



# 2025 New City Councilmember Resource Guide

CITY OF GRAND JUNCTION

## Table of Contents

City History & Community Profile.....	1
Demographics.....	1
City of Grand Junction Governance.....	2
City Charter.....	2
Home Rule.....	2
Council-Manager Form of Government .....	2
City Code .....	3
Code of Ethics.....	3
Role of City Council.....	4
City Council's Employees .....	4
City Plans & Guiding Documents .....	4
Comprehensive Plan .....	4
Parks, Recreation, Open Space (PROS) Master Plan.....	5
Community Survey .....	5
Strategic Plan .....	5
Annual City Budget .....	5
City of Grand Junction Community Planning.....	6
Annual Comprehensive Financial Report.....	7
Capital Improvement Program.....	7
Authorities of the City & Resident Boards and Commissions .....	7
Mayor and Mayor <i>Pro Tem</i> .....	7
City Council Actions .....	8
Types of Council Meetings.....	8
Structure of Regular City Council Meetings .....	8
Call to order, Pledge of Allegiance, Moment of Silence .....	8
Proclamations & Appointments .....	9
Resident Comments, City Manager Report and Council Reports .....	9
The Consent Agenda.....	9
The Regular Agenda .....	9
Other Business.....	9
Ordinances & Resolutions .....	9

Initiating Items for the Council Agenda .....	11
Conduct of City Council Meetings.....	12
How to Make a Motion .....	12
Seating Order .....	12
Rules of Order .....	12
Roll Call Votes .....	12
Time Limits for Speakers .....	13
Absence of Mayor .....	13
City Staff Roles.....	14
City Manager .....	14
City Attorney .....	15
Municipal Judge.....	15
General Council Information .....	15
Councilmember Attendance .....	15
Council Packets.....	15
Media .....	15
Invitations from Community Members.....	16
Mail and Councilmember Mail Responses ...	16
Council iPads/Computers & Electronic Mail	16
City Credit Cards .....	16
Council Pay.....	17
Open Records Policy .....	17
Your First 90 Days .....	18
Communication.....	19
General Guidelines.....	19
Biweekly Council Briefings .....	20
One-on-One Meetings.....	21
Constituency Requests.....	21
Media Relations.....	21
Social Media for Elected Officials.....	22
Reference Material for Elected Officials .....	23
Leadership Resources .....	24
City of Grand Junction References .....	25
Recent Council Briefings .....	26
Recent Memorandums to City Council.....	27

Department Overview Memorandums .....	28
City Attorney's Office.....	29
Finance .....	30
Communications and Engagement .....	33
City Clerk .....	38
General Services .....	40
Community Development.....	43
Human Resources .....	50
Information Technology.....	52

Utilities .....	54
Engineering and Transportation .....	62
Visit Grand Junction .....	70
Parks and Recreation.....	75
Fire Department .....	82
Police Department.....	86
Community Survey Results.....	88
2023 Strategic Plan .....	89

## City History & Community Profile

The City of Grand Junction was first settled in 1881 and was incorporated in 1882. It became a Home-rule city in 1909 by adopting its own charter pursuant to Article XX of the Constitution of the State of Colorado. The City operates using the Council-Manager form of government. It provides a full range of services including public safety (police, 9-1-1 communication center, fire, emergency medical services and emergency transport), public works (highways, streets, and sanitation), culture-recreation (parks, cemeteries, swimming pools, and general recreation), utilities (water and wastewater) community development, visitor services, general services (procurement, fleet, facilities, special project work team, and golf courses) and general administrative services (city manager, city attorney, city clerk, finance, human resources, information technology).

Grand Junction, Colorado is the gateway to the mountains and canyonlands of western Colorado and eastern Utah. Centrally located between Denver, Colorado (250 miles east) and Salt Lake City, Utah (270 miles west), Grand Junction is surrounded by 1.2 million acres of public lands and has easy access to the Rocky Mountains and western Colorado's incredible landscape.

To the northeast, the weathered, Little Book Cliffs cut across the skyline and are a prominent series of cliffs that define the northern side of the Grand Valley. To the east, soars the Grand Mesa, one of the world's largest flat-topped mountains and home to over 200 natural lakes. And on the western side sits the photogenic canyons and monoliths of the Colorado National Monument. In between these three natural barriers sprawls Western Colorado's Grand Valley, including the City of Grand Junction and the Town of Palisade to the east and the City of Fruita to the west.

The name *Grand Junction* refers to the historical Grand River, which was renamed the Upper Colorado River in 1921, and to the confluence of the Colorado and Gunnison rivers, which are located in the City.

Visitors and residents enjoy world-class whitewater rafting on the Colorado River, golfing, fishing, skiing, and snowboarding on the slopes of nearby Powderhorn Mountain Resort and exploring mountain bike and hiking trails through the Colorado National Monument, the Grand Mesa, the Little Book Cliffs, and the Uncompahgre Plateau.

### Demographics

Demographics information is critical for making informed decisions. The following is simple demography data from the State Demographer's Office.

	Grand Junction	Mesa County	Colorado
Population (2023)	69,412	159,681	5,957,493
Population Change (2020 to 2023)	5.8%	2.6%	1.8%
Total Employment (2022)	51,293	76,656	3,318,059
Median Household Income (2023)	\$66,676	\$71,485	\$92,470
Median House Value (2023)	\$358,000	\$245,000	\$369,900
Percentage of Population with Incomes lower than the Poverty Line (2023)	13.0%	11.9%	9.3%



# City of Grand Junction Governance

## City Charter

The City's guiding document is the City Charter. The City Charter sets out the structure of the City government, including the powers and duties of the City Council and the City Manager, along with general guidelines for the operations of the City. The Charter, which can only be amended by the people in a municipal election, was first adopted on September 14, 1909. On November 8, 1921, the Charter was amended to adopt the Council-Manager form of government.

The City Charter serves as the “organic law” or “constitution” of the City of Grand Junction with regard to all local and municipal matters. The Charter sets out the structure of the city government, the powers and duties of its departments, boards and officers, and the basic principles for its operation. The Charter may be amended only by a vote of the people.

## [The Charter of the City of Grand Junction](#)

## Home Rule

Colorado cities and towns operate under provisions of Colorado state statutes (and are referred to as “statutory” cities and towns) unless voters adopt a municipal charter to become a “home rule” city or town. The City of Grand Junction is a home rule municipality. This means that its Charter, and the ordinances adopted by City Council under the Charter, supersede any conflicting law of the state in matters of purely local concern. In matters that are of mixed state and local concern, the City does not have the authority to supersede conflicting state statutes. Instead, it has a supplemental authority that permits its ordinances to coexist with state statutes on the same subject as long as they are not in conflict.

Home rule is based on the theory that the residents of a municipality should have the right to decide how their local government is to be organized and how their local problems should be solved. Municipal home rule derives its authority directly from the Colorado Constitution. It affords residents of cities and towns that adopt a local charter freedom from the need for state-enabling legislation and protection from state interference in “both local and municipal matters.”

Because the City's home rule powers extend only to local matters, it is important to identify those areas of concern that are purely local in nature, as opposed to those that are of general, statewide concern. Certain matters of local concern have been specifically enumerated in the Colorado Constitution. Others have been established by case law. What is local depends on the inherent nature of the activity in question and the impact or effect that it may or may not have on areas outside of a municipality.

Some legislative powers have been reserved exclusively to the state. In such areas of state preemption, the City is prohibited from enacting local laws unless the permission to do so is contained in the state statute. The residents of Grand Junction must comply with all pertinent state statutes, except in matters of purely local concern that are governed by local ordinances or charter provisions. In these areas, the City has the ability to adopt its own laws and regulations, even if they are in conflict with the corresponding state laws.

## Council-Manager Form of Government

The City of Grand Junction is governed by the principles of the Council-Manager form of government. It is a form of government that became popular in the early part of the last century.

The goal of a Council-Manager form of government is to separate the administrative functions of the city government from the political process. The administrative aspects of the organization are run by professional staff members trained in government administration. The City Council sets policy and adopts an annual budget for the municipality. The City Manager is the Chief Executive Officer (CEO) of the City and responsible for the day-to-day activities of municipal government, such as hiring staff and carrying out policy directives. Of Colorado's 272 municipalities, 181 operate under the council/manager system.

Under Grand Junction's Charter, the Council-Manager system requires that the elected officials, City Councilmembers, are responsible for policy decisions, and for the hiring and supervision of their direct employees—the City Manager, City Attorney and Municipal Judge. The City Manager is responsible for the day-to-day operations of the organization, providing direction to city staff reporting directly and/or indirectly to the City Manager. Under the Charter, the City Councilmembers are specifically prohibited from giving direction to, or hiring or firing any staff members, except for the City Manager, City Attorney and Municipal Judge.

### City Code

The City Code contains all the current laws enacted by City Council. To keep it current, the Code is supplemented approximately four times per year. The Code contains only ordinances that are permanent in nature (see Ordinances/Resolutions). Other ordinances, such as appropriation ordinances, are not codified. Copies of the City Code are available for the public at the City Clerk's Office and online through the [City's website](#).

### Code of Ethics

The code of ethics in state statute specifies rules of conduct and violations that constitute a breach of fiduciary duty and the public trust.

Local government officials and employees shall not:

- disclose or use confidential information acquired in the course of their official duties to further substantially their personal financial interests;
- accept a gift of substantial value or a substantial economic benefit tantamount to a gift of substantial value (see Amendment 41 below);
- engage in a substantial financial transaction for their private personal gain with someone they inspect or supervise in the course of their official duties;
- perform an official act directly and substantially affecting its economic benefit to a business or other undertaking in which they either have a substantial financial interest or are engaged as counsel, consultant, representative; or agent; nor
- hold an interest in any contract entered into by the governing body.

**Amendment 41** – Municipal officials and their immediate family members are barred from accepting gifts with a value exceeding \$59 from any one person in any calendar year. Exceptions include gifts from family and personal friends, campaign contributions, awards such as plaques and trophies, and food and beverage at events where the elected official is listed as part of the program.

**Conflicts of Interest** – Elected officials are required to abstain from voting on any proposed or pending matter before the governing body when they have a personal or private interest in the matter.

When this situation arises, the official must disclose the interest to the governing body, not vote, and not attempt to influence the votes of other members of the governing body.

Generally, a personal or private interest is treated as a financial stake in the matter at hand. This standard is applied to avoid the appearance of impropriety among government officials. Officials should consult with their municipal attorney on questions of whether they have a personal or private interest in a matter.

## Role of City Council

A frequent subject of discussion among elected officials and staff members is the distinction between the policy-making functions of a City government and the administrative functions. The Council-Manager form of government seeks to differentiate these two roles. Defining the policy-maker role requires taking a “big picture” view of the mission of the organization and the Council’s goals.

**Policy Formulation** – Councilmembers formulate policies for the broad issues that affect the community, in both the short and long term. Policies are the framework or foundation that, in turn, guides the large and small decisions that are made by the City on an ongoing basis. The City Manager and City Attorney participate in policy discussions with City Council and the City Manager works with the professional staff to bring professional recommendations and information City Council needs to make policy decisions.

## City Council’s Employees

A secondary responsibility of the City Council is the working relationship with its three employees. City Council has three employees—the City Manager, City Attorney and Municipal Judge. Council also reviews the performance of the City Manager, City Attorney, and Municipal Judge. The City Charter permits, but does not require, these evaluations to be conducted in executive sessions.

These three employees are directly responsible for their respective functions. The City Manager is responsible for the administration of the City organization and the supervision of all staff members. The City Attorney is responsible for providing legal services to the City. The Municipal Court is responsible for providing court services for all charges of misdemeanor and causes under Charter, Ordinance, Regulations, or other Rules of the City for a violation thereof.

## City Plans & Guiding Documents

### Comprehensive Plan

The City of Grand Junction understands the importance of planning for the future. The Community Development department initiates and facilitates long range planning efforts for the City. Over the years the City has adopted long range plans for the entire urban area, neighborhood planning areas, street corridors, area plans, subarea plans and overlay districts. Some plans are planned jointly with Mesa County and adopted by both entities. The City’s One Grand Junction Comprehensive Plan took 22 months to complete and was adopted by the City Council on December 16, 2020. The Plan supersedes and replaces the 2010 Joint Grand Junction Comprehensive Plan adopted by the City and Mesa County in February 2010. Grand Junction’s Comprehensive Plan is a blueprint for the City and the foundation of the Plan is the community’s vision for its future. This vision guides the goals and strategies included in the plan that ultimately informs city priorities, future growth, services, and development in Grand Junction.

The Plan was derived directly from ideas and themes generated during the community outreach process. The Plan can be viewed online: [2020 Comprehensive Plan](#)

#### Parks, Recreation, Open Space (PROS) Master Plan

The PROS Master Plan process began back in March of 2020, funded in large part by a Great Outdoors Colorado (GOCO) grant. Over ten months, the Parks and Recreation department worked closely with the consultant team, Green Play, LLC, DHM Design, RRC and Barker Rinker Seacat Architecture to complete the plan. Public input was collected throughout the process and drove the content outlined in the PROS Master Plan. A considerable amount of work was put into this plan from a variety of individuals and committees including members of the Parks and Recreation Advisory Board, members of the PROS Master Plan Advisory Committee, parks and recreation staff, City leadership, and City Council.

The PROS Master Plan outlines top priorities for the parks and recreation system as well as projects to be completed over the next eight to ten years after plan adoption. Top priorities captured from community input include a community center, trail connections and expansions, river conservation, access, and improvements, and an indoor warm water leisure pool.

The full plan can be viewed online: [PROS Master Plan](#)

#### Community Survey

The City of Grand Junction conducts a community survey every two years following the adoption of the new Comprehensive Plan. The intent of these surveys is to gather feedback from residents on the services provided by the City as well as community priorities. The results aid in the development of the biannual strategic plans. The latest community survey was completed in 2024.

The final results of the 2024 survey are included in this packet.

#### Strategic Plan

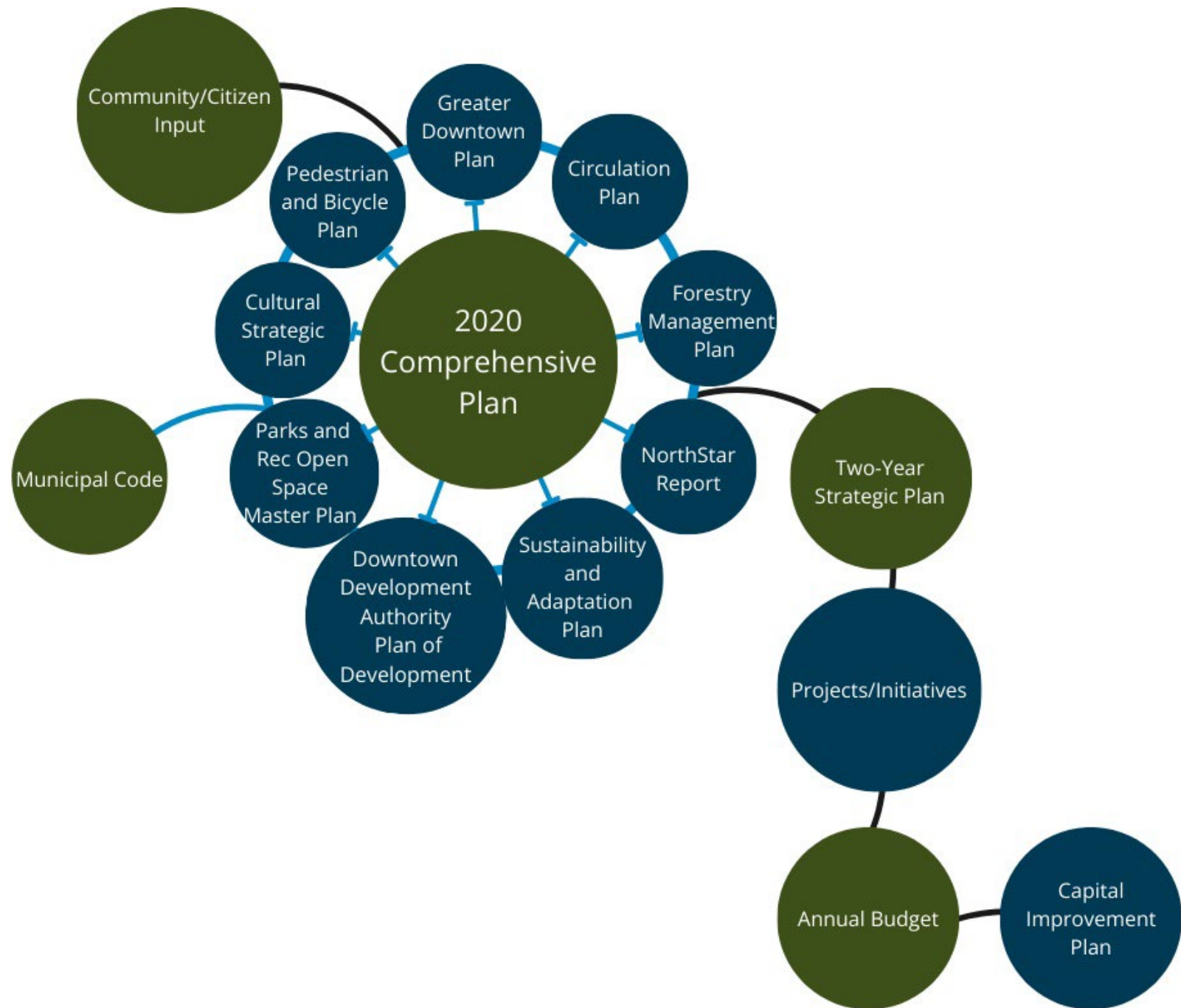
The current 2023 City of Grand Junction Strategic Plan is the document that serves as a guide for the City Council and City staff over the course of two years and will be updated in the spring/summer of 2025. The current Strategic Plan has five guiding priorities that provide overarching direction for implementing the plan. The guiding principles are *Placemaking, Thriving and Vibrant, Safe and Healthy, Resource Stewardship, and Welcoming, Livable and Engaging*. A copy of the 2023 Strategic Plan is included in this guide.

#### Annual City Budget

The 2025 Budget is built on the foundation of the strategic plan, the ten-year capital plan, and a five-year financial forecast in addition to revenue projections based on economic indicators. Projections of annual revenues in 2023 include a 3% projected growth in sales tax revenues. The spending budget reflects an emphasis on City Council's Strategic Priorities, while balancing increased operational costs and capital costs. A copy of the 2025 Annual Adopted Budget Book is available online: [2025 Budget Book](#).

## City of Grand Junction Community Planning

The City of Grand Junction utilizes multiple plans to carry out the community's vision. The following visual illustrates how these plans work together.



### Annual Comprehensive Financial Report

As required by state law, the City annually produces a complete set of financial statements, known as the Annual Comprehensive Financial Report, within six months of the close of each fiscal year. This document is presented in conformity with the generally accepted accounting principles (GAAP) and audited in accordance with general accepted auditing standards by a firm of licensed public accountants. The Report includes a narrative introduction, overview, and analysis to accompany basic financial statements. A copy of the 2023 Annual Comprehensive Financial Report can be found online: [2023 Annual Comprehensive Financial Report](#).

### Capital Improvement Program

Each year, the City of Grand Junction invests a significant portion of the annual budget in capital improvements in the community. Through the continued assessment of the condition of City assets and a series of long-term capital and financial funding plans, the City of Grand Junction ensures that existing infrastructure is adequately maintained and that future infrastructure is constructed in a fiscally responsible manner. These 10-year plans identify and prioritize critical projects based on the directives established by the Strategic Plan. The first five years of the 10-year Capital Plan are balanced, and years six through ten contain projects that remain unfunded.

### Authorities of the City & Resident Boards and Commissions

Resident participation at all levels of the governmental process is valued and encouraged. The City of Grand Junction has 18 boards, committees, commissions and authorities on which over 100 residents serve. Generally, the terms board, committee, commission, and authority are synonymous. However, there are a few differences in the functions and powers of some boards. Some of the City's boards require city residency, but several do not. There may be other qualifications required for membership on some boards but for the most part, the volunteer boards have a cross-section of community members willing to provide their time and particular talents.

The City also has several authorities, such as the Downtown Development Authority and the 5-2-1 Drainage Authority. Detailed information about specific boards, commissions, and authorities is available from the City Clerk's office: [Boards and Commissions](#).

### Mayor and Mayor *Pro Tem*

In addition to their roles as City Councilmembers, the Mayor and Mayor *Pro Tem* have additional responsibilities that are outlined in the City's Charter and Code. Under the City Code the City Manager is responsible for setting the agenda for the City Council meetings. The mayor acts as chair for Council meetings, acts as the head of City government for ceremonial functions, and signs legal documents that require the mayor's signature.

The Mayor *Pro Tem*'s responsibilities, as outlined in the City Charter, are to act as the mayor in case of absence or disability of the mayor. If a vacancy occurs in the position of mayor, the mayor *Pro Tem* will fill that vacancy, under certain circumstances defined by the Charter.

During the organizational meeting of the City Council (the first regular or special meeting after the April election), City Councilmembers elect the Mayor *Pro Tem* for a two-year term.



## City Council Actions

### Types of Council Meetings

There are several types of meetings that City Councilmembers participate in on a regular basis. Each type of meeting is established to accomplish certain tasks that are important in Council's role as policy makers.

- **Regular Council Meetings** – The City Council meets in regular session at 5:30 p.m. the first and third Wednesday of each month. The meetings are the business meetings of the City Council at which ordinances and resolutions are considered by the City Council and where the Council makes decisions. Public participation is included in these meetings.
- **City Council Workshops** – City Council Workshops are held on the first and third Monday of each month at 5:30 p.m. These workshop meetings are intended for Councilmembers to discuss upcoming issues, conduct an in-depth study of an issue, and receive information. The public may attend workshops but normally are not permitted to participate in the discussion. No formal action can be taken by City Council at workshops.
- **Special Council Meetings** – A special meeting may be called to conduct official business of City Council. A special meeting may only be held after written notice is given at least 24 hours prior to the meeting, stating the time, place, and purpose of the meeting.
- **Executive Sessions** – Executive sessions are closed meetings for the purpose of considering personnel matters, legal matters, or real property sales or acquisitions. Such sessions may be held during the course of a regular, special, or adjourned Council meeting. No formal action may be taken by the Council in an executive session. Matters discussed in the executive session are kept confidential.
- **Impromptu Meetings** – Whenever three or more Councilmembers get together to discuss public business in person, or by telephone, or even by a pre-arranged email exchange, such a gathering constitutes a meeting that must be open to the public. If three or more Councilmembers attend such a meeting, or are even expected to attend, the City Code requires that "full and timely notice" be given to the public, which means the posting of a written notice at least 24 hours in advance.

These requirements do not apply to chance gatherings or those that are primarily for social purposes, or to conferences or seminars. The City Attorney's Office should be consulted with regard to any situations where these requirements may come into play.

### Structure of Regular City Council Meetings

The regular meetings of the Council have a structure that is used consistently at each meeting. This meeting outline is provided to the public who attend the meetings, so they know what to expect during the meeting. The agenda is published by the City Clerk's Office and is available on the Friday prior to the meeting. Please see Resolution 40-20 Rules of Decorum governing conduct at meetings.

#### Call to order, Pledge of Allegiance, Moment of Silence

In this section, the Mayor, or presiding Councilmember, calls the meeting to order. Council leads the audience in the Pledge of Allegiance, and a moment of silence is held for a moment of respectful reflection.

### Proclamations & Appointments

Proclamations are scheduled on the agenda through the City Clerk's Office. Proclamations are brought forward at the discretion of the Agenda Committee and staff to celebrate community events and are not normally considered if they promote a commercial endeavor or seek to advance a particular cause, especially one that is controversial or divisive.

Any appointments to the City's various volunteer boards and commissions are made following any proclamations.

### Resident Comments, City Manager Report and Council Reports

A portion of each regular Council meeting is devoted to public participation for items not scheduled on the agenda or for comments regarding scheduled items. Public participation is scheduled near the beginning of the meeting and speakers must sign up prior to the call to order with staff in the City Clerk's Office. Time is limited to three minutes per speaker and Councilmembers may choose not to respond or direct the comments to staff. Time is also allotted for public comment during each agenda item considered by Council. Non-scheduled public and visitors may speak to the City Council about items on the agenda or previous workshop after the Regular Agenda has been completed.

Time is also allotted for both City Council and the City Manager to provide updates on projects or activities that occurred since the most recent meeting.

### The 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. This allows the City Council to spend its time and energy on the more complex or controversial items on a lengthy agenda. If a Councilmember "pulls" an item from the Consent Calendar, it will be heard before the Regular Agenda.

### The Regular Agenda

Following the Consent Calendar, the remainder of the agenda is devoted to items needing individual consideration. Each discussion item is considered and voted on separately.

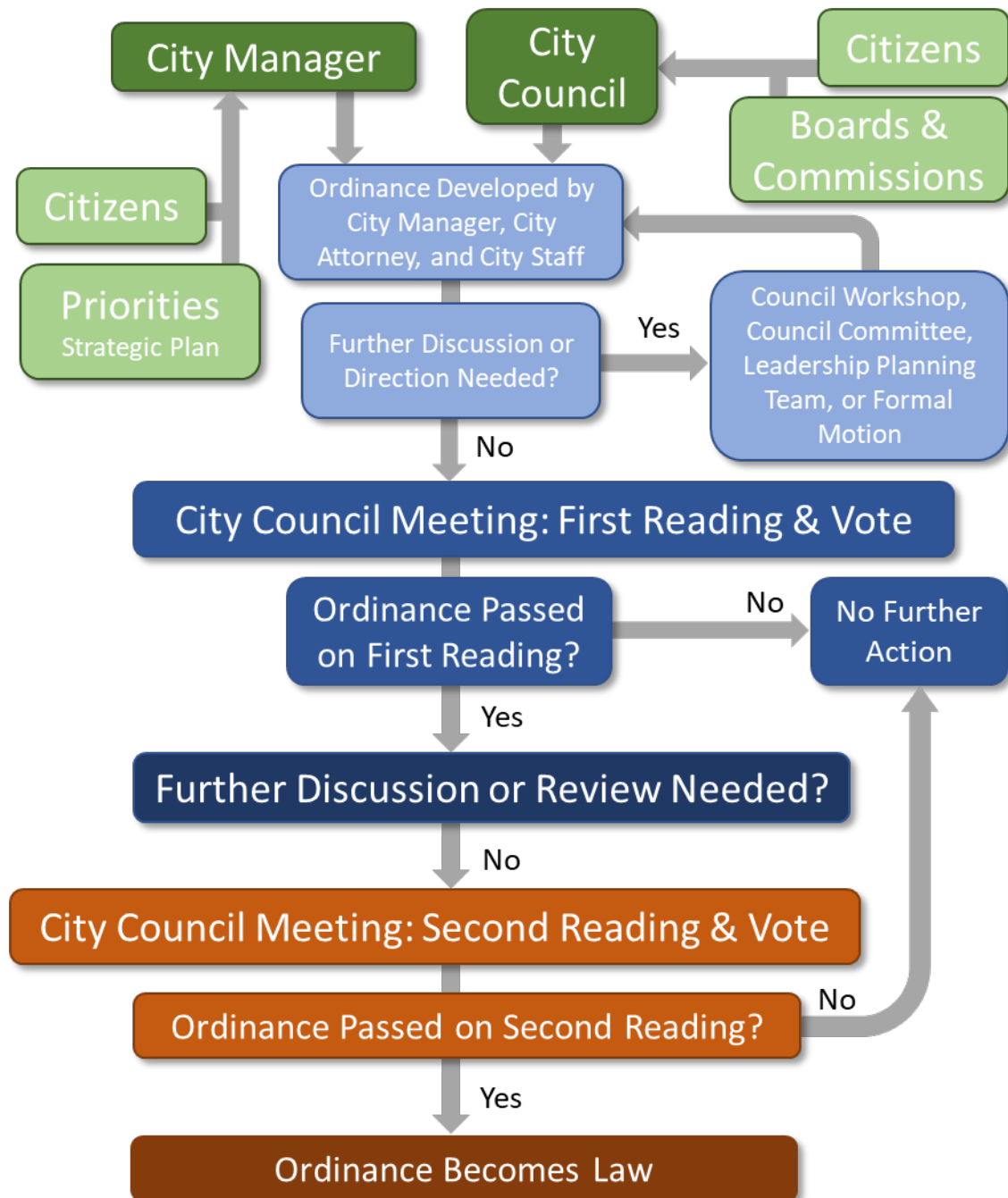
### Other Business

This portion of the agenda allows Councilmembers to discuss items, request information and introduce motions about items that were not scheduled on the agenda. At least 24 hours' notice should be given to the public of any matter that may be the subject of formal Council action under Other Business.

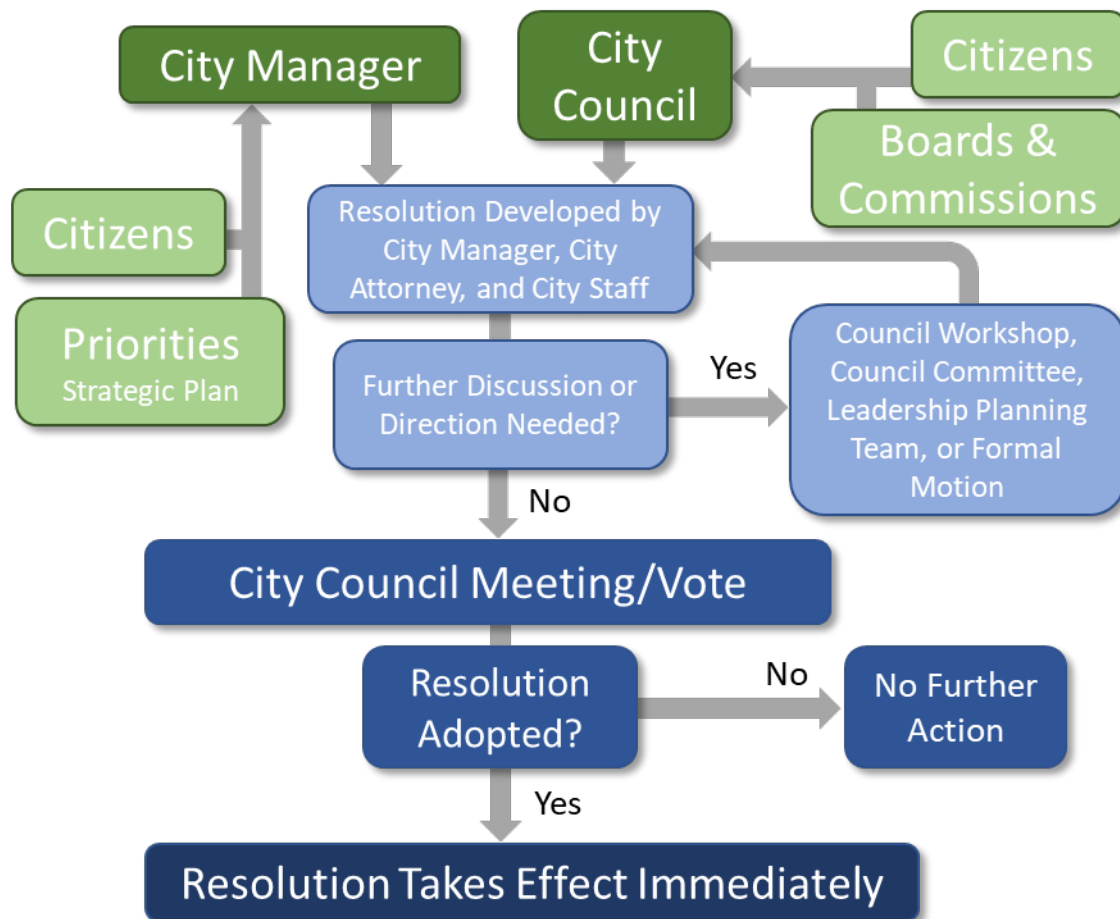
### Ordinances & Resolutions

Ordinances are legislative acts that establish permanent policy of broad application affecting, in an important or material way, the people of the city. An ordinance requires two readings by City Council and takes effect ten days after final passage on second reading. The Charter requires that Council act by ordinance whenever it adopts legislation.





A **resolution** usually denotes an action that is administrative in nature or that gives policy direction in a less formal manner than an ordinance. Resolutions often deal with matters of a more temporary character, such as statements of opinion or policy not requiring an ordinance, or administrative direction regarding particular items of business. Resolutions take effect immediately after they are approved by vote of the Council.



### Initiating Items for the Council Agenda

The City Manager works with City Clerks and the City Attorney to ensure items are placed on the agenda of a regular meeting, workshop, or special meeting agenda as needed to be brought to the City Council or as directed by the City Council for consideration. The agenda is distributed to the members of City Council after it is complete. At least four Council Members may direct the City Manager to place an item on a regular meeting agenda. The general public may not, without the approval of the City Manager or at least four Council Members, place items on a regular meeting agenda.

The City Manager and City Clerk shall be responsible for scheduling all meeting agenda items. In other words, if four or more Council Members request that an item be placed on a regular meeting agenda, the City Manager and City Clerk shall determine which regular meeting agenda is appropriate for such item.

The agenda of meetings shall be posted at least twenty-four (24) hours prior to the meeting. Any other notice allowable by law shall be permissible. In addition, a reasonable effort will be made to notify the media normally covering a City Council meeting when the decision is made to call the meeting. Notice of a Council meeting shall be posted at the designated posting location at City Hall and on the City website. Notices may also be posted at other appropriate locations.

Prior to each meeting of the Council, the City Manager shall distribute to each Council member:

- A copy of the agenda of the meeting, stating therein each matter to be discussed or debated by the Council by title, description and/or synopsis.
- A copy, in its latest form or edition, of each ordinance, resolution, or other written or printed document to be presented at the meeting, including background information, analysis and recommendation to City Council when applicable.
- A copy of the minutes of the previous meeting.
- Copies of the agenda also shall be kept in the City Clerk's office and shall be available in the City Hall Auditorium on the night of a regular, special or emergency meeting, and shall be made available to any member of the public who so requests.
- A packet will be provided in the City Hall Auditorium for any member of the public to inspect it with all material for the meeting except the material that is client/attorney privilege.

## Conduct of City Council Meetings

### How to Make a Motion

A motion is a proposal that the Council take a certain action or express certain views. The mayor will entertain motions at the appropriate time in the discussion by asking if there are any motions. A motion is made by a Councilmember obtaining the floor and saying, "I move that..." and then stating the action proposed. Once a motion has been made, the mayor will ask if there is a second. The motion dies unless there is a second. Every Councilmember present must vote.

### Seating Order

The mayor is seated in the center, with the mayor *Pro Tem* seated on either the left or the right. The remainder of the Council is seated around the mayor and mayor *Pro Tem*.

### Rules of Order

The City Council's rules or procedures for conducting Council meetings are based upon Robert's Rules of Order. Under those rules, the mayor also participates in the discussion and voting. The following method is used by the Council for receiving and considering agenda items at their meetings:

- |                             |                              |
|-----------------------------|------------------------------|
| 1) City staff presentation  | 3) Public discussion closed  |
| a) Description and analysis | 4) Council Questions         |
| b) Recommendations          | 5) Council motion and second |
| c) Council questions        | 6) Council discussion        |
| 2) Public input             | 7) Council decision          |

Before addressing the City Council, each individual person must be recognized by the Chair, come to the microphone at the front of the Chamber, and state their name for the record. All proceedings are audio and videotaped.

### Roll Call Votes

The mayor, who chairs the Council meeting, calls for a roll call vote at the conclusion of the Council discussion of the motion on the floor. The City Clerk calls the names of the Council Members in the order in which they are seated. Each subsequent roll call vote begins with a different Councilmember.

### Time Limits for Speakers

Council has established time limits for public addressing the Council. The limit is generally three minutes during the regular agenda and the public comments portion of the meeting. Time limits may be adjusted depending on the number of speakers.

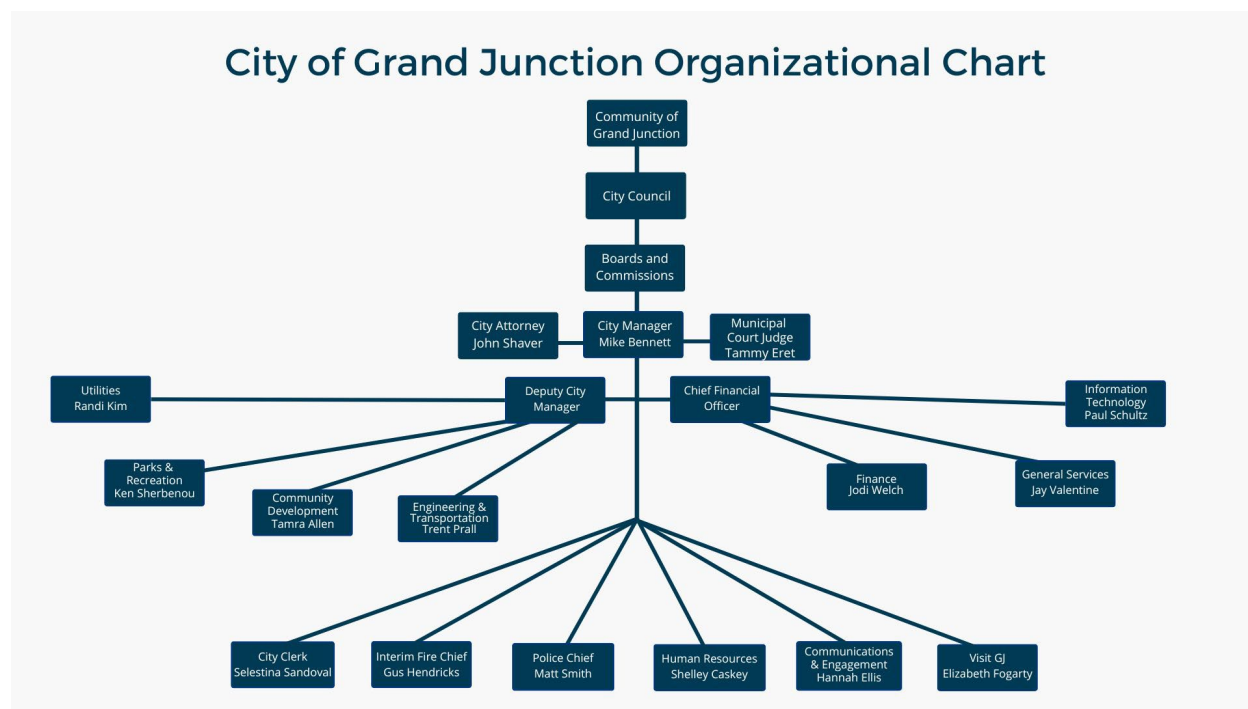
### Absence of Mayor

Occasionally, the mayor may be absent from a Council meeting. The mayor *Pro Tem* will generally chair these meetings, or another Councilmember may be asked to do so if the mayor *Pro Tem* is unavailable.

## City Staff Roles

City staff members are responsible for the day-to-day functioning of the City's service areas.

A current City organization chart is shown below.



Staff members have training in a wide variety of disciplines, from engineering to construction trades to law enforcement and administrative support. City Council has three direct staff employees: The City Manager, City Attorney, and Municipal Judge. The contact that City Council has with staff members are primarily through its three direct employees.

### City Manager

The City Manager is hired by City Council to serve as the organization's Chief Executive Officer. The City Manager is responsible for carrying out the mission of the City Council as well as directing and coordinating all City services in the City including General Government, Police, Fire, Parks and Recreation, Engineering and Transportation, Utilities, and Visit Grand Junction. Furthermore, the City Manager is responsible for presenting information and recommendations to the Council and implementing policies and goals set by the City Council.

The City Manager is responsible for the administration of the City organization and the supervision of all staff members. The City Manager is ultimately responsible for hiring, firing, directing, and evaluating his or her staff members, though many of those responsibilities are delegated to the various Departments.

The City Manager serves as the primary clearinghouse for all requests from City Council. The City Council works with the City Manager to establish priorities and goals for the organization. This direction takes place both at City Council meetings, and through Council workshops.

### City Attorney

Under the City Charter, the City Attorney is appointed by and serves at the guidance of the City Council. The City Attorney's Office provides legal advice to the City Council, staff, and boards and commissions for the benefit of the Grand Junction public. The City Attorney attends all City Council meetings and drafts ordinances and resolutions. In addition, the City Attorney provides advice to the Planning Commission, Board of Appeals, and Liquor Licensing Board. The City Attorney reviews and consults on contracts regarding City services and provides legal opinions and consulting on a daily basis on such issues as personnel, land use and development, property acquisition, finance, and other matters of municipal law.

The attorneys in the office serve in an advisory capacity by interpreting federal, state, and local laws as they pertain to the conduct of City business and by advising Council and staff accordingly. The attorneys are also responsible for preparing all ordinances and other legal documents of the City, attending all Council meetings, and prosecuting violations of the Charter or Code in Municipal Court. The office does not give legal advice to private members of the public.

### Municipal Judge

The Municipal Judge is appointed by City Council and serves at the guidance of the City Council. Cases adjudicated in Municipal Court involve misdemeanors and traffic violations arising under the City Charter or Code. The Municipal Court is responsible for providing court services for all charges of misdemeanor and causes under Charter, Ordinance, Regulations, or other Rules of the City for a violation thereof. In 2018, Municipal Court moved under the Finance umbrella.

## General Council Information

### [Councilmember Attendance](#)

The Charter specifies that a vacancy on Council exists when a member of the Council fails to attend all regular and special meetings.

### [Council Packets](#)

Written information is provided to Council on each Friday before Council workshops and regular meetings. These packets include information for Council meetings, correspondence received by mail or hand delivered from the public, events that Council has been invited to, memos from staff, and other relevant information. Packets are available online for Council to view.

### [Media](#)

Media requests are coordinated through the Communications and Engagement Department. Please keep the City Manager and staff apprised of all interactions with the media. Staff may reach out to you when coordinating with the media on a story. Given the nature of news cycles and the news media, short deadlines may need to be accommodated. Maintaining a good relationship with our news media is critical to ensuring that reported information is accurate and disseminated in a timely manner.

### Invitations from Community Members

Invitations for the mayor and City Council from community members and local organizations are generally received in the City Manager's Office. Administrative support staff will coordinate with the event hosts and send meeting invitations via Outlook, which should be accepted or declined by each Councilmember based on availability. Responses and logistics of invitations directed to the mayor will be coordinated by staff. If the mayor is not available, the invitation will be offered to the mayor *Pro Tem*, then to various Councilmembers based on district or area of interest.

### Mail and Councilmember Mail Responses

A majority of Council's correspondence will be mailed to City Hall. If a Councilmember receives a letter at their home or place of business that would be of interest to the full Council, they are asked to bring it to the City Manager's Office. Staff will copy and distribute it to the other Councilmembers.

The City Manager's Office opens and dates all Council mail unless notified by a Councilmember to leave it sealed. The mail may be addressed to "Mayor" or "City Council." Administrative staff examines each piece of mail and, if pertinent to a Council agenda item, shares the mail with all Councilmembers and the appropriate staff.

Mail items treated as correspondence are shared with Councilmembers via Council Packets. If a Councilmember desires a response, he or she should contact the City Manager to discuss the item. Mail items are copied and placed in Council Packets. Responses from the City Manager will also be forwarded to Councilmembers in Council Packets.

### Council iPads/Computers & Electronic Mail

Outlook is the City's electronic mail network and scheduling software. Each Councilmember is provided an iPad or a laptop computer for the purpose of accessing the City's corporate electronic mail system. The City Manager's administrative staff will work with Information Technology (IT) staff to make hardware and training available.

Each Council member will be given a city email address. All Council emails are considered for public records under the Open Records Act. Councilmembers' use of City iPads and/or computers is governed by the same policies that are applicable to City employees.

### City Credit Cards

As a Councilmember, you will be issued a City of Grand Junction purchasing card (P-card) to cover expenses related to official City business. Generally, the appropriate expenses incurred on City credit cards include expenses associated with travel (hotel, meals, car rental); City-related meetings (meals); and seminar registrations.

The City Manager's Office will process incurred City credit card expenses. Retain all credit card receipts and bring them to administrative staff. Documentation needed for out-of-town travel and in-town meals must include an itemized receipt as well as a notation regarding the names of individuals being fed, the place or location, the business purpose, the date and which meal was purchased (lunch, breakfast or dinner).

City policy prohibits the use of City funds for purchasing alcohol. Alcoholic beverages must be placed on a separate tab from which City funds are used. If alcoholic beverages are included on a restaurant

or hotel bill by accident, Councilmembers shall reimburse that amount to the City through cash or check. If a hotel bill includes charges for entertainment such as in-room movies, Councilmembers shall reimburse these charges to the City.

Please be aware that credit card expenses are public information and have been requested for review in the past. These accounts may also be audited.

### Council Pay

The President of the Council shall be paid a salary of \$750.00 per month and all other councilmembers shall each be paid a salary of \$500.00 per month. City Councilmembers are compensated on a monthly basis. New Councilmembers will be asked to provide information to the City's payroll office such as a Social Security Number, proof of citizenship (i.e., a Social Security Card, driver's license, birth certificate and/or other proof of citizenship), and a W-4 tax withholding form. W-2 tax forms will be provided to Councilmembers in January of each year for income tax filing purposes.

### Open Records Policy

It is the policy of the City of Grand Junction to provide public access to City records as allowed and required by the Colorado Open Records Act (CORA) codified in 24-72-201 C.R.S. *et. Seq.* The State Legislature has declared that all public records shall be open for inspection by any person at reasonable times, except as provided in the law.

In general, all City records are public records open to public inspection regardless of the form (paper or electronic) unless specifically exempted by law. Records which are exempted from disclosure include many police records, most personnel records, protected health information, real estate appraisals, customer service and usage information, legal advice from the City Attorney's Office and other privileged information. Questions on the disclosure of records should be directed to the City Records Manager.

The Colorado Open Records Act requires that City staff make any public record available for inspection and copying within three business days of a request for that record, unless certain statutorily defined "extenuating circumstances" exist. Sometimes the specific request will include requests for electronic communications, documents, etc., which are in the possession of City Councilmembers. It is critical that the City respond promptly to any such requests by working to locate the requested record(s) and proceeding to determine whether the record is a "public record" as defined in the Act, or whether it is subject to a privilege protecting it from disclosure under the Act. When staff notifies you of the Open Records request for which you are named as possibly having responsive records, please adhere to the following guidelines:

- If responsive records are in the form of electronic communication (email, text, Microsoft Teams chat) on a City-issued cell phone or computer, the City's IT department will conduct a keyword search to retrieve applicable communications, requiring no action from you. The City Attorney may assist in determining which, if any records identified by IT, are responsive.
- If responsive records of electronic communication or files of any type are stored on a personal device such as a cell phone or personal computer, you may be required to surrender these devices to IT to perform a forensic search for the responsive records.



- If responsive records are documents such as Word documents, spreadsheets, pdfs or other file types, the City Manager and City Attorney will be notified and will coordinate with you to retrieve the record.

Please search for and retrieve applicable records and provide them in a timely manner through the City Attorney who will then work to finalize the request within the 72-hour deadline. Any record that is the subject of a pending Open Records request for inspection should not be deleted, notwithstanding the general retention guidelines discussed above.

## Your First 90 Days

Embarking on your City Council journey is an exciting commitment, and the initial 90 days are crucial for acclimatizing to this new role. Even if you've served on boards before, City Council membership introduces a unique learning curve. Expectations often differ from reality, requiring a thoughtful adjustment period.

As you delve into your council packets, brace yourself to encounter numerous new terms and concepts. The first 90 days will be marked by a series of significant "firsts": the first legislative sessions, quasi-judicial hearings, participation in a commission, and the first moments when community members approach you with concerns. The challenge might feel akin to attempting to drink from a fire hydrant, but rest assured, this initial intensity is a normal phase that becomes more manageable over time.

Remember, asking questions is not just okay; it's encouraged. If something is unclear to you, chances are others share your uncertainty. This collaborative approach is fundamental; after all, City Council work is a team effort.

Mistakes are an inevitable part of the learning process. Whether procedural, in communication, or in understanding concepts, every council member has been there. Embrace these experiences as opportunities for growth. Making mistakes is acceptable; what matters is owning them and learning from them.

While the present council is not bound by the decisions of its predecessors, understanding the historical context is essential. Past decisions were made with significant dedication to the well-being of our community. If you find yourself at odds or questioning a previous policy or council decision, invest time in understanding the reasoning. Ask questions of your fellow Councilmembers and the City Manager to better understand the policy or decision to help facilitate conversations moving forward.

In your first 90 days, leverage the support of your fellow council members, the City Manager, and the City Attorney. They are invaluable resources ready to assist you in familiarizing yourself, navigating challenges, and collectively contributing to the enhancement of Grand Junction as a community.

# Communication

A message from Mike Bennett, City Manager

As the City Manager, it is my duty to ensure timely, accurate, and objective information is provided to the entirety of the Council. This includes disseminating information developed by our professional staff, including project updates, advanced notice of community issues as they arise, the how and why behind operational decision-making, and responses to community concerns. Councilmembers will often be approached by community members about various issues and may hear speculation or rumors that may or may not be representative of the facts. If you hear or are informed of issues that concern you, please contact me directly.

We have developed several strategies to ensure you, as a Councilmember, are up to date on key community issues and have ample opportunity to meet with me to discuss concerns and questions. These next few pages will cover strategies that the staff and I have found effective in ensuring strong lines of communication while safeguarding City Councilmembers and staff from unintentional impacts.

## General Guidelines

- As the City Manager, I work for the entire City Council as a single body. A key responsibility of mine is to assist Councilmembers, so please do not hesitate to ask me for assistance. I am here to ensure you are effective and successful in your role.
- When staff distributes information, often we will provide this information to all Councilmembers in an effort to keep all members equally informed. In cases where the information is specific to a single Councilmember or a typical question we may receive from any resident, I may just provide the response directly to the Councilmember it concerns. That being said, the general rule is to provide information to the entire body of Council because we believe that all elected officials having the same information is crucial to keeping the lines of communication open, effective, and fair.
- Councilmembers should generally direct all their inquiries to the City Manager, and I will coordinate with staff if necessary to develop a response. Councilmembers should be mindful of their communication with staff on matters concerning City business. While Council is not prohibited from inquiry of City staff as provided in Article VII of the City Charter, the City Council is prohibited from directing or giving orders to subordinates of the City Manager. Further, certain issues, such as Land Use items, are subject to quasi-judicial review (this will be further described in onboarding), and it would be inappropriate for the Council to ask questions of the Community Development staff, the answers to which applicants do not have a full opportunity to respond or are otherwise made part of the public record. To avoid any misconstruing of the separation of the duties of the legislative body and the duties of the Chief Executive Officer and to ensure timely and accurate information is provided to the entire body of Council, I ask that inquiries be directed to the City Manager. This ensures an effective and predictable flow of information to and from the City Council.
- The Colorado Open Meetings Law requires that “All meetings of a quorum, or three or more members of a local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken, are declared to be public meetings open to the

public at all times.” (C.R.S. § 24-6-402(2)(b). As such, it is important to avoid inadvertently creating a public meeting that has not yet been properly posted and open to the public, whether in person or electronically, such as via email or social media. To avoid this, when we provide email updates to the City Council (which are public records), we email them as a blind copy to avoid accidental replies, which can lead to an inadvertent open meetings law violation. If not a blind copy, you may see a clarification “**Do Not Reply All**” and encourage any questions to be directed to me individually and Council discussions to only occur in noticed public meetings. The City Clerk will publicly post all meetings on the City’s designated online calendar when there is a possibility of three or more members of the Council attending a meeting or event, and as a Council, you must not conduct any public business outside of a properly posted public meeting. Meetings may include electronic communication and are interpreted as “any kind of gathering convened to discuss public business in person, by telephone, or by other means of communication.” C.R.S. § 24-6-402(1)(b). Public meetings do not include a chance meeting of a quorum of three or more members or a social gathering of a quorum of three or more members provided that public business is not the central purpose; however, be aware that public perception may not view such an encounter favorably.

- Finally, and most importantly, Councilmembers should keep in mind that as City Manager, I work for the City Council as a body, not seven individual elected officials. To be effective, the Council must act as a single governing body, not as seven individuals with seven different agendas. Because of that, I (or any staff) cannot always simply “do” what one Council member wants done. To be fair to the Council as a whole and to do my job well, staff need to do what the majority of the Council directs and not try to meet the needs of individual Council members. For this reason, at Council meetings, you will often hear staff clarify our understanding of Council direction during a Council meeting.

Following these general guidelines will ensure that the lines of responsibility between the Council as the legislative body and the City Manager as the Chief Executive Officer are clear. These methods, built on my experience and best practices established across many other municipalities, will solidify a positive environment that allows the City Council to consider and set policies for the City and the City Manager to effectively manage the City’s operations and carry out the City Council’s policy directives.

### Biweekly Council Briefings

Every first and third Friday of the month, I will provide the City Council with a link to key updates from staff on projects, initiatives, upcoming events, and development activities, known as the Council Briefing. The following Monday, this link will be made available on the City’s website for public and media viewing. The Council Briefing fulfills two objectives of the City of Grand Junction. First, providing a regular report to the City Council keeps the body informed and up to date. It also allows us to provide follow-up information or additional details on projects of particular interest to the Council. Second, the Briefing provides an added layer of transparency to the public. We recognize it can be difficult as a community member to stay informed about the multitude of projects the City is working on. This regular, synthesized, and collated report helps to provide deeper insights into how, where, and why taxes and fees are spent and how to engage with the City, and offers an opportunity for them to inquire for more detail on specific updates. Further, various media outlets have expressed

an interest in these briefings and their reporting on community-wide issues helps to disseminate important information more broadly.

### One-on-One Meetings

I welcome opportunities to meet with City Councilmembers one-on-one, whether in person or via phone, as often as needed. For most, this tends to be a reoccurring monthly meeting, but it may also be scheduled as needed. Please let me know what your individual preference is, and we will seek to accommodate you.

### Constituency Requests

As a Council member, community members will frequently let you know what they believe needs to be done or projects the City should be undertaking. These issues can be as simple as filling a pothole or as complicated as building a facility. If you are unfamiliar with the issues regarding the request, you should always feel welcome to have the resident contact me or any other staff member directly. Alternatively, feel free to let me know about the issue, and I can contact the community member and speak to you both about it. I can also provide you with the information needed if you would prefer to respond directly. Unless you know all the facts of the situation, it is generally not a good idea to tell the person you will get something fixed (especially in enforcement issues). There may be policies, laws, or other factors at play. When you have constituency requests, please let me know, and I will be more than happy to help. It is completely fine to accept the request and promise a response from a staff member or yourself (however you prefer) as soon as possible.

I do my best to keep the Council updated on various issues occurring in the City. When you are asked a question to which you don't know the answer, it is okay to tell the constituent, "I don't know the answer, but I can find out and get back to you." Most people legitimately do not expect you to know everything, so it is very appropriate to simply tell someone you will investigate it and get back to them.

### Media Relations

We have a Communications and Engagement Manager who coordinates all media requests and arranges for the right City spokesperson, so the best response to a media request is to refer to the Communications and Engagement Manager.

As a Councilmember, you will likely be approached by media members for comments on various matters. It is important to remember that any comments you make should reflect the overall view of the Council. Also, it is important to remember that even if you are being contacted by the media for something not related to Council, you can never really take your Council hat off, and they will likely refer to you as Councilmember \_\_\_\_\_ whether you like it or not. If the Council has not taken a position, at a very minimum, you should state that you are speaking as an individual and not on behalf of the Council.

It is a common practice for reporters to ask Councilmembers their individual opinions on various issues. The reporter will then have those independent opinions cumulatively published. Similarly, expressing individual stances on social media should be clarified as a personal view if no official action of the Council has been taken. When other Councilmembers or staff learn of everyone's various opinions in the media or social media, rather than through a discussion at a meeting, it typically is a

less effective method with which to legislate. If possible, it is generally better to share your opinion with fellow Councilmembers at a meeting rather than through the various media.

Good advice for dealing with the media is to never go “off the record.” Most members of the media represent the highest levels of journalistic integrity and ethics and can be trusted to keep their word, but you are never truly “off the record.” One bad experience can be catastrophic. Be sure to use your words carefully. Finally, if you do not feel you have adequate information to discuss an issue, please do not feel as though you are required to comment. You can always simply let the reporter know that you will need to look into the issue. Of course, you should feel free to have media contact the Communications and Engagement Manager as well.

### Social Media for Elected Officials

While elected officials and City Council-appointed board, committee, and commission members may maintain and use personal web pages and websites, blogs, and social networking sites, their status as elected/appointed officials requires that the content of any postings on those sites not violate existing City bylaws, policies, directives, rules, or regulations.

The City’s image as a professional organization is critical to maintaining the respect of its constituents. Although the City recognizes that elected and appointed officials may choose to express themselves by posting personal information on social media platforms or by commenting on sites hosted by other persons, groups, or organizations, this right of expression should not interfere with the operation of the City. That is, although the City acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official City business, issues, or concerns.

If an elected or appointed official conducts any City business or communication as an official from a personal account, professional account, or an account created for a board/committee/commission, officials should assume that City-related communications will be considered a public record.

# Reference Material for Elected Officials

The documents provided below are a great resource for elected officials covering topics from the Council-manager form of government, CIRSA liability and best practices, and a host of other topics that will help you as you begin your term as a Grand Junction City Councilmember. Please consider these resource references that you can turn to at any time but always feel free to contact the City Manager or the City Attorney if you need more information.

