

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

December 7, 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 7th day of December 2022 at 5:30 p.m. Those present were Councilmembers Chuck McDaniel (virtual), Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart (virtual), and Council President Anna Stout. Council President Pro Tem Abe Herman was absent.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Selestina Sandoval, Principal Planner Scott Peterson, and Finance Director Jodi Welch.

Council President Stout called the meeting to order, and Councilmember Pe'a led the Pledge of Allegiance, followed by a moment of silence.

Presentations

Recognition of Photographers Selected for Annual Calendar

Each year, the City invites area photographers to submit pictures to be featured for each month of a printed annual calendar. Not only does it celebrate the beauty of the Grand Junction area, but the calendar also serves as an Annual Report for the City. It includes holidays, City Council meeting dates as well as those for Boards and Commissions. In addition, the calendar includes important reminders about city services. The calendar is mailed to households within City limits and free copies are available at City Hall, the police and fire departments, 910 Main, and Visit GJ.

The photos that are submitted undergo a rigorous selection process that is finalized by the Arts and Culture Commission. Once again this year, the process of selecting the best photo for each month was a difficult one. Nearly 400 stunning photographs were received from the community. This recognition is an opportunity for City Council to thank all the artists who donated their amazing work so the community can enjoy photographs of the breathtaking natural beauty that surrounds the city.

Council President Stout thanked the recognized photographers.

Proclamations

Proclaiming December 18, 2022 as International Day of the Migrant in the City of Grand Junction

Councilmember Simpson read the proclamation and Stephania Vasconez and Dr. Brian

Hill accepted the proclamation.

Appointments

To the Visit Grand Junction Board

Councilmember Pe'a moved and Councilmember Reitz seconded to reappoint Joseph Burtard, Kelsey Coleman, and Tammy Anderson to the Visit Grand Junction Board for terms expiring December 2025. Motion carried by unanimous voice vote.

To the Commission on Arts & Culture

Councilmember Reitz moved and Councilmember Pe'a seconded to appoint Cynthia Underwood, Elise Lopez, Pamela Blythe, and Porcia Silverberg to the Commission on Arts & Culture for terms expiring February 2026. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller asked staff to use terms that can be understood when communicating with the public and of providing a heating tent for the homeless.

Ed Kowalski spoke of Coffee with the City Manager in which they discussed the selection process for the Police Chief, and the need to maintain communication with staff.

Scott Beilfuss spoke in support of keeping the Orchard Mesa Pool open to provide a resource for the public to learn to swim.

Noah Bradshaw spoke in support of the Orchard Mesa Pool.

Carissa Fisher spoke on behalf of the Save the Pool Organizing Committee and asked to keep the Orchard Mesa Pool Open.

Wendy Jones spoke in support of the Orchard Mesa Pool.

Council Reports

Council President Stout spoke of the Boards and Commissions dinner, the ribbon cutting for the Childcare Facility and the ribbon cutting for The Junction development.

City Manager Report

City Manager Caton invited the public to attend the December 21, 2022 City Council meeting where the Orchard Mesa Pool will be discussed.

CONSENT AGENDA

Councilmember Simpson asked that item #4.a. be moved to the regular agenda. Councilmember Reitz moved and Councilmember Simpson seconded to adopt Consent Agenda items #1 - #4 excluding item #4.a. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the November 14, 2022 Workshop
- b. Minutes of the November 16, 2022 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Grand Valley Estates Annexation of 17.42 Acres, Located at the Northeast Corner of 31 Road and E ½ Road, and Setting a Public Hearing for January 18, 2023
- b. Legislative
 - i. Introduction of an Ordinance for an Amendment of the City Charter to Change the Authorized Length of a Lease of Certain Public Property for Colorado Discover Ability from Twenty-Five up to Ninety-Nine Years to be Placed on the Election Ballot for the April 4, 2023 Municipal Election and Setting a Public Hearing for December 21, 2022
 - ii. Introduction of an Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code and Setting a Public Hearing for December 21, 2022
 - iii. Introduction of an Ordinance Amending the Zoning and Development Code Section 21.04.040(f) Accessory Uses and Structures, of the Grand Junction Municipal Code and Setting a Public Hearing for December 21, 2022

