).

DISSOLUTION

The District is not intended to dissolve because it will continue to own and maintain certain park and recreation Public Improvements. However; upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution, pursuant to §§ 32-1-701, et seq., C.R.S. In no event shall a dissolution occur until the District has provided for the

payment or discharge of all of its outstanding indebtedness and other financial obligations as required by the Special District Act and that any ownership, operations, maintenance, repair and replacement obligations for District owned and/or operated Public Improvements have been conveyed to another public entity.

DISCLOSURE TO PURCHASERS

In addition to recording the Court Order and Decree forming the District against all property within the District boundaries, the District will use reasonable efforts to assure that property owners provide written notice to initial end user purchasers regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect rates, fees, tolls and charges. The form of notice shall be filed with the City, which filing shall be deemed satisfied upon the filing of the annual disclosure form (§ 32-1-809, C.R.S.) with the Division of Local Government.

INTERGOVERNMENTAL AGREEMENTS

Upon District formation, the District and City shall execute multiple intergovernmental agreements (the "City IGAs") for the purposes of: (1) creating a contractual relationship between the parties; (2) addressing the terms of the operation and maintenance of the recreation facility; and (3) a cost allocation and district financing reimbursement agreement using City fee revenue sharing to complete in a timely manner and finance City obligation street improvements required by City Ordinance #4878. The District shall not incur any Debt or impose any taxes or fees until its Board has approved and executed the City IGAs, as applicable.

2. **Enforcement.** The parties agree that this Agreement may be enforced in law, or in equity for specific performance, injunctive, or other appropriate relief. The parties also agree that this Agreement may be enforced pursuant to Section 32-1-207, C.R.S. and other provisions of Title 32, Article 1, C.R.S., granting rights to municipalities or counties approving the service plan of a special district.

3. **Entire Agreement of the Parties.** This Agreement constitutes the entire agreement between the parties and supersedes all prior written or oral agreements, negotiations, or representations and understandings of the parties with respect to the subject matter contained herein.

4. **Amendment.** This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by the parties hereto.

5. **Governing Law; Jurisdiction; Venue.** The laws of the State of Colorado shall govern the interpretation and enforcement of this Agreement, without giving effect to choice of law or conflict of law principles. The parties hereby submit to the jurisdiction of and venue of the District Court in Mesa County, Colorado. In any proceeding brought to enforce the provisions of

this Agreement, the prevailing party therein shall be entitled to an award of reasonable attorneys' fees, actual court costs and other expenses incurred.

6. Beneficiaries. Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between the named parties and is not intended to, and shall not be deemed to confer any rights upon any persons or entities not named as parties.

7. Effect of Invalidity. If any portion of this Agreement is held invalid or unenforceable for any reason by a court of competent jurisdiction as to either party or as to both parties, such portion shall be deemed severable and its invalidity or its unenforceability shall not cause the entire agreement to be terminated.

8. Assignability. Neither the City nor the District shall assign their rights or delegate their duties hereunder without the prior written consent of the other party.

9. Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered by hand, overnight courier delivery, mailed by first-class mail postage prepaid, or delivered electronically (upon confirmation) and addressed to the following addresses or at such other address as any party hereto shall designate in writing to the other party:

City of Grand Junction:

City of Grand Junction
Attn: City Manager
250 N. 5th Street
Grand Junction, CO 81501
citymanager@gjcity.org

District:

Fritsche Law, LLC
Attn: Joan Fritsche
3900 E Mexico Avenue, Suite 300
Denver, CO 80203
720-833-4223
joan@fritschelaw.com

10. Successors and Assigns. This Agreement and the rights and obligations created hereby shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, this Agreement is executed by the parties as of the date first written above.

WEST JUNCTION METROPOLITAN DISTRICT

BY: _____
Chairman/President

ATTEST:

By: _____
Secretary

CITY OF GRAND JUNCTION, COLORADO

By: _____
President of City Council

ATTEST:

By: _____
City Clerk

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF GRAND JUNCTION
AND
WEST JUNCTION METROPOLITAN DISTRICT
CONCERNING ROADWAY CONSTRUCTION AND FINANCING**

THIS AGREEMENT is made and entered into effective _____, 2022 by and between the **City of Grand Junction**, a Colorado home-rule municipality ("**City**"), and **West Junction Metropolitan District**, a quasi-municipal corporation and political subdivision of the State (the "**District**"). The City and the District are collectively referred to as the "**Parties**".

RECITALS

WHEREAS, the District was organized to provide those services and to exercise powers as more specifically set forth in the District's Service Plan, approved by City Resolution 49-20 on August 5, 2020 ("**Service Plan**"); and

WHEREAS, the District boundaries are co-terminus with the development known as Three Arrows Mixed-Use Development (the "**Development**"), located entirely within the City boundaries; and

WHEREAS, the property owner and developer of the Development is Foothills Housing 2, LLC, a Colorado limited liability company ("**Developer**"); and

WHEREAS, as Colorado local governments, the Parties may contract with each other to provide any function, service or facility lawfully authorized to each of the Parties, pursuant to § 29-1-203, C.R.S.; and

WHEREAS, a primary purpose of the District is to plan, design, acquire, construct, install and finance necessary public infrastructure including but not limited to street, traffic and safety controls, potable and non-potable water, storm and sanitary sewer, and park and recreation improvements; and

WHEREAS, the Development is subject to the Grand Junction Circulation Plan, as adopted in the 2020 Comprehensive Plan and the 2001 Urban Trails Plan, codified in the Grand Junction Municipal Code ("**GJMC**") in Chapter 31.08. A vicinity map from the Circulation Plan is attached hereto as **Exhibit A**.

WHEREAS, the City's street construction policy adopted in October 2019 as Ordinance No. 4878 - **Impact Fee Ordinance**, codified in the GJMC at § 21.06, and § 21.11 ("**Impact Fee Ordinance**"), requires a developer to construct minimum internal street improvements, local streets, alleys, sidewalks, trails and bike paths and pay an impact fee ("**TCP**"); and

WHEREAS, § 21.11.030 (b) (3) (1) (b) of the Impact Fee Ordinance (now codified at GJMC § 21.06.010 (b) (3) (i) (B)) requires that "any unbuilt street that is designated in the Grand

Junction Circulation Plan as a Collector or Arterial and is internal to the development shall be constructed to a Local Street standard by the Developer”; and

WHEREAS, the Impact Fee Ordinance and City regulations require a developer to construct street improvements including curb, gutter, sidewalk and at least 20 feet of asphalt on the portion of an external roadway adjacent to the Development. Developer’s Internal and Adjacent Street Improvement Obligations are collectively defined as “**Developer Street Obligations**”; and

WHEREAS, pursuant to the Impact Fee Ordinance and City regulations, the City agrees as provided for in this Agreement, to design and construct roadway improvements within the District that are not Developer Street Obligations (the “**City Street Responsibilities**”), subject to annual appropriation of financial resources, as the same will be determined in the sole discretion of the City; and

WHEREAS, the Parties recognize that significant efficiencies and cost savings will benefit the Development, the City, and the community as a whole by constructing complete street and related storm drainage infrastructure for internal and perimeter streets to the Development, including the City’s Street Responsibilities, at the time of initial construction by the Developer or coordinated with the Developer; and

WHEREAS, the City required a traffic impact study to determine future traffic volume, conditions and impacts on internal and adjacent collector and arterial streets associated with and/or caused by the Development and to determine the traffic volume, conditions and impacts associated with or caused by the Development on the intersection of Hwy 6 & 50 and F 1/2 Road be provided by the Developer; and

WHEREAS, the Traffic Impact Study prepared by Turnkey Consulting, LLC for Three Arrows Mixed Use Development Master Plan, dated October 25, 2021 (“**Traffic Study**”), as may be amended, has been provided to the City; and

WHEREAS, development within the District’s boundaries is subject to payment of various City permit fees, impact fees, and charges, including the TCP fee as required in the GJMC; and

WHEREAS, the District is willing to finance the cost of designing, constructing and installing the City’s Street Responsibilities for the streets depicted on Exhibit B, Project Site Plan Concept diagram, pursuant to the terms hereof and pursuant to the District’s Service Plan authorization, the City’s approval, if at all, of the plan for the Development, voter authorized debt, and financing capacity through TCP fee revenue sharing as outlined in this Agreement.

WHEREAS, respective Developer Street Obligations and City Street Responsibilities are stated on Exhibit C, attached hereto and incorporated herein by this reference; and

WHEREAS, the Developer agrees to dedicate at no cost to the City and free and clear of all encumbrances, all right-of-ways for public streets as shown on Exhibit B; and

WHEREAS, the Parties agree that entering into a revenue sharing agreement between the City and District, allocating TCP revenue generated from properties within the District's boundaries to the District after collection by the City ("TCP Revenue Sharing") is an efficient, fair and suitable means to finance the City's Street Responsibilities; and

WHEREAS, the City and the District wish to set forth their respective rights and obligations as the same arise out of or under this Agreement with regard to financing and payment of the costs of City Street Responsibilities.

NOW, THEREFORE, in consideration of the covenants and agreements set forth below, and the Recitals above, the Parties agree as follows:

COVENANTS AND AGREEMENTS

1. Roadway Responsibility Allocations.

- a. The Developer and City are responsible for the design, installation and construction of public streets to City standards and specifications as outlined in Exhibit C, and in accordance with the requirements set forth in the GJMC and any approved development plan. Prior to performing work, the District will obtain the City's approval of engineering plans and will obtain all applicable permits for construction and installation of public streets, sidewalks, curb and gutter and all related improvements. All work shall be subject to City inspection and acceptance if the work meets or exceeds City standards.
- b. The Parties agree that the allocation of the cost for roadway improvements to the intersection of Hwy 6 & 50 and F 1/2 Road shall be shared 50% as a Developer Street Obligation and 50% as a City Street Responsibility.
- c. In exchange for the TCP Revenue Sharing, the District agrees to design, construct, install and finance City Street Responsibilities, as delineated in Exhibit C.

2. TCP Revenue Sharing. The Parties have determined and agreed that 100% of the TCP Revenue collected by the City solely from development within the District boundaries shall be allocated to the District for repayment of City Street Responsibilities until the District is fully reimbursed all costs and expenses associated with City Street Responsibilities as shown on Exhibit C.

3. Calculation and Distribution of TCP Revenue.

- a. The City shall create a spreadsheet of each lot within the boundaries of the District, Building Permit No., Date of Issuance, and TCP payment.
- b. Within the first ten days of each month, the City shall forward to the District's accountant an updated spreadsheet along with payment of TCP Revenue collected in the prior month.

- c. On a quarterly basis, the City and District shall reconcile TCP Fees imposed and collected by the City and paid to the District.
- d. No later than February 28th of each year, the Parties shall reconcile City TCP Revenue payments due and paid to the City and transmitted to the District in the prior year.

4. Cost of Financing. At the time the District issues general obligation debt, the District's underwriter shall calculate the City's proportionate share of the costs of issuance and interest payments to be included in the City's Street Responsibility costs. The District shall use its best efforts to obtain the most favorable interest rate and debt terms available in the market at the time of debt issuance. The City's proportionate share of the total costs of issuance shall not exceed 3% of the total costs of issuance.

5. Issuance of Privately Placed Debt. Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor. An External Financial Advisor is a consultant that (1) advises Colorado Government entities on matters related to the issuance of securities by Colorado governmental entities; (2) is an underwriter, investment banker, or other individual listed as a public finance advisor in the Bond Buyer's Municipal Marketplace; and (3) is not an officer of the District. The certification shall read substantially as follows:

We are [I am] an External Financial Advisor within the meaning of this Agreement.

We [I] certify that (1) the net effective interest rate (calculated as defined in § 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax- exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

6. Term of Agreement. This Agreement shall terminate upon a determination by the Parties that either: (1) the City has repaid all costs incurred by the District for designing, constructing, installing and financing the City Street Responsibilities; or (2) all TCP Revenue due and owing from properties within the District has been collected by the City and transferred to the District.

7. District Pledge of TCP Revenue Sharing. The District shall restrict all revenue received from the City under this Agreement to debt service payments for District issued general obligation debt, for which the City assumes no liability.

8. Non-Appropriation. The City's performance under this Agreement is expressly conditioned upon the appropriation of funds by the City Council in its annual budget for the purposes described herein. To the extent that this Agreement constitutes a multiple fiscal year

debt or financial obligation, it shall be subject to annual appropriation pursuant to Article X, Section 20 of the Colorado Constitution.

It is understood by the Parties that the City's obligation to share TCP Revenue with the District is conditioned upon the City issuing Planning Clearances and collecting TCP Revenue from properties located within the boundaries of the District as the same develop.

9. Entire Agreement of the Parties. This Agreement, including the Recitals hereto, constitutes the entire agreement between the Parties and supersedes all prior written or oral agreements, negotiations, or representations and understandings of the parties with respect to the subject matter contained herein.

10. Amendment. This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by the Parties hereto.

11. Governing Law; Jurisdiction; Venue. The laws of the State of Colorado and the City of Grand Junction shall govern the interpretation and enforcement of this Agreement, without giving effect to choice of law or conflict of law principles. The Parties hereby submit to the jurisdiction of and venue of the District Court in Mesa County, Colorado. In any proceeding brought to enforce the provisions of this Agreement, the prevailing party therein shall be entitled to an award of reasonable attorneys' fees, actual court costs and other expenses incurred.

12. Beneficiaries. Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between the named parties and is not intended to and shall not be deemed to confer any rights upon any persons or entities not named as parties.

