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**CITY COUNCIL AGENDA
MONDAY, OCTOBER 21, 2024
FIRE ADMINISTRATION TRAINING ROOM
625 UTE AVENUE
5:30 PM – SPECIAL MEETING**

- 1. Call to Order/Convening the Special Meeting**
- 2. Executive Session**
 - a. EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO COLORADO'S OPEN MEETINGS LAW, C.R.S. 24-6-402(4)(e)(I), RELATIVE TO POSSIBLE CITY FINANCIAL PARTICIPATION TO FACILITATE AN AFFILIATION BETWEEN LARKIN COMMUNITY HOSPITAL FOUNDATION INC. AND COLORADO WEST INC. D/B/A MIND SPRINGS, INC.
- 3. Adjournment of the Executive Session/Reconvening the Special Meeting**
 - a. Consideration of Unita Railway Amicus Brief Support
- 4. Adjournment of the Special Meeting**
- 5. Call to Order Council Workshop**
 - a. Resource Center Discussion
 - b. City Recycling
- 6. Other Business**



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: October 21, 2024
Presented By: John Shaver, City Attorney
Department: City Council
Submitted By: John Shaver

Information

SUBJECT:

Consideration of Uinta Railway Amicus Brief Support

RECOMMENDATION:

City Council consideration of the request, and if favorably considered, adoption of a Resolution to join the *amicus* brief in the United States Supreme Court case of *Seven County Infrastructure v. Eagle County, Colorado et al.*

EXECUTIVE SUMMARY:

Mayor Herman and City Attorney Shaver recently met with legal counsel for the City of Glenwood and discussed joining the *amicus* brief in the United States Supreme Court case of *Seven County Infrastructure v. Eagle County, Colorado et al.*

BACKGROUND OR DETAILED INFORMATION:

On June 24, 2024, the United States Supreme Court granted *certiorari* in a case concerning the environmental review(s) for the Uinta Basin Railway project (Project). The City Council has been asked to join on the *Amicus* brief to be filed in the case and if the Council consents to join the brief urges the Supreme Court to affirm the decision below.

The Project as proposed is an 85-mile rail line to transport crude oil, and possibly gas and other minerals, from the Uinta Basin in eastern Utah to processing locations using other rail line(s). Primarily because of environmental concerns, lawsuits challenging the Project were filed. With its grant of *certiorari*, the Supreme Court will review the scope of the National Environmental Policy Act (NEPA) and how the same was, or was not, considered by the Surface Transportation Board (STB). Proponents of the Project assert that the STB fully considered the proximate environmental impacts of the Project; opponents assert that the review was inadequate.

Amici Curiae are a bipartisan coalition of local governments and communities located along the Union Pacific Rail Line and Interstate 70 (I-70). The *Amici*, including Grand Junction, are what the STB refers to as the “down-line study area” for the Project approval under review in the case. The case concerns *Amici*’s interests in numerous ways as described in the brief.

FISCAL IMPACT:

There is no direct cost to joining the Brief.

SUGGESTED MOTION:

I move to (adopt and approve/not adopt and not approve) Resolution 77-24 a Resolution joining the *amicus* brief in the United States Supreme Court case of Seven County Infrastructure v. Eagle County, Colorado *et al.*

Attachments

1. RES-Uinta Amicus support resolution 20241021
2. 23-975 - Seven Cnty. Infrastructure Coal. v. Eagle Cnty. - Brief of Amici Colo - Client Draft 10.8.24 (3)

RESOLUTION NO. ____-24

A RESOLUTION JOINING THE AMICUS BRIEF IN THE UNITED STATES SUPREME COURT CASE OF SEVEN COUNTY INFRASTRUCTURE V. EAGLE COUNTY, COLORADO *ET AL.*

Recitals

On June 24, 2024, the United States Supreme Court granted *certiorari* in a case concerning the environmental review(s) for the Uinta Basin Railway project (Project). The City Council has been asked to join on the *Amicus* brief (Brief) to be filed in the case and by and with this Resolution the City Council agrees to join the *Amici Curiae* in support of urging the Supreme Court to affirm the decision below.

The Project as proposed is an 85-mile rail line to transport crude oil, and possibly gas and other minerals, from the Uinta Basin in eastern Utah to processing locations using other rail line(s). Primarily because of environmental concerns, lawsuits challenging the Project were filed. With its grant of *certiorari*, the Supreme Court will review the scope of the National Environmental Policy Act (NEPA) and how the same was, or was not, considered by the Surface Transportation Board (STB). Proponents of the Project assert that the STB fully considered the proximate environmental impacts of the Project; opponents assert that the review was inadequate.

Amici Curiae are a bipartisan coalition of local governments and communities located along the Union Pacific Rail Line and Interstate 70 (I-70). The *Amici*, including Grand Junction, are what the STB refers to as the “down-line study area” for the Project approval under review in the case. The case concerns *Amici*’s interests in numerous ways as described in the Brief.

The Brief, a copy of which is attached, contends that the STB’s NEPA process is important and must analyze effects to *Amici*’s interests in wildfire prevention, water quality, public health, and safety, and calls into question the STB’s analysis of those concerns. Also, the Brief discusses other procedural matters related to the decision under review.

Because the Grand Junction City Council is concerned about the Project’s “down-line” impacts on the City and its residents the City Council does find by and with this Resolution that it is proper for the City to join the Brief and instructs the Interim City Manager and City Attorney to join with the *Amici Curiae* concerning this matter.

Furthermore, the City Council recognizes the importance of working in collaboration with other cities and counties in support of their expressions of concern about the Project as provided in the Brief.

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

1. In consideration of the Recitals, the Grand Junction City Council approves joining the *Amicus* Brief in the United States Supreme Court case of *Seven County Infrastructure Coalition v. Eagle County Colorado et al.*
2. The Interim City Manager and City Attorney are directed to discharge the Council's direction as provided herein and as necessary or required, in addition to this Resolution, take all appropriate action(s) to indicate the City's support for the Brief.

Adopted this 21st day of October 2024.

Abram Herman
President of the City Council

ATTEST:

Selestina Sandoval
City Clerk

IN THE
Supreme Court of the United States

SEVEN COUNTY INFRASTRUCTURE COALITION, et al.,

PETITIONERS,

v.

EAGLE COUNTY, COLORADO, et al.,

RESPONDENTS.

*ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT*

**BRIEF OF AS *AMICI CURIAE* IN SUPPORT OF
RESPONDENTS**

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[Amici Government Counsel]

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INTERESTS OF THE *AMICI*¹

Amici curiae are a bipartisan coalition of local governments and communities located along the Union Pacific Rail Line and Interstate 70 (I-70) in western Colorado. This places them in what the Surface Transportation Board (Board) calls the “down-line study area” for the railroad approval under review in this case. That arbitrary decision adversely affects Amici’s interest in numerous ways described below. This is why many of the Amici also filed an amicus brief in the D.C. Circuit, explaining both the importance of the Board’s NEPA process for analyzing effects to Amici’s interests in wildfire prevention, water quality, public health, and safety, as well as the glaring defects in the Board’s analysis of those issues.

Glenwood Springs, Colorado is a home-rule municipality of roughly 10,000 residents in Garfield County.² It sits in Glenwood Canyon at the confluence of the Roaring Fork and Colorado rivers. Surrounded by steep, rugged topography, Glenwood Canyon

¹ As required by Supreme Court Rule 37, Amici represent that no counsel for any party has authored this brief in whole or in part, and no entity or person, aside from amici curiae, and their counsel, made any monetary contribution intended to fund the preparation or submission of this brief.

² The Colorado Constitution authorizes cities and towns to adopt “home rule” governance, which empowers local governments to exercise greater control over matters of local significance. COLO. CONST. art. XX, § 6; *id.* art. XIV, § 16.

represents a natural mountain pass for both I-70 and the Union Pacific Line.

Glenwood Springs was established as a respite for visitors to the Rockies. Annually, 1.5 million people visit Glenwood Springs to enjoy the world's largest mineral hot springs, whitewater rafting, kayaking, flyfishing, hiking, and skiing. The nearby White River National Forest sees "more than 10 million visitors per year" and "is the most-visited recreation forest in the country." *About the Forest*, U.S. FOREST SERV., <https://bit.ly/3yQIeXa> (last visited Oct. 14, 2022). Glenwood Springs' economy is heavily dependent on tourism. Nearly 40% of residents are employed in the leisure, hospitality, and retail sectors, which is double the national average.

Glenwood Springs has witnessed a marked rise in wildfires due to extreme drought conditions that are fast becoming the norm. In August 2020, a fire ignited one mile east of Glenwood Springs that burned for 130 days and consumed 32,631 acres. That fire—known as the Grizzly Creek Fire—caused severe upheaval, including area-wide evacuations, long-term closures of I-70, food and supply shortages, and substantial property damage. *See* Dan Boyce, Colorado's Grizzly Creek Fire Shows Climate Change's Threat to Transport Routes, NPR (Sept. 29, 2020), <https://n.pr/3DaUXqw>. It also cost the city "tens of millions of dollars" in lost tourism revenue. *Id.* ("[T]he two-week-long highway closure wreaked havoc on the Glenwood Springs economy during a tourism season already wounded by the pandemic," with some businesses losing "two-thirds" of their revenue "once travelers were cut off from the area by the fire.").

Containment did not end the fire's devastation. After the fire stripped Glenwood Canyon's steep slopes of vegetation, rainstorms triggered landslides and debris flows, depositing burnt sediment and toxic ash into the Colorado and Roaring Fork rivers. Those "debris flows have had enormous impacts on the citizens of Colorado," *id.*, including by threatening critical drinking water supplies. In turn, Glenwood Springs has diverted millions of dollars to protect its residents' water. See CITY OF GLENWOOD SPRINGS, GLENWOOD SPRINGS WATER AND RESILIENCY AFTER THE GRIZZLY CREEK FIRE at 2, 6 (2021), <https://bit.ly/3ETpvOK> (outlining turbidity monitoring, solids collection system, and other improvements made after the debris flows).

Debris flows caused repeated closures of I-70, which exacerbated the economic harm to local businesses. In fact, in 2021, "[n]early every strong storm triggered debris flows that carr[ied] mud, rocks, and woody material from steep side drainage basins into Glenwood Canyon," damaging "portions of [I-70], as well as the Union Pacific [Line]." *Glenwood Canyon and Debris Flows* (Dec. 16, 2021), <https://on.doi.gov/3CJ8cx1>. The following photographs show the repeated annihilation of I-70 and the Union Pacific Line by post-fire debris flows in Glenwood Canyon.



Debris flow covering eastbound lanes of I-70³



Debris flow covering westbound lane of I-70⁴

³ Photo by U.S. Geological Survey (USGS). See *June 26 and 27, 2021: Grizzly Creek Flooding and Debris Flows*, U.S. GEOLOGICAL SURV. (Aug. 24, 2021), <https://bit.ly/3yTRqda>

⁴ Photo by USGS. See *June 26 and 27, 2021: Grizzly Creek Flooding and Debris Flows*, U.S. GEOLOGICAL SURV. (Aug. 24, 2021), <https://bit.ly/3ETuAXd>

Later investigations concluded that the fire was “human-caused,” likely from a single ignition-point on I-70. *Wildfires in Glenwood Springs*, VISIT GLENWOOD SPRINGS, <https://bit.ly/3CIRi1E> (last visited Oct. 27, 2022). Consequently, communities in this extremely fire-prone region have become vigilant about potential ignition sources in the Canyon, including the Union Pacific Line. Of course, increasing the number of trains traveling along this line necessarily increases the risk of large-scale wildfires. *See infra* at 14, 22.

Minturn, CO is a home-rule municipality of 1,100 residents, located two miles south of I-70 in Colorado’s Vail Valley, near the Vail and Beaver Creek ski resorts, White River National Forest, and Holy Cross Wilderness. It was established as a strategic railroad town where workers “installed extra engines in railroad cars for more power over [the] steep mountain passes” characteristic of the Union Pacific Line. Town Statistics and History, TOWN OF MINTURN, <https://bit.ly/3COWWPE> (last visited Oct. 27, 2022). Today, however, Minturn relies heavily on travelers to keep local businesses and the town as a whole viable and vibrant. Indeed, Minturn suffered considerable harm to its economy as a result of the Grizzly Creek Fire, the ensuing debris slides, and the closures of I-70.

Avon, Colorado is a home-rule municipality located on I-70. It sits adjacent to Beaver Creek and eight miles west of the Vail Valley. It has a year-round population of 6,072, which increases significantly during the ski season. Avon is also a popular tourist destination for hiking, horseback riding, bicycling,

kayaking, and rafting. Year-round tourism and winter recreation-related businesses account for a significant portion of the employment and earned income of area residents. As such, it remains vigilant about wildfires and river contamination that may detract from the area's appeal. Avon, for example, now spends roughly \$40,000 per year on a wildfire fuel source removal program.

Red Cliff, Colorado is a town of 300 residents nestled between Beaver Creek and Vail. It sits along the Colorado Scenic Byway (Highway 24), ten miles south of I-70. Residents and tourists alike enjoy mountain biking, cross-country skiing, snowmobiling, kayaking, fly fishing, rock climbing, and hiking with fantastic wildflower viewing, all within and around Red Cliff. Like nearby towns, a single wildfire and its effects—including drinking water impacts, landslides, debris flows, and road closures—can cripple Red Cliff's tourism-based economy for years.

Vail, Colorado is a home-rule municipality located on I-70 with a year-round population of 4,835 that is largely employed in the outdoor recreation and tourism economy. It hosts the eponymous Vail Ski Resort, one of the busiest and highest-ranked ski resorts in the United States. The town has taken an active role in preserving open space and protecting water quality, as many residents and visitors alike travel to areas on the Union Pacific mainline to raft, fish, and sightsee. Even without the added risk of oil-laden trains, high-elevation communities, like Vail and its fellow Amici, have seen “a near tripling of fire activity” in their region. Fund Your Free Five, VAIL, <https://bit.ly/3Dieu70> (last visited Oct. 27, 2022)

(emphasis added). Given that it already has a “significant exposure to the risks of wildfire,” *id.*, any incident caused by trains from the Uinta Basin carrying combustible oil would have devastating consequences for Vail’s local economy and citizens.

Routt County, Colorado has over 25,000 residents and extends north from Eagle County to the Wyoming border. The county seat is the City of Steamboat Springs, which shares its name with the world-renown ski resort located there. The resort is an outdoor-recreation and tourism hub, serving the public while providing significant economic benefit. The county’s southern boundary lies within a couple of miles of the Union Pacific Central Corridor and any impacts from a fire or spill nearby would most certainly result in negative effects to the county, its residents, and its economy. While I-70 lies outside of Routt County, the recommended detour during all Glenwood Canyon closures (Highway 40) traverses the entirety of the county and has led to significant impacts to county infrastructure and to the health, safety, and welfare of its residents.

Boulder County, Colorado has 330,758 residents and lies in north-central Colorado on the eastern slopes of the Rocky Mountains. It contains forests, mountains, and canyons, which hold creeks that supply water to the cities, high plains, grasslands, and farmlands in the eastern part of the county. Boulder County’s extensive efforts to protect open space and promote conservation have attracted farming, business, recreation, and tourism revenue. Since 1989, Boulder County has experienced at least nine major wildfires, including the 2021 Marshall

Fire—the most destructive in Colorado history—which destroyed more than 1,000 homes and over 30 commercial structures. Although Boulder County is not on the I-70 corridor, part of the Union Pacific Line travels through the county beyond the eastern entrance of the Moffat Tunnel.

Chaffee County, Colorado has 20,074 residents and is located south of the I-70 corridor in the Arkansas River Valley. Its residents rely heavily on the I-70 corridor to access recreational opportunities and critical medical services. Tourism is the largest job sector in Chaffee County and is crucial to its viability. Closures of I-70 cause severe negative impacts on Chaffee County's residents; the Grizzly Creek Fire rerouted a substantial portion of I-70 traffic through the much smaller Highways 50 and 285 traversing Chaffee County. This caused immense traffic delays, higher emergency-response costs, safety burdens, and tourism-related impacts to the county and its residents.

Lake County, Colorado has a population of 7,407 and is located just south of I-70. Its economy is deeply entwined with that of Eagle County and the Colorado River corridor, with over 70% of its workforce commuting to jobs in the region. Impacts from the Uinta Basin trains will be felt deeply in Lake County; any oil spill would likely undo decades of river-restoration work that has created Gold Medal trout fishing, and is the centerpiece of Lake County's increasingly recreation- and tourism-based economy. Lake County will also be impacted by increased risks of wildfire, increased emergency-services training and response expenses, costs of upgrading and

maintaining rail crossings on county roads, and noise and disturbance impacts.

Pitkin County, Colorado is located in Colorado's Central Mountains. It has a population of 17,548 that swells during peak tourism seasons. Home to the famed Aspen-Snowmass ski resorts, it attracts summer and winter visitors for skiing, fishing, hiking, rafting, and other outdoor pursuits. Many Pitkin County visitors enter or exit the area through the Union Pacific Central Corridor and the county values keeping those areas scenic and healthy. It was severely impacted during the Glenwood Canyon closures in 2020 and 2021, as many drivers were directed by online maps to traverse Independence Pass—a steep and at-times single-lane road summitting over 12,000 feet—which stressed Pitkin County's transportation infrastructure in the extreme.

Grand County, Colorado [county to provide narrative]

The ***Northwest Colorado Council of Governments*** (NWCCOG) is a voluntary association of county and municipal governments located in northwest Colorado that, individually and collectively, believe working together on a regional basis provides benefits that could not be obtained alone. At the behest of its constituent governmental associations, NWCCOG develops and helps to implement programs that improve the lives of those who call northwest Colorado home. For example, the water policy arm of the organization, i.e., the NWCCOG Water Quality/Quantity Committee,

facilitates and augments member jurisdictions' efforts to protect and enhance the region's water resources while encouraging its responsible use for the good of Colorado citizens and the environment. It achieves this mission through legislative monitoring and lobbying on issues related to water quality, educational meetings, water quality information, representation in state agency rulemaking proceedings, and technical assistance to enhance intergovernmental cooperation. NWCCOG's strength-in-numbers approach allows its members to speak with a single, amplified voice on state and nationwide water issues affecting northwest Colorado.

Situated along the receiving Union Pacific Line, Amici are directly impacted by the Board's December 15, 2021 decision approving the Uinta Basin Railway. Ultimately, Amici—not the Board—must respond to accidents, wildfires, river contamination, and the inevitable fallout from the Board's Decision. Amici thus have an obvious interest in understanding the full array of potential down-line effects in Colorado, i.e., foreseeable effects that will occur along existing railways due to the substantial increase in rail traffic, including what can be done to mitigate those impacts.

SUMMARY OF THE ARGUMENT

1. (a) This case is the wrong vehicle for deciding the question presented for at least two reasons. The first is that the down-line effects analysis challenged by Petitioners as too “contingent and remote,” Pet. Br. at 36, serves two distinct roles in the decision under review. It purports to satisfy both the

Board's procedural obligation to consider all reasonably foreseeable effects under NEPA, *and* its separate, substantive duty to assess the proposal's transportation merits under the ICCTA. Because Petitioners only sought and obtained certiorari to consider whether that analysis satisfies NEPA, there remains an equally valid basis for sustaining the Board's down-line effects analysis under the ICCTA and the Board's implementing regulations.

(b) If the Court nonetheless reaches the issue, Petitioners failed to preserve any challenges to the Board's down-line effects analysis as applied to Colorado because it raised this issue for the first time in its reply brief in support of the petition for certiorari. That is too late. Petitioners forfeited this challenge by not raising it sooner to the Board or the lower court.

2. Amici strenuously object to the limitation that Petitioners have tried to foist on NEPA (i.e., limiting the scope of an effects analysis to issues within the lead agency's remit) because the local governments Amici represent depend on the information disclosures NEPA compels, as well as the collaborative approach to decisionmaking that allows small government bodies to have their concerns seriously considered and/or mitigated. If Petitioners get their way, Amici will lose the invaluable tools NEPA provides in all but the most direct impact cases. This kind of hyper-narrow limitation on NEPA review is neither supported by the Act's text nor consistent with its animating purposes.

3. Finally, Petitioners' claims about NEPA's allegedly exorbitant delays and costs are overblown and refuted by data. Amici's experiences with NEPA do not track with Petitioners' claims either. If anything, in Colorado, NEPA has been used to formulate some of the state's most enduring compromises, thereby obviating the need for litigation.

ARGUMENT

I. This Case Does Not Cleanly Present the Issues Necessary to Resolve the Question Presented

The question presented here is whether NEPA “requires an agency to study environmental impacts beyond the proximate effects of the action over which the agency has regulatory authority.” Pet. for Writ of Cert. at 2. This case, however, does not cleanly present the issue both because Petitioners failed to preserve it and because the down-line impact analysis under review is required, at least in part, by a separate regulation that Petitioners have not challenged and is not before the Court. Amici discuss both points below.

A. The Board's Disclosure of “Down-line Impacts” is Beyond the Scope of the Question Presented

The Board's analysis presently under review considered three different kinds of effects, including indirect effects and down-line effects. Although Petitioners use those terms interchangeably, they are materially distinct under the pertinent enabling legislation. Whereas NEPA's implementing regulations require the Board to consider all indirect effects of a proposed action, the Board's analysis of down-line effects along existing railways is compelled separately by the ICCTA implementing regulations—regulations that Petitioners have neither challenged in this litigation, nor addressed in briefing to this Court. Because the question presented concerns only NEPA, the propriety of the Board's down-line effects analysis is squarely beyond the question presented and should be dismissed from further review.

The Interstate Commerce Commission Termination Act (ICCTA), 49 U.S.C. § 10901, gives the Board “exclusive licensing authority for the construction and operation of rail lines.” *Mid States Coal. for Progress v. Surface Transp. Bd.*, 345 F.3d 520, 533 (8th Cir. 2003). Courts have interpreted the Board's authority broadly, holding that the ICCTA preempts state and local regulatory authority over the construction and operation of railroads in most circumstances. *See, e.g., Tex. Cent. Bus. Lines Corp. v. City of Midlothian*, 669 F.3d 525, 530, 537 (5th Cir. 2012) (“Congress intended to preempt state and local laws that come within the Board's jurisdiction,” including city ordinances designed to protect the “health and safety” of the public). The broad preemptive effect of the ICCTA extends to state and local laws enacted to protect the environment. *City of Auburn v. United States*, 154 F.3d 1025, 1031 (9th Cir.

1998) (holding that the ICCTA preempted local regulations aimed at preserving the environment); see also *Green Mtn. R.R. Corp. v. Vermont*, 404 F.3d 638, 644 (2d Cir. 2005) (same).

The ICCTA lays out two different avenues for obtaining a license from the Board to build and/or operate a new railroad like the Uinta Basin Railway. Under the first, the Board conducts formal rulemaking to determine whether a proposed railway is “inconsistent with the public convenience and necessity,” 49 U.S.C. § 10901(c). If not, the Board is obligated to grant the application.

The second approach (and that chosen by Petitioners here) is a shortcut by which applicants can skip the Board’s default rulemaking procedures. Doing so requires the applicant to show, *inter alia*, that the new railway “is not necessary to carry out the transportation policy of [49 U.S.C. § 10101].” *Id.* § 10502(a). That “policy” actually consists of fifteen different goals, including several focused on environmental considerations. 49 U.S.C. § 10101 (“In regulating the railroad industry, it is the policy of the United States Government”: “to operate transportation facilities and equipment without detriment to the public health and safety”; “to encourage honest and efficient management of railroads”; and to “promote energy conservation”). In other words, separate from NEPA, the ICCTA requires the Board to factor environmental, health, and safety impacts into the agency’s determination of whether a proposal is, or can be modified through mitigation to be, consistent with the Act’s policies.

Regardless of which path an applicant chooses to obtain a license, it must prepare an “Environmental Report”—a document defined and compelled by the Board’s regulations governing ICCTA proceedings, not NEPA. 49 C.F.R. § 1105.7. The Board’s promulgated definition of Environmental Report indicates that although there is substantial overlap between an Environmental Report under the ICCTA and an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under NEPA, they are not the same; in fact, the Board’s regulations define all three terms separately and indicate that although an EA or EIS can be *sufficient* to fulfill the Board’s Environmental Report obligation, those NEPA documents are not evidently *necessary* for an Environmental Report to pass muster under the Board’s regulations. 49 C.F.R. § 1105.4(g)(2) (“An environmental report *may be* in the form of a proposed draft Environmental Assessment or proposed draft Environmental Impact Statement.” (emphasis added)).

The Environmental Report also compels in certain circumstances consideration of an explicit effects category that NEPA does not include, but that the Board deemed necessary to lawfully administer the ICCTA: “Down-line Impacts.” 49 C.F.R. § 1105.7(e)(11)(v). The Board interprets this term to mean “impacts that could occur along existing rail lines as a result of increased rail traffic due to the addition of new trains originating or terminating on the proposed rail line.” Surface Transp. Bd., Uinta Basin Railway: Final Environmental Impact Statement at T-36 (2021) (J.A. [REDACTED]). The Board has also consistently defined the appropriate “study area

for potential rail-related down-line impacts . . . as the mainline rail lines outside of the project area that could see an increase in train traffic coming from the proposed rail line.” *Id.* at 17-3; *see also* Surface Transp. Bd., Draft Environmental Impact Statement for the Tongue River Railroad at 17-3 (2015), <https://bit.ly/4gRYH1J>.

In the decision under review, the Board straightforwardly applied its regulations to define the down-line impacts of the agency’s approval of the Uinta Basin Railway as the “reasonably foreseeable impacts that could occur outside the project area as a result of construction and/or operation of trains using the Line.” Surface Transp. Bd., Uinta Basin Railway Final Decision at 19 (Dec. 15, 2021) (J.A. [REDACTED]). While finding that other effects did not fall within the Board’s definition of “down-line impacts” requiring analysis, *see id.* at 18, 20, J.A. [REDACTED], [REDACTED], the Board correctly found that the issues of acute interest to Amici warrant consideration under the agency’s regulations. *See id.* at 10-11, 19, J.A. [REDACTED], [REDACTED] (analyzing wildfire risk, rail safety, accident rates, and air quality effects).

The foregoing makes clear that the down-line impacts analysis undertaken by the Board here goes to and satisfies a separate legal duty (arising under the ICCTA and its regulations) from that challenged here by Petitioners pursuant to NEPA. And it is clear that the court below treated it as a separate legal obligation the Board did not satisfy either procedurally or substantively. It is well established that “an agency cannot escape its obligation to comply with [one statute] merely because it is bound to

comply with another statute.” *San Luis & Delta-Mendota Water Auth. v. Jewell*, 747 F.3d 581, 640 (9th Cir. 2014). Thus, because Petitioners did not seek and this Court did not grant certiorari to review this aspect of the decision below (i.e., whether the Board complied with the ICCTA’s implementing regulations in this respect), any relief afforded to Petitioners if they succeed under NEPA will be incomplete.

The Court should exercise its discretion to dismiss Petitioners’ challenges to the Board’s down-line analysis of reasonably foreseeable impacts to Colorado communities along the Union Pacific Line. *The Monrosa v. Carbon Black Export, Inc.*, 359 U.S. 180, 184 (1959) (dismissing matter as improvidently granted because there existed alternative grounds for affirming beyond the question presented); *Rogers v. United States*, 522 U.S. 252, 258-59 (1998) (plurality) (dismissing matter as improvidently granted where “the record does not fairly present the question that we granted certiorari to address”) (cleanly presented in the O’Connor dissent); *Burrell v. McCray*, 426 U.S. 471, 472 (1976) (Stevens, J., concurring) (“[T]he Court’s broad control of its discretionary docket includes the power to dismiss the writ because circumstances disclosed by a careful study of the record were not fully apprehended at the time the writ was granted . . .”).

In short, the Board’s regulations implementing the ICCTA are not before this Court; thus, the Court must assume the validity of the Board’s regulations, including the agency’s well-reasoned determination through formal rulemaking that down-line impacts must be considered. Accordingly, the Court should

dismiss Petitioners' backdoor challenge to information fairly contained in the down-line impacts study based on "a simple yet fundamental principle of judicial restraint: If it is not necessary to decide more to dispose of a case, then it is necessary not to decide more." *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215, 348 (2022) (Roberts, C.J., concurring); see also *Valley Forge Ins. Co. v. Health Care Mgmt. Partners*, 616 F.3d 1086, 1094 (10th Cir. 2010) (Gorsuch, J.) ("Judicial restraint, after all, usually means answering only the questions we must, not those we can." (citing *PDK Labs., Inc. v. Drug Enf't Agency*, 362 F.3d 786, 799 (D.C. Cir. 2004) (Roberts, J., concurring in part and concurring in the judgment))).

B. Petitioners Did Not Preserve Their Challenge to the Scope of the Down-line Effects Analysis

Even if the Court finds the question presented properly encompasses Petitioners' challenge to the down-line effects analysis under the ICCTA's implementing regulations, it should deem those arguments waived for Petitioners' failure to raise the argument until now.

It is axiomatic that those "who wish to participate" administrative proceedings before an agency must "structure their participation so that it is meaningful," and "alerts the agency to [their] position and contentions." *Vt. Yankee Nuclear Power Corp. v. Nat. Res. Def. Council*, 435 U.S. 519, 553 (1978); *Dep't of Transp. v. Pub. Citizen*, 541 U.S. 752, 764 (2004)

(same). Failure to raise an issue at the appropriate juncture forfeits it. *Public Citizen*, 541 U.S. at 74-65.

Courts have applied the same basic principle to Board proceedings and decisions, specifically. *Phillips Co. v. Denver & Rio Grande W.R.R. Co.*, 97 F.3d 1375, 1378 (10th Cir. 1996) (rejecting argument because plaintiff “failed to raise this issue to the [Board]” first); *see also BNSF Ry. Co. v. Surface Transp. Bd.*, 453 F.3d 473, 479 (D.C. Cir. 2006) (finding railroad forfeited argument it only raised in reconsideration motion before Board); *cf. N. Plains Res. Council, Inc. v. Surface Transp. Bd.*, 668 F.3d 1067, 1081-82 (9th Cir. 2011) (rejecting waiver argument where “[t]he Board had notice of the concern and was afforded the opportunity to bring its expertise to bear”).

For the first time in this litigation or elsewhere, Petitioners argue that, despite the Board’s binding ICCTA regulations that require the consideration of down-line impacts, the Board’s analysis went too far when it considered down-line effects in Colorado such as accident, wildfire, and safety risks along the existing Union Pacific Line. They say the Board should have declined to consider any issues outside the Board’s “limited remit” if those issues could be “within the purview of [an]other agencies’ authority.” Pet. Br. at 26. In other words, Petitioners evidently take issue with the ICCTA regulations as written, as well as how the Board applied them here.

The problem is that neither the Board nor the lower court had the opportunity to consider this argument first. Petitioners do not dispute that the Board’s down-line analysis *did* consider issues outside

its “limited remit” like “wildfire potential,” Pet. Br. at 26, 43; *see also id.* at 50 (acknowledging the Board’s analysis “went past proximate cause and discussed some remote effects and marginal risks”). But Petitioners did *not* object to the scope of the down-line analysis during the administrative proceedings before the Board, or seek reconsideration from the Board on that basis.

Nor did Petitioners ask the D.C. Circuit to narrow the scope of the Board’s down-line effects analysis. To the contrary, in their merits brief before the panel, Petitioners argued that “[t]he Board did its job when it sought information from [Petitioners]” about issues beyond the Board’s jurisdiction, “and used what it received in its environmental review.” *See* Intervenor-Respondents Seven County Infrastructure Coalition and Uinta Basin Railway, LLC’s Response Brief at 23, *Eagle Cnty. v. Surface Transp. Bd.*, 82 F.4th 1152 (D.C. Cir. 2023) (Nos. 22-1019, 22-1020 (consolidated)).

In seeking en banc reconsideration of the panel decision, Petitioners again remained silent about the scope of the down-line analysis, focusing instead on “downstream indirect effects” to occur outside the down-line study area. *See* Intervenor-Respondents’ Petition for Rehearing En Banc at 2, *Eagle Cnty. v. Surface Transp. Bd.*, 82 F.4th 1152 (D.C. Cir. 2023) (Nos. 22-1019, 22-1020 (consolidated)). The same is true of their Petition for a Writ of Certiorari; in fact, the phrase “down-line” or “downline” effects appears nowhere in the Petition, which again takes aim at the parts of the panel’s decision related to “upstream oil developers” and “downstream refineries.” Petition for

Writ of Certiorari at 10, *Seven Cnty Infra. Coal. v. Eagle Cnty.*, No. 23-975 (March 4, 2024). The first time Petitioners made known their objection to the scope of the Board’s down-line analysis was in the closing pages of their reply brief in support of the Petition. See Reply Br. for Pet. at 9-10, *Seven Cnty Infra. Coal. v. Eagle Cnty.*, No. 23-975 (May 28, 2024).

Petitioners waited too late to raise any argument that the Board’s down-line effects analysis should not have evaluated accident, wildfire, safety, and related effects along the Union Pacific Line in Colorado. Having failed to properly raise those issues to the Board and the D.C. Circuit (let alone until the eleventh hour in its reply at the certiorari stage), it may not press those arguments now.

II. The Indirect Effects Analysis Discloses Critically Important Information Otherwise Unavailable to Local Governments

Under Colorado law, counties and municipalities like Amici are tasked with protecting the public health, safety, and welfare of their constituents. See Colo. Leg. Council Staff, Colorado Local Government Handbook (Res. Pub No. 795) at 12, 15-17 (2023), <https://bit.ly/4gRP8j> (outlining the “powers and responsibilities” of various local government entities under Colorado law); April Bernard, Colo. Leg. Council Staff, IssueBrief: Home Rule Governance in Colorado (2020), <https://bit.ly/3XQ8dK3>. State law also empowers home-rule municipalities “to regulate activities that impact a community or surrounding area, to provide

planned and orderly use of land, and to protect the environment.” Local Government Handbook, *supra* at 19; *see also* Colo. Rev. Stat. § § 29-20-104 (2024) (delegating regulatory authority over land use to local governments via Colorado’s Local Government Land Use Control Enabling Act)

Nevertheless, local governments are barred from exercising that authority over railroads. Even if they could, local governments often lack the resources necessary to properly inform their citizens about the effects of a proposed federal project in the way that NEPA does. Now, Petitioners invite the Court to do away with NEPA’s basic information function in most circumstances, too. The Court should decline to deliver this devastating blow to Amici and the many local communities throughout the United States that depend heavily on the participatory approach embodied by NEPA.

A. Local Governments Depend on the Information NEPA Discloses and the Collaboration It Requires

This Court has repeatedly stressed the twin aims served by NEPA. *E.g.*, *Public Citizen*, 541 U.S. at 768. First, it “ensures that the agency, in reaching its decision, will have available, and will carefully consider, detailed information concerning significant environmental impacts.” *Id.*; *see also* *Balt. Gas & Elec. Co. v. Nat. Res. Def. Council, Inc.*, 462 U.S. 87, 97 (1983). Second, NEPA “guarantees that the relevant information will be made available to the larger audience that may also play a role in both the decisionmaking process and the implementation of

that decision.” *Id.*; see also *Marsh v. Or. Nat. Res. Council*, 490 U.S. 360, 371 (1989).

