

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5257

AN ORDINANCE CONCERNING THE CITY OF GRAND JUNCTION IN CONNECTION WITH THE ISSUANCE OF A SHORT-TERM SPECIAL REVENUE NOTE AND APPROVING THE FORM OF A LOAN AGREEMENT.

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

Section 1. Recitals:

(A) The City of Grand Junction, Colorado ("City"), is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the City ("Charter").

(B) Members of the City Council of the City ("City Council") have been duly elected or appointed and qualified.

(C) The City has determined that it is in the best interest of the City and public interest and necessity to acquire, construct and equip certain solid waste facilities by expanding its recycling operations ("Project").

(D) The City expects to execute certain certificates of participation ("Certificates") in order to finance the Project.

(E) In order to facilitate the construction of the Project in a time efficient manner, the City has determined that it is necessary to enter into a short-term financing to commence construction, which such short-term financing is to be repaid with the proceeds of the Certificates.

(F) The City has received a proposal from ANB Bank ("Bank") to loan the City \$18,000,000 pursuant to the terms of a loan agreement ("Loan Agreement").

(G) The Loan Agreement and the loan will be evidenced by a promissory note ("Note") issued by the City to the Bank.

(H) The Loan Agreement and Note are payable from any legally available revenues of the City, subordinate to any general fund revenue obligation bonds heretofore or hereafter issued by the City.

(I) The Note shall be due and payable on or before December 31, 2025, and thus is an exception to the restrictions of Article X, Section 20 of the Colorado Constitution.

(J) The City has the power and authority to issue bonds (which may include notes, certificates of indebtedness, debentures or other contractual obligations) pursuant to the State law, the Charter, and the Supplemental Public Securities Act, constituting Sections 11-57-201 et seq., C.R.S. (the "Supplemental Act"), to finance the activities or operations permitted and authorized to be undertaken by the City; and

(K) There has been presented to the Council and are on file at the City offices the proposed form of the Loan Agreement, including the form of Note.

(L) No member of the Council has any conflict of interest or is interested in any pecuniary manner in the transactions contemplated by this ordinance.

Section 2. Authorization; Ratification and Approval of Prior Actions:

In accordance with the constitution of the State, the Charter, the Supplemental Act, and all other laws of the State thereunto enabling, City is authorized to enter into the Loan Agreement and execute and deliver the Note. The City elects to apply all of the provisions of the Supplemental Act to the Loan Agreement and the Note. All action heretofore taken (not inconsistent with the provisions of this ordinance) by the Council or the officers, agents or employees of the Council or the City relating to the Loan Agreement, the Note, and the Project, is hereby ratified, approved and confirmed.

Section 3. Approval of Documents:

The Loan Agreement and the Note (collectively, "Documents"), in substantially the forms presented to the Council and on file with the City Clerk, are in all respects approved, authorized and confirmed, and the President of the City Council is hereby authorized and directed for and on behalf of the City to execute and deliver the Documents in substantially the forms and with substantially the same contents as presented to the Council, provided that such documents may be completed, corrected or revised as deemed necessary by the parties thereto in order to carry out the purposes of this ordinance. The City Clerk is hereby authorized and directed to attest the signature of the President of the City Council on the Documents.

Section 4. Authorization to Execute Collateral Documents:

The President and City Clerk and other appropriate officials or employees of the City are hereby authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, instruments and other papers, and to perform all other acts that they deem necessary or appropriate, in order to implement and carry out the transactions and other matters authorized by this ordinance.

Section 5. No Recourse against Officers and Agents:

Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the Council, or any officer or agent of the City acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal, interest or prior redemption premiums on the Note. Such recourse shall not be available either

directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the Loan and as a part of the consideration of execution and delivery thereof, the Bank specifically waives any such recourse.

Section 6. Limitation of Actions:

Pursuant to Section 11-57-212 of the Supplemental Act, no legal or equitable action brought with respect to any legislative acts or proceedings of the City in connection with the authorization or execution and delivery of the Loan Agreement or Note, including but not limited to the adoption of this Resolution, shall be commenced more than thirty days after the execution and delivery of the Loan Agreement.

Section 7. Ordinance Irrepealable:

After the Loan has been funded this Resolution shall constitute a contract between the Bank, or any subsequent owner of the Loan, and the City, and shall be and remain irrepealable until the Loan and the interest accruing thereon shall have been fully paid, satisfied and discharged, as herein and therein provided.

Section 8. Repealer:

All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent with this ordinance or with any of the documents hereby approved are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance of the City, or part thereof, heretofore repealed.