13. Effect of Invalidity. If any portion of this Agreement is held invalid or unenforceable for any reason by a court of competent jurisdiction as to either party or as to both parties, such portion shall be deemed severable and its invalidity or its unenforceability shall not cause the entire agreement to be terminated.

14. Assignability. Neither the City nor the District shall assign any rights or delegate any duties hereunder without the prior written consent of the other party.

15. Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered by hand, overnight courier delivery, mailed by first-class mail postage prepaid, or delivered electronically with confirmation and addressed to the following addresses or at such other address as either party hereto shall designate in writing to the other party:

City: City of Grand Junction
Attn: John Shaver, City Attorney
250 N. 5th Street
Grand Junction, CO 81501
cityattorney@gjcity.org

District: Fritsche Law, LLC
Attn: Joan Fritsche
3900 E Mexico Avenue, Suite 300
Denver, CO 80203
720-833-4223
joan@fritschelaw.com

16. Successors and Assigns. This Agreement and the rights and obligations created hereby shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

[Signature Page Follow]

IN WITNESS WHEREOF, this Agreement is executed by the Parties as of the date first written above.

WEST JUNCTION METROPOLITAN DISTRICT

BY: _____
Chairman/President

ATTEST:

By: _____
Secretary

CITY OF GRAND JUNCTION, COLORADO

By: _____
President of City Council

ATTEST:

By: _____
City Clerk

EXHIBIT A

Grand Valley Circulation Plan

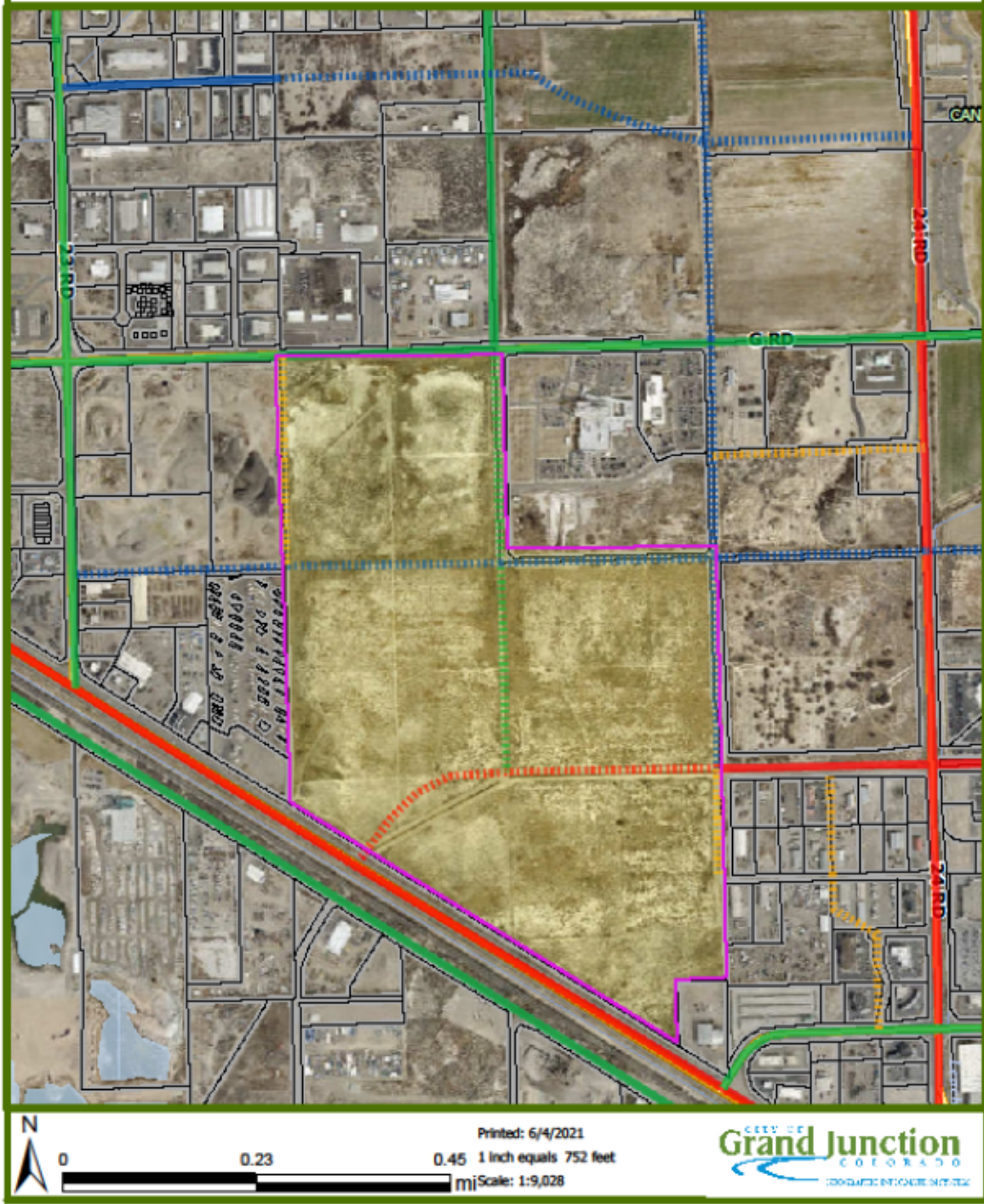


EXHIBIT B Project Site Plan Concept Diagram

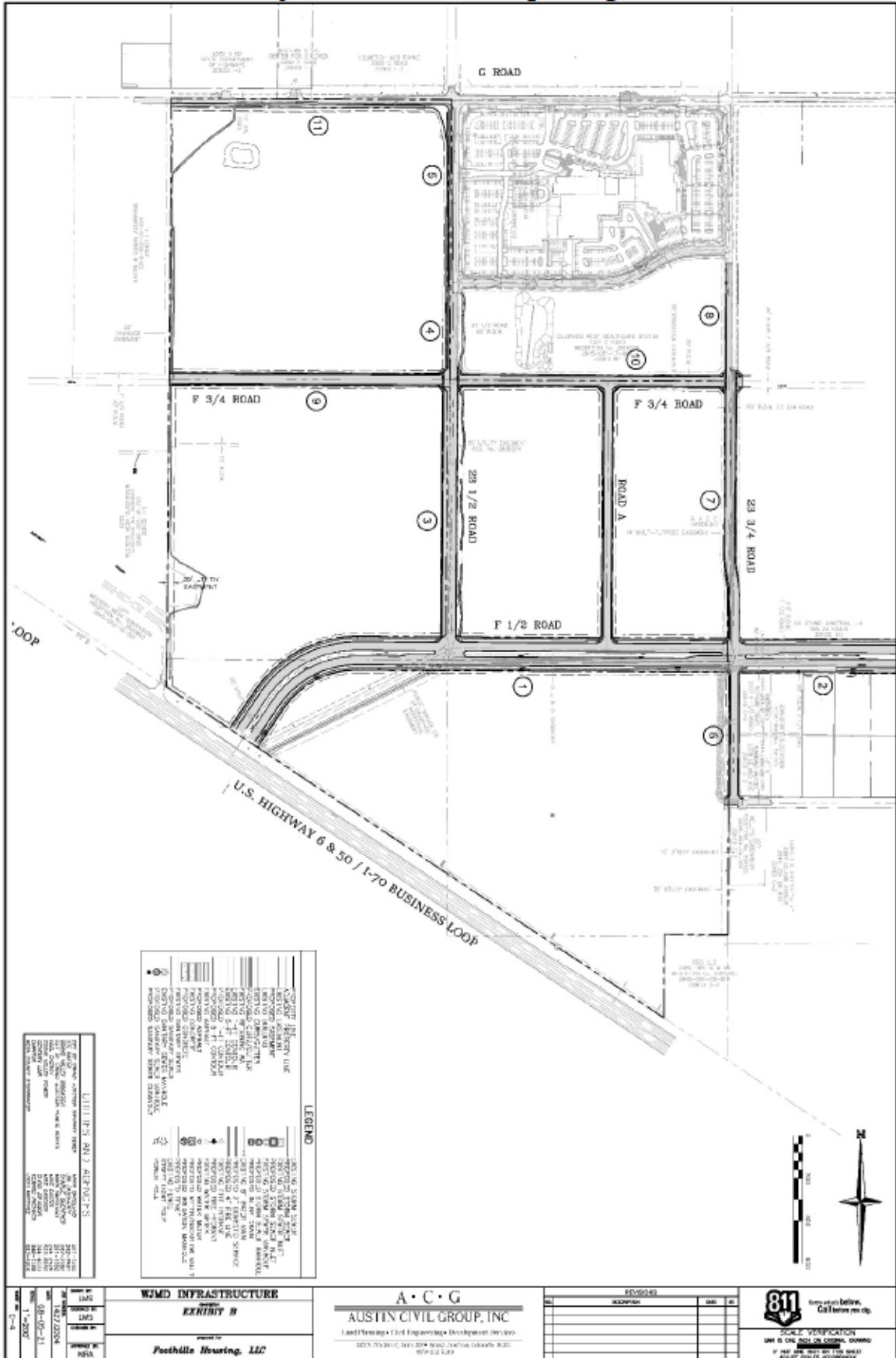


Exhibit C: Street Responsibilities

ID	STREET SEGMENT	DEVELOPER RESPONSIBILITY	CITY RESPONSIBILITY
1	F 1/2: I-70 B to 23 3/4	Construct to Local Commercial Street standards (7' monolithic curb, gutter, and sidewalk on both sides and 36' of asphalt), appropriately sized roundabout for a Local Commercial Street Section at 23 1/2 Road subject to City approval, and piping of open drain along F 1/2 Road Parkway right-of-way.	Any enhancements including the oversizing of the roundabout.
2	F 1/2: 23 3/4 to 24	None.	All.
3	23 1/2: F 1/2 to F 3/4	Curb and gutter on the east and west, 10' detached trail on the west, 7' detached sidewalk on the east, and 36' of asphalt.	8' of asphalt to achieve 44' asphalt width.
4	23 1/2: F 3/4 to unnamed Private Street (south of hospital)	Curb and gutter on the west, 10' detached trail on the west, and at least 20' of asphalt.*	Balance of street to achieve 44' of asphalt, curb, gutter, and 7' detached sidewalk on the east side.
5	23 1/2: unnamed Private Street (south of hospital) to G	East side of street is existing. Curb and gutter on the west, 10' detached trail on the west, and at least 20' of asphalt as necessary to complete the street to 44' of asphalt.	None.
6	23 3/4: Leland to F 1/2	7' monolithic curb, gutter, and sidewalk on the west and at least 20' of asphalt.*	Balance of street to achieve 36' of asphalt; curb, gutter, and sidewalk on the east side.
7	23 3/4: F 1/2 to F 3/4	7' monolithic curb, gutter, and sidewalk on the west and at least 20' of asphalt.*	Balance of street to achieve 44' of asphalt; and curb, gutter, and sidewalk on the east side.

Exhibit C: Street Responsibilities (continued)

8	23 3/4: F 3/4 to unnamed Private Street (south of hospital)	None	All. †
9	F 3/4: 23 1/4 to 23 1/2	7' monolithic curb, gutter, and sidewalk on both sides and 36' of asphalt.	8' of asphalt to achieve 44' asphalt width.
10	F 3/4: 23 1/2 to 23 3/4	7' monolithic curb, gutter, and sidewalk on the south and at least 20' of asphalt.*	Balance of street to complete 44' of asphalt; curb, gutter, and sidewalk on the north side.
11	G	A 7' detached meandering sidewalk to match improvements in front of Community Hospital.	Curb and gutter on the south, asphalt to achieve a 44' width.
12	I-70 B and F 1/2 Intersection	50% of the design and construction of standard intersection with signal.	50% of the design and construction of standard intersection with signal.

Notes

City is responsible for financing the construction of off-site improvements including the 23 1/2 Road and G Road roundabout, dual northbound turn lanes at 24 Road and F 1/2 Road, and expansion of the 24 Road and G Road roundabout.

* Asphalt may need to be wider than 20' for street to meet traffic demands and function properly.

† Will likely be built when Community Hospital develops the adjacent parcel.



Grand Junction City Council

Regular Session

Item #7.b.

Meeting Date: June 1, 2022
Presented By: Tamra Allen, Community Development Director
Department: Community Development
Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

A Resolution Adopting the Grand Junction Housing Goal

RECOMMENDATION:

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to adopt the City of Grand Junction's Affordable Housing Production Goals and to Define Affordable and Attainable housing.

BACKGROUND OR DETAILED INFORMATION:

Staff began work in late December 2020 with Root Policy Research ("Root"), a Colorado consultancy with extensive experience in the housing field, on the Grand Valley Housing Needs Assessment. This was Phase 1 of the project, completed in May 2021. The Assessment included data collection, a community-wide survey and a series of focus group meetings with key stakeholders. Phase 2 of the project was to develop a Housing Strategy report which outlined strategies tailored to address needs identified in the HNA. The Housing Strategy was adopted by City Council at its October 6, 2021 meeting. Since then, City Council, Staff and the ad hoc housing coalition has continued to work with Root to address the Council's adopted strategies.

Specific to this agenda item is Strategy 2: Adopt a local affordable housing goal. The City Council discussed this strategy and related goals and definitions at the May 2, 2022 workshop. A resolution, proposed to be adopted, has been drafted to reflect the Council's direction during the workshop.

FISCAL IMPACT:

This action has no direct fiscal impact to the City.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 48-22, a resolution adopting the Grand Junction Housing Goal and defining Affordable and Attainable.