- iv. Introduction of an Ordinance Amending Ordinance No. 4599 and Section 5.15.010 Et. Seq., of the Grand Junction Municipal Code to Allow Marijuana Businesses in the City of Grand Junction and Setting a Public Hearing for December 21, 2022

3. Agreements

- a. Intergovernmental Agreement between the City and Downtown Development Authority (DDA) Renewing a Line of Credit for Financing DDA Projects and Programs
- b. Letter of Intent with Mesa County Regarding the Construction of a Future Fleet Maintenance Facility

4. Procurements

- a. Authorize a Construction Contract for 2022 Sewer Replacements – ***Moved to Regular Agenda***
- b. Authorize a Construction Contract for Orchard Mesa Persigo Collections Office Parking Lot Replacement

5. Resolutions

- a. A Resolution Levying Taxes for the Year 2022 in the City of Grand Junction, Colorado and the Downtown Development Authority
- b. A Resolution Adopting Rates, Fees, and Charges for Water, Irrigation, Graywater, Wastewater, Solid Waste and Recycling Services Effective January 1, 2023
- c. A Resolution Allocating Certain Property Tax and Sales Tax Revenues for the Grand Junction Downtown Development Authority and for Certification of Property Tax Distribution Percentages to the County Assessor
- d. A Resolution Issuing a Revocable Permit to Allow Private Stormwater Drainage Pipe for the Proposed Cannon Xpress Carwash Located at 683 24 Road within the Right-of-Way of 24 Road
- e. A Resolution Amending the Bylaws of the Grand Junction Urban Trails Committee to Clarify the Number of Voting Members and to Convert the Regional Transportation Planning Organization and the Mesa County Public Health Representatives to Ex-Officio Non-Voting Members

6. Other Action Items
 - a. Downtown Grand Junction Business Improvement District's 2023 Operating Plan and Budget
 - b. Horizon Drive Association Business Improvement District's (Horizon Drive BID) 2023 Operating Plan and Budget

REGULAR AGENDA

Authorize a Construction Contract for 2022 Sewer Replacements

The project will replace approximately 10,392 linear feet of aging sewer pipe and 33 manholes along the streets crossing Unawep Avenue from 27 Road to 27 3/8 Road, as well as in the area of the Lakeside Subdivision near Horizon Drive.

General Services Director Jay Valentine and Public Works Director Trent Prall were present to answer questions.

This item was moved from the Consent Agenda to clarify the process of soliciting bids and whether the City does so outside the Grand Junction area. Mr. Valentine said they advertise on Bid Net which is a national bidding website and explained the process.

Councilmember Simpson moved and Councilmember Pe'a seconded to approve item 4.a. (Authorize a Construction Contract for 2022 Sewer Replacements). Motion carried by unanimous voice vote.

A Resolution Setting the Title and Submitting to the Electorate on April 4, 2023, a Measure to Increase the City Sales and Use Tax from 3.25 percent to 3.40 percent (An Increase of 0.15 percent to Sunset December 31, 2054) and to Retain and Spend Revenues as a Voter-Approved Revenue Change as Defined by Article X, Section 20 of the Colorado Constitution and to Incur Bonded Indebtedness to Build a Community Recreation Center at Matchett Park

Councilmember Pe'a moved and Councilmember Reitz seconded to continue this item to the December 21, 2022 City Council Regular Meeting. Motion carried by unanimous voice vote.

An Ordinance Rezoning 10.96-Acres from PD (Planned Development) to R-4 (Residential – 4 du/ac), Located at 172 and 174 Sunlight Drive

Hedrick-Ortiz Holdings, LLC requested a rezone from PD (Planned Development) to R-4 (Residential – 4 du/ac) for two (2) unplatted properties located at 172 and 174 Sunlight Drive totaling 10.96-acres in anticipation of future residential development to construct a new single-family detached home. The requested R-4 zone district is

consistent with the current Comprehensive Plan Land Use Map designation of Residential Low.

