

Grand Junction City Council
Minutes of the Regular Meeting
April 3, 2024

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 3rd day of April 2024 at 5:30 p.m. Those present were Councilmembers Cody Kennedy (virtual), Dennis Simpson, Jason Nguyen, Randall Reitz, Scott Beilfuss, Council President Pro Tem Abe Herman, and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, Finance Director Jennifer Tomaszewski, Principal Planner David Thornton, Community Development Director Tamra Allen, City Clerk Amy Phillips, and Deputy City Clerks Selestina Sandoval and Krystle Koehler.

Council President Stout called the meeting to order. Stout Student Elisa led the Pledge of Allegiance, followed by a moment of silence.

Proclamation

Proclaiming April 2024 as Water Conservation Month

Council President Pro Tem Abe Herman read the proclamation; Utilities Director Randi Kim accepted the proclamation.

Public Comments

Douglas Keyton spoke about National Tartan Day.

City Manager Report

City Manager Greg Caton had no report. Council President Anna Stout presented City Manager Greg Caton with a plaque in appreciation of his 8 years of leadership and dedicated service on behalf of Council.

Board and Commission Liaison Reports

Councilmember Beilfuss gave updates on the Homeless Coalition, Commission on Arts & Culture, and Historical Preservation Board

Councilmember Kennedy shared information on the Western Colorado Economic Summit.

Council President Pro Tem Abe Herman gave updates on the Downtown Development Authority and the Parks and Recreation Advisory Board.

Council President Stout shared updates regarding the Associated Governments of Northwest Colorado, the Colorado Municipal League, the Grand Junction Chamber of Commerce.

CONSENT AGENDA

1. Approval of Minutes

- a. Minutes of the March 18, 2024 Special Meeting
- b. Summary of the March 18, 2024 Workshop
- c. Minutes of the March 19, 2024 Special Meeting
- d. Minutes of the March 20, 2024 Special Meeting
- e. Minutes of the March 20, 2024 Regular Meeting
- f. Minutes of the March 22, 2024 Special Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. Introduction of an Ordinance to Vacate Approximately 0.32 Acres of Ferree Drive Right-of-Way and Setting a Public Hearing for April 17, 2024
 - ii. Introduction of an Ordinance an Ordinance Amending Ordinance 4991 Concerning the City-Las Colonias Development Corporation Master Lease and the Second Amendment thereto for Purposes of Amending the Description of Site M for the Purpose of Facilitating the Development of Oak Star Bank on Site M at the Las Colonias Business Park and Setting a Public Hearing for April 17, 2024
 - iii. Introduction of an Ordinance Approving a Rezone of Approximately 0.43 Acres from I-2 (Industrial General) to CG (Commercial General) Located at 739 3rd Avenue and Setting a Public Hearing for April 17, 2024

3. Agreements

- a. Agreement for Palisade Pool Operations

4. Procurements

- a. Contract Approval for Construction Management/General Contractor Services for Construction of Fire Station 7
- b. Contract for 2024 Concrete Curb, Gutter, and Sidewalk Replacement Project

5. Resolutions

- a. A Resolution Authorizing the Purchase of Real Property Located at 756 Chipeta Avenue, Grand Junction, Colorado – **Moved to Regular Agenda**
- b. A Resolution Authorizing the City Manager to Expend Funds in Support of the Housing Resources of Western Colorado Affordable Housing Development Known as the Row Homes at Meridian Park in Grand Junction, CO
- c. A Resolution Amending Resolution 90-21 Concerning Naming Opioid Settlement Abatement Fund Council Designees

5. Other Action Items

- a. Request for 2024 Fireworks Displays at Suplizio Field

Councilmember Simpson moved, and Councilmember Nguyen seconded to adopt Consent Agenda Items #1- #6 excluding item 5.a. Motion carried by unanimous voice vote.

Regular Agenda

A Resolution Authorizing the Purchase of Real Property Located at 756 Chipeta Avenue, Grand Junction, Colorado

In the 2024 budget, the City Council approved \$750,000.00 for the possible purchase of real property for employee housing. The property at 756 Chipeta, if purchased for \$749,000.00, would provide three residential units and is within budget. This purchase will support the City's ongoing recruitment efforts by offering temporary housing to help new employees transition into the community. This ensures the City remains competitive in attracting and retaining quality talent.