Attachments

1. Strategy 2 Housing Goal Memorandum 05242022
2. FINAL Grand Junction Housing Strategy 09222021
3. RES-2022 Grand Junction Housing Goal 06012022 v2

MEMORANDUM

Grand Junction Strategy 2: Adopt Affordable Housing Goal (s)

*PREPARED FOR:
City of Grand Junction*

*REVISED:
MAY 24, 2022*

On October 6, 2021, the City Council adopted Resolution No. 82-21 that outline twelve strategies to be pursued to address the City's housing needs. **This memo focuses on Strategy 2: Adopt a Local Affordable Housing Goal(s) and is specifically focused on affordable housing production. It is not intended to address the full spectrum of housing needs identified in the HNA.** Additional detail on needs and the complete toolkit of recommended strategies is available in the GJ Housing Strategy.

This memo provides documentation of next steps toward the adoption of local affordable housing goals for the City of Grand Junction. It begins with a review of the City's Housing Strategic Plan element related to goal development and follows with supporting research related to existing housing needs and gaps (based on the Grand Valley Housing Needs Assessment (HNA)), current inventory and production pipeline of affordable housing, and definitions of "affordable" and "attainable" housing.

HOUSING STRATEGIC PLAN (HSP): STRATEGY 2. ADOPT A LOCAL AFFORDABLE HOUSING GOAL(S).

Formally adopting local affordable housing goals helps establish a target for the city to monitor progress. Goal structure varies by community; for example goals can be:

- Output oriented (e.g., 10% of all housing units will be affordable to households earning less than 80% AMI by 2040);

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

- Input oriented (e.g., the City will allocate 20% of housing trust fund resources to services for people experiencing homelessness); or
- Value oriented (e.g., increase supply of attainable ownership housing available to those making less than 100% AMI).

Goals should be related to identified needs, reflect City priorities and provide clear direction with measurable outcomes.

Benefits. Signals to development community the City's desire for affordable development; provides a benchmark for the City in navigating negotiations with developers and/or establishing incentives.

Challenges. Political challenges in defining goal; if goal specifies income category, may reduce flexibility in future; outcome-oriented goals are not always in the city's control.

Expected outcomes and keys to success. Outcomes vary depending on the goal as well as the other tools in place to help the city achieve its goal. This works best when paired with other tools and strategies designed to support the goal.

Recommended actions for Grand Junction:

- Work with housing coalition and non-profit partners to identify specific housing targets over the next five years to inform affordable housing production goal.
- Consider **committing to a goal** related to the housing gap or related to annual production of affordable housing units. For example "Reduce the housing gap by 500" or "Create 500 new affordable units over the next 5 years." Note actual target should be informed by anticipated production (see previous bullet).
- Include **clear definitions** of "affordable" and "attainable" housing in targets.
- **Track annual** affordable housing production (or other metrics) to measure progress toward goal.

This memo provides specific recommendations consistent with the Recommended Actions for Grand Junction.

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

BACKGROUND INFORMATION TO INFORM AFFORDABLE AND ATTAINABLE DEFINITIONS AND GOAL-SETTING

CURRENT MESA COUNTY AMI

Area Median Income, or AMI, is the typical metric by which households qualify for various housing programs. HUD sets AMI annually by market area and household size; Grand Junction is included in the broader Mesa County AMI. Figure 1 below shows the Grand Junction AMI income limits in both 2019 and 2021 (2019 is included for consistency with 2019 data points from the Grand Valley HNA).

Figure 1. HUD AMI, Mesa County

	Persons in Family				
	1	2	3	4	5
2019 AMI					
30% AMI	\$14,650	\$16,910	\$21,330	\$25,750	\$30,170
50% AMI	\$24,400	\$27,900	\$31,400	\$34,850	\$37,650
60% AMI	\$29,280	\$33,480	\$37,680	\$41,820	\$45,180
80% AMI	\$39,050	\$44,600	\$50,200	\$55,750	\$60,250
100% AMI	\$48,800	\$55,800	\$62,800	\$69,700	\$75,300
120% AMI	\$58,560	\$66,960	\$75,360	\$83,640	\$90,360
2021 AMI					
30% AMI	\$15,450	\$17,650	\$21,960	\$26,500	\$31,040
50% AMI	\$25,750	\$29,400	\$33,100	\$36,750	\$39,700
60% AMI	\$30,900	\$35,280	\$39,720	\$44,100	\$47,640
80% AMI	\$41,200	\$47,050	\$52,950	\$58,800	\$63,550
100% AMI	\$51,500	\$58,800	\$66,200	\$73,500	\$79,400
120% AMI	\$61,800	\$70,560	\$79,440	\$88,200	\$95,280

Source: HUD and Root Policy Research.

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

HOUSING GAP AND NEEDS BY AMI

The Grand Valley Housing Needs Assessment quantified both rental and owner gaps by income; those analyses are summarized below to provide context for the goal discussion.

The rental gap analysis, which compares current rental supply and demand in Grand Junction identifies a shortage of 2,168 units affordable to households earning less than \$25,000 per year. The cumulative gap shows that a cumulative shortage persists for households earning up to \$35,000 per year. The rental gap at \$25,000 roughly approximates to **30%-50% AMI**,

and the cumulative gap at \$35,000 roughly approximates to **50%-60% AMI**, depending on household size.

The ownership gaps model, which compares potential demand among first time buyers to the for-sale supply by price-point highlights an acute gap for households earning less than \$35,000 and a cumulative gap for households earning up to \$75,000. The for-sale gap at \$35,000 roughly approximates to **50%-60% AMI**, and the cumulative gap at \$75,000 roughly approximates to **90%-150% AMI**, depending on household size.

Figure 2.
Rental Gap Summary

Source: Root Policy Research from Grand Valley HNA.

Renter Incomes	Max Affordable Gross Rent	Rental Demand (Current Renters)		Rental Supply (Current Units)		Gap	Cumulative Gap
		Number	Percent	Number	Percent		
Less than \$25,000	\$625	4,422	40%	2,254	20%	(2,168)	(2,168)
\$25,000 to \$34,999	\$875	1,185	11%	2,709	24%	1,524	(644)
\$35,000 to \$49,999	\$1,250	1,833	17%	3,242	29%	1,409	765
\$50,000 to \$74,999	\$1,875	1,592	14%	2,356	21%	764	1,529
\$75,000+	\$1,875+	1,976	18%	646	6%	(1,330)	199

Figure 3.
First-Time Buyer Gap Summary

Source: Root Policy Research from Grand Valley HNA.

Potential 1st Time Buyer Incomes	Max Affordable Home Price	Potential 1st Time Buyer Demand (Current Renters)		For-Sale Supply (Homes Sold 2020-2021)		Renter Purchase Gap	Cumulative Gap
		Number	Percent	Number	Percent		
Less than \$25,000	\$120,592	4,422	40%	88	3%	-38%	-38%
\$25,000 to \$34,999	\$168,831	1,185	11%	169	5%	-6%	-44%
\$35,000 to \$49,999	\$241,190	1,833	17%	744	21%	5%	-39%
\$50,000 to \$74,999	\$361,787	1,592	14%	1,512	44%	29%	-9%
\$75,000+	\$361,787 +	1,976	18%	949	27%	9%	0%

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

DEED/INCOME RESTRICTED HOUSING STOCK AND DEVELOPMENT PIPELINE

According to affordable housing providers and stakeholders, the current inventory of deed/income restricted housing stock in Grand Junction is 1,733 rental units and 64 ownership units.¹ This total excludes vouchers, which can be used in market-rate units or in affordable units. Collectively, these deed/income-restricted units account for 7% of the total housing stock in Grand Junction (15% of rental units and 0.4% of owner units are income restricted). Another 90 income-restricted rental units are in the pipeline and Habitat for Humanity sets a target of 5 additional income-restricted ownership units per year.

Figure 4. Income Restricted Units, Grand Junction

	Deed/Income Restricted Units	Total Occupied Units in the City	Deed/Income Restricted as a % of Total
Rental Units	1,733	11,207	15%
Owner Units	64	15,274	0.4%
Total	1,797	26,481	7%

Note: Does not include vouchers.

Source: GJHA, Catholic Outreach, Habitat for Humanity and Root Policy Research.

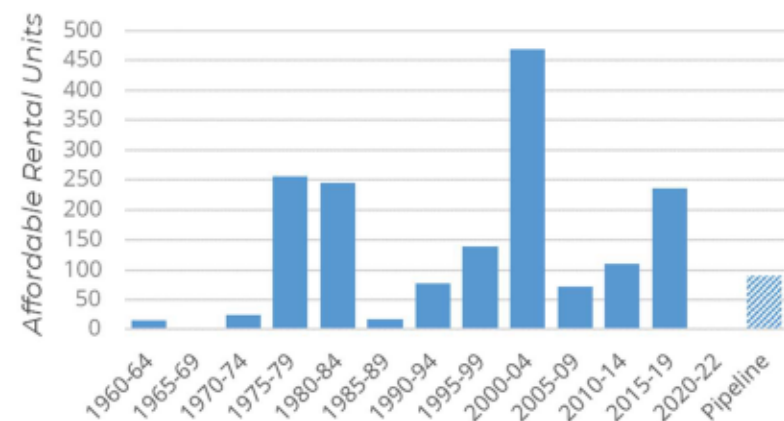
In addition to the income restricted, affordable units identified above, there are 1,501 housing vouchers (i.e., Housing Choice

¹ HRWC has helped create 350 affordable ownership units in the Grand Valley through the Self-Help program, but those homes do not carry a long-term deed restriction and are not included in the affordable inventory.

Vouchers, Project Based Vouchers, etc.) in use in the Grand Valley. Overall, about one-third of vouchers are used in income restricted units—this subsidy overlap allows such units to achieve even deeper affordability for extremely low income households and improves project viability for affordable development. In addition, “affordable” developments are often among the few options for voucher-holders, as many rentals exceed the Voucher Payment Standard, and some Landlords are reluctant to rent to voucher-holder households.

Figure 5 shows affordable rental units in Grand Junction by year built; it includes the current projected pipeline of units. The pace of development is impacted by market conditions, land availability, LIHTC allocations, as well as affordable housing provider operations and funding.

Figure 5. Affordable Rental Development by Year



Source: GJHA, Catholic Outreach, Habitat for Humanity and Root Policy Research.

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

PROPOSED AFFORDABILITY DEFINITIONS AND PRODUCTION GOAL

DEFINING AFFORDABILITY

Lower-case-“a,” affordable housing is generally linked to the idea that households should not be cost burdened by housing.³ However, the term “Affordable housing” (upper case “A”) is often used to specifically describe housing that has some type of income restriction or public support or subsidy, such as public housing, HUD housing, Low Income Housing Tax Credits (LIHTC), etc. “Attainable” or “Workforce” housing are also common terms used to describe affordable options for moderate income households.

As noted in the Housing Strategy, having clear definitions of “Affordable” and “attainable” housing is critical for effective implementation of goals. Considerations for definitions include alignment with local housing needs; as well as consistency with existing housing program and funding definitions.

The LIHTC program⁴ (the largest contributor to affordable rental housing in Grand Junction) targets 60% AMI households or less (though individual units can go up to 80% AMI when the development average is 60%). State funding sources, including Private Activity Bonds (PAB),⁵ target 60% AMI or less for rental

and 115% AMI or less for owners. Habitat for Humanity’s ownership units target households earning 30% to 65% of AMI.

The term of affordability—the length of time the deed-restriction or income-restriction applies—varies by program but typically ranges from 15 years to 99 years.

AFFORDABLE & ATTAINABLE DEFINED:

Affordable housing: Housing units with a contractual requirement (deed-restriction or income restriction) that keeps the cost of rent or mortgages affordable to households making 80% or less of the AMI. [The affordability term for projects receiving City funding or incentives should be no less than 30 years].

Attainable housing: Housing units affordable to households making between 80% and 120% of AMI. This can include naturally occurring or deed-restricted properties.

Resource Prioritization: The City may opt to prioritize resources to the most acute needs, which are concentrated below 30% AMI but extend up to 60% AMI for rentals. The most acute needs for ownership are units at or below 80% AMI for ownership options.

³ Cost burden is defined as spending 30% or more of gross income on housing.

⁴ More info on LIHTC: <https://www.huduser.gov/portal/datasets/lihtc.html>

⁵ More info on PAB program: <https://www.chfainfo.com/rental-housing/private-activity-bonds/pab-overview-guide-for-local-communities>

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

AFFORDABLE PRODUCTION GOAL

The City desires to set an Affordable housing production goal that is both reasonable/achievable but that increases the production of Affordable housing beyond the anticipated pipeline of current affordable housing providers in the City. Key considerations for goal setting include:

Affordable Housing Needs:

- The rental gap analysis (described in detail in the HNA and summarized on page 3), identifies a 2,168-unit shortage affordable to households earning less than 50% AMI. The rental gap describes an affordability shortage (not necessarily a production shortage) which could be addressed through a combination of new construction, preservation, and rental assistance.
- Affordable for-sale homes are also in short supply, particularly for households earning less than 80% AMI (see page 3 for ownership gap summary; details in the HNA).
- In addition to the current affordability gap, the Grand Valley HNA forecasts a county-wide need for an additional 5,254 units below 80% AMI through 2030—a mix of both owner and rental units. At a 43% share of the county's total housing units, Grand Junction would need to produce **227 units per year** at 80% AMI to meet the forecasted affordable production need.

Housing Production Capacity:

- Since 2010, the City has averaged 467 new units of housing per year in total (regardless of price-point, tenure, or income

restrictions). Prior to 2019 the annual average was just 352 units per year.