NEPA’s operative implementing regulations required the Board to disclose, *inter alia*, the Uinta Basin Railway’s direct, indirect, and cumulative impacts. See 40 C.F.R. §§ 1508.7-1508.8 (1979); see also J.A. [REDACTED]. “Direct effects” are defined as those “caused by the action and occur[ring] at the same time and place.” *Id.* § 1508.8 (a). “Indirect effects” are “caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.” *Id.* § 1508.8(b). And, “cumulative” effects (or “impacts”) “result[] from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” *Id.* § 1508.7.

In NEPA, Congress sought to create a collaborative decisionmaking structure whereby local, State, Federal, and private expertise could be brought to bear on a given issue. 42 U.S.C. § 4331(a) (declaring policies animating NEPA, including “cooperation with State and local governments . . . to create and maintain conditions under which man and nature can exist in productive harmony”); *Or. Nat. Desert Ass’n v. Bureau of Land Mgmt.*, 625 F.3d 1092, 1099 (9th Cir. 2010) (“NEPA’s purpose is realized not through substantive mandates but through the creation of a democratic decisionmaking structure that, although strictly procedural, is ‘almost certain to affect the agency’s substantive decision[s].’” (quoting *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989))).

NEPA reviews and the information gleaned from them are crucial for counties and municipalities in Colorado for a number of reasons. First, as discussed above, Colorado's local governments are often specifically tasked by statute with the protection of their citizens' health and safety. NEPA assists local governments in discharging those duties by alerting counties and municipalities to federal projects that may affect their constituents, or undermine their ability to fulfill their statutorily prescribed duties. If a federal authorization conflicts with local priorities (e.g., public safety and welfare), NEPA provides an avenue for local governments to present their concerns directly to the attention of the federal decisionmaker, who is required by law to give consideration to the views of local governments. 42 U.S.C. § 4331

Further, where a proposed federal action threatens to impede a local governments' ability to fulfill its duties to its citizens, NEPA provides a forum for amicably resolving those disputes. As the examples discussed below reveal, *see infra.* at XX, the mandatory collaboration prescribed by NEPA is an underappreciated aspect of the statute, and one that has been responsible for some of the most ingenious and enduring solutions to otherwise intractable conflicts over shared natural resources.

Finally, as Petitioners repeatedly stress in their brief, comprehensive environmental reviews of the kind generated under NEPA can be expensive, especially when considering projects of the magnitude of the Uinta Basin Railway. For local governments,

which often lack the kind of capital reserves necessary to fund such a review, the costs can be prohibitive. By partnering with state and federal agencies, however, governments can defray those costs

B. Petitioners’ Proposed Rule Would Unduly Constrict NEPA’s Core Disclosure Function

Petitioners argue that we need more NEPA rules to have less NEPA rules. They say lead agencies like the Board should only consider “reasonably foreseeable” effects that are also within the “remit” of the lead agency (the agency foreseeing), not “the purview of other agencies[]”—especially when those other agencies could better address the issue if similarly situated. Pet. Br. 26, 27.

Amici do not dispute that the scope of effects properly considered under NEPA is governed by a “rule of reason” that allows lead agencies to decline to analyze effects that are too conjectural or hypothetical to be useful to the decisionmaker. Indeed, that is a well-settled principle under NEPA. *E.g.*, *Oglala Sioux Tribe v. U.S. Nuclear Reg. Comm’n*, 45 F.4th 291, 304 (D.C. Cir. 2022) (“NEPA requires an analysis of only those impacts reasonably likely to occur, not impacts that are hypothetical.”).⁵

⁵ So is Petitioners’ related tort liability analogy. In *Metropolitan Edison Co. v. People Against Nuclear Energy*, the Court said NEPA’s implicit causation “requirement is like the familiar doctrine of proximate cause from tort law.” 460 U.S. 766, 774 (1983) But, in a footnote appended to that same sentence, the Court

Petitioners' proposed rule, however, would go beyond the universal "rule of reason" to cabin the scope of a NEPA review process to those effects within the agency's delegated remit. That is problematic for a number of reasons.

First, nothing in NEPA's text or its implementing regulations supports such a draconian limitation on NEPA analyses. If anything, Petitioners' proposed rule cuts against the maximalist, all-of-government approach clearly embodied by the Act's terms. *See* 42 U.S.C. § 4331 (directing "Federal Government to use all practicable means" and measures to achieve NEPA's policy goals); *see also id.* § 4332 (instructing agencies to implement NEPA's provisions "to the fullest extent possible").

Second, the rule Petitioners propose is not well defined and Amici fear the questions left open by its formulation will lead to more, not less, litigation in the future. For example, under Petitioners' proposed rule, which agency would be responsible for determining the appropriate responder? If two agencies share

also cautioned lower courts that it did "not mean to suggest that any cause-effect relation too attenuated to merit damages in a tort suit would also be too attenuated to merit notice in an EIS; nor do we mean to suggest the converse." 774 n.7. This is so because, in "both tort law and NEPA, courts must look to the underlying policies or legislative intent in order to draw a manageable line between those causal changes that may make an actor responsible for an effect and those that do not." *Id.*

overlapping expertise in a given subject matter (e.g., railroad safety), which has the responsibility to analyze/disseminate the relevant information? Must the agency with more relevant expertise have weighed in on an issue to excuse the lead agency's analysis, or can a lead agency wash its hands of an issue by simply pointing out that another agency might know better? Who bears the burden of showing that a given action is not the proximate cause of a given effect? Is that decision reviewable in the district court?

Finally, as this case illustrates, Petitioners' proposed rule threatens to arbitrarily cut local governments out of the decisionmaking and dispute-resolution processes available under NEPA—even where, as here, the agency admits its decision will negatively impact local interests and priorities. That is particularly concerning here because the ICCTA preempts all State and local regulations that might otherwise allow these communities to protect themselves from unwise federal decisionmaking. *See supra* at XX (collecting cases discussing the ICCTA's preemptive effect on non-federal regulation).

C. The Railway's Impacts on Colorado Are Foreseeable

Even if the Court decides to adopt the misguided rule Petitioners propose here, it is difficult to see how the Board could disregard the Railway's effects to down-line communities in Colorado. The record here is quite clear that the Railway will produce one additional rail accident each year on the Union Pacific line, and add to that line ten more trains per day, with trains each consisting of hundreds of

cars loaded with flammable crude oil. In Amici's view, the record in this case—reinforced by common sense—shows the Uinta Basin Railway will affect the citizens and communities that Amici are entrusted to protect by Colorado law. According to the Board, eastbound trains will account for 90% of the new rail traffic emanating from the Uinta Basin. J.A. 513. Not only is the Union Pacific Line (from Kyune, UT to Denver, CO) a foreseeable route for that new rail traffic, it is “is the *only* practical route for *all rail traffic moving eastward* from the Uinta Basin Railway.” *Id.* (emphases added).

Petitioners do not dispute that these down-line impacts will occur in Colorado as disclosed by the Board's decision. But they nevertheless maintain those effects are beyond the Board's ambit here because there might be an intervening catalyst that severs the causal chain between Board approval and environmental effect. In other words, Petitioners ask to be excused from studying and disclosing the concrete, inevitable effects of the Board's decision based on a hypothetical excuse. Surely that is not what Congress had in mind when it directed all federal agencies to prepare a “detailed statement” on the “reasonably foreseeable environmental effects of the proposed agency action”—“to the fullest extent possible.” 42 U.S.C. § 4332. The Court should reject Petitioners' proposed rule that would fundamentally rewrite the statute contrary to congressional intent.

III. Petitioners Incorrectly Demonize NEPA By Overstating Its Burdens While Ignoring Its Many Successes

Petitioners, joined by several supporting amici, regurgitate familiar but tired policy attacks against NEPA, claiming that a vicious circle of litigation and agency caution have resulted in excessive delays and untold sunk costs. Pet. Br. at 6-7. The problem is that it fails to find purchase in the actual data collected on NEPA reviews and litigation. To the contrary, the data show “that NEPA litigation has not been used excessively in order to stop or delay federal decisions.” John C. Ruple & Kayla M. Race, *Measuring the NEPA Litigation Burden: A Review of 1,499 Federal Court Cases*, 50 ENVTL. L. 479, 483 (2020). In fact, the research shows that “[o]nly a small fraction of NEPA decisions result in litigation,” where “approximately one in 450 decisions are litigated.” *Id.*

This lesser known but empirically supported view of NEPA tracks with Amici’s general experience. Indeed, Colorado alone is home to several, recent examples of successful NEPA reviews in which collaborative decisionmaking yielded simultaneously acceptable outcomes for the regulated entity, the environment, and the local governments that will feel the proposal’s effects most concretely.

Below, Amici briefly recap some of those examples to illustrate why comprehensive NEPA review remains an imperative tool for counties and municipalities.

I-70 Mountain Corridor Express Lanes

For residents and tourists alike, the Glenwood Canyon was long known as an infamous chokepoint on rail and vehicle traffic traveling to and from the West

Slope to Denver and/or other points East. The area's steep canyon walls and narrow rock ledges make this Pass a difficult area to navigate safely, regardless of the mode of transport. During periods of peak congestion—mainly Fridays and Sundays during the ski season—the congestion in Glenwood Canyon routinely added an hour or more to travel times in the area, with some reporting eight-mile drives taking as long as two-and-a-half hours in the canyon.

The Federal Highway Administration (FHWA) and Colorado Department of Transportation (CDOT) released a draft programmatic EIS in 2004 that recommended some solutions to the congestion issue. Those proposals, however, included several publicly unpopular choices, including recurring rockface blasting, unattractive retaining walls, and even channeling the Colorado River. The agencies received “substantial public and agency comments” opposing the project and its predicted impacts. Fed. Hwy Admin. & Colo. Dep’t of Transp., I-70 Mountain Corridor Record of Decision and Final Programmatic Environmental Impact Statement at 1-2 (2011).

To their credit, the agencies recognized from these comments an opportunity to build consensus. Rather than force through the project as proposed, the agencies formed a working group comprised of 27 diverse stakeholders to find an acceptable solution to the congestion issue. Colo. Dep’t of Transp., *Collaborative Effort*, <https://bit.ly/3ZNPn97> (last visited Oct. 6, 2024). Eight months after it was formed, that group, called “Collaborative Effort,” recommended a multi-modal solution that included adding express travel lanes to the existing eastbound

and westbound shoulders of I-70 to be opened as a relief valve during periods of peak congestion.

The results of that process speak volumes about how NEPA can be used to find consensus. CDOT opened the eastbound express lane on I-70 in 2015, making it “the first project in the United States to use a highway shoulder as a part-time lane based on recreational traffic instead of a regular commuter base.” *Interstate 70 Mountain Corridor Express Lanes: Managed Lanes Repurpose Highway Shoulders in Peak Periods to Improve Traffic Access*, HDR, <https://bit.ly/487ZzeV> (last visited Oct. 2, 2024). Since opening, moreover, “the eastbound express lane has relieved traffic congestion, reduced crashes, and increased reliability. Travel times have declined by 21 minutes and crash clean-up times by four minutes during periods when the lane is operating.” Fed. Hwy. Admin., NEPA Reviews of Tolling and Road Pricing Projects: I-70 Mountain Express Lanes, <https://bit.ly/4dCy4ez> (last visited Oct. 6, 2024). That, in turn, “relieves congestion on the local roads, improving access for residents, businesses, and emergency service providers.” *Id.*

If NEPA had not required a comprehensive, transparent process to analyze and disclose the full array of impacts (including indirect effects) of the original proposals, FHWA and CDOT likely would have built one of those initial (but highly unpopular) options without feedback from, or the benefit of collaboration and consensus-building, with important stakeholders such as affected local governments and their residents.

Thompson Divide Administrative Withdrawal

For those who live on the West Slope (of the Rocky Mountains), the Thompson Divide area is special. It is beloved by locals in the Glenwood Springs, Carbondale, and Pitkin County communities as a respite from otherwise crowded recreational areas in the Roaring Fork Valley during peak tourism seasons. For instance, the Divide is home to Sunlight Mountain, a lesser-known yet cherished ski area utilized by locals when other places like Aspen and Vail become too busy. It is also an immensely popular location amongst sportsmen for its hunting and angling opportunities.

About 20 years ago, the Thompson Divide area became an attractive exploration location for extractive mineral operations. When a proposed project threatened to negatively impact the area's solitude and recreation, local stakeholders from across the ideological spectrum came together to voice their support for establishing long-term protections for the Thompson Divide. This included local governments that engaged in multiple NEPA processes to initially oppose extraction activities within or in close proximity to their jurisdiction, and later to support administrative protections. The only reason that these communities learned of threats to their backyard was because of NEPA. The broad array of interests represented by the coalition and brought together by NEPA—including ranchers, hunters, and recreational fisherman—impressed decisionmakers in Washington. As a result, the Bureau of Land Management and the Forest Service agreed to a 25-year administrative withdrawal in the Thompson

Divide, which honors the diverse interests that utilize and thus wish to conserve the unique resources of the Thompson Divide.

The foregoing withdrawal also included the backdrop to the Town of Crested Butte known as Mt. Emmons. For years a series of mining companies had looked at extracting a deposit of molybdenum that would have effectively collapsed the mountain. Through NEPA the local community – including the Town of Crested Butte and Gunnison County – were able to engage with the federal agencies and the mining company to effectuate the withdrawal and a land exchange that has ensured Mt. Emmons will always stand as the iconic backdrop for the community.

The Moffat Water Supply Project

The Moffat Water Supply Project is large-scale water diversion project undertaken by Denver Water. As with many of Denver Water's diversion projects, this action seeks to transport water from the West Slope—specifically, two headwater streams of the Colorado River known as the Fraser River and the Williams Fork River—to reservoirs on the East Slope, where that water can be treated and distributed to customers in the Denver Metro area.

Because the project required multiple federal permits, including a Section 404 permit under the Clean Water Act and a license amendment from the Federal Energy Regulatory Commission, the project was subject to review under NEPA. Serving as the lead agency, the U.S. Army Corps of Engineers began

public scoping for the project in 2003. From that scoping process, several upstream communities on the West Slope, including Grand and Eagle counties, learned that the project, if implemented, would have a devastating effect on West Slope water resources—effects the Corps considered “indirect.”

Initially, both Denver Water and the West Slope communities signaled steadfast unwillingness to change position on the project; however, because of the NEPA process, both sides were forced to grapple with the others’ views on the project’s likely effects on both sides of the Rocky Mountains. That opened the door to negotiations between the West Slope communities and Denver Water. Those negotiations resulted in two agreements, which allowed Denver Water to move the project forward in exchange for long-term commitments to protect the originating water bodies. See *Colorado River Cooperative Agreement*, COLO. RIV. DIST., <https://bit.ly/4eSq0XR> (last visited Oct. 6, 2024); see also Nathaniel Minor, *When Does An Environmentalist Compromise? Lessons From Colorado’s Fraser River*, COLORADO PUBLIC RADIO (Dec. 7, 2016), <https://www.cpr.org/show-segment/when-does-an-environmentalist-compromise-lessons-from-colorados-fraser-river/>. Those agreements are still viewed extremely favorably throughout the State as an example of how controversial, large-scale water diversion projects can result in durable, collaborative solutions that benefit many stakeholders (rather than only one) that use and rely upon a shared resource such as the Colorado River.

These are just a few of many anecdotal examples demonstrating that, contrary to popular misconception, NEPA remains an effective vehicle for resolving inter-governmental disputes and obviating unnecessary litigation. Amici routinely rely on and genuinely appreciate the invaluable tools NEPA provides to small governments. Thus, Amici urge the Court to stay its hand in disturbing this regulatory regime that assists local governments in protecting the health, safety, and environmental interests of their residents.

CONCLUSION

The Court should affirm the decision below.

Respectfully submitted,

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DRAFT



Grand Junction City Council

Workshop Session

Item #5.a.

Meeting Date: October 21, 2024
Presented By: Andrea Phillips, Interim City Manager
Department: Community Development
Submitted By: Ashley Chambers, Housing Manager

Information

SUBJECT:

Resource Center Discussion

EXECUTIVE SUMMARY:

Discussion about the Resource Center.

BACKGROUND OR DETAILED INFORMATION:

During the October 30, 2023 workshop, City Council was presented with a comprehensive proposal by the Executive Directors of United Way of Mesa County and Homeward Bound of the Grand Valley, along with the Chair of the Homeward Bound board. The proposal outlined planned for the acquisition, construction, and staffing of a temporary resource center aimed at serving individuals experiencing houselessness and other vulnerabilities. Once operational, the Center would function as a low barrier facility, offering vital services and support. The Resource Center would be managed and staffed by Homeward Bound, with contributions from faith-based and other service providers to ensure comprehensive assistance with basic needs.

In December 2023, the City, United Way and Homeward Bound entered into formal written agreement(s) (attached) for both the lease of the property at 261 Ute Ave and the operational terms for the Resource Center.

The Resource Center officially commenced operations on January 30, 2024. Currently, the Resource Center operates seven days a week from 7:30 a.m. to 5:30 p.m. The facility provides a range of services, including showers, restrooms, and healthcare. It is intended to serve as a centralized hub for community partners to deliver resources and support to individuals experiencing homelessness.

To maintain transparency and collaboration and to ensure compliance with the

Operational and Lease Agreement, Homeward Bound has agreed to a Quarterly Report of the Resource Center that should include:

1. **Financial Report** including a comparison budget and expenditure report for operational, capital, and other financial commitments.
2. **Facilities Report** (as needed), including any maintenance/building concerns, code compliance, or fire concerns.
3. **Health and Safety Metrics** (as needed), including any serious incidents and remedies, number of calls from emergency services, health and safety concerns, any guests removed, and any follow-up actions.
4. **Operations & Service Council Metrics**, including participant attendance, navigation/service engagement, volunteers served, staffing training, calendar of meals and services, any significant changes to policies/procedures, volunteer or service provider orientations, and service council meetings held.
5. **Community Concerns**, including any concerns raised, and address how they were remedied.
6. **Success Stories** (as needed) that showcase positive outcomes or significant progress.
7. **Outstanding Issues or Concerns** (as needed) and provide any recommendations or needs for the upcoming quarter.

In addition to the quarterly report, City Staff meet monthly or on an as-needed basis to discuss ongoing concerns. They have met several times to address ongoing operational challenges and recommend improvements within the goals and outcomes of the operational agreement.

In 2023, City Council, through Resolution 95-23 on November 1, 2023, supported funding for the Resource Center. A total of \$912,400 was allocated from ARPA funds in 2023 to cover capital expenses, startup costs, and one month of operating expenses. This resolution authorized the City Manager to disburse the designated funds in support of the Center's establishment. The estimated annual operating costs for the subsequent two years, totaling \$356,600 per year, were approved during the 2024 budget process from the housing and unhoused project and services budget. Due to an unexpected increase in utility fees, the City allocated an additional \$12,000 per year, totaling \$368,600 in January 2024. An additional \$68,507 in two requests for additional capital expenses have been approved and spent from the City's budget for housing. In July, exploration was completed to increase security on site for \$10,757.83; however, it was determined to be too expensive and it was recommended by Homeward Bound to provide funding for additional staff on-site instead. On October 4, 2024, City Council received a request for an additional \$135,000 in additional operational funding to support two additional FTEs as Guest Relations Coordinators and one additional FTE as a Community Navigator.

Homeward Bound has submitted a 2025 operational budget request totaling \$415,800 for continued facility operations. This includes an operational expense increase of \$47,200 from the \$368,600 requested in 2024. The increase accounts for higher staff

wages and the addition of a new staff member, costing \$28,000 (with the City covering 70 percent), a \$7,200 annual utility increase (\$600 per month), and an increase in management supervision costs of \$12,000 annually (\$1,000 per month).

The most recent quarterly report, the Operational Agreement and Lease Agreement and any other corresponding documentation is attached.

FISCAL IMPACT:

For Discussion Purposes only.

SUGGESTED ACTION:

For Discussion Purposes Only.

Attachments

1. 2nd Quarter Report for Resource Center
2. GJC REQUEST
3. Resource Center Operation Signed agreement
4. Resource Center Lease Signed Agreement
5. Resource Center Guidelines & Expectations
6. Homeward Bound Outside of the Fence Initiative (1) (003) (002)
7. RC Service Council Guiding Principles
8. _HBGV- Letter 101624
9. United Way - Resource Center Letter for October Workshop
10. Letter_Resource Center
11. Unhoused Concerns at area hotels
12. MAP Email and Photos
13. Memo - midyear report on houselessness 09.27.24

Quarter 2 Report for the Resource Center

Resource Center Overview and Vision

Recognizing this growing need, community leaders in Grand Junction have been dedicated to making an immediate and meaningful impact. Their vision was to create a space where individuals could find not only a safe place during the day but also access to the services and resources that could lead them toward permanent supportive services and housing.

This vision materialized through a collaborative effort between the City of Grand Junction, United Way of Mesa County, and HomewardBound of the Grand Valley. Together, they developed the Resource Center—a true community hub where local nonprofits, service providers, and faith-based organizations come together to reach those who need help the most. The success of this partnership is evident in the overwhelming positive response from both the guests and the broader community, showcasing the power of collaboration in addressing critical community needs.

The Resource Center was brought to life in just five weeks and has now been open for six months, during which time it has seen a significant increase in usage and made a meaningful impact on local individuals. More people are accessing vital community resources, and the facility has become an essential part of the support network for those in need. This second quarterly report will highlight both the successes, and the ongoing challenges faced by the Resource Center and how they are being actively addressed by the dedicated teams at HomewardBound and United Way of Mesa County, who are committed to ensuring the center's continued success by adapting and refining their approaches to meet the evolving needs of the community.

Financial Reports

The Annual Budget overview is provided below in Figure 1.1. In the initial request to the City of Grand Junction, HomewardBound of the Grand Valley estimated the project cost at

Figure 1.1 - Resource Center Annual Budget 2024

Annual Budget	Requested	Spent to Date
Capital Budget	\$835,463*	\$830,463
Start Up Costs	\$109,490	\$109,490
Operational Costs	\$368,600	\$184,300
TOTAL	\$1,313,553	\$1,124,253

**includes additional funding request in April 2024*

approximately \$773,176. However, due to the compressed timeline, supply shortages, and increased costs for the rapid deployment of construction and utility workers, additional capital expenses were required, bringing the total cost to approximately \$794,676. Toward the end of quarter one, HomewardBound

made an additional capital request of \$40,787 to fund essential health and safety measures for

staff and guests. This included the installation of additional security cameras, phone lines, privacy curtains, a handwashing station for the nurse, and window tinting to reduce sun and heat exposure within the building. Further requests were made for coverage of the sewer tap fee, computer supplies, and professional training on managing and maintaining the building's canvas structure in the event of high winds or heavy snow.

As temperatures rose during the second quarter, it became clear that the three air-handling units purchased would not adequately cool the building when at capacity. To address this issue, HomewardBound approached the Western Colorado Community Foundation and received a \$9,000 grant to purchase additional cooling units for the facility which will be included in the 3rd Quarter Financial Reporting. As we continue through the peak summer heat, additional units may still be necessary.

Operational Budget. Figure 1.2 below outlines the operational budget to date. In the second quarter, the largest budget item remains salaries, particularly due to overtime and the increased administrative demands of the Resource Center. While utilities are currently under budget, they are expected to rise in the third quarter due to increased cooling costs. Although supplies have consistently been under budget, this is likely due in part to programmatic needs and is expected to increase as the center's utilization grows. At present, the overages in staffing costs are being offset by the lower expenses in supplies, services, and training line items.

Figure 1.2 - Resource Center Operational Budget - 2024

<u>Category</u>	<u>Annual</u>	<u>Q1 – Actual</u>	<u>Q-2 Actual</u>	<u>Total to Date</u>	<u>Difference</u>
Staff & Admin	\$201,600	\$53,650	\$57,156	\$110,806	(\$90,764)
Utilities – G/E	\$68,000	\$11,712	\$15,432	\$27,054	\$40,946
Trash Removal	\$4,000	\$813	\$847	\$1,660	\$2,340
Telephone/Internet	\$4,000	\$514	\$805	\$1,319	\$2,681
IT Supplies/Service	\$5,000	\$2,588	\$1,012	\$3,600	\$1,400
Facility Supplies	\$18,000	\$945	\$5,173	\$6,118	\$11,882
Facility Maintenance	\$10,000	\$2,820	\$2,597	\$5,417	\$4,583
HBGV Supplies/Misc	\$18,000	\$0	\$1,400	\$1,400	\$16,600
UWMC	\$40,000	\$10,000	\$10,000	\$20,000	\$20,000
Supplies/Admin					
TOTAL	\$368,600	\$80,442	\$94,332	\$174,774	\$137,974 (37.8%)
Quarterly Budget		\$92,150	\$92,150		
Quarterly Difference		\$11,708	(\$2,182)		\$9,526

Staffing Update

At the inception of the operating agreement, the facility was staffed with four full-time employees – a Guest Relations Manager as well as three Guest Relations Coordinators (GRC). That staffing level remains in place today. Due to the high volume of guest interactions and services provided, additional GSC staff from the other HWB facilities rotate to the Resource Center to ensure complete coverage.

During the second quarter, the site manager was promoted to Operations Manager to overview all GRC staff at all three HWB facilities. While their principal location remains at the Resource Center, the Operations Manager, effective July 30th has promoted a GRC to Senior GRS to act as 2nd level management in his absence.

On May 6th, HBGV added a Registered Nurse (RN) to the Resource Center staff. This position was funded by the State of Colorado Transformational Grant to provide on-site services up to 25 hours per week. In the first six weeks, the RN has treated 144 patients for wound care, health questions, and other basic services. The grant also requires the RN to conduct outreach alongside the Neighbor 2 Neighbor team to parks, encampments, and other community locations. Logistics are still being discussed.

As we plan for staffing in 2025, we have identified the need for at least one additional GSC to ensure proactive service and maintain adequate support for our guests.

Staff and Volunteer Training. All staff training is managed off a central calendar, current training includes First Aid/CPR, de-escalation training. Due to recent staff turnover, we expect to have all current staff fully trained by September 15, 2024.

Staffing Challenges. Staff turnover continues to be a significant challenge for HBGV. Like other nonprofits in the community, there is a struggle to retain staff due to limited financial resources, which results in lower salaries and fewer benefits compared to the private sector. Additionally, the demanding nature of the work, leads to burnout, and makes it difficult to maintain a stable workforce over time. Overall, HBGV and United Way staff work effectively with clients and partner agencies; however, the challenging nature of the work, coupled with rising negativity from the community and the Resource Center surrounding the unhoused population, has impacted staff morale. HBGV believes that by adding the SER volunteers and the new nursing staff that some of these concerns may be relieved. Additionally, HBGV has worked to address this by increasing staff wages from \$15.00 per hour to \$17.50 per hour and have added additional benefits to the employee benefits package to increase retention. Based on occupancy and the high needs of the guests served, HBGV will be making a request for additional funding to support additional staffing needs to operate the resource center more efficiently and alleviate pressures of current staff to client ratios.

Operations and Service Metrics

HomewardBound of the Grand Valley continues to be responsible for the project's design, implementation, and ongoing operations. It's goals for the Resource Center remain rooted in providing a safe, enclosed, and supportive environment in central Grand Junction where individuals, can access essential services, counseling, and community support. The primary objectives include addressing immediate needs and facilitating a pathway toward permanent housing through service provision and collaboration with other partners, community engagement and trust building, service council support, and a bridge to comprehensive solutions. The second quarter metrics as outlined helps to evaluate these efforts, providing insights into the ongoing challenges and successes as the Resource Center works toward its mission of creating a safe, community-based solution for those in need.

Daily Utilization. The Resource Center continues to operate 7 days a week between the hours of 7:30 am and 5:30 pm and maintains its status as a “low barrier” shelter meaning that no identification is required for entry. Figure 2.1 outlines the average number of individuals accessing the facilities daily, the total number of intakes or check-ins to the facility, and the

2.1 Average Daily Guest Attendance & Check Ins

Month	Average Daily Guest Attendance	Monthly Total Daily Site Check-Ins	Monthly Unduplicated Individuals* T
April	116	3480	331
May	90	2790	265
June	100	3000	285

estimated unduplicated individuals served. Each guest is “checked in” once per day

even if they leave and re-enter the facility. However, based on industry standards, between 8-12% are utilized for unduplicated calculations. For our calculations, we are utilizing 9.5% rate to calculate unduplicated individuals.

Policies and Procedures. Overall, the Resource Center has maintained the same policies and procedures that were including in the quarter one report. Guests, volunteers, and service providers are provided guidelines to ensure that communication and expectations are clearly defined. As of August 20, 2024, 144 individuals have received and signed participant agreements.

Currently, the pet policy includes that pet be leashed and in the process of being vaccinated. However, due to the increase of dogs present in the facility, the Resource Center is working to acquire several kennels and intends to change the policy to require all dogs to be kenneled while their human friends access the Resource Center.

Service Provision and Collaboration. As the operational entity, HBGV is committed to providing ongoing referrals and resources to services. GSCs provide basic referrals and resources and

provide transportation at the close of each day to local overnight shelters. In addition to GSC's, Homeward Bound provides fully trained Family Navigators and Case Managers that aid guests in more specific resources and referrals and help guests with transportation to/from doctor appointments, other service agencies, employment opportunities, etc.

The Resource Center aims to offer a wide range of services through a collaborative effort led by HomewardBound of the Grand Valley (HBGV) and United Way of Mesa County. These two entities continue to recruit and encourage participation of the Resource Center facility to other local service providers, community groups, and faith organizations that work to provide access to meals, services, and support. A calendar of these resources and times of participation is attached.

Current partnership with other agencies include Mutual Aid Partners (MAP), Barkley's Hope and Royce Hurst Humane Society (Pet services), Rocky Mountain Health Plans (medical/Medicaid/Medicare case managers), D51 Reach Program (homeless youth), Loving Beyond Understanding (support for LGBTQIA+ individuals), LEAP (energy assistance program), 211 (call in resource and referral), Grand Valley Connects (Mesa County public health case manager/navigation services), Veteran Affairs, People Ready (employment organization), Colorado Health Network (health supplies and education), Foster Alumni Mentors (foster child support), Solidarity Not Charity (SNC) (community meals, haircuts, supplies, etc), Life Recovery Programs (drug/alcohol support groups, peer services), Neighbor 2 Neighbor (City outreach and referral team), and Karis (youth homeless support and housing). Currently, meals are being provided by SNC, Connections Church, Pastor Pinky, First United Methodist Church, Light in the Darkness (church), St. Joseph's Church, and Puerta de Esperanza.

During the second quarter, the HBGV Family Navigator worked directly with 74 unduplicated individuals, transported 39 individuals to referral appointments with other agencies, and provided case management or referral services to 109 unduplicated individuals. HomewardBound provides data in the aggregate and cannot provide detailed information about specific referrals and services rendered through the case managers, nurses, or individual interactions. Since no names are collected, services are calculated on a by service basis and are not considered unduplicated. Figure 2.2 provides details on the total of different services and check-ins provided for those services. Figures are calculated for the quarter and in the aggregate for the full six months (January – June) the Resource Center has been in operation. Each service provider, case manager or service received through the Resource Center may check in someone at that time, for that reason – guests may receive multiple “services” at one visit and services are not necessarily one person = one service.

Figure 2.2 Resource Center Services & Check In

Services	2nd Quarter Services/Check-Ins	TOTAL Services/Check-Ins Jan – June 2024
<i>Family Navigation – HBGV</i>	74	99
<i>Transportation to Appt – HBGV</i>	39	Services added March 2024
<i>Nursing Services - HBGV</i>	144 patients	Service added May of 2024
<i>Case Management/Referrals-HBGV</i>	109	143
<i>Health Services/Referrals-Rocky Mountain Health Plans</i>	34	Services added 2 nd Qtr
<i>REACH Program – D51</i>	1 Family	Services added 2 nd Qtr
<i>Meals Provided</i>	3100	5,315
<i>Showers</i>	2820	4,040
<i>Food & Supplies – Mutual Aid</i>	2163 individuals	5,336
<i>Partners</i>	738 Sack lunches	1038
<i>Transportation To/From Overnight Shelters</i>	2450	2,773
<i>Other Referrals & Resources</i>	495 individuals	
<i>Additional Services: Health Care Referrals, Hair Cuts, Pet Vaccinations, etc.</i>	375	505
<i>Total Service Check-In</i>	12,762	15,894
<i>Total Services to Date</i>		33,661

Service Council. The Service Council consisting of business representatives, service providers, and partner organizations meet bi-monthly to help with creating policy, identifying community providers, and allowing a space to work through future needs or issues that may arise. Currently, meetings are held on the 1st & 3rd Fridays of the month. In the second quarter, meetings were held on April 5th and 19th, May 3, 17th, and 31st and June 21st. Participating organizations included staff from HBGV, City of Grand Junction, Moon Mountain Gems, MAP, United Way of Mesa County, Veteran’s Affairs, and SNC. This quarter the Colorado Health Network was added as a participating agency.

While the Service Council has operated with an ad-hoc approach to membership, United Way staff will be working in the coming months to formalize policies and procedures. This will

include defining the role and purpose of the council, as well as establishing guidelines for participation, removal, and further defining expectations.

Topics that the Service Council regularly discusses community concerns, recruitment of service providers, guest concerns including conduct and/or behavior, community presentations on services, educational sessions on topics such as harm reduction, facility issues, operational suggestions, success story share out, and overall updates.

Facilities Reporting

The Resource Center is currently located at 261 Ute Ave and has a lease agreement through April 2026. The Resource Center is currently hosted in a temporary event structure pavilion. As a temporary structure, the pavilion, itself is in good condition. However, it continues to see some challenges with the extensive daily use of the site. In the second quarter, due to the lot's slope and drop in elevation, it was necessary to tighten and repair the flooring. The same firm that installed the floors performed the repairs at no additional cost to the project. However, ongoing floor maintenance will be required over the next 18 months to ensure that guest safety, compliance with ADA standards and that the floor is able to maintain its integrity. Other maintenance this quarter included releveling and raising the shower trailer.

Additionally, concerns remain about the facility's doors due to heavy and rough use. Negotiations are currently underway with the vendor, Liri Tents, regarding possible replacements or repairs.

The building continues to experience cooling issues during periods of high heat. Funding was obtained from WCCF to purchase additional portable cooling units for the site. However, it has been identified that fans would greatly improve circulation of the cooling units. HBGV is preparing to make a funding request to the City and other sources for fans and installation in the third quarter.

Another concern that will need to be addressed in the future is installation of a larger sink in the employee area. While the current handwashing sink meets health department requirements, it is not adequate for the facility's needs.

Health and Safety Metrics

During the first quarter, the Mesa County Health Department raised concerns with Homeward Bound regarding the types and frequency of food served at the Resource Center, especially concerning the prepared food from Mutual Aid Partner's Tuesday Distribution events. Following discussions, it was concluded that no significant issues existed. Nevertheless, the department recommended obtaining a retail food license to preempt any potential issues. In response,

Homeward Bound staff opted to apply for the license to ensure adherence to food and sanitation practices by volunteer groups providing meals.

