

## **GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY MAY 4, 2026**

**Meeting Convened:** 5:30 p.m. The meeting was in-person at the Fire Department Training Room, 625 Ute Avenue, and live-streamed via GoTo Webinar.

**City Councilmembers Present:** Councilmembers Robert Ballard (virtual), Scott Beilfuss, Laurel Lutz, Jason Nguyen, Anna Stout, Ben Van Dyke, and Mayor Cody Kennedy.

**Staff present:** City Manager Mike Bennett, Interim City Attorney Jeremiah Boies, Deputy City Manager Kimberly Bullen, Chief Financial Officer Jay Valentine, Assistant to the City Manager Johnny McFarland, Parks and Recreation Director Ken Sherbenou, Housing Specialist Sherry Price, Police Chief Matt Smith, Fire Chief Peter Skeris, Communications and Engagement Manager Kelsey Coleman, Deputy City Clerk Krystle Koehler, and City Clerk Selestina Sandoval.

### **1. Discussion Topics**

#### **a. Camping On Public Property - For Discussion**

Ordinance No. 4833 regarding camping on public property/public places was enacted on April 17, 2019. That Ordinance prohibited camping on public property, but contained certain exceptions. One exception is for when there is no available overnight shelter. That exception was included in the Ordinance to comply with case law that existed at that time under *Martin v. City of Boise*, 920 F.3d 584 (9th Cir. 2019). In 2024, the US Supreme Court overrode the holding from *Martin* in *City of Grant's Pass, Oregon v. Johnson*, 603 U.S. 520 (2024). This item is for discussion for possible amendment to the GJMC to reflect the state of case law from *Grant's Pass*.

#### **Police Department Overview**

Police Chief Smith presented the City's history of managing encampments dating back to 2011. The City's approach has focused on:

- Public safety
- Environmental protection
- Wildfire mitigation
- Public health concerns
- Voluntary compliance and outreach

The Chief emphasized that enforcement efforts typically involve:

- Contacting campers
- Offering service referrals
- Providing notice and time to relocate
- Cleaning camps only after outreach attempts

The City has spent approximately:

- \$460,000 from 2022–2025 on river encampment cleanup
- Removed 119 tons of debris from river areas

Photographs and maps highlighted recurring camps near:

- Watson Island
- The Point
- South of the 5th Street Bridge
- Areas near the ice rink and railroad corridor

### **Council Discussion**

Councilmembers discussed balancing compassion for unhoused individuals with environmental and public safety concerns. Topics included:

- Fire danger
- Human waste and debris near waterways
- Lack of sufficient shelter capacity
- Potential use of dumpsters, toilets, and water access near camps
- Concerns about simply displacing people without alternatives

Several Councilmembers expressed support for removing the ordinance language restricting enforcement tied to shelter availability, while also emphasizing the importance of continued outreach and future discussions on homelessness strategies and interim housing solutions. Consensus was reached to move forward with an ordinance amendment removing the shelter-availability restriction while continuing broader conversations about homelessness resources and partnerships.

### **b. Community Survey**

Staff introduced plans for the 2026 Community Satisfaction Survey, which is conducted every two years to measure resident perceptions and guide budgeting and strategic planning.

### **Key Survey Details**

- Conducted in English and Spanish
- Randomized mailing process across all city neighborhoods
- Approximately 5,400+ surveys expected
- Results intended to inform:
  - Budget priorities
  - Strategic plan metrics
  - Service evaluations
  - Infrastructure and neighborhood priorities

Survey categories include:

- Community outlook
- Infrastructure and utilities
- Public safety
- Parks and recreation

- Neighborhood conditions
- Housing affordability
- Communications and engagement

### **Council Discussion**

- Maintaining statistical validity
- Demographic weighting by age and ethnicity
- Concerns regarding online survey bias
- Potential inclusion of questions related to the Orchard Mesa Pool and future ballot considerations

Staff indicated willingness to explore accelerating the survey timeline to support upcoming policy discussions.

### **c. Discussion Regarding the Urban Trails Committee (UTC), Including a Letter Requesting UTC Representation on the Housing Affordability Code Task Force**

Council reviewed a request from the Urban Trails Committee seeking representation on the Housing Affordability Code Task Force.