- New production of income-restricted housing has averaged 29 units per year since 2010 (see page 4 for details).
- The pipeline of affordable housing development suggests that about 90 Affordable rental units and 15 Affordable ownership units will be created over the next three years (an average of **35 units per year**).
- A proposed state policy may unlock additional financial resources for communities that increase their affordable inventory by 3% per year, which equates to 55 units per year in Grand Junction.
- In addition to the above, affordable housing legislation and programming at the state level may increase the capacity of local communities and affordable housing developers to contribute to affordable production in the near term.

AFFORDABLE PRODUCTION GOAL:

Based on the considerations summarized above, Root recommends the following affordable housing goal:

Grand Junction aims to increase the total Affordable housing stock in the City by 225-350 units over the next 5 years (an average of 45-70 units per year, at <80% AMI).

The City also acknowledges the need for attainable housing, affordable for households earning between 80% and 120% AMI.

GJ AFFORDABLE HOUSING GOAL DEVELOPMENT

To that end, the City may consider future tools and incentives to encourage attainable development, outside the scope of the Affordable production goal.

Figure 6 shows the affordable rent and home prices at 60%, 80%, and 120% AMI based on the 2021 HUD AMI for Mesa County. Note that 80% AMI reflects the stated goal, but 60% AMI and 120% AMI are also included for reference if the City opts to prioritize resources at these levels.

Figure 6. Affordable Rents and Home Prices by AMI

	<i>Persons in Family</i>				
	1	2	3	4	5
Affordable Rent					
60% AMI	\$732	\$837	\$942	\$1,046	\$1,130
80% AMI	\$976	\$1,115	\$1,255	\$1,394	\$1,506
120% AMI	\$1,464	\$1,674	\$1,884	\$2,091	\$2,259
Affordable Home Price					
60% AMI	\$122,759	\$140,368	\$157,977	\$175,334	\$189,421
80% AMI	\$163,720	\$186,989	\$210,468	\$233,737	\$252,603
120% AMI	\$245,518	\$280,736	\$315,953	\$350,668	\$378,842

Note: Affordable rent assumes 30% of income is spent on housing. Maximum affordable home price is based on a 30-year mortgage with a 10% down payment and an interest rate of 4.25%. (Note that the HNA used an interest rate of 3.11%, but rates have increased since that report was drafted). Property taxes, insurance, HOA and utilities are assumed to collectively account for 25% of the monthly payment.

Source: 2021 HUD AMI and Root Policy Research.

TRACKING AFFORDABLE PRODUCTION

As noted in the Housing Strategy, the City should track annual affordable housing production to measure progress toward the goal. A system for tracking should include an annual survey of housing coalition and non-profit partners to identify new units, units lost to expiring contracts, and pipeline. A survey for the city is currently in development.



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Grand Junction Housing Strategy

FINAL REPORT
September 21, 2021

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PURPOSE

This Housing Strategy builds upon the Grand Valley Housing Needs Assessment (HNA) by outlining strategies tailored to address needs identified in the HNA.

The recommendations presented in this report are intended to offer a balanced approach for promoting housing affordability and attainability within Grand Junction. This intent is supported by residents' expressed value of inclusiveness, which was evident in survey results and focus group findings, discussed in detail in Section V of the HNA, as well as Comprehensive Plan Principle 5, discussed in more detail below.

COMPREHENSIVE PLAN ALIGNMENT

Comprehensive Plan Principle 5: Strong Neighborhoods and Housing Choices. The City's Comprehensive Plan outlines the following objectives to achieve strong neighborhoods and housing choices:

1. Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes.
2. Partner in developing housing strategies for the community.
 - Develop a targeted housing strategy to facilitate and incentivize the creation of affordable housing units for low-income residents and attainable housing for the city's workforce. Update the strategy periodically to address changing needs.
 - Explore options for providing incentives for projects that incorporate units affordable to income levels identified in the housing strategy.
 - Work cooperatively with Mesa County, the Grand Junction Housing Authority, Catholic outreach, Homeward Bound of the Grand Valley, Karis Inc., and other partners to pursue regional efficiency in all matters related to affordable housing:
 - pursuing funding regionally at all levels;
 - retaining and maintaining existing affordable housing stock;

GRAND JUNCTION HOUSING STRATEGY

- publicizing and marketing affordable housing opportunities throughout the region, including rehabilitation and funding;
 - working to preserve viable affordable housing stock and ensure long-term affordability for new units built with financial assistance; and
 - providing supportive housing for at-risk and homeless populations.
3. Support continued investment in and ongoing maintenance of infrastructure and amenities in established neighborhoods.
 4. Promote the integration of transportation mode choices into existing and new neighborhoods.
 5. Foster the development of neighborhoods where people of all ages, incomes, and backgrounds live together and share a feeling of community.

The strategies outlined in this report support the vision of the Comprehensive Plan and align with plan principles and objectives. This Housing Strategy specifically satisfies the Comprehensive Plan directive to **“develop a targeted housing strategy to facilitate and incentives the creation of affordable housing units for low-income residents and attainable housing for the city’s workforce.”**

DEFINING AFFORDABILITY

The most common definition of affordability is linked to the idea that households should not be cost burdened by housing. A cost burdened household is one in which housing costs—the

rent or mortgage payment, plus taxes and utilities—consumes more than 30% of monthly gross income. The 30% proportion is derived from historically typical mortgage lending requirements. Thirty percent allows flexibility for households to manage other expenses (e.g., childcare, health care, transportation, food costs, etc.).

However, the term “Affordable housing” is often used to specifically describe housing that has some type of income restriction or public support or subsidy, such as public housing, HUD housing, Low Income Housing Tax Credits, etc. “Attainable” or “Workforce” housing are also common terms used to describe affordable options for moderate income households.

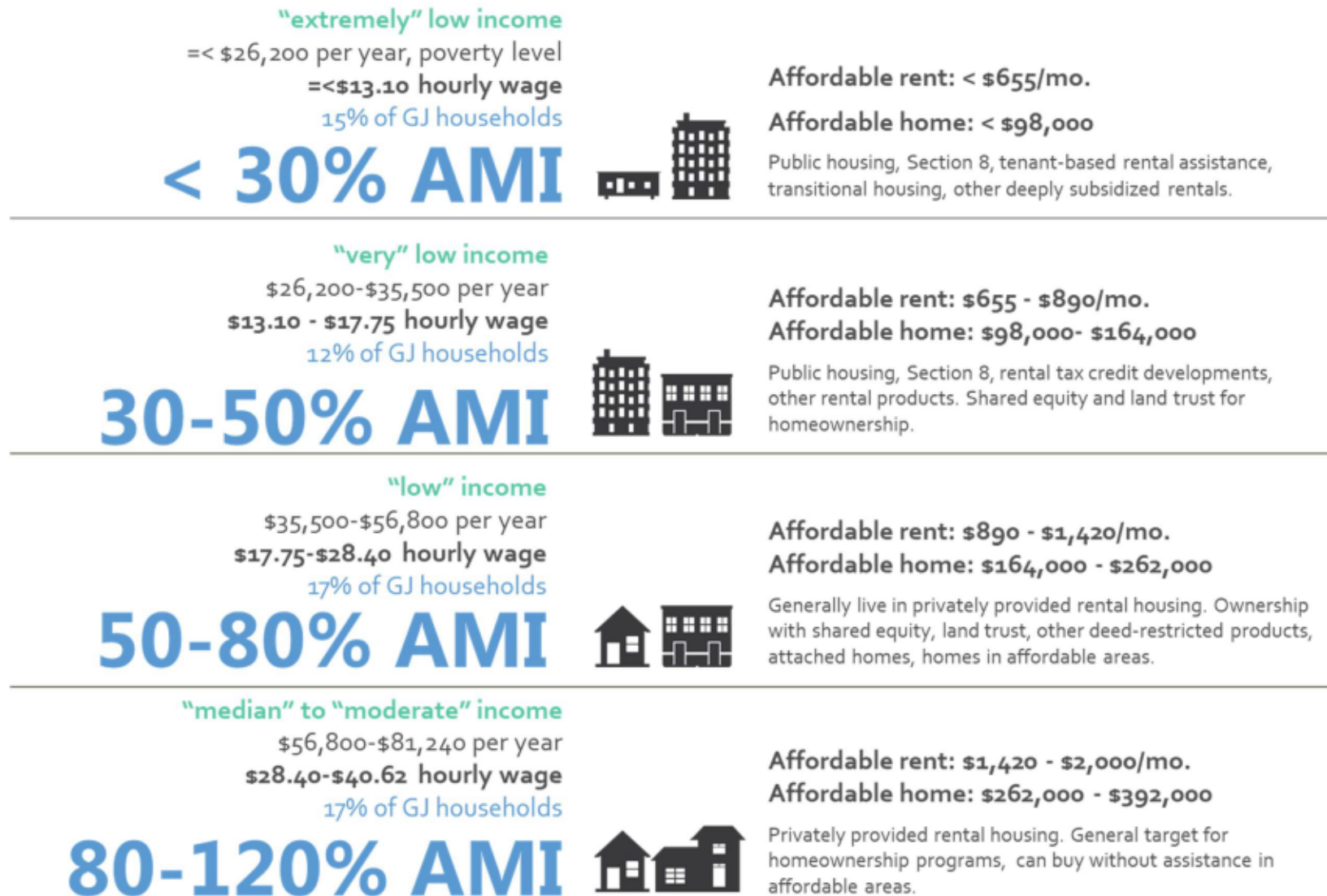
Figure 1 shows the income thresholds typically used to evaluate income qualifications for various housing programs, based on the Grand Junction MSA 2020 area median income (AMI). AMI is defined annually by HUD market studies. The figure provides AMI ranges and the housing types that typically serve the households in the AMI range.

REPORT ORGANIZATION

The Housing Strategy begins with a brief review of the top housing needs identified in the Grand Valley HNA, followed by an overview of existing programs and resources to address housing needs alongside a discussion of potential barriers to housing creation. Policy recommendations to address the identified issues follow.

GRAND JUNCTION HOUSING STRATEGY

Figure 1. Income Thresholds and Target Housing



Note: AMI = HUD Area Median Family Income, 4-person household. The 2020 AMI estimate for the Grand Junction MSA is \$67,700.

Source: Root Policy Research and HUD 2020 income limits.

TOP HOUSING NEEDS

TOP HOUSING NEEDS IN GRAND JUNCTION

Housing needs across the Grand Junction Area are discussed in detail in the Grand Valley HNA and summarized herein. Housing pressures are unlikely to improve if the region continues to be a destination for economic development and population growth. Housing price increases have significantly outpaced incomes over the past decade resulting in rapidly declining affordability within both the rental and ownership markets. Due to the severe drop in the for-sale inventory, widening affordability gaps are particularly acute in the for-sale market, pushing ownership further out of reach for many households.

Top needs are summarized below to provide context for the subsequent recommendations.

Additional affordable rentals (or rental assistance), specifically for residents earning less than \$25,000 per year. Rental affordability declined in both the county overall and in Grand Junction over the past decade, as rent prices rose faster than incomes. Grand Junction currently has a shortage of 2,168 units priced below \$625 per month (30% AMI).

Starter homes and family homes priced near or below \$250,000. Over the past decade, for-sale affordability and ownership rates have fallen in Grand Junction (and the county overall even with favorable interest rates). A large drop in inventory and low construction levels since the recession

exacerbated price trends and contributed to even higher increases in recent years. Cash offers for affordably priced homes crowd out other buyers, while rising rents and home prices raise barriers to ownership (and financing).

Additional housing resources to address unique needs among special needs populations including residents with accessibility/mobility needs, older adults, people experiencing homelessness, and low-income households.

Diverse housing options to accommodate evolving needs of residents and a wider array of market preferences and special needs. Increasing the variety of product types (e.g., smaller homes, single family attached products, mobile/manufactured and prefab homes, as well as more multifamily housing) can help address affordability needs for middle income households and create opportunities for a more efficient market response to demand.

Another way to frame the top needs outlined above is to consider the key challenges to address including:

- Shortage of affordable housing;
- Barriers to homeownership;
- Unique needs of special needs populations;
- Housing instability and displacement; and
- Housing condition.

EXISTING PROGRAMS & RESOURCES

EXISTING PROGRAMS & RESOURCES

Financial resources to address housing needs in Grand Junction are limited. The City receives about \$450,000 annually from the US Department of Housing and Urban Development (HUD) in the form of Community Development Block Grants (CDBG) which are allocated to infrastructure improvements in low- and moderate-income neighborhoods as well as housing and public service needs of low- and moderate-income persons and households. Over the past 5 years the City has expended approximately 23 percent of its CDBG allocation for affordable housing and housing-related services. The CDBG 2021-2025 Five-Year Plan anticipates at least this commitment of funds in the future. Expenditure has included: predevelopment costs, acquisition of vacant land, acquisition of existing units, rehabilitation of existing units, and purchase of major appliances for new residential units.

A crucial asset to the City in addressing ongoing housing needs is its strong network of service providers and housing-related non-profits, including the Grand Junction Housing Authority. Figure 1 highlights some of the key providers and their primary housing programs.

This network of housing and service providers not only serves the needs of their individual clients but also work collaboratively to strategize their collective approach, discuss gaps and targeted needs, and share best practices. There is an active Homeless Coalition and an ad hoc Housing Coalition that meets periodically and contributed to the development of this Housing

Strategy. Even so, the reach and impact of their services is constrained by the limited financial resources available.

