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**CITY COUNCIL AGENDA
WEDNESDAY, AUGUST 2, 2023
250 NORTH 5TH STREET - CITY HALL AUDITORIUM
[VIRTUAL MEETING - LIVE STREAMED](#)
BROADCAST ON CABLE CHANNEL 191
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

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, August 2, 2023 or 4) submitting comments [online](#) until noon on Wednesday, August 2, 2023 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. Minutes of the July 10, 2023 Special Meeting Executive Session
- b. Summary of the July 10, 2023 Special Workshop

REVISED

- c. Summary of the July 17, 2023 Workshop
- d. Minutes of the July 19, 2023 Special Meeting Executive Session
- e. Minutes of the July 19, 2023 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending the Wastewater System Code Section 13.04.140 Building Sewer - Separate Sewer Required for each Building - Exception and Setting a Public Hearing for August 16, 2023
 - ii. Introduction of an Ordinance Amending the Grand Junction Municipal Code (GJMC) Concerning City Sales Taxes to Provide a Credit Against Sales Tax if a Certain Public Improvements Fee has been Paid in Connection with the Boundaries of the Western Slope Metropolitan District, Grand Junction, Colorado and Setting a Public Hearing for August 16, 2023
 - iii. Introduction of an Ordinance Amending the Charter Regarding Council Salaries on the Election Ballot for the Special Municipal Election to be Held November 7, 2023 and Setting a Public Hearing for August 16, 2023
 - iv. Introduction of an Ordinance Placing a Charter Amendment to Change the Authorized Length of Leases of City Property for Housing from 25 up to 99 Years on the Election Ballot for the Special Municipal Election to be Held November 7, 2023 and Setting a Public Hearing for August 16, 2023

3. Resolutions

- a. Grand Junction Fire Department/Clifton Fire Protection District Cooperative Services
- b. A Resolution to Purchase Property for Fire Station 7

REGULAR AGENDA

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

4. Public Hearings

- a. Legislative
 - i. An Ordinance for Supplemental Appropriation for the Community Recreation Center and the E911 Communication Center

5. Resolutions

- a. A Resolution Making a Commitment to Increase Affordable Housing Units Consistent with State of Colorado Proposition 123 and a Resolution Amending Resolution Nos. 48-22 and 97-22 the Grand Junction Housing Goals and Affordable Housing Definitions
- b. A Resolution Authorizing Payment for the Acquisition of Real Property Located in the City of Grand Junction, Colorado for Four Units of Affordable Housing in Accordance with Resolution No. 30-23 Establishing the Land and Building Acquisition Program and Ratifying Actions Heretofore Taken and Directing Further Actions in Connection Therewith

6. 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.

7. Other Business

8. Adjournment

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

Fire Administration Training Room

July 10, 2023

Call to Order

Council President *pro tem* Herman called the Special Meeting of the Grand Junction City Council to order at 5:30 p.m. on the 10th day of July 2023.

Councilmembers Beilfuss, Kennedy, Nguyen, Reitz, Simpson, and Council President *pro tem* Herman were present. Council President Stout was absent.

Also present were City Manager Caton and City Attorney Shaver, and Fire Chief Watkins. There was no public in attendance.

Executive Session

Councilmember Reitz moved and Councilmember Kennedy seconded to convene into ***EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402(4)(e)(I) AND 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO THE POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 2351 H ROAD LOCATED IN UNICORPROATED MESA COUNTY, COLORADO.***

With a unanimous vote the Executive Session was convened in accordance with the posted notice and for the purpose stated. The meeting was conducted in the small Fire Administration Building Training Room.

Upon completion of the Executive Session, Councilmember Kennedy moved, and Councilmember Simpson seconded a motion to adjourn the Executive Session. The motion passed 6-0.

Adjournment

Without objection to the form or content of the Executive Session and there being no further business, Council President *pro tem* Herman adjourned the Executive Session at 5:51 p.m.

Selestina Sandoval
Deputy City Clerk



GRAND JUNCTION CITY COUNCIL SPECIAL WORKSHOP SUMMARY JULY 10, 2023

Meeting Convened: 5:30 p.m. The meeting was held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

City Councilmembers Present: Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, and Mayor Pro Tem Abe Herman. Mayor Anna Stout was absent.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Director of Community Development Tamra Allen, Housing Manager Ashley Chambers, Finance Director Jodi Welch, Housing Specialist Sherry Price, and Deputy City Clerk Selestina Sandoval.

1. Discussion Topics

a. Housing Strategies Update

Staff reported they have been working with community housing partners, the housing and homeless coalitions, and Root Policy to advance the implementation of strategies as adopted in the Grand Junction Housing Strategy. Staff provided a review of the work completed to date on various adopted Housing Strategies and included a more specific discussion focused on:

- Proposition 123
- Housing Strategy #5: Formalize Existing Incentives and Consider Additional Incentives for Affordable Housing Development.
- Housing Strategy #6: Allocate City-owned land for Affordable and Mixed-income Housing.
- Housing Strategy #12: Consider Adoption of a Voluntary Rental Registry Program in Conjunction with Landlord Incentives.

Housing Manager Ashley Chambers presented the definitions of affordable housing, including capital affordable and housing affordability, as well as Proposition 123 and strategies 5,6, and 12. Also presented was the housing continuum, which includes transitional housing, permanent supportive housing, shelters, and emergency beds for those below 30% of the area median income (AMI). She explained that housing affordability is determined by the percentage of household income spent on housing, with 30% being the benchmark. A graph illustrating different income brackets and the types of housing associated with each was presented. Staff highlighted a housing shortage in specific brackets and the impact of market pressures on rental costs and homeownership rates. Additionally, she noted the effect of these factors on the unhoused population and emphasize the need to address the affordability challenges faced by a significant portion of the community.

Proposition 123, which is a people-led referendum that allocates funds for affordable housing initiatives, was discussed. Staff explained that Proposition 123 peels off taxes from the state's budget and designates a portion of the funds for affordable housing support and financing. The funds managed by the Department of Housing cover affordable homeownership programs, services for people experiencing homelessness, and local planning capacity development. The Affordable Housing Financing Fund supports programs such as land banking, equity programs, and concessionary debt programs for nonprofits, governments, and potentially for-profit entities

involved in housing development. It was noted that the overall picture of Proposition 123 is clear, but the administrative policies for the programs under it have not been released yet.

It was explained that municipalities and counties need to make a commitment to increase housing units by 3% annually or 9% over a three-year period. The commitment requires creating a baseline that considers affordable housing and subsidized affordable housing units. Grand Junction's community's affordable housing baseline is currently at 4,158 units, and this would need to increase by 3% each year or a total of 374 units over three years.

This commitment is needed by November 1, 2023 to allow access to funding available as of July 1, 2024. However, there is no guarantee of receiving the funds, as the application process is competitive. There was discussion about potential costs to the City and other entities involved in housing projects, and it was clarified that there are no additional costs, but the availability of funds may be impacted if there is an economic downturn. The discussion also touched on the range of funds that could be applied for, the differentiation between grants for cities and zero-interest loans for nonprofits, and the importance of the commitment for nonprofits to access Proposition 123 funds.

It was reported that if all the partners' proposed projects materialize, the City could potentially have between 600 and 900 units in the next five years, depending on various funding sources and grants. They also noted that some programs under Proposition 123 have already opened, such as the land banking program, which provides grants or zero-interest loans to purchase land for future housing development.

Discussion noted that services for persons experiencing homelessness, which would still be available even if the Proposition 123 commitment is not made, are crucial for the community. The potential funding amounts to be applied for are estimated to be in the millions.

Distribution of funds under Proposition 123 aims for equity across the state, although the Front Range, with its larger population, may be competition for funds. Staff did report that a previous grant application had a high number of applicants compared to available funds, but the City of Grand Junction was awarded \$2.25 million grant which demonstrates its power due to the community's efforts in the housing sector.

Council asked for clarification on the distinction between Grand Junction and the Grand Junction Housing Authority in terms of utilizing the partnership for funds. Staff confirmed that it is possible for both the City and nonprofits like Homeward Bound to apply for funds, but coordination is necessary to avoid competition among local entities.

Regarding Intergovernmental Agreements, staff reported that Mesa County intends to make a commitment as well, but there are some complexities in determining the units counted and splitting them between jurisdictions. Council inquired about staffing specific to this area, and staff stated that Housing Resources of Western Colorado works across the Western Slope and covers multiple areas.

Staff recommended making a commitment to the dollar amount, amending the housing goal to reflect the increase in commitment, aligning the affordable housing definition with Proposition

123 (dividing it into 60% AMI for rental units and 100% AMI for homeownership), and aligning the expedited review process with the updated housing definition and goals.

There was discussion regarding pros and possible cons of implementing a portable housing voucher program to incentivize landlords to participate by providing financial assistance and addressing potential concerns related to security deposits. The program would be implemented in phases, with recruitment of landlords as the initial focus. Concerns about the potential exhaustion of funds allocated for incentives ensued and the need to carefully manage the budget and importance of ensuring the allocated funds are used effectively. It was suggested to conduct focus groups to determine what landlords would be willing to pay for participation.

Discussing the housing needs assessment, which was noted is four years old, staff explained that they are working on refreshing the data and plan to have it ready by the September Council meeting. They also mentioned the possibility of conducting a new housing needs assessment in 2026 to align with the census and other key housing events.

Council agreed with the need for up-to-date data and suggested providing regular updates or quarterly reports on housing trends and key numbers.

The discussion briefly touched on revisiting the idea of creating a Housing Board. Council expressed support for the concept, highlighting the need for collaboration among stakeholders and mentorship opportunities for newer organizations. They suggest exploring different models and structures for the Board and considering a sunset provision or specific timeframe for its existence.

Staff will bring back proposals from the previous discussion on the Housing Board for a more in-depth discussion in the future.

2. City Council Communication

Council discussed the upcoming National Night Out event.

3. Next Workshop Topics

City Manager Caton reported the items for the July 17, 2023 Workshop will be:

- a. City Election
- b. I-70 Interchange at 29 Road Update
- c. EV Readiness Draft Plan
- d. Grand Junction Fire Department and Clifton Fire Protection District Cooperative Services Feasibility Assessment

4. Adjournment

There being no further business, the Workshop adjourned at 7:54 p.m.

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY JULY 17, 2023

Meeting Convened: 5:30 p.m. The meeting was held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

City Councilmembers Present: Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, Mayor Pro Tem Abe Herman, and Mayor Anna Stout.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Director of Public Works Trent Prall, Director of Community Development Tamra Allen, Finance Director Jodi Welch, Fire Chief Ken Watkins, Deputy Fire Chiefs Chris Angermuller and Gus Hendricks, Director of Information Technology Paul Schultz, Sustainability Coordinator Jenny Nitzky, Assistant to the City Manager Johnny McFarland, City Clerk Amy Phillips, and Deputy Clerk Selestina Sandoval

The Mayor asked for approval from Council to amend the agenda regarding item **d. Update on Building Services Contract** to be first on discussion topics and so that representatives from the County can leave after the item is completed. Council agreed.

1. Discussion Topics

d. Update on Building Services Contract

The City of Grand Junction contracts building services with Mesa County. This contract arrangement has been in place for over twenty years. Mesa County provides these services to all other jurisdictions in Mesa County except for the City of Fruita, which ended its contract with Mesa County in 2023. Under the current contract, Mesa County retains 100 percent of all fees as compensation for services rendered. County Staff provided an update on the agreement and services the Building Department provides the City. The contract expires on September 9, 2023.

Under the contract, Mesa County enforces adopted building, electrical and plumbing codes, and contractor licensing on behalf of the City.

In 2022, 53.11 percent of the value of all permits in Mesa County were attributable to permits issued in incorporated Grand Junction, 37.34 percent were attributable to permits issued in unincorporated Mesa County, and the remaining 9.55 percent of the value was attributable to other jurisdictions.

Mesa County, as the contractor, is provided the ability to set the current standard fee schedule and may amend the fee schedule at their sole discretion. Mesa County adopted a revised fee schedule for its building permits that became effective July 1, 2017, and the City subsequently adopted this new fee schedule to align with the county's fee schedule pursuant to Resolution 47-17. In 2022, the fee structure and activity generated \$2,614,416 in revenue with expenses of \$2,320,096 for the building department. The county has implemented a tracking system that enables them to deliver information regarding the percentage of staff time assigned to City projects.

The County Building Department is comprised of 22 full-time staff, including one Chief Building official, one operations manager, four plan examiners, six building inspectors, four electrical inspectors, four permit technicians, one inspection manager, and one support services manager. Together they currently support 180 average daily inspections and conducted over 43,000 inspections and issued 7,193 permits in 2022. Inspectors also work with the City to inspect short-term rental for life and safety issues and will also conduct inspections of graywater systems, should these systems begin to be utilized. They have staff available 24/7 for 911 emergency response as may be needed. They maintain 16 trucks as part of their department's fleet.

Staff recommended approval to authorize the City Manager to execute a contract for professional services with Mesa County for building permitting, inspection, and contractor licensing.

Discussion ensued, resulting in agreement to extend the existing contract through the end of the year, allowing the City time to consider revisions to the proposed contract, such as the length of contract, the need for efficiency and streamlining processes, especially for larger projects, the importance of communication and collaboration with stakeholders, City interest in providing its own legal services, time to determine the costs and implications of operating independently, and consideration from County regarding possible cost sharing and loss sharing.

a. & b. City Election and Update on I-70 Interchange at 29 Road Update

Staff reported that for years, the City of Grand Junction had contracted with Mesa County Elections (MCE) to run its April elections. In 2021, after conducting the City's 2021 April Election, MCE informed the City of Grand Junction that it will no longer be able to perform this service for April elections. In 2023, the City of Grand Junction conducted its own election.

Staff met with newly elected Mesa County Clerk Bobbie Gross and her Deputy Clerk on June 23, 2023 and after a very productive meeting, Clerk Gross agreed to conduct the City of Grand Junction's April 2025 Regular Election under C.R.S. Title 1. Council was pleased to hear the good news.