### **Main Points of Discussion**

- Whether UTC should receive a formal seat on the task force
- The advisory role of boards and commissions
- Concerns about mission overlap and governance structure
- The ability for UTC members to attend meetings and provide input without formal appointment

Several Councilmembers expressed concern that UTC discussions and correspondence had become increasingly adversarial toward Council policy decisions, particularly surrounding:

- Housing affordability discussions
- Bike parking requirements
- Transportation infrastructure policy
- Previous Fourth and Fifth Street pilot project discussions

Mayor and councilmembers referenced concerns about:

- Misleading statistics presented in UTC communications
- Comments made by some UTC members and former city staff
- Perceived politicization of the committee's role
- Mayor wrote a letter regarding these concerns and asked it be made part of the record

Council generally agreed:

- Not to add a UTC member to the Housing Affordability Code Task Force
- To maintain open meeting access and opportunities for guest participation

- To draft a formal letter clarifying Council's expectations regarding the advisory role of the UTC and potentially all boards and commissions

Council also discussed broader efforts to standardize orientation, expectations, and liaison responsibilities for all advisory boards.

## 2. Council Communication

**Civic Bee Participation** - Council discussed inviting top student participants from the Chamber's Civic Bee competition to attend a future council meeting and potentially expanding youth civic engagement opportunities.

**Real Estate Committee Structure** - Councilmembers discussed concerns regarding major real estate decisions being handled by a two-member committee and expressed interest in considering executive session discussions involving the full council.

**Housing Affordability Ideas** - Council discussed interest in exploring:

- Single-stair apartment building models
- Building code changes to support housing affordability
- Lessons from Austin, Texas housing strategies

## 3. Next Workshop Topics

City Manager Bennett summarized list of next workshop topics.

- Housing needs assessment updates
- Air Race X event planning
- Board and commission liaison assignments
- River corridor initiatives
- Water and drought planning
- Redevelopment incentives

## 4. Other Business

### Procurement Item Delay

Council requested postponement of a coatings procurement item to allow additional review of concerns raised regarding:

- Contractor performance claims
- Local economic impacts
- Verification of workforce and subcontractor information

### Water Funding Letter

Staff informed Council about a late request from the Colorado Water Congress seeking support for federal drought and water infrastructure funding. Due to limited review time, Council did not take formal action.

**Mayor and Mayor Pro Tem Transition**

Staff reviewed logistics for the upcoming mayoral and mayor pro tem appointment process scheduled for the next regular meeting.

**America 250 Celebration**

Council briefly discussed a proposed July 4 “Liberty on the Lawn” community event at Sherwood Park associated with the America 250 celebration efforts.

**5. Adjournment**

There being no further business, the workshop was adjourned at 8:12 p.m.

Council,

I have spent a lot of time on this topic since we received the UTC's request to have one of their members appointed to the Housing Affordability Code Task Force. That request prompted me to go back and listen to the recordings of the UTC meetings leading up to the letter, to better understand the context behind it. I was both surprised and disappointed in what I found and I think Council needs to hear it before we have that workshop conversation.

Here's what committee members said about the HACTF in their recorded public meetings:

*"So they're rich people. Yeah, they're rich people period. They're not people actually living in houses that might need to get their bike to get to their construction job."*

*"It is entirely driven by the industry, right? So guess what's going to happen. We all know that."*

As you know, the HACTF was deliberately assembled by Council with a broad cross-section of professionals (developers, nonprofit leaders, engineers, and planning consultants) so it would be a room full of people with knowledge about the housing industry, not a room full of industry insiders. The UTC characterizations are not only wrong, but they provide clarity into how the UTC views a body that Council created and directed.

Let me start with what this is not about. This is not about opposing the vast majority of the valuable work that the UTC does. They identify trail gaps, recommend crosswalk improvements, flag unsafe intersections, and think strategically about our multimodal system as a whole. That's what they were created to do, and most of what they do. I support that work, and I always have. What I can't support is the political work they are doing alongside it. I had suspected this was going on last year under Henry Brown, but also assumed it had stopped with Henry's departure. When we received their letter on April 23rd, I realized it hadn't.

I want you to know I have put significant effort into this because safe transportation matters to me, and so does the integrity of how our advisory bodies function. I have watched every recorded UTC meeting going back to August of last year. I've also had transcripts created from those recordings so I could work carefully through exactly what was said and by whom. I'm not drawing conclusions from preconceived notions, but rather working from the documented record.

