

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
August 31, 2015 – Noticed Agenda Attached

Meeting Convened: 5:00 p.m. in the Fire Administration Training Room

Meeting Adjourned: 8:25 p.m.

City Council Members present: All but Barbara Traylor Smith

Staff present: Moore, Shaver, Lanning, Schoeber, Guillory, Rainguet, Romero, Evans, Wieland, Camper, Watkins, Valentine, Hazelhurst, Kovalik, Peterson

Also: Richard Swingle, Harry Griff, Larry Jones, Ted Ciavonne, Care McInnis

Agenda Topic 1. Panhandling Ordinance

John Shaver, City Attorney, brought Council up-to-date on the work of the Vagrancy Committee who has been discussing the panhandling ordinance. The United States Supreme Court fundamentally changed the way ordinances like this are viewed. With the Court decision in Reed vs. Gilbert AZ, the Supreme Court ruled that cases that regulate speech must be reviewed under strict scrutiny standards and they must demonstrate compelling interest by the government or the entity who seeks the regulation. This means the ordinance must be drafted so that it is narrowly tailored. The panhandling ordinance, Ordinance No. 4627, was written when the body of law was different. He would recommend amending Ordinance No. 4627 to comply with the court ruling. Whatever Council decides, City Attorney Shaver would be able to give a status update to the judge at the next court appearance for the City lawsuit with American Civil Liberties Union (ACLU) which is on September 8th.

Councilmember Chazen provided an update from the Vagrancy Committee. The Committee and citizens want to have protection in the community. Chief Camper described what the police staff has done to provide this protection with current staffing levels.

City Attorney Shaver said there is a lot going on in this arena, there is a high degree of evaluation to this ordinance and it won't be done in the foreseeable future. City Attorney Shaver said the Supreme Court stated there must be a compelling interest, typically a very individualized safety issue, not a community sense of well-being, which limits what the City's ordinance should look like. There are many issues being challenged across the country.

Chief Camper said some of the issues can be dealt with by enforcing the existing laws, without the current ordinance, like disorderly conduct or harassment. He described how the police would handle some of these issues.

There was a general discussion among Council regarding direction, park rules for enforcement in parks, and how this ordinance was researched and developed for the new Councilmembers. There were issues regarding safety being heard from the citizens relative to issues in the parks to protect their rights and safety. There was mention of the numerous agencies in the community for the homeless. Chief Camper explained the steps he has taken with the Hot Team, School Resources Officers, and Parks Patrol Team to try and adjust schedules to have the officers cover additional problem areas with current staff.

City Attorney Shaver noted the challenges with an amendment to the current ordinance; it should be a very mild approach if Council elects to amend Ordinance No. 4627. The ACLU has made this their cause. When the ordinance was written it was patterned after an ordinance that had not been challenged, but all of that has now changed with all of the litigation.

Mayor Norris said to move forward with an amendment to the ordinance. City Attorney Shaver said this is evolving and he would suggest an Executive Session after the September 8th court hearing.

Agenda Topic 2. Las Colonias Park Update

Rob Schoeber, Parks and Recreation Director, said this is a follow-up to the presentation about two months ago. He passed out a booklet with detailed updates. Mr. Schoeber provided the history of Las Colonias and identified all the stakeholders. There have been three master plans for the area and the current plan was adopted in 2013.

Interim City Manager (ICM) Moore advised that the Greater Downtown Plan referenced the river district and the opportunity to make the Colorado River an amenity.

Bret Guillory, Utility Engineer, talked about the river and the floodwaters and what can be done in developing the Park. Mr. Guillory provided a summary on the riparian area, the water quality testing that has been in progress since 2013 noting this testing showed that adequate dilution of the contaminated groundwater demonstrated there is no hazard to the endangered fish species.

Traci Wieland, Recreation Superintendent, reviewed the Phase I budget for Las Colonias along with the value engineering and how that phase saved monies from the 2013 Master Plan to actual costs.