Figure 1.
Grand Junction Housing Program Providers

Organization	Housing Programs/Services
Grand Junction Housing Authority	Affordable rental housing construction/property management, Housing Choice Voucher (and other voucher programs) administration, transitional housing program for homeless families with school-children, homeownership education and counseling, housing advocate and family stability program, family self-sufficiency program.
Housing Resources of Western Colorado	Affordable rental housing, housing counseling, homebuyer education, housing rehabilitation loan program, weatherization assistance program, and Self-Help Build Housing program (supports affordable home ownership construction).
Grand Valley Catholic Outreach	Permanent supportive housing, transitional supportive housing, rapid rehousing, utility assistance (one-time financial aid for qualifying households), day center for people experiencing homelessness, and affordable housing search assistance.
Homeward Bound of the Grand Valley	Year-round homeless shelter and services for people experiencing homelessness.
Karls, Inc.	Shelter, housing, and services for individuals experiencing homelessness, primarily youth.
Hilltop Community Resources	Provides a wide range of human services. Housing specific programs include shelter for victims of domestic violence and transitional housing and case management to youth transitioning from the foster care system.
Habitat for Humanity of Mesa County	Affordable homeownership construction and non-profit home improvement stores and donation centers.

Source: Root Policy Research.

EXISTING PROGRAMS & RESOURCES

Though the City does not directly administer housing programs it does play a key role in allocation of HUD and discretionary funds as well as regulating land use and development. The City recently adopted a forward-thinking Comprehensive Plan which governs the long-term vision for growth and development, services, and city priorities. Overall, the city's land use code poses relatively few regulatory barriers to residential development (see Appendix A).

Affordable housing inventory. The Low-Income Housing Tax Credit (LIHTC) program originated in 1986 under the Tax Reform Act and was part of an effort by the federal government to devolve the obligation of publicly-supported housing to states and local governments. Today, the LIHTC is the largest single producer of affordable rental housing in the country. At the most basic level, the LIHTC provides investors with a credit against their taxes in exchange for equity capital to support development of affordable rental units. States administer the program, including setting the criteria for scoring applications.

Grand Junction has 664 units developed using LIHTC, all of which are designated affordable to households earning less than 60% median family income (MFI). In addition, the city has 887 units of HUD-funded housing, including project-based Section 8, public housing, and other multifamily units. The City works to facilitate the development of affordable housing—including LIHTC—in

Grand Junction through negotiations with developers, incentives, fee structuring and land donations.

There are also about 1,300 housing choice vouchers in use in Mesa County, with which income-qualified recipients (earning 50% AMI or less) can find market-rate units that meet their needs. It should be noted that vouchers and units are not necessarily additive as vouchers can be used in subsidized units, creating overlapping subsidies.

Despite these existing units and vouchers, the need continues to outpace supply: According to data from the Grand Junction Housing Authority, as of March 2021 there are 2,266 applicants on the waitlist for affordable housing units and/or vouchers.

Future resource opportunity. State resources, administered through Colorado Division of Housing (CDOH) may offer an untapped resource for future housing efforts in the City of Grand Junction: CDOH's budget is forecasted to double in the coming years based on recent legislative changes. Though the state is still determining their strategic priorities, much of the increase is expected to go into the Housing Development Grant program.¹ Grand Junction should be prepared to apply for funding and/or support local non-profit applications and should plan for financial or in-kind contributions. (While there is no required minimum local financial match from applicants, CDOH expects some local contribution in the form of funding and/or in-kind contributions).

¹ For more information on CDOH's existing programs, visit <https://cdola.colorado.gov/housing>

EXISTING PROGRAMS & RESOURCES

In addition to expanding local funding, CDOH is also receiving substantial federal resources as part of the CARES Act and American Rescue Plan Act. Details on state allocations and guidance on use of funds is still pending, but Grand Junction should continue to monitor developments and opportunities.

Recent legislative changes may also provide opportunities for Grand Junction. HB21-1271 provides funding and technical assistance to local governments to make regulatory and land use changes that promote affordable housing; and HB21-1117 authorizes inclusionary housing policies for both rental and ownership housing.

BARRIERS ANALYSIS & REGULATORY REVIEW

BARRIERS ANALYSIS & REGULATORY REVIEW

The following section summarizes market barriers to affordable/attainable development and evaluates regulatory factors that could contribute to the city's housing challenges.

As noted in the previous section, the City recently adopted a forward-thinking Comprehensive Plan and has relatively few regulatory barriers to residential development. Even so, this section identifies areas of opportunity that may facilitate the creation of attainable housing. The findings are also included in the policy recommendations in the subsequent section.

Market Barriers

Market barriers to affordable and attainable housing development are discussed throughout the HNA and are summarized below:

High cost of building materials. Shortages in raw materials, such as lumber, and supply chain disruptions have caused sharp increases in building costs over the past year. For builders, the volatility of commodity prices makes the planning process and costs difficult to manage. Though some commodity prices may stabilize in the wake of the COVID-19 pandemic, material costs are forecasted to remain high in the coming years.

High cost of land. As the area grows and continues to diversify its economic base, combined with a hot housing market and positive net migration, demand for raw land increases, raising

land costs region-wide. In addition, given that most easy sites to develop are gone, lot development can add to cost and challenging soils, or other site-specific constraints make affordable housing development difficult to achieve.

Labor shortages. According to input gathered from stakeholders in the community, the local construction infrastructure is stretched thin—with shortages in occupations key to the housing industry such as framers, electricians, carpenters, roofers, and even engineers.

NIMBYism. As the area continues to grow, current residents' opposition to increased density is likely to increase. This is a problem in all communities, from Fruita to Clifton. There is a cultural preference for space and low-density housing in the region. This resistance to higher density creates uncertainty in the building process, given that pressure from public input can lead to a project not receiving timely or applicable entitlements that would allow for higher density housing.

Regulatory Review: Land Use & Zoning

The Zoning and Development Code for the City of Grand Junction was last updated in 2010 to align with the Comprehensive Plan adopted at that time. In conjunction with this strategy development Root Policy Research conducted a review of Grand Junction's zoning and development regulations to evaluate their impact on development activity and ultimately housing affordability. The review provides a high-level review

BARRIERS ANALYSIS & REGULATORY REVIEW

and comparison of the jurisdiction's zoning regulations against best practices and assesses if the jurisdiction's regulations could create barriers for housing affordability. The full regulatory review is included in Appendix A and includes:

- Zoning and land use best practices to remove barriers to housing affordability,
- Grand Junction's current land use and development code, including current zoning,
- The adopted Land Use Plan, and
- An evaluation of development impact fees for residential development.

Areas of opportunity identified in the land use and development review are summarized below:

- **Allow residential infill in traditionally single family districts.** The City of Grand Junction provides for a robust mix of housing types in residential and mixed use districts. To allow for residential infill development, the city should consider permitting duplexes/triplexes and rowhomes in lower density residential districts by right.
- **Consider relaxing minimum lot sizes and maximum densities.** The City of Grand Junction has relatively flexible land use development standards with minimum densities and in some instances no minimum lot sizes. However, there are development standards that are prohibitive for the development of housing products such as townhomes and duplexes—and limit the number of units in multifamily developments—through maximum densities. The City has

an opportunity to increase development capacity and affordability by relaxing the lot size and density standards.

- **Adjust parking standards to align with the type and intensity of land use.** Although the city's parking requirements are not atypical, many cities are adopting lower parking standards for more urban areas, particularly for multifamily housing. For housing in areas of mixed use and served by transit, walking and/or biking, Grand Junction might consider adjusting those standards downward to maximize development potential and reduce overall project costs.
- **Formalize existing incentives and consider additional incentives for affordable housing development.** Consider adopting additional incentives for residential developments that meet the city's affordability goals such as deed restricted affordable units and reflects the vision of the community. Ensure available incentives, and fee waivers, are formal and documented in either city policy or ordinance to reduce subjectivity in the process and project long-term benefit to the community.
- **Explore the feasibility of an inclusionary zoning requirement.** Through the comprehensive planning process and the development of the Housing Needs Assessment, the City of Grand Junction has made strides in understanding the housing needs of the community which is the first step toward increasing the supply of housing and promoting housing affordability. The City should explore the economic feasibility of an inclusionary zoning ordinance to increase the long-term supply of affordable units.

STRATEGIES TO ADDRESS HOUSING NEEDS

RECOMMENDED STRATEGIES

The following recommendations are based on Root Policy Research’s experience working with peer communities and best practices; they were developed in conjunction with Grand Junction City Council, City staff, and Grand Junction Area housing stakeholders. Figure 3 summarizes the recommendations in order of anticipated implementation timeline; detailed descriptions of each recommendation follow the figure.

Figure 3. Recommended Strategies

Strategy	Need(s) Addressed	Timeline	Related Comprehensive Plan Objective
1 Participate in regional collaboration regarding housing/homelessness needs and services.	Shortage of affordable/ attainable housing; barriers to affordable ownership; unique needs of special interest populations, housing diversity	1-2 Years	Work cooperatively with Mesa County, GJHA, Catholic outreach, Homeward Bound of the Grand Valley, Karis Inc., and other partners to pursue regional efficiency in all matters related to affordable housing.
2 Adopt a local affordable housing goal(s).	Shortage of affordable/ attainable housing.	1-2 Years	Develop a targeted housing strategy
3 Implement land use code changes that facilitate attainable housing development and housing diversity.	Barriers to affordable ownership; shortage of affordable/ attainable housing; unique needs of special interest populations.	1-2 Years	Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes
4 Encourage development of accessory dwelling units (ADUs).	Shortage of affordable/ attainable housing.	1-2 Years	Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods
5 Formalize existing incentives and consider additional incentives for affordable housing development.	Shortage of affordable/ attainable housing.	1-2 Years	Explore options for providing incentives for projects that incorporate units affordable to income levels identified in the housing strategy.
6 Allocate city owned land (and/or strategically acquire vacant or underutilized properties) for affordable and mixed-income housing.	Shortage of affordable/ attainable housing.	1-2 Years	Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes. Develop a targeted housing strategy.

STRATEGIES TO ADDRESS HOUSING NEEDS

Figure 3 (continued). Recommended Strategies

Strategy	Need(s) Addressed	Timeline	Related Comprehensive Plan Objective
7 Create a dedicated revenue source to address housing challenges.	Shortage of affordable/ attainable housing; unique needs of special needs populations.	1-2 Years	Pursuing funding regionally at all levels.
8 Provide financial support to existing housing and homelessness services and promote resident access to services.	Housing instability and displacement; unique needs of special needs populations; barriers to homeownership.	2-4 Years	Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes. Providing supportive housing for at-risk and homeless populations. Publicizing and marketing affordable housing opportunities throughout the region.
9 Support acquisition/ rehabilitation that creates or preserves affordable housing.	Shortage of affordable/ attainable housing; housing instability and displacement; housing condition.	2-4 Years	Retaining and maintaining existing affordable housing stock.
10 Consider implementation of an inclusionary housing/linkage fee ordinance.	Shortage of affordable/ attainable housing.	2-4 Years	Working to preserve viable affordable housing stock and ensure long term affordability for new units built with financial assistance.
11 Explore designation of an Urban Renewal Areas (URA) and utilization of Tax Increment Financing for affordable housing.	Shortage of affordable/ attainable housing.	4-6 Years	Pursuing funding regionally at all levels.
12 Consider adoption of a voluntary rental registry program in conjunction with landlord incentives.	Housing instability and displacement; housing condition; shortage of affordable/ attainable housing.	4-6 Years	Retaining and maintaining existing affordable housing stock.

Source: Root Policy Research.

STRATEGIES TO ADDRESS HOUSING NEEDS

STRATEGY 1. PARTICIPATE IN REGIONAL COLLABORATION REGARDING HOUSING/HOMELESSNESS NEEDS AND SERVICES.

The Grand Junction Area has a strong network of housing providers already collaborating regionally (e.g., Homeless Coalition and an ad hoc Housing Coalition). These stakeholders desire to increase regional efficiency and advocacy in pursuing funding and in implementing for effective housing strategies throughout the region. The City should participate in the efforts of the ad hoc housing coalition and other opportunities to advance regional housing/homelessness efforts and funding.

Benefits. Presents a unified approach to regional housing issues; increases efficiency in applications for funding and allocation of resources and defines common goals.

Challenges. Political challenges and differing perspectives on regional strategies.

Expected outcomes and keys to success. Works best with well-connected and collaborative stakeholders.

Recommended actions for Grand Junction:

- Continue to participate in Homeless Coalition and ad hoc housing coalition meetings and discussions;
- Participate in a policy and action group which would help spearhead policy efforts regional resource allocation throughout the Grand Junction Area;

- Monitor/investigate new and innovative potential funding sources (e.g., CDOH programs, health foundations, COVID relief funding sources and others).
- Partner with local employers and advocate for employer sponsored/subsidized housing.
- Consider regular data updates for the regional Housing Needs Assessment (every 3-5 years).

STRATEGY 2. ADOPT A LOCAL AFFORDABLE HOUSING GOAL(S).

Formally adopting local affordable housing goals helps establish a target for the city to monitor progress. Goal structure varies by community; for example goals can be:

- Output oriented (e.g., 10% of all housing units will be affordable to households earning less than 80% AMI by 2040);
- Input oriented (e.g., the City will allocate 20% of housing trust fund resources to services for people experiencing homelessness); or
- Value oriented (e.g., increase the supply of attainable ownership housing available to those making less than 100% AMI).

Goals should be related to identified needs, reflect City priorities, and provide clear direction with measurable outcomes.

Benefits. Signals to development community the City's desire for affordable development; provides a benchmark for the City

STRATEGIES TO ADDRESS HOUSING NEEDS

in navigating negotiations with developers and/or establishing incentives.

Challenges. Political challenges in defining goal; if goal specifies income category, may reduce flexibility in future; outcome-oriented goals are not always in the city's control.

Expected outcomes and keys to success. Outcomes vary depending on the goal as well as the other tools in place to help the city achieve its goal. This works best when paired with other tools and strategies designed to support the goal.