What I didn't know when I started working on this was how ingrained this issue was. Yes, most of what the UTC works on is good and important work for our transportation system, but the problem is that the political work has become just as ingrained as the infrastructure work, and that didn't happen by accident.

I've been raising concerns about this committee since July 2025. I had been contacted by a concerned citizen about the Local IMPACT Accelerator Grant that had appeared on the UTC July 9th agenda as an action item. I looked into it and learned that the grant pays municipalities to create environmental policies more restrictive than state and federal requirements. I asked

John (our attorney at the time) whether this was within the committee's authorized scope under Resolution 48-14. The response I received was essentially that the committee is non-authoritative, nothing they do binds Council, and that Council has historically encouraged big picture thinking from advisory boards. That was a reasonable answer at the time, but it didn't resolve my concerns.

By the fall of 2025 we had a council workshop discussion about the committee and discussed putting forward a directive letter. At that time, the majority of council didn't support sending it, so I asked Jason to put me on a UTC agenda to talk with the members directly. I wasn't informed I was on the October agenda and had already committed to another event that evening, so Jason read my letter to the committee in my absence. The November meeting was canceled, so I attended the December meeting, where I acknowledged the value of their infrastructure work and expressed my concerns about work being done that I didn't believe was within their authorized scope under Resolution 48-14.

What I didn't know at the time was what was being said at the meetings I wasn't attending. At the October meeting, Henry (still a city employee) told the committee: *"I really want to encourage you all to continue leading staff to focus beyond the infrastructure"* and *"I do hope that the focus will not shift entirely towards infrastructure; we work in so many other different spaces."* He accused Council of *"hiding from those commitments in a lot of ways and implying that we're really bullying staff into thinking only about infrastructure."* Jason, serving as the council's liaison to the committee, told the UTC they are *"the lived experts of transportation"* who *"know better than most of council right now in terms of what the needs are."* After hearing Jason read the letter aloud, multiple members immediately pushed back, arguing they were *"totally within our bylaws"* and that the concerns represented *"a misunderstanding of the intention."*

Henry served as the city's Mobility Planner and UTC staff liaison until his position was eliminated in October 2025. In the months before his departure he utilized gaps in Resolution 48-14 to push the committee well beyond what I believe Council intended when it was created. The resolution's "plan and promote" language became justification for public campaigns and advocacy activities. Additionally, and separately from the resolution and bylaws, Henry argued that because Council had adopted the Comprehensive Plan and the Pedestrian and Bicycle Plan, anything referenced in those plans was therefore the UTC's business. This argument was persuasive enough to take hold in a volunteer committee without guardrails to stop it. I'm convinced that the framework he built didn't leave when he did, and I want to point out that this isn't entirely a committee problem. It's also a resolution problem, and it's part of what I'll be addressing at the workshop.

I attended the December UTC meeting to discuss my concerns with the UTC, making it clear that I was only speaking on behalf of myself, as one member of council. I acknowledged the value of their work, and expressed my concerns politely before leaving to attend another event. What happened after I left is something I just realized this past week when I watched the recording. Henry, no longer a city employee, appeared in public comment and again told the committee to *"continue leading staff, to focus beyond the infrastructure."* Jenny Nitzke (Henry's fiancée, former city employee, and then connected to the IMPACT Accelerator Grant) also

appeared in public comment. She told the committee that if a council member "*slaps you all on the wrist for a project that they haven't truly been informed about, I encourage you to respectfully push back.*" She defended the Accelerator Grant and closed with: "*Just really fun to not even see the chance of dollars come to the western slope, especially in a time when there are so few dollars at the local level, at the state level and at the federal level, to be had.*"

So, in summation, they had been coached to resist before I arrived and they were coached again after I left. In my opinion, this is what the committee absorbed going into 2026. Not a course correction but rather encouragement to hold the line.

What the 2026 recordings show goes well beyond anything I had seen before.

In February, Jason briefed the committee on the HACTF's bike parking recommendation. Within minutes a committee member pushed for a UTC seat at the HACTF table and asked it be put on the next agenda. Over the next two months the committee developed a coordinated strategy to oppose the recommendation and insert themselves into the process. Their request for a seat on the HACTF is premised entirely on one recommendation they opposed: bike parking. Nothing else on the task force's agenda was raised, discussed, or cited as a reason for representation.

The quotes I opened this letter with came from those meetings. But there's more.