- **Council-Manager Form Brochure**
- **Governing Body and Staff Relations**
- **Handling Citizen Conflicts at Governing Body Meetings**
- **CML Governance 101**
- **CML Tips for Elected Officials**
- **CIRSA Ethics, Liability and Best Practices for Elected Officials**

# Leadership Resources

Making the most out of your service as a City Councilmember will require effective leadership to navigate differing opinions, negotiation, team building, and ethical standards. Below are previews of a few leadership models I have found to be salient to my career in City Management and in working alongside City Councilmembers. These are meant to illustrate key concepts and represent only a few of the many available resources. Should you be interested in exploring these or other leadership strategies and concepts in more detail, I am happy to meet with you to discuss them. – Mike Bennett, City Manager

- **How Great Leaders Inspire Action (Start with Why) by Simon Sinek**
- **WRAP Decision Process by Chip and Dan Heath**
- **Good to Great and the Social Sectors by Jim Collins**
- **Great by Choice by Jim Collins Book Review**
- **The Advantage: Organizational Health Model**
- **Getting to Yes**
- **Crucial Conversations**
- **ICMA Code of Ethics**

# City of Grand Junction References

Please see the list below for a compendium of references cited throughout this guide and links to other plans and documents that will be relevant to you.

## **Governing Documents**

- **City Charter**
- **City Code**

## **Budget and Finance**

- **2023 Annual Comprehensive Financial Report**
- **2025 Annual Budget**

## **Plans and Reports**

- **2020 Comprehensive Plan**
- **2023 Strategic Plan**
- **Circulation Plan**
- **Cultural Strategic Plan**
- **Downtown Development Authority Plan**
- **Grand Junction Housing Strategies**
- **Grand Valley Housing Needs Assessment**
- **Northstar Report**
- **Pedestrian and Bicycle Plan**
- **PROS Master Plan**
- **Sustainability and Adaptation Plan**
- **Unhoused Needs Survey Report**
- **Unhoused Strategy Implementation Plan**
- **Urban Forestry Management Plan**



## Recent Council Briefings

Below are links to the City's recent City Council Briefings. As described previously in the document, these are sent to City Council generally twice per month and contain department and division updates. The Council Briefing is also shared on City website which can be accessed on the [City Council webpage](#).

- January 17, 2025
- February 10, 2025
- February 21, 2025
- March 7, 2025
- March 21, 2025
- April 4, 2025

# Recent Memorandums to City Council

The following is a list of memorandums sent to City Council in the past four months. The intent of providing these to you is to help you acclimate to recent and ongoing initiatives.

- 2025 Legislative Update 04.07.2025
- Q4 2024 Shared Micromobility Update 02.14.2025
- Historic Preservation Board Annual Report 02.07.2025
- Urban Trails Committee Annual Report 02.07.2025
- Sustainability Annual Report 02.04.2025
- 2025 Legislative Update 01.27.2025
- Micromobility Enduring Permitting Memo 01.27.2025
- 2024 Sales Tax Revenue Report 01.27.2025
- GJEP Q1 Update 01.10.2025
- Q4 Building Services Memo 01.09.2025
- Kennedy Linkage Fee Questions\_Response Memo 01.03.2025
- Staff Response Memo\_Bray Review Process 01.03.2025
- Council Legislative Agenda Process 01.02.2025
- 4<sup>th</sup> and 5<sup>th</sup> Street Update Memo 12.20.2024
- Lincoln Park Barn Resourcing for the Unhoused 12.13.2024
- October Sales and Use Tax Revenue Report 11.20.2024
- GJEP Q4 Update 11.13.2024

# Department Overview Memorandums

The following memorandums were written by our department directors and provide you with a broad overview of their department, structure, and key projects/initiatives.

## City Attorney's Office



March 4, 2024

Via Hand and Electronic Mail Delivery

Re: 2023 Legal Department Review

Mayor Stout and Members of the City Council,

It is with great pleasure that, as is annual custom, I write to summarize the accomplishments of the City Legal Department. This year's report will reflect on the City's Strategic Plan priorities and include an update on the attainment of certain specific goals. We are confident that our effort has contributed to the overall work of the Council and the operating departments to position the City to be and to remain a safe, welcoming, healthy, and vibrant city.

The City Attorney is one of three City positions directly appointed by the City Council and the City Attorney's Office (Legal Department) provides legal advice to the City Council, City Departments and staff, and boards and commissions to benefit the City organization and the public. As you are aware my staff and I attend City Council meetings and draft ordinances, resolutions, and other documents. In addition, we advise the Planning Commission, Board of Appeals, Liquor Licensing Authority, Cannabis Licensing Authority, the Forestry Board, the Grand Junction Downtown Development Authority (DDA), the Downtown Business Improvement District (BID) and Visit Grand Junction. The Legal Department consults on contracts regarding City services and procurement, provides legal opinions and consultation on a multitude of personnel, land use and development, property acquisition, finance, elections, and other matters of municipal law, permitting, and the business operations of the City as a Colorado Home Rule municipal corporation.

The City Attorney and the Legal Staff serve the City Council, the City Manager, and all Departments in a consultative, problem-identification, and problem-solving capacity. As such, the City Attorney's Strategic Outcomes for 2024, as in prior years, are shared with and among the Lead and Partnering Departments identified in the Strategic Plan Implementation Matrix (Plan). The Legal Department serves as a "partner" in many, if not all, of the accomplishments of the five adopted Strategic Outcomes.

- *Placemaking* – The Legal Department has been and will be directly involved in many market-rate and affordable housing initiatives in the City. The City Council adopted Housing Strategies include, but are not limited to, the acquisition of land, the leasing of City property and other legal matters that will support the Council's goals, and the implementation of policies and initiatives intended to target the City's housing needs.

In 2023 those efforts included, but were not limited to, the lease of the Las Colonias "dog ears" property for housing, the drafting of ARPA funding agreements, the acquisition of 15 acres for the Grand Junction Housing Authority, and the development of a ballot question to amend the City

Charter to allow the City to enter long-term leases for housing projects. Late in the year significant effort was made regarding the possible hotel purchase and to facilitate the development of the Resource Center. The legal complexities of evaluating and achieving these ventures, as well as those concerning infrastructure, economic expansion, and a multiplicity of housing policies, and continuing to unite with outside parties to increase affordable housing options and encourage housing choice and availability will continue to be prioritized efforts of the Legal Department in 2024.

Additionally, as a function of the *Placemaking* Strategic Outcome it is expected that 2024 will afford an opportunity to complete the negotiations with Mesa County to amend the Persigo Agreement.

- *Thriving and Vibrant* – The Legal Department has been closely and directly involved in various efforts to promote economic vitality, intentional growth, and a talented workforce in support of this Strategic Outcome. Those efforts include, but are not limited to, making certain amendments to the City sales and use tax code, rewriting and in some instances writing for the first-time certain personnel policies, which with the broader adoption of artificial intelligence (AI) and the continued utilization of technology are necessary. As well, there has been a significant amount of time devoted to assisting with the Lead and Partnering Departments with negotiating and contracting for the development of the City's new enterprise resource management and human capital management (ERP and HCM) software system. The ERP and HCM will replace the City's end of life system at a cost of +/- \$5 million dollars over approximately two years.

The Legal Department assisted with the development and final adoption of the City's new Zoning and Development, Code, Transportation Engineering Design Standards (TEDS) and the updates to the Comprehensive Plan. In 2023 and into 2024 the Legal Department will continue to be closely involved with the licensing process for cannabis sales in the City. As you know, in 2023 the randomized selection process was successfully completed, and 10 regulated cannabis products licenses were authorized with an end of March 2024 opening or extension being required. Any extension will need to be authorized by the Cannabis Licensing Authority. Four extension applications have been heard and approved with two yet to be decided. In addition to assisting with cannabis licensing, there will be tax collection issues, conduct of premises issues, and oversight of tax revenue for funding the Parks and Recreation Open Space (PROS) plan and the Community Recreation Center (CRC) bond. As of the date of this letter the sewer and CRC bond processes are nearing completion and will be issued in Q1 2024.

- *Welcoming, Livable and Engaging* – As noted in the *Thriving and Vibrant* Strategic Outcome Area, the adoption of the Zoning and Development, Code, Transportation Engineering Design Standards (TEDS) and the updates to the Comprehensive Plan when fully implemented will contribute to and promote the community identity and further the opportunities for alternative housing development and transportation. The processes for the adoption of the Zoning and Development, Code, Transportation Engineering Design Standards (TEDS) and the updates to the Comprehensive Plan were inclusive of many community perspectives and benefitted from community participation.

- *Safe and Healthy* – In 2023 and into 2024 the Legal Department will continue to assist with the delivery of the highest quality police, fire, and emergency services, both in the field and in court and administrative actions. A specific focus will be on determining how best, if at all, to integrate skilled gaming into the City's regulatory structure. The Legal Department will be integral to delineating the roles and responsibilities of emergency service providers and delivering their services to the community, and when legal challenges arise, defending those claims. A summary of pending claims is provided in the *Litigation and Notices of Claims* section of this letter.

In 2023, in large measure by and with the work of Senior Staff Attorney Jeremiah Boies, the City provided feedback, guidance, and proposed edits to bills affecting public safety, including those concerning enhanced penalties for motor vehicle theft SB23-097; juvenile interrogation tactics HB23-1042; search warrants and no knocks SB23-254; the modification of the extreme risk protection order (ERPO) SB23-170; and the bill amending the open records act SB 23-286. Additionally, the Legal Department has been integral in reviewing and drafting standardized operational policies for the Police Department.

Also, in 2023 the Legal Department was closely engaged in the interim management of the Clifton Fire Protection District (CFPD) and the evaluation of a possible joint venture with the CFPD. While the review determined that a relationship between the City and the CFPD was not suitable, the work was important so that the City could make an informed decision about the long-discussed notion of consolidation.

- *Resource Stewardship* – In 2023, the Legal Department facilitated the City's acquisition of Curbside Recycling Indefinitely (CRI). In 2024 with CRI becoming an in-house operation, the City will work to enhance the efficiency of recycling operations with the growth of the operation and continued effort toward understanding and fulfilling composting operations. Other *Resource Stewardship* matters involving the Legal Department for 2024 will be the continued development of the graywater program and advising and assisting with the energy code updates as required by State and local law. The Legal Department has a direct and on-going role in achieving and stewarding the City's water resources, and the administration of the same under Colorado law. Beginning in 2023 and continuing into 2024, the Legal Department has been closely engaged on the City's water development strategy/firm yield planning for projects such as the Mule Pit storage plan. The Legal Department routinely assists the Public Works and other operating departments with stormwater and infrastructure projects. Those efforts include acquiring rights of way, trails, open space, and other interests in land and assisting with developing project financing.

## 2023 Accomplishments

While much is yet to be accomplished, 2023 achievements were significant. Those include the rollout of the regulated cannabis licensing process, the referral and voter approval of the Community Recreation Center tax increase and debt, and the Charter amendments to allow for long term leases for housing and for the lease of City property to Colorado Discoverability. It would be a serious oversight not to mention the April election, and while challenging to conduct, the City Council has reason to be proud of the management of that effort.

As well, the Legal Department was closely involved with the acquisition of property for Fire Station 7, the acquisition of property for housing for the GJHA project as well as for Hilltop, due diligence for the possible acquisition the Baymont hotel together with the negotiations with the owners of the Lofts for possible dedicated affordable housing. Those efforts, among many others, continue the City's tradition of shaping the community's future. The work of the City is truly noteworthy, with the importance of the "long game" not being underestimated. Becomes the City has for many years been far-sighted, Grand Junction is now and will be in the future, an exceptional place that is livable, vibrant, and strong.

## 2024 Objectives

While much is to be accomplished in 2024 significant objectives will include, but not be limited to securing the bond funding for the CRC, finalizing negotiations and agreements with the naming rights and therapy space user at the CRC, securing the bond funding for the Persigo sewer plant upgrade, continuing to work through and finalize the regulated cannabis licensing process, negotiation of the Fire Station 7 construction contract, completion of the Fire Station 3 land exchange, and continued, concerted work in support of the City Council's housing policy goals. The continuing work on Dos Rios and Las Colonias will also be very important. Although not having been stated by Council as a priority, it would be my recommendation that the City refine its relationships, goals, commitments, and participation in economic development. That effort could include, but not limited to, the relationship with the Grand Junction Air Service Alliance, the Chamber, especially in light of the self-performance policy discussion, and the City's role with Colorado Mesa University. Regarding CMU it is important that the expenditure does not become a personal benefit and that the scholarship program is supporting economic development. If the public purposes are not attained, then the funding could be deemed a violation of Article XI of the Colorado Constitution.

Of course, I welcome further conversation on any and all of these matters.

Below you will find a brief recounting of some other of our work in 2023.

### Litigation and Notices of Claims.

*Alire v. City of Grand Junction.* This Federal District Court lawsuit stems from the March 2020 shooting death of Mr. Alire. The claims made in the case are that Grand Junction Police Department (GJPD) officers and Mesa County Sheriff's Office (MCSO) deputies violated state and Federal law by using unnecessary and excessive force causing Mr. Alire's death. The Colorado Bureau of Investigation (CBI) performed the post incident review and the District Attorney declined to file criminal charges against the officers and deputies involved in the incident.

After we defeated certain initial claims by the estate of Mr. Alire, the Plaintiff amended its complaint (Amended Complaint) and now the decedent's claims are being brought by his spouse and she has made individual claims against the defendants. The City's Motion to Dismiss the



Amended Complaint was granted by the Court; however, the Plaintiff has appealed that decision. Oral argument is set for March 19, 2024.

*John Nicola and the Estate of Danielle Nicola v. City of Grand Junction and Public Service Company of Colorado dba Xcel Energy.* In this litigation the Plaintiffs alleged *inter alia* that an outage of a streetlight resulted in the death of Danielle Nicola. The cause of action against the City was founded on theories of negligence, dangerous condition, and failure to supervise Xcel as a contractor to/agent of the City. The City filed a Motion to Dismiss, which was granted; however, the Plaintiff appealed the decision to the Colorado Court of Appeals. The Court of Appeals affirmed the District Court decision in part and reversed in part. Because of how the Court of Appeals ruled the City has filed a petition for review with the Colorado Supreme Court. In general, the issue involves the applicability (or not) of the Governmental Immunity Act to a claim made by an estate and what period is applicable for the filing of such a claim. The City has asked the Colorado Municipal League to participate/ask members to participate as *amicus* in the petition/briefing for the Supreme Court review.

*Lewis v. Mesa County Valley School District 51, Eret, Leon and DeGrange.* In this Federal District Court lawsuit, the Plaintiff brings an action pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1331 seeking compensatory damages for alleged violations of the Plaintiff's Constitutional rights. The Plaintiff alleges that the Defendants violated the Plaintiff's rights to participate in in his child's specialized education program, and then violated his constitutional rights when he protested.

As you may recall from the Council's consideration and approval of an indemnification resolution, DeGrange as a GJPD officer issued Mr. Lewis a citation for harassment of Ms. Eret. Shortly after the citation was issued, and without any deprivation of the Plaintiff's liberty the citation was dismissed. DeGrange was sued personally, and the City was not named; however, with the indemnification the City has assumed the defense on behalf of DeGrange. We are currently exploring nuisance value settlement of the case and have authorized up to \$35,000.

*Martinez v. Sawyer et. al.* This Federal District Court lawsuit stems from an investigation by the Western Colorado Drug Task Force (WCDTF) of possible drug distribution from a residence in Grand Junction. The Plaintiff lived at the residence in question and was a target. There were several traffic stops in which cocaine was found. The house was under surveillance when a vehicle was seen leaving the Plaintiff's home. Sawyer and other officers of the WCDTF followed a vehicle and believed they witnessed a drug transaction. A search was conducted, and cocaine was found. Sawyer and other WCDTF officers went to the Plaintiff's home. The Plaintiff alleges that cocaine was planted by the officers at his home. Of the named defendants only Sergeant Sawyer is a GJPD officer. The only claim against him is conspiracy to fabricate evidence in violation of the Fourteenth Amendment.

The Mesa County Defendants have filed a Motion to Dismiss primarily based on the statute of limitations. The case is on hold until the Court rules on the Motion to Dismiss. If Mesa County's Motion is successful, then we will file a Motion to Dismiss. The Plaintiffs made a \$65,000

settlement demand which was rejected without negotiation.

*Matteson v. Parks, Wilson, Janda and Naik.* This Federal District Court lawsuit stems from an incident in June of 2021 involving the Plaintiff fleeing police after fighting with officers attempting to place him under arrest for a domestic violence warrant and protection order violation. Defendants Parks, Wilson, Janda, and Naik are GJPD officers that responded to assist in Plaintiff's arrest. Plaintiff fled to the parking lot of Sportsman's Warehouse. The officers surrounded Plaintiff when he pulled out a Walther P22 BB gun, which mimics a real gun. When Plaintiff pointed the gun at the officers, they shot in defense of themselves and others on-scene.

The Plaintiff filed a lawsuit which appears to bring individual and official capacity claims against Parks, Wilson, Janda, and Naik for excessive force among other things.

The City has filed a Motion to Dismiss which is pending. That motion is premised in large part on what is known as the *Heck* doctrine, which bars a Plaintiff from claiming a constitutional violation on facts to which the plaintiff has either pled guilty to/been found guilty of.

*Nathan and Hollie Smith v. Grand Junction Police Department, Mesa County Sheriff's Office et al.* This Federal District Court lawsuit stems from an incident involving a Western Colorado Drug Task Force (WCDTF) and Special Weapons and Tactics (SWAT) raid. The Plaintiffs are representing themselves, and without overstatement their effort in that regard is terrible. We have filed a Motion for Additional Time to try and sort out the claims and the Defendants, as well as whether the lawsuit has been properly served. Once that happens, we will likely file a Motion to Dismiss because the Plaintiffs do not identify with any particularity who did what, it should be a relatively straightforward matter for the Court to dismiss the action under the Tenth Circuit's decision in *Robbins v. Oklahoma* which requires specific allegations against each officer in a §1983 case.

*Grand Junction Peace Officers' Association/Fraternal Order of Police Lodge 68 v. Caton, Hazelhurst, Welch and the City of Grand Junction.* We continue to defend the claims made by the Association about the retiree health benefit. As you are aware from prior reports, the Association filed suit in 2021 naming Claudia, Jodi, and Greg personally as well as making claims against the City. The City filed a Motion to Dismiss which was granted except for the Unjust Enrichment claim. The Court set a Trinity hearing<sup>1</sup> which was held in early June. In August the remaining Unjust Enrichment claim was dismissed, and attorney's fees were ordered. The Plaintiff has appealed the District Court claiming that the District Court erred in a) failing to certify the matter as a class action; b) its dismissal of the Plaintiffs claims; c) admitting the testimony of the City Auditor; d) in awarding attorney's fees and costs when the entire cause of action was not dismissed; and e) that the District Court misapplied the Trinity standards. Regarding d) the Plaintiffs contend that they had a claim for an accounting, which the Court did not expressly address. Our contention

---

<sup>1</sup> Pursuant to the Colorado Supreme Court decision in *Trinity Broadcasting of Denver Inc. v. Westminster*, the determination of whether a claim is within sovereign immunity is jurisdictional and any factual dispute upon which the existence of jurisdiction may turn is for the court to decide.

is that the accounting claim was pendant to the other claims and was properly addressed. Briefing has been completed and copies are in the City Council office in the litigation binder for this case. Further discussion of this case is beyond the scope of this letter, but of course I would be happy to answer your questions/discuss the matter further if you wish.

We have one C.R.C.P. 106 lawsuit one of which challenges the Council's decision to zone the property at 2370 Broadway. Briefing has been completed in that case and we are waiting for a decision. Do recall that a 106 action is review of the record of the decision. The Court does not substitute its judgment, but instead reviews the matter to determine if the decision was based on credible evidence.

I am managing counsel for all the foregoing matters and work closely with CIRSA counsel and my staff on each of them. If you would like to discuss the specifics of any of these cases, I would be pleased to do so.

#### Employee discipline, worker's compensation, and other claims.

The City regularly disciplines and from time to time may terminate employees for performance problems and/or violations of City or Departmental policy. Because of the number of discipline cases that have arisen out of/under the substance use (drug and alcohol) policy, the City updated those policies in 2023.

The City continues to work to close its self-insured workers' compensation cases. The City has now almost completely transitioned from a self-insured model of claims management to a fully insured model and most of the contested cases pre-dated that change; however, not all the old cases have been closed.

Over the course of the year, I receive Notices of Claims, which are a statutory, jurisdictional precondition to initiating suit, on diverse matters including sewer backups, water damage claims, falling trees/tree limbs, weed/vegetation mowing, street sweeping and painting operations and other alleged injury and property damage claims. Most of those claims are routine and are handled in due course.

#### Water court matters

Throughout the year the City is routinely involved as an applicant, and sometimes as an opposer, in various water court matters. Assistant City Attorney Jamie Beard capably represents the City in its water court matters. Additional information on her work on those matters is included below.

#### General development reviews/denials

Presently the 2370 Broadway rezoning is the only land use matter that is being challenged. Regarding development, the City will in 2024 be engaging in a review and update to the impact fees

and the undergrounding policy. I do anticipate challenges from the development community regarding both of those efforts.

#### Departmental Operations.

The Legal Department is at present not fully staffed; however, we were successful in recruiting James Campbell to fill the position assigned to advise on land use matters, which includes development review, advising on the Zoning and Development Code update and implementation as well as advising Community Development on permitting compliance and other regulatory matters. James is a talented research and writer having spent a number of years as a Clerk to the 21<sup>st</sup> Judicial District Court judges.

We have been unsuccessful in finding a candidate to fill the other vacant Staff Attorney position Council authorized for 2023. Another recruitment was recently opened.

The City is fortunate to have a skilled and dedicated staff comprised of Assistant City Attorney Jamie Beard, Senior Staff Attorney Jeremiah Boies, Staff Attorney DeLayne Merritt and Senior Administrative Assistants Jennifer Cinquini and Belinda White. I will provide you a brief update on each of them and their work.

Senior Staff Attorney Jeremiah Boies has been with the Legal Department for just over three years. Jeremiah worked closely on various legislative matters as noted above as well as day-to-day support as in-house counsel for the police and fire departments.

Staff Attorney DeLayne Merritt divides her time between Municipal Court and as a research and writing associate in my office. DeLayne regularly appears before Judge Eret and in State Court on misdemeanor and traffic matters. In 2023 I involved DeLayne in more personnel matters and she has been assisting the Finance Department with a number of sales tax delinquency/collection matters, as well as Code updates and a possible rewrite of the Code.

Assistant City Attorney Jamie Beard serves as general counsel for the Planning Commission and the Zoning Board of Appeals and regularly represents the Public Works and Utilities Departments in many of their matters. Jamie is closely involved in the negotiation and acquisition of many easements and other property interests necessary for utilities, public works, and development related projects. Jamie's practice also includes day-to-day water court matters. The City regularly files applications in the water courts regarding the City's extensive water portfolio; the City has rights in both Water Divisions 4 and 5. Jamie also serves as the Municipal Court supervisor. She works very closely with Mesa County Building Department and the Fire Department on Building and Fire Code compliance. Jamie also advises Mesa County Animal Services and serves on the MCAS advisory board. In 2023 Jamie worked extensively on the rewrite of the Zoning and Development Code and TEDS Manual.

As I do periodically, I recently contacted Planning Commission Chair Andrew Teske regarding Jamie's representation of, and interaction with, the Planning Commission and the Zoning Board of Appeals. Mr. Teske reported that he is "very satisfied" with the representation, service, and assistance that Jamie provides the Commission. In 2024 Jamie will continue her on-going continuing education of the Commissioners on legal topics as well as other matters that will assist the Commission with its work.

Belinda continues her support of Council, the legal staff and serves as the receptionist for the Administration offices. Belinda has served the City for 21 years and continues to bring a positive attitude and presence to her work and the office.

Jennifer Cinquini provides direct support to the legal staff. Jennifer has been with the City for 7 years. She is involved in coordinating documents, managing closings and recordings for real estate transactions, and continues to work on long-standing records storage and management projects and issues. Jennifer and Jamie have been managing the development and implementation of the High Q matter management software project for the Legal Department.

#### Review of 2023 Goals

While 2023 Goals were set in mid-2022 and accordingly are incomplete, I am confident that the work the Legal Department and I did in 2023, and will again do in 2024, was done capably, caringly, and professionally and that my staff and I represented the Council, the City as an organization, and the City as a community, well. That fact is and will be the most important goal that I have.

My 2023 Goal statements were established as follows:

*The CAO will endeavor to continue to have as its focus, preventive law.*

*The development of a reorganization/succession plan to continue, and as determined necessary by the City Council to reinforce what has been a successful method of practice, is the paramount goal for the balance of 2023.*

*Set/increase CAO staffing as determined by the reorganization/succession plan to continue to support City operations.*

*In 2023 begin recruitment of no less than one attorney.*

Following Council's approval of the additional Staff Attorney position in the 2023 budget recruitment began in early 2023; however, with the resignation of Staff Attorney Ceci the priority recruitment was to fill that vacancy. As noted above that occurred with the hiring of James Campbell. A recruitment for the other vacancy is in process.

Since the Goal was set, we have not further discussed a succession plan. I look forward to discussing this Goal further with you when we meet.

*Participate with Employer's Council, and City Council and/or Human Resources Department in conducting a salary survey for the Staff Attorney, Senior Staff Attorney and Assistant City Attorney positions and evaluate compensation increases for the 2023 budget.*

*Determine market rate compensation and budget to pay market compensation rates to the legal staff.*

With adoption of the 2024 budget there were increases in attorney compensation (2.33 – 3.31%); however, due to the study methodology which relies on hiring ranges as opposed to actual, the increases may not reflect actual market conditions. I have spoken with the Human Resources Manager about my concern.

*Participate with the Information Technology Department and the City Clerk/Records Custodian in researching workflow/records management systems and the cost of such system(s). As determined appropriate implement an improved system.*

*Maximize efficiency and effectiveness of document retention policies and practices.*

In support of achieving this Goal we purchased the High Q intake, workflow, and records management software system. That system is also being deployed by the Mesa County Attorney's office. The High Q system is highly configurable and because of that significant work has been required to deploy each module. Presently we are utilizing the software for Emergency Services (police and fire), Community Development and Municipal Court matter management. Other modules are being developed and will be implemented in 2024. In addition to the intake and tracking functions of the software it will assist with document management. In 2023 we worked closely with the City Clerk to initiate a review of the City's records retention policies and long-term archiving standards. That work will continue in 2024.

*Assist the City Council to finalize the City Council Policies and Procedures, establish Persigo Agreement strategy, establish GVIC strategy, and execute the 2023 election. (The 2023 election may include questions to address People's Ordinance 31, Colorado DiscoverAbility 99-year lease, Council compensation and other Charter "clean-up" matters.)*

*With Council, determine the importance and priority of legacy matters prior to the implementation of the succession/reorganization plan/appointment of a new City Attorney.*

As discussed above the 2023 election went, notwithstanding the challenge from a candidate to the signature cure process, smoothly. That outcome required significant work and it was my pleasure to work closely with City Clerk Phillips, her staff, and our contractors to make that happen.

Because of the respective commitment of Mayor Stout to the Persigo Agreement negotiations, and of Mayor *pro tem* Herman to opening lines of communication with GVIC both of those matters are in process and have a much higher likelihood of positive outcomes for the City.

The Council policies have been on the Future Workshop list for some time.

I look forward to discussing any and all of the foregoing at our upcoming meeting.

Thank you for allowing me the unequalled opportunity to continue to represent this great organization. It is indeed a privilege and an honor to work with and for you and the citizens of Grand Junction. As you may recall, in addition to my work with and for you and the various City Departments, I represent the Downtown Development Authority and Downtown Business Improvement District Boards, the Grand Junction Regional Communication Center and Grand Junction Emergency Telephone Service Authority (911) Boards, the Liquor and Beer Licensing Authority, and the Cannabis Licensing Authority, as well as advising the Grand Junction Public Finance Corporation. If you would like any specific information regarding my representation of any of those clients or their interests, I would be pleased to provide that to you.

I will work to continue to earn the trust you have given me to act in a leadership role on behalf of the City with all my clients. I am very honored and humbled to be part of the continuing success of the City. Our work, which is your work, and the work of the people we serve, is very challenging, but it is equally rewarding because it is integral to the delivery of high-quality municipal services. Our accomplishments are your accomplishments and I hope that you take as much pride in them, and in them being delivered to the community, as we do in helping to achieve them.

If you have questions, concerns or would like additional information, please let me know.

OFFICE OF THE CITY ATTORNEY

by: \_\_\_\_\_

  
John P. Shaver  
City Attorney

## Council and Counsel

### Optimizing the Relationship between the City Attorney and the City Council

Welcome to City Council! Thank you for your willingness to serve our community. As you begin your service you will have lots of questions and you will find that some of what happens with and during your work may be new to you. As one of your three employees it is my privilege to assist you in answering your questions and helping you define, build and understand your lawful role and the legal relationship that you have to the City, your fellow Council members and the community. To those ends I am pleased to present my thoughts on the nature of the relationship between you and me — Council and Counsel.

### Nature of the Relationship

The traditional attorney-client relationship is often seen as well-defined and static — that is not the case, however, with me, the Counsel and you the Council. Among other things I am integrated into the management structure of the City and as such am able to help address the challenges presented by the wide range of problems and opportunities that are daily presented to the City. In addition to being flexible with my work for and on behalf of the City, many aspects of what I do are well defined by long standing and closely held ethical obligations such as the duty owed by an attorney to a client and other broader ethical standards.

At its most basic level my job is to provide legal advice to minimize the City's liability and promote compliance with the law. The relationship between the City Council and the City Attorney is key to ensuring that the City functions as a well-managed organization and in accomplishing the public policy objectives of you as elected officials.

Who does the City Attorney represent? Is the corporate "city" the client? Are individual public officials clients? Are the citizens clients? The answer to all of these questions is "yes" all of these and sometimes others are my clients. On a daily basis my staff and I must ask "who is the client" — and once asked we make sure that we are discharging our ethical obligations to each and everyone one of our client(s). We define our relationship with our clients as providing the best, professional service that we can.

The Rules of Professional Conduct (the ethical standards for my profession) define an attorney's role and responsibilities in representing an organization. The Rules say in part that:

"a lawyer employed or retained by an organization represents the organization which acts through its duly authorized constituents and the lawyer owes allegiance to the organization itself and not its individual stockholders, directors, officers, employees, representatives or other persons connected with the entity."

So in response to the question "who is the client" the Rules of Professional Conduct provide that for a City Attorney the client is the City — the municipal corporation as a whole. For purposes of giving advice, receiving direction and providing representation the next question is "who is the City?"

Most broadly the City, and therefore the first place the City Attorney takes direction from is a majority of the City Council. While I may not take any public action that is contrary to the desires of the City as expressed by a majority, given that the Council is a legislative body that may be split between a majority and minority position, I am compelled to and



will faithfully provide balanced advice to both sides. Rule 1.13 of the Rules of Professional Conduct recognizes that the City is embodied in various constituent parts. The Rule reinforces the concept that my dual representation of the City as well as its "directors, officers and employees" or other constituents may only occur with the Council's consent. Said slightly differently the Council is first and foremost responsible to keep me responsible to the City as an entity.

Under the Rule an individual Council member or other City official (such as the City Manager) is not the primary client, the City is.

Even though my client is the City itself, there are times when I owe a professional duty to City employees. If a lawsuit alleges an act or omission that arose out of the course and scope of public employment, the City has consented to dual representation (of the entity and the employee) as a matter of law.

It is clear that an attorney-client privilege exists in my representation of the City. Communications between the City Attorney and the City Council are kept confidential; however, it is important to be clear as to who holds the privilege. Because my client is the City — as embodied by the City Council — it follows that the City Council holds the privilege. As the holder of the privilege City Council may choose to waive the privilege and disclose my advice to you when and if you deem it advantageous to the City. It is because of this privilege that most if not all of my e-mail and other written communications with you are denoted as privileged. Any decision to waive privilege should be made by a majority of the Council, after consultation with the City Attorney, and should be stated in the public record. An individual council member may not waive the attorney- client communication privilege.

Another important aspect of attorney-client privilege is that my communications on substantive matters with City staff are not privileged vis a vis City Council. Because Council embodies the City as an entity, you (Council) have a legal basis to know all communications internal to the City.

In addition to acting as an advisor and advocate for the City, I owe certain duties directly to the public. Those duties are to act as a check and balance on "management" action and to advise the public when and if called on to do so. Certainly we also have a duty to prosecute offenders in Municipal Court. (Case law holds that a prosecuting attorney is a public officer and not an attorney who represents a client. As a result, the City Attorney is not subject to taking direction from the City Council with respect to prosecuting cases. To avoid the possibility of a "political prosecution" the City Council cannot require the City Attorney to bring a criminal action or in any way interfere with the City Attorney's discretion with respect to a criminal case.)

The check and balance function is simply to watch for and if necessary advise City Council on the legality of the City's conduct. This role is routinely fulfilled when I review claims, contracts, hirings and firings and otherwise provide consent prior to any proposed, given action.

The City Attorney is also called upon to advise the City to follow laws that protect the public interest. Those duties include giving advice during hearings to ensure that the City follows the law but also to ensure that the applicant receives Constitutional Due Process. I am also called upon to protect the public's interest when it comes to responding to Open Records requests and administering the Open Meetings statutes.

The American Bar Association standards are clear that a public attorney has a higher ethical duty than does an attorney representing a private client:

A government lawyer in a civil action or administrative proceeding has the responsibility to seek justice and to develop a full and fair record and he should not use his position or the economic power of the government to harass parties or to bring about unjust settlements or results.

### Maintenance of the Relationship

A relationship between the City Attorney and the City Council exists on several levels — that of attorney-client, that of employer and employee and that of elected official and trusted advisor. This part of the report considers several aspects of the relationship that are misunderstood or not fully understood.

### What Does the City Attorney Do?

For some council members and staff their primary contact with the City Attorney occurs at Council (or other board and commission) meetings. That is a very small part of what I do. Most if not all action considered or taken by the City requires input and guidance from the City Attorney. There are a vast number of rules, court decisions, administrative regulations and proceedings that govern our activities. For example, a simple land use application may involve some or all of the following legal issues: annexation, contracts (Persigo, purchase agreements, development agreements and guarantees etc.) surveying/legal descriptions problems, Code compliance, Constitutional concerns, vested rights and conflict of interest questions. In addition to advising on any or all of those and other things, the City Attorney's role may be expanded because he is the person that has to devise a method to legally overcome or solve the problems. A good municipal attorney is well versed in a great number of sub-specialties of a general practice of municipal law.

A good deal of the practice of municipal law is done on the fly — providing on the spot legal advice during City Council, Planning Commission and meetings of other public bodies is the norm. As is serving as parliamentarian.

Another important aspect is the rendering of opinions on specific legal issues. On a daily basis my staff and I render both formal and informal opinions to virtually every operating department in the City. It has been my practice over the years to encourage staff to bring legal questions as soon as possible, even if all factors giving rise to the question are not fully known. Doing so promotes the process of giving and receiving legal advice and the essential lines of open communication.

City attorneys must often analyze several bodies of law in order to render informed opinions on legal questions. The sheer volume of law affecting cities has increased greatly during the last decade.

Along with providing counsel to the City, I am responsible for the drafting and review of important legal documents as well as integrating state law in to our body of local law.

In the event civil litigation must be pursued or defended, the City Attorney represents the City's interests either as the lead or managing counsel.

The City Attorney is also a department head responsible for the management of the City Attorney's office and a member of the City's management team, although with a separate role and responsibilities. As such I attend and participate in management functions and sometimes offer advice that is more practical than legal. While the city attorney may serve as a project manager, problem solver and strategist for the management team at times the ethical responsibility of the City Attorney may conflict with the management functions and accordingly the City Attorney may need to recommend a different course of action despite the need to participate and foster management relations. The strength of relationship between the City Manager and the City Attorney will influence how well that works.

### Sticky Situations — Questionable Behavior, Legal Mandates, and Counselor or Advocate

There are times when proposed city action may not fit within applicable legal constraints. When faced with an objective that is plainly unlawful, the City Attorney must deliver the news as diplomatically as possible. Adherence to clear legal guidelines is not optional; they must be followed. Most law furthers the public good and public officials need to conform their actions to the law because it is their ethical duty and responsibility to do the right thing.

The City Attorney's job is complicated by the fact that the law is not always clear in a given area. When this occurs, the City Attorney must give his best judgment on the probable and possible legal consequences of a proposed course of action. The City Attorney cannot make the law clear when it is not. As a result, the City Attorney may take what appears to be a narrow view of the City's prerogatives in a given situation. As the City's legal counselor, the City Attorney's primary task is to provide the City Council and staff with the best analysis and dispassionate evaluation of what the law requires or permits in a given situation. When dealing with third parties, the City Attorney frequently steps into the role of advocate and vigorously argues one side, the City side, of the law and the facts at hand.

### Questioning the Attorney's Advice

From time to time, some may question the City Attorney's advice. It may be tempting to seek a second or even third opinion, this temptation should be resisted. The City Attorney is the person the City has hired to advise the City on legal matters. The City Attorney is the legal advisor who is most familiar with the laws bearing on the City's actions, particularly local ordinances, internal procedures, Charter provisions and other internal situations that may affect a given analysis. If you question my advice, come see me. We will talk things through and I will always explain how and why the advice is derived.

If the City is sued, it is my responsibility to defend the City either directly or by managing the litigation counsel. Frequently I will question the litigation counsel just as you may question me.

I welcome the opportunity to explain. If my explanation is not sufficient for a majority of the Council and Council determines that a second opinion is required, then the Council as a whole should authorize the action. If a second opinion is authorized, it is valuable to have the City Attorney and outside counsel each review the other's opinion so that both may be fully informed.

## Effective Communication with the Attorney

Effective communication between city officials, city staff, and the City Attorney is critical to the smooth operation of the City. Early and frequent communication about proposed City action can avoid frustration on the part of everyone and save the City money in the long run.

### 1. Shared Information

The City Attorney must be kept informed of the City's activities. If not, then good and timely legal advice may be missed. Being kept informed means that the City Attorney receives complete information in a timely manner. The City Attorney must be given notice of changes in facts and policy direction, as well as a clear explanation of the City's objective.

### 2. Preventative Legal Advice

The City Attorney is here to give the City preventive legal advice. If I am unable to do so because of poor communications, then the City and its taxpayers are not getting what they deserve. The City may end up having to spend money on litigation and adverse judgments — money that could be better spent on other City activities.

In order to protect the City, the City Attorney has the obligation to provide opinions based on the full and unbiased facts of any given situation. The City Attorney's obligation to the client, the City, includes the responsibility to tell the client what it may not want to hear. An old quote puts it this way "The public attorney is never the mere hireling of government or of anyone else. He is an independent professional and must stand on what he thinks is right."

### 3. Avoiding Policy Advice

A subset of communication issues for city attorneys is what to do when they are asked for an opinion on policy issues. One of the axioms of local government is that the City Council makes policy, the City Manager implements that policy and the City Attorney advises on the law. At times, there is a fine line between making policy and advising on the law. For example, when a Council wants to know "can we do this and if so, how." Which part of this is policy and which part is law? The two are not distinct and accordingly the City Council and the City Manager must recognize that fact and must not be territorial and/or try and impose a distinction where none can exist.

Another local government axiom is that the city attorney deals with legal issues and the city manager deals with management issues. Again, there is often a fine line between these two. Employee disciplinary matters, for example, are not susceptible to clear differentiation. Questions of what is policy or a management matter and what is law are often intertwined. The City Council, City Manager and the City Attorney need to recognize that there may be some inevitable cross-disciplinary work. The City Manager and the City Council must also know that I am very sensitive to the issue and when these situations occur, I will clearly state when I believe that the matter is one of policy and not of law.

1. Top Ten Tips for Effective Use of Your City Attorney

2. Remember that the City is the client and that only a Council majority should speak on behalf of the City.

3. Remember everyone is on the same team. When the City Attorney identifies potential legal problems, it is to protect the City not to question, challenge or second guess anyone.

4. Consult the City Attorney sooner rather than later so that legal input can be meaningful and timely.

5. Please know that the City Attorney's door is always open even when it is closed.

6. The clearer you are about expectations and priorities, the clearer the advice or opinion from the City Attorney will be.

7. The City Attorney may need time to research issues and answer questions. While I am pleased that I have a depth of experience that allows me to answer many questions without a lot of research, I can't answer them all.

8. If you know the answer/have an answer that you want, please tell me in advance so that I can work backward to see if I can get the same answer.

9. Always disclose all pertinent facts and objectives.

10. Recognize that a concrete answer is not always possible when the law is not clear-cut

Understand the City Attorney is an independent and objective legal advisor that is politically astute but that I am not a politician.

## The "Ideal" City Council Member: A City Attorney's Perspective

1. Has experience through service on commissions and/or committees at the city/county level. Life experience is a good substitute. Management experience is also good — understands how to give direction and set goals effectively. Is committed to developing relationships with a broad range of constituencies.
2. Recognizes the complexity of running a city and accepts the reality of a learning curve for him/herself and for staff. Starts with and focuses on the basics, which are communicated to the public and staff clearly and consistently. Respects and acts within the legal processes.
3. Takes time to read the reports and other materials in order to be well informed on the issues and to understand the roles of the city council, staff and the community.
4. Conducts him/her self professionally. Is respectful of fellow council members, staff and public, both in and out of council meetings; questions the facts and rules and explores options, but does so without personalizing the issues and attacking others. Does not criticize staff in public.
5. Retains an open mind regarding issues and facts. Puts aside personal feelings to achieve what is good for the City. Listens to and respects all points of view, even though contrary to personal points of view. Is willing to make the politically difficult decisions if the best interests of the City require; doesn't bow to the "tyranny of the minority."
6. Recognizes the City's core mission is to deliver good, basic municipal services; makes policy decisions with this concept in mind. Allows the professional manager and department directors to assume responsibility for the implementation of policy direction.
7. Values needs of community over grand standing and political expediency. Recognizes there is a tension between serving the community and pleasing the community and is willing to make hard choices. Is a leader, not a follower.
8. Has both a heart and a brain. Listens.
9. Understands that the City Attorney represents the City as a whole and not just a member or members of a political team; asks for and values legal advice; listens to advice before deciding whether to heed it. Is intellectually honest. Does not act arbitrarily and beyond the appropriate legal procedures.
10. Gives carefully considered direction on what he /she wants as legal advice. Reads attorney-client communications carefully and asks clarifying questions of the attorney about the legal advice. Decides difficult legal issues with integrity, considering the best interests of the City and with the courage to cope with vocal opposition. Bases decisions on the law and not on politics. Makes an effort to appreciate the difficulty and complexity of the duties of the City Attorney and the City Attorney's office; gives credit where due.
11. Respects the City Attorney's role and appreciates that sometimes reasonable people may differ. Informs the City Attorney of potential conflict of interest issues before a meeting. Seeks counsel before "going public" with his/or her views or policy. Does not take personal dissatisfaction with the legal system as dissatisfaction with the City Attorney/the legal advice the City Attorney gives.

Adapted from California Municipal  
Attorney Association

## CONFLICTS OF INTEREST

### Appearance of Impropriety

- One of the easiest and best ways to maintain the integrity of the public process is by avoiding the appearance of impropriety.
- Appearance of impropriety is a doctrine borrowed from the legal profession, which in its most basic form includes prohibitions of ex-parte communications and avoidance of conflicts of interest.
- Communication by a board member with the appearance that the member is speaking for or on behalf of the board should be avoided and a record should be made with the board and/or the board's attorney.

### Conflict of Interest

- A conflict of interest may roughly be defined as a situation where there is relationship (or appearance of a relationship) with a party that supports or opposes an action and a direct and/or indirect gain or profit, which is primarily but not necessarily monetary, may result. Any and all conflicts of interest or potential conflicts must be disclosed.
- A board member who has or thinks he/she may have a conflict (or more appropriately an appearance of a conflict) should discuss the matter with the board attorney and full disclosure should be made.
- If a conflict rises to the level of requiring that a member excuse him/herself from consideration of a matter, then that board member should leave the room in which the matter is being discussed and not attempt otherwise to influence other board members or the outcome of any matter/decision.
- Disclosure of a conflict of interest should be made on the record. It should be logged and may, with consultation with the board attorney, be filed with the Secretary of State or may require other form(s) of disclosure.
- If you think you have an appearance of a conflict or an actual conflict, disclose it. The situation can be evaluated and appropriate steps taken.

The initial component of effective conflict of interest management is disclosure that a conflict or potential of conflict exists. Law and policy presume that the citizens have a right to expect and demand that government officials remain independent, impartial and responsible to the people and that the public office is not being used for personal gain. The public must have confidence in the integrity of its government.

State law (C.R.S. 24-18-101 et seq.) authorizes both criminal prosecution and a civil suit if an official:

- Discloses or uses confidential information acquired in the course of his official duties in order to further substantially his personal financial interests;

- Accepts a gift of substantial value or a substantial economic benefit tantamount to a gift of substantial value if the gift . . . would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties or if the gift [from the perspective of a reasonable person] is primarily for the purpose of rewarding him for official action he has taken. Prohibited "gifts" include: loans at substantially lower than normal commercial rates and compensation at rates substantially higher than normal rates.
- Engages in a substantial financial transaction for his private business purposes with a person whom he inspects or supervises in the course of his official duties;
- Performs an official act directly or substantially affecting to its economic benefit a business or other undertaking in which he either has a substantial financial interest or is engaged as counsel, consultant, representative or agent.

The statute requires the official with a personal or private conflict to "disclose such interest to the governing body and s/he shall not vote thereon and shall refrain from attempting to influence the decisions of other members of the governing body in voting on the matter. A member of the governing body of a local government may vote notwithstanding [the conflict] if his participation is necessary to obtain a quorum or otherwise enable the body to act."

- "Gifts" which are not prohibited include: non-money awards presented by a non-profit organization in recognition of public service; reimbursement of out-of-pocket expenses as a public convention or meeting; meals, lodging, travel expenses, or tickets to sporting, recreational, educational, or cultural events; payments for speeches if reported as honorariums; campaign contributions (if properly reported).

Written disclosures must include:

- The amount of the interest;
- The purpose and duration of service or affiliation; • Compensation received; and
- Any other information necessary to describe the interest.

C.R.S. 24-18-110 requires that written disclosure be made to the Secretary of State prior to acting in a manner which may impinge on the fiduciary duty of the official and the public trust.

Disqualification of the interested person from voting or participating prevents the appearance of any impropriety. The State statutes allow interested officials to participate if their participation is necessary to obtain a quorum or otherwise enable the body to act. (A tie vote is not such a situation.) Such an interested vote must occur after making written disclosure to the Secretary of State and the Council under statutory prescription.

The two underlying principles of disclosure and voting abstention may be summarized in four salient points:

- Always disclose any interest. The disclosure must be oral and written under C.R.S. 31-4404(2) and 18-8-308.
- Abstain from voting or taking any other action.
- Do not influence others. Disclosure must precede discussion. Leave the room while discussion is taking place. Do not participate in the discussion.
- If an interested official votes it should be only if participation is necessary to achieve a quorum or otherwise enable an action to take place (C.R.S. 31-4-404 (2) and 24-18-109



Written disclosure is made prior to any action--first made to the governing body and second to the Secretary of State with the information described in C.R.S. 24-18-110.

- Do not acquire or hold an interest in any business or undertaking which the official believes may be directly and substantially affected to its economic benefit by official action;
- Do not, within six months following termination of the office, obtain employment in which direct advantage can be had of matters with which the local official was directly involved (for instance, the promulgation of rules);
- Do not perform an official act which will directly and substantially affect a business to its disadvantage if the official has an interest in a competing business.

#### Council Effectiveness and Efficiency

- 1) Everyone needs to speak silence is ambiguous and causes confusion and misunderstanding.
- 2) Staff works on the "rule of four;" if there is clear agreement from at least four Council members we conclude that we have direction.
- 3) If it is not clear that agreement/consensus is established then no action will occur. If Council members are not sure of a decision/direction then postpone the matter until a majority is clear/clearly established. There is nothing wrong with "sleeping on" a decision.
- 4) The minority has to acknowledge and agree that staff cannot and will not "lobby" on behalf of the minority after the fact; once a decision is made it is up to the minority members to bring concerns to the Mayor.
- 5) Staff will usually present options and a recommendation but not always; Council needs to understand that truly there is not a "one size fits all" method of doing this work and as such maintain flexibility in your analysis/decision making/expectations of staff. If you need additional or different information or form of presentation of information, please let us know. We are here to help you and if we do not know that you need help we cannot provide it.
- 6) It is perfectly appropriate and often helpful to ask questions that you already know (think that you know) the answer(s) to. That is so because a) not everyone may know what you know and/or b) if something has changed or was differently understood before, then the correct information can be provided.
- 7) If you have an answer in mind/an answer that you want us to give, then tell us.
- 8) Civilized disagreement can be healthy; however, please be careful asking staff to take sides during Council debate/disagreement. When disagreement arises Council needs to sort it out to arrive at a consensus. When that happens then ask Staff to comment on/analyze the tentative conclusion/consensus that Council has reached.
- 9) Remember the power of making decisions/giving direction in public. When elected officials publically discuss the pros and cons of a decision/direction two important things

happen. Those are a) the public sees that you do care about the letter and spirit of the Open Meeting law and

b) credibility is always enhanced when both (all) sides of a decision are given some credence.

- 10) Related to #9 is a reminder to state your reasons for a decision/direction on the record. When decisions are made/direction is given (especially on difficult or controversial matters) there is a tendency for people to assume some ill intent or motive. If you state "why" (both for and against) with some degree of particularity, then the public is not left to speculate and staff is afforded an opportunity to have full insight to your rationale (and in turn help better develop Council policy and as necessary to support/defend the decision/direction.)

## Liability and Conflicts of Interest

### I. What's the concern: **Personal and Organizational Liability.**

Protection of personal and municipal assets.

- Insurance coverage is provided and the City will defend and indemnify Councilmembers except for willful and wanton acts.
- "Willful and wanton" is a knowing, purposeful disregard; acting or failing to act when action is required may be willful and wanton.
- Judgment may enter against the City and/or against individual Councilmembers. If willful and wanton, the City will not defend.

### II. Liability attaches when a Court determines that action(s) taken by Council, Planning Commission, Board and/or staff is (are) illegal.

- Various forms of *illegality including civil and criminal:*
- **Civil liability is principally for Constitutional violations.**

4<sup>th</sup>, 5<sup>th</sup> and 14<sup>th</sup> Amendment claims.

-4<sup>th</sup> Amendment provides protection against unreasonable search and seizure. Claims arise principally out of law enforcement but can occur in employment cases

-5<sup>th</sup> Amendment provides among other things that no person shall be deprived of life, liberty or property without due process of law and that private property will not be taken for public use without just compensation.

-14<sup>th</sup> Amendment provides among other things security from any state action which results in the deprivation of life, liberty or property without due process of law or the denial of the equal protection of law.

- *Taking* – an action which renders property valueless; either by physical occupation or by regulation
- *Inverse condemnation* – an action brought by a landowner or one having rights in land to compel the government to pay value after an alleged taking.
- Taking claims may be based on either State or Federal Constitution.
- *Equal protection* – the "constitutional guarantee of equal protection of the laws" means that no person shall be denied the same protections (including rights) which are enjoyed by another person in similar circumstances.
- Statutory civil rights violations - both state and federal. An interference with constitutionally protected rights is a violation of law and the Constitution. Actions are principally brought under 42 U.S.C. 1983.

- Liability for statutory civil rights violations(s) includes plaintiff's attorney fees and costs if plaintiff prevails.
- 1983 claims include the following:
  - Violation of due process guaranteed by Federal or State Constitutions
  - Regulatory takings
  - Procedural due process claims may either be made as Constitutional claim or civil rights claim
  - Procedural due process claims are **easy to avoid: IF**
    - 1) Notice and opportunity to be heard is provided, and
    - 2) Fair and impartial hearing is provided

Together these concepts are known/referred to as **Fundamental Fairness.**
- Other claims
  - Torts – Money damage claims; claims arising from alleged breach of duty
  - Contract – Interference with contract; lost opportunity, lost profit or advantage
  - Criminal – Abuse of official position and/or financial benefit or gain

### III. Quasi-judicial and legislative actions - What are the differences and why is there a distinction?

- A quasi-judicial proceeding generally involves an action for determination of the rights, duties or obligations of specific persons on the basis of the application on presently existing legal standards or policy considerations to past or present facts developed at a hearing, conducted for the purpose of resolving the particular interest(s) in question.
- **Procedural due process** is required in quasi-judicial proceedings.
- Quasi judicial proceedings include zoning, rezoning, variance, conditional and special use permits.
- **Ensuring due process is afforded goes a long way to avoiding liability.**

- **Essence of due process is advanced notice and an opportunity to be heard in a fair and impartial hearing.**
- Notice must reasonably describe the matter and the action to be considered and it must be given to all persons whose protected interests are likely to be affected. Notice must include inquiry details and who may be contacted for more information.

IV. Legal advice on how to conduct a quasi-judicial hearing. Generally, it is recommended to:

1. Have and follow written rules of procedure (often in the form of Code.) Rules should include such matters as right to testify, right to cross-examine, as well as a structure for admitting/presenting evidence.
  2. Exercise control. Courtroom decorum is expected. No personal exchanges; all comments are to be addressed to the Mayor/Council not to Petitioner or public.
  3. Keep a true and accurate record of proceedings.
  4. Request specific response on the record from the parties to questions/issues that may come up again.
  5. Have Petitioner "describe for the record" if he is using maps, charts or graphs.
- Issues which relate to Due Process
    1. Timing of hearing
    2. Presentation of evidence
    3. Effect of votes (denial, approval & tie and continuance/postponement or remand)
    4. Be impartial and maintain the appearance of impartiality. If not impartial or conflict exists, do not hear the matter. Impartiality guarantees fairness of process, which, in turn, limits liability exposure.
    5. Be sure that some evidence supports the findings. Evidence should be substantive (non-hearsay) and in the record.
    6. Consider only the evidence presented at the hearing.
    7. State the reasons for motions, decisions, vote.

- Courts, for the purposes of reviewing quasi-judicial actions, presume integrity, honesty and impartiality but this presumption can be overcome if a decision-maker has a personal, financial, official or other stake in the decision evidencing a conflict of interest.
- Persons who are conducting quasi-judicial proceedings are to be treated as the equivalent of judges and must therefore maintain impartiality.

V. Guidance on conflicts/impartiality, also known as conflicts of interest, is obtained from the City Attorney. **City standard is appearance of a conflict of interest.**

- Impartiality may be lost by:
  1. Ex-parte communication with parties or representatives while a quasi-judicial matter is pending.
  2. Having a financial interest in the matter, a party to the matter, or the outcome of the proceeding
  3. Having formed a prehearing conclusion (bias)
  4. Being related to a party or an officer, director or trustee of a party, a lawyer in the proceeding, a witness in the proceeding or having an interest that would be affected by the outcome, being an employee of one of the parties or in a legal relationship with one of the parties.

#### Cardinal Rules of Conflicts

1. Disclose – both to the City Attorney and Council – disclosure must be in writing
2. Do not vote
3. Do not influence or attempt to influence others
4. Leave the room

Legislative proceedings are the enactment of law. Actions which relate to subjects of permanent or general character are legislative; actions which establish or define what the law will be in future for situations arising under it. Code review, adoption/modification of text in the Code and some plan amendments are examples of legislative action.

## EXECUTIVE SESSIONS UNDER THE COLORADO SUNSHINE LAW

Colorado law provides very specific rules governing public access to the decision-making process for state and local government. The rules which control governmental agencies are commonly called the "Sunshine Law" or the "Open Meetings Law." The Open Meetings Law applies to "state and local public bodies."<sup>1</sup> The "Colorado Sunshine Act--Open Meetings" is codified at C.R.S. 24-6-401, *et seq.*

Significant provisions of the Act include the following terms and definitions:

- "Meeting" means any kind of gathering, convened to discuss public business, in person, by telephone, electronically or by other means of communication.
- Three members of the local public body is the magic number (two is the number for the state) or a quorum, whichever is less.
- "Open" meetings are those at which: "...the adoption of any propose policy, position, resolution, rule, regulation or formal action occurs ..." C.R.S. 24-6-402(2)(c).

The required notice is satisfied if a notice of the meeting is posted for at least 24 hours at the designated location. The posted notice should include specific agenda information. The posting location must be designated at the first regular meeting of the calendar year. The board should re-designate the official location at the first meeting each new year.

---

<sup>1</sup> The statute declares that it is "a matter of state-wide concern." This statement is the legislature's attempt to preempt local variation. A "local public body" means any board, committee, commission, authority or other advisory, policy-making, rule-making or formally constituted body of any political subdivision of the state and any public or private entity to which a political subdivision, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body." C.R.S 24-6-402(1)(a)

- Minutes must be kept for each meeting and promptly recorded "...at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur..." Minutes of a meeting during which an executive session is held must identify the topic of the executive session both by citation to the statute and by an announcement of the topic with as much particularity as possible. C.R.S. 24-6-402(2)(d)(II) and (d.5)(I)(A).
- Requirement for electronic recording C.R.S. 24-6-402(2)(d.5)(II)(A) - recording must be maintained for 90 days.
- An executive session may only be convened from a regular or properly noticed special meeting. Proper topics include:
  - purchase, acquisition, lease, transfer, or sale of any property interest;
  - attorney-client conferences" for the purposes of receiving legal advice on specific legal questions" [note that this is not limited to "litigation"];
  - matters required to be confidential by other law or rules;
  - specialized details of security arrangements or investigations;
  - determining negotiating positions and strategies and giving instructions to negotiators;
  - Personnel matters unless the affected employee(s) request that the meeting be open.
- A citizen who prevails in court concerning a violation of the statute shall be awarded attorney's fees and costs.



- Before going into executive session, the Chairperson must announce the topic of the session.
- The limitations do not apply to administrative staff. The rules are limited to elected and other policy making bodies.