Emergency Calls. Any organization serving the unhoused population are likely to experience a higher than average rate of emergency and public safety calls due to the increased medical, health, and other concerns associated with this demographic. Studies indicate that individuals experiencing homelessness are at a significantly higher risk for acute health issues and emergencies, with estimates suggesting up to 40% of this population faces chronic health conditions compared to 17% in the general population. Limited access to preventive medicine and regular healthcare appointments exacerbates these issues.

The recent addition of a registered nurse at the Resource Center, who assists with medication management, scheduling doctor appointments, and providing real-time health assessments, is expected to address and potentially reduce some of the minor health concerns, leading to fewer emergency calls and improved overall well-being for the center's guests.

During the second quarter, there were 13 emergency calls for service, including incidents involving guests experiencing seizures, breathing complications, body pains, and withdrawal symptoms. One client was transported by ambulance; however, due to HIPAA regulations, HBGV staff do not receive notifications regarding the outcomes or results of these calls.

During the quarter, the Resource Center received 35 public safety calls requesting service or support from the Grand Junction Police Department. Many of these calls were made by community members or business owners rather than Resource Center staff. The validity of these calls varies, and some requests for police intervention may stem from misunderstandings or mis-assessments by the caller. When police arrive, the situation may either resolve on its own or require no further action. Figure 3.1 provides the list of calls and follow-up provided.

After further research of these calls, of the 35 calls during the quarter, only 6 were generated by Resource Center staff. All concerns were addressed and the individuals were revoked privileges or trespassed for some time. All other calls were guest generated, some from within the Resource Center, some from other nearby locations and outcomes are unknown.

Figure 3.1 Resource Center Calls for Service or Support from GJPD

Category of Call	No. of Calls	Disposition or Follow Up
<i>Follow-UP</i>	9	Information on previous incidents
<i>Trespassing</i>	6	Loss of privilege
<i>Code 5 (Mental Health)</i>	2	
<i>Assault in Progress</i>	4	Guests were removed from facility
<i>Verbal Assault</i>	2	De-escalation and/or Removal from Facility
<i>Code 6 (Warrant)</i>	3	
<i>Drugs</i>	3	If concerns were valid, guests were removed from facility
<i>Traffic Assist</i>	2	Issue Resolved
<i>Motorist Assist</i>	2	Issue Resolved
<i>Suspicious Activity</i>	2	Unknown
<i>Auto Theft in Progress</i>	1	
<i>Threat in Progress</i>	2	Removal from Facility
<i>Threat of Suicide</i>	1	
<i>Theft</i>	1	
<i>Welfare Theft</i>	2	
<i>Theft in Progress</i>	1	
<i>Burglary in Progress</i>	2	
<i>Harassment</i>	1	
<i>Animal Issue</i>	1	
<i>Fight</i>	1	
Total	35	

The Resource Center is committed to addressing all concerns with diligence, ensuring that issues are managed effectively and fostering a safe, supportive environment. To enhance proactive measures, the Resource Center Operations Manager and HBGV leadership have started meeting monthly with Community Resource Officers (CROs) to resolve issues, explore solutions, and ensure effective collaboration. To build goodwill, CROs are now visiting the Resource Center more frequently to establish non-emergency relationships with the unhoused population, positioning themselves as resources rather than enforcers.

Community Concerns

Community concerns regarding issues outside the Resource Center perimeter have risen, with approximately 25 calls per week about alleged drug dealing, loitering, and individuals obstructing sidewalks or occupying public right-of-ways. While these concerns are valid, Homeward Bound staff have limited ability to address off-site issues. Additionally, the Grand

Junction Police Department (GJPD) faces constraints under state laws, particularly in addressing loitering in public spaces, and can only take action if crimes are observed in progress.

Homeward Bound is actively collaborating with local business owners and Grand Valley Coalition for the Homeless (GVCO) day center staff to address these issues. United Way of Mesa County is facilitating a working session to develop collaborative solutions that satisfy all parties involved.

To further address these challenges, the Resource Center is exploring a security program with Hydra Security, which would provide patrols around the center and its immediate neighborhood. The estimated cost for this service ranges from \$9,700 to \$10,700 per month, with ongoing discussions with the city and Downtown Development Authority (DDA). The Resource Center remains dedicated to implementing solutions that enhance community safety and well-being.

Success Stories

When recent park rule changes at Desert Vista Park, which now prohibit tents, impacted unhoused individuals, a notable success story emerged thanks to collaborative efforts from various teams. The Resource Center, including HBGV Outreach, MAP, and the City of Grand Junction's Neighbor to Neighbor program, stepped in to assist the affected community members.

The team effectively supported the transition by distributing essential supplies such as water, sunscreen, totes, and carts within the park. They arranged for two individuals to receive medical assessments from the HomewardBound Nurse and completed twelve VISPDATS assessments, placing these individuals on the "By-Name" list for housing. Many of those relocated from the park to the North Ave or Family Shelter have since begun utilizing services at the Resource Center. This success story highlights the positive outcomes achieved through community collaboration and dedicated support.

MEMORANDUM

October 4, 2024

TO: Members of the Grand Junction City Council
Andrea Phillips, Interim City Manager
Abe Herman, Mayor, Grand Junction
John Shaver, Grand Junction City Attorney

FROM: Rick Smith, Chief Executive Officer, HomewardBound of the Grand Valley

SUBJECT: Request for additional funding for the Resource Center

On or about October 17, 2023, the City asked HomewardBound of the Grand Valley (HBGV) and United Way of Mesa County (UW) to quickly construct a Resource Center that would accommodate those houseless individuals displaced as the result of the mid-September closing of Whitman Park and to meet other service/program needs.

Between December 5 and January 15 HBGV and UW managed the construction of the Resource Center. Once constructed, HBGV agreed to operate the Center until April 30, 2026 while the City and other constituents and collaborators investigated a longer-term strategy that would provide structured services and housing options for the houseless.

On December 15, 2023, HBGV signed an operating agreement with the City. The City approved an annual operating budget of \$368,600 on or about January 15. On January 29 HBGV subsequently requested an additional \$47,200 in operating expenses for the 2025 budget.

We originally anticipated the Resource Center would accommodate 70 - 80 guests daily. We included the number of staff necessary to support that number of guests in the operating budget. We are currently averaging 110 – 120 guests daily and do not have adequate staff to manage the Resource Center at that increased capacity. Additionally, we expect those numbers will increase significantly as the weather gets colder, magnifying the current challenges.

As a result, we have encountered the following challenges:

1. We do not have enough staff to effectively manage activities within the Resource Center and concurrently engage in the communications necessary to modify behavior of folks outside of the fence. The result has been dissatisfaction among businesses and residents because of people congregating and leaving trash and belongings outside the fence.
2. We do not have enough staff to consistently manage the relationships necessary inside the Resource Center to serve as the portal we intended – to move people from the Resource Center to North to Pathways.
3. We do not have enough staff to manage conflict as it occurs and deescalate situations efficiently inside the Resource Center and outside of the fence.

We can resolve these challenges with more staff, and we believe that it will result in more acceptance of the Resource Center by the businesses and residents in the area. We can also move more guests to the programs and services they need. We want to see more guests accessing existing services inside of the Resource Center and fewer loitering outside of the fence.

We request \$135,000 in additional operational funding to be invested the following ways:

1. Hire two additional Guest Relations Coordinators so that we will have the necessary presence inside the Resource Center and, just as importantly, outside the fence. Our increased presence outside the fence will mitigate the current challenge of people congregating and should decrease the occurrence of unruly behavior. Cost: \$90,000
2. Hire a Community Navigator to get our guests more effectively to the programs and services they need to change/improve their circumstances. In addition, more effective relationships inside the Resource Center will de-escalate conflicts that otherwise go unmanaged. Cost: \$45,000

Without the requested increase in staff for the Resource Center we will need to cap the number of guests admitted to a level well below 70 – 80. That would result in less people receiving access to services and programs inside the Resource Center and a material increase in the numbers of people congregating outside.

HBGV will cover the cost of the additional staff for the next 6 weeks but does not have the resources to incur that additional cost beyond the 6-week period. We ask the City to approve our request for an additional \$135,000 through an Emergency Funding Resolution.

1 AMERICAN RESCUE PLAN ACT BENEFICIARY AGREEMENT by and between
2 CITY OF GRAND JUNCTION, COLORADO

3
4 and

5 HOMEWARD BOUND OF THE GRAND VALLEY FOR AMERICAN RESCUE PLAN ACT (ARPA)
6 FUNDS FOR THE PURCHASE, CONSTRUCTION AND OPERATION OF A RESOURCE CENTER
7 FOR SERVICES FOR HOMELESS AND OTHER VULNERABLE PERSONS

8 THIS AGREEMENT (AGREEMENT) is made between the City of Grand Junction, a
9 Colorado Home Rule Municipality (CITY), and HOMEWARD BOUND OF THE GRAND
10 VALLEY INC., a 501(c)(3) nonprofit organization (BENEFICIARY).

11 Collectively the CITY and the BENEFICIARY may be referred to as the PARTIES.

12 RECITALS:

13 On March 11, 2021, President Joseph R. Biden signed into law the American Rescue
14 Plan Act of 2021 (ARPA.)

15 On May 10, 2021, the United States Department of the Treasury published guidance
16 that allowed the CITY to accept Coronavirus State and Local Fiscal Recovery Funds
17 (FUNDS) distributed to the City as eligible local government revenue replace in
18 accordance with the ARPA guidance.

19 The CITY was allocated FUNDS in the amount of \$10.4 million and although the CITY
20 received its FUNDS as revenue replacement, it chose to allocate \$9 million of the
21 FUNDS, and generally to use that sum of money for purposes that would positively
22 impact homelessness, mental health, and affordable housing.

23 The City has expended the majority of the FUNDS; however, due to an urgent need and
24 an innovative proposal from the BENEFICIARY, in collaboration with United Way of Mesa
25 County, for the purchase, construction and operation of a resource center to offer
26 services for homeless and other vulnerable persons ("RESOURCE CENTER" OR "CENTER")
27 on property owned by the CITY, on November 1 and November 15, 2023, the City
28 Council approved Resolutions 95-23 and 103-23, ("RESOLUTIONS") and on November 15,
29 the City by and with Ordinance 5182 appropriated FUNDS in the amount of \$912,400.00
30 (AWARD) to be used by the BENEFICIARY in support of the CENTER.

31 When constructed the Center will operate as a low barrier to entry facility and will
32 provide access to supportive services; the Center will be staffed and operated by the
33 BENEFICIARY, with faith-based and other service providers contributing to the delivery of
34 services, food, and basic needs.

35 The CENTER, and the services it will provide, are consistent with the Council's direction
36 for use of the ARPA funds. The AWARD will be used for capital acquisition, including the
37 structure that will be purchased, constructed, and used for the CENTER, a restroom and
38 shower trailer to be placed on the site designated for the CENTER, and for related start-
39 up and one month of operational costs.

By and with this AGREEMENT the BENEFICIARY has committed to use the AWARD for the purposes stated herein and in the RESOLUTIONS.

NOW, THEREFORE, in consideration of the foregoing RECITALS, the RESOLUTIONS which are incorporated herein by reference, and the terms and conditions set forth below, and other good and valuable consideration the sufficiency of which is acknowledged, the BENEFICIARY and the CITY do agree to the terms of this AGREEMENT for the use of the AWARD for the stated purposes as follows:

1. EFFECTIVE DATE AND TERM

This Agreement shall commence when executed by all the BENEFICIARY and the CITY and remain in effect to no later than April 30, 2026, unless sooner terminated by the CITY in writing as provided in the separate Lease/License Agreement by and between the BENEFICIARY and the CITY. The Lease/License Agreement ("Lease") is incorporated by this reference as if fully set forth.

2. AWARD TO BE PAID TO BENEFICIARY

The CITY will pay the BENEFICIARY in accordance with this AGREEMENT the sum of \$912,400.00 (AWARD). The BENEFICIARY acknowledges receipt of \$600,000.00 paid to it by the CITY on November 16, 2023 and \$312,400 on November 21, 2023.

3. USE OF THE AWARD

The BENEFICIARY shall ensure that all expenditure(s) of the AWARD received in accordance with this AGREEMENT shall be limited to only the work and services described in this AGREEMENT and/or as applicable the Lease.

- a) The CENTER is intended to help people experiencing houselessness and other vulnerable persons, that may be in a sheltered or an unsheltered setting, access services, resources and have a place to gather.
- b) The BENEFICIARY has demonstrated experience in its provision of shelter/shelter services. Because of its experience, together with the support of United Way of Mesa County, the CITY and the BENEFICIARY have entered into this AGREEMENT. By and with its signature hereon the BENEFICIARY represents and agrees that it is capable of performing and that it is ready, willing, and able to do so. That experience and those representations and the commitment of the AWARD in support of the CENTER serve as good and sufficient consideration for the making and enforcement of this AGREEMENT.
- c) The Center should maintain on their website and have available at the Center: the address, phone number for location, person to contact with concerns or questions, outcomes/metrics for success, hours of operation, and a policy handbook and plan available to guests and community that includes: 1) safety plan to ensure day to day staff, guest, and volunteer safety; 2) standards for protecting guest privacy and personal information; 3) emergency procedures and evacuation plan; 4) staff roles and responsibilities and organizational

80 contact information, 5) procedures for guest use of facilities 6) volunteer and
81 service provider use procedures and protocols 7) grievance procedures and
82 guidelines for staff, volunteers and service providers for solving problems,
83 conflicts, de-escalation, and appropriate steps that would be utilized for
84 disciplinary issues.

85
86 d) The BENEFICIARY will be responsible for operations of the CENTER for a minimum
87 of eight hours per day and be adjusted according to the needs of the guests
88 and service providers, for approximately seven days a week, 365 days per year.
89 Closures related to staffing concerns, public health or safety, severe inclement
90 weather or other emergencies will be made by the BENEFICIARY's Executive
91 Director in conjunction with the appropriate government agency when
92 applicable. Notifications of closure must be made in a reasonable time frame
93 and made public through the BENEFICIARY'S communication structures and with
94 a physical sign to be located at the Center's physical location.

95
96 e) The BENEFICIARY will ensure that communal and individual spaces are kept,
97 clean, safe and that it will provide and maintain a high standard of quality of
98 and service and that the Center will maintain a drug, alcohol and weapon free
99 environment.

100
101 f) The BENEFICIARY will serve any person at the CENTER, subject to certain basic
102 rules of conduct, so that those persons ("Guests") have access to warmth,
103 cooling, restrooms, showers, food, person centered resources and supportive
104 services including on-site medical triage, referrals to physical, behavioral, and
105 mental health services; benefit, employment, and resource navigation; housing
106 navigation etc. ("Guest Services").¹

107
108 g) The Center will ensure that a Homeward Bound staff is on-site and available
109 during all business operating hours. Additionally, a member of the management
110 team will be available on-site a minimum of 10 hours a week. The Center will
111 ensure that there is at least one staff and/or trained lead volunteer for every 40
112 guests at the Resource Center. The Staff and Lead Volunteers shall be
113 considered trained when they have completed the same training and
114 experience that the BENEFICIARY requires at its other facilities in conflict de-
115 escalation and trauma informed care, including but not limited to current
116 training in the administration of cardiopulmonary resuscitation (CPR), first aid,
117 automated external defibrillator (AED), mental health first aid, and naloxone
118 (NARCAN) within 30 days of start date. CENTER Staff and trained lead volunteers
119 will provide hospitality/orientation, referrals to support, facilitate on-site food

¹ a) The site plan attached to the Lease provides for certain common areas and certain private offices for the provision of services. The BENEFICIARY shall have exclusive use and control thereof to conduct Guest Services, operations, programming, whether conducted by community partners, outside agencies including advocacy groups, organizers, and care providers.

service, enforce program expectations, and help to ensure a safe environment. Staff will provide orientation to the Center and check in process for each new Guest including provision of a Guest handbook/expectations document.

h) Guest Services will be offered to all Guests through collaborative partnerships with other local service providers and resources, for direct, on-site provision of referrals/pathways to housing-focused supportive services, which may include:

1. Mental and/or Behavioral health and or certified peer support,
2. Substance use treatment,
3. Workforce training/employment counseling,
4. Benefit/financial counseling,
5. Medical/dental services,
6. Provide resources and connections in the community for Guests needing assistance with Activities of Daily Living (ADL).
7. Staff will endeavor to provide Guest Services for Limited English Proficiency (LEP) Guests to try to ensure Guests have access to services in their language of choice.
8. And, seek to provide Housing Navigation and referral services to many agencies based on identified guest needs.

h) In support of the proper expenditure of the AWARD for the purposes of the AGREEMENT the BENEFICIARY will:

1. provide management to oversee the day-to-day operations and maintenance of the CENTER and to endeavor to ensure compliance with building and fire codes, health and applicable food service regulations, and general safety; and,
2. convene a minimum of a quarterly service council comprised of at least one local community partner, one employee of the City of Grand Junction, one unhoused individual and one member of the local business community to assist in the development of The Centers goals, outcomes, and metrics for success, provide feedback on daily procedures and operations, recruit and support volunteers, review guest behavioral concerns and plans, provide feedback on calendar of events and scheduling of partner agencies, and overall site management, and seek additional community input, ideas and concerns.
- 3., maintain the CENTER's infrastructure and amenities, pay for utilities, and provide regularly scheduled and general repairs and

157 maintenance services such as trash, exterior litter removal, pest
158 control, snow removal from sidewalks, roof, and entries; repairs to
159 plumbing and HVAC; and provide necessary emergency
160 maintenance service/repair; and,

161 4. as reasonably available coordinate periodic meal service and
162 provide meal consumption area(s); provide handwashing area(s),
163 tables, utensils and serving supplies; and,

164 5. provide secure, short-term storage for Guests' personal property;
165 and,

166 6. as reasonably available, schedule transportation for Guests to
167 Homeward Bound or other shelter(s) and supportive services; and

168 7. manage safety and security to establish and enforce security
169 protocols to ensure the safety of Guests and Staff. Security
170 measures on-site will include an appropriate number of trained
171 Staff and gates/fencings, and a log documenting incidents
172 regarding safety, emergency, law enforcement or emergency
173 service involvement, etc. Additional security measures may be
174 required if deemed necessary in consultation with the Grand
175 Junction Police Department

176 8. Allow fully vaccinated or are working towards full vaccination
177 and non-aggressive behaviorally appropriate pets to accompany
178 guests in approved pet areas

179 9. meet legal requirements relating to nondiscrimination and
180 nondiscriminatory use of Federal funds. Those requirements include
181 ensuring that the BENEFICIARY does not deny benefits or services, or
182 otherwise discriminate on the basis of race, color, national origin
183 (including limited English proficiency), disability, age, or sex
184 (including sexual orientation and gender identity), in accordance
185 with the following authorities: Title VI of the Civil Rights Act of 1964
186 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and the
187 Department's implementing regulations, 31 CFR part 22; Section 504
188 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112,
189 as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the
190 Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq.,
191 and the Department's implementing regulations, 31 CFR part 28;
192 Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et
193 seq., and the Department implementing regulations at 31 CFR part
194 23,

195 4. REPORTING REQUIREMENTS

196 To ensure compliance with this AGREEMENT/the purposes of the AWARD, the
197 BENEFICIARY shall provide to the CITY a comprehensive and detailed report of
198 expenditures on an itemized statement and shall also provide any backup
199 documentation as may reasonably be required by the CITY to support such
200 expenditure(s) (REPORT). The REPORT must include a written statement, signed by the
201 BENEFICIARY, indicating that all expenditure(s) of the AWARD made by the BENEFICIARY
202 comport with this AGREEMENT.

203 5. SUPPLEMENTAL ARPA DIRECTION FROM THE U.S. TREASURY

204 The CITY may request supplemental information, different from and/or supplementary
205 to the REPORT from the BENEFICIARY to meet any different standard(s), guideline(s), or
206 requirement(s) of the United States Treasury, if any, regarding the use of the AWARD
207 and/or additional reporting requirement(s) that may be established by the U.S.
208 TREASURY during the term of this AGREEMENT and made applicable to the CITY and/or
209 the BENEFICIARY.

210 6. TERMINATION

211 This AGREEMENT will terminate after BENEFICIARY's full and complete performance of
212 the work/services contemplated by this AGREEMENT and/or as provided in the Lease.

213 7. INDEPENDENT CONTRACTOR

214 Neither the CITY nor the BENEFICIARY shall be deemed by virtue of this AGREEMENT to
215 be engaged in an association, partnership, joint venture, or a relationship of principal
216 and agent, or employer and employee. The BENEFICIARY shall not be, or be deemed
217 to be, or act or purport to act, as an employee, agent, or representative of the CITY for
218 any purpose.

219 8. HOLD HARMLESS AND INDEMNIFICATION

220 The BENEFICIARY agrees to defend, indemnify, and hold the CITY, its officers, officials,
221 employees, and agents harmless from and against any and all claims, injuries,
222 damages, losses or expenses, whether in contract or tort, including without limitation
223 personal injury, bodily injury, sickness, disease, or death, or damage to or destruction of
224 property, which are alleged or proven to be caused in whole or in part by an act or
225 omission of the BENEFICIARY, its officers, directors, employees, and/or agents relating to
226 the BENEFICIARY'S performance, or failure to perform, under this Agreement. The
227 BENEFICIARY'S obligation to indemnify and hold the CITY its officers, officials,
228 employees, and agents harmless shall survive the expiration or termination of this
229 AGREEMENT.

230 9. COMPLIANCE WITH LAWS AND GUIDELINES

231 The BENEFICIARY shall comply with all federal, state, and local laws and all requirements
232 regarding the expenditure(s) of the AWARD and its performance under this
233 AGREEMENT.

234 10. MAINTENANCE AND AUDIT OF RECORDS

235 The BENEFICIARY shall maintain records, books, documents, and other materials
236 relevant to its performance, or non-performance, under this AGREEMENT. Records,
237 including but not limited to those informing the REPORT, shall be subject to inspection,
238 review, and audit by the CITY or its designee(s) for five (5) years following termination of
239 this AGREEMENT. If it is determined during the course of an audit that the BENEFICIARY
240 failed to expend any or all of the AWARD for any purpose other than performing the
241 work/services as provided in this AGREEMENT, or if the BENEFICIARY fails to substantially
242 perform the work/services as provided in this AGREEMENT, the BENEFICIARY shall
243 reimburse the CITY for each, every, and all improper and/or unmade expenditure(s).
244 The BENEFICIARY agrees to make such reimbursement(s) to the CITY within 30 days of a
245 written request(s) made to the BENEFICIARY by the CITY.

246 11. NOTICES

247 Any notices desired or required to be given hereunder shall be in writing, and shall be
248 deemed received three (3) days after deposit with the United States Postal Service
249 postage fully prepaid, return receipt requested, and addressed to the party to which it
250 is intended at its last known address, or to such person or address as either party shall
251 designate to the other from time to time in writing forwarded in like manner;

252 BENEFICIARY

253 HOMEWARD BOUND OF THE GRAND VALLEY
254 562 29 Rd
255 Attn: Rick Smith, Executive Director
256 Grand Junction, CO 81501

257 CITY

258 CITY OF GRAND JUNCTION
259 250 N. 5th Street
260 Attn: City Manager
261 Grand Junction, CO 81501

262

263 12. IMPROPER INFLUENCE

264 The BENEFICIARY warrants that it did not employ, retain, or contract with any person or
265 entity on a contingent compensation basis for the purpose of seeking or obtaining this
266 AGREEMENT.

267 13. CONFLICT OF INTEREST

268 The elected and appointed officials and employees of the CITY warrant that they
269 individually and collectively have, and shall not have, any personal interest, direct or
270 indirect, which gives rise to a conflict of interest.

271 14. TIME

272 Time is of the essence in this Agreement. The BENEFICIARY has represented that it
273 Intends to perform the work/services as expeditiously as possible.

274 15. SURVIVAL

275 The provisions of this AGREEMENT that by their purpose should survive expiration or
276 termination of the AGREEMENT shall so survive. Those provisions include without
277 limitation Hold Harmless and Indemnification and Maintenance and Audit of Records.

278 16. AMENDMENT

279 No amendment or modification to the AGREEMENT shall be effective without prior
280 written consent of the authorized representatives of the Parties.

281 17. GOVERNING LAW; VENUE

282 This AGREEMENT shall be governed in all respects by the laws of the State of Colorado,
283 both as to interpretation and performance, without regard to conflicts of law or choice
284 of law provisions. Any action arising out of or in conjunction with the AGREEMENT may
285 be instituted and maintained only in a court of competent jurisdiction in Mesa County,
286 Colorado.

287 18. NON-WAIVER

288 No failure on the part of the CITY to exercise, and no delay in exercising, any right
289 hereunder shall operate as a waiver thereof, nor shall any single or partial exercise by
290 the CITY of any right hereunder preclude any other or further exercise thereof or the
291 exercise of any other right. The remedies provided herein and at law or in equity are
292 cumulative and not exclusive.

293 19. BINDING EFFECT

294 This AGREEMENT shall be binding upon and inure to the benefit of the Parties.

295 20. ASSIGNMENT

296 The BENEFICIARY shall not assign or transfer any of its interests in or obligations under this
297 AGREEMENT without the prior written consent of the CITY.

298 21. ENTIRE AGREEMENT

299 This AGREEMENT together with the attachments constitutes the entire agreement
300 between the CITY and the BENEFICIARY for the use of the AWARD paid/received under
301 this AGREEMENT.

302 22. NO THIRD-PARTY BENEFICIARIES

303 Nothing herein shall or be deemed to create or confer any right, action, or benefit in,
304 to, or on the part of any person or entity that is not a party to this AGREEMENT. This
305 provision shall not limit any obligation that either the CITY or the BENEFICIARY has (or
306 may have) to the United States Treasury in connection with the use of ARPA funds,

307 including the obligations to provide access to records and cooperate with audits as
308 provided in this AGREEMENT.

309 23. SEVERABILITY

310 If one or more provisions of this AGREEMENT shall be determined to be invalid by any
311 court of competent jurisdiction or agency having jurisdiction thereof, the remainder of
312 the AGREEMENT shall remain in full force and effect and the invalid provisions shall be
313 deemed severed.

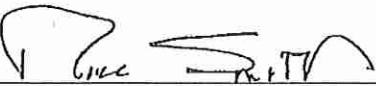
314 24. AUTHORIZATION

315 By signing the BENEFICIARY and the CITY represent and warrant to the other that the
316 signer has the full power and authority to execute this AGREEMENT on behalf of the
317 entity for whom he/she signs and to bind that entity to the terms hereof.

318

319 HOMEWARD BOUND OF THE GRAND VALLEY INC. – BENEFICIARY

320

321 By:  _____

Date: Dec. 15, 2023

322

323 Executive Director

324

325 By:  _____

Date: Dec. 18, 2023


326

327 CHAIR OF the Board

328

329 City of Grand Junction Colorado - CITY

330

331 By:  _____

Date: 12/15/2023

332

333 Greg Caton
City Manager

LEASE/LICENSE AGREEMENT

This Lease/License Agreement ("Lease" or "License") is made and entered into as of the 18th Day of December 2023, by and between the City of Grand Junction, a Colorado home rule municipality, hereinafter referred to as "the City", and Homeward Bound of the Grand Valley, hereinafter referred to as "Lessee". The City and the Lessee may be referred to collectively as the Parties.

Recitals.

A. The City is the owner of certain real property in the Grand Junction, Mesa County, Colorado, commonly known as 261 Ute Avenue and legally described on **Exhibit A** and as depicted on Exhibit B (Site Plan) attached hereto and incorporated herein by reference as if fully set forth, hereinafter referred to as "the Property".

B. Lessee desires to lease from the City the Property under the terms and conditions of this Lease Agreement for the construction and operation of an 8400 square foot non-permanent structure, together with the placement and use of a restroom/shower trailer, all as shown and described on the Site Plan.

C. The City has agreed to lease the Property to Lessee and license it to use the same under the terms and conditions of this Lease and the Beneficiary Agreement (Agreement) by and between the Parties. The Agreement is attached hereto and incorporated herein by reference as if fully set forth.

NOW, THEREFORE, in consideration of the Recitals above and the terms, covenants and conditions contained herein, the Parties hereto agree as follows:

1. Grant and Acceptance of Lease. The City hereby leases the Property to Lessee, and Lessee hereby accepts and leases the Property from the City, for the term stated in paragraph 2 below and for the specific purposes and uses of the Property in accordance with the terms and conditions of this Lease and the Agreement.

2. Term. The term of this Lease shall commence on December 18, 2023, and shall continue through April 15, 2026 at which time this Lease shall expire.

3. Reservations from Lease. The City reserves from this Lease and retains unto itself:

a. all oil, gas coal and other minerals and mineral rights underlying and/or appurtenant to the Property;

b. all rights to grant, sell, bargain, convey and dedicate any ownership interest(s) in and to the Property, or any division thereof, to any other party, including the conveyance of easement(s) for the City's planned reuse of the Property, so long as such action will not interfere with Lessee's use and enjoyment of the Property for the purposes set forth in this Lease and the Agreement;

c. the proceeds of any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of any part of the Property, in

whole or in part, even if such taking is made by and/or for the purposes of the City, or for the conveyance in lieu of condemnation. Lessee hereby assigns and transfers to the City any claim Lessee may have to compensation, including claims for damages, as a result of any condemnation.

4. No Rent.

4.1 The Parties agree that the Lessee is not required to pay the City rent; however, it is required to provide and perform certain services in support of the Award and the purposes for which the award has been given all as more particularly described in the Beneficiary Agreement (Agreement) by and between the Parties. Lessee's full and faithful performance of the Agreement shall constitute due and adequate consideration for the Lessee's use of the Property.

4.2 In the event the Lessee substantially fails to perform, subject to the provisions of paragraph 9, this Lease may terminate without notice and the City may immediately retake possession of the Property.

5. Lessee's Use and Occupancy of the Property. Lessee's use and occupancy of the Property shall be in accordance with the Site Plan and the Agreement.

6. Specific Duties and Obligations of Lessee. As consideration for the Lease and to occupy and use the Property, Lessee shall, at no cost or expense to the City:

6.1 Install gates and fencing as shown on the Site Plan,

6.2 Construct the pavilion facility,

6.3 Maintain all aspects of the Property and keep the Property in a clean, safe, and healthy condition and in compliance with all applicable codes, ordinances, regulations, rules, and orders,

6.4 Timely pay any and all real estate, use and possessory taxes which may be levied upon and against the Property and any taxes or assessments levied against the livestock and other personal property of Lessee or any other leasehold interest acquired by Lessee under this Lease,

6.5 Forever waive and forego any claim, cause of action or demand Lessee may have against the City, its officers, employees, agents and assets for injury to or destruction of any property of Lessee or any other party that may be lost, injured, destroyed or devalued as a result of the act, or failure to act, of Lessee or any other person; and to indemnify, defend and hold the City and the City's officers, employees, agents and assets harmless from any and all fines, suits, procedures, claims, damages, actions, costs and expenses of every kind, and all costs associated therewith (including the costs and fees of attorneys, consultants and experts) in any manner arising out of or resulting from Lessee's use, occupancy, maintenance and improvement of the Property.

6.6 Not violate nor permit to be violated any code, rule, regulation or order pertaining to the use, application, transportation, and storage of any hazardous, toxic, or regulated substance or material, including, but not limited to, herbicides, pesticides, and

petroleum products. Lessee agrees that any spill, excessive accumulation or violation of any code, rule, regulation or order pertaining to the use, application, transportation and storage of any such material or substance shall be reported immediately to the City. Lessee further agrees that all costs and responsibilities for cleaning, removing and abating any violation pursuant to this paragraph shall be borne solely by Lessee.

6.7 Purchase and at all times during the term of this Lease maintain in effect suitable comprehensive general liability and hazard insurance which will protect the City and the City's officers, employees, agents, and assets from liability in the event of loss of life, personal injury or property damage suffered by any person or persons on, about or using the Property, including Lessee. Such insurance policy(ies) shall have terms and amounts approved by the City's Risk Manager. Such insurance shall not be cancelable without thirty (30) days prior written notice to the City and shall be written for at least a minimum of One Million Dollars (\$1,000,000.00), combined single limit. The certificate of insurance must be deposited with the City and must designate "The City of Grand Junction, its officers, employees, agents and assets" as additional insureds. If a policy approved by the City's Risk Manager is not at all times in full force and effect during the term of this Lease, this Lease shall automatically terminate.

7. Hazardous Substances.

7.1 The term "Hazardous Substances", as used in this Lease, shall mean any substance which is: defined as a hazardous substance, hazardous material, hazardous waste, pollutant or contaminant under any Environmental Law enacted by any federal, state and local governmental agency or other governmental authority; a petroleum hydrocarbon, including, but not limited to, crude oil or any fraction thereof; hazardous, toxic or reproductive toxicant; regulated pursuant to any law; any pesticide or herbicide regulated under state or federal law. The term "Environmental Law", as used in this Lease, shall mean each and every federal, state, and local law, statute, ordinance, regulation, rule, judicial or administrative order or decree, permit, license, approval, authorization or similar requirement of each and every federal state and local governmental agency or other governmental authority, pertaining to the protection of human health and safety of the environment, either now in force or hereafter enacted.

7.2 Lessee shall not cause or permit to occur by Lessee and/or Lessee's agents, guests, invitees, contractors, licensees, or employees:

- a. any violation of any Environmental Law on, under or about the Property or arising from Lessee's use and occupancy of the Property, including, but not limited to, air, soil and groundwater conditions; or
- b. the use, generation, accidental or uncontrolled release, manufacture, refining, production, processing, storage, or disposal of any Hazardous Substance on, under or about the Property, or the transportation to or from the Property of any Hazardous Substance in violation of any federal state or local law, ordinance, or regulation either now in force or hereafter enacted.

8. Condition of the Property.

8.1 Lessee affirms that Lessee has inspected the Property and has received the Property in good order and condition. Lessee further affirms that the condition of the Property is sufficient for the purposes of Lessee. The City makes no warranties nor promises, either express or implied, that the Property is sufficient for the purposes of Lessee.

8.2 In the event the Property is damaged due fire, flood or any other act of nature or casualty, or if the Property is damaged to the extent that it is no longer functional for the purposes of Lessee, the City shall have no obligation to repair the Property nor to otherwise make the Property usable or occupiable; damages shall be at Lessee's sole and absolute risk.