Staff provided an update on the status of the I-70 Interchange at 29 Road, which was a follow-up to the May 18, 2023 Joint City/County Workshop and discuss issuance of transportation bonds as a potential funding source for this project. Issuance of bonds would require voter approval. Staff explained that an interchange at 29 Road has been identified since the 1990's in many local and regional plans to enhance local and regional connectivity, as part of a larger plan to provide connections in and around Grand Junction. The proposed interchange improvements, in coordination with other regional improvements, have been envisioned to complete the transportation loop around Grand Junction, provide critical community access, support economic opportunity, and enhance local and regional connectivity.

Discussion ensued regarding the possibility of placing various questions before City voters on the November 7, 2023 County coordinated election ballot.

Council asked staff to provide additional information for Council consideration at its July 31, 2023 workshop regarding:

- I-70 Interchange at 29 Road and Issuance of Transportation Bonds as a Potential Funding Source for the Project
- Council Salaries
- Charter Amendment to Allow the City to Lease City Property for up to 99 Years for Affordable Housing

c. EV Readiness Draft Plan

Resource Stewardship principle of the 2020 Comprehensive Plan, proposed action items to improve public and environmental health include improving EV charging infrastructure, implementing policies to reduce air pollution, and educating the public about community-wide actions that can be taken to limit environmental impacts. Additionally, in the previous Council's Strategic Plan implementation matrix, one of the actions under the Quality-of-Life priority stated: "Create an EV Readiness Plan". Due to these components, staff saw the need to work with utility providers in the area to create a comprehensive community-wide EV Readiness Plan.

In January 2023, the City began working with Xcel Energy's Partners in Energy to create and implement this EV Readiness Plan over the coming years. City staff and consultants from Partners in Energy will present the draft Electric Vehicle (EV) Readiness Plan.

Grand Junction is located at the crossroads of two major regional travel corridors and is uniquely situated to benefit from the ongoing transition to electric vehicles (EVs). Nearly 10 percent of newly registered vehicles in Colorado in 2022 were EVs, making the state a top-five national leader in EV adoption, and almost a million Colorado-registered EVs are expected to be on the road by 2030. By implementing infrastructure and policies that attract EV-driving travelers and local and regional commuters, the City sees an opportunity to become a vital regional charging hub. For this reason, and due to the outcomes of the 2020 Comprehensive Plan Principle 8: Resource Stewardship, the City is now preparing an EV Readiness Plan that will ensure the City seizes this opportunity for the benefit of the entire community.

Over the past seven months, the City has been working with consultants from Partners in Energy, a free Xcel Energy consulting service, to create a plan that is inclusive, robust, and pragmatic for Grand Junction's unique community. Focus areas of the plan include incentivizing public adoption, increasing public infrastructure, and transitioning institutional fleets. With the guidance of City staff and consultants, a Council-approved steering committee referred to as the EV Action Team helped develop the goals, vision, and short and long-term strategies of the plan.

Community input was gathered through numerous avenues to provide the Plan with more direction. These included an EV and ebike event hosted by Western Colorado Alliance, an EV Ride and Drive event co-hosted by the City and Clean Energy Economy for the Region (CLEER), staff-led focus groups, an EV Plan Open House, and engagement activities hosted on the City's EngageGJ.org platform.

Staff and consultants presented the draft plan to Council. Presenters requested feedback on the specific goals and strategies outlined in the Plan before moving forward with the adoption process. The public comment period will be open from July 21 through August 7, 2023.

Council expressed enthusiasm for the Plan, and thanked staff and the consultants for their hard work. Council asked that the Plan include alternative fuels such as the City's CNG program.

e. **Grand Junction Fire Department (GJFD) and Clifton Fire Protection District (CFPD) Cooperative Services Feasibility Assessment**

Chief Watkins gave a quick overview of the assessment, reporting that GJFD and CFPD have worked together for several years to provide emergency services to overlapping geographical areas and provide mutual aid to each other as needed. The idea of creating a more cooperative arrangement has been discussed throughout the years and third-party studies have suggested that this could be an option for the agencies.

In early 2022, CFPD experienced vacancies in both their Chief and Deputy Chief Positions. The CFPD Board of Directors approached GJFD, requesting that the two agencies evaluate cooperative services and, since AP Triton was already conducting a study for GJFD, a cooperative services feasibility study was added to their scope of services at a shared cost between the agencies.

The AP Triton Cooperative Services Feasibility Study was completed in September 2022 and included generalized comparisons of both organizations. This study suggested that a cooperative agreement between the agencies may be feasible and recommended an intergovernmental cooperation agreement or a joint operating agreement, both of which would need further exploration.

Based on the information presented by AP Triton on November 14, 2022, at the City Council Workshop, the Grand Junction City Council requested that a more detailed study be conducted. In January 2023, GJFD entered into a management agreement with the CFPD to provide management oversight of their department. Through this agreement, the City provided a Deputy Fire Chief to oversee the department's day-to-day operations and perform a more detailed cooperative service feasibility assessment between the two departments.

During the previous seven months, a study was completed that looked at all aspects of CFPD and assessed the differences between the two agencies and the estimated cost of closing any gaps needed to enter into a cooperative service agreement. This assessment included members from both fire agencies and representatives from multiple City departments.

After evaluation and consideration of the information herein, the recommendation is that CFPD and GJFD not pursue cooperative services. This recommendation is based on the following analysis which was provided in the agenda documentation.

- There are significant gaps in all areas evaluated and considerable time and funding will be needed to close those gaps if the GJFD and CFPD are to operate in a cooperative arrangement.

- The agencies operate under different response models and considerable personnel and operating resources will be needed to align the response models to operate as one agency.
- The City of Grand Junction and GJFD are in a high growth period with the First Responder expansion projects. The City must prioritize the deliverables of the First Responder Tax; to efficiently and effectively open the additional fire stations to meet the current service demands.
- The assigned workload across GJFD and the City approaches or exceeds current capacities. Taking on the additional CFPD service area and the additional administrative needs are not feasible currently.
- Based on the financial analysis, the cost for CFPD to match the staffing and service level of the GJFD would create a substantial burden on the CFPD annual budget. The costs include both start-up/one-time costs and annual ongoing costs. At the required level of service, CFPD current revenues would not support the increased operational expenses and would exhaust all reserves by 2026. Sustainability would require a near term increase in the property tax mill levy, as well as a continued increase in mill levy to keep pace with increase in annual expenses moving forward.

The additional administrative burden that would be required to enter a cooperative services arrangement would be too great for the current staffing of GJFD and partner departments within the City. The energy and resources required to make a successful transition would detract from the primary objective to fulfill the promises of the First Responder Tax. These challenges include:

- Coordinating testing, transfer, and skills review for the 18 current CFPD employees and adding nine new employees in an academy to meet staffing recommendations at CFPD, while simultaneously coordinating academies for the current and immediate GJFD staffing needs would be extremely challenging.
- Adequately staffing GJFD Administration to provide administrative and logistical support in all areas, training and continuous improvement of existing programs, and fire prevention services to meet current demands, while simultaneously absorbing a significant additional workload with CFPD.

The impacts of cooperative service extend beyond GJFD within the City of Grand Junction. Finance, General Services, Human Resources, Information Technology, Legal, Parks, and City Administration would all need to contribute time and resources to make this a successful venture.

Council consensus was to support the recommendation and place this item on the August 2, 2023 City Council Agenda for final action.

2. City Council Communication

none

3. Next Workshop Topics

City Manager Caton reported the items for the July 31, 2023 Workshop will be:

- a. Purchasing Policy Update
- b. Emerson Skate Park
- c. City Election
 - I-70 Interchange at 29 Road Update
 - Council Salaries
 - Charter Amendment for Affordable Housing Leases

4. Adjournment

There being no further business, the Workshop adjourned at 8:30 p.m.

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

City Hall Administration Conference Room

July 19, 2023

Call to Order

Council President Anna Stout called the Special Meeting of the Grand Junction City Council to order at 5:00 p.m. on the 19th day of July 2023.

Councilmembers Beilfuss, Kennedy, Nguyen, Reitz, Simpson, Council President *pro tem* Herman and Council President Stout were present.

Also present were City Manager Caton and City Attorney Shaver. There was no public in attendance.

Executive Session

Councilmember Beilfuss moved and Councilmember Kennedy seconded to convene into ***EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402(4)(e)(I) AND 24-6-402(4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO THE POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT OR NEAR 2767 AND 2773 C ½ ROAD LOCATED IN UNINCORPORATED MESA COUNTY, COLORADO***

With a unanimous vote the Executive Session was convened in accordance with the posted notice and for the purpose stated. The meeting was conducted in City Hall Administration Conference Room.

Upon completion of the Executive Session, Councilmember Nguyen moved, and Councilmember Kennedy seconded a motion to adjourn the Executive Session. The motion passed 7-0.

Adjournment

Without objection to the form or content of the Executive Session and there being no further business, Council President Stout adjourned the Executive Session at 5:23 p.m.

Amy Phillips
City Clerk



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

July 19, 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 19th day of July 2023 at 5:34 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, Public Works Director Trent Prall, Parks and Recreation Director Ken Sherbenou, CDBG Administrator/Principal Planner Kristen Ashbeck, and Housing Specialist Lindie Hodges.

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

Citizen Comments

There were no citizen comments.

City Manager Report

City Manager Caton invited the public to attend the next Coffee with the City Manager along with Community Development Director Tamra Allen on Thursday, July 20th at 7:30 a.m. at My Favorite Muffin.

Council Reports

Councilmember Beilfuss attended the C3 Base Camp event, the Mesa County Valley School District 51 Declining Enrollment Committee meeting, the Colorado Housing Event, the Clean Tech Coalition, the Historic Preservation Board meeting, and several local homeless group meetings.

Councilmember Reitz gave updates on the Grand Junction Regional Airport Authority and the Grand Junction Housing Authority (GJHA).

Councilmember Kennedy also attended the C3 Base Camp event, the GJHA meeting, the Grand Junction Economic Partnership meeting, the City of Grand Junction Development Round Table, met with United Way Director Zeb Miracle, and spoke of the Museum of the West Board theft.

Councilmember Nguyen said the Grand Valley Regional Transit Committee issued a

letter of opposition to HB 23-1101.

Councilmember Simpson gave a Horizon Drive Association Business Improvement District update.

Council President Pro Tem Herman said he enjoyed giving the opening remarks at the Grand Junction Fire Department Graduation Ceremony and gave a Downtown Development Authority update.

Council President Stout said the Associated Governments of Northwest Colorado had their Infrastructure Investment and Jobs Act (IIJA) Summit, the Colorado Municipal League Executive Board had their retreat (unable to attend), she hosted an outreach event with City Manager Caton for the Spanish speaking community (paletas con alcaldesa), and she gave a Sister City update of her trip to El Espino, El Salvador.

CONSENT AGENDA

Councilmember Simpson requested items 3.a. and 4.a. be removed from the consent agenda. Council President Pro Tem Herman moved and Councilmember Kennedy seconded to adopt Consent Agenda items #1 - #6 excluding items 3.a. and 4.a. and continuing item #5.a. to August 2, 2023. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Minutes of the July 5, 2023 Special Meeting
- b. Summary of the July 5, 2023 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance for Supplemental Appropriation for the Community Recreation Center and the E911 Communication Center and Setting a Public Hearing for August 2, 2023
- b. Quasi-judicial
 - i. Set a Hearing to Consider a Request by Goldberg Properties, Inc. for Review of a Service Plan for the Proposed Western Slope Metropolitan District

3. Agreements

- a. Letter of Amendment to the Patterson Overlay Project Memorandum of Understanding to Mesa County – ***Moved to Regular Agenda***

4. Procurements

- a. Authorize a Contract for Dos Rios Riverfront Improvements – ***Moved to Regular Agenda***
- b. Authorize a Contract for Dos Rios Splash Park

5. Resolutions

- a. A Resolution to Purchase Property for Fire Station 7 – ***Continued to August 2, 2023***
- b. A Resolution Amending Resolutions Nos. 37-22 and 56-23 Pertaining to Cannabis Business Fees for Modification of Premises and Change of Trade Name Applications

6. Other Action Items

- a. Requests by Brian R. and Stephanie Bray for 1) A Variance to GJMC Section 21.06.010(e), Subdivision Infrastructure Standards Regarding the Provision of a Sanitary Sewer System; and 2) A Resolution for a Sanitary Sewer System Waiver as Defined in GJMC Section 13.16.060(c)(4)(i), Persigo Wastewater Treatment Plant, Rule 4.7, to Allow for the Use of an Individual Sewage Disposal System (ISDS) for the Mustang Ridge Simple Subdivision Located at 880 26 ½ Road

REGULAR AGENDA**Letter of Amendment to the Patterson Overlay Project Memorandum of Understanding to Mesa County**

The Grand Junction City Council approved a Memorandum of Understanding on April 19, 2023 in partnership with Mesa County for an overlay of Patterson Road from 30 Road east to I-70B. This amendment revises the amount of funding authorized per the terms of the agreement based on actual bid prices received for the project, which increases the City of Grand Junction's share of the project from \$800,000 up to \$1,059,546.40.

Public Works Director Trent Prall was available to answer questions.

Conversation ensued regarding the fiscal impact of this project and how it was within the maintenance and reconstruction budget in the chip seal and overlay program (¾ Cent Sales Tax).

Councilmember Simpson moved and Councilmember Reitz seconded to approve this item. Motion carried by unanimous voice vote.

Authorize a Contract for Dos Rios Riverfront Improvements

Planned public improvements within the Dos Rios development area include the construction of an expansive splash park and a playground, as well as revitalization of the bank along the river.

The City will engage Clarke & Co. to complete river restoration efforts that will improve the aesthetics of this prominent area, support establishment of native plants to outcompete invasive species, and overall help restore and improve the river's edge. The improvements will include public access to the river's edge, a beach, and soft surface trails. These riverfront improvements were envisioned as part of the larger Dos Rios park that includes the bike park, shelter and restroom, playground, splash park, and open space.