Other subjects to be aware of:

- Electronic mail communication
- Text message communication
- Interplay with the Open Meetings Law with the Open Records Act

## Meeting Pointers - Making Meetings Work

- Council, principally by and through the Mayor, defines the agenda and how meetings flow.  
(Are there any changes that need to be made to maximize the effectiveness and efficiency of our meetings?)
- Mayor/Mayor pro tem are the facilitators of most meetings. As such everyone is looking to you to control the meeting.
- As facilitator the Mayor/Mayor pro tem must use ten basic facilitation skills. Those are:
  - 1) Start on time and respect others time and ensure that others respect your time.  
(If speakers are asked to limit their time to 5 minutes then they need to be done in that time or be allowed more time by the Council.)
  - 2) Review the purpose and desired outcome of each agenda item for the Council and the audience  
(Item number X on our agenda is a public hearing for the consideration of the purchase of a widget from ABC Company in the amount of \$\$. It is not a public hearing however, we will first hear from Mr. Smith the staff presenter, upon completion of the staff report Mr. Smith will stand for questions. Following the Council will then deliberate and consider the matter on a motion)
  - 3) Have all questions/comments directed to and through the chair.  
(members, staff and speakers)
  - 4) Use Robert's Rules consistently for motions  
  
(the 6 steps of a motion are a member being recognized/making a motion; a member seconding (without diving into the merits of the motion); the presiding officer restating the motion exactly as the maker made - ask the Clerk or Attorney for help if need be); have orderly debate (one speaker at a time, wait to be recognized and speak to the Chair); ask for all votes (ayes and nos) and tell the members what sign to use; and the presiding officer announces the vote, (the chair hearing 5 ayes and 2 nos declares the motion passed)instructs action (the City Clerk is directed to finally publish the ordinance in pamphlet form) and introduces the next item of business.

- 5) The Chair should always show, on behalf of the body, that ideas, opinions and participation is appreciated whether from or with citizens, staff or just members of Council.  
(On behalf of Council I would like to thank Mr. Smith for his presentation and thank you Council for approving the purchase)
- 6) The Chair should always encourage participation including by calling on members and/or staff, Reinforce ideas or suggestions and help facilitate consensus when appropriate  
(I hear Councilmember A saying 123 and Councilmember B saying 234, can we all agree on 23?)
- 7) The Chair must keep the meeting and its participants on track and in order to do so the Chair must pay attention. If need be call a recess to confer with other members or staff. Recesses can help regain focus and if used appropriately can increase productivity.
- 8) As decisions are made/actions are taken assign immediate followup/ask if follow-up is necessary.

(Ordinance 9999 prohibiting the use of widgets in the City was just approved by the Council. Mr. City Attorney the Council would like a report in six months on the number of violations that come to court or Mr. City Manager the Council would like a report in six months on the cost of enforcement of the ordinance)

- 9) Have the group decide if further/additional action is needed.

(We just approved Ordinance 9999 prohibiting the use of widgets in the City and asked for a 6 month report on enforcement does any member what any further action taken at this time?)

- 10) Thank everyone for the work that is done at and during the meeting.

## CITY OF GRAND JUNCTION, COLORADO

### RESOLUTION NO. 40-20

#### A RESOLUTION ADOPTING A POLICY ESTABLISHING PRINCIPLES OF DECORUM FOR CITY COUNCIL

##### RECITALS.

At its work session on June 29, 2020 the City Council discussed the importance of having a policy which establishes shared principles of civility, decorum and propriety for Councilmembers and the conduct of members when conducting City meetings and business affairs.

The adoption of policies is authorized by the City Charter and is consistent with principles of good governance. Adoption of this decorum policy will help guide the actions of City Council and provide a framework for constructive communication, which in turn promotes effectiveness and efficiency of the City Council.

Thoughtful communication by and among the Council, and with citizens, colleagues and City staff is imperative to fully, properly and genuinely serve the community.

Thoughtful communication, as generally described by this policy, is vital to realizing the tenet that *the Council may disagree without being disagreeable*. The Council collectively, and its members individually, endeavor to keep that principle with the adoption of this resolution.


NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION ADOPTS THE FOLLOWING PRINCIPLES OF DECORUM FOR THE GRAND JUNCTION CITY COUNCIL:

- ☐ Assume Positive Intent
- ☐ Lead with Positive Intent
- ☐ Come Prepared to Learn
- ☐ Participate Fully
- ☐ All Join the Conversation
- ☐ Respect Other Points of View
- ☐ Listen for Understanding
- ☐ Ask for Clarification
- ☐ Open, Honest Dialogue
- ☐ Don't Take It Personally
- ☐ Be Willing to Risk
- ☐ Consider The/All Options

This policy shall serve, until amended or repealed and replaced by subsequent resolution of the City Council, to guide the course of action and conduct of the City Council pertaining to the conduct of members when conducting City meetings and business affairs.

Adopted this 1<sup>st</sup> day of July 2020.

  
C.E. "Duke" Wortmann  
President of the Council

ATTEST:  
  
Wanda Winkelmann  
City Clerk



## RESOLUTION NO. 40-18

### A RESOLUTION ADOPTING POLICIES FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND WORK SESSIONS

#### RECITALS:

The City Council has considered the attached *Procedures Governing the Conduct of City Council Meetings and Work Sessions* ("Procedures") and has determined that the adoption thereof will provide a systematic, consistent and standardized method for conducting City Council meetings.

The *Procedures* will help the Council to conduct efficient and effective meetings in its administration of the public's business.

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

- a) The *Procedures* shall constitute the policies for the conduct of meetings of the Grand Junction City Council; and,
- b) The *Procedures* are effective immediately and shall continue in effect until revised by subsequent resolution of the Council.

PASSED and ADOPTED this 18th day of July 2018.



Barbara Traylor Smith  
President of the City Council



Wanda Winkelmann  
City Clerk



# **Procedures Governing the Conduct of City Council Meetings and Work Sessions**

**Adopted July 18, 2018  
Resolution No. 40-18**

## **Section 1. Order of Business for Regular or Special Council Meetings.**

- a. Council business at regular Council meetings shall be conducted in the following order:
  - (1) Call Meeting to Order
  - (2) Pledge of Allegiance
  - (3) Invocation or Moment of Silence
  - (4) Presentations, Proclamations, Appointments, Certificate of Appointments
  - (5) Citizen Comments
  - (6) City Manager Report
  - (7) Council Reports
  - (8) Consent Agenda
  - (9) Council Pulled Consent Agenda Items
  - (10) Regular Agenda Items Needing Individual Consideration
  - (11) Non-Scheduled Citizens & Visitors
  - (12) Other Business
  - (13) Adjournment
- b. Council business at special Council meetings shall be conducted in the following order:
  - (1) Call Meeting to Order
  - (2) Pledge of Allegiance
  - (3) Invocation or Moment of Silence
  - (4) Individual Consideration of Items Identified in the Call of Special Meeting
  - (5) Adjournment
- c. Council business at Executive Sessions/Special Meetings shall be conducted in the following order:
  - (1) Call Meeting to Order
  - (2) Individual Consideration of Items Identified in the call of Executive Session/Special Meeting
  - (3) Adjournment
- d. Procedures for conduct of other types of special proceedings by the Council shall be established by the presiding member and shall comply with all applicable legal requirements.

**Section 2. Length of Meetings**

- a. Regular Council meetings will begin at 6:00 P.M.; Executive Session/Special Meetings will begin at the noticed time.
- b. Breaks may be taken during meetings at the presiding member's discretion; meeting length and agenda will be consideration for when breaks are taken.
- c. Regular Council meetings will end no later than 10:30 P.M., except that:
  - (1) any item of business commenced before 10:30 P.M. may as determined by a majority of the members be concluded before the meeting is adjourned; and,
  - (2) the Council, at any time prior to adjournment, may as determined by a majority vote of the members, extend a meeting until no later than midnight to consider additional item(s) of business.
  - (3) All matters scheduled for a meeting which have not yet been considered by the Council prior to 10:30 P.M. (or midnight if the meeting is extended), will be continued without separate motion to the next regular Council meeting and will be placed on the regular agenda for such meeting, unless Council determines otherwise.

**Section 3. Citizen Comment During Regular and Special Council Meetings.**

- a. Comment during Citizen Participation. Prior to the start of the Council meeting, citizens expressing an interest in addressing City Council during the "Citizen Comments" portion of the meeting shall complete a form provided by the City Clerk. Citizen comment will be allowed on matters of interest or concern to citizens except the following:
  - (1) items the Council will consider at that night's meeting that include time for citizen comment (such as items discussed during public hearings);
  - (2) matters that are the subject of a board or hearing member decision that will be appealable to the Council, if a submittal has been made to initiate the decision-making process.
- b. Comment on Agenda Items. Citizen input will be received with regard to:
  - (1) each item discussed during a public hearing on the regular agenda;
  - (2) each item pulled from the consent agenda;
  - (3) any item that is addressed by formal Council action under the "Other Business" portion of the meeting that directly affects the rights or obligations of any member of the general public.

Such citizen input will be permitted only once per item regardless of the number of motions made during Council's consideration of the item.



- c. **Time Limits for Speaking.** Each speaker will generally be limited to three minutes; however, the amount of time to be allotted to each speaker will be set by the presiding member based upon the number of persons expected to speak, in order to allow as many as possible to address the Council within a reasonable time given the scheduled agenda. The presiding member may ask those intending to speak to indicate their intention by a show of hands or some other means, and to move to a line of speakers (or to a seat nearby for those not able to stand while waiting). If necessary in order to facilitate Council's understanding of the item, or to allow the Council to consider and act upon the item in a timely fashion, the presiding member may increase or decrease the time that would otherwise be allowed for each speaker.
- d. **Manner of Addressing the Council.** Comment and testimony are to be directed to the Council. Unless otherwise directed by the presiding member, all comments must be made into the microphone.
- e. **Yielding the Lectern.** Each speaker shall promptly cease his/her comments and yield the lectern immediately upon the expiration of the time allotted or at the conclusion of questions from the Council.
- f. **Yielding of Time.** No speaker may yield part or all of his/her time to another speaker, and no speaker will be credited with time requested but not used by another.

**Section 4. Public Conduct During Regular and Special Council Meetings and Work Sessions.**

- a. **General Comment, or Expressions of Support or Opposition.** Members of the audience are not entitled to speak except as provided in these Rules of Procedure, or as expressly requested by the presiding member or City Manager or City Attorney and shall not engage in expressions of support or opposition, such as whistling, cheering, foot stomping, booing, hissing, speaking out, yelling, or other acts, that disturb, disrupt or impede the meeting or any recognized speaker.
- b. **Signs and Props.** With the exception of materials exhibited as part of a presentation to City Council, no signs or props are permitted in the Council chambers.
- c. **Distribution of Literature.** Distribution of fliers or other literature is permitted in the public lobby areas of City Hall only when City Hall is open for a public event. Distribution of fliers and other literature is permitted on the sidewalks and grounds around City Hall. (See, 9.04.160 et. seq. GJMC) Persons wishing to engage in such activities may do so only in a manner that does not interfere with the movement of persons or obstruct the passage of pedestrians or vehicles.

- d. **Video and Audio Recording.** Video and audio recording by the press or other members of the public is permitted in the Council chambers only if the person making the recording is seated, standing in the back of the Council chambers behind all seated persons, or standing in any other area pursuant to the direction of the presiding member in his or her reasonable discretion or designated for that purpose by the City.
- e. **Areas Permitted for Seating and Standing.** Except for persons waiting in line to speak in accordance with the presiding member's instructions, no persons shall sit in the Council chambers except in chairs or seats provided by the City or in wheelchairs or other assistive devices, and no persons shall stand in the aisles or other locations in the Council chambers except in the back of the Council chambers and only in accordance with other applicable limits for fire and building safety.

**Section 5. Procedural Decisions Subject to Modification by Council.**

Decisions by the presiding member regarding procedures and procedural issues, including but not limited to time limits for public comment, may be superseded by a majority vote of the Council.

**Section 6. Council Questions and Debate.**

Council questions and debate regarding an agenda item during a regular or special Council meeting will occur immediately following citizen input and prior to entertaining any main motion related to the item. Except when raising a point of order at a regular or special Council meeting, Councilmembers seeking to ask questions or participate in debate or discussion will do so only when recognized by the presiding member. The presiding member may limit or curtail questions or debate as he/ she deems necessary for the orderly conduct of business.

**Section 7. Basic Rules of Order for Regular and Special Council Meetings.**

These procedures are based on commonly used rules of order and these procedures will control the conduct of City Council business at regular and special Council meetings. Except as specifically noted, all motions require a second. These procedures are based upon *Robert's Rules of Order Newly Revised* and have been modified as necessary to conform to existing practices of the Council and to the requirements of the City Charter. For example, all motions of the Council, except a motion to go into executive session or a motion to adopt an emergency ordinance, may be adopted upon approval of a majority vote (four members) of the members of City Council, pursuant to Art. VI, Sec. 50 of the City Charter.

If a question is not addressed by these procedures then reference may be made to Robert's Rules of Order for clarification or direction, however, adherence to *Robert's Rules of Order Newly Revised* shall not be mandatory, and, in the event of any conflict between these procedures and Robert's Rules of Order Newly Revised, these procedures shall prevail. In the event of any conflict between these

procedures, Robert's Rules of Order Newly Revised and the City Charter and/or Code provision(s), the City Charter or Code provision shall prevail.

Any councilmember and the presiding member may make or second any motion, except as specifically limited by these procedures.

### **MAIN MOTIONS**

- Main motions are used to bring business before the Council for consideration and action.
- A main motion can be introduced only if no other business is pending.
- All main motions require a second and may be adopted by majority vote (4) of the members of City Council.
- A main motion may be made or seconded by any Councilmember, including the presiding member.
- A main motion is debatable and may be amended.

### **SUBSIDIARY MOTIONS**

These are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it.

1. Motion to Amend. The point of a motion to amend is to modify the wording - and, within certain limits, the meaning - of a pending motion before the pending motion itself is acted upon.

- A motion to amend, once seconded, is debatable and may itself be amended once.
- A "secondary amendment," which is a change to a pending "primary amendment," cannot be amended.
- Once a motion to amend has been seconded and debated, it is decided before the main motion is decided.
- Certain motions to amend are improper.
  - For example, an amendment must be "germane" to be an order. To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied.
  - Also, some motions to amend are improper, for example, a motion that would merely make the adoption of the amended question equivalent to a rejection of the original motion, or one that would make the question as amended identical with, or contrary to, one previously decided by the Council during the same session.
- "Friendly" amendments acceptable to the maker and the seconder of the main motion do not require a second and are permissible at any time before a vote is taken on motions to amend the main motion.

2. Withdrawal of a Motion. After a motion has been seconded and stated by the presiding member it belongs to the Council as a whole and the maker may withdraw his or her motion unless one or more members of the Council objects, in which case the majority of the Council must consent to withdrawal of the motion.

3. Motion to Postpone to a Certain Time (or Definitely). This is the motion by which action on an agenda item or a pending motion can be put off to a definite day, meeting or hour, or until after a certain event has occurred.

- A motion to postpone definitely can be debated only to the extent necessary to enable the Council to determine whether the main motion should be postponed and, if so, to what date or time.
- Similarly, it is amendable only as to the date or time to which the main motion should be postponed.

4. Motion to Lay on the Table. A motion to table is intended to enable the Council to lay the pending question aside temporarily, but only when something else of immediate urgency has arisen.

- Adoption of a motion to lay on the table immediately halts the consideration of the affected motion, since a motion to table is neither debatable nor amendable.

5. Motion to Postpone Indefinitely. A motion to postpone indefinitely is, in effect, a motion that the Council decline to take a position on an agenda item or main motion.

- Adoption of a motion to postpone indefinitely kills the agenda item or main motion and avoids a direct vote on the item or motion. It is useful in disposing of an item or motion that cannot either be adopted or expressly rejected without undesirable consequences.
- A motion to postpone indefinitely is debatable but not amendable.

6. "Calling the Question". "Calling the question" may sometimes motivate unanimous consent to end debate. If it does not, however, then debate does not automatically end.

- If any member objects to ending the debate, the presiding member should ask if there is a second to the motion and, if so, he must immediately take a vote on whether to end debate.
- A motion to call the question is not debatable or amendable.

### **INCIDENTAL MOTIONS**

These are motions which usually apply to the method of conducting business rather to the business itself.

1. Point of Order. If a Councilmember thinks that the rules of order are being violated, he or she can make a point of order, thereby calling upon the presiding member for a ruling and an enforcement of the regular rules.

- A “point of order” takes precedence over any pending question out of which it may arise *and does not require a second*.
- A “point of order” is not amendable.
- Technically, a “point of order” is not debatable; however:
  - With the presiding member's consent, the member raising the point of order may be permitted to explain his or her point.
  - In response to a point of order, the presiding member can either immediately rule, subject to appeal to the Council, or the presiding member can refer the point of order to the judgment of the Council, in which case the point becomes debatable.
  - In making his or her ruling, the presiding member may consult with the City Attorney and/or members of the Council.
  - No member has the right to express an opinion unless requested to do so by the presiding member.
- When the presiding member has made a ruling, any two Councilmembers can appeal the ruling (one making the appeal and the other seconding it).
  - When an appeal is taken, the matter is decided by majority vote of the Council.
  - A tie vote sustains the decision of the presiding member.
- If a point of order is to be raised, it must be raised promptly at the time the perceived violation of the rules occurs.

2. Motion to Divide a Question. If a motion relating to a single subject contains several parts, each of which is capable of standing as a complete proposition by itself, the parts of the motion can be separated for consideration and voted on as if they were distinct questions by the adoption of a motion for division of the question.

- A motion to divide a question, if seconded, takes precedence over the main motion and is not debatable.
- The motion to divide must clearly state the manner in which the question is to be divided, and while the motion to divide is pending, another member can propose a different division by moving an amendment to the motion to divide, in which case the amended form of the motion, if seconded, would be decided first.
- Often, little formality is involved in dividing a question, and it is arranged by unanimous consent.

3. Motion to Suspend the Rules. When the Council wishes to do something that it cannot do without violating one or more of its regular rules, it can adopt a motion to suspend the rules that interfere with the proposed action.

- A motion to suspend the rules can be made at any time that no question is pending and can be applied to any rule except those that are fundamental principles of the City Charter, City Code or other applicable laws.
- This motion is neither debatable nor amendable.

## RESTORATIVE MOTIONS

These are motions that bring a question again before the Council for its consideration.

1. Motion to Take from the Table. The object of this motion is to take from the table and make pending again before the Council a motion or series of adhering motions that previously had been laid on the table.

- A motion to take an item from the table is neither debatable nor amendable.
- When a question is taken from the table, it is before the Council with everything adhering to it, exactly as it was when laid on the table.

2. Motion to Reconsider. This motion enables a majority of the Council to bring back for further consideration a motion which has already been voted on.

- A motion to reconsider is in order only if made on the same date that the vote to be reconsidered was taken, and can be made only by a member who voted with the prevailing side of the vote to be reconsidered.
- The purpose of reconsidering a vote is to permit the correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of a vote.
- When a member who cannot make a motion for reconsideration believes that there are valid reasons for one, he or she can try, if there is time or opportunity, to persuade someone who voted with the prevailing side to make such a motion.
- A motion to reconsider is debatable whenever the motion proposed to be reconsidered was debatable. And, when debatable, opens to debate the merits of the question to be reconsidered.
- A motion to reconsider is not amendable.
- The effect of the adoption of a motion to reconsider is that the question on which the vote was reconsidered is immediately placed before the Council in the exact position it occupied the moment before it was voted on originally.

3. Motion to Rescind or Amend Something Previously Adopted. By means of the motions to rescind or to amend something previously adopted, the Council can change an action previously taken or ordered.

- A motion to rescind or amend something previously adopted is debatable and amendable.
- In contrast to a motion to reconsider, there is no time limit on making a motion to rescind or a motion to amend something previously adopted (provided that no action has been taken by anyone in the interim that cannot be undone), and these motions can be moved by any member of the Council, regardless of how he or she voted on the original question.
- The effect of passage of this motion is not to place the matter back before the assembly as it was just prior to a vote being taken.
  - Instead, it either entirely nullifies the previous action or modifies it, depending

- upon which motion is used.
- For that reason, adoption of a motion to rescind or amend something previously adopted should be carefully considered if third parties may have relied to their detriment on the previous action.
- In order to modify an adopted ordinance, Council must adopt a new ordinance making the desired modification, in compliance with all formalities applicable to adoption of an ordinance.

### **PRIVILEGED MOTIONS**

These motions are of such urgency or importance that they are entitled to immediate consideration, even when another motion is pending. This is because these motions do not relate to the pending business but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else.

1. Motion to Adjourn. Generally, the presiding member adjourns the meeting at his or her discretion at the completion of the agenda. However, any Councilmember may move to adjourn the meeting at any time.

- A motion to adjourn requires a second.
- A motion to adjourn is always a privileged motion except when the motion is conditioned in some way, as in the case of a motion to adjourn at, or to, a future time.
  - Such a conditional motion is not privileged and is treated just as any other main motion.
  - A conditional motion to adjourn at or to a future time is always out of order while business is pending.
- An unconditional, privileged motion to adjourn takes precedence over most other motions.
- The privileged motion to adjourn is neither debatable nor amendable, while a conditioned motion to adjourn is debatable and may be amended.

2. Motion to Recess. A motion to recess is essentially a motion to take a break during the course of a Council meeting.

- A motion to recess must be seconded.
  - A motion to recess that is made when no question is pending is a main motion and should be treated as any other main motion.
  - A motion to recess is said to be privileged if it is made when another question is pending, in which case it takes precedence over all subsidiary and incidental motions and most other privileged motions. It is not debatable and is amendable only as to the length of the recess.
- After a recess, the meeting resumes when the presiding member has called the meeting back to order.

**Section 8. Voting Procedure.**

1. Casting a vote.
  - a. A roll call vote will be taken for items on the Discussion Agenda that require a Public Hearing. The City Clerk will call each Councilmember's name individually and the results shall be recorded in the official minutes.
  - b. For non-roll call agenda items, the Presiding member will call for a voice vote whereby the response will either be in the affirmative ("Aye" or "Yes") or negative ("Nay" or "No").



## *Memorandum*

TO: Councilmembers-elect Cole, Ballard, and Van Dyke  
CC: City Manager Mike Bennett  
FROM: City Attorney John Shaver  
DATE: April 9, 2023  
SUBJECT: Public Hearings

---

What follows is an overview of the legal issues involved with hearings as well as some practical suggestions for conducting hearings.

Thank you for reading. Hopefully this information will be of use to you. I look forward to discussing these topics further with you.

---

### An Overview of Due Process.

Hearings held by the City Council (or the Planning Commission) are essential to the correct and legal functioning of many of the processes that the City does but are especially important in land use matters. The concept of Due Process is derived from the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the Constitution and in land use/planning/zoning cases legal claims are made principally for alleged Constitutional violations. Constitutional claims can be very complicated and expensive to defend.

There are two "branches" of Due Process – substantive and procedural – while both are important and to some degree interrelated, procedural Due Process is principally what this memo will address and what Council must be cognizant of during hearings<sup>1</sup>.

Procedural Due Process claims may either be made as Constitutional claims or civil rights claims; procedural Due Process claims are easy to avoid: If 1) notice and opportunity to be heard is provided, and 2) fair and impartial hearing is provided. Together these concepts are known/referred to as Fundamental Fairness, which is what Due Process requires.

Public hearings<sup>2</sup> are very special proceedings; they are extremely important legally and from a credibility/transparency standpoint. It is in the City's interest to have an informed, participatory public that testifies about its views of an application but often

---

<sup>1</sup> An easy way to distinguish substantive and procedural Due Process is to think of procedural as "people and their right to be heard" and substantive as "ensuring law does not exceed Constitutional or statutory authority."

<sup>2</sup> Both quasi-judicial and legislative hearings need Due Process; however, in a quasi-judicial proceeding it is essential for valid decisions/to not violate Constitutional rights. Legislative hearings concern the enactment of law; actions which relate to subjects of permanent or general character are legislative and tend to be policy based. A quasi-judicial proceeding generally involves an action for determination of the rights, duties, or obligations of specific persons on the basis of the application of presently existing legal standards to past or present facts developed at a hearing, conducted for the purpose of resolving the particular interest(s) in question.

## *Memorandum*

hearings result in just the opposite as poorly conducted hearings are the perfect setting for confrontation and conflict rather than the exchange of ideas/discussion of concerns

about, and/or benefits of, a project and a balanced measuring of an application. To try and avoid that result the following recommendations are offered.

### Recommendations on How to Conduct a Hearing.

1. Have and follow consistent procedures, which should include such steps as explaining the testimonial process, the Applicant's right to rebuttal and that there is a structure for admitting/presenting evidence (see below.) (The City Attorney and other staff are here to help – feel free to utilize their expertise in explaining any of the procedures.)

Issues such as repetitive/cumulative and/or irrelevant testimony often arise during hearings. Some techniques to respond to those include:

- a) segmenting public testimony by topic. For example, the Mayor may ask for a show of hands before beginning testimony on which topic(s) people may be speaking on and ask for speakers on those topics before receiving general testimony and to develop a consensus as to the order of the topic(s). Doing so tends to create order and helps the Mayor/Council establish direction/maintain decorum. The technique can also be used during the hearing (*"we have now heard from 5 speakers that have discussed traffic, by a show of hands please indicate how many more of you would like to speak about traffic. I see 10 hands and would ask that you consider if what has already been said makes your point – if not, and if you choose to speak, I will ask that you not repeat what has already been said as there are other speakers/topics that we have not yet heard"*);
  - b) reminding a speaker(s) that the hearing is not a voting process and that 1 idea endorsed by twenty people is only one idea; and,
  - c) reminding a speaker(s) that his/her presence and participation is appreciated; however, repetition is not as i) there are other topics to discuss and ii) that repetition tends to dull the impact of the testimony as it is a natural tendency for people to tune-out repeated information.
2. Conduct the hearing for only as long as the Council and those participating can be reasonably attentive/meaningfully participate. There is nothing wrong with continuing a hearing/testimony, deliberations after testimony or a decision. Consider setting a time limit before the hearing begins as it is harder to set a time limit after it has begun. If the public claims to be inconvenienced, the most effective explanation is that all participants deserve "fundamental fairness" and that hurrying the hearing, having tired decision makers and speakers and/or forcing a decision is not fair to the process or those involved.



## *Memorandum*

3. If/when a speaker presents documentary evidence (including a PowerPoint) he/she should be told to present the evidence to the City Clerk. Often evidence "walks away" with the presenter and evidence presented during a hearing needs to be in the record.
4. Preferably prior to the hearing commencing the effect of votes (denial, approval, tie and supermajority) and other possible procedures such as continuance/postponement (for time or otherwise) should be explained.
5. Be impartial and maintain the appearance of impartiality. If not impartial or a conflict of interest exists do not participate in the matter. Impartiality guarantees fairness of process, which, in turn, limits liability exposure.
6. The Mayor, and to a lesser extent all members of Council, must exercise control of the hearing. Courtroom decorum is expected from all persons. No personal exchanges should be allowed, and all comments are to be addressed to the Council not to Applicant/Petitioner or to other speakers.
7. Request specific response on the record from the Applicant or staff as applicable to questions/issues that come up.
8. All speakers must "describe for the record" if he/she is using maps, charts or graphs and keep a true and accurate record of all proceedings by receiving/admitting the evidence into the record.
9. Be sure that some evidence supports the findings/decision. Evidence should be substantive and clearly admitted/reflected in the record.
10. Consider only the evidence presented at the hearing.
11. State the reasons for motions, decisions, votes. Courts, for the purposes of reviewing quasi-judicial actions, presume integrity, honesty, and impartiality but this presumption can be overcome if a decision-maker has a personal, financial, official, or other stake in the decision evidencing a conflict of interest (or even an appearance of a conflict.)
12. Persons who are conducting quasi-judicial proceedings are to be treated as the equivalent of judges and must therefore maintain impartiality<sup>3</sup>.

---

<sup>3</sup> Impartiality may be lost by ex-parte communication with parties or representatives while an application is pending; having a financial interest in the matter, a close relationship with a party to the matter or the outcome of the hearing; having formed a prehearing conclusion or bias; being related to a party or an officer, director or trustee of a party, a lawyer or witness in the hearing or having an interest that would be affected by the outcome; being an employee of one of the parties or in a legal relationship with one of the parties. If you are or may not be impartial/have a conflict of interest or an appearance of a conflict, consult with the City Attorney.



## *Memorandum*

If you have any questions or if I may otherwise be of assistance, please let me know.

**RESOLUTION NO. 53-22**

**A RESOLUTION ADOPTING A POLICY AND PROCEDURES FOR FILLING A CITY COUNCIL VACANCY**

**RECITALS:**

The City Council has considered the attached *Procedures for Filling a Council Vacancy* ("Procedures") and has determined that the adoption thereof will provide a systematic, consistent, and standardized method for filling a vacancy in the City Council.

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

- a) The Procedures shall constitute the policy of the City Council for and to achieve the purpose thereof, to wit, to fill a vacancy in the City Council when the same arises;
- b) The Procedures are effective immediately and shall continue in effect until revised by subsequent resolution of the Council.

PASSED and ADOPTED this 15<sup>th</sup> day of June 2022.



Anna M Stout  
President of the City Council

ATTEST:



Amy Phillips  
City Clerk





## Procedures for Filling a Council Vacancy

Section 37, Article IV, City Charter:

A vacancy in the council, from whatever cause arising, shall be filled by the council from among the electors of the district in which the vacancy occurs if a district councilmember, or at large if a councilmember at large, until the next general municipal election, when a successor shall be chosen for the unexpired term. A vacancy shall be taken to exist when a member of the council fails to qualify for thirty days after the commencement of his term, dies, resigns, removes from the city or from the district which he was elected to represent, absents himself from five consecutive meetings of the council unless excused by resolution thereof, is convicted of violating any provision of this Charter, or of a felony, or is judicially declared a lunatic as defined by statute.

The following procedures will be used to fill a vacancy on Council, as authorized by the City Charter (Charter) and other applicable law.

**Eligibility of candidates:** In addition to the geographical residence requirement of Charter Section 37, a candidate must have resided in the City for a period of at least twelve months preceding the election and if the vacancy is for a district seat, in the district in which he/she intends to serve.<sup>1</sup>

**Applications:** As soon as practicable after a vacancy in the Council occurs, the City Clerk (Clerk) will solicit candidates, through advertisements in media selected by the Clerk, for no less than two weeks. The solicitation will state the qualifications for appointment and directions for making application, the application deadline and provide such forms and information as determined necessary by the Clerk. The application period will be open for four weeks.

**Interviews:** When the application period has closed, the Clerk will provide copies of all applications to councilmembers. Council will then hold interviews with the candidates which will include one public, formal interview of all candidates. Other interviews may be held as Council determines, including smaller group interviews and/or one-on-one interviews.

**Election:** After the interviews, Council will hold an election to fill the vacancy. All qualified applicants will be considered as candidates for the election without requirement of nomination by motions and seconds.

If there is one candidate, councilmembers will vote by roll call vote with each councilmember voting "yes" or "no" for the candidate. Four "yes" votes are required for election. If the candidate does not receive four "yes" votes, then the vacancy shall be declared to continue, and the Clerk shall re-solicit candidates.

---

<sup>1</sup> C.R.S. § 31-10-301

If there are two candidates, councilmembers will vote by roll call vote, each stating his or her preferred candidate by full name. Four votes for the same candidate are required for election. If there is a tie vote, then the Council will discuss/debate the two candidates, and at the end of the debate then take another vote. If the second vote is tied, then the vacancy will be filled by random selection by use of a method determined by a majority of the Council.

If there are three or more candidates, then the vacancy will be filled by rank choice voting, as follows:

Councilmembers will vote by paper ballot. Each ballot will have the names of all the candidates and identify the councilmember who votes the ballot. Each councilmember will rank each of the candidates in order of choice (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc.). Every candidate must receive a ranked choice on every councilmember's ballot. Ballots will be collected and tabulated by the Clerk and be included in the public records of the City.

The ballots will be tabulated in the following manner:

If a candidate has four first-choice votes, then that candidate is elected. If no candidate achieves four first-choice votes, then the candidate with the fewest first choice votes is eliminated. The ballots with first-choice votes for an eliminated candidate are then counted for the second choice indicated on those ballots. The process continues until a candidate has no less than four votes. If two or more candidates are tied for the fewest first place votes in any round of voting, one of the candidates will be eliminated by random selection by use of a method determined by a majority of the Council.

If there is a tie in the votes at any time during the tabulation (*i.e.*, 2-2-2 or 3-3), the Council will discuss/debate the candidates' qualifications and then cast another vote by paper ballot in the same manner as described above. If the second vote results in a tie, then the vacancy will be filled by random selection by use of a method determined by a majority of the Council.

The Clerk will provide the results of the tabulation to the Council President who will announce the winning candidate who will fill the vacancy. All paper ballots will be included in the public records of the City and be retained in accordance with applicable law.



## RESOLUTION NO. 50-18

### A RESOLUTION ESTABLISHING THE GENERAL FUND MINIMUM RESERVE POLICY

#### RECITALS.

The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreation and public works. The General Fund is supported primarily by sales taxes.

The City Charter provides that that investment policies and policies for accounts and deposits shall be established by Resolution of the City Council. For many reasons it is important to establish a minimum reserve fund balance in the General Fund: a reserve policy ensures the continued delivery of City services by providing stability during economic cycles, it helps to maintain good standing with rating agencies and guarantees some cash will be available to invest in one-time capital, economic development or other necessary spending.

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


1. The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreation and public works. The General Fund is supported primarily by sales taxes.
2. It is important to establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital, economic development or other necessary spending.
3. The purpose of this Resolution is to establish City Council policy setting the General Fund Minimum Reserve ("Minimum Reserve") at 25% of the current year's adopted budget; however,
  - a) the Minimum Reserve may be reduced to no less than 20% if
  - b) the funds are used for strategic investment in the community through one-time capital, economic development or other necessary spending as determined by City Council; and,
  - c) the General Fund balance of the current year's Adopted Expense Budget and the Minimum Reserve is replenished by the following year's Adopted Budget.
4. The Minimum Reserve shall not be used for any purpose other than as allowed by this Resolution or as required by Article X, Section 20, §5 of the Colorado Constitution (also known as the TABOR reserve.) The TABOR reserve is not in



addition to but instead shall be included in the calculation of the Minimum Reserve.

5. The General Fund Minimum Reserve Fund Balance Policy is attached and incorporated by this reference as if fully set forth and shall be applied until subsequent resolution of the City Council.

Adopted this 1<sup>st</sup> day of August 2018.



Barbara Traylor Smith  
President of the Council

ATTEST:



Wanda Winkelmann  
City Clerk





## General Fund Minimum Reserve Fund Balance Policy

### Purpose

To establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital and economic development spending.

### Minimum Reserve

The General Fund Minimum Reserve shall not fall below 25% of the current year's Adopted Expense Budget except as authorized in the following section. This percentage is equivalent to 3 months of operating expenses. A portion of the General Fund Minimum Reserve includes the reserve required by Article X, Section 20 of the State Constitution. This is also known as the TABOR emergency reserve.

### Authorized Use

Upon City Council authorization, a portion of the minimum reserve may be used for the following provided the General Fund balance does not fall below 20% of the current year's Adopted Expense Budget and is replenished by the following year's Adopted Budget:

- To continue the delivery of services during a short-term economic downturn
- To use for strategic investment in the community through one-time capital, economic development or other necessary spending as authorized by City Council.

### Policy Adoption

In accordance with the City Charter this policy is adopted by resolution of City Council and can be changed by resolution as deemed appropriate.

**CITY OF GRAND JUNCTION**  
**PROCLAMATION PROCESS POLICY**

**1. PURPOSE:**

This policy establishes the procedures for selecting proclamations to be read by the City Council ("Council"). This policy provides City Councilmembers with a procedure for differentiating between *Civic Proclamations* and *Social Proclamations*. The procedure will help City Councilmembers manage the length of time spent on agenda items during regular meetings while supporting proclamation recipients.

**2. PROCLAMATION PROCESS:**

When a Councilmember receives a request for a proclamation, he/she will refer the requestor to the Mayor and City Manager for discussion at the next Agenda Review Committee meeting. Proclamations will be designated as *civic* or *social*.

**A. PROCEDURE FOR CIVIC PROCLAMATIONS:**

The following procedures apply to civic proclamations:

A. The Agenda Review Committee consisting of the Mayor and Mayor *pro tem* may designate proclamations as *civic*. *Civic* proclamations are those which pertain to holidays or issues of local significance. These proclamations are read and presented at City Council meetings and one representative is designated to receive the proclamation.

B. The preferred number of *civic* proclamations read at a meeting is no more than three.

**B. PROCEDURE FOR SOCIAL PROCLAMATIONS:**

The following procedures apply to social proclamations:

A. The Agenda Review Committee consisting of the Mayor and Mayor *pro tem* may designate proclamations as *social*. *Social* proclamations are those which pertain to awareness issues or topics championed by service clubs. These proclamations are mailed to the requester or issued at the event, when applicable. The titles of the social proclamations issued in a given month will be read aloud by the Mayor at the Council meeting.

B. There is no preferred number of *social* proclamations.

**CITY OF GRAND JUNCTION**  
**CREDIT CARD POLICY**

**1. PURPOSE:**

This policy establishes the procedures for the use of credit cards by members of City Council ("Council") as necessary for business on behalf of the City of Grand Junction. This policy provides City Councilmembers with a procedure and guidelines for the kinds of charges permissible on a City of Grand Junction credit card such as payment, as well as a policy for reimbursements. The procedure shall allow for City Councilmembers to exhibit proper usage of official business on behalf of the City of Grand Junction.

**2. CITY CREDIT CARDS**

A As a Councilmember, you will be issued a City of Grand Junction purchasing card (P-card) to cover expenses related to official City business. Generally, the appropriate expenses incurred on City credit cards include expenses associated with travel (hotel, meals, car rental); City-related meetings (meals); and seminar registrations.

B The City Manager's Office will process incurred City credit card expenses. Retain all credit card receipts and bring them to Administrative Support staff. Documentation needed for out-of-town travel and in-town meals must include an itemized receipt as well as a notation regarding the names of individuals being fed, the place or location, the business purpose, the date and which meal was purchased (lunch, breakfast or dinner).

C City policy prohibits the use of City funds for purchasing alcohol. If alcoholic beverages are included on a restaurant or hotel bill, Councilmembers should reimburse that amount to the City through cash or check. If a hotel bill includes charges for entertainment such as in-room movies, Councilmembers should reimburse these charges to the City.

D Please be aware that credit card expenses are public information and have been requested for review in the past. These accounts may also be audited.

**3. MILEAGE REIMBURSEMENT:**

A Councilmembers are entitled to reimbursement for mileage incurred while conducting City business. The City reimburses at the same per-mile rate as the IRS allows for tax purposes. You may submit a mileage reimbursement form to the City Manager's Office on a monthly basis.

**CITY OF GRAND JUNCTION**  
**TRAVEL POLICY**

**1. PURPOSE:**

This policy establishes the procedures for travel by members of City Council ("Council") required for business on behalf of the City of Grand Junction. This policy provides City Councilmembers with a procedure and guidelines for making travel arrangements, scheduling payment, and reimbursements. The procedure shall allow City Staff to adequately aid City Councilmembers plan for travel as required by official business on behalf of the City of Grand Junction.

**2. CONFERENCES, SEMINARS, OR SPECIAL MEETINGS:**

A. Councilmembers sometimes have an opportunity to attend conferences and seminars related to their duties as a municipal official. Councilmembers shall bring the registration form to the City Manager's Office and staff will complete necessary registration forms and arrange for fees to be paid by the City or reimbursed if the Councilmember pays the fee directly.

B. Conferences and seminars vary in size and scope depending on the intended purpose. Conferences or seminars with a national focus and are typically held in locations out of the state and require greater amounts of travel arrangements. Since the policy decisions made by City Council revolve around local issues, the attendance of national-level conferences or seminars is limited. Resulting, travel costs for conferences that exceeds \$1,000 shall be brought to Council as a whole for review by the group. Costs associated for travel and registration for conferences is limited by the amount designated in the Annual Budget. Conferences and seminars with a focus on localized or state-wide issues are typically held within the state and attendance requires day-of travel or simple travel arrangements. Councilmembers are encouraged to attend in-state conferences or seminars more frequently than out-of-state conferences or seminars due to the relevance of information presented. Travel may also be required for Councilmembers to attend the meetings of committees that members of City Council have been assigned.

**3. TRAVEL ARRANGEMENTS:**

A. When attending a City-related out of town conference or meeting, Administrative staff will make travel arrangements in advance of the trip. Please inform staff as soon as possible regarding out-of-town conferences. Staff will make arrangements for convenient travel dates, airline reservations, accommodation preferences, etc.

B. The City makes every effort to get the most economical airfares and room accommodations. Many airline reservations are *non-refundable*. Please be mindful that if cancellations are necessary, the City will end up paying the extra costs. Airfare, hotel, conference registration, car rental or taxis, mileage or shuttle expenses, and meal expenses

will be paid by the City. You may use your City purchasing card for these expenses or you may use cash.

C. Documentation needed for out-of-town travel and in-town meals must include an itemized receipt as well as the names of individuals being fed, the place or location, the business purpose, the time or date and the type of meal (lunch, breakfast or dinner.) However, if a City employee is picking up the tab for a group meal, the names of those individuals attending need to be included on the receipt. This information is required by the City's auditors and is required of both staff and Council.

D. A per diem rate for meal expenses will be issued by Administrative staff for out-of-town trips and conferences. With a per diem, you would not need to provide receipts for meal expenses at the end of your trip.

E. Your guest may travel with you, but the City will only pay for your share of the expenses. For example, airfare for your guest will not be covered, and if the hotel rate is higher for double occupancy, the City will only pay for single occupancy.

#### **4. CITY CREDIT CARDS**

A. As a Councilmember, you will be issued a City of Grand Junction purchasing card (P-card) to cover expenses related to official City business. Generally, the appropriate expenses incurred on City credit cards include expenses associated with travel (hotel, meals, car rental); City-related meetings (meals); and seminar registrations.

B. The City Manager's Office will process incurred City credit card expenses. Retain all credit card receipts and bring them to Administrative staff. Documentation needed for out-of-town travel and in-town meals must include an itemized receipt as well as a notation regarding the names of individuals being fed, the place or location, the business purpose, the date and which meal was purchased (lunch, breakfast or dinner).

C. City policy prohibits the use of City funds for purchasing alcohol. Alcoholic beverages must be placed on a separate tab from which City funds are used. If alcoholic beverages are included on a restaurant or hotel bill by accident, Councilmembers shall reimburse that amount to the City through cash or check. If a hotel bill includes charges for entertainment such as in-room movies, Councilmembers shall reimburse these charges to the City.

D. Please be aware that credit card expenses are public information and have been requested for review in the past. These accounts may also be audited.

#### **5. MILEAGE REIMBURSEMENT:**

A. Councilmembers are entitled to reimbursement for mileage incurred while attending out of town conferences and seminars. The City reimburses at the same per-mile rate as the IRS allows for tax purposes. Councilmembers may submit a mileage reimbursement form to the City Manager's Office on a monthly basis.



## *Memorandum*

**TO:** Councilmembers-elect Cole, Ballard, and Van Dyke  
**CC:** City Manager Mike Bennett  
**FROM:** City Attorney John Shaver  
**DATE:** April 9, 2025  
**SUBJECT:** Persigo Agreement

---

This memorandum reviews some of the essential terms, dates, and principles of the Persigo Agreement.

The Persigo Agreement signed October 13, 1998, (Agreement) generally provides direction for the operation of the Persigo sewer system, helps to address sprawl, resolved long-standing tensions regarding annexation to the City when sewer was provided to development and established rules for where urban development would occur. The agreement was effectively the settlement of the lawsuit that the County filed against the City (94CV233.) There is extensive history<sup>1</sup> regarding these matters, which is beyond the scope of this memo; however, the information presented here will provide a working understanding of the Agreement.

A copy of the Agreement and the First and Second Amendments are attached. (The First Amendment to the Agreement was accomplished by Resolutions of the Persigo Board; City Resolution 35-01 together with the Agreement as amended is attached.)

The Second Amendment principally addresses the alignment of the urban development boundary (UDB and the 201-service area as well as some concerns that the County Commissioners and the Council have had regarding some contribution by the County toward infrastructure and annexation processes. The Second Amendment has been long in the making and was a positive step. Staff will be happy to discuss the specific provisions of the Second Amendment together with a broader explanation of the background for the Agreement. Generally speaking, that background includes City concerns about a) annexation of property that is served by substandard infrastructure and b) the extension of City services to properties in less-than-optimal locations and at less-than-optimal points in time (for the City to efficiently deliver services.) That condition has been referred to as “patchwork” or “leapfrog” annexation. Over the years there has been significant discussion of the “patchwork” annexation, which results from the Agreement. The pattern of annexation has complicated service delivery and in turn the cost thereof. There are significant policy implications attendant to annexation and the Agreement and in order to determine if and/or what parts of the Agreement may

---

<sup>1</sup> A brief history is included beginning on page 7.

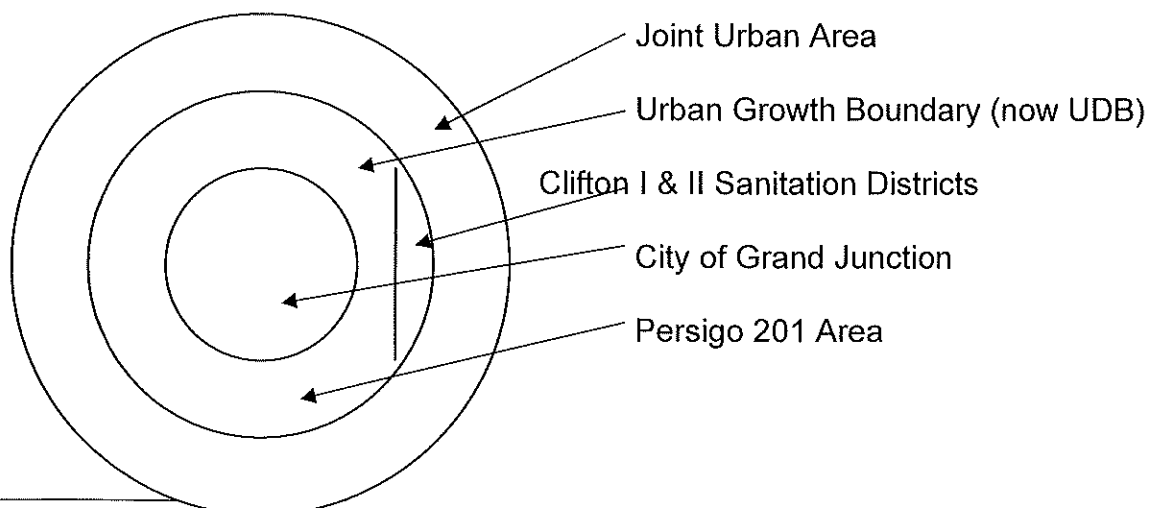
need to be amended, either to reflect current policy direction or to delete obsolete provisions, please consider the following background information. If you need more information, I will be pleased to provide it.

## Overview

The Persigo Agreement established land use and master plan policies and implemented agreement specific solutions to a series of problems notably the use of powers of attorney for annexation and litigation involving the extension of sewer service.<sup>2</sup> For purposes of land use, the Agreement identifies four areas:

- The City limits;
- The Persigo 201 sewer service area, which includes all of the then existing City limits, plus the eventual City limits;
- The Urban Growth Boundary (now known as the Urban Development Boundary or UDB), which includes the City's limits plus the Persigo 201 sewer service area plus the sewer service areas for Clifton Sanitation Districts I and II; and,
- The Joint Urban Area, which added to the Urban Growth Boundary, was the area shown on the City's prior Future Land Use Map. The JUP included the buffer areas, Whitewater, and Appleton in planning processes; the JUP, and any joint planning is no longer occurring. Today there is little if any joint planning with the County; the County Planning Commission has adopted the 2020 Comprehensive Plan map; however, the Board of Commissioners have neither adopted nor endorsed the City's plan.

Those areas may graphically be shown as follows:



<sup>2</sup> Valle Vista subdivision extension precipitated the lawsuit.



Under the Agreement both the City and County adopted the same master plan. The City master plan is now known as the 2020 *One Grand Junction Plan Comprehensive Plan* (Comprehensive Plan.) The Persigo Agreement references to the Growth Plan should be read to now refer to the Comprehensive Plan; however, as noted above the Growth Plan was jointly adopted, the Comprehensive Plan has been adopted by the City Council and the future land use map has been adopted by the County Planning Commission. The Board of County Commissioners (BoCC) has not adopted the map or other aspects of the Plan; however, the County Planning Commission has.

Integration of the Persigo Agreement into the Comprehensive Plan, and the resulting growth of the City, has for many years been a key consideration for policy making related to growth. While the Agreement was a settlement of a lawsuit it is also a land use and infrastructure standards agreement that in large measure has served well to help manage growth; however, that growth management comes at a cost to the City.

### **Main Assumptions of the Persigo Agreement**

The Persigo Agreement provides that “urban” growth (anything except 2 acre or larger residential lots) must only occur within the City. Pursuant to the Agreement all “annexable development” (urban growth as defined by the Agreement) anywhere within the Urban Development Boundary (fka Urban Growth Area) must be annexed to the City.

The method provided by the Agreement to implement these goals is that annexable development (*i.e.*, urban growth) is processed by the City. There are two exceptions: those areas outside the Urban Development Boundary within the Joint Urban Plan that were as of October 13, 1998, already zoned for urban uses and those parcels shown on the Master Plan as Commercial or Industrial. To avoid sprawl and to avoid having industrial/commercial/business developments move to just outside the City's limits the Agreement provides that no urban development (“annexable development”) can be allowed in the JUP area outside of the UDB. Given that the Comprehensive Plan is not jointly adopted (*i.e.*, by the City Council and the Board of Commissioners) the legal and practical implications of the JUP and these exceptions are presently unknown.

The following sections of the Agreement address land use decisions related to growth, growth management and the Comprehensive Plan – these policies, among others, inform the current Comprehensive Plan/City policy and its implementation.  
(References are to pages and paragraphs in the Agreement.)

As Council considers possible amendment of the Agreement and how the same relates to the Comprehensive Plan a predicate question is the cost of annexation as compared to the benefit and what if any role the County has in participating in the cost and/or otherwise managing growth. For many years residential growth has generally cost the City more than it has generated and certainly over time the cost of retrofitting substandard infrastructure has been even more costly. Most costly has been the City's participation in the septic elimination program. Do bear in mind that with each

annexation the County's tax revenue remains the same and its service obligations are reduced.

### **Agreement References**

Page 1, first and second paragraphs: "The overriding goal of the County is to make available connection to the System to all properties within the 201 Service area and to participate jointly with the City to provide policy direction for operation and maintenance of the System."

"The overriding goal of the City is that all new development shall occur within, and be annexed to, the City, and under the City's land use jurisdiction."

"The parties agree that these two goals can be accomplished together."

Page 1, paragraph (d): "So that the integrity of the City and County planning efforts is not threatened in the Joint Planning Areas, the parties will not allow growth inconsistent with the Master Plan adopted by each entity or by the Planning Commissions of each; or existing zoning;"

Page 2, paragraph (e): "Encourage connection of all properties within the 201 to the System in the short term, rather than waiting for septic systems to fail; and" Page 2, paragraph (f): "Agree on, and adopt, the boundaries of the 201."

Page 3, paragraph 7: "The 1998-1999 existing system capital improvement plan, and existing operating budgets, and the Sewer Rules and Regulations (to the extent not inconsistent with this Agreement) and the boundary of the 201 as indicated on "Persigo Exhibit A" are hereby continued and ratified until jointly modified."

Page 4, paragraph 8: "The parties agree to provide for, encourage, and assist growth of the City through annexation by the City of all Annexable Development within the boundaries of the 201. In the event of a question, the parties agree that annexation is to occur, unless prohibited by applicable law or this Agreement."

Page 4, paragraph 9: "The Parties shall jointly develop appropriate incentives to encourage annexation to the City. If a neighborhood or other area petitions or elects to be annexed to the City, the County and the City may jointly fund incentives. As allowed by available money, the incentives may include, but are not limited to, parks, roads, fire stations or road improvements."

Page 4, paragraph 10: "The parties agree to implement this Agreement, in letter and in spirit, through the various tools, plans and powers of each party, including but not limited to the adopted codes of each, the policies and procedures of

each, and the agents and employees of each. Throughout the term of this Agreement, the parties agree to continue to amend and adopt such provisions as are authorized and necessary to implement all provisions and goals of this Agreement."

Page 4, paragraph 11(a): "The parties acknowledge the importance of adoption of, or implementation of, and compliance with, the Master Plan. The parties shall implement the Master Plan through their resolutions, ordinances or other actions or shall comply with the zoning existing as of the date of this Agreement. The parties may jointly allow for exceptions, in writing."

Page 4, paragraph 11(b): "When one party approves an amendment or other change to the Master Plan for property within such party's jurisdiction if the other party does not consider and decide whether to amend within thirty calendar days of the first party's approval, the amendment shall be deemed approved."

Page 4, paragraph 12: "To maintain the integrity of the Master Plan, and the implementation of it, and for other reasons, the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be "urban" while smaller parcel or lot sizes are deemed to be "urban." The parties agree to amend the 201 to implement this principle."

Page 5, paragraph 14(a): "Over time all properties within either the UGA or the 201, as those boundaries are adjusted and amended pursuant to this Agreement, will be annexed by the City. The parties agree that the UGA and the 201 should be the same, although amendments are required to accomplish this consistency, except that Clifton Sanitation District I and II will be excluded from the 201. All land use review of whatever form of any Annexable Development within the 201 Boundary, beginning with the very first contact with the planning offices or departments of the parties (such as a pre-application conference or the acceptance of any application or permit request), shall exclusively occur in, and be exclusively subject to the land use jurisdiction of, the City through the development review or other review process."

Page 5, paragraph 16: Within the Persigo 201 area, any proposed non-residential use or development must first annex and be processed through the City development review process. This specifically applies to developments requiring a change of text or a map change within the Joint Urban Area, which requires a rezone, which create additional parcels, which require a Conditional Use Permit, which includes a new principal structure, which adds additional square footage to a principal structure resulting in a structure equal to or greater than 10,000 square feet or which adds 10,000 square feet to any existing principal structure.

Page 8, paragraph 21(a): Redlands: Annexation is required for any residential development if any portion of the property is within ¼ mile of any portion of the City limits. (The Redlands was an agreed upon exception to the general rule that all new development would be immediately annexed into the City. The County, however, agreed to require that Redlands' developments abide by the City's infrastructure standards and planning basics. The reason for this rule is so that when eventually annexed into the City, there would be consistency and the City wouldn't have to do the expensive upgrading and retrofitting of the development that occurred in the 1970's, 1980's and early to mid-90's.)

Page 8, paragraph 22(d): (d) To the extent that property, upon annexation to the City, is excluded from the Clifton Fire Protection District ("Clifton Fire"), the City promises to pay to Clifton Fire that amount of money which would have been received by Clifton Fire by virtue of its current mill levy as applied throughout Clifton Fire which would have applied absent exclusion, subject to the on-going requirement that Clifton Fire shall continue to provide its full services to the excluded property. (On January 1, 2018, the City began serving all annexed areas that were within the Clifton Fire District.)

Page 9, paragraph 23: Orchard Mesa: Annexable development (both residential and non-residential) west of 30 Road will be annexed. Only rural (as defined in the Persigo Agreement) development occurs east of 30 Road.

### **Key Dates and Actions**

Due to the passage of time certain provisions of the Agreement may have been forgotten or overlooked. Included below are some of those specific terms.

1. Paragraph 9: The parties *shall* jointly develop incentives to annex.
2. Paragraph 11(a): The parties *shall* implement the Master Plan.
3. Paragraph 12: "To maintain the integrity of the Master Plan ... the parties agree that any property within the 201 should eventually develop at an urban level of density." The 201 boundary shall be amended so that only "urban" lots are within the 201. "Urban" lots are those of 2 or less acres.
4. Paragraph 13: Annexation is required to implement the goals and objectives of the Agreement.
5. Paragraph 14(b): The City may annex outside of the 201 or the UGA without the consent of the County (so long as all other statutory criteria are met) as of October 13, 2008.

6. Paragraph 15: The most important principle of this paragraph is "... Within the 201, the parties shall jointly agree upon the infrastructure standards which shall be followed throughout the 201 ..."
7. Paragraph 22(d): After annexation the City pays Clifton Fire the value of the Clifton Fire mill levy on excluded property if Clifton Fire continues to serve. On January 1, 2018, the City notified Clifton Fire that the City will serve all annexed areas.
8. Paragraph 26(a): By the *fifth anniversary* of the effective date of creation of an enclave, the City shall unilaterally annex the enclave.
9. Paragraph 38: Before *each July*, the parties must meet to provide policy direction.
10. Paragraph 38: By each *September 1*, the City must notify the special districts of any changes. (Each of the special sanitation districts – Orchard Mesa, Central Grand Valley, and Fruitvale - have now been dissolved.)
11. Paragraph 39: *At least every five years*, the City must employ an outside rate consultant to study rates.

### **Brief History**

The history of Persigo begins in the early 1970's (I have seen some EPA documents that are dated 1976 but I know the issue began before that) when the City began the process to replace its Westside Sewer Treatment Plant (which was located at the current City shops property.) The Westside Plant treated City sewage and pursuant to contracts, wastewater generated in the Central Grand Valley, Fruitvale, and Orchard Mesa Sanitation Districts (OMSD) (all now dissolved - which is another story) and from the Ridges. The Westside Plant also received sewage from other areas outside the City, not within special districts, for which the owners had agreed to annexation in exchange for connection to sewer. (Those connection agreements were known as POA's which is another chapter of the story as those related to annexation.)

Part of the reason the Westside Plant was being upgraded is because it was old, but the other reason is that the County had issues with the EPA on the proliferation of septic systems (I have never seen an order but believe the County was under a moratorium disallowing new building served by septic tanks.) Under the Federal Clean Water Act, the water quality planning area and process (as defined by section 201 of the Act) was completed in the mid to late '70's and plans were made to abandon the Westside Plant, construct the River Road interceptor and three other interceptors that connected to the River Road interceptor and/or the new sewer plant, all from the Redlands area.