9. Default, Sublet, Termination.

9.1 Should Lessee: (a) default in the performance of Lessee's agreements, duties or obligations set forth under this Lease and any such default continue for a period of thirty (30) days after written notice thereof is given by the City to Lessee, or (b) abandon or vacate the Property, or (c) suffer death, or (d) be declared bankrupt, insolvent, make an assignment for the benefit of creditors, or if a receiver is appointed, the City may, at the City's option, cancel and annul this Lease at once and enter and take possession of the Property immediately without any previous notice of intention to reenter, and such reentry shall not operate as a waiver or satisfaction, in whole or in part, of any claim or demand arising out of or connected with any breach or violation by Lessee of any covenant or agreement to be performed by Lessee. Upon reentry, the City may remove the property and personnel of Lessee and store Lessee's property in a warehouse or at a place selected by the City, at the expense of Lessee and without liability to the City. Any such reentry shall not work a forfeiture of nor shall it terminate the rent(s), fees, assessments or the covenants and agreements to be performed by Lessee for the full term of this Lease; and upon such reentry, the City may thereafter lease or sublease the Property for such rent as the City may reasonably obtain, crediting Lessee with the rent so obtained after deducting the cost reasonably incurred in such reentry, leasing or subleasing, including the costs of necessary repairs, alterations and modifications to the Property. Nothing herein shall prejudice or be to the exclusion of any other rights of the City to obtain injunctive relief based on the irreparable harm caused to the City's reversionary rights.

9.2 Except as otherwise provided for (automatic and immediate termination), if Lessee is in default in the performance of any term, condition, duty or obligation of this Lease, the City may, at its option, terminate this Lease upon giving thirty (30) days written notice. If Lessee fails within any such thirty (30) day period to remedy each and every default specified in the City's notice, this Lease shall terminate. If Lessee remedies such default, Lessee shall not thereafter have the right of thirty (30) days to remedy with respect to a subsequent similar default, but rather, Lessee's rights shall, with respect to a subsequent similar default terminate upon the giving of notice by the City.

9.3 Lessee shall not assign or sublease this Lease or any right or privilege connected therewith, or allow any other person, except as provided herein and except

the employees of Lessee, to occupy the Property or any part thereof. Any attempted assignment, sublease or permission to occupy the Property conveyed by Lessee shall be void and shall, at the option of the City, provide reasonable cause for the City to terminate this Lease. The interest of Lessee in this Lease is not to be assignable by operation of law without the formal approval of the City.

10. Miscellaneous Provisions.

10.1 The City, by entering into this Lease, does not part with its entire possession of the Property, but only so far as is necessary to enable Lessee to use and occupy the Property and to carry out the duties, obligations, terms, and provisions of this Lease. The City reserves the right to at reasonable times have its officers, employees and agents enter into and upon the Property and every part thereof and to do such acts and things as may be deemed necessary for the protection of the City's interests therein.

10.2 It is expressly agreed that this Lease is one of lease and not of partnership. The City shall not be or become responsible for lost profits, lost opportunities or any debts contracted by Lessee. Lessee shall keep the Property free from any and all liens whatsoever, including, but not limited to, liens arising out of any work performed, materials furnished or obligations incurred by Lessee. Lessee shall save, indemnify and hold the City and the City's officers, employees, agents and assets harmless against all liability and loss, and against all claims or actions based upon or arising out of any claim, lien, damage or injury (including death), to persons or property caused by Lessee or sustained in connection with Lessee's performance of the duties, obligations, terms and conditions of this Lease or the conditions created thereby, or based upon any violation of any statute, ordinance, code, rule or regulation, either now in force or hereinafter enacted, and the defense of any such claims or actions, including the costs and fees of attorneys, consultants and experts. Lessee shall also save, indemnify and hold the City and the City's officers, employees, agents and assets harmless from and against all liability and loss in connection with, and shall assume full responsibility for the payment of, all federal, state and local taxes, fees or contributions imposed or required under unemployment insurance, social security and income tax laws with respect to employees engaged by Lessee.

10.3 Lessee shall not pledge or attempt to pledge or grant or attempt to grant as collateral or security any of Lessee's interest in any portion of the Property.

10.4 As agreed to by the Parties the improvements placed upon, under or about the Property or attached to the Property by Lessee shall not be or become part of the Property and shall be the sole and separate property of the Lessee, subject to conveyance by the Lessee to City upon the expiration or termination of this Lease.

11. Surrender, Holding Over. Lessee shall, upon the expiration or termination of this Lease, peaceably surrender the Property to City in good order, condition and state of repair. In the event Lessee fails, for whatever reason, to vacate and peaceably surrender the Property upon the expiration or termination of this Lease, Lessee agrees that Lessee shall pay to the City the sum of \$100.00 per day for each and every day thereafter until Lessee has effectively vacated and surrendered the Property. The parties agree that it would be difficult to establish the actual damages to the City in the

event Lessee fails to vacate and surrender the Property upon the expiration or termination of this Lease, and that said \$100.00 daily fee is an appropriate penalty amount.

12. Enforcement, Partial Invalidity, Governing Law.

12.1 In the event the City uses its Attorney or engages an attorney to enforce the City's rights hereunder, Lessee agrees to pay any and all attorney fees, plus costs, including the costs of any experts.

12.2 The invalidity of any portion of this Lease shall not affect the validity of any other provision contained herein. In the event any provision of this Lease is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provision(s).

12.3 This Lease shall be governed by and construed in accordance with the laws of the State of Colorado. Venue for any action to enforce any covenant or agreement contained herein shall be in Mesa County, Colorado.

13. Notices. All notices to be given with respect to this Lease shall be in writing delivered either by United States mail or personally by hand or by courier service, as follows:

To the City:

City of Grand Junction
Attn: City Manager
250 North 5th Street
Grand Junction, CO 81501-2668

With Copy to:

City of Grand Junction
Attn: City Attorney
250 North 5th Street
Grand Junction, CO 81501-2668

To Lessee:

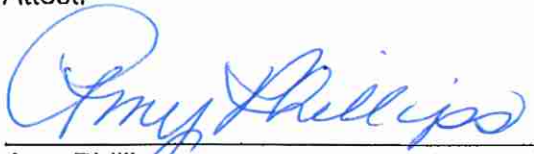
HOMEWARD BOUND OF THE GRAND VALLEY
562 29 RD
Attn: Rick Smith, Executive Director
Grand Junction, CO 81501

All notices shall be deemed given: (a) if sent by mail, when deposited in the mail, or (b) if delivered by hand or courier service, when delivered. The Parties may, by notice as provided above, designate a different address to which notice shall be given.

14. Legal Counsel/Ambiguities. The City and Lessee have each obtained the advice of its/their own legal and tax counsel regarding this Lease or has knowingly declined to do so. Therefore, the Parties agree that the rule of construing ambiguities against the drafter shall have no application to this Lease.

The Parties hereto have each executed and entered into this Lease as of the day and year first above written.

Attest:



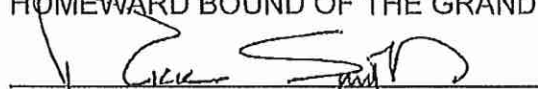
Amy Phillips
City Clerk

The City of Grand Junction,
a Colorado home rule municipality



Greg Caton
City Manager

HOMEWARD BOUND OF THE GRAND VALLEY



Executive Director or ___? _

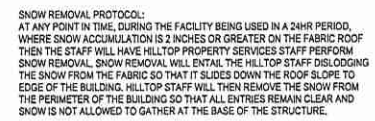
EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

Lots 1-16, inclusive of Block 142 City of Grand Junction.



8222 OLYMPIA BLVD. #100



Resource Center Community

Guidelines & Expectations

The purpose of the Resource Center is to provide low-barrier shelter during the day to men, women, couples, families, and their pets, as well as showers, restrooms, handwashing stations, and storage of belongings in a safe and welcoming environment. Meals will be scheduled upon the availability of service providers. Organizations will be onsite to facilitate referrals and connect Community Members to resources.

SECTION A **Admission**

Our goal is to provide day shelter to the most vulnerable people in our community.

1. To enter the shelter, Community Members are not required to be sober, compliant with mental health or addiction treatment plans, or to engage in services.
2. Gender is self-identified; Community Members will be treated as the gender they identify as.

Admission will be denied for the following reasons:

3. Community Member is displaying violent or threatening behavior.
4. Community Member has an infectious disease or appears to otherwise be ill and poses a threat to themselves and other Community Members.

Entrance Criteria

5. During the initial entrance, Community Members will be asked if they have any weapons, drugs, or alcohol to dispose of.
6. Community Members will sign the resource center expectations form acknowledging they understand expectations of behavior, criteria for being asked to leave, and grievance procedures. Expectations will be read aloud to the Community Member.
7. Community Members denied access to the Resource Center will be referred to other community services.

SECTION B

Community Members Expectations

Community Members are expected to:

1. Demonstrate responsibility for themselves and their actions.
2. Abstain from behavior that is disruptive and unacceptable to others. Examples include verbal, physical, or sexual harassment, threats and/or violent behavior, nudity, lewd or inappropriate sexual contact, possessing weapons, drug dealing and/or consumption, etc.
3. Keep common areas clean. Excessive damage to the building may result in being asked to leave the Resource Center.
4. Smoke only in designated areas.
5. Engage in occasional community meetings.
6. Be responsible for your belongings and abstain from buying, trading, and/or selling your belongings to others.
7. Not enter with weapons. Weapons are not allowed at the Resource Center, and nothing may be used as a weapon.
8. Possession, use, or distribution of alcohol, illegal drugs, or selling/bartering prescription drugs is not allowed within the Resource Center.
9. Dispose of sharps in the sharp containers provided.
10. Acknowledge that staff will call 911 immediately if a Community Member requests emergency medical assistance, is struggling to breathe, has stopped breathing, or does not respond to stimuli such as shouting or touch.
11. Community Members with pets are expected to clean up after their pets and keep pets on a leash at all times.
12. Have pets fully vaccinated or working towards vaccination and assure their pets are not aggressive towards other dogs or other community members.
13. Be respectful towards Resource Center community members and our neighbors.
14. Community Member's belongings can be requested to be stored when a Community Member has a doctor's appointment, job interview, is incarcerated, or other circumstances when prearranged with staff. Please be aware that Resource Center staff, HomewardBound of the Grand Valley, and service partners are not responsible for any unattended, lost, or stolen belongings.

Printed Name

Signature of Community Member

Date

SECTION C

Requests to Leave the Resource Center

1. Community Members who are asked to leave will be asked to do so for no longer than one day unless deemed necessary for the health and safety of Community Members or staff.
2. Community Members will be asked to leave only as a last resort and in the most serious cases.
3. Unless the Community Member poses an immediate threat to the health and safety of other residents and/or staff members, asking the Community Member to leave must be approved by 2 Guest Relations staff.
4. Community Members will not be asked to leave for not participating in services or if they are under the influence of alcohol or drugs.

Community Members will be asked to leave for the following reasons:

5. Violence or threatening behavior
6. Behavior that endangers the health or safety of the Community Members or staff
7. Consumption of illegal substances on premises
8. Theft
9. Destruction of property
10. Community Member has an infectious disease or appears to otherwise be ill and poses a threat to themselves and other Community Members
11. If pets are aggressive to other pets, community members, or staff and cannot be controlled

Community Members will **not** be asked to leave for the following reasons:

12. Not participating in services
13. Being under the influence of alcohol and drugs

SECTION D

Addressing Conflict

1. Staff will call Community Resource Officers/ GJPD in case of an immediate threat to the health and safety of other residents and/or staff members.
2. Staff will attempt to verbally de-escalate conflicts and will speak with Community Members with dignity and non-judgment.
3. Community Members will be provided with opportunities for cooling off such as going for a walk, or to separate themselves if a conflict arises. Staff will be available to provide mediation between 2 Community Members if the conflict cannot be resolved with the involved Community Member alone.

4. Community Members not meeting the Community Member Expectations will be asked to meet with a staff person. The staff will outline which of the expectations is not being met in writing. The staff will ask the Community Member what may be needed to help the Community Member achieve the expectation on an ongoing basis. Whenever possible, staff will coach Community Members on how to meet the expectations rather than reprimanding the Community Member (asking them to leave involuntarily) for not meeting the expectations.
5. If a Community Member must be asked to leave, Community Members will be given the opportunity to file a grievance.
6. All individuals asked to leave will be documented in HomewardBound's One Note system.

SECTION E

Grievances

1. All Community Members will be informed of the grievance process during intake. See the attached HomewardBound Grievance Form.
2. All Community Members may file a grievance without any fear of reprisal.
3. Grievances can be provided in writing using the form provided or may schedule a meeting with the Senior Guest Relations Coordinator to discuss the grievance.
4. In the event the grievance is against the Senior Guest Relations Coordinator, the grievance will be considered by the Senior Guest Relations Manager and the Director of Administration and Operations or his designate, if necessary.
5. The outcome of the grievance shall be provided to the Community Member(s) that lodged the grievance within 5 days.

SECTION F

Alcohol or Drugs

1. People who experience homelessness, like other members of our community, may be using substances to varying degrees. Everyone is entitled to Resource Center services whether or not they use substances. As a result, admission, being asked to leave, and service restriction will not be based on substance use alone.
2. Community Members who use alcohol or any other substances are welcome to use the Resource Center so long as the Community Member is independently mobile and can meet the Community Member Expectations described above.

Guidelines for Alcohol or Drug Misuse

3. Staff will call 911 immediately if a Community Member requests emergency medical assistance, is struggling to breathe, has stopped breathing, or does not respond to stimuli such as shouting or touch.
4. Community Members causing a significant disturbance to other Community Members while under the influence of alcohol or any other substance will be asked to refrain from doing so and given the opportunity to correct the behavior.
5. Community Members who become violent while under the influence of alcohol or any other substance will be treated the same as any other Community Members who engage in violent behavior.
6. If alcohol or drugs are found at the Resource Center, Community Members will be given the opportunity to dispose of them or leave the Resource Center for that day. Possession of alcohol or drugs alone is not a reason for a Community Member to be asked to leave.

Homeward Bound Outside of the Fence Initiative

HBGV is committed to ensuring the areas outside of the Resource Center fence are clean and will support the City of Grand Junction in its efforts to create a safe and clean environment for all members of our community. This area covers the Resource Center, 3rd Street, 2nd Street, Ute Ave and the alley parallel to the Resource Center. This will be done between 7:30 am and 5:30 pm. During regular business hours.

1. Individuals outside of the Resource Center Fence:

- a. HB is committed to engaging daily with any community member that is loitering outside of the fence.
- b. HB will approach individuals and engage in a conversation. We will not use our authority, rather we will have real conversations and provide them with real, accurate information as to why the loitering is an issue.
- c. HB staff will solicit feedback from those outside the fence as to why the loitering occurs and what would encourage engagement within the fence. Recommendations will be incorporated whenever feasible.
- d. HB will lead with the spirit of compassion and convince individuals to move along instead of forcefully telling them to move.
- e. HB Management will walk the perimeter daily and do our best to ensure a safe and clean environment.

2. Trash clean-up for the areas directly surrounding the Resource Center:

- a. When available HB will utilize our Purposeful Work program participants in picking up trash along the RC perimeter. Additionally, a volunteer crew of guests will be organized to help address trash cleanup along the perimeter.
- b. If a member of our PW crew notices an issue that requires staff attention, they will notify staff via radio and a management team member will assist with the issue.

3. Resource Center Community Member Engagement:

- a. HB along with members of the Service Council and community partners will hold monthly community meetings with community members. These meetings will include:
 - i. RC expectations, guidelines, services, service providers and will include feedback from the unhoused community.

- b. A “Good Neighbor Agreement” will be created to encourage guests to help keep the community clean and safe.

Resource Center Council Guiding Principles & Standing Rules

Role of the Service Council per the contract with the City of GJ:

Convene a minimum of a quarterly service council comprised of at least one local community partner/ one employee of the City of Grand Junction, one unhoused individual and one member of the local business community to assist In the development of The Centers goals, outcomes, and metrics for success, provide feedback on daily procedures and operations, recruit and support volunteers, review guest behavioral concerns and plans, provide feedback on calendar of events and scheduling of partner agencies, and overall site management and seek additional community input, ideas and concerns.

Current Service Council members:

DJ (SNC), Jeremy (Mountain Moon Gems), Stephania & Kristen (MAP), Sherry (City of GJ), Philip & Chris (HBGV), Kelsie (VA), Camille (WCHN), Faith (UWMC)

As a service council, we will need to be on the same page, while fostering an environment for open and honest discourse.

How we arrive there will mean clear communication with each other during council meetings. It will also mean disagreements and compromise, but if we listen to each other's perspectives to gain insight, then we agree we can get there.

- Transparency is important in our community, so we should be communicating updates, decisions, and outcomes in alignment with what we've agreed upon at council meetings. How we arrive at decisions should be kept amongst council members as misinformation often stems from a lack of context.
- It is our responsibility as members of the council to communicate to our colleagues, staff, and volunteers the correct information regarding the resource center, and to mitigate misinformation that ultimately hurts already vulnerable members of our community.
- Please encourage folx to reach out to the council directly to address concerns and answer questions before posting disparaging comments on social media. Everyone is entitled to their opinion but

what we often see posted negatively has been shown to be untrue and has caused mistrust with people and organizations working tirelessly to make this project successful.

General decision making is based on consensus; with the exception of the items listed below.

Consensus allows for everyone to have the space to voice their opinion and compromise; therefore it's inherent in consensus decision-making that you reach an agreement that everyone feels comfortable with, and that should translate to the council as a whole supporting it positively in the community.

- Requirements for taking formal vote:
 - Meeting must be attended by one of the two Co-chairs and be a scheduled meeting with at least 48 hrs notice. Quorum is $\frac{2}{3}$ of the council present (if 9 members– 6, if 11 members – 7 are needed to vote)
 - Remote vote is possible via email if necessary, co-chairs can call for vote in emergency situations
- Removal from the council:
 - Adversarial removal: $\frac{2}{3}$ majority vote as long as quorum is present
 - Leaving at will: we ask that you help us look for your replacement
- Inviting new members: $\frac{2}{3}$ majority vote instead of consensus
- Co-chairs elected vs appointed: HBGV co-chair appointed by HBGV and the other co-chair (from another organization) elected by consensus of the group for a term of 2 years
- Max number of representatives per organization- no more than 2 people per org; however, depending on agenda items, guests will be allowed to attend, share their opinion but not vote.
 - Max number of service council members, no more than 15
- Cancellation of meetings- if there is an agenda and someone to fill the role of leading the meeting, meeting may take place even if the 2 co-chairs are not able to be present; however, council will need to hold off on voting and consensus issues, until both co-chairs are able to weigh in.

How do we define SUCCESS?

- People showing up at the Resource Center -this will only work if community members know about and utilize the center.
- People feeling a sense of safety and belonging.
- Providing resources that will lead to housing pathways (resources leading to results!)
- Justice, Equity, Diversity, Inclusion
- Staying positive- let's focus on what the RC IS and CAN BE :)
- Data collection -- we must explain and clarify with stakeholders that primarily, this is the need to gather a basic amount of information that helps us to get to know the people we serve, in order to tailor the services and resources we provide. Secondly, this information- aka data- is also needed to fulfill funding requirements; as well as to secure continued funding to operate the Resource Center. People are not a "database;" however, the basic data they provide will become part of a network of necessary information that will be combined to show the needs in our community. Individual data is not shared with anyone without their consent.
- Being able to prove outcomes (ex. to the City, to funders, to the community) that will help us find a permanent solution.
- Constructive and positive public perception/ media.
- Effective collaboration among partners, staff, volunteers, etc. This includes having disagreements and engaging in dialogues that lead to constructive criticism respectfully and productively.
- Setting baseline metrics and meeting or exceeding them. For example, how many times are emergency services called. How is this affecting the community, including the business community, in a negative and positive way?

Organization	Representative	Title	Signature	Date
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HomewardBound of the Grand Valley
562 29 Road
Grand Junction, CO 81504

October 16, 2024

City of Grand Junction
Andrea Philips, Interim City Manager

The purpose of this letter is to provide an update the current status of the Resource Center.

The Resource Center was originally a solution to the closure of Whitman Park. Originally, it was conceived as a place for the unhoused community to congregate, however, it expanded beyond the purpose of just daytime shelter to providing essential services and resources to help individuals find a path home. Since opening thousands of services have been taken advantage of by the community members that visit the Center, and in that time, some have even found a path home.

While the Center is serving its purpose, there have been challenges along the way. With increased guest utilization additional staff is needed to manage the facility. Visits at the Center were originally anticipated to be 70 – 80 daily. We are now seeing visits in the range of 110 – 120 daily. This makes management of the facility and the monitoring of guest behavior more challenging.

HBGV previously requested 3 additional staff to assist in managing volunteers and guests at the Resource Center ensuring the facility is clean and safe for the community, while also, acting as a deterrent to illegal activity inside and outside of the Resource Center.

We know that 2 additional GRCs to manage the parking lot of the Resource Center is the solution to modifying guest behavior and preventing illegal activity at and around the Resource Center. This Guest Relations staff member will assist in enforcing the community guidelines of the Resource Center and engage with community members in order to de-escalate situations and prevent issues.

A Community Navigator is also needed to connect guests with vital services like Case Management. This will allow the Case Manager at the Resource Center to offer more intensive case management, such as providing referrals and rides to medical appointments, court, DHS, and many other service providers in Grand Junction.

The effect of the Whitman Park closing has also impacted shelter operations due to the increased number of guests utilizing the shelter. This increase is in direct relation to the work being done at the Resource Center. This shows we are moving people off the streets, through the Resource Center, and into the shelter system where we are making a more direct impact on the individual's life. The FYTD bed nights for 2023 were 58,132, the numbers this year are 81,602.

This is proof that the Resource Center is making a difference.

Thank you,

A handwritten signature in black ink, appearing to read "Chris Masters".

Chris Masters
Chief of Staff
HomewardBound of the Grand Valley



Mayor Herman
City of Grand Junction City Council Members
Andrea Philips, Interim City Manager

Thank You for the opportunity to share my thoughts on the status of the Resource Center. United Way of Mesa County is proud to partner in the Resource Center and see the benefit it offers our community.

It was apparent to me from the beginning of my involvement with the Resource Center there was a difference in opinion on a few things- particularly what “low barrier” meant. Partners were asking for data and were being told by the staff at HBGV that it was a low barrier facility and data was not collected. At the time, participants entering the facility were monitored by a “clicker” as they walked in. After many discussions it was agreed a process would be put in place to gather a small amount of data from the participants. I would be interested to see if this is now consistently being done.

There is now a difference of opinion on “services”. The services semi-consistently offered are showers. Meals are being offered by various organizations from around the community. I am not sure if there are other services currently offered by HBGV or the qualifications of the staff. I do very consistently see Sherry Price at the Resource Center completing vi-spdat form. MAP does outreach and offers an incredible amount of services on Tuesday. From emails I have been included on, several service providers are frustrated with the current state of the Resource Center.

Philip Masters from HBGV is very well respected by participants at the Resource Center, he is trusted, and the participants listen to him. I am confident the incident on September 25th with the drug use wouldn’t have happened if Philip had been at the Resource Center. I have said multiple times Philip needs to be at the Resource Center more consistently. Sherry Price is equally respected and adored by the population at the Resource Center. She is very involved in the lives of this population and goes above and beyond to communicate well with partners, interacts well with surrounding businesses and develops opportunities for participants to be involved in the Resource Center.

I cannot speak about the request for more funding for additional staff due to the fact I do not have access to staff information such as pay, hours, etc. My opinion on staffing is having a member of the leadership team from HBGV at the Resource Center more often.

My suggestion in moving forward would be to have Homeward Bound of the Grand Valley focus on running the facility side with the staff they have and give funding to the City of Grand Junction Housing Division and/or to United Way of Mesa County to manage and operate the services and outreach side of the Resource Center. I believe this collaboration would create a more efficient and comprehensive system for addressing the issues and achieving the goals of the Resource Center.

The City of Grand Junction housing division and United Way of Mesa County have many partners in our community with expertise in various services and outreach efforts. Together, we can create a network of services tailored to everyone's situation leading to more sustainable outcomes. This division of responsibilities can also reduce redundancies, optimize funding, and enhance the quality of care by allowing experts in each field to do what they do best. I believe this approach will strengthen the Resource Center model and allow those of us in this partnership to have more opportunity to be involved as partners.

As a partner of the Resource Center, United Way of Mesa County supports any changes and decisions you make moving forward. We are happy to collaborate and are willing to contribute in any way needed to continue to help the unhoused population and our community.

Kind Regards,

A handwritten signature in cursive script that reads "Faith Rodriguez".

Faith Rodriguez
Executive Director
United Way of Mesa County

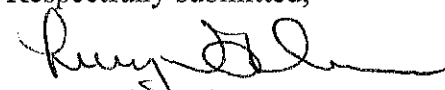
October 17, 2024

To Whom It May Concern,

Thank you for the opportunity to share my experiences taking nursing students to the Resource Center for a clinical experience. Starting in August, I have brought 3-4 nursing students to the Resource Center for a 4-hour experience once a week that includes a tour of the facility and resources, time with the staff RN, Kelsey Bell, and the direct care of guests of the facility through a non-medicalized foot soak clinic. People experiencing Homelessness (PEH) use feet as their main mode of transportation. Compromised foot health results in decreased functional mobility, increased falls, and acute and chronic pain (Swoboda, 2024). The foot soak is completely optional and voluntary. All supplies have been donated. Guests relax while their feet soak and get clean in soapy water. Feet are then examined for wounds and general condition. Foot health education is provided. Feet are dried and new socks are provided. Referrals are made to the monthly podiatry clinic at Catholic Outreach or to Dr. Ridgway at the Pathways Family Wellness Center at the Pathways shelter as needed.

During this experience, students have the opportunity to engage in conversation with PEH. PEH have a chance to interact with “healthcare” in a non-emergent, non-threatening way. Students admit being nervous before attending the clinical at the Resource Center. Some believe rumors that the center is “filled with drugs” and “there is a lot of violence”. No evidence of that has been seen in our time spent at the center. To date, 18 nursing students have provided 42 foot soaks throughout five mornings at the center. Students report increased empathy toward PEH as a result of their clinical. They report realizing that many of the “patients” they see have fallen on hard times. They do see symptoms of mental health disorders and hear about struggles with substance abuse, and we debrief those observations at the end of each morning. We have not observed any episodes of disrespect, violence, or drug use. While we do not survey recipients of the foot soak clinic, a goal of our presence there, apart from promoting foot health, is advocacy for the healthcare profession. PEH generally distrust healthcare and many report negative experiences when they have accessed healthcare in the past. As nurses, we want to show a very vulnerable population that healthcare professionals care and are able to help them when a need arises. The opportunity to provide a valuable clinical experience for an underserved group is critical to any nurse’s education. We are grateful to the center’s staff for welcoming us and mostly to the PEH who have experienced the foot soak clinic for providing the best education of all.

Respectfully submitted,



Lucy Graham PhD, MPH, RN

Director, Department of Health Sciences/ Associate Professor of Nursing

Reference: Swoboda, L. (2024). Foot assessment and care. *American Nurse Journal*, 19(9), 22-26. doi: 10/51256/ANJ092422

Hotel	Date	Time
TRU	2/6/2024	12:30:00 PM
TRU	2/13/2024	11:15:00 AM
HAMP	2/15/2024	10:30:00 AM
HAMP	2/16/2024	1:50:00 AM
FFIS	2/20/2024	10:48:00 AM
SHS	2/28/2024	3:50:00 PM
SHS	3/4/2024	6:15:00 PM
HAMP	3/23/2024	5:40:00 AM
HAMP	4/16/2024	4:30:00 AM
SHS	4/25/2024	8:30:00 PM
TRU	4/28/2024	11:00:00 PM
HAMP	4/28/2024	8:00:00 AM
SHS	5/5/2024	8:30:00 AM
SHS	5/7/2024	7:35:00 PM
SHS	5/8/2024	7:25:00 PM
FFIS	5/11/2024	6:30:00 PM
SHS	5/12/2024	6:00:00 AM
SHS	5/12/2024	6:20:00 AM
SHS	5/12/2024	6:35:00 AM
FFIS	5/17/2024	10:40:00 PM
SHS	5/20/2024	7:30:00 PM
FFIS	5/21/2024	2:00:00 AM
SHS	5/26/2024	6:00:00 AM
SHS	5/27/2024	6:40:00 PM
SHS	5/31/2024	12:45:00 AM
TRU	6/4/2024	11:00:00 PM
FFIS	6/5/2024	5:20:00 AM
FFIS	6/5/2024	5:30:00 AM
FFIS	6/9/2024	10:00:00 AM
FFIS	6/11/2024	7:00:00 AM
SHS	6/14/2024	5:00:00 PM
TRU	6/18/2024	1:00:00 PM
TRU	6/18/2024	2:00:00 PM
HAMP	6/18/2024	11:00:00 AM
TRU	6/18/2024	1:00:00 PM
SHS	6/19/2024	10:00:00 AM
SHS	6/24/2024	Night Audit
TRU	6/25/2024	4:25:00 AM
SHS	6/27/2024	6:30:00 PM
FFIS	6/27/2024	6:45:00 PM
FFIS	6/28/2024	1:00:00 AM
FFIS	6/28/2024	1:20:00 AM
SHS	6/29/2024	Night Audit
HAMP	6/30/2024	8:30:00 AM
HAMP	7/1/2024	7:30:00 AM
TRU	7/1/2024	9:00:00 PM
FFIS	7/2/2024	2:00:00 AM
TRU	7/2/2024	9:47:00 AM

HAMP	7/6/2024	10:15:00 PM
FFIS	7/7/2024	12:25:00 PM
TRU	7/7/2024	10:23:00 PM
FFIS	7/8/2024	1:40:00 AM
FFIS	7/8/2024	3:30:00 AM
HAMP	7/8/2024	6:30:00 AM
TRU	7/12/2024	8:54:00 AM
TRU	7/12/2024	11:43:00 AM
SHS	7/12/2024	10:40:00 PM
HAMP	7/23/2024	8:45:00 PM
TRU	7/24/2024	12:59:00 PM
SHS	7/25/2024	9:40:00 PM
HAMP	7/27/2024	9:00:00 PM
SHS	7/27/2024	Night Audit
TRU	7/27/2024	11:00:00 PM
FFIS	7/28/2024	11:00:00 PM
FFIS	7/28/2024	11:00:00 PM
SHS	7/29/2024	Night Audit
SHS	7/29/2024	Night Audit
SHS	7/31/2024	4:30:00 PM
HAMP	8/1/2024	6:30:00 AM
TRU	8/1/2024	7:40:00 PM
TRU	8/2/2024	6:22:00 AM
SHS	8/3/2024	9:00:00 AM
SHS	8/5/2024	6:50:00 PM
SHS	8/5/2024	8:30:00 PM
TRU	8/6/2024	9:18:00 PM
TRU	8/7/2024	3:30:00 AM
SHS	8/7/2024	4:40:00 AM
TRU	8/7/2024	6:22:00 AM
FFIS	8/7/2024	6:20:00 AM
FFIS	8/8/2024	12:00:00 AM
TRU	8/10/2024	6:20:00 AM
SHS	8/22/2024	7:30:00 PM
SHS	8/25/2024	10:15:00 PM
SHS	8/27/2024	11:00:00 PM
TRU	8/28/2024	3:16:00 AM
TRU	8/28/2024	5:47:00 AM
SHS	8/31/2024	7:00:00 PM
TRU	9/5/2024	1:31:00 PM
SHS	9/6/2024	Night Audit
SHS	9/7/2024	7:20:00 PM
TRU	9/15/2024	10:32:00 PM
TRU	10/2/2024	10:51:00 AM
SHS	10/5/2024	4:00:00 PM
SHS	10/5/2024	6:20:00 PM
SHS	10/5/2024	10:00:00 PM
SHS	10/5/2024	Night Audit
TRU	10/8/2024	1:27:00 PM

FFIS	10/8/2024	11:00:00 PM
FFIS	10/9/2024	2:00:00 AM
SHS	10/10/2024	10:55:00 PM
SHS	10/11/2024	Night Audit
FFIS	10/14/2024	1:30:00 PM

Discription of incident

Two young men came in and when I asked how I could help them they said they were going to play a game of pool. A man and woman wanting to use the restroom I directed them to the building across the street. Extremely disheveled man came in the front door yelling nonsense. He left right away.

Asked for a cup of coffee.

Asked to use the phone. Non-Emergency was called.

Was in the bathroom for over an hour.

There was a man on the sidewalk in front of the FFIS that was acting very strange. Went out and asked him if he was

Very intoxicated man came in and was mumbling. I asked if he had a room, he grunted and I asked him to leave. He

There was an unhoused woman who managed to come in twice this morning while the delivery guy was bringing in

Homeless male attempted to come in and use the restroom and said that I let him in earlier and I told him I been

There was a gentleman that was charging his phone and talking with guests at the pool table. He fell asleep on the

Women came in and was talking to herself. I kindly asked her to leave, and she was very polite and left without incident

Two reports of a couple on fifth floor pushing doors open. Getting into one room that had guests in it.

There was a gentleman hanging out near the doors to the building next to us, Consign Design. Citadel gave him a

There was a gentleman came in I asked if he was a guest here he said he was. I kept my eye on him as he walked to

Lady sitting in the door of Consign Design. Asked to leave did not until I was on the phone with cops yelled and screamed

Homeless lady was camping out in front of our side property she left after some choice words.

A homeless man was looking for cigarettes around our property.

Homeless man try to come in through the back door.

Homeless man in the fairfield dumpster. Cleared the dumpster, he left with no issues.

Unhoused individual started to scream and yell about inappropriate things saying he will kill me.

Unhoused individual lingering in the parking lot and near the doors, didn't seem hostile and left when told to.

Homeless lingering in lobby had to ask to leave several times.

Homeless female asking to borrow phone. I advised her I am unable to let her use our phone. She stated she was

Homeless guy jumped our little sidewalk seating area and came in right after Citadel left. I was already in the process

Two small areas in the dirt lot Southeast of our parking lot where unhoused had set up camp.

Lady was in the door of Consign Design. Argued with me until I called the cops.

Guy was waiting for someone to open the side door so he could come in. Made him leave the lot.

Staff let me know that there is large amounts of human feces on the outside of the dumpster area.

There was an incident mentioned in the passdown that led to the trespassing of an unhoused woman. Authority

There was a homeless male that was on his bike and had his things standing near on the sidewalk near the window

Homeless man in possible early 30s came in and wanted to get some water. I suggested he go across the street where

Young man came in and started picking items from the side of the desk. He gave them back when asked to return

I noticed a pile of belongings on the sidewalk next to the pool wall. There was a young man swimming that was

There was an unhoused man sleeping in the TRU drive thru with all his belongings. He was asked to leave, and left

Unhoused individual punching vehicles and windows in the overflow parking lot. Non-emergency was called and told

Unhoused individual came in asking the FD to call an ambulance due to being hit by a lead pipe. Said the attacker

Unhoused individual sleeping beside the front door of the Tru. Was asked 3 times to leave. Police were called and

Homeless male by the name of Brendon Clark. He stated that he was from the Navy and waiting for his card to go

Same man as above Brendon Clark came here and then went towards Hampton.

Found man in hot tub. Admitted he was not a guest.

Caught a guy trying to get in the pool told him to leave. Then found him on the bench by the wall.

Unhoused individual walked in with an arrival. Was bugging the guest and not listening when he was told to leave.

Homeless man came in and sat down in lobby. I asked if I could help him with anything, and he asked for a cup of coffee

2 men snuck in to eat breakfast. I asked them to leave and they left without incident.

