

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

January 18, 2023

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 January 2023 at 5:30 p.m. Those present were Councilmembers Phil Pe'a, Randall Reitz, Dennis Simpson, Council President Pro Tem Abe Herman and Council President Anna Stout. Councilmember Chuck McDaniel was absent.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Janet Harrell, Sustainability Coordinator Jennifer Nitzky, Parks & Recreation Director Ken Sherbenou and Housing Manager Ashley Chambers.

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

A Resolution Accepting the Petition for the Annexation of 17.42 Acres of Land and Ordinances Annexing and Zoning the Grand Valley Estates Annexation to R-12 (Residential - 12 du/ac), Located at the Northeast Corner of 31 Road and E ½ Road – Continued to February 1, 2023

City Attorney John Shaver explained the request to continue this item was due to a noticing error and therefore did not meet statutory requirements. Continuance of the item would allow the noticing to be corrected.

Councilmember Reitz moved and Councilmember Pe'a seconded to continue Agenda Item 4.b.ii., accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, and annexing and zoning the Grand Valley Estates Annexation, approximately 17.42 acres, located at the northeast corner of 31 Road and E ½ Road, to February 1, 2023. Motion carried by unanimous voice vote.

Proclamations

Proclaiming January 2023 as National Crime Stoppers Month in the City of Grand Junction

Councilmember Pe'a read the proclamation and Mesa County Crime Stoppers Boardmember Shari Zen accepted the proclamation.

Support for Statement

Request from the League of Women Voters (LWV) of Mesa County to Sign Statement Condemning Recent Anti-Semitic Event in Grand Junction

Council President Stout read the statement being considered by Council.

Deb Stetler of the LWV provided additional information on anti-semitic acts committed in 2021 and requested City Council's support.

Council President Pro Tem Herman moved and Councilmember Pe'a seconded to approve signing a statement condemning the recent anti-semitic events in Grand Junction. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller requested help to get people off the streets, said he wrote a letter to HomewardBound regarding a person who had their personal items thrown away and talked about Martin Luther King, Jr.'s "I Have a Dream" speech.

Heather Healey spoke about the availability and cost of housing in the state.

Peyton Sanders asked for an Orchard Mesa Pool negotiation update and then said local pool supporters will reach out to Mesa County about their decision to no longer support the pool.

City Manager Report

City Manager Caton announced Grand Junction was listed in The New York Times "52 Places to Go in 2023" and recognized the Visit Grand Junction staff who have worked hard for this type of national recognition. He also congratulated new Chief of Police Matt Smith on his appointment and reviewed the recruitment process.

Council Reports

Councilmember Reitz attended the Homeless Coalition meeting.

Councilmember Pe'a recognized the Visit Grand Junction Board for The New York Times listing and attended the Parks & Recreation Advisory Board.

Councilmember Simpson thanked staff for showing citizens speaking during the meeting on the projection screens and asked if the Canyon View tennis court maintenance is on schedule.

Council President Pro Tem Herman attended the Urban Trails Committee, Downtown Development Authority/Business Improvement District and Grand Junction Economic

Partnership meetings and talked about “211” which is a local information and referral service for community resources (wc211.org).

Council President Stout noted the state legislative session had begun and she will be attending the Colorado Municipal League Policy, Policing & Municipal Courts, Associated Governments of Northwest Colorado, the Chamber Legislative committee meetings and the Colorado Water Congress with City Utilities Director Randi Kim. Council President Stout said there are no updates regarding the Orchard Mesa Pool.

CONSENT AGENDA

Councilmember Pe’a moved and Council President Pro Tem Herman seconded to adopt Consent Agenda items #1 - #3. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the December 20, 2022 Special Workshop
- b. Minutes of the January 4, 2023 Special Meeting
- c. Minutes of the January 4, 2023 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of Ordinances Accepting Inclusion of 905 Struthers Avenue to the Downtown Development Authority and Downtown Business Improvement District and Setting a Public Hearing for February 1, 2023
 - ii. Introduction of an Ordinance Amending Ordinance No. 4482 for the Casas de Luz Planned Development to Adjust the Maximum Building Height for only Unit 4 from 24 Feet to 34 Feet, Located at 365 W. Ridges Boulevard in the Redlands and Setting a Public Hearing for February 15, 2023
 - iii. Introduction of an Ordinance for Zoning Approximately 1.45 Acres from County RSF-R (Residential Single Family Rural) to I-1 (Light Industrial) for the Roy's RV Annexation, Located at 2795 Riverside Parkway, and Setting a Public Hearing for February 15, 2023
- b. Legislative
 - i. Introduction of an Ordinance Establishing a Moratorium to Prohibit the Establishment of any New or Relocation of Existing Gaming

Establishments and Setting a Public Hearing for February 1, 2023

3. Procurements

- a. 2023 Spending Authorization for Utility Billing Printing and Mailing Services Contract
- b. Contract for 24 Road Multi-Modal Path Construction