Principal Planner Scott Peterson presented this item.

Conversation ensued regarding the neighborhood meeting and what is allowed under the R-4 zoning.

The public hearing was opened at 6:21 p.m.

There were no public comments.

The public hearing was closed at 6:21 p.m.

Councilmember Pe'a moved and Councilmember Simpson seconded to adopt Ordinance No. 5110, an ordinance rezoning 10.96-acres from PD (Planned Development) to R-4 (Residential – 4 du/ac) for two (2) parcels of land located at 172 and 174 Sunlight Drive in Orchard Mesa on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Adopting the 2018 International Energy Conservation Code with Amendments Thereto, Repealing all Other Ordinances and Parts of Ordinances in Conflict Therewith

The proposed Ordinance will adopt the 2018 International Energy Conservation Code (2018 IECC). Colorado has passed various laws in the past several years that require counties and municipalities to update to more recent versions of the International Energy Conservation Code (IECC). Mesa County recently adopted the 2018 IECC with amendments thereto.

City Attorney John Shaver presented this item.

The public hearing was opened at 6:25 p.m.

There were no public comments.

The public hearing was closed at 6:25 p.m.

Councilmember Simpson moved and Councilmember Pe'a seconded to adopt Ordinance No. 5111, an ordinance to amend the GJMC to adopt the 2018 International Energy Conservation Code (2018 IECC), amend sections thereof, and repeal any ordinance or parts of an ordinance in conflict therewith, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

2023 Budget Presentation, Second Public Hearing, and an Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado and the Downtown Development Authority for the Year Beginning January 1, 2023 and Ending December 31, 2023

The budget is the highest expression of the City Council's policies and decision making. It articulates the initiatives, investment, and services provided by and through elected officials and staff. The budget represents the allocation of resources to achieve the goals identified by the City's Comprehensive Plan and the City Council's strategic priorities of Mobility and Infrastructure, Economic Development, Housing, Public Safety, and Quality of Life.

The 2023 Recommended Budget totals \$236.2 million (\$236,161,400) which is a 0.6 percent decrease from the 2022 Adopted Budget. This net decrease is primarily due to a decrease in capital projects planned for 2023 as compared to 2022, offset by increases in labor and operating budget. Increases in labor are due to new positions and wage increases. Increases in operating expenses are due to new programs such as affordable housing and the infill incentive, equipment needs, and overall cost increases for supplies and system maintenance, as well as increases in internal support services for fleet, facilities, and fuel. The 2023 Recommended Budget is balanced, with a General Fund surplus (revenues more than expenses) of \$344,308. The projected 2023 ending General Fund balance is \$39.7 million, which includes \$4.1 million in restricted funds and \$24.8 million in minimum reserve.

The budget is developed over the course of several months and includes the projection of revenues as well as planned expenses. The 2023 Recommended Budget was discussed with City Council during three main budget workshops on October 3, October 17, and October 31. Economic development funding discussions occurred in the August 15, October 17, and the October 31 workshops. On October 18, there was also a budget work session of the Persigo Joint Sewer Board for presentation, review, and discussion of the 2023 Recommended Budget for the Sewer Fund. The 2023 budget was presented with the first public hearing at the November 2, 2022, City Council Meeting. The City Council authorizes the Annual Budget through the appropriation of spending at the fund level.

City Manager Caton presented this item. He noted that the proposed budget from the first reading of the ordinance would have to be adjusted given the failure of the two ballot measures that would have funded affordable housing efforts. He proposed two options to make up the \$1,063,000: 1.) Use other General Fund Revenues to replace all the revenue and do not reduce the budget for housing initiatives or 2.) Reduce housing incentives expense budget from \$2,565,500 to \$1,502,500.

Conversation ensued including recommendations to the way the current budget process is done, gratitude to Staff for their work on the budget, why cannabis manufacturing revenue wasn't included in the budget (not anticipated in 2023), and impact fees.