City Manager Greg Caton was available for questions.

Conversation ensued regarding specific needs, upkeep on a property, walking distance to City Hall, furnished houses versus city owned property. Pros of City owned property such as house provides flexibility, and larger employers in the valley have their own housing for their staff versus renting properties and can help our recruiting process when hiring for employees.

The public comments opened at 6:16 pm.

Rick Swales is a firefighter with Grand Junction Fire Department, and he shared his story with the complications of finding housing when he moved from Georgia to Grand Junction to be a Firefighter.

Bryce Rasmussen, a local firefighter with Grand Junction Fire Department shared how housing would help with the recruiting process.

The public comment closed at 6:20 pm.

Councilmember Nguyen moved, and Council President Pro Tem Herman seconded to adopt Resolution No. 19-24, a resolution authorizing the purchase of real property located at 756 Chipeta Avenue, Grand Junction, Colorado for employee housing as provided in the contract attached to the resolution. Motion carried 4-3 by voice vote with Councilmembers Beilfuss, Simpson and Kennedy voting No.

An Ordinance Amending Ordinance No. 5064 and Sections 5.13.013 and 5.13.029 of the Grand Junction Municipal Code Regarding Certain Marijuana Business Security Requirements

This ordinance amends Ordinance 5064 and its codification in the GJMC at 5.13.029 and 5.13.013 to require the secure storage of marijuana and marijuana products and cash kept at each regulated cannabis business within the City in a safe, vault or equivalent fixture, feature, or improvement to the business's property and that the fixture, feature, or improvement is either integral to the building structure or securely attached to the building.

City Attorney John Shaver presented this item.

Conversation ensued complementing staff, and our Marijuana Enforcement Officer Wright.

The public hearing opened at 6:29 pm.

Alex Andberg and Liz Zukowski from Native Roots spoke in support of this item.

The public hearing closed at 6:33 pm.

Councilmember Reitz moved, and Councilmember Nguyen seconded to adopt Ordinance No. 5209, an ordinance amending the Grand Junction Municipal Code regarding certain marijuana business security measures on second reading and authorized publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Amending Various Sections of the Grand Junction Municipal Code (GJMC) on Sales and Use Tax by Amending GJMC Related to Vendor Fees

On January 3, 2023, Council approved an ordinance amending various sections of the Grand Junction Municipal Code (GJMC) on Sales and Use Tax by adding terms and definitions to the GJMC Related to "economic nexus" and authorized an intergovernmental agreement with the Colorado Department of Revenue (CDOR) to

participate in the State Sales and Use Tax System (SUTS).

Since January 3, finance staff have been working with the State and the State's integration partners (GOVOS) to coordinate configuring the link from the City's tax administration system, GenTax, into SUTS. The early stages of this project required the City team to provide the local configurations, which GOVOS would map into SUTS. This includes providing the various exemptions and credits available to local businesses, which are included in their monthly tax returns. Recently, information provided by both the state and GOVOS confirmed a need for minor changes to the current vendor fee credits available to businesses that file sales tax returns to the City and the City's Municipal Code as it relates to vendor fee caps in order to integrate into SUTS.

Finance Director Jennifer Tomaszewski presented this item.

Council shared that cleaning up the sales tax will be an asset.

The public hearing opened at 6:41 pm.

There were no public comments.

The public hearing closed at 6:41 pm.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to adopt Ordinance No. 5210 an ordinance amending various sections of the Grand Junction Municipal Code (GJMC) on sales and use tax by amending GJMC related to vendor fees on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance for a Comprehensive Plan Amendment for 4.23 Acres from Commercial to Residential Medium (5.5 to 12 du/ac) and Rezone from Mixed Use Neighborhood (MU- 1) to RM-8 (Residential Medium - 8 du/ac) of 4.23 Acres, Located at 2152 Broadway and 2155 Monument Lane

The Property Owner, D&B Broadway Monument, LLC requested a Comprehensive Plan Amendment from Commercial to Residential Medium (5.5-12 du/ac) and a rezone to RM-8 (Residential Medium – 8) for property located at 2152 Broadway and 2155 Monument Lane on 4.23 acres in the Redlands near the Monument Village Shopping Center. The subject properties are vacant.