Recommended actions for Grand Junction:

- Work with housing coalition and non-profit partners to identify specific housing targets over the next five years to inform affordable housing production goal.
- Consider committing to a goal related to the housing gap or related to annual production of affordable housing units. For example "Reduce the housing gap by 500" or "Create 500 new affordable units over the next 5 years." Note actual target should be informed by anticipated production (see previous bullet).
- Include clear definitions of "affordable" and "attainable" housing in targets.
- Track annual affordable housing production (or other metrics) to measure progress toward goal.

STRATEGY 3. IMPLEMENT LAND USE CODE CHANGES THAT FACILITATE ATTAINABLE HOUSING DEVELOPMENT AND HOUSING DIVERSITY.

Land use and zoning regulations that provide flexibility, clarity, and incentives for residential development are essential for promoting the development of affordable housing. Zoning regulations that negatively impact residential development affordability include restrictions such as minimum house and/or lot sizes, limited land zoned for moderate density (missing middle) options and/or multifamily, prohibitions on accessory dwelling units, and prohibitions on manufactured housing. Specific opportunities for improvement in Grand Junction's code are identified and attached to the strategy report as Appendix A.

Benefits. This aligns with the City's comprehensive plan and provide an opportunity to increase housing diversity and affordability.

Challenges. Changes in allowed density, product type and parking are often met with public opposition.

Expected outcomes and keys to success. Increase housing diversity and naturally occurring affordable/attainable housing stock. Works best in communities with additional development capacity and where community vision (i.e., Comp Plan) is aligned with code updates.

Recommended actions for Grand Junction:

STRATEGIES TO ADDRESS HOUSING NEEDS

- Allow residential infill in traditionally single family districts.
- Consider relaxing minimum lot sizes and maximum densities.
- Adjust parking standards to align with the type and intensity of land use.
- Actively rezone property to densities of R-8 (Residential 8 units per acre) or greater aligned with the 2020 One Grand Junction Comprehensive Plan.

See Appendix A for additional details.

STRATEGY 4. ENCOURAGE DEVELOPMENT OF ACCESSORY DWELLING UNITS (ADUS).

Accessory dwelling units (ADUs) are smaller independent living spaces on the same lot as a single-family home. ADUs can be attached to the home itself or be separate structures on the owners' property. They have minimal impacts on the character of single-family neighborhoods. Strategies to encourage their development and affordability include: eliminating parking requirements, assist with site planning and provide free off-the-shelf plans, short-turnaround approval process for ADUs, provide financial assistance for homeowners to create ADUs, waiving development fees for ADUs that will be restricted to low-income occupants, provide low- and moderate-income homeowners interest-free loans for an ADU project. In addition, some communities are moving to allow secondary ADUS. This should be considered for appropriateness in Grand Junction or within specific areas of Grand Junction.

Benefits. ADUs can be a relatively inexpensive way to create low-cost housing units, free up low-income housing, and increase density in single-family areas, while reusing existing infrastructure such as water and sewer.

Challenges. Requires additional staff capacity for development review.

Expected outcomes and keys to success. Can expand the housing stock and allow low-income owners to generate income from their property. Works better with a rental license program and regulation of short-term rental units.

Recommended actions for Grand Junction:

- Conduct focus group(s) or surveys among residents who have recently constructed ADUs to evaluate the overall process of permitting/constructing ADUs as well as the impact of potential incentives (as outlined in the description above).
- Consider creating an easy-to-follow guide for homeowners looking to build ADUs (example from San Marcos: www.sanmarcostx.gov/1567/Accessory-Dwelling-Units) and proactively communicate opportunity for ADUs to residents.
- Consider allowing secondary ADUS.
- Based on focus group/survey responses consider pilot program for ADU incentives.

STRATEGIES TO ADDRESS HOUSING NEEDS

STRATEGY 5. FORMALIZE EXISTING INCENTIVES AND CONSIDER ADDITIONAL INCENTIVES FOR AFFORDABLE HOUSING DEVELOPMENT.

Development incentives to encourage developers/builders to build affordable housing can take many forms:

- Permit or process-oriented incentives (e.g., fast track development approval; city-assigned, dedicated planning advocate to help move the development through the approval process; reduction in public meeting requirements);
- Regulatory incentives such as density or height bonuses (allows for more units to be built than allowed by right by zoning);
- Fee waivers/rebates (Colorado state law allows impact fees to be waived for affordable housing); and
- Tax incentives for affordable development (or land donation to affordable development).

Development incentives are tied to a contractual commitment to produce an agreed-upon share of affordable units (can be rental or owner). Most policies mandate set asides of between 10 and 30 percent of units affordable to 50% to 80% of area median income (AMI), depending on the market, and set affordability periods that range from 15 to 99 years. The average length of time for deed restrictions is 30 years.

Benefits. Places burden on developers to create (or contribute to) city's housing goals but does so by providing benefit (typically in the form of additional profit) to developers--can be a win-win for developers and city. Can be structured to incentivize any kind of development (e.g., missing middle), not just affordable development. Signals City's development priorities to developers.

Challenges. Requires staff capacity to monitor compliance; can be challenging to structure in order to create affordable units depending on existing zoning and development process. (For example, density bonuses only work if the entitlement density is low enough to entice developers to accept the incentive).

Expected outcomes and keys to success. When well structured, incentives can be relatively high impact (generate moderate number of units) for very little cost to the city. Works best in growing markets and in communities with additional capacity for development.

Recommended actions for Grand Junction:

- Evaluate informal incentives previously extended to affordable (or other) development over the past 5 to 10 years.
- Convene local developers (affordable and market-rate) to evaluate the market demand for potential incentives.
- Codify desired incentives in City codes or affordable housing policy focusing on incentives that increase the supply of affordable housing.

STRATEGIES TO ADDRESS HOUSING NEEDS

STRATEGY 6. ALLOCATE CITY OWNED LAND (AND/OR STRATEGICALLY ACQUIRE VACANT OR UNDERUTILIZED PROPERTIES) FOR AFFORDABLE AND MIXED-INCOME HOUSING.

Property acquisition costs, especially in developed areas of the city, is a major component of the cost of developing affordable housing. The city and other public agencies, such as Mesa County and the State, own properties which could potentially reduce costs and facilitate development of affordable housing. While much of this property is either already utilized for public facilities or is inappropriate for residential development, there may be opportunities to leverage additional affordable and mixed-income housing through better utilization of publicly owned property.

It is increasingly common for local governments to donate, discount, or lease vacant land or underutilized properties (e.g., closed schools, vacant or out-of-date public sector offices) for use as residential mixed-income or mixed-use developments. Some properties are acquired after businesses have been closed for illegal use or very delinquent taxes.

These properties are held in a “land bank” by the City and eventually redeveloped by nonprofit or private developers through a Request for Proposal (RFP) process. Land banks vary in forms from single parcels to multiple, scattered site properties, to large tracts of land. The land can be donated,

discounted, or offered on a land lease to the selected developer

who agrees to a specified affordability level or community benefit. A good starting point in this process for any community is creating an inventory of existing public land that could be used for housing sites in the future.

Benefits. Conducting an initial inventory of publicly owned land is a low/no-cost step. Land banking and donation can reduce future development costs (particularly if acquired when land costs are low) and maintains flexibility in meeting future needs because the land can be held and then used for acute needs as they arise. Converting vacant land or underutilized retail can also have tax benefits to the city (performing residential, even if with a lower property tax value, is better than vacant and abandoned land from a revenue perspective).

Challenges. Acquiring land can be costly (depending on market cycle); limited supply and can require quick response to land available (staffing/authority concern); and there is a risk that future needs will not align with expected land use.

Expected outcomes and keys to success. Outcomes depend on existing land inventory and committed resources though there is potential for high impact (substantial number of units). This works best in communities where there is land available to repurpose; when the city can acquire land at reasonable costs (e.g., during a down market); and when the city has strong partnerships with non-profit developers or existing land trust programs.

STRATEGIES TO ADDRESS HOUSING NEEDS

Recommended actions for Grand Junction:

- Inventory existing public land (including land owned by the City, the County, State, the schools district, and others) and evaluate feasibility for residential development.
- Establish partnerships with local affordable developers and land trusts who may be able to develop the land into affordable rental or ownership units.
- Evaluate funding sources for land/property acquisition that could be utilized to create or preserve affordable housing.
- Actively watch for property and land to acquire to repurpose (this could include vacant land, underutilized/vacant commercial, and/or small naturally occurring affordable multifamily housing).

STRATEGY 7. CREATE A DEDICATED REVENUE SOURCE TO ADDRESS HOUSING CHALLENGES.

Local funding or a “Housing Trust Fund” can have an impact on meeting housing needs. “Trust funds” have grown immensely in popularity with reductions in federal funding for housing. Revenue sources are varied and include: General Obligation Bonds, Real Estate Transfer Taxes (RETT), commercial and/or residential linkage fees, sales tax, jurisdictional general fund set-aside or cash-in-lieu from inclusionary zoning buyouts, and other types of taxes, generally those that are directly tied to demand for housing.

Benefits. Can be used on a variety of programs to address needs across the housing spectrum; flexible funding source without federal regulations.

Challenges. Does not always have political support; efficacy is tied to level of funding; requires staff capacity to manage and allocate resources.

Expected outcomes and keys to success. Can be very effective, depending on funding amount and priorities. Works best when City has clear housing plan/goals and has staff capacity to manage.

Recommended actions for Grand Junction:

- If possible, appropriate funding in the short-term for implementation of the Housing Strategic Plan.
- Establish working group to evaluate the potential for sustainable, dedicated local funding and determine the most appropriate source of funds. Often, a General Fund allocation is the easiest way to initiate a Housing Trust Fund, but a dedicated stream is ideal for the long-term.
- Conduct analysis of the cost of other prioritized housing strategies and/or related capital items.
- Determine priorities for the fund—what programs/policies should it support? Consider the other strategies outlined in this report that require funding for efficacy.

STRATEGIES TO ADDRESS HOUSING NEEDS

STRATEGY 8. PROVIDE FINANCIAL SUPPORT TO EXISTING HOUSING AND HOMELESSNESS SERVICES AND PROMOTE RESIDENT ACCESS TO SERVICES.

Some CDBG funds are currently allocated to support nonprofits that are providing housing, housing services, and/or services to people experiencing homelessness, but additional funding would increase capacity. Top priorities among stakeholders included:

- Services and housing for people experiencing homelessness;
- Homeowner rehab program (grants or loans to assist low-income homeowners with needed repairs; can be emergency repairs or maintenance needed to preserve homes).
- Foreclosure and eviction prevention (can include housing counseling generally for mortgage debt restructuring; short-term emergency rent and utilities assistance for renters; and/or landlord-tenant mediation).
- Home ownership education outreach/workshops to lower income citizens who may qualify to own a home.
- Down payment assistance (programs that help households attain homeownership through financial support for closing costs and down payments).

In addition to financially supporting existing programs, the City could also promote participation by ensuring there is an

accessible online inventory of housing programs (local and state) and qualifications in an easy-to-access format and in multiple languages. Programs can also be affirmatively marketed to historically marginalized populations and those with historical disparities in homeownership.

Benefits. Preservation is much less costly than new development; prevents displacement of existing residents. Generally low cost and high impact; provides assistance to those who need it most and reduces public costs related to homelessness and other social services by preventing foreclosure and eviction. Creates access to homeownership and housing stability.

Challenges. Requires funding and administration as well as strong non-profit partners

Expected outcomes and keys to success. Improves existing housing stock; reduces foreclosures and evictions; increase homeownership and can help with workforce retention. Works best with a trusted non-profit partner.

Recommended actions for Grand Junction:

- Evaluate the potential for a database (and source of communication) of affordable housing options in the community and/or promote the state's affordable housing search platform (www.coloradohousingsearch.com)
- Use the City's website to help promote existing housing options and services in the community.

STRATEGIES TO ADDRESS HOUSING NEEDS

- Contingent on implementation of Strategy 7, include additional funds in annual program allocation (alongside CDBG allocations).

STRATEGY 9. SUPPORT ACQUISITION/REHABILITATION THAT CREATES OR PRESERVES AFFORDABLE HOUSING.

In this strategy nonprofits or for-profit affordable housing developers purchase privately-owned but low-priced housing options, or subsidized units with affordability periods ending ("at risk" affordable housing). Owners make needed improvements and institute long-term affordability. This strategy can also support conversion of hotels/motels into affordable or transitional housing. At-risk housing stock may include private rentals with rising rents, manufactured housing parks, or lower-cost single-family homes and real estate owned (REO) properties. Rental properties can be maintained as rental or convert to cooperative ownership. Ownership properties can be resold to lower-income families or leased as affordable rentals. A City's role is often to provide financial resources to non-profits for the acquisition and rehab projects. This program can also be structured as rehab grants to existing multifamily owners in exchange for contractual affordability.

Benefits. Generates guaranteed affordability out of existing stock (less costly than new development); can be used for rental or ownership.

Challenges. Can be difficult to identify properties, though it can be structured at the city level as a resource pool for non-

profits, which reduces the staffing and management burden on the city.

Expected outcomes and keys to success. Generates some affordable units. Works best with a trusted non-profit partner.

Recommended actions for Grand Junction:

- Establish partnerships with local affordable developers who would own/manage the units.
- Contingent on Strategy 7, dedicate local resources to an acquisition/rehab program.
- Design RFP process for entities who wish to access funds or prioritize CDBG spending for the purpose of acquisition and/or rehabilitation of housing resources.

STRATEGY 10. CONSIDER IMPLEMENTATION OF AN INCLUSIONARY HOUSING/LINKAGE FEE ORDINANCE.