Conversation ensued regarding the selection of the contractors for this project along with the Dos Rios Splash Park project (item 4.b.).

Councilmember Simpson moved and Councilmember Reitz seconded to approve this item. Motion carried by unanimous voice vote.

2023 Community Development Block Grant (CDBG) Program Annual Action Plan

Community Development Block Grant (CDBG) funds are an entitlement grant to the City of Grand Junction, which became eligible for funding in 1996. The 2023 Program Year marks the City's 28th year of eligibility. The City's 2023 Program Year will begin September 1, 2023. For each CDBG program year, a new Annual Action Plan is completed and adopted as part of the Five-Year Consolidated Plan. Applications for funding were solicited and received by the City in March of 2023. On June 7, 2023, City Council approved the 2023 CDBG funding requests totaling \$417,428. The purpose of this hearing is to adopt the 2023 Annual Action Plan that will become year three of the Five-Year Consolidated Plan that was adopted in July 2021.

CDBG Administrator/Principal Planner Kris Ashbeck introduced Housing Specialist Lindie Hodges who presented this item.

Conversation ensued regarding the recommendation of approving larger projects with more capacity for HUD funding and its potential impacts.

The public comment period opened at 6:12 p.m.

There were no public comments.

The public comment period closed at 6:12 p.m.

Councilmember Kennedy moved and Councilmember Herman seconded to adopt Resolution No. 60-23 regarding the 2023 Program Year Annual Action Plan as a part of

the City of Grand Junction 2021 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant Program. Motion carried by unanimous voice vote.

A Resolution Adopting the City of Grand Junction Two Year Strategic Plan

This item was to consider approval of the City of Grand Junction Two Year Strategic Plan framework. The Strategic Plan is a reflection of City Council's high-level policy priorities for the City. City Councilmembers developed these high-level priorities at the June 21 City Council Strategic Planning Retreat resulting in five Strategic Outcome Areas including Placemaking, Safe and Healthy, Thriving and Vibrant, Resource Stewardship, and Welcoming, Livable and Engaging. Once approved, these Outcome Areas will guide projects, activities and plans for City staff over the next two years.

This item was presented by City Manager Greg Caton.

Conversation ensued regarding Councilmembers appreciation of the process, their contentment with the outcomes, how Council develops the ends (destination) while staff develops the means (implementation) for the strategic priorities, and several Councilmembers lauded the consultants used for the process.

The public comment opened at 6:28 p.m.

There were no comments.

The public comment closed at 6:28 p.m.

Council President Pro Tem Herman moved, and Councilmember Reitz seconded to adopt Resolution No. 61-23 adopting the 2023-2025 Strategic Plan. Motion carried by unanimous voice vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Simpson stated interest in agendizing a plan for providing relief for rising property taxes and evaluating direct reports in a public setting.

Adjournment

The meeting adjourned at 6:30 p.m.

Amy Phillips, CMC
City Clerk





Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: August 2, 2023
Presented By: Randi Kim, Utilities Director
Department: Utilities
Submitted By: Randi Kim, Utilities Director

Information

SUBJECT:

Introduction of an Ordinance Amending the Wastewater System Code Section 13.04.140 Building Sewer - Separate Sewer Required for each Building - Exception and Setting a Public Hearing for August 16, 2023

RECOMMENDATION:

Staff recommend approval of the municipal code amendment.

EXECUTIVE SUMMARY:

Staff proposes these amendments to the Wastewater System regulations to allow for buildings within the same parcel to share a sewer service line and require separate sewer service should the parcel be subdivided.

BACKGROUND OR DETAILED INFORMATION:

The current municipal code 13.04.140 Building sewer - Separate sewer required for each building - Exception requires a separate and independent building sewer line for every building. The only exception is where one building stands at the rear of another on an interior lot and no private sewer is available, nor can it be constructed to the rear building through an adjoining alley, court, yard or driveway, in which case the building sewer from the front building may be extended to the rear building.

The revised code will allow more than one building located on the same parcel to connect to the sanitary sewer main via a shared service line provided the sewer service line meets all other requirements of the municipal code including the City's standard specifications for the construction of pipe and fittings for sanitary sewer service lines that address the size, slope and materials of construction for service lines.

The revision to the municipal code will allow Accessory Dwelling Units (ADUs) and

other buildings located on a singular parcel to share sewer service lines at a more affordable cost while still meeting standard specifications for sewer service lines to ensure adequate sewer service.

If the parcel is subdivided, each parcel would be required to have a separate and independent sewer service line.

FISCAL IMPACT:

Each building that connects to the sanitary sewer system even through a shared sewer service line would be assessed the Plant Investment Fee (PIF). If the building is an ADU, it is assessed a sewer PIF of 0.72 x EQU, which is the same as apartments. If the owner has an executed ADU Production Program Covenant Agreement with the City, the city will pay the sewer PIF on behalf of the owner. If the property later subdivides, the owner of the ADU will be responsible for paying the difference between 1 and 0.72 EQU for the sewer PIF. Each building will be charged for monthly sewer service according to the City's current rates.

SUGGESTED MOTION:

I move to introduce an ordinance amending the Wastewater System Code Section 13.04.140 Building Sewer - Separate Sewer Required for each Building - Exception and set a public hearing for August 16, 2023.

Attachments

- 1. 13.04.140 Separate Sewer 071323
- 2. ORD-Separate Sewer 20230726

13.04.140 Building sewer – Separate sewer required for each building – Exception for buildings on the same parcel.

A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available nor can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, where more than one building is located on the same parcel where the buildings may as provided in this section can be served by a shared sewer service line.

An Applicant approved by the City for more than one building on the same parcel may apply to the City Manager to connect the second building to the existing sanitary sewer system connection. As required by Section 13.04.150 of this code, old building sewers may be used in connection with new buildings only when they are found, on examination by the City Manager, to meet all requirements of this code including current standard specifications for the construction of pipe and fittings for sanitary sewer service lines that address the size, slope, and materials of construction for service lines.

If the parcel is subdivided, a separate and independent sewer service line(s) shall be provided for each parcel. Separate parcels cannot share sewer service lines.

AN ORDINANCE AMENDING SECTION 13.04.140 OF THE GRAND JUNCTION MUNICIPAL CODE PERTAINING TO BUILDING SEWERS

RECITALS:

The Grand Junction Municipal Code (“GJMC”) presently requires separate sewer connections, with some exceptions, for every plumbed building. The City Utilities Staff has proposed amendments to the GJMC Wastewater System regulations to allow for buildings within the same parcel to share a sewer service line and require separate sewer service should the parcel be subdivided. The proposed amendment to the GJMC will, among other things, serve to facilitate the construction of accessory dwelling units (ADUs).

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

Chapter 13.04.140 shall be revised as follows (additions are shown in bold print and deletions are shown in strike-through print.)

13.04.140 Building sewer – Separate sewer required for each building – Exception for buildings on the same parcel.

A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available nor can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. more than one building is located on the same parcel where the buildings may, as provided, in this section be served by a shared sewer service line.

A property owner applying for sewer service for more than one building on the same parcel (Applicant) may apply to the City Manager to connect the second building to the existing sanitary sewer system connection. The City Manager or his/her designee will review and approve, conditionally approve, or deny the Applicant’s request in writing. As required by 13.04.150 of this Code, an existing building sewer may be used in connection with a new building only when found, on examination by the City Manager or his/her designee, to meet all requirements of this Code, which requirements include but are not limited to the Applicant being bound to all current standard specifications for the construction of pipe and fittings for sanitary sewer service lines all of which shall consider the size, slope, and material(s) for construction for service lines.

41 ***If the parcel is subdivided, a separate and independent sewer service line(s) shall***
42 ***be provided for each parcel. Separate parcels shall share or be served by a single***
43 ***(common) sewer service line(s).***

44

45 ALL OTHER PROVISIONS OF CHAPTER 13.04.140 SHALL REMAIN IN FULL FORCE
46 AND EFFECT. THIS ORDINANCE SHALL AMEND 13.04.140 AS PROVIDED HEREIN
47 AND AS NECESSARY REPEAL ANY PART INCONSISTENT THEREWITH.

48

49 INTRODUCED ON FIRST READING THE 2ND DAY OF AUGUST 2023 AND ORDERED
50 PUBLISHED IN PAMPHLET FORM.

51

52 ADOPTED ON SECOND READING THE ____ DAY OF ____ 2023 AND ORDERED
53 PUBLISHED IN PAMPHLET FORM.

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Anna M. Stout
President of the City Council

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61 ATTEST:

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66 _____
Amy Phillips
67 City Clerk



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: August 2, 2023

Presented By: John Shaver, City Attorney, Jodi Welch, Finance Director, Greg Caton, City Manager

Department: City Attorney

Submitted By: Greg Caton, City Manager

Information

SUBJECT:

Introduction of an Ordinance Amending the Grand Junction Municipal Code (GJMC) Concerning City Sales Taxes to Provide a Credit Against Sales Tax if a Certain Public Improvements Fee has been Paid in Connection with the Boundaries of the Western Slope Metropolitan District, Grand Junction, Colorado and Setting a Public Hearing for August 16, 2023

RECOMMENDATION:

Staff recommends passing an ordinance for publication on first reading and setting a hearing on the proposed ordinance to amend the Grand Junction Municipal Code (GJMC) concerning City sales taxes to provide a credit against sales tax if a certain public improvements fee has been paid in connection with the boundaries of the Western Slope Metropolitan District, Grand Junction, Colorado.

EXECUTIVE SUMMARY:

This ordinance would amend the GJMC sales tax code and authorize a credit against sales tax if a public improvement fee (PIF) is paid on taxable transactions within the specified boundary of the proposed Western Slope Metropolitan District. This is termed a "Credit PIF" and is a mechanism to "share" sales tax revenues in order to fund public improvements.

The public hearing for this ordinance coincides with the consideration of the Service Plan for the Metropolitan District, the Declaration of PIF Covenants and the Public Improvements Funding Intergovernmental Agreement that will also be required to establish the Credit PIF within the Western Slope Metropolitan District.

BACKGROUND OR DETAILED INFORMATION:

The City was approached with a proposal for retail development at the northeast corner of 24 Road and I-70 that could generate significant tax revenue. The development requires major public improvements and through the formation of a Metropolitan District as provided by C.R.S. 32-1-101 *et. seq.* debt may be issued to fund public improvements. In order to service the debt incurred to construct the public improvements within the Metropolitan District, the developer has proposed a credit against sales tax (aka a Public Improvements Fee or Credit PIF as defined in the Public Improvements Funding Intergovernmental Agreement, PI Funding IGA).

A Credit PIF is a sales tax credit against a public improvement fee (PIF); the sales tax rate for transactions is reduced by the same percentage as the Credit PIF which applies to all sales taxable transactions.

The City has a 3.39 percent sales tax rate with 0.75 percent dedicated to economic development and capital projects, 0.50 percent restricted to First Responder operations, and 0.14 percent for the Community Recreation Center. The remaining 2 percent supports the general government operations of the City. A sales tax reduction of 2 percent is contemplated in the ordinance/ amendment of the City Code and would only apply to transactions within the boundary of the proposed Metropolitan District.

FISCAL IMPACT:

The fiscal impact of authorizing a sales tax credit is forgoing future sales tax revenues that would only be a direct result of a development in order to allow the generation of revenues through the PIF to fund debt for public improvements. The estimated calculation of forgone revenues and Credit PIF will be provided for the August 16 second reading and public hearing on the proposed ordinance, and the consideration of the Declaration of PIF Covenants and Public Improvements Funding Intergovernmental Agreement.

SUGGESTED MOTION:

I move to (introduce and pass for publication on first reading/not introduce and not pass for publication on first reading) an ordinance amending Chapter 3 of the Grand Junction Municipal Code pertaining to City sales tax to add section 3.12.051 to establish a sales tax credit for the Western Slope Metropolitan District, set a public hearing for August 16, 2023, and order publication in pamphlet form.

Attachments

- 1. ORD-Sales Tax Credit PIF 20230726

1 CITY OF GRAND JUNCTION, COLORADO

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE AMENDING THE CITY OF GRAND JUNCTION MUNICIPAL CODE
6 (GJMC) CONCERNING CITY SALES TAXES TO PROVIDE A CREDIT AGAINST
7 SALES TAX IF A CERTAIN PUBLIC IMPROVEMENTS FEE HAS BEEN PAID IN
8 CONNECTION WITH THE BOUNDARIES OF THE WESTERN SLOPE
9 METROPOLITAN DISTRICT, CITY OF GRAND JUNCTION, COLORADO

10
11 WHEREAS, the City of Grand Junction, Colorado (the "City") is a municipal
12 corporation duly organized and existing under its Home Rule Charter adopted pursuant
13 to Article XX of the Constitution of the State of Colorado; and

14 WHEREAS, the City has determined that the development of certain property
15 within the boundaries of the Western Slope Metropolitan District (the "District") is in the
16 public interest and advances the public health, safety and welfare and the City supports
17 the funding of certain Public Improvements by the Western Slope Metropolitan District
18 pursuant to that certain Intergovernmental Agreement between and among the City and
19 Western Slope Metropolitan District, and CV NG, LLC, dated as of the Effective Date,
20 defined below, (the "PI Funding IGA"); and

21 WHEREAS, CV NG, LLC (the "Developer") intends to impose public
22 improvements fees on certain sales and provisions of tangible personal property
23 occurring within the property within the boundaries of the District (the "PIF Property") to
24 contribute to the financing of public improvements within the City (the "Public
25 Improvement Fees" or "PIF"); and

26 WHEREAS, the obligation to impose the Public Improvement Fees shall be set
27 forth in a Declaration of Covenants Imposing and Implementing the PIF to be recorded
28 against the PIF Property by the Developer (the "PIF Covenant"); and

29 WHEREAS, the Developer has requested that the City Council consider this
30 Ordinance prior to recordation of the PIF Covenant, and the City Council desires to
31 accommodate such request on the condition that the sales tax credit contemplated
32 herein shall not be effective unless and until the PIF Covenant has been recorded
33 against the PIF Property and the PI Funding IGA is fully executed by the City, the
34 District and the Developer; and

35 WHEREAS, pursuant to the terms and conditions of the PI Funding IGA, the City
36 desires to provide a tax credit against the obligation to pay, collect or remit a portion of
37 the sales tax to the City for persons or entities who pay the Public Improvement Fees,
38 defined in the PI Funding IGA as the Credit PIF; and

39 WHEREAS, the City Council finds that an amendment to the GJMC to adopt and
40 implement the aforementioned sales tax credit would be in the best interests of the
41 citizens of the City.

