

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

**October 4, 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 4<sup>th</sup> day of October 2023 at 5:30 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, Records Manager Janet Harrell, Deputy City Clerk Selestina Sandoval, Finance Director Emeritus Jodi Welch, General Services Director Jay Valentine, Senior Planner Daniella Stine, Principal Planner David Thornton and Parks and Recreation Director Ken Sherbenou.

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

**Proclamations**

**Proclaiming October 8 - 14, 2023 as Fire Prevention Week in the City of Grand Junction**

Council President Stout read the proclamation. Deputy Fire Chief Gus Hendricks accepted the proclamation with Fire Marshal Steven Kollar.

**Appointments**

**To the Commission on Arts and Culture**

Councilmember Kennedy moved and Councilmember Beilfuss seconded to appoint Robbie Breaux, Julie Mathews, and Cynthia Zaitz for full terms expiring February 28, 2027, Mark Oldham and Hank Braxton for partial terms expiring February 28, 2026, and Robbie Helm, for a partial term expiring February 28, 2025. Motion carried by unanimous voice vote.

**Public Comments**

Theresa Cambron spoke of illegal activity happening on public buses.

Rickie Howie spoke against the closure of Whitman Park and about the use of public spaces.

Executive Director of Horizon Drive Business Improvement District Jonathan Purdy

spoke about the City placing a bid on the building at 754 Horizon Drive and supports the City buying this for the purpose of workforce housing.

### **City Manager Report**

City Manager Caton invited the public to the Get to Know Your City Event on October 17, 2023 between 4 - 6 p.m. at Whitman Park.

### **Board and Commission Liaison Reports**

Council President Pro Tem Herman gave an update on the Downtown Development Authority meeting and how they issued a resolution in support of the 99-year lease ballot question.

Councilmember Simpson met with the Business Incubator and spoke of their old building and the issues this is creating for that organization.

Councilmember Kennedy attended the Museum of the West Board meeting and helped with the Executive Director interviews.

Councilmember Reitz gave an update on the 2.b. support committee (99-year lease ballot question).

Councilmember Beilfuss attended the Commission on Arts & Culture meeting, the Hispanic Heritage Festival, and spoke of the Historic Preservation Board being excited about the handball court at Canyon View receiving a historic designation.

Council President Stout said the Colorado Municipal League Policy Committee is ramping up, the Associated Governments of Northwest Colorado meeting was moved to November 6<sup>th</sup> and thanked Utilities Director Randi Kim (and her team) and the VanWinkle family for the water shed tour.

### **CONSENT AGENDA**

#### **1. Approval of Minutes**

- a. Summary of the September 18, 2023 Workshop
- b. Minutes of the September 20, 2023 Special Meeting
- c. Minutes of the September 20, 2023 Regular Meeting

#### **2. Set Public Hearings**

- a. Quasi-judicial
  - i. A Resolution Referring a Petition to the City Council for the

Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the PERS Investments Annexation of 1.49 Acres, Located at 3175 D Road, and Setting a Public Hearing for November 15, 2023

**3. Agreements**

- a. Intergovernmental Agreement with Mesa County for Long's Family Memorial Park Scheduling

**4. Procurements**

- a. Authorize a Construction Contract for 2023 Sewer Replacements

**5. Resolutions**

- a. A Resolution Approving an Agreement for Advance of Transportation Capacity Payments, as a Loan, to Redlands Three Sixty, LLC for the Construction of a Single-Lane Roundabout at the Intersection of Highway 340 and 23 Road along with a Right-In only Intersection at Highway 340 and South Broadway
- b. A Resolution Supporting the Designation of a National Monument to Protect the Dolores River Canyon Country

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt the Consent Agenda Items 1 – 5. Motion carried by unanimous voice vote.

**REGULAR AGENDA**

**An Ordinance Authorizing a Supplemental Appropriation for Funding of the Joseph Center Expansion Project**

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 begin 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 to allocate \$947,704 in American Rescue Plan Act (ARPA) funds to Joseph Center. The resolution authorizing the award is also on this agenda.

Finance Director Emeritus Jodi Welch presented this item.

The public hearing was opened at 5:57 p.m.

There were no comments.

The public hearing was closed at 5:57 p.m.

Council President Pro Tem Herman moved and Councilmember Kennedy seconded Ordinance No. 5175, 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 ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

### **An Ordinance Regarding the Purchasing Policy**

In early 2023, questions arose regarding the City's purchasing and procurement policies and, specifically, the self-performance of work. The existing policies have not undergone a thorough review and rewrite since 2012, and there were concerns about the clarity of certain sections, including Section 18, which was adopted in the context of a specific project but did not directly address the self-performance issue. In response to these concerns, the City Council instructed City staff to consider and, as appropriate, develop and recommend a self-performance policy. This ordinance adopts a comprehensive update of the Purchasing and Procurement Policies and Procedures that includes the policy guidelines for City staff to self-perform certain work.

