

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

June 21, 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 21st day of June 2023 at 5:33 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, Council President Pro Tem Abe Herman and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Selestina Sandoval, Principal Planner/CDBG Administrator Kristen Ashbeck, Interim Planning Supervisor Nicole Galehouse, and Utilities Director Randi Kim.

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

Appointments

To the One Riverfront Commission

Councilmember Nguyen moved and Councilmember Beilfuss seconded to reappoint Joel Sholtes and Jennifer Reyes, and to appoint Jane Quimby and Sarah Brooks to the One Riverfront Commission for terms expiring July 2025, and to appoint Tom Barry to the One Riverfront Commission for a partial term expiring July 2024. Motion carried by unanimous voice vote.

Citizen Comments

Rickie Howie said she is part of a group called Coffee and Civic Action that will be participating in the 4th of July Parade and invited new citizens and workers to walk with them.

Bruce Lohmiller spoke about comprehensive sex education classes and options for homeless residents.

City Manager Report

City Manager Caton did not provide a report.

Council Reports

Council President Pro Tem Herman congratulated the City's water department for

winning the award for best water in America and gave an update on the Downtown Development Authority meeting.

Councilmember Simpson attended a meeting between Staff and the Western Colorado Contractors Association and commended City Manager Caton for his good work at the meeting. He also thanked City Manager Caton and the Parks and Recreation department for the Pine Ridge Pickleball Court improvements.

Council President Stout will be attending the Colorado Municipal League, said that Strategic Planning is in process, stated she has been appointed by Governor Polis to the Colorado Geographic Naming and Advisory Board, and was asked by Colorado Department of Transportation to sit on the Transportation Planning Region Boundary Advisory Committee.

CONSENT AGENDA

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

1. Approval of Minutes

- a. Minutes of the June 5, 2023 Workshop
- b. Summary of the June 7, 2023 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, Specifically Subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code and Setting a Public Hearing for July 5, 2023
 - ii. Introduction of an Ordinance Authorizing a Supplemental Appropriation for Counseling and Education Center and Setting a Public Hearing for July 5, 2023
- b. Quasi-judicial
 - i. Introduction of an Ordinance Zoning Approximately 8.33 Acres from County Residential Single Family – Rural (RSF-R) to R-5 (Residential – 5.5 du/ac) Located North of Appleton Elementary, West of Green Apple Drive, and East of 23 ½ Road, and Setting a Public Hearing for July 5, 2023

3. Procurements

- a. Change Order for Odor Control Project - Lining Influent Sewer Line
- b. Building Lighting Energy Project

REGULAR AGENDA

Auditor's Report to City Council Regarding the 2022 Audit - Ty Holman, Haynie & Company

Haynie & Company is the City Council's independent auditor. Each year the City's financial statements are audited in connection with the issuance of the Comprehensive Annual Financial Report.

The auditor works directly for the City Council. Ty Holman, Partner at Haynie & Company, conducted the City's audit and provided a presentation of the audit report that included the City again received an unmodified or "clean" opinion, which means the financial statements present fairly, in all material respects, the financial position of the City.

Haynie & Company coordinated the audit with the City Council appointed Audit Committee comprised of the Mayor and Mayor Pro Tem, including presentation of the draft audit and financial statements.

Mr. Holman presented the high-level procedure and highlights of the audit.

Discussion included the accounting of subscription-based services, rotating auditors in the future, Councilmember Simpson's request for Council to continue the approval of the audit to a future date to give them more time to review and Council's fiduciary duty to hire an auditor to comb through the details.

City Manager Caton recognized the Finance Staff for their work.

Council President Pro Tem Herman moved and Councilmember Reitz seconded to accept the Auditors Report and Financial Statements for the City of Grand Junction, Colorado for the year ended December 31, 2022. Motion carried 6-1 by roll call vote with Councilmember Simpson voting no.

An Ordinance Zoning Approximately 17.42 Acres from County Residential Single Family – 4 (RSF-4) to R-8 (Residential – 8 du/ac) Located at the Northeast Corner of 31 and E ½ Roads

Grand Junction Venture, LLC requested a zone of annexation to R-8 (Residential 5.5 to 8 du/ac) for the Grand Valley Estates Annexation. The approximately 17.42 acres of land is located at the northeast corner of 31 Road and E ½ Road and borders on three

sides a property owned by Mesa County that contains portions of the Lewis Wash. The subject property is located west of Long Park and is undeveloped.