Mr. Schoeber said about a year ago, the Parks Department received a Department of Local Affairs (DOLA) planning grant to look at the possible development of the amphitheater project along with encouragement from the Lions Club with their donation. He said it would be a good process to go through in case funds become available to develop the amphitheater phase.

Ted Ciavonne, with Ciavonne, Roberts, and Associates, detailed the entire functional first phase of the amphitheater and described the expanded design.

Ms. Wieland described the cost estimates with the functional plan of development and then with the expanded plan to get to the total budget.

There was a detailed discussion regarding restrooms and port-a-potties for this phase of the project. Ms. Wieland said they have heard from other event organizers that they are okay with port-a-potties.

Ms. Wieland referenced page 27, the revised phasing plan and described the breakdown and costs update. Now after the study, there is a possibility of developing the riparian area along with the Greater Outdoor Colorado (GOCO) Inspired Initiatives grant which is in the boat launch area. Ms. Wieland said complete details are in the booklet along with pricing. It is shown as the 2013 Master Plan, additional options, pricing and if there were any changes.

Mr. Schoeber asked if this is the direction Council wants to go. The City is eligible for up to a two million dollar DOLA grant. Mr. Schoeber said there is money sitting in the budget now (from Las Colonias/Matchett Parks) in addition to the monies in next year's budget for parkland expansion. He also described additional funds noting they did not want to include that in the booklet for public view yet.

Ms. Wieland said the DOLA grant is a one-time opportunity for the \$2 million to apply by this November. The City does not currently have another DOLA grant pending so applying for it would not mean it was competing against itself.

Councilmember Taggart said the Council needs to put all the capital project needs on a list and prioritize these, with a timeline. This should be done in the next 30 days.

It was clarified that the Grand Junction Lions Club has made the commitment for an additional \$300,000 over the 5 year project, but if the project does not move forward the monies could go away. The Lions Club by State requirements are required to use the funds in a reasonable time for what it was allocated for.

There was discussion on this being a huge jewel for Economic Development (ED) for the area. The construction would be over several years. Council was not satisfied with pre-committing funds before the budget process and not knowing if the funds requested from the Downtown Development Authority (DDA) will even be committed to the project. There was discussion on if the amphitheater and event center will be competing with each other. The City is contracting for a study of the event center but it will be 4-6 months before the study would be completed.

Mayor Norris suggested September 21st to have a list of the capital projects ready so that Council would be able to prioritize them for the entire City and have this for the next budget workshop.

Chief Camper extended an invitation to Council for Thursday from 1-3 p.m. in the Police Department training room. There will be a presentation on the Jessica Ridgeway kidnapping from Westminster Police Department.

Agenda Topic 3. Budget Planning Assumptions

ICM Moore described the timeline on the budget which has been followed year after year. The entire Department Head team is present to allow for a high level operational side discussion of the budget.

The budget that is adopted will implement the Council's policy, priorities and vision going forward. Revenue and capital will be detailed later in the budget cycle. This is Council's opportunity to ask questions of the Department Heads. It was agreed to look at least a 2-3 year budget plan, using the economic indicators.

ICM Moore described the slide graph that Financial Operations Director Jodi Romero had prepared, showing what the City is doing today, what the City's current core services are, and what are the amenities. This is just a way to describe where the City is with core services today. ICM Moore said that Public Safety, Infrastructure, and Economic Development are the three core areas Council has identified.

Councilmember Taggart stated he is still at a loss but when he first raised this issue, it was in regard to the revenue. He believes one cannot do a budget without revenue numbers. He doesn't understand going at the expense side of things before understanding the revenues. It was his perspective that the expenses and operating expenses are the details; the difference here is limitation of the revenues.

There was a general discussion of past budget processes that the budget is only a guideline and the Department Heads have to manage the budget. Councilmember Taggart believes that if the Department Heads are given a flat budget, it is an impossible task. Ms. Romero said they have shared the budget assumptions with Department Heads. Ms. Romero listed the top five revenues which make up 79% of the General Fund and where the figures for these revenues come from. Ms. Romero said they usually go into the budget conservatively with revenue estimates; they would rather amend revenue budgets up. Councilmember Taggart said if this information Ms. Romero just gave was on a sheet of paper by line item, giving conservative and then aggressive figures, this is what he is looking at for assumptions. Population does not necessarily drive sales tax revenues. She said it is getting more difficult within the City's estimated resources to maintain the same level of services.

