

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

September 6, 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 16th day of August 2023 at 5:32 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz (virtual), 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, Senior Planner Jessica Johnson, Community Development Director Tamara Allen, Public Works Director Trent Prall, Housing Manager Ashley Chambers, and Sustainability Coordinator Jenny Nitzky.

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

Presentations

City of Grand Junction and D51 Elementary Student Calendar Art

Digital Communications Specialist Jocelyn Stafford presented this item and various students from Lincoln Orchard Mesa, Thunder Mountain and Pomona Elementary who created the artwork were present and acknowledged.

Proclamations

Proclaiming September as Suicide Prevention Month in the City of Grand Junction

Council President Pro Tem Herman read the proclamation. Suicide Prevention Specialist and Co-facilitator of the Suicide Prevention Coalition Jennifer Daniels accepted the proclamation.

Proclaiming September 5 - 9, 2023 as Grand Junction Pride Fest in the City of Grand Junction

Councilmember Beilfuss read the proclamation. Heidi Hess and Geneva Smith accepted the proclamation.

Recognizing the Grand Valley Resettlement Program (GVRP) and its Efforts

Councilmember Kennedy read the proclamation. Director of the GVRP Director Weldon

Allen accepted the proclamation.

Appointments

To the Grand Junction Housing Authority

Councilmember Kennedy moved and Councilmember Nguyen seconded to appoint Leora Ruzin to the Grand Junction Housing Authority for a five-year term expiring October 31, 2028. Motion carried by unanimous voice vote.

To the One Riverfront Commission

Councilmember Nguyen moved and Councilmember Simpson seconded to appoint Ken Scissors to the One Riverfront for a three-year term expiring July 31, 2026. Motion carried by unanimous voice vote.

Citizen Comments

Bruce Lohmiller said the Veteran's Art Center is having a membership drive, expressed concern of a houseless individual at Whitman Park that needs prosthetics, and spoke of the Rudy Giuliani lawsuit.

Rickie Howie expressed concern with the bullying of Afghani students at Mesa County Valley School District 51 schools.

Cambron spoke of issues she has experienced in low-income housing through Grand Junction Housing Authority including theft, items in disrepair, and high rent.

Ed Kowalski spoke of drag racing and speeding in the City.

Council Reports

Councilmember Nguyen gave an update on the Grand Valley Regional Transportation Committee.

Council President Pro Tem Herman gave an update on the Downtown Development Authority.

Councilmember Kennedy attended the Museum of Western Colorado board meeting, a local government tour with Food Bank of the Rockies and Home Builders Association (HBA) Governmental Affairs Luncheon.

Councilmember Beilfuss rode in an ambulance with the Grand Junction Fire Department, went to the Food Bank of the Rockies meeting, and The Home Builders Association (HBA) Governmental Affairs Luncheon.

Council President Stout spoke of the Transportation Planning Region Study.

CONSENT AGENDA

1. Approval of Minutes

- a. Summary of the August 14, 2023 Workshop
- b. Minutes of the August 16, 2023 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Authorizing a Supplemental Appropriation for a Grant to the Counseling and Education Center (CEC) and Setting a Public Hearing on September 20, 2023

3. Procurements

- a. Purchase Vactor Combination Sewer Cleaning Truck
- b. Construction Contract for Crawford-Rockaway Alley Improvements

4. Resolutions

- a. A Resolution Authorizing an American Rescue Plan Act (ARPA) Grant Award to the Counseling and Education Center (CEC)
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District Fall Grant Cycle
- c. A Resolution Authorizing the City to Approve Grant Agreements as a Co-sponsor with the Grand Junction Regional Airport Authority for the Runway 11/29 NAVAIDS Relocation, Pavement Design and Drainage Schedules 5, 6, and 7 for the Runway 12/30 Relocation Program

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to adopt the Consent Agenda Items 1 – 4. Motion carried by unanimous voice vote.