The zone district of R-8 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The property was annexed on March 1, 2023. As part of the annexation, the applicant requested a zone district of R-12 (Residential – 12 du/ac). The zoning request was denied at the same hearing; the applicant subsequently resubmitted a request for an R-8 zone district.

Interim Planning Supervisor Nicole Galehouse and Ty Johnson of Kaart Planning (representing the applicant) presented this item.

The public hearing opened at 6:48 p.m.

Rose Bonine spoke of her concerns regarding the county roads surrounding the property and whether they will be updated to support the increase in traffic.

RC Buckley questioned the boundaries of the property, spoke of availability of apartment units, and expressed traffic concerns on E ½ Road.

The public hearing closed at 6:55 p.m.

Mr. Johnson responded to the concerns made during the public hearing.

Council clarified that the annexation was approved at a previous City Council meeting and the zoning was remanded to Planning Commission where the new request for an R-8 zoning was unanimously recommended for approval.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5158, an ordinance zoning the Grand Valley Estates Annexation to R-8 (Residential – 8 du/ac) zone district, from Mesa County RSF-4 (Residential Single Family -4) on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

City Council took a break at 7:02 p.m.

The meeting resumed at 7:13 p.m.

A Resolution Accepting the Petition for the Annexation of 2.714 Acres of Land Located at 880 26 ½ Road and Ordinances Annexing and Zoning the Mustang Ridge 1, 2 and 3 Annexation to R-4 (Residential 4 Dwelling Units per Acre)

The request to annex the 2.714-acre Mustang Ridge 1, 2 and 3 annexation is located at 880 26 ½ Road and consists of one parcel and a 29,967 square foot area (0.688 acres) of the 26 ½ Road right-of-way. This is also a request to zone the 2.714-acre Mustang Ridge 1, 2 and 3 Annexation to an R-4 (Residential 4 dwelling units per acre) zone

district. The R-4 zoning implements the City's 2020 One Grand Junction Comprehensive Plan Land Use Map that designates this area as Residential Low 2 to 5.5 dwelling units per acre. Annexation is being sought in anticipation of subdividing the parcel into two, one-acre lots.

Principal Planner/CDBG Administrator Kristen Ashbeck presented this item.

The public hearing opened at 7:19 p.m.

There were no comments.

The public hearing closed at 7:19 p.m.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt to adopt Resolution No. 51-23, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Mustang Ridge 1, 2 and 3 Annexation, approximately 2.714 acres, located at 880 26 ½ Road. Motion carried unanimously by roll call vote.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5159, an ordinance annexing territory to the City of Grand Junction, Colorado, Mustang Ridge 1, 2 and 3 Annexation, approximately 2.714 acres, located at 880 26 ½ Road, on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

Councilmember Reitz moved and Councilmember Simpson seconded to adopt Ordinance No. 5160, an ordinance zoning the Mustang Ridge Annexation 1, 2 and 3 Annexation to R-4 (Residential 4 dwelling units per acre) Zone District, from Mesa County RSF-R (Residential Single Family Rural) on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

An Ordinance Vacating a 9,966 Square-foot Area of Public Right-of-Way Adjacent to the Property Located at 2345 West Ridges Boulevard

Jay Jones on behalf of Specialized Communication Services Real Estate, LLC requested the vacation of a 9,966 square feet triangular area of West Ridges Boulevard right-of-way (ROW) adjacent to the property located at 2345 West Ridges Boulevard. The subject property is part of the proposed residential subdivision to be known as The Enclave at Redlands Mesa. The applicant is in the process of Outline Development Plan (ODP) approval for the proposed subdivision. During early planning stages, the configuration of this area was identified as being unnecessary and that right-of-way would be dedicated for a new road that would better access the property from West Ridges Boulevard.

Principal Planner/CDBG Administrator Kristen Ashbeck and Ty Johnson of Kaart Planning (representing the applicant) presented this item..

The public hearing opened at 7:25 p.m.

There were no public comments.

The public hearing closed at 7:25 p.m.