2 MEN CAME IN TRYING TO SNEAK PAST ME..SAID THEY WERE GOING TO SIT IN THE LOBBY AND WAIT FOR THEIR

Found a man had entered the back patio. Likely the same as 6/28. Left after he saw me headed his way. He rounded

Found a Cart with some items in it at SoCo, which we suspected it was a Homeless person, so I called Citadel on the

Came in and grabbed coffee as I asked him to leave, He was talking to the wall and told me he was homeland security. Was found by Josh in the patio area of FFIS. He had let himself in from the gate on the sidewalk. Citadel chased him. She came in and was asking for ice and to use the restroom. Was not forming complete sentences. I asked her to leave. Forced the front doors open, claimed to be a C/I. Refused to leave and walked down the hall and went up the west wing. The balding man that carries bags repeatedly peeks into the lobby to see if I am around or at the front desk.

The balding man that carries bags came in to get coffee and was asked to leave and was told to leave by the local police. Women came in and asked if she could have breakfast or coffee and I told her it was for guests only and she left. A Guy walked in and I asked what I could help him with and he ignored me and ran and grabbed a banana then walked out. Called Citadel.

Homeless woman walked past me in the lobby, ignored me the first time I asked her if I could help her..so I asked her to leave. When asked to leave was told she owns this GD hotel. Threatened us twice. Non emergency police has been called but was not helpful. Two younger females came in to the lobby to try and charge their phones. They sat down in the lobby grabbed water. Lots of homeless people roaming around between Hampton and convention center. A few tried hanging out there. Unhoused lady camped out in the Consign Design entry way. Left when asked.

Unhoused woman came into lobby. Called police due to the previous incident that transpired on 07/24/24 in the room. Unhoused woman hiding in the downstairs bathroom. A guest came up to the front desk to tell me that a woman in the room. Called Citadel 3 times to get unhoused people off property.

Unhoused couple in the parking lot. Left without incident.

Unhoused man on bike cut through parking lot. Police officer was driving by.

There was a unhoused male that walked through our lobby, assumed he tried to use the restroom and then walked out. Homeless man came in and was attempting to get food. He was asked to leave or the police would be called. He stayed. A homeless guy parked his bike on the east side of the hotel by the exit. I called security and she talked to him and he left. A homeless guy came in and attempted to steal market items I asked him if he was a guest and he needed to pay for them. Josh found a pile of cigarette butts in the stairwell next to the pool and the door was propped open.

Homeless male came in and bought a beer from the bar and stated that he forgot where the restrooms were. I asked him to leave. Homeless male came in and was yelling that I needed to call the cops and that someone stole his truck and that he needed to call the cops. A homeless girl came in and asked for a cup of water, I told her we don't have a cup of water, I felt bad for her, so I gave her a cup of water. A guest came down to notify me that there was a homeless woman trying to sleep right in front of the building facade. There was an unhoused lady who tried to get into the front doors, I told her that she wasn't allowed inside unless she had a reservation. The lady that is trespassing came in and Sergio and I caught her as soon as she came through the doors and she had a bag. Lady in red pants came in screaming banging on the front door.

Unhoused individual broke into the hot tub area just after Citadel left. He was jamming a metal tool in the lock of the hot tub. Lady came in front doors asked her to leave as soon as she came in and she said a bunch of gibberish about how I was rude. Unhoused male came in and sat on one of the chairs near the couch in the lobby. Brenda walked over to him and asked him to leave. Male walked through the bay and Robert saw him out back. He asked him what he was doing and he stated he was looking for a room. Had to ask unhoused individual to leave. Unhoused individual was able to get to the bathroom. I followed her back to the lobby. Women tried to come in and was asking me to call someone for her I told her we were closed and she left.

The lady who is trespassing came in and ran right past me and into the bathrooms and refused to leave. I called non-emergency police. Citadel called Sean to the back parking lot of the hotel. There was a unhoused lady who had a big green table umbrella. Unhoused man came in the hotel carrying what looked like small pizza boxes and a beverage. He went as if to get to the back parking lot. Unhoused person in the parking lot but left when asked.

I noticed a male walk through the bay and to the back lot. I went to look at the cameras and he went out of view to the back lot. She came in and went straight to the lobby restrooms. She left about 10 mins later.

Same unhoused lady that always comes in to the hotel. Headed towards the bathrooms. I told her to leave at which point she left. I received a call from 212 close to 4:00pm about a lady on the second floor that smelled like urine and alcohol and was screaming. There was a gentleman that walked through the bay with a dog and a fabric cart thing. He walked through the parking lot. There was a gentleman that came in asking if we had any straws. I let him know we did not. Citadel watched him walk out. Barefoot homeless man came running past me as I was vacuuming the entrance. I followed him through the lobby and he left. Same unhoused lady that always tries to come in the hotel. Yelled obscenities at me again. Screamed that she owned the hotel.

Homeless lady came in tonight and clogged one of our toilets. She came in and told me she was staying here, and i
Houseless gentleman thought our dumpster rod that locks the door down was his to own. I tried finding a replacer
A homeless lady came in asking to use the bathroom I told her that it was only for guests. She walked out and beh
Busy night the cops were called due to a homeless lady was peaking into cars and trying to open doors. Security as
Unhoused individual was removed from the property by EMS. She then came back. Gave her the items that were l

as they had been allowed to do it before. I explained that it is only for guests and they left peacefully.
led

as okay and the man was trying to take off and put back on his clothes all at the same time. He was asked
he yelled obscenities and as he left he pushed over the planters and garbage can. I called the GJPD and told
in our delivery, (which is when I was making coffee) I had the doors locked before that and she never even
here all night and never seen him and that he needed to leave.
a couch and asked him to go up to his room to sleep and he refused. We contacted the non emergency a
cident.

verbal warning and let me know. He left with no issues.
oward the elevators he was looking at every door.
eam and left.

trying to call her dad to book her a room. She was upset but she did leave lobby but then proceeded to
ess of calling the cops so he left.

es were called.
as, kind of near the skeech table and shuffleboard table. After about 5 minutes of standing there he moved
here they would be able to assist him.
them, he then asked for a job application.
ot a guest. He left without incident.
: without an issue.
hey contacted him. No apparent damage to any vehicles.
was wearing blue jean shorts and a tank top. Individual disappeared after the call was placed.
they removed him from the property.
through. He tried to come in yesterday to multiple hotels and tried to get a room without having his car

. Had to get help from FFIS to get him out of the hotel.
coffee. He made a big mess of the coffee area and left.

FRIENDS TO GET BACK THAT WERE STAYING HERE. I ASKED WHAT THE NAME OF THEIR FRIENDS WAS AND
ed the corner then peeked to see if i was still there.
ie Radio and he came and took care of it.

city. Called Citadel.

man out. Same guy that was at Hampton.

leave and she yelled some profanities at me and then ran out when I said I would call security if she did not stay on the stairs. Police could not find him inside, slipped out while they were upstairs looking. He was found near the stairs.

police staying here. Has been disrupting all 4 properties for months now.

She was super kind just seemed lost.

ran out.

He came back again and she turned around and started shouting at me.

They haven't show up for a long time as they are "busy with other calls." Had two soft side bags with her. She was with another man. I asked them if they were a guest here one of them said yes and to ask the other lady that was with her. She said but left as soon as they saw me walking out or when they saw Citadel doing rounds.

Next morning. The police gave us a copy of the trespass notice and said if we see her again, we should call the police. She was in the bathroom was in distress. Called Citadel right away and he came over. She left after awhile when he was not there.

He came back out. I let the houseman know and that was all that I saw of him, but had heard that he had later started yelling and making a scene and then spit on the houseman.

He told her he was going to north avenue. Later on around 10:45pm the guy came back again and he was with her for those he then made threats and made insults then stole a few pens and ran out the door.

I asked him if he was staying here and he said no. I apologized but let him know that restrooms are for our guests. He needed to call the cops. I told him I did not have a phone that he could use and called Citadel as he came. I gave her one of the complimentary bottle waters, and told her to leave she refused so I had to call Citadel. Called Citadel at Colorado Avenue at 3AM. I asked her nicely to move somewhere else twice. The third time I went on she was a guest. She proceeded to curse at me and tell me she was going to report our property. I asked her some choice words for me but did walk right out. called non-emergency just to notify them she came back.

He came to the gates. He went running when I confronted him. Continued to monitor the pool. Around 2:00am - 2:30am trespassing because she owns the hotel and then left.

I asked him to leave. He did. I called Citadel to let him know and then he had proceeded to walk behind Fairview. He was looking for cigarettes. Robert told him to leave. Sean then called Robert at about 10:25pm as he was a guest. He was asking if she was a guest. She started to become verbally rude. I called for Citadel to help as he was staying.

On emergency and they said they were too busy to come because she started to leave as we were on the porch. She was on the awning that appears from a business near us or restaurant and was changing behind it and a van. Citadel and I were on the elevators. Next I saw him coming out of one of the restrooms. He was pacing and acting strange.

He came towards the back door. I looked through the windows and he was digging through the black trash cans. I called Citadel.

Next time she started yelling obscenities at me. Told me I couldn't make her leave as she was the owner. When I told her she wasn't okay. I immediately called for houseman and she had made her way to the lobby. I asked her to leave. She was making a lot, stopped by the front door and kept lingering. Sean went back there and he kept hiding behind the door. I called Citadel to walk up 3rd.

He came back and he darted into the mens room as he was telling me he had permission to be here. I told him he had no permission to be in this hotel and and can do whatever she wants.

asked if she could use the bathroom before she checked in. Then after she finished her "business", she i
ment so the door wasn't just hanging in the street.
mind the bay. I called Citadel. Authorities were called.
sked her to leave multiple times. She kept coming back and made her way over to the Fairfield and the H
left. Since then she has been standing out front of the fairfield screaming and yelling at guests and the p

ed to leave and Hampton was notified that he went in there direction.
hey were here in 5 minutes! They arrested him and tresspassed him. His name is Bobby Mc Cafley. The c
en tried to come in then.

and they are on the way. He is still just sitting on the couch trying to sleep. (we do not think he is staying

hang out in the bay of Springhill near the motorcycle parking. I let Citadel know and he escorted her off t

ved to the bay and was hanging out in the bay near the door to the stairs. I let Citadel know about him a

rd go through. He tried again today and asked for water and tried to buy things out of the market but his

ND THEY GAVE ME A FAKE NAME. THEY WANTED TO SIT IN THE LOBBY AND ASKED IF THEY COULD GET C

not leave.
irby, trespass notice added to the folder.

as here earlier today in a pink tank top and shorts but left quickly.
her for all the info and she just came with, that they were going to go to the store soon. I had let her kn

em and they will charge her.
Citadel asked her to leave.

made his way to Hampton's parking garage.

was sleeping at same place where he parked his bike and all his belongings.

guests only. He stated he just needed to use the restroom and said he would just go do it outside. Then
ntinued and said he would just sit here and wait. Citadel came and he told Citadel that he was drugged.
del to come and walk her out. Before Citadel got here she was touching the Telephone, i told her to stop
ut there she told me to just call the cops on her. When I did call non-emergency they said there was not
d her to leave, she called me a bunch of names and then went to go dig in the two trash cans by the poo
ack. they said they will swing by later today and she if she is still in the area.

30am he must have tried again because the gate was perched open and footprints were leading out of tl
irfield.
at Hampton looking for cigarettes.
inding near. Sean assisted as well.

phone. She screamed at me and tried stealing from the market before leaving. Non emergency said the
nd Sean told her that she needed to leave. She took off past Big O and they could not see her. She was cl
When he noticed me looking at him he went back in to one of the restrooms. I called for maintenance.

called Alexis at Citadel and she came to the lot, he was no loner going through the trash cans when she
anted to know who hired me and why I broke in and stole her hotel.
er if she was a guest here she said yes, I asked what the room number was she said 213 and Foster. I look
different cars and he eventually walked up 3rd towards the church.

d to leave or I will be calling the police. He left without further incident.

informed me that she had clogged the toilet and that she wasn't staying here. Then she thanked me for I

Hampton garage. Police came an hour and a half later. Officer stated that if any guests report anything st
police are aware of the situation. At 730pm Dispatch was called again because she started playing music

case number is 24-13865

here.) The police have come and are speaking to him now. The cops are going to trespass him since it is

the property with a cup of water at about 7:00pm. It appeared that she had been making her way to Har

at 5:10 and he left within 10 minutes of them talking to him.

his card was still not going through. I let him know we would not be able to help him. He left and I let the c

COFFEE. I MADE THEM LEAVE. Called Citadel.

low that if they were not guests here they could not stay in the lobby and would need to leave. She imm

he walked outside to the bay and I told Citadel. Citadel stopped him and told him he could finish his be
Citadel took him outside where he proceeded to curse at Citadel. Citadel told him he needed to go and
and tried stopping her by taking the telephone a little farther from her reach, but she kept on trying, as
hing they could do to make her move. At 4 AM she started banging on the back door saying I needed to
l doors. I again told her she needed to leave, she left while yelling at me to just call the cops.

he area. The windows to the pool looked tampered with as well.

ey would try and call back later today to see if she is still in the area. I also explained to the operator that
losed when she left. She left the umbrella and Sean put it in the office.

They came over and along with Jacob waited for him to exit the bathroom. He grabbed his things and e

made it here. She did follow him around the property but he went left down main street.

ked in the system and let her know it did not match and I needed her to leave the property as she was n

letting her use the bathroom, told me that she even washed her hands, and then left, talking to herself a

tolen please call the number on his card at the front desk. Two different guests had expressed concerns very loudly.

; not the first time he has been around here.

mpton after leaving the bay. Hampton told her to leave and that was the last we saw her.

other properties know to keep an eye out for him.

mediately got up and went to find the other girl and they did leave. At 10:00 Citadel told me they were ha

er and then he has to leave. He asked bartender if he could have a togo cup because they do that every
he did.

; Citadel was entering the Lobby, She walked out and tried to take one of the Luggage Carts out with her
let her in to get water and use the restroom I said no though the closed door many times and she called

: she has come many many times and is now getting comfortable just walking right by when I ask her to l
xited the property.

ot a guest here. She came up to the desk and I told her again she needed to leave and I already received

as she did. Went to check the bathroom and it looks like she just decided to stuff tp in bowl till it overflo

about their vehicles after witnessing her peering into vehicles.



standing in the doorway of the consign design and told them to leave.

where. She said no. Citadel waited at the bar with him until he left. Took him about 10 minutes to leave.

1. Citadel came to me, I briefed him about what was going on, and he went to get back the Luggage Cart 1. She told me many names and then left. Did not call non-emergency again since she left.

leave. She said they are just way to busy with other calls to come out.

I had a complaint about her. She was very unhappy, cursing, saying I was so messed up and more. She did wa

wed. Was able to unclog it and had the houseman mop up the water, but I feel bamboozled.



from her, and walked her off the Property.

alk out the doors around the building and then down Main St past the credit union. Jay and Josh were he

are to help.

From: Stephania Vasconez <stephania@mutualaidpartners.org>

Sent: Wednesday, October 16, 2024 10:17 PM

To: Randall Reitz <randallr@gjcity.org>

Subject: MAP as a service provider at the RC

⚠ EXTERNAL SENDER ⚠

Only open links and attachments from known senders. DO NOT provide sensitive information.

Hi Randall,

Thank you for giving us the opportunity to share our perspective as a service provider at the Resource Center.

One year ago, when Mutual Aid Partners (MAP), was asked to be a part of the new Resource Center by Homeward Bound and United Way, we knew this vital project and the collaborations it would foster, would ultimately change this community for the better. Afterall, we had just reviewed data that showed the increase of houselessness in our community was around 40%, which closely correlated with a 40% increase in evictions. The challenges were not unique to our city; however, this proposed solution was. The fact that our City Council had invested in the creation of a housing division, which spearheaded, resourced and partnered on the mobilization of the unhoused needs survey, centering the voices of people experiencing houselessness asking where they should go, showed we were headed in the right direction. The need for stability was, and always has been palpable.

When Whitman Park suddenly closed in September of 2023, it happened to be a Tuesday; the MAP Food Distribution and Resource Day had been taking place **every** Tuesday since 2020; however, **this** Tuesday was different. Hopelessness filled the air and people felt lost. When the media showed up, they asked us how we felt about this decision and how this was impacting us. We quickly shifted the focus to those directly affected, engaging in conversations, gathering statements, listening in solidarity. Those statements were shared widely with grassroots groups who moved to advocate alongside their neighbors, with the GJ Sentinel printing the quotes that were later included in the presentation to City Council when the Resource Center was introduced as a direct response.

Since then, MAP, as an anchor partner at the resource center, and with the increased outreach capacity, has supported over 9,000 families through the weekly distribution of essential resources including food, seasonal gear, hygiene & period products, as well as advocacy and facilitated access to housing resources, education, sanitation, health care, and shelter.

Our founder and executive director, Stephania Vasconez, also committed to being the co-chair of the service council, with the goal of ensuring we work collaboratively, addressing challenges as they're brought to light, but also keeping things in perspective, fully knowing we would have bumps in the road that we'd need to adjust for.

With gratitude,

Stephania Vasconez

Pronouns: She/Her/Hers



Founder, Executive Director

P: (970) 316-2019

Stephania@mutualaidpartners.org

MutualAidPartners.org



Mutual
Aid 
Partners

JANUARY - SEPTEMBER 2024
IMPACT AT-A-GLANCE

9,233
households
served

93,138
lbs of food
distributed



2,314
sack lunches
provided



358
haircuts given



211
pets vaccinated



MutualAidPartners.org



Memorandum

TO: Members of City Council
FROM: Andrea Phillips, Interim City Manager
DATE: September 27, 2024
SUBJECT: 2024 Mid-Year Report on Houselessness

The City of Grand Junction has seen a significant rise in houselessness over the past several years, presenting complex challenges for the community. The City continues to provide a variety of services directly and indirectly to people experiencing houselessness. This mid-year report offers a snapshot of recent initiatives and general trends as well as the estimated costs related to these services and the City's work as it relates to the unhoused population.

While the report provides insights, it is important to interpret the figures with caution, as the methodologies used involve complex interactions and assumptions, which are outlined for transparency.

Attachment

- 2024 Mid-Year Report on Houselessness

C: John Shaver, City Attorney
Department Directors

2024 City of Grand Junction Mid-Year Report on Houselessness

Houselessness as a City Priority

The Grand Junction Comprehensive Plan and the City Council Strategic Plan collectively articulate the City's commitment to addressing houselessness as a priority. The Comprehensive Plan Principle 5: Strong Neighborhoods and Housing Choice outlines a vision for inclusive development to meet the needs of all residents, ages, and abilities, partnership within the community to develop housing strategies, support investment in infrastructure, and the promotion of integrated transportation and community amenities. This vision is supported by the City Council's Strategic Outcome: Welcoming, Livable, Engaging, which identifies key priorities by the City Council to foster a sense of belonging and provide the amenities needed to thrive. Additionally, the City has formally adopted a Housing Strategy and an Unhoused Strategy and Implementation Plan; further details are provided below. These plans ensure a coordinated approach to tackling houselessness and enhancing housing solutions across the city.

Local Data on Houselessness

In the Fall of 2022, the City launched a survey to engage individuals experiencing houselessness (PEH) directly. An Unhoused Needs Report was completed in 2023. Utilizing data from the 2023 survey, the City of Grand Junction conducted an Unhoused Needs Assessment in January 2024. The assessment findings were then moved into actionable strategies in the Unhoused Strategy adopted by City Council by Resolution 49-24. The City is currently conducting an updated survey from information provided by PEH.

Funding

The City of Grand Junction remains committed to serving the entire community, including the unhoused population. Over the past year, in response to the growing needs of this demographic, the City has significantly increased both resources and financial investments dedicated to supporting the unhoused. This expanded effort reflects the City's broader goal of ensuring all residents have access to essential services.

	2023	2024
Total Spent On Unhoused	\$8,662,108	\$2,752,789

Included in this document is a comprehensive financial report detailing the contributions by City through various departments specific to the services and resources provided for unhoused individuals. It is important to note that the City does not always itemize specific expenses related to the unhoused population and, in some cases, may not have started collecting data. Some departments may include additional years, and financial reporting may not include all City departments, resources, or expenditures. Many costs are estimates based on averages, while others reflect actual dollar amounts. For example, the approximate cost of an EMT call is calculated by averaging the wages of the four to six first responders typically involved in each call. Conversely, actual funding totals are provided for specific housing units or initiatives targeted to serve the unhoused. These estimates aim to provide a clearer understanding of the City's ongoing commitment to addressing the complex needs of the unhoused community.

City Council

In addition to the General Fund, the City has utilized one-time American Rescue Plan Act (ARPA) funding, and non-profit funding from the General Fund to support homelessness-specific initiatives. Below is a detailed list of funding sources and homelessness projects supported by these funds.

	2023	2024
ARPA Funding	\$3,360,147	N/A
Non-profit Funding	\$212,944	\$330,700
Total	\$3,573,091	\$330,700

American Rescue Plan Act (ARPA) Funding

Due to the COVID-19 pandemic, the City received \$10.4 million in ARPA dollars from the federal dollars from the federal government to facilitate economic recovery. In 2022, City Council allocated \$1.4 million to address lodging revenue loss, leaving approximately \$9 million for distribution. In 2023, City Council allocated the remaining \$9 million to support behavioral health, housing, and houselessness initiatives. Listed below are the funding initiatives specific to serving the unhoused population. During the 2024 budget cycle, the remaining \$645,146 ARPA dollars were utilized to assist in funding housing projects through the 2024 Housing Strategy Implementation budget. For a full list of ARPA-funded projects for all housing initiatives in 2023, please see the 2023 Housing Annual Report.

Mother Teresa Place, Grand Valley Catholic Outreach - \$1,500,000

The project is underway and anticipated to open in quarter one of 2025. The project will include 40 one-bedroom units of permanent supportive housing for the most at-risk individuals experiencing houselessness and facing physical or behavioral health challenges. Wrap-around services will be provided to ensure housing stability for these individuals.

Joseph Center Expansion, The Joseph Center - \$947,747

The project expanded the Joseph Center by acquiring two adjacent buildings. The buildings provided the temporary WEShelter site for women/children/families during the 2023/2024 Winter Season. After the WEShelter concluded, the site began construction to transition to a permanent shelter opportunity to provide up to 15 more beds for the "Golden Girls" program, dedicated to serving women over the age of 55 experiencing houselessness, and add an additional 20 emergency shelter beds for women and children experiencing houselessness. The project will also add showers and laundry facilities for their day center, providing resources to families unhoused in need.

The Resource Center, Homeward Bound of the Grand Valley & United Way of Mesa County - \$912,400

The ARPA funds were used to acquire the temporary structure, infrastructure, bathroom, and shelters needed to provide a day resource center for the unhoused individuals. The Center, which opened in January 2024, serves the community as a low-barrier warming/cooling facility that provides access to meals, support services, housing navigation, medical, and sanitation services.

Non-Profit Funding

The City Council has a longstanding tradition of supporting non-profit organizations within the community. Annually, these organizations can submit requests for consideration in the budget allocation process. In 2023, \$878,221 was allocated to the non-profit funding cycle; in 2024, \$984,083 was allocated to local non-profits.

Listed below are the funded initiatives specific to serving the unhoused population. Please see the 2023 & 2024 Non-Profit Funding Budget for a full list of funded programs.

Projects related specifically to houselessness services and housing included:

2023 Non-Profit Funding Allocations to Unhoused Services & Housing	
First Aid Kits, Supplies and Transportation Passes for Mobile Clinics, Marillac Clinics	\$21,444
Operational Funding to Support Houseless Outreach, Mutual Aid Partners	\$35,000
Operational Funding for Emergency Shelter, Homeward Bound of the Grand Valley	\$100,000
Operational Funding for Houseless Youth, Karis Inc.	\$44,000
Operational Support for Website Upgrades and Outreach, Solidarity not Charity	\$12,500
Total	\$212,944

2024 Non-Profit Funding Allocations to Unhoused Services & Housing	
Plumbing Updates for Pathways Family Shelter, Homeward Bound of the Grand Valley	\$42,500
Zoe House (transitional housing) Security and Landscaping, Karis, Inc.	\$13,200
Funding to Support Houseless Outreach & Services, Mutual Aid Partners	\$50,000
Operational Funding – Homeward Bound of the Grand Valley	\$225,000
Total	\$330,700

Community Development Department

Launched in 2022 following the adoption of the City of Grand Junction Housing Strategy, the City's Housing Division within the Community Development Department. The division supports and implements housing initiatives along the housing continuum, including those specifically targeting the unhoused population.

Housing Division Budget

City Council has consistently supported housing initiatives, including efforts to address homelessness, through General Fund allocations in the annual budget process. The housing budget consists of two primary components: an operations budget, which covers personnel and programming, and a capital budget, which is focused on implementing the Housing Strategies. Capital expenses have been previously included in the City Manager's budget (2024).

The following sections outline funding details for initiatives and projects specific to the unhoused, with Figure 1.1 providing an overview. For a complete list of housing-related projects funded in 2023, please refer to the 2023 Housing Annual Report.

Figure 1.1 Housing Division Summary Operational, Programming & Capital Related to Unhoused Individuals		
EXPENSE	2023	2024 (Budgeted)
Housing Division (includes salary, benefits, and operations)	\$285,463.30	\$272,234.80
CAPITAL – UNHOUSED PROJECTS		
Housing Strategy Implementation		\$632,869
CDBG Funding	\$90,017	\$96,748
Total	\$375,480.30	\$1,001,851.80

Housing Division Operations & Programming

The Division is staffed by three full-time employees and, in 2024, received additional support from a Colorado Mesa University Social Work Intern. Personnel dedicated to unhoused initiatives and services include one Housing Specialist (1 FTE), a Housing Manager (.5 FTE), another Housing Specialist (.25 FTE), and the Intern/Americorp (.5 FTE). The Unhoused Needs Assessment (more information provided below) was also funded through the operational budget.

Housing Strategy Implementation Funding

Currently, the City of Grand Junction does not have a dedicated funding source for implementing its housing strategies. In 2023, City Council allocated \$1,502,500 from the General Fund. However, due to other one-time funding sources being available (outlined below), no housing implementation funding was specifically allocated for unhoused services. In the 2024 Budget, City Council allocated \$6,491,758. However, due to a delay in the sale of the Dos Rios property, which was identified as a funding source, \$1,600,000 was reduced, bringing the total housing strategy implementation funding to \$4,891,758.

Projects related specifically to houselessness services and housing included:

2024 Housing Strategy Implementation Funding to Unhoused Services and Housing	
Grand Valley Catholic Outreach – Mother Teresa Place	\$200,000
Homeward Bound The Resource Center – Annual Operational Budget	\$356,600
Homeward Bound The Resource Center-Capital Overages	\$76,269
Total	\$632,869

CDBG

The Community Development Block Grant (CDBG) is a federal program administered by the U.S. Department of Housing and Urban Development (HUD) aimed at supporting local community development efforts. CDBG funds are allocated to eligible cities and counties to address a range of community needs. In the 2022-2023 program year, the City of Grand Junction received an allocation of \$469,314, which included carry-over balances from previous years. In the 2023-2024 program year, the City received \$388,985. Listed below are the funded initiatives specific to serving the unhoused population.

2023	
Grand Valley Catholic Outreach, Predevelopment for Mother Teresa Place	\$50,017
Karis, Inc. The House Remodel	\$40,000
Total	\$90,017

2024	
GVCO, Water & Sewer Tap Fees for Mother Teresa Place	\$96,748
Total	\$96,748

Grand Junction Housing Strategy

The Grand Junction Housing Strategy was formally adopted by the City Council in 2021, which included twelve housing strategies for implementation to increase housing options, affordability, and access to services. In 2022, the City adopted a thirteenth housing strategy focused on community engagement and education. Currently, the City is working on a Housing Strategy Update. While the housing strategy addresses housing all

along the housing continuum. Two specific housing strategies identify and support the work addressing community houselessness. These strategies led to the development of the Unhoused Strategies and Implementation Plan, and further information is provided below about specific methods

Housing Strategy 1: Participate in Regional Collaboration Regarding Housing/Houselessness Needs and Services.

Grand Valley Coalition for the Homeless

Staff continue to meet with the homeless coalition, which was established to inform service providers about housing issues, coordinate collaborative efforts, and enhance awareness of available services.

Mesa County Collaboration for the Unhoused (MCCUH)

Staff actively participated in the formation of this action-oriented group that meets monthly. The MCCUH is structured to unit service providers and public agencies to establish a comprehensive system of care for the unhoused in Mesa County. Launched in 2022, this collaboration has played a crucial role in facilitating the implementation of assessment tools, referral mechanisms, and grant applications dedicated to enhancing services for the unhoused population.

The Resource Center

In the fall of 2023, the City decided to close Whitman Park. It was an underutilized park that needed activation and had been used as a gathering spot for community groups and churches, providing meals several times a week. Some unhoused individuals utilized it during the day as there were few places where they were allowed to be during daytime hours. However, increased crime, maintenance challenges, and decreased public safety, including the unhoused and City staff, led to the park's closure. This closure acted as a catalyst for further discussions about formalizing a resource center, leading to several planning meetings with local organizations.

In November 2023, Homeward Bound and United Way presented a formal proposal for the Resource Center, requesting the City to partner as a funder and provide a temporary location for the Resource Center. The center officially opened in January 2024, approximately six weeks after funding approval. As of June 2024, the Resource Center has provided approximately 15,894 daily check-ins, 5,315 meals, 4,040 showers, 5,336 instances of mutual aid distribution, 2,773 transportation trips to and from the overnight shelter, and 303 additional services such as haircuts and pet vaccinations. The use of the Resource Center has also contributed to increased overnight shelter utilization, especially during the spring and summer months. Since its opening, the Resource Center has continued to foster community collaboration through its Service Council, which includes representatives from various organizations and community groups that provide ongoing feedback. Approximately 15 organizations currently participate in offering services or supplies at the Center.

Housing Strategy 8: Provide Financial Support to Existing Housing and Houseless Services and Promote Resident Access to Services.

Neighbor to Neighbor Referral Team

The Neighbor to Neighbor Referral Team (N2N) was launched in 2023 in response to the needs observed during outreach to unhoused camps along the river. In collaboration with local service providers, City staff began by distributing supplies and quickly identified a critical gap in real-time referral services in these areas. Recognizing this need, the N2N team expanded in 2023 to include volunteer professionals from eight local service providers, including mental and behavioral health providers, case managers, medical staff, and housing navigators. Homeward Bound also secured a state grant to fund additional outreach and medical services, further enhancing the N2N team's capabilities.

In 2024, the N2N team has grown and is now comprised of 18 trained referral team members. This expansion has led to significant success in building rapport with the unhoused and actively facilitating referrals to necessary services. As shown in Figure 1.2, the team has dramatically increased its capacity and effectiveness in providing resources and referrals.

Figure 1.2 - Neighbor 2 Neighbor Outreach & Referrals			
Metric	2023	2024 (thru Aug 2024)	% Increase
<i>Visits to Encampments/Parks, etc.</i>	40	121	203%
<i>Referrals Made</i>	145	527	263%
<i>Resource Brochures/Maps</i>	150	1381	821%
<i>Individuals Engaged</i>	110	625	468%
<i>Housing Assessments/By Name List</i>	30	87	190%

Specifically, the N2N team conducted 121 visits directly to unhoused individuals in encampments, parks, deserts, and other areas, and facilitated over 527 referrals to local agencies and services. Additionally, City staff collaborated with the GIS team to create a more user-friendly map highlighting emergency services for unhoused individuals. Over 1,381 brochures have been distributed directly to people experiencing houselessness, as well as to local service providers, parks staff, and other first responders for further distribution.

The N2N team engaged with 625 individuals and successfully completed 87 Vulnerability Index Service Prioritization Decision Assistance Tool (VISPDAT) assessments. These assessments are essential for placing individuals or households on the By-Name List, which prioritizes people based on their vulnerability score to allocate vouchers and other housing opportunities as they become available through local providers. Since January 2024, approximately 297 individuals have been added to the By-Name List, with around 30 percent of those added by the N2N team.

While the N2N team primarily focuses on providing resources and referrals, they do not always receive follow-up information on the outcomes of these efforts. However, known outcomes for 2024 include:

- 12 individuals securing employment
- Three individuals obtaining housing
- Multiple individuals receiving necessary medical interventions and services
- Seven individuals entering sober living programs and several engaging in Peer Support services
- Five individuals or families utilizing the City's Travelers Aid Program to reunite with families, receive behavioral/mental/medical services, or secure employment in other communities

The N2N team's efforts are funded through the Housing Division's general operational budget. Supplies purchased for the team members' use in the field included backpacks and emergency supplies, clipboards, printing related to emergency brochures and resource maps, 2 tablets, and internet service to complete assessments in real-time in the field.

Unhoused Needs Assessment

In collaboration with various partners, the City initiated an Unhoused Needs Assessment (UHNA) to understand the current and anticipated needs of people experiencing houselessness (PEH) and the housing and supportive service agencies dedicated to assisting them. The assessment aimed to evaluate and identify crucial housing and service gaps, uncover barriers, gauge the present system's capacity to address existing and future needs and guide strategies. The final report was presented to City Council in January 2024. The City contracted JG Research for \$100,000 to complete the UHNA. The UHNA was funded by \$15,000 through the Housing Division's operational budget and with further financial contributions of \$15,000 from Mesa County Behavioral Health, \$10,000 from Western Colorado Community Foundation, \$10,000 from Rocky Mountain Health Plans and \$25,000 with a grant from the Colorado Department of Local Affairs to offset the project cost.

Unhoused Strategies & Implementation

On July 3, 2024, the City of Grand Junction formally adopted the Unhoused Strategy and Implementation Plan, a community-wide initiative building on the research conducted by JG Research in the 2023 Unhoused Needs Assessment. The plan outlines seven key strategies to address critical gaps and meet the immediate needs of individuals experiencing houselessness. A more comprehensive report detailing the City's implementation actions and progress will be provided in early 2025.

STRATEGY 1	ESTABLISH A COMMUNITY-WIDE FRAMEWORK FOR ENHANCING THE COORDINATED ENTRY SYSTEM OF CARE PROCESSES
STRATEGY 2	ESTABLISH A FLEXIBLE CITY-COUNTY HOUSING FUND TO SUPPORT HOUSING SECURITY AND INCREASE COLLABORATION BETWEEN SERVICES
STRATEGY 3	INCREASE ACCESS TO PREVENTION, DIVERSION, AND HOUSING NAVIGATION
STRATEGY 4	EXPAND ACCESSIBILITY TO BASIC NEEDS AND HYGIENE
STRATEGY 5	EXPAND MENTAL HEALTH CARE, HEALTHCARE AND SUBSTANCE USE TREATMENT SERVICE OPTIONS
STRATEGY 6	INCREASE ACCESSIBILITY AND EXPAND TRANSPORTATION SERVICES TO PEH
STRATEGY 7	INCREASE NON-MARKET HOUSING OPTIONS INCLUDING INTERIM HOUSING & SHELTER UNITS

Workgroup Implementation

On July 12, 2024, nine implementation workgroups were launched to begin implementing these strategies. Approximately 85 individuals from various disciplines, including community leaders, business leaders, service providers, and government agencies, participate in these workgroups. They will continue to meet regularly to implement the actions outlined in the plan. A community-wide comprehensive report of efforts is anticipated to be provided in early 2025.