REGULAR AGENDA**An Ordinance Approving a Rezone for 1.22 Acres from R-5 (Residential - 5 du/ac) to R-12 (Residential - 12 du/ac) Located at 3041 D Road, Habitat for Humanity of Mesa County**

The applicants requested a zone district of R-12 (Residential 12). The property is currently zoned as R-5 (Residential 5 du/acre). The proposed zone district of R-12 is consistent with the Residential Medium category of the Comprehensive Plan. Surrounding zoning is Residential Medium, mostly R-8 and some county properties zoned residential under a planned development. The subject property and all surrounding properties (within the City limits) have a Land Use designation of Residential Medium. The Applicant is now requesting a rezone to R-12 that would increase the number of homes able to be built on the property, which both keeps up with Grand Junction's growth and demand for housing.

Senior Planner Jessica Johnson presented this item.

Conversation ensued regarding future plans of this development (no formal plans but looking at the potential for single-family attached).

The public hearing opened at 6:15 p.m.

There were no comments.

The public hearing closed at 6:15 p.m.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5171, an ordinance rezoning approximately 1.22 acres located at 3041 D Road from an R-5 (Residential 5 du/ac) zone district to an R-12 (Residential 12 du/ac) zone district, City File Number RZN-2023-230 on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Approving a Corridor Infill Incentive for the Kimball Residences by Kimball Acquisition, LLC

On September 7, 2022, the City Council adopted Resolution 74-22 creating a new Corridor Infill Incentive and Formula for Calculating the Incentive. The resolution included specific corridors in and near downtown as well as in the Horizon Drive Overlay. On February 13, the City received a request by Kimball Acquisition, LLC to utilize the Level 5 - Corridor Infill Incentive for a 164-unit multi-family apartment project called Kimball Residences on 6.8 acres located at 919, 1059, 1101 and 1299 Kimball Avenue.

Community Development Director Tamra Allen presented this item.

Shannon Sweeney and Mckenzie Thorne made a presentation on behalf of the applicant.

There was discussion regarding appreciation for preserving the sugar beet factory building, potential for a historic designation or covenants to continue to protect that building, whether there is adequate parking for future businesses, distribution of funds schedule (performance based on completion) and restricted fund balance impacts of such incentives.

The public hearing opened at 6:45 p.m.

Raul Acosta expressed concerned about parking if this area gets developed.

Craig Robillard asked which provision is being made for Electric Vehicle (EV) charging on this site.

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

Ms. Thorne responded to Mr. Robillard’s question that they will install the conduits and provide the infrastructure but will not install EV chargers until there is demand for them (not common place in Grand Junction).

City Manager Caton clarified that \$862,348 was budgeted in 2023 and has been accounted for and there was further discussion of how the infill incentive funds came from the sale of property in the Dos Rios area.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5172, an ordinance approving the Kimball Residences Corridor Infill Incentive agreement for Kimball Acquisition, LLC for the project located at 919, 1059, 1101 and 1299 Kimball Avenue on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote with Councilmember Simpson voting no.

An Ordinance Leasing Approximately 1.4 Acres of City Property to Kimball Acquisition, LLC Located near 919 Kimball Avenue and 1101 Kimball Avenue, Grand Junction, Colorado

In November 2019, City voters approved an amendment to the City Charter which allowed the City to lease certain property, including certain of the Park Property including certain parcels owned by the City in the vicinity of Las Colonias Park north of the Riverside Parkway for a term of up to 99 years. The Charter amendment affirmed the City Council’s right to lease the property for a term of not to exceed 99 years. Kimball Acquisition, LLC (Developer) has applied for and with the adoption of Ordinance 5172 been approved for a City Corridor Infill Incentive. With the incentive, the Developer will construct 164 housing units on the property located at 919, 1059, 1101 and 1299 Kimball Avenue. The City property, the Kimball Lease Property, and the Council approval and authorization of the lease thereof, on the terms established therein

(Lease), adjoins the redevelopment parcel on the east and west. The City parcels are necessary for surface parking for the successful development/redevelopment and the provision of housing units for the community.

Community Development Director Tamra Allen presented this item.

Discussion ensued regarding that the low amount of the lease was due to no other usable purpose for this property and how this number was agreed to through negotiations.

The public hearing opened at 7:03 p.m.

There were no comments.

The public hearing closed at 7:03 p.m.