Section 9. Severability:

If any section, subsection, paragraph, clause or provision of this ordinance or the documents hereby authorized and approved shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance or such documents, the intent being that the same are severable.

Section 10. Charter Controls:

Pursuant to Article XX of the State Constitution and the Charter, all State statutes that might otherwise apply in connection with the provisions of this ordinance are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance authorized hereby and such statutes. Any such inconsistency or conflict is intended by the Council and shall be deemed made pursuant to the authority of Article XX of the State Constitution and the Charter.

Section 11. Effective Date, Recording and Authentication:

This ordinance shall be in full force and effect 30 days after its final passage and final publication pursuant to Section 136 of Article XVI of the Charter.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM THIS 2 DAY OF APRIL, 2025.



CITY OF GRAND JUNCTION, COLORADO

A stylized, handwritten signature in black ink, appearing to read "Abram Herman", written over a horizontal line.

Abram Herman
President of the City Council

ATTEST:

A stylized, handwritten signature in blue ink, appearing to read "Selestina Sandoval", written over a horizontal line.

Selestina Sandoval
City Clerk

PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM THIS 16TH DAY OF APRIL, 2025.



CITY OF GRAND JUNCTION, COLORADO

A stylized, handwritten signature in black ink, appearing to read "Abram Herman", written over a horizontal line.

Abram Herman
President of the City Council

ATTEST:

A stylized, handwritten signature in blue ink, appearing to read "Selestina Sandoval", written over a horizontal line.

Selestina Sandoval
City Clerk

STATE OF COLORADO)
)
 COUNTY OF MESA) SS.
)
 CITY OF GRAND JUNCTION)

I, Selestina Sandoval, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado ("City") do hereby certify:

1. That the foregoing pages are a true, correct, and complete copy of an ordinance ("Ordinance") which was introduced, passed on first reading, and ordered published in pamphlet form by the City Council ("Council") of the City at a regular meeting of the Council held at the City Hall on April 2, 2025, and was duly adopted on second reading and ordered published in pamphlet form by the Council at a regular meeting held on April 2, 2025, which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The passage of the Ordinance on first reading on April 2, 2025, was duly moved and seconded and the Ordinance was approved by an affirmative vote of a majority of the members of the Council as follows:

Name	"Aye"	"Nay"	Absent	Abstain
Abram Herman, President of the City Council	X			
Randall Reitz, President <i>Pro Tem</i>	X			
Cody Kennedy	X			
Jason Nguyen	X			
Anna Stout	X			
Dennis Simpson	X			
Scott Beilfuss	X			

3. The passage of the Ordinance on second and final reading on April 16, 2025, was duly moved and seconded and the Ordinance was approved by an affirmative vote of a majority of the members of the Council as follows:

Name	"Aye"	"Nay"	Absent	Abstain
Abram Herman, President of the City Council	X			
Randall Reitz, President <i>Pro Tem</i>	X			
Cody Kennedy	X			

Jason Nguyen	X			
Anna Stout	X			
Dennis Simpson		X		
Scott Beilfuss	X			

4. The members of the Council were present at such meeting and voted on the passage of the Ordinance as set forth above.

5. The Ordinance has been signed by the President of the City Council, sealed with the corporate seal of the City, attested by me as City Clerk, and duly recorded in the books of the City; and that the same remains of record in the book of records of the City.

6. Notices of the meetings of April 2, 2025 and April 16, 2025, in the forms attached hereto as Exhibit A, posted by the City Clerk at City Hall and otherwise in accordance with law.

7. The Ordinance was published in pamphlet form and made available for public inspection in accordance with the City Charter. Notice of the hearing was published once in The Daily Sentinel, a daily newspaper of general circulation in the City, on April 5th, 2025, a date at least ten days prior to the hearing which notice stated the time and place of the hearing, a description deemed sufficient by the City council to apprise interested persons of the purpose of the ordinance, and the place at which the ordinance is available for inspection as required by the City Charter. A true and correct copy(ies) of the affidavit(s) of publication are attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 21st day of April, 2025.




Selestina Sandoval
City Clerk

EXHIBIT A
(Attach Notices of Meetings)

To access the Agenda and Backup Materials electronically, go to [the City of Grand Junction Website](#). To participate or watch the meeting virtually register for the [GoToWebinar](#).



**CITY COUNCIL AGENDA
WEDNESDAY, APRIL 2, 2025
250 NORTH 5TH STREET - AUDITORIUM
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Appointments

To the Grand Junction Regional Airport Authority

Public Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

The public has four options to provide Public Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, April 2, 2025 or 4) submitting comments [online](#) until noon on Wednesday, April 2, 2025 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

City Manager Report

Boards and Commission Liaison Reports

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.