Councilmember Beilfuss moved and Councilmember Reitz seconded to adopt Ordinance No. 5161 an ordinance vacating a 9,966 square foot area of Public Right-of-Way located adjacent to the property at 2345 West Ridges Boulevard subject to the stated conditions on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

An Ordinance for a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa Development Proposed on a 7.6 Acre Parcel Located at 2345 West Ridges Boulevard over a 5-Year Timeframe

Specialized Communication Services Real Estate, LLC (Owner and Applicant) proposed The Enclave at Redlands Mesa Planned Development (Development) project to be constructed on 7.6 acres of land located at 2345 West Ridges Boulevard within The Ridges. The Applicant requested approval of a Planned Development (PD) Outline Development Plan (ODP) for the proposed Development that would establish an ODP for the property which constitutes an amendment to the overall plan for The Ridges. It is anticipated that the Development will occur within the next five years in a single phase.

The property is presently vacant. The proposed PD ODP includes two pods of development, both with the proposed use of attached single family residences at a density of 5.5 to 6.5 dwelling units per acre. Approximately 45 percent of Pod A and 12 percent of Pod B will remain as common open space. The parcel at 2345 West Ridges Boulevard was originally designated as a multifamily site. With the amended overall plan approved for The Ridges in 1994, the allowed density on the site was 6.8 units per acre. The proposed density of a maximum of 6.5 units per acre is within the original plan (6.8 units per acre) as well as within the density of the proposed underlying zone district of R-8 (Residential 8 units per acre). While the density of this specific parcel exceeds the density range of the Residential Low (2 – 5.5 units per acre), when viewed as a portion of the overall plan for The Ridges, the density is within that of the Comprehensive Plan.

Principal Planner/CDBG Administrator Kristen Ashbeck and Ty Johnson of Kaart Planning (representing the applicant) presented this item.

The public hearing opened at 7:52 p.m.

David Boren spoke against this development and expressed concerns regarding the hillside exception presented during a neighborhood meeting and the 30% grade that was in the staff report.

Amy Boren spoke against this item, and also expressed concerns with the 30% slope; she felt the notifications to neighbors were inadequate and worried of impacts on wildlife.

Connie Fudge concurred with the Boren's comments regarding the slope.

Deb Hero expressed concerns with developers who have started multi-home developments in that area and then abandoned them.

The public hearing closed at 8:03 p.m.

The engineer for the applicant, Ivan Geer with River City Consultants spoke to the safety concerns expressed during the public hearing. Mr. Johnson explained the exhibit that Mr. Boren referred to that was given during a neighborhood meeting in August 2022. He explained that once they got further along in design and engineering process, they learned they would have to amend the zoning in the ODP. At that time Mr. Johnson conducted another neighborhood meeting with the updated information.

Conversation ensued that a third-party licensed engineer designed the plans, a third party conducted a geologic hazard and geotechnical report, and Colorado Geological Survey performed an external review of these plans.

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5162, an ordinance for a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa on a 7.6-acre parcel located at 2345 West Ridges Boulevard over a 5-year timeframe on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Adopting the Grand Junction Regional Water Efficiency Plan

The Colorado Water Conservation Act of 2004 requires the City to have a state-approved water efficiency plan containing certain required minimum plan elements. This 2023 Grand Junction Regional Water Efficiency Plan provides an update to the previous plan in compliance with the current Municipal Water Efficiency Plan Guidance Document issued by the Colorado Water Conservation Board.

Utilities Director Randi Kim presented this item.

Conversation ensued regarding the public engagement and the suggestions brought up during that time: conservation through parks watering practices and the City considering rebates through conservation (already have a tiered rate structure); whether this plan loops irrigation in (water efficiency through all water sources, though tap water is only addressed through the plan); and reconsideration of tap fees (tap fees are based on size of tap not the capacity).

The public comment period was opened at 8:22 p.m.

There were no comments.

The public comment period was closed at 8:22 p.m.

Councilmember Nguyen moved and Council President Pro Tem Herman seconded to adopt Resolution No. 52-23, a resolution adopting the 2023 Grand Junction Regional Water Efficiency Plan. Motion carried unanimously by voice vote.

A Resolution Authorizing an American Rescue Plan Act (ARPA) Grant Award to the Counseling and Education Center (CEC)

The Counseling and Education Center (CEC) requested \$996,006 in American Rescue Plan Act (ARPA) funds for use as a capital investment in securing a new location in Orchard Mesa to expand their counseling services. This request is one of six applications recommended by the Council-appointed ARPA Committee for consideration. CEC had indicated they were awaiting award notification for a separate grant that would complement their ability to complete this project. Councilmembers expressed a desire to wait to make a final decision until after the grant determination was made. In late April, CEC was awarded the grant.