General Services Director Jay Valentine and City Manager Greg Caton presented this item.

Conversation ensued regarding how many capital projects a year would fall into the self-performing category (less than five), whether this can come to Council on a project-by-project basis and not through a cap threshold, collaboration with local builders, 2024 potential self-performing projects (the budget process will outline this as scheduled at budget workshops), and self-performance to save tax-payer money.

The public hearing was opened at 6:50 p.m.

Bill Ogle with Sorter Construction, spoke against the City self-performing.

Paul Burdett spoke against the City self-performing and wants more time for constructive dialogue.

Cory Elam gave a history of her family-owned business and advocated for the small local businesses.

Candace Carnahan, President and CEO of the Grand Junction Chamber of Commerce said they want a policy that presents clarity.

Shana Gregor wants a policy that is predictable and consistent.

Diane Schwenke reiterated that a policy is needed, and that Council should take a step back to evaluate.

Hogan Peterson, Government Affairs Director with the Home Builders Association, spoke of the opportunity costs of the City self-performing.

Mr. Foster spoke of capacity in the marketplace and accountability of projects.

The public hearing closed at 7:10 p.m.

Conversation ensued regarding case-by-case basis Council decision making, assuming the best intentions, and collaboration with the contracting community to ensure their questions are answered. Time was taken to answer questions Council had regarding other sections of the policy.

Councilmember Simpson moved to table this item to a future date. There was no second.

Discussion ensued regarding the purchase of the equipment, the Purchasing Manual is a policy document and shouldn't be amended without Council approval, and the size of the fleet the City owns. A path forward was discussed whether to adopt the Manual with amendments to approve self-performance on case-by-case basis or adopt the manual without Chapter 16.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to adopt Ordinance No. 5176, an ordinance related to adapting policies and procedures for purchasing equipment, materials, supplies and specialized, expert and technical services and work including specialized technical and expert personnel and work performed by or for the City of Grand Junction with the exception of Chapter 16 and with a 1-year sunset on final passage and ordered final publication in pamphlet form, motion carried by roll call vote with Councilmember Simpson voting no.

A break was taken at 8:13 p.m.

The meeting resumed at 8:24 p.m.

**A Resolution Regarding Authorization and Execution of a Public Improvements Funding Agreement by and between the Western Slope Metropolitan District, CV NG LLC and the City for Financing of Public Improvements at or near 766 24 Road and Properties Identified by Parcel Nos. 2701-332-00-028 and 2701-332-00-027**

On August 16, 2023, City Council approved Resolution No. 75-23 conditionally approving the Public Improvements Funding Agreement (PI Funding Agreement) for the

Western Slope Metropolitan District. Because the conditions of the Resolution were not satisfied, a revised agreement has been proposed for the Council's consideration and recommended approval.

City Attorney John Shaver and City Manager Greg Caton presented this item.

Mark Goldberg, Golberg Properties presented on behalf of the applicant.

Conversation ensued regarding the positive return from this development before the stated repayment period (forgone revenue), the infrastructure the City gains and the benefit of having Cosco in the community.

The public comment period opened at 8:40 p.m.

Kurtis Englehart with Grand Junction Economic Partnership spoke in support of this resolution.

Candace Carnahan with Grand Junction Area Chamber of Commerce spoke in support of this resolution.

The public comment period closed at 8:43 p.m.

Conversation ensued regarding the community being excited about Cosco coming to Grand Junction.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt Resolution No. 90-23, a resolution authorizing the execution of the Intergovernmental Agreement between the City, the Western Slope Metropolitan District and CV NG, LLC regarding the funding of public improvements. Motion carried by unanimous roll call vote.

**Ordinances Annexing 23.35-Acre Tallman Enclave Annexation Located in the Orchard Mesa Commercial Park Subdivision (Book 11, Page 319) Including 2735 Through 2739 Highway 50 and 2726 1/2 Through 2736 B 1/4 Road and Zoning 11.28 Acres to C-2 (General Commercial) and Zoning 0.51 Acres to R-8 (Residential 8 du/ac)**

The Tallman Enclave consists of 20 commercial lots with a variety of businesses ranging from contractor shops, automotive services and mini-storage, and three residential lots with existing single-family residences, along with 11.56 acres of U.S. Hwy 50 and frontage road, B 1/2 Road and 27 1/4 Road public right-of-way.

Under the 1998 Persigo Agreement with Mesa County, the City is to annex all Enclave areas at five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years. The Tallman Enclave has been enclaved since June 17, 2018. Under the 1998 Persigo Agreement

with Mesa County, the City is to annex all Enclave areas within five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years.