1. Approval of Minutes

- a. Summary of the March 17, 2025, Workshop
- b. Minutes of the March 19, 2025, Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance for Supplemental Appropriations and Setting a Public Hearing for April 16, 2025
 - ii. Introduction of an Ordinance Authorizing the City Manager to Sign Loan Documents with ANB Bank for Expenses Related to the Material Recovery Facility and Setting a Public Hearing for April 16, 2025
- b. Quasi-judicial
 - i. Introduction of an Ordinance Revising Chapter 13.08.320 Repair, Maintenance of Service Pipes and Setting a Public Hearing for April 16, 2025

3. Continue Public Hearings

- a. Legislative
 - i. An Ordinance for Supplemental Appropriation for the Materials Recovery Facility **Continued to April 16, 2025**

4. Procurements

- a. Authorization of Construction Contract for Sewer Replacement - Chuluota Ave & 29 Road Project

5. Resolutions

- a. A Resolution Authorizing the Department of Local Affairs Admin Planning Grant

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

6. Public Hearings

- a. Legislative

- i. An Ordinance Amending Sections 21.02 and 21.05 of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Related to and Concerning Impact Fees, Fee Credits and Dedications
 - ii. An Ordinance for Supplemental Appropriations for Confluence Center of Colorado
- b. Quasi-judicial
 - i. An Ordinance for an Agreement Committing City Funding for the Liberty Apartments by Aspire Residential, LLC

7. Non-Scheduled Comments

This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

8. Other Business

9. Adjournment

To access the Agenda and Backup Materials electronically, go to [the City of Grand Junction Website](#). To participate or watch the meeting virtually register for the [GoToWebinar](#).



**CITY COUNCIL AGENDA
WEDNESDAY, APRIL 16, 2025
250 NORTH 5TH STREET - AUDITORIUM
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamations

Proclaiming April 26, 2025 as Arbor Day in the City of Grand Junction

Proclaiming April 23, 2025 as Beverly Lampley Day in the City of Grand Junction

Proclaiming April 2025 as Days of Remembrance in the City of Grand Junction

Public Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

The public has four options to provide Public Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, April 16, 2025 or 4) submitting comments [online](#) until noon on Wednesday, April 16, 2025 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

City Manager Report

Recognition of Outgoing Councilmembers

Boards and Commission Liaison Reports

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.

1. Approval of Minutes

- a. Summary of the March 26, 2025, Special Workshop
- b. Minutes of the March 31, 2025, Special Meeting
- c. Minutes of the April 2, 2025, Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of An Ordinance Amending Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Regarding Zone District and Dimensional Standards, Use Standards, Sign Standards, and Measurements and Definitions and Setting a Public Hearing for May 7, 2025
- b. Quasi-judicial
 - i. Introduction of an Ordinance for Zoning Approximately 1.91 Acres from PD (Planned Development) to MU-2 (Mixed Use Light Commercial) located at 651 S. Highway 50 and Setting a Public Hearing for May 7, 2025

3. Procurements

- a. Sole Source Purchase with Bypass Pumping Contractor for the Persigo Wastewater Treatment Plant
- b. Authorization of Construction Contract for Street Maintenance - 2025 Partial Reconstruction
- c. Authorize Design and Engineering Contract to Complete Full Design on Whitman Park Revitalization

4. Resolutions

- a. A Resolution Expressing City Council's Support for the Terminal Project and that it Supports and Promotes the Downtown Plan of Development
- b. A Resolution Authorizing the City Manager to Execute a Second Amended and Restated Lease for the Property at 261 Ute Avenue
- c. A Resolution Authorizing an Intergovernmental Agreement (IGA) with Colorado Department of Transportation for I-70B Phase 7 Construction

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

5. Public Hearings**a. Legislative**

- i. A Resolution Authorizing and Approving the President of the City Council to Sign an Agreement to Acquire Interests in Land for the Construction and Maintenance of a Public Sidewalk and Related Facilities and Structures Over and Across a Portion of the Grand Valley Irrigation Company Independent Ranchmen's Ditch Between 24½ Road and 25½ Road in the City of Grand Junction
- ii. An Ordinance Revising Chapter 13.08.320 Repair and Maintenance of Service Pipes
- iii. An Ordinance for Supplemental Appropriations for Confluence Center of Colorado
- iv. An Ordinance for Supplemental Appropriations
- v. An Ordinance Authorizing the City Manager to Sign Loan Documents with ANB Bank for Expenses Related to the Material Recovery Facility
- vi. An Ordinance for Supplemental Appropriation for the Materials Recovery Facility

b. Quasi-judicial

- i. A Resolution Accepting the Petition of 2.89 Acres of Land and Ordinances Annexing and Zoning the Dixon Annexation to RL-4 (Residential Low - 4), Located at 2019 South Broadway