REGULAR AGENDA**An Ordinance Amending the Mandatory Quarterly Remittance Date for Plastic and Paper Bag Fees as Found in HB21-1161 "Management of Plastic Products" from Starting on April 1, 2024 to Starting on April 1, 2023**

In 2021, the Colorado General Assembly passed HB21-1162 "Management of Plastic Products" with the stated purpose of phasing out single-use plastic carryout bags and expanded polystyrene food containers. Beginning January 2023, "Large Stores" (those with more than three locations and/or that are part of a franchise, corporation, or partnership with a physical location outside of Colorado) may provide single-use plastic or recycled paper carryout bags for a 10-cent per bag fee and remit 60 percent (6 cents) of the carryout bag fee revenue to the municipality or county in which the store is located on a quarterly basis, beginning April 1, 2024. According to the Colorado Municipal League, a typographical error was published in the bill, stating quarterly remittance of the fee will begin April 1, 2024, instead of April 1, 2023.

Sustainability Coordinator Jennifer Nitzky presented this item.

Discussion included the projected revenue (\$280,000/annually), this revenue will go to the Enterprise Fund to be used for recycling/sustainability initiatives and clarification that this ordinance only changes the remittance start date.

The public hearing opened at 6:16 p.m.

There were no public comments.

The public hearing closed at 6:16 p.m.

Councilmember Reitz moved and Councilmember Pe'a seconded to adopt Ordinance No. 5122, an ordinance incorporating and adopting certain provisions of HB 21-1162 into the Grand Junction Municipal Code concerning bag fees and establishing the commencement of bag fee remittance to begin April 1, 2023 on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Setting Winter Hours for the City's Parks Based on the Classification of the Park

City parks have been faced with increased instances of trespassing after hours, vandalism and other undesirable activities. To help further curb these activities, staff proposed to reduce the hours during the winter months, from November 1 to March 1 which coincides with daylight savings time. The rest of the year, community, regional and neighborhood parks with programmable spaces will close at 11 p.m. and all other park facilities will close at 10 p.m.

Parks and Recreation Director Ken Sherbenou presented this item.

Discussion included that the Parks and Recreation Advisory Board support this change.

The public comment period opened at 6:20 p.m.

There were no public comments.

The public comment period closed at 6:20 p.m.

Councilmember Simpson moved and Councilmember Pe'a seconded to adopt Resolution No. 12-23, a resolution setting winter hours for the City's Parks based on the classification of the park. Motion carried by unanimous roll call vote.

Councilmember Simpson asked for clarification that resolutions do not require public hearings.

City Attorney John Shaver said they do not, but it was decided to allow public comment on some items for public engagement purposes.

A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Land Acquisition of 15 Acres for Future Development by the Grand Junction Housing Authority for Affordable Housing Rental Units

In 2022, Grand Junction City Council approved \$1 million in the budget to support the implementation of the adopted housing strategies. More specifically, Housing Strategy 6: Allocate city-owned land (and/or strategically acquire vacant or underutilized properties) for affordable and mixed-income housing, which enables additional units to be built as land is a major component of the cost of developing affordable housing and would provide a significant number of units for affordable housing.

The \$1 million allocated in the 2022 budget was unused and therefore re-budgeted in 2023. Also included in the 2023 budget is an anticipated \$502,500 from the 2% sales tax on Cannabis sales. The total of \$1,502,500 is available to support the implementation of the adopted housing strategies. Of these funds, \$750,000 will be

utilized for a cash match for the Department of Local Affairs (DOLA) Affordable Housing Incentive Grant. In September 2022, a Letter of Interest was submitted to DOLA for the Innovative Affordable Housing Incentives Grant to purchase a 15-acre property for Grand Junction Housing Authority (“The project”) for future affordable housing construction. DOLA notified City Staff in late December 2022 of the invitation to apply for the official grant application.

Housing Manager Ashley Chambers and Grand Junction Housing Authority (GJHA) Chief Executive Officer Jody Kole presented this item.

Discussion included that a Letter of Intent was submitted to DOLA in September regarding this opportunity, DOLA invited the City to apply due to the City’s affordable housing goals/initiatives, the GJHA is better suited to own/build this type of project (the City is limited by a 25-year lease Charter restriction), a ballot question would be required to sell park property, the hope that future lease extension ballot questions will be supported by non-profit/housing partners and disappointment that affordable housing community partners were not present for this item.

The public comment period opened at 6:41 p.m.

There were no public comments.

The public comment period closed at 6:41 p.m.

Councilmember Pe’a moved and Council President Pro Tem Herman seconded to adopt Resolution No. 13-23, a resolution authorizing the City Manager to submit a Grant Request to the Department of Local Affairs for the land acquisition of 15 acres for future development by the Grand Junction Housing Authority. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Reitz recommended the City Manager and City Attorney annual reviews be finalized prior to the April election.

Adjournment

The meeting adjourned at 6:43 p.m.

Amy Phillips, CMC
City Clerk