Interim Housing Land Use Regulations

City staff have facilitated extensive work since January 2024 to develop land use regulations enabling interim housing sites within the city. Since the effort was not complete by mid-year, staff time dedicated to this effort has not yet been estimated. The city contracted with Clarion Associates for \$27,407 to assist in the research, code drafting, and public outreach.

Parks and Recreation Department

The Parks and Recreation Department is responsible for maintaining public parks and recreational facilities and organizing programs to promote recreation, health, and wellness among community residents. The Department provides services and access to parks and recreation for all community members, including the unhoused population, whose presence in public spaces, including parks, has increased. This includes maintaining park restrooms, both portable and permanent facilities, and the city’s 35 developed parks.

Funding

In 2023, \$538,105 and 2024 \$447,718 of the total Parks and Recreation budget from the General Fund were allocated to services and initiatives specifically for the unhoused. Figure 2.1 provides an overview of expenses, with further details outlined in the corresponding sections below.

Figure 2.1 Parks Department Summary of Costs Related to Unhoused Individuals and Services		
EXPENSE	2023	2024 (Budgeted)
Security Contract Services	\$137,128	\$182,158
Vandalism & Restrooms	\$400,977	\$265,560
Total	\$538,105	\$447,718

Park Activation

The services provided to the unhoused must be carefully balanced with the broader community's needs, as many residents express discomfort visiting parks, trails, and open spaces with a high concentration of unhoused individuals. A key strategy of the Parks and Recreation Department is to enhance park amenities, making them more attractive to the public and increasing visitation to parks for recreational purposes. Improvements such as renovations and destination playgrounds create more desirable spaces, as outlined in the Parks, Recreation, and Open Space Master Plan, with several projects actively underway.

Additional strategies include rotating sports fields and utilizing shelters and parks for summer camp activities. Several near-term projects have been pursued to activate parks where the presence of the unhoused has increased, such as the renovation of Emerson Park, the installation of a new self-cleaning, vandal-resistant restroom at 5th Street, a new playground at Sherwood Park, and potential renovations at Whitman Park. With significant investments in housing efforts and expanded services for the unhoused, the opportunity to revitalize downtown spaces is becoming more achievable.

Park Security

In 2023, the City contracted Citadel Security to provide nightly patrols for many parks as part of their evening restroom facility lock-up services and for security during major events. These patrol and restroom services accounted for approximately 61 percent of the total contracted park services, costing \$137,128. For 2024, it is budgeted at \$182,158 and has, to date, utilized 71 percent of the budget, \$105,986.

Figure 2.2 Costs Associated with Contract Services for Nightly Patrols and Restroom Facility Lock up		
	2023	2024 (Budgeted)
Total	\$137,128	\$182,158

Vandalism and Restroom Facilities

Vandalism to public facilities is a significant issue the Parks and Recreation Department continually grapples with, particularly in areas where there is a noticeable presence of unhoused community members. While vandalism cannot be solely attributed to the unhoused population, it is an ongoing challenge that affects access to critical hygiene and public health resources. Public restrooms are critical for the unhoused community, as they provide access to basic hygiene, water, and sanitation. However, recurring vandalism to these facilities impacts their availability, creating barriers for both the public and unhoused individuals who rely on them. Figure 2.3 provides a summary of all expenses related to vandalism and restroom facilities.

Figure 2.3 Costs Associated With Vandalism & Maintenance Of Public Restrooms City Parks		
Vandalism	2023	2024
Supplies, Materials, Etc	\$30,000	\$30,000
Personnel 2,000 hrs @ 31/HR	\$62,000	\$62,000
Restroom Facilities		---
Custodial Support	\$128,860	\$128,860
Portable Toilets for General Community Use		\$79,300
Environmental Design	\$152,717	---
Karis, Inc. Portable Toilets	\$25,250	\$25,250
Desert Vista Park Portable Toilet		\$2150
Total	\$398,827	\$327,560

Vandalism costs the department approximately \$30,000 per year, with common damages including destroyed toilets, urinals, and sinks. The department has implemented stainless steel fixtures in some facilities to mitigate damage. Additionally, public restrooms often face destruction of drinking fountains, trash cans GFIs and outlets, painting over and removing graffiti, destruction of automatic flush sensors, broken irrigation heads (common in parks with issues of repeated after-hours trespassing) and other amenities. The vandalism impacting accessibility for the unhoused population also incurs significant labor costs, with staff dedicating an estimated 2,000 hours annually to repairs. These hours include both full- and part-time staff, with an average wage of approximately \$31 per hour (including benefits), resulting in an estimated total labor cost of \$62,000 for parks staff.

In 2023, \$152,717 was allocated to crime prevention through environmental design (CPTED) projects to reduce vandalism, further emphasizing the city's efforts to maintain safe, welcoming, and functional facilities for all community members, including the unhoused.

In 2024, \$79,300 will be spent on portable toilets serving the broader community, including the unhoused. In addition to portable toilets, there are 16 restrooms throughout the system, frequently targeted by vandalism. To address these issues and ensure restrooms remain accessible, the department has increased cleaning schedules and reduced operating hours in high-risk areas to monitor activity.

Starting in the spring of 2024, staff will rotate through cleaning and monitoring these 16 city park restrooms, ensuring they remain available for drop-in use at parks such as Las Colonias, Dos Rios, Sherwood, and

Hawthorne. However, due to frequent vandalism, restrooms at parks like Duckpond, Rocket, Columbine, and Westlake will remain available only through reservation to ensure their accessibility for scheduled events and programs. Limiting open hours for some restrooms helps preserve their use while balancing the need to provide essential restroom facilities for the public, especially those without access to other resources.

In response to increased cleaning and trash pick-up needs, the Department established a parks custodial team. The team consists of two full-time employees and a group of seasonal staff. Approximately half of the team's time is dedicated to additional cleaning, restroom monitoring, and other tasks that support the unhoused community and the broader public. For 2023 and 2024, the estimated cost attributable to maintaining these for the use of the unhoused is equivalent to half of the wages and benefits for this team, at \$128,860.

Other Restroom Facilities

To address the immediate hygiene needs of unhoused individuals, the Department has provided additional funding to Karis, Inc. to support the placement of six additional portable restrooms in areas where access to public facilities is limited to assist in preventing the likelihood of the spread of infectious disease or fecal-oral diseases and contamination of the river. To increase overall sanitation, protect public health, and support the community's environmental quality. In 2023, the City allocated \$25,250 to this initiative and budgeted another \$25,250 in funding for 2024.

Additionally, in 2024, the City provided an additional restroom at Desert Vista Park, costing \$2,150, as it experienced increased utilization by unhoused individuals.

Winter Hours and Park Rules

In response to increasing concerns over park safety and illegal activity, the City of Grand Junction has made proactive changes to park rules aimed at supporting the community while balancing the needs of unhoused individuals. On January 18, 2023, the City Council approved new winter park hours, reducing the time parks are open during the evenings when usage plummets and illegal activities rise. Collaborating with the Police Department and Citadel Security, the Parks and Recreation Department aims to prevent overnight camping in parks. During the summer, all parks close at 10 p.m., with sports facilities like Lincoln and Canyon View closing at 11 p.m. In winter, parks close at 8 p.m. and sports parks at 10 p.m. Access is restricted after these hours and Citadel Security encourages individuals to leave the parks after closing time. If individuals refuse or repeatedly violate park hours, Citadel contacts the GJPD, leading to those individuals being trespassed from the park system.

Figure 2.4, titled "Citadel Asked to Leave by Park Report," presents data on the parks where individuals were asked to leave by Citadel Security. In 2024, patrols expanded to include the Resource Center. Across both years, Emerson Park, Las Colonias Park, and Columbine Park, along with the addition of Desert Vista Park in 2024, accounted for a significant portion of these requests, indicating higher occurrences at these locations. Monthly projections show notable increases at Rocket Park and Dos Rios Park, while significant decreases occurred at Whitman Park (due to its closure) and West Lake Park. Overall, Citadel reports a 12 percent projected increase between 2023 to 2024.

Figure 2.4 Citadel Asked to Leave Report By Park				
Park	2023	2024 (thru August 2024)	2024 (projected)	% Of Change (projected)
<i>Emerson Park</i>	564	452	452	↑7%
<i>Las Colonias Park</i>	290	301	401	↑38%
<i>Columbine Park</i>	224	120	160	↓29%
<i>Lincoln Park</i>	115	90	120	↑4%
<i>Hawthorne Park</i>	114	85	113	↓1%
<i>Whitman Park</i>	108	11	15	↓86%
<i>Sherwood Park</i>	81	44	59	↓28%
<i>Canyon View Park</i>	76	28	37	↓51%
<i>Eagle Rim Park</i>	64	43	57	↓10%
<i>Duck Pond Park</i>	62	41	55	↓12%
<i>Riverside Park</i>	58	51	68	↑17%
<i>Dos Rios Park</i>	38	62	83	↑118%
<i>Rocket Park</i>	31	55	73	↑137%
<i>West Lake Park</i>	25	7	9	↓63%
<i>Junior Service League Park</i>	17	15	20	↑18%
<i>Williams Park</i>	7	10	13	↑90%
<i>Pomona Park</i>	3	3	4	↑33%
<i>Tennis Courts</i>	1	0	0	↓100%
<i>Desert Vista</i>	0	153	204	↑100%
<i>Resource Center</i>		12	16	↑100%
Total	1878	1583	2111	↑12%

In 2024, City Council adopted Resolution 37-24, which updated the current park rules. After consultation with other communities across Colorado for best practices, the update included changes to park hours and clearer communication regarding the use of reservations for structures and prohibited the use of enclosed structures like tents and booths unless permitted. It also banned attaching lines, straps, or cords to park structures or trees, prohibited glass containers and open cooking fires outside designated grills, and designated all parks as smoke-free zones, including tobacco, marijuana, and vaping. Furthermore, any items left unattended after hours would be considered abandoned property. Public feedback was solicited throughout this process, and careful consideration was given to balancing public safety and maintaining the parks as vital community spaces for recreation and gathering. These rules were designed to ensure the safety of all park visitors, protect public infrastructure, and clarify expectations for all community members. Recognizing the potential impact on the unhoused population, the City took additional measures to reduce adverse effects by ensuring that the Neighbor 2 Neighbor team is actively involved. They work closely with individuals day camping in parks to provide resources, referrals to local services, and alternative shelter options. Before these park rules and hours changed, the Neighbor 2 Neighbor Team and the Community Resource Officers worked to notify local service providers and unhoused individuals of changes and to encourage the use of resources available.

Desert Vista Park

In 2024, Desert Vista Park experienced an increase in unhoused individuals, accumulating trash, furniture, tents, clothing, and human waste. In response, the Department coordinated several cleanup efforts in collaboration with the Neighbor 2 Neighbor team, the Community Resource Unit, local service providers, and volunteers—including Mutual Aid Partners. Before these cleanups, teams visited the park daily, offering resources such as trash bags, sunscreen, gloves, water, storage bins, and wagons to encourage individuals to pack up important belongings and reduce their belongings, making transporting them easier. After initial cleanups, it became clear that a more consistent approach was needed, leading to the establishment of a weekly cleanup schedule, which included essential tasks such as irrigation, mowing, tree trimming, and other maintenance activities necessary for the health of this green space.

Police Department

The primary goal of the Grand Junction Police Department (GJPD) is to ensure the safety and security of all community members, including unhoused individuals, fostering a sense of trust and collaboration. This involves not only enforcing laws and responding to criminal activity but also engaging with residents through proactive initiatives that build relationships, prevent crime, and promote overall well-being.

In 2002, the GJPD established the Community Advocacy Program to strengthen relationships with service providers assisting the unhoused population. However, due to staffing shortages and budget cuts, the program was disbanded in 2009. In 2010, a smaller Homeless Outreach Team (HOT) was created to work directly with the unhoused. Over time, as the department faced staffing challenges, the HOT team merged with the Community Resource Unit (CRU) in 2022. The CRU, authorized for six officers and a supervisor, has averaged only two officers over the past three years and currently operates with just one due to vacancies related to ongoing staffing challenges. Additionally, the CRU collaborates closely with the Housing Division and Parks and Recreation staff to support their efforts with the unhoused population.

Park Ranger Program

A recent addition to the Grand Junction Police Department is the municipal park ranger team, developed from the former park patrol program that utilized civilian bike patrols. The park patrol was inactive in 2022 and 2023, resulting in a gap in the enforcement of park regulations and the deterrence of illegal activities. In response, the park patrol has transitioned to a municipal park ranger force consisting of 10 full-time positions. Equipped with e-bikes, these rangers can cover larger areas, increasing monitoring to ensure compliance with regulations. This initiative aligns with the introduction of overnight patrols with Citadel, which enforce park hours and prevent overnight camping. As this program is new, budget implications for the unhoused report are not included.

GJPD and GJRCC Funding

In 2024, the City budget allocated \$45.6 million for the GJPD through the General Fund, First Responder tax Fund, Parking Authority and the Communication Center Fund for the entire community. It is estimated that approximately \$316,500 in 2023 and \$318,490 budgeted in 2024 provided services and resources to individuals experiencing houselessness. Figure 3.1 provides an overview of total expenditures, with additional details provided below.

Figure 3.1 GJPD Summary of Costs Related to Unhoused Individuals and Services			
EXPENSE	2022	2023	2024 (Budgeted/Actual To Date)
GJPD Personnel	\$163,500	\$163,500	\$163,500
Communications Center	\$84,200	\$75,000	\$47,640 YTD
Clean Up and RV	\$148,890.50	\$146,182	\$150,000
Traveler's Aid	\$3,800	\$12,200	\$15,000
Total	\$400,390.50	\$396,882	\$376,140

Given recent changes in policing, law, and technology, along with the increased workload for officers handling various cases—including follow-up, court appearances, and civilian staff involvement—it is impossible to accurately analyze or make assumptions about the general GJPD staff salaries and costs associated with the general call response to the unhoused population. However, for the CRU team, the average salaries of two Community Resource Officers (CROs) can be considered each year. Approximately 80 percent of their time is dedicated to assisting unhoused individuals, addressing related crimes, and engaging with service providers. Additionally, the CRU's supervisor contributes approximately 25 percent of their time to supporting both the officers and the unhoused. Expenses for these positions are detailed in Figure 3.2.

Figure 3.2 Estimated Costs For Providing GJPD Personnel for Unhoused Individuals			
GJPD Personnel	2022	2023	2024
CRU Unit (two staff @ .75)	\$135,000	\$135,000	\$135,000
Supervisor .25	\$28,500	\$28,500	\$28,500
Total	\$163,500	\$163,500	\$163,500

GJPD Calls for Service (CFS) and Case Reports

The GJPD does not specifically track or collect data related to individuals' economic condition or housing status, making it challenging to determine the portion of calls for service or budget expenditures specifically associated with the unhoused population. However, the GJPD provides individuals an opportunity to provide an address and a word search of all reports that include the word "homeless". However, these entries may be inaccurate or incomplete due to factors such as individuals providing false or temporary addresses or stating they were homeless to avoid giving an address altogether or the caller inaccurately identifying someone as homeless. For example, a reporting party may state that a "homeless person" stole their bicycle. During the GJPD investigation, it might be determined that the description/assumption was inaccurate. However, the original call for service data remains unchanged, as the GJPD does not alter details provided by reporting parties.

Figure 3.2 – GJPD Calls for Service and Case Reports with "Homeless" in the Narrative				
	2022 (baseline)	2023	% Change	2024 (thru Aug 2024)
Calls for Service	2105	1875	↓10.93%	1191
Case Reports	2310	2629	↑13.81%	1899

In 2022, the GJPD implemented a call reduction strategy due to low staffing levels, directly affecting officer responses to certain calls for service, including those related to individuals experiencing homelessness. This reduction has had a noticeable impact on Calls for Service (CFS) and Case Reports referencing homeless in the narrative. For example, some individuals may have stopped calling on some call types because the GJPD had limited manpower to respond and may have called for it in 2022, called less in 2023, were informed of changes and did not call for those same reasons in 2024. The GJPD believes this is occurring, however, there is not a method to collect quantifiable data to support this supposition.

Figure 3.2 shows the GJPD's total CFS and Case Reports with "Homeless" in the narrative. 2022 is designated as the baseline to track call volume and measure impact over time. In 2022, there were approximately 2,105 CFS with "Homeless" mentioned. In 2023, that number declined to 1,875, a reduction of approximately 10.93 percent. As of the end of August 2024, 1,191 CFS have been recorded.

For Case Reports, the baseline year of 2022 saw 2,310 reports referencing homelessness. In 2023, this number increased by 13.61 percent to 2,629. As of the end of August 2024, 1,899 case reports had been recorded. More specific information about the types of calls and the case reports is provided below.

Figure 3.3 provides the types of incidents and the specific calls for service. The most common types of calls are for trespassing, loitering, and suspicious activity. However, calls only indicate a reference to "homeless" and may not be indicative of reliable data.

Figure 3.3 – GJPD Calls for Service Types				
Types of Calls	2022 (baseline)	2023	% Change	2024 (thru Aug 2024)
<i>Trespassing in Progress</i>	287	343	↑20%	244
<i>Loitering</i>	251	275	↑10%	155
<i>Suspicious</i>	164	149	↓9%	115
<i>Welfare</i>	155	96	↓38%	85
<i>Code 5 (Mental Health)</i>	107	130	↑21%	56
<i>Assist other officer, entity, fire, etc</i>	114	98	↓14%	96
<i>Verbal Confrontation</i>	66	60	↓9%	35
<i>Harassment in Progress</i>	48	42	↓13%	29
<i>Follow up to a prior call or case</i>	49	32	↓35%	24
<i>Code 6 (wanted subject)</i>	41	38	↓7%	25
<i>Suicide</i>	41	37	↓10%	20
<i>Missing person</i>	42	34	↓19%	19
<i>Assault in Progress</i>	33	36	↑9%	23
<i>Traffic</i>	34	31	↓9%	18
<i>Flashing (Indecent Exposure)</i>	35	27	↓23%	12
<i>Property (lost, found, or missing)</i>	37	21	↓43%	15
<i>Trespass</i>	24	28	↑17%	16
<i>Civil</i>	28	20	↓29%	20
<i>Theft</i>	31	30	↓3%	7

Case reports document incidents through written reports, most of which stem from calls for service involving criminal activity. However, some reports arise from suspicious situations requiring further investigation, while

others involve complex civil matters. After investigation, certain cases initially thought to be criminal may be deemed unfounded or non-criminal. Case reports can provide more accurate data but can still be challenging due to data being pulled from the search for “homeless.” Figure 3.4 provides the case reports investigated by the GJPD with connection to an individual reporting as homeless (victim, suspect, or witness).

Figure 3.4 – GJPD Case Reports by Types of Incidents

Types of Incidents	2022 (baseline)	2023	% Change	2024 (thru Aug 2024)
<i>Trespass</i>	754	810	↑7%	616
<i>Warrant Arrest</i>	343	385	↑12%	282
<i>Drug Violation</i>	166	242	↑46%	157
<i>Assault</i>	191	185	↓3%	171
<i>Theft</i>	96	152	↑58%	72
<i>Restraining Ord Viol</i>	81	116	↑43%	99
<i>Harassment</i>	49	76	↑55%	47
<i>Shoplift</i>	48	81	↓69%	41
<i>Burglary</i>	70	50	↓29%	41
<i>Disorderly Conduct</i>	62	58	↓6%	34
<i>Mental Health / Alcohol</i>	42	48	↑14%	49
<i>Other Offense</i>	45	37	↓18%	52
<i>Weapons Violation</i>	42	50	↑19%	33
<i>Criminal Mischief</i>	45	42	↓7%	34
<i>Sex Offense</i>	25	42	↑68%	28
<i>Auto Theft</i>	32	34	↓6%	21
<i>Fraud / Forgery</i>	23	17	↓26%	18
<i>Robbery</i>	28	28	0%	2
<i>Traffic</i>	25	15	↓40%	15
<i>Runaway / Missing Person</i>	9	19	↑111%	15

Communication Center

The Grand Junction Regional Communication Center (GJRCC) is utilized for dispatch services. Dispatch charges member agencies a cost-per-call fee. For dispatch calls related to “homeless,” the city paid approximately \$84,200 in 2022 and \$75,000 in 2023, utilizing \$40 for the average per-call amount. For 2024, GJPD estimates that \$47,640 was spent up until August 2024. These costs are represented in Figure 3.5.

Figure 3.5 - Dispatch Service Costs for GJPD

<i>Calls for Service (# of calls x \$40/call)</i>	2022	2023	2024 (through Aug 2024)
Total	\$84,200	\$75,000	\$47,640

Clean Up and Abandoned RV Services

Each year, GJPD-addresses abandoned property and refuse left in encampments and on public property. As represented in Figure 3.6, for 2022, the GJPD removed over 22.38 tons of trash, which went to the landfill, costing \$116,225.98. In 2023, that number increased to 32.66 tons, costing \$116,225.98. And, through August 2024, the GJPD has removed approximately 21.93 tons, costing \$61,690. Figures do not include cleanup of abandoned property in parks or from streets.

It is unlawful for any vehicle to be left on a public roadway for a period of longer than 72 hours. These vehicles include RVs, travel trailers, and cars, some of which are unsafe, leaking waste, or inoperable. These vehicles are towed and stored. If the vehicle is unclaimed, the City becomes responsible for the tow and dismantling costs of destruction. For 2023, \$29,956.02 was spent on removing and dismantling abandoned RVs. In 2024, the cost-to-date is \$40,602.30 out of a total budget of \$150,000 for both line items. Figure 3.6 details the costs associated with these services.

Figure 3.6– GJPD Costs Associated with Abandoned Property and RVs					
	Total Weight of Trash to Landfill	2022	2023	2024 Actual (through August 2024)	2024 Budgeted
Trash to Landfill	76.97 tons		\$116,225.98	\$61,690	
RV Removal	n/a	n/a	\$29,956.02	\$40,602.30	\$150,000
Total		\$148,890	\$146,182	\$102,292.30	

Travelers Aid Fund

The GJPD's Travelers Aid Fund is designed to assist individuals stranded in Grand Junction, a regional center along a major interstate. While Grand Junction does not bus or send people out of the community as a standard practice, the fund can assist when a verified support mechanism—such as housing, a job, family, or a program like drug treatment or mental health inpatient care—exists in another community within the state or country. Assistance is typically offered by purchasing bus or train tickets to facilitate the individual or household’s travel. As represented in Figure 3.7 GJPD Costs for Traveler’s Aid, in 2022, approximately 34 individuals or families were assisted through the Travelers Aid Fund, totaling \$3,800 in costs. In 2023, the fund supported approximately 45 individuals or families, totaling \$12,200. As of August 2024, 25 individuals or households have been funded, amounting to \$4,990 in costs, representing 33 percent of the 2024 budgeted allocation of \$15,000.

Figure 3.7– GJPD Costs for Traveler’s Aid				
	2022	2023	2024 (through August)	2024 Budgeted
Number of Individuals/Households	34	45	25	
Bus, Train or other ticket(s)	\$3,800	\$12,200	\$4,990	\$15,000

Municipal Courts

Municipal courts often offer a variety of community service opportunities as part of their restorative justice programs, benefiting both the community and the individuals involved. These opportunities may include volunteer or community service opportunities through the local community. City staff have collaborated with the City of Grand Junction Municipal Courts and Community Resource Officers (CROs) to provide referrals to housing and supportive services as an alternative to fees associated with trespassing tickets.

For each arrest and summons generated by the Police Department, there are significant associated municipal court costs. Municipal court data is unavailable in a format that allows for a per-case cost analysis. The time spent on each case by judges, attorneys, and court clerks is not tracked. Similar to law enforcement, some cases are routine, while others require a significant time commitment. Additionally, cases are not tracked based on whether the individuals involved are housed or unhoused. The court's best information is based on violation codes (e.g., theft, indecent exposure/urinating in public), but these offenses are committed by both housed and unhoused individuals.

Fire Department

The Grand Junction Fire Department (GJFD) plays a critical role in ensuring the safety and well-being of our community, particularly for unhoused individuals who are more vulnerable to health emergencies and safety risks. Unhoused individuals often face increased medical needs due to factors like limited access to healthcare and inadequate shelter, leading to frequent emergency calls for complications from chronic illnesses, substance abuse, mental health crises, and exposure-related conditions. By providing timely and effective emergency response, the fire department helps mitigate the impact of emergencies on these vulnerable populations, ensuring everyone in the community receives the support they need in times of crisis.

EMS/Fire Service Funding

The GJFD budget is primarily funded through the General Fund, the 0.75 percent Sales Tax CIP Fund, and the 0.5 percent First Responder Tax Fund. Of those funds, it is estimated that approximately \$205,458.88 in 2023 and \$204,596.68 in 2024 provided services and resources to individuals experiencing houselessness. Figure 4.1 provides an overview of the entire GJFD dedicated to these expenses, with more detailed information on specific costs provided below.

Figure 4.1 GJFD Summary of Costs Related to Unhoused Individuals and Services		
EXPENSE	2023	2024 (Projected)
EMS Personnel & Dispatch	\$190,875.45	\$187,248.86
Fire Personnel & Dispatch	\$14,583.43	\$17,347.82
Total	\$205,458.88	\$204,596.68

Figure 4.2 provides personnel cost estimates for both EMS that attribute seven percent of their time to serving the unhoused and Fire Crews that attribute an average of six full time equivalent (FTEs) to support unhoused individuals. These estimates are based on the average number of crew members and dispatch support typically responding to calls, using the average time spent on a call to determine the total average cost per call. Data for 2024 currently covers only January through June. A projection for the remaining six months is included based on these figures; however, it should not be assumed that the call volume will remain consistent.

Figure 4.2 Estimated Cost For Providing Both Ems & Fire Support To Unhoused Individuals

Year	Total Call for Service	EMS Calls for PEH (7% of Total)	Average Time on Call	Firefighter Costs (6 average total)	Dispatch Costs per Call	Total Cost per Call
Ems Personnel Costs						
2023	17,025	1192	0.68	\$157,053.58	\$33,821.87	\$190,875.45
2024 (Jan-June)	8636	605	.063	\$73,808.26	\$19,816.17	\$93.624.43
2024 – Projection (July-December)				\$73,808.26	\$19,816.17	\$93.624.43
TOTAL				\$304,670.11	\$73,454.20	\$378,124.31
Fire Personnel Costs						
2023	624	130	0.65	\$10,899.93	\$3,683.50	\$14,583.43
2024 (Jan-June)	317	67	0.75	\$6481.35	\$2192.56	\$8673.91
2024 – Projection (July-Dec)				\$6481.35	\$2192.56	\$8673.91
TOTAL				\$23,862.63	\$8068.61	\$31,931.25

EMS/Fire Services

The Grand Junction Fire Department can track incidents, including EMS Call types for service, Fire Call Types for service, and the average time spent on calls involving individuals who self-identify as houseless. Overall, the demand for EMS and Fire services in this population addresses health and safety, ensuring timely and effective emergency response and connecting them to supportive services to help mitigate future emergencies.

Figure 4.3 demonstrates the time commitment of EMS and Fire department services to the population of people experiencing homelessness (PEH). For EMS services, while there was a slight increase in the length of the average time per call, there was a total decrease of time spent on calls by approximately 4.19 percent, indicating fewer calls, less complicated calls, or more efficiency in care. For Fire services, there was a slight increase in average time per call and the monthly average increased by 22 percent, which may indicate that more services are provided to individuals and/or that the situations require more time.

Figure 4.3-Time Commitment of EMS & Fire Services for Unhoused Individuals

EMS Services	2023	2024 (thru June)
Average Time Per Call	41 min 14 sec	39 min 10 sec
Total Time Spent on Calls	824 hrs, 33 min, 41 sec	395 hrs, 0 min, 9 sec
Average Monthly Time Per Call	68 hrs, 42 min, 48 sec	65 hrs 50 min
Fire Services		
Average time per call	38 min 32 sec	45 min 33 sec
Total time spent on calls	83 hrs, 29 min, 37 sec	50 hrs, 51 min, 54 sec
Average monthly time per call	6 hrs 57 min	8 hrs 29 min

The data could vary due to several factors, including changes in call volume, efficiency improvements, or variations in the nature of the incidents. Addressing the needs of unhoused individuals continues to place a demand on emergency services, highlighting the importance of targeted interventions and support systems.

As shown in Figure 4.4, which outlines the complete list of EMS call types for unhoused individuals, the most common reasons for EMS service calls in 2023 and 2024 were related to sick persons, followed by breathing problems, unconsciousness or fainting, and unknown problems/persons down. While there is some variation in the types of calls each year, the EMS data shows an average of approximately 100 calls per service per month, accounting for about 7 percent of all calls in 2023. In 2024, the average monthly calls per service is around 101, also making up approximately 7 percent of total call volume, indicating that the call volume has remained steady between the two years. 2024 EMS: 8,636 (Unhoused caused 7 percent of EMS call volume),

Figure 4.4 –EMS Call Types For Unhoused Complaints		
Complaint	2023	2024 (THRU JUNE)
Sick Person	322	163
Breathing Problem	114	48
Unconscious/Fainting/Near-Fainting	80	36
Unknown Problem/Person Down	78	31
Chest Pain (Non-Traumatic)	63	29
Convulsions/Seizure	61	36
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	51	31
Falls	51	25
Assault	43	25
No Other Appropriate Choice	37	29
Hemorrhage/Laceration	36	13
Overdose/Poisoning/Ingestion	34	24
Traumatic Injury	33	18
Back Pain (Non-Traumatic)	27	12
Abdominal Pain/Problems	27	19
Heat/Cold Exposure	27	12
Traffic/Transportation Incident	24	4
Stroke/CVA	13	7
Transfer/Interfacility/Palliative Care	13	6
Well Person Check	9	5
Cardiac Arrest/Death	9	5
Headache	9	5
Heart Problems/AICD	9	4
Diabetic Problem	8	9
Allergic Reaction/Stings	7	4
Burns/Explosion	4	1
Eye Problem/Injury	2	1
Stab/Gunshot Wound/Penetrating Trauma	2	1
Automated Crash Notification	0	1

Animal Bite	2	1
Carbon Monoxide/Hazmat/Inhalation/CBRN	2	0
Pregnancy/Childbirth/Miscarriage	1	2
Standby	1	0
Drowning/Diving/Scuba Accident	1	0
Total	1200	607

Fire Support

The City of Grand Junction Fire Department plays a crucial role in public safety by responding to a wide range of fire incidents, including those involving the unhoused population. In 2024, the department responded to 317 total fires, with 21.1 percent related to unhoused individuals, spending an average of 45 minutes and 33 seconds per call. Despite a decrease in the overall number of fires from 624 in 2023 to 317 in 2024, the proportion of fires involving the unhoused population slightly increased from 20.8 percent to 21.1 percent. Figure 4.5 provides an overview of the most common types of fire-related calls involving the unhoused and indicates that the most frequent reasons for Fire Service intervention fires related to brush or brush mixture fires, outside rubbish fires, trash or waste fires, unauthorized fires, and smoke scares.

Figure 4.5 –Fire Call Types For Fires Related to the Unhoused Population		
Fire Classification	2023	2024 (THRU JUNE)
Attempted Burning, Illegal Action, Other	3	1
Gas Leak (Natural Gas or LPG)	1	0
Brush or Brush-And-Grass Mixture Fire	18	15
Dispatched And Cancelled En Route	0	2
Dumpster Or Other Outside Trash Receptacle Fire	1	0
False Alarm or False Call, Other	1	0
Hazmat Release Investigation W/No Hazmat	1	0
Fire In Motor Home, Camper, Recreational Vehicle	1	0
Forest, Woods or Wildland Fire	3	1
Camper or Recreational Vehicle (RV) Fire	3	0
Gasoline or Other Flammable Liquid Spill	1	0
Grass Fire	5	2
Fire In Portable Building, Fixed Location	1	0
Cooking Fire, Confined To Container	9	5
Building Fire	3	2
Outside Equipment Fire	0	1
Outside Rubbish Fire, Other	3	0
Outside Rubbish, Trash or Waste Fire	23	11
Outside Storage Fire	1	1
Passenger Vehicle Fire	3	1
Prescribed Fire	1	0
Road Freight or Transport Vehicle Fire	1	0
Smoke From Barbecue, Tar Kettle	3	1
Smoke Scare, Odor Of Smoke	12	10

Special Outside Fire, Other	1	0
Steam, Vapor, Fog or Dust Thought To Be Smoke	1	0
Trash Or Rubbish Fire, Contained	3	0
Unauthorized Burning	27	14
Total	130	67

Fire Mitigation Efforts

Fire mitigation along the river is critical to reduce wildfire risk. In 2023 and 2024 fire mitigation was completed across 133 acres of the river corridor. This effort involved analyzing vegetation and fire history data and coordinating with the Parks and Recreation Department to design prescriptive vegetation removal and treatment. Fire mitigation typically displaces unhoused individuals in encampments along the river; however, GJFD worked closely with GJPD's Community Resource Unit, the Housing Division, Neighbor 2 Neighbor team, and Parks and Recreation to provide extended notice, outreach, and connections to local housing opportunities and services for those affected. In 2024, three treated areas, funded by state and federal grants, experienced positive outcomes and reduced potential fire behavior due to the mitigation.

General Services

General Services provides a supporting role in many city projects, including special project and construction assistance and also manages many of the City's enterprises including solid waste.

While the department does not directly provide services specific to the unhoused population, the General Services department contributed significantly to Homeward Bound during the rapid construction of the Resource Center. The project was completed in approximately six weeks, from the initial funding request to opening. Due to the expedited timeline and the need for City staff involvement in construction and plan reviews, the General Services team provided essential support, including the general contractor's assistance with city property and site finalization. The estimated cost for the construction team's time, vehicle use, and materials is \$8,973.66. Figure 5.1 below summarizes the total expenses from General Services.

Figure 5.1 General Services Personnel and Services for Unhoused Individuals		
EXPENSE	2023	2024
General Services Personnel		\$1,978.36
Construction Team 47.25 HOURS @ \$41.87/HR		
Project Team 6.5 STAFF AT 10 HRS.		\$2,295.65
General Services Vehicle Use		\$1,029.25
44.75 Hours @ \$23.00/Hr		
Materials Costs		\$3670.40
Dumpsters		\$20,382
Vehicle Donation (In-Kind)		\$4,500
Total		\$32,826.41

Dumpsters

Providing dumpsters and sanitation services is essential for maintaining public health and cleanliness, particularly for unhoused individuals who often lack access to adequate waste disposal options. Proper

sanitation reduces health risks associated with improper waste management, such as the spread of diseases and contamination of the environment. It also mitigates the accumulation of garbage and litter from encampments, which can be costly to manage and clean up. By offering dumpsters at key locations throughout the City supports personal responsibility among unhoused individuals, many of whom engage with community groups that provide education and incentives for responsible waste disposal in exchange for basic needs like meals and blankets. These efforts help reduce the environmental and economic impact of encampments and extended stays in public spaces. A combined total of \$28,326.41 has been spent on these services for 2023 and 2024, and this figure is reflected solely in the 2024 column in Figure 5.1.