At the time the City had a debt on the Westside Plant of just over one million dollars (although the City had applied for, ultimately received and then when the agreement

was made to move and size the plant to provide service to a larger area, the grants the City received were assigned to the County. The EPA grant was for 75% of the cost of construction with the remaining 25% to be locally funded by bonds. Construction of the Persigo plant was completed in 1984.) In addition to the construction, the bond issuance was sized to defease the existing City debt.

In 1979 and in 1980 the City and the County entered into two agreements to provide sewer collection and treatment facilities for the 201 area. The stated purpose of the 1979 agreement was to determine the relationship of the parties, how and by whom the bonds would be issued and how the revenues will be generated to retire the bonds. The 1979 agreement is clear that sewer is to be provided to residents within the Grand Junction 201 service area (which is part of the reason why the 201 has been a point of contention for a very long time.) The 1979 agreement included a term allowing for the growth of the City in areas within two miles of the city limits through the use of POA's or contemporaneous annexation. POA's allowed the City to annex areas served by sewer when the City was ready - POA's for annexation were required in exchange for sewer service.

The 1980 agreement amends the '79 agreement - the '80 agreement was the operation and maintenance agreement and affirmed the City's role as manager subject to joint budget approval (at the time the budget issue was principally about the rates being set to cover the debt service.) In addition to the operational aspects of the 1980 agreement it provided a more specific process for City growth which is partly the basis for the process in the Persigo agreement and partly is what we could do with tiered growth.)

In 1980 and then in 1992 the City and County approved the issuance and the refinancing of bonds (the specific dollars were not an issue in the lawsuit but instead the County argued that it had authority to administer and account for the revenue and that the City as manager had prevented the County from doing so.)

In 1994 the County sued the City based on all of this history and the fact that the City objected to the County (because it claimed it jointly owned the system) directing the building department to accept sewer hookup approvals without City approval. (This was the Valle Vista subdivision issue.) The issues were litigated for 4 years and the Persigo agreement is the settlement of that litigation.

The County contributed to Persigo, but those contributions were for the joint benefit of the system and to construct the plant to serve the persons within the 201. As mentioned above, the money was not an issue in the lawsuit (or even before or after); what was instead an issue was the County arguing that the bond documents gave it power that it did not have and/or had contracted away in the agreements. The Agreement concedes that the County is half owner of the Persigo plant.

Under the Persigo agreement the City released a number of POA's that it had lawfully acquired and as such there are properties in the County that could have been annexed to the City that were not. Typically, cities grow by the extension of utilities and because

of that - whether that be through the Persigo agreement or some variation of it – it is in the best interest of the City to preserve a means to grow. Growth as well as ensuring quality of development and providing for urban services is a key consideration of responsible governance. One of the key principles of the Persigo Agreement (and the 1979 and 1980 agreements) is that the County is not an urban services provider (and did not want to be in the urban services business.)

Under Colorado law annexation is a very important matter - we have Constitutional provisions, statutes and a very clear Colorado Supreme Court decision that recognizes growth is customarily the province of cities and that the extension of utilities is the primary vehicle for growth. Given that Grand Junction is encircled by Ute Water<sup>3</sup> and that the City does not exclusively control sewer, some form of growth management agreement is essential to the City's future. Of course, the growth needs to be affordable and make sense - but the premises of the Persigo agreement (that the City has a defined growth area and that there are triggers *i.e.*, development and the extension of sewer) are legally very significant and very defensible. In developing the Agreement, we worked very hard to preserve strong legal arguments to protect the City's ability to grow. (Do recall that one of the issues that the City was contending with under the POA's and other annexations was that the County allowed growth at urban or suburban densities without requiring adequate infrastructure. Significant amounts of money were spent to retrofit sewer and make other improvements so the Council at the time of the agreement decided to annex so that the subdivisions would be to proper standards and the time, effort and money of retrofitting could be avoided. Standards are a significant issue as is well demonstrated in Clifton, Clifton Village South and other areas of the county that were developed without regard for urban services.)

Neither Fruita nor Palisade are subject to the same terms as Persigo. Certainly, there are some land use issues such as the buffer areas, transportation, drainage *etc.* that involve the County and the other municipalities. When the new Clifton sanitation plant was being discussed the City attempted to convince Clifton to join the Persigo system. While that did not happen then, it is likely only a matter of time, due to environmental and development considerations, that the discussion will have to occur again.

Further discussion on the legal issues of the land use/annexation/POA's issues arising out of the Persigo Agreement and possible amendments will continue to occur.

---

<sup>3</sup> Because of litigation with Ute, the City has until only recently been precluded from any changing service boundaries. The relationship with Ute will be separately presented/discussed.

## **RESOLUTION NO. 35-01**

### **A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION AND THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY AMENDING PARAGRAPH 23 OF THE PERSIGO AGREEMENT BY AUTHORIZING SPECIFIC CONNECTIONS TO THE VALLE VISTA SEWER LINE**

#### Recitals.

On April 2, 2001 the City Council and the Board of County Commissioners, in a joint public hearing, adopted motions authorizing certain connections to the Valle Vista Sanitary Sewer Interceptor for that part of Orchard Mesa east of 30 road. That hearing was the last in a series addressing the use of the Valle Vista sewer line and connections to that line.

The October 13, 1998 Persigo Agreement between the City Council and the Board of County Commissioners of Mesa County directs that amendments to that agreement can only be made if both governing bodies agree, as they did on April 2, 2001.

This Resolution implements that jointly adopted decision. The County Commissioners will adopt a similar resolution as soon as practicable.

#### **NOW, THERE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:**

Section 23 of the Persigo Agreement is hereby amended as shown on the attached Exhibit.

In general, the Persigo agreement will now allow the following four categories of connections to the Valle Vista Sewer Interceptor:

- i. Dwellings existing as of October 13, 1998 that are within 400 feet of the Valle Vista sewer line if the existing septic system fails.
- ii. As authorized by the Orchard Mesa Sanitation District in February and March of 1994, service to up to 13 dwellings, as described in the attach Exhibit a part of which is a spread sheet.
- iii. Two connections to the Valle Vista line which should not have occurred, but having been made, are now authorized
- iv. As provided in the original Persigo Agreement, the existing Valle Vista subdivision.



PASSED and ADOPTED THIS 18th day of April, 2001.

ATTEST:

/s/ Stephanie Nye  
City Clerk

/s/ Gene Kinsey  
President of City Council

**EXHIBIT**  
1998 INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF GRAND JUNCTION AND MESA COUNTY  
RELATING TO CITY GROWTH  
AND JOINT POLICY MAKING FOR THE PERSIGO SEWER SYSTEM  
[October 12, 1998]

A.  
**Goals**

The overriding goal of the County is to make available connection to the System to all properties within the 201 Service area and to participate jointly with the City to provide policy direction for operation and maintenance of the System.

The overriding goal of the City is that all new development shall occur within, and be annexed to, the City, and under the City's land use jurisdiction.

The parties agree that these two goals can be accomplished together.

The Master Plan is the community's best effort to identify those areas of the Central Grand Valley that should be urbanized, and those that should not.

In addition, the parties have expressed their willingness and resolve to guarantee, for themselves and for the Boards and Councils that will follow, that:

- (a) The City may continue to grow, in accordance with its Charter and applicable state law;
- (b) Within the 201, all Annexable Development, as herein defined, must only occur within the City and under the City's jurisdiction;
- (c) The County shall continue to participate jointly with the City to provide policy direction for operation and maintenance of the System;
- (d) So that the integrity of the City and County planning efforts is not threatened in the Joint Planning Areas (herein defined), the parties will not allow growth inconsistent with: the Master Plan adopted by each entity or by the Planning Commissions of each; or existing zoning; and

(e) The City will continue to manage, operate and maintain the System as it has done, subject to policy guidance by the Board of County Commissioners and City Council, acting jointly, as provided herein.

This Agreement between the City and the County addresses the following goals and community values:

- (a) The System was constructed and will be operated for the benefit of the current and future users in the 201;
- (b) The Agreement should resolve all issues that were in dispute in the Lawsuit;
- (c) The pursuit of health and water quality on behalf of all citizens is of the utmost importance;
- (d) Continue quality management, operation, and maintenance of the System;
- (e) Encourage connection of all properties within the 201 to the System in the short term, rather than waiting for septic systems to fail; and
- (f) Agree on, and adopt, the boundaries of the 201.

B.  
**Policy.**

1. The City Council and the Board of County Commissioners shall jointly establish and provide policy direction relating to the System.
2. No policy shall be effective until formally adopted by both the Council and the Board of County Commissioners.
3. Policy means:
  - (a) Setting goals and objectives;
  - (b) Reviewing and adopting capital improvement plans and annual operating budgets;
  - (c) Reviewing and setting System rates and fees;
  - (d) Entering into bond issues and other financing arrangements, adopting or amending Sewer Rules and Regulations;

(e) Adopting policies and philosophies which govern rate and capital reviews and studies;

(f) Acting jointly regarding any changes to the 201. The parties recognize that their joint decision and recommendation regarding the 201 boundary may be subject to the approval of others pursuant to the Federal Clean Water Act and implementing regulations; and

(g) Approving and entering into new sewer service contracts or amending existing sewer service contracts with special districts, municipalities, or other sewer service providers.

4. In the event the parties fail to jointly adopt an annual operating budget, the previously approved operating budget shall be the operating budget.

5. The parties agree that, unless required by a debt instrument or similar obligation, the following shall apply to the System:

(a) Operating and maintenance reserves required by any debt instrument will not be used for trunk line extension or plant expansion;

(b) Jointly adopted differential fees and charges may be used to encourage in-fill;

(c) Plant investment fees and monthly charges may be established to meet anticipated future capital needs and inflation indexing; and

(d) The plant investment fee will be put into an expansion fund until plant usage reaches 90% of capacity, at which point construction is expected to expand the plant capacity. After such construction, expansion fund moneys may be accumulated for future uses or may be used to plan and construct new or replacement facilities.

6. Arbitration. Subject to the overriding provisions of Section F, "Remedies," in the event of a dispute of any matter determined by either body to be necessary to effectuate this Agreement or to establish any policy, the parties shall first mediate the dispute. If mediation does not resolve the dispute, the parties shall each state its position in writing and deliver the same to the other party. If, within ten days of the delivery of such writings to each party, the parties have not resolved the dispute, the parties shall proceed to binding arbitration. Each party shall designate an arbitrator of its choice and the two designees shall designate a third. Arbitration shall be subject to the rules of the

American Arbitration Association. Expenses of mediation and arbitration shall be shared jointly by the parties.

7. The 1998-1999 existing system capital improvement plan, and existing operating budgets, and the Sewer Rules and Regulations (to the extent not inconsistent with this Agreement) and the boundary of the 201 as indicated on **"Persigo Exhibit A"** are hereby continued and ratified until jointly modified.

C.

**Implementation-Zoning-Master Plan.**

8. The parties agree to provide for, encourage, and assist growth of the City through annexation by the City of all Annexable Development within the boundaries of the 201. In the event of a question, the parties agree that annexation is to occur, unless prohibited by applicable law or this Agreement.
9. The Parties shall jointly develop appropriate incentives to encourage annexation to the City. If a neighborhood or other area petitions or elects to be annexed to the City, the County and the City may jointly fund incentives. As allowed by available money, the incentives may include, but are not limited to, parks, roads, fire stations or road improvements.
10. The parties agree to implement this Agreement, in letter and in spirit, through the various tools, plans and powers of each party, including but not limited to the adopted codes of each, the policies and procedures of each, and the agents and employees of each. Throughout the term of this Agreement, the parties agree to continue to amend and adopt such provisions as are authorized and necessary to implement all provisions and goals of this Agreement.
11. (a) The parties acknowledge the importance of adoption of, or implementation of, and compliance with, the Master Plan. The parties shall implement the Master Plan through their resolutions, ordinances or other actions or shall comply with the zoning existing as of the date of this Agreement. The parties may jointly allow for exceptions, in writing.  
  
(b) When one party approves an amendment or other change to the Master Plan for property within such party's jurisdiction if the other party does not consider and decide whether to amend within thirty calendar days of the first party's approval, the amendment shall be deemed approved.
12. To maintain the integrity of the Master Plan, and the implementation of it, and for other reasons, the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be "urban" while smaller parcel or lot sizes are deemed to be "urban." The parties agree to amend the 201 to implement this principle.

D.

**City Growth. Powers of Attorney. Annexation.**

13. Neither contemporaneous annexation to the City, nor a power of attorney to annex later, shall be required as a condition of service by or connection with the System, subject to, and in accordance with, the several provisions hereof. However, annexation is required pursuant to this Agreement in order to implement the goals and objectives of this Agreement.

14. (a) Over time all properties within either the UGA or the 201, as those boundaries are adjusted and amended pursuant to this Agreement, will be annexed by the City. The parties agree that the UGA and the 201 should be the same, although amendments are required to accomplish this consistency, except that Clifton Sanitation District I and II will be excluded from the 201. All land use review of whatever form of any Annexable Development within the 201 Boundary, beginning with the very first contact with the planning offices or departments of the parties (such as a pre-application conference or the acceptance of any application or permit request), shall exclusively occur in, and be exclusively subject to the land use jurisdiction of, the City through the development review or other review process.

(b) Until the 10<sup>th</sup> anniversary of the signing of this Agreement, the City shall not annex outside of the 201 or the UGA unless the Board of County Commissioners consents.

15. All decisions relating to infrastructure standards, location and similar technical matters for Annexable Development shall be performed by the City pursuant to City standards and requirements, even if an earlier phase or portion of an Annexable Development had occurred without City review or process or standards. Within the 201, the parties shall jointly agree upon the infrastructure standards which shall be followed throughout the 201. The parties shall agree on such standards within one year of execution of this Agreement. Thus, the general principle to accomplish the goals of this Agreement, and to replace the existing arrangement is that no Annexable Development in the 201 shall, after the effective date of this Agreement, occur except through the City's land use process and after annexation to the City is completed. The City Council may allow the land use review process of Annexable Development to proceed along with the annexation, as required by the City.

16. Except as provided in paragraphs 21-23, any proposed non-residential (including but not limited to commercial, industrial, institutional or public, *e.g.*, schools, churches) use or development which fits at least partially any one or more of the following criteria shall first annex to the City prior to, or concurrent with, review and approval of the

development proposal. Even if the developer or applicant would experience a delay, the City shall require that annexation shall occur forthwith so that the City has complete land use authority over the proposed development from its initial planning and review stages. Those criteria are as follows:

(a) Any development requiring a change of the text of, or to any map which is a \_\_\_\_\_ part of, the adopted Joint Urban Area Plan;

(b) Any property, or portion thereof, the owner of which has requested or applied \_\_\_\_\_ for a rezoning or any change to a planned zone or any amendment to any planned \_\_\_\_\_ zone;

(c) Any subdivision of property that results in the creation of one or more additional lot(s), parcel(s) or tax parcel(s). Judicial and partition actions are included within the definition of "subdivision." Notice of any such judicial or partition action shall be given to the City;

(d) Any use or development requiring a Conditional Use Permit, except a home \_\_\_\_\_ occupation located in a residence;

(e) Any new principal structure;

(f) Any addition to an existing principal structure which contains less than 10,000 square feet of gross floor area if, following the addition, the gross floor area of the structure is equal to or greater than 10,000 square feet; or

(g) Any addition of 10,000 square feet of gross floor area or larger to an existing \_\_\_\_\_ principal structure of 10,000 square feet or more of gross floor area.

17. The County hereby agrees to sign such documents as are reasonably necessary to complete every annexation initiated or completed by the City within the 201 \_\_\_\_\_ which reasonably complies with the Annexation Act and the provisions of this Agreement.

(a) Specifically, the parties agree that the County may intervene, sue or otherwise take action against or contrary to any City effort to annex any property within the \_\_\_\_\_ 201 only if:

(i) The City is not complying or reasonably attempting to comply with the \_\_\_\_\_ Annexation Act and this Agreement; or

(ii) The property involved is County park, recreational property or other \_\_\_\_\_ property such as courthouses, jails, maintenance yards,



Intermountain Veterans Memorial Park, and the offices or buildings of the County Clerk and other County Officials.

(b) The County specifically consents to the annexation of all or a portion of any road, street, highway, easement, right-of-way, open space or other County-owned property, unless excluded in (ii) above, at any time for any purpose consistent with the terms of this Agreement.

(c) For or on behalf of any third party, the County shall not intervene, sue or otherwise take action against or contrary to any City effort to annex pursuant to the Annexation Act and this Agreement. Even though the County is granted standing by the Annexation Act or otherwise, the County agrees not to exercise such right, to require an election for, or contest any annexation in the 201, unless inconsistent with the Annexation Act.

18. (a) Annexation techniques such as the use of "flagpole(s)," including the annexation of all or any portion of any right-of-way, street, easement or road, may be used by the City to accomplish annexations and the objectives of this Agreement. The City agrees to minimize the use of "flagpoles," other than the use of linear strips (normally portions of a right-of-way or other roadway), when establishing contiguity and compliance with the Annexation Act.

(b) The City may require that annexation be completed prior to issuance of any final development approval and the City may complete annexation prior to initiating any development review. The City may choose to allow a land use application or proposed use to proceed contemporaneously with the annexation process.

(c) Other parcels shall not be involuntarily included in an annexation petition prepared or controlled by the City pursuant to 18 (b) above. However, if a majority of property owners file a petition to annex, the minority may be annexed involuntarily without violating this Agreement.

(d) The parties agree that a "pole" of a "flagpole" annexation does not create an enclave. The City agrees that it will not attempt to use any "pole" to create or "close" an enclave.

(e) All phases, filings, or portions of any property subject to a public approval such as planned developments, Official Development Plans ("ODP"s), and any other process or step whereby a portion of one or more tax or other parcels are reviewed or evaluated (even though such parcels, lots or properties are not expected to be finally approved, subdivided or zoned at the same time) are to be treated as

one property, and therefore all such phases, filings or portions shall be annexed to the City when the first such phase, filing or portion of property is reviewed and/or annexed.

19. Powers of Attorney for annexation ("POA's") or other instruments which provide for the exchange of sewer for an agreement to annex (only such documents shall be called POA's for purposes of this agreement) which were entered into or recorded as of the dismissal of the Lawsuit will not be used by the City to effect annexation during the time this Agreement is in effect.
20. Any POA which has not been exercised or released as of December 31, 2005 will be canceled on or before that date by formal action by the City Council. Such notice of cancellation, which shall be recorded, shall provide that the cancellation is subject to the several terms of this Agreement.
21. **Redlands.** Within that portion of the 201 which is west/south of the Colorado River and west of the Gunnison River, (termed the "Redlands" in this Agreement), and which is shown more particularly on the attached "**Persigo Exhibit A**":
  - (a) For any residential development, no permit or approval shall be given for such development if any portion of the property is within 1/4 mile (1,320 feet) of any portion of the City limits, as those limits change from time to time, except through the City's land use process and until the property is annexed to the City. The County shall refuse to review or approve any such development proposal; and shall refer the applicant to the City which shall process and decide if the permit, application or proposed development shall be approved. The City may require that annexation be completed prior to initiation of any land use review process by the County, or the City may choose to allow a land use application or proposed use to proceed contemporaneously with the annexation process.
  - (b) Regardless of proximity to the limits of the City, all non-residential Annexable Development on the Redlands shall be exclusively processed and evaluated by, and possibly approved only after it is annexed to, the City. The City may elect to begin the land use review process prior to completion of the annexation process if the City has land use jurisdiction as determined by the City.
22. **Eastern area.**
  - (a) Any proposed Annexable Development of any property within the 201 and which is partially or wholly WEST of the line shown on the

attached "**Persigo Exhibit A,**" and which will be referred to as "The Line," shall be exclusively processed and reviewed by, and annexed to, the City.

(b) Until December 31, 2005, all non-residential Annexable Development and any residential development which requires a rezoning to higher density, which is east of "The Line" will be exclusively processed by, and annexed to, the City.

(c) On or after January 1, 2006, "The Line" shall no longer have any force or effect: any Annexable Development any portion of which lies within the 201 shall be processed and reviewed exclusively by and annexed to the City, except for property on the Redlands which shall continue to be treated in accordance with §21, above.

(d) To the extent that property, upon annexation to the City, is excluded from the Clifton Fire Protection District ("Clifton Fire"), the City promises to pay to Clifton Fire that amount of money which would have been received by Clifton Fire by virtue of its current mill levy as applied throughout Clifton Fire which would have applied absent exclusion, subject to the on-going requirement that Clifton Fire shall continue to provide its full services to the excluded property.

### 23. **Orchard Mesa.**

(a) For properties south of the Colorado River and east of the Gunnison within the 201 ("Orchard Mesa"), there shall be no development nor uses approved in the area east of 30 Road, west of Highway 141 (32 Road) which are connected to the system except, as identified on the attached three page Exhibit "**Valle Vista Spreadsheet,**" and further described below in (i), (ii), (iii):

(i) The 16 single family dwellings lawfully existing as of October 13, 1998 that are within 400 feet of the Valle Vista line, are authorized to connect to the Valle Vista line if the septic system for such home fails. These 16 dwellings are shown on the attached Exhibit **Valle Vista Map** and are identified on page 1 of the Valle Vista Spreadsheet.

(ii) In February and March of 1994, the Orchard Mesa Sanitation District entered into those Easement Agreements identified on the attached Exhibit Valle Vista Spreadsheet, page two. Those agreements authorized taps or credits for up to 12.891 taps for dwellings (based on the O.M.S.D. tap fee of \$1,000 per

dwelling) into the Valle Vista line to be built on specific parcels are hereby authorized, so long as the requirements of the Easement Agreements are complied with, including the requirement that each such tap will expire unless used on or before June 15, 2009;

(iii) Since October 13, 1998, two dwellings were mistakenly connected to the Valle Vista line. Nevertheless, the connections for those two dwellings are hereby authorized and ratified (see attached Exhibit Valle Vista Spreadsheet, page 3);

(iv) The existing connection to the Valle Vista line of the already fully developed subdivision "Valle Vista" is authorized and ratified.

(b) Development of any property any portion of which is west of 30 Road, on Orchard Mesa, which meets the criteria of annexable Development shall only occur within the City and contemporaneous with annexation and City review and approval.

F.

**Remedies.**

27. (a) This Agreement can be amended or terminated only with the concurrence of both parties as expressed in a joint resolution passed by a majority vote of the City Council and the Board of County Commissioners respectively, except as otherwise provided herein.

(b) Each party shall have the right to enforce each and every provision hereof, using the right of specific performance or otherwise. The court shall award the prevailing party its reasonable attorney's fees and costs.

(c) If either party breaches or otherwise fails to comply with the terms and goals of this Agreement, the parties agree that, upon declaration of a court of competent jurisdiction, to the fullest extent allowed by law, all of the breaching party's right, title, and interest to the System shall immediately and irrevocably vest in the non-breaching party. The parties term this remedy "Here are the Keys."

(d) If a court of competent jurisdiction determines that the "Here are the Keys" remedy is not enforceable for whatever reason, or if, due to the actions or inactions of a third party or intervening force, either party is not able to obtain the benefit of its bargain or is not able to accomplish the goals of that party, the court shall enforce as many provisions and terms hereof as are consistent with such goals and benefits. In addition, if the City's goals and benefits

are not able to be met, the City            may require that no development of any kind within the 201 shall occur except upon            annexation to the City.

(e) The parties desire that the Agreement shall be perpetual, so long as the terms and goals of this Agreement are being accomplished, and the benefits are being realized. If there comes a time that the "scope" of this Agreement needs to be expanded in order to continue the City's role as the urban services provider, and other method or methods of accomplishing land use review and control by the City in urbanizing areas are necessary, or to continue the County's role as a co-manager of the System and as a policy decider of the System, the parties agree to negotiate reasonably. In the event they cannot agree, either or both may request that the court fashion such a modification of the terms hereof, based on then existing law and circumstances, as will satisfy the goals and intents of the parties and allow each to obtain the benefit of this Agreement.

G.

**Other Provisions**

28. Within one year of the effective date hereof, the parties agree to, in good faith, amend the Urban Growth Boundary, or the 201, or both, so that such boundaries and areas are identical.

29. The provisions of this Agreement are not assignable without the specific consent of the parties, which consent may be unreasonably withheld.

30. This document is intended to be an Intergovernmental Agreement (IGA), pursuant to the several powers of the parties, including but not limited to 29-1-201, C.R.S. *et seq.*, 29-20-101, C.R.S. *et seq.*, title 30, C.R.S., especially articles 11, 15, 20 and 28 thereof, and the statutory and home rule powers of the City. It is intended that this Agreement replace the Existing Arrangement.

31. The three existing contracts, between the City and Orchard Mesa Sanitation District, Central Grand Valley Sanitation District and Fruitvale Sanitation District, respectively, which districts are served by the System, shall remain unchanged by this Agreement.

32. This Agreement shall not grant any status or right for person or any third party, specifically any owner of any property, to make any claim as a third party beneficiary, or for deprivation of any right, violation of any vesting of rights, inverse or other condemnation, or other theories. The parties intend this Agreement to be for their benefit only, to resolve issues between these two governments.

33. Generally Accepted Accounting Principles ("GAAP"), as published by the Government Accounting Standards Board ("GASB"), which are standards applicable to local governments, will continue to apply to the System.

34. (a) The parties also agree that the failure of either to implement each and every term of this Agreement shall constitute a breach.

(b) Because of the severity of a declaration of a breach, a party desiring to declare a breach shall first, in writing, inform the other party of the basis for the breach, including as much detail and specificity as is possible. The other party shall have 120 calendar days to either cure the breach or to inform the other party what steps are being taken, in a reasonable time and with reasonable efforts, to cure the breach. If the 120<sup>th</sup> day falls on a holiday or weekend, the party shall have until the following day which is not a holiday or a weekend to cure or inform. No breach shall occur without a court of competent jurisdiction having declared so.

(c) Either party may ask for direction from the court, in the form of a declaratory judgment, in anticipation of a breach argument being made by the other party.

35. The City as operator and manager will acquire and own any and all new and/or additional real and/or personal property or property interest only under the name and style of "the City of Grand Junction, Colorado, for the benefit of the Persigo 201 Sewer System."

36. The City shall manage, operate, and maintain the System for the benefit of the current and future users of sewer service in the Persigo 201, according to sound utility practices and principles and, except as otherwise provided herein, without regard to whether or not current and future users of sewer service in the Persigo 201 are located within or without the boundaries of the City.

37. Other matters, decisions and issues which have been decided by the City, acting as manager, shall continue to be decided by the City, unless included in the definition of policy provided in this Agreement. For example: the City may, as the manager, accept a bid which is within budget, without obtaining any further approval from the Council or the Board of County Commissioners; the City, acting as the manager, has complete authority, subject to policy direction as provided for herein; all System employees who operate and manage the System will continue under the City's personnel, pay and benefit system; matters of insurance,

employee discipline, benefits, and similar questions, shall continue to be determined by the City.

38. Policy decisions and guidance shall be provided at joint meetings which shall occur at least annually. At least one of these meetings shall occur before July of each year so that any policy decisions (including changes to the boundaries of the 201) may be implemented by the City in the proposed budget for the joint System for the subsequent year. The City shall inform each special district of proposed rates for the subsequent year by September 1 of each year so that each district has reasonable advance information upon which to base its own budget projections.

39. Rate studies shall be made by outside consultants at least every five (5) years, or more often at the joint request of the City and County.

40. Since attorneys for both parties may, from time to time, give legal advice to either or both parties regarding policy directives, management, operation, and/or maintenance of the System, neither party shall assert against the other any attorney-client privilege with regard to any communication involving either party and either party's attorney, which communication occurred prior to the giving and receiving of written notice of a disagreement pursuant to this Agreement.

41. Except as provided in 14 (b), with regard to property outside of the 201 or the UGA, this Agreement shall in no way limit or expand the existing powers of the City.

42. In any zoning or other land use decision undertaken by the City, those persons who own property which is within the area of the City's standard notification and which is not within the City's limits shall be entitled to the same rights of appeal and participation in the land use review process as City residents.

43. The parties agree to the definitions as shown in Exhibit "Persigo Definitions."

#### H.

#### **Rules of Construction.**

44. (a) If a term or the application of this Agreement is ambiguous or cannot otherwise be determined, these rules, in the order presented, shall guide resolution of the question: (i) annexation of the property to the City should be accomplished; (ii) Sewer service to all properties within the 201 shall be provided; (iii) the other terms and provisions hereof shall be implemented.

. (b) The goals and community values as referred to herein are properly used to construe this Agreement.

(c) In the event there exists a conflict between the body of this Agreement and any exhibit to this Agreement, the body of this Agreement shall prevail.

(d) If a conflict exists between this Agreement and any other document executed or adopted by either Party and necessary to and associated with operation of the System, this Agreement shall prevail, except as otherwise provided for herein.

(e) This Agreement is not intended to be and shall not be interpreted to be in derogation of any rights of the Trustee or the Bondholders pursuant to Mesa County Resolution No. MCM 92-160 (Series 1992).

(f) In the event this agreement is deemed to be ambiguous or vague, the parties agree that the rule that 'ambiguities shall be construed against the drafter,' or similar rules of construction, shall not apply because this Agreement is a result of mutual negotiation and drafting.



CITY OF GRAND JUNCTION

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Janet L. Terry, Mayor

MESA COUNTY

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
by its Board of Commissioners

## Exhibit 1 "Persigo Definitions"

### **Definitions**

For this Agreement, the parties agree to the following definitions and meanings.

1. Annexable Development: includes non-residential development, as defined herein, and residential development, as defined herein.
2. City Council, City or Council: the City Council of the City of Grand Junction, the City Manager of the City of Grand Junction, or the City of Grand Junction as an entity, as the context may require.
3. Commercial or non-residential development: all development which is described in paragraph 16, *infra*.
4. County, Commissioners, Board or BoCC: Mesa County, a political subdivision of the state of Colorado, acting through its Board of Commissioners.
5. Development: construction, improvement, or placement of a use on a parcel or lot or other property. For this agreement, changes in intensity of use, reconstruction of a building after demolition, rezonings and the other activities or thresholds as defined in the body of this Agreement, are included within the definition of "development." It is intended that in cases which are not clear, an activity or property be included within the term "development," rather than excluded.

Below is a list of those activities, approvals and review processes which will subject the applicant to being annexed by the City prior to any land use review by the County.

The following are examples of Annexable Development, as defined in this Agreement. This list is intended to be illustrative only and not an all-inclusive list of development types that would trigger land use review and approval or annexation by the City.

### **Residential Annexable Development**

In general, Residential Annexable Development includes any proposed development that would require a public hearing under the Mesa County Land Development Code as it was on April 1, 1998. Such development includes, but is not limited to, any residential development that:

- Is generally defined as single family dwellings (detached and attached), duplexes, triplexes, quadplexes, townhomes, multi-family

buildings, apartments, condominiums, rooming houses, boarding houses, group homes, nursing homes, retirement homes, adult congregate living facilities, hospices, or similar residential development. The term does not include commercial facilities such as hotels, motels, hospitals, penal/correctional facilities, or similar commercial or institutional facilities

- Requires a change to the Future Land Use Map of the Master Plan, or a change to the text, exhibits, goals or policies of the Master Plan, if requested by or on behalf of a property owner/developer
- Requires a change in zoning applicable to a property or a change in the text of the Mesa County Land Development Code as it existed as of April 1, 1998
- Requires a rezoning to planned development or Planned Unit Development (PUD)
- Requires Official Development Plan (ODP) approval for a planned development or PUD
- Requires Preliminary Plan approval for a planned development or PUD, regardless of any previous approval of an ODP
- Requires approval of a major amendment to an approved planned development or PUD. A major amendment includes:
  - o A change in density, number of lots or number of dwelling units
  - o A change in a permitted use(s)
  - o A change in dwelling unit type (e.g., detached, attached, townhome, zero lot line, etc.)
- Requires approval of Conditional Use (except a home occupation)
- Requires approval of a Special Use (except a home occupation )
- Results in the subdivision of land (including judicial and partition action, but not foreclosure) whereby more than one additional lot or parcel is created
- Requires approval of a subdivision plat or replat resulting in the creation of more than one additional lot or parcel

#### **Non-Residential Annexable Development**

In general, Non-Residential Annexable Development includes any proposed development that would require a public hearing under the Mesa County Land Development Code in effect on April 1, 1998, and any new or significantly non-residential principal structure(s). Such development includes, but is not limited to, any non-residential development that:

- Is generally defined as commercial, industrial, institutional, public (other than some property owned by Mesa County; see *infra*) or any combination thereof, or any one of the foregoing in combination with a residential use

- Requires a change on the Future Land Use Map adopted as part of the Master Plan , or a change to the text, exhibits, goals or policies of said plan, as may be requested by or on behalf of a private property owner
- Requires a change in zoning or a change in the text of the Mesa County Land Development Code
- Requires a rezoning to planned development or Planned Unit Development (PUD)
- Requires Official Development Plan (ODP) approval for a planned development or PUD
- Requires Preliminary Plan approval for a planned development or PUD, regardless of any previous approval of an ODP
- Requires approval of a major amendment to an approved planned development or PUD, such as:
  - o A change in intensity, lot coverage or floor area ratio
  - o A change in a permitted use
  - o A change in the location of a principal structure
- Requires approval of Conditional Use (except a home occupation)
- Requires approval of a Special Use (except a home occupation )
- Results in the subdivision of land (including judicial and partition actions) whereby one or more additional lots or parcels are created
- Requires approval of a subdivision plat or replat resulting in the creation of one or more additional lot(s) or parcel(s)
- Results in the construction of any new principal structure
- Results in any existing principal structure of less than 10,000 square feet of gross floor area being enlarged to 10,000 square feet or greater of gross floor area
- Results in an addition of 10,000 square feet or larger of gross floor area to any existing principal structure of 10,000 square feet or greater of gross floor area

6. Existing arrangement: that state of affairs and status, with all attendant powers, defenses, liabilities and duties, which existed the instant before the Lawsuit was dismissed.

7. Gross Floor Area: the sum of the areas, expressed in square feet, at each floor level of a structure including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores, offices, *etc.*, included within the principal outside faces of exterior walls. Included are all stories or areas that have floor surfaces with clear standing headroom (six feet six inches (6'6") minimum) regardless of their uses. The gross area of any parking garage within a building shall not be included within the Gross Floor Area.

8. Jointly agreed upon infrastructure standards: those standards to be agreed upon by the City and County within one year of the signing hereof which include all necessary

technical construction specifications of roads, drainage, water, sewer and other public or private utilities necessary to serve a non-residential or residential development.

9. Jointly: a joint decision of the City and County. While the City and the County may be required to act separately, according to applicable law, no such action shall be effective until both bodies have adopted identical actions, terms and provisions.

10. Joint Urban Area Plan ("JUP"): means that portion of the Mesa County Countywide Land Use Plan as shown in color on the City's Future Land Use Map (adopted October 2, 1996), along with the corresponding text, goals and policies. Note that the colored portion is larger than the Urban Growth Boundary.

11. Lawsuit: Mesa County v. City of Grand Junction, 94 CV 233, Mesa County District Court.

12. Lot: a parcel of land as measured and established by a plat recorded with the Mesa County Clerk and Recorder.

13. Master Plan: also known as Comprehensive Plan, Growth Plan; for the purposes of this Agreement, it is Chapter 5 of the Mesa Countywide Land Use Plan (October, 1996), also known as the Joint Urban Area Plan.

14. Non-residential development or commercial: all development which is described in paragraph 16, *infra*.

15. Official Development Plan: As defined by Mesa County Land Development Code, in effect as of April 1, 1998.

16. Parcel: an area of land defined by a legal description and recorded with the County Clerk and Recorder.

17. Persigo Wastewater Treatment System: see Sewer.

18. Policy: see paragraph 3, *infra*.

19. Principal Structure or Use: the main or primary purpose for a structure or use on a property; Included are accessory structures which are attached to and architecturally integrated with the principal structure.

20. Property: includes the terms "lot" and "parcel," as defined herein. Adjacent or contiguous tax parcels, according to the Mesa County

Assessor, which are in identical ownership, shall be treated as one property, parcel or lot, for the purposes of this Agreement. The term is intended to be inclusive and to refer to all lands, grounds, and areas.

21. Public approval: for any proposed use development or change to either, an approval which requires or involves a public hearing process, based on the provisions of the County's Code and the administrative practices in effect in Mesa County on April 1, 1998 (unless consented to in writing by the City if the provisions or practices changes). Thus, if a subdivision of property requires a public hearing of some sort, the subdivision cannot occur without "public approval." If construction can occur without a public hearing or public notice of a meeting, for example only staff review of a set of plans must occur before the activity is authorized, no public approval is required for the development. It includes any, according to the County's adopted Code as of April 1, 1998, any development, subdivision, platting, planned or planned unit development (including all phases, steps, and filings), conditional or other use permit, land use review, change of use, change of intensity of use or other permitting process, permit or approval applicable to land or structure thereon which requires a public hearing.

22. Residential Development: includes single family dwellings, multi-family homes, apartments, townhomes and condominiums, and other dwelling places, along with appurtenant structures, such as a club house which serves only the residents of a particular subdivision, and which requires a public approval.

23. Septic system: all forms of State of Colorado and Mesa County Health Department approved individual sewage disposal systems, as defined in state law and state implementing regulations.

24. Septic system failure: as defined by County Health Department or, in lieu of any definition by the County Health Department, by the State of Colorado's statutes or implementing regulations.

25. Structure: has the same meaning as is provided for in the most current version of the Uniform Building Code, as published by the ICBO, or a successor entity or uniform code, as adopted from time-to-time by the City.

26. System: the plant, and all lines, interceptors, and pipes, valves, pumps and other facilities and appurtenant devices, including the real property rights, necessary or used for the collection and transportation of sewage and waste liquids to, and the operation and maintenance of, the Persigo Wastewater Treatment Plant. "System" includes all pipes and devices however large or small, including what has been termed

“backbone,” collection, trunks, *et cetera*, and all necessary personal property needed to operate the System . See, Sewer Regulations, as adopted by the City.

27. 201 Service Area or 201 or Persigo 201: as shown on the attached map, **“Persigo Exhibit A,”** within which area it is intended that all properties shall be connected to, and served by the System, to the exclusion of septic or other individual sewage disposal systems.

28. Urban or Urbanizing: Within the JUP, any development or use other than residential single family dwelling(s) on lots, parcels or tracts which are smaller than two acres in size, net.

29. Urban Growth Boundary or Area: as shown on **“Persigo Exhibit A”** (“UGA”).

30. Use: the purpose for which land or the building is designed, arranged, or intended, or for which is or may be occupied or maintained; also includes any activity, occupation, business or operation which is carried on, in, on a structure or on a tract or parcel of land.





# EXHIBIT: VALLE VISTA SPREADSHEET

Taps to Valle Vista Sewer Interceptor authorized by Board of County Commissioners and City Council in a joint public hearing on April 2, 2001\*  
(see categories (i), (ii) and (iii) below)

(i) Dwellings existing as of 10/13/98 (date of Persigo Agreement), within 400' of the center line of the Valle Vista Sewer Interceptor, east of 30 Road).

Address	Parcel Number according to County GIS System	Dwellings authorized	Status as of 4/8/01	Owner Last name as of 4/8/01	Owner First name	Co-Owner Last Name	Co-Owner First Name	Note
240 30 Rd.	2943-283-00-050	1	not connected	Bullen	David	Bullen	Jewell	
3015 B-1/4 Rd.	2943-283-04-001	1	not connected	Robbins	Larry	Lori		
3039 B Rd.	2943-332-00-003	1	not connected	Wilson	Michael	Wilson	Staci	
3043 B Rd.	2943-332-00-072	1	not connected	Larson	David	Larson	Mary	
3047 B Rd.	2943-332-00-073	1	not connected	Stecher	Scott	Stecher	Susan	
204 31 Rd.	2943-273-01-002	1	not connected	McCall	Ruby	McCall	Stephen	
3101 B Rd.	2943-342-00-006	1	not connected	Gardner	Harry	Gardner	Donna	
3105 B Rd.	2943-342-00-044	1	connected	Howard	Ed	Howard	Joan	
180 31 Rd.	2943-342-00-059	1	not connected	Ducray	Charles	Ducray	Sandra	
174 31 Rd.	2943-342-00-058	1	connected	Ducray	Charles	Ducray	Sandra	
none assigned	2943-342-00-075	1	not connected	Peale	Eugene	Peale	Joni	?? 'Dwelling' ??
3124 A-1/2 Rd.	2943-342-00-076	1	not connected	Peale	Eugene	Peale	Joni	credit on list (iii)
3121 A-1/2 Rd.	2943-343-00-042	1	connected	Scott	Patrick	Scott	Nancy	
3123 A-1/2 Rd.	2943-343-00-083	1	not connected	Derry	Kathryn			
3123 1/2 A-1/2 Rd.	2943-343-00-084	1	not connected	Browder	William			
3125 A-1/2 Rd.	2943-343-00-100	1	not connected	Harrison	Gena			credit on list (iii)
Total authorized taps		16						

\* Note When septic system fails.

# EXHIBIT: VALLE VISTA SPREADSHEET

(i i) **Easement agreements** authorized taps for dwellings, in exchange for Valle Vista Sewer Line easements (February/March, 1994 by Orchard Mesa Sanitation District, prior to the Persigo Agreement). \*

Address	Tap Restricted for Use on Property	Supplemental Property Designation	Taps or Credits	Status as of 4/8/01	Owner last name as of 4/8/01	Owner First name	Co-Owner Last Name	Co-Owner First Name	Owner name on Easement Agreement
	2943-332-00-078, 2943-332-00-087, 2943-332-00-088		\$ 4,384	not connected	Rooks	James	Rooks	Virginia	DBJ Farms
3108 A-1/2 Rd.	*Lot 2, Kym's Minor Subdivision*	2943-342-06-002	\$ 1,000	connected	Zinkl	Richard	Yates-Zinkl	Terry	
3112 A-1/2 Rd.	*Lot 1, Kym's Minor Subdivision*	2943-342-06-001	\$ 1,157	connected	Bevan	Timmy	Bevan	Kym	
3124 A-1/2 Rd.	2943-342-00-076 or 2943-342-00-056		1 tap	not connected	Peale	Eugene	Peale	Joni	Goodwin
3126 A-1/2 Rd.	2943-342-00-056		1 tap	not connected	Peale	Eugene	Peale	Joni	Smethurst
none assigned	2943-342-00-087 or 2943-342-00-088		\$ 1,000 1 tap and \$1,350 credit	not connected	Turnbull	Thomas	Turnbull	Pamela	Craig
3125 A-1/2 Rd.	2943-343-00-026	2943-343-00-100		not connected	Harrison	Gena			
none assigned	2943-344-00-082		\$ 1,000	not connected	Griffith	L.O.			
Total tap equivalents at \$1,000 per tap.			12,891						

\* Note Two of the owners on this list own a property that is also on list (i). These taps/credits are assumed to apply to dwellings on list (i).  
The owners in this category are:

Eugene Peale	3124 A-1/2 Rd.	2943-342-00-076
Gena Harrison	3125 A-1/2 Rd.	2943-343-00-100

**RESOLUTION NO. 27-24**

**A RESOLUTION ADOPTING, AUTHORIZING AND APPROVING THE SECOND  
AMENDMENT TO THE  
1998 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND  
JUNCTION AND MESA COUNTY RELATING TO CITY GROWTH AND JOINT  
POLICY MAKING FOR THE PERSIGO SEWER SYSTEM**

**Recitals:**

On October 13, 1998, the City Council (City) and the Mesa County Board of Commissioners (County) Parties entered into an intergovernmental agreement relating to City growth and joint policy making for the Persigo sewer system (the 1998 Agreement). Among other things the 1998 Agreement settled the lawsuit filed by the County against the City, created the Persigo Board, and set a process by which the City and the County determined boundaries for City growth and the presumed sewer service area, and set annexation and development processes for properties with the boundaries, as well as policy making, all as provided in the Agreement.

On April 2, 2001, the City and the County authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the 1998 Agreement (the 2001 Agreement). The Persigo agreement has endured; however, the City and the County for many years have considered and discussed the 2001 Agreement, the operations of the Persigo sewer system, and certain points of contention regarding the operations and effect of the 2001 Agreement (the Issues) on the System and the Goals and Policies of the 2001 Agreement.

Because of the commitment of the County and the City to deliberate the Issues and come to an agreement on how to deal with certain of those, the City and the County acting jointly as the Persigo Board, but in counterpart approvals, by each body, the City Council does hereby adopt and approve the Second Amendment to the Agreement.

The express purpose and intent of the County and the City by and with their respective approvals is to address the Issues as defined, described, and resolved to their current mutual satisfaction in the documents attached hereto and approved hereby.

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

1. The foregoing Recitals are incorporated herein.
2. That the President of the City Council is hereby authorized and directed to accept and approve the Second Amendment to the 1998 Intergovernmental Agreement, as amended, between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System.

3. That all other terms, provisions, and requirements of the Persigo Agreement, except as amended by the 2001 Agreement and now the Second Amendment to the Agreement shall be and remain in full force and effect.

PASSED and ADOPTED this 17th day of April 2024.



Anna M. Stout  
President of the City Council

ATTEST:



Amy Phillips  
City Clerk



**SECOND AMENDMENT**  
**To The**  
**1998 Intergovernmental Agreement**  
**Between the City of Grand Junction and Mesa County**  
**Relating to City Growth**  
**And Joint Policy Making for the Persigo Sewer System**

**THIS AGREEMENT**, entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, pursuant to Section 29-1-201 *et seq.*, C.R.S., by and between THE CITY OF GRAND JUNCTION, COLORADO, a home rule municipal corporation, hereinafter referred to as the "City", and THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO, hereinafter referred to as the "County", collectively the City and the County may be referred to as the "Parties".

**WHEREAS**, on or about October 13, 1998, the Parties entered into the *1998 Intergovernmental Agreement Between The City Of Grand Junction And Mesa County Relating To City Growth And Joint Policy Making For The Persigo Sewer System October 13, 1998* (the "1998 Agreement"); and,

**WHEREAS**, on or about April 2, 2001, the Parties authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the 1998 Agreement (the "2001 Agreement"); and,

**WHEREAS**, the Parties have discussed the 2001 Agreement, the operations of the Persigo sewer plant ("System") and certain points of contention as of June 30, 2023, regarding the operations and effect of the 2001 Agreement (the "Issues") on the System and the Goals and Policies of the 2001 Agreement; and,

**WHEREAS**, the Parties have deliberated the Issues and have come to agreement on how to deal with certain of those, the Parties by and with full authority do enter into this Agreement; and,

**WHEREAS**, the Parties agree this Agreement governs and resolves the Issues as defined, described and resolved to their current mutual satisfaction;

**NOW THEREFORE**, in consideration of the joint and mutual promises contained herein, and other good and valuable consideration the receipt and sufficiency of which

is acknowledged, the Parties hereto state and agree as follows:

1. **Alignment of the UGA (nka UDB) and 201 Boundary:** Section 14(a) of the 2001 Agreement expresses the Parties' joint desire that the UDB and the 201 boundaries align. By and with this Agreement and as shown on the attached exhibit (labeled Exhibit A) the UDB and the 201 boundaries are hereby aligned and declared by the Parties to be one and the same (hereinafter "2024 UDB"). Exhibit A is incorporated herein as if fully set forth.

Provided, further, there shall be no change to either the 201 or the 2024 UDB, without the prior approval of both the City and County.

2. **Land Use Authority:** By December 31, 2024, the County agrees to consider a Resolution which would result in the County adopting and applying the City's land use authority within the 2024 UDB boundary. The County Planning Commission has adopted the City's Land Use Plan and with the adoption of the Resolution by the Commissioners will, for properties located within the 2024 UDB, include the same in the County's Master Plan. Furthermore, as the City's Land Use Plan for properties located in the 2024 UDB changes the Commissioners agree to consider including those amendments in the County's Master Plan so that the City and the County have common plans for the UDB as it may change over time. It is the Parties intention that the adoption and incorporation of the City Land Use Plan in the County's Master Plan will serve as a Joint Urban Area Plan ("JUP") as contemplated by the 2001 Agreement.
3. **Annexation:** The City will in accordance with the 2001 Agreement and applicable Colorado law continue to annex Annexable Development within the 2024 UDB. In carrying out an annexation that includes platted streets or alleys ("Platted Street(s)") the City shall annex the Platted Street(s) as provided in C.R.S. 31-12-105(1)(f) so that vehicular access to and from the annexing property is designed, constructed and functions according to a traffic study as defined by the 2023 Transportation Engineering Design Standards (TEDS) Manual.
4. **Street Improvements Compensation:** The County will annually contribute \$500,000 ("Annual Contribution") to help offset street improvements and deferred maintenance that the City has and will assume following annexations within the 2024 UDB. A request for reimbursement after annexation and upon completion of improvements of the roadway shall be submitted to the County

that provides sufficient detail of the use of the County's funds to enable County to satisfy the requirement of its annual audit. For purposes of a 2024 Annual Contribution the County will prorate the Annual Contribution based on the number of months remaining in 2024 following the execution of this Agreement by the Parties.

City of Grand Junction



Anna Stout

President of the City Council

Attest:



Amy Phillips

City Clerk

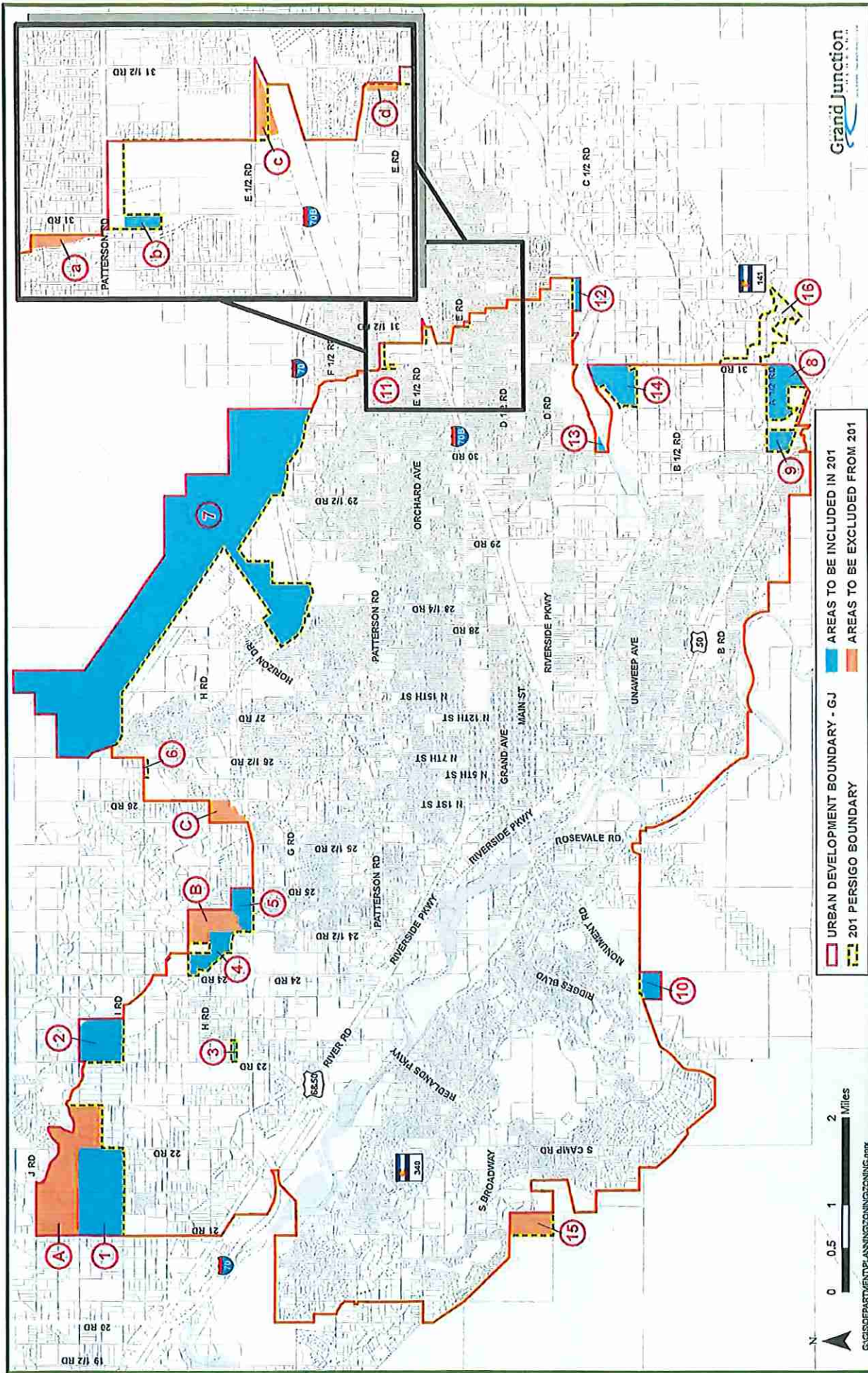
Board of County Commissioners of  
Mesa County, Colorado

\_\_\_\_\_  
Bobbie Daniels, Chair.

Attest: \_\_\_\_\_

Bobbie Jo Gross, Clerk & Recorder







Persigo Boundary and UDB Boundary - 2024			
Number	City	Number	County Map
1	Include in 201	1	Include in 201
A	Exclude from UDB	A	Exclude from UDB
2	Include in 201	2	Include in 201
3	Include in 201	3	Include in 201
4	Include County Revised Boundary in 201	4	Include in 201
B	Exclude from UDB	B	Exclude from UDB
5	Include in 201	5	Include in 201
6	Include in 201	6	Include in 201
7	Include in 201 (Airport)	7	Include in 201
8	Include in 201	8	Include in 201
9	Include in 201	9	Include in 201
10	Include in 201 (City Lunch Loop Open Space)	10	Include in 201
C	Exclude from 201 and UDB	C	Exclude from 201 and UDB
11 (a)	Exclude from 201 and UDB		
11 (c & d)	Exclude from 201, but remain in UDB. These areas are served by Clifton Sanitation, but located within city limits.		
11 (b)	Include in 201		
12	Include in 201		
13	Include in 201 and UDB - (State owned land - potential for housing)		
14	Include in 201 - Future inclusion after gravel mining is complete/reclaimed		
15	Exclude from 201, BLM Land that may transfer to National Monument		
16	Served by 201, not within UDB		

## *Memorandum*

TO: Councilmembers-elect Cole, Ballard, and Van Dyke  
CC: City Manager Mike Bennett  
FROM: City Attorney John Shaver  
DATE: April 9, 2025  
SUBJECT:  $\frac{3}{4}\%$  Sales Tax

---

What follows is an overview of the 1989 ballot questions concerning Ordinance 2365 and the .75% tax increase approval.

Thank you for reading. Hopefully this information will be of use to you. I look forward to discussing this topic further with you.

---

In October of 1987 the City Council adopted Ordinance 2365, increasing the City sales and use tax rate to 2.75%. The citizens were not supportive of the increase and the Council referred a question (actually three questions) to the April 1989 ballot. Pre-TABOR questions were much different than they are now and the 3/4% question was a "laundry list" of items. For your ready reference I have included the full text of the ballot below.

As described herein, voters retained the 3/4% sales tax adopted with Ordinance 2365. On the same ballot a non-specific property tax increase question and "forced" street improvement districts<sup>1</sup> question were both defeated.

The opinion I have offered over the years, which has been consistently adopted and reflected in the City Manager's recommended and City Council adopted budgets, is that the .75% can be expended for projects/purposes on the list. Because capital projects are generally stated<sup>2</sup>, and using the revenue for those is wholly consistent with the 1989 question and voter approval, the funds generated by the tax has for many years been directed toward and consumed the capital budget. A specific program that has been funded from the tax is spring cleanup, known in the day as Freshazadazy. Other lawful operating, *i.e.*, non-capital expenditures such as street sweeping and successor programs and services are on the list; however, the .75% has customarily been used for capital expenditures.

Some of the items on the "laundry list" such as closure of a fire station and closure of the OM pool nine months per year are not only unclear as drafted but clearly are contrary to current Council policy and as such are irrelevant/may be disregarded in the construction/application of the voters' approval of the .75% tax.

---

<sup>1</sup> At the time Patterson Road expansion and an assessment therefor were significant political issues. The Paterson Road assessments resulted in Council recalls and brought Doralyn Genova to political prominence.

<sup>2</sup> "Street Overlay Program" "Downtown Alley Improvements" "Funding for the Riverfront Project" and "Major Street Reconstruction".

## *Memorandum*

If you have questions about the ballot, restrictions on the funds or if I may otherwise be of assistance, please let me know.

The questions and the results from the 1989 ballot/election are as follows.

IN ORDER THAT THE COUNCIL MAY BE ADVISED ABOUT WHETHER CITY RESIDENTS DESIRE TO CONTINUE WITH CERTAIN PROGRAMS AND EXPENDITURES WHICH COULD BE REDUCED OR ELIMINATED IF THE 3/4% SALES TAX ORDINANCE WERE REPEALED/ SUCH AS:

- FINANCIAL SUPPORT OF THE MCEDC;
- SCHOOL RESOURCE OFFICER PROGRAM;
- STREET OVERLAY PROGRAM;
- DOWNTOWN ALLEY IMPROVEMENTS;
- CLOSURE OF ONE OF THE FOUR FIRE STATIONS;
- FUNDING FOR THE RIVERFRONT PROJECT;
- POLICE VOLUNTEER PROGRAM;
- MAJOR STREET RECONSTRUCTION;
- FRESHAZADAZY SPRING CLEANUP;
- STREET SWEEPING;
- LEAF PICK-UP PROGRAM;
- INCREASED EMERGENCY MEDICAL RESPONSE TIMES;
- 9 MONTHS PER YEAR CLOSURE OF THE ORCHARD MESA POOL;
- CLOSURE OF THE OLDER AMERICAN CENTER;
- CRIME PREVENTION PROGRAM;
- CHECK FRAUD PROGRAM;

THE FOLLOWING QUESTIONS SHALL BE ASKED:

SHOULD PROPERTY TAXES BE INCREASED? - YES 210 NO 1913

SHOULD FORCED STREET IMPROVEMENT DISTRICTS BE REINSTITUTED? - YES 597 NO 1353

SHOULD THE CITY SALES TAX BE RETAINED AT ITS CURRENT LEVEL? - YES 1362 NO 843



## Finance

**TO:** Councilmembers Elect  
**FROM:** Jodi Welch, Interim Finance Director  
**DATE:** April 2025  
**SUBJECT:** Finance Department Overview

---

**Government Accounting** – Governments budget and account for financial activity differently than private businesses. *Funds* are key to how the City manages and reports finances. *Fund accounting* emphasizes accountability ensuring that resources are used for what they are specifically intended for or legally restricted to. The City has over 50 different funds with 16 major operating or capital funds.