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

44 Amendments to the GJMC are shown in bold; deletions are shown in
45 ~~strikethrough~~ type:

46 Section 1. Sales Tax Credit. Section 3.12.050 of Chapter 3 of Volume 1 of the
47 Municipal Code is hereby amended to add the following new subsection:

48 **3.12.051 Sales Tax Credit**

49 **Notwithstanding any other provision of this Article, and**
50 **in order to implement the provisions of the PI Funding**
51 **Agreement, dated as of the Effective Date thereof (as**
52 **amended or supplemented from time to time, the “PI**
53 **Funding IGA”), by and among the City of Grand**
54 **Junction, the Western Slope Metropolitan District and**
55 **CV NG, LLC, there shall be granted to each person or**
56 **entity obligated to pay, collect or remit sales tax on the**
57 **sale of tangible personal property at retail or the**
58 **furnishing of services, which are subject to City sales**
59 **tax occurring within the PIF Property, as defined in the**
60 **PIF Covenant, and incorporated herein by this reference,**
61 **a tax credit against collection of the sales tax as**
62 **hereinafter set forth. Such sales tax credit shall be**
63 **granted in form of a reduction in the applicable sales tax**
64 **rate in an amount equivalent to two and 00 hundredths**
65 **percent (2.00%), the rate of the Credit PIF, and shall**
66 **attach to a particular transaction only to the extent that**
67 **the PIF Revenues are received by the PIF Collecting**
68 **Agent for such transaction. The sales tax credit shall be**
69 **automatic and shall take effect immediately upon the**
70 **occurrence of a Taxable Sales Transaction as defined in**
71 **this Code and the PI Funding IGA within the PIF**
72 **Property, but shall be subject to the applicable retailer’s**
73 **remittance to and receipt by the PIF Collecting Agent of**
74 **the Credit PIF Revenues in accordance with the PIF**
75 **Covenant and the PI Funding IGA. The Sales Tax Credit**
76 **shall be granted during the Credit PIF Period and shall**
77 **automatically terminate when the Credit PIF Period**
78 **terminates.**

79 **All capitalized terms used in this Section and not**
80 **otherwise defined herein shall have the meanings set**
81 **forth in the PI Funding IGA.**

82 Section 2. Effect of Sales Tax Credit. The City Council hereby finds and
83 determines that the creation or termination of the Sales Tax Credit does not constitute a
84 tax increase, the imposition of a new tax or a tax policy change directly causing a net
85 tax revenue gain to the City and that nothing herein or in the PI Funding Agreement
86 creates a multiple fiscal year direct or indirect financial obligation or other indebtedness
87 of the City.

88 Section 3. Repealer. All bylaws, orders, resolutions and ordinances, or parts
89 thereof, inconsistent herewith are hereby repealed to the extent only of such
90 inconsistency. This repealer shall not be construed to revise any bylaw, order,
91 resolution or ordinance, or part thereof, heretofore repealed.

92 Section 4. Effective Date. Unless protested in accordance with Article XVI,
93 Section 136, this Ordinance shall be effective on April 4, 2024, on the condition that the
94 PIF Covenant has been recorded against the PIF Property and the PI Funding IGA has
95 been fully executed. If the PIF Covenant has not been recorded against the PIF
96 Property and the PI Funding IGA has not been fully executed prior to April 4, 2024, then
97 this Ordinance shall be void and of no effect.

98 Section 5. Publication. This Ordinance, after its passage on final reading,
99 shall be numbered, recorded, and published as required by the City Charter and the
100 adoption and publication shall be authenticated by the signature of the President of the
101 City Council and the City Clerk and by the Certificate of Publication. Copies of the
102 entire Ordinance are available at the office of the City Clerk.

103 Introduced on first reading the 2nd day of August 2023 and ordered published in
104 pamphlet form.

105 Adopted on second reading this ____ day of _____ 2023 and ordered
106 published in pamphlet form.

CITY OF GRAND JUNCTION, COLORADO

By: _____

Anna M. Stout
President of the City Council

107

ATTEST:

By: _____

Amy Phillips
City Clerk

108



Grand Junction City Council

Regular Session

Item #2.a.iii.

Meeting Date: August 2, 2023

Presented By: John Shaver, City Attorney, Greg Caton, City Manager

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

Introduction of an Ordinance Amending the Charter Regarding Council Salaries on the Election Ballot for the Special Municipal Election to be Held November 7, 2023 and Setting a Public Hearing for August 16, 2023

RECOMMENDATION:

Staff recommends passing an ordinance for publication on first reading and setting a hearing on the proposed ordinance to amend the City Charter regarding City Council salaries.

EXECUTIVE SUMMARY:

In 1999, Section 38 of the City Charter was amended to provide that City Council members are paid a salary of \$500.00 per month and the President of the Council is paid \$750.00 per month. The salaries have not been increased since 1999. Accordingly, the City Council has determined that it is appropriate to ask the voters if an increase should be approved. If amended, the salary increase would not become effective until 2025. The proposed ballot question, if approved by the voters, would also provide for the City Council, as allowed by the City's health insurance, to purchase insurance coverage under the City's policy(ies).

BACKGROUND OR DETAILED INFORMATION:

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.

In 1999 Section 38 of the City Charter was amended to provide that City Council members are paid a salary of \$500.00 per month and the President of the Council is paid \$750.00 per month. The salaries have not been increased since 1999.

Accordingly, the City Council has determined that it is appropriate to ask the voters if an increase should be approved. If amended, the salary increase would not become effective until 2025.

The proposed ballot question, if approved by the voters, would also provide for an index, the Denver-Boulder-Greely consumer price index (CPI), to be applied annually to adjust by ordinance the Council and President of the Council salaries by application of the CPI.

The proposed ballot question, if approved by the voters, would also provide for the City Council, as allowed by the City's health insurance, to purchase insurance coverage under the City's policy(ies).

Adoption of the Ordinance and the proposed ballot question to amend the City Charter, will provide City voters the opportunity to determine if the proposed changes would be in the best interest of the City.

FISCAL IMPACT:

If increases to City Council salaries are approved by the voters, the increases will be included in the development of the annual budget.

SUGGESTED MOTION:

I move to (adopt and pass for publication on first reading/not adopt and not pass for publication on first reading) an ordinance proposing an amendment to the City Charter and referring the Ordinance to the November 7, 2023 election ballot, and set a hearing on the proposed ordinance to amend the City Charter regarding City Council salaries for August 16, 2023.

Attachments

1. ORD-Charter Amend Council Salary 20230801

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. ____

3 AN ORDINANCE FOR AN AMENDMENT OF THE CITY CHARTER TO BE PLACED ON
4 THE NOVEMBER 7, 2023, ELECTION BALLOT TO CHANGE THE SALARY OF CITY
5 COUNCIL BEGINNING MAY 5, 2025, AND MAY 3, 2027, PROVIDING FOR AN INDEX
6 TO INCREASE THE SALARY BY ORDINANCE IN FUTURE YEARS, AND AUTHORIZING
7 THE CITY COUNCIL TO PURCHASE CITY HEALTH INSURANCE

8 Recitals.

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

12 In 1999 Section 38 of the City Charter was amended to provide that City Council
13 members are paid a salary of \$500.00 per month and the President of the
14 Council is paid \$750.00 per month. The salaries have not been increased since
15 1999. Accordingly, the City Council has determined that it is appropriate to ask
16 the voters if an increase should be approved. If amended, the salary increase
17 would not become effective until 2025 for some members of City Council and
18 2027 for other members.

19 The proposed ballot question, if approved by the voters, would also provide for
20 an index, the Denver-Boulder-Greely consumer price index (CPI), to be applied
21 annually to adjust by ordinance the Council and President of the Council
22 salaries by application of the CPI.

23 The proposed ballot question, if approved by the voters, would also provide for
24 City Council, as allowed by the City's health insurance, to purchase insurance
25 coverage under the City's policy(ies).

26 With this Ordinance and the proposed ballot question to amend the City
27 Charter, the City Council desires the City voters to determine if the proposed
28 changes would be in the best interest of the City.

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

31 That a question of proposed amendments to Section 38 of the City Charter, as
32 amended, to increase the salary of City Council, provide for an index to
33 increase the City Council salary in future years, and authorizing the City Council,
34 as allowed by the City's health insurance, to purchase health insurance
35 coverage, as follows, and incorporating the foregoing Recitals, be placed on

36 the November 7, 2023, ballot. Additions are shown in **bold**, and deletions are
37 shown in ~~strike through~~.

38 SHALL ARTICLE IV, SECTION 38 OF THE CITY CHARTER BE AMENDED TO READ AS
39 FOLLOWS ALL AS DESCRIBED IN AND FOR THE PURPOSES AS STATED IN
40 ORDINANCE ____ ”:

41 38. Salaries, meetings, **and insurance**. At least two meetings of the City Council
42 shall be held monthly at such times as may be fixed by the council, such two
43 meetings to be known as the regular meetings. All other meetings of the City
44 council shall be known as special meetings or adjournments. The President of
45 the Council ~~shall be paid a salary of \$750.00 per month and all other Council~~
46 ~~members shall each be paid a salary of \$500.00 per month.~~ **Beginning with the**
47 **City Council terms commencing on the first Monday of May 2025, for those**
48 **Councilmembers elected April 1, 2025, and beginning with the City Council**
49 **terms commencing on the first Monday of May 2027, for those City**
50 **Councilmembers elected April 6, 2027, or for any member appointed to fill a**
51 **vacancy on City Council after the first Monday of May 2025, the President of the**
52 **City Council shall be paid a salary of \$2000.00 per month and all other Council**
53 **members shall each be paid a salary of \$1500.00 per month.**

54 **After May 3, 2027, the salaries of the President of the City Council and all other**
55 **members of City Council shall be adjusted annually by ordinance, at the time of**
56 **adoption of the City budget, in accordance with the Denver-Boulder-Greely**
57 **Consumer Price Index.**

58 **Beginning January 1, 2024, and during the term of service on City Council each**
59 **Council member may, as allowed by the City's health insurance, purchase**
60 **insurance coverage at the same prevailing rate and in accordance with the**
61 **percentage of the premium paid by City Council employees.**

62

63 _____ FOR THE AMENDMENTS

64 _____ AGAINST THE AMENDMENTS

65

66 The ballot title is set based upon the requirements of the Colorado Constitution
67 and the City Charter, all State statutes that might otherwise apply are hereby
68 superseded to the extent of any inconsistencies or conflicts and, pursuant to
69 Section 31-11-102, C.R.S., is an alternative to the provisions of State law. Any

70 inconsistency or conflict is intended by the City Council and shall be deemed
71 made pursuant to the authority of Article XX of the Colorado Constitution and
72 the Charter.

73

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

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

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

87

88 INTRODUCED ON FIRST READING AND ORDERED PUBLISHED IN PAMPHLET FORM
89 THIS 2ND DAY OF AUGUST 2023_.

90

91 PASSED, ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM THIS ___ DAY OF
92 _____ 2023_.

93

94 _____
95 Anna M. Stout
96 President of the City Council

97

98

99 ATTEST:

100 _____

101 Amy Phillips

102 City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #2.a.iv.

Meeting Date: August 2, 2023

Presented By: Greg Caton, City Manager, John Shaver, City Attorney

Department: City Attorney

Submitted By: Ashley Chambers

Information

SUBJECT:

Introduction of an Ordinance Placing a Charter Amendment to Change the Authorized Length of Leases of City Property for Housing from 25 up to 99 Years on the Election Ballot for the Special Municipal Election to be Held November 7, 2023 and Setting a Public Hearing for August 16, 2023

RECOMMENDATION:

Adopt and approve on first reading and pass for publication in pamphlet form an ordinance placing a Charter amendment to change the authorized length of leases on City Property from 25 years up to 99 years for affordable housing and set a public hearing for August 16, 2023.

EXECUTIVE SUMMARY:

The City Council is considering an ordinance to present to the City voters to change the City Charter to allow the City to lease City property for up to 99 years for affordable housing. Increasing the possible lease term from 25 up to 99 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. Voter approval of the ballot question will only change the possible lease term for affordable housing on City property now owned or after being acquired.

BACKGROUND OR DETAILED INFORMATION:

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 25 years may be unduly restrictive for the possible use of City property for affordable housing, and that increasing the term from 25 up to 99 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. On July 10, 2023, Staff presented to City Council that the Charter provision limiting leases of public property to a term of 25 years may be unduly restrictive for the possible use of City property for affordable housing, especially as it pertains to new funding opportunities like Proposition 123, limits the ability to implement Housing Strategy 6, and allows the highest and best use of certain property and in turn contributes 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 of City property now owned or after acquired. Therefore, the City Council is considering an ordinance to present to the City voters a change to the City Charter, allowing the voters to determine if amending the Charter as provided in this ordinance would be in the best interest of the City.

FISCAL IMPACT:

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

SUGGESTED MOTION:

I move to introduce an ordinance placing a Charter amendment on the November 7, 2023 ballot to change the authorized length of leases on City property from 25 up to 99 years for affordable housing, publish the ordinance in pamphlet form and set a public hearing for August 16, 2023.

Attachments

- 1. Strategy 6 - Allocate City Owned Land For Affordable and Mixed-Income Housing (1)
- 2. ORD-Charter 124 amend to 99 years for housing 20230801

Housing Strategy 6#

Allocate City Owned Land (And/Or Strategically Acquire Vacant or Underutilized Properties) For Affordable and Mixed-Income Housing. The city and other public agencies own properties which could potentially reduce costs and facilitate development of affordable housing. 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. However, there are some limitations to implementation due to the current city charter. The City of Grand Junction charter limits City-owned property to a 25-year lease agreement with any entity unless the lease agreement is brought before the public for a vote. The charter also specifies that any property sold held for “governmental purposes” by the city must go to the vote of the people to sell the property.