This is also a request to zone 11.79 acres of the 23.35-acre Tallman Enclave Annexation, consisting of 20 commercial lots and two residential lots, totaling 11.28 acres to a C-2 zone district, and one residential lot totaling 0.51 acres to R-8. The C-2 zoning implements the City's 2020 One Grand Junction Comprehensive Plan Land Use Map that designates approximately 11.28 acres of the 23.35-acre annexation area as Commercial. The R-8 zoning implements the City's 2020 One Grand Junction Comprehensive Plan Land Use Map that designates approximately 0.51 acres of the 23.35-acre annexation area as Residential Medium.

Senior Planner Daniella Stine presented this item.

Councilmember Kennedy recused himself.

The public hearing was opened at 8:56 p.m.

There were no comments.

The public hearing was closed at 8:56 p.m.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5177, an ordinance annexing territory to the City of Grand Junction, Colorado, the Tallman Enclave Annexation, approximately 23.35 acres, located in the Orchard Mesa Commercial Park Subdivision (Book 11, Page 319) including 2735 through 2739 Highway 50 and 2726 1/2 Through 2736 B 1/4 Road, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5178, an ordinance zoning 9.26 acres of the Tallman Enclave Annexation to C-2 (General Commercial) zone district from Mesa County C-2 (General Commercial District), and zoning 2.02 acres of the Tallman Enclave Annexation to C-2 zone district from Mesa County RSF-4 (Residential Single Family - 4 dwelling units per acre), and zoning 0.51 acres of the Tallman Enclave Annexation to R-8 (Residential 8 du/ac) from Mesa County RSF-4 on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

**Ordinances Annexing and Zoning the Adams Enclave Annexation Consisting of 0.23 Acres Located at 2738 B 1/4 Road and Zoning to City C-2 (General Commercial)**

The Adams Enclave consists of one parcel with an existing residence, along with 0.03 acres of the B 1/4 Road public right-of-way. Under the 1998 Persigo Agreement with

Mesa County, the City is to annex all Enclave areas at five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years. The Adams Enclave has been enclaved since March 25, 2018. Under the 1998 Persigo Agreement with Mesa County, the City is to annex all Enclave areas within five (5) years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three (3) years.

This is also a request to zone the 0.23-acre Adams Enclave Annexation to a C-2 (General Commercial) zone district. The C-2 zoning implements the City's 2020 One Grand Junction Comprehensive Plan Land Use Map that designates this area as Commercial.

Principal Planner David Thornton presented this item.

The public hearing was opened at 9:04 p.m.

There were no comments.

The public hearing closed at 9:04 p.m.

Councilmember Nguyen moved and Councilmember Simpson seconded to adopt Ordinance No. 5179, an ordinance annexing territory to the City of Grand Junction, Colorado, Adams Enclave Annexation, approximately 0.23 acres, located at 2738 B 1/4 Road, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Councilmember Simpson moved and Councilmember Nguyen seconded to adopt Ordinance No. 5180, an ordinance zoning the Adams Enclave Annexation to C-2 (General Commercial) Zone District, from Mesa County RSF-4 (Residential Single Family - 4 dwelling units per acre) on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

### **Contract Approval for the Construction Manager - General Contractor for the Community Recreation Center**

The City is scheduled to start construction of the new Community Recreation Center in 2024. The City Purchasing Division has completed the selection process for Construction Management/General Contractor (CM/GC) services and has selected FCI Constructors, Inc for this project. If approved, FCI will work with the project team, comprised of Barker Rinker Seacat Architects and Chamberlin Architects, and their full roster of engineers working in all the required trades, and the City project team to design and construct the community's first recreation center. Once contracted, FCI will develop a Guaranteed Maximum Price (GMP) that will be considered by City Council at a later date.

Parks & Recreation Director Ken Sherbenou presented this item.



Council asked if there were any changes to the budget based on this selection (FCI will put forth a design, but currently costs are in line with what was expected) and why wasn't the third company interviewed (their fee was higher and their recreation experience was lower than the other two). Council expressed they were excited a local company was chosen.

The public comment period was opened at 9:14 p.m.

There were no comments.

The public comment period closed at 9:14 p.m.

Council President Pro Tem Herman moved and Councilmember Kennedy seconded to authorize the Purchasing Division to enter into a contract with FCI Constructors Inc., to provide Construction Management/General Contractor services for the new Grand Junction Community Recreation Center construction project on negotiated terms approved by the City Manager and in a form approved by the City Attorney. Motion carried by unanimous roll call vote.

**Non-Scheduled Public & Visitors**

Jonathan Purdy spoke about the potential purchase of 754 Horizon Drive and was surprised no one reached out to his board (Horizon Drive Business Improvement District) regarding the selection of the property.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 9:19 p.m.



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Selestina Sandoval, CMC  
Deputy City Clerk