The General Fund is the largest operating fund of the City and supports all the general government operations such as public safety, public works, parks, recreation, planning, and administrative functions. The major source of revenue for the General Fund is sales tax. The City also maintains *enterprise funds* which are for the operations of the City that run like a business. In other words, the revenues from fees or service charges are used to support the operations and capital maintenance and replacement and they are not subsidized by tax dollars. Examples of enterprise funds are the Water Fund and Sewer Fund.

**Budget** – The budget is one of the City Council's clearest expressions of policy in service to the Citizens. It is developed according to the City Council's Strategic Priorities and indicates what services the City will provide during the next year. It is an operations guide that indicates how departments and funds are organized to provide services, as well as a financial plan that summarizes the cost to the taxpayers of approved level of services.

The City is a full-service organization and a \$359 million municipal corporation with over 35 distinct types of operations ranging from emergency medical services to recreation programs to trash service. The budget is a planning document for both the City and the community. The responsible development of the budget is one most important responsibilities of City staff. The City Charter requires the City Manager to present a balanced budget to the City Council each year. The City Council formally authorizes spending through the adoption of an Appropriation Ordinance annually.

The budget is developed in accordance with the Council's Strategic Plan and is comprised of five categories of expenses. The largest category is labor, followed by capital, operating, internal support services (e.g. technology, fleet, dispatch), and debt service. The City's five largest Departments are Police, Fire, General Services, and Parks & Recreation and comprise 80% of the total budget. Development of the budget requires a significant dedication of staff time. The following are two important components of preparing the budget:

Process – Throughout the year staff receives policy direction from City Council and input from the Community regarding priorities for the next year's plan and budget. The budget development process begins with the review of economic indicators, revenue projections, and updates to long-term financial plans in the spring, followed by several months when the Departments work with the City Manager's internal budget team to review planned capital projects and operations. Then in August each department's proposed line-item budget is reviewed by the internal budget team spending over 40 hours in those detailed discussions.

The City Manager's Recommended Balanced Budget is presented to City Council in City Council Workshops starting in October. Components of the budget are presented individually at these workshops, are discussed with City Council, and changes are made based on direction from City Council. In November, the City Manager presents the City Manager's Recommended Budget to the citizens and City Council during the first public hearing. At this time, citizens have the opportunity to provide input and comment on the budget. In December, the second public hearing takes place allowing for citizen comment, and the City Council considers final adoption of the budget.

Rates and Fees Philosophy – An important component of the budget is revenue that is not generated by taxes, but rather by rates, fees, and charges to customers for goods and services provided. For the utility operations the rates are determined by rate studies, long term financial plans, and comparison to market. These rates are presented and discussed with City Council during each budget process.

Charges and fees that are not related to utility services are based on a set of philosophies. They vary based on considerations such as benefit to the overall community, cost recovery models, comparison to market and other entities, as well as legal considerations. A common element in the philosophies is the more the service benefits the larger community, the lower the cost recovery. For example, swimming lessons for children may only recover a small portion of the cost of providing the service compared to other recreation classes that only benefit the specific participants (e.g. adult yoga) which would have a much higher cost recovery. These charges and fees are reviewed annually by staff according to the respective philosophy and included in the operating revenues as the expense budget is developed.

**Financial Reporting and Fiscal Oversight** – As mentioned the budget is a planning document; whereas the Comprehensive Annual Financial Report shows the results of the plan for the year and the financial condition of the City. The financial statements are prepared in accordance with Generally Accepted Accounting Principles (GAAP) and Government Accounting Board Standards (GASB). The City Council has adopted an Audit Committee Charter that appoints the Mayor and Mayor Pro-tem as the Council's Audit Committee members. In addition to other fiscal oversight responsibilities, the Audit Committee is responsible for the engagement and

communication with the independent auditors. The City Council engages the independent auditor to audit the City's financial records and financial statements each year to express an opinion that the financial statements are free from materially misstatement. As part of their work, the auditor also completes an assessment of risk which involves a review of the internal control framework of the City. The City has always received a "clean" audit opinion which means the financial statements fairly represent the City's financial position at year end.

There are several other areas of fiscal oversight including the State Department of Local Affairs, Government Finance Officers Association, continuing disclosure requirements per debt covenants, and specific regulatory agencies related to grant management.

## Communications and Engagement

**TO:** Councilmembers Elect

**FROM:** Hannah Ellis, Interim Communications and Engagement Director

**DATE:** April 2025

**SUBJECT:** Communications and Engagement Department Overview

---

**Community Engagement and Promotion** – The Communications and Engagement Department, a dynamic team of four, serves in developing strategic communications plans based on the overall goals of individual departments/divisions as outlined in the Comprehensive Plan. Once objectives are determined, the plan outline will include tactics and key measurements to determine success. Communications and Engagement serves in a supportive role for other departments, providing special events and public meetings, and planning promotion to include designing and distributing invitations, providing logistical support for open houses, conducting outreach on social and with mainstream media, posting to the online City calendar, and adding other information to the website.

**City website** – The Communications and Engagement Department is responsible for content creation and the design of the City website [www.gjcity.org](http://www.gjcity.org), the City app, and EngageGJ.org.

Staff create new content for the website and ensures existing content is up to date with the assistance of department liaisons. Additionally, reports are run regularly to identify and fix broken links that have originated with outside organizations (e.g. State of Colorado, Mesa County). NotifyMe is a tool that provides those who have subscribed to receive up-to-date information shared in releases sent to local media. Additionally, emergency and traffic alert subscribers receive regular updates when those are activated. Meeting and special event calendars as well as agendas and minutes for Boards and Commissions and City Council meetings are managed by the department, the City Clerk's office and department/division liaisons. Notifications for these items are also available for subscribers on the website.

GJSpeaks.org is a platform designed to gather comments from community members related to Planning Commission Public Hearings.

EngageGJ.org is a web platform being used by the City and it offers community members a welcoming and comprehensive opportunity to engage with the City and provide input and ideas related to current projects and initiatives. Additionally, there are tools for community discussion,

surveys/polls, project timelines, interactive maps, and Q&A. Subscribers can follow the progress of individual projects and receive updates when new information is posted.

**Social Media Platforms** – The Communications Department manages content creation, design, monitoring, comments, and responses/reactions for City social media accounts on X (Twitter), NextDoor, Facebook, Instagram, LinkedIn, and YouTube. There are separate accounts for the fire and police departments as well as Parks and Recreation, and information is shared to increase reach and engagement for anything that has relevance to the broad community audience. Analytics are reviewed monthly to determine the most effective posts as well as a time, day of the week, and whether video or graphics played a role in the popularity of a post in order to replicate high performance. Usage guidelines are posted to the website and used by staff to moderate platforms. Additionally, there is a social media Policy to guide usage. Under very specific circumstances and on a limited basis are followers ever blocked on a City social media platform. These interactions are documented and captured by a third-party, ArchiveSocial. Comments that fall outside the Usage Guidelines may be hidden from view but are never deleted. This same practice should be employed by elected officials who use social media to engage with the community.

**City Annual Report and Calendar** – The Communications Department oversees the development and production of the annual report and printed calendar mailed to homes within the City limits. Working closely with VisitGJ, the Communications Team calls for photos, determines the final selection, drafts content, gathers financials and other data, submits final draft to the printer, and manages the distribution to City residents.

**Diversity, Equity, and Inclusion Initiatives** – As an organization, and as representatives of a community with many cultural and ethnic backgrounds, it is imperative that the City continually work to develop and maintain a highly inclusive culture. A new process for written translation was instituted in 2022 with the use of a request form that is sent to qualified translators at the Coop in Glenwood Springs. Additionally, the department acquired an interpretation app from Language Line for use on an iPad or smartphone. Phone service for customers requiring interpretation has been available for years; however, the new app allows for real-time, on-demand video interpretation for more 240+ languages, including ASL. iPads have been deployed to any department with a customer service window, and both iPads and smartphones are used for fire, EMS and police who interact with community members who may need interpretation. Access to translation in multiple languages is also available on the website and social media, reducing the need to pay for these services and post information. The Community Engagement Coordinator is also focused on meetings and special events specially designed to inform and engage our Spanish-speaking community members.



*Digital Accessibility-* In July 2024, HB21-1110 identified the need for government agencies to comply with digital accessibility Website Content Accessibility Guidelines 2.2 (WCAG). In late 2023, City staff developed an Accessibility Task Force to assess the requirements and duties enumerated in state law. The outcome of the group was to gain insights from key stakeholders regarding digital accessibility standards and how the City can best address these concerns. Throughout 2024, the department hosted a CrossAbility Roundtable group which comprised of differently abled community members to share their feedback with staff regarding feasible improvements or adjustments to common practices that made their experiences interacting with local government more accommodating. The department developed a [CrossAbility Roundtable Report](#) which reviews the year-long discussions. In addition, a dedicated portion of the feedback was relevant to Council meetings. A memo is included in Appendix A which highlights the adjustments City Council made to ensure accessibility for those needing accommodations when participating in Council meetings.

**Media Relations** – The department also manages media inquiries for interviews; pitches story ideas; drafts and distributes media releases, advisories, and written statements; monitors CORA requests (from media); and provides media with updates and information as requested. A daily Media Today report of interviews conducted that day is provided via email to City Council.

Interviews should be fielded by the Communications Department to help determine if the inquiry is related to policy or a City Council decision and therefore be a response by the Mayor or Mayor ProTem. If the request is operational in nature, the request should be coordinated with staff. The Communications Manager can also assist with preparation for and the coordination of Council interviews after consultation with the City Manager.

Media Relations are coordinated by the City Communications Manager with City Police and Fire Public Information Officers. Additionally, the Department Manager sits on the Mesa County Joint Information Center and is a member of the Mesa County Communicators Association. In a natural or man-made disaster impacting the City, the Communications department will provide alerts and updates to the community through email, the website, mainstream media and social media, and coordinate internal communications as well as manage any press conferences or media briefings.

APPENDIX A:

**TO:** Members of City Council

**FROM:** Andrea Phillips, Interim City Manager  
Sara Spaulding, Communications and Engagement Director

**DATE:** October 3, 2024

**SUBJECT:** CrossAbility Roundtable Report

---

Earlier this year, the Communications and Engagement Department staff created a CrossAbility Roundtable consisting of differently-abled community members to continue their work to address accessibility per HB21-1110 by 2025. Meetings were held quarterly to gather input on the City's digital resources and outreach. Much of the initial input from the Roundtable resulted in changes to the City website during the redesign. This month's meeting was focused on accessibility following attendance at both a Council workshop and a Council meeting.

Based on input from the CrossAbility Roundtable, staff are making the following recommendations to enhance the accessibility of Council meetings:

- Staff and City Council members are asked to speak directly into the microphone and face forward so the microphones pick sound up effectively. Council computer monitors should also be lowered for those who might be lipreading
- Signage for T-Coil, the hearing loop system that connects sound for cochlear implants, is posted in the auditorium; however, it is suggested that it be in a more visible location.
- Information about the availability of accessibility accommodation will be posted on the website 48 hrs. prior to meetings and be included on the printed agenda.
- The font of the agenda will be enlarged to accommodate those with sight impairment.
- While closed captioning is available through Go to Meeting for virtual meetings, there is a delay for those attending in-person. As an alternative, speech-to-text is available on cell phones and PC or Mac computers.
- If a community member requests electronic files prior to the meeting, City Clerk staff will ensure PDF or Word documents are in an accessible format prior to sending via email.

- For PowerPoint presentations, staff or council are asked to explain what graphs and charts represent as they are not scannable by a screen reader.
- Doors into the chambers are not wide enough for larger wheelchairs, and an alternative entry point through the double doors is being considered; however, this may require the addition of a small ramp from the dais. Staff is reviewing options.
- Staff will move the second microphone for public comment for someone in a wheelchair.

*C: John Shaver, City Attorney*

*Department Directors*

## City Clerk

**TO:** Councilmembers Elect

**FROM:** Selestina Sandoval, City Clerk

**DATE:** April 2025

**SUBJECT:** City Clerk Overview

---

The City Clerk's Office is essential in maintaining the integrity, transparency, and efficiency of municipal government operations. It serves as the City's official record keeper and is responsible for a wide range of functions that support governance, licensing, public engagement, and regulatory compliance.

- **Liquor & Cannabis Licensing** – The City Clerk's Office oversees the administration of 196 liquor licenses within the city, ensuring compliance with regulations for new applications, renewals, and transfers. Additionally, approximately 40 Special Event Permits are issued annually to non-profits for fundraising events involving alcohol sales. Following the passage of measures 2A and 2B in 2021, the City Clerk's Office also processes cannabis business license applications and renewals for 10 retail licenses approved via lottery.
- **Elections Administration** – As the City's Designated Election Official, the City Clerk is responsible for ensuring fair, transparent, and compliant municipal elections.
- **City Council Agenda Management**—The City Clerk's Office coordinates agenda management, preparing comprehensive City Council meeting materials for regular meetings on the first and third Wednesdays of each month and workshops held on preceding Mondays. Agenda management software consolidates these materials and makes them publicly accessible online.
- **Virtual & Hybrid Meetings** – The integration of virtual/hybrid City Council meetings has enhanced public participation, allowing remote engagement from out-of-town individuals and those who prefer to attend virtually. Meetings are streamed and broadcast for wider community access. We stream live on the website, utilize GoTo Webinar virtual participation platform, and broadcast to public access channel 191.
- **Boards & Commissions** – The City Clerk's Office manages 16 advisory boards and commissions, overseeing applications, coordinating interview schedules, and tracking membership terms. City Councilmembers and board chairs collaborate to select new members through a structured interview process.

- **Public Records & Transparency** – The Clerk’s Office ensures compliance with Colorado Open Records Act (CORA) requirements by managing public records requests, including correspondence, contracts, and City Council emails. Most requests must be fulfilled within a three-day statutory deadline, requiring a well-coordinated response in collaboration with the Records Manager, City Manager, and City Attorney.

## General Services

**TO:** Councilmembers Elect

**FROM:** Jay Valentine, General Services Director

**DATE:** April 2025

**SUBJECT:** General Services Department

---

The General Services Department was established in 2018 to provide essential internal management services that support City departments in delivering their community missions efficiently and cost-effectively. The department ensures that the City's operational needs are met through fleet and facility maintenance, procurement, warehousing, project and operations support, and other key services. Additionally, General Services oversees enterprise operations, including Parking, Solid Waste and Recycling, and the City's two golf courses, Tiara Rado and Lincoln Park.

Currently, the department is leading a significant initiative to develop a regional Materials Recovery Facility (MRF) to enhance the City's recycling capabilities. Another major effort includes the Spring Cleanup Program, an annual event that helps residents dispose of large, unwanted household items while promoting neighborhood beautification and landfill diversion.

Fleet Services manages all City-owned vehicles and equipment from procurement through retirement, ensuring they remain safe, efficient, and well-maintained. This includes preventative maintenance, inspections, emergency repairs, and federal compliance services for Grand Valley Transit (GVT). The Fleet Division also provides fueling services, including compressed natural gas (CNG) stations. The methane gas fueling these stations is captured from the Persigo Wastewater Treatment Plant, converted into biofuel, and transferred to the City's fueling facility. When this innovative approach to sustainable energy use was implemented in 2015, Grand Junction was the first organization in the United States to utilize methane gas captured from the sewer treatment process to fuel vehicles.

Facility Services oversees the maintenance and management of City-owned buildings, ensuring a safe, clean, and comfortable environment for both staff and the public. The division is also responsible for resource conservation efforts, working to improve energy efficiency across City facilities. Just this year, the facilities division oversaw the installation of photovoltaic solar array on the roof of City Hall, aligning with the

The Purchasing Division handles procurement for goods and services exceeding \$15,000, while also managing budget control and cost monitoring for citywide purchases. This division oversees the City's contract with Pinnacle Venue Services, which operates the Grand Junction Convention Center, Avalon Theater, and Los Colonias Amphitheater.

Warehouse operations support City departments by managing essential inventory items and overseeing the disposal of surplus property. The Operations and Maintenance Division, originally established to address seasonal staffing challenges, has since expanded its role to include street and stormwater system maintenance, as well as infrastructure upkeep across multiple City divisions.

One of the most impactful community-focused initiatives under General Services is the annual Spring Cleanup Program. This large-scale collection event allows residents to dispose of bulky household items, reducing illegal dumping and enhancing neighborhood aesthetics. The program also promotes landfill diversion by identifying materials that can be repurposed or recycled. The Operations and Maintenance team, in partnership with the Solid Waste Division, coordinates logistics, scheduling, and public outreach to ensure the event is well-organized and accessible to all residents.

General Services also oversees the City's investment management, ensuring the safety and liquidity of its \$150 million investment portfolio while maximizing returns through prudent financial strategies.

As part of its enterprise operations, the Parking Division manages downtown parking meters, parking lots, and the parking garage located at 5th and Rood. This division is responsible for maintaining these facilities and ensuring compliance with parking regulations. Its goal is to create a safe and accessible parking environment that supports local businesses by making downtown Grand Junction easily navigable for residents and visitors.

Solid Waste and Recycling services are also under the General Services umbrella. Operating as a self-funded utility, the City's Solid Waste Division provides automated refuse collection for residents and businesses, using a volume-based pricing structure that encourages waste reduction. In an effort to improve regional sustainability, the City is developing a Materials Recovery Facility (MRF) in partnership with Bruin Waste. The MRF will allow for more efficient sorting and processing of recyclable materials, reducing contamination and increasing the quality of recovered products. By processing recyclables locally rather than transporting them elsewhere, the facility will lower costs and environmental impact. Future expansion of recycling services may also include food waste and green waste programs, further advancing the City's commitment to sustainability.

General Services also manages the City's two golf courses, Lincoln Park and Tiara Rado. Lincoln Park Golf Course is a nine-hole course in downtown Grand Junction that offers a mix of par-3 through par-5 holes, making it an enjoyable and accessible course for golfers of all skill levels. Tiara Rado Golf Course, located at the base of the Colorado National Monument, features an 18-hole layout with breathtaking views. Both courses include pro shops, driving ranges, and food and beverage services, with Tiara Rado's food operations being managed by Warehouse 2565.

The Golf Division also plays a vital role in youth development by offering junior golf programs that teach life skills and core values through the game of golf. These courses host several tournaments each year, including the prestigious Rocky Mountain Open, which has been held in Grand

Junction since 1939. The Golf Division prioritizes sustainability by using environmentally friendly turf management practices to maintain the courses while conserving natural resources.



## Community Development

**TO:** Councilmembers Elect

**FROM:** Tamra Allen, Community Development Director

**DATE:** April 2025

**SUBJECT:** Community Development Department Overview

---

The Department can be distilled into five main areas of operation including long range planning, current planning, sustainability, housing and mobility.

### Long-Range Planning

The Community Development Department assists in maintaining and updating the [City's Comprehensive Plan](#). The City Council adopted a Comprehensive Plan in late 2020 replacing a previous plan that was adopted in 2009. The authoring of a Comprehensive Plan is a significant work product and is completed after conducting extensive community outreach and distilling it into



common themes. The plan outlines the vision, goals and strategies as articulated by the community. Chapter 2 of the Plan includes eleven Plan Principles that guide city operations and provide specific strategies for doing so.

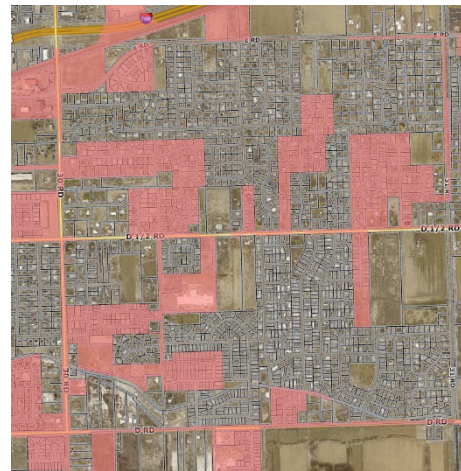
- Principle 1: Collective Identity
- Principle 2: Resilient and Diverse Economy
- Principle 3: Responsible and Managed Growth
- Principle 4: Downtown and University Districts
- Principle 5: Strong Neighborhoods and Housing Choices
- Principle 6: Efficient and Connect Transportation
- Principle 7: Great Places and Recreation
- Principle 8: Resource Stewardship
- Principle 9: Quality Education and Facilities
- Principle 10: Safe, Healthy and Inclusive Community
- Principle 11: Effective and Transparent Government

Chapter 3 provides guidance for the City regarding Land Use and Growth and Chapter 4 provides a suite of Area-Specific Policies. The Plan provides for Growth Tiers (Page 57) and a Land Use plan (Page 59) that increases opportunities for infill and redevelopment while preserving peripheral rural areas. Chapter 3 of the Plan was also adopted by Mesa County (Planning Commission).

*Sub-Area Plans and Circulation Plan* – The [Grand Junction Circulation Plan](#) was updated in mid-2018. This plan is adopted by both City of Grand Junction and Mesa County (Planning Commission). This plan provides goals, strategies and a proposed network of transportation systems that will together provide a safe, balanced and environmentally sensitive multi-modal, urban transportation system that supports greater social interaction, facilitates the movement of people and goods, and encourages active living, mobility independence, and convenient access to goods and services for all users. This plan has maintained some controversy with local ditch company due to the aspiration of the plan, based on community input, to provide for active transportation corridors along ditch banks. This plan also contained a “Complete Streets Policy.”

The Department also maintains unique and area-specific plans for various parts of the City. These plans, combined with the Comprehensive Plan, help guide decisions related to growth and development within the City. These include plans for areas such as the 24 Road Corridor, North Avenue, and the Greater Downtown. In 2024, the Staff and the Planning Commission reviewed and evaluated numerous other subarea plans, all of which were ultimately retired.

*Persigo Agreement and Annexations* – The Persigo Agreement is a 1998 Intergovernmental Agreement (IGA) between the City of Grand Junction and Mesa County that requires development to be consistent with the adopted Comprehensive Plan’s future land use designations. The Persigo Agreement also requires all “annexable development” to be annexed into the City including anything that compels a public hearing under Mesa County’s 1998 code. The parties agreed in the IGA that the Urban Development Boundary (UDB), the 201 boundary (area served by sewer), and infrastructure standards should be consistent and agreed upon. In 2024, action by the Persigo Board fulfilled the long-agreed to plan to unify the 201 Boundary and the UDB.



*Impact Fees* – Impact fees are one-time payments for new development’s proportionate share of the capital cost of infrastructure. Between 2002 and 2020, impact fees for transportation had not been updated. The fees in 2002 were adopted at that time at 52 percent of the recommended rate. Until 2020, parks impact fees had not been updated for more than 35 years. After extensive outreach and feedback from the development community in 2019, the City Council adopted a fee schedule that implemented impact fees at 75% of the rate recommended by the Study. The Council also adopted a 4-year phased-in implementation schedule. On January 1, 2022, the City began collecting impact fees for Police and Fire for the first time.

The City's Municipal Code required updating of the fees every five years thus the City contracted with TischlerBise in 2024 to update the required impact fee nexus study. The City convened an Impact Fee Stakeholder group comprised of 16 individuals from the community of which more than half were from development-related industries. A series of stakeholder and community meetings began in June 2024 and were held through January 2025 to discuss the fee calculation methodology and related concerns. Ultimately, the city council voted on April 2 (7-0) to adopt a new impact fee table, adjusting all fees, with some increases and others decreasing. Any increases in fees will be implemented over a three-year period of time starting January 1, 2026.

*Zoning and Development Code* – The [Zoning and Development Code](#) provides for the administration, procedures, zoning and standards in which development can occur within the City. Best practices include the updating of a Code after the completion of the Comprehensive Plan to ensure that the Code works effectively to implement the community's vision as established in the Plan. The work began with an assessment of the Code in Spring 2022 and the update was issued in three modules issued in August, October and December and a consolidated draft issued in January 2023. A Code Committee of 18 members were appointed by City Council to provide input into the Code revision and the code update was also reviewed by the City's Planning Commission. The City Council adopted the updated Code and it became effective in January 2024. In a document titled "[Impact of Code Changes](#)" the Code Committee identified areas where the updated code was anticipated to decrease development costs, increase development costs or have no impact.

Since adoption, the city continues to find areas of the new code that would benefit from additional revisions or clarifications and processed over 40 revisions in 2024. Additional revisions are expected in 2025.

*Historic Preservation* – The Department supports work and efforts in historic preservation. Recent projects include the designation of the Fronton at Canyon View Park as a historic site, and the old water treatment building as a historic building. Staff supports other efforts as it relates to historic preservation week, walking tours, certificates of alteration for structures in the North Seventh Street Historic District and provides public education opportunities regarding historic preservation, including work on the historic train depot. The city recently received a grant to complete a structural engineering investigation of the fronton handball court.

## **Current Planning**

*Development Review* – A significant amount of the Department's staff is focused on reviewing plans for proposed development. This ranges from issuing fence and sign permits to reviewing site plans and subdivision plans. Projects vary in type and complexity, spanning from complex and significant projects such as the renovations of major apartment complexes to large subdivisions. Work related to the specific development of a site is generally reviewed by various city staff, such as planning, fire, surveying, legal, and engineering. Projects such as site plans and subdivisions are reviewed and approved administratively while issues such as the rezoning of property, the creation of a Planned Development (customized zoning) or an amendment to the Comprehensive Plan – issues that are more broadly policy-based - are reserved for

decision-making by the City Council with a recommendation from the Planning Commission. The Department provides a [weekly report](#) and [monthly report](#) on permits and planning activity.

*Fast-Tracking Development Review.* In mid-2024, the City engaged Baker Tilly to assess its development review services, which included the Community Development Department, Engineering and Transportation Department, Fire Department, and City Attorney's Office. The focus of the assessment was to identify opportunities for process improvements and provide specific recommendations for the purpose of meeting the State requirement and the City policy to "Fast-Track" affordable housing projects, as well as to determine if those recommendations and practices could apply to all City development reviews. The city will be working to implement various elements of the "fast-tracking" [recommendations](#) throughout 2025.

*Building Department* – The City contracts with Mesa County for all building services including plan review, permit issuance and inspections. A 5-year contract extension was approved by City Council in January 2025.

*Short-Term Rentals.* The city requires a permit to operate a short-term rental (STR), for stays less than 30 days. Permits for Primary units are limited to no more than 7% of the residentially zoned lots downtown, while permits for areas outside of downtown are limited to no more than 3%. The city currently has 284 approved STRs in the City. Of these, 71 are for primary STRs on residentially zoned lots in the downtown area out of a total of 85 permits available. Citywide, there are an additional 119 primary STRs on residentially zoned lots out of a total of 529 permits available. The city regulates secondary units (eg. rooms within a house, accessory dwelling units) being used as short-term rentals, however there are no limits on the available number of permits. The city actively enforces the permitting of these units.

## Housing

*Housing Needs Assessment & Strategy* – In December 2020, the Root Policy Research was retained to research and provide a [Grand Valley Housing Needs Assessment](#). In May 2021, the Housing Needs Assessment was completed, which included data collection, a community-wide survey, and a series of focus group meetings with key stakeholders. The Assessment then informed the creation of a [City of Grand Junction Housing Strategy](#) that was first adopted in October 2021. The city has since updated the Assessment with by refreshing available data and updated in [Housing Strategy](#) in October 2024.

Consistent with the adopted strategies, the city now provides an active [Accessory Dwelling Unit \(ADU\) Production Program](#) and ADU toolkit and ADU workshops. The production program provides cash incentives up to \$15,000 for the construction of an ADU. The City also offers an [Affordable Housing Incentive](#) for projects producing units at or below 60% AMI for rental units and at 100% AMI for for-sale units. The city also launched the [At Home IN GJ Landlord and Tenant Program](#) in the late summer of 2024. The program includes a voluntary rental registry, landlord incentives, and tenant education workshops, all aimed at easing rent burdens and increasing rental market accessibility for residents in Grand Junction

*Unhoused Needs Assessment & Strategy* – The City has long been engaged in issues related to Persons Experiencing Homelessness (PEH). In the Fall of 2022, the City developed a survey



to hear directly from People Experiencing Houselessness (PEH), with the goal of pinpointing gateways of entry into, and barriers against exiting homelessness in Grand Junction. The [survey](#) reached 70 people experiencing homelessness. Additionally, the city along with Mesa County and Grand Junction Housing Authority funded a robust Unhoused Needs Assessment. The UHNA was intended to broaden the understanding – and ground in data - the current and anticipated needs of people experiencing houselessness (PEH) and the housing and supportive service agencies dedicated to assisting them. The assessment was conducted to evaluate and pinpoint housing and service gaps, identify barriers, and gauge the present system's capacity to address them. The purpose was to guide community strategies, ensuring that instances of houselessness are infrequent, brief, and not recurring. Subsequently, an Unhoused Strategy and Implementation Plan was created as a community-wide plan to address critical gaps and meeting the immediate needs of individuals experiencing homelessness in the Grand Junction area and aligning with the overarching community objective of achieving Functional Zero. The [Unhoused Strategy & Implementation Plan](#) was adopted by City Council in July 2024.

*Resource Center* – In January 2024, the city leased and provided American Rescue Act funding to Homeward Bound of the Grand Valley and United Way of Mesa County to open and operate a resource center to provide services to the community's unhoused and housing insecure. Additional funding was budgeted to fund the Center's operations throughout 2025. The Center and lease was intended to be temporary at the current site, and the original lease reflected this intent with a closure date of April 2026. In December 2024, the City Council amended the lease to conclude on April 15, 2025. The lease was extended for a 90-day wind-down period until July 1<sup>st</sup>. The city has been trying to find a different and suitable location for a facility to provide similar services but has been thus far unsuccessful.

*Salt Flats & Sawmill Workforce Housing Projects* – Consistent with the adopted housing the city has created an inventory of city-owned property that could be utilized for affordable and attainable housing (collectively referred to as “workforce housing”). As part of this work, the city identified the approximate 11 acres at 1141 Winters Avenue that the city acquired in 2019 as an opportunity to utilize this site, in part, for housing. The city issued an RFP for the site in late 2024 and is currently working through negotiations and a development proposal with the selected developer. Also, in furtherance of this strategy, In January 2025, the City purchased, with the assistance of a \$2.2 million grant, over 21 acres of property called the “Salt Flats” to incentivize the development of affordable rental and for-sale housing. In early February, the city issued a request for a Letter of Interest for developers of the site. The LOI received thirteen qualified responses. In mid-April, the City will interview the companies interested in the site and select the preferred development partner(s). The city has also secured a \$2 million grant to construct the first phase of infrastructure on the property.

*Community Development Block Grant (CDBG) Program* – CDBG is a U.S. Department of Housing and Urban Development (HUD) program that provides Federal dollars to our community. As an entitlement community, the City of Grand Junction has received a Federal allocation of CDBG funds directly from Congress since it became eligible in 1996. The City grants the funds which have recently ranged between \$400,000 and \$500,000 annually. The funds are to be used to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. To be eligible for the funds, every five years the City adopts a 5-Year Consolidated Plan that sets forth goals and priorities for expenditure of the funds in the community. In each intervening year, the City solicits applications and City Council allocates the

funding. City Council adopts an Annual Action Plan that specifically describes the projects and programs which will be accomplished through the expenditure of the CDBG funds. At the end of each program year, the City produces the [Consolidated Annual Performance and Evaluation Report \(CAPER\)](#) that summarizes the annual accomplishments of the CDBG program. The current program year will focus on city capital projects that are consistent with the Consolidate Plan as well as funding for housing and homelessness projects and programs.

## **Sustainability**

*EV Readiness Plan* – Collaborating with Xcel Energy’s “Partners in Energy,” the City developed an [Electric Vehicle \(EV\) Readiness Plan](#), of which was adopted by City Council in July 2023. The Plan is a tool to assist the City in gaining access to funding and planning for charging infrastructure. The plan was developed with engagement with members of the community with the intent to address the public and private infrastructure in preparing for Electric Vehicles

The City utilized Xcel’s Partners in Energy that provided free consultation services that lead the creation of the plan alongside City staff and a Steering Committee comprised of approximately 20 community members.

*Sustainability and Adaption Plan* – Drawn from the expressed goals of the community though the City’s 2020 Comprehensive Plan and an adopted strategy, the city began work in 2023 to create a document to guide the city’s resource stewardship priorities. The [Sustainability and Adaptation Plan \(SAP\)](#) was adopted in July 2024 and now guides the City’s ongoing efforts in resource stewardship and preparing for the healthy future of the community, economy, and environment. The Plan was developed using community input and includes 95 strategies in six focus areas including built environment, climate resilience, energy stewardship, waste management, water conservation, and city leadership.

*Leadership in Energy and Environmental Design* - In May 2024, the City of Grand Junction was awarded a LEED (Leadership in Energy and Environmental Design) for Cities Silver Certification by the US Green Building Council. Grand Junction is one of only six cities in Colorado to be LEED certified and joins over 300 cities and communities worldwide in achieving a LEED certification. [Read the full report.](#)

*USDA Public Market Technical Assistance* - Progressing on a Public Market Feasibility Study partially funded by the city and conducted by an outside entity in 2022, the city will be working with USDA on a Wholesale Market and Facility Design. USDA staff will provide technical assistance resulting in concept development for a public market/food hub for 630 S 7th Street, in collaboration with the private property owner and representatives of various local food producers. This work will assesses the site’s viability and potential through initial design and programming concepts.

*Pedestrian and Bicycle Plan* – With support from a council-appointed 17 member steering committee, the City’s Urban Trails Committee, and various engagement opportunities with the community, the City adopted its first [Pedestrian and Bicycle Plan](#) in May 2023. The plan establishes a vision for the future pedestrian and bicycle network, identifying investments that the City will gradually implement over time, and creating a more comfortable and welcoming place for people walking, rolling and biking across all ages and abilities.

*Micro-mobility* – In May 2023, the city launched a pilot program for [shared micro-mobility](#) with vendors (Bird and Lime) providing devices per extensive agreements with the city. In early 2025 and with council direction, the pilot converted into an enduring permitting program.

## **Boards and Commissions**

The Department provides staff support to four boards and commissions including the following:

*Planning Commission* – The Planning Commission meets on the second and fourth Tuesdays of each month and holds regular workshop every first and third Thursdays. It is composed of seven members and two alternates with each member serving a four-year term. The Planning Commission hears and generally recommends to the City Council rezone requests, amendments to the City's Comprehensive Plan related to land use designations well as on planning and zoning related issues such conditional use permits, right of way vacations, and planned developments.

*Zoning Board of Appeals* – The Zoning Board of Appeals meets on an as needed basis. The Board is composed of three members appointed comprised of the Planning Commission's Chair and its two alternate members. The Board of Appeals hears and decides requests for variances in the sign code, non-conforming uses and the bulk requirements of the zoning districts. The Board meets as needed.

*Historic Preservation Board* – The Historic Preservation Board meets monthly on the first Tuesday of the month and makes recommendations to the City Council regarding historic designations, advises the Council on matters concerning historical preservation, conducts surveys of historic areas, reviews proposals to alter historic resources, and provides public education opportunities regarding historic preservation.

*Urban Trails Committee* – The Urban Trails Committee (UTC) plans and promotes the City Council's goals for an interconnected network of sidewalks, paths and routes for active transportation and recreation throughout the Grand Junction urbanized area. The UTC acts in an advisory capacity to the City Council on matters pertaining to safe, convenient and efficient movement of pedestrians and bicyclists of all ages and abilities through the community, as well as other forms of transit. The Committee meets on the second Tuesday of each month.

## Human Resources

**TO:** Councilmembers Elect

**FROM:** Shelley Caskey, Human Resources Director

**DATE:** April 2025

**SUBJECT:** Human Resources Overview

---

The Human Resources Department exists to support the City's ability to deliver high-quality services by ensuring we have a healthy, capable, and engaged workforce. Created to serve as a centralized internal service, the department partners with all City departments to develop and maintain the systems, policies, and support structures needed to recruit, retain, and develop a strong municipal workforce.

The department of 19 professionals serves more than 900 employees across the organization, providing expertise and guidance in areas that are essential to maintaining a high-performing and engaged workforce.

### **Core Services:**

**Recruitment and Workforce Planning** – We oversee all hiring processes, workforce marketing, and staffing strategy. This includes collaboration with departments on hard-to-fill positions, outreach efforts, seasonal workforce planning, and succession development.

**Compensation and Benefits** – We manage the City's compensation programs and self-funded benefits plans, ensuring they align with market conditions, internal equity, and fiscal sustainability. Our offerings include health, dental, vision, retirement, and wellness services. Key programs such as the Sage Health and Wellness Center and the City Child Care Center reflect our commitment to employee well-being and work-life support.

**Employee Relations and Engagement** – We support departments in interpreting and applying policies, managing employee performance, and addressing concerns constructively. Our work includes training supervisors, managing disciplinary actions, and facilitating employee feedback through surveys and listening sessions.



**Organizational Development and Training** – We deliver learning and development opportunities to strengthen leadership, improve team effectiveness, and support employee success. Services include orientation, performance management tools, citywide training programs, and supervisor development.

**Risk and Safety Management** – We manage the City's workers' compensation and liability programs in partnership with CIRSA. Our Safety Division coordinates workplace safety programs, post-incident reviews, audits, and employee training to reduce risk and improve claim outcomes.

## Information Technology

**TO:** Councilmembers Elect

**FROM:** Paul Schultz, Information Technology Director

**DATE:** April 2025

**SUBJECT:** IT Overview

---

Information Technology (IT) is an internal services department delivering technology solutions that help the City of Grand Junction team to do their best work. The 28-member IT team supports cybersecurity, networking and telecommunications, computer and application support,

and Geographic Information Systems (GIS). The IT team is committed to providing secure, reliable, and sustainable technology solutions to efficiently and effectively deliver City services that enhance the lives of our citizens.

**Cybersecurity** – The IT team monitors City networks and devices, investigates anomalies, and remediates vulnerabilities to ensure the high availability of City services. Mandatory cybersecurity training and simulated phishing tests are part of IT's multi-layer defenses.

**Operations and Infrastructure** – The Operations and Infrastructure team provides technology budgeting and procurement (e.g., purchasing IT equipment, software, and/or services), Help Desk support, and network services support for wired/fiber optic and wireless/microwave networks.

**Public Safety IT** - The Public Safety IT Team supports and maintains public safety applications and services for Police, Fire, and the Grand Junction Regional Communications Center (GJRCC), as well as 800 MHz and microwave radio communications systems and devices for the City and regional public safety agency partners.

**Applications** - The Applications team supports the selection, implementation, upgrading, and ongoing operation of the City's many enterprise applications, including GJ Cloud. GJ Cloud is the City's new Human Capital Management (HCM) and Enterprise Resource Planning (ERP) system. GJ Cloud integrates and helps to manage the City's workforce and core business processes. HCM focuses on employee lifecycle management while ERP centralizes finance, procurement, budget, etc. Together, they streamline processes, enhance decision-making, and improve overall efficiency.

**GIS** – The Geographic Information Systems (GIS) team provides City staff and citizens the ability to analyze, visualize, and interpret geographic data. The drone sub-team supports City

departments, including Police, Fire, Utilities, Public Works, Parks and Recreation, and Communications and Engagement, as well as inspections of GJRCC radio towers.

## Utilities

**TO:** Councilmembers Elect

**FROM:** Randi Kim, Utilities Director

**DATE:** April 2025

**SUBJECT:** Utilities Department Overview

---

The Utilities Department manages the City's water and wastewater services. Its mission is to provide high-quality drinking water and wastewater services that are reliable and affordable for customers and support the community's managed growth while incorporating responsible stewardship of natural resources, sustainability practices, and protection of public health.

The City of Grand Junction is served by three water utilities (the City of Grand Junction, Ute Water District and Clifton Water District). The City of Grand Junction also serves the Kannah Creek area. In addition to potable water, Water Services manages the Ridges Irrigation System, which operates under a separate enterprise fund. The Persigo Sewer System (jointly owned by the City and Mesa County) serves properties within the Persigo 201 Boundary.

**Water Services Division** – The Water Services Division manages the Water Enterprise Fund. Customers are provided water from a pristine source that originates from snowmelt on the Grand Mesa. To achieve this, the Water Services Division operates and maintains 17 reservoirs on top of Grand Mesa, along with the Juniata and Purdy Mesa reservoirs that serve as terminal storage at the foot of the Grand Mesa. Two twenty-mile-long water supply lines bring water from these sources to the water treatment plant. Intake and diversion structures on streams and ditches in three drainage basins ensure an adequate supply of high-quality water for customers.

The Water Services Division comprises water supply, water treatment, water distribution, and water laboratory operations. Operations staff stationed at the Kannah Creek water treatment plant oversee the conveyance of water from the watershed to the water treatment plant in Grand Junction. Water plant operators are responsible for controlling the flow and operation of the treatment plant to produce safe drinking water for customers. Laboratory personnel perform compliance testing and provide process control for the plant operators to provide high-quality drinking water that meets or exceeds State and Federal Safe Drinking Water Standards. Utilities Maintenance is responsible for the integrity of the water distribution system by performing preventative maintenance on and making repairs to water mains, valves, and hydrants in the distribution system as well as on raw water flow lines.

In addition to operations staff, the Water Services Division includes Customer Service (Utility Billing), responsible for billing and maintaining all Water, Solid Waste/Recycling, Irrigation and Sewer utility accounts within the City and the Persigo 201 Sewer District.

Through the Water Services Division, the City cooperates with many government and private property owners in the Grand Mesa watersheds to preserve water quality, increase water quantity, eliminate noxious weeds, and protect City water rights. Important partners include the US Forest Service, the State Water Commissioner, Kannah Creek ranchers, Colorado Parks and Wildlife, US Fish and Wildlife Service, the Bureau of Land Management, Grand Mesa Reservoir owners, and the Water Enhancement Authority. Examples of such partnerships include the ongoing Forest Fuels Reduction Project, where the City and the Forest Service work together to make the City's watershed less susceptible to catastrophic wildfire.

The 2025 budget includes capital projects to improve infrastructure reliability, this information is provided as an attachment.

In addition to major capital projects, the following are key operational projects for Water Services:

*Long-term Water Supply Planning*—Staff have been working on long-term water supply strategies over the past seven years and presented an update to the Council on November 4, 2024. One key project in support of the strategy is developing water reservoirs along the Gunnison River by converting gravel pits that have completed mining operations.

*USFS Fuels Reduction Program* – the City partners with the US Forest Service to implement fuels reduction program to mitigate the risk of wildfire and protect the City's watershed.

*Water Conservation Program* – water conservation programs, including the turf replacement program, water rebate programs for water-efficient irrigation equipment and appliances, and educational programs.

**Wastewater Services Division** – The Wastewater Services Division manages the Joint Sewer Enterprise Fund.

City Council and the Board of County Commissioners jointly establish and provide policy direction relating to the Persigo Sewer System in accordance with the 1998 Intergovernmental Agreement between the City and Mesa County. Policy matters include setting goals and objectives, capital improvement plans, annual operating budgets, financing arrangements, sewer rules and regulations, and the 201 Service Boundary. The City is responsible for managing, operating, and maintaining the system.

The Wastewater Services Division operates and maintains 588 miles of sewer pipe, 27 lift stations, and a 12.5 million gallon per day wastewater treatment plant. Treated water that is discharged to the Colorado River consistently meets or exceeds permit limits for the protection of aquatic life and public health. The wastewater treatment plant is at 80% capacity and, as such, projects are underway to expand the plant to meet future needs over the next 20 years. Expansion of the plant is being completed in phases. The \$80 million Phase 1 expansion project is underway and will be completed by April 2026. Funding for the design of the Phase 2 expansion is included in the 2025 Adopted budget.

The Wastewater Services Division comprises wastewater collections, industrial pretreatment, treatment, and environmental laboratory operations. Collection crews maintain sewer lines to ensure that they are flowing freely to prevent backups that could pose a threat to the health of the community or the environment. Additionally, Industrial Pretreatment staff work with commercial and industrial facilities to ensure pollutants that may upset the wastewater treatment process do not enter the system. At the Persigo wastewater treatment plant, operators optimize conditions for the various treatment processes, mechanics maintain the inner workings of the plant and lift stations, and laboratory personnel analyze samples collected at different stages of the treatment process to monitor compliance.

The 2025 budget includes capital projects to improve infrastructure reliability, this information is provided as an attachment.

In addition to major capital projects, the following are key operational projects for Wastewater Services:

*Ambient Water Quality Monitoring Program* – Water quality monitoring in the Colorado River upstream of the discharge location for treated water in support of permitting requirements.

*Rate Study Update* – 5-year update of the rate study by an independent financial consultant required by the Intergovernmental Agreement.

*Attachments:*

1. *2025 Utilities Capital Projects*
2. *Update of Long-Term Water Supply Strategies and Gunnison Reservoirs Project (November 4, 2024 Council Workshop presentation)*

## Utilities Capital Projects

### 301 – Water Fund

#### Utilities - Capital

##### Gunnison River Infrastructure

- **2025 Project Budget:** \$100,000
- **Future Year Planned Budget:** \$500,000 in 2026 and 2027
- **2025 Funding Source:** Water Enterprise Fund - \$100,00
- **Project Description:** Preliminary engineering and property acquisition for conversion of two gravel pits along the Gunnison River into water storage impoundments to supplement the City's water supply. This is a multi-year project with detailed engineering and construction beyond the 10-year planning horizon.

##### Historic Water Treatment Plant Preservation

- **2025 Project Budget:** \$225,000
- **Future Year Planned Budget:** \$450,000 in 2028
- **2025 Funding Source:** Water Enterprise Fund - \$50,000; State Historic Fund Grant - \$175,000
- **Project Description:** Phase 1 of Interior/Exterior Rehabilitation of Historic Grand Junction Water Treatment Plant includes repair/replacement of the roof, installation of roof scuppers and drains, trimming trees abutting the building, select demolition, and hazardous materials abatement. Prompt initiation of these items included will prevent further deterioration of the building and ultimately reduce overall project costs.

##### Lead Water Line Replacements

- **2025 Project Budget:** \$100,000
- **Future Year Planned Budget:** \$100,000 a year through 2029
- **2025 Funding Source:** Water Enterprise Fund - \$100,000
- **Project Description:** This is an annual ongoing project to replace lead service lines in the City's water service area.

##### Ranch Improvements/Sustainable Agriculture

- **2025 Project Budget:** \$100,000
- **Future Year Planned Budget:** \$100,000 in 2026
- **2025 Funding Source:** Water Enterprise Fund - \$100,000
- **Project Description:** Installation of gated pipe on the Anderson Ranch to improve water efficiency of irrigation for cattle ranching.

##### Water Rights Infrastructure Development

- **2025 Project Budget:** \$100,000
- **Future Year Planned Budget:** \$100,000 planned annually
- **2025 Funding Source:** Water Enterprise Fund - \$100,000
- **Project Description:** This is an annual ongoing project to facilitate the acquisition of agricultural irrigation water rights as they become available.

#### **Linden Ave Waterline Phase 1 (2025)**

- **2025 Project Budget:** \$1,400,000
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Water Enterprise Fund - \$1,400,000
- **Project Description:** Replacement of 20" water main installed in 1959 on Linden Ave between Hwy 50 and Santa Clara Ave.

#### **Juniata Enlarged Ditch Piping**

- **2025 Project Budget:** \$320,000
- **Future Year Planned Budget:** \$5,000,000 in 2026
- **2025 Funding Source:** Bureau of Reclamation Grant - \$160,000; Colorado Water Conservation Grant - \$100,000, Colorado River District Grant - \$20,000; Water Enterprise Fund - \$40,000
- **Project Description:** Piping/lining of 2.3mile segment of Juniata Enlarged Ditch to reduce water loss due to seepage and evaporation.

#### **Ouray Ave 7-12th Street Waterline Replacement**

- **2025 Project Budget:** \$450,000
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Water Enterprise Fund - \$450,000
- **Project Description:** Project replaces AC water main on Ouray Ave from 7-12th Street as well as eliminate any LSLs in this area.

### **309 – Irrigation Fund**

#### **Utilities - Capital**

#### **Ridges Primary Pump MCC Replacement**

- **2025 Project Budget:** \$25,000
- **Future Year Planned Budget:** \$200,000 in 2026
- **2025 Funding Source:** Irrigation Enterprise Fund - \$25,000
- **Project Description:** Design and replacement of the Motor Control Center for the Ridges Primary Pumpstation. This project is funded by the Irrigation enterprise fund.

### **900 - Joint Sewer Fund**



## Utilities - Capital

### **Lake Road lift station replacement**

- **2025 Project Budget:** \$3,500,000
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Sewer Enterprise Fund - \$3,500,000
- **Project Description:** Design and easement acquisition for the new Lake Road Lift station and associated sewer pipelines will be completed in 2024 and construction will be completed in 2025. Funding planned for 2025 also includes the rehabilitation of lift stations that were identified in poor condition during condition inspections.

### **Sewer Improvement Districts**

- **2025 Project Budget:** \$1,000,000
- **Future Year Planned Budget:** \$1,000,000 planned annually
- **2025 Funding Source:** Sewer Enterprise Fund - \$1,000,000
- **Project Description:** In 2000, the City and the County passed a joint resolution establishing the septic system elimination program to provide incentives to property owners to eliminate septic systems. There are still approximately 1,550 properties that remain on septic systems within the Persigo 201 sewer boundary. Recommended funding for 2025 and \$1 million per year in future years is to complete existing and new sewer improvement districts (SIDs) as recommended in the 2020 Wastewater Basin Master Plan.

### **OM river siphon**

- **2025 Project Budget:** \$230,000
- **Future Year Planned Budget:** \$1,800,000 in 2026
- **2025 Funding Source:** Sewer Enterprise Fund - \$230,000
- **Project Description:** This project's objective to replace a sewer pipe under the Colorado River that conveys wastewater from Orchard Mesa area to the riverside interceptor. Funds in 2025 are planned for engineering services in the design, permitting, surveying, geotechnical, with construction occurring in 2026.

### **Grand Valley Byproducts lift station replacement**

- **2025 Project Budget:** \$1,275,000
- **Future Year Planned Budget:** \$10,350,000 in 2026
- **2025 Funding Source:** Sewer Enterprise Fund - \$1,275,000
- **Project Description:** Replacement of the Grand Valley Byproducts lift station that has reached its useful life.

### **2025 Sewer Replacement Projects**

- **2025 Project Budget:** \$3,898,000
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Sewer Enterprise Fund - \$3,898,000

- **Project Description:** Replacement of aging sewer pipelines with construction in 2025. Funds are budgeted to replace/rehabilitate existing sewer mains within the Persigo 201 service area collection system. The collection system is comprised of approximately 577 miles of pipe of which approximately 200 miles are scheduled for replacement over the next 30 years. Since 2015, 30 miles of pipe have been replaced and 170 miles of pipe have been identified for replacement based on pipe materials. Annual condition assessments are conducted to prioritize replacements based on condition.

#### **2026 Sewer Replacement Projects**

- **2025 Project Budget:** \$602,000
- **Future Year Planned Budget:** \$4,000,000
- **2025 Funding Source:** Sewer Enterprise Fund - \$602,000
- **Project Description:** This funding is for design of sewer line replacements with construction in 2026. Annual condition assessments are conducted to prioritize replacements based on condition.

#### **El Poso lift station replacement**

- **2025 Project Budget:** \$205,000
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Sewer Enterprise Fund - \$205,000
- **Project Description:** Replacement of El Poso lift station which has reached its useful life. This project is funded by the Sewer enterprise fund.

#### **Wastewater Treatment Plant Imp and Asset Replace**

- **2025 Project Budget:** \$736,000
- **Future Year Planned Budget:** \$773,000 in 2026 and increased for inflation annually through 2034
- **2025 Funding Source:** Sewer Enterprise Fund - \$736,000
- **Project Description:** These expenditures are associated with wastewater treatment plant improvements and replacement of aging infrastructure.

#### **Wastewater Treatment Plant Rehabilitation/Expansion Projects**

- **2025 Project Budget:** \$38,409,777
- **Future Year Planned Budget:** None
- **2025 Funding Source:** Sewer Enterprise Fund - \$38,409,777
- **Project Description:** Construction of the Phase 1 Wastewater Treatment Plant Rehabilitation and Expansion will begin in 2024 and continue in 2025. Partial funding was authorized in 2024. The remaining funding required to complete the project is \$38,409,777. The project will include rehabilitation of existing process units and expansion of capacity

from 12.5 to 15.0 million gallons per day. Process units include the headworks, aeration basins, UV disinfection, and dewatering.

### **Phase 2 Wastewater Treatment Plant Expansion**

- **2025 Project Budget:** \$4,000,000
- **Future Year Planned Budget:** \$19,000,000 in 2027 and \$16,000,000 in 2028
- **2025 Funding Source:** Sewer Enterprise Fund - \$4,000
- **Project Description:** The Phase 2 wastewater treatment plant project includes converting the anaerobic digesters through either rehabilitation or replacement, revitalizing the raw sewage pump station, revitalizing the secondary clarifier, and making improvements to the administrative building and relocating the motor control center (MCC). Funding in 2025 will be utilized to initiate engineering design.