After all general comments had been made, extensive discussion took place regarding Council's preference on how to handle the affordable housing adjustment. Most Councilmembers preferred the second option although other options proposed included to fund it through the general fund, ARPA (American Rescue Plan Act) funds, eliminating unfilled housing employee positions, and reallocating the unrestricted portion of the cannabis tax.

The public hearing opened at 7:18 p.m.

Heather Seeley asked about ADA (Americans with Disabilities Act) maintenance at crosswalks.

Scott Beilfuss said he hoped that marijuana licenses will be issued soon, expressed concern about the houseless issue in the community, and the bike bridge on 24 Road.

Pooka Campbell spoke of the need to emphasize houselessness and housing issues in the community.

Cody Kennedy spoke of the difficulty of recruiting police officers and the importance of pushing resources to first responders.

The public hearing closed at 7:27 p.m.

City Manager Caton addressed the comments made during Citizen Comments.

Councilmember Reitz moved and Councilmember Pe'a seconded to adopt Ordinance No. 5112 appropriating certain sums of money to defray the necessary expenses and liabilities of the City of Grand Junction pursuant to Article VII of the City Charter, and to defray the necessary expenses and liabilities of the Downtown Development Authority for the year beginning January 1, 2023 and ending December 31, 2023. Together with the documentation of the proposed revenue and expenses prepared in support of the budget and appropriation ordinance, including and pursuant to Article VII, Paragraph 57 regarding the setting of the City Manager's salary with Ordinance No. 5083 are incorporated by and made part of this ordinance by this reference as if fully set forth. Furthermore, Ordinance No. 5085 setting the salaries of the Municipal Judge and the City Attorney is incorporated by and made part of this ordinance by this reference as if fully set forth with the specific amendment setting the budget at \$235.1 million. Motion carried by roll call vote with Councilmember Simpson voting no.

An Ordinance for Supplemental Appropriations for 2022 for the Downtown Development Authority (DDA)

The DDA budget is approved by the DDA Board and adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line-item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a

project includes a transfer from one fund to another, both the transfer and the expenditure must be appropriated.

This supplemental appropriation is required for the 2022 redevelopment agreement payment of \$225,000 to CONJUNCTION JUNCTION, LLC, as well as the payback from the DDA Debt Service Fund to the DDA Operating Fund for the acquisition of the property at 230 S 5th Street for \$702,289.

The intergovernmental agreement between the DDA and the City authorizing and renewing the line of credit was approved through the adoption of the consent agenda (item 3.a.).

Finance Director Jodi Welch presented this item.

Clarification was made that the funds were moving between DDA accounts and that no City funds were being transferred to the DDA.

The public hearing opened at 7:40 p.m.

There were no comments.

The public hearing was closed at 7:40 p.m.

Councilmember Reitz moved and Councilmember Pe'a seconded to adopt Ordinance No. 5113, an ordinance making Supplemental Appropriations to the 2022 Budget of the Downtown Development Authority for the year beginning January 1, 2022 and ending December 31, 2022, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

Rhonda Mae Sand asked if the public could meet with Councilmembers in a private setting regarding the Orchard Mesa Pool.

Scott Beilfuss expressed concern with the timeline in which the City is addressing Cannabis licensing.

Cynthia Stewart expressed there is a lack of support for Solidarity not Charity to help the houseless community.

Other Business

Councilmember Reitz asked about the process to fill Councilmember Taggart's seat. City Attorney Shaver stated there is a vacancy policy that Council adopted that calls for a 4-week period once a vacancy opens to call for applications. Petitions will be available for the other seats on Council that will go on the April 3, 2023 ballot on December 30,

2022. Given this is less than 4 weeks, the petitions for Councilmember Taggart’s seat may become available at that time. Petitions for councilmember seats can be circulated from January 3rd to January 23rd. Council can discuss what will happen for Councilmember Taggart’s vacancy between January and April (the election).

Councilmember Taggart expressed concern about not discussing the Orchard Mesa Pool at this meeting.

Adjournment

The meeting adjourned at 7:56 p.m.

Amy Phillips, CMC
City Clerk