If every city owned or purchased property is required to go to the vote of the people to lease or sell, it creates significant impediment to utilize city-owned or city purchased land to be used for affordable housing. In addition, it hampers the ability to act fast when a suitable property becomes available. The charter provisions prevent many affordable housing entities like GJHA or other publicly funded LIHTC (Low-Income Housing Tax Credit) from utilizing city owned or city purchased property, as they require a lease agreement that lasts a minimum of 30-40 years, and often 75 to 99 years, depending on funding and investment sources.

Many of the different grant and funding programs through Prop. 123 require a 30–99-year lease which may prevent the city from accessing these resources. Prop. 123 created the State Affordable Housing Fund, dedicating 40% or approximately \$124.4 million of funds to the Affordable Housing Support Fund administered by the Department of Local Affairs (DOLA) and 60% or \$186.6 million to the Affordable Housing Finance Fund overseen by the Colorado Office of Economic Development and International Trade (OEDIT) to fund housing programs. OEDIT selected Colorado Housing and Finance Authority (CHFA) as the third-party administrator. The Affordable Housing Finance Fund helps to support three funding opportunities a Land banking Program, Equity Financing Program, and Concessionary Debt Program. The land banking program provides \$27-\$47 million (15-25% of the Financing Fund) for grants to local governments to purchase land for the specific use of acquisition and preservation of land for developing affordable housing units. The land purchased must have proper zoning and permits within 5 years and permitted and fully funded within 10 years. If those goals are not met, the land must be transferred to another agency or another non-profit entity to develop affordable housing. If the City wanted to pursue these funds, the city could acquire property, but each project may need to be brought before the public for a vote before selling, leasing, or transferring property to an affordable or mixed-use developer. This may diminish the overall competitiveness of a city-led grant request based on the State’s scoring criteria. And, as

mentioned, if the City wanted to lease the land, the funding for projects to be developed likely would come through federal or state grants and would be unavailable for projects with less than a 30-99 year commitment.

In November 2022, a 99-year lease for affordable housing was brought to the public for vote and lost by a small margin of .26%. It was determined that City Council may address the lease issue as part of the Charter revision to occur in the future. Additional attachments have been provided on the previous staff report and formerly adopted ordinance.

NEXT STEPS

Staff is recommending that City Council discuss these issues and provide direction on how to address concerns with implementation of Strategy 6.

1 CITY OF GRAND JUNCTION, COLORADO

2 ORDINANCE NO. ____

3 AN ORDINANCE PLACING A CHARTER AMENDMENT TO CHANGE THE
4 AUTHORIZED LENGTH OF LEASES OF CITY PROPERTY FOR HOUSING FROM TWENTY-
5 FIVE UP TO NINETY-NINE YEARS ON THE ELECTION BALLOT FOR THE SPECIAL
6 MUNICIPAL ELECTION TO BE HELD THE 7th DAY OF NOVEMBER 2023

7 Recitals.

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

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

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

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

26 That a question of proposed amendment to Section 124 of the Charter to
27 increase the length of the allowed term of lease of certain City property from
28 twenty-five to ninety-nine years, as follows, be placed on the November 7, 2023,
29 ballot:

30 **City of Grand Junction**

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

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

38 ***124. "No franchise, lease or right to use the streets or the public places, or***
39 ***property of the city, shall be granted by the city, except as in this Charter***
40 ***provided, for a period longer than twenty-five years. The City may, by***
41 ***and with adoption of an ordinance, lease certain City property, now***
42 ***owned or after acquired, for affordable housing and/or workforce***
43 ***housing, as those terms may be defined by the City Council from time to***
44 ***time, for a term not to exceed ninety-nine years."***

45 _____ **FOR THE AMENDMENT**

46 _____ **AGAINST THE AMENDMENT**

47

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

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

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

63 If any section, paragraph, clause, or provision of this resolution shall for any
64 reason be held to be invalid or unenforceable, the invalidity or unenforceability

65 of such section, paragraph, clause, or provision shall in no manner affect any
66 remaining provisions of this resolution, the intent being that the same are
67 severable.

68 INTRODUCED ON FIRST READING AND ORDERED PUBLISHED IN PAMPHLET FORM
69 THIS ____ DAY OF AUGUST 2023.

70 PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN
71 PAMPHLET FORM THIS ____ TH DAY OF AUGUST 2023.

72

73 _____
74 Anna M. Stout
75 President of the City Council

76

77

78 ATTEST:
79 _____
80 Amy Phillips
81 City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: August 2, 2023
Presented By: Ken Watkins, Fire Chief
Department: Fire
Submitted By: Ken Watkins

Information

SUBJECT:

Grand Junction Fire Department/Clifton Fire Protection District Cooperative Services

RECOMMENDATION:

Adopt Resolution No. 63-23 regarding the Grand Junction Fire Department and the Clifton Fire Protection District Cooperative Services study including declining a cooperative services agreement between the Department and the District.

EXECUTIVE SUMMARY:

The City recently completed a detailed assessment to determine if a cooperative services agreement would be feasible between the Grand Junction Fire Department (GJFD) and the Clifton Fire Protection District (CFPD). The assessment recommended that the two entities not pursue cooperative services, which has been supported by City Council and the CFPD Board of Directors. This request is to adopt a resolution confirming not to pursue a cooperative services agreement between the City and the CFPD. The two agencies will continue to work together through mutual and automatic aid agreements to provide fire, emergency medical and other public safety services to each respective community.

BACKGROUND OR DETAILED INFORMATION:

The Grand Junction Fire Department and Clifton Fire Protection District have worked together for several years to provide emergency services to overlapping geographical areas and provide mutual aid to each other as needed. The idea of creating a more cooperative arrangement has been discussed throughout the years and third-party studies have suggested that this could be an option for the agencies.

In September 2022, an outside consultant completed a study that provided generalized comparisons of both organizations and a cursory review of the potential for a service

partnership. This initial study suggested that a cooperative agreement between the agencies may be feasible and recommended an intergovernmental cooperation agreement or a joint operating agreement, both of which would need further exploration.

Upon presentation of this study, both the Grand Junction City Council and CFPD Board of Directors requested a detailed study to fully evaluate the potential of cooperative service. In January 2023, the City began this assessment and a task force evaluated all areas of administration and operation of CFPD. This assessment was completed and presented to City Council on July 17, 2023, and to the CFPD Board of Directors on July 19, 2023. After evaluation and consideration of the information, the task force recommended not to pursue a cooperative services agreement between GJFD and CFPD and received support of this recommendation from both elected bodies.

FISCAL IMPACT:

There is no direct fiscal impact from the action.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 63-23, a resolution regarding the Grand Junction Fire Department and the Clifton Fire Protection District Cooperative Services study including declining a cooperative services agreement between the Department and the District.

Attachments

1. RES-Cooperative Services Agreement Decision 20230726 (1)

RESOLUTION NO. __-23

A RESOLUTION REGARDING THE GRAND JUNCTION FIRE DEPARTMENT AND THE CLIFTON FIRE PROTECTION DISTRICT COOPERATIVE SERVICES STUDY AND MAKING FINDINGS AND RATIFYING ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH INCLUDING DECLINING A COOPERATIVE SERVICES AGREEMENT BETWEEN THE DEPARTMENT AND DISTRICT

Recitals:

The Grand Junction Fire Department (“Department”) and the Clifton Fire Protection District (“District”) have worked together for many years to provide emergency services to overlapping geographical areas of the City and the District. The City and the District have provided mutual aid as necessary in support of each agency’s emergency response efforts to discharge their respective missions. The relationship has worked well; however, there has been an open question of whether by, with and through a cooperative services agreement (“Agreement”) it could be better.

To answer that question the City and the District contracted AP Triton Consulting to perform an initial review of the feasibility of the Department and the District formalizing services and interactions with an Agreement. Following completion of the initial assessment the City performed a detailed assessment of the District, and if it could be integrated into the Department. That detailed assessment was performed by a multi-disciplinary City team.

Upon completion of the City’s assessment, the review team, for several reasons which are presented in the team’s report a copy of which is attached and incorporated by this reference as if fully set forth, recommended against pursuing an Agreement between the Department and the District.

The recommendation was presented to, and discussed with, the City Council at its July 17, 2023, work session. The recommendation was presented to, and discussed with, the District Board at the Board’s July 19, 2023, meeting.

Notwithstanding that the Department and the District will not be entering into a cooperative services agreement or otherwise consolidating, the two agencies will continue to work together through mutual and automatic aid agreements to provide fire, emergency medical and other public safety services to the communities that they serve.

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

The City Council finds that the detailed assessment of the District as presented and previously considered by the City Council is complete, comprehensive, and thorough and fully addresses and resolves the matter of the City and the District possibly entering into a cooperative services agreement, and

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO THAT:

The City Council supports and confirms the recommendation made by the City staff that the Grand Junction Fire Department not pursue a cooperative services agreement or otherwise consolidate with the Clifton Fire Protection District.

In support of these determinations the City Council does ratify all actions heretofore taken in connection herewith. This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted this 2nd day of August, 2023.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: August 2, 2023

Presented By: Ken Watkins, Fire Chief

Department: Fire

Submitted By: Gus Hendricks

Information

SUBJECT:

A Resolution to Purchase Property for Fire Station 7

RECOMMENDATION:

Adopt a Resolution Authorizing the City Manager to Purchase Parcel Number 2701-321-00-081 for Fire Station 7 Located at 2351 H Road for \$325,000.00 plus the reasonable and necessary expenses to be paid at closing for the purchase.

EXECUTIVE SUMMARY:

This request is to authorize the City Manager to purchase 3.28 acres (addressed as 2351 H Road) for the construction of Fire Station 7. Upon passage of the First Responder Tax in 2019, Staff researched a number of sites and ultimately selected this site for the construction of a fire station that would provide coverage to the northwest area of the City. Staff negotiated a price of \$325,000.00 for the site. This site was selected as best suited for the fire station to provide coverage and meet National Fire Protection Association response time standards.

BACKGROUND OR DETAILED INFORMATION:

In 2008, the Grand Junction Fire Department conducted an extensive study to determine future fire station locations and coverage areas. Research identified the need for a fire station to serve the northwest area of the City and areas in the Grand Junction Rural Fire Protection District that the City serves by contract. Staff identified a number of possible sites that would be appropriate for a fire station, and upon passage of the First Responder Tax in 2019, entered into negotiations for a site at 23 Road and H Road owned by Taurus of Texas GP, LLC. These negotiations led to the developer agreeing to dedicate two acres for the fire station as part of a future development. Over time, the development stalled as the developer worked on site planning and extension of sewer to the site. This delay caused the fire department to move forward with

construction of Fire Station 8 in order to maintain the planned schedule for the construction of the First Responder Tax fire stations.

The developer notified the City that dedicating a site for a fire station was no longer possible due to development costs, but was still interested in working with the City for the fire station site. Staff began negotiating a possible purchase but the site continued to have challenges with utilities and site planning for the larger development. Staff elected to begin searching for a different site and identified three possibilities, conducting due diligence on two properties. A site at 2351 H Road was selected as an excellent location for a fire station and well suited to provide coverage and meet National Fire Protection Association response time standards. City staff and the realtor representing the property negotiated a purchase offer of \$325,000.00.

FISCAL IMPACT:

The cost of this acquisition is included in the 2023 Adopted Budget and is funded by the First Responder Tax.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 58-23, a resolution authorizing the City Manager to purchase real property at 2351 H Road in Grand Junction, Colorado.

Attachments

1. RES-FS 7 Purchase 08022023

RESOLUTION NO. __-23

**A RESOLUTION AUTHORIZING THE PURCHASE OF THE REAL PROPERTY
LOCATED AT 2351 H ROAD, GRAND JUNCTION, COLORADO, FROM DONNA
JEAN OWEN AS ATTORNEY IN FACT FOR FRANCES R. HAYES AND RATIFYING
ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH**

RECITALS:

The City Manager has entered into a contract with Donna Jean Owen as attorney in fact for Frances R. Hayes (Seller) for the sale by the Seller and the purchase by the City of that certain real property addressed as 2531 H Road, Grand Junction, Colorado (Property.)

The Property will be used for the construction of Grand Junction Fire Department Station 7.

The City Council has considered the contract and in the totality of the circumstances deems the purchase of the Property, reasonable, necessary and proper.

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

1. That the City Council hereby authorizes the purchase of the Property by the City for a price of \$325,000.00. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of the Property which are consistent with the provisions of the attached Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.
2. That the City Council hereby authorizes the expenditure of \$325,000.00 of appropriated and budgeted funds to purchase the Property and an additional sum for the payment of necessary and reasonable expenses to be paid at closing for the purchase of the Property.
3. That the officers, employees, and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and the attached Contract to Buy and Sell Real Estate, including, without limitation, as may be necessary or desirable to effect the purchase of the Property.

PASSED and ADOPTED this 2nd day of August 2023.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #4.a.i.

Meeting Date: August 2, 2023
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

An Ordinance for Supplemental Appropriation for the Community Recreation Center and the E911 Communication Center

RECOMMENDATION:

Staff recommends approval of the proposed ordinance making supplemental appropriations to amend the 2023 City of Grand Junction Budget and ordering publication in pamphlet form.

EXECUTIVE SUMMARY:

The budget was adopted by the 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 reappropriate funds for capital projects that began in one year and need to be carried forward to the current year to complete. Supplemental appropriations are also required to approve new projects or expenditures.

This supplemental appropriation is required for spending authorization for the Community Recreation Center (CRC) design contract authorized by City Council on July 5, 2023, and for upgrading microwave equipment at the Communication Center's E911 communication towers.

BACKGROUND OR DETAILED INFORMATION:

CRC

In April of this year, the City of Grand Junction voters authorized a new sales tax and the issuance of debt to fund a Community Recreation Center at Matchett Park. The City immediately proceeded with contracting a design firm to begin the construction design of the facility.

