

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
December 15, 2014 – Noticed Agenda Attached

Meeting Convened: 5:23 p.m. in the City Auditorium

Meeting Adjourned: 8:40 p.m.

City Council Members present: Boeschstein, Chazen, Doody, McArthur, Norris, Susuras, and Traylor Smith.

Staff present: Englehart, Shaver, Moore, Lanning, Romero, Tice, Portner, Kovalik, Watkins, Prall, Valentine, Bowman, and Tuin.

Grand Valley Irrigation Company (GVIC): Kevin Williams, Greg Trainor

City Manager Englehart opened the meeting and described that there are items that Staff is looking for direction to possibly add to Wednesday's agenda.

Agenda Topic 1. Fire Station No. 4

City Manager Englehart has received notice that the presentation to the Department of Local Affairs (DOLA) has been successful and a grant of \$1.5 million was awarded, which is partial funding for the proposed fire station. The award of the construction contract could be added to Wednesday's agenda. The funding deficit for the project is \$466,428. Staff is proposing making up the shortfall with the remaining funds for land acquisition, \$200,000 additional sales tax collections, and \$100,000 of anticipated revenue above projections. Staff is comfortable moving forward with the contract.

Councilmember Chazen wanted to confirm that the County has agreed to the \$560,000 purchase of the existing Fire Station #4 by Persigo. City Manager Englehart confirmed this.

Jay Valentine, Internal Services Manager explained the RFP process and the price is a build/not to exceed price. There were two finalists, FCI Constructors and Asset Engineering. FCI is who Staff is recommending to be the chosen based on their experience in fire station construction.

Fire Chief Watkins explained how the two companies were brought in for interviews using a team approach. The final evaluation came down to experience. Chief Watkins wants this station to be a prototype design, from design to construction, to be used at other locations.

Councilmember Chazen asked about the difference in prices. Fire Chief Watkins said the difference between the two companies is made up in experience.

Fire Chief Watkins described the design process, the construction schedule, and the anticipated completion of this project.

Councilmember McArthur asked how the ownership was determined for the design of the prototype. City Attorney Shaver said it was a condition of the contract.

Fire Chief Watkins explained the building will not be built to LEEDS Standards but will be highly efficient.

Council President Norris said she and Councilmember Doody still would like to stay on the committee for the construction of the Station.

It was agreed to add this item to the Consent Agenda for Wednesday's meeting.

Agenda Topic 2. TABOR (Taxpayers Bill of Rights)

City Manager Englehart said TABOR was discussed at the retreat, again in the budget process, and then brought back for another discussion on how to deal with capital items. City Manager Englehart said Staff has developed a map of transportation projects as a guide to determine priorities for the possible use of TABOR excess in the future.

Deputy City Manager Tim Moore gave the background of the concept that was developed in the 90's for the beltway loop and explained which items that need to be completed on this plan. Council President Norris and Mr. Moore attended the Regional Transportation Planning Office (RTPO) meeting adopting the 2040 Transportation Plan. The first priority for the City was the widening of 24 Road from Patterson Road to H Road; the 29 Road Interchange with I-70 was the City's 4th priority but was Mesa County's first priority. Mr. Moore referred them to the handouts which showed the outstanding capital projects to finish up the beltway project. The slides showed the remaining segments with estimated costs.

Councilmember Traylor Smith asked if the cost estimates included the purchase of the right-of-way. Mr. Moore said yes.

Council President Norris said that 25 Road also needs to be widened and it is still a priority for the City but it is not shown on these slides.

Mr. Moore explained how as development occurs, Transportation Capacity Payments (TCP) will be collected along with additional sales tax to cover some construction of these areas. Other slides gave the City Council more detail of what could be constructed including two sections of the F ½ Road Parkway. It was also brought up that the Comprehensive Plan is five years old and it is time to update. An update could change some of the areas from residential to commercial.

Mr. Moore noted the I-70/29 Road Interchange is anticipated to cost around \$50 million.

Councilmember Boeschstein reminded City Council that Mesa County agreed to pay for half of this project; this will not be totally the City's responsibility.

City Manager Englehart turned the presentation over to Ms. Romero and City Attorney Shaver to give a history of the resolution from 2007 that established a ballot question and the opportunity of what to do with the excess revenues under the TABOR limits. Ms. Romero reviewed the timeline of the Riverside Parkway Debt Retirement and explained the refinancing of the Parkway Bonds to reduce the debt payment. 2015 is the first year the City will see the benefit of that. Ms. Romero explained the interest savings if they defease the debt in 2021 which would be an additional \$821,000 in savings. She described projections and assumptions as the economic conditions have changed.

Ms. Romero presented three options and the impacts of each. Option A is no change; the debt should be paid in 2021, there will be \$821,000 savings in interest, and \$35.2 million in City resources will be dedicated to the debt over the next seven years. Option B is to continue paying off debt with annual excess and capital funds; this frees up capital funds over the next nine years (about \$1.1 million per year), avoids future cost increases on those projects, debt is retired in 2023, and \$94,000 in interest is saved. Option C is paying the current year debt using the annual excess, early retirement funds, and capital; this frees up additional funds over the next ten years (about \$2 million per year) and avoids increased costs on those projects, and debt is retired in 2024. No additional interest savings are realized.