Policies that require or incentivize the creation of affordable (income-restricted) housing when new residential and/or commercial development occurs, either within the same development or off-site. Some inclusionary housing ordinances allow the developer to pay fees "in lieu" of developing the affordable units. Policies can be implemented as required or voluntary and can include "off-sets" and/or incentives for the provision of affordable housing.

Benefits. No direct cost to city other than enforcement, has the ability to generate a substantial number of units.

STRATEGIES TO ADDRESS HOUSING NEEDS

Challenges. Regularly faces opposition from development community who view such ordinances as putting full burden of current housing challenges onto new development.

Expected outcomes and keys to success. Generates substantial number of units when structured well. Works best in communities with additional capacity for development and that are experiencing growth.

Recommended actions for Grand Junction:

With the recent passage of Colorado HB21-1117, Colorado communities can now implement inclusionary housing that applies to both rental and for-sale development. Given this recent change, the City should consider this as a 5+ year strategy:

- Monitor new inclusionary programs implemented throughout the state and continue to evaluate whether such a program would be effective and appropriate in Grand Junction.
- Evaluate the option of inclusionary housing every 2 years to consider whether the City desires to institute a program.
- Interview existing program administrators and an economic feasibility study of the potential affordable requirements

STRATEGY II. EXPLORE DESIGNATION OF AN URBAN RENEWAL AREAS (URA) AND UTILIZATION OF TAX INCREMENT FINANCING FOR AFFORDABLE HOUSING.

Revenue generated by borrowing against projected growth in property tax revenues within designated redevelopment (urban renewal) areas. All or a portion of the tax increment can be set aside for affordable housing preservation and production.

Benefits. Can generate affordable units or provide monies for incentives in new units within targeted areas; leverages new and/or existing funding source.

Challenges. Can impact total TIF package as property tax revenue on affordable developments may be low. URA can be cumbersome, expensive and time-intensive to establish and manage.

Expected outcomes and keys to success. Generates modest volume of affordable units. Works well when affordable housing is paired with uses that generate higher future tax revenue (e.g., retail)

Recommended actions for Grand Junction:

Convene task force to evaluate the viability of URA designation and TIF priorities. Interview other communities where this approach is used to evaluate how it could apply in Grand Junction, such as Colorado Springs, Fort Collins, Loveland, and Denver.

STRATEGIES TO ADDRESS HOUSING NEEDS

STRATEGY 12. CONSIDER ADOPTION OF A VOLUNTARY RENTAL REGISTRY PROGRAM IN CONJUNCTION WITH LANDLORD INCENTIVES.

Having a rental registration or license program (a program in which landlords are required to obtain a license from the City) make it easier to promote best practices and resources to landlords, identify problem landlords, and implement a variety of renter protections (such as housing quality standards). Voluntary registration programs can be paired with landlord incentives; examples include:

- Access to security deposit insurance in exchange for accepting housing choice vouchers;
- Access to grants or interest free loans for rehab in exchange for keeping units affordable (income restricted); and
- Access to grants or incentives in exchange for converting short term rentals to long terms rentals.

Landlords participating on voluntary programs typically also receive access to city-provided resources such as template leases (in English and Spanish), fair housing training, landlord-tenant mediation services, etc.

Benefits. Promotes equity, relatively easy to implement, provides resources to landlords.

Challenges. Monitoring and compliance is difficult (requires staff capacity).

Expected outcomes and keys to success. Depends on structure of program. Can improve existing housing stock (quality inspections and rehab), can create additional affordable housing stock, can improve conditions for renters and better equip landlords. Works in any market

Recommended actions for Grand Junction:

Form task force to review best practice research on program design and evaluate priorities for program implementation. Consider community and landlord engagement to help refine policy proposal.

STRATEGIES TO ADDRESS HOUSING NEEDS

RELATIVE COST AND IMPACT OF STRATEGIES

Figure 4 plots the strategy recommendations along two axes to help gauge their relative cost and impact. It should be noted that “cost” is used broadly and can mean financial cost, staffing resources, political effort, etc. Note that cost and impact may differ from the figure depending on final policy/program design

Strategies in the lower left portion of the figure are generally low cost but also low impact. Cost increases as you move to the right (x-axis) and impact increases as you move up (y-axis). Strategies in the upper right are generally high cost but also high impact. Strategies are color-coordinated based on their implementation timeline.

This matrix should not be the only criteria for evaluating strategies but does provide some guidance in considering the most effective options given resource constraints.

Figure 4. Relative Cost and Impact of Recommended Strategies



Source: Root Policy Research.

NEXT STEPS

CONCLUSION AND NEXT STEPS

As the City of Grand Junction continues to pursue implementation of the Comprehensive Plan—including building “Strong Neighborhoods and Housing Choices”—the strategies outlined above provide a roadmap for achieving desired outcomes and addressing identified housing needs.

A balanced housing stock accommodates a full “life cycle community”—where there are housing options for each stage of life from career starters through centenarians—which in turn supports the local economy and contributes to community culture. Encouraging the market to develop sufficient supply to meet demand as well as actions that help mitigate price increases and preserve both market-rate and publicly assisted housing affordability will help provide essential housing for residents of Grand Junction.

Implementation of the strategies will require the City to address housing challenges head-on, pursue new policies, programs, and funding sources, and work collaboratively with regional stakeholders and public-private partnerships.

APPENDIX A.

Land Use and Development Review

APPENDIX A.

Land Use and Development Review

The Zoning and Development Code for the City of Grand Junction was last updated in 2010 to align with the Comprehensive Plan adopted at that time. This appendix provides a high-level review of the jurisdiction’s zoning regulations against best practices and assesses if the jurisdiction’s regulations could create barriers for housing affordability.

The review includes zoning and land use best practices to remove barriers to housing affordability—discussed in the context of Grand Junction’s current zoning ordinance and opportunities for improvement—focusing on zoning districts and permitting uses, development standards, parking standards, and incentives for affordable housing. The review also discusses the future land use plan presented in the Grand Junction Comprehensive Plan along with an evaluation of development impact fees for residential development. The section concludes with a summary of opportunities for Grand Junction; these opportunities are also discussed in the Grand Junction Housing Strategy.

Zoning Districts and Permitted Uses

In response to housing affordability challenges and lack of diversity in housing typology, jurisdictions across the country are increasingly modifying land use codes to allow missing middle housing—duplexes/triplexes, rowhomes, and Accessory Dwelling Units (ADUs)—in single family zones.¹ Missing middle housing refer to a diverse set of housing types that result in smaller, more affordable, and provide more density compared to single family homes. It is a best practice to include a broad range of mixed-use zone districts that occupy the majority of the spectrum of zone districts to permit a variety of housing types for middle income households. Additionally, permitting multifamily development across a wide variety of mixed-use districts more effectively produces communities that support neighborhood-serving retail and commercial operations and small businesses by allowing the market to supply services near households.²

Grand Junction’s current code. The city has adopted ten residential districts, a variety of mixed-use and commercial districts, and form based residential districts. The ten residential districts provide for a range of residential development, in

¹ Affordability in this context encompass both income restricted as well as naturally occurring affordable housing.

² Elliott, Donald L. *A better way to zone: ten principles to create more livable cities*. Island Press, 2012.

addition to the mixed use districts, shown in Figure A-1. Residential districts range from rural densities to districts intended to discourage large lot development and encourage concentrated urban growth in community centers. According to the city’s zoning ordinance, the purpose for the R-12, R-16, and R-24 districts are to, “allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood.”

**Figure A-1.
Residential Use Table**

Note:
A=allowed; C=conditions; Blank=not permitted.

Source:
Chapter 21.04 Grand Junction Municipal Code.

	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Business Residence											A	A	A	A	A	A	A	A	A	A	A
Two-Family Dwelling				A	A	A	A	A			A	C									
Single-Family Detached	A	A	A	A	A	A	A				A	C	C			A					
Multifamily						A	A	A	A	A	A	A	A	A			A	A			
Accessory Dwelling Unit	A	A	A	A	A	A	A	A			A		A								
Agricultural Labor Housing	A															A					
Manufactured Housing Park						A	A	A													
All Other Household Living						A	A	A													

Areas of opportunity. The City of Grand Junction provides for a robust mix of housing types in residential and mixed-use districts. To allow for residential infill development, the city should consider permitting triplexes and rowhomes in lower density residential districts by right.

Residential Development Standards

Flexibility in development dimensional standards provides opportunities for residential product diversity (e.g., multifamily, townhomes, and duplexes) and a mix of uses to encourage more affordable residential development—compared to traditional single-family zoning. Conversely, zoning regulations that negatively impact residential development affordability include minimum house and/or lot sizes, limited land zoned for missing middle options and/or multifamily, prohibitions on ADUs, secondary ADUs, restrictions on land zoned and available for multifamily and manufactured housing.

Grand Junction’s current code. The residential development standards summary table in Figure A-2 below provides land development requirements in each district. Overall, these residential development standards allow for a wide range of housing types in the city. Minimum density requirements for R-5 to R-24 residential zones discourage large lot single family

detached housing development and may promote the development of missing middle housing types and promote affordability. These zones provide an alternative to the traditional single-family regulations in zones R-R to R-4. However, minimum lot sizes and densities may increase the cost of residential development and discourage missing middle housing.

**Figure A-2.
Residential Use Table**

Source:
Chapter 21.03 Grand Junction Municipal Code.

	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Minimum Lot Size (min.)	5 acres	1 acre	30,000 sq. ft.	15,000 sq. ft.	7,000 sq. ft.	4,000 sq. ft.	3,000 sq. ft.	n/a	n/a	n/a
Lot Coverage (max)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	6	8	12	16
Density (max units per acre)	1/5 acres	1	1	2	4	6	8	12	16	n/a

Figure A-3 shows the development standards for mixed use and commercial districts. For mixed use and commercial districts, maximum heights and residential development densities are likely to have the most impact on the number of units constructed and the affordability of those units. Similar to mixed use minimum densities in residential districts, minimum densities along commercial corridors increase the opportunity for more residential units and helps provide access to transit.

**Figure A-3.
Mixed Use and Commercial Development Standards**

Source:
Chapter 21.03 Grand Junction Municipal Code.

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Minimum Lot Size (min.)	5,000 sq. ft.	10,000 sq. ft.	n/a	20,000 sq. ft.	20,000 sq. ft.	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre
Lot Coverage (max)	70%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Height (max)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a

Areas of opportunity. The City of Grand Junction has relatively flexible land use development standards with minimum densities and in some instances no minimum lot sizes. However, there are development standards that are prohibitive for the development of certain housing products—townhomes and duplexes—and limit the number of units in multifamily developments—through maximum densities. There is an opportunity to examine the potential for reducing or eliminating these standards to increase development capacity and thereby affordability.

Parking Standards

Parking standards can vary based on use rates and existence of public parking lots in the area. The traditional standard of two parking spaces per dwelling unit is reasonable in low density residential districts, but many cities are adopting lower parking standards near transit, multifamily development, and mixed-use areas.

Some communities establish parking standards to account for lower vehicle ownership rates among certain types of households, such as seniors and low-income households. Senior apartments, assisted-care units, congregate care facilities, and studio and one-bedroom apartments are likely to have lower parking demand than developments of the same size. A zoning policy that requires an equal number of parking spaces per bedroom will result in an oversupply of parking.

Grand Junction's current code. Grand Junction requires the typical two parking spaces for single family and duplex units with one additional unit required per accessory dwelling unit (ADU)—for example, a duplex with an ADU would require five off-street parking spaces. For multifamily development, the number of spaces required is based on the number of bedrooms per unit. For one-bedroom units 1.25 spaces are required, two-bedroom units require 1.5 spaces, and three or more-bedroom units require 2 spaces. The city does allow projects to request an alternative parking plan but this can be cumbersome and add expense to a project.

Areas of opportunity. Although these requirements are not unreasonable, many cities are adopting lower parking standards for more urban areas, particularly for multifamily housing. Grand Junction should consider adjusting parking standards downward to promote affordability and greater land utilization.

Incentives for Affordable Housing

Incentives are formalized affordability requirements in exchange for development benefits such as fee waivers, expedited permitting, tax abatements, and density bonuses. To encourage the development of affordable housing, the code should recognize the difficult economics involved and should offer incentives. Common incentives include smaller lots, increased density in multi-family areas, reduced parking requirements, or waivers or reductions of application fees or development impact fees.

While zoning and subdivision incentives alone are often not enough to make development for lower levels of AMI economically feasible, they can be part of a broader package of incentives (for example, including financial incentives or land contributions) that make those projects feasible.

Grand Junction’s current code. Grand Junction currently discounts transportation impact fees (50% reduction per additional story) in the city “redevelopment areas” to encourage development in those areas. Additionally, Grand Junction’s Zoning and Development Code currently allows for the City Council to waive impact fees imposed on affordable housing development.

Areas of opportunity. Consider additional incentives for residential developments that meet the city’s affordability goals and reflects the vision of the community.³ The recently adopted Comprehensive Plan suggests the City, “explore options for providing incentives for projects that incorporate units affordable to income levels identified in the housing strategy.” The city should ensure available incentives, including the existing fee waivers, are formal and documented in either city policy or ordinance to reduce subjectivity in the process.

A note about inclusionary zoning. In 2021, the Colorado General Assembly enacted House Bill 21-1117 which permits local governments to enact inclusionary zoning ordinances on rental units (for-sale was already allowed). Inclusionary zoning generally regulates new development or redevelopment to encourage the construction of new affordable units. Local governments must provide one or more alternative options to constructing the units such as a fee in-lieu or land dedication.