The CRC sales tax became effective on July 1, 2023, and it is projected that the tax will generate \$1.5 million in revenue in 2023. Because the majority of construction costs for the CRC will be incurred in 2024 and 2025, the City will not issue debt until 2024. It is expected that \$2 million will be spent on the CRC in 2023 and will be funded by the CRC tax and an advance from the General Fund which will be repaid once the debt is issued and the bond proceeds are received in 2024. The CRC sales tax revenue, and eventually all operations of the CRC, will be accounted for in a special revenue fund. The CRC construction project will be accounted for in one of the City's general government capital funds that is used for significant capital projects that are funded by restricted revenues such as bond proceeds.

Supplemental Appropriations are required for the following funds for the CRC project:

- General Fund (100) - \$500,000 advance (transfer) to be repaid from bond proceeds in 2024
- Community Recreation Center Tax Center Fund (116) - \$1,500,000 transfer to the Major Projects Capital Fund (204)
- Major Projects Capital Fund (204) - \$2,000,000 spending authority for 2023

Communication Center Microwave Project

The public safety radio system used by all public safety agencies in Mesa County operates on a statewide, digital trunked radio network that falls under the purview of the State of Colorado through the Office of Public Safety Communications. The Office of Public Safety Communications made the strategic decision to implement a significant upgrade to the underlying infrastructure of their system, impacting all agencies utilizing the Digital Trunked Radio (DTR) network. Specifically, the transition involves migrating from an antiquated analog system to a contemporary, internet protocol-based architecture.

The City began the state-required upgrades in 2020 and the project has continued into 2023. However, due to revised technical requirements and new deadlines mandated by the state, accelerated implementation of this equipment rollout has become necessary. The 2023 Budget includes \$300,000 for this project and another \$400,000 is required for the installation services of the new microwave equipment at tower sites. These improvements are funded by the Enhanced 911 (E-911) surcharge.

Supplemental Appropriations are required for the following funds for the Communication Center Project:

- E911 Surcharge Fund (101) - \$400,000 transfer to the Communication Center Fund
- Communication Center Fund (405) - \$400,000 additional spending authority for the tower microwave upgrades

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5166, an ordinance making supplemental appropriations to the 2023 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2023, and ending December 31, 2023 on final passage and order final publication in pamphlet form.

Attachments

1. 2023 CRC and Communication Center Fund Supplemental Appropriation 1st Reading July 19, 2023

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2023 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023 FOR THE COMMUNITY RECREATION CENTER AND THE GRAND JUNCTION REGIONAL COMMUNICATION CENTER

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2023 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
General Fund	100	\$ 500,000
E911 Surcharge Fund	101	\$ 400,000
Community Recreation Center Tax Fund	116	\$ 1,500,000
Major Projects Capital Fund	204	\$ 2,000,000
Communication Center Fund	405	\$ 400,000

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this 19th day of July, 2023.

PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2023.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: August 2, 2023
Presented By: Ashley Chambers, Housing Manager
Department: Community Development
Submitted By: Ashley Chambers, Housing Manager

Information

SUBJECT:

A Resolution Making a Commitment to Increase Affordable Housing Units Consistent with State of Colorado Proposition 123 and a Resolution Amending Resolution Nos. 48-22 and 97-22 the Grand Junction Housing Goals and Affordable Housing Definitions

RECOMMENDATION:

Staff recommends adoption of Resolution No. 64-23 and Resolution No. 65-23.

EXECUTIVE SUMMARY:

The purpose of these Resolutions is to file a commitment with the Colorado Division of Housing to increase affordable housing stock in Grand Junction and to align the City's affordable housing goals and affordability definitions with Proposition 123 requirements.

BACKGROUND OR DETAILED INFORMATION:

Prop. 123 Overview. In November 2022, Colorado voters approved Prop. 123 which set aside a portion of annual income tax revenue from the State's General Fund (up to 0.1 percent of taxable income each year) for affordable housing programs. The amount set aside for Prop. 123 is estimated to be \$145 million in State Budget Year 2022-23 and \$290 million in State Budget Year 2023-2024 and beyond. The Proposition was signed into law by Governor Polis on December 27, 2022. (Executive Order D-2022 050). To be eligible to receive funding, jurisdictions are required to 1) commit to an expedited review process, 2) increase affordable housing production from the approved baseline by 9 percent over the span of three years, and 3) specify that dedicated revenues for housing will not supplant appropriations for affordable housing.

Utilizing the State of Colorado's Baseline Assistance Tool, the City of Grand Junction would set a baseline to meet the required commitment in Prop. 123, the City would need to commit to increasing affordable housing stock by 9 percent over three years.

Specific to this agenda item is Proposition 123 and Housing Strategy 2: Adopt a local affordable housing goal. The City Council discussed this initiative, strategies, and related goals and definitions at the July 10, 2023 City Council Workshop. Two proposed resolutions have been drafted to reflect the Council's direction during the workshop.

1. Resolution No. 64-23, a resolution making a commitment to increase affordable housing units consistent with State of Colorado Proposition 123 for the City of Grand Junction. This resolution commits the City to increase affordable housing units by 9 percent over three years annually by December 31, 2026 and authorizes the City Manager to file this commitment with the Department of Housing.

2. Resolution No. 65-23, a resolution amending Resolution 48-22 and Resolution 97-22 the Grand Junction Housing Goal and Definitions. This resolution modifies the Housing goals from 45-70 units annually to a goal of 124 annually (or 372 over three years). This Resolution also adjusts the affordable definitions to align with Proposition 123 from housing units for families earning 80 percent AMI to rental housing units affordable to households making 60 percent AMI or below, or for-sale housing units that are affordable to households making 100 percent AMI or below. Additionally, attainable housing is amended from households earning 80 percent to 100 percent AMI to be rental housing units affordable to households making 80 percent to 100 percent AMI and for-sale housing that is affordable to households making 100 percent to 140 percent.

FISCAL IMPACT:

If a commitment is not filed by November 1, 2023, the City would be ineligible to receive funding through Proposition 123 during the 2024 calendar year. If the City is not able to meet its 9 percent commitment by December 31, 2026, it would be ineligible for funding in 2027.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 64-23, a resolution authorizing the City Manager to file a commitment with the Colorado Division of Housing to increase affordable housing stock in Grand Junction.

I move to (adopt/deny) Resolution No. 65-23, a resolution amending Resolution Nos. 48-22 and 97-22 the Grand Junction Housing Goals and Affordable Housing Definitions for affordable for sale and for rent units in the City of Grand Junction, Colorado.

Attachments

1. RES-Commitment to Prop 123
2. RES-Amending RES 48-22 and 97-22 07.27.2023
3. Proposition 123
4. Resolution No. 48-22 - 2022 - A Resolution Adopting the Grand Junction Housing Goal

5. RES97-22 - A Resolution Adopting Expedited Review for Affordable for Sale and for Rent Units in the City of Grand Junction, Colorado

RESOLUTION NO. ___-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE A COMMITMENT TO INCREASE AFFORDABLE HOUSING UNITS IN THE CITY OF GRAND JUNCTION PURSUANT TO PROPOSITION 123

Recitals:

In November 2022, Colorado voters approved Proposition 123 which set aside a portion of annual income tax revenue from the State's General Fund for affordable housing programs. On December 27, 2022, Governor Polis signed Proposition 123 into law with Executive Order D-2022 050.

By and with this Resolution the City Council authorizes the City Manager to file a commitment ("Commitment") with the Department of Local Affairs (DOLA), which commitment will set the baseline amount of affordable housing in the City with reference to the Area Median Income of and size of household in the City ("the Baseline") and the commitment will describe the methods used to produce the Baseline.

The Commitment may further describe if, and how high-density housing, mixed income housing, environmental sustainability, and the deconcentration of affordable housing will be prioritized in the City and may enumerate other local jurisdictions that the City may cooperate with for the purpose of collaborative affordable housing growth.

The Commitment is required to access funds.

Furthermore, with this Resolution the City Council authorizes the City manager to commit to an expedited review process for Affordable Housing development applications, increase affordable housing production from the Baseline by 3 percent annually for a 3-year period ending December 31, 2026 (9 percent within 3 years), and specify that any current or future City dedicated revenues for housing will not supplant any Proposition 123 appropriations to the City for affordable housing.

The American Community Survey (ACS) published by the United States Census Bureau and the most current *Comprehensive Housing Affordability Strategies (CHAS)* estimates published by the United States Department of Housing and Urban Development are the references that establish the City's Baseline for the Commitment. Those indices, together with Colorado's *Baseline Assistance Tool*, estimate the City's Affordable Housing Baseline to be 4,158 units, which number the City Manager is hereby authorized to submit in the Commitment.

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

The foregoing Recitals are incorporated as substantive provisions hereof and,

BE IT FURTHER RESOLVED that the City Council of the City of Grand Junction commits to increase the total Affordable Housing units by 3% each year for a 3-year period ending December 31, 2026, and that the City of Grand Junction does not now have dedicated revenue for housing, and therefore when the City receives Proposition 123 funding that it will not supplant any appropriations for affordable housing.

PASSED AND APPROVED this _____ day of August 2023.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT

RESOLUTION NO. ____-23

**A RESOLUTION AMENDING RESOLUTIONS 48-22 AND 97-22 CONCERNING THE
GRAND JUNCTION HOUSING GOAL AND DEFINITIONS**

Recitals:

On June 1, 2022, the City Council adopted Resolution 48-22 establishing a Housing Goal (“Goal”). The Goal was based on the findings of the *Housing Needs Assessment* and the City’s desire to establish a housing production goal consistent with Strategy 2 in the 2021 *Grand Junction Housing Strategy*.

Resolution 48-22 also established working definitions of *Affordable Housing* and *Attainable Housing*.

On December 28, 2022, the City adopted Resolution 97-22, providing for an expedited review for development applications for affordable for sale and for rent units in the City based on the City’s most acute housing needs for rental units for households below 30% AMI and up to 60% AMI and for ownership units for households at or below 80% AMI, as provided in the Housing Needs Assessment.

Since adopting the Resolutions, Colorado voters approved Proposition 123 which set aside a portion of annual income tax revenue from the State’s General Fund for affordable housing programs. On December 27, 2022, Proposition 123 was signed into law by Governor Polis by and with Executive Order D-2022 050. Proposition 123 provided for another definition of *Affordable Housing* and *Attainable housing* and provided additional requirements to utilize the State funds, including requiring jurisdictions to:

- 1) commit to an expedited review process,
- 2) increase affordable housing production from the approved baseline by 3 percent annually (9 percent within 3 years), and
- 3) specify that dedicated revenues for housing will not supplant appropriations or affordable housing.

With Resolution 64-23 the City Council authorized the City Manager to make the Proposition 123 commitment to increase affordable housing stock, and for purposes of consistency hereby revises its definition for *Affordable Housing* and *Attainable Housing* as the same are presently defined in Resolutions 48-22 and 97-22 subject to further redefinition as the Council may from time to time.

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

The City Council of the City of Grand Junction hereby amends Resolutions 48-22 and 97-22, Adopting the Grand Junction Housing Goal and the definition of, Expedited Review

for Affordable For Sale and For Rent Units in the City of Grand Junction, Colorado, as follows:

- A. Grand Junction aims to increase the total Affordable Housing stock in the city by 9% or 374 units over the next 3 years (an average of 3% or 125 units annually);
- B. Affordable Housing is redefined as, subject to further redefinition as the Council may from time to time make: *Housing units with a contractual requirement (deed-restriction or income restriction of no less than 30 years) that keeps the cost of rental housing units affordable to households making 60% AMI or below, or for-sale housing that is affordable to households making 100% AMI or below.*
- C. Attainable Housing is defined as, subject to further redefinition as the Council may from time to time make: *Housing units that keep the cost of rental housing units affordable to households making 80% to 100% AMI or for-sale housing that is affordable to households making 100% to 140% AMI.*

This resolution shall become effective immediately and without further action by the City Council.

PASSED AND APPROVED this _____ day of August _____, 2023.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

Proposition 123

Prop. 123 Overview. In November 2022, Colorado voters approved Prop.123 which set aside a portion of annual income tax revenue from the State's General Fund - up to 0.1 percent of taxable income each year - for affordable housing programs. The amount set aside for Prop. 123 is estimated to be \$145 million in State Budget Year 2022-23 and \$290 million in State Budget Year 2023-2024 and beyond. The Proposition was signed into law by Governor Polis on December 27, 2022. (Executive Order D-2022 050). Requirements to utilize funds require jurisdictions to 1) commit to an expedited review process, 2) increase affordable housing production from the approved baseline by 3 percent annually (9 percent within 3 years), and 3) specify that dedicated revenues for housing will not supplant appropriations for affordable housing. Prop. 123 funds can be used for:

- Grants and loans to local governments and nonprofit organizations to acquire and preserve land for affordable housing development;
- Assistance to develop affordable, multi-family rental housing;
- Equity investments in affordable housing projects, including a program to share home equity with tenants;
- Home ownership programs and down payment assistance for first-time homebuyers;
- A program addressing homelessness through rental assistance and eviction defense; and
- Grants to increase capacity of local government planning departments.

Baseline. Baselines are established utilizing the 2017-2021 American Community Survey (ACS) published by the U.S. Census Bureau and the most current Comprehensive Housing Affordability Strategies (CHAS) estimates published by the U.S. Department of Housing and Urban Development for the baseline number of affordable units within the municipalities. In addition, to the housing number income limits utilizing the income limits of the area median income (AMI) of the county that the jurisdiction is within, the AMI of a county adjacent to the jurisdiction or the state median household income. Some flexibilities permitted in the baseline calculation including utilizing AMI's from past years within the time frame, utilizing an adjacent counties AMI, various household sizes, and affordable for-sale units may only include those that are currently available on the market. Additionally, recent legislation has permitted inflation to be factored into the rising costs of units in the baseline calculator.