The properties were zoned B-1 (Neighborhood Business) at the time the application was submitted to the City in December 2023 with a requested rezone to R-8 (Residential – 8). With the passage and effective date of the 2023 Zoning and Development Code on January 21, 2024, the current zoning on both properties is now MU-1 (Mixed Use Neighborhood) and the requested rezone is now for RM-8 (Residential Medium – 8).

The property owner is requested an amendment to the One Grand Junction

Comprehensive Plan in anticipation of future residential development. The zone district of RM-8 is consistent with the proposed Residential Medium Land Use category of the Comprehensive Plan. The zoning and Comprehensive Plan amendment requests were considered concurrently.

Principal Planner David Thornton and Jeffery Flemming with Colorado Land Advisor presented this item.

Conversation ensued that this rezone is moving in the right direction to develop this area, down zoning of this area in terms of dwelling units and restricting what can be built and that this was the first down zone council has considered.

The public hearing opened at 7:07 pm.

Thomas Walsh is in support of this item.

Margaret Simonson, Samuel John, Connie Bose, Thomas Foote all expressed support of this item via email.

The public hearing closed at 7:09 pm.

Council President Pro Tem Abe Herman moved, and Councilmember Kennedy seconded to adopt Ordinance No.5211, an ordinance amending the One Grand Junction Comprehensive Plan Land Use map on the Comprehensive Plan Amendment request for the property located at 2152 Broadway & 2155 Monument Lane from Commercial to Residential Medium, City file number CPA-2023-783 on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote 6-1 with Councilmember Nguyen voting No.

Councilmember Simpson moved, and Councilmember Reitz seconded to adopt Ordinance No. 5211, an ordinance rezoning property located at 2152 Broadway & 2155 Monument Lane from Mixed Use Neighborhood (MU-1) to Residential Medium - 8 (RM-8), City file number RZN-2023-784 on final passage and ordered final publication in pamphlet form. Motion carried by roll call vote 6-1 with Councilmember Nguyen voting No.

Council took a break at 7:20 pm and resumed at 7:34 pm.

A Resolution Accepting the Petition for the Annexation of 3.744 Acres of Land and Ordinances Annexing and Zoning the Fire Station Annexation to R/M-8 (Residential Medium – 8 du/ac), Located at 2351 H Road

City of Grand Junction requested annexation and a zone of annexation to RM-8 (Residential Medium 8) for the Fire Station No. 7 Annexation. The approximately 3.744 acres consists of one parcel of land located at 2351 H Road. The property is vacant. Annexation was sought in anticipation of developing the site for a fire station.

The property is Annexable Development per the Persigo Agreement. The zone district of

RM-8 is consistent with the Residential Medium Land Use category of the Comprehensive Plan. The request for annexation was considered separately by City Council, but concurrently with the zoning amendment request.

Principal Planner David Thornton presented this item.

The public hearing opened at 7:39 pm.

There were no public comments.

The public hearing closed at 7:39 pm.

Council shared they were happy to see another Fire Station being built in the community.

Councilmember Simpson moved, and Councilmember Nguyen seconded to adopt Resolution No. 22-24, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Fire Station No. 7 Annexation, approximately 3.744 acres, located at 2351 H Road. Motion carried by unanimous roll call vote.