Councilmember Chazen said he is not trying to micro manage the budget but he knows there are fees the City has not looked at but every dollar of revenue will count.

Councilmember Kennedy said his expectation is that the Department Heads would have set their priorities and their recommendations, along with the revenue that Councilmember Taggart is looking for and that is how he would like to base his decision.

Ms. Romero said this feedback is needed and before the next budget workshop, they will have a prioritized list, listing what the City is doing now and a discussion can happen to see if there is anything that needs to drop off the list. She will have this to Council before the next workshop.

Ms. Romero said the policy discussions that will need to be with Council have been discussed with the Department Heads.

Mayor Norris said there are other things that need to be addressed in the budget process to continue with ED.

Councilmember Boeschstein reminded Council that all of the long range plans need to be looked at during the budget process.

There was discussion on the tough job creating the budget, the track record over the last five years on budget projections, and if this was helpful to the Department Heads. Chief Camper said he believes the Council has hit on a lot of things the Department Heads wanted to talk about, but their dilemma as Department Heads are the other things they want to do. Every department has priorities, but if the revenue is flat, that actually means cuts due to costs going up. Chief Camper said they either take the things they want off the table or they start dipping into the things that are currently being done. Chief Watkins talked about the demand for service and the increase in calls from his perspective have increased 14-16% which is one big cycle, the demand on people and service, equipment, and if the trend continues how the City will go forward in the future.

Councilmember Kennedy said what he wants to see is what the financial performance has been and derive the operational costs that the departments know are going to increase. That would get the City away from the flat budget argument and it would be easier to take to constituents, what is needed versus what is wanted, it doesn't happen at the same cost. This is the information he is asking for.

Councilmember Taggart said his concern is whatever the Council asks for, ICM Moore, Director Romero, and Departments Heads should have a format that can be used at the front end of the budget process every year. This was agreed upon.

ICM Moore talked about getting this information together for Council and how soon that could be ready. Ms. Romero said ED discussion could be moved the 21st, it would be three running Mondays for budget workshops, and it is hard not to take it piece by piece once getting to the numbers and balancing. The next budget workshop will be a follow up from this discussion to include priorities from the departments; everything they have heard from Council at this workshop, ED, the TABOR transfer for 2016, and the retiree health plan. Mayor Norris also said to bring other revenue sources back to Council.

Council discussed doing a half day or full day retreat instead of three separate Monday workshops. Ms. Romero said if it was later in September, she would have all the figures needed for presentation. A date for a budget retreat will be researched.

Agenda Topic 4. Other Business

Councilmember Taggart is hoping to be able to address the EPIC Ride request on Wednesday night as they are preparing for an International Bike Conference to announce the series for next year and are looking for an answer from the City. ICM Moore said the Council Agenda will be revised to add it for Wednesday under Individual Consideration so it can be discussed.

Agenda Topic 5. Board Reports

Councilmember Chazen reported the Downtown Development Authority (DDA) Director interviews will be Tuesday, September 1st.

Adjourn

With no other business, the meeting was adjourned.

GRAND JUNCTION CITY COUNCIL
MONDAY, AUGUST 31, 2015

WORKSHOP, 5:00 P.M.
FIRE ADMINISTRATION BUILDING TRAINING ROOM
555 UTE AVENUE

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

1. **Panhandling Ordinance:** A discussion of the City's current panhandling ordinance as it relates to some recent Supreme Court decisions.

2. **Las Colonias Park Update:** The Master Plan for Las Colonias Park was adopted by City Council in 2013. Since that time, phase one of the project has been completed and designs are underway for the amphitheater phase. This presentation will update Council on changes with project cost estimates and phasing options. **Attachment**

3. **Budget Planning Assumptions**

4. **Other Business**

5. **Board Reports**