# Update of Long-Term Water Supply Strategies and Gunnison Reservoirs Project

---

Utilities Department

# Long-Term Water Supply and Infrastructure Planning

---

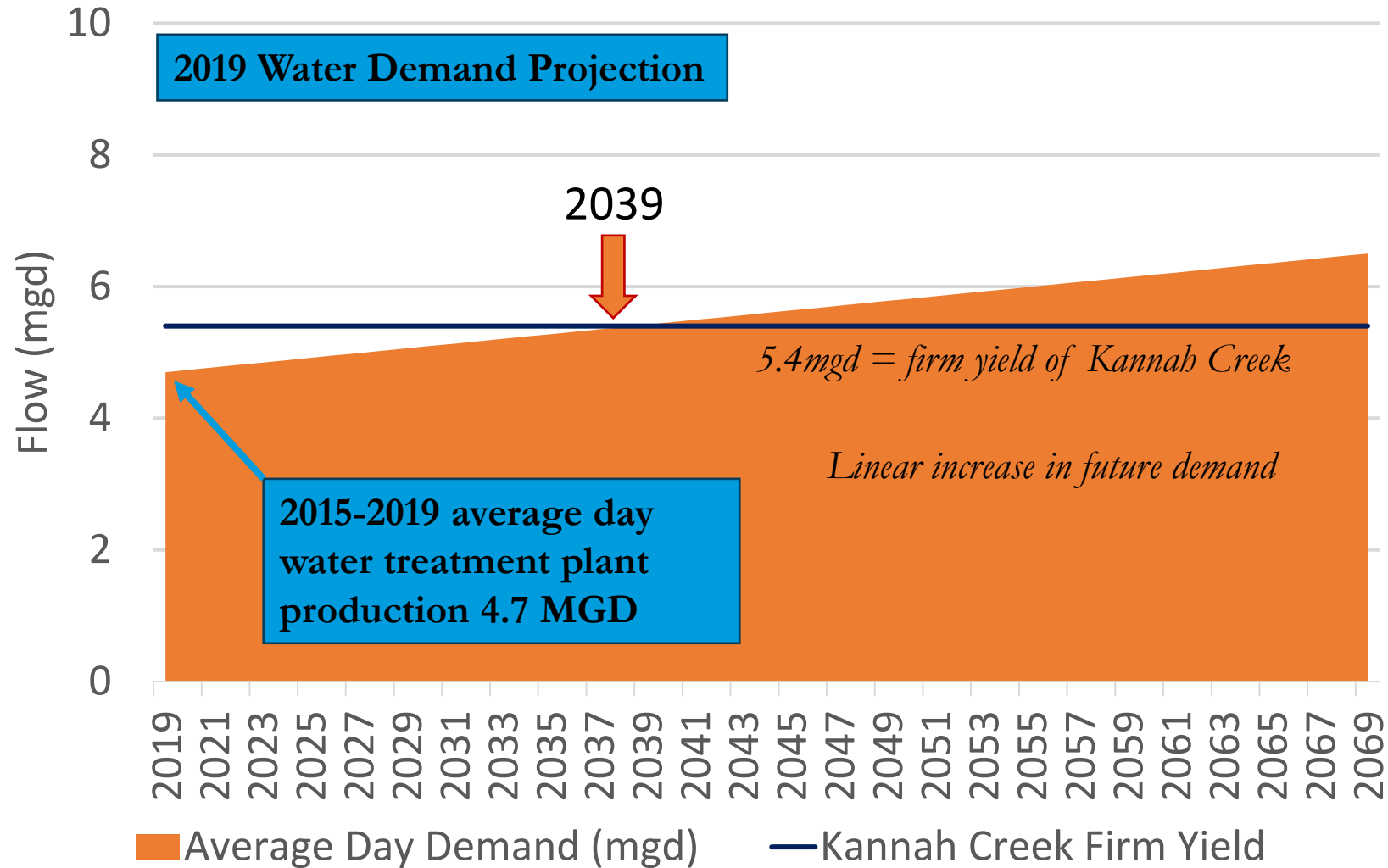
## Objectives

- Operational Reliability
  - Risk Resiliency
  - Long-Term Water Supply Needs
- 
- Recap from 2021:





# Firm Yield vs. Projected Water Demands



# Risk Resiliency

## Now through 2032

- Clifton Water District can provide full backup for indoor uses with existing infrastructure (5.5 mgd)
- Existing Agreement with Clifton Water

## Beyond 2032

Option	Estimated Capital Cost (2021 dollars)	Estimated Monthly O&M Costs
Expand Clifton water treatment plant to 16 mgd (8 mgd for City)	\$25 million	\$72,000
Existing Clifton Water Infrastructure (5.5 mgd) + Treat Gunnison River water (2.5 mgd)	\$13 million	\$43,000

# Future Scenarios for Supplemental Water

## 1.3% growth

- Supplemental water needed in 2039

## 1.3% growth + severe drought

- Supplemental water needed in 2029

## Slower growth in City Service Area

- Supplemental water needed in 2050

Option	Estimated Capital Cost	Estimated Monthly O&M Costs
Use exiting capacity at Clifton water treatment plant during the winter (2 mgd)	\$0	Not quantified
Treat Gunnison River water during the winter (2 mgd)	\$10 million	\$34,000



# Recommended Options for Further Development

## Short-Term Priority Options

1. City use of Gunnison water right to meet future City water supply needs
2. Clifton Water use of Colorado water right to meet future City water supply needs and plan for expansion of Clifton WTP to provide year-round back-up capacity

## Long-Term Regional Options

3. Partner with Redlands Water and Power to use Gunnison water right for hydropower and environmental flows
4. Partner with Palisade or gravel pit owners to store Colorado water right for compact protection and environmental flows
5. Partner with U.S. Bureau of Reclamation to store Gunnison water right for environmental flows and recreation
7. Partner with Orchard Mesa and Clifton to use Gunnison water right for irrigation environmental flows, and municipal supply

## Options to Monitor

8. Enhance agriculture lease program in Kannah Creek watershed

*Shifted to Gunnison  
River gravel pits*

# Summary of Work Since 2021

---

## 1) Demand Update

- Conservation Efforts
- Demand reduction – delays need for capacity increases and new supply

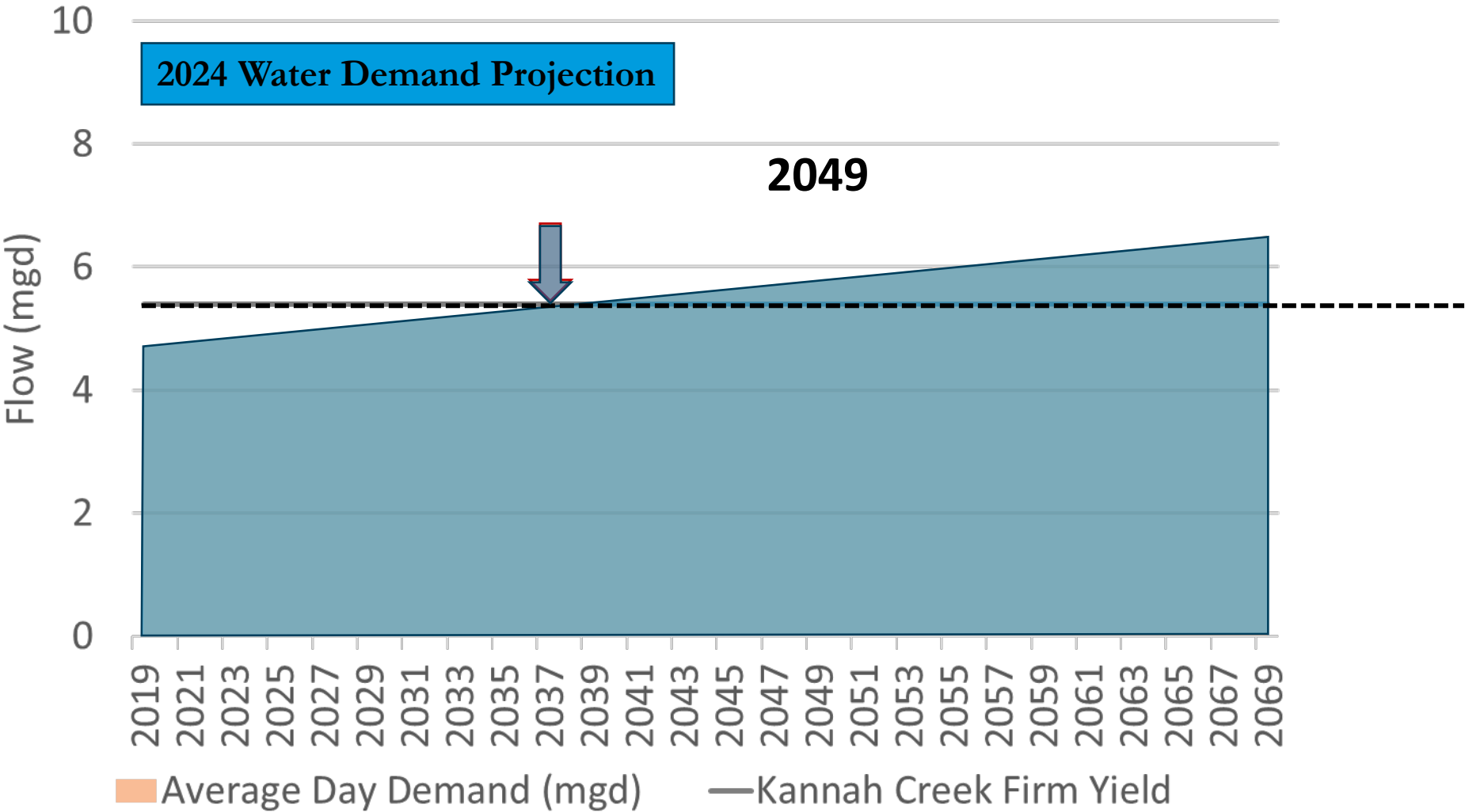
## 2) Juniata Enlarged Ditch Piping/Lining Grant

- Increase in firm yield – delays need for new or more expensive sources

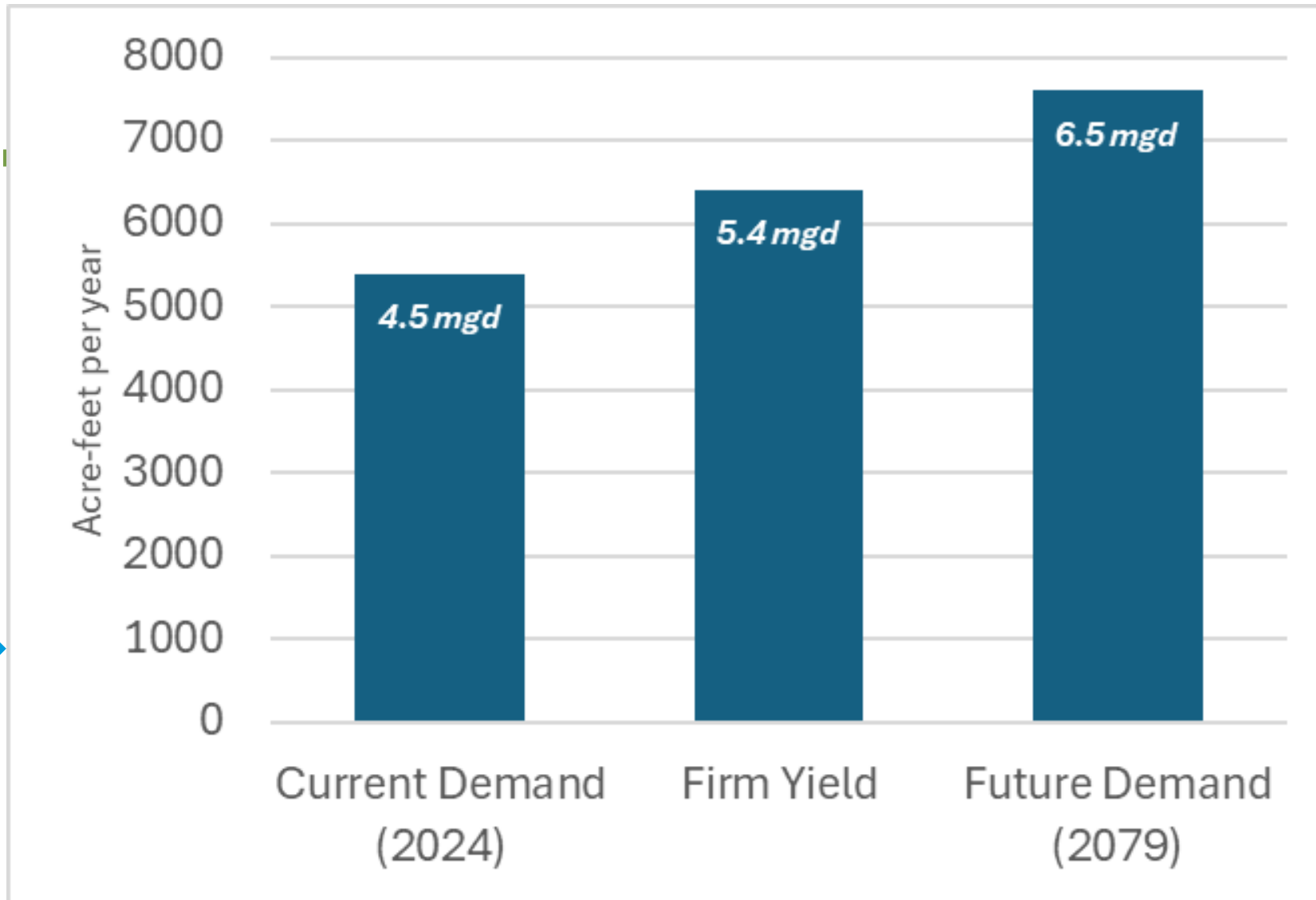
## 3) Gunnison Reservoirs Project

- Colorado Water Plan Grant – Protection from downstream senior calls and long-term regional multi-benefit project

# Firm Yield vs. Projected Water Demands



# Annual Water Supply



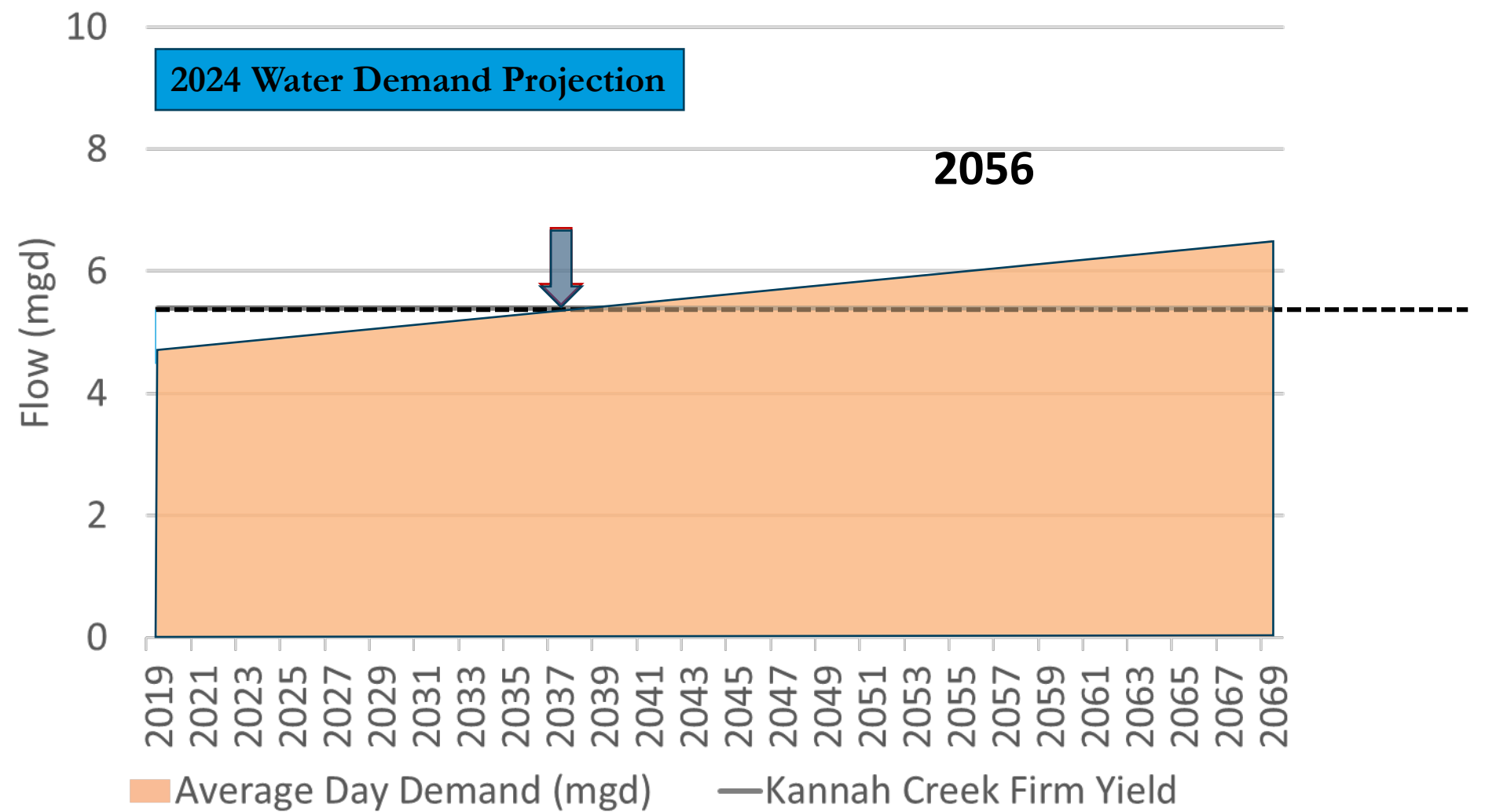
*Note: mgd amounts exclude non-potable and Kannab Creek service area (~344 AF pe year)*

## Firm Yield Definition

### Reliable supply with:

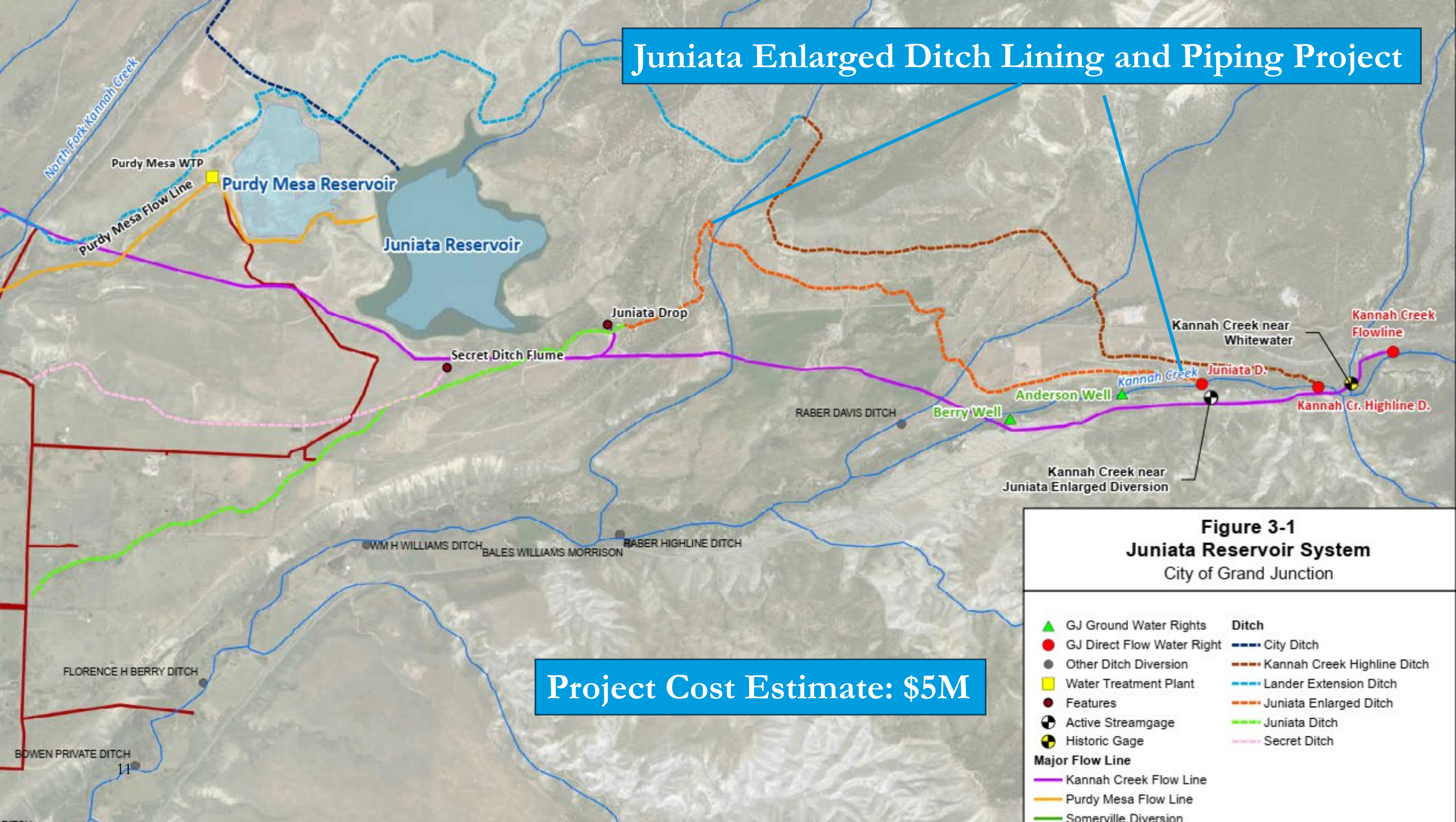
- 1-year demand in storage on Nov 1.
- 140% of demand in storage after spring runoff

# Firm Yield vs. Projected Water Demands





# Juniata Enlarged Ditch Lining and Piping Project



Project Cost Estimate: \$5M

# Colorado Water Plan Grant – Gunnison Reservoirs

---

**\$265,000 Colorado Water Plan Grant and \$95,000 City Contribution**

## **Purpose:**

- Preliminary design of reservoirs and pump stations
- Water rights engineering
- Multi-benefit project analysis (irrigation, environmental)



# Gunnison Reservoirs Project



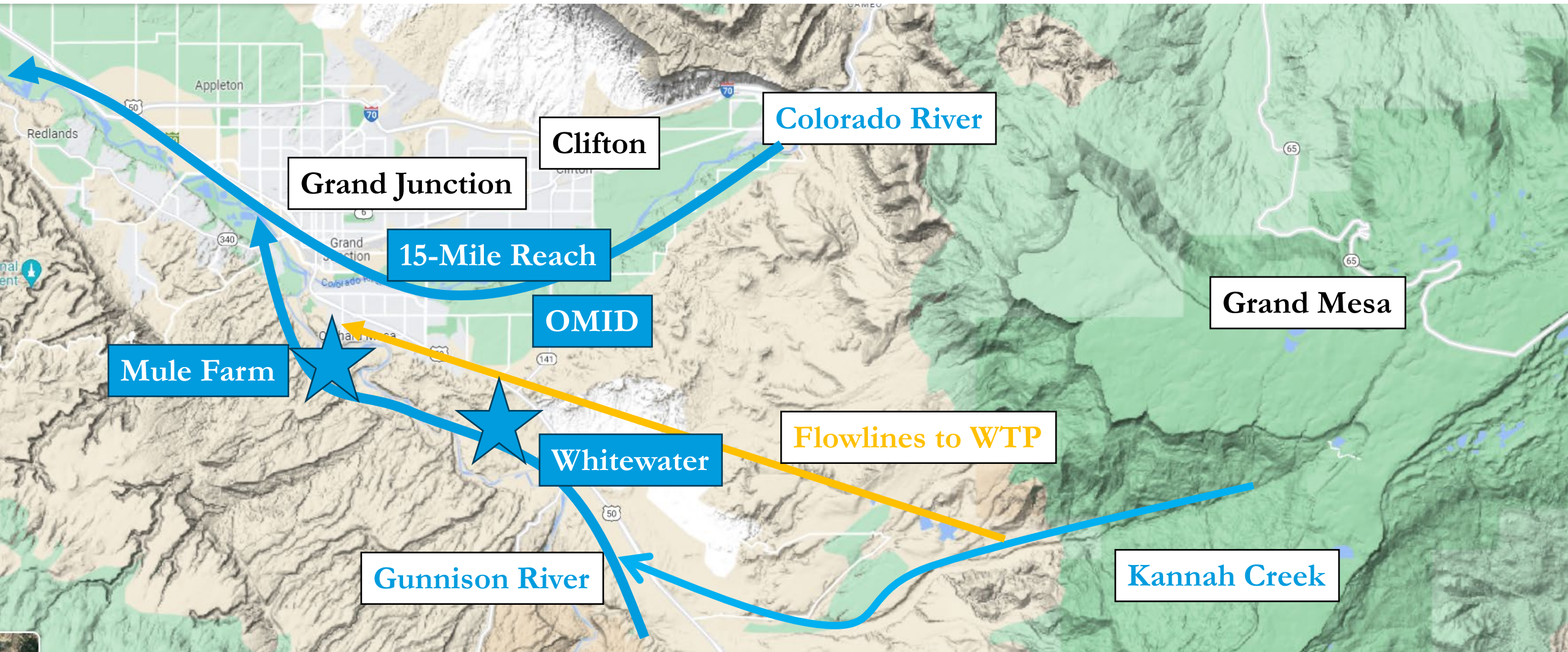
**Mule Farm Gravel Pit**



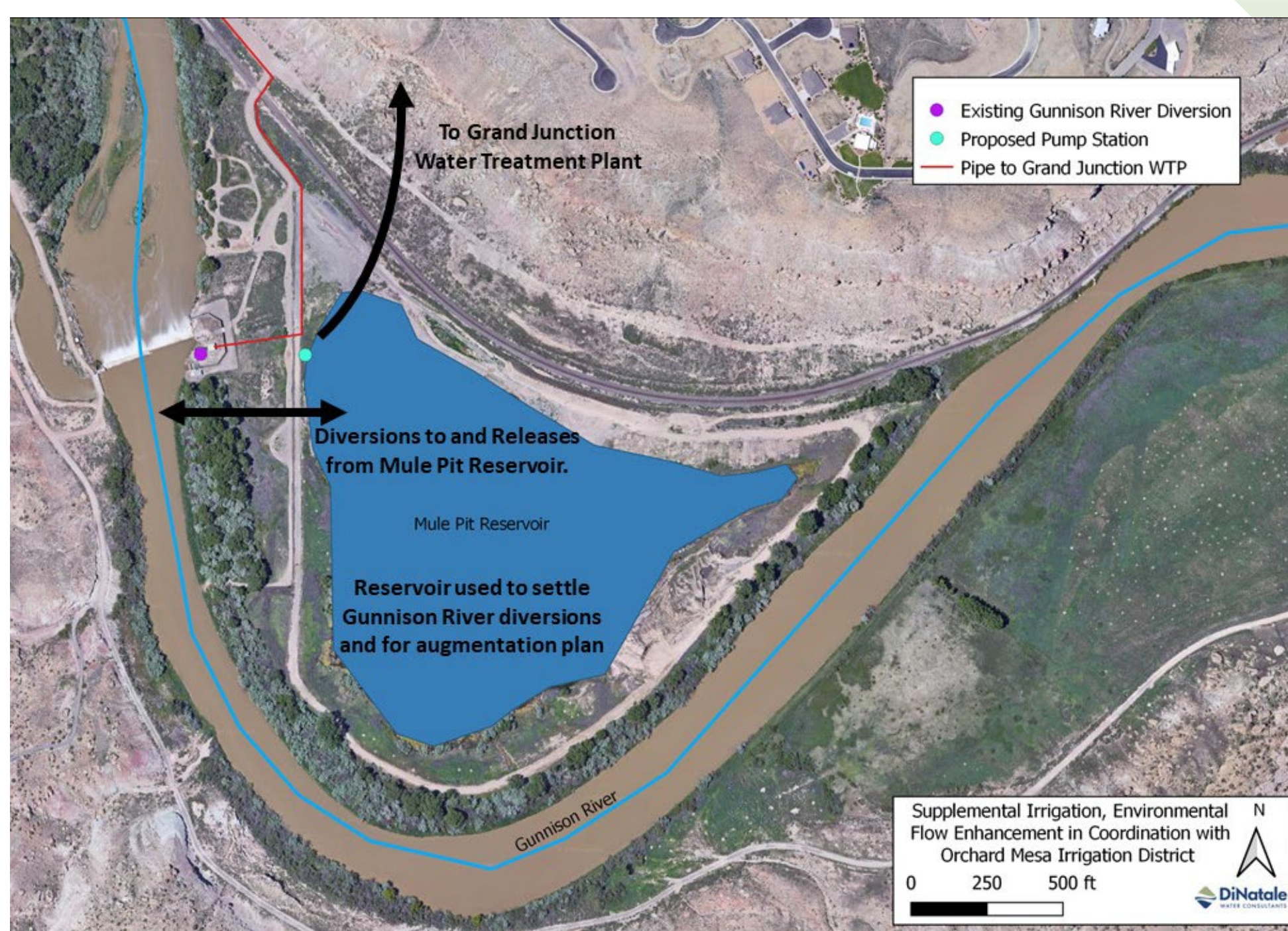
**Whitewater Gravel Pit**



# Project Components







## Mule Farm Reservoir

- 973 AF
- New Pump Station



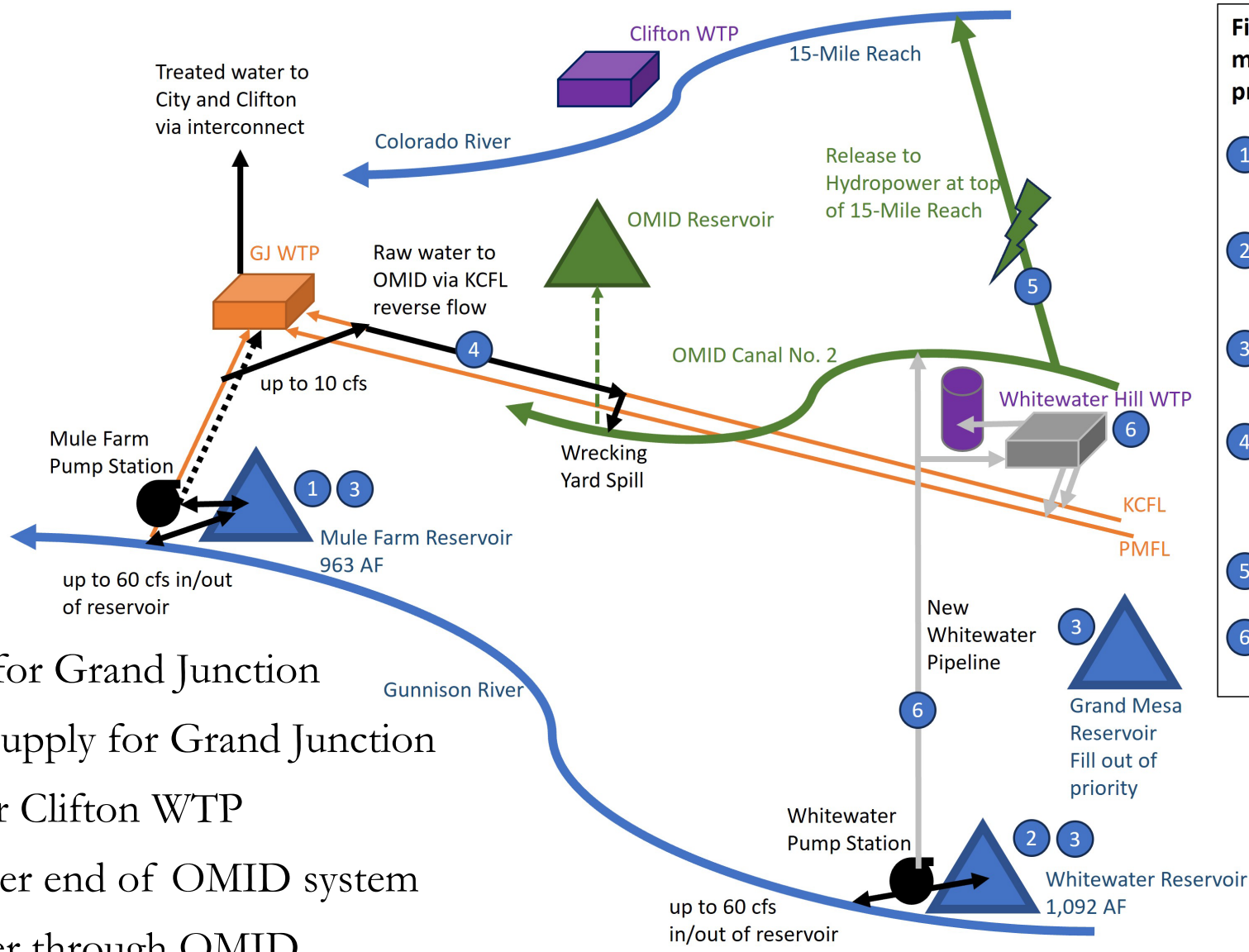


## Whitewater Reservoir

- 1,200 AF
- Used for augmentation

# Multiple Benefits

- Augmentation for Grand Junction
- Supplemental Supply for Grand Junction
- Redundancy for Clifton WTP
- Delivery to lower end of OMID system
- Additional water through OMID hydropower to 15-Mile Reach
- Future expansion options



**Figure ES-2. Schematic diagram showing multiple benefits of the Gunnison Reservoirs project.**

- 1 New Mule Farm Reservoir and Pump Station.
- 2 New Whitewater Reservoir and Pump Station.
- 3 Augmentation Plan for Grand Mesa diversions.
- 4 Reverse Flow in existing Kannah Creek Flowline to OMID Canal No. 2 at the Wrecking Yard Spill.
- 5 Hydropower tailrace to 15-Mile Reach.
- 6 Potential future Whitewater Pipeline and water treatment plant at Whitewater Hill.





# Gunnison Reservoirs Project Cost Estimate

Infrastructure Component	Cost Estimate	
Mule Farm Reservoir and Pump Station	\$	18,841,000
Whitewater Reservoir and Pump Station	\$	20,047,000
Engineering, Design, Contingency, Misc.	\$	33,041,000
<b>Total</b>	<b>\$</b>	<b>71,929,000</b>

*\*excludes land acquisition and water court costs*

**Value engineering and phasing may reduce these costs or spread them across multiple years**

# Gunnison Reservoirs Project Summary

**1. Augmentation** – allows Grand Junction to divert high quality water at Kannah Creek Reservoirs even with downstream senior water right call at Redlands Canal.

**2. Direct Use** – allows Grand Junction and Clifton to divert Gunnison River rights

**3. Multiple Benefits** – when infrastructure is not needed by the City, improve irrigation deliveries and environmental flows



*Bonytail, Colorado*

*Pikeminnow, Humpback*

*Chub, Razorback Sucker*

*Photos: coloradoriverrecovery.org*



*Orchard Mesa Irrigation District*

# Effect of Infrastructure Improvements

Project	Firm Yield (AF)	Year Demand Exceeds Firm Yield
2024 demand update	6,400	2049
Juniata Enlarged Piping	6,550	2053
Mule Farm Reservoir	6,525	2052
Combined	6,675	2056





# Next Steps

---

- 1) Continue Water Conservation Efforts
- 2) Juniata Enlarged Piping/Lining Project
  - Increases firm yield by 150 AF without using more expensive sources or treatment upgrades
- 3) Gunnison Reservoirs
  - Land Acquisition
  - Augmentation protection “insurance policy”
  - Value engineering/phasing to reduce costs



## Engineering and Transportation

**TO:** Council Members Elect

**FROM:** Trent Prall, Engineering and Transportation Director

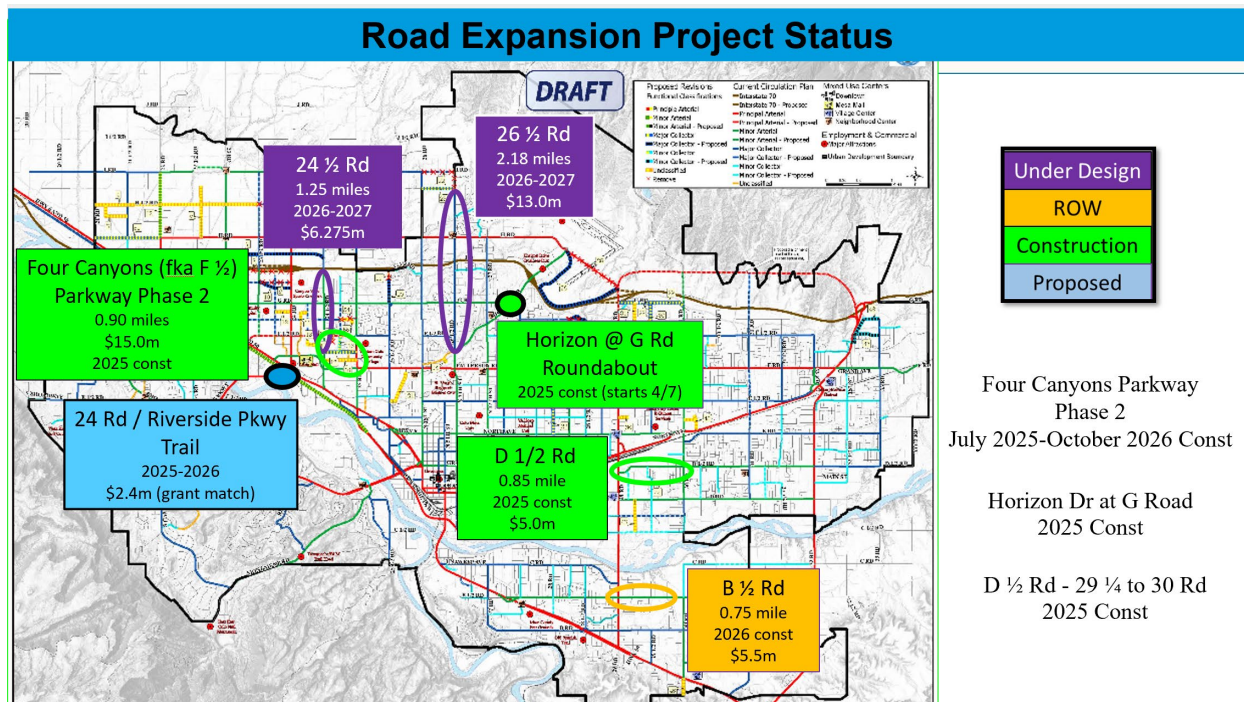
**DATE:** April 2025

**SUBJECT:** Engineering and Transportation Department Update

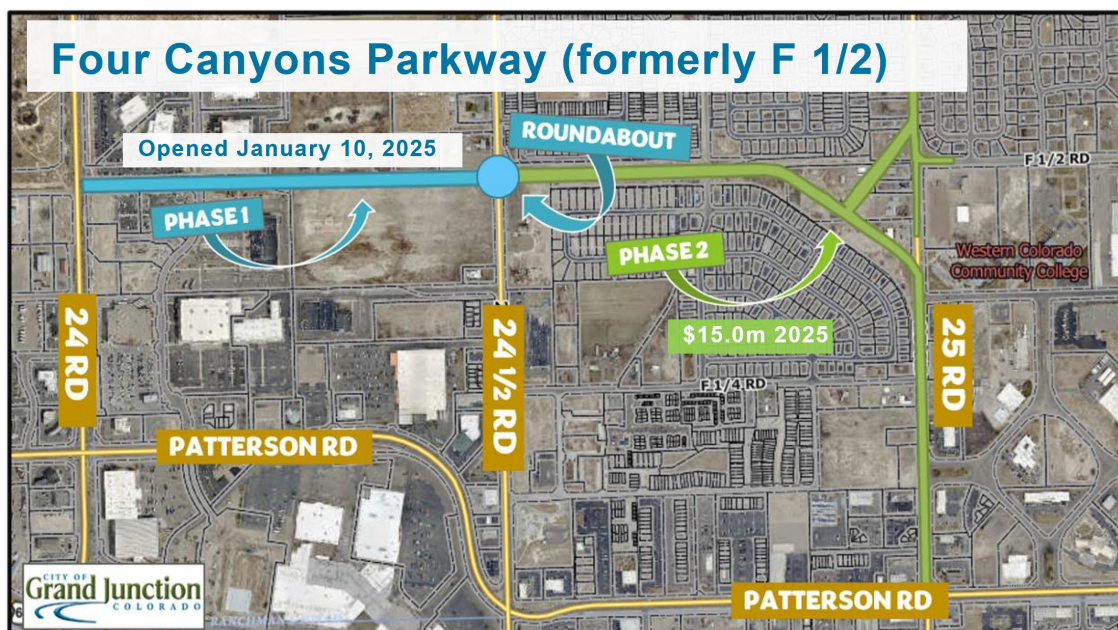
---

**Transportation Capacity** – Moving freely around our community is one of the key measures of our quality of life. Growth and subsequent traffic demands are increasing the need for additional capacity on our street network. Regional facilities such as 24 Road widening, Four Canyons (aka F ½) Parkway, 25 Road widening, and the City's share of the I-70/29 Rd Interchange were estimated at over \$100 million. An additional \$200 million was estimated to upgrade the “backbone” farm-to-market road to urban corridors complete with curbs, gutters, sidewalks, bike lanes, center turn lanes, streetlights, and crosswalks. Over 30 miles of backbone infrastructure have been identified. Originally, \$300 million was proposed to be paid by 1/3 of the existing 0.75% sales tax, 1/3 of transportation impact fees, and 1/3 of new money as was proposed in Spring 2019 ballot measure 2A's 0.25% sales tax.

**Fall 2019 2B** – While voters did not approve the Spring 2019 2A measure that contemplated a 0.25% sales tax, the Fall 2019 2B TABOR ballot measure passed and allowed the City to issue up to \$70m in bonds for capacity improvements. \$50m was issued in 2020, while \$20m is scheduled to be issued in mid-2025. The first projects completed included the widening of 24 Road from Patterson to I-70 and G Road from 23 ½ Road to 24 ½ Road. The remaining projects throughout the city contemplated under the ballot measure and their status are identified on the graphic provided below.



Four Canyons Parkway (formerly known as F 1/2 Parkway) Phase I opened in early 2025 completing the Parkway from 24 Road to 24 1/2 Rd. Phase II of the Four Canyons Parkway from 24 1/2 Road to Patterson currently has a utility phase underway that will be completed prior to the construction of road improvements is slated to start later this fall pending council award.



Horizon Drive at G Road will started construction on April 7, 2025. Completion is scheduled for late October. D ½ Road between 29 ¼ Road and 30 Road will start construction later this summer. B ½ Road, 24 ½ Road and 26 ½ Road are all in design with some right-of-way acquisition starting.

**Street Maintenance** – Maintenance of existing infrastructure is a key directive in the strategic plan. Street Maintenance requires an ongoing annual commitment to maintain the City's \$266 million worth of street assets that total over 376 miles. In 2017, this effort was increased with voter approval of Measure 2B which redirected TABOR funds from early debt retirement of the Riverside Parkway bonds to street maintenance. Those additional funds are part of the ongoing effort to upgrade our pavement condition index (PCI) from a 69 to a 73 through 2022. The program was able to increase the PCI to 73.

A pavement management system evaluates pavement quality and prioritizes street maintenance needs. Parameters used to determine the pavement condition index (PCI) for major streets include ride quality, structural adequacy, and surface distress. These parameters are measured every five years by non-destructive testing methods. According to a Colorado Asphalt Paving Association 2021 study, most communities surveyed were trying to maintain a PCI of 73. The city is divided into 12 street maintenance areas (SMA), each with an area scheduled to receive a chip seal each year. However, each of the streets in an SMA are analyzed for the proper treatment, whether that be a chip seal, high-density mineral bond (HA5), asphalt overlay or total reconstruction. In 2025, the City's street maintenance efforts will focus on:

- Contract Street Maintenance – \$3,590,000 – This element of the annual street maintenance program includes contract construction for hot mix asphalt overlays, high-density mineral bond, and minor street reconstructions.
- Chip Seal/Crackfill – \$1,300,000 – One of the most detrimental effects to the structure of a road is to allow water to migrate through the surface and get into the subgrade material. If allowed to continue, additional moisture will continue to weaken the subgrade material causing more cracks which eventually leads to potholes and degradation of the road surface. The City's crackfill program aims to fill cracks in all of the road surfaces that are planned for chip seal or other light maintenance activity. Chipseal enhances safety by providing good skid resistance. It provides an effective moisture barrier for the underlying pavement against water intrusion and prevent deterioration of the asphalt surface from the effects of aging and oxidation due to water and sun.





**Transportation Division: Signal Upgrades** – The City currently owns 52 traffic signals with electronic controllers of varying age and functionality and operates the 46 state highway signals inside the City limits under a maintenance contract. The City is scheduled to invest \$280,000 in upgrades of City controllers and signal equipment in 2025.

### **Transportation Funding**

**Existing 0.75% Sales Tax** – Currently the City receives approximately \$19.9 million annually that is used on capital projects and debt service for all departments. For 2026, \$4.3 million is allocated for the debt retirement of the Riverside Parkway and Transportation bond issues.

**Transportation Impact Fees** – These fees can only be used on projects that expand capacity in the transportation network. Last updated in 2019, the City's municipal code requires the City to update its impact fee study once every five years. The nine-month process started in July of 2024 and included numerous meetings with a diverse stakeholder group as well as workshops and public hearings with both the City Council and Planning Commission. On April 2, 2025, City Council approved the continuation of implementation of Transportation Impact Fees, also known as Transportation Capacity Payments (TCP) within the City of Grand Junction. The recommended fee will be implemented over a three-year period increasing every six months. These fees are indexed to a CDOT prepared construction cost index.

The fees are projected to increase revenues from approximately \$2.8 million annually to approximately \$\_\_\_\_\_ million at full implementation scheduled for July 2028. However, in addition to capacity improvements, the City will be responsible for purchasing right-of-way from developing properties along arterial and collector corridors rather than exacting the right-of-way as a condition of subdivision approval.

### **Grants**

CDOT distributes two federal grant opportunities every three years for the Highway Safety Improvement Program (HSIP) which addresses safety concerns in the region and the Transportation Alternative Program (TAP) which helps fund pedestrian and bicycle infrastructure.

The City currently has a HSIP grant award in the amount of \$1.5m for the Horizon Drive/G Road Roundabout. The City has also been awarded \$2.3m in TAP funds for the improvements of sidewalk/bikepath infrastructure along North Ave between 28 ½ Road and I-70B on the east.

**City and Community Partnerships** – The Grand Junction Engineering and Transportation Department works very closely with Water, Sewer, Parks, Police and Fire Departments on implementation of the City's capital improvement programs. The Engineering and Transportation Department also works collaboratively with various community partners,

including Mesa County, CDOT, Downtown Development Authority and Horizon Drive Business Improvement District. Projects that the Department works in partnership on include:

I-70 Interchange at 29 Road – The City and County are partnering on the environmental documentation that follows CDOT's Environmental Stewardship Guide and ultimately be considered for National Environmental Policy Act (NEPA) approval and access approval by Federal Highway Administration (FHWA) as part of CDOT's Executive Policy Directive 1601. The estimated cost of Phase II is \$2.4 million. The City is partnering with Mesa County and evenly sharing the expense for the study through 2025. It is nearing resolution on remaining issues with CDOT/FHWA staff that are necessary prior to submittal to the Colorado State Transportation Commission later this spring.

The City has already secured grant dollars from the federal Congressionally Directed Spending to advance the design of the interchange to 30% while advancing the design of 29 Road corridor to 100 percent so that the City/County can plan for a phase of 29 Road improvements that would meet current infrastructure deficiencies while a future phase would add capacity to 29 Road and construct the interchange.

CDOT's State Transportation Commission approval would be sought early third Quarter 2025 followed by FHWA later in the third quarter. Once the interchange is approved by both entities, the City would issue a Request for Proposals (RFP) for a design consultant to advance the interchange and 29 Road design. Assuming the award in December, the work would start in 2026 and be completed in 2027.

On March 5, the Council concurred with staff to complete the current CDOT/FHWA approval process and then decide whether to advance the design of the interchange and 29 Road with the congressionally directed spending dollars previously awarded.

I-70 Business Loop – City staff continues to work with CDOT on the I-70 B Phase 6 and 7 segments. Phase 6 includes the “depot curve,” which is currently under construction. Phase 7 is from 3<sup>rd</sup> Street east to 7<sup>th</sup> Street and is nearing the later design phases for 2026 construction.

Mobility Hub – Mesa County Regional Transportation Planning Office and City staff continues to work with CDOT on the development of a mobility hub which is proposed on the triangle property west of 1<sup>st</sup> and Ute/Pitkin as well as on the City lot on the southeast corner of 2<sup>nd</sup> and Ute. CDOT was successful in receiving the federal Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) grant to help fund the project. The City has \$1.0 million as match for the reconstruction of 2<sup>nd</sup> Street into a promenade or pedestrian friendly corridor between Main Street and the Depot. While the 2<sup>nd</sup> Street promenade is currently under

### **I-70B / Mobility Hub – opening 2027**



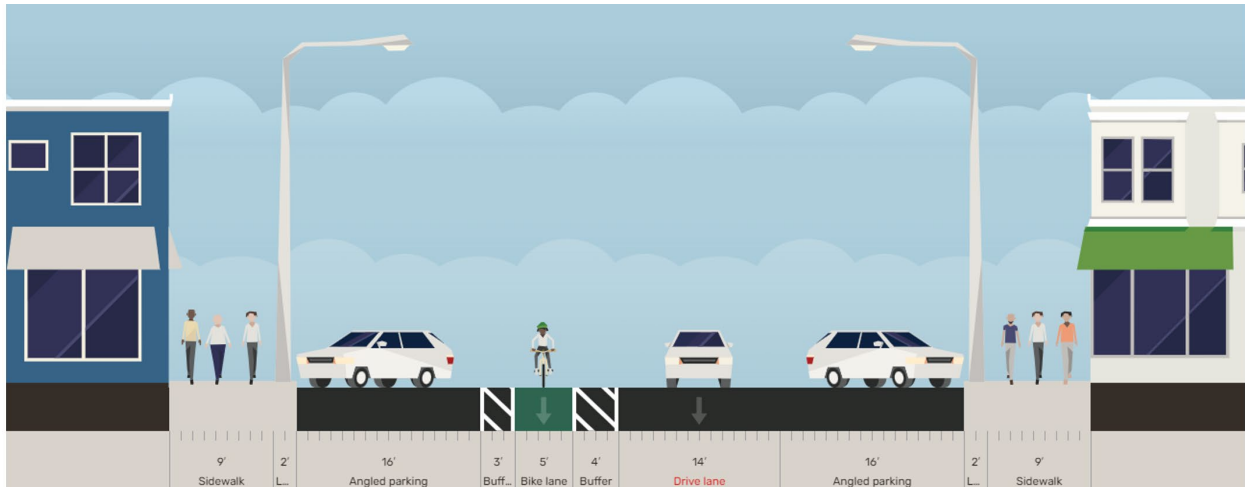
construction as part of the I-70B Phase 6 work, the \$15 million mobility hub project has just started architectural design and is proposed for 2026 construction.

4<sup>th</sup>-5<sup>th</sup> Street Improvements As part of an effort to modify driver behaviors, resulting in a quieter, calmer, and safer downtown environment while maintaining circulation, 4th and 5th Street were modified from two through lanes each to one single through lane each. High speeds and unpredictable turning movements resulted in corridors that were out-of-sync with the pedestrian-friendly character or aspirations of Main Street, the surrounding downtown business district, and adjacent residential areas.

Since the mid-1980s, the Downtown Development Authority has sought to address speeds on both corridors. Detailed engineering studies in 2021-2023 (and supported by CDOT) documented that existing and future traffic volumes could easily be accommodated in single lane configuration, opening up significant Right-of-Way width, which could allow for increased parking, enhanced cycling facilities, space for dedicated transit loading areas, and additional amenity spaces, all while narrowing crossing distances for pedestrian and other cross-traffic. The project has succeeded in reducing speeds and increasing accessibility through the downtown core while still maintaining traffic volumes. Community acceptability of the retrofits has been mixed. Public feedback has been received that both favor and oppose the modifications, with those opposing being numerous.

In January, staff presented an overview of concerns and perceptions from downtown business owners and the community, shared the latest data on traffic speeds, volumes, and visitor counts. Council concurred on recommended next steps which included 1) reducing the number of delineators and replacing them with lower elements such as curb stops and rollover curbs, 2) reviewing sight distances at various intersections and 3) relocating the bike lane next to the vehicle lane. These adjustments aim to address concerns about the more complex, construction-zone appearance and better align the bike lanes with geometrics on existing road infrastructure in Grand Junction. Work on the delineators and adjustment of parking spaces to address sight distance concerns were made in late January, while restriping will be completed in late April through mid-May to take advantage of warmer pavement temperatures necessary for the paint to adhere and cure.

Proposed reconfiguration with the bike lane relocated next to the vehicle lane is graphically depicted below as if seen from Main Street looking north along 4<sup>th</sup> Street:



**Stormwater Management** – The 5-2-1 Drainage Authority (DA) was created by an intergovernmental agreement on June 14, 2004, pursuant to CRS 29-1-204.2 by and between Mesa County, the Town of Palisade, the City of Grand Junction, the City of Fruita and the Grand Valley Drainage District to provide stormwater related services with and across their respective jurisdictions. The district was dissolved in April 2020. Since then, the City of Grand Junction, the City of Fruita, and the Town of Palisade has contracted with Mesa County, who is providing stormwater management services related to stormwater quality and is responsible for National Pollutant Discharge Elimination System (NPDES) compliance in the urban areas it serves within Mesa County. Mesa County holds the Municipal Separate Storm Sewer System (MS4) permit, complies with NPDES and other environmental regulations and informs the public about stormwater quality. The original intent of the Drainage Authority was to impose a fee and evolve into a functional organization to manage stormwater quality and quantity concerns. Thus, the DA had not adopted a fee, hence its dissolution. Mesa County relies on general fund transfers from each partnering organization and a small amount of revenue from permit fees charged to new development. The City participation to the stormwater program is currently \$200,000 annually.

The Colorado Department of Health and Environment (CDPHE) has been working on water quality regulations on many of the tributaries throughout the community. They have adopted a Total Maximum Daily Load Assessment (TMDL) that establishes limits on selenium, iron and E.Coli for each of those drainages. Local stakeholders are expected to implement remediation efforts to reduce pollutants of concerns to within those established limits as well as monitor the water quality at various points in each of the regulated drainages. Mesa County, with support from the City of Grand Junction, the City of Fruita, and the Grand Valley Water Users Association, has been working closely with the United States Geographical Survey (USGS) on collecting additional water quality data to better identify sources and categories of contributing pollutants. This additional data will be used to develop a Grand Valley Watershed Plan as well as gather and analyze data on the source assessments, study of allocation of load, and implementation responsibilities.

Over the long term, a valley-wide solution will be needed for managing stormwater quality and quantity, as substantial infrastructure, operations, and maintenance deficiencies will be costly to overcome.

Other community partnerships – Colorado Mesa University, Xcel Energy, Colorado West Land Trust, Army Corp of Engineers, US Fish and Wildlife, Colorado Parks and Wildlife, and Airshow, among many others that vary from project to project.



## Visit Grand Junction

**TO:** Councilmembers Elect

**FROM:** Elizabeth Fogarty, Visit Grand Junction Director

**DATE:** April 2025

**SUBJECT:** Visit Grand Junction Overview

---

Established in 1990, Visit Grand Junction, the City of Grand Junction's Destination Marketing Organization (DMO), is responsible for elevating the City's brand to create an attractive destination for consumers to visit, while enhancing its public image as a dynamic place to live and work. Through the promotion of travel and tourism, Visit Grand Junction strengthens the City's economic position, providing a sustainable, diverse, and consistent economy that supports businesses, and enhances the quality of life for residents.

Destination management principles are the foundation of Visit Grand Junction's strategies. Destination management refers to strategies and practices that balance the needs of guests, residents, and the environment while protecting economic resources and preserving public lands. When executed correctly, the results are sustainable tourism development, long-term community benefits, and increased city sales tax. This strategy consists of a coordinated approach, managing all aspects of a tourism destination by minimizing overlapping roles and addressing gaps that require attention, ultimately assuring the sustainability of the destination.

**Departmental Evolution** – In 2018, Visit Grand Junction reorganized from a traditional Convention & Visitor Bureau model, where the economic impact is limited and ROI is difficult to measure, to a data science-based marketing department. Visit Grand Junction created this innovative strategy and the systems to support it in-house, as opposed to hiring an Agency of Record (AOR), which is the traditional approach. With direct access to comprehensive insights, typically withheld by an AOR, the department has been empowered with additional insight and data, which has resulted in successful and verifiable impacts. One example of recognition exemplifying the cutting-edge work Visit Grand Junction is doing was an invitation by Destination Think to join a global collective. Visit Grand Junction was chosen alongside eight international destinations to lead a destination management group with representation from six countries around the world. Destinations were chosen based on their influence on the industry, ability to refine data accurately, and leaders who use innovative processes that produce extraordinary results. This recognition highlights the City as a whole.

**Data-Driven Marketing Science** – Visit Grand Junction utilizes data science marketing strategies to optimize its paid, earned, and owned media. By integrating multiple data sources into a centralized intelligence platform, the department leverages emerging technologies like cloud computing to enhance data analytics and in-depth visitor research. This system enables real-time measurement and optimization of marketing campaigns, unlike traditional methods that are based on opinions and post-campaign anecdotes. This approach provides Grand

Junction with a competitive edge in the destination marketing industry, allowing it to maximize impact, especially when competing against destinations with significantly larger budgets.

Currently, Grand Junction is pacing ahead of Colorado and the U.S. in terms of rolling 12-month Average Daily Rate (ADR). Grand Junction's ADR for January 2025 rolling 12-month average for the current time period (February 2024 through January 2025) compared to the previous time period (February 2023 through January 2024) has increased by 4.6%. This growth outpaced the United States (+2.1%), Colorado cities without ski resorts (+0.2%), as well as Colorado cities with ski resorts (+0.1%) for the same period. Grand Junction is also pacing ahead of Colorado in terms of rolling 12-month average Revenue Per Available Room (RevPAR). RevPAR is a metric calculated by dividing the total room revenue by the number of available rooms, providing a holistic metric of hotel performance. Grand Junction's RevPAR for January 2025 rolling 12-month average has increased by 1.4%. This growth outpaced both Colorado cities without ski resorts (-1.7%) as well as Colorado cities with ski resorts (-2.1%) for the same rolling 12-month average.

**Grand Junction Visitation** – According to Tourism Economics, a division of Oxford Economics, visitation to Grand Junction has improved year-over-year, with the exception of 2020 (pandemic). Grand Junction's 2022 visitation of 2.12 million was 2.6% ahead of 2021's visitation, and 2023 visitation of 2.22 million was 4.7% ahead of 2022's visitation. This continued improvement is important as visitor spending accounts for 27% of the City of Grand Junction's sales tax revenue, as confirmed by three separate economic impact studies - Tourism Economics; An Oxford Economics Company; BBC Research & Consulting (commissioned by the City Finance Department); and The Adams Group, Inc.

**Lodging Tax** – Grand Junction's lodging tax rate is 6%, of which 4.25% is allocated to Visit Grand Junction for destination marketing and management; 1% to the Grand Junction Air Service Alliance to market, subsidize, and contract direct flights; and 0.75% to the Grand Junction Sports Commission to market, promote, solicit, and sponsor tourism-generating sporting activities. OVG, the management company that oversees the Grand Junction Convention Center, Avalon Theatre, and Amphitheater at Las Colonias Park, receives an annual transfer from Visit Grand Junction's budget to market, attract, and sponsor conferences, events, and conventions that align with the City's economic goals.

Business month collections for 2024 were 2.0% higher than 2023's lodging tax collections. This demonstrates Visit Grand Junction's impact on tourism promotion, a clear and measurable return on investment (ROI), and the effectiveness of strategic marketing efforts in driving visitor spending and boosting local business and City sales tax revenue.

**Economic Impact** – Travel and tourism exponentially boosts the Grand Junction economy. According to the 2023 Economic Impacts of Tourism in Grand Junction and Mesa County report by Tourism Economics, 1.21-million-day visitors and 1.01 million overnight visitors impacted the Grand Junction economy by \$556.3 million in 2023. Visitor spending generated \$36.5 million in local tax receipts, providing approximately \$16.4 million for the City of Grand Junction. Although Visit Grand Junction represents only 2% of the City's budget, tourism accounts for 27% of the City's total sales tax base. The significant impact of this economic stimulus helps fund essential services for the community and lowers the tax burden for residents. Leisure and hospitality jobs

supported by tourism total 8,100 people in Mesa County (11.1% of all nonfarm jobs) in 2024, the majority of which are within city limits. This provides opportunities for all residents, including students, and is a vital industry for the economy. Tourism continues to be one of the most upwardly mobile industries, so while it provides necessary entry-level jobs for students with limited experience, it also provides a solid foundation to build a career, with a high capability of reaching a six-figure income.

**Visit Grand Junction Advisory Board of Directors** – A nine-member advisory board of directors provides high-level guidance and supports the department on policies and marketing strategies. Each year, community agencies and organizations are invited to share updates with the advisory board to support ongoing collaboration. These include the National Park Service (Colorado National Monument), Colorado State and U.S. Forest Service, Bureau of Land Management (BLM) and National Conservation Areas, Colorado Parks and Wildlife, Grand Junction Area Chamber of Commerce, Downtown Grand Junction Development Authority and Business Improvement District, Grand Junction Regional Airport, Grand Junction Sports Commission, Junior College World Series (JUCO), and Horizon Drive District.

**Destination Management** – Destination management is fundamentally a public good that enhances the well-being of all. It is a crucial investment, and failing to prioritize it would negatively impact a community's long-term economic and social vitality. Visit Grand Junction is extremely aware that while tourism enhances the quality of life in Grand Junction, it also has an impact on the resources of the area and may affect resident sentiment. Responsible destination management remains foundational to all aspects of the department's efforts. Visit Grand Junction deploys Leave No Trace principles and continues to collaborate with the area's public land agencies. Ultimately, strategies are proactive, as opposed to many Colorado mountain towns that remain in a reactive phase.