On waiting out Council:

A committee member said that on 4th and 5th Street the current Council is "*not on board*" because of "*all the backlash*" but that the Complete Streets approach "*should not be thrown out of the bath water*" and could be revived "*when the time is right.*" That's a committee member explicitly stating she's waiting for a more favorable Council before advancing her policy agenda.

The same member said about Henry's eliminated position: "*In five years we're going to make sure the position gets back.*" A sitting committee member, in a recorded public meeting, committing to reinstate a position Council eliminated through the budget process.

And in the middle of the strategy discussion, one member acknowledged they knew they were pushing past their boundaries: "*I didn't really want to, like, go Rogan, yeah, because we're here to advise council.*" They knew what they were doing, and they proceeded anyway.

On the HACTF seat request itself:

The task force covers an enormous range of code issues, including zoning, development standards, transportation engineering design standards, permitting, fees, and much more. A committee that engaged with exactly one recommendation doesn't belong at that table.

On how the committee describes itself:

In the same letter requesting a seat on the HACTF, the committee describes its mandate this way: "the Committee is tasked with guiding elected officials and City Staff on programming,

policy, and physical infrastructure to ensure our entire community has access to safe, comfortable, and right-sized transportation options to meet their daily needs."

That is not what Resolution 48-14 says. The resolution authorizes the committee to advise Council on the safe, convenient, and efficient movement of pedestrians and bicyclists. It says nothing about guiding staff, nothing about programming, nothing about policy, and nothing about right-sized transportation options. The committee didn't just act outside their charter; they rewrote it in a formal letter to Council and used their own redefinition as the justification for demanding a seat on a Council-directed task force.

Now the census data.

The April 23rd letter cited "2024 US Census Data" to claim that 20% of the Grand Junction workforce doesn't use a personal vehicle to commute, and used that figure to argue against the HACTF's bike parking recommendation. I recognized that statistic the moment I read it, as I've seen it used before to imply that 20% of the workforce rides a bike. That's not what the data shows.

The April 8th recording tells the full story. The committee acknowledged they had originally wanted to use 29 to 30%, but couldn't defend it. Brent Starnes said on the recording: "*Eric pulled the data... Eric was able to justify 20% number. That's it's like two and a half percent use bikes.*"

The figure was built by aggregating every non-solo-driver commuting category: carpoolers, transit riders, remote workers, rideshare passengers, and walkers (every category that has nothing to do with bicycling) to produce a number that looked defensible while hiding what the data actually shows. The Census Bureau data show that actual bicycle commuting in Grand Junction is approximately 2%, yet the figure in that letter is ten times the real number. The committee started at 29-30%, couldn't defend it, settled on 20%, and sent it to us as census data without any of that context.

We were asked to deliberate on a letter built around a number designed to mislead us. I don't use that phrase lightly, but when a committee acknowledges in their own recorded meeting that the real number is around 2%, discusses why they can't use 29-30%, and then sends us 20% as straight census data, there's no other way to put it. And to be clear, the letter is not about transportation in general; it's about HACTF's "proposed changes to the Zoning and Development Code regarding bicycle storage/parking." **So yes, I'm saying this letter was written with the specific intent to mislead council.**

The letter also claims "the Committee has heard from local community members that bicycle theft is a major issue." I reviewed every available meeting recording, and no community member raised bicycle theft before the committee in any recorded meeting. The only discussion of theft in any transcript occurs at the April 8th meeting, while committee members were in the process of writing the letter that makes this claim. They discussed theft among themselves and then

attributed it to community testimony they never received. It's the same pattern as the census number; a claim constructed to support a policy argument, presented as an established fact.

On what this means:

I'm not saying everyone on this committee is acting in bad faith. The infrastructure work the UTC does has value, and I want it to continue. What I am saying is that the founding resolution has structural gaps that made this drift into politics and policy possible. The gaps show up in how the committee's scope has been interpreted, in how the staff liaison role functioned under Henry Brown, and in the absence of any prohibition on the committee opposing other Council-directed bodies. A corrective letter from Council, like the one we discussed last year, won't close those gaps because gaps are in the resolution and bylaws themselves.

I've spoken with Jeremiah about the options available to Council, and I'll share those options at the workshop.

What I'm asking right now is for Council to read what I've laid out here and come to the workshop ready to have a serious conversation about where this committee goes from here.

Sincerely,

Cody

Cody Kennedy

Mayor

City of Grand Junction

*"Together, let's do what's best for Grand Junction!"*