Council President Pro Tem Herman moved, and Councilmember Kennedy seconded to adopt Ordinance No. 5173, an ordinance pursuant to voter approval leasing approximately 1.4 acres of City property to Kimball Acquisition, LLC located adjacent to 919 and 1101 Kimball Avenue, Grand Junction, Colorado on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Council took a short break at 7:04 p.m.

The meeting resumed at 7:17 p.m.

Riverfront Trail Concrete Contract

The Colorado River Trail construction project is a critical initiative aimed at enhancing the recreational opportunities for our residents and visitors. The existing asphalt trail identified for replacement, which spans 1.77 miles along the Colorado River, has deteriorated significantly, posing numerous hazards to users. To address these issues and improve safety, the City has planned the construction of a 10' wide concrete trail to replace the failing asphalt surface. The section to be replaced is from Leach Creek bridge south of Junior Service League Park westerly along Redlands Parkway to the Broadway roundabout. Construction of the trail will be completed by City staff.

The purchase of concrete material is essential to the successful execution of this project. In accordance with the City's procurement policies, a competitive bidding process was initiated to select a supplier for the required concrete material. The proposal from Whitewater Building Materials, at a total cost of \$267,137.50 for 1750 cubic yards of concrete, aligns with our project requirements and budget constraints.

Public Works Director Trent Prall presented this item.

Conversation ensued regarding the timing of this project and whether it can be

completed by the end of the year.

The public comment period opened at 7:30 p.m.

There were no comments.

The public comment period closed at 7:30 p.m.

Council President Pro Tem Herman moved and Councilmember Nguyen Seconded to authorize the City Purchasing Division to issue a Purchase Order to Whitewater Building Materials for the purchase of concrete in the amount of \$267,137.50. Motion carried by voice vote with Councilmember Simpson voting no.

A Resolution Authorizing the Carry-forward of the City's 2023 Private Activity Bond "PAB" Allocation

Each year the state of Colorado allocates the authority to issue tax-exempt Private Activity Bonds (PAB) directly to local governments whose population warrants an allocation of \$1 million or more. Private Activity Bonds (PAB) are a tax-exempt security issued by or on behalf of a local or state government. PABs are issued by local governments for the sole purpose of extending special financing benefits for qualified projects. PABs help to finance specific projects for a private user and are utilized to attract private investments in projects that have public or common good. Because the interest rate on PABs is tax-free, the interest rate the bonds hold is typically lower than the market interest rate.

PABs have a specific expiration and generally must be issued to a qualified project the same year the volume cap is received. If the cap is not allocated, the issuer can elect to request a carry-forward, assign their PAB to another eligible issuer, assign to CHFA, or do nothing and let their cap revert to DOLA's statewide balance.

In years past, the City's PAB allocation was utilized for affordable housing through assignment to other entities such as Colorado Housing and Finance Authority (CHFA) or it reverted to the Statewide balance. To date, the City has not used the PAB allocation to fund a City-initiated affordable housing project. For 2023, Grand Junction's allocation is \$4,031,651 and in order to continue to benefit the residents of the City, staff has brought forward a Resolution to carry-forward the PAB allocation to be rolled over for up to the next three years until a sufficient quantity of bond cap is accumulated for a qualified project.

Housing Manager Ashley Chambers presented this item.

Conversation ensued regarding staff getting involved in the development process to bring forth feasible projects that could utilize this money along with other capital stacking.

The public comment period opened at 7:43 p.m.

There were no comments.

The public comment period closed at 7:43 p.m.

Councilmember Simpson moved and Council President Pro Tem Herman seconded to adopt Resolution No. 80-23, a resolution authorizing the carry-forward of the 2023 Private Activity Bond Allocation of Grand Junction, Colorado pursuant to the Colorado Private Activity Bond Ceiling Allocation Act. Motion carried by unanimous roll call vote.

A Resolution Adopting the EV Readiness Plan

In the Resource Stewardship principle of the 2020 Comprehensive Plan, proposed action items to improve public and environmental health include improving Electric Vehicle (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." In response, 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 final Electric Vehicle (EV) Readiness Plan.