Vehicle Donation

The City can donate older vehicles and other supplies to non-profits and other community organizations, particularly as these items reach the end of their useful life within the City's fleet. In 2024, in response to a request from Homeward Bound, an older model minivan from the City's fleet was donated to support their transportation needs. This donation has enabled Homeward Bound to provide daily transportation between their North Avenue shelter, other local housing providers, and the Resource Center. Over the first six months of operation, Homeward Bound's transportation service logged a total of 2,773 trips. The minivan is estimated to be worth approximately \$4,500, which is included in Figure 5.1 as an in-kind donation.

Grand Junction Total Estimated Costs Associated with the Unhoused		
EXPENSE	2023	2024 (Budgeted)
CITY COUNCIL		
ARPA & Non-Profit Funding	\$3,573,091	\$330,700
HOUSING		
Housing Personnel & Operations	\$285,463.30	\$272,234.80
Capital – Unhoused Projects	\$3,663,108	\$1,060,317
Interim Housing Code		\$27,407
PARKS & RECREATION		
Contract Services	\$137,128	\$182,158
Vandalism & Restrooms	\$400,977	\$265,560
GJPD		
GJPD Personnel	\$163,500	\$163,500
Dispatch	\$75,000	\$47,460
Clean Up & RV	\$146,182	\$150,000
Traveler's Aid	\$12,200	\$15,000
GJFD		
EMS Personnel & Dispatch	\$190,875.45	\$187,248.86
Fire Personnel Dispatch	\$14,583.43	\$17,347.82
GENERAL SERVICES		
General Services Personnel		\$4274.01
General Services Vehicle Use		\$1,029.25
Materials Costs		\$3670.40
Dumpsters		\$20,382
Vehicle Donation (In-Kind)		\$4500
TOTAL	\$ 8,662,108	\$2,752,789



Grand Junction City Council

Workshop Session

Item #5.b.

Meeting Date: October 21, 2024
Presented By: Andrea Phillips, Interim City Manager
Department: General Services
Submitted By: Andrea Phillips, Interim City Manager

Information

SUBJECT:

City Recycling

EXECUTIVE SUMMARY:

Staff is seeking direction on the next steps for the city's recycling program. As discussed with Council previously, the City has paused its rollout of further recycling phases due to the inability to sort, bale, and manage the amount of material being collected.

BACKGROUND OR DETAILED INFORMATION:

The City has been focused on expanding its recycling efforts for the last few years. At this time, General Services has paused the roll-out of additional phases of the curbside recycling program due to the inability to accept, store, sort, and process the amount of recyclables at the City Shops location. The City would like to be able to continue with future phases and expand efforts, but the physical site limitations and lack of robotics for sorting limit processing capacity to ensure clean commodities are for sale to the commodities market. The City engaged LBA associates to conduct a feasibility study for a materials recovery facility (MRF). This report demonstrated the costs and possible cost recovery for two options: a local MRF for city-only materials and a regional MRF that could accept materials from outside the area. A MRF appears to be a logical next step in the evolution of the City's recycling program. Staff has been studying the City's needs, analyzing future tonnage, capacity, sizing of the facility, and options to scale up the robotics/sorting equipment to avoid overbuilding the facility, and ensuring a financial model to cover costs. Certificates of participation (COPs) will likely need to be issued to cover the cost of acquiring land, building or remodeling a facility, buying equipment, etc.

A Request for Proposals was issued by the City, which received three responses, with very different possible solutions given by the respondents. Staff is seeking consensus

from Council on the next steps and recommends that Council create a committee of three Councilmembers to work with staff on a solution that can be brought forth as a recommended pathway for the city.

FISCAL IMPACT:

Dependent upon the option selected. TBD.

SUGGESTED ACTION:

For discussion purposes. Staff is seeking direction on next steps.

Attachments

1. City of Grand Junction MRF Study Report - LBA Associates Sept 2023



LBA ASSOCIATES

MEMORANDUM

TO: Kym Beck, Recycling/Waste Reduction Supervisor

DATE: September 21, 2023

RE: Materials Recovery Facility Feasibility Study

The Materials Recovery Facility (MRF) Feasibility Study was conducted for the City of Grand Junction by LBA Associates, Inc. (LBA) in partnership with Kessler Consulting, Inc. (KCI). The study evaluated two MRF options to assess the economic viability of creating a new recyclables processing hub on the Western Slope that anticipates implementation of new state-wide extended producer responsibility (EPR) program.

STUDY SCOPE

The study conceptualized MRF operations for two service area scenarios (see Table 1) and estimated capital investment and operating costs. Both scenarios will address processing of recyclables collected from municipal solid waste sources (i.e., residential and non-residential) currently served by the City of Grand Junction and Mesa County programs.

Table 1: MRF Scenarios Evaluated

	<i>City MRF Option</i>	<i>Regional MRF Option</i>
<i>Service Area</i>	City of Grand Junction ^a	Regional ^b (incl Grand Junction)
<i>Processing Capability</i>	Multi-, dual & single stream	Multi-, dual & single stream
<i>Facility Life</i>	20 years	20 years
<i>Capacity (2035)</i>	28,200 tons (see Table 5)	66,400 tons (see Table 5)

^a City drop site accepts recyclables from residents outside of the city

^b Evaluated as county-only population to evaluate viability with minimum quantities

One of the biggest study challenges was the lack of waste generation and diversion data. Private haulers and processing facilities are not currently required to share relevant data that would help local governments gauge

LBA Associates, Inc.
2186 S. Washington St., Denver, CO 80210
303.722.7943 www.lbaassoc.com

landfill diversion progress or support program improvements. As a result, some assumptions and estimates were required to complete the study.

BACKGROUND

The City of Grand Junction is committed to maximizing landfill diversion practices for its residents. In 2022, the city purchased the recyclables collection and transfer operations of Curbside Recycling, Inc. (CRI), a private company that had been a partner for many years. As the city has municipalized CRI's services, it has continued to manage a five-stream curbside system that is unique in an era where single stream is the norm. The city's customers have enjoyed a multi-faceted diversion program that exceeds the landfill diversion rate observed in other non-Front Range communities¹. Significant changes are expected in the short term, however, as the new state-wide EPR program is implemented.

Extended Producer Responsibility - EPR legislation is expected to increase landfill diversion rates by three- to four-fold across the state. The program will accomplish this by targeting substantive recyclables recovery rates and bringing a new revenue stream into Colorado that will largely subsidize recyclables collection, transfer, and processing costs. This revenue will come from manufacturers of printed paper and packaging materials and will be available for residential programs as early as 2026 and non-residential programs by 2028 if statutory deadlines are met. Colorado's EPR program will be complicated to fully develop, however, and its full scope and impacts are not fully understood.

While this increased landfill diversion is consistent with the city's sustainability goals, issues associated with processing collected materials must be addressed. The CRI Recycling Center is at capacity and cannot accommodate increased tons. The center also has limited sorting capacity, which is adequate for the current five-stream collection system but cannot process dual- or single-stream without modification.

The EPR program is expected to support new processing infrastructure in under-served areas of Colorado (such as the Western Slope) with capital funding. To that end, the city is evaluating MRF capacities, capabilities, and costs in anticipation of EPR implementation. The city is also working on compliance with the new Plastics Pollution Reduction law and is implementing a new residential organics recovery programs; these do not directly impact the viability of a future MRF, however, and are not addressed in this study.

EXISTING SOLID WASTE SYSTEMS

Waste management in the region is provided by a mix of public and private service providers. Both trash and recyclables are collected through a combination of curbside and drop site programs. Neither recycling nor organics recovery is mandatory. As curbside collections have an added fee and drop-site collections are inconvenient, many residents and businesses do not choose to participate in diversion programs.

City of Grand Junction

Grand Junction operates the most robust recycling program in the region and is the only public hauler of trash and recyclables in Mesa County.

Current City Trash Service - The City's Solid Waste Department is a utility enterprise fund that provides automated weekly curbside trash collection to residential households and is mandatory for most households up to seven units. Trash service includes either 64- and 96-gallon carts with volume-based pricing (also known as pay as you throw, or PAYT). Currently, about 17,000 of the 24,000 eligible households are city trash customers (annexed neighborhoods are allowed to opt out). The city also services about 650 commercial customers.

¹ For 2021, CDPHE reported a non-Front Range rate of 11.9% which is almost two percentage points lower than the City of Grand Junction and Mesa County estimates.

In 2022, the city landfilled about 22,000 tons of trash. Multiple private haulers collect commercial (and some residential) trash within the city for disposal at the Mesa County and other landfill facilities².

Current City Recycling - Through the department's Recycling Division, the city has been providing multi-stream (with five material combinations) curbside recycling collection to residential households up to four units since 2022 (this service was previously provided by CRI). This is a monthly collection service for most customers. Residents provide their own containers and pay a minimal fee in addition to trash collection³. About 4,400 households and 40 commercial customers subscribed to recycling in 2022.

The city also provides free drop-off collection to both residents and businesses at the Recycling Center. The center accepts the same materials as the curbside program and typically receives about 71% by weight of the total recyclables managed by the city (the curbside program makes up the remaining 29%)⁴. The city allows non-city residents to use the facility (estimated to be 37% of total center visitors). In 2022, the city managed about 1,600 tons of recyclables.

City recyclables are also processed at the Recycling Center. Processing includes minimal sorting (the only commingled stream accepted is plastic/metal containers), aggregation for shipping to markets and baling all materials except glass. While some materials earn revenues, the division operates at a net loss; the 2023 budget of \$2.7M is expected to be heavily subsidized⁵. Multiple private hauling companies collect recyclables from other generators in the city. Collected materials are transferred (or processed for transfer) out of the county for further processing and manufacturing. Tables 2 and 3 (on the next page) provide a listing of the largest recyclable haulers in Mesa County and facilities used for processing.

Table 2: Recyclables Collections in Mesa County

<i>Company</i>	<i>Service Areas</i>	<i>Curbside Services</i>
<i>City of Grand Junction</i>	Grand Junction	Residential <5 units - 5-stream (2023 residential dual-stream pilot) Minimal commercial cardboard/mixed materials
<i>Bruin Waste Recycling (Double J)</i>	Gateway (also Delta & Montrose Counties)	Residential & commercial single-stream (hailed to Rocky Mountain Recycling in UT)
<i>Dependable Waste Services</i>	DeBeque (also Garfield County)	(dual stream drop site/no glass only)
<i>Friendly Rod's Recycling</i>	Mesa County	Commercial office paper shredding & cardboard recycling
<i>Republic Services (Commercial Refuse, Monument, Rocky Mountain, Western CO Waste)</i>	Mesa County	Residential & commercial single-stream (hailed to Waste Management in UT) Commercial cardboard (hailed to Waste Management in Grand Junction)
<i>Waste Management</i>	Mesa County - Fruita & Palisade residential contracts (also Montrose County)	Residential & commercial dual-stream recycling Commercial cardboard recycling

² Other landfills include S Road in Mack, the Broad Canyon in Naturita and the Garfield County in Rifle.

³ Once-monthly customers pay \$1.75/month while the twice-monthly customers (about 200 households) pay \$25/month.

⁴ A 2021 survey found that 80% of users rely on this facility for recycling (i.e., do not also have curbside service).

⁵ Staff report that the Recycling Center alone had \$1.5M in next costs in 2022.

Table 3: Recyclable Transfer, Processing & End-Use Facilities

<i>Facility</i>	<i>Description</i>	<i>End User & User Fees</i>
City of Grand Junction Recycling Center	City-owned facility processes drop-site & curbside materials collected by city only	Direct marketing to end users (tip fees included in curbside pricing)
Bruin Waste Recycling (Montrose)	Private transfer facility for single-stream materials from Bruin only	Now closed (hauled to Rocky Mountain Recycling)
Eagle County	County-owned MRF processes dual-stream from multiple haulers (in/out of county)	Not used for recyclables collected in city/county (\$0/ton)
Interwest Paper/Pro Recycling	Paper & plastics recycler (no sorting capability)	Accepts only source-separated materials
Pacific Steel & Recycling (Grand Junction)	Metals recycler accepts used beverage containers (aluminum)/ steel cans from public & businesses	Pacific Steel & other metal manufacturers
Recla Metals (Grand Junction, Montrose, Clifton)	Metals recycler accepts metal cans from public & businesses	Recla & other metal manufacturers
Rocky Mountain Recycling/CellMark (South Salt Lake City, UT)	Private MRF processes single stream/no glass from multiple haulers (no tons from Colorado)	Direct marketing to end users (\$60-70/ton)
Waste Management (Grand Junction)	Private facility processing dual-stream & transfers single-stream from multiple haulers	Hauled to Waste Management Denver MRF (\$60-70 plus transport)
Waste Management (Montrose)	Private facility bales cardboard & transfers commingled from multiple haulers to Waste Management's Grand Junction facility	Hauled to Waste Management Grand Junction facility (tip fee not available)
Waste Management (Salt Lake City, UT)	MRF processes single stream/no glass from multiple haulers	Direct marketing to end users (tip fee not available)
Western Metals (Grand Junction)	Metals recycler accepts used beverage containers (aluminum)/steel cans from public & businesses	Western Metals (parent company) & other metal manufacturers

User fees vary with market conditions & by customer – range is snapshot only

As shown in Table 3, most commingled recyclables are transferred either to MRFs in Salt Lake City or Denver for sorting and marketing to subsequent end-users due to the lack of sufficient MRF capacity on the Western Slope; these processing facilities are 290 and 250 miles from Grand Junction, respectively.

New System - Beginning in early 2023, about 1,900 Grand Junction households were converted to a new system that adds a new 48-gallon trash service, every-other-week curbside recycling (dual-stream without glass), weekly curbside yard waste⁶ collection options and carts for all services as a combined service with a bundled rate. This expands the city's PAYT system from a trash-only system to a PAYT system bundled with recycling. Three new glass-only drop sites have also been added in dual-stream neighborhoods to maintain collection of high-quality materials.

This conversion provides new services with only minor price increases for customers. To date, 48% and 38%, respectively, of the converted households have opted for curbside recycling and yard waste service (roughly 300 of these recycling customers did not previously recycle). Additionally, the city intends to make improvements to the

⁶ Curbside yard waste is processed at the Mesa County compost facility.

Center's sorting capability in late 2023/2024⁷. However, the center is at its maximum capacity and cannot process additional tons. As a result, it is expected that the city will postpone converting the rest of its residents until the viability of a city or regional MRF has been explored.

Mesa County

Mesa County operates a comprehensive solid waste management campus that manages multiple material streams generated within the county but does not provide curbside collections. Mesa County's MSW landfill is the primary disposal site for trash generated in Grand Junction and throughout the county.

Current System - The county's Solid Waste Management Enterprise provides myriad services for the management of county materials including a landfill, compost facility, hazardous waste collection/material reuse facility and drop site for traditional recyclables. The county also operates four transfer stations for the collection of residential-only trash; three of these also provide free recycling (Palisade, Molina, and Gateway).

The landfill drop site accepts most traditional recyclables in three commingled streams while the transfer sites accept all but cardboard/paperboard in two streams. As the county's recyclables are commingled, they cannot be processed at the City of Grand Junction's Recycling Center. Instead, the county hauls its drop-site recyclables to Waste Management's Grand Junction recycling transfer facility (see Table 3). The county's recycling program costs are not tracked separately from the landfill and transfer station operations, but it does have a net cost that is subsidized by the enterprise fund. In 2022, the county managed about 130,000 tons of solid waste including 160 tons of traditional recyclables and nearly 8,000 tons of yard waste/clean wood, HHW and electronic waste.

Other recyclables collection in Mesa County is conducted by private haulers through a mix of curbside and drop site programs (see Table 2). All curbside collection is provided by private haulers except for Grand Junction. The Towns of DeBeque, Fruita and Palisade all contract for residential trash and recycling collection contracts (the DeBeque contract includes drop site only recycling while the Fruita and Palisade contracts require dual-stream recycling⁸).

Future Improvements – In 2023, the county expects to make improvements at its transfer stations for both the collection of trash and recyclables. Of note, the county expects to begin hauling recyclables to the Waste Management transfer facility in the future.

Current Landfill Diversion

Table 4 (on the next page) summarizes the landfill diversion successes in the City of Grand Junction and Mesa County in 2022 (Appendix A includes additional detail). The estimated quantities reflect disposed and diverted waste generated by residential households, businesses, and institutions (but excludes industrial and construction/demolition sources). The current landfill diversion rate for both the city and county exceeds the average measured for non-Front Range communities (which was only 11.9% in 2021) and already achieves the 2026 state goal established for non-Front Range communities (13%). However, the region is still achieving significantly less than its total landfill diversion potential – which is estimated to be upwards of 60% (33% of this value was traditional recyclables and 27% was compostable organics as shown in Figure 1).

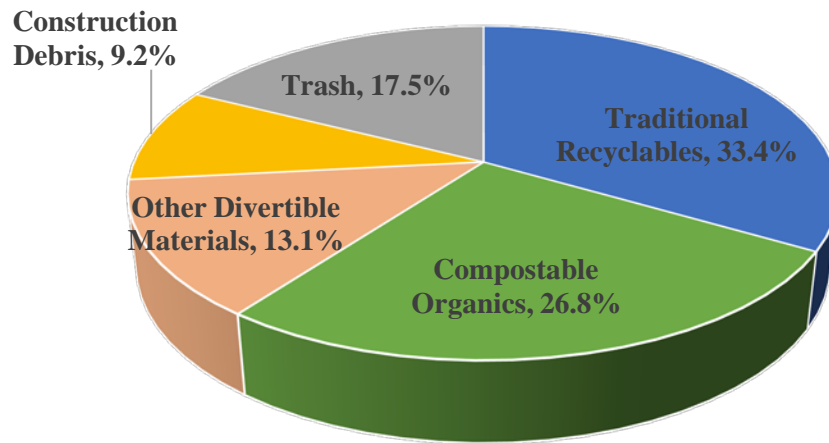
⁷ Improvements will include a fiber sort conveyor and materials storage building.

⁸ The contract hauler for these towns expects to convert to single-stream collections in 2024.

Table 4: Landfill Diversion Estimates (2022)

	<i>City MRF Option</i>	<i>Regional MRF Option</i>
<i>Total Waste Generation</i>	79,500 tons	187,000 tons
<i>Recyclables</i>	6,400 tons	14,900 tons
<i>Other Diversion^a</i>	4,300 tons	10,100 tons
<i>Landfill Waste</i>	68,900 tons	162,000 tons
<i>Landfill Diversion Rate</i>	13%	13%
<i>Diversion Due to Recycling Only</i>	8%	8%

^a Other diverted materials include recovered organics, household hazardous & electronic waste

**Figure 1: Potential Diversion of Mesa County Landfill Trash⁹**

⁹ Western Colorado Waste Diversion Study, 2019, by Souder Miller & Associates.

MRF DESIGN

For this study, it has been assumed that a new city/regional MRF will have the following primary functions and capabilities:

- Receive and stockpile three different streams of incoming recyclables – multi-stream, dual-stream, and single stream
- Pre-sort recyclables to remove dangerous, damaging, and oversize materials
- Separate glass from commingled recyclables
- Separate fiber and containers (single-stream recyclables)
- Sort fiber into marketable commodities and perform quality control
- Sort containers into marketable commodities and perform quality control
- Recover missed recyclables from residue
- Stockpile sorted, loose commodities
- Bale commodities (except glass)
- Store baled commodities
- Ship commodities
- Provide employee facilities
- Provide space for ancillary functions (spare parts, workshop, utilities, etc.)

Recyclables Tonnage Projections and Material Streams

Material projections have been based on assumed EPR impacts over time (these are expressed as increases in the average recyclables recovery rate or RRR)¹⁰ and also rely on several other assumptions and estimations. As such, the findings should be used judiciously; it is likely that refinement of the quantity estimates and timing will be required before final MRF design is conducted.

Table 5 includes a projection of landfill diversion due to recycling that can reasonably be expected to require MRF processing and includes material collected by all haulers (Appendix A includes a detailed materials quantity analysis). The table provides projections for the first expected year of operation (2025), mature operations expected at the five-year point (2030) and the capacity targeted for facility design levels at 10 years (or 2035).

Table 5: Recyclable Tonnage Estimates

<i>Company</i>	<i>City MRF</i>	<i>Regional MRF</i>
<i>Residential & Commercial Materials^a (estimate tonnage percents diverted in 2022 by public & private haulers)</i>	Multi-stream (~50%) Dual stream (~20%) Single stream (~30%)	Multi-stream (~45%) Dual stream (~15%) Single stream (~40%)
<i>Capacity (tons/year)</i>		
20% to 25% RRR (2025)	6,000 – 7,600	14,200 – 17,800
40% to 50% RRR (2030)	13,100 – 16,400	30,800 to 38,500
60% to 80% RRR (2035)	21,200 – 28,200	49,800 – 66,400

¹⁰ RRR compares the weight of diverted to total recyclables (i.e., diverted and landfilled). It is estimated that the average RRR under EPR in Colorado will grow to 70% (Increasing Recycling Rates with EPR Policy, TRP, 2023).

Table 5 also includes assumptions regarding the allocation of recyclables between the three streams and level of commingling (see Appendix B for a description of these materials).

MRF Design, Operational & Site Design Assumptions

The MRF's process flow is based on receiving each of the three streams separately in order to minimize sorting and preserving material quality where possible as depicted in Figure 2 (on page 17) and summarized below:

- Multi-stream:
 - Fiber (3 streams) - quality control, storage & baling
 - Cardboard
 - Chipboard
 - Mixed paper
 - Metal & plastic containers (1 stream) – mechanical sorting, storage & baling
 - Glass containers (1 stream) – quality control & storage
- Dual stream:
 - Mixed fiber: feed into beginning of processing system
 - Mixed containers: feed into processing system at post-fiber stage
- Single stream - feed into beginning of processing system

Preliminary Design and Equipment - Design assumptions are based upon a working knowledge of the existing solid waste system in Grand Junction and surrounding region and successes at other rural and regional MRF systems. These assumptions should be revised prior to final design. Table 6 summarizes key design criteria. Table 7 (on the next page) provides a preliminary list of processing system major components.

Table 6: MRF Design Criteria

	<i>City MRF</i>	<i>Regional MRF</i>
<i>Design Criteria (design year = 2035)</i>		
Processing throughput	10 tons/hour	25 tons/hour
Shifts / day	1.5	1.5
Minimum acreage	3 acres	5 acres
<i>Contamination Assumptions</i>		
Multi-stream	2.0%	2.0%
Dual stream	7.0%	7.0%
Single stream	15.0%	15.0%

MRF Operational Assumptions – These include:

- Operating hours
 - Initial - 1 shift 5 days/week (to handle 2025 and 2030 tonnages)
 - Future - expand to 1.5 shifts 5 days/week (to handle 2035 tonnage)
- Contract operations – contract with private operator who has strong MRF experience
 - Requires cost allowance for general & administrative costs and profit
- Rolling stock:
 - City MRF - 2 medium loaders, 1 skid steer & 1 forklift
 - Regional MRF - 1 large loader, 2 medium loaders, 1 skid steer & 2 forklifts

Table 7: Major System Components

<i>City MRF</i>	<i>Regional MRF</i>
Metering Bin & Drum Feeder	Metering Bin & Drum Feeder
4-Position Pre-Sort Line	6-Position Pre-Sort Line
1-Deck Cardboard Screen	2-Deck Cardboard Screen
Fiber Screen (1)	Fiber Screens (2)
2D/3D Screen (1)	2D/3D Screen (1)
2 Fiber QC Line (2)	Fiber QC Lines (2)
Ferrous Magnet (1)	Ferrous Magnet (1)
Dual-Eject Optical Plastic Optical (1)	Single-Eject Plastic Optical (3)
6-position Container Sort Line	6-position Container Sort Line
Eddy Current (1)	Eddy Current (1)
Fiber Bunker (3)	Fiber Bunker (3)
Container Bunker (7)	Container Bunker (7)
Glass Bunker	Glass Bunker
Residue Bunker	Residue Bunker & Compactor
Spare Parts Package	Spare Parts Package

MRF staffing levels are assumed to vary depending on throughput (see Table 8). During initial years when tonnage is less than MRF design capacity, the processing system can be run at a lower rate and the number of sorters reduced to the minimum needed to sort the designated number of commodities. As tonnage increases in the future due to program expansion and EPR, the number of sorters can be increased to the system's designed staffing level.

Table 8: MRF Staffing Assumptions

	<i>2025</i>	<i>2030</i>
<i>City MRF</i>		
Plant Manager	1	1
Equipment Operator/Mechanic	1	2
Sorter/General Labor	9	12
<i>Regional MRF</i>		
Plant Manager	1	1
Equipment Operator/Mechanic	2	3
Sorter/General Labor	11	16

Site Design Assumptions – Although the ultimate location of either MRF has not yet been determined, the costs of developing an empty site have been developed to inform the potential capital costs of facility development. Figures 3 and 4 (on pages 18 and 19, respectively) provide a preliminary site layout for the city and regional MRF, respectively. General assumptions include the provision of a site that does not have excessive clearing or grading requirements and has reasonable access to roadways and utilities. Specific assumptions to the facility concept include:

- MRF pre-engineered metal building (PEMB) on concrete slab
- Building perimeter with heavy-duty concrete aprons for high impact activities
- Asphalt paving for other vehicular traffic areas
- In-ground truck scale – 1 for the city MRF & 2 for the regional MRF
- Concrete masonry unit (CMU) operations and office building
- Surface water control structures at 20% of impervious surfaces
- Site development allowances for utilities, security, lighting, landscaping, etc.
- MRF does not include public facilities or education center

COST FINDINGS

External funding (i.e., EPR subsidies) has not been considered in this section (see the Cost Observations discussion at the end of this report). All cost estimates are presented in 2023 dollars.

Capital Cost Estimate

Table 9 includes a summary of estimated capital costs for both MRF options. These costs are based on the facility requirements needed to manage design year 2035 tons with 1.5 shifts/day.

Table 9: Capital Cost Estimates

	<i>CITY MRF (10 tons/hour)</i>	<i>REGIONAL MRF (25 tons/hour)</i>
<i>Site Development</i>	\$1,440,000	\$1,921,000
<i>Buildings</i>	\$8,737,000	\$14,197,000
<i>Equipment</i>	\$6,278,000	\$13,205,000
<i>Mobilization & General Conditions</i>	\$560,000	\$887,000
<i>Design & Engineering Fees</i>	\$712,000	\$1,128,000
<i>Contingency</i>	\$823,000	\$1,466,000
<i>ESTIMATED PROJECT COST</i>	<i>\$18,549,000</i>	<i>\$32,804,000</i>
<i>COST PER TON/HOUR</i>	<i>\$1.85M</i>	<i>\$1.31M</i>

Numbers may not appear to add due to rounding

Neither the cost of land acquisition nor local permitting costs were included in these estimates. Other assumptions include:

- Site development costs include surveying, clearing/grading, concrete apron/retaining walls, recycled asphalt millings for surfaces, structural fill/subgrade for buildings, stormwater structures, fencing/gates, lighting & site utilities
- Building costs include MRF and administration/operations buildings
- Equipment costs include processing system, baler's, truck scale, fuel tank
- Soft costs include design, engineering, mobilization, general conditions, contingency

Operating Cost Estimate

Table 10 (on the next page) summarizes the estimated operating costs for 2025 (initial operations) and 2030 (mature operations). Operating cost assumptions include:

- Rolling stock is leased
- Direct costs include electricity, fuel, residue transfer and disposal, maintenance, repair, replacement & general supplies

- Overhead includes operator general and administrative, profit
- Revenue is based on 10-year average regional published index prices for truckload quantities (revenues are net of transportation as they are assumed to be paid by buyers) – Appendix D includes the commodity pricing used for this analysis
- Tip fees needed for net-zero cost operation (without EPR subsidy) equal the net operating cost per ton (shown in Table 9)
- Estimate does not represent a true business model - annual financing costs (amortization) have not been included (if needed, an adjustment in this estimate will be required)

Table 10: Operating Cost Estimates

	<i>City MRF</i>		<i>Regional MRF</i>	
	<i>2025</i>	<i>2030</i>	<i>2025</i>	<i>2030</i>
<i>Labor & Benefits</i>	\$506,000	\$689,000	\$647,000	\$915,000
<i>Rolling Stock (annualized)</i>	\$61,000	\$61,000	\$155,000	\$155,000
<i>Direct Costs</i>	\$184,000	\$273,000	\$372,000	\$583,000
<i>Transfer & Disposal</i>	\$39,000	\$85,000	\$96,000	\$208,000
<i>Operator Overhead</i>	\$11,000	\$18,000	\$23,000	\$40,000
<i>Operator Profit</i>	\$33,000	\$54,000	\$70,000	\$119,000
<i>ESTIMATED OPERATING COST</i>	\$835,000	\$1,180,000	\$1,364,000	\$2,019,000
<i>Commodity Sales</i>	\$890,000	\$1,928,000	\$2,097,000	\$4,540,000
<i>Operator Revenue Share</i>	\$223,000	\$482,000	\$524,000	\$1,135,000
<i>ESTIMATED NET REVENUE</i>	\$668,000	\$1,446,000	\$1,573,000	\$3,405,000
<i>Net Annual Cost</i>	\$167,000	\$266,000	\$209,000	\$1,386,000
<i>Tons Per Year</i>	7,270	15,730	17,260	37,360
<i>Net Operating Cost Per Ton</i>	\$115	\$75	\$79	\$54
<i>Net Revenue Per Ton</i>	\$92	\$92	\$91	\$91
<i>Net Annual Cost Per Ton</i>	\$23	\$17	\$12	\$37

*Annualized cost of capital is not included
Numbers may not appear to add due to rounding*

<i>Avoided Landfill Tip Fees</i>	\$37/ton	\$37/ton	\$37/ton	\$37/ton
	\$260,000	\$590,000	\$640,000	\$1,386,000

When the avoided landfill disposal tip fee costs¹¹ are considered (as well as the net cost of Recycling Center operations), it is expected that future MRF operations will have significantly improved economics than what the City incurs currently enjoys.

MRF FEASIBILITY CONSIDERATIONS

There are several observations regarding the findings of this study that the City of Grand Junction should consider when deciding about future infrastructure development.

Existing Private/Public Sector Dynamic

The City of Grand Junction and Mesa County are already meeting the state goals for landfill diversion¹². However:

¹¹ Based on Mesa County's 2023 rates.

¹² These goals pre-date the EPR program and may be increased over the next few years.

- There are significantly more recyclables in the region's landfill stream that can be recovered – and likely will be recovered as the city completes its conversion to dual-stream recycling and EPR is implemented
- Additional tons in the region are being commingled – the city's existing processing infrastructure cannot accommodate the quantities collected by local governments (let alone those collected by private haulers) and there are no other facilities in the region that can process these recyclables
- Private haulers control 74% of current recyclables in the city and 88% in the county including all single-stream tons and most of the source-separated cardboard) – unless these tons are processed at a new city or regional MRF using flow control or other incentive, it is unlikely that a new processing facility will be economically viable
- Lastly, there is currently no policy requiring private haulers to report solid waste quantities to the city or county – without this information, waste generation & landfill generation cannot be fully measured (hauler reporting is typically included as part of hauler licensing policy, is common in Colorado & relatively easy to promulgate)

Future Processing Demand

Quantifying future processing demand is challenging due to the implementation of new state legislation, design assumptions that may require revision and the unknown development of new local policy that helps drive diversion.

EPR Impacts - The EPR program will not be fully defined for two or more years and projections are difficult as Colorado will be the first U.S. state to implement this policy for traditional recyclables. As discussed above, it is projected that the average RRR in Colorado could increase to 70% (or a 3- to 4-fold increase over the current city/county level of 22%). At this time, however, the final list of recyclables covered by the EPR program is unknown, as is the precise MRF capabilities needed to process them.

Demand Assumptions - Several design assumptions related to the demand for new recyclables processing capacity significantly affect the viability of the MRF analyses conducted in this study. Key assumptions include:

- All future recyclables will be processed at the city/regional MRF – if private haulers are not incentivized to use the public MRF, economic viability is unlikely (flow control would address this – see the Flow Control discussion below)
- Future recyclables are limited to those generated in the city or region – however, there is reasonable potential for tons generated outside of local jurisdictions to be processed at the city/regional MRF (by increasing the number of operating shifts/day) and would improve the annual operating costs (i.e., lower cost per ton) over that shown above¹³

Potential for New Local Policy to Increase Recyclable Tonnages – Development of new waste diversion-related policies could benefit a new city/regional MRF by increasing recyclables tons processed. These policies may also help to maximize the benefits of EPR - i.e., while the cost of recycling may be largely eliminated, residents and non-residents may still resist participating without additional incentives (or disincentives). Appendix D tabulates program and municipal code links for each of the examples listed below.

1. *Mandatory Recycling Service* – This policy can be applied to residential and non-residential generators and can include:

¹³ Recycle Colorado's Western Slope Council is currently working with communities in Mesa County and beyond to investigate the potential for regionalization.

- Mandatory curbside recycling for any customer that receives or subscribes to curbside trash collection (whether by public or private hauler) – examples include;
 - City of Northglenn (public collection)
 - City of Aspen (private hauler collection)
 - City of Steamboat Springs (private hauler collection)
- Mandatory curbside recycling with volume-based curbside trash (i.e., PAYT bundled with recycling) requires residential trash collection to be volume-based and have tiered pricing that includes recyclables collection such that curbside customers cannot opt out of recycling service. It is noted that the City of Grand Junction currently operates a volume-based trash collection services with tiered pricing and is a PAYT “trash-only” system as recycling is an optional add-on (but the new system conversion will ultimately move to bundled PAYT). Other examples include;
 - City of Durango (public collection) – bundled PAYT
 - City of Denver (public collection) – bundled PAYT
 - City of Golden (public contract collection) – bundled PAYT

The advantages of these policies would be increased convenience for residents (with little if any cost burden under the EPR program), relatively significant RRR increases and better achievement of sustainability goals. However, processing demand would be increased as would contamination (trash in recycling containers can occur as residents try to down-size their trash volume and reduce their service bill). These policies may also have reduced effectiveness in communities where curbside trash is not required (i.e., where self-hauling and drop off collection is allowed/provided).

