

**Grand Junction City Council**  
**Minutes of the Regular Meeting**  
**September 4, 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 4<sup>th</sup> day of September 2024 at 5:31 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Dennis Simpson, Anna Stout, Council President Pro Tem Randall Reitz and Council President Abram Herman.

Also present were Interim City Manager Andrea Phillips, City Attorney John Shaver, Director of Engineering and Transportation Trent Prall, City Clerk Selestina Sandoval, and Deputy City Clerk Misty Williams.

Council President Herman called the meeting to order. Councilmember Simpson led the Pledge of Allegiance, followed by a moment of silence.

**Proclamations**

*Proclaiming September 4-8, 2024, as PRIDE Fest in the city of Grand Junction*

Council President Abram Herman read the PRIDE Fest Proclamation. Members of Colorado West Pride accepted the proclamation.

*Proclaiming September 4, 2024, as El Espino Day in the City of Grand Junction*

Councilmember Stout read the proclamation for El Espino Day. CMU professors and students who traveled to El Salvador this year as well as Foundation for Cultural Exchange board member Nicole Kain accepted the proclamation.

*Proclaiming September as Hispanic Heritage Month in the City of Grand Junction*

Council President Pro Tem Reitz read the proclamation for Hispanic Heritage Month. Members of the Western Colorado Latino Chamber of Commerce as well as CMU students from several clubs accepted the proclamation.

## **Public Comments**

Public comments were heard from David Lehman, John Hodge, Julia Wildman and Jeanette Wiley.

## **Interim City Manager Report**

Interim City Manager Andrea Phillips did not have a report for Council.

## **Boards and Commission Liaison Reports**

Councilmember Beilfuss reported on an event hosted by the Historical Preservation board. He also gave updates on the Homeless Coalition, the Business Incubator remodel or relocation, and the Commission on Arts and Culture Board's progress on the 2025 City of Grand Junction calendar.

Mayor Pro Tem Reitz reported on One Riverfront Board concerts.

Councilmember Stout reported on the Air Service Alliance, Colorado Municipal League, Associated Governments of Northwest Colorado, and the Get to Know Your Sister City event.

Councilmember Nguyen reported on the Traffic Safety Conference.

Councilmember Kennedy commented on the Traffic Safety Conference and the Museums of Western Colorado.

Mayor Herman reported on the Downtown Development Authority (DDA) and the goats on Riverfront trail.

## **CONSENT AGENDA**

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

- a. Minutes of the August 19, 2024, Special Meeting Executive Session
- b. Summary of the August 19, 2024, Workshop
- c. Minutes of the August 21, 2024, Regular Meeting

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

- a. Legislative
  - i. Introduction of an Ordinance for Supplemental Appropriations and

- ii. Setting a Public Hearing on September 18, 2024  
An Ordinance Re-Adopting Ordinance 4973 and Amending the Sunset Clause For Use of Utility Type Vehicles (UTV's) on Segments of Horizon Drive, H Road and 27 1/4 Road in the City of Grand Junction and Setting a Public Hearing for September 18, 2024 - **Moved to Regular Agenda**

b. Quasi-judicial

- i. Introduction of an Ordinance Vacating Approximately 0.25 Acres of N 15th Street Right-of-way, Located Between G Road and Horizon Drive, and Setting a Public Hearing for September 18, 2024
- ii. 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 Gutierrez Annexation of 6.43 acres, Located on an Unaddressed Property that lies between and abuts 3070 I-70 Business Loop on the East and 3064 I-70 Frontage Road on the West and lies South of E 1/4 Road and North of I-70 Business Frontage Road and Setting a Public Hearing for October 16, 2024

**3. Procurements**

- a. Contract Approval for the Multi-Year Purchase Agreement, Subject to Annual and Supplemental Budget Appropriation from the E-911 Fund for the Carbyne 911-Hosted Phone Solution

**4. Resolutions**

- a. A Resolution Naming F 1/2 Road Parkway Four Canyons Parkway
- b. A Resolution Authorizing the Interim City Manager to Submit a Grant Request to the Mesa County Federal Mineral Lease District for Fire Training Infrastructure Improvements at the Colorado Law Enforcement Training Center

Councilmember Simpson requested that Item #2a.ii. be removed from the Consent Agenda for further discussion. Councilmember Nguyen moved, and Councilmember Simpson seconded to adopt Consent Agenda Items #1- #4, with the exception of Item #2a.ii. Motion carried by unanimous voice vote.

## **REGULAR AGENDA**

### **2a.ii. An Ordinance Re-Adopting Ordinance 4973 and Amending the Sunset Clause For Use of Utility Type Vehicles (UTV's) on Segments of Horizon Drive, H Road and 27 1/4 Road in the City of Grand Junction and Setting a Public Hearing for September 18, 2024 (moved from Consent Agenda)**

In 2019, Adrenaline Driven Adventure Company, a business located at 750 1/2 Horizon Drive that rents off-highway vehicles, requested the City Council to allow limited and specific use of certain City Streets to gain access to public lands north and east of the City. Colorado law allows a local jurisdiction to regulate the operation of off-highway vehicles on, *inter alia*, streets and highways within its jurisdiction, but not streets or roads that are part of the State or Federal highway system. The City Council adopted Ordinance 4859, which allowed the use of utility-type vehicles (UTV) on segments of Horizon Drive, H Road, and 27 1/4 Road in the City subject to certain conditions established by the ordinance.