To support resource stewardship, Visit Grand Junction launched a gamification application that incentivizes guests and residents to enjoy outdoor activities and encourages trail disbursement throughout Mesa County. The digital app allows Visit Grand Junction to present the City's amenities by encouraging visitation to areas off the beaten path, including trails, shops, cafes, art, museums, sculptures, natural attractions, and restaurants. Through gamification, app users will be rewarded based on the places they have checked in. Rewards are provided by area businesses and include free food, gifts, and experiences as recognition for completing specific activities. This app provides data that calculates trail usage. If a trail becomes too busy, it will be removed from the app, as well as all marketing content and will be replaced with a different trail that is visited less, thereby dispersing visitation.

**Destination Brand** – Historically, insights based on data, consumer sentiment measurement, and key performance indicators, revealed that Grand Junction had been lacking in brand awareness. This affects all aspects of the City's growth and development. Visit Grand Junction hired a world-renowned destination branding agency, to bring into focus Grand Junction's unique attributes and provide a strategy to elevate the Grand Junction brand. The process included 18 months of Grand Junction City Council and community participation to ensure that the brand was represented in the way residents wanted their home to be defined and portrayed. The Grand Junction Destination Brand, "Where Life Leads," was adopted by City Council on April 21, 2021, and has been trademarked. The destination brand has been phased into all

marketing initiatives and messaging. A well-defined and cohesive brand not only boosts tourism but also elevates Grand Junction's prominence, attracting Colorado Mesa University students, new residents, and diverse industries to the area. A strong, recognizable brand is essential for the City's long-term growth and economic development.

**Public Relations (PR)** – Public Relations has long been one of the most trusted content forms, and Visit Grand Junction has effectively leveraged it to position Grand Junction as a premier destination. Most notable was Grand Junction's inclusion in the New York Times (NYT) annual premier travel list of "[52 Places to Go](#)" in 2023. Considered "PR gold," this list is the most highly coveted placement in the industry and helped further launch Grand Junction's brand. As a result of Visit Grand Junction's direct media efforts in 2024, the Grand Junction area was featured in 42 media outlets, equating to a readership/viewing of 463,404,924 and generating \$5,919,930 in ad equivalency, 46.8 percent above 2023's ad equivalency.

**City Department Partnerships** – Visit Grand Junction actively supports various city departments through its data and marketing expertise. Most often, the collaboration is with Public Works, Parks & Recreation, General Services, Community Development, Human Resources, and the Communications Department. Beyond city departments, Visit Grand Junction provides crucial data to developers and investors while proactively pitching new business announcements to the national press, positioning the City as a thriving hub of opportunity, innovation and economic growth in the region.

**Community Partnerships** – Similar to sharing data and marketing expertise with the City, Visit Grand Junction collaborates with the community in a variety of ways. This includes CMU, Downtown Grand Junction, public lands, events, nonprofits, associations, realtors, and local boards. In addition, support for the hospitality industry includes campaign involvement, communications, educational sessions, advertising co-ops, and press pitching opportunities.

**VisitGrandJunction.com Website** – Visit Grand Junction launched a new website, [VisitGrandJunction.com](#), in December 2023. The new site defines target audiences and delivers personalized messaging to the user, providing enhanced custom content. This has resulted in page view growth, boosting engagement throughout the consumer journey and ultimately leads to a conversion or visit. Website page views have grown by 565% in 2024 over 2023. The website inspires visitation, encourages companies to relocate to the City, and educates people about the area who are considering a move. Starting in December 2024, ChatGPT's search algorithm began favoring the Visit Grand Junction website as an authority site and trusted source, directing more users to it and increasing its visibility.

**The Official Grand Junction Adventure Guide** - Visit Grand Junction redesigned and incorporated the new destination brand elements into the Official Grand Junction Adventure Guide, all while creating a balance between inspirational visuals and informative content. Besides attracting tourism and providing an ad-free resource for locals, the guide also draws potential residents, assists local businesses with personnel recruitment, attracts CMU students, and recruits industries. This supports economic development and diversification in the Grand Junction area.

**Ongoing Destination Marketing and Management Strategy** – In line with supporting the City Council’s Strategic Plan, Visit Grand Junction’s strategy will continue integrating data-driven decision-making into destination marketing and management, while elevating the brand. The positive economic impact of the travel and tourism sector in Grand Junction remains a driving force for the area, attracting new restaurants, retail, and activity-based businesses that enhance the quality of life for residents. A vibrant tourism economy nurtures a relationship between guests and residents when managed carefully and responsibly, reinforcing long-term economic sustainability.

## Parks and Recreation

**TO:** Councilmembers Elect

**FROM:** Ken Sherbenou, Parks and Recreation Director

**DATE:** April 2025

**SUBJECT:** Parks and Recreation Department Overview

---

The Parks and Recreation Department comprises 76 full-time employees in the operations of Administration, Parks Operations, and Recreation and Aquatics. Parks and Recreation also employs approximately 250 seasonal staff and is one of the largest employers of teenagers in Grand Junction. The Department is dedicated to making an essential contribution to building community and contributing to the quality of life in Grand Junction.

### **I. Current Facilities.**

The Parks and Recreation system is extensive and includes:

- Three regional complexes including:
  - 110-acre Canyon View Park with 13 multipurpose athletic fields, a cloverleaf softball complex (4 fields), 12 tennis courts (all of which are now lit, plus another 4 to be built this summer to bring the total to 16), dog park, ponds, a baseball field and one of the biggest and best playgrounds in Colorado.
  - Lincoln Park Sports Complex including Stoker Stadium, Suplizio Field, 8 pickleball, 4 tennis, (soon to be 12 pickleball courts, for a total of 20 pickleball courts) the Barn, the Lincoln Park Pool and Golf Course (operated by General Services).
  - Las Colonias Park with the outdoor amphitheater with seating for 6,000, the River Park, river access, a dog park, butterfly pond, disc golf and trails.
- 350 acres of developed parks in 43 parks, two cemeteries including regional, community, neighborhood and pocket parks. Amenities in these parks include 25 playgrounds, over 20 shelters, five disc golf courses, two boat ramps, two dog parks, three skate facilities, and over 20 restrooms facilities.
- Three undeveloped parks totaling 258 acres.
- 598 acres of open space with recreation opportunities.
- 55 acres of school playgrounds, fields, and exterior grounds at six different schools.
- 111 acres between two cemeteries.
- 500+ acres of rights-of-way, medians, and roundabouts.
- 20+ miles of hard surface trails, including the Riverfront Trail and the Lunch Loop Connect Trail. The phase 2 from the Lunch Loop Trailhead to South Camp is funded and will be built by the end of this year.
- 57,500 publicly owned and maintained trees.
- The indoor pool at Orchard Mesa (owned by District 51 and operated by the City; Mesa County was a former financial partner) and the Bookcliff Activity Center attached to Bookcliff Middle School.



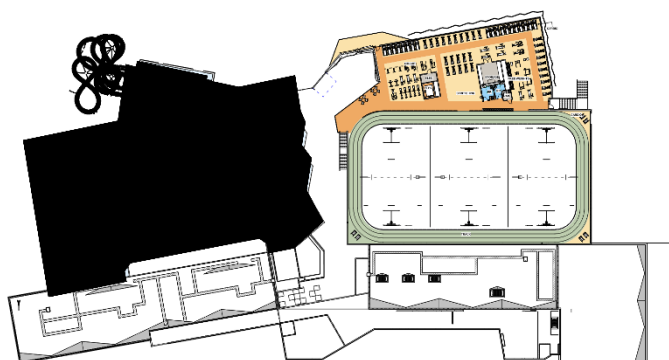
- Landscaping and exterior grounds maintenance at many City facilities, such as Police and City Hall.
- Extensive public recreation program offerings, including aquatics, youth sports, adult sports, the senior center, and programming, as well as arts and culture.
- Three activity guides distributed throughout the year that detail programs and facilities.
- Operation of the City Little Learners childcare facility.
- Each year, over 100,000 participant visits are generated through Parks and Recreation programs and activities. This does not include partner utilization, such as school district 51 students or drop-in participation.

## **II. New and Potential New Facilities**

**Community Recreation Center** – A Community Recreation Center (CRC) was identified as the top priority in the Parks, Recreation, and Open Space Master Plan (PROS). The CRC planning process has been guided by numerous surveys, focus groups, and meetings over the years. The most recent statistically valid survey was conducted by Professors from Colorado Mesa University (CMU). Many of the outcomes of this survey that represents the broader Grand Junction, guided the main elements in the City Council adopted 2022 CRC Plan.

The CRC planning process was divided into three distinct phases or work sessions. Phase 1 focused on-site location, Phase 2 focused on funding and building program, and Phase 3 focused on a complete preliminary plan.

The Parks and Recreation Advisory Board (PRAB) led the analysis of all the public input and information received along with numerous other data points and public engagement. This process was driven by community input so that the final plan reflects and is grounded in what the community has stated it needs.



As planned in the 2022 CRC plan, grants and partnerships have been pursued. Success with securing grants from the Department of Local Affairs, Great Outdoors Colorado (GOCO) derived from lottery proceeds, Daniels Fund, Boettcher Foundation, Gates Family Foundation, and a partnership with Intermountain Health St. Mary's Regional Hospital have enabled the growth of the CRC. Approximately 20,000 additional square feet were added to the CRC, including two more pools (for a total of five), an additional multipurpose room, and a physical therapy space for St. Mary. Furthermore, the outdoor facilities phase included a full-size multipurpose synthetic turf field, the Burkey Pavillion, and overflow parking.

**Tennis and Pickleball Expansion Project** – The Tennis and Pickleball expansion project was undertaken by the city in close partnership with the tennis and pickleball communities. The existing lighting at the Canyon View Park tennis courts has been retrofitted with new LED

lighting in early 2023. Construction on four new tennis courts at Canyon View is complete, with a total of 16 courts, including lighting for the original 12 courts. The four tennis courts at Lincoln Park were converted to 12 pickleball courts, for a total of 20. The total cost is approximately \$2,000,000 and is partly funded by contributions from the tennis and pickleball communities (\$100,000).

**Riverfront at Dos Rios** – The Riverfront at Dos Rios public infrastructure was completed in late 2021. The development includes 15.8 acres of parks and open space. The Dos Rios Bike Playground was completed in the summer of 2020. The playground is complete and features a climbing net structure and a climbable playground structure modeled off the humpback chub, an endangered fish found in the Colorado River. Playa Dos Rios is complete as well as the Splash Park. The Riverfront at Dos Rios is a 40-acre mixed-use development. It comprises 15.8 acres of parks and open space, 9.5 acres of light industrial/commercial, and 10.2 acres of mixed-use development.



**Stadium Renovation** – The stadium renovations were completed in 2022. The renovation was based on the Stadium Master Plan that was completed in 2019. The master plan outlined \$34 million worth of work to be completed on Stocker Stadium, Suplizio Field, the practice field, locker room complex, and supporting parking areas. The Stadium Improvement Committee comprised of the City, JUCO (Grand Junction Baseball), Colorado Mesa University and School District #51, are the funders of the renovation project.



**Kindred Reserve Open Space Park** – This parcel near the Tiara Rado Golf Course has been owned by the City since 1995 and was originally planned for additional practice area and driving range space for the Tiara Rado Golf Course. As needs changed, the City of Grand Junction saw the opportunity to use the parcel to develop the first open space park in Grand Junction. During the COVID-19 pandemic, Grand Junction experienced a 105 percent increase in park visitation when compared to before the start of the pandemic. The parcel, now called Kindred Reserve, is a 37-acre park with 1.75 miles of dirt trails. The park was





developed in-house by City staff and was completed at the end of 2020.

**Las Colonias Park Update** – Las Colonias Park was completed in the fall of 2019 and includes a dog park, a multipurpose field, four restroom/shelter facilities, a butterfly pond, and a river recreation feature in the water channel known as the River Park. Multiple funding sources contributed to the completion of the final phase including Open Space funds (City), Conservation Trust Fund (City), Great Outdoors Colorado, Colorado Water Conservation Board, One Riverfront, and Colorado Basin Roundtable. Phase II of the river recreation feature is set to be complete in the next 5-8 years and is one of the \$157 million in priorities in the Parks, Recreation and Open Space (PROS) plan.



**Veteran's Memorial Park** – In November 2020, the owners of Dixon Park, located at 287 27 Road, discontinued the City's partnership of leasing the park to the City for \$1 per year. Parks and Recreation utilized this park for recreation programming. To help remedy the loss of this field space in this community area, the City partnered with Mesa County in March 2021 to utilize the Veteran's Memorial Park located at the Mesa County Fairgrounds, 2785 Highway 50. Similar to Long's Park, user groups may now rent the fields for their programs.



**Emerson Skate Park** – As yet another PROS plan project, the City recently renovated historic Emerson Park into a destination skate park. This opened in November 2024 and has since seen a high level of utilization.

**Parks, Recreation, Open Space (PROS) Master Plan** – The Parks, Recreation, and Open Space (PROS) Master Plan was adopted by City Council on January 6, 2021. The planning process started in March 2020 with the consultant team, Green Play LLC, DHM Design, RRC, and Barker Rinker Seacat Architecture. The plan outlines the top priorities, projects, and funding sources for the parks and recreation system. Revenue from medical and retail marijuana was the top funding source outlined in the plan, which was secured after questions 2A and 2B were passed in the April 2021 election. A comprehensive list of PROS Plan projects is below:

- Boat Ramp Improvements Blue Heron and River Trail Expansion
- Botanical Gardens Greenhouse Roof
- Botanical Gardens Complex Master Plan
- Botanical Gardens Complex Construction
- Canyon View Baseball Field Lighting
- Canyon View Lights
- Canyon View Park Baseball Field Uplift
- Canyon View Park Parking Lot Renovations
- Canyon View Park Playground Repair/Replacement
- Canyon View Pour in Place Playground Surfacing Replacement

- Canyon View Tennis Court Improvements
- Canyon View Wheelchair Swing at Las Colonias
- Cemetery Burial Equipment
- Columbine and Kronkright Fence Replacement
- Columbine Park Master Plan/Renovation: pickleball courts, destination playground
- Community Center at Lincoln Park: Design and Construction
- Crime Prevention Through Environmental Design (CPTED) Safety Improvements
- Crown Pointe Cemetery Columbarium
- Dixon Park Acquisition, 4 acres, with restroom facilities and paved parking lot
- Dos Rios Bike and Pedestrian Bridge Connecting Downtown Directly to Dos Rios
- Emerson Park Renovation with Destination Bike/Skate Park
- Flint Park Master Plan
- Flint Park Construction
- Founders Colony Construction
- Gate Entrances at Canyon View
- Hoop House
- Horizon Park Master Plan
- Horizon Park Construction
- Improved Trash Receptacles for Park System
- Lincoln Park Pickleball Court Improvements: 20 courts at LP (12-14 more pickleball courts at Lincoln Park, and replace the 4 lost at Lincoln Park with new tennis courts at Canyon View)
- Matchett Park Infrastructure
- Matchett Park: Southern Phase
- Matchett Park: Eastern Edge Phase
- Matchett Park: Central Phase
- Monument Connect Phase II: Lunch Loop Trail to South Camp Road
- New Greenhouse
- Orchard Mesa Cemetery Columbarium
- Orchard Mesa Pool
- Park Turf Soil Remediation: Throughout System with Compost Facility
- Permanent Gates and Alternate Route Signage for River Trail Closures
- Pine Ridge Park Renovation
- River Park Phase II, Las Colonias to Dos Rios
- 7th Street Active Arline
- Saccomonno Park Master Plan: for fields and open space, near Holy Family
- Saccomonno Park Construction
- Skate Park Improvements-Eagle Rim
- Stadium COP payment for Renovation through 2044
- Stadium Master Plan Improvements, 2-4 year
- Stadium Master Plan Improvements, 10-12 year
- Stadium Master Plan Improvements, 12+ year
- Velodrome
- Wayfinding and Signage
- Water Conservation Projects-Turf to Native
- Watson Island Disc Golf Revegetation
- Whitewater Park at Redlands Power Canal
- Whitman Park Improvements
- Williams Park Expansion/Improvements
- 5th Street Plaza Restrooms
- 5th Street Interchange, phase II, west side of the interchange

**III. Boards and Commissions** – The Parks and Recreation Department receives guidance from the following volunteer boards and commissions:

**Parks and Recreation Advisory Board** - The nine at-large member board appointed by the City Council meets monthly to discuss projects, programs, and policy revisions. A member of City Council is selected as Ex-Officio.

Forestry Board – This seven-member board acts as a reviewing body for the purpose of determining professional qualification and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The board meets monthly.

Parks Improvement Advisory Board – Two members each from City of Grand Junction (Councilmembers), School District 51, Mesa County, Colorado Mesa University, and the City of Grand Junction meet quarterly and review funding requests for capital park project throughout Mesa County with an emphasis on the Stadium at Lincoln Park.

Arts and Culture Commission – This eleven-member board appointed by City Council works to enhance local arts and cultural opportunities and development, encourage cooperation and collaboration among arts organizations, provide information to area artists and arts agencies, and establish community arts priorities.

Orchard Mesa Pool – The facility was built in 1983 in partnership with School District #51 and Mesa County. The City and County have historically split capital costs including the original construction. The School District owns the land and building and has historically covered utilities. The County ceased payment on operational subsidy and capital in 2023. The City recently absorbed all operating costs in an agreement forged in 2024 with the School District to avoid demolition of the pool. The agreement also stipulated that the School District would demolish the gym, which occurred in early 2025. The Orchard Mesa Recreational Facility plan in 2023 engaged a team of engineers who determined all major systems are the end of their useful life. The study also defined five options for the possible future of the facility, along with revenue, expense, and level of service projections for each option.

**IV. Partnerships** – The Parks and Recreation Department enjoys partnerships with many local agencies and non-profit organizations on a variety of projects. The following list highlights some of those partnerships:

Palisade Plunge—The City supports multiple local, state, and federal agencies in developing a 30-mile mountain bike trail from the top of the Grand Mesa to Palisade. Mesa County and the town of Palisade are the leads on this exciting project.

STRIVE – The City and STRiVE entered into a management agreement to operate the Western Colorado Botanical Gardens in 2013. The agreement identified operational oversight with Strive with significant involvement and assistance from the City.

Colorado Discover Ability (CDA) – Colorado Discover Ability (CDA) is a Colorado nonprofit corporation that has a lease on 1.1 acres of land west of the Western Colorado Botanical Gardens. CDA's mission is to increase the independence, self-confidence, self-worth, and education of people with disabilities, their families, and friends through outdoor recreation.

JUCO – Grand Junction Baseball Committee, Inc. and the City have a long partnership in annually hosting the National Junior College Baseball World Series at Suplizio Field. The City and JUCO also partnered to renovate and construct the Tower in 2011.

One Riverfront (formerly the Riverfront Commission) – The Commission is jointly funded by City, Mesa County, City of Fruita, and Town of Palisade, and members are jointly appointed

by the partners. One Riverfront is engaged in planning, advocating, and implementing redevelopment of the Riverfront in a multitude of ways.

Downtown Grand Junction—The City works closely with Downtown Grand Junction in a number of ways, including working together on the riverfront revitalization at Las Colonias and Dos Rios, on capital projects like the 5th Street Restroom replacement, and, in general, creating a vibrant downtown. Main Street is designated a park, and it therefore receives the same level of maintenance, primarily from the horticulture work group.

Greater Grand Junction Sports Commission – The City partners with CMU, City of Fruita, Mesa County, and the Town of Palisade as the founding partners for the operation of the Commission and contributes funds annually from a portion of lodging tax increase that passed in 2018. This supports operations, event growth and recruitment.

Long Family Memorial Park – Mesa County contracts with Parks and Recreation to provide programming services for the park's many amenities. Mesa County assumes all maintenance.

Department of Local Affairs (DOLA) and Great Outdoors Colorado (GOCO) – The department is active in pursuing grants to support the growth and improvement of the parks and recreation system. Working closely with the grants team in the Finance department, the City regularly seeks DOLA and GOCO grants. Recently, a GOCO grant was earned in partnership with the Colorado West Land Trust to complete the Monument Connect Trail, awarded in 2021. More recently, GOCO supported the outdoor facilities phase at the CRC in 2025. Another near-term ask, in partnership with the Transportation and Engineering Department, Colorado Parks and Wildlife, and Mesa County, is funds to complete the Riverfront Trail in City limits. DOLA awarded funds for Dos Rios Park in 2022 and towards the CRC in 2024.

Town of Palisade Outdoor Pool – The Town of Palisade contracts with Parks and Recreation to provide all staffing necessary to operate and program the seasonal, outdoor swimming pool.

Approved Concessionaire Process—In collaboration with DDA, Mesa County, the City of Fruita, and the Town of Palisade, the City assists with providing public information about food vendors approved for use at public events, including food trucks.

## Fire Department

**TO:** Councilmembers Elect

**FROM:** Gus Hendricks, Interim Fire Chief

**DATE:** April 2025

**SUBJECT:** Fire Department Overview

---

The Grand Junction Fire Department is the premier provider of fire, emergency medical and life safety services in Western Colorado. The City's team of dedicated professionals serves a population of over 92,000 within a first response service area of 93 square miles and an ambulance service area of over 649 square miles. Annually, the department responds to over 21,000 calls for service. The department provides various services to the community, including fire suppression, emergency medical services, technical rescue, wildland fire team, hazardous material mitigation, bomb team, fire prevention, fire investigation, emergency management, training, and community outreach. Services are provided from seven fire stations, a fire training center on Whitewater Hill, and fire department headquarters on Ute Avenue.

The department is the Designated Emergency Response Authority for providing hazardous materials response and mitigation for Mesa County. The department has formal mutual and automatic aid agreements with the other Mesa County Fire Departments and the Grand Junction Regional Airport.

**First Responder Tax Impact**—With the successful passage of the First Responder Tax in 2019, the department is experiencing significant change in service delivery, recruitment, and overall makeup. These funds are being used for service expansion, including the addition of three new fire stations, operational staffing for these stations, and additional support positions needed for this expansion.

The first of these new fire stations (Fire Station 6) was completed and placed in service on November 9, 2020. In 2022, units from Fire Station 6 responded over 5,400 times to emergency incidents making it the fourth busiest fire station in our system. Fire Station 6 has shown to be highly effective in improving fire and EMS to the north area of the community.

Fire Station 8 was completed and placed in service on January 23, 2023,, at 31 and D ½ Roads. This is a growing area, and Station 8 is predicted to respond to over 1,500 incidents, significantly improving fire and EMS in the east area of the community.



Fire Station 7 broke ground on August 29, 2024, at 23 ½ and H Roads. The construction completion date is anticipated to be June 2025. Fire Station 7 will be the first fire station to be located north of Interstate 70 and will provide service and coverage to the west and northwest area of the community. The area is currently covered by Fire Station 3, one of the busiest stations, making for longer than normal response times to the area that will be corrected with Fire Station 7 being placed into service.

**Recruitment and Training** – Staffing the additional fire stations has created significant recruiting and training processes for the department. Each new station requires 21 personnel to provide 24/7, 365-day coverage. The recruitment and training process takes 12-18 months for the firefighter to be completely trained and certified. To meet these needs, the department conducts two academies per year, a 20-week Recruit Firefighter Academy in the spring and a 5-week Lateral Firefighter Academy in the fall, as qualified candidates complete the hiring process.

The Fire Department successfully recruits both certified and non-certified applicants. For non-certified applicants, the department has utilized an alternative recruitment method by providing an in-house Emergency Medical Technician (EMT) training program for persons who have not had the means or ability to attend an EMT training program. This program has provided the opportunity to hire individuals based on their values, background, and life experiences instead of certification requirements. This process has been shown to increase the applicant pool and allow the department to hire good people that otherwise may not have had the ability to complete the required EMT training.

The Fire Department partners with the State Division of Fire Prevention and Control to manage a fire training facility at the Colorado Law Enforcement Training Center (CLETC) on Whitewater Hill. This facility can meet the required training needs not only for the recruit academy but all operational fire personnel. This facility and training center are continually growing to meet the needs and demands of today's fire service and provide training locally and on a regional basis. All training is conducted by the department's in-house training staff.

### **Major Fire Department Projects, Programs, and Initiatives:**

Fire Station 7 –Fire Station 7 will provide service to the western and northwestern areas of the City. The station will house an engine and ambulance once fully staffed with 21 personnel. This project is being funded through the First Responder Tax and possible Federal grant funds.

Emergency Medical Services (EMS) Deployment Plan – Emergency medical services are the highest service demand for the department with 80% of the call volume being for this type of incident. The department follows and regularly evaluates an EMS Deployment Plan to address this high demand with expected increases in the future. The plan includes three key areas:

- Commitment to training and maintaining paramedics on all staffed response apparatus.
- The desired staffing of eight 24-hour ambulances (one at each station) with firefighter EMTs and firefighter paramedics.
- Deployment 12-hour "Impact Ambulances" to handle peak-time call volume.

The department is building staff to deploy six 12-hour impact ambulances that cover peak call load hours. These ambulances are staffed with an EMT and paramedic to improve response times and service delivery. In addition to improving service delivery for the community, this unit will reduce the overall responses of the 24-hour ambulances to less serious medical calls, providing higher availability for response to critical calls.

Wildland Fire Mitigation Program – Wildfire is not just a threat to homes and businesses; it has the ability to impact our health, open spaces, economy, essential utilities, infrastructure, public safety, and the quality of life we are fortunate to enjoy in Grand Junction. That is why the Fire Department has previously developed an interdepartmental team with Parks, Utilities, PD, and Public Works, to address mitigation projects that will have the greatest value for the City. The team completed the first mitigation project in 2022 along the No Thoroughfare Trail and has continued to manage mitigation projects each year through 2024. The department also works with other partners, including the Two Rivers Wildfire Coalition, and Federal, state, and county agencies to mitigate areas of the community that are not owned by the City. This includes budgeting annually for collaborative fuels reduction projects, and leveraging funds with local, state, and federal grants.

Collective Bargaining Agreement – During the 1 July 2024, City Council workshop, the Grand Junction Firefighter's Local 2808 (Local) presented a request to establish a Collective Bargaining Agreement (CBA) between the City and the Local. The City, through Fire Administration, has worked with the Local and Fire Department employees for many years to establish a positive and productive working relationship. The relationship was memorialized in 2018 through a memorandum of understanding between the Department and the Local in what has been known as the Labor Management Agreement (LMA). The motivation for the membership of Local 2808 to pursue a Collective Bargaining Agreement with the City of Grand Junction is to ensure that the voices of line personnel are heard and that Local 2808 will have a seat at the table to discuss matters concerning pay/benefits and working conditions/safety now and in the future.

### **Additional Fire Department Program Information**

Accreditation – The department is one of 312 internationally accredited fire departments through the Commission on Fire Accreditation International (CFAI). Accreditation verifies to the community that the department is performing to industry best practices and providing for continuous improvement. The process is multi-tiered and requires the department to perform a comprehensive self-analysis of all services and complete a Strategic Plan, Community Risk Assessment, and Standards of Cover for Emergency Response. The department submits an annual compliance report to remain accredited and will be due for accreditation renewal in 2028.

Community Risk Reduction – Fire prevention and community outreach activities are provided to the community to reduce the risk of fire. The department provides plan review and technical inspections for new construction and remodeling of commercial buildings. Community outreach provides fire safety education at community events and in partnership with School District 51.

Emergency Management Coordination – Emergency Management functions and maintenance of the City Emergency Operations Plan fall to the Fire Department. The Emergency Manager is a collateral duty within the department that works continually with City departments on



preparedness issues for areas such as flood mitigation and evacuation routes. The Emergency Manager also serves as the liaison to the Mesa County Emergency Manager and the State Department of Homeland Security and Emergency Management. During a disaster declaration, the Mayor and City Council may officially declare a disaster and/or enact ordinances to mitigate the disaster.

Grand Junction Rural Fire Protection District – The department has provided service to the rural fire protection district since 1944. The district surrounds the City on three sides and does not have fire stations, firefighters, or equipment. The district collects property, and specific ownership taxes and pays the City approximately \$3.4 million annually for services through a contract.

Insurance Service Office Public Protection Classification – Fire departments across the nation are rated by the Insurance Services Office (ISO) to determine a Public Protection Classification (PPC) for individual Cities or Counties. This rating is published and used by insurance companies to determine insurance rates. The ISO schedule develops a PPC number on a relative scale from one to ten, with one being the very best and ten representing less than minimum recognized fire protection. Most U.S. insurers of homes and business property use the PPC in calculating premiums. In general, the price of fire insurance in a community with a good PPC is substantially lower than in a community with a poor PPC. The Fire Department currently has an ISO rating of two intending to achieve an ISO rating of one by 2026

## Police Department

**TO:** Councilmembers Elect

**FROM:** Matt Smith, Chief of Police

**DATE:** April 2025

**SUBJECT:** Grand Junction Police Department Overview

---

The Grand Junction Police Department (GJPD) is a team of 132 sworn officers and 115 civilian professionals, making it one of the largest departments serving the City of Grand Junction. Organized into three key divisions—Police Operations, Services, and Special Teams, the GJPD works to uphold safety and order through a broad range of critical functions.

In 2024, the GJPD responded to 67,710 calls for service, an increase of over 5,000 calls from the previous year. Among the rising challenges, retail theft saw a significant uptick. Guided by our belief that the “little things” matter—because small actions drive big change—we focused our efforts on tackling retail theft, curbing criminal activity in gaming establishments, combating dangerous drugs, and enhancing traffic enforcement through strategic surge operations.

At the core of our mission is a commitment to community partnerships and innovative policing. Crime rates and quality-of-life concerns remain top priorities, and the men and women of the GJPD continue to adapt and evolve, working alongside our community to create a safer, stronger Grand Junction.

### 2025 Initiatives

**Technology and Intelligence-Led Policing:** Over the years, Intelligence-Led Policing has evolved, refining how the Grand Junction Police Department gathers, analyzes, and applies critical information. At the GJPD, we take a practical, commonsense approach to this methodology—collecting intelligence not only on crime itself but also on the conditions that contribute to it.

By assessing and analyzing this information, we develop actionable intelligence that strengthens our ability to anticipate and respond to emerging threats. This intelligence-driven approach enhances decision-making across various units, ensuring a proactive, strategic response to criminal activity and public safety concerns.

- **Traffic Safety:** Injury-related traffic collisions remain a nationwide concern, and Grand Junction is no exception. That’s why traffic enforcement and education continue to be top priorities for the Grand Junction Police Department. In 2024, the GJPD took a proactive approach, conducting focused surge operations in partnership with the Colorado State Patrol and local law enforcement agencies. These efforts led to

hundreds of motorist contacts and moving violation citations, reinforcing our commitment to safer roadways.

Recognizing the growing needs of the community, the GJPD Traffic Unit expanded in 2025, adding two additional officers to enhance enforcement efforts and improve overall traffic safety.

- **GJPD Patrol:** Grand Junction Police Department patrol teams are responsible for providing core services to our citizens. Ensuring that we are properly staffed is of the utmost importance. A fully functional patrol division gives us the ability to provide proactive policing, and ensures a swift, effective response to emergent calls and community needs.
- **Recruitment and Retention:** Recruitment and retention remain essential to sustaining exceptional service. The GJPD is dedicated to top tier training opportunities and ensuring competitive pay and benefits, reflecting the commitment and sacrifice of those who choose to serve our community. As Grand Junction grows, so do the challenges of protecting and serving its residents. While the Grand Junction Police Department continues working toward optimal patrol staffing, we made significant strides in 2024, welcoming over 20 new officers—a mix of new recruits and experienced lateral officers. Beyond strengthening our sworn team, we expanded critical support divisions, including Municipal Park Rangers and the Co-Responder Unit, reinforcing our commitment to comprehensive public safety.
- **New GJPD Animal Control Unit:** On January 1, 2025, the Grand Junction Police Department Animal Control Unit officially took over animal control services within the City of Grand Junction, following a restructuring of Mesa County Animal Services operations.

Starting with two dedicated Animal Control Specialists and building this new unit from the ground up in just six months, the GJPD committed to building a top-tier Animal Control Unit focused on education, exceptional customer service, and reuniting lost pets with their owners. With plans to expand to four team members by mid-summer, the unit is rapidly growing to meet the community's needs. From January 1 through February 28, the GJPD Animal Control Unit responded to 674 animal-related calls for service, demonstrating its immediate impact and dedication to the well-being of both residents and their pets.

- **Revitalizing the GJPD K9 Program:** The Grand Junction Police Department's K9 program has played a vital role in reducing crime in the areas where these highly trained teams are deployed. However, due to the significant costs associated with maintaining the program, the department was forced to pause operations. Thanks to a generous donation from a community member who attended the GJPD's 2024 spring Community Police Academy, the K9 program will be reinstated in 2025. This revitalized unit will consist of two K9 teams, dedicated to deterring criminal activity, detecting illegal drugs, and locating missing persons, further strengthening public safety efforts in Grand Junction.

# Grand Junction

## 2023 Strategic Plan

### Vision Statement:

Grand Junction is a safe, welcoming, healthy, and accessible city that builds on its collective character to be a place where opportunity abounds, resources are well-managed, and people are connected and engaged in their community.



### Strategic Outcome Areas:



#### Placemaking

Grand Junction catalyzes projects and investments that emphasize people-centric spaces with inclusive infrastructure that promotes vibrant, multi-use environments to ensure people can comfortably live, recreate, and move throughout our community.



#### Safe and Healthy

Grand Junction public safety departments are exemplary providers of police, fire and emergency medical services and work in close collaboration with community partners to ensure a safe and healthy community.



#### Thriving and Vibrant

Grand Junction is recognized for its economic vitality, innovative and visionary policies, intentional growth, talented workforce, and for fostering a thriving environment for all.



#### Resource Stewardship

Grand Junction is committed to balancing fiscal responsibility and environmental health and fosters a unique blend of natural beauty and urban innovation by maintaining an accessible well-kept environment, enhancing an outdoor lifestyle, and preserving community character.



#### Welcoming, Livable, and Engaging

Grand Junction fosters a sense of belonging, where people are accepted as themselves and have access to the amenities and services they need to thrive, and actively seeks participation from our community.

# Community Survey Results





# THE CITY OF GRAND JUNCTION

COMMUNITY SURVEY REPORT 2024

CITY OF  
**Grand Junction**  
COLORADO





# Introduction

---

The purpose of the biannual community survey is to obtain feedback from residents on topics including:

- Satisfaction with City services and facilities
- Quality-of-life ratings for Grand Junction
- Priorities for allocating City funding and resources
- Satisfaction with neighborhoods and ways to improve them
- Comments on living in Grand Junction and ideas on improving the city

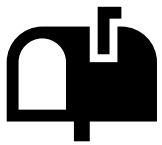




# METHODOLOGY

## 1 = Statistically Valid (Invitation Survey)

Surveys were mailed to a systematic random sample of addresses in Grand Junction with the option to complete on paper or online through password protected website (1 response per household). The online survey was also available in Spanish.



851

Invitation surveys completed  
15.8% Response Rate  
+/- 3.3% Margin of Error

## 2 = Open Link Survey

Two weeks after mailing the statistically valid survey, the open link survey was made available to all Grand Junction stakeholders, including non-residents (e.g., commuters, residents of nearby communities). This report is available separately as an appendix.



297

Open Link surveys completed

**5,400 Surveys Mailed**

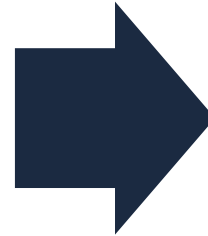
**1,148**

**Total  
Surveys  
Completed  
(Invite and Open  
link combined)**

# WEIGHTING THE DATA

1

The demographic profile of the Invite Sample is compared to US Census statistics for the City of Grand Junction.



2

Underlying data from the 2024 Community Survey is weighted by age and ethnicity to ensure appropriate representation of Grand Junction residents.

The weighting process makes the results more representative and accurate.



# Demographics: Who Took the Survey

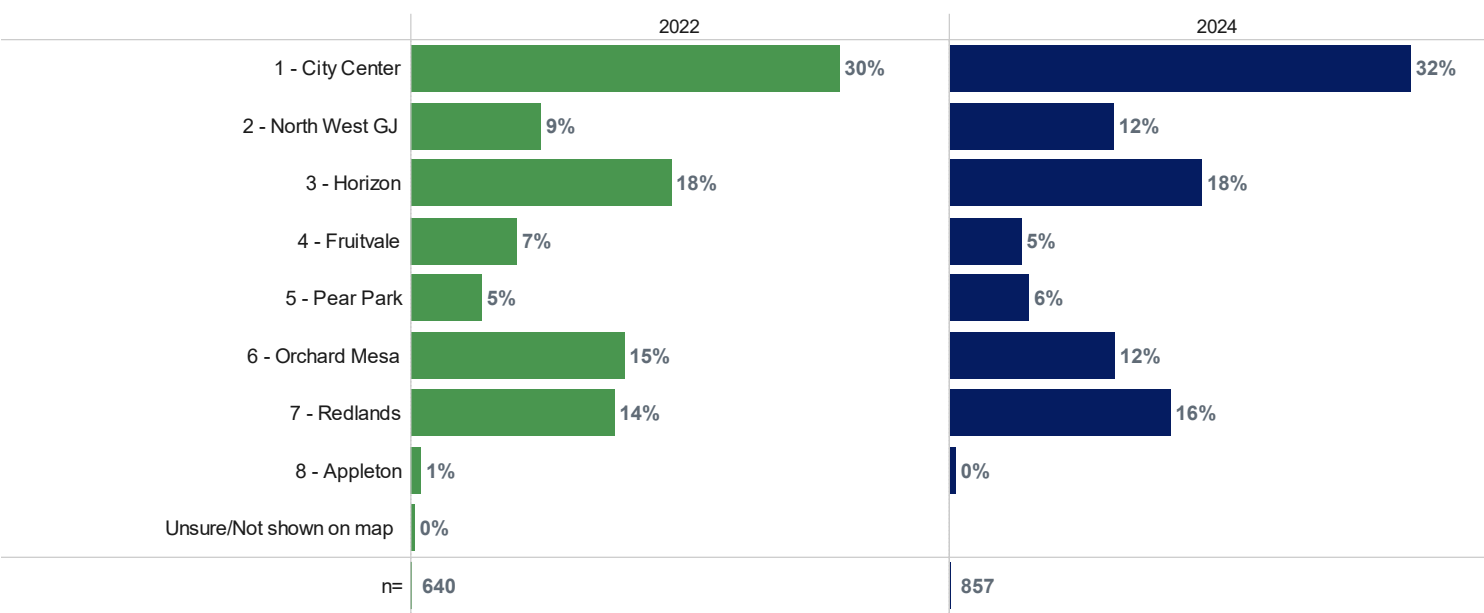




# NEIGHBORHOOD

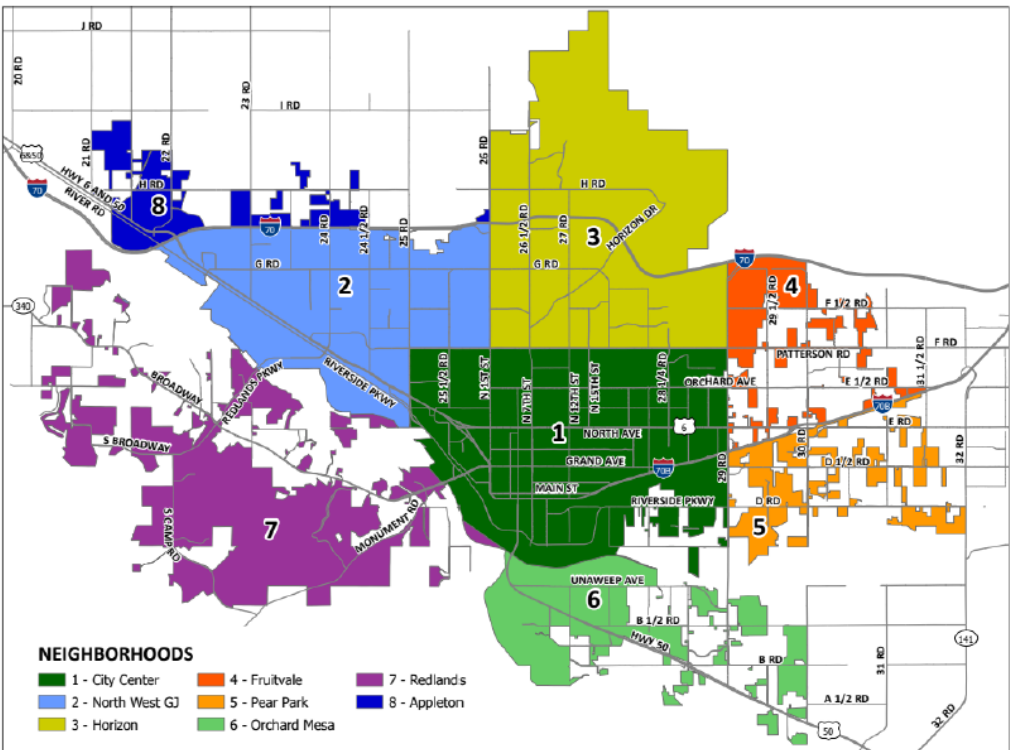
Overall, the distribution of responses from throughout the City of Grand Junction resembles the sample collected in 2022, with the largest shares in City Center, Horizon, Redlands, NW Grand Junction and Orchard Mesa.

Referring to the map below, which neighborhood do you live in?



Source: RRC Associates

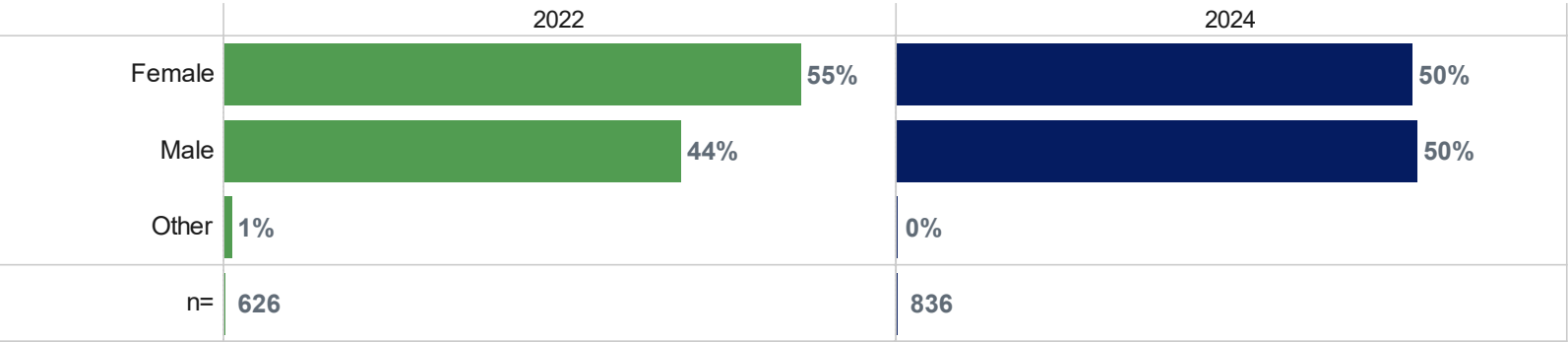
City of Grand Junction Neighborhood Map



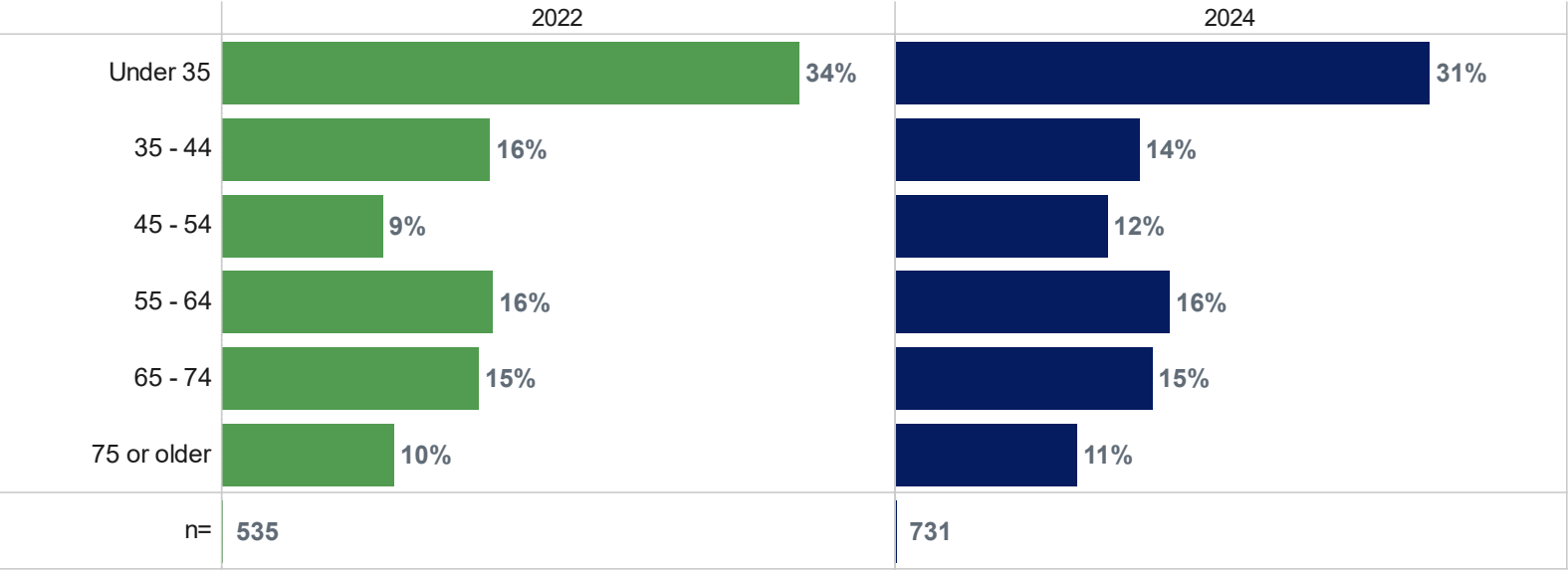
# GENDER & AGE

- The sample of respondents in 2024 was well balanced in terms of gender.
- The overall response was weighted by age to ensure the city demographics are appropriately represented.

Are you:



Age

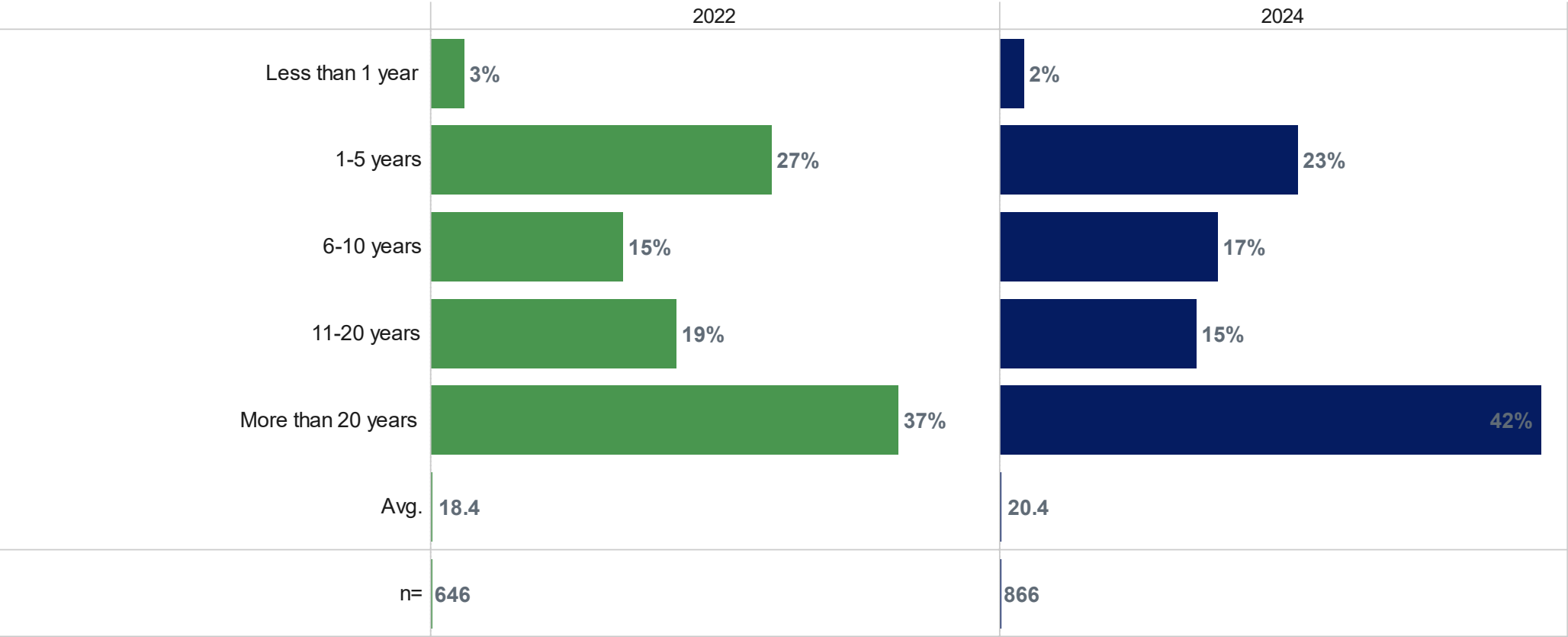


Source: RRC Associates

# YEARS IN GRAND JUNCTION

**Respondents** The average length of residency increased from 2022 to 2024. 57% have lived in Grand Junction for more than 10 years and a quarter have been in town for five years or less.

How many years have you lived in Grand Junction? (Please enter number of years) Enter 0 if less than a year.

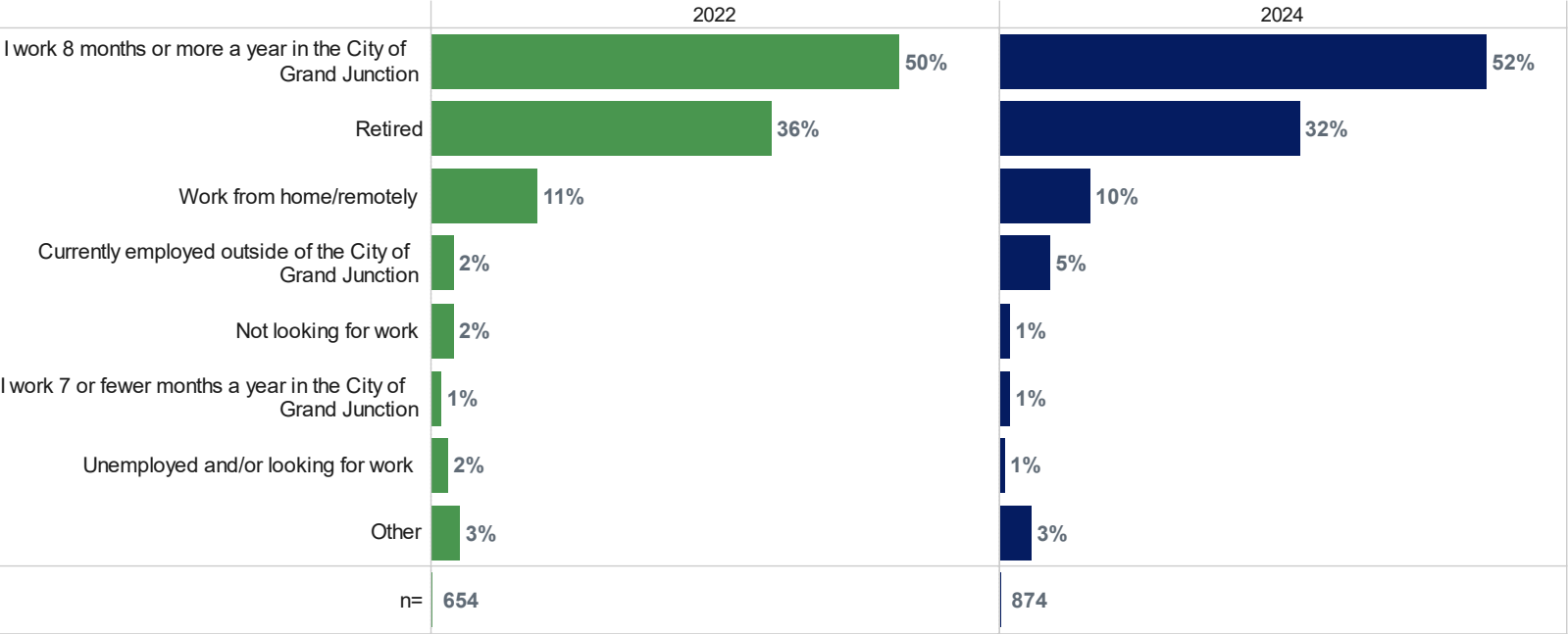




# EMPLOYMENT

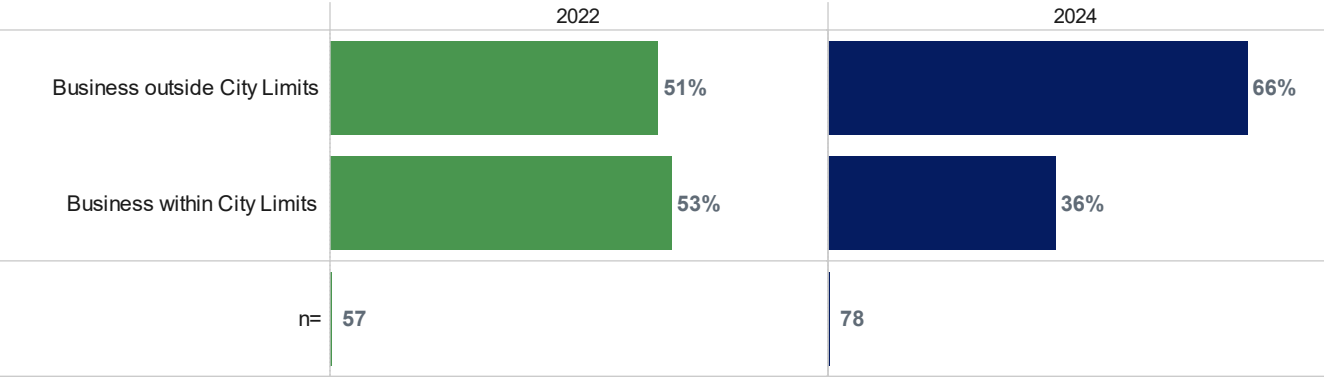
- About half of those responding work in the city of Grand Junction while a third are retired and 10% are remote workers.
- Two thirds of remote workers are employed by businesses outside of the city.

Which of the following best describes your employment status? (Please check all that apply)



Source: RRC Associates

As work from home or remote employee, do you work for...



Source: RRC Associates

# Living in Grand Junction

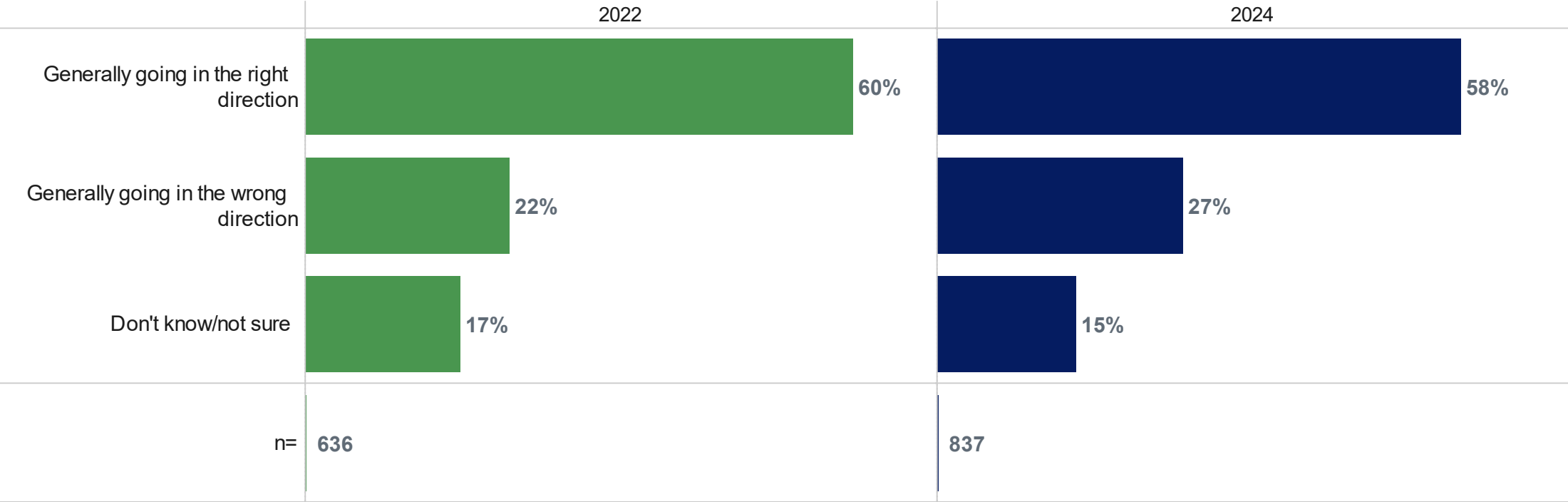
---



# DIRECTION OF GRAND JUNCTION

The majority of respondents still feel Grand Junction is going in the right direction (58%) although there is a slightly larger share of those who feel the City is on the wrong track.

In general, would you say that Grand Junction is going in the right direction or wrong direction?