6. Non-Scheduled Comments

This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

7. Other Business**8. Adjournment**

EXHIBIT B
(Attach Affidavits of Publication)

AFFIDAVIT OF PUBLICATION

State of Florida, County of Broward, ss:

Marco Coppola, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agents of Grand Junction Daily Sentinel, a newspaper printed and published 5 days a week in the City of Grand Junction, County of Mesa, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Apr. 5, 2025

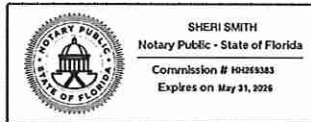
NOTICE ID: alnP0yigJlXFT40qwEOU

PUBLISHER ID: COL-101159

NOTICE NAME: Proposed Ordinance Loan Agreement

Marco Coppola

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 04/07/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**Proposed Ordinance Loan
Agreement**

**NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT:**

The City Council of the City of Grand Junction, Colorado, at its regular convened meeting on April 2, 2025 passed on first reading the following entitled proposed ordinance:

AN ORDINANCE CONCERNING THE CITY OF GRAND JUNCTION IN CONNECTION WITH THE ISSUANCE OF A SHORT-TERM SPECIAL REVENUE NOTE AND APPROVING THE FORM OF A LOAN AGREEMENT.

and authorized the publication in pamphlet form.

NOTICE IS FURTHER GIVEN THAT

the public hearing will be held April 16, 2025 virtually (see the agenda for credentials at www.gjcity.org/agendas) and in person at 5:30 p.m., in the City Hall Auditorium, 250 N. 5th Street, Grand Junction, Colorado, at which time public comments will be taken and considered before the final adoption of the proposed ordinance.

Copies of the proposed ordinance are available for public inspection in the City Clerk's Office, 250 North 5th Street, City Hall, by appointment, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or at any time on the web at www.gjcity.org.

**BY THE ORDER OF THE CITY
COUNCIL**

/s/ Selestina Sandoval
City Clerk

Published: April 5, 2025. COL-101159

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agents of Grand Junction Daily Sentinel, a newspaper printed and published 5 days a week in the City of Grand Junction, County of Mesa, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Apr. 19, 2025

NOTICE ID: 8SdU3B8EfOiCBaeIZ1N5

PUBLISHER ID: COL-101260

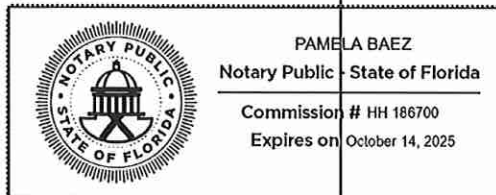
NOTICE NAME: Ordinance No. 5257

Edmar Corachia

(Signed) _____

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 04/22/2025

[Signature]

Notary Public

Notarized remotely online using communication technology via Proof.

**Ordinance Loan Agreement
NOTICE OF ADOPTION OF ORDINANCE NO. 5257**

AN ORDINANCE OF THE CITY OF GRAND JUNCTION TO BE PUBLISHED IN PAMPHLET FORM NOTICE IS HEREBY GIVEN:

That on the 16th day of April 2025, at 5:30 p.m. In the City Hall Auditorium, 250 N. 5th Street, Grand Junction, Colorado, during a meeting held virtually and in person, the City Council of the City of Grand Junction held a public hearing, after proper notice, to consider the final passage of an Ordinance, the title of which is:

AN ORDINANCE CONCERNING THE CITY OF GRAND JUNCTION IN CONNECTION WITH THE ISSUANCE OF A SHORT-TERM SPECIAL REVENUE NOTE AND APPROVING THE FORM OF A LOAN AGREEMENT

Copies of the adopted ordinance are available for public inspection in the City Clerk's Office, 250 North 5th Street, City Hall, by appointment Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or at any time on the web at www.gjcity.org.

/s/ Selestina Sandoval
City Clerk

Published: April 19, 2025. COL-101260

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5257 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 2nd day of April 2025 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the day of the 16th of April 2025, at which Ordinance No. 5257 was read, considered, adopted, and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of April 2025.


Deputy City Clerk

Published: April 5, 2025
Published: April 19, 2025
Effective: May 19, 2025