2. *Material Disposal Bans* - Disposal bans prohibit the placement of targeted materials in trash containers or the landfill. Targeted materials are typically those that can be readily recycled locally. Advantages include the ability for simple, single-material recycling campaigns and public outreach messaging, as well as modest RRR increases. Disadvantages focus primarily on enforcement (tracking is difficult and expensive) and the need to clarify hauler responsibilities. Communities who have implemented material bans typically don’t actively enforce the policy but instead treat them as more of an education strategy. A related policy prohibits glass in commingled recyclables streams to minimize contamination (similar to the city’s policy for new dual-stream collections). Examples include:
 - City of Fort Collins cardboard ban
 - City of Aspen yard waste ban
 - Summit County prohibition of glass in single stream
3. *Flow Control* – This policy is used by local governments to maintain economic viability for public solid waste facilities by requiring that waste streams generated in their jurisdiction by any hauler (not just those under contract to the city or county) be tipped at the designated facility. These policies help ensure that facility design tonnages are met; they can be used for trash, recyclables, organics and other materials. Examples include:
 - Summit County (also the Towns of Breckenridge, Frisco and Dillon who have adopted through an intergovernmental agreement or IGA with the county)
 - City of Boulder (recyclables only)
 - Pitkin County

It is important to understand that each local government will need to implement flow control that designates the new MRF for all recyclables within its jurisdiction. In other words, a successful

City flow control policy will only apply to those tons collected in the city. For the City MRF, this is expected to provide adequate assurance of tons needed to support the facility, but for a regional facility multi-government partnerships that also lead to flow control policies by Mesa County and other local partners will be critical for MRF feasibility.

Summit County provides an example of how this can be accomplished regionally. The county promulgated comprehensive requirements for flow control, hauler licensing and hauler reporting for unincorporated areas. Subsequent negotiation of an IGA with three municipalities achieved universal adoption of these policies.

Publicly Owned/Publicly Operated MRFs Versus Publicly Owned/Private Operated MRFs

The City has a range of options for public-private partnerships for development and operation of a future MRF, which generally fall into four categories as described below and summarized in Table 11 (on the next page).

1. *City Design-Build and Operate (DB)* - The City would be responsible for all phases of the project financing, design, development, and operation. It would procure services for design, engineering, and construction supervision much like for other infrastructure projects. The County would then operate the facility.
2. *City Design-Build and Private Operate (DB&O)* - This option is the same as DB with the exception that the City would contract operations to a third party (as is the strategy considered in the cost analysis above).
3. *Private Design-Build and Operate (DBO)* - This option relies primarily on the private sector for design, development, and operation. The City would be responsible for financing. The private sector's role could be combined in a single procurement or decoupled with one vendor for design-build and another vendor for operations. This approach leverages the expertise of the private sector in all phases.
4. *Private Design-Build, Operate & Transfer (DBOT)* - This option is comparable to a concession agreement, whereby the City provides and owns the site, and the private vendor is responsible for all phases of financing, design, development, and operation. In order to undertake a DBOT, the vendor is typically given a long-term operating contract in order to provide the long-term revenue stream to recoup its investment. With a DBOT, the private vendor typically retains ownership of the project with ownership transferring to the City at the end of the agreement.

The DB&O approach is the most common approach for publicly controlled MRFs and mixed waste processing facilities in the U.S. because it balances the public sector's need to secure control of its materials management system with the expertise and efficiency of the private sector to achieve operational quality and cost effectiveness. It also has the benefit of there being a significant number of potential vendors, and thus competition, for each of the design, build and operating procurements.

The DBOT approach has been implemented in select cases, however there is a limited number of private vendors that are interested in providing this service for processing facilities. Also, the approach requires a long-term contract (e.g., at least 20 years) so that the private sector can recoup development costs at a competitive tip fee. A similar set of issues applies to the DBO approach.

Table 11 (on the next page) summarizes the major advantages and disadvantages of each approach. Note that "+" means the criteria is supported by the development and operating scenario, while "-" means it is not.

Table 11: Qualitative Assessment of Public/Private Partnership Options

	<i>DB</i>	<i>DB&O</i>	<i>DBO</i>	<i>DBOT</i>
<i>Facility Ownership</i>	City	City	City	All
<i>Design Build Responsibility</i>	Vendor	Vendor	One	One
<i>Operations Responsibility</i>	City	Vendor	Vendor	Vendor
<i>Ownership & Development</i>				
City Control of Public Infrastructure	+	+	+	-
City Role in Design & Development	+	+	+	-
Use of Private Sector Capital	-	-	-	+
City Responsibility for Development Financing	+	+	+	-
Increased Potential Vendors and Competition	+	+	-	-
Limited Impact of Profit on Costs	+	+	-	-
Control Risk of Conflict Between Vendors	+	-	+	+
<i>Operations</i>				
Potential Operating Cost Savings	-	+	+	+
County Control of Equipment	+	+	+	-
Facility Operating Expertise	-	+	+	+
Control of Contractor Performance		+	+	-
Increased Potential Vendors and Competition	+	+	-	-
Control Vendor Damage to County Assets		+	+	-
Limit Impact of Profit on Costs	+	-	-	-

COST OBSERVATIONS

The cost estimations described above provide a preliminary assessment of feasibility. As noted, the economic viability of a new MRF (City-only or regional) is significantly higher than current Recycling Center operations – even before avoided landfill tip fees are considered. There are several important factors to consider when interpreting these results.

City versus Regional MRF – Not surprising, the estimated capital investment for the 25 ton/hour facility needed to manage regional recyclable quantities is notably higher than that for a city-only 10 ton/hour facility (i.e., \$32.8M versus \$18.5M); there are economies of scale with the larger facility, however, in terms of the capital cost per ton/hour capacity. Most remarkable is the reduction in annual operating costs/ton with the larger facility that reflects the economy of scale benefits achieved when more tons are processed. As shown in Table 10, the estimated operating cost per ton for the city MRF is in the range of \$115 (2025) to \$75 (2030) while the regional MRF is in the range of \$79 (2025) to \$54 (2030).

Facility Siting – At this time, the city has not identified a specific property for the location of new MRF, although the old city wastewater treatment plant site may be a viable option for the smaller, 10 ton/hour facility. It is unlikely

that site could accommodate the larger MRF, however. If city-owned property is not available, donated or subsidized by EPR, capital costs must be adjusted accordingly.

EPR Funding Potential – While this state program is not yet fully developed, the potential for funding to assist in the development of a new Grand Junction MRF is significant:

- Funding for the collection and processing of recyclables is expected – but reimbursement may be less than 100% of actual costs
- Funding for residential recyclables is expected as early as 2026 – funding for non-residential materials may be available in 2028 or later
- Funding may be tied to recyclables quality – the city’s current 5-stream (and fledgling 2-stream) program is likely to continue producing material with low contaminant levels
- Funding for infrastructure may be selective – whether the program will cover a new publicly-owned MRF in the Grand Junction region is unknown, however;
 - It is widely acknowledged that Western Slope processing capacity is needed
 - It is probable that EPR funding would be more readily provided to a regional operation that not only serves more of the Western Slope but does so with a more efficient cost structure (i.e., the larger, regional MRF option with lower operating unit costs)

RECOMMENDATIONS

Based on knowledge related to the recyclables processing need in Grand Junction and surrounding areas, the expected implementation of Colorado’s EPR program, and the requirements for efficient and cost-effective MRF operations, it is recommended that the city:

- Implement time-critical policy – these can be implemented before facility decisions are made (and can be made even if a MRF is not ultimately developed):
 - City flow control to require all recyclables collected (by public and private haulers) in the City to be delivered to the MRF – subsequently collaborate with Mesa County and other local governments to adopt universal or discrete flow control policies in each jurisdiction
 - Private hauler reporting amendment to existing City code to require tonnage data to be provided as part of license renewal – subsequently collaborate with Mesa County and other local governments to adopt universal or discrete hauler reporting in each jurisdiction
- Participate in state-wide EPR program implementation & communicate regularly with the Producer Responsibility Organization¹⁴ regarding the viability of a regional Western Slope MRF that could be partially or fully funded
- Pursue a regional MRF to serve a broader area of the Western Slope, improve odds of attracting EPR funding, and minimize on-going operational costs – this MRF could be developed, owned & operated by the city or in partnership with other organizations (contracted operations is expected regardless of facility ownership)

¹⁴ The Producer Responsibility Organization selected to implement Colorado’s EPR Program is Circular Action Alliance – circularactionalliance.org.

- Identify available property with at least 5 available acres – assess truck traffic impacts and utility needs (more than 5 acres will be needed if the current public drop site is moved to the MRF site and if other activities or material collections are similarly co-located)
- Conduct a final design that
 - Considers phased construction to balance early facility development with EPR funding (not available until at least 2026)
 - Accommodates changes in quantity estimates as well as capital, operating and site design assumptions (ideally based on hauler data provided under new reporting policy)
 - Accommodates final site selection
 - Updates market pricing
 - Adjusts cost estimates as needed
- Develop local policy that requires the City's residents and non-residents to participate in EPR-subsidized recycling collections to increase recovered recyclables

Figure 2: Conceptual Materials Process Flow

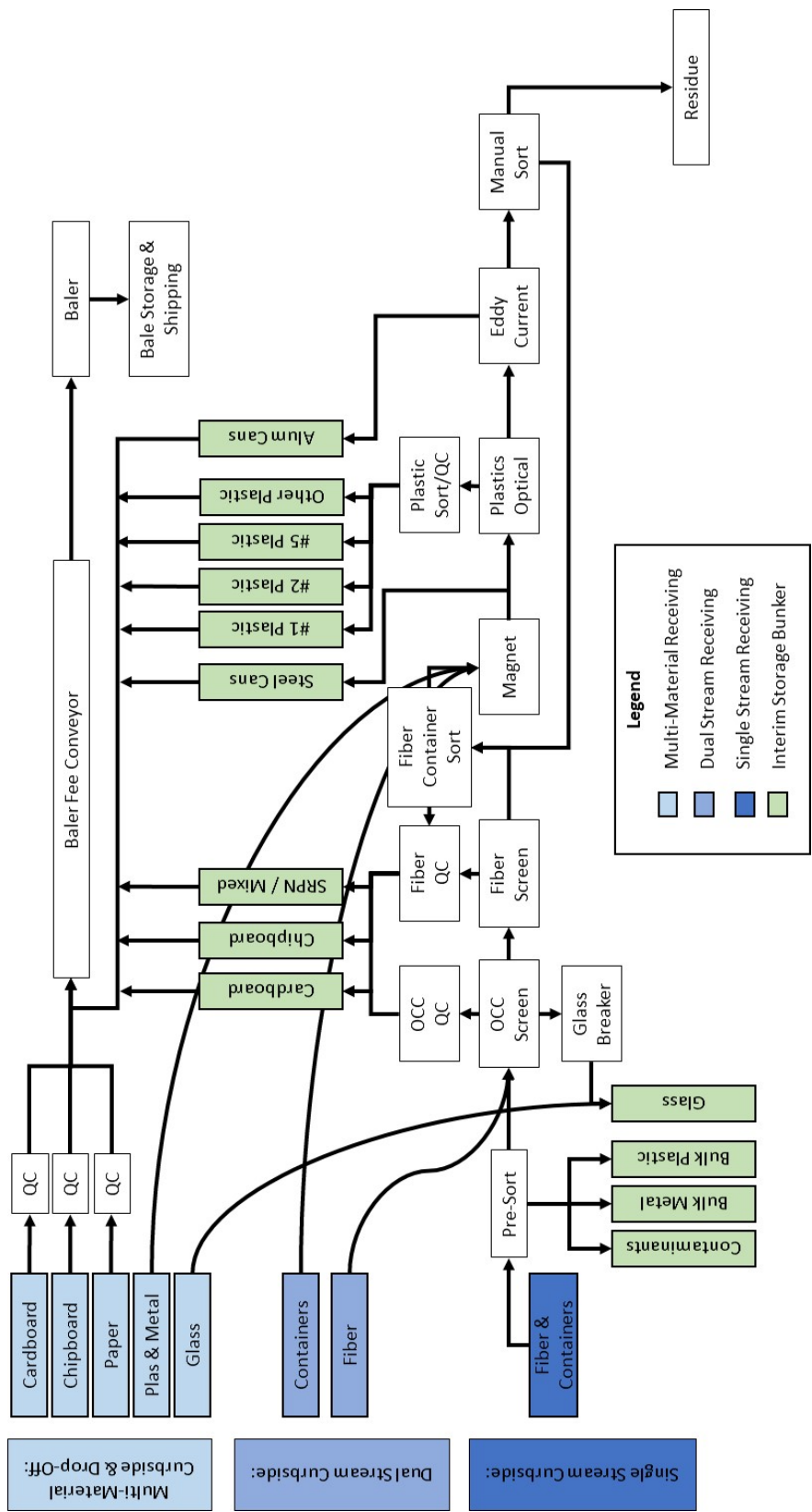


Figure 3: Conceptual Site Layout – City MRF

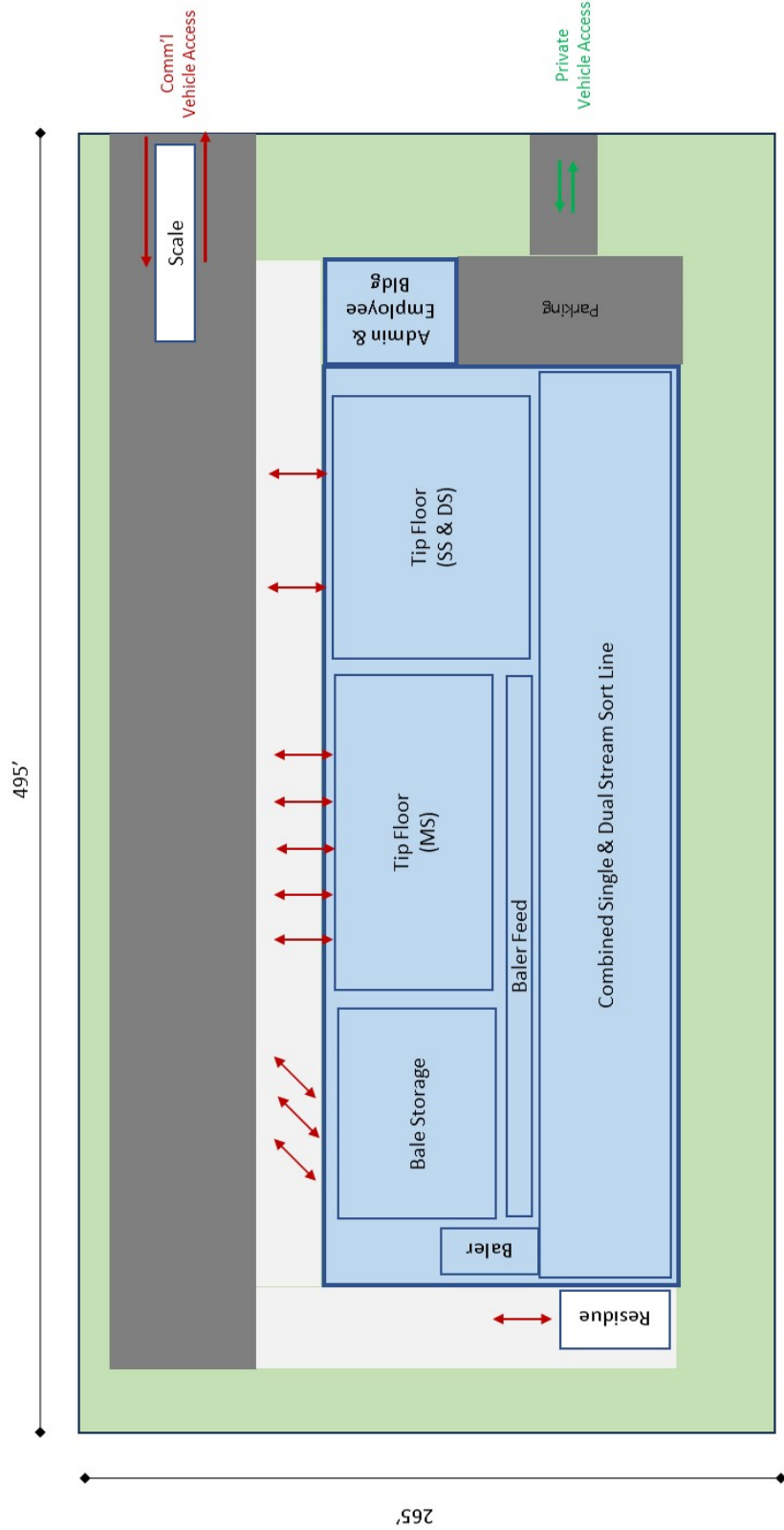
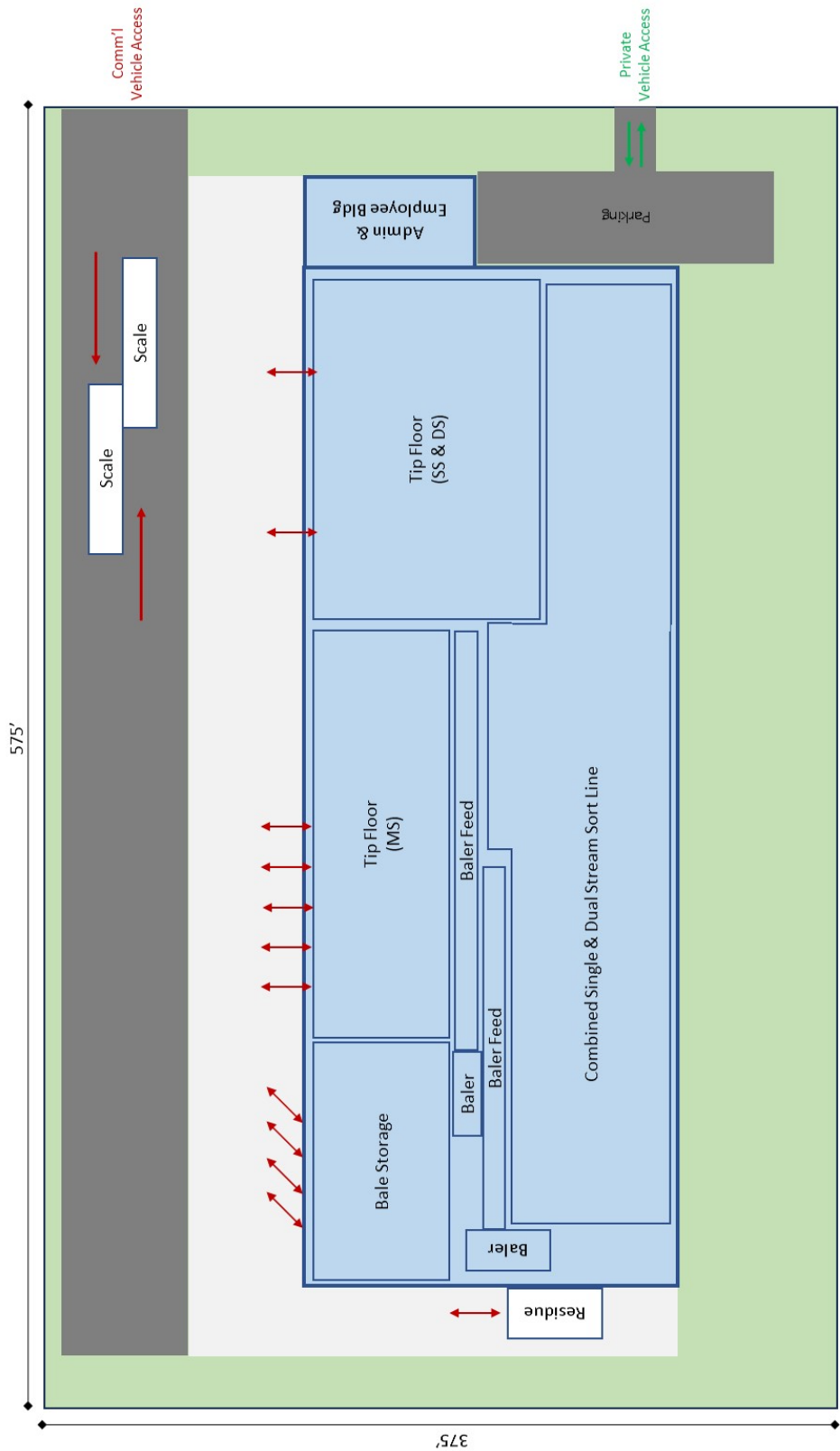


Figure 4: Conceptual Site Layout – Regional MRF



APPENDIX A
QUANTITY ANALYSIS

GRAND JUNCTION - MESA COUNTY ESTIMATED MSW GENERATION (2022)

			Existing System (2022)	
			Tons/Year	% of Total MSW
GRAND JUNCTION				
Estimate of Actual Management	MSW Generation (estimated)		79,523	
	Recycling - city collections		1,625	8.0%
	Recycling - private collections		4,726	
	Hard-to-Recycle		2,276	2.9%
	Composting (estimated)		1,914	2.4%
	HHW + Ewaste (estimated)		98	0.1%
	Remaining LF Stream (estimated)		68,885	86.6%
	Diversion Rate			13.4%

6,351 sum of all traditional recyclables

See Current & Projected Recyclables worksheet
Includes private sector tons - prorated from county
Prorated from county tons
Prorated from county tons
City staff expect landfill trash to be in the 65,000+ tpy range
City landfill = 43% of total county landfill tons

			Existing System (2022)	
			Tons/Year	% of Total MSW
MESA COUNTY (including City of Grand Junction)				
Estimate of Actual Management	MSW Generation (estimated)		186,996	
	Traditional Recycling			
	County collections		161	8.0%
	City collections		1,625	
	Private city + county collections		13,149	
	Hard-to-Recycle		5,352	2.9%
	Composting (estimated)		4,500	2.4%
	HHW + Ewaste		230	0.1%
	Remaining LF Stream		161,979	86.6%
	Diversion Rate			13.4%

County tons include city tons

14,935 sum of all traditional recyclables

See Current & Projected Recyclables worksheet
CDPHE data - includes private sector tons
County tons - estimated using 150 #/cy green waste
County tons
Includes waste disposed at Mesa County & S Road Landfill

Notes:

Assumed MSW generation = 6.5 lbs/cap-day (CDPHE, 2021) - assume no change in future years
County composting/ewaste from county Flow Control Wish List document (June 5, 2023)
HTR tons include white goods & electronics reported by CDPHE (2021) under MSW - excludes other scrap metal, autos, oil, antifreeze, vehicle batteries

Justification for MSW & Recyclables Generation:

CDPHE reported 2021 MSW generation rate of 6.7 ppcd (5.6 trash, 1.1 recyclables/organics) - national average MSW 4.9 ppcd (3 trash, 1.9 diverted)
Fruita & Palisade has MSW generation rates (2022) from 4 to 4.7 ppcd (assuming total MSW is twice residential/contract collections)
CDPHE solid waste volumetric report for Mesa County includes two landfills that captured 633,300 cy
Or 127,000 tpy at 400#/cy (EPA 2016 low end for compacted MSW) to 190,000 at 600#/cy (rate suggested by CDPHE)
Mesa County conversion factor closer to 625 #/cy (2019 - 2021)
Using state average disposal (5.6 ppcd) & county population - landfill tons = 161,000 tpy
City Sanitation collected 22,000 tons in 2022 from residential & some commercial sources or about 33% of total MSW estimate
CDPHE recycling report for 2021 found that Front Range region diverted 15.8% (recycling & composting) against 2021 goal of 32%
Non-Front Range regions diverted 11.9% against goal of 10%
M2B2 recycling generation rate was 2.33 pounds/person-week (or 0.33 ppcd) - CDPHE measured 1.1 ppcd recycling plus organics recovery
Fruita & Palisade residential recycling collection (2022) was 0.23 to 0.27 ppcd
Applying 0.5 ppcd recycling collection rate to city yields 6,100 tpy & to county 14,400 tpy
Fruita reports 9.9% residential diversion rate from recycling; Palisade reports 13.2%

ESTIMATED CURRENT and PROJECTED RECYCLABLE TONS

		ESTIMATED DIVERSION TONS by MATERIAL (2022)							POTENTIAL TOTAL DIVERSION (2022)			FUTURE RECYCLABLES PROJECTIONS (tons/year)							
		Actual Tons Diverted from City Program Only	Composition of City Tons		Prorated Total Actual City-Wide Recyclable Tons Per CDPHE	Calculated City-Wide Private Sector Tons	Existing Recyclables Recovery Rate (estimated)		Landfill Composition Rates (actual)	Recyclable Tons in Landfill	Potential Total Recyclables (100%)	2025 Projection		2030 Projection		2035 Projection		2045 Projection	
												Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)
CITY OF GRAND JUNCTION	Recyclables								WCS Results			20%	25%	40%	50%	60%	80%	60%	80%
	Cardboard	429	26%		4,360	3,931	40%		9.4%	6,475	10,835	2,236	2,795	4,840	6,050	7,836	10,448	8,779	11,705
	Paperboard	155	10%		310	155	12%		3.4%	2,342	2,652	547	684	1,185	1,481	1,918	2,558	2,149	2,865
	Mixed paper	404	25%		798	394	17%		5.7%	3,926	4,725	975	1,219	2,111	2,638	3,417	4,556	3,828	5,104
	PET	70	4%		123	53	5%		3.1%	2,135	2,258	466	582	1,009	1,261	1,633	2,178	1,830	2,440
	HDPE	39	2%		63	24	8%		1.0%	689	751	155	194	336	420	543	725	609	812
	PP	10	1%		21	11	1%		2.9%	1,985	2,005	414	517	896	1,120	1,450	1,933	1,625	2,166
	#3/4/6/7	0	0%		20	20	2%		1.4%	977	997	206	257	445	557	721	961	808	1,077
	Alum	49	3%		82	33	8%		1.4%	964	1,047	216	270	468	584	757	1,009	848	1,131
	Steel/tin	44	3%		28	-16	4%		1.0%	689	717	148	185	320	400	518	691	581	774
	Glass - clear	256	16%		328	73	17%		2.4%	1,653	1,981	409	511	885	1,106	1,433	1,911	1,605	2,141
	Glass - colored	170	10%		219	48	17%		1.6%	1,102	1,321	273	341	590	738	955	1,274	1,070	1,427
	Recyclables Diverted	1,626	100%		6,352	4,726				22,939	29,290	6,044	7,554	13,083	16,354	21,183	28,244	23,732	31,642
	Potential Diversion Rate (recyclables only)				8.0%		21.7%			36.8%		7.4%	9.2%	14.7%	18.4%	22.1%	29.5%	22.1%	29.5%

33.3%

		ESTIMATED DIVERSION TONS by MATERIAL (2022)							POTENTIAL TOTAL DIVERSION (2022)			FUTURE RECYCLABLES PROJECTIONS (tons/year)							
		Actual Tons Diverted by County Program Only without City (estimated)	Estimate of Private Sector Recyclables County-Wide				Existing Recyclables Recovery Rate (estimated)		Landfill Composition Rates (actual)	Recyclable Tons in Landfill	Potential Total Recyclables (100%)	2025 Projection		2030 Projection		2035 Projection		2045 Projection	
			Actual County-Wide Source-Separated Tons Diverted Per CDPHE	Actual County-Wide Single-Stream Tons Per CDPHE	Total Actual County-Wide Recyclables Tons Per CDPHE	Calculated County-Wide Private Sector Tons						Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)	Low Recyclables Recovery Rate (assumed)	High Recyclables Recovery Rate (assumed)
MESA COUNTY	Recyclables								WCS Results			20%	25%	40%	50%	60%	80%	60%	80%
	Cardboard	50	10,021	231	10,252	9,773	40%		9.4%	15,226	25,478	5,257	6,571	11,380	14,225	18,426	24,568	20,643	27,524
	Paperboard		646	83	730	575	12%		3.4%	5,507	6,237	1,287	1,609	2,786	3,482	4,511	6,014	5,053	6,738
	Mixed paper	45	1,660	217	1,878	1,429	17%		5.7%	9,233	11,110	2,292	2,866	4,963	6,204	8,035	10,714	9,002	12,003
	PET	7	251	38	289	212	5%		3.1%	5,021	5,311	1,096	1,370	2,372	2,965	3,841	5,121	4,303	5,737
	HDPE	4	126	21	147	104	8%		1.0%	1,620	1,767	365	456	789	987	1,278	1,704	1,432	1,909
	PP	1	43	5	48	38	1%		2.9%	4,667	4,715	973	1,216	2,106	2,633	3,410	4,546	3,820	5,093
	#3/4/6/7	1	46	0	46	46	2%		1.4%	2,298	2,345	484	605	1,047	1,309	1,696	2,261	1,900	2,533
	Alum	5	167	26	194	140	8%		1.4%	2,268	2,461	508	635	1,099	1,374	1,780	2,373	1,994	2,659
	Steel/tin	5	42	24	66	17	4%		1.0%	1,620	1,686	348	435	753	941	1,219	1,625	1,366	1,821
	Glass - clear	26	634	138	772	490	17%		2.4%	3,887	4,659	961	1,202	2,081	2,601	3,370	4,493	3,775	5,033
	Glass - colored	17	423	92	515	327	17%		1.6%	2,592	3,106	641	801	1,387	1,734	2,246	2,995	2,517	3,356
	Single-Stream		875	na	na	na													
	Recyclables Diverted	161	14,935	na	14,935	13,149				53,939	68,874	14,211	17,764	30,765	38,456	49,811	66,414	55,804	74,405
	Potential Diversion Rate (recyclables only)				8.0%		21.7%			36.8%		7.4%	9.2%	14.7%	18.4%	22.1%	29.5%	22.1%	29.5%

14935

33.3%

Notes:
 Actual city-only program tons (actual) - from 2022 city report to CDPHE (tons sent off-site)
 Actual county-only program tons without city - from county transfer station tons - estimated based on city recyclables composition (see below)
 Assume county commingled 65.5 tons breaks down same as city containers

PET	11%
HDPE	6%
PP	1% adjusted
#3/4/6/7	1% adjusted
Alum	8%
Steel/tin	7%
Glass - clear	40%
Glass - colored	27%
	100%

Actual county-wide tons (actual) - from scrubbed CDPHE report (2021), escalated by 2022 population
 Private sector recyclables calculated from scrubbed CDPHE - single-stream based on city recyclables composition

Recyclables composition assumptions

Assume total fiber is 80% cardboard, 20% mixed paper	
Assume paperboard = 28% of mixed paper	
Assume polypropylene = 17% of PET (TRP 202 State of Curbside Recycling Report)	
Assume total glass is 60% clear, 40% colored	
Assume merchant single-stream composition matches city's recyclables breakdown	

Landfill composition - from Western Colorado Waste Diversion Study (SMA, 2019) - 33.3% of landfill samples were traditional recyclables
 Assume future recyclable recovery rates based on 70% average RRR identified by The Recycling Partnership (Increasing Recycling Rates with EPR Policy, 2023) - interim rates assumed
 Population increases used for future projections based on CO State Demography projections (see "Population" worksheet)
 Data has not been adjusted for contamination

	2021	2022	2021-22 Growth	2025	2022-25 Growth	2030	2025-30 Growth	2035	2030-35 Growth	2045	2035-45 Growth
City of Grand Junction	66,904	67,037		69,160		74,860		80,803		90,525	
Mesa County (incl Grand Junction)	157,323	157,636	1.00199%	162,629	1.03167%	176,032	1.08241%	190,007	1.07939%	212,868	1.12032%

Sources:

City - CO State Demography Office, Summer 2022; projections for 2022 forward based on Mesa County projections

County - CO State Demography Office, October 2022

APPENDIX B

RECYCLABLE MATERIALS

<i>Materials</i>	<i>Description</i>
<i>Cardboard</i>	Corrugated cardboard (unwaxed)
<i>Paperboard</i>	Single-layer cereal boxes, paper towel tubs, construction paper, poster board
<i>Mixed Paper</i>	Newspaper, magazines/catalogues, junk mail, paperback books, office paper, magazines, egg cartons
<i>Plastic containers #1 (PET)</i>	Polyethylene terephthalate bottles, jars, jugs
<i>Plastic containers #2 (HDPE)</i>	High density polyethylene bottles, jars, jugs
<i>Plastic containers #5 (PP)</i>	Polypropylene containers
<i>Plastic containers #3, #4, #6, #7</i>	Non-bottle resins, bulky rigids
<i>Aluminum cans</i>	Aluminum containers & lids
<i>Steel cans</i>	Steel/tin containers & lids
<i>Glass Containers</i>	Bottles, jars, jugs

APPENDIX C

National Commodity Pricing

<i>Commodity</i>	<i>10-Year Index</i>			<i>Index First Half 2023</i>
	<i>Average</i>	<i>Low</i>	<i>High</i>	
<i>OCC</i>	\$96	\$55	\$137	\$39
<i>MIXED PAPER</i>	\$42	\$10	\$74	\$4
<i>SRP</i>	\$56	\$24	\$88	\$28
<i>GLASS (MIXED)</i>	-\$28	-\$37	-\$19	-\$36
<i>GLASS (FLINT)</i>	\$29	\$26	\$32	\$32
<i>STEEL CANS</i>	\$152	\$87	\$217	\$260
<i>ALUMINUM CANS</i>	\$1,323	\$1,049	\$1,597	\$1,458
<i>PET</i>	\$306	\$166	\$445	\$300
<i>HDPE-N</i>	\$918	\$501	\$1,336	\$1,444
<i>HDPE-C</i>	\$416	\$192	\$640	\$264
<i>PP</i>	\$233	\$61	\$404	\$152
<i>3 - 7 PLASTIC</i>	\$19	\$11	\$28	\$10
<i>MIXED BULKY RIGID</i>	\$68	\$49	\$87	\$90

Source - recyclingmarkets.net Houston (South central USA)

All prices are net of transportation costs except glass (for which city arranges transportation)

APPENDIX D

Peer Community Policy Examples

<i>Policy</i>	<i>Government</i>	<i>Program Link</i>	<i>Code/Policy Link</i>
Mandatory Recycling	Northglenn (public collection)	Trash-City of Northglenn	Article 9-17 Property Maintenance Ordinance (northglenn.org)
	Aspen (private collection)	Recycle Right Aspen, CO	TITLE 12 - SOLID WASTE Municipal Code Aspen, CO Municode Library
	Steamboat Springs (private collection)		Chapter 19 - SOLID WASTE Code of Ordinances Steamboat Springs, CO Municode Library
Pay-As-You-Throw with Recycling	Durango (public collection)	Residential Collection Services Durango, CO - Official Website (durangogov.org)	Chapter 10 - TRASH COLLECTION AND RECYCLING Code of Ordinances Durango, CO Municode Library
	Denver (public residential collection)	Recycle - City and County of Denver (denvergov.org)	Sec. 48-42.5. - Volume-based trash pricing service fee for collections. Code of Ordinances Denver, CO Municode Library
	Golden (public contract residential collection)	- Trash & Recycling Services City of Golden, Colorado	Chapter 4.80 - SOLID WASTE COLLECTION AND RECYCLING SERVICES Municipal Code Golden, CO Municode Library
	Fort Collins Cardboard Ban	Recycling & Trash Ordinances - City of Fort Collins (fcgov.com)	SIRE Document (fcgov.com)
Material Disposal Bans	Aspen Yard Waste Ban	Yard Waste Aspen	TITLE 12 - SOLID WASTE Municipal Code Aspen, CO Municode Library
	Summit County “Glass Out” Policy	Recycling Summit County, CO - Official Website (summitcountyco.gov)	
Flow Control	Summit County (all solid waste)		Summit-County-Solid-Waste-Ordinance-2A-pdf (summitcountyco.gov)
	Boulder (recyclables)		Chapter 12 - Trash, Recyclables and Compostables Hauling Municipal Code Boulder, CO Municode Library
	Pitkin County (trash)		ordinance — Pitkin County Landfill (landfillrules.com)