Source: RRC Associates



# DIRECTION OF GRAND JUNCTION OPEN-ENDED RESPONSES

**Respondents were asked to elaborate on their response to the direction of Grand Junction. Common themes from the comments include.**

Common themes from those who feel the City is going in the right direction are:

- Strong neighborhoods and sense of community
- Strong local economy and improving retail options
- Improving amenities and anticipation of new rec center

Common themes from those who feel the City is on the wrong track:

- Increased crime and safety concerns
- Homelessness and related issues
- Worsening traffic and road conditions

## Right Direction



## Wrong Track

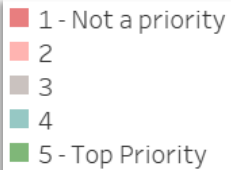


# PRIORITIES TO BE ADDRESSED

**Public safety, crime and managing limited resources (water) are still the biggest community priorities. Affordable housing has increased as a priority compared to 2022.**

Please rate the level of priority that you think should be given to address the following:

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Public Safety and Crime	2024	4.2	849	7%	14%	27% 53% 79%
	2022	4.3	658	5%	11%	28% 56% 84%
Sustainable Resource Management (e.g., water)	2024	4.2	851	6%	17%	30% 48% 77%
	2022	4.3	646	7%	10%	29% 53% 83%
Roadway Infrastructure	2024	3.9	841	10%	20%	34% 36% 70%
	2022	4.0	645	6% 8%	23%	34% 36% 70%
Homelessness/Unhoused	2024	3.8	851	8% 9% 17%	19%	23% 41% 64%
	2022	4.0	654	8% 11%	17%	27% 44% 71%
Affordable Housing	2024	3.8	852	7% 9% 17%	20%	24% 39% 63%
	2022	3.5	650	11% 13% 23%	20%	25% 32% 57%
Pace of Growth and Development	2024	3.6	828	7% 10% 17%	28%	29% 26% 55%
	2022	3.6	634	8% 14%	32%	31% 23% 54%
Pedestrian and Bicycle Safety	2024	3.4	850	12% 11% 23%	27%	25% 25% 49%
	2022	3.4	647	12% 14% 26%	24%	22% 27% 49%

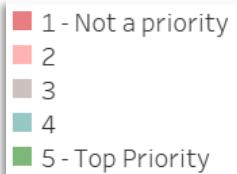


# RESOURCES FOR HOMELESSNESS

While a majority of people favor addressing homelessness, support has dropped from 2022 for most initiatives. However, there is slightly more support for affordable housing.

Rate the following ways you think the City should focus increased funding or resources to address the issues related to homelessness:

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Enhance the co-responder program working in collaboration with GJPD on mental health crises	2024	3.7	814	8% 8% 15%	24%	29% 32% 61%
	2022	4.0	628	5% 10%	21%	28% 41% 69%
Increase enforcement of the camping ban and trespassing in parks after dark	2024	3.7	828	14% 9% 23%	16%	16% 45% 61%
	2022	3.9	645	10% 8% 17%	15%	22% 45% 68%
Increase support of affordable housing options	2024	3.7	843	11% 11% 22%	17%	19% 42% 61%
	2022	3.5	643	13% 11% 24%	19%	21% 36% 57%
Increase funding for non-profit partners focused on services for those experiencing homelessness	2024	3.5	844	12% 11% 23%	20%	25% 32% 57%
	2022	3.7	651	10% 11% 21%	17%	27% 35% 63%
Identify opportunities for community involvement/input	2024	3.4	812	8% 11% 18%	34%	28% 20% 48%
	2022	3.3	628	6% 15% 21%	36%	29% 14% 43%





# City Services

---

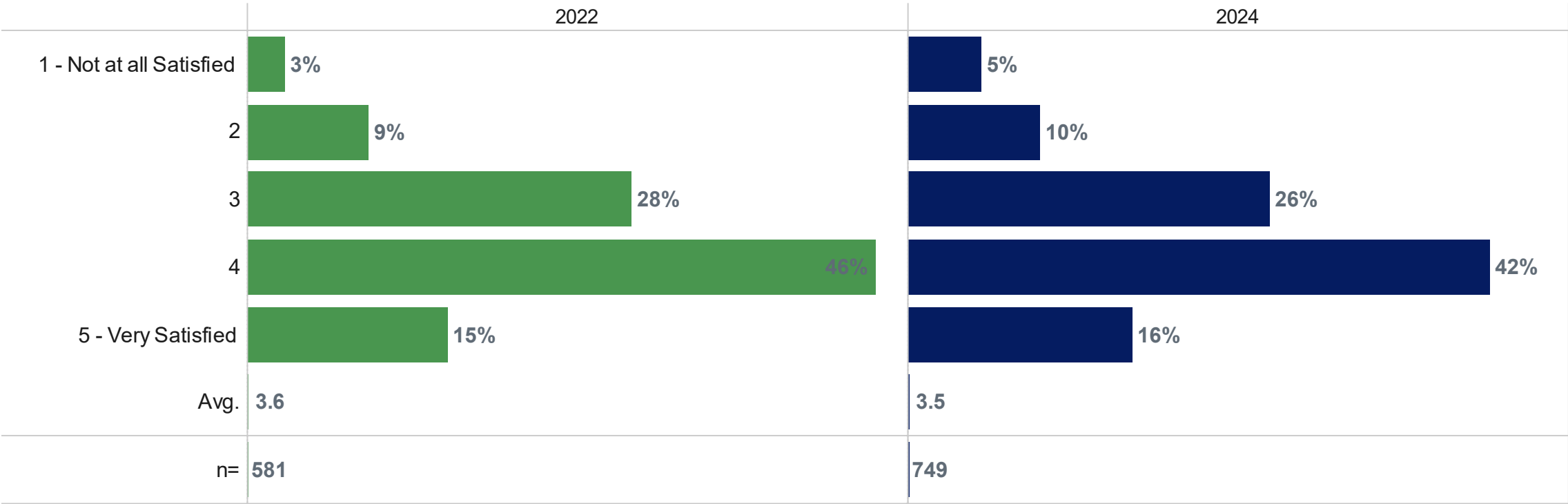




# OVERALL QUALITY SATISFACTION

Satisfaction with the quality of service provided by the City of Grand Junction declined just slightly, with 58% of respondents in 2024 rating it positively, compared to 61% in 2022. Note the drop is small and the City still rates quite high for satisfaction with services.

Please rate your satisfaction with the overall quality of service provided by the City of Grand Junction:



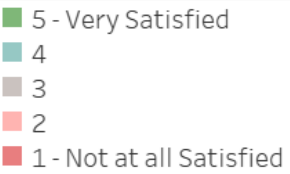
Source: RRC Associates

# ENGINEERING AND TRANSPORTATION

Satisfaction with snow removal and traffic signals both increased sharply from 2022 to 2024. The condition of streets is still the lowest rated metric for the department but increased 7 points. Note that residents are relatively split on their rating of street conditions.

Please rate your satisfaction with the following aspects of City services:

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Stormwater/drainage	2024	3.7	764	5% 10%	28%	39% 23% 62%
	2022	3.7	581	7% 10%	29%	37% 24% 61%
Snow removal on arterial streets	2024	3.8	774	5% 6% 11%	22%	37% 30% 67%
	2022	3.3	443	8% 15% 23%	27%	35% 14% 49%
Weed removal on medians and major corridors	2024	3.3	813	11% 15% 25%	24%	33% 17% 51%
	2022	3.5	636	7% 8% 15%	31%	40% 14% 54%
Condition of sidewalks	2024	3.4	825	6% 9% 16%	32%	37% 15% 52%
	2022	3.4	624	13% 17%	35%	36% 12% 48%
Traffic signals	2024	3.6	846	7% 8% 16%	22%	41% 22% 62%
	2022	3.1	643	12% 14% 26%	37%	27% 10% 37%
Street improvements and pavement (sealing) projects (notifications, traffic control)	2024	3.2	850	11% 17% 28%	30%	27% 15% 42%
	2022	3.3	589	15% 19%	36%	34% 11% 45%
Condition of streets	2024	3.0	864	14% 16% 31%	31%	28% 10% 38%
	2022	2.9	642	14% 20% 34%	36%	25% 6% 31%

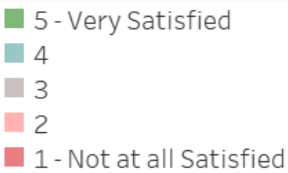


# CITY WATER & SEWER SATISFACTION

Ratings of resident satisfaction with water and sewer utilities have remained high and stable since the last survey effort.

If you are a City water or sewer customer, please rate your satisfaction with the following:

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Sewer	2024	4.1	652	<div><div></div></div> 6%	<div><div></div></div> 17%	<div><div>36%</div><div>41%</div></div> 77%
	2022	4.1	501	<div><div></div></div> 4%	<div><div></div></div> 16%	<div><div>40%</div><div>39%</div></div> 80%
Utility billing/customer service	2024	4.1	709	<div><div></div></div> 8%	<div><div></div></div> 18%	<div><div>29%</div><div>45%</div></div> 74%
	2022	4.1	554	<div><div></div></div> 5%	<div><div></div></div> 19%	<div><div>34%</div><div>43%</div></div> 76%
Water	2024	4.1	628	<div><div></div></div> 7%	<div><div></div></div> 17%	<div><div>34%</div><div>42%</div></div> 76%
	2022	4.1	493	<div><div></div></div> 5%	<div><div></div></div> 20%	<div><div>35%</div><div>40%</div></div> 75%
Responsiveness of utilities employees	2024	4.0	533	<div><div></div></div> 7%	<div><div></div></div> 20%	<div><div>32%</div><div>41%</div></div> 73%
	2022	4.0	398	<div><div></div></div> 6%	<div><div></div></div> 20%	<div><div>43%</div><div>31%</div></div> 75%

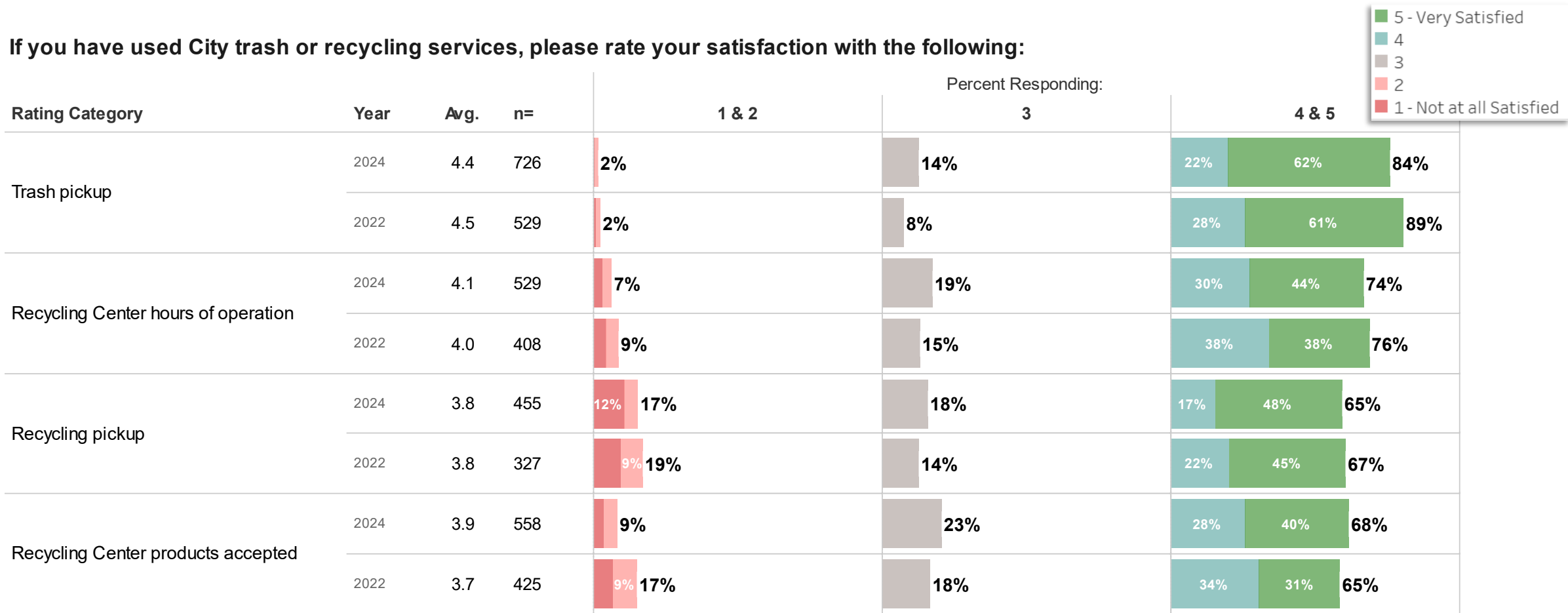


\*Ratings categories are sorted in descending order by the average rating  
Source: RRC Associates

# TRASH & RECYCLING SATISFACTION

Overall, respondents are very satisfied with City trash & recycling services; with trash pickup being the highest rated at an average of 4.4 out of 5.

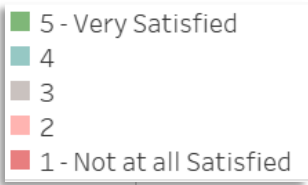
If you have used City trash or recycling services, please rate your satisfaction with the following:



\*Ratings categories are sorted in descending order by the average rating  
Source: RRC Associates

# FIRE & EMS SATISFACTION

Residents are extremely happy with the Fire and EMS services in Grand Junction. Awareness and education efforts dropped 9 points but are still highly rated with 78% approval.



If you have had an interaction with Fire or EMS Services, please rate your satisfaction with the following:

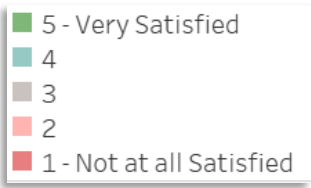
Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Effectiveness of the Fire Department staff	2024	4.6	383	1%	9%	22% 69% 90%
	2022	4.7	280	1%	6%	19% 74% 93%
Overall quality of fire services including EMS	2024	4.4	414	6%	5%	26% 63% 88%
	2022	4.6	316	4%	7%	18% 71% 90%
Response times to emergency incidents	2024	4.3	404	8%	6%	24% 62% 86%
	2022	4.5	305	3%	8%	24% 64% 89%
Fire safety, awareness and education programs	2024	4.2	293	11%	11%	24% 54% 78%
	2022	4.4	235	3%	10%	32% 56% 87%

\*Ratings categories are sorted in descending order by the average rating  
Source: RRC Associates



# POLICE SATISFACTION

- Ratings of satisfaction with Police are similar to those in 2022.
- Residents are confident in the Police and happy with quality of service.
- There is frustration with enforcement regarding cyclists and vehicles.
- Overall feeling of safety rose from 57% to 60% since 2022.



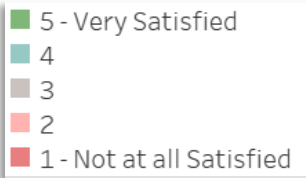
If you have had an interaction with Police, please rate your satisfaction with the following:

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Responsiveness of 911 dispatchers	2024	4.0	342	13%	13%	26% 48% 74%
	2022	4.2	274	7%	16%	27% 49% 77%
Overall quality of service	2024	3.7	579	8% 14%	23%	32% 31% 63%
	2022	3.7	454	12%	20%	43% 25% 68%
Responsiveness of the Police Department staff	2024	3.7	410	8% 18%	18%	26% 38% 64%
	2022	3.7	327	9% 16%	19%	37% 28% 65%
Confidence in the Police Department	2024	3.7	613	8% 16%	24%	28% 32% 60%
	2022	3.6	463	11% 16%	23%	35% 25% 60%
Overall feeling of safety and security	2024	3.6	664	9% 18%	22%	34% 26% 60%
	2022	3.6	510	9% 14%	29%	36% 21% 57%
Effectiveness of filing online police reports	2024	3.2	205	13% 26% 39%	12%	24% 25% 49%
	2022	3.4	159	9% 18% 28%	23%	25% 24% 49%
Enforcement of traffic violations regarding vehicles	2024	2.8	472	27% 18% 46%	21%	16% 17% 33%
	2022	2.9	368	20% 18% 38%	27%	21% 13% 34%
Enforcement of violations regarding cyclists and pedestrians	2024	2.8	360	27% 19% 46%	21%	14% 19% 33%
	2022	2.8	274	26% 14% 40%	30%	17% 13% 30%

\*Ratings categories are sorted in descending order by the average rating  
Source: RRC Associates

# PARKS & REC FACILITIES & PROGRAMS

- **Satisfaction with parks and recreation amenities is positive overall. The quality of staffing remains the top-rated aspect, followed by quality of trails and proximity of parks to respondent homes.**
- **Recreation facilities scored lowest but positive ratings were still nearly double the negative scores.**



If you have used Parks facilities or Recreation programs, please rate your satisfaction with the following:

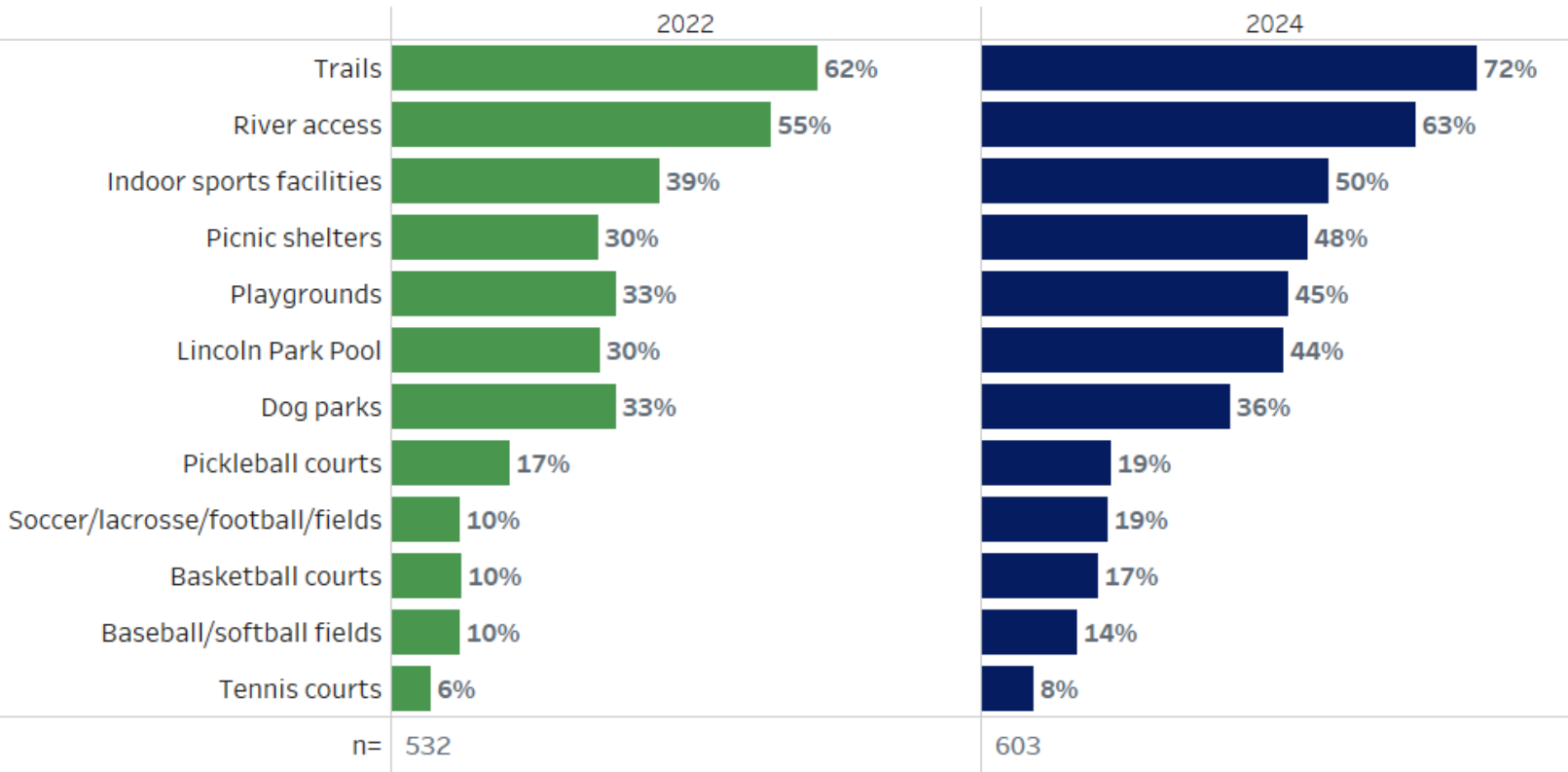
Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
Friendliness and helpfulness of Parks & Recreation employees	2024	4.1	439	8% 10%	14%	31% 44% 75%
	2022	4.0	360	5%	18%	40% 36% 77%
Quality of City trails	2024	4.0	585	8% 10%	16%	38% 36% 74%
	2022	3.9	461	11%	19%	42% 29% 70%
Proximity of parks to your home	2024	4.0	678	12%	20%	23% 44% 68%
	2022	3.9	537	11%	17%	32% 39% 72%
Parks & Recreation Youth programs	2024	3.8	262	15% 18%	14%	35% 32% 68%
	2022	3.7	232	13%	22%	40% 26% 66%
Connectivity of trails	2024	3.8	579	13%	21%	39% 27% 66%
	2022	3.8	437	7% 10%	23%	41% 25% 67%
Availability of information on programs/facilities	2024	3.6	564	14%	29%	31% 25% 57%
	2022	3.8	434	10%	26%	38% 26% 64%
City parks	2024	3.6	654	13% 18%	20%	38% 24% 62%
	2022	3.7	516	8% 15%	22%	35% 28% 63%
Parks & Recreation Adult programs	2024	3.6	298	16% 21%	21%	33% 25% 58%
	2022	3.6	244	9% 15%	26%	36% 23% 59%
Cost of recreation programs	2024	3.5	411	8% 18%	23%	36% 23% 59%
	2022	3.5	333	7% 16%	32%	33% 19% 52%
Parks & Recreation Senior programs	2024	3.5	261	20% 26%	18%	32% 24% 56%
	2022	3.5	215	13% 17%	28%	32% 23% 55%
Recreation facilities	2024	3.3	536	12% 14% 26%	22%	29% 22% 51%
	2022	3.2	435	14% 14% 29%	23%	31% 18% 49%

\*Ratings categories are sorted in descending order by the average rating  
Source: RRC Associates

# FIVE HIGHEST PRIORITIES FOR PARKS & REC

- Residents now place a higher priority on improving facilities in Grand Junction than 2022.
- Trails, river access, and indoor sports facilities all rated as top picks for at least 50% of respondents.
- Courts and outdoor fields are the lowest priorities, though the numbers did increase from 2022.

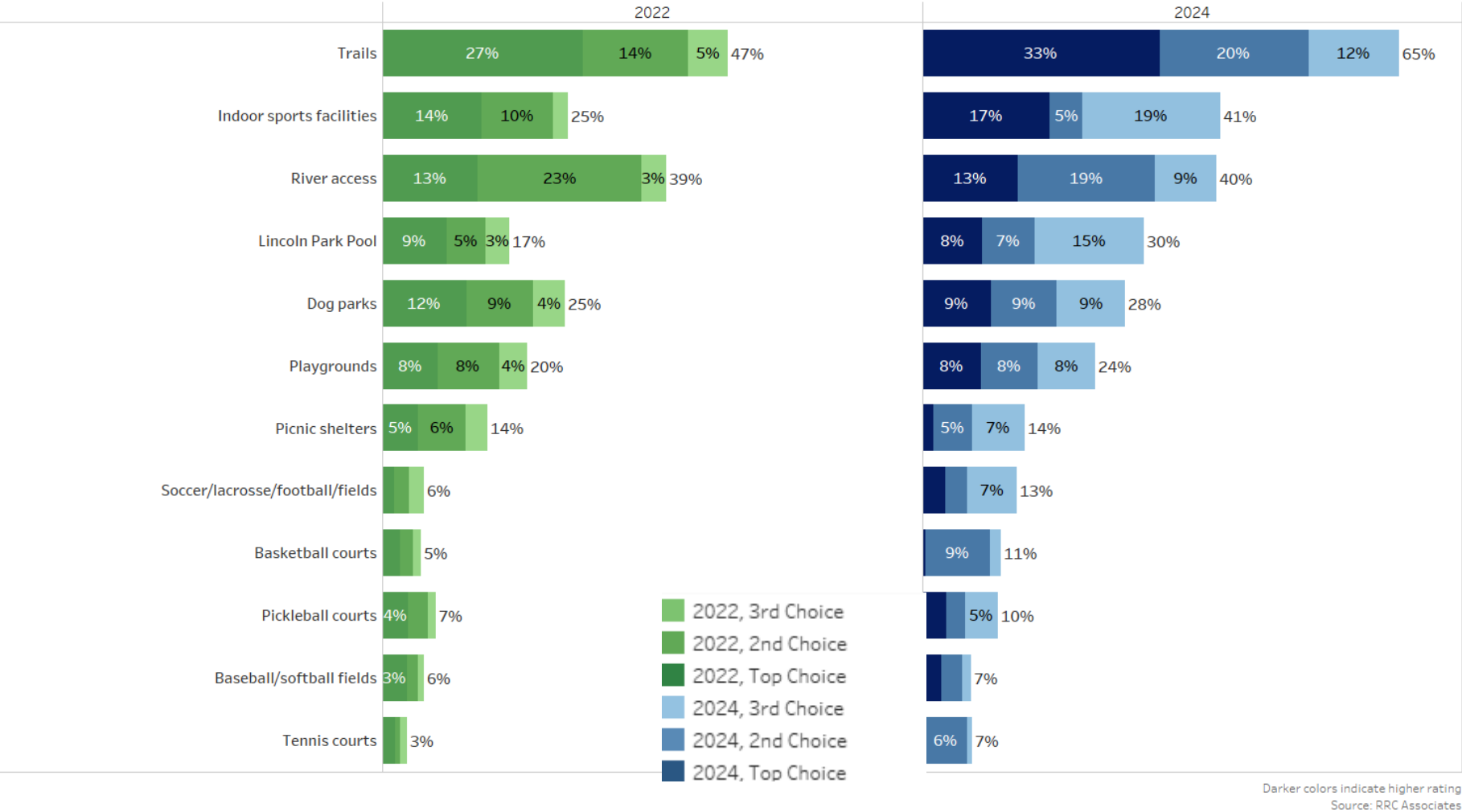
From the list below, please select the five Parks and Recreation facilities that should be the HIGHEST PRIORITIES to add or improve in Grand Junction to better meet the needs of your household.



Source: RRC Associates

# TOP THREE HIGHEST PRIORITIES

From the same list, which THREE are your top priorities?

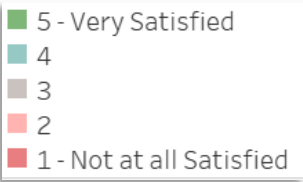
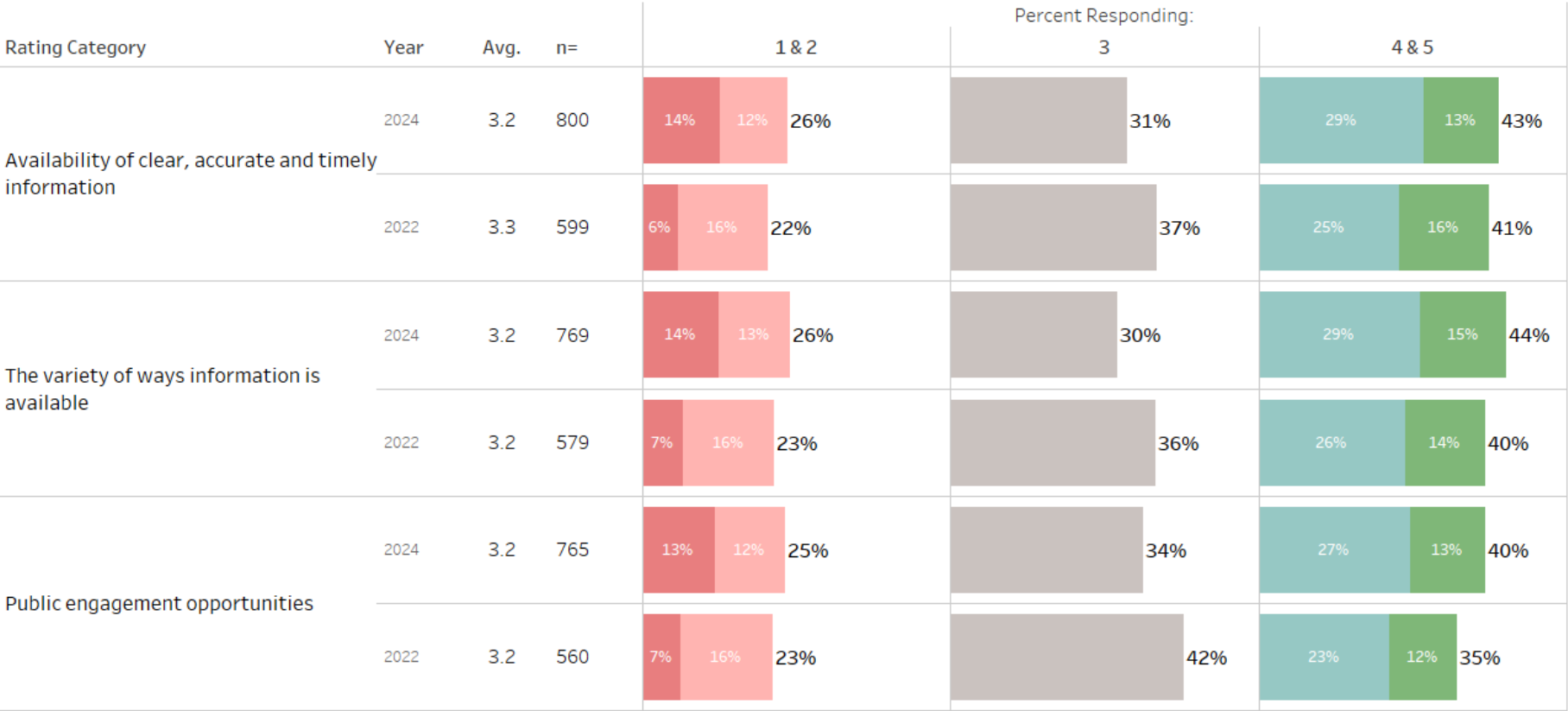


- **Trails are important! 65% of respondents identified trails on their list of priorities.**
- **Support for indoor sports facilities jumped sharply from 2022.**
- **Support for improving river access is steady from 2022.**

# SATISFACTION WITH INFORMATION PROVIDED

Satisfaction with information received from the City remains positive with ratings in the 3.2 range out of 5.

Using the 1 to 5 scale below, how satisfied are you with the information the City provides to the community about City projects, updates, and events?

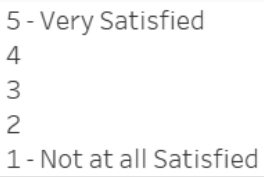


# INFORMATION SOURCE SATISFACTION

The City’s website, traffic alerts, outreach events and social media are the most highly rated communication channels.

How satisfied are you with the following City information sources?

Rating Category	Year	Avg.	n=	Percent Responding:		
				1 & 2	3	4 & 5
City website	2024	3.5	494	<div><div>12%</div><div>15%</div></div>	<div><div>32%</div></div>	<div><div>35%</div><div>17%</div><div>53%</div></div>
	2022	3.6	379	<div><div>7%</div><div>11%</div></div>	<div><div>33%</div></div>	<div><div>40%</div><div>16%</div><div>56%</div></div>
Traffic alerts	2024	3.4	613	<div><div>8%</div><div>11%</div><div>19%</div></div>	<div><div>31%</div></div>	<div><div>32%</div><div>18%</div><div>50%</div></div>
	2022	3.5	501	<div><div>11%</div><div>16%</div></div>	<div><div>36%</div></div>	<div><div>28%</div><div>19%</div><div>48%</div></div>
Community outreach events	2024	3.3	519	<div><div>10%</div><div>15%</div></div>	<div><div>45%</div></div>	<div><div>30%</div><div>11%</div><div>41%</div></div>
	2022	3.3	398	<div><div>16%</div><div>21%</div></div>	<div><div>39%</div></div>	<div><div>27%</div><div>14%</div><div>41%</div></div>
Social media (Facebook, X/Twitter, Instagram, NextDoor, YouTube)	2024	3.3	393	<div><div>8%</div><div>14%</div><div>21%</div></div>	<div><div>30%</div></div>	<div><div>32%</div><div>16%</div><div>48%</div></div>
	2022	3.4	299	<div><div>13%</div><div>17%</div></div>	<div><div>37%</div></div>	<div><div>29%</div><div>17%</div><div>46%</div></div>
Public Meetings/other	2024	3.1	472	<div><div>9%</div><div>15%</div><div>23%</div></div>	<div><div>40%</div></div>	<div><div>28%</div><div>8%</div><div>37%</div></div>
	2022	3.3	360	<div><div>6%</div><div>15%</div><div>21%</div></div>	<div><div>35%</div></div>	<div><div>31%</div><div>14%</div><div>45%</div></div>
EngageGJ.org	2024	3.1	234	<div><div>13%</div><div>11%</div><div>24%</div></div>	<div><div>40%</div></div>	<div><div>24%</div><div>12%</div><div>36%</div></div>
Posting at City Hall	2024	3.0	257	<div><div>8%</div><div>20%</div><div>28%</div></div>	<div><div>43%</div></div>	<div><div>23%</div><div>6%</div><div>29%</div></div>
	2022	3.2	207	<div><div>7%</div><div>15%</div><div>22%</div></div>	<div><div>40%</div></div>	<div><div>24%</div><div>14%</div><div>38%</div></div>





# Neighborhood Sentiments

---

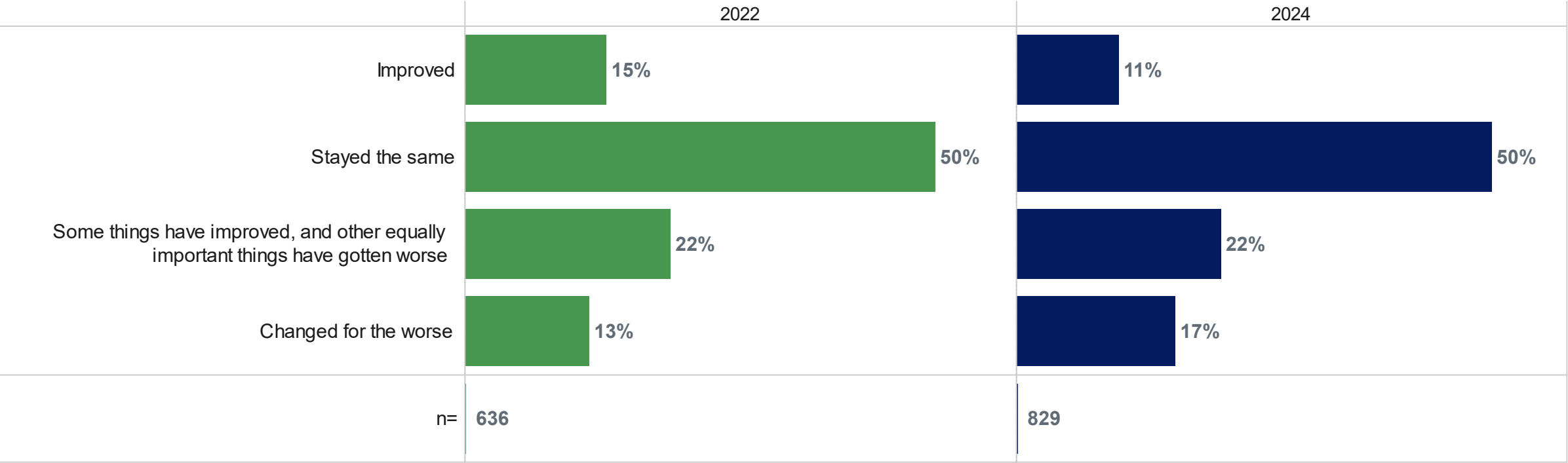




# CHANGES IN THE NEIGHBORHOOD

Neighborhood sentiments have seen little change with about half reporting their neighborhood has stayed the same. There's a slight increase in those who feel their neighborhood has changed for the worse and decrease in those who feel it has improved compared to 2022.

Since you have lived there, has your neighborhood changed or stayed the same as a place to live, taking everything into consideration?

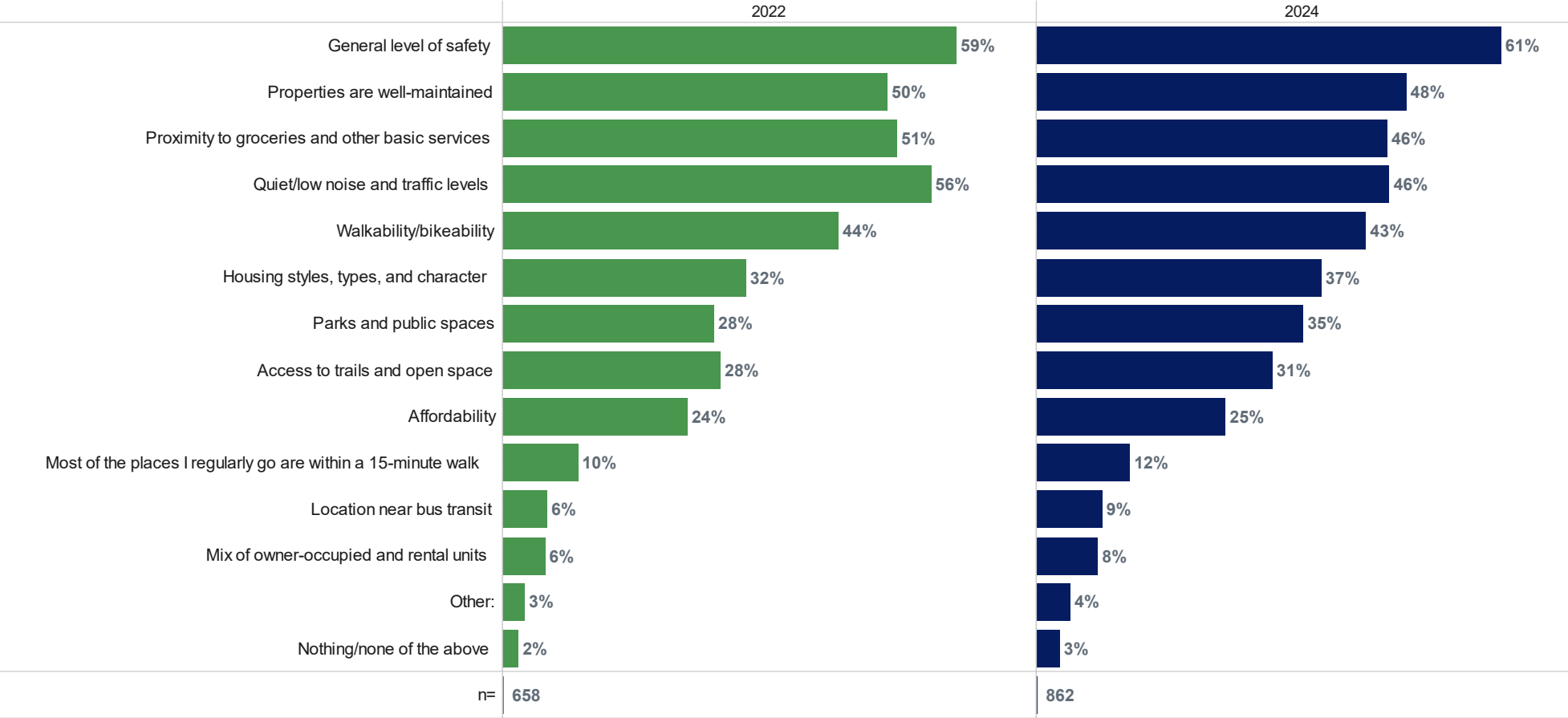


Source: RRC Associates

# FAVORITE NEIGHBORHOOD QUALITIES

The feeling of safety is still what people like most about their neighborhood. This year, there is an increase in respondents who appreciate housing styles, parks and access to trails.

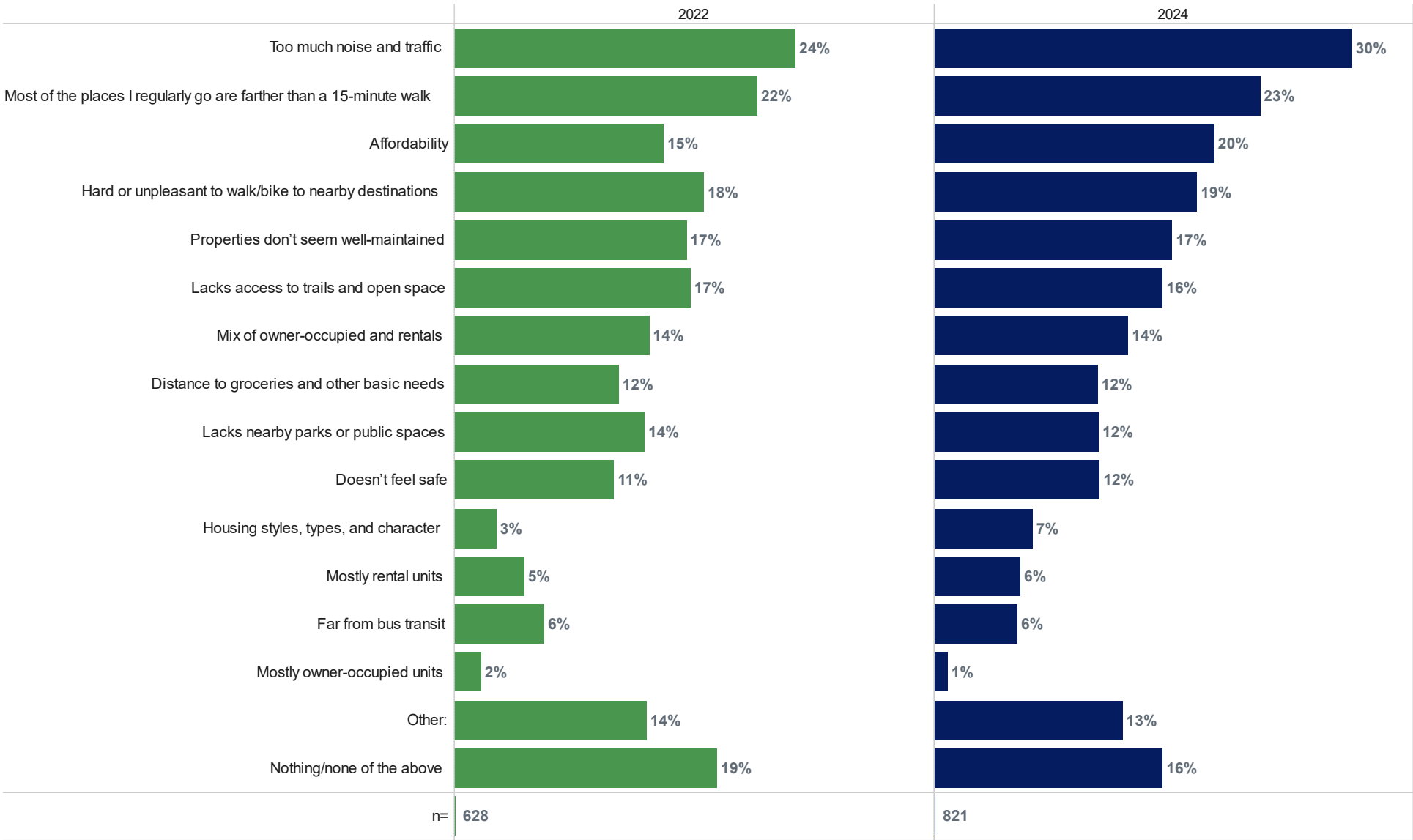
What do you like MOST about your neighborhood that should be preserved/protected? (Select all that apply)



# NEIGHBORHOOD CONCERNS

- Too much noise and traffic remains the main thing residents would like to improve followed by walkability and affordability.
- The cost of housing increased measurably since 2022.

What do you like LEAST about your neighborhood that you would most like to improve? (Select all that apply)





# Future Priorities in Grand Junction

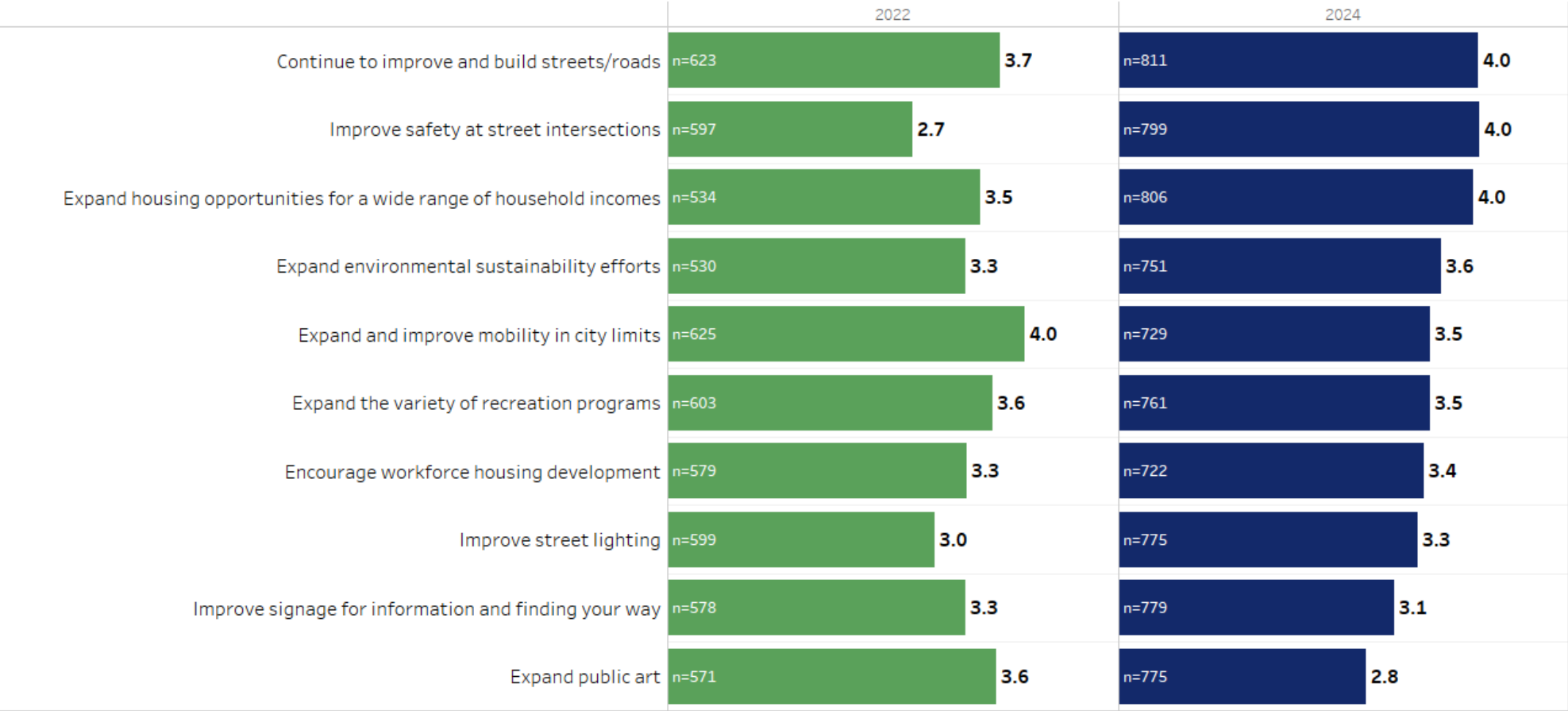




# PRIORITIES FOR GRAND JUNCTION

Residents prioritize improving streets, intersections and expanding housing opportunities. All three top priorities increased in 2024 vs. 2022.

The Grand Junction City Council and staff value community input to help understand your priorities. Please rank each area listed below by what you believe should be the City’s priorities.



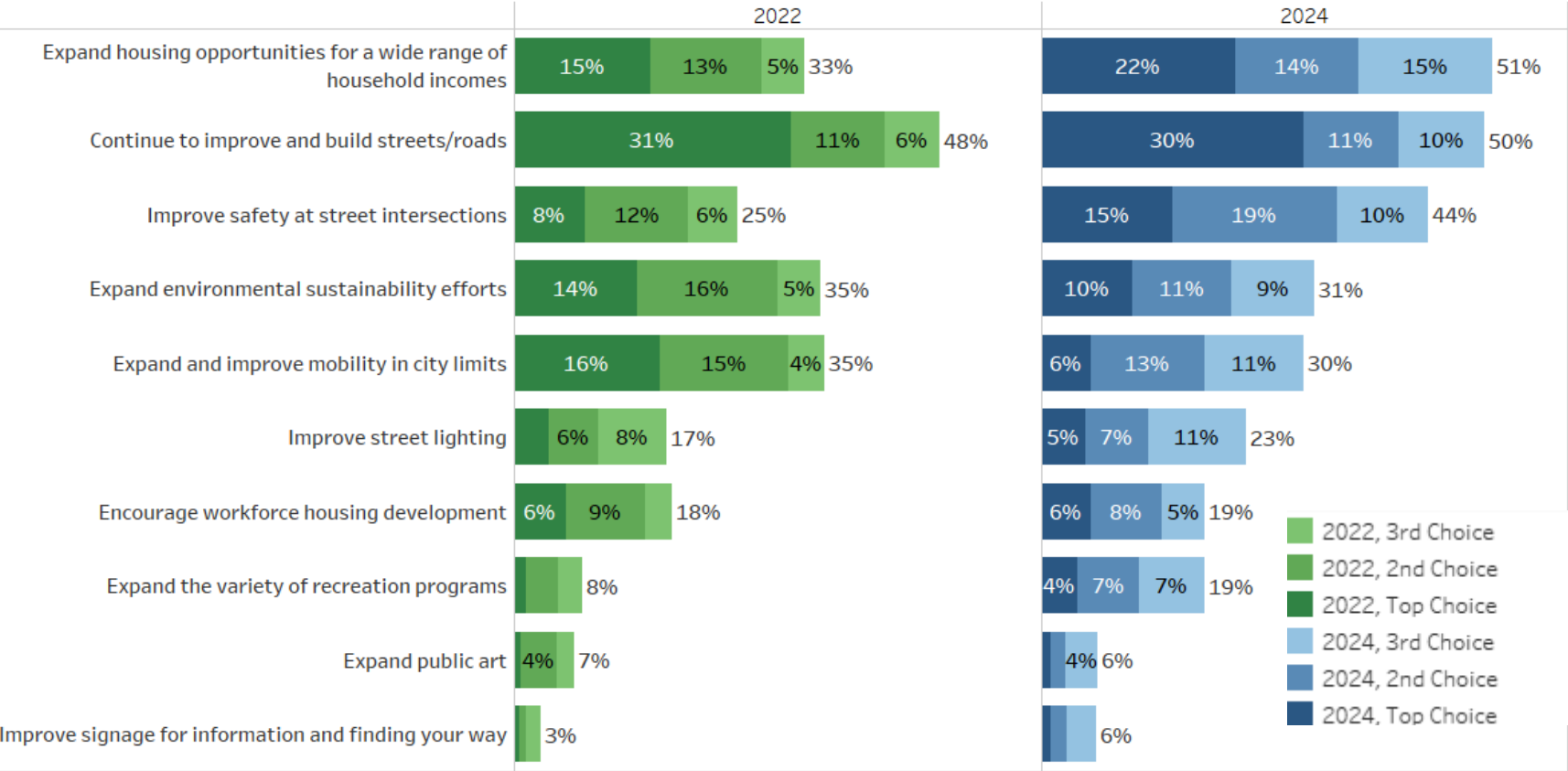
- 1 - Not a Priority
- 2
- 3
- 4
- 5 - Top Priority





# FUNDING

If you would like to see increased funding for any of areas from the previous question, which THREE are your top choices?



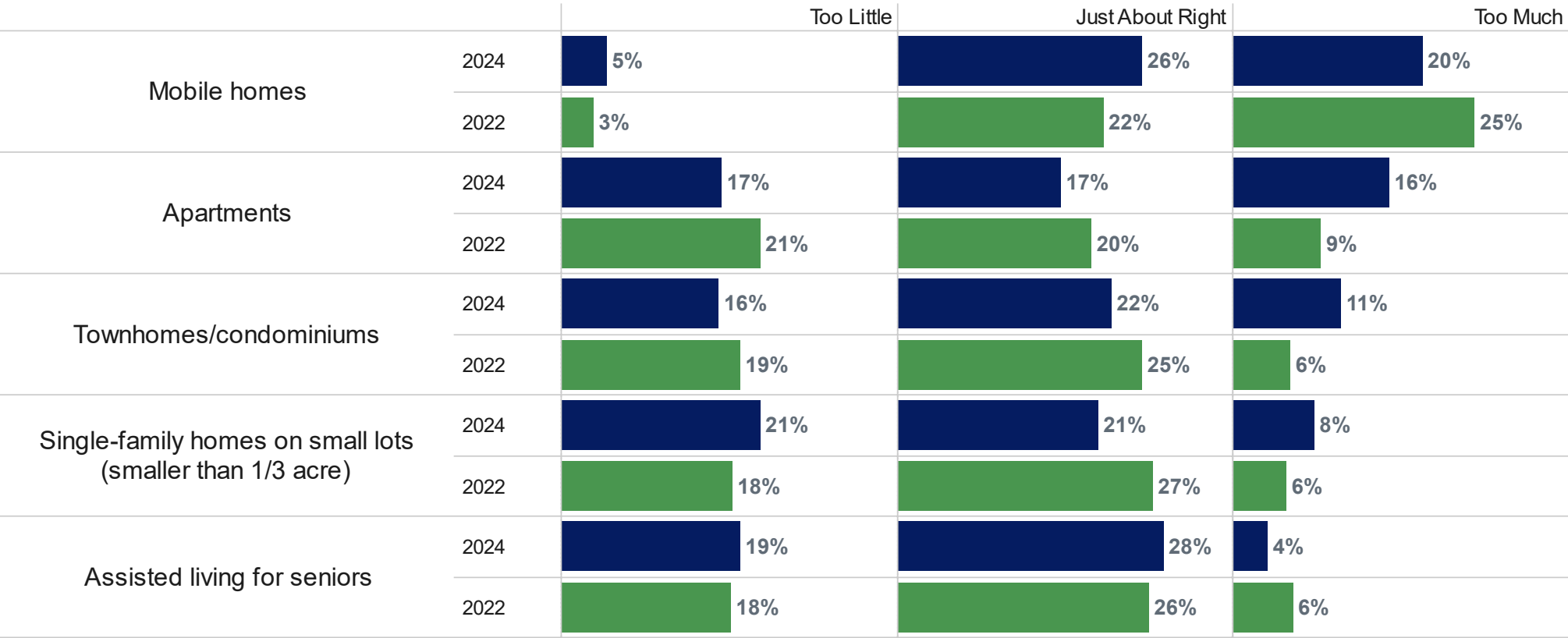
Darker colors indicate higher rating  
Source: RRC Associates

- Expanding housing opportunities and improving/building roads are the top choices where residents would like to see more funding.
- Note the sizeable jumps in support for more housing choices and improved safety at intersections.

# HOUSING

In 2024, housing priorities are very similar to 2022. Mobile homes are still the least supported housing type while single family homes on smaller lots and assisted living options are most popular.

Providing appropriate housing options for residents of various lifestyles, ages, and incomes is a focus of the City’s long-range plan. Do you think we have the right amount, too much, or too little of the following?





# Key Takeaways

---





# KEY FINDINGS



**Grand Junction is an engaged community. A response rate of 15.8% is extremely robust compared to a typical rate of 8-10% for community surveys. We received 851 responses to the statistically valid survey. The goal was 500.**



**Overall sentiment on Grand Junction is quite positive with 58% saying the city is moving in the “right direction” compared to 27% reporting the opposite. However, there is a 5% increase of those who feel the City is going in the “wrong direction” compared to 2022.**

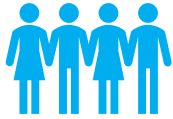


**The issues of crime, homelessness, and growth were the dominant concerns of those expressing negative sentiments on the direction of Grand Junction. On the positive side respondents cited the stable economy, sense of community and neighborhood stability.**



**Addressing public safety and crime was the top priority of residents followed closely by the need to manage resources, including the supply of water. Improving roads and dealing with homelessness also rated high as priorities.**

# KEY FINDINGS



**Regarding homelessness, residents support funding for the GJPD co-responder program along with increased enforcement of the camping ban in parks. Investing more in local nonprofits that are helping the homeless was also seen positively. There does not appear to be strong interest from residents in getting directly involved.**



**Overall satisfaction with City services is positive with 58% giving a rating of 4 or 5. Only 15% of respondents reported dissatisfaction. A significant portion (26%) were neutral.**



**Residents are generally satisfied with the City's communication efforts (3.2 out of 5). The website, traffic alerts, outreach events and social media are the most highly rated communication channels.**



**Engineering and Transportation ratings were mostly positive. The lowest rated aspect of the department is the condition of city streets. This correlates with the high priority given to improving roads in Grand Junction.**

# KEY FINDINGS



**Residents are extremely satisfied with Fire & EMS services. There is general approval with water, sewer, trash and recycling services.**



**On average, all categories related to Police services rated positively (3.2 and above) except for enforcement of violations regarding vehicles, cyclists, and pedestrians.**



**There is strong support for additional trails and river access in the city, and indoor sports facilities are also noted as important by half of respondents.**



**Parks & Recreation facilities and programs received net positive ratings from respondents. Staff friendliness, city trails and proximity of parks all rated very highly. While still positive, ratings for recreational facilities received the weakest feedback. This correlates with the support noted above for more indoor sports facilities in the city.**



# KEY FINDINGS



**Residents are very satisfied with the neighborhoods where they live. Over three quarters (77%) say things are the same or better as when they moved in. Just 11% say conditions have declined.**



**In terms of negative neighborhood attributes, the biggest issues are noise, traffic and limited ability to walk and bike to frequent destinations in the city.**



**When asked to rank priorities for Grand Junction, residents cited expanded housing opportunities, improving/building roads, and improving street safety.**



**When asked about priorities in City funding, the top choices are consistent with the above and included investing in housing options, improving streets and expanding sustainability efforts for limited resources.**



**Support for new housing was mixed and depended on the type. Single family homes on small lots along with assisted living options garnered the most support, while adding new mobile homes was by far the least popular choice.**



**RRC**

**RRC ASSOCIATES**

4770 Baseline Road, Suite 355  
Boulder, CO 80303

[rrcassociates.com](http://rrcassociates.com)  
(303) 449-6558