Based on the most moderate baseline calculations using the State of Colorado's Baseline Assistance Tool, the City of Grand Junction's baseline for affordable housing is estimated to be 4,158 units. To meet the required commitment in Prop. 123, the City would need to commit to increasing affordable housing stock by an estimated 374 units over the course of three years, or 125 units annually. This is a significant leap in numbers compared to the current production goal recently set by the City. Prop. 123 administrative procedures currently outline that City Council, or an elected official, do not need to provide approval of this commitment, and it can instead be submitted by a designated staff person; however, jurisdictions may set an internal policy that necessitates Council approval before finalizing and submitting the commitment.

Compliance. If a commitment is not filed by November 1, 2023, then a local government and any development project within its jurisdiction are ineligible to receive any funding established by Proposition 123 during the 2023 or 2024 calendar year. If a local government is unable to meet its 9% total commitment by December 31, 2026, then it and any development project in its jurisdiction are ineligible to receive any funding established by Proposition 123 for the 2027 calendar year but may apply again in 2027 for the 2028-2029 calendar years of funding.

Aligning City Policy with Prop. 123. Staff has identified several adopted City policies that could be revised to better align City policy with the standards of Prop.123, as follows:

1. Commit to increasing number of affordable housing units by 3 percent annually for the next three years or 9 percent total increase at the end of the 3-year period and update the cities adopted housing goals to align with commitment.

The City Council Resolution 48-22 outlined the City’s housing goal to increase the affordable housing stock in the City by 225 to 250 units over the next 5 years (an average range of 45-70 units per year), serving residents at 80 percent AMI or less. Staff recommends the City’s housing goal be increased to match required Prop. 123 commitments for the creation of 374 units over the next three years (125 units annually). Staff recommends that the City of Grand Junction increase their housing goals to align with Proposition 123 and make a baseline commitment to meet the requirements of Prop. 123 as soon as possible due to the funds that have been made available on July 1, 2023, for the specific purpose of funding land banking projects. resolution would be prepared to be considered at the July 19th meeting. Additionally, should staff receive direction to proceed, the council could approve a resolution at the July 19th meeting making the commitment for a 9% increase (374 units) over 3 years.

2. Update the City of Grand Junction Affordable Housing Definition to align with the definition outlined by Prop. 123.

City Council adopted Resolution 48-22 in June 2022, which outlined the City’s Housing Definition as the following:

- “Affordable Housing Units” are units affordable to households making 80 percent Area Median Income (AMI) or less.
- “Attainable Housing Units” are units affordable to households making between 80-120 percent AMI.

Prop. 123 defines Affordable Housing as (1) rental housing that is affordable to households making 60 percent AMI or below, or (2) for-sale housing that is affordable to households making 100 percent AMI or below; in either scenario, housing is affordable to the household when housing costs make up less than 30 percent of the household’s monthly income. Staff recommends the Council consider changing the AMI thresholds for affordability to reflect a higher AMI for-sale units (from 80 percent to 100 percent AMI) and a lower AMI for for-rent units to 60 percent AMI. Should Council support this change occur, the definition for “attainable” should also be revised (increasing from 80 to 100 percent

AMI). Though the definitions could continue to be different, staff sees benefit in making them same as it would decrease opportunities for confusion and create consistency about what is or is not considered affordable housing. Should council want to modify these definitions, a resolution would be prepared to be considered at the July 19th meeting.

3. Update the City of Grand Junctions Expedited Review affordability definitions to align with Prop. 123.

Grand Junction City Council adopted Resolution 97-22, which included expedited review for affordable for-sale and for-rent units in the City of Grand Junction. For any development project that is submitted that includes at least 10 percent for-sale units at 80 percent AMI or for-rent units at 60 percent AMI, the development process will be expedited so that the initial round of review comments will be made within 30 days of the complete submittal, and subsequent rounds of comments will be made within 15 days of resubmittal.

Prop. 123 requires expedited review of projects that have more than 50 percent affordable units. While Prop. 123 is not currently requiring the expedited review component of Prop. 123 to take effect until 2026, aligning the City and State's definitions of affordability – which will affect what projects are applicable for the expedited review process -- will ensure compliance with the State's requirements. Staff recommends maintaining the same affordable unit percentage (10% instead of 50%) to be eligible for expedited review but recommends revising the definition of affordability within the expedited review process to align with the state's definitions. This change would occur via resolution based on Council's direction.

RESOLUTION NO. 48-22

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 May 24, 2022, is hereby adopted.

PASSED AND APPROVED this 1st day of June 2022.



Anna M. Stout
President of the Council

ATTEST:



Amy Phillips
City Clerk



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.

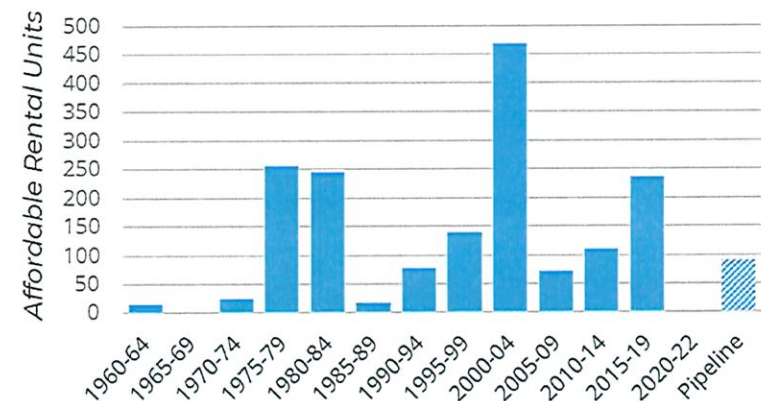
In addition to the income restricted, affordable units identified above, there are 1,501 housing vouchers (i.e., Housing Choice

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

	Persons in Family				
	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.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 97-22

**A RESOLUTION ADOPTING EXPEDITED REVIEW FOR AFFORDABLE FOR SALE
AND FOR RENT UNITS IN THE
CITY OF GRAND JUNCTION, COLORADO**

RECITALS:

In May 2021 the City in conjunction with several housing agencies completed a Grand Valley Housing Needs Assessment (HNA). 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 (roughly 30% to 50% Average Monthly Income [AMI]), a need for accessible housing units 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 and informed by the HNA, in October 2021, the City Council adopted a Housing Strategy outlining twelve (12) strategies tailored to address certain needs identified in the HNA with two of the top needs being "production and availability gaps including needs for additional affordable rentals and "starter homes and family homes priced near or below \$250,000."

As demonstrated in the HNA, the City's most acute housing needs are for rental units for households below 30% AMI and up to 60% AMI and for ownership units for households at or below 80% AMI.

In June 2022, the City Council approved Resolution 48-22 and adopted a definition of *Affordable Housing* 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" and includes a goal to increase the total housing stock in the City for residents at 80% AMI or less by 225 to 350 units over the next 5 years (an average range of 45 to 70 units per year).

At the August 1 City Council workshop, an incentive for the production of affordable housing units was discussed which would work to implement the Council's adopted Housing Strategy 5: Formalize Existing Incentives and Consider Additional Incentives for Affordable Housing Development. With the direction garnered from that discussion, Staff prepared a resolution for consideration at the September 7 Council meeting that provided an incentive with the purpose of encouraging the development, both by non-profit and for-profit developers, of affordable housing units anywhere within the City of Grand Junction.

In early October, Staff conducted a series of focus groups whereby not-for-profit, for-profit and affordable housing developers attended. Over 30 people participated, with some of the city's largest for-profit multi-family developers and single-family home developers/builders participating, alongside non-profit organizations including GJHA, Housing Resources of Colorado, and Habitat for Humanity. Focus group participants cited that increasing the speed of the development process could provide cost savings to a project.

For the reasons stated in the Recitals, the City Council of the City of Grand Junction does hereby adopt a policy to "Expedite Review" of any project that commits to the construction of at least 10 percent of the units as Affordable, consistent with the City's adopted definition. This resolution shall become effective immediately and without further action by the City Council, the terms and provisions of this resolution shall expire on December 31, 2025.

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

The City Council of the City of Grand Junction does hereby adopt a policy to "Expedite Review" of any project that commits to the construction of at least 10 percent of the units as Affordable, as follows:

A. Expedited Review For Sale Units. Any project or subdivision including at least 10% of the units as 80% AMI Affordable Units, when submitted, will be advanced in the current planning workflow so that the initial round of review comments on behalf of the City will be issued within 30 days of a complete submittal, and subsequent rounds of review will be issued within 15 days of a resubmittal.

B. Expedited Review For Rent Units. Any project including at least 10% of the units as 60% AMI Affordable Units, when submitted, will be advanced in the current planning workflow so that the initial round of review comments on behalf of the City will be issued within 30 days of a complete submittal, and subsequent rounds of review will be issued within 15 days of a resubmittal.

ADOPTED AND APPROVED THIS 21st day of December 2022.

ATTEST:



Janet Harrell
Deputy City Clerk



Anna M. Stout
President of the Council





Grand Junction City Council

Regular Session

Item #5.b.

Meeting Date: August 2, 2023
Presented By: Ashley Chambers, Housing Manager
Department: Community Development
Submitted By: Ashley Chambers

Information

SUBJECT:

A Resolution Authorizing Payment for the Acquisition of Real Property Located in the City of Grand Junction, Colorado for Four Units of Affordable Housing in Accordance with Resolution No. 30-23 Establishing the Land and Building Acquisition Program and Ratifying Actions Heretofore Taken and Directing Further Actions in Connection Therewith

RECOMMENDATION:

Staff recommends approval of this resolution.

EXECUTIVE SUMMARY:

This Resolution authorizes the contractual purchase of \$300,000 for a four-unit residential property with City assistance through the Land and Building Acquisition Program consistent with Resolution No. 30-23 utilizing American Rescue Plan Act (ARPA) funds.

BACKGROUND OR DETAILED INFORMATION:

On March 15, 2023, the Grand Junction City Council approved Resolution No. 30-23 creating the *Land and Building Acquisition Program* (LAP). The LAP was created in response to a generalized shortage of affordable housing in Grand Junction. The primary purpose of the LAP is the contribution of funds to assist investors with the acquisition of property to help alleviate the housing shortage in Grand Junction.

The City was allocated \$10.4 million in American Rescue Plan Act (ARPA) funds and although the City received its funds as revenue replacement, it chose to allocate \$9 million of those funds, and generally to use that sum of money for purposes that would positively impact homelessness, mental health, and affordable housing. Out of the \$9 million, \$3,373,337 was allocated to the LAP and appropriated for spending through a

supplemental appropriation ordinance on April 5, 2023.

With the adoption of Resolution No. 30-23 and the creation of the LAP, applications for LAP funds were evaluated against a Scoring Matrix.

After review and due consideration of Hilltop’s application for LAP program, the City's LAP committee recommended the City Manager support the purchase of the Hilltop Project in the amount of \$300,000. Additional information regarding the project is attached.

FISCAL IMPACT:

This payment is budgeted within the \$3,373,337 for the Land and Building Acquisition Program.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 66-23, a resolution authorizing payment for the acquisition of real property located in the City of Grand Junction, Colorado for four units of affordable housing in accordance with Resolution No. 30-23 establishing the Land and Building Acquisition Program, and ratifying actions heretofore taken and directing further actions in connection therewith.

Attachments

- 1. RES-Hilltop Project
- 2. LAP Hilltop Project
- 3. LAP Scoring Matrix
- 4. LAP Ordinance

1 RESOLUTION NO. __-23

2

3 A RESOLUTION AUTHORIZING PAYMENT FOR THE ACQUISITION OF REAL PROPERTY
4 LOCATED IN THE CITY OF GRAND JUNCTION COLORADO FOR FOUR UNITS OF
5 AFFORDABLE HOUSING IN ACCORDANCE WITH RESOLUTION 30-23 ESTABLISHING THE
6 LAND AND BUILDING ACQUISITION PROGRAM AND RATIFYING ACTIONS HERETOFORE
7 TAKEN AND DIRECTING FURTHER ACTIONS IN CONNECTION THEREWITH

8

9 RECITALS:

10 Hilltop Community Resources (Hilltop) has contracted for the purchase of a four-unit
11 residential property ("Property").

12 The Property is the first purchased with City assistance by and through the Land and
13 Building Acquisition Program ("LAP") authorized by Resolution 30-23. The Property will
14 provide much needed affordable housing for people with 60% AMI.

15 The acquisition of the Property and the dedication of it by Hilltop to affordable housing
16 is consistent with Resolution 30-23 and will advance the public health, safety, and
17 welfare of inhabitants of the City.

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

20 1. That the City Council hereby authorizes the City Manager to expend \$300,000.00
21 to assist with the purchase of the Property for the use and benefit of the Hilltop
22 Affordable Housing Project ("Project") as the same was described in Hilltop's
23 application for LAP funding; and,

24 2. That Hilltop's application for LAP funding for the Project, together with the City's
25 scoring of the application ("Application") are incorporated by this reference as if fully
26 set forth; and,

27 3. That the purchase of the Property for and on behalf of Hilltop for the Project will
28 benefit the City by furthering the preservation of needed, affordable housing in Grand
29 Junction; and,

30 4. That the City Council hereby authorizes the City Manager to utilize American
31 Rescue Plan Act ("ARPA") funds to assist with the purchase of the Property for the use
32 contemplated in this Resolution, Resolution 30-23 and the Application.

33 Accordingly, all actions heretofore taken by the officers, employees and agents of the
34 City relating to the purchase of the Properties, which are consistent with the provisions
35 of Resolution, are ratified, approved and confirmed.

36

37 PASSED and ADOPTED this ___ day of August 2023.

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Anna M. Stout
President of the City Council

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Amy Phillips

City Clerk

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DRAFT

Land and Building Acquisition Program – “Hilltop Project”

Hilltop Family Resources has requested \$300,000 from the Land and Building Acquisition Program (LAP) for the purchase of a 4-plex for low income/affordable housing. Hilltop intends to use the location for individuals and families facing housing instability, as well as, for individuals and families facing domestic violence after their emergency safehouse stay. Hilltop will provide rental assistance and ongoing case management to residents. Project closing date is July 31, 2023. *Please note that due to the sensitive nature of the project, they have requested that the address for the property remain undisclosed.*

Based on Resolution 30-23, the City Manager (or designee) has the authority to approve projects that receive a score of 16 or greater and for acquisition requests for less than or equal to \$300,000 that demonstrate:

- a) Furthering and/or implementation of City adopted housing goals and strategies.
- b) The application “Meets Expectations” (a 2 or higher) in the four main categories of the Scoring Matrix (attached).