Council President Pro Tem Herman moved, and Councilmember Reitz seconded to adopt Ordinance No. 5212, an ordinance annexing territory to the City of Grand Junction, Colorado, Fire Station No. 7 Annexation, approximately 3.744 acres, located at 2351 H Road, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to adopt Ordinance No. 5213, an ordinance zoning the Fire Station No. 7 Annexation to RM-8 (Residential Medium - 8) zone district, from Mesa County RSF-R (Residential Single Family - Rural) on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Letter of Intent to Purchase Property for Affordable and Attainable Housing at 450 28 Road, Grand Junction, Colorado

A Letter of Intent (LOI) has been prepared for EN-SIM QOF, LLC (Enstrom's) outlining the proposed terms and conditions for the City's purchase of 21.45 acres of an existing 35.85-acre parcel. The property is currently zoned R-24 and could support up to 500 homes. The purchase price included in the LOI is \$3.2 million. The City is the recipient of a Colorado Housing and Finance Authority (CHFA) grant to assist in the purchase of this property in the amount of \$2.2 million.

The LOI stipulates that the City will contract for various street improvements through and adjacent to the development. Along with utilities, the current estimated cost of the improvements is estimated to total \$12.2 million; the LOI proposes the developer will pay back \$2 million towards their share of the street improvements and utility extensions.

Community Development Director Tamra Allen presented this item.

Conversation included the 2025 start date seems ambitious on a property that size, commended the City staff for success on the grant and the vision for the project, and clarification of letter of intent versus a contract.

The public comment opened at 7:53 pm.

Doug Simmons CEO of Enstrom's Candies Inc shared how exciting it will be to partner with the City.

The public comment closed at 7:55 pm.

Councilmember Nguyen moved, and Councilmember Kennedy seconded to adopt Resolution No. 23-24, a resolution authorizing the City Manager to sign a Letter of Intent regarding property at 450 28 Road and to take further action consistent with the terms of the Letter of Intent. Motion carried by unanimous voice vote.

A Resolution Supporting the Contribution of Funds for the Acquisition and Permanent Protection of the Shoshone Water Rights

This item was to consider a request made by the Colorado River District for a contribution of City funds for the acquisition and protection of the Shoshone Water Rights. The Colorado River District requested consideration of \$1 million in funding from the City. Staff recommended a contribution of \$1,000,000 with funding from the General Fund.

Andy Mueller, General Manager of the Colorado River District presented this item.

Conversation ensued in support of this item, along with asking about the County's proposal.

The public comment opened at 8:24 pm.

Hannah Home spoke in support of this item.

Abby Berk expressed securing the Shoshone Water Rights is a crucial investment in support the flows of the river.

The public comment closed at 8:27 pm.

Conversation resumed regarding how this opportunity doesn't always come around and how exciting it is for the Western Slope.

Councilmember Nguyen moved, and Councilmember Reitz seconded to adopt Resolution No. 24-24, a resolution supporting the contribution of \$1,000,000 for the acquisition and permanent protection of the Shoshone Water Rights. Motion carried by unanimous roll call vote.

Discussion and Possible Direction Regarding a Contract for Interim City Manager

Conversation ensued regarding there was an email received that Roger Tinklenberg withdrew his name from consideration, naming Andrea Phillips as the sole finalist, how Andrea Phillips brings expertise in financial management, great energy, great communication, and is a great fit for the organization.

Council President Pro Tem Herman moved, and Councilmember Nguyen seconded to give authority to City Attorney Shaver to negotiate a contract for the Mayor's signature and for Council's ratification in two weeks. Motion carried by unanimous roll call vote.

Non-Scheduled Comments

Scott Mcinnis expressed his gratitude regarding the Shoshone Water Rights shared he found City Manager Greg Caton's integrity absolute, as he always represented the City's interests. He said City Manager Caton would be missed but, his move is a big gain for Scottsdale.

Christopher Michael Bickford addressed the council with concerns of prejudgment.

Terry Hoecker expressed how much City Manager Greg Caton will be missed and thanked him for his service.

Council President Pro Tem Herman stated City Manager Greg Caton created such a strong organization, that it was transformational and how he will miss their Monday morning meetings.

Councilmember Reitz expressed his appreciation to City Manager Greg Caton and thanked Mayor Stout for the process of finding an interim.

Arnold Naik with Grand Junction Police Department expressed how much he learned from City Manager Greg Caton and thanked him for his genuine support of the Police Department and said how much he will be missed.

Adjournment

Meeting adjourned at 8:47 pm.

Amy Phillips, CMC

City Clerk