This resolution authorizes the City Manager to make American Rescue Plan Act (ARPA) grant award of \$996,006 to CEC.

City Manager Caton summarized the history of this request.

Councilmember Reitz read a letter explaining why he did not have a conflict of interest in voting on this item (attached).

Councilmember Kennedy expressed he was hoping for more information on the fund request. There was support from Council to revisit this at a workshop.

CEC Development Coordinator Charlie Blackmer spoke to how this impacts their grant funding (BHA funding has been granted) timeline. It will impact how they move forward with applying for other grants.

Councilmember Kennedy moved and Councilmember Nguyen seconded to move this item to a workshop date to be determined. Motion carried 6-1 by voice vote with Councilmember Reitz voting no.

A Resolution Amending an Intergovernmental Agreement 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 the Highway 6 and 50 and Patterson Road Intersection and South of G Road

In August of 2020, City Council conditionally approved the West Junction Metropolitan District Service Plan (Service Plan). The condition of the Service Plan approval was the

agreement and execution of one or more Intergovernmental Agreements (IGAs) describing the improvements and responsibilities of the City of Grand Junction (City) and the West Junction Metropolitan District (District). On June 1, 2022, the City and the District executed two IGAs to implement the Service Plan, one related to obligations of and benefits to the City and the District and a second which 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. As the project has progressed in development review, the District proposes an addendum to the roadway construction and financing IGA to allow for the bonds received by the District as part of the Public Improvements Contracts (PIC) for construction of improvements to serve as the guarantee required as part of the Development Improvements Agreement (DIA) outlined in GJMC 21.02.070(m).

Interim Planning Supervisor Nicole Galehouse presented this item.

Stewart Boren was present to speak on this item on behalf of the developer.

Conversation ensued regarding Metropolitan Districts, their purpose, when appropriate to dissolve and implications to the City.

The public comment period opened at 8:53 p.m.

There were no comments.

The public comment period closed at 8:53 p.m.

Council President Pro Tem Herman moved and Councilmember Kennedy seconded to adopt Resolution No. 50-23, a resolution amending Resolution No. 47-22, approving an addendum to the intergovernmental agreement with the West Junction Metropolitan District regarding the roadway construction and financing associated with the future development within and adjacent to the District boundaries. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:55 p.m.

Amy Phillips, CMC
City Clerk



May 31, 2023

Mayor Stout and Members of City Council
250 N. 5th Street
Grand Junction, CO 81501

Via Electronic Mail Delivery

Mayor Stout and Members of City Council,

With this letter I write concerning my professional relationship with the Counseling and Education Center (CEC), and to disclose the facts of that relationship prior to the Council's consideration of an award of American Rescue Plan Act (ARPA) funds to the CEC.

In a City Council work session, I mentioned that in the past I had seen patients at the CEC. With this letter I write to clarify the specifics of that work and to disclose the same for the record. After consultation with the City Attorney, I am confident that I do not have a conflict of interest, and that my work with CEC does not disqualify me from participating in the consideration of funding for the CEC; however, in the interest of full and continuing disclosure and the City's long-standing practice of disclosing an appearance of conflict(s) I offer the following.

I have never been employed by the CEC; however, from 2000-2004 I saw patients at the CEC that were referred there by my employer Marillac Clinic. Since 2004 I have not seen any patients at the CEC and have had no direct relationship with the CEC. I have previously and may now and into the future occasionally refer patients to the CEC for services; I receive no compensation for referrals. Neither those referrals nor those that I may make have caused or will cause me to inequitably consider the CEC funding application. Instead, my position on the CEC ARPA funding will be determined by what I conclude to be in the best interest of the community, and the relative satisfaction, or not, of application criteria.

I welcome the opportunity to further discuss this letter should a majority of the Council not find this disclosure to be sufficient in content or consequence.

I ask that City Clerk Phillips file a copy of this letter in the public record.

Sincerely, 

Randall Reitz
City Councilmember District At-large
City of Grand Junction, Colorado

pc: Amy Phillips
Greg Caton
John Shaver