Additionally, in order to adopt an inclusionary ordinance, local governments must take one or more of a set of actions to increase the overall number and density of housing units. As specified in HB21-1117, these potential actions include:

- *Adopt changes to its zoning and land use policies that are intended to increase the overall density and availability of housing, including but not limited to:*
 - *Changing its zoning regulations to increase the number of housing units allowed on a particular site;*
 - *Promoting mixed-use zoning that permits housing units allowed on a particular site;*

³ See Housing Strategy for additional details on specific incentive recommendations.

- *Permitting more than one dwelling unit per lot in traditional single family lots;*
 - *Increasing the permitted households size in single family homes;*
 - *Promoting denser housing development near transit stations and places of employment;*
 - *Granting reduced parking requirements to residential or mixed use developments that include housing near transit stations or affordable housing developments;*
 - *Granting density bonuses to development projects that incorporate affordable housing units; or adopting policies to promote the diversity of the housing stock within the local community including a mix of both for sale and rental housing opportunities;*
- *Materially reduce or eliminate utility charges, regulatory fees, or taxes imposed by the local government applicable to affordable housing units;*
 - *Grant affordable housing developments material regulatory relief from any type of zoning or other land development regulations that would ordinarily restrict the density of new development or redevelopment;*
 - *Adopt policies to materially make surplus property owned by the local government available for the development of housing; or*
 - *Adopt any other regulatory measure that is expressly designed and intended to increase the supply of housing within the local government's jurisdictional boundaries.*

Areas of opportunity. Through the recent comprehensive planning process and the development of this housing needs assessment, the City of Grand Junction has made reasonable strides and efforts toward increasing the supply of housing and promoting housing affordability. The city should explore the economic feasibility of an inclusionary zoning ordinance to increase the supply of affordable units.

Future Development

Adopted planning documents including the Comprehensive Plan and Zoning Ordinance establish a vision for future development and a roadmap to achieve that vision through land use regulations. In addition to the most common regulatory barriers, the geographic zoning patterns and development trends influence housing choice and affordability.

The City of Grand Junction adopted the updated Comprehensive Plan in December 2020. The Comprehensive Plan provides insight into the vision for future residential development in the community. The following excerpts from the Plan provide population growth estimates, housing unit estimates, and the future land use plan to provide needed housing types.

- **Population growth estimates.** “Grand Junction is expected to continue to represent approximately 40 percent of Mesa County’s population over the next 20 years. This would result in a population of approximately 90,000 people within City limits by 2040—an increase of 23,071 people. Similarly, the State Demographer has estimated that, by 2040, the population within the Urban Development Boundary will account for an additional 34,000 people for a total of approximately 124,000 in the City’s planning area.”
- **Housing unit estimates.** “Based on the projected population growth and the city’s average household size of 2.29 people, approximately 11,400 additional housing units will be needed within City limits by 2040. Housing options that address a variety of needs such as cost, quality, age, and type are a key concern in Grand Junction.

Grand Junction’s housing supply will need to grow and diversify to meet the community’s future needs. Today, Grand Junction has an estimated 27,990 housing units. This inventory is predominantly single-family homes: 62 percent of all housing units are detached. Of owner occupants, 85 percent live in single-family units compared to 32 percent of renters, while 55 percent of renters reside in apartment units.”

- **Future land use.** “To support the community in meeting current and anticipated housing needs, the Comprehensive Plan policies and the Land Use Plan encourage the creation of more mixed-use, walkable neighborhoods and mixed-density neighborhoods with a wider range of housing types. Policies also encourage higher density development in areas located within urban intensification areas as well as priority growth areas such as the city’s core, University District, Downtown District, and areas along transit corridors.

The Land Use Plan is a tool to guide future development within the City and its Urban Development Boundary. It will be applied through day-to-day decision making as a means to help implement a shared vision for the physical growth of the City. The plan includes a map that depicts locations for different types of land uses and a description of each land use.”

Figure A-4 shows a map of the Land Use Plan for the City of Grand Junction presented in the Comprehensive Plan. Medium to high density residential development is concentrated near downtown, near shopping and employment centers and along major transportation corridors.

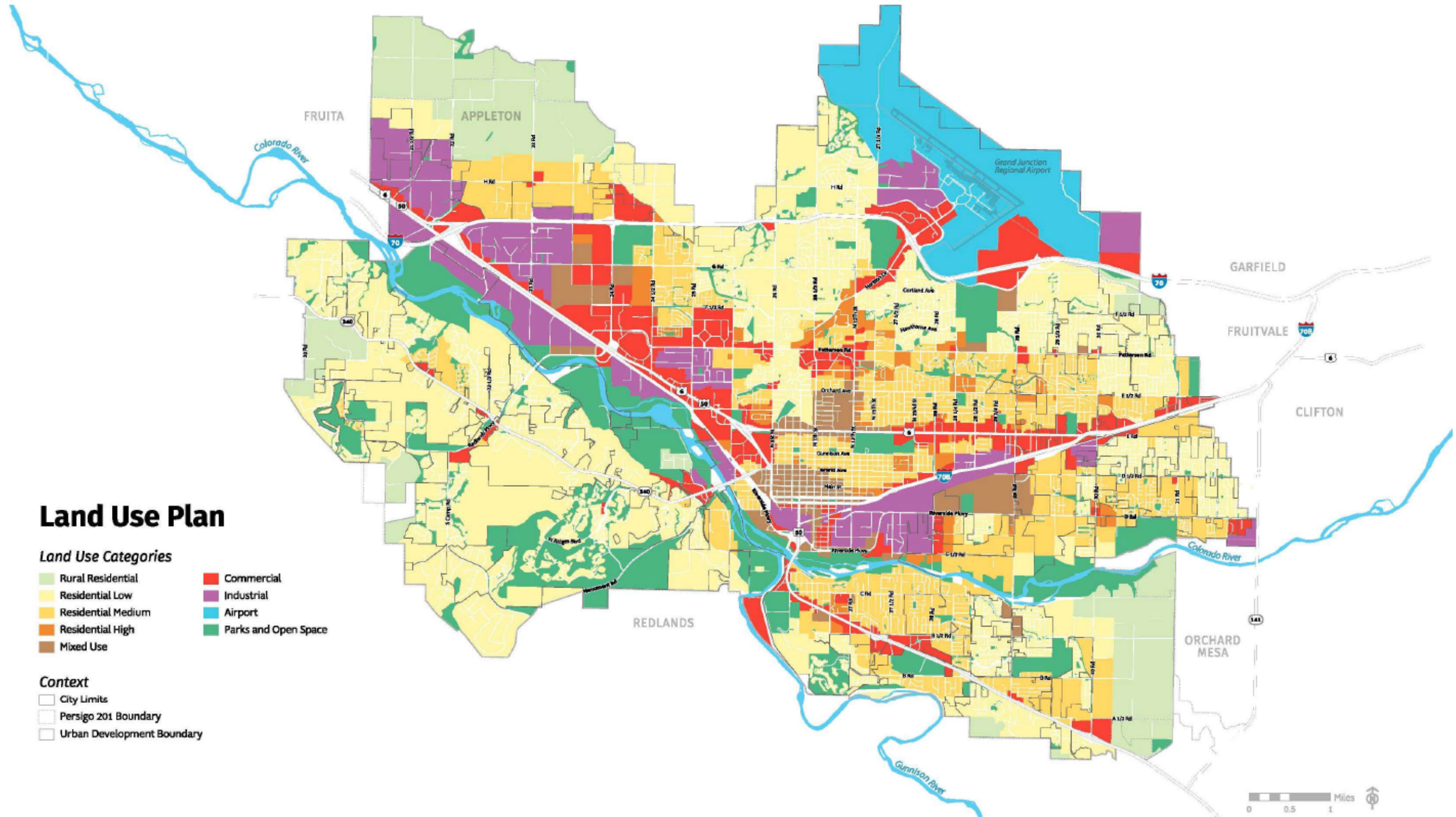
Development impact fees. Impact fees are imposed on new development to support the additional infrastructure required to service new development. Common impact fees include water, wastewater or sewer, transportation, fire, police, parks and recreation, and schools. Stakeholders indicated the City of Grand Junction’s impact fees are prohibitive for multifamily

residential development. A comparative analysis of fees with other communities in Colorado was conducted to evaluate the city's fees, and the city's impact fees have not been identified as a barrier to development.

Areas of opportunity. The recently adopted comprehensive plan provides a roadmap for land use code updates to prioritize Plan Principle 5, "Strong Neighborhoods and Housing Choices." The plan outlines the following actions to achieve this principle.

- Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes.
- Partner in developing housing strategies for the community.
- Support continued investment in and ongoing maintenance of infrastructure and amenities in established neighborhoods.
- Promote the integration of transportation mode choices into existing and new neighborhoods.
- Foster the development of neighborhoods where people of all ages, incomes, and backgrounds live together and share a feeling of community.

Figure A-4. Future Land Use



Source: City of Grand Junction

Summary of Areas of Opportunity

The following opportunities were identified through this land use and development review:

- **Allow residential infill in traditionally single family districts.** The City of Grand Junction provides for a robust mix of housing types in residential and mixed-use districts. To allow for residential infill development, the city should consider permitting triplexes and rowhomes in lower density residential districts by right.
- **Consider relaxing minimum lot sizes and maximum densities.** The City of Grand Junction has relatively flexible land use development standards with minimum densities and in some instances no minimum lot sizes. However, there are development standards that are prohibitive for the development of “missing middle” housing products—townhomes and duplexes—and limit the number of units in multifamily developments—through maximum densities. The City has an opportunity to increase development capacity and affordability by relaxing the lot size and density standards.
- **Adjust parking standards to align with the type and intensity of land use.** Although the city’s parking requirements are not atypical, many cities are adopting lower parking standards for more urban areas, particularly for multifamily housing. For housing in areas of mixed use and served by transit, walking and/or biking, Grand Junction might consider adjusting those standards downward to maximize development potential and reduce overall project costs.
- **Formalize existing incentives and consider additional incentives for affordable housing development.** Consider additional incentives for residential developments that meet the city’s affordability goals and reflect the vision of the community. The recently adopted comprehensive plan suggests the city, “explore options for providing incentives for projects that incorporate units affordable to income levels identified in the housing strategy.” The city should ensure available incentives, including the existing fee waivers, are formal and documented in either city policy or ordinance to reduce subjectivity in the process.
- **Explore the feasibility of an inclusionary zoning requirement.** Through the recent comprehensive planning process and the development of this housing needs assessment, the City of Grand Junction has made strides toward increasing the supply of housing and promoting housing affordability. The city should explore the economic feasibility of an inclusionary zoning ordinance to increase the supply of affordable units.

- **Implement the comprehensive plan.** The recently adopted comprehensive plan provides a roadmap for land use code updates to prioritize Plan Principle 5, “Strong Neighborhoods and Housing Choices.” The plan outlines the following actions to achieve this principle.
 - Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes.
 - Partner in developing housing strategies for the community.
 - Support continued investment in and ongoing maintenance of infrastructure and amenities in established neighborhoods.
 - Promote the integration of transportation mode choices into existing and new neighborhoods.
 - Foster the development of neighborhoods where people of all ages, incomes, and backgrounds live together and share a feeling of community.

RESOLUTION NO. ____-22

**A RESOLUTION ADOPTING THE
GRAND JUNCTION HOUSING GOAL**

Recitals:

The May 2021 Grand Valley Housing Needs Assessment (HNA) collected data from and following a community-wide survey, seven focus group meetings with key stakeholders and other outreach.

The HNA showed a poverty rate in Grand Junction of 16% which is well above the state average, a rental housing gap of 2,168 units for households earning less than \$25,000, a need for housing units that address accessibility needs for the 15% of the City's population that are disabled, and a generalized substandard condition of housing units within the community.

In response to the findings of the HNA, the City Council embarked on developing a housing strategy to begin to address the needs identified in the HNA. On June 14, August 2, and on September 13, 2021, the City Council met and discussed adoption of twelve strategies, together with associated timelines, to impact positive change in addressing housing needs within the city. Together the twelve strategies (known as and collectively referred to as the 2021 Grand Junction Housing Strategy) deliver a blueprint for the City and its partner agencies to begin to address critical housing needs in the community. The Strategy was adopted by City Council on October 6, 2021.

City Council, informed by work of staff, Root Policy and community housing partners, has focused on advancing numerous strategies, including Strategy 2: Adopt a local affordable housing goal. City Council discussed Strategy 2 at its May 2, 2022 workshop regarding setting a local affordable housing production goal and to define both "Affordable" and "Attainable" in terms of housing.

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

- ❖ Grand Junction aims to increase the total Affordable Housing stock in the city by 225 to 350 units over the next 5 years (an average range of 45 to 70 units per year) serving residents at 80% AMI or less.
- ❖ Affordable Housing is defined as: Housing units with a contractual requirement (deed-restriction or income restriction of no less than 30 years) that keeps the cost of rent or mortgages affordable to households making 80% or less of AMI.
- ❖ Attainable Housing is defined as: Housing units affordable to households making between 80% and 120% of AMI.

The Goal and Definitions (above), as further articulated in the attached Memorandum *Strategy 2: Adopt Affordable Housing Goal(s)* dated XXX, is hereby adopted.

PASSED AND APPROVED this ____ day of June 2022.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #

Meeting Date: June 1, 2022

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

The Special Meeting Executive Session was noticed for and commenced at 4:30 p.m. in the City Hall Administration Conference Room. If not previously adjourned, then that meeting will reconvene following adjournment of the Regular meeting. If not previously adjourned and therefore reconvened following the recess, then the Special Meeting Executive Session will adjourn following the completion of the noticed matters.

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

None