After discussion, the consensus of the City Council was for Staff to bring back possible ballot questions with a defined scope of projects.

Agenda Topic 3. Stormwater

City Manager Englehart introduced this item and turned it over to Councilmember McArthur who is the 521 Drainage Authority representative.

Councilmember McArthur updated the City Council on the future drainage issues, and possible solutions such as expanding the existing Grand Junction Drainage District (GJDD) in order to have something more workable. He asked City Council where they see this in the future. He said there have been meetings with the legislators for a legislative solution and the GJDD board. Councilmember McArthur explained the issues with the partners, the future of the 521, and expanding the boundaries with the focus being the 2050 Drainage Utility Solution for the future. There was a general discussion on Grand Valley Drainage District (GVDD) and if the 521 Drainage Authority was even viable. All agreed that a larger entity is needed; there was discussion of consolidating into a Metro Drainage District using an Intergovernmental Agreement (IGA), but all partners need to be involved and formation of a new district would require an election.

Councilmembers wanted to make sure that drainage issues do not stop or impede development.

City Attorney Shaver advised that the GJDD is asking for indemnification from the City to accept urban flows. An annual appropriation would be required to provide that plus an objection is that City residents already pay GJDD through a mill levy.

Council directed Staff to keep working on the issue and to bring back an agreement for them to review. Meanwhile Councilmember McArthur will meet with the other elected officials that represent the partners.

Agenda Topic 4. Legislative Update

Elizabeth Tice, Management and Legislative Liaison, passed out the CML Policy Committee summary. Ms. Tice summarized the ten legislative items along with the policy committee recommendations. The items CML supports are 1) Affordable housing increase in funding, 2) Banning Gaming – Internet Sweepstakes Cafes; 3) Land Use – Fire District Service Fees on development, 4) Transportation – Off Road Vehicle regulations, 5) Water and Wastewater – Water Conservation and Land Use Planning; and 6) Water and Wastewater – Stormwater Management and Water Rights not subject to State Engineer Control. The three items CML is opposing are 1) Lottery – Conservation Trust Fund change in distribution; 2) Taxation – Statutory Entities' Authority for Special Marijuana Taxes allowing counties to collect taxes within municipalities; and 3) Urban Renewal – Mandated revenue sharing with counties. There was one legislative item on Special Districts relative to the Fire District Exclusion process that CML had no position on.

The next item (Senate Bill 14-172) Ms. Tice talked about is the design and implementation of a firefighter heart and circulatory malfunction benefit fund program. This can be done in several ways depending on City Council's preference. The employer may purchase third party insurance, self-insure, or participate in a multiple employer trust. This law is effective January 1, 2015.

This bill also created the Firefighter Benefits Cash Fund which Colorado Department of Local Affairs (DOLA) is responsible for administering. This fund is to be used to reimburse employers for the direct costs of maintaining coverage.

City Attorney Shaver has evaluated the requirements and told City Council that the City is well underway with the internal procedures and can create a resolution for City Council's consideration which would be to authorize the City Manager to design and implement a benefit program.

After a brief discussion the Council directed Staff, that unless there were any financial pitfalls, to bring a resolution to the December 17th City Council meeting to be in compliance before the January 1st deadline.

Ms. Tice also said within the omnibus funding bill that just passed federally, there were two riders of interest to Colorado; one prohibits the ruling on the Sage Grouse protection and one is a rider prohibiting the Environment Protection Agency from managing ephemeral streams.

Agenda Topic 5. Other Business

U.S. Fish and Wildlife (USFW) Service Meeting Update – Staff followed up with U.S. Fish and Wildlife staff at City Council’s request and John Toolen with the local office encouraged Staff to build at Las Colonias. Council President Norris said at the meeting Mr. Toolen did not see anything wrong with going forward but said the City could ask to have some of the property exempt from the cuckoo habitat. A letter and a map was presented which serves to amend the comments submitted on November 5th. The new mapped area moves the boundary south so as to exclude Las Colonias from the proposed yellow-billed cuckoo habitat.

City Manager Englehart asked City Council if they were comfortable with going forward with signing the contract for the design phase of Las Colonias Park. He was answered affirmatively.

Comprehensive Plan Update Process – City Manager Englehart introduced this and asked that Council review the process as provided. He noted the update is anticipated to be a yearlong effort.

Mr. Moore advised that City Staff was doing their internal review. It is a City/County Plan. He asked Council to please let him know if they see anything missing. Mr. Moore said no action is needed tonight. Over the next month, the process will be fine-tuned, and sometime in January, the first step will begin with data collection. Staff was asked to forward a link to the Comprehensive Plan to all Councilmembers.