Sustainability Coordinator Jenny Nitzky introduced the Consultant with Xcel Energy's Partners in Energy Program Andrea McCarthy who presented this item.

Conversation ensued regarding the importance of education and outreach and that the appendix may not be reflective of updated statistics (2019) and should be an accurate public facing document. There was gratitude expressed to Xcel for their partnership, and they discussed where the money to fund this Plan may come from including Xcel's Electric Vehicle Supply Infrastructure Program (Jason Randal with Xcel's Clean Energy Transportation Team said they are working with the City of Grand Junction to identify sites) and a grant that was awarded to the City in the amount of \$111,000 from the Colorado Energy Charge Ahead Program for nine charging stations in five locations. Comments were made regarding the electrification of the City's fleet and how they City must be good stewards of tax dollars to ensure that our fleet is utilizing the best energy sources (currently using compressed air) with the infrastructure in place. There was also discussion on a fee schedule for the charging stations to maintain a sustainable system as electricity is expensive and electric cars will use a lot.

The public comment period opened at 8:14 p.m.

Craig Robillard encouraged the City to proceed with the implementation as soon as

possible.

The public comment period closed at 8:16 p.m.

Councilmember Nguyen moved and Councilmember Simpson seconded to adopt Resolution No. 82-23, a resolution adopting the EV Readiness Plan. Motion carried by unanimous roll call vote.

The Council took a short break at 8:21 p.m.

The meeting resumed at 8:32 p.m.

A Resolution for the Issuance of Transportation Bonds for the I-70 Interchange at 29 Road to be set for the November 7, 2023 Election

This resolution would set the title of the ballot language and authorize a referred measure to be placed on the November 7, 2023 election for the issuance of bonds to finance transportation improvements for the I-70 Interchange at 29 Road and the associated reconstruction of 29 Road from the interchange to Patterson Road.

City Manager Greg Caton introduced this item and Public Works Director Trent Prall answered Council's questions.

Conversation ensued regarding the County's potential contribution, after the City has exhausted potential State and Federal dollars, to come back to the table for authorization through an Intergovernmental Agreement (IGA) and what that timeline looks like. There was concern expressed over the "flexibility" of the resolution, and it was explained that this is due to the unknown (potential outside funding) outlying factors while still attempting to maximize leverage and flexibility to move forward.

Discussion turned to how this project impacts vehicle miles traveled and the greenhouse gas rule (alleviates congestion and builds additional multi-modal transportation options). Portland was used as an example of a community who has invested heavily in a bike and ped infrastructure but still found it necessary to invest in a public transit and other alternatives for vehicles to get around.

It was asked whether the resolution passed by the County provided enough to ensure the County would partner with the City in a fifty-fifty split of the funding of this project. City Attorney Shaver stated the resolution does not provide a commitment. This would only occur through an IGA or the County referring a ballot question, although the resolution refers to the future execution of an IGA.

Further discussion included concern that County voters were not able to vote on this item should it be placed on the ballot as a City item, this being an investment in the Grand Junction community that voters in the broader Mesa County Community (i.e. Debeque) may not see the value in, that City voters are Mesa County voters, the

importance of putting this before the voters to give them the opportunity to decide whether to move forward, possible voter confusion if the County and the City each place a \$40 million debt issuance ballot item for this project, the impact this debt issuance would have on the City’s budget for other projects, all the infrastructure projects that have led up to this project, the concern that the resolution from the County wasn’t more unequivocal that they were in for a fifty percent contribution, how some people may have thought this was a federally funded project, and that some of the Councilmembers that would vote against this were not against this project, but rather moving it forward now.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt Resolution No. 81-23, a resolution setting a title and submitting to the electorate on November 7, 2023, a measure concerning the issuance of bonds to finance certain transportation improvements and to collect, retain and suspend revenues as defined by Article X, Section 20 of the Colorado Constitution for payment of transportation debt and maintenance of transportation infrastructure and providing other details relating thereto. Motion failed 3-4 with Councilmembers Nguyen, Reitz, Simpson and Beilfuss voting no.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:30 p.m.



Amy Phillips, CMC
City Clerk