

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5096

**AN ORDINANCE PLACING A CHARTER AMENDMENT TO CHANGE THE AUTHORIZED LENGTH OF LEASES OF CITY PROPERTY FOR AFFORDABLE HOUSING FROM TWENTY-FIVE UP TO NINETY-NINE YEARS ON THE ELECTION BALLOT FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD THE 8<sup>th</sup> DAY OF NOVEMBER 2022**

Recitals.

Pursuant to §151 of the Grand Junction City Charter, the Charter may be amended at any time in the manner provided by Article XX of the Constitution of the State of Colorado.

The City Council has determined that the Charter provision limiting leases of public property to a term of twenty-five years may be unduly restrictive for the possible use of City property for affordable housing, and that increasing the term from twenty-five up to ninety-nine years will benefit the public by allowing the highest and best use of certain property and in turn contribute to reducing the shortage of affordable housing in the community. Leasing of any public property is permissive and within the sole and sound discretion of the City Council on terms it deems necessary and appropriate; amending the Charter will only change the possible lease term for affordable housing on City property now owned or after acquired.

Therefore, the City Council desires to present to the City voters a change to the City Charter, allowing the voters to determine if amending the Charter would be in the best interest of the City.

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

That a question of proposed amendment to Section 124 of the Charter to increase the length of the allowed term of lease of certain City property from twenty-five to ninety-nine years, as follows, be placed on the November 8, 2022, ballot:

**City of Grand Junction**

**Shall there be an amendment to Article XIV, Section 124 of the City Charter, as amended, to increase the authorized lease term for City property, now owned or after acquired, from 25 years to a term not to exceed 99 years when the property is to be used for affordable housing project(s)?**

**If approved, Section 124 will read, in relevant part (and without amendment of the balance of Section 124 as amended) as follows:**

***124. "No franchise, lease or right to use the streets or the public places, or property of the city, shall be granted by the city, except as in this Charter***

***provided, for a period longer than twenty-five years; however, the City may, by and with adoption of an ordinance, lease certain City property, now owned or after acquired, for affordable housing for a term not to exceed ninety-nine years.”***

\_\_\_\_\_ FOR THE AMENDMENT

\_\_\_\_\_ AGAINST THE AMENDMENT

The ballot title is set based upon the requirements of the Colorado Constitution and the City Charter, all State statutes that might otherwise apply are hereby superseded to the extent of any inconsistencies or conflicts and, pursuant to Section 31-11-102, C.R.S., is an alternative to the provisions of State law. Any inconsistency or conflict is intended by the City Council and shall be deemed made pursuant to the authority of Article XX of the Colorado Constitution and the Charter.

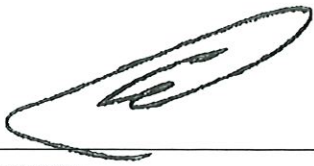
Pursuant to Sections 31-10-1308, and 1-11-203.5 C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set, and for contest concerning the order of a ballot, within five days after the ballot order is set by the County Clerk.

The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

INTRODUCED ON FIRST READING AND ORDERED PUBLISHED THIS 7<sup>th</sup> DAY OF SEPTEMBER 2022.

PASSED AND ADOPTED THIS 21<sup>ST</sup> DAY OF SEPTEMBER 2022.



Abe Herman  
Mayor Pro Tem

ATTEST:



Amy Phillips  
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5096 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 7<sup>th</sup> day of September 2022 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 21<sup>st</sup> day of September 2022, at which Ordinance No. 5096 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 23<sup>rd</sup> day of September 2022.

  
\_\_\_\_\_  
Deputy City Clerk

Published: September 9, 2022  
Published: September 23, 2022  
Effective: October 23, 2022