LAP Score Card		Average Committee Score
Readiness & Capacity	Project Timeline & Capacity	3
	Community Leadership & Support	2.7
Impact on Housing Needs	Addressing Affordable Housing Needs	2.7
	Long Term Impact	2.3
Sustained & Equitable Support	Community Engagement Process	2.3
	Community Benefits	2.3
Sustainable Development	Project Location & Proximity to Services (6 pts)	5
Extra Points	Rehab/Repurpose vacant or underutilized properties (1 pt)	1
	Energy Efficient Standards (1 pt)	0
	Long Term Affordability (5 pts)	2.3
Total		23

Based on a collective score of “23” and “Meeting Expectations”, the City Manager approves to fund the project in the amount of \$300,000 from LAP and supports Housing Strategy 9: support acquisition/rehabilitation that creates or preserves affordable housing.

Land and Building Acquisition - Program Scoring Matrix

Readiness and Capacity (6 points available)

Project Timeline & Capacity

<p>3 (Exceeds Expectations) - Project Timeline is detailed and articulates milestones for each phase of work and pre-work that will have been completed. Timeline is clear and project will be completed within 23 months. Staff and partner roles are clearly articulated for each phase of work identified as major risk to project completion.</p>	<p>2 (Meets Expectations) - Project timeline provides general information related to each phase of work and pre-work that will have been completed. Timeline is clear that project is likely to be completed within 36 months. Staff and partner roles are generally articulated for each phase of work. Identifies major risks to project completion</p>	<p>1 (Meets some Expectations) - Project timeline is vague or incomplete. Unclear that project will be completed in less than 5 years. Staff and partner roles are not clearly articulated for each phase of work. Does not identify major risks to project completion.</p>	<p>0 (Does not meet expectations) - Project timeline does not provide sufficient information about each phase of work. No evidence that project will be completed by 5 years or longer. Staff and partner roles are not clearly articulated for each phase of work. Does not identify major risks to project completion.</p>
<p>Project team assembled has substantial experience in managing similar grants and projects. Organization has identified and addressed capacity limitations</p>	<p>Project team assembled has demonstrated experience in managing similar grants and projects. Organization has identified and addressed capacity limitations</p>	<p>Capacity appears too limited for the proposed project.</p>	<p>Capacity appears very limited for the proposed project.</p>
<p>Letters of support and/or financial commitments are provided by all project partners and some key stakeholders. Organization has identified and confirmed other sources of funding to leverage for the project.</p>	<p>Letters of support are provided by all project partners and some key stakeholders. Some partners have provided financial commitment. Organization has identified and confirmed other sources of funding to leverage the project</p>	<p>Letters of support have not been provided by all project partners or key stakeholders. No partners have provided financial commitments. Organizations have not identified or confirmed other sources of funding to leverage for the project.</p>	<p>No letters of support have been provided by the project partners or key stakeholders. No partners have provided financial commitments. Organizations have not identified or confirmed other sources of funding to leverage for the project.</p>

Community Leadership Support

<p>3 (Exceeds Expectations) - Organization has documented support from organization and community leadership. Organization has provided links/documentation for all relevant documentation to show alignment to adopted vision, strategies, policies, or goals of the organization or other supporting information. Any challenges have been identified in getting support for the project have been planned for or addressed.</p>	<p>2 (Meets Expectations) - Organization has support from organization and community leadership and has identified and provided links/documentation for some combination of adopted vision, strategies, policies, or goals of the organization or other supporting information. Any challenges have been identified in getting support for the project have been planned for or addressed.</p>	<p>1 (Meets some Expectations) - Organization has limited support from organization and community leadership and stakeholders and has identified and provided links/documentation for some combination of adopted vision, strategies, policies, or goals of the organization or other supporting information. Any challenges that have been identified in getting support for the project have been planned for or addressed.</p>	<p>0 (Does not Meet Expectations) - Organization does not have documented support from community leadership and stakeholders. Organization has not identified or provided links/documentation for plans, policies, or other supporting information. Any challenges that have been identified in getting support for the project have not been planned for or addressed.</p>
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Impact on Housing Needs (6 points available)

Addressing affordable housing needs targeted populations and intended impact

<p>3 (Exceeds Expectations) - Organization clearly identifies households that will be served and how the project fills a gap proportional to the affordable housing needs of the community, based on current or the best available data and/or needs assessment.</p>	<p>2 (Meets Expectations) - Organization generally identifies households that will be served and how the project fills a gap proportional to the affordable housing needs of the community based on the current or the best available data and/or needs assessment.</p>	<p>1 (Meets some Expectations) Organization does not clearly identify households that will be served or how the project fills a gap proportional to the affordable housing needs of the community, based on current or the best available data and/or needs assessment.</p>	<p>0 (Does Not Meet Expectations) Organization provides minimal or no information identifying households that will be served or how the project fills a gap proportional to the affordable housing needs of the community, based on current or the best available data and/or needs assessment.</p>
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Long term impact

<p>3 (Exceeds Expectations) - Project ensures long-term affordability with a use of covenant, regulatory agreement, or other deed restriction, and includes a monitoring mechanism.</p> <p>If project is mixed-income, long term affordability mechanism will be applied to designated affordable units.</p>	<p>2 (Meets Expectations) - Project ensures long-term affordability with a use covenant, regulatory agreement or other deed restriction, but is unclear how it will be sustained and/or monitored.</p> <p>If project is mixed-income, long-term affordability mechanism will be applied to designated affordable units.</p>	<p>1 (Meets Some Expectations) - Long term affordability mechanism is proposed but unclear or uncertain if it will work.</p> <p>If project is mixed-income, long-term affordability mechanism will only be applied to designated affordable units.</p>	<p>0 (Does not meet Expectations) - No affordability mechanism and/or monitoring are proposed.</p>
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Sustained and Equitable Support (6 points available)

Engagement process

<p>3 (Exceeds Expectations) - Organization has engaged in (or plans to engage in) a robust community engagement process, (e.g. multiple ways for community to participate a clear plan for involving marginalized and vulnerable populations, proposes working with community navigators and/or reduction of</p>	<p>2 (Meets Expectations) - Organization has engaged in (or plans to engage in) a general community engagement process, (e.g. public meetings, some efforts for community to participate a clear plan for involving marginalized and vulnerable populations, proposes working with community navigators</p>	<p>1 (Meets Some Expectations) - Organization has engaged in (or plans to engage in) a limited community engagement process that does not include details on outreach to community to participate a clear plan for involving marginalized and vulnerable populations, proposes working with community navigators and/or reduction of</p>	<p>0 (Does not meet Expectations) - Organization has not engaged in or does not plan to engage in a community engagement process and does not identify how they will reach out to marginalized and vulnerable populations. Organizations has not described how they will continue to engage the public</p>
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Community Pro

NIMBYism). And, has described how they will continue to engage the public over the course of the project.

and/or reduction of NIMBYism). And, has described how they will continue to engage the public over the course of the project.

NIMBYism). And, has briefly described how they will continue to engage the public over the course of the project.

over the course of the project.

Community Benefits

3 (Exceeds Expectations) - Organization clearly describes a variety of benefits that will be provided or supported during and after the project is completed

2 (Meets Expectations) - Organization describes a few benefits that will be provided or supported during and after the project is completed

1 (Meets Some Expectations) - Organization describes limited benefits that will be provided or supported during and after the project is completed

0 (Does not meet Expectations) - Organization describes no benefits that will be provided or supported during and after the project is completed.

It is clear that community benefits provided/supported are integrated in the project and clear that targeted and historically marginalized/underserved populations will be the main recipients.

It is clear that community benefits provided/supported are integrated in the project but unclear that targeted and historically marginalized/underserved populations will be the main recipients.

It is unclear that community benefits provided/supported are integrated in the project and unlikely that targeted and historically marginalized/underserved populations will be the main recipients.

Sustainable Development (6 points available)

Project Location & proximity to amenities

3 (Exceeds Expectations) - Project is located in pre-existing neighborhood or commercial district and no new infrastructure is required to be built to support project (aside from impact fees)

2 (Meets Expectations) - Project is located adjacent to neighborhood or commercial district and no new infrastructure is required to be built to support project (aside from impact fees)

1 (Meets Some Expectations) - Project is located in or adjacent to neighborhood or commercial district and some new infrastructure is required to be built to support project (aside from impact fees)

0 (Does Not Meet Expectations) - Project is located in a greenfield and new infrastructure is required to be built to support project.

3 (Exceeds Expectations) - Project is within (1/3 miles) of alternative transportation options and in close proximity to employment and educational opportunities, grocery stores, etc.

2 (Meets Expectations) - Project is within (1/2 miles) of alternative transportation options and in close proximity to employment and educational opportunities, grocery stores, etc.

1 (Meets Some Expectations) - Project is under 1 miles of alternative transportation options and in close proximity to employment and educational opportunities, grocery stores, etc.

0 (Does Not Meet Expectations) - Project is more than 0 mile from alternative transportation options and in close proximity to employment and educational opportunities, grocery stores, etc.

Extra Points (up to 7 points available)

Rehab/Repurpose vacant/underutilized commercial or industrial buildings

1 Extra Point Available. Project rehabilitates and repurposes a vacant or underutilized commercial or industrial building in a core commercial or industrial area for affordable housing

Energy Efficient Standards

1 Extra Point Available. Project plans to incorporate energy efficiency standards. This can be achieved in a number of ways: Project is built to International Energy Conservation Code 2018 (or later), project incorporates onsite renewable energy production, project is built to the standards of or has certification for LEED, Enterprise, Green Communities, Zero Energy Ready Homes (ZERH), National Green Building Standards (NGBS), or Green Globes, Project demonstrates positive environmental impact in another manner consistent with the aims of meeting high energy efficiency standards.

Long Term Affordability

5 Extra Points Available. Project demonstrates that the project achieve long-term affordability based on the geographic area and housing type (longer than 20 years).

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 30-23

A RESOLUTION CREATING A LAND AND BUILDING ACQUISITION PROGRAM IN THE CITY OF GRAND JUNCTION

Recitals:

On October 6, 2021, City Council adopted Resolution No. 82-21, which outlines 12 housing strategies to create a balanced approach for promoting both affordable housing (housing for households making 80% AMI or less) and attainable housing (housing for households making between 80-120% AMI). "Strategy 6: Allocate city-owned land (and/or strategically acquire vacant or underutilized properties) for affordable and mixed-income housing" was identified to meet the shortage of affordable/attainable housing and to promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes.

Property and/or building acquisition costs, especially in developed areas of the city, are a major component of the cost of developing affordable housing. In current markets, land and/or building acquisition is approximately 10-15% of the overall project.

At its January 30, 2023, workshop, the City Council directed staff to explore the creation of a mechanism to fund land acquisition for affordable housing projects in the City. On February 27, 2023, staff presented a recommended concept for a Land and Building Acquisition Program (LAP) including a description of administrative procedures and review criteria for LAP applications. Having reviewed the proposal, the City Council expressed its support for the creation of a LAP and directed staff to refine the proposal for further review.

The Land and Building Acquisition Program (LAP) is proposed in response to a generalized shortage of affordable housing in Grand Junction. The primary purpose of the proposed LAP is to provide funds to assist developers to acquire property and/or land to subsidize, in whole or part, the cost of developing housing to alleviate the housing shortage in Grand Junction.

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

The ***Land and Building Acquisition Program Administrative Procedures and Scoring Matrix attached hereto is incorporated by this reference and by and with this Resolution*** is hereby adopted and approved as generally and specifically provided therein all in accordance with and for the purposes stated in this Resolution.

PASSED and ADOPTED this 15th day of March 2023

ATTEST:



City Clerk



President of the City Council



ATTACHMENT A

Land and Building Acquisition Fund Allocation

ADMINISTRATIVE PROCEDURES

Application

1. Applications will be advertised and accepted on an on-going basis.
2. At a minimum, the application for the Land and Building Acquisition Fund shall include the following:
 - a. Project Name, property ownership and address, developers, or entity(s) information, amount requested, whether project is currently under contract and scheduled/estimated closing date;
 - b. Summary of the acquisition including acquisition costs, timeline, overall budget, financing, environmental review and any other conditions of the acquisition.
 - c. Description of the Project is dependent on other financing, grant funding or entitlements, whether the Project will be phased, in-kind/community support, and if there any known uncertainties for the Project;
 - d. Description of the developer's experience with and capacity to implement the Project.
 - e. A description of what the Land and Building Acquisition will be used for in terms of an overall future housing project, including information such as projected unit creation, type of units, targeted occupants of the project, description of how the Project will address the City's documented housing needs and/or if there are other considerations made for population served; whether the project is "for sale" or "for rent" units
 - f. A description of the intended overall project services that will be available to residents; community support of project and engagement plan, proximity to hazards (floodplain, environmental, etc), proposed term of affordability, sustainability of resources to support the future/ongoing need of project, and energy conservation features.

Application Review and Granting of Funds

1. The City Manager (or designee) shall review the application materials. Upon finding of a complete and accurate application,, the City Manager (or designee) will prepare a report of the application(s) and provides recommendation to the City Council for funding. At a minimum to receive a recommendation for funding, the application must demonstrate:
 - a. Furthering and/or implementation of City adopted housing goals and strategies.
 - b. The application "Meets Expectations" in all categories of the Scoring Matrix (Attachment B).
2. The City Manager (or designee) has the authority to approve projects that receive a score of 16 or greater and for acquisition requests for less than or equal to \$300,000.

2. City Council reviews recommendation and based on their review and discretion, approves budgetary assignment to project(s).
3. Resolution is created.
4. Agreements are created for finalization of the project.