In 2021, the City Council adopted Ordinance 4973 which extended the findings made and permissions granted with Ordinance 4859. Ordinance 4973 included a sunset clause by which the effectiveness of Ordinance 4973 was to be considered and whether the findings made and permissions granted were consistent with the general health, safety, and welfare of the residents of the City. The City Council has determined that the re-adoption of this Ordinance to again extend the use of the streets as provided in 4973 is proper. This ordinance proposes a re-adoption of Ordinance 4973 with an amendment extending the sunset thereof for an additional five years, *nunc pro tunc*, to February 1, 2024.

City Attorney John Shaver answered questions from Councilmembers Simpson and Kennedy, Council President Pro Tem Reitz, and Council President Herman.

Public hearing was opened at 6:08 pm.

Comment was heard from Louis Baker.

Public hearing was closed at 6:11 pm.

Councilmember Simpson moved, and Councilmember Stout seconded to adopt Item 2a.ii. on first reading and set the Public Hearing for September 18, 2024.

Motion carried by unanimous voice vote.

## **5. Discussion/Other Action**

- a. Consideration and Possible Approval of the City-Mesa County Valley School District 51 (MCVSD) Agreement Regarding the Orchard Mesa Community Pool

City Attorney John Shaver updated Council on the resolution from Mesa County Valley School District 51 for the Orchard Mesa Pool Agreement, which had not been signed at the time of transmittal to the City.

Council President Herman provided a brief background describing the agreement between the City of Grand Junction and MCVSD 51 for the continued operation of the Orchard Mesa Community Pool. Although the intergovernmental agreement between the City of the Grand Junction and MCVSD 51 has not been finalized yet, Council's approval of the draft IGA is being sought at this meeting, providing no significant changes are made to the agreement, which would result in the IGA being presented to Council once again.

Comments were heard from Councilmember Stout and Council President Herman regarding revisions to the IGA, as well as what the costs would be for the City to operate the pool exclusively.

Ken Sherbenou was available to answer questions fielded by Council.

Public hearing was opened at 6:28 pm.

Comments were heard from Nick Allen, Rhonda Bates, Mary Ann Tateman.

Public hearing was closed 6:32 pm.

No additional comments were heard from Council.

Councilmember Kennedy moved, and Council President Pro Tem Reitz seconded to approve authority for the Council President to sign the final agreement between the City and MCVSD 51, with the provisions requested, barring no substantial differences between the agreement presented tonight and the final copy.

Motion commentary was heard from Councilmember Simpson and Stout.

Motion carried by roll call vote 7-0.

## **6. Agreements**

- a. I-70 at 29 Interchange Road Intergovernmental Agreement

Mesa County and the City have been collaboratively developing the 29 Road corridor as a major arterial for more than 25 years. More recently, staff has been working with the Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) on the planning, environmental, and permitting components for the proposed 29 Road and I-70 interchange. Colorado State Transportation Commission approval will be sought later this summer, followed by FHWA consideration/approval of the Interstate Access Request this fall.

The funding strategy for the interchange is an important consideration for the City Council. If the City Council commits to the proposed draft intergovernmental agreement (IGA), the City will agree, subject to annual appropriation, to participate in the repayment of an \$80 million debt issued by Mesa County for the project. The IGA is an important step in Mesa County's consideration of whether to refer, as required by TABOR, a ballot measure to the November 5, 2024, election. That ballot measure, if approved by the voters, will be for the issuance of bonds to finance the I-70 Interchange at 29 Road and the associated reconstruction of 29 Road from the interchange to Patterson Road.

Interim City Manager Andrea Phillips presented the intergovernmental agreement for the I-70 at 29 Interchange Road to City Council, explaining the red line changes made by Mesa County.

City Attorney John Shaver provided clarification on questions raised regarding the ballot title for this agreement and Fair Campaign Practices Act (FCPA) concerns. The statutory deadline for ballot content is Friday, September 6, 2024, in order to be on the November 5, 2024 ballot.

Comments were heard from Councilmembers Simpson, Nguyen, Stout, Kennedy, Beilfuss, and Council President Pro Tem Retiz.

Trent Prall, Director of Engineering and Transportation, provided clarification to Council for some of their questions. Alex Pulley of Felsburg/Holt was also available via virtual meeting platform to provide definition to the proposed plans and answer technical questions from Council.

Public hearing was opened at 7:36 pm.

Comments were heard from Nick Allan, Tom Acker, Kari Sholtes, Diane Schwenke.

Public hearing was closed at 7:47 pm.

Mr. Prall and Mr. Pulley addressed concerns made during the public hearing.

Councilmember Stout moved, and Councilmember Kennedy seconded to adopt Resolution No. 61-24, a resolution adopting, authorizing and approving the

intergovernmental agreement (IGA) between the City of Grand Junction and Mesa County relating to a proposed 29 Road Interchange addition to Interstate 70 (I-70).

During a roll call vote, Councilmembers Beilfuss, Nguyen, and Simpson voted no, and Councilmembers Kennedy and Stout, Council President Pro Tem Reitz and Council President Herman voted yes. The motion was passed with a split vote of 4-3.

### **Other Business**

Council President Herman provided information regarding the event being held on Thursday, September 5<sup>th</sup> from 10 – 11 am to meet the two City Manager finalists at the Grand Junction Convention Center and clarified the day's schedule for Council.

### **Adjournment**

The meeting adjourned at 8:17 pm.

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Selestina Sandoval, CMC

City Clerk