Short Term Rentals – City Manager Englehart said after the discussion at the last Council meeting there were several questions raised that could not be completely answered. He noted it will be difficult to address all the constituencies identified by Council. The Staff Report has three options for City Council to consider: Option A is to postpone any proposal for a year; Option B is the current proposal which is less regulatory; and Option C would be a new proposal with increased regulations. City Manager Englehart asked for City Council direction.

Councilmember Susuras asked why this is an issue now. Mr. Moore said there is no section in the Code that allows short term rentals and there have been complaints. It started with the people working with the Visitor and Convention Bureau (VCB) who are paying the lodging tax and knowing there are several not paying the tax. This is how it was discovered that none of these short term rentals are permitted under the City Code.

Councilmember Traylor Smith described this as a new business model; this was a discussion at the National League of Cities (NLC) conference. She said regulations are all over the board. It

will need to be thought out as she doesn't believe there will be much guidance from other cities.

Councilmember Susuras said he would have to be shown that this is a problem and preferred Option A.

Councilmember McArthur said the Bed and Breakfast folks who were at the City Council meeting said their feeling is the lack of fairness since they are regulated. He also took the issue to the Board of Realtors, he didn't get a lot of response so he will take it to the legislative committee.

City Attorney Shaver said the need is to level the playing field. The VCB had folks come to them who want to collect the tax and be able to take advantage of the VCB's promotional advertising for them. That is when the policy questions came up. If the City comes forward with a more regulatory structure it may drive them underground. City Attorney Shaver gave the definition of an Administrative Regulation and how that would be used. There are still several items that need to be worked out and defined which could happen in the coming months.

The consensus was Option A, until more information can be brought forward so this can be worked through.

Urban Trails Committee (UTC) Bylaws – City Manager Englehart said Councilmember Chazen wanted to bring the bylaws forward for a little discussion. Councilmember Chazen said there are a couple of changes he would like to bring up; he is very leary about the word "advocate" in the UTC's purpose. He has looked at all the other bylaws and has not seen this term used.

Councilmember Boeschstein said that the word "promote" is similar, and since it is an advisory board, he would agree to strike advocate.

City Attorney Shaver provided a historical context on how the UTC came about several years ago from the Intermodal Surface Transportation Efficiency Act (ISTEA) that specifically talked about the different types of transportation. The historic nature of their committee was to strongly recommend multimodal forms of transportation. City Attorney Shaver said it would depend on what City Council would like to see from this committee as the historic nature of this committee was to push these ideas forward.

Council President Norris asked if anyone had any issues with taking the word "advocate" out and just leaving in "promote". No one objected.

City Attorney Shaver said this board has been unique; it hasn't had City Council direction, or a very clear mission from the beginning.

Council President Norris said she would like to see the seven member board increase to nine members, also the terms were discussed. It was decided to extend Elizabeth Collins' position to

2018 to keep continuity, so there would be three members' terms expiring at the same time in the next several years. Staff was also directed to add in terminology that addressed other forms of transportation besides pedestrian and cycling.

Staff was directed to add the resolution reestablishing the committee and adopting the bylaws to Wednesday's Consent Agenda.

Airport Authority At Large Applicants – Councilmember Susuras described the process the Airport Board Authority went through with the four applications the Airport Board received. They interviewed two, Troy Ball and Carl Vostatek. Councilmember Susuras said it was unanimous and recommended Troy Ball. City Council directed staff to add ratification of the appointment to the next City Council Agenda.

Councilmember Traylor Smith wanted to bring forward some information to City Manager Englehart from the NLC conference on an internal equipment/cost sharing program between municipalities.

Board Reports

Councilmember McArthur said the Orchard Mesa Pool Board met that day for the first time. He asked for direction on how to adopt the proposed budget. City Attorney Shaver said it would be by vote and a motion to approve. Councilmember McArthur said there were term limits on their appointments and it was his understanding there would not be any. He stated he would serve until replaced and also for the scheduling meetings, the board has decided that quarterly would be sufficient unless needed. City Attorney Shaver said this all could be adjusted as they see fit.

With no other business, the meeting adjourned.

GRAND JUNCTION CITY CITY COUNCIL
MONDAY, DECEMBER 15, 2014

WORKSHOP, 5:00 P.M.
CITY AUDITORIUM
250 N. 5TH STREET

To become the most livable community west of the Rockies by 2025

1. Fire Station # 4
2. TABOR
3. Stormwater
4. Legislative Update
5. Other Business

Comprehensive Plan Update Process: This report is being given to City Council to update them on the proposed process for the City's Comprehensive Plan review and update taking place in 2015. The Comprehensive Plan calls out for a review of the Plan every 3 to 5 years. **Attachment**

Short Term Rentals: Discussion regarding options on how to address Short-Term Rentals. **Attachment**

Urban Trails Bylaws: The Urban Trails Committee has served as a sub-committee of the Riverfront Commission since 1994. Staff will present a proposed Resolution to re-establish the committee as an advisory board to the City City Council on matters pertaining to the safe, convenient, and efficient movement of pedestrians and bicyclists of all ages and abilities. **Attachment**

U.S. Fish and Wildlife Service Meeting Update

Airport Authority At Large Applicants

6. Board Reports